

INDIANA BOARD OF PHARMACY

Met THROUGH VIDEO and AUDIO CONFERENCING
<https://IndianaEnhanced.Webex.com/join/PLAWebex>
(240) 454-0887 and entering meeting room # 610 915 440

MINUTES OF OCTOBER 5, 2020

Matt Balla, R.Ph., President, called the meeting to order at 8:01 a.m. and declared a quorum in accordance with IC 25-26-13-3(d), pursuant to public notice posted 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 by Telephone: Matt Balla, R.Ph., President
Mark Smosna, R.Ph., Member
Mark Bunton, R.Ph., Member
Winnie Landis, R.Ph., Member
Steve Anderson, R.Ph., Vice President
Jason Jablonski, R.Ph., Member

Staff Present by Telephone: Laura Turner, J.D., Board Director
Professional Licensing Agency
Jody Edens, Assistant Director
Professional Licensing Agency
Nicole Schuster, J.D.,
Deputy Attorney General,
Office of the Attorney General

The Board voted by roll call to adopt the agenda.

Smosna/Jablonski, 6/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Winnie Landis, Mark Smosna, Mark Bunton, Matt Balla, Jason Jablonski
The following board members objected: none
The following board members abstained: none

The Board voted by roll call to adopt the May 11, 2020 and June 8, 2020 minutes as written.

Smosna/Landis, 4/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla
The following board members objected: none
The following board members abstained: Jason Jablonski and Mark Bunton

FULL BOARD APPEARANCES

The Carboxyl Group, LLC, Analytical Laboratory Controlled Substance Registration/Keith Johnson:

Did not appear for the scheduled appearance with the Board. Will reschedule for next month.

Dennis Watson, Ph.D., Senior Research Scientist, Chestnut Health Systems – INSPECT Data Request:

Mr. Watson appeared requesting INSPECT data. He requests to use data from MPH and send it to Regenstrief.

After discussion, the Board tabled this matter until Mr. Watson could meet with Laura Turner, J.D., Board Director, Kara Slusser, INSPECT Director and Nicole Schuster, J.D., Board Counsel to determine what Mr. Watson needs.

PERSONAL APPEARANCES

The following personal appearance(s) were continued:

- Ashley Gaither, Initial Technician Application

The following personal appearance(s) were cancelled:

- Shekhar Sinha, R.Ph., License Renewal, 26026455A
- Bert Larsen, R.Ph.T., License Renewal 67030282A

Daniel Jenkins, R.Ph., 26027206A, Renewal Positive Response:

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

Mr. Jenkins has pending charges in Seattle, WA for a property damage charge.

He has an active license in Alaska.

After discussion, the Board moved by roll call to RENEW and REFER THIS MATTER TO THE AG'S OFFICE FOR INVESTIGATION.

Anderson/Smosna, 6/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton
The following board members objected: none
The following board members abstained: none

Brian Scholfield, R.Ph., 26024215A, Renewal Positive Response:

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

He has been practicing in Missouri for the last five (5) years.

His drinking spiraled out of control and he got help. He completed an inpatient program and received continuing therapy.

He was evaluated by IPRP and signed a three (3) year RMA which consists of sixteen (16) urine drug screens per year, individual therapy and continuance of his appointments with his psychiatrist.

He recently renewed his license in Missouri, it was renewed without action as he went into therapy on his own.

After discussion the Board moved by roll call to place Mr. Scholfield's license on AGREED INDEFINITE PROBATION with terms and conditions.

Landis/Smosna, 6/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton
The following board members objected: none
The following board members abstained: none

Cherie Sterk, R.Ph., 26019734A Renewal Positive Response:

Ms. Sterk has not replied to the request for documentation regarding her positive response nor did she appear at the Board's request. This is the last meeting the Board has to act upon technician license renewals.

After discussion, the Board moved by roll call to DENY Ms. Sterk's pharmacist renewal application.

Landis/Bunton, 6/0/0

Motion carries

The following board members voted aye by roll call:

Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton

The following board members objected: none

The following board members abstained: none

Nicole Cogan, R.Ph., 26021867A, Renewal Positive Response:

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

She currently has charges pending for a Theft charge from March 2020.

She also diverted three controlled substance tablets from her employer. She took them to help with her migraines but hasn't taken the pills. She resigned from her employer.

The Ohio Pharmacy Board suspended her license for six (6) months and required her to do additional opioid Continuing Education and issued a Fine.

In January 2020 she went for an assessment and was referred to counseling for her issues. She has one on one counseling sessions.

After discussion, the Board moved to place Ms. Cogan's license on INDEFINITE SUSPENSION until her Ohio license is clear. Landis/Smosna, No vote, Motion withdrawn.

After further discussion, the Board by roll call moved to APPROVE Ms. Cogan's request to WITHDRAW her license renewal.

Landis/Smosna, 6/0/0

Motion carries

The following board members voted aye by roll call:

Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton

The following board members objected: none

The following board members abstained: none

Robert Gladden, R.Ph., 26013555A, Renewal Positive Response:

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

Let the record reflect that Winnie Landis and Mark Bunton explained that they are both employed by CVS and do not have knowledge of this Pharmacist or the incident. Mr. Gladden indicated he was fine with both participating in this matter.

He was employed for Marsh for twenty-five (25) years, when they sold to CVS. After one (1) year with CVS he was terminated. He indicated that he was doing inventory on controlled substances when the pharmacy got busy and he put the safe on day lock so he could come back later and finish the inventory. There were drugs missing.

