

INDIANA BOARD OF PHARMACY

****Met THROUGH VIDEO and AUDIO CONFERENCING***

<https://IndianaEnhanced.Webex.com/join/PLAWebex>

(240) 454-0887 and entering meeting room # 610 915 440

MINUTES OF JULY 13, 2020

Matt Balla, R.Ph., President, called the meeting to order at 9:06 a.m. and declared a quorum in accordance with IC 25-26-13-3(d), pursuant to public notice posted on line at the board's website and on the state calendar at least forty-eight (48) hours before the time of the meeting.

Members Present by Telephone: Matt Balla, R.Ph., President
Mark Smosna, R.Ph., Member
Donna Wall, R.Ph., Member
Winnie Landis, R.Ph., Member

Member(s) Absent: Steve Anderson, R.Ph., Vice President
Del Fanning, R.Ph., Member

Staff Present by Telephone: Laura Turner, J.D., Board Director
Professional Licensing Agency
Jody Edens, Assistant Director
Professional Licensing Agency
Donna Moran, Litigation Specialist
Professional Licensing Agency
Nicole Schuster, J.D.,
Deputy Attorney General,
Office of the Attorney General

The Board voted by roll call to adopt the amended agenda.

Smosna/Wall, 4/0/0
Motion carries

The following board members voted aye by roll call:
Donna Wall, Winnie Landis, Matt Balla, Mark Smosna
The following board members objected: none
The following board members abstained: none

FULL BOARD APPEARANCES

INSPECT discussion with Kara Slusser, Zaneta Nunnally & Bret Busby:

Participating Members: Matt Balla, Mark Smosna, Winnie Landis, Donna Wall

Bret spoke about a recent pharmacy inspection at a large chain pharmacy. While reviewing files for a specific complaint that was sent to our office, he noticed that the dispensation date submitted to INSPECT for several controlled substance prescriptions did not match the point of sale date listed at the pharmacy. He made sure to report this discrepancy to the Director of INSPECT and the Compliance Director. Upon further investigation, it was discovered that many pharmacies are reporting their dispensations to INSPECT on the filled date, not the date that matches the point of sale.

Zaneta explained that she had seen similar reporting issues from other facilities. Approximately one month earlier, she had been contacted by a practitioner who noticed incorrect dispensation dates for his patient and inquired about how this mistake had been made. The Compliance Director requested files from the dispensing facility, which were matched up with PMP Clearinghouse data submissions, provided by the INSPECT Director. They discovered that this facility was submitting controlled substance data on the date that they billed patients for their medications, not on the date that the medications were dispensed to the patients.

Kara informed the Board that this was a violation of IC 25-26-24-17, which states, "The information required to be transmitted under this section must be transmitted not more than twenty-four (24) hours after the date on which ephedrine, pseudoephedrine, or a controlled substance is dispensed." Furthermore, submitting dispensation data to the PDMP before the point of sale creates several additional problems. For example, state statute requires dispensers to submit information on the type of payment used to purchase the medication and the identification number of the individual picking it up. If the dispensation data is submitted to the PDMP prior to the point of sale, there is no way for the dispenser to accurately relay this information to the state. Kara propose a meeting with our PDMP technology vendor to discuss this issue and how it can be resolved. INSPECT also need to send notices to pharmacies about the state requirements and provide education around this subject. We will provide updates to the Board as INSPECT work towards a solution.

Accredo (Express Scripts) – Variance Request of 856 IAC 1-35-1

Richard Palombo, R.Ph., and Tera Teachout both appeared on behalf of this matter.

Accredo (Express Scripts) currently has a variance of 856 IAC 1-36-7 that ends in July 6, 2020 that allows technicians to work from home.

They are requesting a new variance of 846 IAC 1-35-1 for remote pharmacy technician supervision. The pharmacist is responsible for the work performed by the pharmacy technician under the pharmacist supervision, either through direct supervision or through a secured technologic means approved by the Board.

They have had a very successful three (3) years of technicians working from home. They have not had any concerns with technicians working from home. They have less distractions and lower absenteeism.

They currently have 130 Pharmacists and 150 Technicians working from home.

After reviewing the previous variance and the new variance request, the Board determined there was enough of a quantitative difference to qualify for a new variance. The Board voted by roll call to APPROVE the new variance.

