

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

**MINUTES OF JUNE 11, 2018**

Winnie Landis, R.Ph., 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: Donna Wall, R.Ph., Member  
Winnie Landis, R.Ph., President  
Del Fanning, R.Ph., Member  
Mark Smosna, R.Ph., Vice President (left at 5:10p.m.)  
John Wilson, J.D., Member (in at 12:00p.m.)  
Steve Anderson, R.Ph., Member  
Matt Balla, 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.

Fanning/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

The Board voted to adopt the April 9, 2018 minutes as written:

Fanning/Balla, 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

### **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 eight (8) technicians working at home. They have very high production and quality.

New Mexico and Arizona have both 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.

Fanning/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

#### **Rules to allow for technicians to work at home – Darren Covington, J.D.:**

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.

Darren asked the Board if they want to change their rules in order to allow a technician to work at home. The Pilot can only last up to thirty (30) months.

After discussion, the Board APPROVED Darren to provide the rules from both Arizona and New Mexico for them to review at the July meeting.

**David Bush, R.Ph. – Morristown Pharmacy/Medicap Pharmacy – Remote Dispensing Facility 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.

Adam Chester with Telepharm also appeared with Mr. Bush regarding this matter.

Mr. Chester indicated that Telepharm has provided software for over one-hundred (100) stores across twenty-three (23) states.

Mr. Bush is requesting to have a remote dispensing facility in Morristown, Indiana. The closest pharmacy is 11.1 miles away in Greenfield, Indiana.

The facility would be open Monday through Friday from 9:00a.m. to 6:00p.m., they will also have some OTC medication. A sign will be put up when closed.

They will have controlled substances. Mr. Bush will be in charge of ordering them and they will be verified by webcam which also tapes.

Part of the dispensing presentation was as follows:

c. Image capture-begin filling in TelePharm

- TelePharm syncs all prescription information directly from the Pioneer management system and loads it into the technician batch board as a draft using a communication relay service installed on the Pioneer software server.
- The Technician clicks on the patient name to begin filling in create RX
- Using TelePharm, the technician captures required, and optional images as requested by the pharmacist. The following is a list of required captures however the pharmacist may request others:
  1. Hard copy of the prescription pulled from the pharmacy management system automatically.
  2. Prescription label
  3. Medication – open prescription vial with medication inside and a couple of tablets in the lid; a close up, but magnified image of the drug, which allows the pharmacist to visually verify all markings on the tablet/capsule.
  4. Medication stock bottle with lot number and expiration date
  5. Volume of water inside of stock bottle identifying volume required, if a reconstituted will suspension
- After images are added the technician clicks done and submits the RX record to the pharmacist for verification
- The technician dashboard will show the prescription update from the draft queue to the pending queue
- The pharmacist is notified of a pending RX; he/she then checks it and approves
- If the patient is present at the pharmacy for pick up the telepharmacy technician must offer counseling regarding each prescription. If they want counseling, they will move into the room with the monitor and discuss any issues with the pharmacists.

After discussion, the Board moved to APPROVE Medicap Pharmacy remote dispensing facility application. They further requested an up-date regarding the practice in six (6) months.

Fanning/Bala, 5/0/1 with Mr. Anderson abstaining  
Motion carries

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

**Arial Burrus, R.Ph., MediCareer Technician Training Program Renewal 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.

Ms. Burrus previously appeared before the Board regarding the renewal of her technician training program for MediCareer.

She submitted updated information which did not include experiential training. The Board requested that she re-do her program to include at least one-hundred sixty (160) hours of experiential training.

Ms. Burrus' program information contained the one-hundred sixty (160) hours of experiential training.

After review and discussion, the Board moved to APPROVE MediCareer's renewal application.

Wall/Smosna, 6/0/0  
Motion carries

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

**Kristen Williams, L.C.S.W. – Valle Vista LLC d/b/a New Vista Outpatient Recovery Center – Opioid Treatment Program CSR App – Schedules 2,2N3,3N,4,5 requested:**

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.

Ms. Williams informed the Board that Dr. Simon Feng will be doing the prescribing for the patients. The dispensing will be done by the R.N.'s.

There is an automated dispensing machine that will dispense the liquid into each cup, the patient will drink the medication and drop the cup in a hole into a locked trash container.

As the patients progress they may be able to take their medications home, but before doing this they must meet many requirements.

