



Arizona State Board of Pharmacy
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**THE ARIZONA STATE BOARD OF PHARMACY
HELD A REGULAR MEETING NOVEMBER 17 AND 18, 2010
AT THE ARIZONA STATE BOARD OF PHARMACY OFFICE
PHOENIX, AZ**

MINUTES FOR REGULAR MEETING

AGENDA ITEM 1 – Call to Order – November 17, 2010

Vice President Haiber convened the meeting at 9:00 A.M. and welcomed the audience to the meeting.

The following Board Members were present: Vice President Steve Haiber, Jim Foy, Joanne Galindo, Kyra Locnikar, Dennis McAllister, Dan Milovich, and Tom Van Hassel. The following staff members were present: Compliance Officers Rich Cieslinski, Tom Petersen, Sandra Sutcliffe, Dean Wright, Drug Inspector Heather Lathim, Deputy Director Cheryl Frush, Executive Director Hal Wand, and Assistant Attorney General Elizabeth Campbell.

AGENDA ITEM 2 – Declaration of Conflicts of Interest

Due to having a “substantial interest” in the matter, Dr. Foy recused himself from participating under Arizona’s conflict of interest laws in the review, discussion, and proposed actions concerning Agenda Item 4, Schedule A, Resident Pharmacy Permit for CarePlus Pharmacy.

Due to having a “substantial interest” in the matter, Dr. Foy recused himself from participating under Arizona’s conflict of interest laws in the review, discussion, and proposed actions concerning Agenda Item 6, Schedule B, License Application for Mohammed Abou-Zahra. Mr. Abou-Zahra withdrew his request to appear at this meeting.

Due to having a “substantial interest” in the matter, Dr. Foy recused himself from participating under Arizona’s conflict of interest laws in the review, discussion, and proposed actions concerning Agenda Item 8, Schedule D, for Complaint #3850, Complaint #3851, Complaint #3861, Complaint #3872, Complaint #3876, Complaint #3877, and Complaint #3880.

Due to having a “substantial interest” in the matter, Mr. Haiber recused himself from participating under Arizona’s conflict of interest laws in the review, discussion, and proposed actions concerning Agenda Item 4, Schedule A, Non-Resident Pharmacy

Permits for CuraScript SP Specialty Pharmacy and Rx Outreach, Inc.

AGENDA ITEM 3– Approval of Minutes

Following a review of the minutes and an opportunity for questions and **on motion by Mr. Milovich and seconded by Mr. Van Hassel**, the minutes of the Regular Meeting held on September 15 and 16, 2010 were unanimously approved by the Board Members.

AGENDA ITEM 4– Permits and Licenses

Vice President Haiber stated that all permits were in order for resident pharmacies and representatives were present to answer questions from Board members.

RESIDENT PERMITS

Customceutical Compounding

Owners Sarah Simmers and James Burch were present to answer questions from Board Members. Ms. Simmers is the Pharmacist in Charge and Mr. Burch is a non-pharmacist owner.

Vice President Haiber opened the discussion by asking the owners to describe their business. Ms. Simmers stated that they would be opening a compounding pharmacy and would prepare sterile and non-sterile products. Ms. Simmers stated that the prescriptions would be patient specific and would be pursuant to a prescription.

Mr. Haiber asked if the prescriber that they are sub-leasing the space from is an owner of the pharmacy. Ms. Simmers replied no.

Mr. Haiber asked if they would only be compounding prescriptions for the prescriber from whom they are leasing space. Ms. Simmers replied no that they would compound prescriptions for any prescriber pursuant to a prescription.

Mr. Haiber asked if they would be compounding any prescriptions for office use. Ms. Simmers replied no.

Mr. Haiber asked if they would be filling any prescriptions for HGH. Ms. Simmers replied no.

Mr. Haiber asked if they would have a website. Ms. Simmers stated that they are developing a website. Ms. Simmers stated that the website would be for marketing purposes only and not for ordering refills.

Mr. Van Hassel asked Ms. Simmers if she had any compounding experience. Ms. Simmers replied yes. Ms. Simmers stated that she had worked in a home infusion pharmacy for seven years and had worked in a nuclear pharmacy for six years.

Mr. Van Hassel asked Ms. Simmers if she planned on preparing chemotherapy medications. Ms. Simmers stated not at first. Ms. Simmers stated that if there is a demand for those medications she has the capability of adding a negative pressure room.

Mr. Van Hassel asked Ms. Simmers if the doctor specializes in a certain area. Ms. Simmers stated that the doctor specializes in pain associated with cancer.

Mr. Van Hassel asked if the medications would be administered in the doctor's office. Ms. Simmers stated that the physician would write the order and she would compound the medications. Ms. Simmers stated that some of the medications would be intrathecal medications and would be administered at the office. Ms. Simmers stated that the doctor also prescribes topical medications and she would prepare those medications for the patient to use at home.

Mr. Van Hassel asked Ms. Simmers if she is familiar with USP 797. Ms. Simmers replied yes.

Dr. Foy asked if she is sub-leasing the space from the physician. Ms. Simmers stated that she is renting the space from the doctor and is paying rent to the physician.

Mr. Van Hassel asked if a patient could walk into the pharmacy. Ms. Simmers stated that it is not really a walk-in pharmacy but they do have an office space where they can consult with a patient if they are directed to the pharmacy by their physician.

Mr. Wand stated that when an applicant applies for a pharmacy permit the Board asks for certain documents. The Board asks for a zoning letter to ensure that a pharmacy can operate in that area. The Board asks for a copy of the lease to ensure that if an applicant rents from a physician that the space is rented at the going rate. The Board asks for a list of owners to ensure that if a prescriber is an owner that he does not benefit from the ownership.

CarePlus Pharmacy

Dr. Foy recused himself due to a conflict of interest.

Owners Chetan Khatri and Saadsamad Awan were present to answer questions from Board Members. Mr. Khatri is the Pharmacist in Charge. Mr. Awan is a non-pharmacist owner.

Vice President Haiber opened the discussion by asking the owners to describe their business. Mr. Khatri stated that they would be operating an independent pharmacy.

Mr. Haiber asked if this was the first pharmacy that the applicants owned. Mr. Khatri replied yes.

Mr. Haiber asked if they would be doing any compounding. Mr. Khatri replied not initially.

Mr. Haiber asked if he planned on doing any sterile compounding. Mr. Khatri replied no. Mr. Khatri replied that it would only be non-sterile compounding.

Mr. Haiber asked if this is a stand alone pharmacy. Mr. Khatri replied yes.

