

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

MINUTES OF JANUARY 14, 2019

Winnie Landis, R.Ph., President, called the meeting to order at 9:03 a.m. and declared a quorum in accordance with IC 25-26-13-3(d), pursuant to public notice posted at the principal office of the board at least forty-eight (48) hours before the time of the meeting.

Members Present: Winnie Landis, R.Ph., President
Del Fanning, R.Ph., Member
Mark Smosna, R.Ph., Vice President
Steve Anderson, R.Ph., Member
Matt Balla, R.Ph., Member
Donna Wall, R.Ph., Member

Staff Present: Darren Covington, J.D., Board Director
Professional Licensing Agency
Jody Edens, Assistant Board Director
Professional Licensing Agency
Zaneta Nunnally, Compliance Director
Professional Licensing Agency
Gordon White, J.D., Deputy Attorney General
Office of the Attorney General
Nicole Schuster, J.D., Deputy Attorney General
Office of the Attorney General

The Board voted to adopt the agenda as amended.

Smosna/Wall, 6/0/0
Motion carries

The following board members voted aye:
Winnie Landis, Del Fanning, Matt Balla, Donna Wall, Mark Smosna, Steve Anderson
The following board members voted nay: none
The following board members abstained: none

The Board voted to approve the November 5, 2018 and December 10, 2018 minutes as written.

Balla/Smosna, 6/0/0
Motion carries

The following board members voted aye:
Winnie Landis, Del Fanning, Matt Balla, Donna Wall, Mark Smosna, Steve Anderson
The following board members voted nay: none
The following board members abstained: none

ELECTION OF OFFICERS

The following were voted into office for a one (1) year term beginning February 1, 2019

- Mark Smosna, R.Ph., President
- Matt Balla, R.Ph., Vice President

Wall/Fanning, 6/0/0
Motion carries

The following board members voted aye:
Donna Wall, Del Fanning, Mark Smosna, Matt Balla, Winnie Landis, Steve Anderson
The following board members voted nay: none
The following board members abstained: none

FULL BOARD APPEARANCES

Rich Palombo, R.Ph., D.Ph. – Express Scripts – Technician Work at Home Pilot Program update:

Participating Members: Donna Wall, R.Ph., Del Fanning, R.Ph., Winnie Landis, R.Ph., Mark Smosna, R.Ph., Steve Anderson, R.Ph., Matt Balla, R.Ph.

Tara Teachout also appeared regarding this matter.

They currently have ten (10) technicians working at home. They have very high production and quality. This is an increase of two (2) since they appeared in June 2018.

New Mexico, Arizona and New Jersey have all been doing the work at home program.

Rich and Tara both feel it has been very successful and request to continue the pilot for the next six (6) months.

After discussion, the Board moved to APPROVE the Work at Home Pilot Program to continue for another six (6) months.

Wall//Smosna, 6/0/0
Motion carries

The following board members voted aye:
Del Fanning, Mark Smosna, Winnie Landis, Donna Wall, Steve Anderson, Matt Balla
The following board members voted nay: none
The following board members abstained: none

Curt Ayres, MAC RX LLC – Approval of First Dose Machine:

Participating Members: Donna Wall, R.Ph., Del Fanning, R.Ph., Winnie Landis, R.Ph., Mark Smosna, R.Ph., Steve Anderson, R.Ph., Matt Balla, R.Ph.

MAC Rx LLC is requesting to use CAPSA First Dose Machines in long term care facilities in Indiana vs using a tackle box.

Miriam Chow, Pharm D, Joe Sabino and Jody Bodit from CAPSA all joined Curt Ayres, CEO to discuss this request.

They first submitted this request to the Illinois Board as they are located in Illinois. The Illinois Board approved their request to use First Dose Machines in place of tackle boxes.

They will be used for emergency first doses only. The machine will be behind a locked door and wall mounted.

They currently service six (6) LTC facilities in Indiana and have the ability to go up to nineteen (19) facilities.

It is considered an electronic emergency kit so they can move forward with filling them in Indiana.

The Board instructed them to request a variance as only Category III can supply emergency kits in Indiana.

Providence Anderson – D&D Pharma d/b/a Medscript Long Term Care Pharmacy – Remote Location App:

Participating Members: Donna Wall, R.Ph., Del Fanning, R.Ph., Winnie Landis, R.Ph., Mark Smosna, R.Ph., Steve Anderson, R.Ph., Matt Balla, R.Ph.

