

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

Minutes of August 12, 2024

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

Members Present:

Matt Balla, R.Ph., Member
Mark Bunton, R.Ph., Member
Andrew Meador, C,Ph.T., Member
Mark Smosna, R.Ph., Member
Kate Snedeker, Consumer Member

Members Absent

Jason Jablonski, R.Ph., President
Steve Anderson, R.Ph., Vice President

PLA Staff Present:

Kim Snyder, Board Director
Caitlin Cress, Assistant Board Director

Advisory Counsel:

Leif Johnson, J.D.

Court Reporter:

Accurate Reporting – Margie Addington

The Board moved to adopt the agenda with the addition of the NABP District 4 Meeting added to New Business.

Smosna/Bunton, 5-0-0
Motion carries.

The Board moved to approve the minutes from the July 8, 2024 Board meeting.

Snedeker/Bunton 5/0/0
Motion carries.

Administrative Hearings

Chris Johnson, R.Ph., License No: 26026654A - Cause No. 202407-BOP-0013

Proposed Settlement Agreement

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

Court reporter sworn in. Respondent failed to disclose a 2021 termination on his 2022 renewal. Discussed the proposed settlement agreement and requested that the board accept the agreement. Mark Smosna asked if the fine was appropriate based upon past precedence.

A motion was made and seconded to APPROVE the proposed settlement agreement.

Snedeker/Meador, 5/0/0
Motion carries

Hongzing Zhang, R.Ph., License No: 26021608A - Cause No. 2017 IBP 0019

Petition for Reinstatement

DAG: Ryan Eldridge
Respondent: Hongzing Zhang, R.Ph. with Counsel, Josh Timmons
Exhibit(s): Respondent's Exhibit A
Respondent's Exhibit B
Respondent's Exhibit C
Respondent's Exhibit D
Respondent's Exhibit E
Respondent's Exhibit F
Respondent's Exhibit G
Respondent's Exhibit H
Witness(es): Hongzing Zhang, R.Ph.

Josh and Ryan read opening statements. Exhibits A – H admitted. Josh reviewed admitted exhibits and discussed the probationary terms and conditions that Dr. Zhang met and his interest in reinstating his license. Mr. Zhang is currently on a federal exclusion list. Historically worked holidays, evenings and locations including underserved areas. Last practiced as a pharmacist around 2015. Does plan to request to be removed from the federal exclusion list. He is first seeking to reinstate his Indiana pharmacist license. Currently working for a National Research Center in Hong Kong and did not pursue any continuing education. Kate asked for clarification about the Federal Exclusion List. This applies to most licensed healthcare professionals. Dr. Zhang is limited from submitting claims to insurance companies. Kate asked if there was any restitution for victims. Was not required to get any counseling. Andrew asked what he does in his role for Hong Kong and the letter from Ms. Merriweather. Josh provided a closing statement and requested an unrestricted license to practice pharmacy. The state gave closing remarks and expressed the significance of the federal charges. State recommended reinstatement include probationary terms and require remedial education. License expired June 2018 which amounts to 90 hours of CE.

After having considered the evidence presented, testimony of the witness, and taking official,

judicial notice of the pleadings, evidence, and orders in this matter the Board moved to REINSTATE the Respondent's license on INDEFINITE PROBATION with terms and conditions.

Bunton/Balla 3/2/0
Meador/Snedeker
Opposed
Motion carries

Discussion

Monthly Reports

Board Director's Report – Presented by Kim Snyder

INSPECT Director's Report – Presented by Logan Winslow

Compliance Director Report – Presented by Zaneta Nunnally

OAG Report - Presented by DAG, Ryan Eldridge

Old Business

New Business

- NABP District 4 meeting and IPA fall meeting.
 - Discussed the annual and district meetings.
 - Spring 2025 meeting is in Ft. Lauderdale.
 - September District 4 meeting is in Detroit, Michigan.
 - Mark Bunton and Mark Smosna usually attend.
 - Board typically approves expense reimbursement through the CSR fund and moved to use this fund for the NABP District 4 meeting.
- FDA Notice re: Semaglutide and trizapatide adverse events
- CMS Acute Hospital Care at Home
 - Invite a representative to speak about this during an upcoming board meeting.

