

**South Carolina Board of Pharmacy Board  
Meeting**

9:00 a.m. June 14, 2017

Synergy Business Park

110 Centerview Drive, Kingstree Building

Room 105 Columbia, South Carolina

**Revised Wednesday, June 14, 2017**

**Meeting Called to Order**

**1. Approval of March 15, 2017 Minutes**

**Motion-** Mr. Blackmon made a motion to approve the minutes. Mr. Livingston seconded the motion, which carried unanimously.

**2. Approval of Reciprocity Candidates**

Dates: April 14, 2017, May 12, 2017 and June 9, 2017

**Motion-**Mr. Livingston made a motion to approve the reciprocity candidates. Ms. Gillespie seconded the motion, which carried unanimously.

Dates for 2018

The Board members volunteer for the 2018 Reciprocity Candidates Interview dates.

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

Report given.

**4. Inspectors' Report**

Report given.

**5. Reports:**

**Finance Report –Lee Ann Bundrick, R.Ph.**

Report given.

**Office of Disciplinary Council– Rowland Alston**

Report given.

**Office of Investigations and Enforcement– Mark Sanders**

Report given.

**6. IRC Recommendations** for dismissals and dismissals with non- disciplinary letters of concern. Review of proposed Consent Agreements, Voluntary Surrenders, Relinquishments and Temporary Suspensions from the Investigative Review Committee (IRC)

**IRC Report – Mark Sanders**

**Motion-**Ms. Gillespie made a motion to approve the dismissals. Mr. Livingston seconded the motion, which carried unanimously.

**Motion-**Mr. Livingston made a motion to approve the formal complaints. Mr. Morris seconded the

motion, which carried unanimously.

**Motion-**Ms. Gillespie made a motion to approve the letters of caution. Mr. Livingston seconded the motion, which carried unanimously.

**Motion-** Mr. Livingston made a motion to approve the relinquishment. Ms. Gillespie seconded the motion, which carried unanimously.

### **Resolution Guidelines Report – Mark Sanders**

Cease and Desist Orders

**Motion-**Mr. Blackmon made a motion to approve the cease and desist orders. Mr. Livingston seconded the motion, which carried unanimously.

Dismissal

**Motion-** Mr. Livingston made a motion to approve the dismissal. Mr. Blackmon seconded the motion, which carried unanimously.

Dismissals with Letters of Concern

**Motion-** Mr. Livingston made a motion to approve the dismissals with letters of concern. Mr. Blackmon seconded the motion, which carried unanimously.

Formal Complaints

**Motion-** Mr. Morris made a motion to approve the formal complaints. Ms. Gillespie seconded the motion, which carried unanimously.

### **Consent Agreements**

Case# 2013-101

**Motion-** Mr. Livingston made a motion to approve the Consent Agreement. Mr. Blackmon seconded the motion, which carried unanimously.

Case# 2016-46

**Motion-** Mr. Blackmon made a motion to withdraw the Consent Agreement. The respondent dropped out of RPP. Mr. Livingston seconded the motion, which carried unanimously.

Case# 2016-55

**Motion-** Mr. Livingston made a motion to approve the Consent Agreement. Mr. Blackmon seconded the motion, which carried unanimously.

Case# 2016-70

**Motion-** Mr. Strauss made a motion to approve the Consent Agreement. Ms. Gillespie seconded the motion. The Board members unanimously voted to reject the Consent Agreement.

Case# 2016-125

**Motion-** Mr. Morris made a motion to approve the Consent Agreement. Mr. Blackmon seconded the motion, which carried unanimously.

Case# 2016-126 and 2016-128

**Motion-** Mr. Blackmon made a motion to approve the Consent Agreements. Mr. Livingston seconded the motion, which carried unanimously.

Case# 2016-135

**Motion-** Mr. Morris made a motion to approve the Consent Agreement. Mr. Livingston seconded the motion, which carried unanimously.

