

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

Kim DRAFT Minutes of June 9, 2025

Steve Anderson, R.Ph., Board President, called the meeting to order at 8:33 a.m. and declared a quorum in accordance with IC 25-26-13-3(f), 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:

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

Members Absent

Matt Balla, R.Ph., Vice President

PLA Staff Present:

Kim Snyder, Board Director
Caitlin Cress, Assistant Board Director
Bradley Repass, Litigation Specialist

Advisory Counsel:

Leif Johnson, J.D.

Court Reporter:

Accurate Reporting – Margie Addington

The Board moved to adopt the amended agenda.
Jablonski/Bunton 6-0-0
Motion carries

The Board moved to approve both the minutes from the May 12, 2025 and the amended 3/10/25 Board meetings.
Meador/Jablonski 6-0-0
Motion carries

Administrative Hearings

Administrative Hearing(s) Continued:

The following hearing(s) were continued:

- **Kodi Scott Hamilton, Ph.T., License No: 67039798A – Cause No. 202411-BOP-0032 – Administrative Complaint**

Sein Hnin Zee Grocery – Cause No. 202412-BOP-0039

Default Hearing

DAG: Rebekah Hammond

Respondent: Not Present

Exhibit(s): State's Exhibits 1 & 2

Witness(es): Zaneta Nunnally, IPLA Compliance Director, Brittany Ulrey, OAG Investigator

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and order in the matter, the Board moved to hold the Respondent's license in DEFAULT.

Bunton/Smosna, 6-0-0
Motion carries

The DAG proceeded to explain the nature of the complaint following an inspection by the department of health. Legend drugs were observed during two state investigator site visits behind and on a glass case. The OAG also visited this same site a third time with IPLA compliance staff. OAG investigator discussed the types of legend drugs observed that were for sale to the public. No narcotics. The store staff had access to the products behind the glass cabinet. It is not known how the store acquired the medications. A language barrier existed. Medications were not set out for over-the-counter sale. Customers would not have gone behind the counter to access the medications. Zaneta was called as the second witness. Zaneta referenced the photos taken during the site visit and the medications observed including pills, creams and tablets. Law enforcement tested the products. No controlled substances were found. Additional boxes of other drugs were located in a back room. Law enforcement confiscated those boxes. Concerns included how the store acquired the drugs, integrity of the drugs and practicing pharmacy without the license.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and order in the matter the Board moved to issue a Cease and Desist.

Meador/Bunton, 6-0-0
Motion carries

Megan S. Utterback, Ph.T., License No: 67020545A – Cause No. 202412-BOP-0038

Default Hearing

DAG: Alex James

Respondent: Not Present

Exhibit(s): State's Exhibits 1 - 4

Witness(es): None

State presented opening statement and asked that the respondent be found in default.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and order in the matter, the Board moved to hold the Respondent's license in DEFAULT.

Meador/Smosna, 6-0-0
Motion carries

State requested exhibits 1 – 4 be admitted into evidence. The state referenced the exhibits and drew the board's attention to specific pages of the exhibits. The employer self reported the diversion from 5 different pharmacy locations and the respondent did not dispute the employer's allegations. State requested the board place the respondent on indefinite suspension for a period of time at their discretion.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and order in the matter, the Board moved to place the Respondent's license on INDEFINITE SUSPENSION and \$5 fee.

Bunton/Jablonski, 6-0-0
Motion carries

Jordan David Nuger, R.Ph., License No: 26022974A – Cause No. 2023 IBP 0021

Order to Show Cause

DAG: Rebekka Hammond
Respondent: Not Present
Exhibit(s): None
Witness(es): None

Parties filed a Proposed Settlement Agreement and the DAG plans to proceed with that document. Reviewed the facts of this case and that it was related to IPRP non-compliance. Respondent does not currently work in the pharmacy industry and does not plan to return to pharmacy. Respondent's current job is contingent on his pharmacy degree, not his license.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter, the Board moved to accept the settlement agreement and REVOKE the license.

Meador/Smosna 6-0-0
Motion carries

Joseph John Piwowarski, R.Ph., License No: 26030122A – Cause No. 2022 IBP 0060

Order to Show Cause

DAG: None
Respondent: Not Present
Exhibit(s): None
Witness(es): None

Leif advised that because the respondent is not present, the OTSC must be entered.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board moved to issue a Notice of Proposed Default.

Jablonski/Smosna 6-0-0
Motion carries

Tracy Traut, Director of IPRP, was sworn in and discussed the continued non-compliance of the respondent's IPRP contract. Three addendums were issued to the respondent. Respondent refused to sign the addendum and the reason the OTSC was filed. RMA began 1/31/2022 with two extensions totaling another year. Andrew asked a question about what happens if someone misses a check-in. Tracy explained how the staff follows up with the person who misses an extension. Subsequent missed check ins involve an escalation of safeguards. There were no negative results, but 48 missed breathalyzers. Leif advised that it would be appropriate to issue a Summary Suspension if the board feels the respondent is an immediate danger to the public.

