

South Carolina Board of Pharmacy

MINUTES

Board Meeting

9:00 a.m., November 15, 2012

Synergy Business Park

110 Centerview Drive, Kingstree Building Room 108

Columbia, South Carolina

Thursday, November 15 2012

Meeting Called to Order

Dan Bushardt, R.Ph., of Lake City, called the regular meeting of the SC Board of Pharmacy to order at 9:00 a.m. Other Board members participating in the meeting included Leo Richardson, Ph.D., of Columbia; Dock Henry Rose, R.Ph., of Greer, Rob Hubbard R.Ph. of Clemson, Addison Livingston, R.Ph. of Swansea, Carole Russell, R.Ph. of Charleston, Rebecca Gillespie, R.Ph. of Columbia and Darra Coleman.

Staff members participating during the meeting included: Lee Ann Bundrick, R.Ph., Administrator; Stephanie Calhoun, Administrative Assistant; Marilyn Crouch, Program Assistant; and Clelia Sanders, R.Ph., Inspector. LLR employees participating during the meeting included: Sara McCartha, LLR-Office of General Counsel.

Public attending the meeting included: Kitty Lindler, court reporter.

Mark Sanders, chief investigator OIE; Lee Ann Bundrick, Administrator, Board of Pharmacy; Rosemary Boguski, inspector, Board of Pharmacy; Clelia Sanders, inspector, Board of Pharmacy; Jay Hicks, fourth year student, South Carolina College of Pharmacy; Brian Possce, fourth year student at SCCP; AC Almarode, Office of Investigations and Enforcement; Dylan Sitturb, Office of Investigations; Erin Baldwin, Office of General Counsel here at LLR; David Joseph, Director of Pharmacy, Anazao Health Corporation, Florida; Natasha Nesbitt, corporate counsel, Anazao Health, Tampa, Florida; Bobby Tyler, investigator, LLR. Ray Trotter, investigator for the Board of Pharmacy; Caroline Sojourner, DHEC; Bonnie Thompson, fourth year pharmacy student, South University School of Pharmacy; Elizabeth Wheat, fourth year student at South University; Hanh Ho, fourth year, South University. Kelly Gandy, fourth year student at South University School of Pharmacy; Jas Hicks, South Carolina College of Pharmacy. Brantley Thompson, fourth year student, South University; Brittney Kirkland, fourth year student, at South Carolina College of Pharmacy; Jasmin Hicklen, fourth year student at South Carolina College of Pharmacy; Laura Reeves, South Carolina Pharmacy Association; Pam Cain, Palmetto Health Richland; Allie White, fourth year student, South Carolina College of Pharmacy; Stephanie Fazzone, third year student at Presbyterian College. Stacey Turner, third year student, Presbyterian School of Pharmacy; Sara Dempster, fourth year at South University School of Pharmacy; Laurie Reeder fourth year student, South University School of Pharmacy; and Candice Spencer, Capital Information Affiliates.

Mr. Bushardt announced that this meeting was being held in accordance with Section 30-4-80 of the S. C. Freedom of Information Act by notice mailed to The State Newspaper, Associated Press, WIS-TV and all other requesting persons, organizations, or news media. In addition, notice was posted on the bulletin boards at the two main entrances of the Kingstree Building, Columbia, South Carolina.

Pledge of Allegiance

All present recited the Pledge of Allegiance.

Introduction of Board Members

The Board members, staff and the members of the public attending the meeting introduced themselves.

Chairman's Remarks – Dan Bushardt, R.Ph

1. Approval of Minutes for the September 19-20, 2012 Minutes

MOTION

Mr. Rose moved the Board approve the minutes of the September 19-20, 2012. Mr. Livingston seconded the motion and it carried unanimously.

2. Approval of Reciprocity Interview Candidates for Licensure:

Dates: August 2, 28, September 21, 25, 27, 28, October 2, 5, 6, 8, 9, 10, 11, 18, 22, 29, 30, 31, 2013

MOTION

Mr. Livingston made a motion to accept the reciprocity candidates. Ms. Gillespie seconded the motion and it carried unanimously.

3. Administrator's Report – Lee Ann F. Bundrick, R.Ph.

Report given.

4. Reports from:

Office of Investigative and Enforcement

Mr. Mark Sanders gave the report.

Office of General Counsel

Ms. Erin Baldwin gave the report. (In proxy for Mr. Hanks)

Office of Information Services

Mrs. Bundrick gave the report.

Finance Report

Board reviewed the Finance Report.