Mr. Haiber asked if they plan to have a website. Mr. Khatri replied that they are currently developing a website.

Mr. Van Hassel asked if they are part of a buying group. Mr. Khatri replied no that he would be ordering medications from the wholesaler as he needs them.

Mr. Van Hassel asked Mr. Khatri what devices he would be carrying. Mr. Khatri stated that he would be carrying home medical devices such as wheelchairs and oxygen supplies.

Mr. Van Hassel asked if Mr. Khatri would be providing any nursing home consultation services. Mr. Khatri replied no.

Mr. Van Hassel asked if this would be a walk-in pharmacy. Mr. Khatri replied yes and he also plans to provide a delivery service.

Mr. Van Hassel asked how many employees would be working in the pharmacy. Mr. Khatri replied four. Mr. Khatri stated that the staff would include him and three technicians.

Mr. Milovich asked Mr. Khatri about his corporation. Mr. Khatri stated that the company applied with the corporation commission as Keytlaw LLC.

RESIDENT (In Arizona)

On motion by Mr. Milovich and seconded by Mr. McAllister, the Board unanimously approved the resident application listed below pending final inspection by a Board Compliance Officer.

Dr. Foy was recused due to a conflict of interest.

Pharmacy	Location	Owner
CarePlus Pharmacy	344 W. 24 th St., Suite B, Yuma, AZ 85364	Keytlaw LLC

On motion by Mr. Milovich and seconded by Mr. McAllister, the Board unanimously approved the resident applications listed below pending final inspection by a Board Compliance Officer.

Pharmacy	Location	Owner
QoL Meds	625 N. Plaza Dr., Apache Junction, AZ 85120	QoL Meds
Arizona Heart Hospital	1930 E Thomas, Phoenix AZ 85016 (O)	VHS of Phoenix, Inc
Customceutical Compounding	4611 E. Shea Blvd., #180, Phoenix, AZ 85028	Customceutical Compounding LLC
Arizona Pharmacy #2	19636 N. 27 th Ave., #104, Phoenix, AZ 85027	Ramoun Jones

O = Ownership Change

NON-RESIDENT PERMITS

On motion by Dr. Foy and seconded by Mr. McAllister, the Board unanimously approved the non – resident permits listed below.

Mr. Haiber was recused due to a conflict of interest.

NON-RESIDENT (Out of State)

Pharmacy	Location	Owner
CuraScript SP Specialty Pharmacy	2825 W. Perimeter Rd., Indianapolis, IN 46241 (O)	CuraScript, Inc.
Rx Outreach, Inc.	3171-3183 Riverport, Maryland Heights, MO 63043 (O)	Rx Outreach, Inc.

O = Ownership Change

On motion by Mr. McAllister and seconded by Mr. Van Hassel, the Board unanimously approved the non – resident permits listed below.

NON-RESIDENT (Out of State)

Pharmacy	Location	Owner
Coastal Meds, LLC	1759 Medical Park Dr., Biloxi, MS 39532	Coastal Meds, LLC
Orsini Pharmaceutical Services, LLC	1107 Nicholas Blvd., Elk Grove Village, IL 60007	Orsini Pharmaceutical Services, Inc.
Shared Pharmacy Services of Utah	5235 Greenpine Dr., Murray, UT 84122 (O)	Munir Merchant
Vets First Choice	1433 S Hwy 31, Suite E105, Nebraska Crossings, Gretna, NE 68029	Direct Vet Marketing, Inc. (O)

O = Ownership Change

Wholesaler Permits

Vice President Haiber stated that all permits were in order for resident wholesalers and representatives were present to answer questions from Board members.

Keystone Distributions, LLC

CEO Shakir Gushgari and Consultant Ken Bykowski were present to answer questions from Board Members.

Vice President Haiber opened the discussion by asking the applicants to describe their business. Mr. Gushgari stated that they are applying for a full-service wholesale permit.

Mr. Haiber asked if this is the first wholesale operation that they operated in Arizona. Mr. Gushgari replied yes.

Mr. Haiber asked if they would be handling controlled substances. Mr. Bykowski replied they do not plan on handling controlled substances initially, but if they do in the future they would obtain the appropriate DEA license.

Mr. Wand asked if they had obtained a security bond. Mr. Gushgari replied yes.

Mr. Milovich asked if they would be purchasing products directly. Mr. Gushgari replied yes.

Mr. Wand asked if they would be shipping products to Saudi Arabia. Mr. Gushgari replied no that they would be shipping most of their products to a vendor in Texas.

Mr. Van Hassel asked if they would be doing any business in Arizona. Mr. Bykowski stated no. Mr. Bykowski stated that they would shipping directly to their main vendor in Houston, Texas.

Mr. Van Hassel asked why they would start a business in Arizona if most of their business would be in Texas. Mr. Gushgari stated that he resides in Arizona and would like to start his business in Arizona.

Mr. Wand stated that he did review the pedigree requirements with the applicants.

CBSCHEM LIMITED

Owner Kamran Malik was present to answer questions from Board Members. Susan Trujillo, legal counsel for CBSCHEM LIMITED was also present.

Vice President Haiber opened the discussion by asking the applicant to describe his business. Mr. Malik stated that he is applying for the permit to distribute raw material to compounding pharmacies and manufacturers.

Mr. Haiber asked Mr. Malik if this would be his first wholesale business. Mr. Malik stated that he operates a similar business in Hong Kong.

Mr. Haiber asked Mr. Malik if he only plans on distributing the products in Arizona. Mr. Malik stated that he would be distributing the products outside Arizona as well.

Mr. Haiber asked if they would be handling any controlled substances. Mr. Malik replied no.

Mr. Van Hassel asked Mr. Malik if these products are FDA approved chemicals. Mr. Malik replied yes.

Mr. Van Hassel asked if the products would only be coming from Hong Kong. Mr. Malik stated that the products would also come from approved sites in China and India.

Mr. Wand asked Mr. Malik if he is familiar with a certificate of analysis. Mr. Malik stated that the certificate of analysis describes the batch specifics.

Resident Wholesalers

On motion by Dr. Foy and seconded by Mr. Milovich, the Board unanimously approved the wholesalers permit listed below.