Darrell Wheeler, Director of Pharmacy appeared on behalf of this matter.

They currently have fourteen (14) facilities they oversee.

After discussion, the Board moved to APPROVE the Remote Location Application for D & D Pharma d/b/a Medscript Long Term Care Pharmacy, pending inspection.

Anderson/Smosna, 6/0/0

Motion carries

The following board members voted aye:

Del Fanning, Mark Smosna, Winnie Landis, Donna Wall, Steve Anderson, Matt Balla

The following board members voted nay: none

The following board members abstained: none

PROBATIONARY APPEARANCES

Participating Members: Del Fanning, R.Ph., Mark Smosna, R.Ph., Winnie Landis, R.Ph., Steve Anderson, R.Ph., Matt Balla, R.Ph., Donna Wall, R.Ph.

The following made their probationary appearance:

Stephen Potts
Ryan Manges
Estil Caton
Charles Gabet
Melanie Arvin
David Ringel

The following did not appear and will be contacted to appear next month:

Phil Simpson
Susan Adams-Hayes
Lucas Sweet
Emmylou Melton

The Board discussed the non-appearance of Kathryn Bearss and moved to issue an Order to Show Cause regarding this matter.

Wall/Balla, 6/0/0
Motion carries

The following board members voted aye:

Winnie Landis, Del Fanning, Matt Balla, Donna Wall, Mark Smosna, Steve Anderson

The following board members voted nay: none

The following board members abstained: none

The Board discussed the non-appearance of Erin Crouch and moved to issue an Order to Show Cause regarding this matter.

Wall/Anderson, 6/0/0
Motion carries

The following board members voted aye:
Winnie Landis, Del Fanning, Matt Balla, Donna Wall, Mark Smosna, Steve Anderson
The following board members voted nay: none
The following board members abstained: none

PERSONAL APPEARANCES

The following did not appear for their scheduled personal appearances and will be rescheduled:

- Kathleen Jatta – 67013989A Reinstatement Renewal
- Drug Hut – Non Resident App

Alexander Schmitt, NAPLEX Repeat Exam App:

Mr. Schmitt appeared before the Board and discussed his studying habits.

After discussion, the Board moved to APPROVE Mr. Schmitt's NAPLEX repeat exam application.

Smosna/Balla, 6/0/0
Motion carries

The following board members voted aye:
Mark Smosna, Del Fanning, Winnie Landis, Steve Anderson, Matt Balla, Donna Wall
The following board members voted nay: none
The following board members abstained: none

Chase Singleton, NAPLEX Repeat Exam App:

Mr. Singleton appeared before the Board and discussed his studying habits.

After discussion, the Board moved to APPROVE Mr. Singleton's NAPLEX repeat exam application.

Smosna/Balla, 6/0/0
Motion carries

The following board members voted aye:
Mark Smosna, Del Fanning, Winnie Landis, Steve Anderson, Matt Balla, Donna Wall
The following board members voted nay: none
The following board members abstained: none

Kyle Williams, NAPLEX Repeat Exam App:

Mr. Williams appeared before the Board and discussed his studying habits.

After discussion, the Board moved to APPROVE Mr. Williams' NAPLEX repeat exam application.

Smosna/Balla, 6/0/0
Motion carries

The following board members voted aye:

Mark Smosna, Del Fanning, Winnie Landis, Steve Anderson, Matt Balla, Donna Wall

The following board members voted nay: none

The following board members abstained: none

April Aquino, 67015442A, Reinstatement Renewal App:

Ms. Aquino appeared before the Board regarding her reinstatement renewal application and was not represented by counsel.

Ms. Aquino has recently been employed by CVS Pharmacy. She indicated that she can obtain a letter indicating they will put her in their training program.

After discussion, the Board APPROVED Ms. Henderson's reinstatement renewal application upon receipt of a letter indicating her employer will put her through their approved training program.

Smosna/Wall, 6/0/0
Motion carries

The following board members voted aye:

Del Fanning, Winnie Landis, Matt Balla, Steve Anderson, Mark Smosna, Donna Wall

The following board members voted nay: none

The following board members abstained: none

Betsy Wickliff, 67002844A, Reinstatement Renewal App:

Ms. Wickliff appeared before the Board regarding her reinstatement renewal application and was not represented by counsel.

Ms. Wickliff is currently employed with Wal-Mart. She is working in the pharmacy as a cashier at this time.