5. Compliance and Inspectors Reports

IRC Recommendations for dismissals and dismissals with non-disciplinary letters of concern. Review of proposed Relinquishments, Voluntary Surrenders from the Investigative Review Committee, (IRC)

Mr. Livingston made a motion to dismiss. Ms. Russell seconded the motion and it carried unanimously.

- **Agreement to Relinquish**

2008-37

Mr. Livingston made a motion to accept. Ms. Gillespie seconded the motion and it carried unanimously

2012-63

Ms. Gillespie made a motion to accept. Ms. Russell seconded the motion and it carried unanimously

2012-88

Mr. Livingston made a motion to accept. Ms. Russell seconded the motion and it carried unanimously

- **Consent Agreements**

2009-65

Mr. Livingston made a motion to accept. Ms. Russell seconded the motion and it carried unanimously

2011-19

Mr. Rose made a motion to accept. Mr. Hubbard seconded the motion and it carried unanimously

- **Voluntary Surrender**

2012-80

Mr. Livingston made a motion to accept. Ms. Russell seconded the motion and it carried unanimously

2012-86

Ms. Gillespie made a motion to accept. Ms. Russell seconded the motion and it carried unanimously

2012-89

Mr. Livingston made a motion to accept. Mr. Hubbard seconded the motion and it carried unanimously

2012-101

Mr. Hubbard made a motion to accept. Mr. Livingston seconded the motion and it carried unanimously

- **Cease and Desist**

CD1

Mr. Rose made a motion to accept. Ms. Gillespie seconded the motion and it carried unanimously

A. Request Release from Order-Phillip Price

Mr. Livingston made a motion to accept. Ms. Russell seconded the motion and it carried unanimously

B. Request Release from Probation-Jason Cox

Mr. Livingston made a motion to accept the request to be released from probation, contingent upon him meeting the five year mark, which will be January 16, 2013. Ms. Russell seconded the motion and it carried unanimously

6. Old Business

Non-Resident Application process-Addition Livingston

Mr. Livingston made a motion that the Chairman of the Board work with the administrator to establish a sub-committee, which will consist of 3 members to conduct in-person meetings for all first-time non-resident applicants. Mr. Hubbard seconded the motion and it carried unanimously.

7. New Business

C. Request Approval of Pharmacy Technician Registration Application – Kim Nester

Mr. Hubbard made a motion to approve. Mr. Livingston and Dr. Richardson seconded the motion and it carried unanimously.

D. Request Approval of Pharmacy Technician Registration Application – Felicia Colter

Dr. Richardson made a motion to approve. Mr. Hubbard seconded the motion and it carried unanimously.

E. Request Approval of Pharmacy Technician Registration Application – Sharena Davis

Mr. Livingston made a motion to approve the Pharmacy Technician Registration application of Sharena Davis. Ms. Russell seconded the motion and it carried unanimously.

F. Request Approval of Pharmacy Technician Registration Application – Leslie Gaskins – Defer due to family emergency

G. Request Approval of Pharmacy Technician Registration Application – Alfreda Williams

Ms. Gillespie made a motion to approve the Pharmacy Technician Registration Application of Alfreda Williams. Mr. Livingston seconded the motion and it carried unanimously.

H. Request Approval of Non-Resident Pharmacy Renewal – Anazao Health Corp, David Joseph

Mr. Livingston made a motion to approve the Non-Resident Renewal application for Anazao Health Corp. Mr. Rose seconded the motion which carried unanimously.

I. Request Approval of Non-Resident Wholesale/Distributor Manufacturer Renewal Application – Medisca, Inc., Melanie Cote and Vanessa Verni

Mr. Rose made a motion to approve the Non- Resident Wholesale/Distributor Manufacturer Renewal Application for Medisca, Inc. with the stipulation they be placed on three (3)years probation and any violation would cause immediate administrative suspension of their permit. Ms. Russell seconded the motion and it carried unanimously.

❖ Executive Session – Personnel Issues

LUNCH

New Business Continued

J. Request Approval of Non-Resident Pharmacy Renewal – Medaus Pharmacy, Hube Dodd

Mr. Livingston made a motion to approve the request pending submission of information by Medaus to show their compliance with our statutes, regulations and policies. Specifically, we need information to show that all products they sell via their website that are classified as over-the-counter medication are not compounded, and then I would like to see a list of products they currently ship into South Carolina. Ms. Russell seconded the motion and it carried unanimously.

