

**South Carolina Board of Pharmacy
Board Meeting**

November 16, 2016
Synergy Business Park
110 Centerview Drive, Kingstree Building
Columbia, South Carolina

Wednesday, November 16, 2016

1. Approval of Minutes for September 14-15, 2016

Mr. Livingston made a motion to approve the minutes. Mr. Hyatt seconded the motion and it carried unanimously.

2. Approval of Reciprocity Candidates for Licensure

Dates: September 8, October 14, 2016

Mr. Livingston made a motion to approve the reciprocity candidates. Mr. Blackmon seconded the motion and it carried unanimously.

Approval of 2017 Reciprocity Interview Dates

Mr. Livingston made a motion to approve the reciprocity dates and have Lee Ann Bundrick or Traci Collier conduct the interviews with a board member present. Mr. Blackmon seconded the motion and it carried unanimously.

3. Chairperson's Report – Carole Russell, R.Ph.

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

Report given.

5. Inspectors' Report

Report given.

6. Reports:

Finance Report –Lee Ann Bundrick, R.Ph.

Report given.

Office of Disciplinary Council– Pat Hanks

Report given.

Office of Investigations and Enforcement– Mark Sanders

Report given.

7. IRC Recommendations

IRC Report – Mark Sanders

Mrs. Gillespie made a motion to approve the report. Mr. Livingston seconded the motion and it carried unanimously.

Mr. Livingston made a motion to approve one dismissal and one cease and desist. Mr. Hubbard seconded the motion and it carried unanimously.

Mr. Blackmon made a motion to approve four formal complaints. Mr. Strauss seconded the motion and it carried unanimously.

Mr. Livingston made a motion to approve two letters of caution. Mr. Blackmon seconded the motion and it carried unanimously.

Mr. Blackmon made a motion to approve two relinquishments. Mrs. Gillespie seconded the motion and it carried unanimously.

Resolution Guidelines Report – Mark Sanders

Mrs. Gillespie made a motion to approve one dismissal. Mr. Blackmon seconded the motion and it carried unanimously.

Mr. Blackmon made a motion to approve three dismissals with letters of concern. Mr. Morris seconded the motion and it carried unanimously.

Mr. Livingston made a motion to approve one formal complaint. Mrs. Gillespie seconded the motion and it carried unanimously.

Consent Agreement

Case #: 2015-50

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

Case #: 2015-106, 2015-113

Mrs. Gillespie made a motion to approve the agreement. Mr. Strauss seconded the motion and it carried unanimously.

Case #: 2015-136

Mr. Livingston made a motion to approve the agreement. Mr. Strauss seconded the motion and it carried unanimously.

Case #: 2015-152

Mr. Livingston made a motion to approve the agreement. Mrs. Gillespie seconded the motion and it carried unanimously.

Case #: 2016-10

Mr. Livingston made a motion to approve the agreement. Mr. Blackmon seconded the motion and it carried unanimously.

Case #: 2016-74

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

Voluntary Surrender

Case #: 2016-76

Case #: 2016-124

Case #: 2016-132

Case #: 2016-134

Case #: 2016-125

For information only.

Relinquishments

Case #: 2015-53

Case #: 2016-11

Case #: 2016-118

For information only.

A. Request Release from Order – Kenneth Murphy

Mr. Livingston made a motion to approve release from the order, effective December 15, 2016. Mr. Blackmon seconded the motion and it carried unanimously.

B. Request Release from Order – R. Scott Padgett

Mr. Livingston made a motion to approve the consent order to include the Senior Program with RPP for five years and he must reappear before the board for release. Mr. Hubbard seconded the motion and it carried unanimously.

C. Request Modification of Order – William Xochihua

Mr. Livingston made a motion to deny the request. Mrs. Gillespie seconded the motion and it carried unanimously.

D. Request Release from Order – Austin Gore

Mr. Livingston made a motion to approve the request. Mrs. Gillespie seconded the motion and it carried unanimously.

E. Request Approval of Reciprocity Application – Kirk Smith

Mr. Livingston made a motion to approve the request. Mr. Morris seconded the motion and it carried unanimously.