After discussion, the Board APPROVED Ms. Wickliff's reinstatement renewal application upon receipt of a letter indicating her employer will put her through their approved training program.

Wall/Smosna, 6/0/0
Motion carries

The following board members voted aye:
Del Fanning, Winnie Landis, Matt Balla, Steve Anderson, Mark Smosna, Donna Wall
The following board members voted nay: none
The following board members abstained: none

Samantha Sherrow, 67016509A, Reinstatement Renewal App:

Ms. Sherrow appeared before the Board regarding her reinstatement renewal application and was not represented by counsel.

Ms. Sherrow is not employed at this time. She is currently looking for a job as a technician, with a job opportunity at Walgreens.

After discussion, the Board APPROVED Ms. Sherrow's reinstatement renewal application upon receipt of a letter indicating her employer will put her through their approved training program.

Wall/Smosna, 6/0/0
Motion carries

The following board members voted aye:
Del Fanning, Winnie Landis, Matt Balla, Steve Anderson, Mark Smosna, Donna Wall
The following board members voted nay: none
The following board members abstained: none

Amy Smith, 67021394A, Reinstatement Renewal App:

Ms. Smith appeared before the Board regarding her reinstatement renewal application and was not represented by counsel.

Ms. Smith is currently a Store Manager for CVS and they have requested she renew her technician license. She indicated she can obtain a letter from the Pharmacist indicating they will put her through the training program.

After discussion, the Board APPROVED Ms. Smith's reinstatement renewal application upon receipt of a letter indicating her employer will put her through their approved training program

Wall/Smosna, 6/0/0
Motion carries

The following board members voted aye:
Del Fanning, Winnie Landis, Matt Balla, Steve Anderson, Mark Smosna, Donna Wall

The following board members voted nay: none
The following board members abstained: none

Diana Coffman, 67019158A, Reinstatement Renewal App:

Ms. Coffman appeared before the Board regarding her reinstatement renewal application and was not represented by counsel.

Ms. Coffman has recently been employed by CVS Pharmacy. Ms. Coffman submitted a letter from Walgreens indicating they will put her through their training program once she has an active license.

After discussion, the Board APPROVED Ms. Coffman's reinstatement renewal application.

Smosna/Balla, 6/0/0
Motion carries

The following board members voted aye:
Del Fanning, Winnie Landis, Matt Balla, Steve Anderson, Mark Smosna, Donna Wall
The following board members voted nay: none
The following board members abstained: none

Eliesha Pierce, 67003051A, Reinstatement Renewal App:

Ms. Pierce did not appear before the Board regarding her reinstatement renewal application and was not represented by counsel.

This is Ms. Pierce's second no-show for her requested personal appearance.

After discussion, the Board DENY Ms. Pierce's reinstatement renewal application.

Wall/Balla, 6/0/0
Motion carries

The following board members voted aye:
Del Fanning, Winnie Landis, Matt Balla, Steve Anderson, Mark Smosna, Donna Wall
The following board members voted nay: none
The following board members abstained: none

Maha Lukman, 67013743A, Reinstatement Renewal App:

Ms. Lukman appeared before the Board regarding her reinstatement renewal application and was not represented by counsel.

Ms. Lukman received her pharmacist degree in Syria and is working to obtain her pharmacist license in Indiana. In the mean time she wishes to reactivate her technician license so she can work in the pharmacy to stay abreast of the practice. She has an active intern license in Kentucky.

After discussion, the Board moved to APPROVE Ms. Lukman's reinstatement renewal application.

Wall/Balla, 6/0/0
Motion carries

The following board members voted aye:

Del Fanning, Winnie Landis, Matt Balla, Steve Anderson, Mark Smosna, Donna Wall

The following board members voted nay: none

The following board members abstained: none

Robin-Nicole Pierre, Technician in Training App:

Ms. Pierre appeared before the Board regarding her Technician in Training application and was not represented by counsel.

Ms. Pierre is currently working at Walgreens and wants to be able to move up in her career at Walgreens. To do this she needs to obtain her technician license.

Ms. Pierre has three (3) arrests as follows:

- Public intoxication
- Resisting law enforcement
- Criminal mischief

She was on probation which she violated and the probation was revoked. At this time she has a warrant out for her arrest for violating probation.

After discussion, the Board moved to TABLE the application until she has her legal matters cleared up.

