

NEBRASKA BOARD OF PHARMACY
MEETING MINUTES
May 13, 2019

ROLL CALL

Angela Svoboda, Vice-Chair, called the meeting of the Board of Pharmacy to order at 9:00 a.m. in the Staybridge Room of the Staybridge Suites, located at 2701 Fletcher Avenue, Lincoln, Nebraska. The agenda was provided to Board members, posted on a public bulletin board in the Nebraska State Office Building, posted on the Department's website, and e-mailed to the "interested parties" list prior to the meeting. The following Board members answered roll call:

Angela Svoboda, R.P., Vice-Chair
Kenneth Saunders, R.P., Secretary
Patricia Gollner, R.P.
Sabrina Beck, R.P.

Absent: Charlene Dunbar, Chair

A quorum was present and the meeting convened.

Also present were: Michael Rueb, R.P., Pharmacy Inspector; and Dean Willson, R.P., Pharmacy Inspector; Melissa Pollard, R.P., Pharmacy Inspector; Jesse Cushman, Program Manager; Vonda Apking, Health Licensing Coordinator; Mindy Lester, Assistant Attorney General; Larry Wiehn, Investigator; and Jeff Newman, Investigator.

Svoboda announced that there is a copy of all the public documents being reviewed at this meeting available in the meeting room pursuant to the Open Meetings Act.

REVIEW OF AGENDA

Dunbar arrived at 9:02 a.m.

Adoption of Agenda

Gollner moved, seconded by Beck, to approve the agenda as presented with the Chair having the authority to rearrange agenda items as needed. Voting aye: Beck, Dunbar, Gollner, Saunders, and Svoboda. Voting nay: none. Motion carried.

Additions, Modification, Reordering

The Board requested that the following applications be removed from the consent agenda:

Asha Brewer – Pharmacy Technician application
Amanda Johnson – Pharmacy Technician application
Angela Netzel – Pharmacy Technician application
Lamayzio Tiller – Pharmacy Technician application
Paul Adekunle – Pharmacy Technician application
Carepoint – Mail Service renewal application
Heart of America – Mail Service Pharmacy renewal application
Preventative Medical Clinic Pharmacy – Community Pharmacy application

Adoption of Consent Agenda

Svoboda moved, seconded by Saunders, to approve the consent agenda as amended. Voting aye: Beck, Dunbar, Gollner, Saunders, and Svoboda. Voting nay: none. Motion carried.

INVESTIGATIONAL REPORTS, DISCIPLINARY REPORTS, CONTROLLED SUBSTANCES AUDIT REPORTS & APPLICATION REVIEW – CLOSED SESSION

Svoboda moved, seconded by Beck, to go into closed session at 9:07 a.m. for the purpose of review and discussion of investigative reports, licensure applications, and other confidential information, and for the prevention of needless injury to the reputation of the individuals. Voting aye: Beck, Dunbar, Gollner, Saunders, and Svoboda. Voting nay: none. Motion carried.

Beck recused herself from the meeting at 9:19 a.m.
Beck returned to the meeting at 9:50 a.m.

Willson left the meeting at 9:50 a.m.
Willson returned to the meeting at 10:09 a.m.

Gollner moved, seconded by Svoboda, to open the session at 11:48 a.m. Voting aye: Beck, Dunbar, Gollner, Saunders, and Svoboda. Voting nay: none. Motion carried.

APPROVAL OF MINUTES

March 18, 2019

Page 1: Under ROLL CALL, change Sabrina Beck, R.P. to Charlene Dunber.

Page 2: Under Pharmacy Technician Application(s) (3) – CONSENT, in the first paragraph, line 3, add the word “not” after the word “shall”; and in the fourth paragraph, line 3, add the word “not” after the word “shall”.

Page 3: No changes.

Page 4: No changes.

Svoboda moved, seconded by Gollner, to approve the March 18, 2019 minutes as corrected. Voting aye: Beck, Dunbar, Gollner, Saunders, and Svoboda. Voting nay: None. Motion carried.

BOARD RECOMMENDATIONS ON APPLICATIONS FOR LICENSURE AND REGISTRATION

Pharmacy Technician Application(s) (3) - CONSENT

Beck moved, seconded by Svoboda, to recommend a two year probationary pharmacy technician registration to Asha Brewer. The basis for the probationary registration is past misdemeanor conviction history. The probationary term and condition should be that Asha Brewer shall not have any additional criminal convictions. Voting aye: Beck, Dunbar, Gollner, Saunders, and Svoboda. Voting nay: None. Motion carried.