They will be giving eight (8) random drug screens per year as required, but they also have the ability to increase the number of drug screens if they suspect anything.

They will have security guards walking the ground at least thirty (30) minutes before opening and closing the office.

After discussion, the Board moved to APPROVE Valle Vista's OTP CSR Application with only 2,2N,3,3N schedules.

Anderson/Wall, 6/0/0  
Motion carries

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

### **PROBATIONARY APPEARANCES**

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., John Wilson, J.D.

The following made their probationary appearance:

Philip Simpson  
Nicholas Scarpino  
Estil Caton  
Kristina Luers

### **PERSONAL APPEARANCES**

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

- Corey Powers – Tech App
- Brinda Wood – Tech Reinstatement App

**Florence Osisanya – Pharmacist MPJE Repeat App:**

Ms. Osisanya appeared before the Board and discussed her studying habits with the Board.

After discussion, the Board moved to APPROVE Ms. Osisanya's request to retake the MPJE.

Smosna/Balla, 6/0/0  
Motion carried

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

**Kelvin Cabell – Tech in Training App:**

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

In 2013, he received minor possession of alcohol at the age of eighteen (18).

In 2014, he received a DUI with a BAC of .015.

Another charge was at the age of twenty-one (21) he was leaving a party and the Police requested him to "come here" and he didn't and also proceeded to threaten to fight the officer. He received a six (6) month suspended sentence for this situation.

In April 2015 he completed the outpatient program at Southwestern. For a period of six (6) months he went to three (3) counseling classes per week and three AA classes per week.

He only does family social drinking now, which is maybe once a month.

After discussion, the Board moved to TABLE his application and requested he obtain an addictionology evaluation.

Wall/Balla 6/0/0  
Motion carries

The following board members voted aye:

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

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

**Kalyn Hutcherson – Technician in Training App:**

Ms. Hutcherson did not appear in person and was not represented by counsel regarding a positive response on her technician in training application.

This is Ms. Hutcherson's second time not appearing for a scheduled personal appearance.

After discussion, the Board moved to DENY Ms. Hutcherson's technician in training application.

Fanning/Wall, 6/0/0  
Motion carries

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

**Christi Powell – 67006069A Technician Renewal App:**

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

In October 2017, she got into an argument with an ex-boyfriend and was arrested for assault as she scratched his face.

She entered into a pretrial diversion program which will be completed in October 2018.

She currently works for Kroger.

After discussion, the Board moved to APPROVE Ms. Powell's technician license renewal application.

Balla/Smosna, 6/0/0  
Motion carries

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

**Erika Penland – 67027182A Technician Renewal App:**

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

Ms. Penland explained while at work she had to do a random drug test and it was positive for cocaine.

She agreed to enter Walgreens assistance program, First Advantage. She saw an intake counselor and had to complete four (4) weeks before returning to work. She will remain in the assistance program as Walgreens requires it for her to continue her employment. She does random monthly drug screens for one (1) year and then just random for the next five (5) years.

After discussion, the Board moved to APPROVE Ms. Penland's technician renewal application.

Fanning/Wall, 6/0/0  
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

**Brandy Camp – Technician in Training App:**

Ms. Camp did not appear in person and was not represented by counsel regarding a positive response on her technician in training application.

This is Ms. Camp's second time not appearing for a scheduled personal appearance.

After discussion, the Board moved to DENY Ms. Camp's technician in training application.

Wall/Balla, 6/0/0  
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

**Rebecca Lacey – 67026802A Technician Renewal App:**

Ms. Lacey appeared in person and was not represented by counsel regarding a positive response on her technician renewal application.



In February 2018, Ms. Lacey was arrested for domestic abuse. She is on a diversion agreement until March 2019.

She currently works for WalMart and they are aware of the arrest. She has not had any discipline at work.

After discussion, the Board moved to APPROVE Ms. Lacey's technician renewal application.

Smosna/Anderson, 6/0/0  
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

**Brian Pelfrey – 67001213A Technician Renewal App:**

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

In 2003 he received a DUI.

Again in November 2012 he received a DUI, which wasn't disclosed on his 2014 renewal application.

He was charged with possession of a controlled substance. He indicated it was his wife's Ritalin.

He drank while he was on probation so the court placed an alcohol monitor on him.

He has had a total of three (3) DUI's and one (1) public intox. He is in Families First program through the court system.

