

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

**Tuesday, February 6, 2024**

The Arkansas State Board of Pharmacy met for a regular scheduled Board meeting on February 6, 2024. 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 Brian Jolly, Pharm.D., President.

**Members present:**

- \* Rodney Richmond, Pharm.D.
- \* K. Lynn Crouse, Pharm.D.
- \* Lenora Newsome, P.D.
- \* Debbie Mack, P.D. (Zoom)
- \* Clint Boone, Pharm.D.
- \* Harold Simpson
- \* Beth Ann Davenport, Pharm.D.

**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, J.D., Pharm.D.
- \* Lana Whitmore, CFO

**All members were present.**

The minutes from the October 10-11, 2023, Board Meeting; the December 5, 2023, Emergency Meeting; the December 21, 2023, Emergency Appeal Hearing; and the January 9-10, 2024, Called Board Meeting were reviewed.

**BOARD ACTION:**

Dr. Crouse made the motion that the minutes of the October 10-11, 2023, Board Meeting; the December 5, 2023, Emergency Meeting; the December 21, 2023, Emergency Appeal Hearing; and the January 9-10, 2024, Called Board Meeting were reviewed 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. Crouse made the motion to accept the financial report. Dr. Newsome seconded the motion. The vote for the motion was unanimous.

Mrs. Whitmore presented the Board with the 2024 biennial Controlled Self-Assessment Plan for the agency to be approved.

**BOARD ACTION:**

Dr. Newsome made the motion to approve the Controlled Self-Assessment Plan as presented. Dr. Crouse 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:

Candi	Marie	Ashton
Mishawn	Lynn	Audrain
Mark		Balyshev
Ryann	Olivia	Bardwell
Kari	Anne	Berthold
Ashley	Lynn	Bonifield
Diptiman		Bose
Joshua	James	Bouderman
Justin	Charles	Buehner
Devon	Whalley	Bushong
Mark	Joseph	Caddell
Ciera	Rose-Marie	Cammilleri
Charlease	Deann	Cannon
Lisa	Marie	Capriola
Lindsay	Kristine	Coleman
John	James	Coll
David	Lawrence	Damaske
Anas	R.	Damiri
Shelby	Rae	Downs
Michele	Leah	Esser
Nichole	Lynn	Feagin
Cassandra	Lee	Frimann

**BOARD ACTION:**

Dr. Richmond 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:

Adam	Michael	Gardner
Scott	David	Geduldig
Abigail	Patrice	Gendron
Whitney	Danielle	Gomez
Donnis	Evelyn	Hackney
Liya		Hagos
Jessica	Lyn	Hegge
Veronica	Petra	Hekter
Timothy	William Carl	Hughes
Kristi	Lynn	Hurley
Chimaobi	Okey	Iroegbu
Heather	Thompson	Jousan
Taelor	Danielle	Kestner
Yeunhee		Kim
Vivian	Hui-Bun	Kong
Stephanie	Marie	Kowlessar
Ann-Renee		Lawson
Sharon	Ranee	Looney
Jennifer	Jeanne	Lyon
Megan	Anne	Madanski
Maria		Masood
Jason	Lee	McDowell
Kristen	Walasky	Meyer
Patrick	T.	Meyer
John	K	Mills

**BOARD ACTION:**

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

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

Carolyn		Nghe
Duc	Thang	Nguyen
Vincent	Vinh	Nguyen
Alyssa	Renee	Nystrom
Olatokunboh	Shukrat	Ogundipe
Jessica	Lauren	Rafter
Mary	Genevieve	Reamer
Cory	Thomas	Reese

Kevin		Ridderhoff
Alicia	LeAnn	Robertson
Ruby		Roy
Andrew	Joseph	Russell
Eric	George	Schaefer
Justin	Matthew	Smerker
Lindsey	Lee	Warren
Patrick	David	Watson
Chontae	Danielle	Williams
Tamara	Monta'	Williams
Lacey	Michoan	Williamson
Alexis	D.	Woodard
Nathaniel	James	Worthing
Ryan	Joseph	Young

**BOARD ACTION:**

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

Pharmacy Intern Khudija Aftab appeared before the Board to request permission to retake the Arkansas Jurisprudence Examination for the third time.

**BOARD ACTION:**

Dr. Newsome made the motion to allow Ms. Aftab to retake the jurisprudence exam so long as she signs a statement that she has spent a minimum of 12 hours of additional review and that she has read the regulations through and through. Dr. Richmond seconded the motion. The vote for the motion was unanimous.

Max Caldwell, owner of Caldwell Discount Drug in Wynne and part owner of Delta Community Pharmacy also located in Wynne, and Sara Dahl, pharmacist in charge at Delta Community Pharmacy appeared before the board to request to be able to do off site order entry services between the two pharmacies which will help with workload balancing.