A DEA106 was not filed. He was then terminated. He indicated he has been a pharmacist for forty-four (44) years, and this was the only time he has been terminated.

After discussion, the Board moved by roll call to APPROVE Mr. Gladden's license renewal.

Smosna/Anderson, 6/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton
The following board members objected: none
The following board members abstained: none

Stephanie McDonald, R.Ph., 26025886A, Renewal Positive Response:

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

Let the record reflect that Winnie Landis and Mark Bunton explained that they are both employed by CVS and do not have knowledge of this Pharmacist or the incident. Ms. McDonald indicated she was fine with both participating in this matter.

In November 2019, Ms. McDonald was terminated from Walgreens. She has signed a non-disclosure agreement with her counsel, Walgreens, and their counsel; therefore, she can't discuss the issue with the Board.

She did indicate it wasn't anything criminal, and that it didn't involve drug diversion or alcohol.

Let the record reflect that Winnie Landis and Mark Bunton explained that they are both employed by CVS and do not have knowledge of this Pharmacist or the incident. Ms. McDonald indicated she was fine with both participating in this matter.

After discussion, the Board moved by roll call to RENEW and REFER THIS MATTER TO THE AG'S OFFICE FOR INVESTIGATION.

Anderson/Smosna, 6/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton

The following board members objected: none
The following board members abstained: none

Glen Palmer, R.Ph., 26026946A, Renewal Positive Response:

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

Mr. Palmer indicated he was terminated for diverting Hydrocodone for his personal use. He stated he hasn't used drugs since February 23, 2020.

He entered treatment at Cornerstone of Recovery in Tennessee where he completed three (3) months of in-patient treatment. He is currently doing ninety (90) meetings in ninety (90) days aftercare requirement and has not had any issues with compliance according to a letter sent from the program director. He has done well with all aspects of the program and signed a five (5) year contract on May 14, 2020.

Tracy Traut, Program Director, Indiana Professionals Recovery Program (IPRP) informed the Board that she has talked with the West Virginia program director and they will enroll him into a contract with IPRP and the WVA program will send reports to IPRP.

He indicated he had a hip replacement in July 2020 without any pain medication.

Currently, there is formal action pending by the West Virginia Board, they have placed his license on one (1) year of suspension in addition to a reprimand. This will result in his license being placed on probation for five (5) years, the length on his contract with WVPRN. Once his suspension time is up he will have to appear before the Board in WVA for a reinstatement hearing.

After discussion, the Board moved by roll call to APPROVE Mr. Palmer's request to WITHDRAW his renewal application.

Landis/Smosna, 6/0/0
Motion carries

The following board members voted aye by roll call:

Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton

The following board members objected: none

The following board members abstained: none

Ricky Chambers, R.Ph., 26027024A, Renewal Positive Response:

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

He indicated the following to the Board. On March 27, 2020, he received an Order of Summary Suspension on his pharmacist license from the North Carolina Board. He was

not practicing in North Carolina and indicated he has only dispensed prescription on occasion in 2019 into the state of North Carolina.

He along with two (2) others own a small group of pharmacies that operate in four (4) states. They had two (2) operating in North Carolina. They had cash flow challenges which impacted their previously consistent flow of inventory. He indicated they did not allow any patient to go without their medication during the inventory challenges; if they couldn't procure the needed medication timely, or at all, they would ensure a smooth transition of the patient to a pharmacy of their choice.

He was then contacted by the North Carolina Board of Pharmacy regarding the issue on March 23, 2020. After a discussion through phone calls and emails, he was given until close of business on March 24, 2020, to come up with funds to correct this issue. He was not able to do this.

On March 26, 2020, during a teleconference with the North Carolina Board, he proposed to the Board to summarily suspend his pharmacist license and the pharmacy permits for both locations he was involved with. The suspension order went into effect on March 27, 2020.

He is currently in the process of appealing the summary suspension in North Carolina.

In the meantime, Virginia Board of Pharmacy, based upon the North Carolina action, suspended his pharmacist license.

Louisiana Board took action based upon the North Carolina and Virginia Board's action and they too suspended his pharmacist license.

After discussion, the Board moved by roll call to APPROVE Mr. Chambers' request to WITHDRAW his license renewal.

Landis/Smosna, 6/0/0
Motion carries

The following board members voted aye by roll call:

Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton

The following board members objected: none

The following board members abstained: none

Jason Singer, R.Ph., 26021221A, Renewal Positive Response:

Mr. Singer appeared telephonically before the Board and was represented by counsel, Todd Ess regarding a positive response on his renewal application.

On February 8, 2020, Mr. Singer while driving home from Bloomington he was arrested and charged with the following:

- Operating a vehicle while intoxicated endangering a person
- Operating a vehicle while intoxicated
- Driving left of the center
- Following too closely

On July 7, 2020 he entered a pretrial agreement whereby he pled guilty to Operating a Vehicle While Intoxicated Endangering a Person. The other three (3) charges were dismissed.

His pretrial agreement consisted of the following:

- \$785.00 in court costs and fees
- Confinement to commence 7/7/2020 for three hundred sixty-five (365) days, with two (2) days credit and three hundred sixty-three (363) days suspended.
- Probation to begin 7/7/2020 and includes victim impact panel and drug screens

After discussion, the Board moved by roll call to APPROVE Mr. Singer's license renewal on AGREED INDEFINITE PROBATION with terms and conditions.