WHOLESALER	LOCATION	OWNER
RecoverCare LLC (Non-Prescription)	1950 E. Watkins St., #160, Phoenix, AZ 85034	First Choice Medical Supply LLC
Keystone Distributions LLC (Full Service)	9260 E. Raintree Dr. #140, Scottsdale, AZ 85260	Keystone Distributions, LLC
CBSCHEM LIMITED (Full Service)	621 s. 48 TH St., #115, Tempe, AZ 85281	CBSCHEM LIMITED

Non-Resident Wholesalers

Vice President Haiber stated that there are three non-resident wholesale applications that the Board must review for approval.

The following individuals from KV Pharmaceuticals were present to answer questions from Board Members: Dan Thompson, Chief Compliance Officer and CG Hintmann, Legal Counsel. Susan Trujillo was also present as Legal Counsel.

Vice President Haiber opened the discussion by asking the applicants why they were appearing in front of the Board.

Mr. Thompson stated that they have applied for three wholesale permits for three subsidiaries and were asked to appear because the parent company had disciplinary action taken against their company.

Mr. Hintmann stated that the parent company KY Pharmaceuticals does not hold a permit in Arizona because they are a manufacturer and do not ship into Arizona.

Mr. Haiber asked if they plan to distribute controlled substances into Arizona. Mr. Thompson stated that Neshor Pharmaceuticals would distribute generic products and controlled substances.

Dr. Foy asked Mr. Thompson how long he has been chief compliance officer. Mr. Thompson stated that he has been in that position since January but has been with the company 10 years in various positions.

Mr. Milovich asked why their permit was denied in South Carolina. Mr. Thompson stated that they did not have approval to manufacture any products at the time they applied for the license. Mr. Thompson stated that they were under FDA supervision and needed to have a third party consultant review their processes. Mr. Thompson stated that the review took place in September and the FDA returned to approve their processes. When they applied to South Carolina they had not received final approval.

Dr. Foy asked what products they had received approval to produce. Mr. Thompson stated at this time Potassium Chloride is the only product for which they have received approval.

Mr. Wand asked if they hold permits in other states. Mr. Thompson stated that one Nesher site is licensed in 27 states with 17 pending applications. Mr. Thompson stated that the other Nesher site is licensed in 23 states with 21 pending applications. Mr. Thompson stated that Ther-Rx is licensed in 44 states with no pending applications.

Mr. Milovich asked about the 2003 action in Alabama. Mr. Hintmann stated that the action was due to an administrative error where the application was not renewed in time. Mr. Hintmann stated that they entered into a stipulation that required a fine.

Mr. Milovich asked about the action taken in Montana. Mr. Hintmann stated that they were called in to discuss with the Board their failure to provide a change in the Manager in a timely fashion.

Mr. Haiber asked if Ther-X permits are current in Alabama and Montana. Mr. Hintmann replied yes.

Non-Resident Wholesaler Permits

On motion by Mr. McAllister and seconded by Ms. Locnikar, the Board approved the wholesalers permit listed below. There was one nay vote by Mr. Milovich.

WHOLESALER	LOCATION	OWNER
Nesher Pharmaceuticals (Full Service)	One Corporate Woods Dr., Bridgeton, MO 63044	KV Pharmaceutical Company
Nesher Pharmaceuticals (Full Service)	3100 Corporate Exchange, St Louis, MO 63044	KV Pharmaceutical Company
Ther-Rx Corporation	One Corporate Woods Dr., Bridgeton, MO 63044	KV Pharmaceutical Company

Manufacturer Permits

Vice President Haiber stated that there are three resident manufacturer permits to approve and all permits are in order.

On motion by Dr. Foy and seconded by Mr. McAllister, the Board unanimously approved the manufacturer permits listed below.

MANUFACTURER	LOCATION	OWNER
KCI USA, Inc.	325 S. Euclid Ave., Suite 103- 105, Tucson, AZ 85719	KCI USA, Inc
KCI USA, Inc.	102 N. 54 th Ave., Suite 101, Phoenix, AZ	KCI USA, Inc.
INSYS Therapeutics, Inc.	10220 S. 51 st St., #2, Phoenix, AZ 85044	INSYS Therapeutics, Inc.

Pharmacists, Interns, Pharmacy Technicians, and Pharmacy Technician Trainees

Vice President Haiber stated that all license requests and applications were in order.

On motion by Mr. Van Hassel and seconded by Dr. Foy, the Board unanimously approved the Pharmacists licenses listed on the attachments.

On motion by Dr. Foy and seconded by Mr. McAllister, the Board unanimously approved the Intern licenses listed on the attachments.

On motion by Dr. Foy and seconded by Ms. Locnikar, the Board unanimously approved the Pharmacy Technician and Pharmacy Technician Trainee applications listed on the attachments with the exception of the Pharmacy Technician Trainee reapplicants.

AGENDA ITEM 5 – Special Requests

#1 Jeff Szubinski

Jeff Szubinski appeared on his own behalf to request that the probation imposed on his pharmacist license per Board Order 2004-0005-PHR be terminated. Lisa Yates with the PAPA program was also present.

Vice President Haiber opened the discussion by asking Mr. Szubinski why he was appearing in front of the Board. Mr. Szubinski stated that he is requesting his probation be terminated.

Mr. Haiber asked Mr. Szubinski why he was on probation. Mr. Szubinski stated that for the last fifteen years he had suffered from substance abuse. Mr. Szubinski stated that at first he tried to prove that he was not an addict. Mr. Szubinski stated that the key for him was when he realized that he was an addict. Mr. Szubinski stated that his life has changed in the last seven years. Mr. Szubinski stated that he would always be on probation because that is the nature of the disease.

Mr. Haiber asked Mr. Szubinski if he is currently working. Mr. Szubinski replied yes.

Mr. Haiber asked Ms. Yates if PAPA supports his request. Ms. Yates stated that PAPA supports his request. Mr. Szubinski stated that the PAPA program is a valuable asset. Mr. Szubinski stated that he is able to help others by using his past.

On motion by Mr. McAllister and seconded by Mr. Van Hassel, the Board unanimously agreed to approve the request by Mr. Szubinski to terminate the probation of his pharmacist license imposed by Board Order 2004-0005-PHR.

#2 Robert Preston Hooper

Robert Preston Hooper appeared on his own behalf to request that the probation imposed on his pharmacist license per Board Order 05-0028-PHR be terminated. Lisa Yates with the PAPA program was also present.

Vice President Haiber opened the discussion by asking Mr. Hooper why he was appearing in front of the Board. Mr. Hooper stated that he has completed his PAPA contract and is requesting his probation be terminated.

