

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

MINUTES OF APRIL 10, 2017

Winnie Landis, R.Ph., Vice President, called the meeting to order at 8:40 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: Del Fanning, R.Ph., Member
Winnie Landis, R.Ph., Vice President
Donna Wall, R.Ph., Member
Mark Smosna, R.Ph., Member
John Wilson, J.D., Consumer Member
Kristal Williams, R.Ph., Member

Member Absent: Steve Anderson, R.Ph., President

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.

Participating Members: Donna Wall, R.Ph., Del Fanning, R.Ph., Mark Smosna, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D.

Wall/Fanning, 6/0/0
Motion carries

The Board voted to adopt the minutes from the March 13, 2017 meeting.

Participating Members: Donna Wall, R.Ph., Del Fanning, R.Ph., Mark Smosna, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D.

Fanning/Wilson, 6/0/0
Motion carries

FULL BOARD APPEARANCES

INSPECT Survey Request from State Board of Health:

Participating Members: Donna Wall, R.Ph., Del Fanning, R.Ph., Mark Smosna, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D.

The following appeared on behalf of the State Board of Health and this request:

- Joan Duwve, M.D., State Department of Health
- Dennis Watson, Fairbanks
- Katie Hoakanson, Director, Division of Trauma and Injury, State Board of Health
- Harold Kooreman, MA, MSW, Fairbanks School of Public Health

Dr. Duwve thanked the Board for allowing this presentation. They are working with the Governor's Opioid Taskforce and are requesting to attach a survey to the renewals for all professions that have controlled substance registrations, except for Veterinarians for the 2017 renewal period.

A similar survey was attached to the 2013 renewals. Approximately 38,333 practitioners received the survey, Veterinarians excluded. A 15.6% response was received. 85% had heard of INSPECT; 63.6% had used INSPECT.

Their IRB was approved on January 18, 2017.

Dr. Duwve passed out a copy of the survey questions for review.

After discussion the Board moved to APPROVE the survey.

Wall/Smosna, 6/0/0
Motion carries

Alex Cohen, Director of Learning & Evaluation, Richard M. Fairbanks Foundation – INSPECT Data Request:

Participating Members: Donna Wall, R.Ph., Del Fanning, R.Ph., Mark Smosna, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D.

Mr. Cohen appear on behalf of this request. Richard M. Fairbanks Foundation is a private foundation that makes grants to organizations working in Indianapolis, and one focus is in the area of opioids. They are developing a dashboard to track key metrics covering prescribing patterns and need to obtain INSPECT data to proceed.

Mr. Cohen indicated that he does not have an IRB. The Board requested that he start with the IRB and then return to the Board once this is completed.

The Board thanked Mr. Cohen for his presentation.

Past Rx, Rick Bunker, CEO – discussion regarding INSPECT:

Participating Members: Donna Wall, R.Ph., Del Fanning, R.Ph., Mark Smosna, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D.

Eric Corkhill and Tony Seasley both appeared on behalf of Past Rx.

They are a software product vendor that sells to Hospitals, Addiction Facilities and Specialty Groups.

They enhance and promote the universal use of PDMP. Their product is currently being used in eight (8) different states.

Their product organizes data in INSPECT/PDMP into alert categories making it easier for the practitioner to review the information.

PastRx is a tool to ensure broad PDMP use.

The Board thanked them for their presentation.

Mark Stetzel, D.D.S, Chair of Board of Dentistry and John Williams, D.M.D, Dean of I.U. School of Dentistry – CSR application discussion for limited dental faculty permits:

Participating Members: Donna Wall, R.Ph., Del Fanning, R.Ph., Mark Smosna, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D.

Dr. Williams informed the Board that there are two types of faculty licenses. A Limited Dental Faculty license and an Instructor license.

The Instructor license was allowed several years ago to obtain a controlled substance registration.

They are now requesting that the Limited Dental Faculty license also be allowed to obtain a controlled substance registration.

It would only be used for any of the IU facilities in the state of Indiana.

This matter was discussed at the April 7, 2017 Dental Board meeting and they unanimously voted to request controlled substance registrations for the Limited Dental Faculty licenses.

Gordon White indicated he will need time to review this request.

After discussion the Board moved to TABLE this matter to next month.