Case# 2016-150

**Motion-** Ms. Gillespie made a motion to approve the Consent Agreement. Mr. Livingston seconded the motion, which carried unanimously.

### **Voluntary Surrenders**

Case# 2017-4-Christopher P. Fuller

Case# 2017-36-Cha'Casity Hill-Tucker

For information only.

### **Relinquishments**

Case# 2015-64 Danielle C. Meggs

Case# 2016-78 Sarah Lisa Swett

Case# 2016-106-Penny Christina Mosqueda

Case# 2017-7-Shirley C. Hale

Case# 2017-37-Angel Marie Ochiltree

Case# 2017-3-Nancy Louise MacKenzie

For information only.

### **Order of Temporary Suspensions**

Case# 2017-46

For information only.

### **Old Business**

A. Patient Specific Meds to Free Clinics-David Condon  
Discussion ensued regarding delivery of med to free clinics.

Motion in item B covers item A

B. Patient Specific Meds Delivered to NDDOP-Rebecca Gillespie, PharmD

**Motion-** Mr. Blackmon made a motion to form a working group to address the concerns regarding patient specific meds to free clinics. Mr. Hyatt seconded the motion, which carried unanimously.

Rebecca Gillespie, Addison Livingston and Dr. Richardson agreed to serve on the work group.

C. Retail Pharmacy on Hospital Grounds, Property of Hospital, being able to use Hospital clean room from IV Home Infusion Orders-Tim Hansford

- Discussion with other hospitals and health systems on compounding and dispensing

Carole Russell recused herself from the Board's position.

**Motion-**Mr. Morris made a motion that the South Carolina Board of Pharmacy interpret the South Carolina Practice Act that compounded prescription medications must be dispensed and meet all labeling requirements for that prescription by the pharmacy that actually compounded said prescription

medication. Mr. Livingston seconded the motion, which carried unanimously.

## **7. New Business**

A. Request Release from Order-Precision Pharmacy-Shauna Doherty

**Motion**-Ms. Gillespie made a motion to release Precision Pharmacy from the Board order. Mr. Livingston seconded the motion, which carried unanimously.

B. Request Release from Order-Charles C. Turner, R.Ph

**Motion**-Mr. Livingston made to release Charles C. Turner from the Board order. Mr. Blackmon seconded the motion, which carried unanimously.

C. Request for Reinstatement of License-Daniel C. Holladay, R.Ph.

**Motion**-Mr. Blackmon made a motion to defer action until the disciplinary action is completed. Mr. Livingston seconded the motion, which carried unanimously.

D. Request Approval of Pharmacy Technician Application-Carolina G. Cochran

**Motion**-Mr. Blackmon made a motion to defer discussion until the applicant has the opportunity to appear. Mr. Morris seconded the motion, which carried unanimously.

E. Request Removal of PIC Restriction-Kisha H. Wright, PharmD

**Motion**-Mr. Strauss made a motion to deny the request of removal of PIC restriction. Mr. Blackmon seconded the motion, which carried unanimously.

F. Request Approval of Pharmacy Technician Application-Christopher J. White

**Motion**-Mr. Blackmon made a motion to defer discussion until the applicant has the opportunity to appear. Mr. Morris seconded the motion, which carried unanimously.

G. Request to be PIC in two facilities-Nicholas Tomlinson, Jr. R.Ph

**Motion**-Mr. Hubbard made a motion to approve Mr. Tomlinson to be the PIC for two facilities. Mr. Blackmon seconded the motion, which carried unanimously.

H. Request for Reduction in late fees-Affinity Health Center-Devonda Gomez

**Motion**-Mr. Morris made a motion to decrease fees for each site from \$1,820 to \$500 per site for a total of \$2,000. Mr. Blackmon seconded the motion, which carried unanimously.

I. Request Approval of Pharmacy Technician Application-Jermisha Sweat

**Motion**-Mr. Blackmon made a motion to defer discussion until the applicant has the opportunity to appear. Mr. Morris seconded the motion, which carried unanimously.