Wall/Fanning, 6/0/0
Motion carries

The following board members voted aye:

Del Fanning, Winnie Landis, Matt Balla, Steve Anderson, Mark Smosna, Donna Wall

The following board members voted nay: none

The following board members abstained: none

Lenora Johnson, Technician App:

Ms. Johnson appeared before the Board regarding her Technician application and was not represented by counsel.

Ms. Johnson indicated that she is considered a habitual traffic offender. Back in 2009 it started with receiving a ticket for driving without insurance and she has had several since.

She currently works at RHI Hospital.

After discussion, the Board moved to APPROVE Ms. Johnson's Technician application.

Anderson/Wall, 6/0/0
Motion carries

The following board members voted aye:

Del Fanning, Winnie Landis, Matt Balla, Steve Anderson, Mark Smosna, Donna Wall

The following board members voted nay: none

The following board members abstained: none

Emily Mozwez, Technician in Training App:

Ms. Mozwez appeared before the Board regarding her Technician in Training application and was not represented by counsel.

Ms. Mozwez has had the following arrests:

- 2009 – Minor consumption
- 2010 – DUI
- 2013 – Public intoxication
- 2014 – DUI

She indicated she last drank in December 2018. She indicated the issues with alcohol started when she entered college and while in college in 2010 her Mother passed away.

After completing college she decided she needed to move out of Bloomington and the college life/friends. She then moved to Valparaiso and has an eighteen (18) month old child.

She had an addictionology evaluation with IPRP on January 9, 2019 but hasn't gotten the results of the evaluation at this time.

After discussion, the Board moved to TABLE this matter for the evaluation results.

CONSENSUS
Motion carries

The following board members voted aye:
Del Fanning, Winnie Landis, Matt Balla, Steve Anderson, Mark Smosna, Donna Wall
The following board members voted nay: none
The following board members abstained: none

Rebekah McCormick – Technician in Training App:

Ms. McCormick appeared before the Board regarding her technician in Training application and was not represented by counsel.

Ms. McCormick received a DUI in October 2017.

She admitted to the Board that she drank alcohol on while she was on court probation.

She is on court probation until August 2019.

After discussion, the Board moved to APPROVE Ms. McCormick's Technician in Training application on INDEFINITE PROBATION with Terms and Conditions.

Fanning/Wall, 6/0/0
Motion carries

The following board members voted aye:
Del Fanning, Winnie Landis, Matt Balla, Steve Anderson, Mark Smosna, Donna Wall
The following board members voted nay: none
The following board members abstained: none

Hollie Weidner, Technician in Training App:

Ms. Weidner appeared before the Board regarding her Technician in Training application and was not represented by counsel.

In May 2018, she was arrested for shoplifting a pair of shoes and matching handbag. She entered into a pre-trial diversion program. The diversion program until August 2019.

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

Wall/Smosna, 6/0/0
Motion carries

The following board members voted aye:
Del Fanning, Winnie Landis, Matt Balla, Steve Anderson, Mark Smosna, Donna Wall
The following board members voted nay: none
The following board members abstained: none

Samantha Gardner – Technician in Training App:

Ms. Gardner appeared before the Board regarding her Technician in Training application and was not represented by counsel.

Ms. Gardner explained back in 2012 she was charged with assisting a criminal. Her boyfriend at that time was found in her house by the police. He was arrested for his involvement in a murder. She indicated she had nothing to do with it, but because he was in her house she was arrested with assisting a criminal. Her case was dismissed in June 2016.

She is currently working at CVS.

After discussion, the Board moved to APPROVE Ms. Gardner's Technician in Training application.

Fanning/Wall, 6/0/0
Motion carries

The following board members voted aye:

Del Fanning, Winnie Landis, Matt Balla, Steve Anderson, Mark Smosna, Donna Wall

The following board members voted nay: none

The following board members abstained: none

ADMINISTRATIVE HEARINGS

The following administrative hearings were continued:

- **Andrew Farmer, R.Ph.I., License No. 45021009A, Cause No. 2017 IBP 0065**
- **Shatteri Stanley, Ph.T., License No. 67028338A, Cause No. 2016 IBP 0006**
- **Briannah Wodetzki, Ph.T., License No. 67030273A, Cause No. 2018 IBP 0034**

Gianna Graham, Ph.T., License No. 67030515A, Cause No. 2018 IBP 0042

Respondent did not appear in person 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 was Sherri Rutledge with Rutledge Independent Reporting.

