

South Carolina Board of Pharmacy

MINUTES

Board Meeting

8:30 a.m., January 24-25, 2007

Synergy Business Park

110 Centerview Drive, Kingstree Building, Room 202-02

Columbia, South Carolina

Wednesday, January 24, 2007

Meeting Called to Order

Marvin Hyatt, R.Ph., Chairman, of Rock Hill called the regular meeting to order at 8:35 a.m. Other Board members participating in the meeting included: Dock Henry Rose, R.Ph., vice chairman, of Greer; David Banks, R.Ph., of Simpsonville; Bobby Bradham, R.Ph., of Charleston; Davis Hook, R.Ph., of West Columbia; Leo Richardson, Ph.D., of Columbia; and Allen Toole, R.Ph., of Liberty.

Dan Bushardt, R.Ph., of Lake City, member-elect, attended the meeting and sat with the Board members in observance of the meeting. He did not participate in any votes taken by the Board.

Staff members during the meeting: included: Lee Ann Bundrick, R.Ph., Administrator; Marilyn Crouch, Program Assistant; Joe Greene, Administrative Specialist; Sally Green, Program Assistant; Diana Harder, Administrative Assistant; Linda Moore, R.Ph., Temporary Inspector/Investigator; Clelia Sanders, R.Ph., Pharmacist Inspector; Tom Porter, R.Ph., Pharmacist Inspector; and Sheila Young, R.Ph., Compliance Manager. LLR employees participating during the meeting included: Larry Atkins, Chief of Investigations, OIE; Sharon Dantzler, Deputy General Counsel; Sandra Dickert, Administrative Assistant; and Pat Hanks, Attorney, LLR-Office of General Counsel.

Members of the public attending the meeting included: McCall Baker, Paulette Bentley, Jessica Beasley, Deborah Boward, Pam Cain, Carmelo Cinqueonce, Ivy Coleman, Tremain Cooper, James Deweese, Kevin Floyd, Genice Gamble, Ravindra Gandhi, Bill Gibson, Kevin Hall, Mary Ellen Helgason, Bobby Hinson, Joe Hinson, Paula Justice, Rebecca Long, Joseph Martino, Carolyn McClam, Michael Mincey, Brian Musgrove, Ron Neyens, Edward Nicholson, Scott Padgett, Maria Pham, Tom Phillips, Laticia Rich, Eric Ridings, Eric Rittenburg, Pam Robertson, Jason Sitowitz, Jonathan Strickland, Ying U, Bill Tumbleston, Jim Ward, Leah Williams, and Sharon Wise.

Mr. Hyatt 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.

Invocation

Mr. Hyatt delivered the invocation.

Pledge of Allegiance

All present recited the Pledge of Allegiance.

Chairman's Remarks – Marvin Hyatt, R.Ph.

Mr. Hyatt made no remarks at this time.

Introduction of Board Members and all other persons attending

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

Mr. Hyatt turned the meeting over to Mr. Bradham at this time.

1. Approval of Minutes for the November 15-16, 2006 Meeting

MOTION

Mr. Rose moved to approve the minutes of the November 15-16, 2006 meeting. Mr. Banks seconded the motion. Mr. Bradham noted one change to page five, item six. The motion carried unanimously.

2. Approval of Reciprocity Interview Candidates for Licensure:

MOTION

Mr. Banks made a motion, seconded by Mr. Hook and unanimously carried, that the Board approve the reciprocity candidates interviewed on November 8, 2006, November 11, 2006 November 16, 2006, November 17, 2006, November 29, 2006, November 30, 2006, December 7, 2006, December 11, 2006, December 19, 2006, January 4, 2007, January 5, 2007, and January 10, 2007.

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

Mrs. Bundrick briefed the Board on staff's activities since the November 2006 meeting.

Mrs. Bundrick presented the members with Statement of Economic Interest forms. She reminded the members that the forms must be returned to the State Ethics Commission no later than April 16, 2007 to avoid penalties beginning at \$100.

4. Compliance and Inspectors Report, Sheila Young, R.Ph.

Investigative Review Committee (IRC) Recommendations for dismissals and dismissals with non-disciplinary letters of concern. Review of proposed Temporary Suspension, Relinquishment and Formal Complaint from the IRC:

Mrs. Young briefed the Board on the compliance department's activities since the November 2006 meeting.

• Formal Complaints

Case #: 2006-55

Case #: 2006-92

Case #: 2007-1

Case #: 2006-58

Case #: 2006-100

Case #: 2007-2

Case #: 2006-64

Case #: 2006-101

Case #: 2007-3

Case #: 2006-90

Case #: 2006-102

Case #: 2007-6

Case #: 2006-103

MOTION

Mr. Banks moved to accept the IRC's recommendation regarding the cases for formal complaints. Mr. Hook seconded the motion, which carried unanimously.

- Temporary Suspension

Case #: 2006-63	Case #: 2006-101
Case #: 2006-64	Case #: 2006-102
Case #: 2006-90	Case #: 2007-2
Case #: 2006-98	Case #: 2007-3
Case #: 2006-100	Case #: 2007-6

Mr. Hanks presented these cases to the Board as information.

- Consent Agreements

Case #: 2005-83	Case #: 2005-151
Case #: 2005-129	Case #: 2006-92

MOTION

Mr. Banks moved to accept the consent agreements as presented. Mr. Hook seconded the motion, which carried unanimously.

- Relinquishments

Case #: 2006-69
Case #: 2006-71

MOTION

Mr. Hyatt moved to accept the IRC's recommendation regarding the relinquishments. Mr. Banks seconded the motion, which carried unanimously.

- Dismissals

Case #: 2005-40	Case #: 2006-57
Case #: 2005-43	Case #: 2006-15
Case #: 2005-45	Case #: 2006-94
Case #: 2005-46	

MOTION

Mr. Banks moved the Board accept the IRC's recommendation regarding the cases for dismissals. Mr. Rose seconded the motion, which carried unanimously.

- Letters of Caution

Case #: 2006-79	Case #: 2006-86	Case #2006-88
Case #: 2006-81	Case #: 2006-87	

MOTION

Mr. Hook moved the Board accept the IRC's recommendation on the cases for letters of caution. Mr. Banks seconded the motion. Discussion on the cases ensued. The motion carried unanimously.

