# INDIANA BOARD OF PHARMACY Indiana Government Center South 402 West Washington Street, Room W064 Indianapolis, IN 46204

## Minutes of March 11, 2024

Jason Jablonski, R.Ph., President, called the meeting to order at 8:30 a.m. and declared a quorum in accordance with IC 25-26-13-3(d), pursuant to public notice posted at the principal office for the Board, online at the board's website and on the state calendar at least forty-eight (48) hours before the time of the meeting.

### **Members Present:**

Jason Jablonski, R.Ph., President Steve Anderson, R.Ph., Vice President Mark Bunton, R.Ph., Member Mark Smosna, R.Ph., Member Matt Balla, R.Ph., Member Andrew Meador, C,Ph.T., Member Kate Snedeker, Consumer Member

#### **PLA Staff Present**:

Evan Bartel, General Counsel Christine Cowdin Caitlin Cress

## **Advisory Counsel:**

Leif Johnson, J.D.

# **Court Reporter:**

Accurate Reporting – Margie Addington

The Board moved to adopt the agenda. Smosna/Bunton, 7-0-0 Motion carries

The Board moved to approve the minutes from the February 12, 2024 board meeting. Bunton/Balla, 7-0-0 Motion carries

### **Full Board Appearances**

# Tammie L. Nelson, MPH, CPH, ELS - Request for INSPECT Data

Tammie L. Nelson appeared on behalf of this matter.

After discussion, the Board moved to APPROVE request for INSPECT data.

Balla/Bunton, 7-0-0 Motion carries

### Kathleen M. Lawler, MSFS - Request for INSPECT Data

Kathleen M. Lawler appeared via phone on behalf of this matter.

After discussion, the Board moved to TABLE request for INSPECT data.

Smosna/Meador, 7-0-0
Motion carries

## The Rejuvenation House Medi-Spa - CSR Out-Patient Clinic Application

Clive Alonzo, M.D. appeared on behalf of this matter.

Keeping compounded medications on site for patients. Working with BioT for medications and training on medications. Also keeping liquid testosterone on site. Will maintain a stock of non-patient specific pellets. Patient specific prescriptions are received and stored until such time as to use on patient.

After discussion, the Board moved to APPROVE applicant's CSR application.

Smosna/Bunton, 7-0-0 Motion carries

### Andrew Johnstone, M.D. – Discuss how his patients are received by pharmacists

Andrew Johnstone, M.D. appeared on behalf of this matter.

## Personal Appearances

### Renee Majeski – Pharmacist Re-exam NAPLEX 4<sup>th</sup> attempt:

Renee Majeski appeared before the Board and discussed her studying habits with the Board.

After discussion, the Board moved to APPROVE applicant's repeat exam application.

Smosna/Balla 7-0-0 Motion carries

## Jaelyn Nichols – Pharmacist Re-exam NAPLEX 3<sup>rd</sup> attempt:

Jaelyn Nichols appeared before the Board and discussed his/her studying habits with the Board.

After discussion, the Board moved to APPROVE applicant's repeat exam application.

Smosna/Snedeker 7-0-0 Motion carries

# Meghan Sorrells - Pharmacist Re-exam NAPLEX 5<sup>th</sup> attempt:

Meghan Sorrells appeared before the Board and discussed his/her studying habits with the Board.

After discussion, the Board moved to APPROVE applicant's repeat exam application.

Balla/Smosna 7-0-0 Motion carries

# Jean Paul Ewang - Pharmacist Re-exam MPJE 3rd attempt:

Jean Paul Ewang appeared before the Board and discussed his/her studying habits with the Board.

After discussion, the Board moved to APPROVE applicant's repeat exam application.

Smosna/Bunton 7-0-0
Motion carries

# Minh Nhat Nguyen - Pharmacist Re-exam NAPLEX and MPJE 3<sup>rd</sup> attempt:

Minh Nhat Nguyen appeared before the Board and discussed his/her studying habits with the Board.

After discussion, the Board moved to APPROVE applicant's repeat exam application.

Snedeker/Balla 7-0-0 Motion carries

# <u>Yadhira Sandoval – Technician/Tech in Training App – Positive Response:</u>

Failed to appear.

## **CONTINUED – Wesley Cammenga – Technician/Tech in Training App – Positive Response:**

This personal appearance was continued.

### Rebecca McGovern – CSR – Veterinarian – Positive Response:

Rebecca McGovern appeared in person and was not represented by counsel regarding a positive response on a controlled substance registration application. Rebecca McGovern has been in recovery since 2021 and is currently 3 years sober. She has an agreement with the Veterinary Board from 2021 for probation of her Veterinary License and terms of probation were modified in

2023. She can petition for the withdrawal of probation in August 2024. She has been employed with Indy Paws since 2022 and is requesting a controlled substance registration as she will be the only veterinarian in the clinic.

After discussion, the Board moved to APPROVE applicant's CSR application on PROBATION with TERMS and CONDITIONS.