A voluntary agreement between the Respondent and the Attorney General's Office was presented to the Board. The voluntary agreement included SUMMARY SUSPENSION EXTENSION for Ninety (90) days.

After reviewing the voluntary agreement, taking official, judicial notice of the pleadings, evidence and orders in this matter the Board moved to APPROVE the Voluntary Agreement.

Fanning/Wall, 6/0/0
Motion carries

The following board members voted aye:
Del Fanning, Winnie Landis, Matt Balla, Steve Anderson, Mark Smosna, Donna Wall
The following board members voted nay: none
The following board members abstained: none

Brent Losier, R.Ph., License No. 26018627A, Cause No. 2017 IBP 0057

Respondent did not appear in person and was not represented by counsel regarding an Extension of Summary Suspension scheduled before the Board. The State of Indiana was represented by Jessica Krug, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Mr. Losier's criminal trial has been rescheduled for June 3, 2019.

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

Wall/Smosna, 6/0/0
Motion carries

The following board members voted aye:
Del Fanning, Winnie Landis, Matt Balla, Steve Anderson, Mark Smosna, Donna Wall
The following board members voted nay: none
The following board members abstained: none

Charles Ringger, R.Ph., License No. 26012961A, Cause No. 2017 IBP 0049

Respondent did not appear in person and was not represented by counsel regarding an Extension of Summary Suspension scheduled before the Board. The State of Indiana was represented by Jessica Krug, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Mr. Ringger's criminal trial has been rescheduled for June 3, 2019.

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

Smosna/Balla, 6/0/0
Motion carries

The following board members voted aye:
Del Fanning, Winnie Landis, Matt Balla, Steve Anderson, Mark Smosna, Donna Wall
The following board members voted nay: none
The following board members abstained: none

Andrew Zigler, Ph.T. License No. 67021179A, Cause No. 2014 IBP 0057

Respondent did appear in person and was not represented by counsel regarding a Petition to Withdraw Probation scheduled before the Board. The State of Indiana was represented by Stacy Oliver, Deputy Attorney General and Matt Koressel, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Mr. Zigler has complied with all terms of his probationary order. His case has been dismissed by the courts.

Respondent Exhibits:

- A – Letter from Jay Lawson, R.Ph.
- B – Letter from Tia Jovanovich, R.Ph.
- C – Letter from Angela Compton, PharmD
- D – Timekeeper copies
- E – Letter from John Malone
- F – Letter from Prosecuting Attorney

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board moved to WITHDRAW the Order of Probation.

Anderson/Balla, 6/0/0
Motion carries

The following board members voted aye:
Del Fanning, Winnie Landis, Matt Balla, Steve Anderson, Mark Smosna, Donna Wall
The following board members voted nay: none
The following board members abstained: none

Denise Brown, Ph.T., License No. 67031506A, Cause No. 2018 IBP 0066

Respondent did appear in person and was not represented by counsel regarding an Appeal of Denial of Renewal scheduled before the Board. The State of Indiana was not represented regarding this matter and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

The Board recently denied Ms. Brown's license renewal as she did not show for three (3) requested appearances.

She indicated since she wasn't working she did not have the money for gas to come to the meetings.

Her court date is set for February 14, 2019, she will enter into a diversion program at the time.

She was charged with Theft. She indicated her boyfriend was having her take care of his finances and that \$750 disappeared from his account. He accused her of stealing it.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board moved to REVERSE the DENIAL and APPROVED Ms. Brown's license renewal on AGREED INDEFINITE PROBATION with terms and conditions.

Anderson/Wall, 6/0/0
Motion carries

The following board members voted aye:

Del Fanning, Winnie Landis, Matt Balla, Steve Anderson, Mark Smosna, Donna Wall

The following board members voted nay: none

The following board members abstained: none

Mary Nelson, R.Ph., License No. 26017550A, Cause No. 2018 IBP 0064

Respondent did appear in person and was not represented by counsel regarding an Appeal of Denial of Renewal scheduled before the Board. The State of Indiana was not represented in this matter and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

The Board denied Ms. Nelson's license renewal as she did not appear for her scheduled personal appearances.

Ms. Nelson informed the Board that she went to Parkdale program on her own and completed the program in 2016. She still attends AA meetings.

Her sobriety date is May 5, 2018 as she had a relapse. She went to Presence Health in Chicago after her relapse.

She retired in February 2018.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board moved to REVERSE the DENIAL and APPROVED Ms. Nelson's license renewal on INACTIVE STATUS.

