

SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING AND
REGULATION

BEFORE THE SOUTH CAROLINA BOARD OF PHARMACY

JUNE 16, 2011

BOARD MEMBERS:

J. R. "BOBBY" BRADHAM, CHAIRMAN

DAN BUSHARDT, VICE CHAIRMAN

DOCK HENRY ROSE

ROBERT C. "ROB" HUBBARD

DAVID BANKS

HUGH MOBLEY

ADDISON LIVINGSTON

DR. LEO RICHARDSON

LEE ANN BUNDRICK, ADMINISTRATOR

CHRISTA BELL, GENERAL COUNSEL

DEAN GRIGGS, ADVICE COUNSEL

accordance

Newspaper,

This meeting is meeting is being held in
with Section 30-4-80 of the South Carolina Freedom of
Information Act by notice mailed to the State
Associated Press, WIS-TV and all other requesting
persons, organizations or news media. In addition, the

main

notice was posted on the bulletin boards at the two
entrances of the Kingstree Building, Columbia, South
Carolina.

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1 MR. BRADHAM: Good morning. This meeting is being
2 called to order. This meeting is being held in
3 accordance with Section 30-4-80 of the South
4 Carolina Freedom of Information Act by notice
5 mailed to the State Newspaper, Associated Press,
6 WIS-TV and all other requesting persons,
7 organizations or news media. In addition, notice
8 was posted on the bulletin boards at the two main
9 entrances to this building, the Kingstree
Building.
10 We'll begin by Pledge of Allegiance to the flag.
11 Remain standing afterwards for a moment of
12 meditation.
13 (Pledge of Allegiance and Prayer.)
14 MR. MOBLEY: Mr. Chair.
15 MR. BRADHAM: Yes, sir.
16 MR. MOBLEY: I make a motion that we go into executive
17 session briefly, to ask advice attorney for legal
18 advice.
19 MR. BRADHAM: Do I hear a second for that motion?
20 MR. LIVINGSTON: Second.
21 MR. BRADHAM: Okay. Mr. Livingston offered the second.
22 All those in favor of this, indicate by the
23 uplifted right hand.

24

(Board members comply by uplifting their

25

hand.)

just

1 MR. BRADHAM: Opposed by the same sign, and the motion
2 carries. And we will go into executive session
3 with legal advice from our advice attorney for
4 a few moments.

5 (Executive Session.)

6 MR. BRADHAM: I'll entertain a motion that we move out
7 of executive session.

8 MR. LIVINGSTON: So moved.

9 MR. BRADHAM: There a second?

10 MR. BUSHARDT: Second.

11 MR. BRADHAM: All those in agreement, indicate by the
12 uplifted right hand.

13 (Board members comply by uplifting their
14 hand.)

15 MR. BRADHAM: Opposed by the same sign, and the motion
16 carries. While we were in executive session, no
17 decisions or motions were made, nor were any
18 offered. At this time, we will proceed back with
19 the agenda, as scheduled. The first item is the
20 matter of Kimberly Adams. Is that the order in
21 which we wish to proceed?

22 MR. HANKS: Just to indifference Ms. Adams, Mr.
23 Chairman, she hasn't shown up. But we have one of

24 our other respondent that is present. And I was
25 wondering if it would be your pleasure if we saw

to

1 the individual that is present.

2 MR. BRADHAM: Is that Ms. Elizabeth Johnson?

3 MR. HANKS: Yes, sir.

4 MR. BRADHAM: Okay. We can proceed in that manner.

And

5 I believe the court reporter will need to swear

you

6 in. And if you can stand and raise your right

hand

7 and face the court reporter, she will proceed with

8 that.

9 (The witness is sworn in.)

10 MR. BRADHAM: Thank you, Ms. Johnson, for being here.

11 And, Mr. Hanks, you may proceed.

12 MR. HANKS: Thank you, Mr. Chairman, members of the

13 board. Mr. Chairman and members of the board,

14 we're going on record with the matter of Elizabeth

15 Johnson. Her registration number is 16425. It's

a

16 YU Case No. 2010-81. The respondent is here

before

17 you pursuant to a Memorandum of Agreement wherein

18 that she admits to certain violations of the

19 Practice Act. She presents herself here today in

20 front of the board to respond to your questions

21 about the violations, such that you are able to

22 enact an appropriate sanction in this matter.

23 The facts upon which the respondent admits to

24 the violation are thus. The respondent was

25 employed as a technician down at CVS in

Charleston.

6

year

You

her

allegations

the

position

report,

1 During her employment over approximately a two-
2 period, she supplemented a valid prescription.
3 guys have a copy of the valid prescription in your
4 documents. So she took three to four Hydrocodone
5 over a two-year period, to supplement her
6 prescription.

7 If you look at the formal complaint, you'll
8 understand that we thought or initially charged
9 with additional charges that related to diversion
10 of Alprazolam and some additional legend drugs.
11 However, the state is withdrawing those
12 in the Memorandum of Agreement. We cleared this
13 individual of any allegations of other diversion,
14 other than the three to four Hydrocodone.

15 However, if you look on the second page of
16 MOA at the top on Page 3, it's the state's
17 that respondent was aware that another technician
18 at CVS was possibly diverting or had engaged in
19 some type of suspicious conduct and did not
20 to members of the board, that conduct to Loss

21 Prevention.

22 So essentially, this individual supplemented
23 her prescription by taking some drugs from the CVS
24 down there at Charleston. She did have a valid
25 prescription, but she did not pay for the

1 additional drugs that she was taking from the CVS.

2 And also, in my estimation, she had reason to
3 be suspicious of another individual that was
4 diverting large amounts of drugs from the CVS in
5 Charleston. But she did not talk to Loss
6 Prevention about the possibilities or the issues
7 which she observed or heard from the other
8 technician.

9 MR. BRADHAM: You said we had a copy of the valid
10 prescription. I see a drug profile, but I don't -

11 MR. HANKS: Not a prescription; that's right. You have
12 a drug profile for that period of time, yes, sir,
13 from CVS.

14 MR. BRADHAM: Okay. And I see the medication that
15 you're referring to in question, appear on the
16 profile 1, 2, 3, 4, 5, 6 times. So is just one of
17 these the valid prescription? and the other are
18 invalid? Or --

19 MR. HANKS: I'm confused. What I'm saying is that she
20 did have authorization to take the Hydrocodone
21 5/500 from a physician.

22 MR. BRADHAM: Every time it was filled on this

23 profile.

