

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

**Tuesday, February 10, 2025**

The Arkansas State Board of Pharmacy met for a regular scheduled Board meeting on February 10, 2025. 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 Rodney Richmond, Pharm.D., President.

**Members present:**

- \* Debbie Mack, P.D. (ZOOM)
- \* Brian Jolly, Pharm.D.
- \* Lenora Newsome, P.D.
- \* Clint Boone, Pharm.D.
- \* W. Lyn Fruchey, Pharm.D.
- \* Harold Simpson
- \* Beth Ann Davenport, Pharm.D. (ZOOM)

**Staff present:**

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

**All members were present.**

The minutes from the October 8-9, 2024, Board Meeting and the December 11, 2024, Emergency Hearing were reviewed.

**BOARD ACTION:**

Dr. Mack made a motion to approve the minutes from the October 8-9, 2024, Board Meeting and the December 11, 2024, Emergency Hearing. Dr. Jolly 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.

Mrs. Whitmore presented the 2025 Board Member Meeting List and Authority for Expense Reimbursement for Board Members and Stipend Authorization, pursuant to Arkansas Statute 25-16-902 and 25-16-905.

**BOARD ACTION:**

Dr. Newsome made the motion to approve the Board Member Meeting List and Authority for Expense Reimbursement for Board Members and Stipend

Authorization. Mr. Simpson 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:

Purvi	Alpesh	Agrawal
Mary	Gamal George	Antoun
Michael	Walker	Barberio
Akeylah	Janna	Battle
Max	Dael	Beauvoir
Ma	Ruth	Benitez
Todd	Christopher	Biedenham
Calvin	Baafi	Buabeng
Han Na		Cho
Kate	Michelle	Claerbout
Joshua	Thomas	Close
Michael	Scott	Copple
Nicole	Alyson	Correll
Tengyi		Cui
Anh	Tuan	Dong
Melissa	Ann	Duchscherer
Cindy	Mcelyea	Dukes
Mohamed	Jameel	Dungarsi
Joseph		Elkins
James	R.	Finlayson
Chelise	Saunier	Freyou
Michael	Philip	Garner
Grace	Titilola	Gbadamosi
Leigh	Pearson	German
Jamie	Layne	Grubb

**BOARD ACTION:**

Dr. Jolly 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:

Lisa	Kristie	Hartig-Mawhorr
Bridget	Mary	Henneman

Jaron		Hu
Adam	Stanley	Hursey
Brianna	K.	Jereb
Haden	Foster	Johnson
Charles	Robert	Konkus
Jung	Kwon	Kook
Chrysti		Kozarski
Ashley	Dawn	Langford
David	Michael	Liston
Saman		Mashi
Austin	Jackson	Maynard
Antoinette	M.	McDonald
Stacie	Marie	Miller
Lisa	Marie	Moffa
Nirvana		Nashed
Douglas	James	Navarro
Kelsey	Anne	Newell
Annie	Phan	Nguyen
Gamsa	Charis	Oh
Garrett	Wilson	Owens
Bokyoung		Park
Dhara	M.	Patel
Vinit	Rohitkumar	Patel
Sidra		Pervez

**BOARD ACTION:**

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

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

Yakov		Ratner
Austin	Jacob	Reuter
Laemsing	Nguyen	Root
Kevin	Albert	Rossler
Joleen	B.	Sawyer
Ted	David	Schwendemann
Jesse	Lee	Shelton
Matthew	Phillip	Shidler
Michael	Nathan	Smith
Randa	O.	Sorour
Lloyd	Wade	Sparks

Christopher	Erast	Tarangul
Krystal	Marie	Tate
John	Ngoc Long	Tran
Praveen		Vaka
Megan	Michelle	Van Horn
Ellen	Kim	Vo
Andrea	Cooper	Walker
Breon	Ryan	Washington
Joshua	Robert	Weidler
Lauren	Ashley	Woods
Daniel	Liny	Zhang

**BOARD ACTION:**

Dr. Boone made the motion to approve the above applicants for reciprocity. Dr. Newsome 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.

*Support Group Discussion*

Dr. Kirtley presented the Board with Consent Agreements, Voluntary Surrenders, Non-Disciplinary Order, and Investigative Cost Recuperations.

**BOARD ACTION:**

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

Tate Berger and Jessica Hopper both appeared before the Board via ZOOM to request approval for an In-State Retail Pharmacy application submitted to the Board. Dr. Berger is the owner and listed as the pharmacist in charge, but he lives in Colorado. Dr. Berger said they will not open the pharmacy, or order prescription drugs, etc., until a local pharmacist in charge is hired and available to work on site.

**BOARD ACTION:**

Dr. Newsome made the motion that Dr. Berger must hire a long-term pharmacist in charge before the application process can move forward. Mr. Simpson seconded the motion. The vote for the motion was unanimous.

## **EMERGENCY HEARINGS**

The Arkansas State Board of Pharmacy held emergency hearings during the regularly scheduled meeting of the Board on February 11, 2025.

The Board conducted an emergency hearing in the matter of **Sterling Distributors, MG101850**.