Anderson/Landis, 6/0/0
Motion carries

The following board members voted aye by roll call:

Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton

The following board members objected: none

The following board members abstained: none

Nicholas Stout – Initial Technician App:

Mr. Stout appeared telephonically before the Board and was not represented by counsel, regarding a positive response on his initial application.

Mr. Stout appeared for a second (2nd) time regarding his technician application. He has a level 6 Felony involving alcohol.

He is currently employed with Walgreens.

IC 25-26-19-5 Pharmacy technician license requirements; waiver of age requirement; grandfathering; training program approval

- (a) The board shall issue a pharmacy technician license to an individual who:
 - (4) has not been convicted of:
 - (A) a crime that has a direct bearing upon the individual's ability to practice competently; or
 - (B) a felony involving controlled substances;

Since his felony involved alcohol the above statute (B) does not come into play.

Tracy Traut, Program Director IPRP indicated that he appeared for intake on October 27, 2019 but couldn't afford the cost of the assessment.

He has three (3) OWI's and one case is still open.

After discussion, the Board moved by roll call to TABLE Mr. Stout's application until he can be evaluated by IPRP or the Walgreens Employee Assistance Program.

Landis/Anderson, 6/0/0
Motion carries

The following board members voted aye by roll call:

Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton

The following board members objected: none

The following board members abstained: none

Mary Bennett, Ph.T., 67004004A – Renewal Positive Response:

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

On March 25, 2020 Ms. Bennett was charged with a Criminal Misdemeanor/OWI. She was fined \$200 and was placed on supervised probation for one-hundred seventy-eighty (180) days. During her probation she is subjected to random drug screens.

After discussion, the Board moved by roll call to place Ms. Bennett's license on AGREED INDEFINITE PROBATION until her criminal probation is completed with terms and conditions.

Landis/Anderson, 6/0/0
Motion carries

The following board members voted aye by roll call:

Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton

The following board members objected: none

The following board members abstained: none

Angel Hawkins, Ph.T., 67033786A, Renewal Positive Response:

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

In November 2019 she received an OWI and was placed on one (1) year unsupervised probation. She is required to complete twelve (12) drug and alcohol classes, which she has already completed. She also has to call in for UDI testing. She has had one (1) thus far and it was negative. She is on probation until June 2021.

After discussion, the Board moved by roll call to place Ms. Hawkins' license on AGREED INDEFINITE PROBATION until her criminal probation is completed with terms and conditions.

Smosna/Landis, 6/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton
The following board members objected: none
The following board members abstained: none

Thomas Sample, Ph.T., 67029175A, Renewal Positive Response:

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

Winnie Landis and Mark Bunton both Board Members informed Mr. Sample that they are employed with CVS but don't know Mr. Sample and feel they can be impartial. Mr. Sample stated he did not want them to participate. Both Ms. Landis & Mr. Bunton recused themselves and left the meeting.

Mr. Sample was employed at CVS, where it was found that he had a bottle of alcohol in his locker when a locker check was done for employees.

He went to an IOP at St. Vincent. He has been twenty-eight (28) weeks sober at this time.

At St. Vincent he was diagnosed with alcohol use disorder and is currently breathalyzer testing every morning at St. Vincent's.

He stated that he never went to work with alcohol in his system.

After discussion, the Board moved by roll call to place Mr. Sample's license on INDEFINITE PROBATION with terms and conditions. Smosna/No 2nd Motion fails

After further discussion, Mr. Sample requested to withdraw his renewal application. The Board moved by roll call to APPROVE Mr. Sample's request to WITHDRAW.

Balla/Smosna, 4/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Mark Smosna, Matt Balla, Jason Jablonski
The following board members objected: none
The following board members abstained: none

Rayann Noble, Ph.T., 67032718A, Renewal Positive Response:

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

Winnie Landis and Mark Bunton both Board Members informed Ms. Noble that they are employed with CVS but don't know Ms. Noble and feel they can be impartial. Ms. Noble stated she was alright with both participating.

Ms. Noble is on court probation until November 2020 due to receiving an OWI.

Her BAC was .15

After discussion, the Board moved by roll call to place Ms. Noble's license on AGREED INDEFINITE PROBATION until her criminal probation is completed with terms and conditions.

Anderson/Smosna, 6/0/0
Motion carries

The following board members voted aye by roll call:

Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton

The following board members objected: none

The following board members abstained: none

Dalisa Leavelle-Tubbs, Ph.T., 67029976A, Renewal Positive Response:

Ms. Leavelle-Tubbs did not appear telephonically before the Board and was not represented by counsel, regarding a positive response on her renewal application.

Ms. Leavelle-Tubbs has not replied to the request for documentation regarding her positive response nor did she appear at the Board's request. This is the last meeting the Board has to act upon technician license renewals.

After discussion, the Board moved by roll call to RENEW and REFER to the AG'S OFFICE, Smosna/Landis, motion withdrawn.

After further discussion, the Board moved by roll call to DENY Ms. Leavelle-Tubbs's technician renewal application.

Smosna/Anderson, 6/0/0
Motion carries

The following board members voted aye by roll call:

Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton

The following board members objected: none

The following board members abstained: none

MacKenzie Guthrie, Ph.T., 67029142A, Renewal Positive Response:

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

Ms. Guthrie receive an OWI in December 2018. She was on court probation for one (1) year, which she completed in January 2020.

Her BAC was .15

After further discussion, the Board moved by roll call to APPROVE Ms. Guthrie's technician renewal application.