Leif explained that a Summary Suspension is effective immediately. If the respondent does not respond in 7 days, the board can set a final hearing. The OAG will not be involved. BOP staff must track this matter. The 90-day Summary Suspension will end if there is no further action. Otherwise, there should be a default hearing as a next step. Starting now, respondent may not practice pharmacy.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board moved to SUMMARILY SUSPEND the license for 90 days.

Jablonski/Smosna, 6-0-0
Motion carries

Tippecanoe Township Fire Territory, License No: 61102534B – Cause No. 202505-BOP-0015
Order to Show Cause

DAG: None
Respondent: T. Doyle, EMS Division Chief
Exhibit(s): None
Witness(es): T. Doyle, EMS Division Chief, Zaneta Nunnally, IPLA Compliance Director

Witnesses sworn in. Lorena Sipe inspected the facility. T. Doyle explained when completing the Master Control Spreadsheet, it was not properly saved, which is what led to the issue. He has since updated the system and it now 'Auto-Saves' so this error no longer occurs. The board asked Zaneta questions about the inspection and the opportunity to correct statute that takes effect. The concern was about discrepancies noted in the master stock and the sub-stock. It did not appear that they were maintaining a perpetual inventory. By statute they are required to maintain a perpetual inventory. Appears this involved more clerical errors and failure to complete necessary forms. Confirmed that an action plan was submitted to Lorena. The inspector is to return in 30 days to reinspect the facility.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board has found that there is no need for further action outside of the Corrective Action Plan.

Jablonski/Smosna, 6-0-0
Motion carries

Walgreens Company, License No: 60003055A – Cause No. 202503-BOP-0008
Proposed Settlement Agreement

DAG: Ryan Eldridge
Respondent: Not Present
Exhibit(s): None
Witness(es): None

State presented opening statements and the facts involved in this matter regarding incorrect medication directions issued by the pharmacy.

After reviewing the agreement and taking official, judicial notice of the pleadings, evidence, and orders in this matter the Board moved to APPROVE the SETTLEMENT AGREEMENT including a LETTER of REPRIMAND and FINE of \$1000.00.

Smosna/Jablonski 6-0-0
Motion carries

Anthony Currie, R.Ph, Ph.T., License No: 26020484A – Cause No. 202506-BOP-0017
Summary Suspension

DAG: Autumn Murphy AA
Respondent: Not Present
Exhibit(s): None
Witness(es): None

State presented a Proposed Settlement Agreement involving a voluntary suspension until December 8, 2025 and set for a hearing at that time. Board counsel recommended statute limits the Summary Suspension by 90 days. State objected because opposing counsel agreed to the December 8, 2025 date. Board counsel does not like to advise above the statutory maximum. Board counsel advises only summarily suspend respondent's license for 90 days.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence, and order in the matter, the Board moved to place the Respondent's license on SUMMARY SUSPENSION for ninety (90) days and file a complaint against the hospital and wholesaler.

Smosna/Jablonski, 6-0-0
Motion carries

Jablonski/Meador, 6-0-0
Motion carries

Discussion

Monthly Reports

Board Director's Report – Presented by Kim Snyder

INSPECT Director's Report – No updates

Compliance Director Report – Presented by Zaneta Nunnally. Reported on increase in pharmacy night burglaries. Appears the burglaries are related. Typically don't track attempts. Aware that there have been multiple attempts in Indiana.

OAG Report – No updates. Reporting Quarterly.

Old Business

A. Kate read a statement about the lack of virtual options and how this impacts the public.

New Business

- A. Proposed 2026 Meeting Dates
 - a. October 5, 2026
- B. NABP District IV NABP/AACP Meeting Planning Updates
- C. Andrew asked about the process about the board's involvement in a consumer complaint. The board can't make an adjudication until an administrative hearing. There are times when their litigation does not come before the board. An executive session would be called to discuss matters where the board was being sued.
- D. Board Director will notify the board of media requests.
- E. Rules - updates and reviews. First few articles will be sent in advance of next board meeting for review and discussion.
- F. Jason - NABP state specific reviews due again. All board members excluding the consumer member to participate. Also discussed Remote Location licenses that don't have controlled substances and ways to modify the existing application.

Full Board Appearances

Full Board Appearance(s) Continued:

- The Beyer Medical Building – Provident Center Imaging – CSR-Remote Location Application – 1st Remote Location for Warsaw Health System LLC dba Lutheran Kosciusko Hospital, 60005432A - CONTINUED
- The Compounding Pharmacist – Non-Resident Pharmacy Application - CONTINUED
- Medicine Man Prairie Pharmacy – Non-Resident Pharmacy Application – CANCELED
- Strive Pharmacy Tampa, LLC – Non-Resident Pharmacy Application – CONTINUED
- Coupler LLC – Wholesale Drug Distributor Application – Positive Response - CONTINUED

DVNA Plus, d/b/a Deaconess Hospice @ Linda E. White Hospice House – CSR-Remote Location Application – 1st Remote Location for Paul's LTC Pharmacy, 60006285A

Deb Larison, Danielle Nosk (nurse manager) appeared before the Board regarding their CSR-Remote Location Application. 7 bed facility providing hospital level hospice care. Managing automated dispensing cabinet. System is bar code scanned. Pharmacy is about 5 miles from the facility. There was no procedure in place prior to this. Deaconess uses a different EMR and DEA. Controlled substances are all inventory of the pharmacy. Nothing is over-ridable. It's possible to put certain items on override in the event there's an allergic reaction that needs to be treated. This is Paul Pharmacy's first remote dispensing facility.

