

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

MINUTES OF NOVEMBER 4, 2019

Mark Smosna, R.Ph., President, 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 of the board at least forty-eight (48) hours before the time of the meeting.

Members Present: Mark Smosna, R.Ph., President (left 6p.m.)
Donna Wall, R.Ph., Member
Steven Anderson, R.Ph., Member
Del Fanning, R.Ph., Member
Winnie Landis, R.Ph., Member
Matt Balla, R.Ph., Vice President

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

The Board voted to adopt the agenda as amended.

Wall/Fanning, 6/0/0
Motion carries

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

The Board voted to approve the October 7, 2019 minutes as written.

Fanning/Anderson, 4/0/2, with Matt Balla & Winnie Landis abstaining
Motion carries

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

FULL BOARD APPEARANCES

Veronica Vernon, IPA – Legislative update:

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

Ms. Vernon reported that IPA is working on the following legislation for 2020.

- Expended prescriptive authority – they are looking at Idaho's language; there haven't been any complaints in states that are doing this
- Technician administered immunizations – also looking at lowering the age limit
- PBM's
- Out of State NP's and PA's – clean up language
- Electronic transmission of transfer of prescriptions
- Employee get help with Employer for issues such as drugs, alcohol etc.

The Board thanked Ms. Vernon for her report.

Amanda Ka, PharmD, OptumRx Clinical Account Manager – Inspect Data Request:

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

The Office of Medicaid Policy and Planning (OMPP) is requesting a report from INSPECT for review by the Mental Health Quality Advisory Committee. It has come to their attention that there is a perceived problem with Medicaid beneficiaries using other forms of payment to receive agents to circumvent established prior authorization criteria. This is especially of concern in the area of work surrounding opioids in combination with benzodiazepines and carisoprodol-containing products. These agents, when used together, have the potential to have serious consequences for our members, and the Department of Mental Health and Aging has discovered an increase in overdose deaths involving patients on concomitant therapy. Reviewing an INSPECT report would give OMPP a tool to determine if there are potential pharmacies and prescribers of concern if educational initiatives would be beneficial. The report should only contain beneficiaries that received an opioid, benzodiazepine, or carisoprodol concomitantly.

They are requesting the following de-identified information:

- Dispensing Date – information pulled from January 1, 2018 to August 31, 2019

- Prescriber information – Specialty, NPI, Zip code
- Pharmacy information – NPI, Zip code
- Drug name; strength; quantity
- Days supplied
- Patient age, gender, county
- Payment type

After discussion, the Board moved to approve only the above listed de-identified information.

Wall/Landis, 6/0/0
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

Anna McGowen, PGY-1 Pharmacy Resident & Cara Acklin, PharmD, Preceptor – Franciscan Health Indianapolis – INSPECT data request:

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

Ms. McGowen informed the Board that their objective is to determine the rates and association between initial opioid prescriptions in opioid-naïve patients and the likelihood of long-term use at one year post-discharge.

An Epic report will initially be run for August 2018 to exclude patients who received an opioid prescription within 30 days of admission within the Franciscan network. From the report, the patients' eligibility will be assessed by collecting data from INSPECT to determine if the patient is opioid naïve and if they meet inclusion criteria. Patients' INSPECT reports will be evaluated for opioid prescriptions written and dispensed within one year of discharge from Franciscan Health Indianapolis.

They are requesting the following on the INSPECT report:

- Opioid prescribed; strength
- Date written; filled
- Days' supply of initial prescription received at discharge
- Daily MME of initial prescription
- Total MME of initial opioid prescription
- Whether started on short-or-long-acting opioid
- Total days' supply written on initial prescription
- Number of total opioid prescriptions written initially
- Total MME written initially
- Total days' supply, number of prescriptions written, and total MME 30, 90, 180 and

365 days post-discharge

After discussion the Board moved to APPROVE their request.

Wall/Anderson, 6/0/0
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

Muncie Treatment Center d/b/a Muncie Comprehensive Treatment Center, Luke Mohr, Regional Director – CSR Application:

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

Mr. Mohr and Tony Toomer, DMHA both appear regarding this matter.

Mr. Mohr informed the Board that this is an opioid treatment program center. In 2016 they were approved to open five (5) centers and was approved to open nine (9) more in 2019.