K Request Approval of Non-Resident Pharmacy Renewal – Compound Pharmaceutical Technologies, Inc., Ronald Jackson

Mr. Rose made a motion to approve the Non-Resident Pharmacy Renewal Application for Compound Pharmaceutical Technologies, Inc. Ms. Gillespie seconded the motion and it carried unanimously.

L. Request Approval of Pharmacy Technician Registration Application- Desiree Burris – Defer until she appears in person.

M. Request Approval of Non-Resident Pharmacy Application – Brown’s Compounding Center, Darby Brown

Ms. Gillespie made a motion to approve the Non-Resident Pharmacy Application for Brown’s Compounding Center, with a \$500 fine for dispensing in South Carolina before being permitted. Mr. Livingston seconded the motion and it carried unanimously.

**N. Request Approval of Pharmacy Technician Registration Application
– Tiffany Willard**

Dr. Richardson made a motion to approve the Pharmacy Technician Registration Application for Tiffany Willard. Mr. Livingston seconded the motion and it carried unanimously.

**O. Request Approval of Pharmacy Technician Registration Application
– Ashley Hendrix**

Ms. Russell made a motion to deny the Pharmacy Technician Registration Application for Ashley Hendrix based on her abuse of drugs, illegal drugs, within the last 18 months and also due to her failure to disclose her mental health issues on her application. Mr. Livingston seconded the motion and it carried unanimously.

**P. Request Approval of Non-Resident Pharmacy Permit Application –
MediStat Rx, LLC, Lucy Hazebrook, Jay McEniry**

Mr. Hubbard made a motion to approve MediStat's Non-Resident Pharmacy Permit Application and be placed in probationary status until in good standing in all states, and automatic administrative suspension if any violations or sanctions pending further action by the Board. Mr. Livingston seconded the motion and it carried unanimously.

**Q. Clarification of Federally Qualified Health Center Permit Designation
in Sites where Licensed Practitioner Dispenses**

Mr. Livingston made a motion that if a Physician is going to dispense they have to have a retail pharmacy permit, and meet the qualifications of that permit. Mr. Hubbard seconded the motion and it carried unanimously.

R. Committee Meetings Calendar – Carole Russell, R.Ph.

Ms. Russell presented the Board with a meeting calendar for 2013 with Committee Meeting dates to assist the Board and staff, as well as improve efficiency.

S. Report on 2014 NABP District III Meeting – Carole Russell, R.Ph

Ms. Russell stated that a venue has been secured for the 2014 meeting. It will be held at The Double Tree at the Market in Charleston, the first weekend of August.

**T. Compounding in Colleges of Pharmacy – Addison Livingston,
PharmD**

Mr. Livingston made a motion that students can take home school laboratory compounds that are non-active ingredients and not drugs. Mr. Rose seconded the motion and it carried unanimously.

U. Request Approval of Pharmacy Technician Certification Course – Belinda Laws

Contact Board staff and ask to reschedule for January, 2013.

8. Committee Reports

- **Pharmacy Technician – Rebecca Gillespie, PharmD**

Ms. Gillespie reported.

- **Compounding – Addison Livingston, PharmD**
 - ❖ **795/797 Task Force – Addison Livingston, PharmD**

See motion under Legislative Committee

- **Legislative – Addison Livingston, PharmD**

Mr. Livingston stated that the motion coming from the Legislative Committee is to move forward with obtaining a sponsor for the legislation. The motion is also for the Compounding Committee and Legislative Committee to work together to draft legislation to present to the General Assembly for a sponsorship.

Mr. Bushardt stated this is a motion from the Committee and does not require a second, and it carried unanimously

- **Nuclear Pharmacy – Dock Rose, R.Ph**

No report.

- **Pharmacy Practice – Dock Rose, R.Ph.**
 - ❖ **Advanced Practice Pharmacists Sub-Committee**

Mr. Rose stated he wasn't sure if they should do much reporting until we find out what's going to happen with litigation.

- **Pharmacy Technology – Rob Hubbard, R.Ph.**
 - ❖ **Pharmacy Practice & Technology Sub-Committee**

Mr. Hubbard made comments about automated dispensing, however, there were no motions taken in the Committee meeting.

- **Recovering Professional Program – Leo Richardson, PhD**
 - ❖ **RPP MOA**

Mr. Sheheen gave a report on the creation of the program and how the monitor process was handled in the past, as opposed to how they are monitoring individuals in the program today.

- **Medication Integrity Committee – Carole Russell, R.Ph.**

No report.

Discussion Topics

*All discussion topics discussed as time permits at the call of the Chairman

Public Comments

Adjournment