Mr. Van Hassel asked Mr. Hooper to describe his journey. Mr. Hooper stated that he is grateful for the program because without the program he would have been dead. Mr. Hooper stated that the program has changed his attitude and outlook on life. Mr. Hooper stated that the program allowed him to seek the help that he needed. Mr. Hooper stated that the program has given him the tools to handle life and become a successful person.

Mr. Van Hassel asked if PAPA supports his request. Ms. Yates stated that PAPA supports his request.

It was pointed out that Mr. Hooper's consent agreement stated that he must appear after January 25, 2011 to ask for his probation to be removed.

Dr. Foy stated that he felt that it would set a precedent if the Board approved the termination of Mr. Hooper's probation early.

Ms. Locnikar asked if the Board could approve his request with the termination taking effect on the date specified in the consent agreement.

Ms. Campbell stated that the Board has three options. Ms. Campbell stated that the Board could approve the request and terminate his probation early. Ms. Campbell stated that the Board could ask Mr. Hooper to return in January. Ms. Campbell stated that the Board could accept this as Mr. Hooper's appearance and make a motion to terminate the probation on January 25, 2011.

Mr. Haiber asked Mr. Hooper if he resides in Phoenix. Mr. Hooper replied yes.

On motion by Ms. Locnikar and seconded by Dr. Foy, the Board agreed to ask Mr. Hooper to return at the January meeting to request that his probation be terminated at that time. There was one nay vote by Mr. Van Hassel.

#3 Kristine Wells

Kristine Wells appeared on her own behalf to request that the probation imposed on her pharmacist license per Board Order 2004-0001-PHR be terminated. Lisa Yates with the PAPA program was also present.

Vice President Haiber opened the discussion by asking Ms. Wells why she was appearing in front of the Board. Ms. Wells stated that she is requesting that her probation be terminated. Ms. Wells stated that the PAPA program has saved her life. Ms. Wells stated that six years ago her life was a mess. Ms. Wells stated that she has embraced recovery and is working the program. Ms. Wells stated that the program has helped her through major life struggles.

Mr. Haiber asked Ms. Wells if she is working. Ms. Wells stated that she is working in the outpatient pharmacy at the Indian reservation.

Mr. Haiber asked Ms. Yates if PAPA supports her request. Ms. Yates stated that PAPA supports her request and Ms. Wells has remained compliant.

Dr. Foy asked Ms. Wells what has changed in her life from 2000 when her license was revoked. Ms. Wells stated that her life is different now. Ms. Wells stated that due to issues in her life she was depressed. Ms. Wells stated that she signed the contract back then but she did not care. Ms. Wells stated that everything fell apart. Ms. Wells stated that PAPA gave her a network for moral support.

Dr. Foy asked about the counseling that Ms. Wells was attending. Ms. Wells stated that she attended the PAPA group counseling until last year when she decided that individual therapy was more beneficial. Ms. Yates stated that participants can opt for counseling with an approved counselor.

Dr. Foy asked Ms. Wells what she is going to do next. Ms. Wells stated that she plans to continue counseling and go to meetings.

On motion by Mr. Van Hassel and seconded by Ms. Locnikar, the Board agreed to approve the request by Ms. Wells to terminate the probation of her pharmacist license imposed by Board Order 2004-0001-PHR. There was one nay vote by Dr. Foy.

AGENDA ITEM 6– License Applications Requiring Board Review

#1 James Kousbaugh

James Kousbaugh appeared on his own behalf to request to proceed with reciprocity.

Vice President Haiber opened the discussion by asking Mr. Kousbaugh why he was appearing in front of the Board. Mr. Kousbaugh stated that he would like to continue with reciprocity and was asked to appear due to disciplinary actions taken against his license. Mr. Kousbaugh stated that he graduated in 1969 from pharmacy school. Mr. Kousbaugh stated that he was suffering from depression and started taking samples from the clinic pharmacy where he worked. Mr. Kousbaugh stated that in 1984 his license was suspended for one year and was placed on probation for substance abuse. Mr. Kousbaugh stated that he was required to take the pharmacy exams again in 1995. Mr. Kousbaugh stated that he got his license back in 1997 and worked at the poison control center for 10 years. Mr. Kousbaugh stated that he has 13 years of sobriety.

Mr. Haiber asked Mr. Kousbaugh where he currently resides. Mr. Kousbaugh stated that he currently resides in the state of Washington and would like to move to Arizona.

Mr. Haiber asked Mr. Kousbaugh if he is currently working. Mr. Kousbaugh stated that he currently works for Costco at their mail order and has been with the company for four years. Mr. Kousbaugh stated that he would like to work part-time in Arizona for Costco or work at a mail order facility.

Dr. Foy asked Mr. Kousbaugh if he had a relapse during his recovery. Mr. Kousbaugh replied yes that he had taken some drugs from his employer.

On motion by Mr. McAllister and seconded by Mr. Milovich, the Board unanimously agreed to approve Mr. Kousbaugh's request to proceed with reciprocity.

#2 Mohammed Abou-Zahra

Mr. Abou-Zahra withdrew his request to appear.

#3 Sunil Patel

Mr. Patel withdrew his request to appear.

#4 Michelle Mai

Roger Morris, Legal Counsel for Ms. Mai, appeared to request that the Board reinstate Ms. Mai's license and remove probation.

Mr. Morris stated that Ms. Mai is present but does not prefer to come forth since she has made her request in writing.

Mr. Morris stated that Ms. Mai's license was suspended and placed on probation for fraudulently using coupons. Mr. Morris stated that Ms. Mai entered into a criminal plea for 5 years probation. One of the requirements of Ms. Mai's criminal plea was that she would allow her Arizona pharmacist license to expire and not renew the license until 2013.

Mr. Morris stated that her probation has been terminated early and Ms. Mai is asking to reinstate her expired license and remove the probation placed on that license. Mr. Morris stated that California has revoked her license and Missouri has placed her license on probation.

Mr. Morris noted that Ms. Mai has been placed on the list by the Office of the Inspector General which would not allow her to process Medicare and Medicaid prescriptions.

Mr. McAllister noted that the terms of the probation have been completed.

On motion by Mr. McAllister and seconded by Mr. Milovich, the Board approved the request by Ms. Mai to reinstate her license and remove probation. There was one nay vote by Dr. Foy.

#5 Jayaprakash Yalamanchili

Jayaprakash Yalamanchili appeared on his own behalf to request to renew his pharmacy intern license in order to take the FPGEE exam.