Wall/Smosna, 6/0/0
Motion carries

Richard Palombo, R.Ph., Express Scripts – Technicians Work at Home Program:

Participating Members: Del Fanning, R.Ph., Mark Smosna, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D.

Mr. Palombo as well as Tara Teachout appeared on behalf of Express Scripts regarding this matter.

Mr. Palombo appeared originally before the Board regarding this matter at the July 2016 meeting and again at the March 2017 meeting.

They currently have had the same work at home model approved for technicians in the states of Arizona for the past five (5) years; New Mexico for the past three (3) years and New Jersey for the past eight (8) years with no problems.

The technician must have at least six (6) months of employment before they could be considered for the work at home program. Only employees who have demonstrated the ability to work independently and have shown consistent above average performance will qualify for the work at home program.

The technician will work at home in a controlled environment. No data resides on the computers and they are not able to print anything from it. A pharmacist will double check the technician's work before moving the order forward to be filled.

Mr. Palombo supplied the Board with a copy of Express Scripts work at home program pilot program in New Jersey.

Using the NJ pilot program documents as a guide, the Board went through the pilot program document indicating the following would be incorporated into the Indiana pilot program agreement:

- Express Scripts will provide a list of who will participate
- Any work performed on computer can be monitored
- Length of pilot program is six (6) months maximum; renewable up to five (5) times.
- Reporting requirements are at 3 months and 6 months
- Approximately five technicians (5) will start and will be monitored. The five (5) will be seasoned employees with at least one (1) year of practice as a technician. The will monitor quality and performance
- Indiana will incorporate the same reporting requirements that NJ has
- Must make an appearance every 6 months

Mr. Covington will put together a draft for the Board's review and approval at the May 2017 meeting.

After discussion the Board moved to APPROVE this pilot program pending final review in May 2017.

Fanning/Wilson, 5/0/0
Motion carries

PROBATIONARY APPEARANCES

Participating Members: Del Fanning, R.Ph., Mark Smosna, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D., Donna Wall, R.Ph.

The Board APPROVED the following probationary appearances:

Troy Martin
Hook-SupeRx d/b/a CVS/pharmacy #6550
Donovan Higgins

CONSENSUS
Motion carries

The Board discussed Lisa Hurt as she did not appear, but indicated to staff that she was hospitalized. The Board informed staff that she needs to submit a note from her doctor that indicates she was sick and was hospitalized.

PERSONAL APPEARANCES

Daniel Koohns, Technician in Training App:

Participating Members: Del Fanning, R.Ph., Mark Smosna, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D.

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

Mr. Koohns indicated that he has been arrested three (3) times all related to drinking and/or Marijuana.

In 2005 he was arrested for underage drinking and in 2011 he was arrested for cultivating Marijuana and possession of Marijuana. He was convicted of possession of Marijuana.

He completed the program at Centerstone and currently works at the Kroger in Connersville.

After discussion, the Board moved to APPROVE Mr. Koohns' technician in training application.

Wilson/Fanning, 5/0/0
Motion carries

Jon Adcock – Technician in Training App:

Participating Members: Del Fanning, R.Ph., Mark Smosna, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D.

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

In 2016, Mr. Adcock was arrested and charged with a DUI. He entered the DADS program, which will be completed May 17, 2017.

He stated that he no longer drinks alcohol.

After discussion, the Board moved to APPROVE Mr. Adcock's technician in training application.

Fanning/Smosna, 5/0/0
Motion carries

Joanne Logsdon, R.Ph., License No. 26023873A, Reinstatement Renewal:

Participating Members: Del Fanning, R.Ph., Mark Smosna, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D.

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

Ms. Logsdon appeared in front of the Board at their February 2017 meeting.

Her sobriety date is June 18, 2016.

The Board denied her renewal application in 2016 as she did not appear for her scheduled appearance. She did not appear as she was in treatment at the University of Florida.

She is actively participating in the Kentucky PRN program. Ms. Logsdon submitted a letter from the Kentucky PRN program that indicated she is in compliance with the program. She has four (4) more years on her contract.

Her Kentucky license is active and in good standing.

After discussion the Board moved to reinstate Ms. Logsdon's license on AGREED INDEFINITE PROBATION with terms and conditions.