24 MR. HANKS: Excuse me, Mr. Chairman, the validity of

25 those prescriptions are really not what the case

24 of Agreement. You have the individual's statement
25 to the Loss Prevention, and you have the fact that

9

1 she was temporarily suspended back in August of
2 2010, members of the board, when we assumed,
again,
3 that she was complacent in the diversion of
4 Alprazolam. And she's been suspended since that
5 time as practice as a state-certified technician
6 since that time.

7 That's all I have. Hear from the respondent.

8 MR. BRADHAM: Okay. Ms. Johnson, this is an
opportunity

9 for you to share with the board members anything
10 that Mr. Hanks said. Do you agree with everything
11 that he said?

12 MS. JOHNSON: Yes, I do.

13 MR. BRADHAM: Okay. And so nothing was presented that
14 was inaccurate.

15 MS. JOHNSON: No.

16 MR. BRADHAM: Okay. This is an opportunity for you to
17 share with the board anything that you wish to
18 share with the board with regard to our hearing
19 this Memo of Understanding.

20 MS. JOHNSON: I agree to everything that has been
21 stated. I told Loss Prevention that also. I did
22 take -- like I told them, I couldn't remember like

23 maybe three tablets over a two-year period when I
24 didn't have my own medication at work. I suffer
25 from very, very bad menstrual cramps, and I took

1 it. And I knew that it was wrong, and I did agree
2 to that.

3 MR. BRADHAM: Okay. And how long have you been without
4 your registration as a certified pharmacy
5 technician?

from

6 MS. JOHNSON: I haven't practiced since I got fired
7 CVS, and I didn't even know it wasn't suspended.
8 In the process of all of this, when I got fired --

9 MR. BRADHAM: What date was that?

10 MS. JOHNSON: May 21st.

11 MR. BRADHAM: Of?

12 MS. JOHNSON: Last year, 2010. At the time that it
13 happened, I was in the process of moving out of my
14 apartment, so I didn't get a lot of letters or
15 whatever, so I was in the process of moving and
16 building a house. So I didn't know this was going
17 on.

18 MR. BRADHAM: Anything else you wish to offer to share
19 with the board?

20 MS. JOHNSON: Like I said, I definitely have learned my
21 lesson. And it affected my life a lot. You know,
22 I loved working at CVS, but I knew what I did was
23 wrong. As a result of it, I lost my job, was

getting 24 unemployed for about a month. And ended up
25 a job over at Virginia College in Charleston

1 actually teaching pharmacy tech. Just knew that I
2 couldn't practice or whatever as a technician.

3 So I went ahead and I started teaching former
4 -- up and coming technicians. And just by being
5 there for the last year, I've been able to share
6 this story without including my name to just new
7 and upcoming technicians on what not to do when
8 you're in the pharmacy.

9 MR. BRADHAM: That's a brave effort on your part. I
10 congratulate you for doing that.

doing

11 MS. JOHNSON: Thank you. So that's what I've been

and

12 for the last year. And I know when Mr. Hanks
13 called, he asked if I wanted to practice again,

I

14 I told him I did. I kind of miss it. I teach
15 community pharmacy. So just going through and
16 talking to my students and letting them know the
17 ins and outs and just different things I do, like

18 actually miss working in the pharmacy.

19 MR. BRADHAM: Okay. All right. Any questions of board
20 members?

readable

21 MR. LIVINGSTON: I do. Mr. Hanks, can we get a

22 copy of her statement?

23 MR. HANKS: Unfortunately, of course, I would have

24 gotten it. My copier wouldn't darken it up. But

I

25 can have her read the statement, if you'd like to

1 do that. Would you be able to read the statement?

2 MR. LIVINGSTON: Just the first page. I can't make
3 out --

4 MR. HANKS: I wouldn't try to give you-all any worse
5 copy than I had.

6 MR. LIVINGSTON: I mean, can y'all read it
7 satisfactorily?

8 MR. BRADHAM: I have not tried. But now that I'm
9 trying --

10 MR. HANKS: This one's a little darker. And I think
you
11 might be able to navigate your own handwriting.

12 MS. JOHNSON: Okay. The first one is --

13 COURT REPORTER: She needs to speak up because I'm not
14 hearing her.

15 MS. JOHNSON: Okay. The first question that was asked
16 by Shannon was the reason for the conversation
17 today, which they had a suspicion about some
18 medication being taken out of the pharmacy.

19 MR. BRADHAM: And Shannon is the --

20 MS. JOHNSON: Loss Prevention.

21 MR. BRADHAM: -- Loss Prevention person for CVS.

22 MS. JOHNSON: Uh-huh. Yes.

23 MR. BRADHAM: Okay.

24 MS. JOHNSON: And in retrospect, he just told me to put
25 down that it was self-medicating, but I wrote that

1 because he asked me to. And I just explained that
2 I took like maybe three or four. I couldn't even
3 remember because it was over a two-year time, and
4 just for cramps.

5 And then he said the second reason because of
6 suspicion about another technician taking
7 medication. And I told him that her eagerness and
8 willingness to do Cardinal, it was sometimes
9 suspicious, but I didn't have proof that she was
10 taking anything. So I told him I couldn't report
11 anything that I didn't know for -- for a fact, I
12 mean. Just that she made a couple of statements,
13 you know, didn't prove to be anything. But then
14 it did.

15 MR. BRADHAM: So it says the first reason for today's
16 visit -- this is your handwriting; is that
17 correct?

18 MS. JOHNSON: That's right.

19 MR. BRADHAM: -- is "I've medicated while" --

20 MS. JOHNSON: Working.

21 MR. BRADHAM: -- "working in the" --

22 MS. JOHNSON: Pharmacy.

 MR. BRADHAM: -- "in the pharmacy. I've taken about

23 three or four Hydrocodone tablets for my cramps."

24 And I can't read the next --

25 MS. JOHNSON: It says "when I left my prescription at

1 home."

2 MR. BRADHAM: Okay. And second reason is --

3 MS. JOHNSON: "Suspicious about Katrina taking
4 medications from the pharmacy." It says "I was
5 suspicious because of statements she made when the
6 Cardinal order was delivered to the store. Her
7 comments would be 'I got this. I need to get
8 Cardinal today.' And then her eagerness and
9 willingness to put up outside vender order."

10 MR. BRADHAM: And her ordering --

11 MS. JOHNSON: "Medication that was not on the Cardinal
12 sheet."

13 MR. BRADHAM: Okay. And the next question: "Did you
14 pay for the Hydrocodone 5/500 that you took from
15 CVS?" And it says, "No, I didn't pay" --

16 MS. JOHNSON: "For the meds that I took."

17 MR. BRADHAM: -- "for the meds that I took from CVS."

18 "Did anyone give you permission --

19 MR. LIVINGSTON: Or see you take --

20 MR. BRADHAM: -- "or see you take these drugs?" And
21 "No, I didn't receive permission from anyone, and

22 don't believe anyone knew about it."

