

BOARD MEETING MINUTES

**Oregon Board of Pharmacy
800 NE Oregon Street
Portland, OR 97232
February 14-15, 2012**

TUESDAY, February 14, 2012

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

The following Board Members were present:

Larry Cartier, President	Ann Zweber
Ken Wells, Vice President	Penny Reher
Christine Chute	Dianna Pimlott

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

Gary Schnabel, Executive Director	Karen MacLean, Administrative Director
Gary Miner, Compliance Director	Chrisy Hennigan, Office Manager
Courtney Frank, Acting Project Manager	Joe Ball, Chief Investigator
Fiona Karbowicz, Inspector	Gregg Hyman, Inspector
Katie Baldwin, Inspector	Michele Cale, Inspector
Annette Gearhart, Compliance Secretary	Kim Oster, Compliance Assistant

Thomas Cowan, Board Counsel

Agenda Review and Approval

MOTION

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

MOTION

Motion to enter Executive Session pursuant to ORS 192.660(1) (2) (f) (k) at 8:55 AM was made and unanimously carried (Motion by Wells, second by Chute).

MOTION

Motion to resume Open Session at 4:37 PM was made and unanimously carried (Motion by Zweber, second by Pimlott).

MOTION

Motion to adjourn at 4:38 PM was made and unanimously carried (Motion by Zweber, second by Pimlott).

WEDNESDAY, FEBRUARY 15, 2012

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

The following Board Members were present:

Larry Cartier, President	Ann Zweber
Ken Wells, Vice President	Penny Reher
Christine Chute	Dianna Pimlott

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

Gary Schnabel, Executive Director	Karen MacLean, Administrative Director
Gary Miner, Compliance Director	Chrisy Hennigan, Office Manager
Courtney Frank, Acting Project Manager	Joe Ball, Chief Investigator
Fiona Karbowicz, Inspector	Gregg Hyman, Inspector
Katie Baldwin, Inspector	Michele Cale, Inspector
Annette Gearhart, Compliance Secretary	Kim Oster, Compliance Assistant

Thomas Cowan, Board Counsel – absent

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. Project Manager Report
4. License/Registration Ratification (December 10, 2011-February 10, 2012)
5. Intern Extensions (none)
6. NABP Memos
7. Approval of Board Meeting Minutes (December 13-14, 2011)

MOTION

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

President Cartier welcomed the pharmacy students that were present, asked them to introduce themselves and thanked them for attending the meeting.

ISSUES/ACTIVITIES

Reports:

President Larry Cartier reported that he had attended the Legislative Joint Ways and Means Work Session on February 6th with Executive Director Gary Schnabel. He plans on attending the State's ten year planning meeting on February 21st with Administrative Director Karen MacLean. Larry presented a brief video that he and Intern's Allen Lee, Amber Johnson and Tan Nguyen created relating to medication safety. The video is available on You Tube and is titled "Medication Safety: You and Your Pharmacist". Larry complimented staff on the display they created for the Portland State Office Building lobby which contained information on the product identification label (P.I.L.) as well as the National Association of Boards of Pharmacy (NABP) AWARxE program.

Vice President Ken Wells reported that he was at the State Capitol on February 6th to attend the legislative public hearing for House Bill 4122. He also attended the Professional Practice Roundtable meeting in January. Ken shared that he has been asked to give a 15 minute presentation at the OSPA Lane County Mid Winter Continuing Education (CE) Seminar to be held on February 25th and 26th the Board supported this appearance. Also, the Board has been asked to do a Pharmacist in Charge class and a one hour law update at the OSPA Annual CE Convention in September which will be held in Portland. It will need to be decided which Board members and staff will be participating in this presentation.

Christine Chute reported that she will be participating in the review of a few proposals for the Health Professionals Service Program (HPSP) on February 16th.

Ann Zweber attended the Governor's meeting on DUI's in January. The group continues to discuss issues relating to the defining of intoxicants and driving while impaired. Representative Jim Thompson and Chuck Hayes are interested in looking at possible legislation for the 2013 Session. Ann reported that pharmacist Keith Parrott a long time academic adviser at Oregon State University passed away on February 12th. He brought a lot to the profession and will be missed.