Full Board Appearances

LAAD Pharmaceuticals LLC – WDD Application – Provisional License

Dave Howser, Lisa Howser, co-own LAAD Pharmaceuticals appeared before the board. Mr. Howser recently sold his share of the business and purchased an 1800 sq ft facility in Valparaiso, Indiana. Customers are mainly physicians, dentists and veterinarians. Seeking a Provisional Wholesale Drug Distributor License. Completed pre-operational inspection.

After discussion, the Board moved to APPROVE the Provisional Wholesale Drug Distributor License.

Bunton/Meador 5/0/0
Motion carries

Covetrus North America, LLC – Positive Response - Wholesale Drug Distributor – Change of Location Application

Mario Lombardy, Kelly Ann Barnes and Jerad Nelson appeared before the Board regarding a positive response on their wholesale drug distributor and 3PL change of location applications. US Attorney's Office DOJ case resolved in February 2024. Fined and placed on one year probation effective May 2024. This did not include the Indiana locations. Changed business model so that they no longer send products directly to patients/residences.

After discussion, the Board moved to APPROVE both the applicant's wholesale drug distributor and 3PL change of location applications.

Bunton/Meador 5-0-0
Motion carries

Otterbein Franklin Senior Life Community – CSR Remote Location Applications (2)

Applicant's servicing pharmacy representative appeared before the Board regarding their 2 applications for CSR Remote Location in the same facility. Automated dispensing machines located on floors 1 and 3 and were inspected by BOP compliance. Matt asked about temperature monitoring. There are no refrigerated medications. Deliver twice daily. 24/7 pharmacy. If a medication was not in the medication bank, would use a local pharmacy. Use fingerprint scanning of a nurse and a witness.

After discussion, the Board moved to APPROVE the applicant's 2 applications for CSR Remote Location.

Balla/Bunton 5-0-0
Motion carries

Personal Appearances

Mark Bunton disclosed his employment with CVS, will step out if there is any conflict of interest but otherwise can be fair and impartial.

Wesley Cammenga – Technician/Tech in Training Application – Positive Response:

Wesley Cammenga appeared before the Board regarding a positive response on a technician application. Applied for a pharmacy technician license last year and discussed his psychiatric break in 2022. Appeared in May and was asked that he submit a letter from his therapist that he is fit to work as a pharmacy technician. He applied to CVS last year but doesn't currently have a job lined up. Wes confirmed he never worked in a pharmacy and not currently working. The letter that was submitted was dated in March and that individual's license expired in April 2024. Is currently on criminal probation that ends in April 2026 and has existing restraining orders. Mark requested an updated letter be sent from the therapist to the Group 4 email address. In 2019 worked as a direct support professional for a non-profit organization in Bloomington providing care to individuals with needs. Mention to the governing board that the therapist license expired in April. Table upon receipt of a letter from a licensed therapist indicating fitness to practice as a pharmacy technician.

After discussion, the Board moved to TABLE applicant's Technician application

Balla/Meador 5/0/0
Motion carries

Kaelin Buell – Technician/Tech in Training Application – Positive Response:

Failed to appear.

Adrienne Frymire – Technician/Tech in Training Application – Positive Response:

Failed to appear

Rylee Ugen – Technician/Tech in Training Application – Positive Response:

Failed to appear.

Elizabeth Entzian – Technician/Tech in Training Application – Positive Response:

Elizabeth Entzian appeared before the Board regarding a positive response on a technician application. Participating in Drug court due to a roommate's transgressions and incident that occurred in 2022. Because the incident occurred in her home, she was also identically charged. Is currently working at Walgreens in inventory and is seeking this license to move up in the organization. Employers are fully aware of the situation. Probation ends next May. Tracy Traut spoke about how to contact IPRP.

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

Meador/Snedeker 5/0/0
Motion carries

Baily Warren – Technician/Tech in Training Application – Positive Response:

Baily Warren appeared via Zoom before the Board regarding a positive response on a technician application. Certified pharmacy tech in Ohio. Ohio license is active and in good standing. Unknowingly was given CBD product while in the military and charged with using and possession. Discharged from the military.

