

**South Carolina Board of Pharmacy Board
Meeting Minutes/Motions**

9:00 a.m. June 15-16, 2022
Synergy Business Park
110 Centerview Drive, Kingstree Building
Columbia, South Carolina

Wednesday, June 15, 2022

This meeting is being held in accordance with the Section 30-4-8 of the South Carolina Freedom of Information Act by notice sent 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 Board at the main entrance of the Kingstree Building.

Chairman's Remarks-Robert Hubbard, R.Ph.

There were no remarks made by the chair.

Consideration of Excuses for Absences of Board Members

Motion- Mr. Blackmon made a motion to accept the excused absence for Rebecca Gillespie. Dr. Bedenbaugh seconded the motion, which carried unanimously.

1. Approval of Minutes- March 16, 2022

Motion: Mr. Blackmon made a motion to approve the minutes. Dr. Thomas seconded the motion, which carried unanimously.

2. Approval of Reciprocity Candidates

Date: April 12, 2022, May 11, 2022 and June 14, 2022

Motion: Dr. Harris made a motion to approve the reciprocity candidates. Dr. Smith seconded the motion, which carried unanimously.

3. Administrator's Report-Traci Collier, PharmD

For information.

4. Inspector's Reports

For information.

5. Finance Report-Traci Collier, PharmD

For information

6. Office of Investigations and Enforcement-Mark Sanders, OIE

a. IRC Statistical Report- For information

b. IRC Recommendations

Dismiss (7)

Motion: Mr. Blackmon made a motion to accept the dismissals. Dr. Harris seconded the motion, which carried unanimously.

Dismissals with Cease and Desist (1)

Motion: Mr. Blackmon made a motion to accept the dismissals with cease and desist. Dr. Harris seconded the motion, which carried unanimously.

Formal Complaint (6)

Motion: Dr. Harris made a motion to accept the formal complaints. Mr. Blackmon seconded the motion, which carried unanimously.

Letter of Caution (4)

Motion: Mr. Blackmon made a motion to accept the letters of caution. Dr. Harris seconded the motion, which carried unanimously.

c. Resolution Guidelines Report

Dismissal (1)

Motion: Mr. Blackmon made a motion to accept the dismissal. Dr. Harris seconded the motion, which carried unanimously.

Dismissal with Letter of Caution (1)

Motion: Mr. Blackmon made a motion to accept the dismissal with letter of caution. Dr. Harris seconded the motion, which carried unanimously.

Formal Complaint (7)

Motion: Mr. Blackmon made a motion to accept the formal complaints. Dr. Harris seconded the motion, which carried unanimously.

7. **Office of Disciplinary Counsel-Pat Hanks, Esq.**

a. ODC Statistical Report-For information

Consent Agreement(s)

Case# 2018-105

Motion- Mr. Blackmon made a motion to accept the consent agreement. Dr. Bedenbaugh seconded the motion, which carried unanimously.

Case# 2019-156

Motion- Dr. Harris made a motion to accept the consent agreement. Dr. Bedenbaugh seconded the motion, which carried unanimously.

Case# 2019-183

Motion- Dr. Harris made a motion to accept the consent agreement. Dr. Thomas seconded the motion, which carried unanimously.

Case# 2019-138

Motion- Mr. Blackmon made a motion to accept the consent agreement. Mr. McKnight seconded the motion, which carried unanimously.

Case# 2021-60

Motion- Dr. Thomas made a motion to reject the consent agreement and request that the permit holder and PIC at the time of events appear before the Board. Mr. Blackmon seconded the motion, which carried unanimously.

Case# 2021-162

Motion- Dr. Thomas made a motion to accept the consent agreement. Dr. Harris seconded

the motion, which carried unanimously.

Case# 2021-167

Motion- Mr. McKnight made a motion to accept the consent agreement. Dr. Harris seconded the motion, which carried unanimously.

Case# 2021-168

Motion- Mr. Blackmon made a motion to accept the consent agreement. Mr. McKnight seconded the motion, which carried unanimously.

Case# 2021-169

Motion- Dr. Thomas made a motion to accept the consent agreement. Dr. Harris seconded the motion, which carried unanimously.

Case# 2021-180

Motion- Mr. McKnight made a motion to accept the consent agreement. Dr. Harris seconded the motion, which carried unanimously.

Voluntary Surrender (5)

For information,

Relinquishment (5)

For information.