Smosna/Anderson, 6/0/0
Motion carries

The following board members voted aye by roll call:

Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton

The following board members objected: none

The following board members abstained: none

Deanna Broyer, Ph.T., 6702441A, Renewal Positive Response:

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

Ms. Broyer informed the Board that she inadvertently answered the question "yes" and it should be "no" as she has never been arrested.

After discussion, the Board moved by roll call to APPROVE Ms. Broyer's license renewal.

CONSENSUS
Motion carries

The following board members voted aye by roll call:

Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton

The following board members objected: none

The following board members abstained: none

Donna Weaver, Ph.T., 67003685A, Renewal Positive Response:

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

Winnie Landis and Mark Bunton both Board Members informed Ms. Weaver that they are employed with CVS but don't know Ms. Weaver and feel they can be impartial. Ms. Weaver stated she was alright with both participating.

Ms. Weaver informed the Board that due to some injuries she had she started drinking too much and considered herself an alcoholic. In 2019 she sought treatment and went to Rehab in Michigan and completed a five (5) week IOP.

She was terminated from CVS after being accused of drinking on the job.

She has completed thirty-two (32) days of a program at St. Vincent in Kokomo. She goes three (3) times a week to AA meetings and belongs to a Church group meeting.

At this time, she stated she is not sure if she will seek employment as a technician.

After further discussion, Ms. Weaver requested to withdraw her renewal application. The Board moved by roll call to APPROVE Ms. Weaver's request to WITHDRAW.

Anderson/Landis, 6/0/0
Motion carries

The following board members voted aye by roll call:

Steve Anderson, Mark Smosna, Matt Balla, Jason Jablonski, Winnie Landis, Mark Bunton

The following board members objected: none

The following board members abstained: none

Nyla Samuel, Ph.T., 67008572A, Renewal Positive Response:

Ms. Samuel did not appear telephonically before the Board and was not represented by counsel, regarding a positive response on her renewal application.

Ms. Samuel has not replied to the request for documentation regarding her positive response nor did she appear at the Board's request. This is the last meeting the Board has to act upon technician license renewals.

After discussion, the Board moved by roll call to DENY Ms. Samuel's technician renewal application.

Anderson/Landis, 6/0/0
Motion carries

The following board members voted aye by roll call:

Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton

The following board members objected: none

The following board members abstained: none

Julian Smith, Ph.T., 67034309A, Renewal Positive Response:

Mr. Smith did not appear telephonically before the Board and was not represented by counsel, regarding a positive response on his renewal application.

Ms. Smith has not replied to the request for documentation regarding his positive response nor did he appear at the Board's request. This is the last meeting the Board has, to act upon technician license renewals.

After discussion, the Board moved by roll call to DENY Mr. Smith's technician renewal application.

Anderson/Landis, 6/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton
The following board members objected: none
The following board members abstained: none

Emily Steffey, Ph.T., 67031490A, Renewal Positive Response:

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

Ms. Steffey informed the Board that she answered the question incorrectly on her renewal application. She stated the answer should be no.

After discussion, the Board moved by roll call to APPROVE Ms. Steffey's renewal application.

Anderson/Landis, 6/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton
The following board members objected: none
The following board members abstained: none

Shirley Weber, Ph.T., 67033731A, Renewal Positive Response:

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

In 2005 she received a OWI involving alcohol. In 2020, she received a second DUI and this case is still pending at this time. Due to Covid-19 she wasn't sure when this would be concluded.

After discussion, the Board moved by roll call to APPROVE Ms. Weber's license on INDEFINITE PROBATION with terms and conditions. Landis/no second, motion fails.

After further discussion the Board moved to RENEW and to REFER THIS MATTER TO THE ATTORNEY GENERAL'S OFFICE for investigation.

Anderson/Smosna, 6/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton
The following board members objected: none
The following board members abstained: none

Lyndsey Roberts, Ph.T., 67032862A, Renewal Positive Response:

Ms. Roberts did not appear telephonically before the Board and was not represented by counsel, regarding a positive response on her renewal application.

Ms. Roberts has not replied to the request for documentation regarding her positive response nor did she appear at the Board's request. This is the last meeting the Board has, to act upon technician license renewals.

After discussion, the Board moved to DENY Ms. Roberts renewal application.

Landis/Bunton, 6/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton
The following board members objected: none
The following board members abstained: none

Doreen Ramirez, Ph.T., 67027868A, Renewal Positive Response:

Ms. Ramirez did not appear telephonically before the Board and was not represented by counsel, regarding a positive response on her renewal application.

Ms. Ramirez has not replied to the request for documentation regarding her positive response nor did she appear at the Board's request. This is the last meeting the Board has, to act upon technician license renewals.

After discussion, the Board moved to DENY Ms. Ramirez's renewal application.

Landis/Bunton, 6/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton
The following board members objected: none
The following board members abstained: none

Leslie Chu, Ph.T., 67034261A, Renewal Positive Response:

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

On May 31, 2020, Mr. Chu was arrested in Kentucky at a protest. He indicated it was an organized protest, but he arrived early. When he arrived, the Police were trying to clear people out until the scheduled start time. He indicated he was arrested for resisting arrest.

He started pharmacy school in August 2020.

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

Landis/Anderson, 6/0/0
Motion carries

The following board members voted aye by roll call:

Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton

The following board members objected: none

The following board members abstained: none

Brandon Joyner, Ph.T., 67031030A, Renewal Positive Response:

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

Mr. Joyner indicated he was terminated for not following his employer's attendance policy when he had to quarantine for Covid-19.

