

South Carolina Board of Pharmacy Board

Meeting Minutes/Motions

9:00 a.m. September 6-7, 2023

Synergy Business Park

110 Centerview Drive, Columbia, South Carolina

Kingstree Building, Lowcountry Conference Room

Wednesday, September 6, 2023

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.

BOARD MEMBER PRESENT:

Heather Harris, PharmD, Chair

Archie McKnight, II, R.Ph. Vice Chair

Michael K. Bedenbaugh, PharmD

Mary Douglass Smith, PharmD

Laney Shuler Spigener, III, PharmD

Terry A. Blackmon, R.Ph.

Rebecca Gillespie, PharmD

EXCUSED:

Lauren Thomas, PharmD

Motion: Dr. Bedenbaugh made a motion to recuse Dr. Thomas from the meeting. Dr. Smith seconded the motion, which carried unanimously.

Dr. Gillespie did not attend the meeting on September 7, 2023.

SCLLR STAFF PRESENT:

Bob Horner, Esq, Advice Counsel

Traci Collier, PharmD, Administrator/Chief Drug Inspector

Sheila Young, R.Ph., Staff

Stephanie Calhoun, Program Coordinator

Ray Trotter, R.Ph., Investigator

Alison Gratton, R.Ph., Inspector

Bonnie Wilgus, R.Ph., Inspector

Douglas Murray, PharmD, Inspector

Martin Chan, PharmD, Inspector

REPORTED BY:

Andie Taylor, Court Reporter

APPROVAL OF JUNE 14-15, 2023 MINUTES

Motion: Dr. Bedenbaugh made a motion to approve the minutes. Dr. Spigener seconded the motion, which carried unanimously.

APPROVAL OF RECIPROCITY CANDIDATES

Motion: Mr. McKnight made a motion to approve the reciprocity candidates. Dr. Spigener seconded the motion, which carried unanimously.

ADMINISTRATOR'S REPORT-TRACI COLLIER, PHARMD

For information.

INSPECTOR'S REPORTS

For information.

FINANCE REPORT-TRACI COLLIER, PHARMD

For information.

OFFICE OF INVESTIGATIONS AND ENFORCEMENT-MARK SANDERS, OIE, RAY TROTTER, INVESTIGATOR

IRC Statistical Report

For information.

IRC Recommendations

Dismissal (9)

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

Formal Complaint (1)

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

Letter of Caution (4)

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

Resolution Guidelines report

Dismissal (2)

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

Formal Complaint (9)

Motion: Dr. Gillespie made a motion to accept the formal complaints. Dr. Bedenbaugh seconded the motion, which carried unanimously.

OFFICE OF DISCIPLINARY COUNSEL-PAT HANKS, ESQ.

ODC Statistical Report

For information

Consent Agreement(s)

Case# 2022-58

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

COMMITTEE REPORTS

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

Recommendations from committee

May 17, 2023

Approval (20)

Conditional (7)

Denials (2)

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

July 13, 2023

Approval (18)

Conditional (10)

Continued (1)

Denial (1)

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

July 20, 2023

Approval (19)

Conditional (7)

No denials

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

Practice and Technology Committee

Motion-Dr. Bedenbaugh made a motion to approve scrivener's edits based on discussion regarding the policy and procedure for automated secure pharmacy pickup kiosk and locker systems. Mr. McKnight seconded the motion, which carried unanimously.

Joint Pharmacist Administered Vaccine Committee

Discussion in transcript.

Joint Legislative and Pharmacy Technician Committee

Motion-Dr. Bedenbaugh made a motion to approved the Remote Order Entry by Technicians Policy and Procedure with scrivener's edits. Mr. Blackmon seconded the motion, which carried unanimously.

OLD BUSINESS

Online Licensure Expectations

Dr. Collier asked the Board for online license expectations. The expectations are as follows:

- Licenses are expected to be posted in the pharmacy.
- A watermark will be placed on the state certified license so that the inspectors can distinguished between registered and state certified technicians.

Joint IV Hydration Opinion

Motion: Dr. Gillespie made a motion to accept the Joint IV Hydration Opinion. Dr. Spigener seconded the motion, which carried unanimously.

NEW BUSINESS

Approval of Accredited Schools and Colleges of Pharmacy, Certified by the Accreditation Council on Pharmacy Education

- Presbyterian College-**Dean Gumina**
- Medical University of South Carolina College of Pharmacy-**Dean Hall**
- University of South Carolina College of Pharmacy-**Dean Cutler**

The Board approved the school's curriculum.

Regulations

Presentation in transcript.

Committees

Motion: Mr. McKnight made a motion to combine the nuclear and compounding committees. Dr. Bedenbaugh seconded the motion, which carried unanimously.

Wholesale Distributor and Manufacturer/Repackager Fees-Traci Collier, PharmD

Motion: Dr. Spigener made a motion to approve the \$280 application/license fee for each permit. Dr. Gillespie seconded the motion, which carried unanimously.

