

These minutes have not been reviewed or approved by the Board of Pharmacy

NEBRASKA BOARD OF PHARMACY
MEETING MINUTES
March 17, 2025

ROLL CALL

Sabrina Beck, R.P., Chairperson, called the meeting of the Board of Pharmacy to order at 9:00 a.m. in the Husker Room at the Hampton Inn & Suites, located at 7343 Husker Circle, Lincoln, Nebraska. The meeting was conducted In-Person and by WebEx. The following Board members answered the roll call:

Sabrina Beck, R.P., Chairperson
Charles Tomlinson, R.P., Vice-Chairperson
Kenneth Kester, R.P., J.D. Secretary – Via WebEx
Darrell Klein, J.D.
Amy McMurtry, RP

A quorum was present, and the meeting convened.

Also present were: Dean Willson, R.P., Pharmacy Inspector; Melissa Pollard, R.P., Pharmacy Inspector; John Hayes, R.P., Pharmacy Inspector, Vonda Apking, Program Manager; Heather Ord, Health Licensing Coordinator; Janis Gadeken-Harris, Health Licensing Coordinator; Mindy Lester, Assistant Attorney General; Teresa Hampton, Department Attorney; Brittany Bigham, Investigator; Jeff Newman, Investigator.

Beck 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.

In accordance with Neb. Rev. Stat. § 84-1411 of the Nebraska Open Meetings Act, copies of the agenda were e-mailed to the Board members and other interested parties, posted on the DHHS web site: <https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx> and posted on the Bulletin Board at the main entrance of the NSOB (Nebraska State Office Building) 14th & M Streets on 3/7/2025 and 3/11/2025.

REVIEW OF AGENDA

Adoption of Agenda

Klein moved, seconded by Tomlinson, to approve the agenda as presented with the Chair having the authority to rearrange agenda items as needed. Voting aye: Beck, Kester, Klein, McMurtry, Tomlinson. Voting nay: None. Absent: None. Abstain: None. Motion carried.

Additions, Modification, Reordering

There are no additions, modifications, or reordering at this time.

Adoption of Consent Agenda(s)

The Board requested that the following applications be removed from the Consent Agenda:

- Harbor Compounding (e-mail ballot) – Mail Service Pharmacy
- Zeeshan Rauf - Pharmacist

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The Board requested that the following Pharmaceutical Care Agreement be removed from the Consent Agenda:

- Charles Drew Health Center Pharmacy LAI Psych

Klein moved, seconded by McMurtry, to approve the adoption of the Consent Agenda as amended. Voting aye: Beck, Kester, Klein, McMurtry, Tomlinson. Voting nay: None. Absent: None. Abstain: None. Motion carried.

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

Klein moved, seconded by Tomlinson, 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, Kester, Klein, McMurtry, Tomlinson. Voting nay: None. Absent: None. Abstain: None. Motion carried.

Board Break 10:08 a.m.

Board Reconvened 10:17 a.m.

The Board returned to open the session at 11:03 a.m.

APPROVAL OF MINUTES – January 13, 2025

Klein moved, seconded by McMurtry, to approve the minutes with the following corrections:

Page 1: corrected spelling from “Kelin” to “Klein”

Page 2: No changes.

Page 3: No changes.

Page 4: No changes.

Page 5: No changes.

Klein moved, seconded by McMurtry, to approve the January 13, 2025, minutes with the above changes. Voting aye: Beck, Kester, Klein, Tomlinson. Voting nay: None. Absent: None. Abstain: McMurtry. Motion carried.

BOARD RECOMMENDATIONS ON APPLICATIONS FOR LICENSURE AND REGISTRATION

Mail Service Pharmacy Application(s)(1)

HARBOR COMPOUNDING – Mail Service Pharmacy Application to practice as a Mail Service Pharmacy – Tomlinson moved, seconded by McMurtry to recommend approval of the application of the Mail Service Pharmacy license. Voting aye: Beck, Kester, Klein, McMurtry, Tomlinson. Voting nay: None. Absent: None. Abstain: None. Motion carried.