A. Request for Reinstatement - Bobby Hinson

In June 1996 Mr. Hinson consented to discipline and treatment for addiction. In August 1996 he failed to complete a detoxification program and his license was suspended. In October 1999 the Board reinstated Mr. Hinson's license. Mr. Hinson's license was again suspended in March 2000 for failure to comply with the Board's order. The Board reinstated Mr. Hinson's license in July 2000. In July 2001 Mr. Hinson's license was suspended for failure to comply with the Board's order. In 2003 Mr. Hinson failed to meet conditions of his contract with the Recovering Professionals Program (RPP). He tested positive for Darvocet in December 2004. In November 2005 he tested positive for alcohol, but under guidelines this would not have shown up on the test. Mr. Hinson appeared before the Board in June 2005 seeking reinstatement; however, the Board denied his request at that time. He is seeking the Board's approval for reinstatement.

Bobby Hinson and Paulette Bentley, of RPP, appeared before the Board at this time. Mr. Hinson stated he has kept up with his continuing education requirements. Mrs. Bentley testified on Mr. Hinson's behalf.

Mr. Bradham informed Mr. Hinson the Board would take this testimony under advisement and would render a decision later in the meeting.

B. Request for Reinstatement – Michael Mincey

Michael Mincey was arrested to obtaining quantities of Hydrocodone by fraudulent telephone prescriptions in September 1999. He voluntarily surrendered his license on November 12, 1999. He signed with SCRIPT on May 4, 2000 and with RPP on August 16, 2000. He withdrew from RPP on February 28, 2003 and moved to Virginia Beach, Virginia. He re-enrolled with RPP on June 7, 2006. He has submitted 54 hours of continuing education that he completed in 2005 and 2006. He is seeking reinstatement of his license.

Michael Mincey and Paulette Bentley of RPP appeared before the Board at this time. Mr. Mincey stated he surrendered his license seven years ago. He further stated he was uncomfortable immediately returning to the profession and determined to do so within the last one to two years. He said he was unaware of the Script meetings held in January 2007, however, he has spoken with Mr. Scott Padgett who will now contact him in regard to the meetings.

Mrs. Bentley spoke on Mr. Mincey's behalf. She stated he enrolled with RPP in August 2000 and had trouble with the drug screenings as well as financial problems. She further stated he withdrew from RPP in March 2003 and re-enrolled in June 2006. She went on to say he in compliance with all aspects of RPP with the exception of Script meetings.

Mr. Bradham informed Mr. Mincey the Board would take this testimony under advisement and would render a decision later in the meeting.

C. Request for Reinstatement – Brian Musgrove

Brian Musgrove obtained licensure in South Carolina by reciprocity from Virginia in 1993. In February 2004 he pled guilty in federal court to fraudulent billing practices that resulted in losses to insurance companies and Medicaid totaling \$397,770.69. He signed a consent agreement on September 23, 2004 and his license was suspended for a period of two years. He is seeking the Board's approval to reinstate his license.

Brian Musgrove appeared before the Board at this time. Mr. Musgrove stated he does not plan to own another pharmacy. He is currently serving three years of probation and must pay \$397,000 of restitution. He is currently applying for his Virginia license, which is his home state.

Mr. Bradham informed Mr. Musgrove the Board would take this testimony under advisement and would render a decision later in the meeting.

D. Request for Reinstatement – Bill Tumbleston

On September 11, 1995 Bill Tumbleston was arrested on two counts of unlawful possession of a controlled substance, possession with intent to distribute within the proximity of a school, and possession with intent to distribute Class III narcotics. His license was suspended on February 21, 1996. He signed a consent agreement with the Board on October 30, 1996 and was allowed to return to practice. He was arrested by DHEC on March 14, 2002 for doctor hopping and obtaining oxycontin. On March 18, 2002 he voluntarily surrendered his license to the Board. He enrolled in RPP on October 8, 2002. Because of osteoarthritis and multiple surgeries, he has been on various medications since October 8, 2002 such as Tylox, Morphine, Hydromorphone, Hydrocodone, and Oxycodone. His latest prescriptions presented to RPP on December 21, 2006 were for Avinza 120 mg, Amphetaminen Salts 30 mg, and Celebrex. He is seeking the Board's approval for reinstatement of his license.

Bill Tumbleston and Bill Gibson of RPP appeared at this time. Mr. Tumbleston stated he has been enrolled with RPP for the past five years. He further stated he would not be able to work; however, he would like to have his license reinstated. He believes he has pretty up to date on his continuing education.

Mr. Gibson spoke on Mr. Tumbleston's behalf. He noted Mr. Tumbleston is in compliance with his RPP requirements. He noted that a full mental and physical competency exam was not completed prior to Mr. Tumbleston's appearance before the Board.

Mr. Bradham informed Mr. Tumbleston the Board would take this testimony under advisement and would render a decision later in the meeting.

E. Request for Reinstatement – Jonathan Strickland

In September 2002 Mr. Strickland was arrested by the Greenville Narcotics Agents and charged with trafficking cocaine. The charges were dropped by the solicitor's office after prosecution of other respondents. He voluntarily surrendered his license on December 17, 2002. He signed a consent agreement with the Board in March 2004 and his license was reinstated, placed on probation and he was ordered to remain with RPP. He tested positive for cocaine on July 5, 2005 and his license was temporarily suspended on July 27, 2005. He is seeking the Board's approval to reinstate his license.

Jonathan Strickland and Paulette Bentley of RPP appeared before the Board at this time. He stated he has done everything RPP has requested. He further stated he did not realize his negative decisions could affect his life so drastically. He noted he spent six weeks in a residential center. He believes he has all of the required continuing education

Mrs. Bentley spoke on Mr. Strickland's behalf. Mrs. Bentley noted Mr. Strickland is in compliance with RPP.

Mr. Bradham informed Mr. Strickland the Board would take this testimony under advisement and would render a decision later in the meeting.

F. Request for Reinstatement – Pamela Robertson

Pamela Robertson pled guilty to one count in US District Court to the unlawful distribution or dispensing of a controlled substance namely hydrocodone. The court imposed a sentence of one-year probation and fines and costs of \$525.00. She was engaged with an internet pharmacy from December 2003 until May 2004. From December 8, 2003 through December 11, 2003 23,100 tablets were dispensed. From February 23, 2004 through February 27, 2004 64,020 tablets were dispensed, and from May 10, 2004 through May 14, 2004 72,750 tablets were dispensed. The Board's final order, signed on September 28, 2006, suspended Ms. Robertson's license for a period of six months, required her to successfully pass the MPJE (which she passed with a score of 81), that she not serve as PIC or permit holder for five years after reinstatement of her license and that her license be in a probationary status for five years after reinstatement.

