

BOARD MEETING MINUTES

**Oregon Board of Pharmacy
800 NE Oregon Street
Portland, OR 97232
April 8-9, 2014**

The mission of the Oregon State Board of Pharmacy is to promote, preserve and protect the public health, safety and welfare by ensuring high standards in the practice of pharmacy and by regulating the quality, manufacture, sale and distribution of drugs.

TUESDAY, APRIL 8, 2014

Penny Reher, R.Ph. Board President, called the meeting to order at 8:30AM.

The following Board Members were present:

Penny Reher, President
Christine Chute
Roberto Linares
Brad Fujisaki

Dianna Pimlott, Vice President
Ken Wells
Heather Anderson

The following staff members will be present for all or part of this session:

Marc Watt, Executive Director
Karen MacLean, Administrative Director
Courtney Wilson, Project Manager
Fiona Karbowicz, Pharmacist Consultant
Michele Cale, Inspector
Laura Elvers, Inspector
Annette Gearhart, Compliance Secretary

Gary Miner, Compliance Director
Chrisy Hennigan, Office Manager
Joe Ball, Chief Investigator
Gregg Hyman, Inspector
Katie Baldwin, Inspector
Brienne Cooper, Inspector
Kim Oster, Compliance Assistant

Thomas Cowan Sr. AAG Board Counsel

Agenda Review and Approval

MOTION

Motion to approve the agenda as revised was made and unanimously carried (Motion by Anderson, second by Pimlott).

EXECUTIVE SESSION - PUBLIC MAY NOT ATTEND, pursuant to ORS 676.175, ORS 192.660 (1) (2) (f) (k).

A. Items for Consideration and Discussion:

1. Deliberation on Disciplinary Cases and Investigations
2. Personal Appearances
3. Warning Notices
4. Case Review

MOTION

Motion to enter Executive Session at 8:35 AM was made and unanimously carried (Motion by Wells, second by Anderson).

MOTION

Motion to resume Open Session at 2:37 PM was made and unanimously carried (Motion by Anderson, second by Fujisaki).

III. OPEN SESSION - PUBLIC MAY ATTEND - At the conclusion of Executive Session, the Board may convene Open Session to begin the scheduled agenda for April 9, 2014 that are noted with an asterisk *.

Adjourn

MOTION

Motion to adjourn at 4:00 PM was made and unanimously carried (Motion by Wells, second by Anderson).

WEDNESDAY, APRIL 9, 2014

Penny Reher, R.Ph. Board President, called the meeting to order at 8:30AM.

The following Board Members were present:

Penny Reher, President
Christine Chute
Roberto Linares
Brad Fujisaki

Dianna Pimlott, Vice President
Ken Wells
Heather Anderson

The following staff members will be present for all or part of this session:

Marc Watt, Executive Director
Karen MacLean, Administrative Director
Courtney Wilson, Project Manager
Fiona Karbowicz, Pharmacist Consultant
Michele Cale, Inspector
Laura Elvers, Inspector
Annette Gearhart, Compliance Secretary

Gary Miner, Compliance Director
Chrisy Hennigan, Office Manager
Joe Ball, Chief Investigator
Gregg Hyman, Inspector
Katie Baldwin, Inspector
Brienne Cooper, Inspector
Kim Oster, Compliance Assistant

Thomas Cowan Sr. AAG Board Counsel

Motions for Disciplinary Action - Please see Motions for Disciplinary Cases at the end of this document.

Approve Consent Agenda*

*Items listed under the consent agenda are considered to be routine agency matters and will be approved by a single motion of the Board without separate discussion. If separate discussion is desired, that item will be removed from the consent agenda and placed on the regular business agenda.

1. NAPLEX Scores - none
2. MPJE Scores - none
3. Executive Director Report
4. Pharmacist Consultant Report
5. Project Manager Report
6. License/Registration Ratification (February 1, 2014 - April 4, 2014)
7. Extension Requests
8. Approval of Board Meeting Minutes (February 4-5, 2014)

MOTION

Motion to approve the consent agenda as revised was made and unanimously carried (Motion by Anderson, second by Fujisaki).

ISSUES/ACTIVITIES

Reports:

Executive Director Marc Watt provided an update on non-pharmacy dispensing. He indicated that he and Pharmacist Consultant Fiona Karbowicz had met with the Director's of the Veterinary Medical Examining Board and the Board of Optometry and discussed the Board's current position to determine a dispensing threshold beyond which a non-pharmacy dispenser would need to be registered with the Board of Pharmacy as a drug room. This outlet would be subject to inspections of a limited scope. The Board of Pharmacy's authority would be limited to the acquisition, storage, labeling and recordkeeping practices of drugs dispensed at the registered drug room. The proposed fee for a drug room registration would be \$75.00 annually and inspections would be conducted annually during normal business hours.