After discussion, the Board moved to APPROVE Mr. Joyner's license renewal.

Anderson/Balla, 6/0/0
Motion carries

The following board members voted aye by roll call:

Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton

The following board members objected: none

The following board members abstained: none

Vanity Branson, Ph.T., 67030615A, Renewal Positive Response:

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

Let the record reflect that Winnie Landis and Mark Bunton explained that they are both employed by CVS and do not have knowledge of this Technician or the incident. Ms. Branson indicated she was fine with both participating in this matter.

Ms. Branson was charged with 35-44.1-2-5(a)(2)/F5 Assisting a Criminal the criminal assisted committed murder or an A,1, or 2

She indicated they were at a gas station and a gun was fired, but no one was hurt, nor did anyone die.

Her trial is scheduled for March 9, 2021.

After further discussion the Board moved to RENEW and to REFER THIS MATTER TO THE ATTORNEY GENERAL'S OFFICE for investigation.

Anderson/Landis, 6/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton
The following board members objected: none
The following board members abstained: none

Casey Jackson, Ph.T., 67025313A, Renewal Positive Response:

Ms. Jackson did not appear telephonically before the Board and was not represented by counsel, regarding a positive response on her renewal application.

Ms. Jackson has not replied to the request for documentation regarding her positive response nor did she appear at the Board's request. This is the last meeting the Board has, to act upon technician license renewals.

After discussion, the Board moved to DENY Ms. Jackson's renewal application.

Landis/Bunton, 6/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton
The following board members objected: none
The following board members abstained: none

David Grider, Ph.T., 67025260A, Renewal Positive Response:

Mr. Grider did not appear telephonically before the Board and was not represented by counsel, regarding a positive response on his renewal application.

Mr. Grider has not replied to the request for documentation regarding his positive response nor did he appear at the Board's request. This is the last meeting the Board has, to act upon technician license renewals.

After discussion, the Board moved to DENY Mr. Grider's renewal application.

Landis/Bunton, 6/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton
The following board members objected: none
The following board members abstained: none

Kennitha Morris, Ph.T., 67024682A, Renewal Positive Response:

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

Ms. Morris indicated that she was charged with a misdemeanor charge of Domestic Battery and was on two (2) years' probation which ended September 27, 2019.

After discussion, the Board moved to APPROVE Ms. Morris' renewal application.

Smosna/Anderson, 6/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton
The following board members objected: none
The following board members abstained: none

Peter Sierra, Ph.T., 67031158A, Renewal Positive Response:

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

Let the record reflect that Winnie Landis and Mark Bunton explained that they are both employed by CVS and do not have knowledge of this Technician or the incident. Ms. Branson indicated she was fine with both participating in this matter.

Mr. Sierra indicated that due to a sexual assault, he attempted suicide for a third time. In 2019 he entered rehab for alcohol. On April 3, 2019, he completed the program. He continues to do follow-up care.

He sees his counselor and Psychiatrist monthly for depression. He is currently not being monitored for alcohol. He last used alcohol February 27, 2019.

He has not worked as a technician since November 2017.

After discussion, the Board moved to APPROVE Mr. Sierra's license renewal.

Landis/Smosna, 6/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton
The following board members objected: none
The following board members abstained: none

Rajestaney Small, Ph.T., 67032300A, Renewal Positive Response:

Ms. Small did not appear telephonically before the Board and was not represented by counsel, regarding a positive response on her renewal application.

Ms. Small has not replied to the request for documentation regarding his positive response nor did she appear at the Board's request. This is the last meeting the Board has to act upon technician license renewals.

After discussion, the Board moved to DENY Ms. Small's renewal application.

Landis/Bunton, 6/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton
The following board members objected: none
The following board members abstained: none

ADMINISTRATIVE HEARINGS

The following hearing(s) were continued:

CVS Pharmacy #6463, License No. 60004756A, Cause No. 2020 IBP 0011
Josiah K. Pheuisompou C.Ph.T., License No. 67027662A, Cause No. 2020 IBP 0028

Barbara Lyn Carson, Ph.T., License No. 67031345A, Cause No. 2020 IBP 023

Respondent did not appear telephonically and was not represented by counsel regarding a Summary Suspension Extension 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, Margie Addington with Accurate Reporting Services also appeared telephonically.

Circumstances in this matter have not changed since she was placed on summary suspension.

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.

Anderson/Smosna, 6/0/0
Motion carries

The following board members voted aye by roll call:

Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton

The following board members objected: none

The following board members abstained: none

Dijon Coleman, Ph.T., License No. 67031695A, Cause No. 2019 IBP 0039

Respondent did not appear telephonically and was not represented by counsel regarding a Summary Suspension Extension scheduled before the Board. The State of Indiana was represented by Erika Steuerwald, Deputy Attorney General and the court reporter sworn in for this matter, Margie Addington with Accurate Reporting Services also appeared telephonically.

Circumstances in this matter have not changed since she was placed on summary suspension.

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.

Anderson/Landis, 6/0/0
Motion carries

The following board members voted aye by roll call:

Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton

The following board members objected: none

The following board members abstained: none

John W. Cox, R.Ph., License No. 26016022A, Cause No. 2020 IBP 0003

Respondent did not appear telephonically and was not represented by counsel regarding a Summary Suspension Extension scheduled before the Board. The State of Indiana was represented by Erika Steuerwald, Deputy Attorney General and the court reporter sworn in for this matter, Margie Addington with Accurate Reporting Services also appeared telephonically.