After discussion, the Board moved to APPROVE the CSR application.

Anderson/Landis, 6/0/0
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

James Evans, Operations Director, Clean Slate, Addiction Clinic – discussion on prescription issues:

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

Jim Meachan, Medical Director with the Indianapolis Clean Slate; Dr. Claudia Jimenez, Regional Medical Director and Dr. Richard Hahn all appeared on behalf of this matter.

They are an out-patient addiction clinic for patients with opioid disorders and have twenty-one (21) clinics throughout Indiana. Their patients are having trouble getting prescriptions filled and they are lifesaving medications.

Dr. Hahn stated that a few isolated Pharmacists have made comment to patients that they

are not welcome in their store. They contacted the corporate offices of some of the pharmacies and very few were of assistance.

The Board suggested they might contact the Indiana Pharmacists Association for assistance and/or file a complaint with the Attorney General's Office.

Tina Goodman, CEO – Weno Exchange, LLC & Sydney Pauley, Assistant – e-prescribing intermediary:

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

Weno has been providing e-prescribing technology since 2011.

In 2006 they started secure messages and spun off to a standalone intermediary. They are in all states but Indiana.

They do keep the prescriptions per HIPPA requirement but do not use the prescriptions for anything else.

After discussion, the Board approved their stand-alone web based system as an EDI.

Wall/Balla, 6/0/0
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

Andrew Farmer, Intern Permit – Discuss withdrawing probation:

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

Because Mr. Farmer has been scheduled several times to withdraw his probation, he appeared today to go over the process to withdraw his probation. Mr. Covington explained the process to him.

Mr. Farmer indicated that he understood what he needs to do to come off of probation.

The Board thanked him for coming today.

Pharmcore, Inc d/b/a Hallandale Pharmacy – Non Resident App – Positive Response/Compounding:

Participating Members: Donna Wall, R.Ph., Mark Smosna, R.Ph., Steve Anderson, R.Ph.,

Del Fanning, R.Ph., Matt Balla, R.Ph., Winnie Landis, R.Ph.

David Rabbani, R.Ph., Owner appeared on behalf of this matter.

He indicated they have moved to a new location in Florida and are licensed in forty-three (43) states.

January 2019 their license in Arkansas was denied due to their VPP inspection issues. They have to reapply with a new VPP inspection. Kansas also denied their application, but they appealed and the decision was reversed.

All fines in Oklahoma have been paid. At this time no license is on probation.

Nevada had concerns regarding their compounding; they had a phone conference and are now waiting on Nevada to put together a settlement for review.

In 2018 they did not pass the VPP inspection.

After discussion, the Board TABLED their application until they obtain a new VPP inspection.

Anderson/Balla, 6/0/0
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

Jackson County Schneck Memorial Hospital d/b/a Lutheran Community Home – Remote location application

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

Megan O'Dell with Williams Brothers, the supervising pharmacy, appeared regarding this matter.

She informed the Board they will be using a Cubex machine only for emergency drug kit use.

It will be in the secure med room with only nurses having access. They have been monitoring the temperature in the room to make sure it meets standards.

After discussion, the Board moved to APPROVE the Remote location application.

Anderson/Wall, 6/0/0

Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

Patterson Dental Supply, Inc – WDD App – Requesting Provisional App:

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

Hunter DeKoninck, J.D appeared on behalf of this matter. He indicated they are a virtual wholesaler. They have been through the VAWD process previously and have applied for VAWD for their new location.

After discussion, the Board moved to APPROVE a Provisional License for Patterson Dental Supply, Inc.

Anderson/Fanning, 6/0/0

Motion carries

The following board members voted aye:

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

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., Steve Anderson, R.Ph., Winnie Landis, R.Ph., Matt Balla, R.Ph.

The following made their probationary appearance:

Lucas Sweet

Troy Martin

Jennifer Coy – She did not appear. Since she didn't appear and had a positive drug screen for alcohol last month, the Board moved to issue an ORDER TO SHOW CAUSE.

Anderson/Wall, 5/0/0

Motion carries

The following board members voted aye:

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

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

The Board thanked Ms. Nunnally for her report.