Fanning/Smosna, 5/0/0
Motion carries

Katherine Hall, Technician in Training App:

Participating Members: Del Fanning, R.Ph., Mark Smosna, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D.

Ms. Hall appeared before the Board regarding a positive response on her technician in training application and was not represented by counsel.

Ms. Hall informed the Board that she was a passenger in her own car when her boyfriend that was driving committed armed robbery.

This incident happened in California. She was placed on criminal probation and it has recently been transferred to Indiana, where she resides with her Father.

She is on criminal probation until December 2019.

She also informed the Board that when she lived in Alabama, she was a nationally certified technician and worked as one for seven (7) years.

After discussion, the Board moved to APPROVE Ms. Hall's technician in training application.

Fanning/Wilson, 2/3/0, with Mr. Smosna, Ms. Williams and Ms. Landis opposed
Motion fails

After further discussion, the Board moved to issue Ms. Hall's technician in training application on INDEFINITE PROBATION for the length of her criminal probation with terms and conditions.

Williams/Smosna, 4/1/0, with Mr. Wilson opposed
Motion carries

Nicholas Scarpino, R.Ph., License No. 26026267A, Late Renewal Application:

Participating Members: Del Fanning, R.Ph., Mark Smosna, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D.

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

Mr. Scarpino became addicted to prescription pain drugs following a surgery in 2011.

He contacted PRN and was told he had to stop taking suboxone to enter the program. He didn't feel he was ready to stop taking suboxone at that time.

In January 2016, he felt it was time for him to go in a new direction. He stopped taking suboxone and signed a contract with PRN. His PRN contract is through February 23, 2020.

He last practiced as a Pharmacist in April 2016.

After discussion, the Board moved to renew Mr. Scarpino's license on AGREED INDEFINITE PROBATION to run concurrent with his PRN contract and with terms and conditions.

Smosna/Williams, 5/0/0
Motion carries

Nikhil Patel, Pharmacist NAPLEX Repeat Exam App:

Participating Members: Del Fanning, R.Ph., Mark Smosna, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D., Donna Wall, R.Ph.

Mr. Adcock appeared before the Board regarding a request to retake the NAPLEX and was not represented by counsel.

Mr. Patel discussed his studying habits with the Board.

After discussion, the Board moved to APPROVE Mr. Patel's NAPLEX repeat examination application.

Wall/Smosna, 6/0/0
Motion carries

Charles Stephens, Technician in Training App:

Participating Members: Del Fanning, R.Ph., Mark Smosna, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D., Donna Wall, R.Ph.

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

Mr. Stevens indicated he was involved in an accident, which resulted in him being charged with an OWI. His BAC was 0.1.

He stated he has not had any alcoholic beverages since the accident. He is on criminal probation until February 28, 2018.

After discussion, the Board moved to issue Mr. Stephens' technician in training application on INDEFINITE PROBATION for the length of his criminal probation with terms and conditions.

Wall/Williams, 6/0/0
Motion carries

Mikiah Davis, Technician in Training App:

Participating Members: Del Fanning, R.Ph., Mark Smosna, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D., Donna Wall, R.Ph.

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

In 2010, she was charged with Arson of Personal Property. This took place in the state of Michigan. She spent six (6) months in County Jail and was on criminal probation for eighteen (18) months. Everything has been completed.

After discussion, the Board moved to APPROVE Ms. Davis' technician in training application.

Wall/Wilson, 6/0/0
Motion carries

Amanda Nguyen, Pharmacist MPJE Repeat Examination App:

Participating Members: Del Fanning, R.Ph., Mark Smosna, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D., Donna Wall, R.Ph.

Mr. Nguyen appeared before the Board by a telephone conference call regarding a request to retake the MPJE and was not represented by counsel.

Ms. Nguyen discussed her studying habits with the Board.

After discussion, the Board moved to APPROVE Ms. Nguyen's MPJE repeat examination application.

Wall/Smosna, 6/0/0
Motion carries

ADMINISTRATIVE HEARINGS

Downing Labs, LLC, License No. 64001752A, Cause No. 2016 IBP 0095

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

Participating Members: Del Fanning, R.Ph., Mark Smosna, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D., Donna Wall, R.Ph.

