

South Carolina Board of Pharmacy Board

Meeting Minutes/Motions

9:00 a.m. November 15-16, 2023

Synergy Business Park

110 Centerview Drive, Columbia, South Carolina

Kingstree Building, Lowcountry Conference Room

Wednesday, November 15, 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: Mr. Blackman made a motion to excuse Dr. Thomas from the meeting. Dr. Bedenbaugh seconded the motion, which carried unanimously.

Dr. Spigener did not attend the meeting on November 16, 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

Jennifer Harris, 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 SEPTEMBER 6-7, 2023 MINUTES

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

APPROVAL OF RECIPROCITY CANDIDATES

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

ADMINISTRATOR'S REPORT-TRACI COLLIER, PHARMD

For information.

INSPECTOR'S REPORTS

For information.

Motion: Mr. Blackmon made a motion to task the compounding committee with drafting a position statement concerning USP 797,795,800. Dr. Spigener seconded the motion, which carried unanimously.

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 (8)

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

Formal Complaint (3)

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

Letter of Caution (3)

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

Relinquishment (4)

For information.

Lapse Permits-Consent Agreements

Motion: Dr. Gillespie made a motion to delegate the chair to sign consent agreements that involve lapsed permits until a policy is put in place. Mr. McKnight seconded the motion, which carried unanimously.

Resolution Guidelines report

Dismissal (1)

Motion: Dr. Gillespie made a motion to approved the dismissal. Dr. Bedenbaugh seconded the motion, which carried unanimously.

Formal Complaint (16)

Motion: Mr. Blackmon made a motion to approve the formal complaints. Dr. Spigener seconded

the motion, which carried unanimously.

OFFICE OF DISCIPLINARY COUNSEL-PAT HANKS, ESQ.

ODC Statistical Report

For information

Consent Agreement(s)

Case# 2022-83

Motion- Dr. Gillespie made a motion to approve the consent agreement. Dr. Shuler seconded the motion which carried unanimously.

Case# 2022-91

Motion: Dr. Smith made a motion to amend the consent to change the licensee from a pharmacy technician to pharmacist. The numbers in the consent should be correct to indicate 1,2,3. Mr. Blackmon seconded the motion, which carried unanimously.

Case# 2022-92

Motion: Dr. Spigener made a motion to approve the consent agreement. Mr. Blackmon seconded the motion, which carried unanimously.

Case# 2022-95

Motion: Dr. Gillespie made a motion to approve the consent agreement. Dr. Bedenbaugh seconded the motion, which carried unanimously.

Case# 2022-122

Motion: Dr. Spigener made a motion to approve the consent agreement. Mr. Blackmon seconded the motion, which carried unanimously.

Case# 2023-12

Motion: Mr. McKnight made a motion to approve the consent agreement. Dr. Gillespie seconded the motion, which carried unanimously.

Case# 2023-13

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

Case# 2023-14

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

Case# 2023-28

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

COMMITTEE REPORTS

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

Recommendations from committee

September 8, 2023

Approval (30)

Conditional (1)

November 15-16, 2023

SC Board of Pharmacy

Continued (1)
No Action Taken (1)

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

RPP Committee-Mary Douglass Smith, PharmD
For information

OLD BUSINESS

Clarification on §40-43-81-Traci Collier, PharmD
Discussion in transcript.

NEW BUSINESS

Vote on Proposed Regulations

Motion: Dr. Bedenbaugh made a motion to approve the proposed regulations. Dr. Smith seconded the motion, which carried unanimously.

SCPhA Updates-Brian Clark, R.Ph. CEO

Mr. Clark provided updates about association information.

Pharmacy Workplace Conditions-Michael Bedenbaugh, PharmD

Motion: Dr. Bedenbaugh made a motion to request that any permits that are closed for any period of time notify the Board and the point of contact, Tracie Collier, PharmD. If notice is received by the public or another permittee that the facility is closed, an inspector will need to visit the facility to validate the closing. Mr. Blackmon seconded the motion, which carried unanimously.

Dr. Collier will draft a policy regarding this matter.

Manufacturer Inspection Report-Traci Collier, PharmD

Motion: Dr. Smith made a motion to approve the inspection report. Dr. Gillespie seconded the motion, which carried unanimously.