PERSONAL APPEARANCES

The following did not appear for their scheduled personal appearance:

- **Skyler Sutbbelfield, NAPLEX Repeat Exam App – continued**

Landon Poulson – NAPLEX Repeat Exam Application:

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

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

Fanning/Wall, 6/0/0
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

Heidi Rohe – MPJE Repeat Exam Application:

Ms. Rohe appeared before the Board and discussed her studying habits.

After discussion, the Board moved to APPROVE Ms. Rohe's MPJE repeat exam application.

Landis/Balla, 6/0/0
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

Yi Kim – MPJE Repeat Exam Application:

Ms. Kim appeared before the Board and discussed her studying habits.

After discussion, the Board moved to APPROVE Ms. Kim's MPJE repeat exam application.

Landis/Fanning, 6/0/0
Motion carries

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

Kaitlyn Prater – Tech in Training Application:

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

Ms. Prater indicated she was charged with Battery and began a one (1) year diversion program in September 2019. She must complete an anger management class and stay out of trouble for one (1) year.

She will be working at Pill Box Pharmacy, the main pharmacy in Warsaw.

After discussion, the Board moved to APPROVE her tech in training application on INDEFINITE PROBATION with terms and conditions.

Wall/Landis, 6/0/0
Motion carries

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

Tamara Cookson – Tech in Training App:

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

Ms. Cookson served seven (7) years of a twenty (20) year sentence for Battery/Neglect, a Class B Felony to which she pled guilty in a plea agreement. She was released early for good behavior and the fact that she completed the following: High School; Associates Degree and Bachelor's Degree.

In the agreement if she pled guilty to the Battery/Neglect charges and they would drop the murder charges.

She stated to the Board that she did not kill her son. She did not regain custody of her other three (3) boys when she was released from prison

The Board's advisor did remind them that Battery is a dis-qualifying crime.

She is currently working at Wal-Mart.

After discussion, the Board moved to TABLE Ms. Cookson's application for her to obtain a Psychological evaluation/Fitness for duty evaluation.

Anderson/Wall, 6/0/0
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

Arianna Couloute-Thompson – Tech in Training App:

Ms. Couloute-Thompson appeared before the Board regarding her technician in training application and was not represented by counsel.

She previously appeared before the Board and they tabled her application for her to obtain an addictionology evaluation through IPRP.

Tracy Traut, MS, Program Director with IPRP informed the Board that Ms. Couloute-Thompson does not meet the criteria for drug or alcohol abuse.

Ms. Couloute-Thompson informed the Board that she is on court probation until February 2020 and they are doing random drug screens. She has had a total of five (5) so far and they have all been negative. Last date she used was the day she was arrested.

After discussion, the Board moved to APPROVE her technician in training application on INDEFINITE PROBATION with terms and conditions, pending receipt and review of the courts negative drug screens.

Anderson/Wall, 6/0/0
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

Katherine Cassel – Tech in Training App:

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

Ms. Cassel previously appeared before the Board back in September 2019 and they tabled her application until she obtained an addictionology evaluation by IPRP.

Tracy Traut, MS, Program Director of IPRP stated Ms. Cassel was evaluated and does not meet the requirements for monitoring.

Ms. Cassel informed the Board that after her Father passed away, she and her sister smoked Marijuana. She was driving a car and was stopped for speeding. She took a sobriety test and passed it. She was taken to the Hospital where they did a blood test in which she tested positive for Marijuana.

She indicated to the Board that when she lived back in Wisconsin she smoked a lot of Marijuana.

She is now enrolled in college to obtain a Nursing degree with minors in Psychology and Chemistry.

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

Wall/Balla, 6/0/0
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

Kiana Tharrington-Dockery – Tech in Training App:

Ms. Tharrington-Dockery appeared before the Board regarding her technician in training application and was not represented by counsel.

She entered a deferred prosecution for reckless driving. She was going 96 miles per hour and the Officer said she almost caused an accident weaving in and out of traffic.

She has completed her community service.

She is currently working at Wal-Mart.

After discussion, the Board moved to APPROVE her technician in training application.

Landis/Wall, 6/0/0
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

James Brower – Tech in Training App:

Mr. Brower appeared before the Board regarding his technician in training application and was not represented by counsel.