8. **Committee Reports**

a. Non-Resident Application Review-**Sheila Young, R.Ph.**

Recommendations from committee

February 10, 2022

Approval (17)

Conditional (8)

Withdrawn (1)

March 10, 2022

Approval (14)

Conditional (8)

Withdrawn (1) permit not required

April 14, 2022

Approval (14)

Conditional (3)

Deferred to full Board (1)

Denied (3)

The Board voted to accept the recommendations. Motion coming from the committee does not need a second.

- b. Pharmacy Technician Committee-**Lauren Thomas PharmD and Mary Douglass Smith, PharmD**
Committee update on transcript.

- c. RPP Committee-**Mary Douglass Smith, PharmD**
Committee update on transcript.

9. **Old Business**

- a. White Bagging-**Michael Bedenbaugh, PharmD**

Motion:-Dr. Smith made a motion to form a work group with Dr. Bedenbaugh as chair. Mr. Blackmon seconded the motion, which carried unanimously.

- b. FDA Comments-**Traci Collier, PharmD**

FDA draft comments were presented to the Board for review.

10. **New Business**

- a. Election of Chair and Vice Chair

Motion: Mr. Blackmon made a motion that Dr. Lauren Thomas become the next chair and that Dr. Heather Harris become the next vice chair. Mr. McKnight seconded the motion, which carried unanimously.

- b. Legislative Overview-**Kate Phillips, Communications and Governmental Affairs**

Legislative updates were provided regarding Pharmacy Access Act, Central Fill, Opioid Recovery Act, COVID Vaccine Mandate and other health related Board updates.

- c. RPP Clarification, **Robyn Madden, JD**

Clarification provided in the transcript.

- d. Pharmacist Dispensed Contraceptive Protocol

Motion-Mr. Blackmon made a motion to elect Dr. Lauren Thomas and Dr. Heather Harris to serve as the Board of Pharmacy representatives to work with the Board of Medical Examiners to issue a joint written protocol. Mr. McKnight seconded the motion, which carried unanimously.

- e. Pharmacy Practice Act Update-**Pattie Fabel, PharmD**

Motion: Dr. Bedenbaugh made a motion that Dr. Traci Collier, Board Administrator, submit a written response to Dr. Fabel highlighting and expounding on the following priorities regarding collaborative practice, confidentiality of compliant and disciplinary processes, workplace conditions, a pharmacist's right to refuse, compounding, modernizing Board practices, as well as unprofessional conduct. Mr. McKnight seconded the motion, which carried unanimously.

- f. USP Crosswalk-**Michael Bedenbaugh, PharmD**

This item will be sent to the Practice Act Committee.

- g. IV Hydration Clinics-**Michael Bedenbaugh, PharmD**

Motion- Dr. Bedenbaugh made a motion that the Board reviews the non-dispensing drug outlet inspection form and present the form for discussion at a future Board meeting.

- h. Request to have the FPGEC waived-**Hani Botros**

Motion: Dr. Harris made a motion that the request to waive the Foreign Pharmacy Graduate Equivalency Committee Certification is denied. Mr. McKnight seconded the motion, which carried unanimously.

- i. Request to Retake MPJE-**Joshua Nguyen, PharmD**
Motion: Dr. Thomas made a motion that Joshua Nguyen be allowed to sit for the exam the sixth time, provided that he secures a mentor from his school of pharmacy and have the mentor provide a letter of completion of training and clearance to take the exam. Dr. Harris seconded the motion, which carried unanimously.
- j. NABP Annual Meeting Overview-**Mary Douglass Smith, PharmD and Terry Blackmon, R.Ph.**
Overview is in the transcript.
- k. MALTAGON-September 18-21, 2022, New Orleans,
Motion: Mr. Blackmon made a motion that two Board members and staff attend the meeting. Dr. Thomas seconded the motion, which carried unanimously.
- l. Tri-regulators Meeting, October 13-14, 2022, Alexandria, VA
Motion: Mr. Blackmon made a motion that staff and one Board member attend the conference. Mr. McKnight seconded the motion, which carried unanimously.
- m. FDA Intergovernmental Affairs Meeting-November 1-2, 2022
Motion: Mr. Blackmon made a motion that staff and one Board member attend the conference. Mr. McKnight seconded the motion, which carried unanimously.

New Business Cont.