Board Member Ken Wells reported that he had attended an American Pharmacists Association (APhA) event for his employer.

Board Member Christine Chute attended the Governor's Advisory Council on DUII. She indicated that there was a lot of discussion regarding interlock devices for impaired individuals. In addition, there was discussion about proposed legislation related to DUII during the 2015 Legislative Session. She is not sure in prescription drugs will be included in the legislation.

Board President Penny Reher, Vice President Dianna Pimlott and Board Members Heather Anderson, Roberto Linares, and Brad Fujisaki had nothing to report.

Board Counsel Tom Cowan had nothing to report.

Executive Director Marc Watt asked the Board to provide staff with any suggestions or feedback for the upcoming newsletter. He also recognized Compliance Secretary Annette Gearhart as the recipient of the April Star Performer Award. Marc reported that customer service surveys will be sent to all renewing pharmacists once the renewal is complete. This survey is currently being provided to all new applicants on a monthly basis. Marc, Board President Ken Wells and Board

Member Penny Reher also attended a Board and Commission Board Chair training with the Governor's Executive Appointment Director Kendall Clawson for an overview on responsibilities and resources for Executive Directors and Board Members of Board and Commissions for the State. The Governor's Office is currently working to develop new training in the next few months for Boards and Commissions. Marc has also been working with the Department of Administrative Services (DAS) to secure a one year contract to assist in the evaluation of human resource processes. He indicates that there is nothing problematic with the agency's current system, however, he hopes to see improved processes.

Compliance Director Gary Miner indicates that the Compliance Staff have completed 20% of their pharmacy inspections throughout the state. To date, there are 14 individuals enrolled in the Health Professional Services Program (HPSP). Gary is currently working with Office Manager Chrysy Hennigan and Compliance Secretary Annette Gearhart to develop inspection forms which inspectors can complete digitally. He believes that this will be a good addition to the inspection process. Gary indicated that he and Chief Investigator Joe Ball toured the Central City Concern Charitable Pharmacy. He shared that Central City Concern would like to expand their services using their existing pharmacy and satellite units for administration and some pass type dispensing. Gary states that this will be a blend of institutional and retail functions and that staff will be working with Central City Concern to see what functions are allowed with current rules and possible future rule changes.

Gary also reported that he is working with Project Manager Courtney Wilson on possible rule changes for the wholesaler portion of The Drug Quality and Security Act (DQSA). He shared that the Institute for Safe Medication Practices (ISMP) has developed a new tool and form for root cause analysis for retail pharmacies. They will be providing a PowerPoint for Boards and staff, as well as a question and answer implementation training program. Gary recently attended a meeting on DQSA in Washington D.C. with Pharmacist Consultant Fiona Karbowicz. Staff is currently scheduling a meeting for the Compounding Work Group. A work group is also being developed to explore combining the rules and registration for County Health and Family Planning Clinics. Gary and Executive Director Marc Watt have scheduled a booth at the Oregon Society of Health-System Pharmacists (OSHP) for their upcoming meeting later this month. Gary and Pharmacist Consultant Fiona Karbowicz are working with the Strategic National Stockpile and Emergence Preparedness Group to develop a Memorandum of Understanding with pharmacies. They are using Washington's system as a model.

Administrative Director Karen MacLean reported that the recruitment for the vacant Licensing Position has been posted and as of April 9th there have been 22 applicants. In addition, the 2015-17 budget development has begun and the agency's revenue estimate has been submitted. On April 3rd the pharmacist renewals were mailed. The Licensing Staff has already begun to receive and process renewals. The Retail/Institutional and other Misc. Categories for the renewal cycle ending March 31st has been completed and 98% of the outlets renewed their registration and 2% of the outlets were lapsed. Karen indicates that the agency is waiting for the State's Electronic Fingerprinting Contract to be finalized.

Board Meeting Dates

- June 10 - 11, 2014 Portland
- August 12 - 14, 2014 Portland
- October 7 - 8, 2014 Portland
- December 2-3, 2014 Portland
- February 10-12, 2015 Portland

- March 17-18, 2015 Date to be rescheduled to Sept 2015
 - April 7-8, 2015 Portland
 - June 9-10, 2015 Portland
 - August 11-13, 2015 Portland
 - October 6-7, 2015 Portland
 - December 15-16, 2015 Portland
-

Rulemaking Hearing Dates

- May 22, 2014
 - November 25, 2014
 - May 28, 2015
 - November 24, 2015
-

Board Member/Staff Presentations

Executive Director Marc Watt and Board Members Ken Wells, Dianna Pimlott, and Penny Reher attended Pharmacy Coalition Meetings held on February 18th and April 8th. They indicated that there was a good review of legislative issues and plans for the 2015 Legislative Session. There was also great discussion on clinical provider status. In addition, the Oregon Insurance Division was in attendance and indicated that they will begin looking at taking disciplinary action against Pharmacy Benefit Managers (PBMs) when they receive valid complaints.