After discussion, the Board moved to APPROVE the CSR-Remote Location Application.

Jablonski/Smosna 6-0-0
Motion carries

IN CHS Pharmacy Services, LLC (dba Pharmacy Solutions Group of IN) – 60006978A – 1st Remote Locations – 6 Applications

- **Valley View Healthcare Center – CSR-Remote Location**
- **Kokomo Healthcare Center – CSR-Remote Location**
- **Bridgewater Healthcare Center – CSR-Remote Location**
- **Hawthorne Healthcare Center – CSR-Remote Location**
- **Rolling Hills Healthcare Center – CSR-Remote Location**
- **Wedgewood Healthcare Center – CSR-Remote Location**

Robert Kulak and Joe Gurak appeared before the Board regarding their CSR-Remote Location Applications. Headquartered in Castleton. Described restocking and delivery procedures for all facilities. Procedures are the same for every facility. Uses a courier service for delivery. Nurses restock remote locations.

After discussion, the Board moved to APPROVE the 6 CSR-Remote Location Applications.

Jablonski/Meador 6-0-0
Motion carries

Morgantown Woods of Journey – CSR-Remote Location Application – Failed Initial Inspection – Alixa Rx LLC dba Alixa Rx, 60006906A

Failure to appear.

Hanger Prosthetics & Orthotics East Inc – Home Medical Equipment Service Provider Application – Failed Initial Inspection

Failure to appear. Reschedule for next month. Asked that Zaneta confirm whether they are operating at this location.

Randy Martins Health and Wellness, LLC dba Hillstone Pharmacy – Non-Resident Pharmacy Application

Failure to appear.

Personal Appearance(s) Continued:

- **Arlene S. Mazo – Pharmacist Application – 3rd Attempt at MPJE – CANCELED**

- **Ali Salameh – Pharmacist Application – 3rd Attempt at MPJE – CANCELED**

Personal Appearances

Neri Manasseh Hamid Tawfiq – Pharmacist Application – 3rd Attempt at MPJE:

Failure to appear.

Jannah Diane Nifong – Pharmacist Application – 4th Attempt at NAPLEX:

Jannah Diane Nifong appeared before the Board and discussed her studying habits with the Board. Previously used passive learning practices. Experienced some personal circumstances that contributed to prior failures. Brought the new study book and program to study. Trying to actively work with the material and plans to re-review material. Graduated May 2024 from Manchester. Works one 8-hour shift/week.

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

Smosna/Snedeker 6-0-0
Motion carries

Megan McGill, R.Ph. – 26020040A – Pharmacist Reinstatement Application – Positive Response:

Megan McGill appeared before the Board regarding a positive response on a pharmacist reinstatement. Currently licensed in Arizona. Arizona's license is on probation. Has a consent agreement and professional monitoring program. Did not complete required CE. Was not licensed in Arizona when she first appeared before the board. On probation in AZ 5 years, until 3/4/2030. Parents live in Indiana and trying to proactively address Indiana licensure in case she returns to Indiana. Is now removed from the OAI list. Addiction issues occurred in Florida. Florida license was revoked in 2018. Can not be a PIC, precept students and must continue monitoring requirements. If she moved to Indiana, is open to whatever the board considered appropriate. If practicing in Indiana, would make sense for monitoring to transfer to IPRP. Starts new job in Arizona next Monday. May move to Indiana in about a year.

After discussion, the Board moved to APPROVE applicant's pharmacist reinstatement on PROBATION with terms and conditions including having a signed IPRP contract and passing the MPJE exam.

Jablonski/Smosna 6-0-0
Motion carries

Cynthia G. Gregory – Technician/Tech in Training Application – Positive Response:

Cynthia G. Gregory appeared before the Board regarding a positive response on a technician application. Currently on probation until December, 2025. April 2024 OWI. Driving while suspended occurred after the OWI because this was a violation of her OWI probation. Has a job offer from CVS. Mark disclosed that he works for CVS but feels he can be fair and impartial on this matter.

After discussion, the Board moved to APPROVE applicant's Technician application on INDEFINITE PROBATION with terms and conditions.

Jablonski/Meador 6-0-0
Motion carries

Satawat Sripeng – Technician/Tech in Training Application – Positive Response:

Failure to appear.

There being no further business the Board ADJOURNED at 1:08 p.m.