After discussion, the Board moved to TABLE Mr. Pelfrey's application for an addictionology evaluation.

Wall/Anderson, 6/0/0  
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

**Briannah Wodetzki – 67030273A Technician Renewal App:**

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

In January 2018 she was pulled over for speeding and the Officer asked her if she had drugs in the car. She stated yes there was.

She entered into a pretrial diversion program for six (6) months; she must complete sixty (60) hours of community service.

She indicated to the Board that she used for recreational use about twice a week for a couple of months.

After discussion, the Board moved to APPROVE Ms. Wodetzki's license renewal on agreed INDEFINITE PROBATION until the completion of her diversion agreement with terms and conditions.

Wall/Anderson, 6/0/0  
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

**Joseph Bitner – 26018915A Pharmacist Renewal App:**

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

On August 1, 2017 he received a positive drug screen on a random test at work. He was positive for Opiates and was terminated.

He indicated his drugs of choice were Hydrocodone and Oxycodone.

He entered into a five (5) year contract with the Florida Board's PRN program. He signed the contract on November 20, 2017.

He has been clean for ten (10) months. He goes to PRN meetings, AA/NA meetings, sees a counselor and has disclosed the issue to his current employer.

His Florida license is free and clear.

After discussion, the Board moved to APPROVE Mr. Bitner's pharmacist renewal application.

Fanning/Wall, 6/0/0  
Motion carries

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

**Christian Onuh – 26020249A Pharmacist Renewal App:**

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

Mr. Onuh's Tennessee pharmacist license was placed on five (5) years' Probation during which time he cannot dispense controlled substances and was required to pay a \$5,000 civil penalty with other terms and conditions.

Mr. Onuh's agreement with the Tennessee Pharmacy Board included the following issues:

- During the Respondents' period of operation, the Respondents routinely dispensed controlled substances to non-local patients based upon prescriptions written by out-of-state prescribers.
- Many of the prescriptions dispensed by Respondent and Respondent's pharmacy were dispensed to patients who were receiving similar controlled substances prescriptions from multiple providers

After discussion, the Board moved to APPROVE Mr. Onuh's pharmacy license on INDEFINITE PROBATION with terms and conditions.

Mr. Onuh would not agree to the Indefinite Probation, but requested to withdraw his renewal application.

After further discussion, the Board moved to APPROVE Mr. Onuh's request to WITHDRAW his renewal application.

Fanning/Smosna, 6/0/0  
Motion carries

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

**Neil Hasmukh Patel – 26018996A Pharmacist Renewal App:**

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

Mr. Patel indicated that the Indictment is still pending. His counsel has filed a motion to dismiss the Indictment and the U.S. Attorney's office has until June 25, 2018 to reply to the dismissal motion.

After discussion, the Board moved to APPROVE Mr. Patel's pharmacist license renewal and requested a complaint be filed regarding this matter with the Attorney General's Office.

Wall/Smosna, 6/0/0  
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

**David Grasch – 26020981A Pharmacist Renewal App:**

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

His employer required him to do a random drug screen and he failed for Marijuana. He indicated he was smoking it with a terminal patient.

He resigned from Porter Regional Hospital.

He contacted Mike Denton and did an in-take. He stated Mr. Denton's report indicated he didn't meet the criteria for addiction.

He started seeing a counselor on his own.

After discussion, the Board moved to APPROVE Mr. Grasch's pharmacist renewal application pending review and approval of a letter from Mike Denton.

Fanning/Wall, 6/0/0  
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

**Marissa Wright – 67020083A Technician Reinstatement App:**

Ms. Wright appeared before the Board regarding a reinstatement application and was not represented by counsel.

Ms. Wright hasn't worked as a technician since 2012 and at that time she has practiced for two (2) years as one.

She is employed with CVS and they have stated that she will need to go through their training program.

After discussion, the Board moved to APPROVE Ms. Wright's technician reinstatement application.

Smosna/Balla, 6/0/0  
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

**Erin Pack – 67009049A Technician Reinstatement App:**

Ms. Pack did not appear in person and was not represented by counsel regarding her technician reinstatement application.

This is Ms. Pack's second time not appearing for a scheduled personal appearance.

After discussion, the Board moved to DENY Ms. Pack's technician reinstatement application.

Fanning/Wall, 6/0/0  
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

**Virginia Cunningham – 67018628A Technician Reinstatement App:**

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

Ms. Cunningham stated that she works at Walgreens and has already completed the book section of the technician program. She needs her license to complete the experiential portion and then be able to work.