23 MR. LIVINGSTON: I have a question and, stop me if this

24 is inappropriate, but I'm understanding, the only

25 charges we have here today or our only complaint

is

1 those three or four Hydrodocone tablets and the
2 possibility of knowing about other --

3 MR. HANKS: She should have reported this.

4 MR. LIVINGSTON: Was that "should have reported"
5 something to do with Alprazolam that you initially
6 charged her with?

7 MR. HANKS: Yes.

8 MR. LIVINGSTON: And can we know if someone else has
9 been charged --

10 MR. HANKS: (Inaudible.)

that

11 MR. LIVINGSTON: Well, can I ask this: Can we know

12 there was indeed Alprazolam that was taken? Was
13 it identified that Alprazolam was diverted?

14 MR. HANKS: Unless it's by her.

15 MR. LIVINGSTON: Okay.

16 MR. ROSE: Mr. Chairman, I would like to ask a question
17 if I could, please.

18 MR. BRADHAM: Yes, you may.

19 MR. ROSE: How long have you been working for the
20 Virginia College?

21 MS. JOHNSON: It will be a year in June. June 30th.

doing

22 MR. ROSE: Do you not feel like that what you were

23 at Virginia College qualifies as working under a
24 pharmacy technician? I mean, if you were working
25 at the hospital and you were in charge of training

1 as a technician in charge of training new
2 technicians, would you not have been doing
3 something very similar?

4 MS. JOHNSON: What, like training techs?

5 MR. ROSE: Yeah.

6 MS. JOHNSON: At a hospital? Yes.

7 MR. BRADHAM: That's a permitted facility that has --

8 MR. ROSE: I'm just --

9 MR. BRADHAM: Okay.

10 MR. ROSE: So is Virginia Tech, as far as I know,
right?

11 MR. BRADHAM: Virginia College.

12 MS. JOHNSON: Virginia College?

13 MR. BRADHAM: Virginia College. Are they permitted?

14 MR. ROSE: They have a non-dispensing permit; don't
15 they?

16 MR. ROSE: But what I'm saying is I think that what
17 you've been doing the last year is among the
duties

18 of a pharmacy technician. I feel like you've been
19 working as a technician without a registration.

20 MR. ROSE: Ms. Bundrick, could you speak to that?

21 MR. BRADHAM: Ms. Bundrick would have to be sworn in, I
22 believe.

23 MR. HANKS: That's not the issue. I understand your
24 question, but that's not an allegation against her
25 today.

1 MR. ROSE: Oh, I know.

2 MR. HANKS: It's really not something we should get --

3 MR. ROSE: Into?

4 MR. HANKS: -- into too much, unfortunately.

5 MR. ROSE: Well --

6 MR. HANKS: Unfortunately, we got to stick with just

7 what's written in --

8 MR. ROSE: Yeah.

9 MR. HANKS: -- this memorandum.

10 MR. LIVINGSTON: I'll tell you, we had the same problem

11 the colleges of pharmacy, some of the professors,

12 so --

13 COURT REPORTER; What did you say, Addison?

14 MR. LIVINGSTON: We had the same problem with some of

15 the colleges of pharmacy, some of the professors

16 there, so --

17 MR. ROSE: That are teaching pharmacy without a
license,

18 pharmacy license?

19 MR. LIVINGSTON: Yes.

20 MR. BRADHAM: Might be a conversation better suited

21 for --

22 MR. ROSE: For another time.

23 MR. BRADHAM: -- for another time.

24 MR. ROSE: Yeah. I was just was going by the testimony
25 you said she had lost her registration and she was

1 performing these duties, her testimony.

2 MR. BRADHAM: Any other questions? Mr. Hanks.

3 MR. HANKS: Mr. Bradham and members of the board, it's
4 the state's opinion that this individual should be
5 -- her registration -- understand that it's been
6 suspended since August of 2009. But it's the
7 state's position that this individual should be
8 reinstated, however that her registration should

be

9 placed in a probationary status for an additional
10 period of one year.

11 MR. BRADHAM: Okay.

12 MR. HANKS: Thank you.

13 MR. LIVINGSTON: Mr. Hanks, you said her registration
14 was suspended in August of 2009?

15 MR. HANKS: 2010, I believe. You guys should have a
16 copy of the Exhibit No. 4.

17 MR. LIVINGSTON: I think you just said 2009. Okay.
18 2010.

19 MR. ROSE: And I believe she said she hadn't worked
20 since May of --

21 MR. LIVINGSTON: 2010.

22 MR. HANKS: Excuse me if I misspoke.

23 MR. BRADHAM: Okay.

24 MS. BUNDRICK: So that was May of 2010 when she stopped
25 working?

1 MR. HANKS: That's correct.

2 MS. BUNDRICK: Okay.

3 MR. BRADHAM: Any other comments, Mr. Hanks?

4 MR. HANKS: Nothing further from the state.

5 MR. BRADHAM: Ms. Johnson, comments you wish to make?

6 MS. JOHNSON: I agree with Mr. Hanks.

7 MR. BRADHAM: Okay. All right. Thank you for being
8 here today. And we'll make a decision regarding
9 this issue before we adjourn today. And you're
10 welcome to wait around to see what that decision
11 is.

12 MS. JOHNSON: Okay.

13 MR. BRADHAM: Okay. Thank you very much for being
here.

14 We will go back to the matter of Kimberly Adams.

15 Is Ms. Adams present?

16 (Off the record.)

17 MR. NEWTON: We checked the visitor's sign-in log
sheet.

18 MR. BRADHAM: Okay. Then we will not proceed with this
19 case. Mr. Hanks, is that correct? Or you wish --

20 MR. HANKS: Well, we have the documents showing that
she

21 was served at her last-known address.

22 MR. BRADHAM: Okay.

23 MR. LIVINGSTON: Try her in abstention.

24 MR. BRADHAM: All right. We will then proceed with the

25 matter of Kimberly P. Adams, registration pharmacy

1 technician 28635.