Pamela Robertson appeared before the Board at this time. Ms. Robertson stated she has completed the MPJE as required. She further stated the Lexington Medical Center has kept her position for her. She went on to say she has learned a great deal during this time. She presented the Board with letters of recommendation from her peers. She went on to say the medical center currently has a shortage of pharmacists which is why she is before the Board before her six month suspension has been completed.

Mr. Jim Ward of the Lexington Medical Center spoke on Ms. Robertson's behalf. He stated he encouraged Ms. Robertson to appear at today's meeting due to a pharmacist shortage at the hospital.

Mr. Bradham informed Ms. Robertson the Board would take this testimony under advisement and would render a decision later in the meeting.

G. Request to Modify Order – James Deweese

On July 23, 2002 James Deweese admitted that he diverted a quantity of Albuterol, Ultram and APAP #3 over a three-year period and was arrested by DHEC. He was admitted to AnMed Wellsprings from November 6, 2002 to November 26, 2002. He was in aftercare at Three Rivers until signing a contract with RPP on October 29, 2002. A Board order dated July 16, 2003 placed Mr. Deweese's license in probationary status. He entered IOP at Three Rivers on December 2, 2002 and completed the program on January 6, 2003. He is seeking the Board's approval to modify his order and allow him to become PIC.

James Deweese and Latecia C. Rich of RPP appeared before the Board at this time. Mr. Deweese stated he enrolled in RPP in October 2002. He went on to say he completed in-patient care, outpatient care and aftercare programs and is currently attending all required meetings. He further stated he feels good about the progress he has made with his recovery. He said his employer supports him and allows him the time to attend the required meetings.

Mr. Bradham informed Mr. Deweese the Board would take this testimony under advisement and would render a decision later in the meeting.

5. Old Business

There was no old business for discussion.

6. New Business

H. Request Approval of Pharmacy Technician Application- Genice Gamble

On December 28, 2006 the Board received a registered pharmacy technician application from Genice Gamble. Ms. Gamble answered yes to the question asking, 'During the past five (5) years, have you been convicted of any criminal or civil charges (other than a minor traffic ticket)? Is there any legal action pending against you or are you currently on probation for any charges or legal action?'

Genice Gamble appeared before the Board at this time. Ms. Gamble stated she received three years of probation for straw purchasing. She further stated she purchased a gun for her nephew who sold the gun to another individual, who sold the gun to someone else. She noted her nephew was not underage. She also said that she is not allowed to be in the presence of individuals selling illegal drugs. She went on to say she did not have to serve home detention and she is in good standing with her probation officer. She said she will continue on probation until April 2008. She also stated she is currently in the pharmacy technician program at Georgetown-Horry Technical College and will complete the program in December 2007. She noted that although she would finish during the winter quarter the school does not have a winter graduation ceremony and she would not graduate until the spring of 2008.

Ms. Gamble presented the Board with a letter of recommendation from Carol Bianco the program director for Horry-Georgetown Technical College.

Mr. Bradham informed Ms. Gamble the Board would take this testimony under advisement and would render a decision later in the meeting.

I. Request Approval of Reciprocity Application – Scott Miller

The SC Board of Pharmacy received a 2006 Pharmacist License Renewal Form dated March 15, 2006 from Scott Miller. Mr. Miller answered yes to the question asking, 'Since you last registered with this Board, have you been arrested, charged, indicted or convicted of violation of any Federal, State, or Local Law? Mr. Wall included a statement with his renewal application that states he was charged with four misdemeanors on February 17, 2006.

Mr. Miller did not appear during the January 24, 2007 meeting.

J. Request Approval of Reciprocity Application – Ravindra Gandhi

The Board has received a NABP license application dated October 2, 2006 from Ravindra Gandhi. Mr. Gandhi is applying for licensure via reciprocity from Illinois; however, he is also licensed in Oklahoma. Mr. Gandhi answered yes to the question that asks, 'Has your pharmacist license in any jurisdiction ever been revoked, suspended, restricted, terminated, or otherwise been subject to disciplinary action (public or private) by any board of pharmacy or other state authority?' His license was placed on probation by the Oklahoma Board of Pharmacy in 1987.

Mr. Gandhi appeared before the Board at this time. Mr. Gandhi stated while he was in Oklahoma he allowed a technician to place a label on a prescription bottle and he filled a prescription with a generic drug when the physician did not write the prescription for a generic drug to be administered.

He was placed on three years probation for the first matter and required to take additional continuing education for the second matter.

Mr. Bradham informed Mr. Gandhi the Board would take this testimony under advisement and would render a decision later in the meeting.

K. Request Approval of Reciprocity Application – Joseph Martino

On June 5, 2006 the Board received a NABP license application from Joseph Martino. Mr. Martino answered yes to the question that asks, ‘Has your pharmacist license in any jurisdiction ever been revoked, suspended, restricted, terminated, or otherwise been subject to disciplinary action (public or private) by any board of pharmacy or other state authority?’ The New York Board of Pharmacy disciplined Mr. Martino in 1990 for failure to notify the Board in writing of a change in jobs.

Joseph Martino appeared before the Board at this time. Mr. Martino stated in his first supervisory position in October 1990 he was unaware that he was to notify the Board in writing of his job change.

Mr. Bradham informed Mr. Martino the Board would take this testimony under advisement and would render a decision later in the meeting.

L. Request Approval of Reciprocity Application – Kevin Hall

The Board received a NABP license application dated October 6, 2006 from Kevin Hall. Mr. Hall answered yes to the question that asks, ‘Has your pharmacist license in any jurisdiction ever been revoked, suspended, restricted, terminated, or otherwise been subject to disciplinary action (public or private) by any board of pharmacy or other state authority?’ He also answered yes to the question asking, ‘Have you ever been charged or convicted (including a nolo contendere plea or guilty plea) of a felony or misdemeanor (other than minor traffic offenses) whether or not sentence was imposed, suspended, expunged, or whether you were pardoned from any such offense?’ In November 2000, Mr. Hall gave a verbal order, per a physician’s instructions, for loading dose and maintenance infusion for an intravenous medication. The order was correct; however, he assisted the nurse in calculating the drip rate to set on the pump. The calculation for the loading dose was incorrect and resulted in an unintentional overdose. In June 1992 Mr. Hall was pulled over for speeding and arrested for ‘suspicion’ of DUI. He pled nolo contendere and after a review of the breathalyzer and sobriety tests the charge was reduced to reckless driving. The penalties included court costs, fine, license suspension, community service hours, and mandatory AA meetings.

Kevin Hall appeared before the Board at this time. Mr. Hall stated the incident in question involved a medication error in which the patient did not recover from an adverse reaction. He further stated he was terminated from that position. He went on to say he has ensured he became well educated in how to handle medication errors. He said the disciplinary action took place in Florida approximately six years ago. He stated he has not been diagnosed with an alcohol addiction and has not been treated for such.