Circumstances in this matter have not changed since she was placed on summary suspension.

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.

Landis/Smosna, 6/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton
The following board members objected: none
The following board members abstained: none

Sarah Gourley, Ph.T., License No. 67029782A, Cause No. 2019 IBP 0079

Respondent did not appear telephonically and was not represented by counsel regarding a Summary Suspension Extension scheduled before the Board. The State of Indiana was represented by Nick Hart, Deputy Attorney General and the court reporter sworn in for this matter, Margie Addington with Accurate Reporting Services also appeared telephonically.

Circumstances in this matter have not changed since she was placed on summary suspension.

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/Anderson, 6/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton
The following board members objected: none
The following board members abstained: none

Emili D. Hefler, Ph.T., License No. 67027455A, Cause No. 2020 IBP 0001

Respondent did not appear telephonically and was not represented by counsel regarding a Summary Suspension Extension scheduled before the Board. The State of Indiana was represented by April Keaton, Deputy Attorney General and the court reporter sworn in for this matter, Margie Addington with Accurate Reporting Services also appeared telephonically.

Circumstances in this matter has not changed since she was placed on summary suspension.

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.

Anderson/Landis, 6/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton
The following board members objected: none
The following board members abstained: none

Shirley Lindsey, Ph.T., License No. 67032904A, Cause No. 2019 IBP 0029

Respondent did not appear telephonically and was not represented by counsel regarding a Summary Suspension Extension scheduled before the Board. The State of Indiana was represented by Nick Hart, Deputy Attorney General and the court reporter sworn in for this matter, Margie Addington with Accurate Reporting Services also appeared telephonically.

Circumstances in this matter have not changed since she was placed on summary suspension.

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/Anderson, 6/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton
The following board members objected: none
The following board members abstained: none

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

Respondent did not appear telephonically and was not represented by counsel regarding a Summary Suspension Extension scheduled before the Board. The State of Indiana was represented by Natalie Stidd, Deputy Attorney General and the court reporter sworn in for this matter, Margie Addington with Accurate Reporting Services also appeared telephonically.

Circumstances in this matter have not changed since she was placed on summary suspension.

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.

Anderson/Balla, 6/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton
The following board members objected: none
The following board members abstained: none

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

Respondent did not appear telephonically and was not represented by counsel regarding a Summary Suspension Extension scheduled before the Board. The State of Indiana was represented by Natalie Stidd, Deputy Attorney General and the court reporter sworn in for this matter, Margie Addington with Accurate Reporting Services also appeared telephonically.

Circumstances in this matter have not changed since she was placed on summary suspension.

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.

Landis/Anderson, 6/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton
The following board members objected: none
The following board members abstained: none

Terri K. Robbins, Ph.T., License No. 67026641A, Cause No. 2019 IBP 0078

Respondent did not appear telephonically and was not represented by counsel regarding a Summary Suspension Extension 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, Margie Addington with Accurate Reporting Services also appeared telephonically.

Circumstances in this matter has not changed since she was placed on summary suspension.

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/Landis, 6/0/0

Motion carries

The following board members voted aye by roll call:

Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton

The following board members objected: none

The following board members abstained: none

Christopher Wagner, Ph.T., 67009920A, Cause No. 2020 IBP 0002

Respondent did not appear telephonically and was not represented by counsel regarding a Summary Suspension Extension 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, Margie Addington with Accurate Reporting Services also appeared telephonically.

Circumstances in this matter has not changed since she was placed on summary suspension.

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.

Anderson/Landis, 6/0/0
Motion carries

The following board members voted aye by roll call:

Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton

The following board members objected: none

The following board members abstained: none

Heather Williams, Ph.T., License No. 67031532A, Cause No. 2019 IBP 0038

Respondent did not appear telephonically and was not represented by counsel regarding a Summary Suspension Extension scheduled before the Board. The State of Indiana was represented by Erika Steuerwald, Deputy Attorney General and the court reporter sworn in for this matter, Margie Addington with Accurate Reporting Services also appeared telephonically.

Circumstances in this matter has not changed since she was placed on summary suspension.

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.

Anderson/Bunton, 6/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton
The following board members objected: none
The following board members abstained: none

William Neumann, D.V.M., License No. 24005860B, Cause No. 2019 IBP 0084

Respondent appeared telephonically and was not represented by counsel regarding a Petition to Withdraw Probation 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, Margie Addington with Accurate Reporting Services also appeared telephonically.

Bret Busby, Compliance Officer with Professional Licensing Agency was sworn in as a witness.

Mr. Busby testified that he made a surprise inspection on March 16, 2020 and Dr. Neumann passed with flying colors.

Dr. Neumann's controlled substance registration was placed on Indefinite Probation in back in 2019. The employee that diverted the medication is no longer employed with Dr. Neumann.

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/Anderson, 6/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton
The following board members objected: none
The following board members abstained: none

Ryan Griffin, R.Ph., License No. 26028923A, Cause No. 2019 IBP 0065

Respondent appeared telephonically and was not represented by counsel regarding a Petition to Modify Probation scheduled before the Board. The State of Indiana was represented by Patricia Gibson, Deputy Attorney General and the court reporter sworn in for this matter, Margie Addington with Accurate Reporting Services also appeared telephonically.

