

ARKANSAS STATE BOARD OF PHARMACY
322 South Main St., Suite 600
Little Rock, AR 72201

Tuesday, June 6, 2023

The Arkansas State Board of Pharmacy met for a regular scheduled Board meeting on June 6, 2023. The meeting originated from the Arkansas State Board of Pharmacy office located at 322 South Main Street, Suite 600, Little Rock, AR., and was held in person with some participants via Zoom.

The meeting was called to order by Lynn Crouse, Pharm.D., President.

Members present:

- * Brian Jolly, Pharm.D.
- * Rodney Richmond, Pharm.D.
- * Rebecca Mitchell, Pharm.D.
- * Lenora Newsome, P.D.
- * Debbie Mack, P.D.
- * Amy Fore
- * Harold Simpson

Staff present:

- * John Kirtley, Pharm.D., Executive Director
- * Brenda McCrady, P.D, Assistant Director
- * Ashley Vailes, General Counsel
- * Kevin Robertson, Pharm.D.
- * Cindy Fain, P.D.
- * Brandon Holland, Pharm.D.
- * Lana Whitmore, CFO

All members were present for the meeting.

The minutes from the February 21-23, 2023, Board Meeting and the April 25, 2023, Emergency Conference Call Meeting were reviewed.

BOARD ACTION:

Dr. Jolly made the motion that the minutes of the February 21-23, 2023, Board Meeting and the April 25, 2023, Emergency Conference Call Meeting be approved as presented. Dr. Newsome seconded the motion. The vote for the motion was unanimous.

Mrs. Whitmore presented the Board with the financial report for review.

BOARD ACTION:

Dr. Jolly made the motion to accept the financial report. Dr. Newsome seconded the motion. The vote for the motion was unanimous.

The Board interviewed candidates for Reciprocity. Each applicant was asked to complete a questionnaire regarding practice history, type of business, and background. The Board interviewed the candidates in five separate groups, spoke to them all regarding Arkansas CE requirements, and made motions for each specific group. The following candidates appeared before the Board via ZOOM:

Mina		Amin
Aleksandra		Andrzejewska
Michael	David	Angell
Jessica	Maria	Balmelli
Ngoc		Banh
Michael	Andrew	Becker
Camille	Fay	Blank
Bianca	Marie	Briscese
Aleasha	Patrice	Bryant
James	Witschen	Bryce II
Carly	Jan	Burton
Michael	Joseph	Busuttil
Ramesh		Chigurupati
Sheeva		Chopra
Michael	Joel	Church
Hannah	Leigh	Cockrell
Stacy	Alan	Cody
Ann	Marie	Colley
Eric	Scott	Cunningham

BOARD ACTION:

Dr. Mitchell made the motion to approve the above applicants for reciprocity. Dr. Newsome seconded the motion. The vote for the motion was unanimous.

The Board's interview process continued for the following candidates for Reciprocity:

Steven	John	Dufala
David	Steven	Duncan
Antashara	Shant'argo	Earle
Jasneet	Singh	Gandhi
Mina	F.	Garas
Julia	R.	Garrettson
Maro	Kennedy	Ghebryal
Onyeka		Godwin
Marilyn	Lucia	Gonzalez
Jessica	Cimino	Goodman
Vito	Joseph	Graziano
Cassie	Marie	Groner
Grant	Charles	Harder
Regina	Elizabeth	Hatton
Pamela	Anne	Helser

Bryce	Gill	Hodgson
Loree	Rachelle	Hoflander
Lisa	Jane	Holmes
Trevor	James	Jeffers
Bryan	Richard	Jones
Kristen	Meier	Lawrence
Colette	FSN	Lewis-Mann
Christine	Jenny	Lo

BOARD ACTION:

Dr. Mitchell made the motion to approve the above applicants for reciprocity. Dr. Jolly seconded the motion. The vote for the motion was unanimous.