Board members Diana Pimlott and Penny Reher had nothing to report.

Executive Director Gary Schnabel reported that he had been contacted by the Portland Police Department regarding a diversion scam in the Clackamas and Tigard area. This information was distributed to pharmacists subscribed to the Board's list serve. Gary reported that there has been interest in the upcoming vacant pharmacist Board member position. However, the Governor's Office is still trying to fill the public member position. Gary shared that the Oregonian had written an article on the Board's workforce survey. This article was on the front page of the Oregonian's Monday, February 13th newspaper. Gary commented that he thought that the article was factual. It was suggested that a letter to the editor might be helpful to highlight our rule language for drug outlet conduct and to notify consumers about Larry's medication safety video, but no decision was made. Ann and Gary will be working on presenting the workforce survey results at the Poster Session during the NABP annual meeting in May. Gary reported that the Iowa Board of Pharmacy has finished their workplace survey and will be sending their results to the Board.

Board Counsel Tom Cowan was not present.

Compliance Director Gary Miner indicated that 100% of pharmacies located in Oregon were inspected in 2011. The Board recognized staff for doing a great job last year. Gary shared that this year inspectors will be providing pharmacies with AWARxE bookmarks and leaflets upon inspection. A memo will be sent to pharmacies with their renewed registration notifying them of this. Gary also reported that the compliance department will have a booth and presentation at the February OSPA Lane County Mid Winter CE Seminar. They will also be holding a PIC class for managers at Oregon Health & Sciences University in March. In April and May, PIC classes will be held at Oregon State University and Pacific University.

Administrative Director Karen MacLean reported that she and other staff members attended a recent meeting with the State Archivist. Part of the discussion was around a pilot project they are working on relating to records retention software for State agencies. She indicates that staff will be following up to find out the criteria for agencies to participate and thinks that this will coincide with long term records retention and our progression towards becoming a paperless office. Karen also reported that the licensing department is in the middle of the retail drug outlet renewal cycle and that we are currently at 41%.

2012 Board Meeting Dates

- | | | |
|--------------------------|-----------|--------------------|
| • March 13 -14, 2012 | Silverton | Strategic Planning |
| • April 10 - 11, 2012 | Portland | |
| • June 5 - 6, 2012 | Portland | |
| • August 7 - 8, 2012 | Portland | |
| • October 9 -10, 2012 | Portland | |
| • December 11 - 12, 2012 | Portland | |

Proposed 2012 Rulemaking Hearing Dates

- March 22, 2012
- May 24, 2012
- November 29, 2012

2013 Proposed Board Meeting Dates

- | | |
|------------------------|----------|
| • February 12-13, 2013 | Portland |
| • March 12 -13, 2013 | Portland |
| • April 16 - 17, 2013 | Portland |
| • June 11 - 12, 2013 | Portland |
| • August 13 - 14, 2013 | Portland |
| • October 15 -16, 2013 | Portland |
| • December 17-18, 2013 | Portland |

MOTION

Motion to approve 2013 proposed Board Meeting Dates was made and unanimously carried (Motion by Chute, second by Wells).

Board Member/Staff Presentations

Vice President Ken Wells, Executive Director Gary Schnabel and Compliance Director Gary Miner attended the Professional Practice Roundtable on January 10, 2012. Topics discussed include adding a technician to the Board, increasing the roll of technicians, physician assistant dispensing, the Board's list serve and self inspection forms.

As previously mentioned some Board members and staff will attend the OSPA Lane County Mid-Winter CE Seminar on February 25th-26th.

Committees/Meetings

The University of Utah's School on Alcoholism & other Drug Dependencies will be held June 17th – 22nd. The Board received a grant application from the NABP Foundation to send a staff or Board member to the meeting. Executive Director Gary Schnabel asked the Board if they would like to send someone to this meeting. Board staff will apply for the grant. Assuming a grant is received, the Board authorized sending a staff member.