Anderson/Balla, 6/0/0
Motion carries

The following board members voted aye:
Del Fanning, Winnie Landis, Matt Balla, Steve Anderson, Mark Smosna, Donna Wall
The following board members voted nay: none
The following board members abstained: none

Kelly Culmore, APRN, Pending License, Cause No. 2018 IBP 0062

Respondent did appear in person and was represented by counsel, Lorie Brown regarding an Order to Show Cause – CSR App scheduled before the Board. The State of Indiana was represented by Ryan Eldridge and Laura Iosue, Deputy Attorney Generals and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Ms. Culmore has had previous discipline on her nursing license by the Indiana Nursing Board. She order prescriptions without a physician order and without the physician seeing the patient.

Her nursing license was then placed on Indefinite Probation and she was ordered to obtain an addictionology evaluation. It was found that she did not have an impairment.

She didn't report the action on her Indiana nursing license to the State of California and she was then issued a letter of reprimand and a \$500 fine from the California Board.

She has an active NP license in Michigan.

Respondents Exhibits:

- P1 – CE Certificates
- P2 – Three (3) reference letters
- P3 – Appraisal with Memorial Hospital – South Bend
- P4 – Nursing Board final order 6/15/16
- P6 – CA Final Order 5/23/18
- P5 – Final order October 20, 2017 withdrawing probation

After taking official, judicial notice of the pleadings, evidence and orders in this matter the Board moved to APPROVE Ms. Culmore's controlled substance registration application.

Wall/Anderson, 6/0/0
Motion carries

The following board members voted aye:
Del Fanning, Winnie Landis, Matt Balla, Steve Anderson, Mark Smosna, Donna Wall

The following board members voted nay: none
The following board members abstained: none

Charles Heinsen, M.D., Pending License, Cause No. 2017 IBP 0023

Respondent did appear in person and was represented by counsel, Ami Anderson and Josh Terpstra regarding an Order to Show Cause – CSR Application scheduled before the Board. The State of Indiana was represented by Ryan Eldridge, Deputy Attorney General and Laura Iosue, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Dr. Heinsen's CSR was suspended after he voluntarily surrendered his DEA for cause.

He has not had an active CSR since 2011.

He stated he has taken several continuing education credits on prescribing controlled substances. He currently works three (3) days a week, only seeing five (5) to six (6) patients per day. He sees them in the nursing home and goes to their home for a home visit.

He indicated he runs an INSPECT report each time he sees the patient and he will not be dispensing any controlled substances.

After taking official, judicial notice of the pleadings, evidence and orders in this matter the Board moved to APPROVE Dr. Heinsen's CSR on INDEFINITE PROBATION with schedules 4 and 5 only with terms and conditions.

Wall/Smosna, 6/0/0
Motion carries

The following board members voted aye:
Del Fanning, Winnie Landis, Matt Balla, Steve Anderson, Mark Smosna, Donna Wall
The following board members voted nay: none
The following board members abstained: none

Dennis McGill, APRN, License Pending, Cause No. 2018 IBP 0061

Respondent appeared in person and was not represented by counsel regarding an Order to Show Cause – CSR application 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 was Sherri Rutledge with Rutledge Independent Reporting.

Mr. McGill was in ISNAP where he was completing an intensive outpatient program. He missed three (3) times due to injuring his back and he was released from ISNAP and his license was then suspended.

Alcohol is his drug of choice, but he stated that opiates were also involved.

He entered the KY Care Program, which he will complete in August 2019. His KY license was reinstated under the KY Care Program back in 2014.

He has a KY license and DEA and currently works at a pain center as an APN.

His sobriety date for alcohol is 2011. His sobriety date for opiates and alcohol both is July 15, 2015.

His Indiana RN and APN licenses are now active.

He sees a therapist and goes to a recovery group weekly. He speaks with his sponsor five (5) to six (6) times a week.

After taking official, judicial notice of the pleadings, evidence and orders in this matter the Board moved to APPROVE Mr. McGill's Controlled Substances Registration Application.

Smosna/Balla, 6/0/0
Motion carries

The following board members voted aye:
Del Fanning, Winnie Landis, Matt Balla, Steve Anderson, Mark Smosna, Donna Wall
The following board members voted nay: none
The following board members abstained: none

Janice Wilson, R.Ph., License No. 26015287A, Cause No. 2017 IBP 0085

Respondent did not appear in person and was not represented by counsel regarding a Final Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Stacy Oliver, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

A settlement agreement between the Respondent and the Attorney General's Office was presented to the Board. The settlement agreement included AGREED REVOCATION.