Vice President Haiber opened the discussion by asking Mr. Yalamanchili about the nature of his request. Mr. Yalamanchili stated that he would like to extend his intern license. Mr. Yalamanchili stated that he has a working visa in the United States and is requesting to extend his intern license so that he is able to take the FPGEE exam in April of 2011.

Mr. Haiber asked Mr. Yalamanchili if he is currently working. Mr. Yalamanchili stated that he works at Wal-Mart. Mr. Yalamanchili stated that his intern license expires in November of this year.

Mr. Haiber stated that Mr. Yalamanchili has taken the exam 10 times and not passed. Mr. Haiber asked Mr. Yalamanchili what he has done to prepare for taking the exam each time. Mr. Yalamanchili stated that he studies topics that he did not learn in India. Mr. Yalamanchili stated that due to a notary signature issue on his application he was not able to take the exam in September of 2010.

Mr. Haiber asked if Mr. Yalamanchili could work as a technician. Mr. Yalamanchili stated that due to visa restrictions he would not be able to work as a technician due to pay.

Dr. Foy asked Mr. Yalamanchili how is preparing to take the exam in April. Mr. Yalamanchili stated that he plans to take an online class offered by Morris-Cody for foreign graduates. Mr. Yalamanchili stated that he has vacation time and would use that time to prepare for the test and take the review course.

Mr. McAllister asked Mr. Yalamanchili if he does not have an Intern license does that mean he does not have a visa. Mr. Yalamanchili stated that if he does not have an intern license his visa would expire in June and he would have to return to his country. Mr. Yalamanchili stated that it would be hard to get a visa to come back once he leaves the country.

Mr. McAllister noted that Mr. Yalamanchili's scores have not improved and there is evidence that this is not showing a track for success in passing the exam.

Ms. Locnikar asked Mr. Yalamanchili why he is not passing the exam or his scores have not improved. Mr. Yalamanchili stated that the exam is getting harder. Mr. Yalamanchili stated that you are required to answer a certain number of questions in order to have the exam scored. Mr. Yalamanchili stated that the exam covers information that he did not study in India.

Mr. McAllister stated that the current FPGEE is harder because the exam is equivalent to the education a PharmD student would receive. Mr. McAllister stated that many foreign schools do not offer a PharmD degree.

Ms. Locnikar asked if Mr. Yalamanchili would be successful if he took the review courses. Mr. McAllister stated that there is no guarantee that he would pass.

Ms. Galindo stated that she feels that Mr. Yalamanchili has had ample time to prepare and study for the exam while practicing. Ms. Galindo stated that it is not the responsibility of the Board to work with his immigration status.

Mr. Yalamanchili stated that he has six months to study for the next exam and he would be able to take off to study for the exam. Mr. Yalamanchili stated previously he could not take off work due to his visa and financial situation.

Mr. Haiber stated that he feels Mr. Yalamanchili is comfortable working as an Intern and now it has become necessary that he pass the exam due to visa issues.

Dr. Foy asked Mr. Yalamanchili about returning to school to take classes. Mr. Yalamanchili stated that if does not pass the exam he would apply to take classes at a pharmacy school in the United States. Mr. Foy told Mr. Yalamanchili that he may want to apply to pharmacy schools now in case he does not pass the exam.

On motion by Mr. McAllister and seconded by Mr. Haiber, the Board agreed to allow Mr. Yalamanchili to renew his intern license through June 30, 2011 which would give him time to pass the FPGEE exam and take the necessary tests to become a pharmacist.

A roll call vote was taken. (Ms. Galindo – nay, Ms. Locnikar – aye, Mr. Van Hassel – nay, Mr. Milovich – aye, Dr. Foy – nay, Mr. McAllister – aye, and Mr. Haiber – aye)
The motion carries.

AGENDA ITEM 7 – Reports

Executive Director Report

Budget Issues

Mr. Wand opened the discussion by reviewing the financial reports with the Board Members.

Renewals

Mr. Wand stated that online renewals ended on November 7, 2010. Mr. Wand stated that the online renewals went very smoothly this year.

Appointment of New Board Members

Mr. Wand announced that the Governor's Office has appointed two new Board Members. Mr. Wand stated that Nona Rosas would replace Louanne Honeyestewa as the Pharmacy Technician Board Member. Ms. Rosas works at Oro Valley Hospital and is the Pharmacy Technician Coordinator. Mr. Wand stated that John Musil would replace Zina Berry as a Pharmacist Board Member. Mr. Musil is the owner of The Apothecary Shops.

State Budget Considerations

Mr. Wand stated at this time the state is facing a budget deficit and is not sure if there would be any sweeps of agency funds.

Recent Evacuation of Office

Mr. Wand noted that a suspicious package was left at the Department of Homeland Security which is next to the Board Office. The office was evacuated for several hours while the floor was searched and the suspicious package was removed.

Deputy Director Report

Ms. Frush reviewed the Compliance Officers Activity Report and Drug Inspector Activity Reports with the Board Members.

During the months of September and October, the Compliance Staff issued letters for the following violations:

Controlled Substance Violations

1. Controlled Substance Overage –7
2. Controlled Substance Shortage -1
3. Controlled Substance Records not readily retrievable - 1

Documentation Violations

1. Failure to sign daily log - 1
2. Failure to document counseling – 2
3. Failure to document mechanical counting devices maintenance – 4
4. Failure to document medical conditions – 3
5. Failure to obtain required Immunization documentation - 1

Pharmacy Violations

1. Allowing a technician to work with an expired license - 1

The following areas were noted on the inspection reports for improvement:

1. Maintenance of mechanical counting devices and documentation

Areas outside the inspection reports that may be of interest:

1. Nurse Practitioners have prescribing rights the same as medical practitioners.

PAPA Report

Lisa Yates was present to represent the PAPA program. Ms. Yates stated that there are a total of forty-eight (48) participants in the PAPA program. Since the last report on September 3, 2010, three participants have completed the program, one new participant has entered the program, and one participant's contract has been terminated.

Ms. Yates answered questions from Board Members concerning some participants.

AGENDA ITEM 8 – Consideration of Complaints on Schedule “D” and Consideration of Consumer Complaint Committee Recommendations

The Consumer Complaint Review Committee met prior to the Board Meeting to review 35 complaints. Ms. Galindo, Mr. Haiber, and Mr. Milovich served as the review committee. Board Members were encouraged to discuss issues and were encouraged to ask questions.

On motion by Mr. Van Hassel and seconded by Mr. Milovich, the Board unanimously accepted the recommendations of the Consumer Complaint Review Committee for the following complaints. Dr. Foy was recused due to a conflict of interest.