Mr. Brower informed the Board that his unsupervised court probation ends on December 16, 2019. He has completed the four (4) classes for substance abuse/alcohol abuse and completed the victim impact panel and has paid all of his court fees.

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

Fanning/Wall, 6/0/0
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

A'Teria Moore – Tech in Training App:

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

In April 2019 Ms. Moore was arrested and charged with disorderly conduct after she got into an argument with a Police Officer in Bloomington.

Her deferral agreement will be completed March 7, 2020. She has to complete Alcohol classes and community service.

She is currently in nursing school at IUPUI.

After discussion, the Board moved to APPROVE Ms. Moore's technician in training application on INDEFINITE PROBATION with terms and conditions.

Wall/Balla, 6/0/0
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

Ezalia Green – Tech in Training App:

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

In 2012 she was arrested for a DUI.

In 2016 she was arrested for driving while suspended.

She provided the Board a copy of her active driver's license that was issued in September 2019.

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

Balla/Fanning, 6/0/0
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

Kelsey Fleck – Tech in Training App:

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

Ms. Fleck was charged with public intoxication, battery and neglect.

She pled guilty to battery and neglect. She is on house arrest until April 2020 and then will be on two (2) years court probation.

After discussion, the Board moved to TABLE Ms. Fleck's application for her to obtain an addictionology evaluation with IPRP.

Landis/Wall, 6/0/0
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

ADMINISTRATIVE HEARINGS

Kara Korem, Ph.T., License No. 67019038A, Cause No. 2019 IBP 0050

Respondent did not appear in person 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 was Lindy Meyer with Accurate Reporting Services.

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/Landis, 6/0/0

Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

Kelly Rose, Ph.T., License No. 67025524A, Cause No. 2019 IBP 0049

Respondent appeared in person 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 was Lindy Meyer with Accurate Reporting Services.

Tracy Traut, MS, Program Director, IPRP was sworn in as a witness.

Ms. Traut testified that she contacted Ms. Rose on August 28, 2019 and she had her intake on September 26, 2019. She was diagnosed with Alcohol use disorder – moderate. At this time Ms. Rose has not signed a contract.

Ms. Rose stated she doesn't have a drinking problem.

She was dismissed from Memorial Hospital for coming into work intoxicated, her BAC was .330.

Respondent Exhibit:

1 – 11/1/19 Negative drug screen

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 EXTEND the SUMMARY SUSPENSION for ninety (90) days.

Landis/Anderson, 6/0/0

Motion carries

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

Emily Sullivan, Ph.T., License No. 67032856A, Cause No. 2019 IBP 0034

Respondent did not appear in person 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 was Lindy Meyer with Accurate Reporting Services.

Mr. Eldridge informed the Board that the Respondent diverted controlled substances from her employer, CVS and then sold the drugs on the street.

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/Balla, 6/0/0
Motion carries

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

Joanne Jensen (Logsdon), R.Ph., License No. 26023873A, Cause No. 2017 IBP 0028

Respondent appeared in person and was represented by counsel, Jenna Shivers 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 was Lindy Meyer with Accurate Reporting Services.

Jackie Hamilton, PharmD, Clinical Coordinator at Ft. Knox was sworn in to testify for the Respondent.

Ms. Hamilton stated that she is Ms. Jensen's supervisor and due to policy change Ms. Jensen is in jeopardy of losing her job. With the new policy no employee can have discipline or action on their license. She indicated that Ms. Jensen is a very good Pharmacist and doesn't want to lose her.

Ms. Jensen's license was placed on indefinite probation from her renewal back in 2016.

She has three and one-half (3 ½) years of sobriety. She is in the KY PRN program. She is doing random drugs screens monthly, as well as going to AA/NA meetings. She has a

sponsor that she see or speaks with weekly.

Respondent Exhibits:

- A – Copy of probationary order
- B – KY license verification
- C – Copy of probationary order
- D – Letter from Brian Fingerson, R.Ph., KYPRN
- E – KYPRN Monitoring agreement
- F – New disciplinary sanctions at Ft. Knox
- G – FOFO dated 8/2/2014 for Bachman
- H – Decision on Renewal App dated 8/11/16 for Beaman
- I – Decision on Renewal App dated 8/11/16 for Branchfield
- J – Decision on License App dated 8/26/19 for Conover
- K – Decision on Renewal App dated 7/30/14 for Slusher
- L – Decision on Renewal App dated 8/11/15 for Stefanek
- M – Decision on Renewal App dated 11/1/18 for Wischmeier
- N – KY statute/rules section

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 WITHDRAW the Order of Probation.