OSPA Fall Convention – September 28-30, 2012

Legacy Health's "Making it Clear" conference is to be held at the Multnomah Athletic Club on March 9th.

Research Councils – none

GENERAL ADMINISTRATION

Rules & Policy Discussion

Consider Sending Rules to Rulemaking

Interim Project Manager Courtney Frank and Compliance Director Gary Miner provided information on the following and the Board determined which rules to send to rulemaking.

- Div 041 Technician Checking Validation Program
- Div 041 Pharmacy Depot

MOTION

Motion to send rules in OAR Chapter 855, Division 041 as revised to March 22, 2012 Rulemaking Hearing was made and unanimously carried (Motion by Wells, second by Zweber).

Note: The Drug Outlet Conduct rules that were sent to rulemaking in December will also be heard at the March 22 Rulemaking Hearing.

Animal Euthanasia Update

Acting Project Manager Courtney Frank provided an update on the Div 080 Animal Euthanasia rules. She indicated that the Board's temporary rule is to expire on April 27, 2012. The Oregon Veterinary Medical Examining Board is to have their Board meeting on February 18th and will be discussing certified euthanasia technicians. Staff will meet with the Veterinary Medical Examining Board after their meeting for further rule related discussion.

Policy Decisions

Compliance Director Gary Miner provided an update on the long term care rules. He indicates that staff is waiting to see if there will be any changes to the states licensing requirements of long term care facilities before re-establishing a workgroup.

Gary is currently working on creating policy questions related to the development of emergency room dispensing rules.

Future Rulemaking & Policy Discussion

Compliance Director Gary Miner presented a draft of the Division 041 reorganization. The draft proposes to reorganize consulting pharmacies, drug rooms and retail outlets. The Board concurred with Gary's reorganization of Division 041 and agreed to send the reorganization to a stakeholder group for additional review and comment.

- | | |
|---|-------------------------|
| a. Reorganization | <i>Rulemaking 6/12</i> |
| (Includes: Consulting Pharmacies, Drug Rooms and Retail Drug Outlets, etc.) | |
| b. Non-Prescription Drug Outlets | <i>Rulemaking 6/12</i> |
| c. Tech. Duties | <i>Rulemaking 12/12</i> |
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Discussion Items

Compliance Director Gary Miner and Administrative Director Karen MacLean presented one testing accommodation request and four extension requests for consideration.

Testing Accommodation Request

MOTION

Motion to approve applicant's request for an ADA testing accommodation was made and unanimously carried (Motion by Chute second by Wells).

Extension Requests

MOTION

Motion to approve R. Chahine's request for an extension of an expired NABP application was made and unanimously carried (Motion by Wells, second by Reher).

MOTION

Motion to approve J. Allee's request for an extension of an expired NABP application was made and unanimously carried (Motion by Wells, second by Pimlott).

MOTION

Motion to approve A. Ghirmatsion's request to extend Intern License for one year was made and unanimously carried (Motion by Wells, second by Reher).

The Board discussed S. Bali's request to extend an Intern License for one year and in light of the timing and circumstances deferred his request. They requested additional information and will review this again at the April meeting.

PARE Exam Info on Pilot Program

Executive Director Gary Schnabel provided the Board with an overview of the NABP PARE exam. He asked the Board if they were interested in participating in the pilot project. Some staff members and a Board member indicated that they would be interested in participating in the pilot program.

Practitioner Dispensing

Executive Director Gary Schnabel provided an update on practitioner dispensing and Senate Bill 1565-A. This bill will allow ZoomCare, and others who want to follow the model to use Physician Assistants to dispense from a limited supply of common pre-packaged drugs. The Board decided to remain neutral on the bill and will discuss it further at its Strategic Planning Meeting assuming that the legislation passes.

MOTION

Motion to remain neutral re: 2012 SB 1565-A was made and unanimously carried (Motion by Chute, second by Wells).