Mr. Bradham informed Mr. Hall the Board would take this testimony under advisement and would render a decision later in the meeting.

M. Request Approval of Intern Hours – Dan Noyes

On December 18, 2006 the Board received a request from Dan Noyes who is seeking the Board's approval of intern hours. He accrued 510 hours during 2006 in a South Carolina pharmacy. He recorded the hours appropriately and mailed the completed form and a Notification of Employment form to the Board on December 14, 2006. He was unaware he was to complete and mail the Notification of Employment form in January of each year.

Dan Noyes appeared before the Board at this time. Mr. Noyes stated he missed the wording on the form stating he needed to notify the Board of employment. He noted he has obtained 510 hours and is in his third year of pharmacy school.

Charlene Sabio stated Mr. Noyes is one of her best interns. She further stated she should have made sure he was aware of when to turn in the form, however, she did not do so.

Mr. Bradham informed Mr. Noyes the Board would take this testimony under advisement and would render a decision later in the meeting.

N. Request Approval of Intern Hours from Canada – Mary Ellen Helgason

On December 1, 2006 the Board received a Pharmacy Intern Certificate Application from Mary Ellen Helgason. The Board also received a letter from Ms. Helgason asking the Board to apply her years of work as a pharmacist in Canada towards the required internship hours in South Carolina. She obtained a Bachelor of Science Degree in Pharmacy from the University of Saskatchewan. During her first, second and third years of pharmacy school she worked as a pharmacy intern for twelve weeks. She completed her last six months of internship at the Queen Elizabeth II Hospital in Grande Prairie, Alberta. She became a licensed pharmacist in Alberta in January 1990 and was registered as a non-practicing pharmacist in Saskatchewan. She worked as a pharmacist in the hospital setting until November 1999 and continued to complete computer work for the hospital through 2002. During the time since 2002 she has completed a number of continuing education modules and attended continuing education courses. She has maintained ten continuing education units per year. In the spring of 2006 she began to study for the Foreign Pharmacy Graduate Exam (FPGE) and successfully passed the exam in June 2006. She is seeking the Board's approval of her work experience, continuing education and exam scores toward the required intern hours.

Mary Ellen Helgason appeared before the Board at this time. Ms. Helgason stated she is seeking the Board's approval of hours received in Canada. She graduated with a Bachelor's Degree in Pharmacy in 1989. She provided a letter of recommendation from her employer.

Mr. Bradham informed Ms. Helgason the Board would take this testimony under advisement and would render a decision later in the meeting.

O. Request to be PIC in two Places, Clemson Pharmacy Consultants and Clemson Apothecare - Robert C Hubbard, III, R.Ph.

In a letter dated November 30, 2006 Mr. Robert C. Hubbard, III is seeking the Board's approval to become PIC for both the Clemson Apothecare and Clemson Pharmacy Consultants. The two businesses are part time pharmacies only and the hours do not overlap.

Mrs. Young stated these two facilities are not open at the same time. She went on to say Mr. Porter has inspected the facilities and found no violations in either facility.

MOTION

Mr. Hook made a motion, seconded by Mr. Banks and unanimously carried, that the Board accept the request.

P. Request Approval of Reciprocity Application – Jason Sitowitz

The SC Board of Pharmacy has received a NABP license application dated June 5, 2006 from Jason Sitowitz. Mr. Sitowitz is currently licensed in Florida. He answered yes to the question asking, 'Have you ever been charged or convicted (including a nolo contendere plea or guilty plea) of a felony or misdemeanor (other than minor traffic offenses) whether or not sentence was imposed, suspended, expunged, or whether you were pardoned from any such offense?'

Jason Sitowitz appeared before the Board at this time. Mr. Sitowitz stated when he was a student in 1993 he attended a social gathering and the group of individuals he was walking home with was approached by police officers. He further stated the officers gave a group of them tickets for possession of alcohol beverages. He went on to say he was 20 years old at the time and pled guilty. He noted he paid a fine for the offense and has had no other problems with the law.

Mr. Bradham informed Mr. Sitowitz the Board would take this testimony under advisement and would render a decision later in the meeting.

Q. Policy and Procedure #139 – Lee Ann F. Bundrick, R.Ph.

The Board reviewed Policy and Procedure #139:

Pursuant to Section 40-43-110(D) pharmacist licenses not renewed by May 1 are considered lapsed. Reinstatement of a lapsed license must be granted upon evidence satisfactory to the Board that all requirements have been met. The reinstated license may be subject to disciplinary action for failure to renew the license within the prescribed period, and where appropriate, practice during the period that the license has lapsed.

Applications that are submitted for renewal after May 1 must meet renewal requirements and contain the appropriate fees and appropriate penalties. Applicants shall sign a pre-licensing agreement certifying that their license is subject to the right to impose sanction for unlicensed practice pursuant to 40-1-110 and 40-43-110(D) of the Rules and Regulations of the Board.

All applications for renewal received after April 1 are required to submit the penalty fee of \$50.00, in addition, those applications for renewal received in the following windows will be subject to additional penalties as listed:

May 1 through May 15	Additional \$100.00
May 16 through May 31	Additional \$150.00
June 1 through June 15	Additional \$200.00
June 16 through June 30	Additional \$250.00
After July 1	Disciplinary Proceedings before Full Board of Pharmacy

Mrs. Bundrick stated staff has interpreted the Board's wishes as the additional fees beginning with May 16 through May 31 as being a total of \$150 instead of an additional \$150.00. She further stated staff is asking for clarification on this matter.

The Board asked that staff reword the wording in the table for the Board's review during the January 25, 2007 meeting.

R. Approval of Policy and Procedure #143, On-line References – Diana Harder
The Board reviewed a draft of Policy and Procedure #143 as follows:

The online versions of the following reference materials are acceptable at a permitted facility in South Carolina as long as the pharmacist is able to demonstrate the ability to access and utilize them via the computer:

- South Carolina Board of Pharmacy Newsletters
- South Carolina Pharmacy Practice Act
- South Carolina Controlled Substance and Regulations Act
- South Carolina Drug Act
- Current Drug Reference
- Current Bioequivalency Reference

MOTION

Mr. Banks moved the Board accept proposed policy #143. The motion was seconded by Mr. Rose and unanimously carried.

S. NABP's 103rd Annual Meeting, May 19-22, 2007, Portland, Oregon, Select Delegate and Alternate Delegate

Mr. Hook, Mr. Rose and Mr. Bradham plan to attend the meeting.