After reviewing the settlement agreement and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board moved to APPROVE the settlement agreement.

Wall/Balla, 6/0/0
Motion carries

The following board members voted aye:
Del Fanning, Winnie Landis, Matt Balla, Steve Anderson, Mark Smosna, Donna Wall
The following board members voted nay: none
The following board members abstained: none

Tamara Brugh, Ph.T., License No. 67031284A, Cause No. 2017 IBP 0096

Respondent did not appear in person and was not represented by counsel regarding a Final Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Laura Iosue, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

After having taken official, judicial notice of the pleadings, evidence and orders in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Fanning/Wall, 6/0/0
Motion carries

The following board members voted aye:
Del Fanning, Winnie Landis, Matt Balla, Steve Anderson, Mark Smosna, Donna Wall
The following board members voted nay: none
The following board members abstained: none

DISCUSSION

Paul J. Elmer, R.Ph., License No. 26013086A, Cause No. 2017 IBP 004:

Participating Members: Winnie Landis, R.Ph., Steve Anderson, R.Ph., Matt Balla, R.Ph., Mark Smosna, R.Ph., Del Fanning, R.Ph., Donna Wall, R.Ph.

The Board received an order in his judicial review case mandating the dismissal of his Summary Suspension.

After discussion, the Board moved to DISMISS the SUMMARY SUSPENSION on Mr. Elmer's license pursuant to the court order and decided against pursuing an appeal.

Fanning/Wall, 6/0/0
Motion carries

The following board members voted aye:
Del Fanning, Winnie Landis, Matt Balla, Steve Anderson, Mark Smosna, Donna Wall
The following board members voted nay: none
The following board members abstained: none

Zaneta Nunnally – Compliance Director – Report:

Participating Members: Winnie Landis, R.Ph., Steve Anderson, R.Ph., Matt Balla, R.Ph., Mark Smosna, R.Ph., Del Fanning, R.Ph., Donna Wall, R.Ph.

Ms. Nunnally reported the following:

- 83 inspections were performed for the month of December
 - 50 Pharmacies
 - 5 Home Medical Equipment Facilities
 - 7 Controlled Substance Registrations

- 10 deficiencies were found
- 2 consumer complaints filed
- 1 Pharmacy robberies

Zaneta also discussed the FDA meeting with the Board. She indicated that most states are updating their rules on sterile compounding USP 797. Some state have increased their environmental sampling that is more stringent than USP 797.

MPJE Workshop:

Participating Members: Winnie Landis, R.Ph., Steve Anderson, R.Ph., Matt Balla, R.Ph., Mark Smosna, R.Ph., Del Fanning, R.Ph., Donna Wall, R.Ph.

Mr. Covington informed the Board that Donna Wall is going up to Chicago for the workshop and wanted to know if anyone else wants to go. The workshop is March 14th, & 15th and the deadline for registering to go is February 1st.

NABP ANNUAL MEETING:

Participating Members: Winnie Landis, R.Ph., Steve Anderson, R.Ph., Matt Balla, R.Ph., Mark Smosna, R.Ph., Del Fanning, R.Ph., Donna Wall, R.Ph.

Mr. Covington informed the Board that the annual NAPB meeting is May 16th – 18th and will be held in Minneapolis MN this year.

Mark Smosna will be the designated delegate for the Board. Also attending this year is Donna Wall, Matt Balla and Winnie Landis.

BRIGHTWOOD COLLEGE – TECHNICIAN TRAINING PROGRAM:

Participating Members: Winnie Landis, R.Ph., Steve Anderson, R.Ph., Matt Balla, R.Ph., Mark Smosna, R.Ph., Del Fanning, R.Ph., Donna Wall, R.Ph.

Mr. Covington informed the Board that Brightwood College went defunct. We have a technician applicant that completed their program but since they went defunct the

technician license expired on 6/30/18. He inquired if we could approve those that have completed the program prior to it going defunct since the license is expired.

After discussion, the Board indicated that yes we can approve those that completed the program.

JR Pharmacy, LLC5 – Remote Dispensing Facility:

Participating Members: Winnie Landis, R.Ph., Steve Anderson, R.Ph., Matt Balla, R.Ph., Mark Smosna, R.Ph., Del Fanning, R.Ph., Donna Wall, R.Ph.