A settlement agreement between the Respondent and the Attorney General's Office was presented to the Board. The settlement agreement included INDEFINITE PROBATION for a period of five (5) years with terms and conditions.

After reviewing the settlement agreement and taking its file into consideration the Board moved to APPROVE the settlement agreement.

Wall/Fanning, 6/0/0
Motion carries

Westmoreland Pharmacy, Inc., License no. 60005924A, Cause No. 2015 IBP 0053

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

Participating Members: Del Fanning, R.Ph., Mark Smosna, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D., Donna Wall, R.Ph.

This involved the compounding of domperidone.

A settlement agreement between the Respondent and the Attorney General's Office was presented to the Board. The settlement agreement included a LETTER OF REPRIMAND with the Compounding Staff ordered to continuing education.

After reviewing the settlement agreement and taking official notice of its file in this matter the Board moved to APPROVE the settlement agreement.

Fanning/Wilson, 6/0/0
Motion carries

Hongxing Zhang, R.Ph., License No. 26021608A, Cause No. 2017 IBP 0019

Respondent did not appear in person and was not represented by counsel regarding a Petition for Summary Suspension and Proposed Settlement Agreement scheduled before the Board. The State of Indiana was represented by Kelly Haltom, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Members: Del Fanning, R.Ph., Mark Smosna, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D., Donna Wall, R.Ph.

The Respondent was indicted on ten (10) counts of wire fraud.

A settlement agreement between the Respondent and the Attorney General's Office was presented to the Board. The settlement agreement included an AGREED SUMMARY SUSPENSION for ninety (90) days.

After reviewing the settlement agreement and taking its file into consideration the Board moved to APPROVE the settlement agreement.

Fanning/Williams, 6/0/0
Motion carries

Asria Henderson, Ph.T., License No. 67028604A, Cause No. 2016 IBP 0014

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 Tim Weber, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

The Respondent has successfully completed her probation with the courts.

Respondent's Exhibit:

1 – Court document taking her off of criminal probation.

She has also met all of the terms of her board probation order.

After having considered the evidence presented and taking official notice of its file in this matter the Board moved to WITHDRAW the ORDER OF PROBATION.

Smosna/Williams, 6/0/0
Motion carries

Robert Bonzani, M.D., License Pending, Cause No. 2017 IBP 0002

Respondent did appear in person and was not represented by counsel regarding an Order to Show Cause scheduled before the Board. The State of Indiana was represented by Kelly Haltom, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Members: Del Fanning, R.Ph., Mark Smosna, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D., Donna Wall, R.Ph.

Dr. Bonzani explained that he was convicted May 5, 2016 of property damage under \$500, a Misdemeanor.

His license in Illinois was placed on suspension for six (6) months and then reinstated on three (3) years' probation. He also surrendered his DEA in Illinois.

He recently appeared before the Indiana Medical Licensing Board and they placed his medical license on Indefinite Probation with terms and conditions.

States Exhibit's:

- A – Criminal complaint from Illinois
- B – Copy of his IPLA file
- C – Copy of Medical Board Order

Respondent's Exhibits:

- 1 – Three (3) letters from Jessica Callahan, MS, LCPC
- 2 – Copy of Illinois license

He sees a Psychiatrist once a month and a Psychologist once a week.

After having considered the evidence presented and taking official notice of its file in this matter the Board moved to APPROVE Dr. Bonzani's Controlled Substance Registration Application.

Wall/Wilson, 6/0/0
Motion carries

Lisa Senour-Reboulet, APN, License No. 71002736B, Cause No. 2017 IBP 0013

Respondent did appear in person and was not represented by counsel regarding an Order to Show Cause scheduled before the Board. The State of Indiana was represented by Amelia Hilliker, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Members: Del Fanning, R.Ph., Mark Smosna, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D., Donna Wall, R.Ph.

In 2013 Ms. Senour-Reboulet wrote a prescription for her then boyfriend that was not a patient of hers.

She was placed on probation with her employer, who later terminated her for this matter.

The Nursing Board placed her RN license on Indefinite Probation. This was lifted in 2016 by the Nursing Board.

Respondent's Exhibit:

1 – Copy of employment agreement with St. Vincent's and her APN collaborative agreement.

October 2013 was the last time she wrote a prescription.