**BOARD ACTION:**

Dr. Crouse made the motion to approve the request. Dr. Richmond seconded the motion. The vote for the motion was unanimous.

*Support Group Discussion*

Rina Soni with Alto Pharmacy appeared before the Board as requested by staff to explain the operation details for the Out-of-State Retail Pharmacy Application that was submitted.

**BOARD ACTION:**

Dr. Newsome made the motion to approve the out-of-state pharmacy application for Alto Pharmacy. Mr. Simpson seconded the motion. The vote for the motion was unanimous.

*Discussion Items*

The Board discussed eMAR (Electronic Medication Administration Record) links from other states pertaining to off-site order review and entry on the retail side of pharmacy. Dr. Kirtley said in the past approvals have been granted only when it is within the borders of Arkansas for retail pharmacies and long-term care facilities. Dr. Kirtley asked the Board for clarity on this issue. The Board confirmed it is still the Board's opinion with the off-site order entry rules that the conditional approval of eMAR systems is only if they are not crossing state lines.

Phil Southerland with Yardi Systems and Teresa Davis, Director of Operations and Dawnal Hansen, Clinical Director – both with Fox Ridge Assisted Living Communities, appeared before the Board to request approval to use the Yardi software for prescription services in their Arkansas locations.

**BOARD ACTION:**

Dr. Crouse made the motion to accept Yardi for use in Arkansas for integration with eMAR for in-state pharmacies. Dr. Davenport seconded the motion. The vote for the motion was unanimous.

**INFORMAL MEETING PROCEDURE**

Dr. Kirtley presented the Board with Consent Agreements, Voluntary Surrenders, and Investigative Costs Recuperations.

**BOARD ACTION:**

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

*Discussion Items*

Dr. Kirtley brought up the subject of the current Naloxone Protocol that is on the Board's webpage, and said he has had a couple of requests, one request was to add Kloxxado, which is more potent than Narcan, to the protocol, and another request was for a different opioid antagonist, Nalbuphine, which is also FDA approved. Dr. Kirtley said we were asked through the Department of Health if that was something that could be added to the Naloxone Protocol. Dr. Kirtley said he reviewed the statues and there are areas that refer to Naloxone and what it is and how it works, but when it refers to having a Statewide Protocol, it's for opioid antagonists, and not specific to Naloxone. The request to the Board is to update the language in the Naloxone Protocol to simplify it by saying any FDA approved, commercially available, rapid acting opioid antagonist. If approved, we will update the Protocol and send it to the Medical Board for them to approve.

**BOARD ACTION:**

Dr. Crouse made the motion to approve the request. Dr. Newsome seconded the motion. The vote for the motion was unanimous.

Dr. Jolly requested a resolution for instances that happen in health facilities, particularly hospitals, where a patient brings in their own medicine and the medicine is left at the hospital (patient expires, doctor takes them off medicine, it is forgotten, etc.). The Board directed staff to ask Pharmacy Services at the Arkansas Department of Health to create a state rule for hospitals' ability to destroy abandoned drugs because FDA has a policy that if the state has a destruction procedure in place the hospital can destroy the medication.

Dewayne Jones from Harp's Pharmacy sent in a request which Dr. Kirtley Presented. Harp's has looked at the oral contraceptive protocol and has asked if it can be rearranged where they ask the same questions in a manner in which it seems to flow better for them. He submitted documentation forms and an algorithm. The algorithm – it's just a different picture to use, and with the documentation, it's putting the questions in a different order that they felt like made better sense. Staff has looked at it and sent it to APA to review and they find no gaps, errors, or other issues. The request for the Board is if they will accept this as a second protocol example specific to oral

contraceptive use. Dr. Kirtley said we may receive similar requests in the future from other corporations that want to use their protocol and if they take the time to demonstrate it meets all the same criteria, it would be the same type of request as Harp's.

**BOARD ACTION:**

Dr. Richmond made the motion to adopt this protocol and the Board of Pharmacy, will take the stance that, upon review by Board staff, any other protocol that is simply restating the information, but getting it in a different manner would also be accepted. Dr. Newsome seconded the motion. The vote for the motion was unanimous.

Dr. Kirtley said staff has received some hospital MOUs signed to do a 31-day supply upon discharge from the ER or the hospital. He said out of those, there is one situation to submit to the board for review because of the arrangement of the facility's campus and the fact they were wanting to put their facility to do this type of practice and their employee pharmacy in a separate building. It was deemed they would have to get a separate DEA number there and they needed a separate hospital pharmacy permit to get it. The intent by the facility is to make it more of a retail type operation versus a hospital operation – because they have a separate permit, they want to enter a MOU, but only to serve the needs of the main hospital, not the separate building. Dr. Kirtley said the clarification staff needs from the Board is rather than saying this is a MOU for permit "123," it's a permit given to permit "123" to service the needs of the on-campus hospital which may be permit "110."