Tracy Trout, LCAC, IPRP Program Director and Tye Dominguez, LCAC, IPRP Case Manager were both sworn in as witnesses.

Mr. Griffin requested to have his probation modified so he could take the anxiety medication his primary care physician has prescribed for him. If he takes them, he will be non-compliant with his IPRP contract.

Ms. Trout indicated that Mr. Griffin signed his contract with PRN back in February 2018 and converted to IPRP on March 14, 2019. He has been completely compliant and done extremely well.

He is requesting to take Klonopin .05 mg, but his contract indicates IPRP is an abstinence-based program.

Ms. Trout indicated that his last UDS was abnormal and has been sent for review. He has a hair analysis scheduled for tomorrow.

His sobriety date is July 11, 2016 and he currently works at Lilly.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter, the Board moved to DENY his request for modification.

Anderson/Landis, 6/0/0
Motion carries

The following board members voted aye by roll call:

Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton

The following board members objected: none

The following board members abstained: none

Salem Apothecary Inc., License No. 60003161A, Cause No. 2019 IBP 0028

Respondent appeared telephonically and was represented by counsel, Stephanie Eckerly regarding an Order to Show Cause 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, Margie Addington with Accurate Reporting Services also appeared telephonically.

Rebecca Marshall, R.Ph., was sworn in as a witness for the respondent.

Melissa Gresham, Compliance Officer, Kim Russell, Compliance Officer and Ron Hinderliter, Compliance Officer were all sworn in as witnesses for the State.

Let the record reflect that Steve Anderson recused himself from this matter and left the meeting.

On August 25, 2020, an inspection was completed by Melissa Gresham, Kim Russell and Ron Hinderliter. The inspection was "failed" and there were expired medications on the shelves.

Ms. Marshall indicated this was a non-active shelf and didn't know it could be inspected. She now has a plan in place, so this won't happen again. Bill Dustin, Technician check all the drugs for expired medication or medications that are about to expire and removed them.

They do approximately twenty-five (25) prescriptions a day. Before their license was suspended, they were doing approximately fifty (50) per day.

Melissa Gresham testified to the photos that were presented to the Board as evidence. They found approximately twenty (20) medications in the pharmacy area that were expired.

She stated that they are doing inspections every six (6) months and that they passed both inspection in 2019.

Ron Hinderliter testified that the three violations listed in the inspection are accurate violations as he witnessed the medications pulled from random shelves.

Kim Russell testified that she too pulled some of the expired medications off the shelves in the pharmacy. Ostomy supplies that expired in 2015 were still on the shelves.

They have had two (2) corrective actions plans with three (3) inspection failures total.

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 Salem Apothecary's license on INDEFINITE SUSPENSION for a period of thirty (30) days.

Landis/Balla, 5/0/0
Motion carries

The following board members voted aye by roll call:
Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton

The following board members objected: none

The following board members abstained: none

Julie Eloise Self, R.Ph., License No. 26017907A, Cause No. 2015 IBP 0063

Respondent did not appear telephonically and was not represented by counsel regarding an Order to Show Cause scheduled before the Board. The State of Indiana was represented by Patricia Gibson, Deputy Attorney General and the court reporter sworn in for this matter, Margie Addington with Accurate Reporting Services also appeared telephonically.

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

Smosna/Landis, 6/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton
The following board members objected: none
The following board members abstained: none

Michael Love, M.D., License No. 01048505B, Cause No. 2017 IBP 0086

Respondent appeared telephonically and was represented by counsel, Richard Kiefer regarding an Administrative Hearing scheduled before the Board. The State of Indiana was represented by Ericka Steuerwald, Deputy Attorney General and the court reporter sworn in for this matter, Margie Addington with Accurate Reporting Services also appeared telephonically.

A proposed settlement agreement between the Attorney General's Office, Respondent and his counsel was presented to the Board.

The proposed settlement agreement included INDEFINITE PROBATION with terms and conditions.

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

Smosna/Landis, 6/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton
The following board members objected: none
The following board members abstained: none

Matthew Cline, R.Ph., License No. 26023704A, Cause No. 2020 IBP 0012

Respondent appeared telephonically and was not represented by counsel regarding an Administrative Hearing/License Renewal scheduled before the Board. The State of Indiana was not represented, and the court reporter sworn in for this matter, Margie Addington with Accurate Reporting Services also appeared telephonically.

The Administrative Hearing was continued.

Let the record reflect that Winnie Landis and Mark Bunton explained that they are both employed by CVS and do not have knowledge of this Pharmacist or the incident. Mr. Cline indicated he was fine with both participating in this matter.

After reviewing the renewal information and taking official, judicial notice of the pleadings, evidence and orders in this matter, the Board moved to RENEW and REFER TO THE ATTORNEY GENERAL'S OFFICE.

Balla/Anderson, 5/0/1, with Mr. Bunton abstaining
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski

The following board members objected: none

The following board members abstained: Mark Bunton

Christine Meyer, R.Ph., License No. 26015309A, Cause No. 2020 IBP 0012

Respondent appeared telephonically and was not represented by counsel regarding an Administrative Hearing/License Renewal scheduled before the Board. The State of Indiana was not represented, and the court reporter sworn in for this matter, Margie Addington with Accurate Reporting Services also appeared telephonically.

The Administrative Hearing has been continued.

Let the record reflect that Winnie Landis and Mark Bunton explained that they are both employed by CVS and do not have knowledge of this Pharmacist or the incident. Ms. Meyer indicated he was fine with both participating in this matter.