After having considered the evidence presented and taking official notice of its file in this matter the Board moved to APPROVE the Respondent's Controlled Substances Registration application.

Smosna/Wall, 6/0/0
Motion carries

Elizabeth Sanders, APN, License Pending, Cause No. 2017 IBP 0003

The Respondent did appear in person and was represented by counsel, Brian Betner regarding an Order to Show Cause scheduled before the Board. The State of Indiana was represented by Kelly Haltom, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Members: Del Fanning, R.Ph., Mark Smosna, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D., Donna Wall, R.Ph.

Ms. Sanders admitted she diverted medications twice from her employer back in 2015. She did not ingest the medication while at work.

Back in 2015, the Respondent was diagnosed with opioid dependency. She signed a three (3) year RMA with INSnap on July 7, 2015.

Her sobriety date is May 27, 2015.

Respondent's Exhibits:

- 1 – correspondence from Dr. James Macke, Addictionologist
- 2 – email from Dr. Thomas Field, her employer and physician collaborator
- 3 – email from Donna Lilly, Chemical Dependency Coordinator
- 4 – quarterly compliance report from ISNAP
- 5 – ISNAP test history report
- 6 – ISNAP participation notes

State's Exhibits:

- C – certified copy of employee file with Memorial Hospital
- D – copy of APN application

Ms. Sanders also indicated that her Nursing license is active and in good standing.

After having considered the evidence presented and taking official notice of its file in this matter the Board moved to APPROVE the Respondent's controlled substances registration on INDEFINITE PROBATION for the length of her ISNA contract with terms and conditions.

Wall/Williams, 6/0/0
Motion carries

Estil Caton, R.Ph. I., License No. 45018494A, Cause No. 2017 IBP 0005

Respondent did appear in person and was represented by counsel Thomas O'Brien regarding a Disciplinary Hearing and Extension of Summary Suspension scheduled before the Board. The State of Indiana was represented by Kelly Haltom, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Members: Del Fanning, R.Ph., Mark Smosna, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D., Donna Wall, R.Ph.

Winnie Landis indicated to both parties that she is employed by CVS but doesn't know the Respondent. Both parties agreed to allow Ms. Landis to participate.

The parties filed an agreed joint stipulation of facts.

Respondent was diagnosed with Opioid dependency and depression. His sobriety date is December 4, 2016. He signed a PRN contract about one (1) month ago.

After having considered the evidence presented; reviewing the joint stipulation of facts and taking its file into consideration the Board moved to place the Respondent's license on INDEFINITE SUSPENSION until the June 2017 Board meeting with terms and conditions.

Wall/Smosna, 6/0/0
Motion carries

Cornia McAllister, Ph.T., License No. 67012539A, Cause No. 2016 IBP 0097

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

Participating Members: Del Fanning, R.Ph., Mark Smosna, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D., Donna Wall, R.Ph.

After having considered the evidence presented and taking official notice of its file in this matter the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Fanning/Wilson, 6/0/0
Motion carries

Mahmood Alrawi, Ph.T., License No. 67019312A, Cause No. 2016 IBP 0063

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

Participating Members: Del Fanning, R.Ph., Mark Smosna, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D., Donna Wall, R.Ph.

After having considered the evidence presented and taking official notice of its file in this matter the Board moved to hold the Respondent's license in DEFAULT.

Fanning/Williams, 6/0/0
Motion carries

On May 2, 2014 the Respondent was arrested and charged with Theft and Possession of a controlled substance within 1000 feet of family complex housing, both class D Felonies.

June 15, 2015 the Respondent entered a guilty plea and was convicted of two (2) counts:

- Count 1, Possession of a controlled substance as a Class A misdemeanor
- Count II, Theft as a Class A misdemeanor

Respondent's plea agreement included:

- Fine of \$1,000

- Jail sentence of 365 days as to each count, to run concurrent, suspended upon timely and satisfactory completion of all terms and conditions of probation
- 365 days of unsupervised Probation with terms and conditions

Respondent diverted controlled substances due to his severe back pain and he admitted he injected Heroin into himself and another person.

State's Exhibit:

A – Certified copies of court documents

After having considered the evidence presented and taking official notice of its file in this matter the Board moved to REVOKE the Respondent's license.