### **BOARD ACTION**

Dr. Jolly made the motion that in the matter of **Sterling Distributors, MG101850**, to suspend the DME permit on an emergency basis. Dr. Mack seconded the motion. The vote for the motion was unanimous.

The Board conducted an emergency hearing in the matter of **Shemekia Tubbs, PT12744**.

### **BOARD ACTION**

Mr. Simpson made the motion that in the matter of **Shemekia Tubbs, PT12744**, to suspend her pharmacy technician permit on an emergency basis. Dr. Boone seconded the motion. Dr. Newsome recused from this hearing. The motion passes.

Phil Krough, Eric Tomczak, and Bob Smith appeared before the Board as representatives from Patient Care of America to request the Board terminate a MOU it has with PCA from a case in 2018. Since then, PCA has made many changes, and the termination of the MOU would allow them to conduct business in accordance with their current Arkansas license to more fully serve the kidney disease patients they serve in Arkansas and across the US.

### **BOARD ACTION:**

Mr. Simpson made the motion to expand the MOU to cover bundling for dialysis. Dr. Newsome seconded the motion. The vote for the motion was unanimous.

Kim Tedesco, Nichole Cover, and Laura Watkins, representatives from Walgreens Gene & Cell Services, appeared before the Board to request approval for an Out of State Pharmacy Application for Walgreens Gene & Cell in Pennsylvania.

### **BOARD ACTION:**

Dr. Jolly made the motion to approve the application as presented. Dr. Boone seconded the motion. The vote for the motion was unanimous.

Rebekah Hearn, Pharmacist in Charge at Sam Alexander Pharmacy, appeared in front of the Board to request approval for a central fill agreement between Sam Alexander Pharmacy and Poynor Drug as well as approval for a remote order entry policy to help with workload balancing between the stores. The two pharmacies share common ownership.

**BOARD ACTION:**

Dr. Jolly made the motion to approve the central fill and off-site order entry request as presented. Dr. Fruchey seconded the motion. The vote for the motion was unanimous.

The Board adjourned for the day.

**Wednesday, February 12, 2025**

**Members present:**

- \* Debbie Mack, P.D. (ZOOM)
- \* Brian Jolly, Pharm.D.
- \* Lenora Newsome, P.D.
- \* Clint Boone, Pharm.D.
- \* W. Lyn Fruchey, Pharm.D.
- \* Harold Simpson
- \* Beth Ann Davenport, Pharm.D. (ZOOM)

**Staff present:**

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

**All members were present.**

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Teresa David, PD13840, Case #2024CE-6**. Dr. Richmond called the hearing to order and turned the proceeding over to the Hearing Officer, Chris Madison. The Board was represented by Ashley Vailes. The respondent was not represented by counsel.

**BOARD ACTION**

Dr. Mack made the motion in the matter of **Teresa David, PD13840, Case #2024CE-6**, that we require Dr. David to make up the 24 hours and those will count for the past due hours, not the current hours. We will uphold the \$1,200 fine plus \$750 investigative costs, for a total of \$1,950.00 due by June 15, 2025. Dr. Newsome seconded the motion. The vote for the motion was six to one. The vote for the motion passes.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Grant Goode, PD07837, Case #2024CE-14**. Dr. Richmond called the hearing to order and turned the proceeding over to the Hearing Officer, Chris Madison. The Board was represented by Ashley Vailes. The respondent was not represented by counsel.

**BOARD ACTION**

Dr. Jolly made the motion in the matter of **Grant Goode, PD07837, Case #2024CE-14**, the Board finds that Allegations A1 – A4 are true, and Charges C1 – C2 are proven, and we impose a \$975 fine based on every hour of CE that was short for the biennium of 2022-2023, and that we impose an investigative cost fine of \$350, and Dr. Goode be required to obtain twice the number of hours above and beyond the requirement for the current biennium to make up for the previous biennium. 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 **Lumicera Health Services LLC, OS02950 and OS02703, Case #2023-124**. Dr. Richmond called the hearing to order and turned the proceeding over to the Hearing Officer, Chris Madison. The Board was represented by Ashley Vailes. The respondent was represented by Casey Castleberry.

#### **BOARD ACTION**

Mr. Simpson made the motion in the matter of **Lumicera Health Services LLC, OS02950 and OS02703, Case #2023-124**, the Board will make the finding that Allegations A1 – A11 have been proved. We're relying on the applicable law and regulations as stated in L-1 through L-4, and we are finding Charges C1 – C3 proved, and we are taking the action that we are finding Lumicera is ineligible to hold an out-of-state pharmacy permit in the State of Arkansas. Dr. Newsome seconded the motion. There was one nay vote, and one abstention. The motion passes.

A hearing was scheduled for a Petition for Declaratory Order filed by **Lumicera Health Services LLC**. Dr. Richmond called the hearing to order and turned the proceeding over to the Hearing Officer, Chris Madison. The Board was represented by Ashley Vailes. The respondent was represented by Casey Castleberry.