- Complaint #3850 - Dismiss
- Complaint #3851 - Consent Agreement Offered to the Pharmacy Technician for revocation
- Complaint #3861 - Dismiss
- Complaint #3872 - Advisory Letter to the Pharmacist concerning final Verification
- Complaint #38 76 - Consent Agreement offered to the Pharmacist for a fine of \$1,000 and 6 hours of board approved CE on error prevention in addition to regular CE requirements. Fine must be paid and CE completed in 90 days. If not signed, the case proceeds to hearing.
Pharmacy Technician - Dismiss
- Complaint #3877 - Dismiss
- Complaint #3880 - Consent Agreement offered to the Pharmacist for a fine of \$1,000 and 6 hours of board approved CE on error prevention in addition to regular CE requirements. Fine must be paid and CE completed in 90 days. If not signed, the case proceeds to hearing.
Pharmacy Technician – Dismiss

On motion by Mr. Van Hassel and seconded by Mr. McAllister, the Board unanimously accepted the recommendations of the Consumer Complaint Review Committee for the following complaints.

- Complaint #3845 - Dismiss
- Complaint #3846 - Dismiss
- Complaint #3847 - Consent Agreement offered to the Pharmacist for a fine of \$1,000 and 6 hours of board approved CE on error prevention in addition to regular CE requirements. Fine must be paid and CE completed in 90 days. If not signed, the case proceeds to hearing.
- Complaint #3848 - Dismiss
- Complaint #3849 - Consent Agreement offered to the Dispensing Pharmacist for a fine of \$1,000 and 6 hours of board approved CE on error prevention in addition to regular CE requirements. Fine must be paid and CE completed in 90 days. If not signed, the case proceeds to hearing.
- Complaint #3849 - Advisory Letter to Counseling Pharmacist concerning

- (Continued) counseling requirements
- Complaint #3854 - Consent Agreement offered to the Pharmacist in Charge for a fine of \$1,000 (\$500 for each violation) and 6 hours of board approved CE on law. Fine must be paid and CE completed in 90 days. If not signed, the case proceeds to hearing.
Consent Agreement offered to the Pharmacist for a fine of \$1,000 and 6 hours of board approved CE on error prevention in addition to regular CE requirements. Fine must be paid and CE completed in 90 days. If not signed, the case proceeds to hearing.
- Complaint #3855 - Dismiss
- Complaint #3856 - Advisory Letter to the Pharmacist concerning Federal Prescription requirements for Controlled Substances
- Complaint #3859 - Consent Agreement offered to the Permit Holder for a fine of \$1,000 dollars for each prescription entered under the incorrect doctor's name (12) prescriptions because the permit holder was aware of the computer issues. The fine must be paid in 6 months. If not signed, the case proceeds to hearing.
Advisory Letter to all Pharmacists concerning the checking of data entry
Advisory Letter to all Pharmacy Technicians concerning the following of policies and procedures
- Complaint #3862 - Dismiss
- Complaint #3863 - Dismiss
- Complaint #3864 - Dismiss
- Complaint #3866 - Consent Agreement offered to the Pharmacist for a fine of \$1,000 and 6 hours of board approved CE on error prevention in addition to regular CE requirements. Fine must be paid and CE completed in 90 days. If not signed, the case proceeds to hearing.
Advisory Letter to the Pharmacy Technician concerning the following of policies and procedures
- Complaint #3867 - Consent Agreement offered to the Pharmacist for a fine of \$2,000 (\$1,000 for each violation) and 6 hours of board approved CE on error prevention in addition to regular CE requirements. Fine must be paid and CE completed in 90 days. If not signed, the case proceeds to hearing.
- Complaint #3868 - Dismiss due to inconclusive evidence

- Complaint #3869 - Consent Agreement offered to the Call Center Pharmacist for a fine of \$1,000 and 6 hours of board approved CE on error prevention in addition to regular CE requirements. Fine must be paid and CE completed in 90 days. If not signed, the case proceeds to hearing.
Consent Agreement offered to the Counseling Pharmacist for a fine of \$1,000 and 6 hours of board approved CE on law in addition to regular CE requirements. Fine must be paid and CE completed in 90 days. If not signed, the case proceeds to hearing.
- Complaint #3871 - Conference – Pharmacist and Pharmacy Technician
- Complaint #3873 - Dismiss
- Complaint #3874 - Consent Agreement offered to the Pharmacist to sign a 5 year PAPA contract with no inpatient requirement or suspension period. The pharmacist will be on probation for the entire 5 year period. If not signed, the case proceeds to hearing.
- Complaint #3875 - Conference – Pharmacist in Charge
Dismiss case against Pharmacist
Refer complaint to Medical Board
- Complaint #3878 - Dismiss
- Complaint #3879 - Consent Agreement offered to the Pharmacist for a fine of \$2,000 (\$1,000 fine for each violation) and 6 hours of board approved CE on error prevention in addition to regular CE requirements. Fine must be paid and CE completed in 90 days. If not signed, the case proceeds to hearing.
- Complaint #3881 - Advisory Letter to the Pharmacist concerning selling the correct prescription to the correct patient
- Complaint #3882 - Advisory Letter to the Pharmacist concerning final Verification
- Complaint #3883 - Advisory Letter to the Pharmacist in Charge concerning medical records
- Complaint #3885 - Dismiss
- Complaint #3886 - Dismiss

Complaint #3887 - Consent Agreement offered to the Pharmacy Technician Trainee for one year probation with random drug screens through TASC with 4 screens monthly while working and 2 screens monthly when working

AGENDA ITEM 9 – Pharmacy Technician Trainee Requests for Approval to Reapply for Licensure

Vice President Haiber stated that Mr. Wand has reviewed the requests and has approved the individuals for one additional two year period.

On motion by Mr. Milovich and seconded by Mr. McAllister, the Board unanimously approved the requests of the Pharmacy Technician Trainees listed below to proceed with the reapplication process. The pharmacy technician trainee may reapply for an additional two years as a pharmacy technician trainee one time.