MOTION

Mr. Hook moved Mr. Rose serve as the delegate, that Mr. Hook serve as the alternate and that staff submit the names of other Board members and staff who wish to attend. Mr. Banks seconded the motion, which carried unanimously.

T. Delegate for Evaluation Team for Accreditation Council for Pharmacy Education (ACPE) for the Doctor of Pharmacy Program at South Carolina College of Pharmacy May 1-3, 2007

Mr. Hook and Mr. Bradham were appointed by the Board to serve as delegates for the ACPE evaluation team.

U. Reciprocity Procedure for Lapsed Primary License, Current in Other State – Lee Ann F. Bundrick, R.Ph.

Staff has had several potential reciprocity candidates whose licenses in their home states have lapsed for 10 to 20 years. Section 40-43-81 of the South Carolina Board of Pharmacy practice act currently requires reciprocity candidates to show proof of initial licensure by examination and proof that the license is in good standing.

The Board referred this matter to the legislative committee.

V. NABP, Durable Medical Equipment, Prosthetics, Orthotics and Supplies (DMEPOS) – Lee Ann F. Bundrick, R.Ph.

Mrs. Bundrick presented this matter to the Board as information. She further stated she has received several phone calls in regard to this matter from pharmacists who want to know the Board's position on this matter. She went on to say that NABP is offering accreditation on this program and that the application is available online. She continued by saying she received another e-mail that the Medicine Shoppe, Intl that they would be NABP accredited in this program. She noted that the Department of Health and Human Services issues a final ruling. She also stated she hoped she portrayed the Board correctly in stating that the Board follows NABP's lead in this matter.

W. Request Approval of Reciprocity Application – Ron Neyens

On December 18, 2006 the Board received a reciprocity application from Ron Neyens. Mr. Neyens is applying for licensure from the State of Florida. He is also licensed in Utah. He answered yes to the question asking, 'Have you ever been charged or convicted (including a nolo contendere plea or guilty plea) of a felony or misdemeanor (other than minor traffic offenses) whether or not sentence was imposed, suspended, expunged, or whether you were pardoned from any such offense?'

Mr. Bradham recused himself from participating or voting in this matter, as he knows Mr. Neyens.

Robert Neyens appeared before the Board at this time. Mr. Neyens presented the Board with documentation showing a guilty plea of possession of alcohol by a minor from 1997. Mr. Neyens stated he served probation. He noted he was in high school at the time of the incident. He is currently licensed and in good standing in Utah and Florida.

Mr. Hyatt informed Mr. Neyens the Board would take this testimony under advisement and would render a decision later in the meeting.

Executive Session

MOTION

Mr. Hook made a motion, seconded by Mr. Banks and unanimously carried, that the Board enter executive session to seek legal advice.

Mr. Terry Lewis, R.Ph., of Darlington, arrived at the meeting during executive session.

LUNCH

The Board recessed for lunch at 12:30 p.m. and resumed public session at 2:13 p.m.

Return to Public Session

Mr. Bradham noted for the record that no motions were offered or made during executive session.

Request for Reinstatement – Bobby Hinson

MOTION

Mr. Hook moved the Board grant Mr. Hinson reinstatement of his license based upon the following conditions: two years from this date he must be completely compliant with RPP requirements and drug free; he must successfully pass the MPJE; must have 1,500 hours of internship in South

Carolina; he must have 60 hours of continuing education which the statute requires plus 15 hours for each of the two additional years for a total of 90 hours of continuing education and he cannot appear before this Board until after January 2009. These conditions must be met before his reinstatement. Mr. Banks seconded the motion, which carried unanimously.

Request for Reinstatement – Michael Mincey

MOTION

Mr. Banks moved the Board reinstate Michael Mincey's license based on these stipulations: he must meet all RPP requirements through August 2007, he must obtain 60 hours of continuing education, he successfully pass the MPJE, and obtain 1,000 hours of internship. Mr. Rose seconded the motion, which carried unanimously.

Request for Reinstatement – Brian Musgrove

MOTION

Mr. Toole made a motion, seconded by Mr. Banks and unanimously carried, that the Board reinstate Mr. Musgrove's license in a probationary status after he brings his continuing education up to date, he must successfully pass the MPJE, he cannot serve as PIC or permit holder, and he must notify the Board when his federal probation has ended and appear before the Board to be approved in a permanent status.

Request for Reinstatement – Bill Tumbleston

MOTION

Mr. Hyatt moved the Board deny reinstatement until he shows proof of full mental and physical competence to perform his duties as a pharmacist. Mr. Hook seconded the motion, which carried unanimously.

Request for Reinstatement – Jonathan Strickland

MOTION

Dr. Richardson moved the Board grant licensure provided he meet all RPP conditions for five years from today's date, that he serve five years probation from today's date, that he obtain all required continuing education, and that he cannot serve as PIC or permit holder. Mr. Rose seconded the motion, which carried unanimously.

Request for Reinstatement – Pamela Robertson

Mr. Banks recused himself from voting in this matter.

MOTION

Mr. Rose moved the Board deny this request until such time the full six months of suspension has been completed. Mr. Toole seconded the motion, which carried unanimously.

Request to Modify Order – James Deweese

MOTION

Mr. Banks moved the Board modify James Deweese's Board order so that he continues to meet all RPP stipulations, however, that the Board allow him to be a PIC. Mr. Rose seconded the motion, which carried unanimously.

Request Approval of Pharmacy Technician Application – Genice Gamble

MOTION

Mr. Rose moved the Board approve Ms. Gamble's request for registration; however that she be placed on probation until such time her probation with the courts is completed. Mr. Hook seconded the motion, which carried unanimously.

Request Approval of Reciprocity Application – Ravindra Gandhi

MOTION

Mr. Hyatt moved the Board approve Mr. Gandhi's application. Mr. Rose seconded the motion, which carried unanimously.

Request Approval of Reciprocity Application – Joseph Martino

MOTION

Mr. Toole made a motion, seconded by Mr. Banks and unanimously carried, that the Board approve Mr. Martino's application.

Request Approval of Reciprocity Application – Kevin Hall

MOTION

Mr. Hook moved the Board approve his request for reciprocity. Mr. Banks seconded the motion, which carried unanimously.

Request Approval of Intern Hours – Dan Noyes

MOTION

Dr. Richardson made a motion, seconded by Mr. Rose and unanimously carried, that the Board approve Mr. Noyes' request.