Professional Practice Roundtable – None

Executive Director Marc Watt and Compliance Director Gary Miner attended the 2014 Oregon State Pharmacy Association (OSPA) Lane County Mid-Winter Continuing Education Seminar February 22nd – 23rd in Eugene. Marc and Gary held an informational booth and were available to answer Board questions.

Pharmacist Brianne Cooper will be attending the 2014 Pharmacist Recovery Network Continuing Education Event on April 12th in Salem.

Committees/Meetings

Compliance Director Gary Miner and Pharmacist Consultant Fiona Karbowicz attended the Food and Drug Administration's (FDA) Inter-governmental Meeting on Oversight of Compounding Pharmacies March 20th -21st in Silversprings, Maryland. At the meeting, it was discussed that all 50 states are sharing common issues relating to the Drug Quality Security Act (DQSA) and licensing changes, standardization dilemmas, rule writing, and major concerns regarding sterility. Some of the key topics of discussion at the meeting included background and a summary of DQSA, ways to facilitate open communication with the FDA, the Memorandum of Understanding (MOU), inspection standards, licensing challenges and unique state examples. In addition, the FDA sees every compounded drug as a non-approved drug therefore all compounders are manufacturers. Some of the expectations for all compounded drugs (503A and 503B) include that they cannot compound drugs on the lists, they cannot make copies of commercially available products, they cannot make REMS drugs without approval, and they must use all FDA approved drugs.

The National Association of Boards of Pharmacy (NABP) 2014 Annual Meeting is to be held May 17th-20th in Phoenix, Arizona. Executive Director Marc Watt and Board Member Ken Wells will be attending the meeting. Ken will be participating in the NABP Poster Session and will not be representing the Board at that time. The Board received a travel grant from NABP to offset the meeting expenses for Ken Wells.

Inspector Brianne Cooper will be attending the 2014 University of Utah School on Alcoholism and Other Drug Dependencies Conference that will be held in June. The Board received a travel grant from the NABP Foundation to offset the meeting expenses.

The NABP District VI-VIII Meeting will be held September 21st-24th in Whitefish, Montana.

Compliance Director will be participating in Pacific University's Accreditation Council for Pharmacy Education (ACPE) On-site Evaluation October 21st -23rd.

Research Councils – none

VI. GENERAL ADMINISTRATION

Rules & Policy Discussion

Review Rulemaking Hearing Report – None

Consider Adoption of Temporary Rules

Administrative Director Karen MacLean asked the Board to consider an amendment to OAR 855-019-0130(2) to allow second year pharmacy residents who have been accepted into an accredited program and who have obtained pharmacist licensure in another state to be licensed pharmacists in Oregon and satisfy reciprocity requirements. Without the temporary rule pharmacy residents who have obtained pharmacist licensure in another state will not be able to participate in an Oregon Residency Program until they have first been licensed as a pharmacist for one full year.

MOTION

Motion to adopt as temporary rules for Licensure by Reciprocity in OAR 855, Division 019, Section 0130(2) as revised was made and unanimously carried (Motion by Chute, second by Wells).

Send Rules to Rulemaking Hearing

Division 019 Pharmacists -TOEFL

The Board sent Foreign Pharmacy Graduate rules in OAR 855-019-0150 to permanent rulemaking. The proposed amendments update standards for new FPGEC Candidates that went into effect on March 1, 2014. The rule being proposed for permanent adoption is currently a temporary rule.

MOTION

Motion to send Foreign Pharmacy Graduate rules in OAR Chapter 855, Division 019 as revised and amended to rulemaking hearing was made and unanimously carried (Motion by Anderson, second by Linares).

Division 080 Controlled Substances

The Board sent Schedule 1 Controlled Substance rules in OAR 855-080-0021 to permanent rulemaking. The proposed amendments correct administrative errors or omissions and reestablish as Schedule I items gamma-butyrolactone and other cannabinoid receptor agonists that are not listed in OARs 855-080-0022 through 0026 (Schedule II through V) or that are not an FDA approved drug. In addition, certain exceptions are reestablished, as well as Schedule I compounds in structural classes 2a-2k. The rules being proposed for permanent adoption are currently temporary rules.