## **Public Comments**

LUNCH

## **New Business Continued**

J. Request for Reinstatement of License-Othniel Tyrus Smith, III, PharmD

**Motion**-Mr. Livingston made a motion to grant Mr. Smith's request to reinstate his license upon the following conditions: remain under probation for five years, be followed indefinitely by RPP and that he meets the statutory requirements of reinstatement of the lapsed license, which are 1,000 hours of practice under the on-site supervision of a pharmacist licensed in this state, successfully pass the Multistate Pharmacy Jurisprudence Examination, show proof of completion of sixty (60) hours of acceptable continuing education, pay the renewal fee and any applicable penalty. Ms. Gillespie seconded the motion, which carried unanimously.

K. Request Approval of Pharmacy Technician Application-Britney Broderick

**Motion**-Mr. Livingston made a motion to approve the Pharmacy Technician Application. Ms. Gillespie

seconded the motion, which carried unanimously.

L. MedsOnCue-David Medvedeff,CEO

Mr. Medvedeff met with the Board to discuss providing additional drug information to the patient that would be included in the medication packet. This will not take the place of or interfere with patient counseling. After further discussion, the Board determined that this additional drug information would not be a violation of the practice act.

M. Reconsideration for Reinstatement of Pharmacist License- Joseph Masneri, R.Ph

**Motion**-Ms. Gillespie made a motion to deny the request to reinstate Mr. Joseph Masneri's license. Mr. Livingston seconded the motion, which carried unanimously.

N. NABP Annual Meeting Report-Spencer Morris, PharmD  
Report given

O. Delegate and Staff attendance for NABP District III Meeting August 5-9, 2017, Louisville, KY

**Motion**-Mr. Blackmon made a motion to send Eric Strauss and two staff members to the annual meeting. Mr. Hubbard seconded the motion, which carried unanimously.

P. Election of 2017-2018 Chair and Vice Chair

**Motion**-Mr. Hubbard made a motion to nominate Terry Blackmon as Board Chair. Mr. Morris seconded the motion, which carried unanimously.

**Motion**-Mr. Hubbard made a motion to nominate Spencer Morris as Board Vice Chair. Mr. Hyatt seconded the motion, which carried unanimously.

Q. Hosting MALTAGON October 22-25, 2017, Charleston, SC approval for staff and Board member to attend

**Motion**-Mr. Hubbard made a motion to send all Board members, pharmacist staff and office staff to attend the meeting. Mr. Hyatt seconded the motion, which carried unanimously.

Ms. Russell amended the motion to include Darra Coleman, Office of Advice Counsel and Adam Russell, Office of Advice Counsel to attend the meeting. Mr. Hyatt second the motion, which carried unanimously.

R. Board of Pharmacy Newsletter

Ms. Bundrick stated that NABP sent a memo for the Board to let state newsletter program participants know that they will no longer be providing newsletters in a paper format. The newsletters will all be electronic PDF format and will be posted to NABP's website. The Board ask staff to send out multiple eblast regarding this change.

S. Bill H.3824-Legislative Changes Effective May 19, 2017

- CE requirements
- Emergency Refill-10 day supply
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Discussion ensued regarding the legislative changes for CE requirements and emergency refill.

T. ACPE On-Site Evaluation Update-MUSC and USC COP

Mr. Livingston and Mr. Blackmon attended the meeting regarding the ACPE on-site evaluation. MUSC, USC College of Pharmacy will no longer function as one entity. This caused great concern with not having sufficient staff.

U. Review of current SC Pharmacy Practice Act-Eric Strauss, PharmD

Mr. Strauss spoke with the Board about reviewing and revising the practice act. It was agreed that after

the new Board Chair establishes the Committee Chairs and if Mr. Strauss is still willing to take on the practice act, that he be allowed to form a work group.

V. Bill H.3559- For Information

For information only.