Request Approval of Intern Hours from Canada – Mary Ellen Helgason

MOTION

Mr. Hyatt moved the Board approve 1,000 hours of intern hours for Ms. Helgason, however, that she continue to complete the 500 hours of internship in a retail setting. Mr. Banks seconded the motion, which carried unanimously

Request Approval of Reciprocity Application - Jason Sitowitz

MOTION

Mr. Hyatt moved the Board approve Mr. Sitowitz's application. Mr. Banks seconded the motion, which carried unanimously.

Request Approval of Reciprocity Application – Ron Neyens
Mr. Bradham recused himself from voting in this matter.

MOTION

Mr. Banks made a motion, seconded by Mr. Rose and unanimously carried, that the Board accept Mr. Neyens' application.

7. Committee Reports

- Immunization Task Force – Marvin Hyatt, R.Ph., Al Toole, R.Ph.

Mr. Hyatt stated the committee has determined it would continue as is and work to have the change inserted legislatively.

Discussion ensued on how to handle this matter.

- Pharmacy Technology Committee –David Banks, R.Ph., Joe Newton, R.Ph., Joe Mullinax, R.Ph.

This committee had no report.

- Recovering Professional Program Committee – Davis Hook, R.Ph., Leo Richardson, PhD.

This committee has not met.

- Compounding Task Force – Bobby Bradham, R.Ph., Marvin Hyatt, R.Ph., Davis Hook, R.Ph.

This committee met prior to the November 2006 Board meeting and has not met since.

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

Mr. Rose stated he plans to have a committee meeting on February 9, 2007.

- Pharmacy Technician Committee – Davis Hook, R.Ph., David Banks, R.Ph.

Mr. Hook stated the committee met on January 11, 2007 and voted to bring the motion from the last meeting back to the Board.

The committee moved that the Board allow with 3,000 hours of experience, one year of PTCB certification, 40 hours of continuing education that would not count towards regular continuing education, and a competency board exam a pharmacy technician to become state certified. Since the motion came from committee no second was needed. A lengthy discussion on this matter ensued. Mr. Banks, Mr. Hook and Mr. Toole in favor of the motion. Mr. Bradham, Mr. Rose and Mr. Lewis voted nay. Dr. Richardson abstained from voting. Mr. Hyatt voted in favor of the motion. The motion carried with a majority vote.

- Legislative Committee – Davis Hook, R.Ph., Bobby Bradham, R.Ph., Dan Bushardt, R.Ph., Joe Newton, R.Ph.

Mr. Bradham stated this committee has not met since the November 2006 meeting.

Mrs. Bundrick met with the SC Pharmacy Association on January 23, 2007 to review proposed language for e-prescribing. She went on to say that SureScripts and NACDS modified language from the original bill submitted during the 2006 legislative session. She further stated the e-prescribing bill submitted last year was not the Board's bill. She went on to say the bill before the Board today is one that SureScripts and NACDS have reviewed and is comfortable with. She continued by saying she e-mailed the bill to the legislative committee members and asked for their concerns. She also said Mr. Hook had concerns with the confidentiality and the routing company being permitted with the Board for the enforcement regulation aspect. She said there are a couple changes to be noted with the first change found on page two (in bold) in Section 3A(d).

The provisions of paragraph (c) do not prohibit a practitioner from using a Routing Company to transmit an Electronic Transmission Prescription pursuant to this section **so long as the practitioner has a written Contract with the Routing Company obligating the Routing Company to comply with all terms of this statute and to provide its Tax ID # to the Board of Pharmacy before offering it in South Carolina.**

Mrs. Bundrick stated this language was added due to the language contained in the proposed bill gives the Board the authority to fine the routing companies and if the Board does not permit routing companies the tax ID# is needed to issue fines.

Mrs. Bundrick stated the other change is found on the last page under Discipline (in bold).

The Board of Pharmacy may refuse to issue or renew, or may suspend, revoke, restrict the licenses or the registration of, or fine any person, **Routing Company**, or other entity. . .

Mrs. Bundrick asked the Board to review the language to determine if the language is okay.

Mr. Bradham suggested the Board members review the language over night and be prepared to vote on this issue during the January 25, 2007 meeting.

Mrs. Bundrick stated Bill S300 deals primarily with veterinarians purchasing drugs from a VIPPS certified pharmacy. She noted NABP does not allow certified pharmacies VIPPS for non-human legend drugs. She is unaware of who began the legislative process on this issue; however, she is working with the Board of Veterinary Examiners and Mr. Wilbur Harling, of the SC Department of Health and Environmental Control (DHEC) in drafting a response stating the Board's opposition.

Mrs. Bundrick stated Bill S126 states 'A pharmacist may refuse to fill prescriptions for a drug, class of drugs or a device on ethical, moral or religious grounds if the pharmacist has previously notified his employer, in writing, of the drug, class of drugs, or device to which he objects.' She went on to say she responded by saying the Board's practice act already allows pharmacists the right to refuse to fill prescriptions and that the Board hopes pharmacist would use professional judgment in making that determination.

The Board stated Bill S126 would not be a high priority bill to track.

Mr. Carmelo Cinqueonce of the SC Pharmacy Association stated Bill S126 requires the pharmacy to place a sign in a conspicuous location indicating which drugs they do not care to dispense and calls for safeguards for the employee from the employer for refusing to fill certain prescriptions.

Consent Agreement

Case #: 2006-78

Mr. Hanks briefed the Board in regard to case #2006-78.

MOTION

Mr. Hook moved the Board accept the consent agreement on case #2006-78. Mr. Banks seconded the motion, which carried unanimously.

- Medication Errors – Al Toole, R.Ph.

This committee had no report.

- Pharmacy Benefit Management (PBM) -Marvin Hyatt, R.Ph., Dan Bushardt, R.Ph., Joe Newton, R.Ph., Joe Mullinax, R.Ph.

Mr. Hyatt stated the committee met earlier this month. He further stated Tracy Russell of the SC Pharmacy Association met with the congressmen from around the state and invited him to her meeting with Congressman Spratt. He went on to say it is now a different situation and the environment is better.

Mr. Cinqueonce of the SC Pharmacy Association stated it is clearly a different attitude. He noted PBM legislation filed in South Carolina is in the Banking Committee. He went on to say the association would aggressively pursue the legislation. He said there is also an effort to introduce PBM legislation on the national level, however, he believes it is unlikely to pass at the national level.

- Federally Qualified Health Clinics – Bobby Bradham, R.Ph., Dock H. Rose, R.Ph., Marvin Hyatt, R.Ph.