- a. CPA Policy and Agreement-**Channing Garrett, PharmD, Spartanburg Regional Healthcare System**
Motion: Dr. Bedenbaugh made a motion to approve the collaborative practice agreement and to return in a year. Dr. Thomas seconded the motion, which carried unanimously.
- b. Request Clarification of Practice Act-**Casey Hydro, PharmD, PDI Pharmacy Services**
Motion: Dr. Bedenbaugh made a motion to approve GA 68. Dr. Thomas seconded the motion, which carried unanimously.
- c. Request Approval of Pharmacy Technician Application-**Alexis N. Hancock**
Motion: Dr. Thomas made a motion to approve the Pharmacy Technician Registration Application. Dr. Bedenbaugh seconded the motion, which carried unanimously.
- d. Request Approval of Non-Resident Pharmacy Permit Application-**Acadia Gaver, Compliance Manager, Gifthealth Pharmacy**
Deferred until the next Board meeting.
- e. Request Approval of Non-Resident Wholesale Distributor and/or Manufacturer Permit Application-**Robert Byrd, PharmD, Advanced Rx**
Motion: Mr. Blackmon made a motion to defer the application request until the business owners appear before the Board. Dr. Harris seconded the motion, which carried unanimously.
- f. Request Approval for Non-Resident Pharmacy Application-**UNC Shared Services Center Pharmacy-Dept of UNC HC-Samantha Hogan**
Motion: Dr. Smith made a motion to deny the request based on communication regarding clinical matters between technicians, patients and prescribers violates the necessary

supervision by a pharmacist required by the SC Pharmacy Practice Act. Dr. Thomas seconded the motion, which carried unanimously.

- g. Request Approval of P503 and PNW Permit Applications-**Brookfield Medical Surgical Supply-Melissa McFarland, R.Ph.**

Motion: Mr. McKnight made a motion to approve conditionally on submission of outstanding 483 violations corrections from the FDA send to the committee chair. The information should be sent within 60 days or the application will be considered withdrawn. Mr. Blackmon seconded the motion, which carried unanimously.

- h. Request Release from Board Order-**Zachary Ott, PharmD**

Motion: Dr. Bedenbaugh made a motion to release Zachary Ott from RPP at the conclusion of the monitoring period on July 10, 2022. However, the remainder of the restrictions included in the agreement will remain in force until completed. Dr. Smith seconded the motion, which carried unanimously.

- i. Request Release from Board Order-**Nathan I. Efird, PharmD**

Motion: Dr. Smith made a motion that Nathan I. Efird be released from RPP. Dr. Thomas seconded the motion, which carried unanimously.

Motion: Dr. Smith made a motion that Nathan I. Efird be released from the Board order in light of the three years served as a temporary suspension towards his probationary time. Dr. Thomas seconded the motion, which carried unanimously.

- j. Request Release from Board Order-**Darron Barksdale, R.Ph.**

Deferred until Board appearance.

- k. Request Modification of Board Order-**Robert Ray, R.Ph.**

Motion: Dr. Smith made a motion to release Robert Ray from RPP, all restrictions and/or conditions. Dr. Thomas seconded the motion, which carried unanimously.

Adjourn

Motion: Dr. Bedenbaugh made a motion to adjourn the meeting. Dr. Harris seconded the motion, which carried unanimously.

Thursday, June 16, 2022

11. Hearings

In the Matter of:

1. [REDACTED] Case# 2018-73
Motion: Dr. Thomas made a motion to [REDACTED]. Dr. Bedenbaugh seconded the motion, which carried unanimously.
2. [REDACTED] Case# 2018-134
Motion: Dr. Bedenbaugh made a motion to [REDACTED]. Dr. Thomas seconded the motion, which carried unanimously.
3. Nessa L. Bayton, R.Ph. Case# 2020-70
Motion: Dr. Smith made a motion to leave the license in suspension for five years from the date of the hearing and with a petition for reinstatement after that five-year period. Dr. Harris seconded the motion, which carried unanimously.
4. [REDACTED] Case# 2019-131
Motion: Dr. Thomas made a motion to [REDACTED]. Dr. Bedenbaugh seconded the motion, which carried unanimously.
5. East Cooper Coastal Family Physicians @ Park East Case# 2019-157
Reschedule Board appearance.
6. Crystal River Medical Transportation LLC Case# 2019-189
Motion: Dr. Blackmon made a motion to revoke the permit. Dr. Bedenbaugh seconded the motion, which carried unanimously.
7. Olivia Patterson, PHT Case# 2019-197
Motion: Mr. Blackmon made a motion to revoke the technician registration. Dr. Bedenbaugh seconded the motion, which carried unanimously.

Adjourn