### **8. Committee Reports**

Pharmacy Technician – Rebecca Gillespie, PharmD, R.Ph.

Report given. Policy #140 draft will be reviewed again by the committee to make changes and additions.

Compounding – Addison Livingston, R.Ph.

No meeting to report.

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

The committee met on April 27, 2017 and May 25, 2017.

On May 25, 2017 a representative from Fetter Health Care Network met with the committee to request to be allowed to use its downtown Charleston, SC site to serve its customers through telepharmacy. The committee voted to seek guidance from the Board as to whether the proposed telepharmacy pilot project would be allowed in principle, under the Pharmacy Practice Act.

The Board voted to deny the motion, which carried unanimously. A second from the motion is not required since it is coming from a committee.

Recovering Professional Program – Leo Richardson, PhD

Report was given

Healthcare Collaborative Committee – Spencer Morris, PharmD

The committee met to provide clarification on herbal supplements. There was a motion that herbal supplements be available commercially for retail sale in South Carolina. The Board voted to approved the motion, which carried unanimously. A second from the motion is not required since it is coming from a committee.

There were no motions made at the committee regarding Opioid Prescribing Guidelines.

Expungement Process – Eric Strauss, PharmD

The committee met on April 27, 2017 to continue discussion on the expungement process. A motion was made that one (1) year after satisfactory completion of any conditions imposed by the Board, licensee may request to appear before the Board for expungement. The Board voted to approve the motion, which carried unanimously. A second from the motion is not required since it is coming from a committee.

Non-Resident Application Review Committee Recommendations

The committee met on April, 25, 2017.

### **RECOMMEND APPROVAL (15)**

Sona Compounding Pharmacy

The Hibbert Group

VitalRx

Prasco, LLC

Guardian Pharmacy

Gayco Healthcare North

Siemens Healthcare Diagnostics  
Pharmaceuticals Priority Healthcare Distribution  
Aeroflow  
AmerisourceBergen-Suwanee GA  
MS Catalent Pharma Solutions-Decatur Road

Republic  
MiRx Pharmacy  
Animas Corporation  
AmerisourceBergen-Olive Branch

The Board voted to accept the Non-Resident Review Committee recommendations for approval, which was carried unanimously. A second from the motion is not required since it is coming from a committee.

**CONDITIONAL APPROVAL (6)**

Right Value dba Carie Boyd's Prescription Shop –recommend approval pending submission and approval of California Board of Pharmacy inspection report, Florida Board of Pharmacy inspection report and FDA inspection report

The Board voted to accept the Non-Resident Review Committee recommendations for conditional approval, which was carried unanimously. A second from the motion is not required since it is coming from a committee.

Fusion Specialty Pharmacy – recommend approval pending submission and approval of current inspection and hood certification; 10 most recent compounding worksheets with formulas and correct BUDs.

The Board voted to accept the Non-Resident Review Committee recommendations for conditional approval, which was carried unanimously. A second from the motion is not required since it is coming from a committee.

NC Baptist dba Baptist Hospital Specialty Rx – recommend approval pending payment of \$1,000 fine for shipping into South Carolina without a permit; NC Board of Pharmacy approves, in writing, the pharmacy may dispense prescriptions compounded by another pharmacy or, alternatively, applicant agrees in writing not to dispense any prescriptions compounded by another pharmacy.

The Board voted to accept the Non-Resident Review Committee recommendations for conditional approval, which was carried unanimously. A second from the motion is not required since it is coming from a committee.

NC Baptist dba Comprehensive Cancer Center – recommend approval pending payment of \$1,000 fine for Shipping into South Carolina without a permit; NC Board of Pharmacy approves, in writing, the pharmacy may dispense prescriptions compounded by another pharmacy or, alternatively, applicant agrees in writing not to dispense any prescriptions compounded by another pharmacy.

The Board voted to accept the Non-Resident Review Committee recommendations for conditional approval, which was carried unanimously. A second from the motion is not required since it is coming from a committee.