2 MR. HANKS: Mr. Chairman, members of the board we're
3 going on record in the case of Kimberly P. Adams,
4 Registration No. 28635. I believe you-all should
5 have a copy of the form, charges and --

6 DR. RICHARDSON: (Inaudible.)

7 MR. HANKS: I've got extra copies.

8 MR. BRADHAM: You found it, Dr. Richardson?

9 DR. RICHARDSON: Yes. Thank you.

10 MR. BRADHAM: All right, sir. Anyone else need a copy?

11 DR. RICHARDSON: Yes, yes, yes. I'm familiar with --

12 MR. BRADHAM: Okay.

13 MR. HANKS: Mr. Chairman and members of the board, you
14 should also have a copy of the papers of service,
15 showing this individual was served at the last-
16 known address, 2525 Ridgeway Lane in Rock Hill,
17 South Carolina. In this case of --

18 MR. BRADHAM: We've been shown that by our attorney.

19 MR. HANKS: Yes, sir. In this case, the respondent
20 submitted a application back in August of 2009 and
21 answered that she had never been convicted of any
22 criminal civil charge other than a minor traffic
23 offense. The board was able to conduct an

24 investigation where it was determined, members of
25 the board, that the respondent had been arrested

1 for a DWI in the state of North Carolina, and she
2 had also been arrested in the state of South
3 Carolina for a DUI second offense.

taken

4 And it's the state's position that since this
5 individual was arrested on each occasion, was
6 into custody and booked, and had to actually post
7 bond to be relieved from custody, that this was
8 other than a minor traffic offense.

arrested

9 And it's the state's position, and I'll show
10 through Mr. Durant that a ten-year driving record
11 shows that this individual was arrested for a
12 second DUI, a second offense, in South Carolina.
13 We also have a record showing that she was
14 and convicted of a DUI in North Carolina.

15 MR. BRADHAM: DWI?

thing,

16 MR. HANKS: DWI in North Carolina. It's the same

influence

17 driving while impaired, driving under the
18 in the state of North Carolina. All of those
19 things prior to the August 9 application. And so
20 it's my position that she understood that she had

a

21 DWI and a DUI second offense, and that she,

22 nonetheless, answered the application that she had
23 not been convicted of anything other than a minor
24 traffic offense. And that's all the case is about
25 before you.

the

by

1 Unfortunately, the case comes before you
2 incident to an initial application. So this was
3 the application that she submitted to the board in
4 order to obtain her registration, which in my
5 estimation is not accurate and it's false. And
6 board and the staff may have reacted differently,
7 had they understood the truthfulness of those
8 issues.

9 And I'll quickly call Mr. Durant, if that's
10 okay.

11 MR. BRADHAM: And he needs to be sworn in, I believe,
12 our court reporter.

13 COURT REPORTER: What is your first name?

14 MR. DURANT: I go by Eddie, but officially Edward E.
15 Durant.

16 COURT REPORTER: D-U-R-A-N-T?

17 MR. DURANT: Correct.

18 COURT REPORTER: Thank you so much.

19 (The witness is sworn in.)

20 MR. BRADHAM: Yes, sir, Mr. Durant.

21 MR. DURANT: Good morning, sir.

22 MR. BRADHAM: Good morning.

23

DIRECT EXAMINATION OF EDWARD E. DURANT

24

BY MR. HANKS:

25

Q. Would you state your full name, spelling

1 your last name for the record, please?

2 A. Edward E. Durant, D-U-R-A-N-T, is the
3 last name.

4 Q. And where are you currently employed?

Pharmacy

5 A. Well, part time for the Board of
6 as part of LLR.

7 Q. And what are your duties at the
8 Department of Labor? Or LLR, excuse me?

9 A. During the times that I'm over here, I
10 conduct some investigations and -- and review some
11 cases.

12 Q. And prior to coming to LLR, where were
13 you employed?

14 A. With the Bureau of Drug Control, as part
15 of DHEC.

DHEC?

16 Q. And how long were you employed with

17 A. Twenty-five years.

18 Q. And what were your duties there?

19 A. Conduct inspections and audits and
20 investigations for compliance to the Controlled
21 Substance Act.

22 Q. And were you certified as a law

23 enforcement officer?

24 A. Yes.

25 Q. Let me quickly draw your attention. Did

of 1 you have occasion to review in the investigation
2 Kimberly Adams?

3 A. I did.

4 Q. And why was that investigation
initiated?

5 A. An anonymous complaint was filed in the
6 office around January 2010 with allegations that
7 the respondent did not disclose an arrest on her
8 application, pharmacy technician application.

9 Q. Let me show you this document. Can you
10 tell us what that document is?

11 A. This is a pharmacy technician
12 registration application.

13 Q. And who does it relate to, Mr. Durant?

14 A. The pharmacy application is for the name
15 of Kimberly P. Adams.

16 Q. And from where did you retrieve this
17 application?

18 A. I went on the Relays licensing site, our
19 information for this office, and downloaded that.

20 Q. Mr. Durant, what was your concerns with
21 the application?

22 A. When you look at the allegations in the

23 complaint that allege that this respondent had
24 falsified information or did not disclose. And
25 when you look at this application on Page 2, the

1 second question it says "Have you ever been
2 convicted of criminal civil charges, other than
3 minor traffic tickets? Is there any legal action
4 pending against you or are you currently on
5 probation for any charges or legal action?"

6 The answers here are certainly contradictory,
7 what the allegations were in the complaint.

8 Q. And could you read to the board the
9 question that you had some concern about?

10 A. Like I said, on Page 2, second question:
11 "Have you ever been convicted of any criminal or
12 civil charges," and in parenthesis "other than a
13 minor traffic ticket? Is there any legal action
14 pending against you or are you currently on
15 probation for any charges or legal action?" And
16 the question was checked "No."

17 Q. And were you able to pull the criminal
18 history of this individual?

19 A. Yes. I reviewed the criminal history.

20 Q. And was it consistent or inconsistent
21 with that application?

22 A. Inconsistent.

23 Q. And did I also ask you to pull a ten

24 driving record on this individual?

25 A. Yes, sir.

1 Q. Let me show you this document. What is
2 this document?

3 A. This represents the ten year driving
4 history, pulled from the DMV website.

5 Q. And did I also ask you to pull her North
6 Carolina drivers information?

7 A. Yes.

8 Q. Let me show you this document. What is
9 that document?

10 A. This represents the driving history of
11 any infractions incurred by Ms. Kimberly Adams in
12 the state of North Carolina.

13 Q. And, Mr. Durant, can you tell the board
14 when the respondent was arrested for a North
15 Carolina DWI?

16 A. Date of arrest for DWI North Carolina
was
17 June the 10th, 2005.

18 Q. And when was that offense disposed of?

19 A. Disposition was March 16th, 2006.

20 Q. And what was the disposition of that?

21 A. Was a bench trial before a judge, and it
22 was a guilty verdict.

23 Q. And I would also ask you to refer to the

24 ten year South Carolina driver's record. Can you
25 tell us, when was she arrested for the DUI second

1 in South Carolina?