Pharmacist Application (1)

RAUF, ZEESHAN – Application to practice as a Pharmacist – Tomlinson moved, seconded by Klein to recommend approval of the application for a pharmacist license. Voting aye: Beck, Kester, Klein, McMurtry, Tomlinson. Voting nay: None. Absent: None. Abstain: None. Motion carried.

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RATIFICATION OF E-MAIL BALLOTS SINCE LAST MEETING

- A pharmacy technician registration was issued to Karen Ochoa on 2/4/2025. Her registration number is 15513.
- A pharmacy technician registration was issued to Hope Cordova on 2/4/2025. Her registration number is 15514.
- A pharmacist license was issued to Kyle Rotert on 2/7/2025. His number is 18521.
- A pharmacist license was issued to Samuel Conover on 2/20/2025. His number is 18530.

REVIEW OF PHARMACEUTICAL CARE AGREEMENT(S) (2)

- Charles Drew Health Center Pharmacy LAI Psych – Physician Assistants cannot be a part of the pharmaceutical care agreements.

LEGISLATION UPDATE

LB72 – Change provisions relating to controlled substances schedules under the Uniform Controlled Substances Act – Introduced by Hallstrom on January 9, 2025, and Passed February 26, 2025.

https://nebraskalegislature.gov/bills/view_bill.php?DocumentID=59077&docnum=LB72&leg=109

LB697 – Change requirements relating to compounding and delegated dispensing permits under the Pharmacy Practice Act – Introduced by Strommen on January 22, 2025. Committee hearing was held on February 21, 2025.

https://nebraskalegislature.gov/bills/view_bill.php?DocumentID=59380&docnum=LB697&leg=109

LB515 - Provide requirements for certain prescription refills - Introduced by Quick on January 21, 2025. Committee hearing was held on February 21, 2025.

https://nebraskalegislature.gov/bills/view_bill.php?DocumentID=59456&docnum=LB515&leg=109

REGULATIONS UPDATE

There are no updates at this time.

ADVISORY OPINION – COMPOUNDING 2025 (FROM DHHS BOARD OF NURSING)

No comment at this time, however the Board thanked for providing the information for the Board to review.

Or see what Jan put for the Board of Medicine

PUBLIC COMMENTS

Haley Pertzborn
Executive Director
Nebraska Pharmacists Association

Pertzborn asked whether or not a pharmacy technician who has not yet been licensed or certified start learning modules before they are eighteen years of age?

Apking responded with that they are able to start the learning modules before they are the age of eighteen, however they cannot be registered until they are eighteen years of age and have graduated from high school.

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FUTURE MEETING DATES

The next Board of Pharmacy meeting is scheduled for May 5, 2025.

To view the projected schedule for 2025, go to: <https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx>

Board Break 11:22 a.m.
Board Returned 1:57 p.m.

HEARING – OPEN SESSION

Lisa Kwapniowski, RP requested a hearing before the Board regarding Ms. Kwapniowski's reinstatement after discipline from revocation application.

Klein moved, seconded by Tomlinson to go into closed session at 2:40 p.m. for discussion of the evidence that was presented at the hearing. Voting aye: Beck, Kester, Klein, McMurtry, Tomlinson. Voting nay: None. Absent: None. Abstain: None. Motion carried.

The Board returned to Open Session at 3:01 p.m.

Klein moved, seconded by Tomlinson, to deny the reinstatement after discipline from revocation application of Ms. Kwapniowski's license. Basis for the denial is the inadequate amount of information or evidence that would ensure the protection of the public and the profession. Voting aye: Beck, Kester, Klein, McMurtry, Tomlinson. Voting nay: None. Absent: None. Abstain: None. Motion carried.

ADJOURNMENT

The Board adjourned the meeting at 3:03 p.m.

Respectfully submitted,

(signature on file with the Department)

Kenneth Kester, PharmD, R.P., JD, Secretary
Board of Pharmacy