The Board's interview process continued for the following candidates for Reciprocity:

Lawrence	Clinton	Martin
Nadia		Massop
Arun	Thampy	Mathew
Matthew	Steven	Miller
Anne	Judith	Moorman
Kenneth	James	Myers
Duc	Huu	Nguyen
Thanh	Kim	Nguyen
Marco	Vicente	Onoroto
Patricia	Agiliga	Osedumme
Mirian		Paik
Michael	Dennis	Papenthien
Ankur	Indra	Patel
Daniel	Thomas	Paul
Robert	M.	Pedicone
Trisha	Renee	Petticrew
Kalyn	M.	Powers
Monica	Tunishi	Quinn
Ronald	Glenn	Rahe
Lannette	Michella	Reeves
Kendall	Kori	Rouleau

BOARD ACTION:

Dr. Newsome made the motion to approve the above applicants for reciprocity. Dr. Mitchell seconded the motion. The vote for the motion was unanimous.

The Board's interview process continued for the following candidates for Reciprocity:

Sarrett	Grayson	Sandidge
Mark	Steven	Scovotti
Eugene	John	Siagris
Adam	Robert	Slyter
Scott	Benjamin	Stephens
Matthew	Peyton	Strickland
Nidhish	Chinganezhath	Suresh
Robin	Teree	Terry-Purnell
Morgan	May	Toben
Melissa (John)	Leigh	Toy
Phuoc	Trong	Tran
Gregory	C.	Upham
Robert	Gabriel	Valadez
Mary	Shanley	Voos
Todd	Bradley	Whittaker
Paul	Forest	Williams
Shmuel	Stuart	Winzelberg
Jill	Elizabeth	Woodward
Daniel	Gary	Worley

BOARD ACTION:

Dr. Newsome made the motion to approve the above applicants for reciprocity pending all requirements are met. Dr. Mitchell seconded the motion. The vote for the motion was unanimous.

The Board discussed the continuing education requirements as well as the benefits of joining the Arkansas Pharmacists Association with each group of reciprocity candidates.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Tonya Latrice Bell, PT13763, Case #2022-125**. This hearing was set because Ms. Bell appealed the Board's previous ruling. Dr. Crouse called the hearing to order and turned the proceeding over to the Hearing Officer, Adam Jackson. The Board was represented by Ashley Vailes. The respondent was not present for the hearing.

BOARD ACTION

Dr. Newsome made the motion in the matter of **Tonya Latrice Bell, PT13763, Case #2022-125**, the Board finds that Allegations A1 – A4 are true, and Charge C1 is proven, and move to revoke her pharmacy technician permit. Dr. Mack seconded the motion. The vote for the motion was unanimous.

The Board conducted an emergency hearing in the matter of **Allison Fenton, PT09764**.

BOARD ACTION:

Dr. Mitchell made the motion to suspend the pharmacy technician permit of **Allison Fenton, PT09764**, pending a full revocation hearing. Dr. Jolly seconded the motion. The vote for the motion was unanimous.

Dr. McCrady presented the Board with Consent Agreements, Voluntary Surrenders, Agreed Orders, and Investigative Costs Recuperations.

BOARD ACTION:

Dr. Jolly made the motion to approve and accept all orders and agreements as presented. Dr. Mack seconded the motion. The vote for the motion was unanimous.

Support Group Discussion

Pharmacy Intern, Corinthian Hawkins, appeared before the Board to request to be able to retake the Arkansas Jurisprudence exam for a third time.

BOARD ACTION:

Ms. Fore made the motion to allow Ms. Hawkins to take the exam for a third time no earlier than two weeks from the date of her original exam. Dr. Mack seconded the motion. The vote for the motion was unanimous.

Scott Mazza and Phillip Whitman appeared before the Board representing Lightning Rx Inc., to answer the board member's questions regarding the pharmacy's scope of practice, patient freedom of choice, and patient referral from Ziphealth. The company is seeking an Out-of-State Pharmacy Permit in Arkansas.

BOARD ACTION:

Dr. Jolly made the motion to approve the permit for Lightning Rx, Inc., pending the receipt by staff of a written addendum detailing patient freedom of choice, counseling, and their shipman model. Dr. Mack seconded the motion. The vote for the motion was unanimous.

Erika Gee appeared before the Board on behalf of Boothwyn Pharmacy to withdraw their application.