After discussion, the Board moved to APPROVE Ms. Cunningham's technician reinstatement application.

Fanning/Wall, 6/0/0  
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

**ADMINISTRATIVE HEARINGS**

The following administrative hearings were continued:

- **David Ringel, D.O., Cause No. 2018 IBP 0024**

**Vitalab Pharmacy, Inc., License No. 64000975A, Cause No. 2018 IBP 0017**

Respondent did not appear in person and was not represented by counsel regarding a Proposed Settlement Agreement scheduled before the Board. The State of Indiana was represented by Roxanne Hilton, 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 include a LETTER OF REPRIMAND and a \$2,000 FINE.

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.

Fanning/Wall, 7/0/0  
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

**Paul Elmer, R.Ph., License No. 26013086A, Cause No. 2017 IBP 0041**

Respondent did not appear in person and was not represented by counsel regarding a Stipulated Petition for Automatic Renewal of Summary Suspension 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.

A signed stipulation for automatic renewal of the Summary Suspension was presented to the Board for review. The stipulation includes automatic renewal of the SUMMARY SUSPENSION until the Federal case is resolved.

The Federal case is currently set for October/November 2018.

After reviewing the stipulated petition for automatic renewal of settlement agreement and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board moved to APPROVE the Settlement Agreement.

Fanning/Balla, 7/0/0  
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

**Melanie Arvin, R.Ph., License No. 26020779A, Cause No. 2018 IBP 0002**

Respondent did appear in person and was represented by counsel, Tyler Helman regarding an Extension of Summary Suspension 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.

A settlement agreement between the Respondent, her counsel and the Attorney General's Office was presented to the Board. The settlement agreement included INDENFINITE PROBATION until her criminal probation is lifted or she completed her PRN contract whichever is longest with terms and conditions.

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.

Balla/Smosna, 3/0/4, with Ms. Wall & Landis and Mr. Anderson & Smosna abstaining  
Motion fails

The following board members voted aye:

Donna Wall, Del Fanning, John Wilson

The following board members voted nay: none

The following board members abstained: Donna Wall, Winnie Landis, Steve Anderson  
and Mark Smosna

After further discussion and some changes to the terms and conditions of the settlement agreement and agreed to by all parties, the Board moved to APPROVE the Settlement Agreement with the changes.

Wall/Anderson, 7/0/0  
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

**Brandon Boston, Ph.T., License No. 67030243A, Cause No. 2018 IBP 0003**

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

The circumstances in this matter have not changed.

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, 7/0/0  
Motion carries

The following board members voted aye:

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

The following board members voted nay: none



The following board members abstained: none

**Dana McClanahan, Ph.T., License No. 67021656A, Cause No. 2018 IBP 0004**

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

Ms. McClanahan entered into a plea agreement with the prosecutor's office for Dealing in a Narcotic Drug Manufacture/Deliver/Finance-10 or more grams a 2<sup>nd</sup> degree Felony.

States Exhibit:

C – Chronological Case Summary

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/Wall, 7/0/0  
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

**Richard Sarna, R.Ph., License No. 26025399A, Cause No. 2018 IBP 0023**

Respondent did appear in person and was not represented by counsel regarding and 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.

Mr. Sarna by plea agreement pled guilty and courts entered a judgment of conviction upon Count II: Filing an Invalid Prescription for a Legend Drug, a Level 6 Felony, and Count II: Counterfeiting, a Level 6 Felony.

Mr. Sarna indicated he is currently a patient in a treatment program and is working with Carol Dunham on a contract with P.R.N. He also stated that it is fine with him if they extend the Summary Suspension.

States Exhibit:

B – Judgment of conviction & sentencing Order

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, 7/0/0  
Motion carries

The following board members voted aye:

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

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 an Extension of Summary Suspension Proposed Settlement Agreement 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.

Ms. Wilson has agreed to not renew her license.

Ms. Oliver requests a motion to vacate the Summary Suspension as the Respondent has agreed not to renew her 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 VACATE the Summary Suspension.

Fanning/Balla, 7/0/0  
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

**Jason Bagley, R.Ph., License No. 26018380A, Cause No. 2013 IP 0097**

Respondent did appear in person and was represented by counsel, James Voyles regarding a Petition to Withdraw Probation 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.