After reviewing the renewal information and taking official, judicial notice of the pleadings, evidence and orders in this matter, the Board moved to RENEW and REFER TO THE ATTORNEY GENERAL'S OFFICE.

Balla/Anderson, 6/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton

The following board members objected: none

The following board members abstained: none

Richard Pearson, R.Ph., License No. 26014579A, Cause No. 2020 IBP 0014

Respondent appeared telephonically and was not represented by counsel regarding an Administrative Hearing/License Renewal scheduled before the Board. The State of Indiana was not represented, and the court reporter sworn in for this matter, Margie Addington with Accurate Reporting Services also appeared telephonically.

The Administrative Hearing has been continued.

Let the record reflect that Winnie Landis and Mark Bunton explained that they are both employed by CVS and do not have knowledge of this Pharmacist or the incident. Mr. Pearson indicated he was fine with both participating in this matter.

After reviewing the renewal information and taking official, judicial notice of the pleadings, evidence and orders in this matter, the Board moved to RENEW and REFER TO THE ATTORNEY GENERAL'S OFFICE.

Smosna/Anderson, 6/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton
The following board members objected: none
The following board members abstained: none

Jodi Lynn Banis, Ph.T., License No. 67031943A, Cause No. 2020 IBP 0024

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 Nick Hart, and the court reporter sworn in for this matter, Margie Addington with Accurate Reporting Services also appeared telephonically.

A proposed settlement agreement between the Respondent and the Attorney General's Office was presented to the Board. The proposed settlement agreement included REVOCATION of Ms. Banis' 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 APPROVE the Settlement Agreement.

Landis/Burton, 6/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton
The following board members objected: none
The following board members abstained: none

Intrathecal Compounding Specialists, License No. 64000848A, Cause No. 2020 IBP 0019

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 Ryan Eldridge, and the court reporter sworn in for this matter, Margie Addington with Accurate Reporting Services also appeared telephonically.

A proposed settlement agreement between the Respondent and the Attorney General's Office was presented to the Board. The proposed settlement agreement included a LETTER OF REPRIMAND and a \$500 FINE.

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 Settlement Agreement.

Landis/Smosna, 6/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton
The following board members objected: none
The following board members abstained: none

DISCUSSION

Rules Readoption 2020:

Participating Members Mark Smosna, R.Ph., Jason Jablonski, R.Ph., Winnie Landis, R.Ph., Steve Anderson, R.Ph., Matt Balla, R.Ph., Mark Bunton, R.Ph.

Rules for Re-adoption:

856 IAC 1-2-1; 856 IAC 1-4 856; IAC 1-15-1; 856 IAC 1-20-1; 856 IAC 1-21-1; 856 IAC 1-23-1; 856 IAC 1-26-1; 856 IAC 1-28.1; 856 IAC 4-1 856; IAC 1-2-1;
Display of certificate Authority IC 25-26-13-4 Affected: IC 25-26-13-4; IC 25-26-13-11

After discussion, the Board moved to readopt all the above rules.

Landis/Balla, 6/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski, Mark Bunton
The following board members objected: none
The following board members abstained: none

Rules Committees and Upcoming Dates:

Participating Members Mark Smosna, R.Ph., Jason Jablonski, R.Ph., Winnie Landis, R.Ph., Steve Anderson, R.Ph., Matt Balla, R.Ph., Mark Bunton, R.Ph.

The next meeting for the e-prescribing committee is October 30th and the tech immunization committee will meet on November 5th.

Emergency Drug Scheduling of Synthetic Drugs:

Participating Members Mark Smosna, R.Ph., Jason Jablonski, R.Ph., Winnie Landis, R.Ph., Steve Anderson, R.Ph., Matt Balla, R.Ph., Mark Bunton, R.Ph.

The Board considered an emergency rule that temporarily amends 856 IAC 2-2-2 to add synthetic drug compounds to Schedule I.

According to the State Police, the drugs that were originally approved by the Board need to be separated by the correct chemicals.

The Board moved to REPEAL the original adoption and to ADOPT the emergency Rule adding the following to the Synthetic Drugs list:

- (1) MDMB-4en-PINACA.
- (2) 4F-MDMB-BICA; 4-fluoro MDMB-BICA, 4F-MDMB-BUTICA; Methyl 2-[[1(4-fluorobutyl)indole-3-carbonyl]amino]-3,3- dimethyl-butanoate.
- (3) Isotonitazene. Synonyms: N,N-diethyl-2-(2-(4 isopropoxybenzyl)-5-nitro-1 H-benzimidazol-1-yl)ethan-1-amine.

Balla/Anderson, 6/0/0
Motion carries

The following board members voted aye:
Mark Bunton, Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski
The following board members voted nay: none
The following board members abstained: none

Omnicell Machine – No Controlled Substances:

A facility that currently has a remote location license will no longer have controlled substances in the Omnicell machine and they were inquiring as to whether they still needed to keep the license.

After discussion, the Board indicated that they do still need to keep the remote location license active.

CONSENSUS
Motion carries

The following board members voted aye:
Mark Bunton, Steve Anderson, Winnie Landis, Mark Smosna, Matt Balla, Jason Jablonski
The following board members voted nay: none
The following board members abstained: none

There being no further business the Board adjourned at 9:06 p.m.



Matt Balla, R.Ph., President



Steve Anderson, R.Ph., Vice President