Wilson/Wall, 6/0/0
Motion carries

Kristin L. McCoy, Ph.T., License No. 67014549A, Cause No. 2016 IBP 0070

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

Participating Members: Del Fanning, R.Ph., Mark Smosna, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D., Donna Wall, R.Ph.

After having considered the evidence presented and taking official notice of its file in this matter the Board moved to hold the Respondent's license in DEFAULT.

Fanning/Williams, 6/0/0
Motion carries

Ms. McCoy admitted to diverting controlled substances from CVS. She diverted 1,087 tablets of Alprazolam.

State's Exhibit:

A – Certified copy of Ms. McCoy's employee file

After having considered the evidence presented and taking official notice of its file in this matter the Board moved to REVOKE the Respondent's license.

Wall/Smosna, 6/0/0
Motion carries

Michael Porter, Ph.T., License No. 67003247A, Cause No. 2016 IBP 0050

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default and Order to Show Cause scheduled before the Board. The State of Indiana was represented by Kelly Haltom, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Members: Del Fanning, R.Ph., Mark Smosna, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D., Donna Wall, R.Ph.

After having considered the evidence presented and taking official notice of its file in this matter the Board moved to hold the Respondent's license in DEFAULT.

Fanning/Williams, 5/0/1 with Ms. Wall abstaining
Motion carries

Zaneta Nunnally, Compliance Director was sworn in as a witness.

Ms. Nunnally testified that Mr. Porter has not been compliant with his probationary order. He has not appeared since November 2016.

Ms Nunnally also stated that Mr. Porter emailed her that he has resigned from his position and will no longer work as a pharmacist, he was retiring.

State's Exhibit:

A – Certified copy of IPLA file

After having considered the evidence presented, testimony of the witness and taking its file into consideration the Board moved to REVOKE the Respondent's license.

Fanning/Smosna, 5/0/1 with Ms. Wall abstaining
Motion carries

Kayla Pruettt, P.T.I.T., Permit No. 99067019A, Cause No. 2016 IBP 0033

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

Participating Members: Del Fanning, R.Ph., Mark Smosna, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D., Donna Wall, R.Ph.

After having considered the evidence presented and taking official notice of its file in this matter the Board moved to hold the Respondent's license in DEFAULT.

Fanning/Williams, 6/0/0
Motion carries

Ms. Pruetz admitted to CVS that she diverted Hydrocodone, Oxycodone, Percocet, Klonopin, and Oxycontin.

Ms. Pruetz pled guilty to the charge of theft, a Class A misdemeanor. She entered into a plea agreement that contained courts costs, one (1) year sentence to the Bartholomew County jail, all suspended and placed on probation for one (1) year.

State's Exhibit:

C – Copy of employee file

D – Certified criminal documents

After having considered the evidence presented and taking official notice of its file in this matter the Board moved to REVOKE the Respondent's license.

Smosna/Williams, 6/0/0
Motion carries

DISCUSSION

Rules

Pseudoephedrine rule update:

Participating Members: Donna Wall, R.Ph., Mark Smosna, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D., Del Fanning, R.Ph.

The draft for the final rule is still under review with the Governor's office.

Sterile Compounding rule update:

Participating Members: Donna Wall, R.Ph., Mark Smosna, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D., Del Fanning, R.Ph.

The Committee reviewed the draft rule for changes and will review again at the May 1st meeting with the goal of having a sample draft of the rule for the Board to review at the May meeting.

INSPECT Report – Amanda Garrett, Database Analyst and William Woodruff, Business Systems Consultant:

Participating Members: Donna Wall, R.Ph., Mark Smosna, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D., Del Fanning, R.Ph

AWARE Rx

- Greg Fredenburg and Amanda Garrett completed final infrastructure options/discussions with Appriss's architecture and security teams
- INSPECT is waiting for final language from Appriss regarding archive data and real-time data access and will forward contract on to legal once it's received

INSPECT Database Migration

- Donna Wall and Amanda Garrett met with IU Health on March 23rd to discuss Integration into their EHR software
- Deaconess still progressing with their required software updates prior to beginning a pilot.
- Ken Cassell with Appriss continues to work on identifying a pilot site, in case Deaconess or IU Health do not work out, and is providing us weekly status updates regarding software update statuses and negotiations.