Scott Kaczynski, R.Ph., P.R.N. President was sworn in as a witness for the Respondent.

Mr. Kaczynski testified that Mr. Bagley has been fully compliant with his P.R.N. contract.

Mr. Bagley testified that he has been in compliance with all the terms of his Board Order.

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.

Smosna/Balla, 7/0/0  
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

**Amanda Shake (Cencula), R.Ph., License No. 26026244A, Cause No. 2015 IBP 0012**

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 the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Ms. Shake informed the Board that she has successfully completed her deferral program.

She is currently working at CVS in Wisconsin.

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.

Smosna/Fanning, 7/0/0  
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

**Victoriz Zimmer, Ph.T., License No. 67026293A, Cause No. 2016 IBP 0048**

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 the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Ms. Zimmer informed the Board that she has completed her one (1) year criminal probation.

She has stopped drinking and has been compliant with the Board's probationary order.

She has worked for Walgreens for five (5) years.

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.

Wilson/Balla, 7/0/0  
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

**Susan Adams-Hayes, R.N., A.P.R.N., License No. 71001514B, Cause No. 2017 IBP 0105**

Respondent did appear in person and was represented by counsel, Melissa Wray regarding a Petition to Reinstate Suspended CSR 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.

David Segraves, Office Manager was sworn in as a witness for the Respondent.

The Respondent's nursing license is now off of probation.

She voluntarily surrendered her DEA while she was working for Dr. Hedrick. In February 2015, she pled guilty to a Felony of unlawful dispensation of a controlled substance.

She indicated to the Board that she wants her controlled substance registration back in order to prescribe testosterone and hormone replacement therapy. She doesn't need or want to prescribe Opiates.

Mr. Segraves testified that the facility in which Ms. Adams-Hayes works does not dispense or prescribe any type of Opiates. He state she would be doing testosterone and hormone replacement therapy so she would need her controlled substance registration.

Respondent Exhibits:

- 1 – Proof of completion of criminal charges
- 2 – Copy of final order dated 2/27/18
- 3 – Motion to supplement to Nursing Board filed 2/14/18

States Exhibits:

- B – 2014 copy of collaborative practice agreement
- D – Surrender of DEA
- C – Transcript of Dr. Hedrick's hearing before MLB
- A – Change of plea agreement & sentencing order

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter, the Board moved to reinstate the Respondent's CSR on INDEFINITE PROBATION for two (2) years with terms and conditions.

Wall/Fanning, 6/1/0  
Motion carries

The following board members voted aye:

Donna Wall, Winnie Landis, Mark Smosna, Del Fanning, John Wilson, Matt Balla

The following board members voted nay: Steve Anderson

The following board members abstained: none

**Patricia Gyasi, D.D.S., License No. 12012595B, Cause No. 2018 IBP 0027**

Respondent did appear in person and was represented by counsel, Martiza Webb regarding a Renewal of CSR 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.

In December 2017, the Respondent was pulled over for speeding and she was arrested for having drugs in her car. She thought the substance was candy that her ex-boyfriend had left in the car.

She entered into a deferral program where she completed three (3) random drug screens which were all negative.

The Dental Board recently renewed her Dental license.

Respondent Exhibits:

A – Criminal case details

B – copy of the three (3) drug tests

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter, the Board moved to APPROVE the Respondent's CSR renewal application.

Wall/Anderson, 6/0/0

Motion carries

The following board members voted aye:

Donna Wall, Winnie Landis, Del Fanning, John Wilson, Matt Balla, Steve Anderson

The following board members voted nay: none

The following board members abstained: none

**Shawntelle Morris Ph.T., License No. 67021660A, Cause No. 2018 IBP 0032**

Respondent did not appear in person and was not represented by counsel regarding a 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.

Chad Greninke, CVS District Loss Asset Protection and Jason Pribble, CVS District Leader were sworn in to testify for the State.

Ms. Morris has been terminated from CVS for diversion. She has criminal charges pending of:

- Dealing in a Schedule IV Controlled Substance with weight at least 28 grams; a 3<sup>rd</sup> Degree Felony
- Theft where value of property is between \$750 & \$50; a 6<sup>th</sup> Degree Felony

Mr. Greninke testified that he was involved in an investigation of a significant loss of Alprazolam. He indicated to the Board that the Respondent was selling the drugs she diverted.

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

Balla Wilson, 6/0/0