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

Snedeker/Meador 5/0/0
Motion carries

Gavin Gillman – Technician/Tech in Training Application – Under 18 Years Old:

Gavin Gillman did not appear before the Board regarding his technician application. Would be working for family pharmacy. Have waived this requirement in the past.

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

Balla/Smosna 5/0/0
Motion carries

Danielle E. Neata – 67020492A – Technician Renewal Application – Positive Response:

Failure to appear

Kevin Leskody – 67041982A – Technician Renewal Application – Positive Response:

Kevin Leskody appeared virtually before the Board regarding a positive response on a technician renewal application. Works at Costco pharmacy in Jeffersonville, Indiana. Self admitted to an in-patient facility May 10, 2024. 90 days sober August 10. Was suspended from work due to tardiness. Was asked to follow up with IPRP. Table until receipt of IPRP report. Current license in valid to practice status.

After discussion, the Board moved to TABLE applicant's technician renewal application until receipt of IPRP Evaluation.

Bunton/Balla 5-0-0
Motion carries

Kiana Anderson – 67029648A – Technician Renewal Application – Positive Response:

Failure to appear.

Shelby Hicks – 67030381A – Technician Renewal Application – Positive Response:

Shelby Hicks appeared before the Board regarding a positive response on a technician renewal application. Andrew disclosed that he works for IU health but can be fair and impartial. Explained her positive response and charged with a felony but dropped to misdemeanors. On probation through June 2025 and currently sober. Completed a drug and alcohol evaluation. Completing random drug tests. August 22, 2024, 3 months sober. Employer is aware. Has been a technician for 7 years. No disciplinary action by employer. IPRP intake.

After discussion, the Board moved to APPROVE applicant's technician renewal application on INDEFINITE PROBATION with terms and conditions IPRP Evaluation and to run concurrent with criminal probation.

Meador/Ball 5-0-0
Motion carries

Ashley Meredith – 67037021A – Technician Renewal Application – Positive Response:

Ashley Meredith appeared before the Board regarding a positive response on a technician renewal application. 2/14/24 entered a diversion program. Upon completion, will be expunged. Related to domestic violence situation. No drugs or alcohol and never been in trouble before this incident.

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

Snedeker/Balla 5-0-0
Motion carries

Kimberly Stern – 67012475A – Technician Renewal Application – Positive Response:

Failure to appear.

Brandie Mejer – 67023223A – Technician Renewal Application – Positive Response:

Failure to appear.

Sarah Morgan – 67029072A – Technician Renewal Application – Positive Response:

Failure to appear.

Ashley Skeens – 67032310A – Technician Renewal Application – Positive Response:

Ashley Skeens appeared before the Board regarding a positive response on a technician renewal application. Works for Walgreen and employer supports her. Had a mental breakdown due to a miscarriage. No charges were filed. Last drank January 20, 2024 due to an abusive relationship. Abuser was arrested January 22nd.

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

Balla/Snedeker 5-0-0
Motion carries

Ashley Khan – 67037544A – Technician Renewal Application – Failure to Disclose:

Ashley Khan appeared before the Board regarding a failure to disclose on a technician renewal application. Worked for CVS health since 2020. Has an ongoing case with Hendricks County Court. Drunk driving arrest March 30th. Only time arrested. Beginning probation. Probation ends January 2025.

After discussion, the Board moved to APPROVE applicant's technician renewal application on INDEFINITE PROBATION with terms and conditions and to run concurrent with criminal probation.

Bunton/Meador 5-0-0
Motion carries

Emily Hall – Pharmacist Re-exam MPJE 3rd Attempt:

Emily Hall appeared before the Board and discussed her studying habits with the Board. Holds an active North Carolina license. Just started a new job at Riley Children's Hospital. First two exam attempts May and June 2024.

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

Balla/Smosna 5-0-0
Motion carries

Oluwabusayo Akinola – Pharmacist Re-exam MPJE 3rd Attempt:

Oluwabusayo Akinola appeared virtually before the Board and discussed her studying habits. Licensed in Illinois. Will take time off work to study.

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

Smosna/Balla 5-0-0
Motion carries

Edie Tonfack Zifack – Pharmacist Re-exam MPJE 3rd Attempt:

Edie Tonfack Zifack appeared before the Board and discussed his studying habits.