Drug Room Request for Hazelden

Compliance Director Gary Miner presented a request from Hazelden Springbrook and Providence Newberg Medical Center. Hazelden Springbrook would like to utilize Computerized Physician Order Entry (CPOE) with pharmacist order verifications, barcode administration, and automated dispensing cabinet (ADC) distribution to provide a safe medication delivery system to their residential patients. Several levels of security will be implemented as well as monthly audits and quality reviews. Hazelden requested that the Board allow them to put a pyxis machine in a locked room and register as a drug room. Providence Newberg Medical Center will manage medications that will be provided via an automated dispensing machine at Hazelden Springbrook.

Hazelden Springbrook also requested a two key exception to allow drug room access by two staff members during the course of a work shift. Kathy Krypkel, Jim Nichols, Roger Lisengood, Vern Williams and George Aikin from Hazelden appeared to answer questions. Rolf Wuellner and Ralph Thonstad from Providence Newberg Medical Center were also present to answer questions. The Board granted both requests and would like Hazelden and Providence to appear before the Board at its October meeting to report back on scan rates, the functionality of this process and accuracy levels.

MOTION

Motion to approve Hazelden's request for a Hospital Drug Room License was made and unanimously carried (Motion by Pimlott, second by Chute).

MOTION

Motion to approve Hazelden's request for a two-key exception was made and unanimously carried (Motion by Reher, second by Pimlott).

APPEARANCES

Direct Entry Midwives Presentation

Samie Patnode from the Oregon Health Licensing Agency appeared before the Board to provide an overview on direct entry midwives which included their scope of practice and prescribing authority. Sami indicated that midwifery licensure in the state of Oregon is optional and that licensed direct entry midwives have the authority to purchase and administer certain legend drugs and devices. However, they do not have prescriptive authority. During the 2001 Legislative Session, licensed direct entry midwives were given authority to administer specific legend drugs and devices including ophthalmic medications, vitamin K and antihemorrhagics under Oregon Revised Statute 687.425. The purpose of the law is to provide a licensed direct entry midwife immediate access to certain legend drugs and devices, in and out of hospital settings. This allows a licensed direct entry midwife to administer certain legend drugs and devices to mothers and babies in the event the law requires it or there is an emergency.

Samie noted that certified nurse midwives and nurse practitioner midwives are under the authority of the Oregon Board of Nursing with advanced certification and are not associated with the Oregon Health Licensing Agency or the Board of Direct Entry Midwifery.

It was asked how a pharmacist can identify a direct entry midwife. Samie recommended that pharmacists use the Oregon Health Licensing Agency's website www.oregon.gov/OHLA to verify a license holder's status. She indicated that licensed direct entry midwives also are issued a license certificate and pocket card, and that their Board could consider creating a rule which would require licensed direct entry midwives to show their pocket card when purchasing a drug or device.

It was also asked if there is a defined formulary from which licensed direct entry midwives have authority to purchase and administer legend drugs and devices. Samie will follow up with Board staff and provide a formulary.

The Board directed staff to have further discussion with Samie.

Financial/Budget Report

Administrative Director Karen Maclean shared that the Board was on target for its October-December financials. She indicated that the Operational Review has been completed and that Executive Director Gary Schnabel and President Larry Cartier attended the Education Sub-Committee Ways & Means work session in which the report was accepted by the Committee. The Joint Ways and Means Full Committee has not yet scheduled a time to review the report and consider it for acceptance.

Legislative Session Update

Administrative Director Karen MacLean stated that the 2012 Legislative Session began on February 1st and will end February 29th. Staff has continued to track bills throughout the Session. Some of the tracked bills include SB 1565, SB 1553, SB 1571, HB 4122, HB 4063, HB 4009, HB 4091 and HB 4109. Karen also shared that she and other staff members have been working on fiscal impact statements throughout the session.

Topics for Future Discussion

President Larry Cartier reiterated that the following topics will be discussed in the future.

- Best Practices for Retail Settings
 - Prescriptive Authority for OTC's
 - Rural Access to Pharmacy Services
 - Prescription Drug Abuse
 - Pharmacist roles in ACO/CCO organizations
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Strategic Planning Update & Topics for March 2012 Meeting

The following are topics have been identified for Strategic Planning.