Wall/Balla, 5/1/0, with Ms. Landis opposed
Motion carries

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

Joseph Coleman, R.Ph., License No. 26019443A, Cause No. 2019 IBP 0044

Respondent did not appear in person and was not represented by counsel regarding a Final Hearing 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 Lindy Meyer with Accurate Reporting Services.

A settlement agreement between the Respondent and the Attorney General's Office was presented to the Board. The settlement agreement included INDEFINITE PROBATION may not lift for six (6) months with terms and conditions.

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

Fanning/Anderson, 6/0/0

Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

Carol Doorenbos, R.Ph., License No. 26015533A, Cause No. 2019 IBP 0045

Edmund Gunn, R.Ph., License No. 26015894A, Cause No. 2019 IBP 0046

Jeanette Strickland, R.Ph., License No. 26024352A, Cause No. 2019 IBP 0043

Respondents all appeared in person and were represented by counsels, Tina Cox and Celia Paulia for Ms. Doorenbos and Vicki Battle-Cashwell for Mr. Gunn and Ms. Strickland regarding Final Hearings 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 Lindy Meyer with Accurate Reporting Services.

Witnesses sworn in for this matter were Jeffery Cusic, J.D. for the State and Joyce Smith, PharmD for the Respondents.

All Respondents and their counsel as well as the Attorney General agreed on the stipulation of facts and presented such to the Board.

The issue is a prescription for Vitamin D was filled at fifty (50) times above the units it was prescribed for. The patient was prescribed one-thousand (1,000) units of Vitamin D and was given fifty-thousand (50,000) units. The prescription was filled by a technician, verified by Ms. Strickland. The second time it was refilled and verified by another Pharmacist and the third time it was filled and verified by Ms. Doorenbos. The fourth time Mr. Gunn filled the prescription and on the fifth time Mr. Gunn was processing the refill again and caught the error.

He immediately notified the family, and reported the incident to Fagan Pharmacy.

Ms. Doorenbos testified that she was very sorry for the error and admits to the error. She has been practicing pharmacy for thirty-four (34) years and has never had an issue like this one. She stated that this pharmacy was chaotic and they did three (3) to four (4) hundred prescription a day.

Jeffrey Cusic, J.D., Deputy Chief Counsel to United Health Care Agencies is the son of the patient that received the incorrect dosage of medication. He stated that his elderly Father seemed 'out of it', larthegic and didn't talk much about the topics that interested him. He stated this error effected his Fathers whole life for about four (4) months. It took about another four (4) months for him to get back to himself.

Jeanette Strickland testified that she was sorry for the error and admits to the error. She has been a pharmacists for eleven (11) years. She also stated that it was chaotic at this store and that they did fill three (3) to four (4) hundred prescriptions a day.

Edward Gunn testified that he too was very sorry for the error and has been a pharmacist for thirty-three (33) years. He admitted that he didn't catch it the first time he refilled it, but did catch it the second time and did what he was supposed to do, contacted the family and pharmacy owners.

Respondent Exhibit:

D1 – Ms. Doorenbos' written statement

State Exhibits:

A – Prescription records

B – Written responses to Consumer Complaint

After having considered the evidence, testimony of the witnesses and taking official, judicial notice of the pleadings, evidence and orders in the matter the Board moved find that Carol Doorenbos, R.Ph. did not violate the statute/rules in this matter therefore no discipline was issued.

Fanning/Balla, 6/0/0

Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

After having considered the evidence, testimony of the witnesses and taking official, judicial notice of the pleadings, evidence and orders in the matter the Board moved find that Edmund Gunn, R.Ph. did not violate the statute/rules in this matter therefore no discipline was issued.

Fanning/Balla, 6/0/0

Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

After having considered the evidence, testimony of the witnesses and taking official, judicial notice of the pleadings, evidence and orders in the matter the Board moved find that Jeanette Strickland, R.Ph. did not violate the statute/rules in this matter therefore no discipline was issued.