Gollner moved, seconded by Saunders, to recommend issuing a pharmacy technician registration to Angela Johnson. Voting aye: Beck, Dunbar, Gollner, Saunders, and Svoboda. Voting nay: None. Motion carried.

Gollner moved, seconded by Svoboda, to table the pharmacy technician registration application of Angela Netzel for additional information. Voting aye: Beck, Dunbar, Gollner, Saunders, and Svoboda. Voting nay: None. Motion carried.

Gollner moved, seconded by Saunders, to recommend denying pharmacy technician registration application of Lamayzio Tiller. The basis for the denial is past misdemeanor conviction history, misrepresentation of material facts in procuring a credential, and lack of good character. Voting aye: Beck, Dunbar, Gollner, Saunders, and Svoboda. Voting nay: None. Motion carried.

Beck moved, seconded by Svoboda, to recommend a three year probationary pharmacy technician registration to Paul Adekunle. The basis for the probationary registration is past disciplinary action against his nursing license. The probationary term and condition should be that Paul Adekunle complies with all probationary terms and conditions of probation taken against his nursing license and with appropriate terms and conditions common to the pharmacy probationary terms and conditions. Voting aye: Beck, Dunbar, Gollner, Saunders, and Svoboda. Voting nay: None. Motion carried.

Mail Service Pharmacy Application(s) (1)

Svoboda moved, seconded by Gollner, to recommend issuing the mail service pharmacy license to Carepoint Healthcare, LLC. Voting aye: Beck, Dunbar, Gollner, Saunders, and Svoboda. Voting nay: None. Motion carried.

Gollner moved, seconded by Saunders, to recommend issuing the mail service pharmacy license to Heart of America Pharmacy, LLC. Voting aye: Beck, Dunbar, Gollner, Saunders, and Svoboda. Voting nay: None. Motion carried.

Community Pharmacy Application(s) (1)

Beck moved, seconded by Saunders, to recommend denying the community pharmacy license application of Preventative Medical Clinical Pharmacy. The basis for this denial is that the pharmacy ownership is under similar ownership of Essential Compounding Pharmacy which was revoked because the owner was convicted of unlawful acts. Voting aye: Beck, Dunbar, Gollner, Saunders, and Svoboda. Voting nay: None. Motion carried.

Mail Service Pharmacy Renewal Application(s) (3)

Gollner moved, seconded by Svoboda, to renewing the mail service pharmacy license (#244) of Diamond Pharmacy Services located in Indiana, PA. Voting aye: Beck, Dunbar, Gollner, Saunders, and Svoboda. Voting nay: None. Motion carried.

Saunders moved, seconded by Beck, to recommend renewing the mail service pharmacy license (#1131) of Marley Drug, Inc. located in Winston Salem, NC and sending a letter of discipline to the pharmacy of a \$20,000 civil penalty. The basis for this discipline is having multiple disciplinary actions taken by other states. Voting aye: Beck, Dunbar, Gollner, Saunders, and Svoboda. Voting nay: None. Motion carried.

Svoboda moved, seconded by Dunbar, to recommend refusing to renew the mail service pharmacy license (#1135) of Pharmcore Inc. dba Hallandale Pharmacy located in Fort Lauderdale, FL. The basis for this refusal to renew is having multiple disciplinary actions taken by other states. Voting aye: Beck, Dunbar, Gollner, Saunders, and Svoboda. Voting nay: None. Motion carried.

Pharmacist Application(s) (1) - CONSENT

Wholesale Drug Distributor Application(s) (1) – CONSENT

E-Mail Ballot(s) Since the Last Meeting

Since the last meeting of the Board of Pharmacy, the Board voted via e-mail ballot to issue the following pharmacy technician registration of Courtney Stewart on April 15, 2019.

REVIEW OF PHARMACEUTICAL CARE AGREEMENT(S) (7) – CONSENT

DISCUSSION ON USP 800

Svoboda suggested that the Board continue to watch the approval of USP 800 and have discussions regarding how USP 800 will effect pharmacy practice in Nebraska.

Melissa Pollard, RP, introduced herself to the Board and provided her background. The Board welcomed Ms. Pollard.

NABP ANNUAL MEETING – MAY 16-18, 2019 IN MINNEAPOLIS, MN

The Board will receive a report from this meeting at the July 2019 Board meeting.

The next Board of Pharmacy meeting is scheduled for July 22, 2019.

ADJOURNMENT

Gollner moved, seconded by Beck, to adjourn the meeting at 12:38 p.m. Voting aye: Beck, Dunbar, Gollner, Saunders, and Svoboda. Voting nay: none. Motion carried.

Respectfully submitted,

(signature on file with the Department)

Kenneth Saunders, R.P., Secretary
Board of Pharmacy