Removal of Board Policy #65

Motion: Dr. Spigener made a motion to remove this policy. Mr. Blackmon seconded the motion, which carried unanimously.

DSCSA Implementation-Tracie Collier, PharmD

Discussion in transcript.

Virtual Wholesaler-Sheila Young, R.Ph.

Motion: Dr. Bedenbaugh made a motion to allow the non-resident chair approve applications, but to bring questionable applications before the non-resident review committee. Dr. Smith seconded the motion, which carried unanimously.

Pharmacist Counseling-Terry Blackmon, R.Ph.

Motion: Dr. Gillespie made a motion to amend the retail inspection report to delete all items for 40-43-86(L)(1) except for new prescription patient counseling offered. Dr. Bedenbaugh seconded them motion, which carried unanimously.

Attendee for Board Member Forum-Heather Harris, PharmD

Dr. Heather Harris will be attending the forum.

Attendee(s) for MUSC ACPE visit April 1-3, 2024

Board members attending MUSC ACPE visit are Michael Bedenbaugh, Terry Blackmon and Artie McKnight.

District 3 Overview-Mary Douglass Smith, PharmD and Heather Harris, PharmD

The overview is in the transcript.

MALTAGON Overview-Artie McKnight, R.Ph.

The overview is in the transcript.

Birth Control Pharmacist-Mary Douglass Smith, PharmD

Information is in the transcript.

Ascend Institute Regulatory Transformation Framework-Mary Douglass Smith, PharmD

Information is in the transcript.

National Academy of Change Maker Campaign for Health Workforce Well-Being-Mary Douglass Smith, PharmD

Information is in the transcript.

FDA Overview of FDA Intergovernmental Meeting-Michael Bedenbaugh, PharmD

Information is in the transcript.

EXECUTIVE SESSION-LUNCH

The Board went into executive session.

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

NEW BUSINESS CONT.

Request for Compounding Pharmacy Waiver-Captain Christopher M. Andrews, MD

Motion: Dr. Blackmon made a motion to deny support for this waiver, as this is a federal waiver and the Board has no active role in this matter. Dr. Gillespie seconded the motion, which carried unanimously.

Ethics Course Failure-MAC, PHT

Motion: Dr. Smith made a motion that language be put in the consent agreement that says this course or similar approved by Board chair as an alternative route, if the licensee cannot go back and complete the modules of the ethics course. She will need to present the objectives and the assessment of the alternate course. The Board will review this information to determine if the course is an approved alternate. Dr. Gillespie seconded the motion, which carried unanimously.

Request Approval of Pharmacy Technician Application-EDT

Motion: Dr. Shuler made a motion to approve the pharmacy technician application. Dr. Gillespie seconded the motion, which carried unanimously.

Request Approval of Pharmacy Technician Registration-ASG

Motion: Dr. Spigener made a motion to deny the application. The applicant may reapply after 12 months. Mr. Blackmon seconded the motion, which carried unanimously.

Request Approval of Pharmacy Technician Application-KTW

Motion: Mr. McKnight made a motion to approve the application. Dr. Gillespie seconded the

motion, which carried unanimously.

Request Approval of Pharmacy Technician Application-GAK

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

Request Release from Board Order-SH, PharmD

Private Order

Request Release from Board Order-ZO, PharmD

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

EXECUTIVE SESSION

The Board went into executive session for advice from counsel to regarding 15a, d, e and g.

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

ADJOURN

The meeting adjourned at 4:00 pm.

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9:00 a.m. November 16, 2023

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Thursday, November 16, 2023

HEARINGS

Case# 2021-56

Motion: Dr. Bedenbaugh made a motion to vacate the prior order, publicly reprimand the respondent's intern certificate and the certificate remains suspended until the respondent enrolls in RPP and receives a return to work authorization from RPP, at which time the suspension will be lifted. He must reappear before the Board prior to being released from RPP. Mr. Blackmon seconded the motion, which carried unanimously.

Case# 2022-7

Motion: Mr. Blackmon made a motion to continue the case. The license has one year to appear before the Board. Dr. Bedenbaugh seconded the motion, which carried unanimously.

EXECUTIVE SESSION

Motion: Mr. Blackmon made a motion to go into executive session for legal counsel regarding case numbers 2021-56 and 2022-7.

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

ADJOURN

The hearings adjourned at 11:00 am.