Intracompany Transfer Verses Wholesale Distribution-Traci Collier, PharmD

Motion-Dr. Bedenbaugh made a motion that based on the Practice Act, which reads a wholesale distributor does not include intracompany sales being defined as transaction or a transfer between a division, subsidiary, parent, or affiliated or related company under the common ownership and control of a corporate entity. Companies doing business in this regard does not need permits. Dr. Spigener seconded the motion, which carried unanimously.

Request to continue as PIC for two locations-Melissa Etheridge, PharmD

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

2024 Committee Meetings

Motion: Mr. Blackmon made a motion to approve the committee meeting dates for 2024. Dr. Spigener seconded the motion, which carried unanimously.

2024 Board Meetings

Motion: Mr. McKnight made a motion to approve the Board meeting dates for 2024. Mr. Blackmon seconded the motion, which carried unanimously.

2024 Reciprocity Interviews

For Information

2024 Non-Resident Application Review Meetings

For information.

American Society for Pharmacy Law Developments in Pharmacy Law Seminar November 2-5, 2023, Sant Antonio, TX

Motion: Dr. Spigener made a motion to send two staff, the administrator, a Board member and attorney to the meeting. Dr. Smith seconded the motion, which carried unanimously.

EXECUTIVE SESSION-LUNCH

Motion: Mr. McKnight made a motion to go into executive session for advice from counsel on previous matters. Mr. Blackmon seconded the motion, which carried unanimously.

The Board returned to public executive session. No votes and motions were made while in executive session.

NEW BUSINESS CONT.

Clarity on Dispensing Drug Products-Lee Rosebush

Motion: Dr. Bedenbaugh made a motion that 503B entities be allowed to distribute to pharmacies to subsequently dispense to patients pursuant to a patient specific prescription. Additionally, 503Bs may distribute to physicians for subsequent administration of those products. Dr. Spigener seconded the motion, which carried unanimously.

Request Approval of Non-Resident Pharmacy Application-Tuan M. Tran, R.Ph., MixMy Rx Ventures LLC

Motion: Dr. Bedenbaugh made a motion to accept the Non-Resident Application Review Committee's recommendation for denial. Dr. Spigener seconded the motion, which carried unanimously.

Request Reinstatement of Pharmacy Technician Registration-Alison Brown, PHT

Per advice counsel, licensee did not need to appear.

Request Approval of Pharmacy Technician Registration-Joel Matthew Lewis

Licensee did not appear before the Board.

Request Release from Board Order-Jennifer B. Sullivan, PharmD

Motion: Dr. Gillespie made a motion to approve the request to be release from Board order. Dr. Bedenbaugh seconded the motion, which carried unanimously.

Request Release from Board Order-Anthony James Bonofiglio, PharmD

Motion: Dr. Spigener made a motion to release Dr. Bonofiglio from the Board order due to his testimony and facts. Mr. Blackmon seconded the motion, which carried unanimously.

Request Release from Board Order-Kisha Wright, PharmD

Motion: Dr. Gillespie made a motion to remove all restrictions in Dr. Wright's current order and require her to remain in RPP senior monitoring program through May 23, 2024. She does not have to reappear before the Board. Mr. Blackmon seconded the motion, which carried unanimously.

Request Release from Board Order-Jason W. Konst, PharmD

Motion: Mr. McKnight made a motion to release Dr. Konst from his Board order. Dr. Gillespie seconded the motion, which carried unanimously.

EXECUTIVE SESSION

The Board went into executive session for advice from counsel to regarding 14a, b, f and g.

The Board return to public session. No motions or votes were taken in executive session.

ADJOURN

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

South Carolina Board of Pharmacy Board Meeting Minutes/Motions

9:00 a.m. September 7, 2023

Synergy Business Park

110 Centerview Drive, Columbia, South Carolina

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Thursday, September 7, 2023

HEARINGS

Case# 2021-147

Motion: Dr. Bedenbaugh made a motion to revoke the license. Mr. Blackmon second the motion, which carried unanimously.

Case# 2021-122

Licensee voluntarily relinquished their license.

Case# 2022-53

Licensee voluntarily relinquished their license.

EXECUTIVE SESSION

The Board went into executive session for legal counsel regarding case# 2022-62.

Motion: Dr. Bedenbaugh made a motion return to public session. Mr. Blackmon seconded the motion, which carried unanimously. No votes or motions were taken while in executive session.

Case# 2022-62

Motion: Dr. Spigener made a motion that the respondent complete required continuing education hours for the upcoming 2024 renewal. In addition, complete 24 continuing education hours to become current, pay a \$100 fine within 90 days and attend a virtual reciprocity meeting. Mr. Blackmon seconded the motion, which carried unanimously.

ADJOURN

The hearings adjourned at 11:00 am.