MOTION

Motion to send Schedule 1 rule rules in OAR Chapter 855, Division 080 to add gamma-butyrolactone as a Schedule I drug or substance to rulemaking hearing was made and unanimously carried (Motion by Fujisaki, second by Anderson).

MOTION

Motion to send Schedule 1 rule rules in OAR Chapter 855, Division 080 to include other cannabinoid receptor agonists and establish certain exceptions to rulemaking hearing was made and unanimously carried (Motion by Fujisaki, second by Wells).

Policy Decisions

Hydrocodone / Tramadol / Codeine – Federal Update

Compliance Director Gary Miner and Pharmacist Consultant Fiona Karbowicz provided an update on the Federal Government's projected progression to reschedule Hydrocodone and schedule Tramadol. They indicated that it is expected that Tramadol will become a Schedule IV Controlled Substance between mid and late 2014. The rescheduling of Hydrocodone to a Schedule II Controlled Substance at the Federal level is expected to occur by year end or mid 2015. A comment period is currently in process related to the rescheduling of Hydrocodone and they are anticipating that they will receive a lot of comments.

Compliance Director provided an update on Codeine. He indicated that the FDA has identified specific Codeine products that have to be removed from the pharmacy shelf by mid April of 2014.

Pharmacist Consultant Fiona Karbowicz mentioned that the FDA has approved Evzio (naloxone hydrochloride injection) which rapidly delivers a single dose of the drug naloxone via a hand-held auto-injector that can be carried in a pocket or stored in a medicine cabinet. This drug is intended for the emergency treatment of known or suspected opioid overdose.

Appearances

Cory Huot, RPh, MBA, Manager of Pharmacy Services for Legacy Meridian Park Medical Center, presented a proposal to centralize the repacking of bulk medication as well as a request to waive the bond requirement for wholesaler licensure.

The model to centralize the repacking of bulk medications for distribution in the Legacy system proposes to utilize a method which makes use of audio visual supervision of technicians and would include labeling the doses with an internal tracing bar-code. The pharmacists would remotely observe and verify the technicians work utilizing the program MedKeeper. Security monitoring would be on an ongoing basis 24 hours a day, seven days per week. There will be a lead technician that will supervise the other technicians and each batch will be checked by a

pharmacist. Jason Kilgour and Tim Gibbons provided a demonstration of this program and explained that the program has the option to be made highly customizable. It was noted that verification would be completed using a camera system and records would be stored digitally. Additionally, an internal tracing barcode would be added if the manufacturer bar-coding could not be read by the Legacy computer scanning system. The addition of the internal tracing barcode system was previously approved by the Board at the October 12, 2011 Board Meeting. However, this current proposal also includes a request to would move the operation from a cage system in the McKesson warehouse to a new building on the Meridian Park Medical Center campus.

In addition to a technician and pharmacist checking for accuracy, a barcode system and bedside bar-coding will be utilized. They also plan to do random sampling and incorporate quality assurance procedures.

The Board approved Legacy's proposal. However, if they make any changes to the program the changes will need to be presented to the Board for their consideration.

There was some discussion regarding the surety bond waiver and it was unclear whether or not this waiver would be in the interest of public health. The Board asked that Legacy research the implementation of a bond and work with Board staff to finalize registration as a wholesaler.

MOTION

Motion to approve Legacy's request to register as a wholesaler and waive the \$100,000 surety bond requirement for five years was made and carried. (Motion by Fujisaki, second by Pimlott). Wells, Linares, Anderson and Reher in favor of, Chute opposed.

Jeff Feyerharm, R.Ph, Pharmacy Manager for Asante Rogue Regional Medical Center, asked to have his appearance for the April Board Meeting rescheduled to the June Board Meeting.

Discussion Items

Waiver/Exception Requests

Len's Drug requested a waiver from OAR 855-041-1050 Pharmacy Depots. The waiver would allow a storage and delivery system for a small rural community that is underserved and no longer has a local pharmacy in the community. The model will include the following elements: continued delivery to patient's residence when possible, utilization of a secure storage cabinet, limited access by HIPPA trained personnel, identification of patients who have medications stored in the cabinet posted on the exterior of the cabinet and not directly visible to the general public, monitoring of cabinet by a remote camera at all times on the pharmacist computer linked to Len's Drug, cabinet will be inspected weekly with all prescriptions over 14 days to be returned to Len's Drug, a web cam will be accessible at all times for patient questions and consultations and the model would be available for review by the Board.