Landis/Smosna, 4/0/0
Motion carries

The following board members voted aye by roll call:
Donna Wall, Winnie Landis, Matt Balla, Mark Smosna
The following board members objected: none
The following board members abstained: none

Kaleido Health Solutions – EDI Application

Dr. Amina Chaudhry appeared on behalf of this matter.

She indicated this is a mobile web-based platform and is HIPPA compliant. The clinical staff has access to the database under the agreement and Kaleido has access to cover their job duties.

They do not share or sell the data. They are live in thirty-nine (39) states and Washington D.C. They have not been denied in any state.

After discussion, the Board voted by roll call to APPROVE the Kaleido EDI Application.

Smosna/Landis, 4/0/0
Motion carries

The following board members voted aye by roll call:
Donna Wall, Winnie Landis, Matt Balla, Mark Smosna
The following board members objected: none
The following board members abstained: none

Patterson Dental Supply – Wholesale Drug Distributor App – Provisional Request

Theresa Franz-Scurr appeared on behalf of this matter. Patterson Dental Supply has started the process for the VAWD accreditation, but they are still waiting on an inspection.

They own and sell their own product, no drugs on site. They take title of the merchandise, so they need the WDD license.

After discussion, the Board voted by roll call to APPROVE a PROVISIONAL License for Patterson Dental Supply.

Wall/Landis, 4/0/0
Motion carries

The following board members voted aye by roll call:
Donna Wall, Winnie Landis, Matt Balla, Mark Smosna
The following board members objected: none
The following board members abstained: none

Cordant Pharmacy Indiana – Remote Dispensing Facility/CSR App

Bob Mann and Mark Rueth, R.Ph., PIC both appeared regarding this matter.

The space in which they wish to make the remote dispensing facility is right next to the clinic. They have the same roof, but separate entrances. They will provide for the patients that come to the clinic only. The clinic has six (6) medical providers.

The medication will be suboxone and buphomorphine.

The board noticed on the application that the Supervising Pharmacy has different hours of operation than the remote dispensing facility, making the supervising pharmacy closed when the remote dispensing facility would be open. The Board indicated the remote dispensing facility cannot be open if the supervising pharmacy is not open.

After discussion, the Board voted by roll call to TABLE the application for some corrections on the application.

Landis/Wall, 4/0/0
Motion carries

The following board members voted aye by roll call:
Donna Wall, Winnie Landis, Matt Balla, Mark Smosna
The following board members objected: none
The following board members abstained: none

PERSONAL APPEARANCES

Cameron Allen, R.Ph., Repeat MPJE & NAPLEX Application:

Cameron Allen appeared telephonically before the Board and discussed his/her studying habits with the Board.

After discussion, the Board voted by roll call to APPROVE Mr. Allen's MPJE & NAPLEX repeat exam application.

Wall/Smosna, 4/0/0
Motion carries

Donna Wall, Winnie Landis, Matt Balla, Mark Smosna
The following board members objected: none
The following board members abstained: none

Emmanuel Embuscado, R.Ph., License No. 26024174A – Renewal Application

Mr. Embuscado appeared telephonically before the Board and was not represented by counsel regarding a positive response on his renewal application.

Tracy Trout, MS, Program Director with IPRP appeared telephonically regarding this matter.

December 15, 2019 he was charged with a DWI.

On March 5, 2020, the court placed him on a one (1) year probation with terms and conditions. He attended a twenty (20) hour class at Fairbanks.

In 2009, he had a similar case in Hamilton County.

He indicated he has not had an alcoholic drink since December 15, 2019.

The Board tabled Mr. Embuscado's application in July for him to obtain an evaluation by IPRP.

Ms. Trout testified that Mr. Embuscado does not need to be monitored as he does not meet the qualification for monitoring.

After discussion, the Board voted by roll call to APPROVE Mr. Embuscado's license RENEWAL on AGREED INDEFINITE PROBATION with terms and conditions.

Wall/Smosna, 4/0/0
Motion carries

Donna Wall, Winnie Landis, Matt Balla, Mark Smosna
The following board members objected: none
The following board members abstained: none

Jessica Storey, Tech in Training Application

Ms. Storey appeared telephonically before the Board and was not represented by counsel regarding a positive response on her initial application.

Tracy Traut, MS, Program Director with IPRP appeared telephonically regarding this matter.