2 A. The date of that was arrest July 16th,
3 2008.

4 Q. And when was that offense disposed of?

5 A. January 29th, 2009.

6 Q. And how was it disposed of?

7 A. A guilty plea before the judge.

8 Q. Mr. Durant, in each of those occasions,
9 was this individual able to drive her vehicle
home?

10 A. In normal cases of a DWI, which is a
11 North Carolina DUI, not seeing the case report,
but
12 that's not of normal. You're pretty much taken
13 into custody. You have the opportunity to do the
14 Breathalyzer.

15 Q. And do you know from your investigation
16 whether or not this individual was taken into
17 custody in North Carolina?

18 A. It looks as if in the documents that I
19 see and in the criminal history reports that she
20 was taken into custody in both cases.

21 Q. And from your experience as a law
22 enforcement officer, when you're taken into

takes 23 custody, is there a degree of processing that
24 place before you're released?
25 A. Initially, within that first couple

1 hours, when you're booked into the detention
2 facility, you're going to be photographed and
3 you'll also be fingerprinted, as part of
4 identification process.

5 Q. So, Mr. Durant, did one or more of those
6 offenses occur prior to that 2009 application?

7 A. Both offenses occurred prior to 2009
8 application.

9 MR. HANKS: Mr. Chairman, that's all I
10 have. I would ask that the ten year
11 driving record and the driving document
12 from North Carolina, as well as the
13 application, be admitted into evidence

as

14 State's 2, 3, 4.

15 [MARKED FOR IDENTIFICATION INTO EVIDENCE
16 AS STATE'S EXHIBITS 2, 3 & 4.]

17 MR. BRADHAM: Any questions of Mr. Hanks
18 or Mr. Durant?

19 DR. RICHARDSON: Mr. Durant, you got a
20 call anonymously, you said?

yes,

21 MR. DURANT: An anonymous complaint,
22 sir.

23 DR. RICHARDSON: Is that normal for you
24 to --
25 MR. DURANT: I see -- I see quite a few

29

1 anonymous complaints. Since we're here
2 at LLR, with LLR. But even in prior
days
3 of DHEC, we always have anonymous
4 complaints. As long as information can
5 be provided credibly or we could
validate
6 the information, don't have a problem
7 with anonymous complaints, you know.
8 Just some people just care not to put
9 their name to them.

10 MR. BRADHAM: Any other questions?

11 MR. LIVINGSTON: I have a couple
12 questions about the two documents you
13 gave us. And then maybe either of you
14 can answer. It looks like there's other
15 things on here. A violation hit and
run,
16 property damage, property and damage
17 only. Is that considered a minor
traffic
18 violation of the state?

19 MR. DURANT: Then let me, they have the
20 ability to issue, Mr. Hanks --

21 MR. GRIGGS: I think Mr. Hanks can

you

22 provide his legal opinion on that, if
23 want to know. But you and I can also
24 discuss it.
25 MR. LIVINGSTON: Okay.

1 MR. GRIGGS: And I think Mr. Hanks can
2 answer that, if he'd like to, or if he
3 has an opinion.

4 MR. LIVINGSTON: And will you answer
5 that? Or rather not? Okay. That's
6 fine. Let's look at the North Carolina
7 form. And the dates on here, the first
8 line, under the "nature of record or
9 division action," it says 361606. And
10 then it has ending date 8/23/10. I

guess

11 that's first offense of driving while
12 impaired. But then the next line says
13 6/10/05 to 3/16/06, it says "driving
14 while impaired." Does that mean that
15 there was another incident in North
16 Carolina? Can we assume that? Or is --
17 MR. DURANT: Those in my opinion, all
18 these forms get a little confusing when
19 you look at these criminal history
20 reports.

21 MR. LIVINGSTON: Right.

22 MR. DURANT: But the part that I can
23 definitely tell you, we're dealing with

a

24

one DUI in North Carolina. There's not

25

separate charge in North Carolina.

1 MR. LIVINGSTON: So only one charge
2 there.

3 MR. DURANT: There's only one charge in
4 North Carolina. The second DUI we are
5 referencing is in South Carolina.

6 MR. ROSE: Mr. Durant, you were talking
7 about the tips that y'all get
anonymously

8 from people. It could be somebody
9 working with her. Could be a family
10 member that doesn't want her driving
11 anymore.

12 MR. DURANT: Right.

13 MR. ROSE: Could be any person; could
14 even be a family member, you know.

15 MR. DURANT: Absolutely. Correct.

16 MR. ROSE: I don't see anything wrong
17 with that.

18 MR. BRADHAM: To your knowledge, Mr.
19 Hanks or Mr. Durant, has she been -- is
20 she continuing to work as a pharmacy
21 technician? Or has her employer taken
22 action against her employment? Or do we
23 know?

24

MR. DURANT: To my knowledge, reviewing

25

the case -- and I'm not the case agent

or

1 case investigator; on this particular
2 case -- looks to me as if she's been
3 terminated from employment as a pharmacy
4 technician.

5 MR. LIVINGSTON: So you're not the case
6 investigator. You have reviewed the
7 case.

8 MR. DURANT: I have reviewed the case,
9 correct.

10 MR. BRADHAM: So this came over to you
11 from the investigative entity of LLR.

12 MR. DURANT: (Witness nods head.)

13 COURT REPORTER: Is that a yes?

14 MR. DURANT: Correct.

15 MR. BRADHAM: So you have not -- you or
16 Mr. Hanks have not had a conversation
17 with this person on the phone or face to
18 face?

19 MR. HANKS: I've spoken with the
20 individual several times and
communicated
21 by email.

22 MR. BRADHAM: Okay. How about you, Mr.
23 Durant?

24

MR. DURANT: Me, directly with the

25

respondent?

1 MR. BRADHAM: Yes.

2 MR. DURANT: No, sir.

3 MR. DURANT: Hold on just a minute, if
4 you don't mind.

5 MR. BRADHAM: Okay.

6 MR. DURANT: Just for your information,
7 this case was investigated by Ray

Trotter

8 in our office. And only because Mr.

9 Trotter could not be here for
extenuating

10 circumstances, did I take the case and
11 review it in his absence. This is Mr.
12 Ray Trotter's case.

13 MR. BRADHAM: Okay. When was your last
14 communication of any form with this
15 person, Mr. Hanks?

16 MR. HANKS: Sir, I believe it was last
17 Thursday.

18 MR. BRADHAM: And that was email? or a
19 phone conversation?

20 MR. HANKS: I believe it was email.

21 MR. LIVINGSTON: So from what I'm
22 understanding, though, she still has her

23 technician certificate and it is in good
24 standing as it stands --
25 MR. HANKS: Yes, sir.