The Board had concerns about the waiver request and asked that Len's Drug address the following areas and provide a response for further consideration at the June meeting: address how counseling will be accomplished if required or necessary, address security concerns relating to the nature of the cabinet and lock (the Board suggested the utilization of a secure metal cabinet with a more substantial lock i.e. a gun cabinet), address concerns regarding the location of the cabinet and if it could be more closely monitored by the store personnel and if it was in an

area where the temperature was controlled, address concerns regarding who would be accessing the cabinet as the designated individual(s) responsible for issuing the prescriptions, address whether or not Schedule II Controlled drugs be depot'd, and if so if there will be plans for additional security, address whether or not sealed bags will be utilized for prescriptions, address if prescriptions will be returned to Len's Drug in time to meet insurance companies claim reversal policies.

Izdehar Alawad requested a waiver from the FPGECC requirements. She received a license to practice pharmacy by the Syrian Arab Republic on September 27, 1997. It does not appear that she tried to pursue FPGECC and she has not taken the TOEFL or TS.

Kinana Allen requested a waiver from the FPGECC requirements. She received a license to practice pharmacy by the Syrian Arab Republic on September 20, 2002 and she practiced there until 2013. It does not appear that she tried to pursue FPGECC and she has not taken the TOEFL or TS.

Merna Saied requested a waiver from the FPGECC requirements. She received a license to practice pharmacy by the Syrian Arab Republic on September 20, 1999 and she practiced there until 2013. It does not appear that Saied tried to pursue FPGECC and she has not taken the TOEFL or TS.

It is the Board's policy to require FPGECC Certification for all foreign educated pharmacists to ensure that they have met the equivalent educational requirements of an ACPE accredited school or college of pharmacy. The Board does not generally waive this requirement unless the individual has already been licensed as a pharmacist in another state. Staff has been in contact with NABP regarding these three individuals and advised that NABP does have a program in place to assist individuals who need additional help in obtaining the required documentation for eligibility to seek FPGECC Certification.

MOTION

Motion to deny Izdehar Alawad's, Kinana Allen's and Mena Saied's requests to waive the FPGECC requirement from was made and unanimously carried. (Motion by Fujisaki, second by Anderson).

Applications for Review and Approval

Bob's MTM applied for a Retail Consulting or Drugless Pharmacy Registration. All application requirements and application checklist items were reviewed and satisfied. The Board approved Bob's MTM Retail Consulting or Drugless Pharmacy Application and requires that they provide an appearance in one year for an informational update.

MOTION

Motion to approve with one year reporting requirement Bob's MTM Consulting or Drugless Pharmacy Application was made and unanimously carried. (Motion by Fujisaki, second by Pimlott).

MTMCare applied for a Consulting or Drugless Pharmacy Registration. All application requirements and application checklist items were reviewed and satisfied. The Board approved MTMCare's Consulting or Drugless Pharmacy Application and requires that they provide an appearance in one year for an informational update.

MOTION

Motion to approve with one year reporting requirement MTM Care's Consulting or Drugless Pharmacy Application was made and unanimously carried. (Motion by Wells, second by Anderson).

Drug Quality and Security Act (DQSA) Update

Previously discussed during Committees/Meetings portion of the Board Meeting.

Compounding Update

Compliance Director Gary Miner and Pharmacist Consultant Fiona Karbowicz stated that the next workgroup meeting is scheduled for Friday April 18th. At this meeting an update on DQSA will be shared with the work group.

Non Resident Pharmacies Inspection Reports

This topic was rescheduled for the Board's June Meeting.

Non Resident PIC Requirement

This topic was rescheduled for the Board's June Meeting.

Pharmacy Technician Licensing and CE

Pharmacist Consultant Fiona Karbowicz presented a draft survey to send to licensees regarding licensure challenges for Pharmacy Technicians and Certified Oregon Pharmacy Technicians. The survey includes asking for feedback on the following: whether or not a minimum age should be required for Pharmacy Technician (PT) or Certified Pharmacy Technician (CPT) licensure, whether or not applicants could obtain evidence that they are a high school graduate or holds a GED, if the Board should allow the PT license to be renewable one time, whether or not the Board should drop the requirement to maintain National Certification after the initial successful passage of the exam, whether or not the Board should replace the 20 hours of continuing education with a minimum requirement such as traditional CE or ongoing relevant worksite training, how many hours the Board should replace with traditional CE or worksite training and if the Board should continue to require one annual hour of law and/or patient safety. The intention is to send this survey to all technicians and pharmacists as well as general stakeholders to obtain opinion on these issues prior to the development of rule revisions.

Pharmacist License Transfer

This topic was rescheduled for the Board's June Meeting.