F. Request Approval of Intern Application – Brittany Abdulla

Mr. Livingston made a motion to approve the request. Mr. Blackmon seconded the motion and it carried unanimous.

G. Request Approval of Pharmacy Technician Registration Application – Jackeya Whitten

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

H. Request Approval of Pharmacy Technician Registration Application – Betty Dubose

Mr. Hubbard made a motion to approve the request. Mr. Hyatt seconded the motion and it carried unanimously.

I. Request Approval of Pharmacy Technician Registration Application – Akil Fussell

Mr. Hubbard made a motion to approve the request. Mr. Morris seconded the motion and it carried unanimously.

J. Request Approval of Pharmacy Technician Registration Application – Malcolm Harrison

Mr. Morris made a motion to approve the request. Mr. Blackmon seconded the motion and it carried unanimously.

K. Request Approval of Pharmacy Technician Registration Application – Corey Selman

Mr. Strauss recused himself from voting on this matter.

Mr. Livingston made a motion to approve the request. Mr. Morris seconded the motion and it carried.

L. Request Approval to be PIC in Two Places – Hubbard - Young Pharmacy and Clemson Apothecare, Tom Teasely

Mr. Hubbard recused himself from voting on this matter. Mr. Hyatt made a motion to approve the request. Mr. Livingston seconded the motion and it carried.

M. Sterile and Non-sterile Compounding for Patients Outside of MUSC Health System – Eddie Bostic

Mrs. Russell recused herself from this matter.

Mr. Livingston made a motion to table the matter until the board reviews MUSC's MOU at the January 2017 meeting. Mr. Morris seconded the motion and it carried.

N. Request Approval of Pharmacy Technician Registration Application – Jessica Baucom

Mr. Livingston made a motion to approve the request. Mr. Blackmon seconded the motion and it carried unanimously.

***Update Regarding Naloxone Joint Protocol Advisory Committee Recommendations – Arnold Alier, DHEC**

Report given.

***Naloxone Joint Protocol Advisory Committee**

The committee made a motion to adopt the Naloxone Protocol. A motion from a committee does not require a second motion. It carried unanimously.

O. Request Approval of Non-Resident Pharmacy Permit Application – Advanced Rx Pharmacy 060, Roger Shaw, Jr.

Mr. Livingston made a motion to deny the request. Mr. Hyatt seconded the motion and it carried unanimously.

P. Request Approval of Non-Resident Pharmacy Permit Application – PSG of Sarasota, LLC, Parag Choksi

Mr. Morris made a motion to deny the request. Mr. Hyatt seconded the motion and it carried unanimously.

Q. Request Approval of Non-Resident Pharmacy Application – Gabecare DirectRx, Amanda Berishaj

Mrs. Gillespie made a motion to approve the request, pending the submission of a successful July 2016 inspection. Mr. Livingston seconded the motion and it carried unanimously.

R. Substitutions for Biosimilars – Rebecca Gillespie, PharmD

Discussion only.

S. Deferred to January 18, 2017

T. EpiPen Labeling Requirements

Discussion only.

U. Inspection Blueprint Program

Discussion only.

V. Delegate for ASHP's Mid-year Meeting, December 5, 2016, Las Vegas, NV

Mr. Hubbard made a motion to allow Lee Ann Bundrick to attend on the board's behalf. Mr. Livingston seconded the motion and it carried unanimously.

W. In the Matter of MOA, Case # 2015-45

Addison Livingston recused himself from voting on this matter.

Mr. Morris made a motion to defer action until the respondent appears before the board with psychiatric and medical evaluations by a board approved entity stating that the respondent is fit to practice. Mr. Hubbard seconded the motion and it carried.

X. Request Approval of Non-Resident Pharmacy Permit Application – Fresenius Medical Care North America, Travis Dayhuff

Mr. Morris recused himself from voting on this matter.