After discussion, the Board moved to APPROVE Edie Tonfack Zifack's repeat exam application.

Bunton/Balla 5-0-0
Motion carries

Peyton Fakharpour – Pharmacist Re-exam MPJE 3rd Attempt:

Peyton Fakharpour appeared before the Board and discussed his studying habits. Attended UK College of Pharmacy. Already passed the Kentucky law test and licensed in Kentucky. Works at Meijer in Louisville and they require licensure in Kentucky and Indiana. Following Purdue's on-line course.

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

Bunton/Snedeker 5-0-0
Motion carries

Jingyu Hu – Pharmacist Re-exam MPJE 3rd Attempt:

Jingyu Hu appeared before the Board and discussed his/her studying habits. A licensed pharmacist from Michigan. Works for Parkview. Plans to use more resources and study Indiana rules and statutes.

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

Smosna/Snedeker 5-0-0
Motion carries

Brian LaRowe, R.Ph., – 26022971A – Pharmacist Renewal Application – Positive Response:

Brian LaRowe appeared before the Board via Zoom regarding a positive response on a pharmacist renewal application. Matt Balla disclosed that he knows Brian but can be fair and impartial. February OWI, pending charges and scheduled for a bench trial later this month. Attended a 3-day inpatient rehabilitation program. Also attending outpatient rehab. Is not on criminal probation. Completed IPRP intake and participating in a year long recovery program. Works for Franciscan Health. Employer is aware.

After discussion, the Board moved to APPROVE applicant's pharmacist renewal application on INDEFINITE PROBATION with terms and conditions and to run concurrent with IPRP contract.

Bunton/Meador 5-0-0
Motion carries

Ryan Bond, R.Ph., – 26029792A – Pharmacist Renewal Application – Positive Response:

Ryan Bond appeared before the Board with counsel Mike Gaerte, regarding a positive response on a pharmacist renewal application. Ohio OWI 2023. Is not currently on probation. Has never been arrested prior to this incident and employer is aware. Voluntarily reported incident to the board.

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

Bunton/Snedeker 5-0-0
Motion carries

Rihab Ahmed, R.Ph., – 26029024A – Pharmacist Renewal Application – Positive Response:

Rihab Ahmed appeared before the Board regarding a positive response on a pharmacist renewal application. Worked overseas for over ten years. Began working in the US during COVID. 2022 hired by IU saxony and subsequently terminated during the training period. Is currently employed as a pharmacist with Valle Vista and Rx Relief.

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

Snedeker/Bunton 5-0-0
Motion carries

Chelsea Lewandowski, R.Ph., – 26028379A – Pharmacist Renewal Application – Positive Response:

Chelsea Lewandowski appeared before the Board regarding a positive response on a pharmacist renewal application. Mark Bunton knows this individual and stepped out of the room for this personal appearance. Terminated May 22, 2022 due to dropped phone calls by previous employer, now works for CVS health and has a letter of recommendation.

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

Balla/Meador 4-0-0
Mark Bunton recused
himself.
Motion carries

Jaime McLain, R.Ph., – 26022444A – Pharmacist Renewal Application – Positive Response:

Jaime McLain appeared before the Board regarding a positive response on a pharmacist renewal application. Was terminated from Genoa Healthcare for failure to report a medication error within 72 hours. Had no conversation with HR. Worked for Genoa for 7 years. Currently employed at Baptist Health as a pharmacy manager.

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

Snedeker/Balla 5-0-0
Motion carries

Jeremy Bryson, R.Ph., – 26025779A – Pharmacist Renewal Application – Positive Response:

Failure to appear.

Kezia Sterling, R.Ph., – 26023380A – Pharmacist Renewal Application – Failure to Disclose:

Kezia Sterling appeared virtually before the Board regarding a failure to disclose on a pharmacist renewal application. Licensed in Arkansas, Indiana, Kentucky and Tennessee. Delinquent 3 hours of CME for the state of Arkansas and Kentucky following audits. Was fined and required to

complete CE. Contacted Indiana when she received signed orders in March 2023. Mistakenly checked no to the question about previous disciplinary action.

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

Balla/Meador 5-0-0
Motion carries

Recalled PAs who failed to appear.

There being no further business the board ADJOURNED at 12:38pm.