#### **BOARD ACTION**

Mr. Simpson made the motion in the matter of **Lumicera Health Services LLC, Case #2025-008 – Declaratory Order Petition**, to move that the Board deny the Petition for Declaratory Order and adopt the response to petition for declaratory order filed by the Agency staff in this matter. With regard to the Board's interpretation of AR Code Annotated 17-92-607(a), the Board bases its interpretation on the relationship between SSM Healthcare corporation and its nonprofit subsidiary hospitals and Lumicera Health Services, LLC to the extent that SSM Healthcare Incorporation inherently exercises control and influence over all its subsidiaries with regard to such things as: strategic decisions, overall vision, resource allocation and as such influence affects all subsidiaries even with or without any direct organizational link. And it is through SSM that the interest of the hospitals in Lumicera Health Services arises. That's further bolstered by the fact that subsidiaries have aligned interest in the overall goals set by SSM. The success of one subsidiary can contribute to the overall success and reputation of the group, including the other subsidiaries, that common ownership facilitates resource and knowledge sharing; and brand and reputation association of one subsidiary can affect the other subsidiaries. And it's for those, among other reasons, that we determined that there is sufficient interest to link the nonprofit hospitals and Lumicera as required by AR Code Annotated 17-92-607 (a). And as far as the constitutional, we responded to that by adopting the Agency staff's response. Dr. Newsome seconded the motion. The motion carries.



A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Thomas Kaye, PD12095, Case #2024CE-22**. Dr. Richmond called the hearing to order and turned the proceeding over to the Hearing Officer, Chris Madison. The Board was represented by Ashley Vailes. The respondent was not present at the hearing.

#### **BOARD ACTION**

Dr. Jolly made the motion in the matter of **Thomas Kaye, PD12095, Case #2024CE-22**, the Board finds that Allegations A1 – A4 are true, and Charges C1 – C2 are proven, and make a motion that we adopt staff recommendations and require 24 hours of live CE, impose a \$100 per hour fine which comes to a total of \$1,200 and then \$100 per hour for investigative costs which comes to \$600 for a total of \$1,800 due by June 15, 2025. 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 **Asongtia Taku, PD12710, Case #2024CE-37**. Dr. Richmond called the hearing to order and turned the proceeding over to the Hearing Officer, Chris Madison. The Board was represented by Ashley Vailes. The respondent was not present at the hearing.

#### **BOARD ACTION**

Dr. Jolly made the motion in the matter of **Asongtia Taku, PD12710, Case #2024CE-37**, the Board finds that Allegations A1 – A4 are true, and Charges C1 – C2 are proven, and make a motion that we issue a \$1,625 fine, that's \$100 per hour of every CE hour that he is short. That he make up 32.5, double the number of hours that he is short, 7.5 of which need to be live CE, and impose a \$800 investigative cost. I also make a motion that we suspend the permit until the fines and the CE requirements are resolved. 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 **Mahsa Shabaninia, PD15069, Case #2024CE-33**. Dr. Richmond called the hearing to order and turned the proceeding over to the Hearing Officer, Chris Madison. The Board was represented by Ashley Vailes. The respondent was not present at the hearing.

#### **BOARD ACTION**

Dr. Jolly made the motion in the matter of **Mahsa Shabaninia, PD15069, Case #2024CE-33**, the Board finds that Allegations A1 – A4 are true, and Charges C1 – C2 are proven, and make a motion that we issue a \$2,050 fine, that's \$100 per hour of every CE hour that she was short, \$400 investigative cost, and has to make up 41 total hours, 24 of which must be live CE, and that we suspend the permit until these requirements are met. 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 **Janell Jackson, PD13744, Case #2024CE-19**. Dr. Richmond called the hearing to order and turned the proceeding over to the Hearing Officer, Chris Madison. The Board was represented by Ashley Vailes. The respondent was not present at the hearing.

#### **BOARD ACTION**

Dr. Jolly made the motion in the matter of **Janell Jackson, PD13744, Case #2024CE-19**, the Board finds that Allegations A1 – A4 are true, and Charges C1 – C2 are proven, and make a motion that we issue at \$1,100 fine (a hundred dollars per hour for each hour of CE hours that were short), plus \$400 investigative costs for a total of \$1,500, and the Respondent make up 22 CE hours, all of which must be live. As part of the motion, also, that we suspend the permit until these requirements have been met. Dr. Newsome seconded the motion. The vote for the motion was unanimous.

#### **Discussion Items**

The Board discussed meeting dates. They set the June Board Meeting for June 3-4, 2025, and April Informals were set for April 23-24, 2025.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Drug Crafters, OS03125 and Erin Deanne Thompson, PD16483, Case #2024-066**. Dr. Richmond called the hearing to order and turned the proceeding over to the Hearing Officer, Chris Madison. The Board was represented by Ashley Vailes. The respondent was represented by David Mitchell.

#### **BOARD ACTION**

Dr. Newsome made the motion to accept the continuance, and set the new date for June 4, 2025. Dr. Jolly seconded the motion. Dr. Boone recused. The motion passes.

The meeting was adjourned.

Prepared by:

  
Lana Whitmore, CFO

Approved for the Board:

  
Rodney Richmond, Pharm.D., President