Pharmacy Technician Trainee Requests to reapply for licensure

Zygene Herd	Robert Wilkins	Larry Dailey
Kristina Wolfe	Misti Garcia	Amanda Harmon
Jake Reisinger	Kimberly Carper	Natalie Moulton
Mary Akhetiar	Lawrence Archibeque	Thomas Hannan
Cynthia Burciaga	David Green	Irce Martinez
Alicia Valenzuela	Linda Nielsen	Audugbon Smith
Stephanie Luna	Luke Peters	Cynthia Field
Roxanne Romero	Edward Valero	Jamie Vasquez
Crest Fimbres	Alexis Pacheco	Melvina Lake
Victor Valenzuela	Justin Konkle	Suk Hong
Miriam Rebolledo	Alicia Hinds	Mary Weisel
Sabrina Matthews	Richard Jones	Krista Sanger
Taryl Jones	Ha Payne	Monica Rocha
Steven Juarez	Sara Martinez	Kiley Ingram
Delia Medina	Manu Kafoa	Sandra Rogers
Gerardo Paredes	Patricia Garcia	Bernadine Reindl
Dorothy Serna	Ryan Lakomski	Bernice Corona
Leonard Earl	Jacob Gallegos	Juan Jiminez
Madison McGregor	Daniel Kunce	Donny Dailey III
Rafael Montes-Montes	David Billings	Ashlee Kirkman
Denia Gonzalez		

AGENDA ITEM 10 – Consent Agreements

Vice President Haiber asked Board Members if there were any questions or discussions concerning the consent agreements. Executive Director Hal Wand indicated that the consent agreements have been reviewed and approved by the Attorney General's Office and have been signed.

On motion by Mr. McAllister and seconded by Mr. Milovich, the Board unanimously agreed to accept the following consent agreements as presented in the meeting book and signed by the respondents. The consent agreements are listed below.

Steven Breese	-	11-0007-PHR
Shelley Jones	-	11-0009-PHR
Kimberly Cristoff	-	11-0015-PHR

A roll call vote was taken. (Ms. Galindo – aye, Ms. Locnikar – absent, Mr. McAllister – aye, Mr. Van Hassel – aye, Mr. Milovich – aye, Dr. Foy – aye, and Mr. Haiber – aye).

AGENDA ITEM 11- Complaint #3838- Avondale Neighborhood Pharmacy (Lameck Nyakweba)

Vice President Haiber opened the discussion by stating at the last meeting the Board asked the Compliance staff to conduct an additional investigation of the pharmacy's compounding records and to report their findings back to the Board at the next meeting.

Compliance Officer Ed Hunter gave an interview of the additional findings to the Board Members. Mr. Hunter stated that he reviewed 14 prescriptions including the prescription in question. Mr. Hunter stated that when he investigated the prescription in question the pharmacist stated that he contacted the doctor to change the formula to the doctor's normal deep pain formula. Mr. Hunter stated that the pharmacist failed to document the authorization of the change on the prescription. Mr. Hunter stated that there were documentation issues with the other 13 prescriptions.

In summary, Mr. Hunter stated that the pharmacist was not documenting changes to the formulas used when he contacted the physician for changes. Mr. Hunter stated that the pharmacist was not documenting authorization to dispense a compounded product. Mr. Hunter stated that there was no documentation that the physicians were aware of the formula being used to compound the medications. Mr. Hunter stated that the pharmacist did not record the formula used by another pharmacy when transferring a prescription into his pharmacy.

Mr. Haiber asked Mr. Hunter if the initial issue was the fact that the pharmacist charged a copay for the prescription. Mr. Hunter stated that the initial complaint involved the fact that the pharmacist charged a copay for a compounded product. The pharmacist charged the patient a \$20 copay when he did not receive enough reimbursement from the insurance company. When the complainant returned with her sister, the pharmacist refunded her money and reversed the claim made to the insurance company. Mr. Hunter stated it was noted during the review of the initial complaint that there was a difference in the ingredients that were listed on the prescription and the ingredients that were in the compounded product.

Dr. Foy asked Mr. Hunter how he chose the prescriptions for review. Mr. Hunter stated that he took the first thirteen forms from the compounding box and asked the technician to pull the original prescriptions. Mr. Hunter stated that they could not find one prescription and that prescription was for a CII.

Mr. Haiber asked how many prescriptions Mr. Hunter reviewed. Mr. Hunter stated that he reviewed fourteen prescriptions. Mr. Hunter stated that he was there 4 hours researching those fourteen prescriptions. Mr. Hunter stated that every prescription he reviewed was not correct.

Mr. Van Hassel asked if a consent agreement could be offered to the permit holder.

Mr. Wand stated that there are several violations of Statutes, Rules, and the Controlled Substance Act.

On motion by Mr. McAllister and seconded by Mr. Van Hassel, the Board unanimously agreed to offer a consent agreement to the permit holder with the following terms: \$1,000 for each violation, 6 months of probation, and an additional inspection at the permit holder's expense prior to the end of probation.

AGENDA ITEM 12 – Arizona Pharmacy Alliance Sunrise Proposals

Vice President Haiber asked Mr. Wand to address this agenda item.

Mr. Wand stated that the Arizona Pharmacy Alliance is sponsoring two sunrise proposals. The first proposal changes 32-1974 which would allow pharmacists to administer influenza vaccines to persons six years of age to seventeen years of age without a prescription. The proposal would also allow a pharmacist to administer other immunizations and vaccines pursuant to a prescription for the same age group. The proposal also would allow interns that are certified by the Board to administer immunizations and vaccines in the presence and under the immediate personal supervision of a pharmacist certified to give immunizations.

The second proposal changes 32-1970 which would change the language to allow a pharmacist to implement, monitor, and modify drug therapies after developing a protocol with a provider.

Mr. Wand stated that he would like to know if the Board supports the changes and would allow him to speak on behalf of the Board.

On motion by Mr. Van Hassel and seconded by Mr. Milovich, the Board unanimously agreed to allow Mr. Wand to speak on behalf of the Board in support of the changes to 32-1974 and 32-1970.

AGENDA ITEM 13 – Proposed Board of Pharmacy Meeting Dates for 2011

On motion by Dr. Foy and seconded by Mr. Milovich, the Board unanimously approved the following dates for Board Meetings in 2011:

1. January 26 and 27, 2011
2. March 17 and 18, 2011
3. May 4 and 5, 2011
4. July 7, 2011
5. September 14 and 15, 2011
6. November 16 and 17, 2011

AGENDA ITEM 15 – Call to the Public

Vice President Haiber announced that interested parties have the opportunity at this time to address issues of concern to the Board; however the Board may not discuss or resolve any issues because the issues were not posted on the meeting agenda.

Kelly Ridgway, President of the Arizona Pharmacy Alliance, came forth to update the Board concerning activities of the Alliance.

Ms. Ridgway stated that the Alliance has two sunshine proposals and would be meeting with stakeholders.