Anderson/Smosna, 7-0-0
Motion carries

# **DISCUSSION**

### **Monthly Reports**

Board Director's Report – Presented by Evan Bartel

OAG Report - Presented by DAG, Ryan Eldridge

Compliance Director's Report - Presented by Zaneta Nunnally

INSPECT Director's Report – Presented by Kara Slusser and Logan Winslow INSPECT Changes Approved Balla/Bunton, 7-0-0

## **New Business**

Legislative Update - Darren Covington, Indiana Pharmacists Association, Doug Boyle, PLA

# Administrative Hearings

# Zennon Gaines, Ph.T., License No: 67039888A - Cause No. 2023 IBP 0017

Summary Suspension Extension and Final Hearing

DAG: Ryan Eldridge Respondent: Not Present

Exhibit(s): None Witness(es): None

A motion was made and seconded to ACCEPT the Agreement resulting in the RENEWAL of the summary suspension which summarily suspends the license for an additional period of 90 days.

Smosna/Balla, 7-0-0 Motion carries

The Final Hearing in this matter was continued.

## Zunaid Rajab Ali, R.Ph., License No: 26029605A - Cause No. 2022 IBP 0006

**Probation Withdrawal** 

DAG: None

Respondent: Not Present

Exhibit(s): None Witness(es): None

A motion was made and seconded to DISMISS the petition for probation withdrawal.

Smosna/Bunton, 7-0-0 Motion carries

## Steven Christopher Marchino, M.D., License No: 01052937A - Cause No. 2022 IBP 0029

**Probation Withdrawal** 

DAG: Jackson Yerkes

Respondent: Steven Marchino, M.D., and K. Michael Gaerte appeared as counsel

Exhibit(s): Petition for Probation Withdraw with Exhibits A - E

Witness(es): Steven Marchino, M.D., and Zaneta Nunnally, Compliance Director

Received a probationary license through the Medical Licensing Board. Probation on his medical license was withdrawn October 17, 2022. Dr. Marchino plans to continue with ISMA PAP and practice emergency medicine. Dr. Marchino has been compliant with his terms of probation.

A motion was made and seconded to APPROVE the probation withdrawal.

Smosna/Balla, 7-0-0 Motion carries

### Susan Marie Reynolds, R.Ph., License No: 26020899A - Cause No. 2007 IBP 0069

Probation Withdrawal

DAG: Jackson Yerkes

Respondent: Susan Marie Reynolds, R.Ph., and Tom Hardin, appeared as counsel

Exhibit(s): None

Witness(es): Susan Marie Reynolds, R.Ph., Tracy Traut, IPRP Program Director, and Zaneta

Nunnally, Compliance Director

Susan Reynolds successfully completed IPRP on February 28, 2024. She has been in full compliance with her terms of probation. She is currently working in teaching and credentialing but plans to eventually practice in a clinical setting.

A motion was made and seconded to APPROVE the probation withdrawal.

Bunton/Smosna, 7-0-0 Motion carries

### Timothy Robert Wee, R.Ph., License No: 26019040A - Cause No. 2020 IBP 0047

**Probation Withdrawal** 

DAG: None

Respondent: Timothy Robert Wee, R.Ph.

Exhibit(s): None

Witness(es): Timothy Robert Wee, R.Ph., and Tracy Traut, IPRP Program Director, and Zaneta

Nunnally, Compliance Director

Mark Bunton made statement as to previously working with Timothy Wee and there were no objections.

Entered into an RMA July 2020 and was successfully completed in July 2023. He has been in full compliance with his terms of probation and as of August 2022 he had completed his criminal probation in California.

A motion was made and seconded to APPROVE the probation withdrawal.

Anderson/Smosna, 7-0-0 Motion carries

# Ambria Almon, Ph.T., License No: 67029706A - Cause No. 2022 IBP 0033

Final Hearing

DAG: Britney McMahan Respondent: Not Present

Exhibit(s): None Witness(es): None

Due to failure to appear, a petition for a Notice of Proposed Default was made.

Bunton/Smosna, 7-0-0 Motion carries

## Jesse J. Caswell, Ph.T., License No: 67028472A - Cause No. 2024 IBP 0001

Final Hearing

DAG: Rebekah Hammond

Respondent: Not Present

Exhibit(s): None Witness(es): None

Due to failure to appear, a petition for a Notice of Proposed Default was made.

Anderson/Smosna, 7-0-0
Motion carries

# Darren J. DeLong, R.Ph., License No: 26024360A - Cause No. 2021 IBP 0041

Final Hearing

DAG: Carah Rochester

Respondent: Darren DeLong, R.Ph., and Dina Cox appeared as counsel

Exhibit(s): State's Exhibit A

State's Exhibit B

Respondent's Exhibit 4

Witness(es): Darren DeLong, R.Ph.

Darren DeLong testified that he had 4 interactions judged to be inappropriate by employer, and was suspended. Incidents included comments about support staff, a nurse, and 2 technicians. Employer also cited problems with charts before termination. Darren DeLong filed an appeal with the union and EEOC, hoping for reversal of termination. He received arbitration award, which included option for back wages. Recission and purge of employer's termination/disciplinary record with respect to practitioner were ordered. Darren did answer "NO" on renewal application under the belief that appeal would be successful. He did not intend to defraud the Board. He also testified to awareness of VA consumer complaint.

A motion was made and seconded to find violation of Count 1, without mention of hostile work environment.

Anderson/Smosna, 6-0-0 Bunton Recused Motion carries

A motion was made and seconded to issue a Letter of Reprimand and a \$ 1,000 Fine and \$5 records fee.

Anderson/Balla, 5-1-0 Snedeker Opposed Bunton Recused Motion Carries.

There being no further business the Board ADJOURNED at 2:06 p.m.