1 MR. LIVINGSTON: -- right now. Okay.

2 MR. HANKS: Yes.

3 MR. LIVINGSTON: So she has the ability
4 to work, if she can find employment. Or
5 if she may have employment we're not
6 aware of. Okay.

7 MR. BRADHAM: So she did not surrender
8 her -- okay.

9 MR. LIVINGSTON: That's one of the
10 reasons we're here.

by

11 MR. BRADHAM: And in the communication
12 email, was that an email you sent that
13 she responded? Or an email you sent
14 she did not respond?

that

15 MR. HANKS: Sir, we have communicated
16 first by telephone, and we also got her
17 email address so we can quickly
18 correspond documents also. So I believe
19 there is about four email

communications,

20 and about an equivalent number of phone
21 calls.

been

22

MR. BRADHAM: So the emails have not

23

one-sided?

24

MR. HANKS: You mean, whether I would

25

send it and it wouldn't come back?

1 MR. BRADHAM: Or whether she did respond
2 once an email was sent.

3 MR. HANKS: Yes, she would respond.

4 MR. BRADHAM: I have no more questions.
5 Does anyone else have any questions?

6 (NO RESPONSE.)

Mr.

7 MR. BRADHAM: Anything else from you,

8 Hanks? Anything else from you, Mr.

9 Hanks?

10 MR. HANKS: Just a brief closing, Mr.
11 Chairman. Thank you. It's the state's
12 opinion that the board really should
13 consider whether or not knowing the true
14 status of this individual, whether or

not

15 they would have initially granted the
16 registration. But notwithstanding,
17 knowing what kind of individual you're
18 dealing with at this point, the state
19 would ask at a minimum that this
20 registration be indefinitely suspended,
21 pending her evaluation by the RPP

program

22 and her one-year compliance with any

23 recommendations that the RPP program has
24 before you consider reinstating the
25 registration, if you would.

1 The other possibility is that the
2 board might consider entirely revoking
3 the registration because the information
4 that is submitted on the initial
5 application turned out to be false. And
6 I appreciate your time. Thank you.

7 MR. BRADHAM: Those are the only two cases I have, but

I

8 have a third document here.

9 (Off-the-record discussion.)

10 MR. GRIGGS: Mr. Hanks, there was an Anthony Coaxum
11 consent agreement sitting up here and I think
12 they're saying there was another one.

13 MR. HANKS: And is it the board's pleasure to hear the
14 -- yeah, yeah, y'all have these because they
15 thought they were going to hear this case.

16 MR. BRADHAM: Is that the same thing as this?

17 MR. HANKS: No, sir. It's my understanding that, Lee
18 Ann, you guys wanted to go ahead and present to --

19 MR. BRADHAM: I have a consent agreement, Benedict
20 College Student Health Center.

21 MR. HANKS: Well, it's my understanding --

22 MR. GRIGGS: Are y'all just submitting those for
23 consideration? Is that what -- or --

added 24 MR. HANKS: I'm assuming that, Lee Ann, these were

25 to the agenda, or were they not?

to

I'm

1 MS. BUNDRICK: Yeah. I talked with Christa yesterday
2 afternoon. She said that we could hear -- chose

3 hear today.

4 MR. BRADHAM: Well, in the absence of our legal --

5 MR. GRIGGS: Well, that's something I can handle, so
6 yeah I can handle these Consent Agreements. So

7 here if you want to do it.

8 MR. BRADHAM: So we can do this without her present.

9 MR. GRIGGS: You can.

10 MR. BRADHAM: Is it the board's pleasure to take up the
11 issue -- and you said you have another one?

12 MR. HANKS: Was it only two?

13 MR. ROSE: Should be two.

14 MR. HANKS: Mr. Coaxum and --

15 MS. BUNDRICK: Benedict College.

16 MR. HANKS: -- Benedict College. Those are the two? I
17 think those are the only two.

18 MR. ROSE: Well, I had three other ones. Are they
19 not --

20 MR. LIVINGSTON: Yeah, I do too. I have a Moody that
21 was given to me yesterday. That had been taken
22 care of yesterday.

you

23 MS. BUNDRICK: We originally had five hearings. Two
24 heard today, two relinquished and one asked for a
25 continuance.

1 MR. LIVINGSTON: Okay. So you remember the name of --

2 MR. GRIGGS: I think I have that information. Hold on

3 second.

4 MR. HANKS: We should have started off with those two:

5 Moody and Conyers. We should have started off

6 those two --

7 MR. LIVINGSTON: But they're done.

8 MR. HANKS: Yes, sir.

9 MR. LIVINGSTON: They're done.

10 MR. HANKS: Those two relinquished.

11 MR. LIVINGSTON: Then Open Digway, if I'm saying that

12 correctly, was a continuance; is that correct?

13 Okay. So that was a continuance. That one's done

14 too.

15 MR. BRADHAM: So the only two that we're left with are

16 Coaxum and Benedict College.

17 MR. HANKS: And those were received, Mr. Chairman.

18 MR. BRADHAM: Coaxum and Benedict College?

19 MR. HANKS: Yes, sir. And rather than tying over to

20 next board meeting, I think staff can act --

21 MR. BRADHAM: Okay.

22 MR. GRIGGS: And do y'all have another copy of the

a

with

the

23 Benedict College, just so I can make a file for my
24 records?

25 MS. BUNDRICK: They were passed out yesterday, after
the

1 meeting. It should have been.

2 (Off-the-record discussion.)

3 MR. BRADHAM: We will then proceed with the matter of a
4 consent agreement with Anthony Michael Coaxum.
5 Does everybody have that documentation? Anyone
6 need --

7 MR. ROSE: What's the last name?

8 MR. BRADHAM: C-O-A-X-U-M. Case No. 2010-34.

9 MR. ROSE: No. I don't think I have that.

10 (Off-the-record discussion.)

11 MR. BRADHAM: Does everyone have the Benedict College
12 Student Health Center, OIE No. 2009-28?

13 MR. LIVINGSTON: I think I have that.

14 MR. BRADHAM: Anyone need a copy of either one of
these?

15 (NO RESPONSE.)

16 MR. BRADHAM: Okay. We will proceed with the matter of
17 Anthony Michael Coaxum, then.

18 MR. HANKS: Thank you, Mr Chairman and members of the
19 board. In this case, this individual dispensed a
20 drug, knowing --

21 MR. BRADHAM: This is a pharmacist.

22 MR. HANKS: Yes, sir. The pharmacist dispensed
Percocet

23 to an individual, knowing that there had been a RX
24 alert of suspicious prescriptions. And also, he
25 had been warned by his staff that the individual

1 had tried to present fraudulent prescriptions in
2 the past. Respondent ignored both of those
issues.