Ms. Ridgway gave a brief overview of the different academy meetings.

AGENDA ITEM 16 – Discussion of items to placed on a future meeting agenda

Mr. Wand stated that since there are new Board Members that the Board may like to have another meeting with PAPA to discuss how the program works to benefit the participants.

The meeting recessed for the day at 3:30 P.M.

AGENDA ITEM 1 – Call to Order – November 18, 2010

Vice President Haiber convened the meeting at 9:00 A.M. and welcomed the audience to the meeting.

The following Board Members were present: Vice President Steve Haiber, Jim Foy, Joanne Galindo, Dan Milovich, and Tom Van Hassel. The following Board Members were not present: Kyra Locnikar and Dennis McAllister. The following staff members were present: Compliance Officers Rich Cieslinski, Tom Petersen, Sandra Sutcliffe, Dean Wright, Drug Inspector Heather Lathim, Deputy Director Cheryl Frush, Executive Director Hal Wand, and Assistant Attorney General Elizabeth Campbell.

AGENDA ITEM 14 – Hearings/Motions to Deem

Hearing – Sara Kinard

Vice President Haiber opened the hearing by stating that this is the date, time, and place where the matter dealing with Case Number #10-0070 for Sara Kinard is scheduled to be heard by the Arizona State Board of Pharmacy.

Board Members present for the Hearing: Joanne Galindo, Jim Foy, Tom Van Hassel, Dan Milovich, and Steve Haiber.

Vice President Haiber stated let the record show that the Board Members have been furnished with copies of the following:

1. The Complaint and Notice of Hearing
2. The Respondent's Answer
3. All pleadings of record

Vice President Haiber asked the parties to identify themselves.

Elizabeth Campbell, Assistant Attorney General, representing the state was present. Sara Kinard, respondent, was not present.

The Board determined that Ms. Kinard had been sent the notice of the hearing and the hearing would continue.

Vice President Haiber read the opening statements concerning the proceedings of the hearing.

Vice President Haiber asked the court reporter to swear in the witnesses. The court reporter swore in Detective Jason McClimans.

Elizabeth Campbell, Assistant Attorney General, asked that her documents be admitted as evidence.

Vice President Haiber asked Ms. Campbell if she would like to make an opening statement. Ms. Campbell made a brief opening statement.

Vice President Haiber asked Ms. Campbell if she would like to call her first witness. Ms. Campbell called Detective Jason McClimans. Detective McClimans answered questions concerning the evidence found at the site and evidence taken from Ms. Kinard.

Vice President Haiber stated that this concludes the evidentiary portion of the hearing.

Vice President Haiber asked Ms. Campbell if she would like to make a closing statement. Ms. Campbell stated that the factual allegations have been proven. Ms. Campbell stated that the respondent did have dangerous drugs and narcotic drugs in her possession without a valid prescription.

Vice President Haiber stated at this time the Board would discuss the case.

On motion by Mr. Van Hassel and seconded by Dr. Foy, the Board unanimously agreed to adopt the factual allegations in the Complaint as findings of fact. A roll call vote was taken. (Ms. Galindo – aye, Mr. Van Hassel – aye, Mr. Milovich – aye, Dr. Foy- aye, and Mr. Haiber – aye)

On motion by Mr. Van Hassel and seconded by Dr. Foy, the Board unanimously agreed to adopt all of the alleged violations set forth in the Complaint as the Board’s conclusions of law. A roll call vote was taken. . (Ms. Galindo – aye, Mr. Van Hassel – aye, Mr. Milovich – aye, Dr. Foy- aye, and Mr. Haiber – aye)

Vice President Haiber stated that the Board would now consider the Board’s Order.

On motion by Mr. Van Hassel and seconded by Dr. Foy, the Board unanimously agreed to revoke Ms. Kinard’s pharmacy technician license. A roll call vote was taken. (Ms. Galindo – aye, Mr. Van Hassel – aye, Mr. Milovich – aye, Dr. Foy- aye, and Mr. Haiber – aye)

Vice President Haiber concluded the formal hearing.

A complete transcript of the hearing will be available in two weeks.

Hearing – Kimberly Cristoff

The hearing for Kimberly Cristoff was not held because the Board approved her signed consent agreement.

Motion to Deem – Amanda Curtis

Vice President Haiber opened the discussion by stating that this is the time and place for Consideration of the State’s Motion to Deem Allegations of the Complaint and Notice of Hearing Admitted in the Case of Amanda Curtis, License #T020254, Case 11-00613-PHR. Vice President Haiber stated that the attorney for the state has filed the current motion before us today.

Vice President Haiber asked if Ms. Curtis was present. Ms. Curtis was not present.

Vice President Haiber asked if the Board would like to make a Motion granting or denying the State’s motion to Deem Allegations Admitted.

On motion by Dr. Foy and seconded by Mr. Van Hassel, the Board unanimously agreed to grant the State’s motion to Deem Allegations admitted.

On motion by Mr. Van Hassel and seconded by Dr. Foy, the Board unanimously agreed to adopt the factual allegations in the Complaint as findings of fact.

On motion by Mr. Van Hassel and seconded by Dr. Foy, the Board unanimously agreed to adopt all of the alleged violations set forth in the Complaint as the Board’s conclusions of law.

Vice President Haiber asked if the Assistant Attorney General has any comments or recommendations as to the appropriate discipline to be imposed.

Ms. Campbell stated that in view of the allegations admitted the Board can impose any discipline that they feel appropriate.

Vice President Haiber stated that the Board would now deliberate on the appropriate discipline to be imposed.

On motion by Dr. Foy and seconded by Mr. Van Hassel, the Board unanimously agreed to revoke Pharmacy Technician Trainee License T020254 issued to Amanda Curtis. A roll call vote was taken. (Ms. Galindo – aye, Mr. Van Hassel – aye, Mr. Milovich – aye, Dr. Foy- aye, and Mr. Haiber – aye)

AGENDA ITEM 15 – Call to the Public

Vice President Haiber announced that interested parties have the opportunity at this time to address issues of concern to the Board; however the Board may not discuss or resolve any issues because the issues were not posted on the meeting agenda.

No one came forth.

AGENDA ITEM 16 – Future Agenda Items

Mr. Van Hassel asked that Medical Marijuana and Quality Assurance be place on a future Agenda.

AGENDA ITEM 17 – Adjournment

There being no further business to come before the Board, **on motion by Dr. Foy and seconded by Mr. Milovich**, the Board unanimously agreed to adjourn the meeting at 10:40 A.M.