Mr. Bushardt stated he and Dr. Richardson attended a meeting with the federally qualified health clinics in late November 2006. He further stated what the health clinics presented and what Board wants is different and not good for the pharmacists. He noted there would have to be a compromise. He noted there would be another meeting with the clinics on February 6, 2007. He went on to say the clinics are proposing the following language to amend Section 40-43-60:

(1) This chapter does not require a permit of or prevent a licensed practitioner, as defined under Section 40-43-30(45), from dispensing drugs or devises to patients of a federally qualified community health center or from dispensing drugs or devises that are the lawful property of the practitioner of a partnership or corporate entity which is fully owned by licensed practitioners or from dispensing a free complimentary trial supply of drugs owned by a person or institution authorized to possess medication under state or federal law for indigent patients with guidelines equal to or equivalent to Section 340B of the Public Health Service Act. Drugs or medicine dispensed must comply with the labeling requirements of state and federal laws and regulations.

The Board determined it would discuss this matter during the meeting on January 25, 2007.

- VAWD Committee – Terry Lewis, R.Ph., Dan Bushardt, R.Ph.

The committee had no report at this time. Mr. Bushardt stated the committee is waiting until Mrs. Sanders returns from the counterfeit drug workshop in Pennsylvania.

- Methadone Committee – Dock H Rose, R.Ph., Leo Richardson, PhD.

Mr. Rose stated the committee would meet on February 9, 2007.

- Practice Act Revisions Task Force – Al Toole, R.Ph., Leo Richardson, PhD., David Banks, R.Ph., Bobby Bradham, R.Ph., Dan Bushardt, R.Ph., Joe Newton, R.Ph.

This committee had no report.

- Inspection Report Committee – David Banks, R.Ph.

This committee met prior to the November 2006 meeting but was not prepared to make a presentation during the last meeting. Mrs. Young stated the committee has updated the institution inspection form and the retail inspection form by deleting several items.

The committee moved the Board approve the revised institutional pharmacy inspection report and the retail pharmacy inspection report. Since the motion came from committee no second was needed. The motion carried unanimously.

- Medication Therapy Management Task Force – Davis Hook, R.Ph.

Mr. Hook stated the task force met recently and the consensus seemed to be that of the Part D providers in South Carolina only two say they would use local pharmacies to conduct the medication therapy management programs.

Mr. Hook stated the task force asked if the staff could include a letter with the renewal form to see if pharmacists are doing medication therapy management. Mrs. Bundrick stated there is not enough room on the renewal form to insert a definition for medication therapy management.

The Board determined it would review possibilities and discuss this matter during the meeting on January 25, 2007.

8. Discussion Topics

- X. Pharmacist Letter Regarding Technician Ratio and Fines – Lee Ann F. Bundrick, R.Ph.**

Mrs. Bundrick presented the members with a letter from a concerned anonymous pharmacist regarding the technician ratio and fines. The Board took the letter as information.

Public Comments

Mr. Ken Couch stated he is in opposition to VAWD because it is another accreditation situation he does not think is necessary.

Mrs. McClain stated the federally qualified clinics do not want to be treated any differently but would like to be treated like the physicians who own their practices in this state as opposed to physicians who are employees of a facility (as are the federally qualified health clinic physicians.)

Adjournment

The meeting adjourned at 4:15 p.m.

South Carolina Board of Pharmacy

MINUTES

8:30 a.m., January 24-25, 2007
Synergy Business Park
110 Centerview Drive, Kingstree Building, Room 202-02
Columbia, South Carolina

Thursday, January 25, 2007

Meeting Called to Order

Mr. Hyatt 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.

Marvin Hyatt, R.Ph., Chairman, of Rock Hill called the regular meeting to order at 8:35 a.m. Other Board members participating in the meeting included: Dock Henry Rose, R.Ph., vice chairman, of Greer; David Banks, R.Ph., of Simpsonville; Bobby Bradham, R.Ph., of Charleston; Davis Hook, R.Ph., of West Columbia; Terry Lewis, R.Ph., of Darlington; Leo Richardson, Ph.D., of Columbia; and Allen Toole, R.Ph., of Liberty.

Dan Bushardt, R.Ph., of Lake City, member-elect, attended the meeting and sat with the Board members in observance of the meeting. He did not participate in any votes taken by the Board.

Staff members during the meeting: included: Lee Ann Bundrick, R.Ph., Administrator; Marilyn Crouch, Program Assistant; Diana Harder, Administrative Assistant; Linda Moore, R.Ph., Temporary Inspector/Investigator; Clelia Sanders, R.Ph., Pharmacist Inspector; Tom Porter, R.Ph., Pharmacist Inspector; and Sheila Young, R.Ph., Compliance Manager. LLR employees participating during the meeting included: Sandra Dickert, Administrative Assistant; Eddy Lane, Hearing Advice Attorney; and Pat Hanks, Attorney, LLR-Office of General Counsel.

Members of the public attending the meeting included: Robert Little, Frank Sheheen, John Simmons, Esq., and Donnie Wingard.

Signing of Licenses

The Board signed licenses for pharmacists that have graduated from pharmacy college and passed the required examinations.

Invocation

Mr. Bradham delivered the invocation.

Pledge of Allegiance

All present recited the Pledge of Allegiance.

Chairman's Remarks – Marvin Hyatt, R.Ph.

Mr. Hyatt made no remarks at this time.

Mr. Hyatt turned the meeting over to Mr. Bradham at this time.

NABP Request for the Open Microphone Session

Mr. Bradham stated the Board has received a request from the National Association of the Boards of Pharmacy in regard to an open microphone session to discuss matters of interest. He reminded the Board of former Board member Carol Bateman's death during 2006. He went on to say Ms. Bateman always held the profession of pharmacy in the highest esteem, especially during the six years she served on the Board. He noted she also served as president of the SC Pharmacy Association. He said he learned that Ms. Bateman was thinking of the pharmacy profession even in death because her will states that a \$50,000.00 donation was to be made to the association's foundation board to use to the betterment of the profession. He stated it would be well for the Board to present to NABP a resolution stating the contributions Ms. Bateman made to the pharmacy profession as well as to the Board. He went to state the deadline is March 2, 2007.

MOTION

Mr. Bradham moved .the Board present a resolution to the National Association of the Boards of Pharmacy recognizing the contributions made by Ms. Bateman to the Board of Pharmacy and the profession of pharmacy. Mr. Hook seconded the motion, which carried unanimously.

Policy and Procedure #139

Pursuant to Section 40-43-110(D) pharmacist licenses not renewed by May 1 are considered lapsed. Reinstatement of a lapsed license must be granted upon evidence satisfactory to the Board that all requirements have been met. The reinstated license may be subject to disciplinary action for failure to renew the license within the prescribed period, and where appropriate, practice during the period that the license has lapsed.