Delegated Authority Regarding Continuing Education

Compliance Director Gary Miner presented proposed amendments to the Board's Staff Delegated Authority Grid as they relate to the pharmacist continuing education audit. The Board discussed the proposed amendments and adopted the Staff Delegated Authority Grid as revised.

MOTION

Motion to approve, as revised, updates regarding Pharmacist CE Audit on the Staff Delegated Authority Grid was made and unanimously carried. (Motion by Chute, second by Fujisaki).

Financial/Budget Report

Administrative Director Karen MacLean provided a brief update regarding the January 2014 Financial Report. Expenditures are in line with the financial plan. Karen provided a few updates regarding new funding proposals for the 2015-17 budget including an upgrade to the agency database License 2000. Staff continues to work with the vendor to obtain a clear understanding of the proposed costs associated with the proposed upgrade. The Board's last major investment in the agency database for new technology was in 2003.

Legislative Update – None

Topics for Future Discussion

- Responsibilities of the PIC
 - Counseling on all Controlled Substance dispensing
 - Workgroup for Working Conditions
 - CCO's / Medical Home
 - Temporary Pharmacies
 - Long Term Care
 - How Final Orders are published on the BOP website
 - PIC requirements for site attendance
-

Strategic Planning

Administrative Director Karen MacLean provided a summary of the Board members response to the Strategic Planning Survey. Collectively, Board members were pleased with the location of the 2014 Strategic Planning Meeting; however, they would like to look at other options for 2015.

The Board reviewed the 2014 Strategic Plan and approved it as revised along with the March 11-12, 2014 Board Meeting Strategic Planning Minutes.

MOTION

Motion to approve, as revised, 2014 Strategic Planning Minutes and Plan was made and unanimously carried. (Motion by Anderson, second by Chute).

OPEN FORUM – Board President Penny Reher invited guests to comment during Open Forum. No comments were provided.

Adjourn

MOTION

Motion to adjourn at 2:02 PM was made and unanimously carried (Motion by Pimlott, second by Anderson).

Accepted by:

A handwritten signature in black ink, appearing to read "Marcus Watt". The signature is fluid and cursive, with a large initial "M" and "W".

Marcus Watt, R.Ph.
Executive Director

Oregon Board of Pharmacy
800 NE Oregon Street
Portland, OR 97232
Penny Reher, R.Ph. Presiding

Tuesday, April 8, 2014 @ 8:30 AM, Conference Room 1A
Wednesday, April 9, 2014 @ 8:30 AM, Conference Room 1A
800 NE Oregon Street in Portland, Oregon

Executive Session of the Board was held on April 8, 2014 to discuss Compliance cases, followed by motions on April 9, 2014.

Board Members present for all or part of compliance session:

Penny Reher, RPh, President	Roberto Linares, R.Ph.
Dianna Pimlott, R.Ph., Vice President	Christine Chute, Public Member
Kenneth Wells, R.Ph.	Heather Anderson, Public Member
Brad Fujisaki, R.Ph.	

Staff present for all or part of compliance session:

Gary Miner, R.Ph., Compliance Director	Marcus Watt, R.Ph., Executive Director
Joe Ball, R.Ph., Chief Investigator	Karen MacLean, Administrative Director
Katie Baldwin, R.Ph., Board Inspector	Courtney Wilson, Project Manager
Michele Cale, R.Ph., Board Inspector	Fiona Karbowicz, R.Ph., Pharmacist Consultant
Gregg Hyman, R.Ph., Board Inspector	Annette Gearhart, Compliance Secretary
Laura Elvers, R.Ph., Board Inspector	Kim Oster, Compliance Assistant
Brianne Cooper, R.Ph., Board Inspector	Thomas Cowan, Senior AAG

Case 2013-0002 Motion to deny request.

Motion by: Kenneth Wells; Seconded by: Heather Anderson. Motion unanimously carried.

Case 2013-0203 Motion to accept negotiated order.

Motion by: Heather Anderson; Seconded by: Kenneth Wells. Motion unanimously carried.

Case 2013-0487 Motion to accept Stipulated Final Order withdrawing applicant's application for Oregon Pharmacist license.

Motion by: Brad Fujisaki; Seconded by: Dianna Pimlott. Motion unanimously carried.

Case 2009-0494 Motion to continue probation and reduce UAs to 18 per year.

Motion by: Kenneth Wells; Seconded by: Heather Anderson. Motion unanimously carried.

Case 2010-0576 Motion to grant petition to remove "no preceptor" sanction.

Motion by: Brad Fujisaki; Seconded by: Kenneth Wells. Motion unanimously carried.

Case 2010-0407 Motion to grant petition to work up to 45 hours per week.