BOARD ACTION:

Dr. Newsome made the motion in the matter of Boothwyn Pharmacy, Case #2023-054 that the Board accepts the withdrawal of their application. Dr. Mitchell seconded the motion. The vote for the motion was unanimous.

Leslyn Boyland, PD07639, and her attorney, Erika Gee, appeared before the board regarding Complaint No. 2022-84 filed with the Board.

BOARD ACTION:

Dr. Mitchell made the motion in the matter of Leslyn Boyland, PD07639, to take no action and dismiss the charges. Dr. Richmond seconded the motion. The vote for the motion was unanimous.

Cindy Jackson, PD08459, and her attorney, Erika Gee, appeared before the board regarding Complaint No. 2022-74 filed with the Board.

BOARD ACTION:

Dr. Richmond made the motion in the matter of Cindy Jackson, PD08459, to require Dr. Jackson to obtain an additional 10 hours of continuing education (four of which she has already completed) specifically related to the prevention of medication errors. In addition, the pharmacy and pharmacist in charge work to give staff a written assessment of what happened and a corrective plan of action. This action is non-disciplinary. Dr. Newsome seconded the motion. The vote for the motion was unanimous.

Joshua Winningham, Denise Zahorchak, and Nannette Vowell appeared before the Board on behalf of Diamond Pharmacy to request proposed changes to their stock list and controlled stock list for the Ouachita River Correctional Unit – Special Needs Unit as well as a stock list and controlled stock list for other ADC facilities.

BOARD ACTION:

Dr. Mack made the motion for staff to work with them to figure out exactly how the process should be working – they're granted authority for stock meds in these facilities. Dr. Mitchell seconded the motion. The vote for the motion was unanimous.

Priscilla Campbell, Ginny Hoar, and Alan Pittman appeared before the Board on behalf of Omnicare to request to use Omnicell in their long-term care facilities as their emergency kit in the homes.

BOARD ACTION:

Dr. Newsome made the motion to approve the request as presented. Dr. Mitchell seconded the motion. The vote for the motion was unanimous.

Discussion Items

Dr. McCrady presented the Board with the Authorization to Conduct Board of Pharmacy Oversight Activities form. This form is to be signed by the Board president and allows the Board of Pharmacy's Executive Director, Assistant Director, and Inspectors authorization to enter pharmacies and review records on behalf of the Board.

BOARD ACTION:

Dr. Mitchell made the motion to accept the Authorization to Conduct Board of Pharmacy Oversight Activities forms as presented, through June 30, 2024. Dr. Mack seconded the motion. The vote for the motion was unanimous.

The Board adjourned for the day.

Wednesday, June 7, 2023

The meeting was called to order by Lynn Crouse, Pharm.D., President.

Members present:

- * Brian Jolly, Pharm.D.
- * Rodney Richmond, Pharm.D.
- * Rebecca Mitchell, Pharm.D.
- * Lenora Newsome, P.D.
- * Debbie Mack, P.D.
- * Amy Fore
- * Harold Simpson

Staff present:

- * John Kirtley, Pharm.D., Executive Director
- * Brenda McCrady, P.D, Assistant Director
- * Ashley Vailes, General Counsel
- * Kevin Robertson, Pharm.D.
- * Cindy Fain, P.D.
- * Brandon Holland, Pharm.D.
- * Lana Whitmore, CFO

All members were present for the meeting.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Christian Chou Weeks, PD14705 – Reinstatement Applicant, Case #2022-069**. Dr. Crouse called the hearing to order and turned the proceeding over to the Hearing Officer, Christian Harris. The Board was represented by Ashley Vailes. The respondent was not represented by counsel.

BOARD ACTION

Dr. Mitchell made the motion in the matter of **Christian Chou Weeks, PD14705 – Reinstatement Applicant, Case #2022-069**, the Board finds that Allegations A1 – A7 are true, and Charges C1 – C3 are proven, and I make a motion that we reinstate her pharmacist license. Dr. Newsome seconded the motion. The vote for the motion was unanimous.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Richard Parks, PD07337 and Marietta Parks, PD06868, Case #2023-046**. Dr. Crouse called the hearing to order and turned the proceeding over to the Hearing Officer, Christian Harris. The Board was represented by Ashley Vailes. The respondents were not represented by counsel.