INSPECT Director

- Amanda announced they have a new Inspect Director, Kara Slusser, she is onboarding today and will officially start tomorrow, April 11th.

New Registrants

- 29 Pharmacists
- 27 Pharmacies
- 134 Practitioners
- 32 Law Enforcement

Zaneta Nunnally – Compliance Director – Report:

Participating Members: Donna Wall, R.Ph., Mark Smosna, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D., Del Fanning, R.Ph.

Zaneta Nunnally reported the following:

- 121 inspections were performed for the month of March
 - 65 Pharmacies
 - 18 Home Medical Equipment Facilities
 - 38 Controlled Substance Registrations
- 74 deficiencies were found
- 5 consumer complaints filed
- Two (2) robberies for the month of March

The Board thanked Ms. Nunnally for her report.

Medication Therapy Management Update:

Participating Members: Donna Wall, R.Ph., Mark Smosna, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D., Del Fanning, R.Ph.

The Committee just met for the first time, and provided thoughts on what they want this rule to accomplish. The next meeting is April 25.

The Committee has been set with the following individuals participating:

- Donna Wall
- Mark Smosna
- Kristal Williams
- Emily Hancock, FSSA
- Chris Johnson, FSSA
- Gloria Sachdev
- Kathy Hitchens
- Whitney Smith
- Olga Vlashyn , Purdue student

Beacon Orthopedics:

Participating Members: Donna Wall, R.Ph., Mark Smosna, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D., Del Fanning, R.Ph.

Laura Iosue, Deputy Attorney General appeared on behalf of this matter.

Mr. Covington informed the Board that although the Board moved to issue an order, IPLA's Chief Counsel said that the Indiana Board of Pharmacy doesn't have jurisdiction over a Physician's Office, therefore the order can't be issued.

Since the order was never issued there were never any restrictions in place.

Mr. White indicated he would need to review this issue.

CE Audit – Jody Edens:

Participating Members: Donna Wall, R.Ph., Mark Smosna, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D., Del Fanning, R.Ph.

Ms. Edens reported that there are three (3) pharmacists that were non-compliant with the CE audit and the non-compliance letters will go out in the mail this week.

The Board thanked Ms. Edens for her report.

Ohio's Opioid Analgesic Rule Update from the March 2017 State New Roundup:

Participating Members: Donna Wall, R.Ph., Mark Smosna, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D., Del Fanning, R.Ph.

Mr. Covington shared with the Board that effective April 6, 2017 the new Fourteen (14) Day Prescriptions for Opioid Analgesics rule takes effect in Ohio.

“Fourteen-Day Prescriptions for Opioid Analgesics: The law generally prohibits a pharmacist, pharmacy intern or terminal distributor from dispensing or selling an opioid analgesic pursuant to a prescription if the drug is to be used on an outpatient basis and more than 14 days have elapsed since the prescription was issued.”

This could possibly effect Indiana Pharmacists that are close to the Ohio border lines. Mr. Covington stated he is looking in to sending out an alert email blast to all the pharmacists in that area that may be effected by this.

Agency Collection – Electronic Data Processing System, 856 IAC 1-29-1, LSA 17-XXX(AC):

Participating Members: Donna Wall, R.Ph., Mark Smosna, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D., Del Fanning, R.Ph.

The Board moved to correct an outdated statutory citation in 856 IAC 1-29-1.

Wall/Williams, 6/0/0
Motion carries

Pharmacy Technician apps without a high school diploma or GED:

Participating Members: Donna Wall, R.Ph., Mark Smosna, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D., Del Fanning, R.Ph.

Mr. Covington inquired on what the process was for a technician applicant that had neither a high school diploma nor a GED.

Mr. White indicate he would check on this for the Board.

REVIEW OF APPLICATIONS

Individual Application Review:

Participating Members: Donna Wall, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D., Del Fanning, R.Ph., Mark Smosna, R.Ph.

The following individual application(s) were reviewed and APPROVED for issuance.

Wall/Smosna, 6/0/0
Motion carries

- Ali Saeed – Intern Permit – Rotation at Lilly – 40 hours per week
- LaShawn Barnes – Technician in Training App

The following individual application(s) were reviewed and a PERSONAL APPEARANCE was requested.