Motion by: Christine Chute; Seconded by: Kenneth Wells. Motion unanimously carried.

Case 2010-0299 Motion to grant petition to remove "no preceptor" sanction.

Motion by: Heather Anderson; Seconded by: Kenneth Wells. Motion unanimously carried.

Case 2013-0346 Motion to deny request.

Motion by: Christine Chute; Seconded by: Heather Anderson. Motion carried with Roberto Linares recused.

Case 2013-0376 Board direction to send letter requesting additional information in conjuncture with investigation.

Motion by: Brad Fujisaki; Seconded by: Heather Anderson. Motion carried with Kenneth Wells recused.

Case 2013-0508 Motion to issue Letter of Concern to pharmacist recommending 3 hours of CE in medication error prevention.

Motion by: Dianna Pimlott; Seconded by: Heather Anderson. Motion carried with Kenneth Wells recused.

Case 2014-0074 Motion to direct staff to resolve case with DOJ.

Motion by: Christine Chute; Seconded by: Brad Fujisaki. Motion unanimously carried.

Case 2014-0028 Motion to revoke outlet license and impose \$10,000 civil penalty per violation against outlet; and in

Case 2014-0100 revoke pharmacist license and impose \$1,000 civil penalty per violation.

Motion by: Kenneth Wells; Seconded by: Heather Anderson. Motion carried with Christine Chute opposed. Christine Chute stated for the record that she would have supported an immediate suspension.

Case 2014-0076 Motion to revoke outlet license and impose \$10,000 civil penalty per violation.

Motion by: Heather Anderson; Seconded by: Dianna Pimlott. Motion unanimously carried.

Case 2014-0018 Motion to revoke pharmacist license and impose \$1,000 Civil Penalty per violation.

Motion by: Dianna Pimlott; Seconded by: Heather Anderson. Motion unanimously carried.

Case 2013-0382 Motion to impose \$10,000 civil penalty per violation against outlet and issue letter of concern to former Pharmacist-in-Charge.

Motion by: Dianna Pimlott; Seconded by: Heather Anderson. Motion unanimously carried.

Case 2014-0014 Motion to accept signed Stipulated Consent Order.

Motion by: Kenneth Wells; Seconded by: Heather Anderson. Motion unanimously carried.

Case 2014-0012 Motion to revoke pharmacist license and impose \$1,000 civil penalty per violation.

Motion by: Brad Fujisaki; Seconded by: Heather Anderson. Motion unanimously carried.

Case 2013-0541 Motion to revoke technician license and impose \$1,000 civil penalty per violation.

Motion by: Heather Anderson; Seconded by: Dianna Pimlott. Motion unanimously carried.

Case 2014-0026 Motion to revoke technician license and impose \$1,000 civil penalty per violation.

Motion by: Dianna Pimlott; Seconded by: Kenneth Wells. Motion unanimously carried.

Case 2014-0022 Motion to accept signed Stipulated Consent Order.

Motion by: Heather Anderson; Seconded by: Dianna Pimlott. Motion unanimously carried.

Case 2013-0480 Motion to revoke technician license and impose \$1,000 civil penalty per violation.

Motion by: Heather Anderson; Seconded by: Kenneth Wells. Motion unanimously carried.

Case 2013-0459 Motion to revoke pharmacist license and impose \$1,000 civil penalty per violation.

Motion by: Heather Anderson; Seconded by: Dianna Pimlott. Motion unanimously carried.

Case 2013-0542 Motion to impose \$1,000 civil penalty per violation against pharmacist; and issue Letters of Concern to Pharmacist-in-Charge and pharmacy.

Motion by: Kenneth Wells; Seconded by: Roberto Linares. Motion unanimously carried.

Case 2014-0007 Motion to deny pharmacist license and impose \$1,000 civil penalty per violation.

Motion by: Brad Fujisaki; Seconded by: Heather Anderson. Motion unanimously carried.

Case 2014-0045 Motion to deny technician license and impose \$1,000 civil penalty per violation.

Motion by: Roberto Linares; Seconded by: Heather Anderson. Motion unanimously carried.

Case 2014-0072 Motion to deny pharmacist license.

Motion by: Heather Anderson; Seconded by: Dianna Pimlott. Motion unanimously carried.

Case 2014-0039 Motion to deny technician license and impose \$1,000 civil penalty per violation.

Motion by: Dianna Pimlott; Seconded by: Roberto Linares. Motion unanimously carried.

Case 2014-0005 Motion to grant technician license.

Motion by: Heather Anderson; Seconded by: Roberto Linares. Motion unanimously carried.