Ms. Storey has three arrests that involve alcohol.

- March 10 2010 – Public intoxication & Battery
- June 3, 2015 – OWI
- September 10, 2015 – OWI with a BAC of .15 or more

Ms. Storey was evaluated by IPRP back on March 26, 2020. Ms. Traut testified that Ms. Storey does not meet the criteria for monitoring.

After discussion, the Board voted by roll call to APPROVE Ms. Storey's application.

Wall/Smosna, 4/0/0
Motion carries

Donna Wall, Winnie Landis, Matt Balla, Mark Smosna
The following board members objected: none
The following board members abstained: none

Deantre Thompson-Hamilton, Tech in Training Application

Mr. Thompson-Hamilton appeared telephonically before the Board and was not represented by counsel regarding a positive response on his technician in training application.

In 2016 he stole merchandise from Wal-Mart. He was arrested for this in June 2017. He entered into and completed a diversion agreement.

He is currently employed at Wal-Mart as an associate in the Healthcare Management.

After discussion, the Board voted by roll call to APPROVE Mr. Thompson-Hamilton's application.

Wall/Landis, 4/0/0
Motion carries

Donna Wall, Winnie Landis, Matt Balla, Mark Smosna
The following board members objected: none
The following board members abstained: none

Michael Kelliham, R.Ph., License No. 26023051A – Renewal Application

Mr. Kelliham appeared telephonically before the Board and was not represented by counsel regarding a positive response on his renewal application.

His license in Kentucky is on Probation for five (5) years due to issues with compounding. The Pharmacy he was employed with is also on probation for five (5) years.

After discussion, the Board voted by roll call to APPROVE his license RENEWAL on AGREED INDEFINITE PROBATION with terms and conditions.

Wall/Landis, 4/0/0
Motion carries

Donna Wall, Winnie Landis, Matt Balla, Mark Smosna
The following board members objected: none
The following board members abstained: none

Ellyn Lohr, R.Ph., License No. 26023666A – Renewal Application

Ms. Lohr appeared telephonically before the Board and was not represented by counsel regarding a positive response on her renewal application.

Tracy Traut, MS, Program Director with IPRP appeared telephonically regarding this matter.

Ms. Lohr while employed with Kroger was drinking while working. Kroger ask her to take a drug test, she refused and resigned her position immediately.

She immediately went to Fairbanks for five (5) days and completed a 6 week intensive outpatient program. Her sobriety date is December 30, 2019

She signed a contract with IPRP this past March for five (5) years.

Ms. Trout stated that Ms. Lohr has had three (3) miss check-ins.

She currently works at Pharmscript a non-dispensing pharmacy.

After discussion, the Board accepted a motion by roll call to APPROVE Ms. Lohr's license renewal.

Wall/Balla, 2/2/0, motion fails

Donna Wall, Mark Smosna
The following board members objected: Winnie Landis, Matt Balla
The following board members abstained: none

After further discussion, the Board accepted a motion by roll call to APPROVE Ms. Lohr's RENEWAL on AGREED INDEFINITE PROBATION with terms and conditions.

Smosna/Landis, 4/0/0
Motion carries

Donna Wall, Winnie Landis, Matt Balla, Mark Smosna
The following board members objected: none
The following board members abstained: none

Andrea Mueller, R.Ph., License No. 26026009A, Renewal Application

Ms. Mueller appeared telephonically before the Board and was not represented by counsel regarding a positive response on her renewal application.

Ms. Mueller received a written warning from her employer, Westfield Pharmacy on November 5, 2018. The warning indicated an unsatisfactory job performance specifically due to prescription processing, insurance billing and RPh verification, negligence of controlled substance law, failure to complete point of sale transaction, improper storage of prescription drug products, failure to follow through with requests/promises with assisted living facilities.

She is still employed by Westfield Pharmacy and has received a response revisiting the documentation of warning. The response from her employer stated requirements for improvement have been met based on documentation from the meeting on November 2018. Proper review of materials requested was completed after the warning was issued. No further errors/oversight have been noted or directly observed in the areas that were outlined in the warning document. Overall she has shown improvement in her performance.

After discussion, the Board voted by roll call to APPROVE Ms. Muller's license RENEWAL.