Wall/Smosna, 6/0/0
Motion carries

- Stephanie Rutledge – Technician in Training
- Kristy Davis – Technician in Training

The following individual application(s) were reviewed and ADDITIONAL DOCUMENTATION was requested.

Wall/Smosna, 6/0/0
Motion carries

- Renatta Shelton – Technician in Training App
- LaQuita Atkinson – Technician in Training App
- John Booker, Jr. – Technician in Training App

Continuing Education Applications:

Participating Members: Donna Wall, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D., Del Fanning, R.Ph., Mark Smosna, R.Ph.

The Board reviewed and APPROVED the following applications to provide Continuing Education.

Landis/Fanning, 6/0/0
Motion carries

- Don Newman – Morton Plant Hospital – Pelvic Floor Rehab – 1 hour
- Don Newman – Morton Plant Hospital – Integrative Medicine in the Treatment of Pain and other Symptoms – 1 hour
- Don Newman – Morton Plant Hospital – Domestic Violence – 1 hour
- Don Newman – Morton Plant Hospital – ADHD in Children & Your Adults – 1 hour
- Don Newman – Morton Plant Hospital – CHF Update – 1 hour

Pharmacy Technician Programs:

Participating Members: Donna Wall, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D., Del Fanning, R.Ph., Mark Smosna, R.Ph.

The Board reviewed and APPROVED the following Pharmacy Technician Training Program(s):

Landis/Fanning, 6/0/0
Motion carries

- Upland Family Pharmacy – initial approval

Controlled Substance Registrations, HME & EDI Applications:

Participating Members: Donna Wall, R.Ph., Steve Anderson, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D., Del Fanning, R.Ph.

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

Wall/Smosna, 6/0/0
Motion carries

- Indiana University School of Medicine/Yan Xu – Researcher CSR – Schedule 3
- Purdue GMP Center, LLC – Manufacturer CSR – Schedules 2,2N,3,3N,4,5
- Jodi Parks, M.D. – CSR App
- S.A. Maher, Inc – HME out of state App
- Hospice Source, LLC – HME App
- St. Mary's Health Inc – HME App
- Monroe County Sheriff's Office/Ryan Davis – K9 Training CSR – Only approved for Schedules 1,2,2N
- Interventional Pain Management, LLC – Surgery Center CSR – Only approved for Schedules 2,2N,3,3N,4
- Therapy Support, Inc – HME out of state App
- Union City Indiana Police Department – Limited Permit/Animal Shelter CSR – 61100688B – Approval of change of person responsible for drugs.
- Louisville 02, Inc – HME Change of Location – Out of state App – Approved pending documentation
- DME Supply USA, LLC – HME out of State App – Approved pending documentation

The Board reviewed and requested an ORDER TO SHOW CAUSE be issued for an appearance on the following CSR Application(s):

Wall/Smosna, 6/0/0
Motion carries

- Robert Ash, M.D. – CSR App
- Genoa, A QoL Healthcare Company LLC, Pharmacy CSR

Facility Applications:

Participating Members: Donna Wall, R.Ph., Steve Anderson, R.Ph., Winnie Landis, R.Ph., Kristal Williams, R.Ph., John Wilson, J.D., Del Fanning, R.Ph.


The Board reviewed and APPROVED the following facility application(s).

Fanning/Wall, 6/0/0
Motion carries

- Tailor Made Compounding – Non Resident App
- Diplomat Specialty Infusion Group – Non Resident App
- Walgreens Mail Service, LLC d/b/a Walgreens Mail Service – Non Resident App
- Village Fertility Pharmacy, LLC – Non Resident Change of Ownership App
- Missouri Health Infusion d/b/a Express Care Pharmacy – Non Resident App
- Anesthesia Serviced d/b/a Comprehensive Wellness Pharmacy – Non Resident App
- Sorkin's Rx LTD d/b/a Caremed Pharmaceutical Services – Non Resident Change of Ownership
- Synthetopes, Inc – Non Resident App
- Medisca, Inc – Wholesale Drug Distributor App

There being no further business the Board adjourned at 5:45 p.m.

Steve Anderson, R.Ph., President


Winnie Landis, R.Ph., Vice President