The pharmacy will be in an office/clinic attended by physicians. The customers of the pharmacy must be patients of the clinic in order to get their prescriptions filled.

The Board tabled the application in November 2018 to determine if they can issue another remote dispensing facility within a 10 mile range of the previous one approved.

Mr. Covington discussed this issue with Gordon White and Nicole Schuster and it was determined that yes it could be issued as the ten (10) mile rule does not apply to physician offices.

Balla/Wall, 4/1/1 with Mr. Fanning Opposed and Mr. Anderson abstaining
Motion carries

The following board members voted aye:
Winnie Landis, Matt Balla, Mark Smosna, Donna Wall
The following board members voted nay: Del Fanning
The following board members abstained: Steve Anderson

License Surrender – Darren Covington, Board Director:

Participating Members: Winnie Landis, R.Ph., Steve Anderson, R.Ph., Matt Balla, R.Ph., Mark Smosna, R.Ph., Del Fanning, R.Ph., Donna Wall, R.Ph.

Mr. Covington informed the Board that the following physicians would like to surrender their controlled substance registration as they do not use them.

Edward Gabovitch, M.D., 01018037B
Lindley Wagner, M.D., 01018852B
Ronald Andrews, M.D., 01028538B
Nathan Strabala, M.D., 01062037B
Susan Wilson, M.D., 01031981B
Richard McClure, M.D., 01021200B
Janet Roepke, M.D., 01045650B
Edward Probst, Jr., M.D., 01020502B

After discussion, the Board moved to ACCEPT their requests to surrender their CSR's.

Smosna/Balla, 6/0/0

Motion carries

The following board members voted aye:

Winnie Landis, Del Fanning, Steve Anderson, Mark Smosna, Matt Balla, Donna Wall

The following board members voted nay: none

The following board members abstained: none

Readoption of LSA 18-464(E), LSA 19-XXX(E), List of Disqualifying Crimes:

Participating Members: Winnie Landis, R.Ph., Steve Anderson, R.Ph., Matt Balla, R.Ph., Mark Smosna, R.Ph., Del Fanning, R.Ph., Donna Wall, R.Ph.

After discussion, the Board moved to READOPT LSA 18-464(E), LSA 19-XXX(E).

Wall/Fanning, 6/0/0

Motion carries

The following board members voted aye:

Winnie Landis, Del Fanning, Steve Anderson, Mark Smosna, Matt Balla, Donna Wall

The following board members voted nay: none

The following board members abstained: none

Current Legislative Bills:

Participating Members: Winnie Landis, R.Ph., Steve Anderson, R.Ph., Matt Balla, R.Ph., Mark Smosna, R.Ph., Del Fanning, R.Ph., Donna Wall, R.Ph.

Mr. Covington gave the Board a synopsis of the following bills that could affect the Pharmacy Board.

- HB 1294
- HB 1252
- HB 1248
- HB 1246
- HB 1269
- SB 433
- SB 312
- SB 176
- SB 136
- SB 133

REVIEW OF APPLICATIONS

Participating Members: Steve Anderson, R.Ph., Matt Balla, R.Ph., Mark Smosna, R.Ph., Del Fanning, R.Ph., Winnie Landis, R.Ph., Donna Wall, R.Ph.

Individual Application Review:

The Board reviewed and APPROVED the following initial application(s):

Balla/Fanning, 6/0/0
Motion carried

The following board members voted aye:

Winnie Landis, Del Fanning, Steve Anderson, Mark Smosna, Matt Balla, Donna Wall

The following board members voted nay: none

The following board members abstained: none

- Nicholas Wright, Tech in Training
- Betsy Delay – Tech in Training pending documents

The Board reviewed and requested a PERSONAL APPEARANCE on the following initial application(s):

Balla/Fanning, 6/0/0
Motion carried

The following board members voted aye:

Winnie Landis, Del Fanning, Steve Anderson, Mark Smosna, Matt Balla, Donna Wall

The following board members voted nay: none

The following board members abstained: none

- Jacob Hogue, Tech in Training

Controlled Substance Registrations, HME & EDI Applications:

The Board reviewed and APPROVED the following CSR, HME & EDI application(s):

Anderson/Wall, 6/0/0
Motion carried

The following board members voted aye:

Winnie Landis, Del Fanning, Steve Anderson, Mark Smosna, Matt Balla, Donna Wall

The following board members voted nay: none

The following board members abstained: none

- RGH Enterprises – HME App