Catalent CTS – recommend approval pending payment of \$5,000 fine for shipping into South Carolina without a permit.

The Board voted to accept the Non-Resident Review Committee recommendations for conditional approval, which was carried unanimously. A second from the motion is not required since it is coming from a committee.

Catalent Pharma Solutions Red Lion Rd - recommend approval pending payment of \$5,000 fine for shipping into South Carolina without a permit.

The Board voted to accept the Non-Resident Review Committee recommendations for conditional approvals, which was carried unanimously. A second from the motion is not required since it is coming from a committee.

**DEFERRED until appearance before the committee (7)**

Carepoint Georgia	TrustedMedRx
Respironics Logistics Services	Medcare Health of NJ
Walgreens #05823	SterRx
Pioneer Pharmaceuticals	

The Board voted to accept the Non-Resident Review Committee recommendations for deferral, which was carried unanimously. A second from the motion is not required since it is coming from a committee.

**DEFERRED**

Incline Health – deferred until applicant has been operational for 6 months, had a successful Operational inspection and must reappear before the Non-resident Application Review committee.

The Board voted to accept the Non-Resident Review Committee recommendations for deferral, which was carried unanimously. A second from the motion is not required since it is coming from a committee.

The committee met on May 17, 2017.

**RECOMMEND APPROVAL (21)**

AllyScript LLC	Gulf Coast Scripts LLC
Choice Rx Pharmacy Inc.	Blondell Rx Corp.
YS Marketing Inc.	Viti Pharmaceuticals
LLC MN Pharmacy dba Pillpack Miami	Farmacia Libertad
Optime Care Distributors	Healthsource
Primary Pharmaceuticals Inc.	Legacy Pharmaceutical Packaging
LLC Jubilant Draximage	Safeway Distributors
IV & Home Health Services	U of A Medication Management Center
#2 QuVa (503B and Wholesale/Dist/Mfg permits)	
Avella of Deer Valley (503B and Wholesale/Dist/Mfg permits)	
Avella of Deer Valley (pharmacy permit)	

The Board voted to accept the Non-Resident Review Committee recommendations for approval, which was carried unanimously. A second from the motion is not required since it is coming from a committee

**CONDITIONAL APPROVAL (2)**

Compass Health Brands (Brookpark OH, Austin TX and Lawrenceville GA) – recommend approval pending payment of a \$10,000 fine for each facility (\$30,000 total) for shipping into South Carolina without a permit

Horizon Pharmacy – recommend approval pending submission and approval of an operational Inspection



The Board voted to accept the Non-Resident Review Committee recommendations for conditional approvals, which was carried unanimously. A second from the motion is not required since it is coming from a committee.

**DEFERRED until appearance before the committee (5)**

PharMix Rx LLC  
Advanced Inventory Management  
Publix Specialty Pharmacy #3212  
NV Medical Supplies  
Graxcell Pharmaceutical

The Board voted to accept the Non-Resident Review Committee recommendations for deferral, which was carried unanimously. A second from the motion is not required since it is coming from a committee

MALTAGON 2017-2018 Planning Update  
Report given

W. Review of Policies and Procedures

**Motion**-Mr. Morris made a motion to defer the review of policies and procedures to the September 13, 2017 Board meeting. Ms. Gillespie seconded the motion, which carried unanimously.

**Hearing(s)**

Lincare

**Motion**-Mr. Strauss made a motion to dismiss with a letter of caution. Mr. Livingston seconded the motion, which carried unanimously.

**Public Comments**

Mr. Spires congratulated Carole Russell on a leadership as Board chair.

**Board Meeting and Committee Recap**

No recap of Board meeting and Committee meetings took place.

**Articles for Board's Newsletter**

No new articles for newsletter were given.

**Adjourn**

**Motion**-Mr. Morris made a motion to adjourn the meeting. Mr. Livingston seconded the motion, which carried unanimously.