Smosna/Landis, 4/0/0
Motion carries

Donna Wall, Winnie Landis, Matt Balla, Mark Smosna
The following board members objected: none
The following board members abstained: none

Garrett Wilkerson, R.Ph., License No. 26027921A – Renewal Application

Mr. Wilkerson appeared telephonically before the Board and was not represented by counsel regarding a positive response on his renewal application.

In 2017, he indicated that he ran out of his cholesterol and blood pressure medications and he filled them without a prescription. He was fired from his employment.

The Kentucky Medical Board placed his license on suspension for six (6) months and issued a \$3,000 FINE. His Kentucky license is currently active and in good standing.

After discussion, the Board voted by roll call to APPROVE Mr. Wilkerson's license RENEWAL.

Landis/Wall, 4/0/0
Motion carries

Donna Wall, Winnie Landis, Matt Balla, Mark Smosna
The following board members objected: none
The following board members abstained: none

Erin Davis, R.Ph., License No. 26021775A – Renewal Application

Ms. Davis appeared telephonically before the Board and was not represented by counsel regarding a positive response on her renewal application.

On April 1, 2019 Ms. Davis was terminated from her employer due to a series of perceived errors. She accidentally switched medication for two (2) patients resulting in a HIPPA violation.

She has not had any issues with her current employer.

She also holds a license in Oregon.

After discussion, the Board voted by roll call to APPROVE Ms. Davis' license RENEWAL.

Landis/Smosna, 4/0/0
Motion carries

Donna Wall, Winnie Landis, Matt Balla, Mark Smosna
The following board members objected: none
The following board members abstained: none

ADMINISTRATIVE HEARINGS

The following administrative hearing(s) were continued:

- **Intrathecal Compounding Specialists, License No. 64000848A, Cause No. 2020 IBP 0019**

Mohammad Airfee, Ph.T., License No. 67032250A, Cause No. 2020 IBP 0009

Respondent did not appear telephonically and was represented by counsel, Roy Dominguez, J.D. regarding an Extension of Summary Suspension scheduled before the Board. The State of Indiana was represented by Ryan Eldridge, Deputy Attorney General and the court reporter sworn in for this matter, Margie Addington with Accurate Reporting Services also appeared telephonically.

A proposed settlement agreement between the Respondent, his counsel and the Attorney

General's Office was presented to the Board for review. The proposed settlement agreement included SUMMARY SUSPENSION until final resolution of this matter.

After reviewing the proposed settlement agreement, having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board voted by roll call to APPROVE the proposed settlement agreement.

Wall/Landis, 4/0/0
Motion carries

Donna Wall, Winnie Landis, Steve Anderson, Mark Smosna
The following board members objected: none
The following board members abstained: none

Terri Robbins, Ph.T., License No. 67026641A, Cause No. 2020 IBP 0078

Respondent did not appear telephonically and was not represented by counsel regarding an Extension of Summary Suspension scheduled before the Board. The State of Indiana was represented by Ryan Eldridge, Deputy Attorney General and the court reporter sworn in for this matter, Margie Addington with Accurate Reporting Services also appeared telephonically.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board voted by roll call to EXTEND the SUMMARY SUSPENSION for ninety (90) days.

Smosna/Landis, 4/0/0
Motion carries

Donna Wall, Winnie Landis, Steve Anderson, Mark Smosna
The following board members objected: none
The following board members abstained: none

Emily Mozwecz, Ph.T., License No. 67034291A, Cause No. 2019 IBP 0026

Respondent did not appear telephonically and was not represented by counsel regarding an Order to Show Cause scheduled before the Board. The State of Indiana was represented by Erika Steuerwald, Deputy Attorney General and the Court reporter sworn in for this matter, Margie Addington with Accurate Reporting Services also appeared telephonically.

Tracy Trout, Program Director, IPRP was sworn in as a witness.

Ms. Trout testified that Ms. Mozwecz signed an RMA with IPRP on February 5, 2019. She was diagnosed with mild alcohol use disorder. She was required to do sixteen (16) urine drug screens per year and to see a counselor. In the four (4) UDI's she obtained, two (2) were positive and two (2) were abnormal. One of the tests was positive for Cocaine

metabolites. Ms. Mozwecz requested that her contract be closed.
States Exhibit:
1 – Email from Respondent

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board voted by roll call to issue a NOTICE OF PROPOSED DEFAULT.