Case 2014-0024 Motion to deny Intern license and impose \$1,000 civil penalty per violation.

Motion by: Heather Anderson; Seconded by: Roberto Linares. Motion carried with Kenneth Wells opposed.

Case 2014-0043 Motion to grant technician license.

Motion by: Brad Fujisaki; Seconded by: Kenneth Wells. Motion unanimously carried.

Case 2014-0085 Motion to grant technician license.

Motion by: Heather Anderson; Seconded by: Roberto Linares. Motion unanimously carried.

Case 2014-0044 Motion to grant technician license.

Motion by: Kenneth Wells; Seconded by: Heather Anderson. Motion unanimously carried.

Case 2013-0544 Motion to grant intern license.

Motion by: Heather Anderson; Seconded by: Roberto Linares. Motion unanimously carried.

Case 2014-0021 Motion to impose \$1,000 civil penalty per violation against pharmacist.

Motion by: Heather Anderson; Seconded by: Roberto Linares. Motion unanimously carried.

Case 2014-0027 Motion to issue Letter of Concern suggesting 3 hours of CE in medication error prevention to pharmacist; issue Letter of Concern to pharmacy and cc Letter of Concern to Pharmacist-in-Charge.

Motion by: Kenneth Wells; Seconded by: Heather Anderson. Motion unanimously carried.

Case 2013-0490 Motion to issue Letter of Concern to pharmacist and pharmacy.

Motion by: Heather Anderson; Seconded by: Roberto Linares. Motion unanimously carried.

Case 2013-0524 Motion to issue no violation letter to pharmacist.

Motion by: Brad Fujisaki; Seconded by: Roberto Linares. Motion unanimously carried.

Case 2013-0451 Motion to issue unable to substantiate letter to pharmacy.

Motion by: Kenneth Wells; Seconded by: Roberto Linares. Motion unanimously carried.

Case 2014-0051 Motion to deny technician license and impose \$1,000 civil penalty per violation.

Motion by: Roberto Linares; Seconded by: Kenneth Wells. Motion unanimously carried.

Motion to accept the items on the consent agenda with 2014-0027, 2013-0490, 2013-0524, 2014-0051 and 2013-0451 pulled for discussion.

Motion by: Heather Anderson; Seconded by: Dianna Pimlott. Motion unanimously carried.

LETTERS OF CONCERN CASES:

Case: 2014-0020 RPH: Letter of Concern suggesting 3 hours CE in med error prevention/patient safety; CC: drug outlet and PIC.

CPT: Letter of Concern suggesting 3 hours CE in med error prevention/patient safety; CC: drug outlet and PIC.

Technician: Letter of Concern suggesting 3 hours CE in med error prevention/patient safety; CC: drug outlet and PIC.

Case: 2013-0545 RPH: Letter of Concern; CC: outlet and PIC

CPT: Letter of Concern; CC: outlet and PIC

Case: 2013-0488 R.Ph.: Letter of Concern; CC: PIC and outlet

Case: 2013-0460 RPH: Letter of concern; CC: outlet and PIC

Case: 2014-0040 RPH: Letter of Concern; CC: outlet and PIC

DEFICIENCY NOTICES:

Cases: 2013-0525; 2013-0534; 2013-0535; 2013-0538; 2014-0009; 2014-0041; 2014-0046; 2014-0053; 2014-0061; 2014-0062; 2014-0079 and 2014-0081.

UNABLE TO SUBSTANTIATE:

Case: 2014-0016 and 2014-0035

NO VIOLATION:

Case: 2013-0515; 2013-0546; 2014-0019; 2014-0049 and 2014-0063.

UNREGISTERED OUTLET CASES:

By authority delegated to Oregon Board of Pharmacy Staff by the Board notices to impose \$10,000 civil penalty notices have been issued to: (includes unregistered wholesalers, manufacturers and out-of-state pharmacies)

Cases: 2013-0449 and 2014-0017.

UNSWORN FALSIFICATION:

By authority delegated to Oregon Board of Pharmacy Staff by the Board, the following applicants and licensees shall be issued Notice: Deny with \$1,000; proposed Consent: \$1,000 with \$850 stayed pending no further violations for 3 years and 3 hours of CE in law/ethics.

Cases: 2014-0023; 2014-0037; 2014-0050 and 2014-0052.

CASES CLOSED UNDER INVESTIGATION:

Cases that have been opened and then "Closed Under Investigation" to preserve incoming complaint information should future action be necessary.

Cases: 2013-0548; 2014-0013 and 2014-0015.

SURRENDERED LICENSE:

Case: 2014-0042

SUSPENDED LICENSE:

Case: 2014-0025