**BOARD ACTION:**

Dr. Newsome made the motion to approve. Dr. Davenport seconded the motion. The vote for the motion was unanimous.

Dr. Kirtley asked if it was the will of the Board to continue to waive the original license fees for graduates from the Arkansas Colleges of Pharmacy as well as out of state graduates who plan to work in Arkansas. Dr. Kirtley said the waiver would not include the background check fees since that process has changed and applicants now go to a fingerprint harvester to have their background check initiated.

**BOARD ACTION:**

Dr. Newsome made the motion to approve waiving the fees for graduates as discussed. Dr. Richmond seconded the motion. The vote for the motion was unanimous.

The Board adjourned for the day.

**Wednesday, February 7, 2024**

The meeting was called to order by Brian Jolly, Pharm.D., President.

**Members present:**

- \* Rodney Richmond, Pharm.D.
- \* K. Lynn Crouse, Pharm.D.
- \* Lenora Newsome, P.D.
- \* Debbie Mack, P.D. (Zoom)
- \* Clint Boone, Pharm.D.
- \* Harold Simpson
- \* Beth Ann Davenport, Pharm.D.

**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, J.D., 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 **Michael Frank Malone, PD10196, Case #2022-129**. Dr. Richmond called the hearing to order and turned the proceeding over to the Hearing Officer, Joshua Baxter. The Board was represented by Ashley Vailes. The respondent was represented by Degen Clow. Dr. Jolly recused from this hearing.

**BOARD ACTION**

Dr. Crouse made the motion in the matter of **Michael Frank Malone, PD10196, Case #2022-129**, finding all allegations true and charges proven. I move that we stand on the time served and reinstate his license and take no action. Dr. Boone seconded the motion. The vote for the motion passes.

*Discussion Items*

Dr. Kirtley presented the Naloxone Protocol with the updates discussed yesterday. He said he sent a message to the Medical Board and the Department of Health regarding the changes, and it will be sent to the Medical Board for them to endorse.

Dr. Kirtley said the Board would need to look at adopting the PREP Act Protocol for COVID because once it disappears federally, we would need a Statewide Protocol for it. This protocol would also need to be sent to the Medical Board for approval.

**BOARD ACTION**

Dr. Crouse made the motion that the Arkansas State Board of Pharmacy adopt the protocol of the PREP Act for Covid treatment prevention diagnosis –



whatever the PREP act involves. Dr. Newsome seconded the motion. Mr. Simpson abstained from the vote. The motion passes.

**Elijah Vinson, PD10828** appeared before the Board with his Attorney, Darren O'Quinn, to inform the Board he would like to change his Pharmacist License from Active to Inactive, and to end his lifetime contract with the Arkansas Pharmacy Support Group.

*Discussion Items*

**BOARD ACTION:**

Dr. Crouse made the motion to set the June Board Meeting for June 4-5, 2024. Dr. Newsome seconded the motion. The vote for the motion was unanimous.

**INFORMAL MEETING PROCEDURE**

*Discussion Items*

The Board discussed and reviewed a group of general pharmacy technician applicants (not specific applicants) who requested waivers – all of whom disclosed their background history on their initial application. Ms. Vailes generically went over the applications with the board asked if they wanted to approve or if they wanted the applicants to make an appearance before the Informal Committee.

**BOARD ACTION:**

Dr. Boone made the motion to approve one of the applications with the details that were given to the Board. Dr. Newsome seconded the motion. The vote for the motion was unanimous.

**INFORMAL MEETING PROCEDURE**

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **William Keith Dickson, Unlicensed, Case #2023-171**. Dr. Jolly called the hearing to order and turned the proceeding over to the Hearing Officer, Joshua Baxter. The Board was represented by Ashley Vailes. The respondent was not present for the hearing.

**BOARD ACTION**

Dr. Richmond made the motion in the matter of **William Keith Dickson, Unlicensed, Case #2023-171**, the Board finds that Allegations A1 – A21 are true, and Charges C1 – C8776 being proven, and have the following findings: 1) Mr. Dickson be banned by our staff from taking NAPLEX at any point in time in the future 2) Not be allowed to get a license or a permit from the Arkansas State Board of Pharmacy of any kind, whether it's intern, technician, or pharmacist. That he be fined \$150,000 for the 8,770 prescriptions that he filled illegally by himself, and that this case be referred to prosecuting attorney for any potential federal consideration. Dr. Newsome seconded the motion. The vote for the motion was unanimous.

Mr. Simpson asked to go back to the discussion regarding applicants with background history.

**BOARD ACTION:**

Mr. Simpson made the motion to provide the following guidance to provide agency staff the discretion to approve waivers for applicants in the following areas:

- Theft – must be disclosed, occurred more than five years ago, and the value was less than \$500.
- Assault – must be disclosed, occurred more than five years ago, and listed as a misdemeanor.

Dr. Crouse 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