3 And because he had spoke with a patient on the
4 phone and promised that he would fill the
5 prescription, he ignored the fact that staff
warned
6 him that this individual had presented fraudulent
7 prescriptions in the past, and the fact that there
8 was an RX alert out there, and he filled the
9 prescription.

10 And finally, the other issue was, the
strength
11 of the drug was unclear on the face of the
12 prescription. So he ignored a number of factors
13 before he decided to go ahead and dispense the
14 drug. Also, the respondent gave a customer an
15 extra 30 Percocet after the customer alleged or
16 claimed that their drugs had came up short.

17 The IRC in this case has decided to put this
18 individuals license in a probationary status for a
19 period of two years, that he not act as the PIC
20 permit-holder during that period, that he suffer a
21 \$1500 fine, and that he seek professional guidance
22 pertaining to any concerns he has, that he may be

23 robbed while on the job, and he must continue in
24 any kind of counseling or under the services of
any
25 mental health professional till such time that
that

course

1 person indicates that he no longer needs services.

2 He's also asked to complete 15 hours of

3 work, medication errors and provide that

4 information to Lee Ann within three months of the

5 affective date of consent order.

6 MR. BRADHAM: Anyone have any questions of Mr. Hanks?

7 MR. BUSHARDT: The prescription was definitely forged,
8 right?

9 MR. HANKS: As a matter of fact, I believe so. Yes,
10 sir. I mean, there was a RX alert that came out.

11 MR. BRADHAM: Any other questions?

12 MR. ROSE: We don't have any testimony or anything that
13 shows that there was a threat made against the
14 pharmacist or the pharmacy; do we? That's an
15 alleged --

16 MR. HANKS: It was a general fear of the pharmacist,
17 based on some experiences that he had in the past.

18 MR. ROSE: But not with this individual.

19 MR. HANKS: Not in respect to this individual.

20 MR. HUBBARD: And he was warned by the pharmacy staff
21 ahead of time?

22 MR. HANKS: Yes, sir.

23 MR. HUBBARD: Because evidently, they had had some

24 experience with this patient.

25 MR. HANKS: That's correct.

1 MR. BRADHAM: And also, that RX alert system --

2 MR. HANKS: Right.

3 MR. BRADHAM: -- was something that apparently staff
had
4 read.

5 MR. HANKS: And to understand the sequence of the
event,

6 he promised the individual -- the individual
called

7 in and said that she had a prescription and
8 described the circumstances of the prescription
9 with the strength. And he thought that he could
go

10 ahead and fill it. And when he talked to his
staff

11 about it, the staff said, "Oh, no. There's a
12 problem with that person. That person is known to
13 do some really fishy things." And also, he saw
the

14 RX alert. But he felt compelled to go ahead and
15 oblige the individual when they presented it.

16 MR. BRADHAM: Any other questions?

17 MR. LIVINGSTON: The customer that he gave the -- or
18 allegedly gave the additional 30 Percocet to, is
19 that the same customer that forged the
20 prescription?

21 MR. HANKS: No, that's a different one.

22 MR. BRADHAM: I know the usual and customary process
23 that I have followed in my nearly 40 years is you
24 do an inventory count. And if this person says
25 they're missing six tablets and you're six tablets

1 over, then you document that on the face of the
2 prescription and have those six tablets for the
3 patient, or 30 or whatever it is. And if it does
4 not, then you certainly don't dispense the
tablets.

5 There are other actions that can be done, but --
6 okay. Any other questions?

7 MS. LONG: How were we made aware of these complaints?
8 Was it a staff member? Or did he self-report?

9 MR. HANKS: Just a self-report maybe. I'd have to pull
10 the file. He was arrested by DHEC. Yeah, DHEC.

He

11 had to go through the entire DHEC process.

12 MR. BRADHAM: Good question, new member. Any other
13 questions? All right. In regard to this, since
14 this is a consent agreement, I will consider

taking

15 a motion from the board, unless the board wishes
16 to discuss in executive session.

to

17 MR. BUSHARDT: I move that we accept the consent
18 agreement.

19 MR. HUBBARD: Second.

20 MR. BRADHAM: A motion made and a second that we accept
21 this consent agreement. Any discussion? All

those

22 in agreement, indicate by the uplifted right hand.

23 (Board members comply by lifting their

24 hand.)

25 MR. BRADHAM: Opposed by the same sign, and the motion

No. 1 carries. The next item is in the matter of
2 Benedict College Student Health Center, License
3 PY8435, Daniel L. New is the permit-holder, and
the 4 OIE Case No. is 2009-28. Is that something you're
5 presenting, Mr. Hanks?

6 MR. HANKS: Yes, sir. This was a routine inspection of
7 their college pharmacy, the health center
pharmacy, 8 and --

9 DR. RICHARDSON: Excuse me. I think I know something
10 about this case. I better recuse myself.

11 MR. BRADHAM: Okay. Let the record show that Dr.
12 Richardson recuses himself from this position.

And 13 Dr. Richardson, if you will just sit out in the
14 audience while we're hearing this case, that will
15 -- you can sit by Mr. Mobley, if you wish.

16 DR. RICHARDSON: I see he has a reserved seat for me.

17 MR. BRADHAM: Okay. You may continue, Mr. Hanks.

18 MR. HANKS: Yes, sir. This was an inspection back in
19 February of 2009. And it showed that the permit-
20 holder was no longer employed at the facility, so
21 they had to change the permit-holder. In this

permit-

22 interim, the director of the facility failed to
23 notify the board that there was a change in
24 holders.

25 That inspection also showed that the location

1 didn't have a monthly pharmacy consultant
2 inspection document. However, I believe those
3 documents were available, and that those
4 inspections had been conducted, but they were not
5 located at the location. And those documents were
6 provided the following day or the day after the
7 inspection.

8 So they failed to notify the board that there
9 was a change of permit-holder, and there were
10 certain documents that were missing. They were
11 stored at the individual's place of employment and
12 had to be brought back to the permit location.

And

13 the IRC's assessment of this case was that this
14 permitted facility should suffer a \$500 fine.

15 MR. LIVINGSTON: I move that we accept this.

16 MR. ROSE: Second.

17 MR. BRADHAM: Motion's made to accept and a second has
18 been made. And now any discussion? Only comment

I

19 have, a question I have is the pharmacist that
20 conducted the monthly inspections, due diligence

in

21 making sure that the permit-holder stayed the

same,

22 was there considered any liability there?

honestly

23 MR. HANKS: You know, this was a 2009 issue. I

24 can't recollect.

25 MR. BRADHAM: Okay. All right. Just an observation.

1 Any other questions, comments of Mr. Hanks?

2 (NO RESPONSE.)