- ACPE CE Monitoring
 - Non-Pharmacy Dispensing
 - Application Question Review
 - Pharmacists and Medical Marijuana Use
 - Case Review Evaluation
 - Case Presentation Review
 - Medication Errors
 - Pharmacy Benefit Managers
 - Operational Review: Recommendations for change
 - Other legislative developments or initiatives?
 - Probationer Policy
 - Semi Independence
 - Auto Refills
-

OPEN FORUM

President Larry Cartier invited comments from the public.

Pharmacist Jackson Leong discussed his concerns about HB 4109 in regards to mental health patients. He also acknowledged the vital role that the Board carries out in participating in the Legislative Session to ensure safety in the practice of pharmacy and integrity in the profession especially related to SB 1565.

MOTION

Motion to enter Executive Session pursuant to ORS 192.660(1) (2) (f) (k) at 1:58 PM was made and unanimously carried (Motion by Wells, second by Reher).

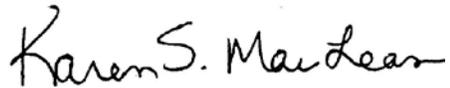
MOTION

Motion to resume Open Session at 2:17 PM was made and unanimously carried (Motion by Pimlott, second by Zweber).

MOTION

Motion to adjourn at 2:20 was made and unanimously carried (Motion by Zweber, second by Wells).

Accepted by:

A handwritten signature in black ink that reads "Karen S. MacLean". The signature is written in a cursive style with a large initial 'K' and a long, sweeping underline.

**Karen S. MacLean
Administrative Director**

**Oregon Board of Pharmacy
800 NE Oregon Street
Portland, OR 97232
Larry Cartier, R.Ph., Presiding**

Tuesday, February 14, 2012 @ 8:30 AM, Conference Room 1A
Wednesday, February 15, 2012 @ 8:30 AM, Conference Room 1A
800 NE Oregon St., Portland, Oregon 97232

An Executive Session of the Board to discuss Compliance was held on February 14, 2012. Motions voted on in Open Session on February 15, 2012.

Board Members present for all or part of compliance session:

Larry Cartier, R.Ph., President	Dianna Pimlott, R.Ph.
Kenneth Wells, R.Ph., Vice President	Penny Reher, R.Ph.
Christine Chute, Public Member	Ann Zweber, R.Ph.

Staff present for all or part of compliance session:

Gary Schnabel, R.Ph., R.N., Executive Director	Annette Gearhart, Compliance Secretary
Gary Miner, R.Ph., Compliance Director	Kim Oster, Compliance Assistant
Joe Ball, R.Ph., Chief Investigator	Karen MacLean, Administrative Director
Meg Aulerich, R.Ph., Board Inspector	Courtney Frank, acting Project Manager
Katie Baldwin, R.Ph., Board Inspector	Thomas Cowan, Senior AAG
Michele Cale, R.Ph., Board Inspector	
Gregg Hyman, R.Ph., Board Inspector	
Fiona Karbowicz, R.Ph., Board Inspector	

Board direction to bring plan back at strategic planning re: how to handle new probation cases and how to amend current alcohol/drug probation orders.

CONSIDERATION OF CONTESTED CASES:

Case 2011-0227 Motion to accept signed three year probation consent order for technician.

Motion by: Ken Wells; seconded by: Penny Reher. Motion unanimously carried.

Case 2011-0469 Motion to withdraw Notice against pharmacy.

Motion by: Christine Chute; seconded by: Ken Wells. Motion unanimously carried.

ADMINISTRATIVE DISCUSSION:

Case 2007-0200 Motion to accept HPSP recommendation.

Motion by: Ken Wells; seconded by: Penny Reher. Motion unanimously carried.

Case 2012-0008 Motion to deny pharmacist's request.

Motion by: Penny Reher; seconded by: Dianna Pimlott. Motion unanimously carried.

Case 2009-0252 Motion to deny technician's request.

Motion by: Ken Wells; seconded by: Dianna Pimlott. Motion unanimously carried.

Case 2009-0512 Motion to approve pharmacist's request.