BOARD ACTION

Dr. Mitchell made the motion in the matter of **Richard Parks, PD07337 and Marietta Parks, PD06868, Case #2023-046**, the Board finds that Allegations A1 – A8 are true, and Charges C1 – C6 are proven. I would like to make the following motion: that all pharmacy permits currently held by the respondents, collectively or individually, will be revoked on the first business day of calendar year 2024. That the respondents, as permit holders, shall cause the pharmacy to perform and they shall review monthly reconciliation reports of all controlled substances at each pharmacy on which they're currently the permit holders, until they are no longer the permit holders, and that those reports be available to

Board staff upon request. Third, that they follow the DEA regulations to notify and submit a DEA 106 reporting for the Waldron Store losses. And finally, effective immediately, neither respondent is eligible to be a pharmacist in charge in an Arkansas licensed pharmacy, with the exception that Mrs. Parks, may remain the PIC at the current Greenwood facility, until either revocation or change of ownership occurs. Dr. Richmond seconded the motion. The motion carries. Dr. Newsome recused from the vote.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Broadway Family Pharmacy (PRxP of New York), Unlicensed Pharmacy, Case #2023-068**. Dr. Crouse called the hearing to order and turned the proceeding over to the Hearing Officer, Christian Harris. The Board was represented by Ashley Vailes. The respondent was represented by Jonathan Shulan.

BOARD ACTION

Dr. Jolly made the motion in the matter of **Broadway Family Pharmacy (PRxP of New York), Unlicensed Pharmacy, Case #2023-068**, the Board finds that Allegations A1 – A4 are true, and Charges are proven, and move to impose a non-disciplinary fee of \$9,600 payable within 30 days. Dr. Mack seconded the motion. The vote for the motion was unanimous.

Discussion Items

- Amend ratio for supervised staff
- MOU – Hospital Pharmacy Continuity of Care Endorsement

Pharmacy Intern, Bre'Anna Jolliff, appeared before the Board to request to be able to retake the Arkansas Jurisprudence exam for a third time.

BOARD ACTION:

Dr. Mitchell made the motion to allow Ms. Jolliff to take the exam for a third time no earlier than two weeks from the date of her original exam. Dr. Mack seconded the motion. The vote for the motion was unanimous.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Jasmine Brown, Pharmacy Technician Applicant, Case #2023-056**. Dr. Crouse called the hearing to order and turned the proceeding over to the Hearing Officer, Clayton Orr. The Board was represented by Ashley Vailes. The respondent was not represented by counsel.

BOARD ACTION

In the matter of **Jasmine Brown, Pharmacy Technician Applicant, Case #2023-056**, Mr. Simpson made the motion to dismiss the case. Dr. Mitchell seconded the motion. The vote for the motion was unanimous.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Bianca Winston, Pharmacy Technician Applicant, Case #2023-055**. Dr. Crouse called the hearing to order and turned the proceeding over to the Hearing Officer, Clayton Orr. The Board was represented by Ashley Vailes. The respondent was represented by Sylvester Smith.

BOARD ACTION

Dr. Mitchell made the motion in the matter of **Bianca Winston, Pharmacy Technician Applicant, Case #2023-055**, the Board finds that Allegations A1 – A9 are true, and Charge C1 is proven, and I make a motion that we grant her application for a pharmacy technician permit. Dr. Mack seconded the motion. The vote for the motion was unanimous.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Haley Gregory, Pharmacy Technician Applicant, Case #2023-066**. Dr. Crouse called the hearing to order and turned the proceeding over to the Hearing Officer, Clayton Orr. The Board was represented by Ashley Vailes. The respondent was not represented by counsel.

BOARD ACTION

Dr. Newsome made the motion in the matter of **Haley Gregory, Pharmacy Technician Applicant, Case #2023-066**, the Board finds that Allegations A1 – A6 are true, and Charge C1 is proven, and I make a motion that we grant her application for a pharmacy technician permit. Dr. Mitchell seconded the motion. The motion passes. Dr. Jolly was not present for the vote.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Michael Zimmerman, Pharmacy Technician Applicant, Case #2023-060**. Dr. Crouse called the hearing to order and turned the proceeding over to the Hearing Officer, Clayton Orr. The Board was represented by Ashley Vailes. The respondent was not represented by counsel.