Wall/Smosna, 4/0/0
Motion carries

Donna Wall, Winnie Landis, Steve Anderson, Mark Smosna
The following board members objected: none
The following board members abstained: none

Nicole Nordeen, Ph.T., License No. 67026407A, Cause No. 2018 IBP 0060

Respondent appeared telephonically and was not represented by counsel regarding an Order to Show Cause scheduled before the Board. The State of Indiana was represented by Erica Steuerwald, Deputy Attorney General and the court reporter sworn in for this matter, Margie Addington with Accurate Reporting Services also appeared telephonically.

Zaneta Nunnally, Compliance Director IPLA and Tracy Traut, Program Director IPRP were both sworn in as witnesses.

Ms. Nunnally testified that Ms. Nordeen has missed probationary appearances. She indicated Ms. Nordeen was non-compliant with term 'h' of her probationary order which reads "Applicant shall make quarterly appearances before the Board at the normally scheduled monthly board meetings and shall bring copies of the results of her drug screens to these personal appearances"

Ms. Nordeen has requested to come off probation. She has been working full time at Gill Drugs and has been there for one and one-half (1 ½) years.

Ms. Traut testified that Ms. Nordeen signed a RMA with IPRP on July 24, 2019 and she has been completely compliant and pleasant to work with. They do not have any concerns with her practicing at this time and they are ready to successfully discharge her on July 24, 2020 with the Boards permission.

State indicated they waive notice of Ms. Nordeen's request to WITHDRAW her probation order.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board voted by roll call to NOT TAKE ANY FURTHER ACTION regarding the OTSC on Ms. Nordeen's probationary order.

Landis/Smosna, 4/0/0
Motion carries

Donna Wall, Winnie Landis, Steve Anderson, Mark Smosna
The following board members objected: none
The following board members abstained: none

The Board further moved by roll call to WITHDRAW the Order of Probation from Ms. Nordeen's license.

Balla/Wall, 4/0/0
Motion carries

Donna Wall, Winnie Landis, Steve Anderson, Mark Smosna
The following board members objected: none
The following board members abstained: none

Casey Schile, Ph.T., License No. 67013533A, Cause No. 2010 IBP 0045

Respondent appeared telephonically and was not represented by counseling regarding a Petition to Withdraw Probation scheduled before the Board. The State of Indiana was represented by April Keaton, Deputy Attorney General and the court reporter sworn in for this matter, Margie Addington with Accurate Reporting Services also appeared telephonically.

The Respondent was placed on court probation back in July 2010 until July 2011 for an OWI received in April 2010. He has completed his court probation and completed the required eighty (80) hours of community service and alcohol classes. He completed his probation with the courts in 2011.

He informed the Board that he has continued to work for Kroger since 2010 and that he has completed all requirement on the Board's probationary order.

Respondent's Exhibits:

- 1 – email from Laura Fagan & Court documents
- 2 – Email from the Respondent

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board voted by roll call to WITHDRAW the Order of Probation from the Respondent's license.

Wall/Smosna, 4/0/0
Motion carries

Donna Wall, Winnie Landis, Steve Anderson, Mark Smosna
The following board members objected: none
The following board members abstained: none

Phillip Simpson, R.Ph., License No. 26023441A, Cause No. 2016 IBP 0061

Respondent did appear telephonically and was not represented by counsel regarding a Petition to Withdraw Probation scheduled before the Board. The State of Indiana was represented by Erika Steuerwald, Deputy Attorney General and the court reporter sworn in for this matter, Margie Addington with Accurate Reporting Services also appeared telephonically.

Tracy Trout, Program Director IPRP was sworn in as a witness.

Respondent was addicted to narcotics and alcohol. He diverted medications from his place of employment. He completed his court probation and charges were dismissed.

Ms. Trout testified that he was doing twenty-six (26) drug screens per year and daily check-ins. He has been compliant with his IPRP contract and all drug screens have been negative. He has successfully completed his IPRP contract at this time.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board voted by roll call to WITHDRAW the Order of Probation from the Respondent's license.

Landis/Wall, 4/0/0
Motion carries

Donna Wall, Winnie Landis, Steve Anderson, Mark Smosna
The following board members objected: none
The following board members abstained: none

Mikhail Galperin, M.D., License No. 01075196B, Cause No. 2019 IBP 0018

Respondent did not appear telephonically and was represented by Mike Gaerte, J.D. regarding a Petition to Modify Probation scheduled before the Board. The State of Indiana was represented by April Keaton, Deputy Attorney General and the court reporter sworn in for this matter, Margie Addington with Accurate Reporting Services also appeared telephonically.