Motion by: Penny Reher; seconded by: Ann Zweber. Motion carried with Ken Wells recused.

Case 2010-0487 Motion to approve pharmacist's request to reduce UAs to 18/year.
Motion by: Ken Wells; seconded by: Dianna Pimlott. Motion unanimously carried.

Case 2010-0310 Motion to approve pharmacist's request.
Motion by: Penny Reher; seconded by: Ann Zweber. Motion carried with Ken Wells opposed.

Cases 2011-0566, 2011-0567, 2011-0568, 2011-0569 and 2011-0570 Motion to issue unable to substantiate letters and include that if they do business in Oregon, they need to be licensed.
Motion by: Ken Wells; seconded by: Christine Chute. Motion unanimously carried.

Case 2008-0021 Motion to deny pharmacist's request.
Motion by: Penny Reher; seconded by: Ann Zweber. Motion unanimously carried.

Case 2011-0700 Motion to deny CPT technician application.
Motion by: Ann Zweber; seconded by: Dianna Pimlott. Motion unanimously carried.

Case 2006-0629 Motion to amend order to allow pharmacist to be PIC for drugless pharmacy he owns.
Motion by: Ken Wells; seconded by: Ann Zweber. Motion unanimously carried.

Case 2011-0497 Case pulled; requested information not received from petitioner.

Case 2011-0443 Motion to issue Letter of Concern to pharmacy recommending they notify Patient Safety Commission.
Motion by: Ann Zweber; seconded by: Dianna Pimlott. Motion unanimously carried.

BOARD APPEARANCES:

Case 2009-0268 Motion to deny intern's request.
Motion by: Penny Reher; seconded by: Christine Chute. Motion carried with Ann Zweber recused.

Case 2011-0233 Motion to reinstate pharmacist license with 5 year probation.
Motion by: Ken Wells; seconded by: Christine Chute. Motion unanimously carried.

Case 2011-0551 Motion to approve pharmacist's petition for reinstatement with 5 year probation.
Motion by: Ken Wells; seconded by: Dianna Pimlott. Motion carried with Christine Chute opposed.

CASE REVIEW:

Case 2011-0508; Case 2011-0585; Case 2011-0494 Board direction: do further investigation and bring back to Board.

Case 2011-0679 Motion to impose \$10,000 civil penalty per violation against outlet.
Motion by: Ken Wells; seconded by: Ann Zweber. Motion unanimously carried.

**Case 2011-0695 Motion to accept technician's signed Stipulated Consent Order; and in
Case 2012-0018 letter of concern to outlet.**
Motion by: Ken Wells; seconded by: Penny Reher. Motion unanimously carried.

Case 2011-0616 Motion to suspend pharmacist license and impose \$1,000 civil penalty per violation.
Motion by: Ann Zweber; seconded by: Ken Wells. Motion unanimously carried.

Case 2011-0523 Motion to suspend pharmacist license and impose \$1,000 civil penalty per violation.
Motion by: Dianna Pimlott; seconded by: Ann Zweber. Motion unanimously carried.