Mrs. Gillespie made a motion to approve the request contingent Fresenius having a signed MOU with the state of Illinois stating that they will have a maximum operating ratio of one pharmacist to six technicians for technicians processing prescriptions as laid out in the proposed MOU. Mr. Livingston seconded the motion and it carried.

Committee Reports

Approval of 2017 Committee Meeting Dates

- Pharmacy Technician – Rebecca Gillespie, PharmD, R.Ph.
No meeting to report.
- Compounding – Carole Russell, R.Ph.
 - Regulation Update
No votes taken.
- Legislative – Addison Livingston, PharmD, R.Ph.
No meeting to report.
- Nuclear Pharmacy – Spencer Morris, PharmD, R.Ph.
No meeting to report.
- Pharmacy Practice & Technology – Terry Blackmon, R.Ph.
No meeting to report.
- Recovering Professional Program – Leo Richardson, PhD
The committee made a motion to the board that RPP staff can determine that the voluntary participant's diagnosis warrants modification of the termination of certain program requirements and that RPP staff believes that the voluntary participant's proper care and safety to practice can be assured through a less comprehensive set of requirements than the prior four or five years program directed by the licensing board, then RPP maintain discretion to modify or terminate such requirements for the voluntary participant to include as a minimum one year of senior program Monitoring. A motion from a committee does not require a second. It carried unanimously.
- Healthcare Collaborative Committee – Carole Russell, R.Ph.
No meeting to report.
- Non-Resident Application Review Committee Recommendations

October 25, 2016 Meeting

Recommendations for Approval:

ORLRx; Smith Medical, the 3PL; Smith Medical, wholesaler; Causey's Pharmacy; Causey 's Long-term Care Pharmacy; American Pharmaceutical Ingredients; Carlsbad Technology, CHS Pharmacy Services dba CMC Rx Pavillon; Fresenius Medical Care North America; Owens and Minor-Olive Branch, Owens and Minor-Carol Stream; Medication Management Program, AB Pharmacy dba ASP Cares; and Riverside Pharmacy dba Apex Specialty Pharmacy. A motion from a committee does not require a second and it carried unanimously.

Recommendations for Approval with Conditions:

Shertech Pharmacy Piedmont, pending submission and approval of the September of 2016 North Carolina Board of Pharmacy inspection; Bio Horizons Implant Systems, pending payment of \$1,000 fine for shipping into South Carolina without a permit; Austar Pharma LLC, pending submission of a current DEA registration and a May of 2016 FDA inspection with a satisfactory response to 483s issued; Madame Rx dba Chemistry Rx, pending submission and approval of current work sheets from October 17th through the 21st, updated SOP documentation of CE/ training in compounding for current PIC and technicians, and the most recent, end-product testing; Paragon Health care Specialties, pending submission of the most recent satisfactory Texas Board of Pharmacy inspection; Optime Care Inc, pending submission of a DEA registration and satisfactory October 2016 Missouri Board of Pharmacy inspection; A MRI Rensselaer, pending submission of DEA registration; DaVita Rx, approval pending submission of most recent satisfactory Arizona Board of Pharmacy inspection; Ocean Breeze Pharmacy pending submission of most recent satisfactory New York Board of Pharmacy inspection; Charlotte-Mecklenburg Hospital Authority dba CMC Rx Medical Center Plaza, pending payment of \$1,000. 00 fine for shipping into South Carolina without a permit. A motion from a committee does not require a second and it carried unanimously.

Recommendations to defer:

Animas Corporation, deferred until submission of a witness with knowledge of shipments into South Carolina, recall of devices and shipment of devices directly to patients; NuCare Pharmaceuticals, deferred pending appearance before the Non-Resident Application Review Committee; and Garden Pharmacy and Compounding, deferred pending appearance before the Non-Resident Application Review Committee. A motion from a committee does not require a second and it carried unanimously.

Recommendations for Denial

Lantana Pharmacy – Adam Walters

Mr. Livingston made a motion to deny the application. Mr. Hyatt seconded the motion and it carried unanimously.

Adjournment

Mr. Morris made a motion to adjourn. Mrs. Gillespie seconded the motion and it carried unanimously.