Michael Persons, M.D. was sworn in as witness for the Respondent.

Dr. Galperin signed a contract with ISMA(PAP) in April 2018. He has been compliant with his contract. The Board placed his controlled substance registration on indefinite probation on April 8, 2019. His medical license is also on indefinite probation by the Medical Licensing Board.

He is requesting to modify his CSR indefinite probation to allow him to prescribe controlled substances

If allowed, he will still need to obtain his DEA as he surrendered it back in April 2018.

His sobriety date is January 13, 2018.

Page 4, term "g" of his probation order with the Pharmacy Board states he shall not write any prescriptions.

Dr. Persons is Dr. Galperin's supervisor at Quality Correctional Care. Dr. Galperin works as a general practitioner for prisoners. Dr. Persons told the Board that the Respondent has a good depth of knowledge and he feels he is ready to be on his own. To do this, he must have a controlled substance registration.

Respondent's Exhibits:

- 1 – Offer of employment
- 2 – Job description
- 3 – Copies of drug screens
- 4 – Letter from Fred Frick, M.D.
- 5 – Letter from Rita Mitcheff, MSW, LCSW
- 6 – Letter from Michael Persons M.D.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence, and orders in this matter the Board voted by roll call to MODIFY Dr. Galperin's Order of Probation as follows:

- Dr. Galperin may prescribe controlled substances listed on Schedules III, IV, and V only to the inmates in his care in his employment with Quality Correctional Care.
- Dr. Galperin shall provide the Board documentation of Vivitrol injections on a quarterly basis.
- All other terms and conditions of the Board's Order of May 23, 2019 remains in full force and effect.

Wall/Landis, 4/0/0
Motion carries

Donna Wall, Winnie Landis, Steve Anderson, Mark Smosna
The following board members objected: none
The following board members abstained: none

CVS #6724, License No. 60004664A, Cause No. 2020 IBP 0018

Respondent did not appear telephonically and was not represented by counsel regarding a Final Hearing scheduled before the Board. The State of Indiana was represented by Ryan Eldridge, Deputy Attorney General and the court reporter sworn in for this matter, Margie Addington with Accurate Reporting Services also appeared telephonically.

A proposed settlement agreement between the Respondent and the Attorney General's Office was presented to the Board for review. The proposed settlement agreement included INDEFINITE PROBATION for not less than one (1) year with terms and

substance registrations.

Wall/Landis, 4/0/0
Motion carries

Donna Wall, Winnie Landis, Steve Anderson, Mark Smosna
The following board members objected: none
The following board members abstained: none

There being no further business the Board adjourned at 5:15 p.m.



Matt Balla, R.Ph., President



Steve Anderson, R.Ph., Vice President

conditions.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board voted by roll call to APPROVE the Proposed Settlement Agreement.

Wall/Smosna, 4/0/0
Motion carries

Donna Wall, Winnie Landis, Steve Anderson, Mark Smosna
The following board members objected: none
The following board members abstained: none

Richard Cristea, M.D., License No. 01037934B, Cause No. 2020 IBP 0005

Respondent did not appear telephonically and was not represented by counsel regarding a Settlement Agreement scheduled before the Board. The State of Indiana was represented by Ryan Eldridge, Deputy Attorney General and the court reporter sworn in for this matter, Margie Addington with Accurate Reporting Services also appeared telephonically.

A settlement agreement between the Respondent and the Attorney General's Office was presented to the Board for review. The settlement agreement included a LETTER of REPRIMAND with terms and conditions.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board voted by roll call to APPROVE the Settlement Agreement.

Landis/Smosna, 4/0/0
Motion carries

Donna Wall, Winnie Landis, Steve Anderson, Mark Smosna
The following board members objected: none
The following board members abstained: none

DISCUSSION

The following physicians requested to surrender their controlled substance registrations as they do not use them and don't want to register for INSPECT.

- Rosa Navarro, M.D.
- Gregory Macchio, M.D.
- Enrique Beckmann, M.D.

After discussion, the Board moved to ALLOW all three (3) to surrender their controlled