- Case 2011-0678** **Motion to revoke technician license and impose \$1,000 civil penalty per violation.**
Motion by: Ken Wells; seconded by: Ann Zweber. Motion carried with Christine Chute opposed.
- Case 2011-0682** **Motion to revoke technician license and impose \$1,000 civil penalty per violation.**
Motion by: Christine Chute; seconded by: Ken Wells. Motion unanimously carried.
- Case 2011-0683** **Motion to close case.**
Motion by: Penny Reher; seconded by: Ann Zweber. Motion unanimously carried.
- Case 2011-0490** **Motion to revoke technician license and impose \$1,000 civil penalty.**
Motion by: Ken Wells; seconded by: Ann Zweber. Motion unanimously carried.
- Case 2012-0026** **Motion to revoke technician license and impose \$1,000 civil penalty per violation.**
Motion by: Penny Reher; seconded by: Ken Wells. Motion unanimously carried.
- Case 2011-0261** **Motion to impose \$1,000 civil penalty per violation against pharmacist; and in**
Case 2011-0580 **Motion to impose \$10,000 civil penalty per violation against outlet.**
Motion by: Ken Wells; seconded by: Penny Reher. Motion unanimously carried.
- Case 2011-0366** **Motion to revoke outlet's registration and impose \$10,000 civil penalty per violation;**
Case 2011-0395 **Motion to impose \$10,000 civil penalty per violation against 2nd outlet;**
Case 2012-0016 **Motion to impose \$1,000 civil penalty per violation against pharmacist. Motion by:**
Dianna Pimlott; seconded by: Ken Wells. Motion unanimously carried.
- Case 2011-0503** **Motion to suspend pharmacist license and impose \$1,000 civil penalty per violation**
against pharmacist; Letter of Concern to PIC and cc outlet. Motion by: Penny Reher; seconded by: Ken Wells.
Motion unanimously carried.
- Case 2011-0263** **Motion to revoke pharmacist license and impose \$1,000 civil penalty per violation**
against PIC; and in
Case 2011-0422 **close under investigation**
Case 2011-0455 **Motion to revoke outlet license and impose \$10,000 Civil Penalty per violation against**
manufacturing outlet;
Case 2011-0456 **Motion to revoke outlet license and impose \$10,000 Civil Penalty per violation against**
drug outlet. Motion by: Ken Wells; seconded by: Christine Chute. Motion unanimously carried.
- Case 2011-0654** **Motion to issue Letter of Concern to outlet; and in**
Case 2012-0009 **Motion to impose \$1,000 civil penalty per violation against Pharmacist-in-Charge.**
Motion by: Ken Wells; seconded by: Dianna Pimlott. Motion unanimously carried.
- Case 2011-0656** **Motion to impose \$10,000 civil penalty per violation against outlet. Motion by: Ken**
Wells; seconded by: Penny Reher. Motion unanimously carried.
- Case 2011-0607** **Motion to impose a \$10,000 civil penalty per violation against outlet; and issue Letter**
of Concern to Pharmacist-in-Charge. Motion by: Ken Wells; seconded by: Penny Reher. Motion unanimously
carried.
- Case 2011-0689** **Motion to revoke technician license and impose \$1,000 civil penalty per violation.**
Motion by: Dianna Pimlott; seconded by: Ann Zweber. Motion unanimously carried.
- Case 2011-0611** **Motion to revoke technician license and impose \$1,000 civil penalty per violation.**
Motion by: Christine Chute; seconded by: Dianna Pimlott. Motion carried with Kenneth Wells recused.
- Case 2011-0670** **Motion to deny technician application.**
Motion by: Ken Wells; seconded by: Dianna Pimlott. Motion carried with Larry Cartier opposed.
- Case 2011-0635** **Motion to deny technician application.**
Motion by: Christine Chute; seconded by: Ken Wells. Motion unanimously carried.

Case 2011-0609 Motion to deny technician application.
Motion by: Christine Chute; seconded by: Dianna Pimlott. Motion unanimously carried.

Case 2011-0594 Motion to close under investigation.
Motion by: Christine Chute; seconded by: Ann Zweber. Motion unanimously carried.

Case 2011-0608 Motion to grant pharmacist license.
Motion by: Ken Wells; seconded by: Penny Reher. Motion unanimously carried.

Case 2011-0638 Motion to impose \$1,000 civil penalty per violation against CPT.
Motion by: Ann Zweber; seconded by: Ken Wells. Motion unanimously carried.

Case 2011-0560 Motion to impose \$1,000 civil penalty per violation against drug outlet.
Motion by: Ken Wells; seconded by: Dianna Pimlott. Motion carried with Ann Zweber recused.

Case: 2011-0536 Board direction: continue with investigation and bring back at a later date.

Case 2011-0452 Motion issue Letter of Concern recommending CE in patient safety/medication error prevention to pharmacist.
Motion by: Penny Reher; seconded by: Ken Wells. Motion unanimously carried.

Case 2011-0642 Motion to issue Letter of Concern to pharmacist regarding labeling for RX medication error; cc letter to PIC and drug outlet.
Motion by: Ken Wells; seconded by: Dianna Pimlott. Motion unanimously carried.