Fanning/Balla, 6/0/0

Motion carries

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

Stephen Beck, M.D., License No. 01050269B, Cause No. 2019 IBP 0054

Respondent appeared in person and was represented by counsel, Mary Watts regarding a Reinstatement of CSR/OTSC scheduled before the Board. The State of Indiana was represented by Ryan Eldridge, Deputy Attorney General and the court reporter was Lindy Meyer with Accurate Reporting Services.

On May 2, 2019, DEA agents came to Dr. Beck's office, after which he surrendered his registration.

Dr. Beck informed the Board that he had not been doing narcotic contracts if the patient stayed under the sixty (60) pills as he thought they only had to have a contract if they were over the sixty (60) pills. He said he misread the statute regarding this.

He has completed several CE's on opioids and has put safe-guards in place at his office. He has educated his staff of the new office procedures.

He now only does internal medicine. He stated he will no longer do suboxone and chronic pain practice.

Respondent Exhibit:
A – Email from DEA and CE copies

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 Dr. Beck's CSR application.

Landis/Wall, 5/0/0
Motion carries

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

Tapas Dasgupta, M.D., License No. 01047887C, Cause No. 2019 IPB 0062

Respondent appeared in person and was not represented by counsel regarding Renewal of Controlled Substance Registration/OTSC 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 Lindy Meyer with Accurate Reporting Services.

Dr. Dasgupta stated that everyone that came into his office had a cough, so he gave everybody cough syrup.

DEA agents came and issued a MOU to him. He reported this to the Illinois Board and they suspended his controlled substances registration and placed his medical license on probation.

He works in a pain management office with another Physician and a Nurse Practitioner.

Respondent Exhibits:

- 1 – IL consent order
- 2 – IL state police record
- 4 – CE Certificate and letter from Dr. Friedman
- 5 – His CV
- 6 – Letter from Dr. Kishan Chand

He violated his Probationary order with the Indiana Medical Board. He had a hearing before the Board and was issued a letter of reprimand and his probationary order was modified by the Medical Board. He must obtain a practice monitor.

State Exhibit:

- A – MLD Order
- B – Illinois license verifications
- C -Copy of IL orders

He indicated that he has a hearing scheduled with the Illinois Board on December 27, 2019 to see about reinstating his Illinois license as it's currently on 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 DENY Dr. Dasgupta's CSR renewal.

Landis/Wall, 5/0/0
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

James McDonnell, M.D., No License, Cause No. 2019 IBP 0063

Respondent appeared in person and was not represented by counsel regarding an Initial CSR Application/OTSC 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 Lindy Meyer with Accurate Reporting Services.

Dr. McDonald informed the Board that after practicing in California for thirty (30) years his license was revoked by the CA Board.

He surrendered his DEA in Indiana.

Three years ago he stopped drinking and went to AA meetings. He now has a contract with ISMA's impaired physician's program.

While drinking on November 6, 2016 he took a loaded gun into a field to try to commit "suicide by cop". The Police talked him down and he was arrested and charged with a misdemeanor.

He goes to four (4) AA meetings a week and sees his sponsor twice a week.

He is not currently working and he has attended the Positive Sobriety Institute in Chicago.

He completed one-hundred sixty (160) hours of CME in the last year.

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 Dr. McDonnell's CSR application on INDEFINITE PROBATION with terms and conditions.

Landis/Wall, 5/0/0
Motion carries

The following board members voted aye:
Donna Wall, Del Fanning, Steve Anderson, Winnie Landis, Matt Balla
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 appeared in person and was not represented by counsel regarding an Order to Show Cause scheduled before the Board. The State of Indiana was represented by Ryan Eldridge, Deputy Attorney General and the court reporter sworn in for this matter was Lindy Meyer with Accurate Reporting Services.

Tracy Traut, MS, Program Director, IPRP was sworn in as a witness.

Ms. Traut testified that Ms. Arvin entered the program on March 12, 2018. She was diagnosed with mild opiate disorder. She had a positive drug screen on September 11, 2019 for alcohol. Tracy called her and she denied drinking alcohol. Ms. Arvin called Tracy the next day and admitted to drinking alcohol, she apologized to Tracy and said it wouldn't happen again.

Her contract with IPRP is through March 2021.