Applications that are submitted for renewal after May 1 must meet renewal requirements and contain the appropriate fees and appropriate penalties. Applicants shall sign a pre-licensing agreement certifying that their license is subject to the right to impose sanction for unlicensed practice pursuant to 40-1-110 and 40-43-110(D) of the Rules and Regulations of the Board.

All applications for renewal received on or after April 1 are required to submit the penalty fee of \$50.00, in addition, those applications for renewal received in the following windows will be subject to additional penalties as listed:

Time Window	License Fee	April Penalty	Additional Penalty	Total Fees Due
May 1 through May 15	\$ 80.00	\$ 50.00	\$ 100.00	\$ 230.00
May 16 through 31	\$ 80.00	\$ 50.00	\$ 150.00	\$ 280.00
June 1 through June 15	\$ 80.00	\$ 50.00	\$ 200.00	\$ 330.00
June 16 through June 30	\$ 80.00	\$ 50.00	\$ 250.00	\$ 380.00
After July 1	Disciplinary Proceedings before Full Board of Pharmacy			

MOTION

Mr. Hook made a motion, seconded by Mr. Banks and unanimously carried, that the Board accept the revised policy.

Electronic Prescription Rules

MOTION

Mr. Rose moved the Board accept the proposed provisions to the electronic prescription rules. Mr. Hook seconded the motion. Following a brief discussion Mr. Lewis asked that the Board further discuss this matter after lunch.

Federal Qualified Health Clinics

MOTION

Mr. Lewis moved the Board not condone this compromise. Mr. Toole seconded the motion. Discussion on this matter ensued during which it was noted the amendment would eliminate the need for the federally qualified health clinics to have a pharmacy permit. Following discussion the motion was amended to state that at this point in the negotiations the Board does not find this an acceptable compromise at this point and that the Board wishes to proceed further with the negotiations. The motion carried with a majority vote. Dr. Richardson abstained from voting.

9. HEARINGS

In the Matter of, Robert Little

This proceeding was recorded by a court reporter in order to produce a verbatim transcript if requested in accordance with the law.

In the Matter of, Robert Watford

This proceeding was recorded by a court reporter in order to produce a verbatim transcript if requested in accordance with the law.

In the Matter of, Donnie Wingard

This proceeding was recorded by a court reporter in order to produce a verbatim transcript if requested in accordance with the law.

In the Matter of, Lesa White

This proceeding was recorded by a court reporter in order to produce a verbatim transcript if requested in accordance with the law.

Executive Session/Lunch

The Board entered executive session at 12:30 p.m. followed by lunch and returned to public session at 1:57 p.m.

Return to Public Session

Mr. Bradham noted for the record that no motions were made or offered during executive session.

Electronic Prescribing Rules

The Board reviewed the original language regarding electronic prescribing with the electronic transmission prescribing rules and revised rules from the January 23, 2007 meeting. Mrs. Bundrick stated during the meeting on January 23, 2007 she asked that the definition of 'Prescription' state "Prescription or Prescription Drug Order" for the hospitals or institutional settings since they have drug orders more so than prescriptions.

MOTION

Mr. Lewis made a motion, seconded by Mr. Hook and unanimously carried, that the Board include the changes from the January 23, 2007 meeting and "Prescription or Drug Order" with the first page of the original language.

Medication Therapy Management

MOTION

Mr. Lewis moved the Board authorize staff to change the renewal form to include a question regarding the medication therapy management. Mr. Rose seconded the motion, which carried unanimously.

Continuing Education Audit

MOTION

Mr. Banks moved the Board follow the guidelines set forth by the Board in 2006 regarding the pharmacy technicians as follows: continuing education certificates received late but had all continuing education completed prior to renewal pay \$25.00 late fee; continuing education certificates not received at all fail, suspend registration, and send certified letter notifying technician that they cannot work until they pass the audit; continuing education not taken prior to renewal but have ten hours pay a \$25.00 fine for falsifying renewal application, serve a three year probation during which time the must send the continuing education certificates with the renewal for three years, and send a certified letter notifying the technician of conditions; and if there is no response to the audit, the board suspend the registration and sent a certified letter notifying technician they cannot work; that a pharmacist who submits continuing education after the deadline be fined \$200.00, a pharmacist submitting falsified continuing education documentation be fined \$200.00, and if a pharmacist submits falsified continuing education documentation after the deadline be fined \$400.00. Mr. Hook seconded the motion, which carried with a majority vote. Mr. Rose and Mr. Lewis voted nay.

In the Matter of, Kimberly Winningham

This hearing was not held as Ms. Winningham entered into a consent order prior to the hearing.

In the Matter of, Tamara Hampton

This proceeding was recorded by a court reporter in order to produce a verbatim transcript if requested in accordance with the law.

This proceeding was recorded by a court reporter in order to produce a verbatim transcript if requested in accordance with the law.

In the Matter of, Mikell Quick

This hearing was not held as Mr. Quick entered into a consent agreement prior to the hearing.

In the Matter of, Robert Little

MOTION

Mr. Banks moved the Board fine Mr. Little \$500 which must be paid within thirty days, that he successfully pass the MPJE within one year, that the Board suspend his license for one year from today, and that for seven years he not serve as PIC or permit holder. Mr. Rose seconded the motion, which carried unanimously.

In the Matter of, Robert Watford

MOTION

Mr. Hook made a motion, seconded by Mr. Banks and unanimously carried, that the Board permanently revoke Mr. Watford's license.

In the Matter of, Donnie Wingard

Mr. Banks recused himself from voting in this matter.

MOTION

Dr. Richardson moved the Board thank Mr. Wingard for appearing even though he is no longer an employee of CVS and that the Board issue him a letter of caution regarding the posting of licenses. Mr. Hook seconded the motion, which carried unanimously.

In the Matter of, Lesa White

MOTION

Mr. Toole made a motion, seconded by Mr. Banks and unanimously carried, that the Board permanently revoke Ms. White's registration.

MOTION

Mr. Rose moved the Board permanently revoke Ms. White's registration. Mr. Banks seconded the motion, which carried unanimously.

In the Matter of, Kori Crisp

MOTION

Mr. Banks made a motion, seconded by Mr. Rose and unanimously carried, that the Board permanently revoke Ms. Crisp's registration.

Adjournment

MOTION

There being no further business to be discussed at this time, Mr. Hook moved the meeting be adjourned. Mr. Rose seconded the motion, which carried unanimously.

The January 25, 2007 meeting of the SC Board of Pharmacy adjourned at 3:43 p.m.