Case 2011-0665 Motion to issue Letter of Concern recommending CE in patient safety/medication error prevention to Pharmacist-in-Charge; cc letter to outlet.
Motion by: Ann Zweber; seconded by: Ken Wells. Motion unanimously carried.

Case 2011-0465 Motion to issue Letter of Concern recommending CE in patient safety/medication error prevention to Pharmacist and technician; cc letter to PIC.
Motion by: Christine Chute; seconded by: Ken Wells. Motion unanimously carried.

Case 2011-0676 Motion to issue Letter of Concern recommending CE in patient safety/medication error prevention to Pharmacist and technician; cc letter to outlet.
Motion by: Dianna Pimlott; seconded by: Ken Wells. Motion carried with Ann Zweber recused.

COMPLIANCE CONSENT AGENDA:

**Cases listed under the compliance 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 case will be removed from the compliance consent agenda and placed on the regular compliance agenda.*

Motion to accept the items on the consent agenda with cases 2011-0642, 2011-0676, 2011-0665 and 2011-0465.
Motion by: Ken Wells; seconded by: Dianna Pimlott. Motion unanimously carried.

LETTERS OF CONCERN CASES:

Case 2011-0509 Pharmacist: Letter of Concern to RPh recommending CE in patient safety/medication error; **CPT:** Letter of Concern to CPT recommending CE in patient safety/medication error; **PIC and Outlet:** CC: Letters of Concern.

Case 2011-0502 Pharmacist: Letter of Concern to RPh recommending CE in patient safety/medication error.

Case: 2011-0558 Drug Outlet: Letter of concern, **PIC:** Letter of concern, **RPH:** Letter of concern and **CPT:** Letter of concern

Case: 2011-0593 Pharmacist-in-Charge: Letter of Concern, **Pharmacy:** CC: Letter of Concern

DEFICIENCY NOTICES:

Cases: 2011-0501, 2011-0547, 2011-0575, 2011-0578, 2011-0587, 2011-0589, 2011-0590, 2011-0592, 2011-0602, 2011-0603, 2011-0604, 2011-0605, 2011-0606, 2011-0617, 2011-0619, 2011-0620, 2011-0621, 2011-0622, 2011-0623, 2011-0629 2011-0631, 2011-0646, 2011-0647, 2011-0648, 2011-0651, 2011-0652, 2011-0653, 2011-0655, 2011-0657, 2011-0658, 2011-0659, 2011-0660, 2011-0661, 2011-0671, 2011-0672, 2011-0673, 2011-0690 and 2011-0693.

UNABLE TO SUBSTANTIATE:

Cases: 2011-0492, 2011-0527, 2011-0637, 2011-0645, 2011-0667 and 2011-0668.

NO VIOLATION:

Cases: 2011-0535, 2011-0573, 2011-0579, 2011-0598, 2011-0625, 2011-0634, 2011-0644, 2011-0650 and 2011-0687.

NO JURISDICTION:

Case: 2011-0597.

UNSWORN FALSIFICATION (INTENT UNKNOWN)-CE LETTERS:

By authority delegated to Oregon Board of Pharmacy Staff by the Board, the following applicants and licensees will be issued CE in lieu of discipline letters:

Case: 2011-0614

DENIAL OF TECHNICIAN APPLICATION ORDERS:

By authority delegated to Oregon Board of Pharmacy Staff by the Board denial of technician licenses notices will be issued in:

Case: 2011-0561, 2011-0581 and 2011-0633.

TECHNICIAN LICENSES: PROPOSED DENY / GRANT WITH PROBATION:

By authority delegated to Oregon Board of Pharmacy Staff by the Board, the following technician licenses will be granted with probation, or issued proposed Consent Orders:

Case: 2011-0550 and 2011-0613.

“SHORT COUNT” Letters of Concern:

By authority delegated to Oregon Board of Pharmacy Staff by the Board, letters of concern will be issued in the following cases involving allegations of 'short counts' where pharmacist admits to violation:

Case: 2011-0591