BOARD ACTION

Dr. Richmond made the motion in the matter of **Michael Zimmerman, Pharmacy Technician Applicant, Case #2023-060**, the Board finds that Allegations A1 – A7 are true, and Charge C1 is proven, and I make a motion that

we grant his application for a pharmacy technician permit. Dr. Newsome seconded the motion. The motion passes. Dr. Jolly was not present for the vote.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Tracy Johnson, Pharmacy Technician Applicant, Case #2023-059**. Dr. Crouse called the hearing to order and turned the proceeding over to the Hearing Officer, Clayton Orr. The Board was represented by Ashley Vailes. The respondent was not represented by counsel.

BOARD ACTION

In the matter of **Tracy Johnson, Pharmacy Technician Applicant, Case #2023-059**, Dr. Mitchell made the motion to dismiss the case. Dr. Jolly seconded the motion. The vote for the motion was unanimous.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Marshea Mayfield, Pharmacy Technician Applicant, Case #2023-057**. Dr. Crouse called the hearing to order and turned the proceeding over to the Hearing Officer, Clayton Orr. The Board was represented by Ashley Vailes. The respondent was not represented by counsel.

BOARD ACTION

Dr. Mitchell made the motion in the matter of **Marshea Mayfield, Pharmacy Technician Applicant, Case #2023-057**, the Board finds that Allegations A1 – A3 are true, Allegations A4 – A5 are not true, and Charge C1 is not proven, and I make a motion that we grant her application for a pharmacy technician permit. Dr. Jolly seconded the motion. The motion passes. Dr. Mack was not present for the vote.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Bryan Steward, Pharmacy Technician Applicant, Case #2023-058**. Dr. Crouse called the hearing to order and turned the proceeding over to the Hearing Officer, Christian Harris. The Board was represented by Ashley Vailes. The respondent was not present for the hearing.

BOARD ACTION

Dr. Dr. Jolly made the motion in the matter of **Bryan Steward, Pharmacy Technician Applicant, Case #2023-058**, the Board finds that Allegations A1 – A7 are true, and Charge C1 is proven, and move to deny his pharmacy technician application. Ms. Fore seconded the motion. The vote for the motion passes. Dr. Mack was not present for the vote.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Novitium Pharma, LLC, WD04947, Case #2022-112**. Dr. Crouse called the hearing to order and turned the proceeding over to the Hearing Officer, Christian Harris. The Board was represented by Ashley Vailes. The respondent was not present for the hearing.

BOARD ACTION

Dr. Newsome made the motion in the matter of **Novitium Pharma, LLC, WD04947, Case #2022-112**, the Board finds that Allegations A1 – A5 are true, and Charge C1 is proven, and move to revoke the license. Dr. Richmond seconded the motion. The vote for the motion passes. Dr. Mack was not present for the vote.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **H&H Wholesale Rx, LLC, WD04418, Case #2023-070**. Dr. Crouse called the hearing to order and turned the proceeding over to the Hearing Officer, Christian Harris. The Board was represented by Ashley Vailes. The respondent was not present for the hearing.

BOARD ACTION

Dr. Mitchell made the motion in the matter of **H&H Wholesale Rx, LLC, WD04418, Case #2023-070**, the Board finds that Allegations A1 – A4 are true, and Charge C1 is proven, and move to revoke the permit. Dr. Richmond seconded the motion. The vote for the motion passes. Dr. Mack was not present for the vote.


The Board election for officers was held.

BOARD ACTION:

Dr. Mitchell made the motion for Dr. Brian Jolly to be the Board President, Dr. Rodney Richmond to be the Vice-President/Secretary, and Dr. Lynn Crouse to be the Past President/Chairperson. This change is to be effective at the end of today's meeting. Ms. Fore seconded the motion. The vote for the motion was unanimous.

The meeting was adjourned.

Prepared by:


Lana Whitmore, CFO

Approved for the Board:


Brian Jolly, Pharm.D., President