3 MR. BRADHAM: Anything else, Mr. Hanks?

4 MR. HANKS: Nothing further.

5 MR. BRADHAM: We have a motion to accept and we have a
6 second to accept. All those in favor of this,
7 indicate by the uplifted right hand.

8 (Board members comply by lifting their
9 hand.)

10 MR. BRADHAM: And opposed by the same sign. And the
11 motion carries. Are there any other issues that
12 have been asked for us to consider?

13 MR. LIVINGSTON: If not, I'll make a motion we go into
14 executive session.

15 MR. BRADHAM: I have a motion we go into executive
16 session.

17 MR. ROSE: Second.

18 MR. BRADHAM: And I have a second to that, Mr. Rose.
19 All those in agreement, indicate by the uplifted
20 right hand.

21 (Board members comply by lifting their
22 hand.)

23 MR. BRADHAM: Opposed by the same sign, and the motion

we

sufficient

1 MR. BRADHAM: Let the record show that while we were in
2 executive session, no motions were made nor were
3 any offered. And I will entertain a motion that
4 move out of executive session.

5 DR. RICHARDSON: So moved, Mr. Chairman.

6 MR. LIVINGSTON: Second.

7 MR. BRADHAM: Motion's made by Dr. Richardson and
8 seconded by Mr. Livingston. All those in
9 agreement, indicate by the uplifted right hand.

10 (Board members comply by lifting their
11 hand.)

12 MR. BRADHAM: Everyone's in agreement. In the matter
13 regarding Elizabeth Viola Johnson, what is the
14 board's pleasure?

15 MR. LIVINGSTON: Mr. Chairman, I move that we reinstate
16 her license, providing that she gives us
17 evidence of completion of required CE. From point
18 of reinstatement, she will be on probation for a
19 period of one year.

20 MR. ROSE: Second.

21 MR. BRADHAM: Motion's made and seconded. Any
22 discussion?

23

(NO RESPONSE.)

24

MR. BRADHAM: All those in favor, indicate by the

25

uplifted right hand.

1 (Board members comply by lifting their
2 hand.)

3 MR. BRADHAM: Opposed by the same sign, and the motion
4 carries. In the matter with regard to Ms. Adams,
5 what is the board's pleasure?

6 MR. LIVINGSTON: Mr. Chairman, I make a motion we
7 permanently revoke her registration.

8 MR. ROSE: Second.

in

9 MS. BUNDRICK: Motion's made and seconded. All those
10 agreement, indicate by the uplifted right hand.

11 (Board members comply by uplifting their
12 hand.)

13 MR. BRADHAM: Opposition by the same sign, and the
14 motion carries unanimously. Those are all the
15 cases that are presented before us. We do have

one

16 other matter, that Ms. Bundrick was going to find
17 out about the MALTAGON, so that we could perhaps,
18 if provided enough information, make a decision.

19 MS. BUNDRICK: I do not have that information.

20 MR. BRADHAM: Okay. So the delegate from MALTAGON,
21 we're not able to name an individual at this time,
22 because we do not have the information. So my

we

23 advice, as outgoing chairman, would be that once
24 find out that date, that you get with the incoming
25 chairman, Ms. Bundrick, and he can poll the board.

the

that,

to

you

being

1 Once you've provided that date to them and poll
2 board to see anyone that might be interested in
3 going to that, and just take a poll of those that
4 might be interested in being our delegate for
5 okay, as soon as we can.

6 Anyone else have any additional matters that
7 we need to discuss at this time? If not, I will
8 ask everyone who wishes to adjourn this meeting,
9 stand.

10 (All board members stand.)

11 MR. BRADHAM: And thank you very much. It's been a
12 pleasure working with you folks for the 12 years,
13 and we are adjourned.

14 DR. RICHARDSON: Mr. Chairman, let's say this, thank
15 for your services for the last 12 years. Me,
16 the next senior member beside you, I think I've
17 been ordered to say thank you for your services,
18 and we really had a good time last night.

19 MR. BRADHAM: Well, someone can go get Mr. Mobley
20 because --

21 MS. BUNDRICK: He's back.

22 MR. BRADHAM: If everything moves as it should be
23 moving, Mr. Mobley will become a member of the
24 Board of Trustees of the University of South
25 Carolina. And my earnest prayer was that God

would

God

1 not allow that to happen until after today, and
2 answered that prayer. So divine intervention
3 prevented you. And so thank you very much, Hugh.
4 You've been a true friend of this board and a true
5 friend who's friendship I will always cherish --

6 MR. MOBLEY: Same here.

7 MR. BRADHAM: -- until we move into eternity, where our
8 friendship will last till eternity.

9 MR. MOBLEY: I hope I'm next door to you.

10 MR. LIVINGSTON: Y'all don't go too far because we do
11 have committees that you can serve on.

12 MR. BRADHAM: Okay. Thank you-all very much.

13 *****

14 (Whereupon, the hearings were adjourned
15 at 11:21 a.m.)

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CERTIFICATE OF REPORTER

I, CECELIA P. ENGLERT, COURT REPORTER AND NOTARY PUBLIC IN AND FOR THE STATE OF SOUTH CAROLINA AT LARGE, HEREBY CERTIFY THAT I RECORDED AND TRANSCRIBED THE SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING AND REGULATION, BOARD OF PHARMACY MEETING/HEARINGS ON THE 16TH DAY OF JUNE, 2011, AND THAT THE FOREGOING 50 PAGES CONSTITUTE A TRUE AND CORRECT TRANSCRIPTION OF THE SAID HEARINGS.

I FURTHER CERTIFY THAT I AM NEITHER ATTORNEY NOR COUNSEL FOR, NOR RELATED TO OR EMPLOYED BY ANY OF THE PARTIES CONNECTED WITH THIS ACTION, NOR AM I FINANCIALLY INTERESTED IN SAID CAUSE.

I FURTHER CERTIFY THAT THE ORIGINAL OF SAID TRANSCRIPT WAS THEREAFTER SEALED BY ME AND DELIVERED TO MARILYN CROUCH, SCLLR - BOARD OF PHARMACY, KINGSTREE BUILDING, 110 CENTERVIEW DRIVE, COLUMBIA, SOUTH CAROLINA, WHO WILL RETAIN THIS SEALED ORIGINAL TRANSCRIPT.

IN WITNESS WHEREOF, I HAVE SET MY HAND AND SEAL
29TH DAY OF JULY, 2011.

CAROLINA,

THIS

CECELIA P. ENGLERT, COURT REPORTER
MY COMMISSION EXPIRES JUNE 03, 2018

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