

TENNESSEE BOARD OF PHARMACY  
665 Mainstream Drive, Iris Room  
Nashville, TN  
January 12-13, 2016

**BOARD MEMBERS PRESENT**

Nina Smother, D.Ph., President  
Will Bunch, D.Ph., Vice President  
Michael Dickenson, D.Ph.  
Kevin Eidson, D.Ph.  
Debra Wilson, D.Ph.  
Rissa Pryse, D.Ph.  
Joyce McDaniel, Consumer Member

**STAFF PRESENT**

Reginald Dilliard, Executive Director  
Stefan Cange, Assistant General Counsel  
Devin Wells, Deputy General Counsel  
Terry Grinder, Pharmacy Investigator  
Tommy Chrisp, Pharmacy Investigator  
Richard Hadden, Pharmacy Investigator  
Scott Denaburg, Pharmacy Investigator  
Rebecca Moak, Pharmacy Investigator  
Larry Hill, Pharmacy Investigator  
Robert Shutt, Pharmacy Investigator  
Andrea Miller, Pharmacy Investigator  
Sheila Bush, Administrative Manager

The Tennessee Board of Pharmacy convened on Tuesday, January 12, 2016, in the Iris Room, 665 Mainstream Drive, Nashville, TN. A quorum of the members being present, the meeting was called to order at 9:05 a.m.

**Minutes**

The minutes from the November 16-17, 2015 was presented. Dr. Eidson made the motion to accept the minutes as amended. Dr. Wilson seconded the motion. The motion carried. The minutes from the December 18, 2015 rulemaking hearing were presented. After discussion, Dr. Bunch made the motion to accept the minutes as amended. Dr. Eidson seconded the motion. The motion carried.

**Elections**

Dr. Smothers thanked the Board and Board staff for the cooperation and help during her leadership as president. Dr. Eidson made the motion to nominate Dr. Bunch as president. Ms. McDaniel seconded the motion. The motion carried. Dr. Dickenson made the motion to nominate Dr. Eidson as vice president. Dr. Wilson seconded the motion. The motion carried.

**Financial Report**

Lisa Tittle introduced Butch Jack as the new Public Health Administrator to Health Related Boards. Ms. Tittle explained the board the financial report and informed the board that they will be responsible for \$139,800 for a regulatory system upgrade that will allow for online applications. The upgrade cost will

come out of the cumulative carryover. After discussion, Ms. McDaniel made the motion to accept the financial report as given. Dr. Dickenson seconded the motion. The motion carried.

## **OGC Report**

Mr. Cange informed the board that there are 53 cases open for discipline at the Office of General Counsel. He also stated that the rules from the December 18, 2015 rulemaking hearing have been sent to the Attorney General's Office of legal review.

## **Complaint Summary**

### **1.**

Corporate loss prevention reported Respondent pharmacist was terminated for use of alcohol while performing pharmacist duties, as well as testing positive for alprazolam. Respondent admitted to diverting alprazolam from the pharmacy without a valid prescription.

BOP investigator obtained a copy of a signed admission statement, internal investigative report and police report. In a voluntary statement, Respondent admitted drinking "a lot" and stealing in the range of 40 to 50 Alprazolam tablets. According to DEA 106 form filed, the pharmacy had 110 Alprazolam 1mg tablets missing.

Prior Discipline:

Recommend: Revoke

Dr. Smothers made the motion to **authorize a formal hearing** for revocation. Ms. McDaniel seconded the motion. The motion carried.

### **2.**

Complainant patient alleged being shorted an unknown quantity of Hydrocodone APAP in June which was not reported and 6 tablets short in July along with 5 tablets of Klor-Con which were reported. Respondent pharmacy has controlled substance policies for double counting, perpetual inventory, and back-counting to verify on-hands. Pharmacy also has patient notes for this patient to re-verify counts and to count in front of patient if patient requests. PIC spoke to patient about the security measures in place and offered to provide the alleged missing tablets of Hydrocodone at no charge if the patient's physician would provide another prescription for that quantity. PIC stated the patient became rude and belligerent. Patient no longer uses Respondent pharmacy. Allegations could not be confirmed.

Prior Discipline:

Recommend: Dismiss

Dr. Eidson made the motion to **accept counsel's recommendation**. Dr. Dickenson seconded the motion. The motion carried.

**3.**

Complainant patient alleged Respondent pharmacy records indicate the patient was given Zostavax a total of three times. Respondent pharmacy did not automatically report to TenniiS at the time so BOP investigator reviewed the pharmacy's immunization records for 2012 and 2013 for this patient and could only find 1 Zostavax injection that was administered. Two other records of Zostavax were incomplete and were not showing as sold or adjudicated. Investigator contacted Respondent's district supervisor who researched and reported that the other two claims appear to have been attempts to see if the patient's insurance would pay for the shot and even though they were deleted at store level, a glitch in the system still shows those two transactions but it also says that they have incomplete data. Respondent pharmacy staff and management deny that the patient was given Zostavax more than one time.  
Prior Discipline:

Recommend: Dismiss

Dr. Dickenson made the motion to **accept counsel's recommendation**. Dr. Wilson seconded the motion. The motion carried.

**4.**

Complainant pharmacy notified BOP of internal investigation and termination of Respondent pharmacy technician for diversion of controlled substances.

BOP investigator obtained a copy of a signed voluntary statement in which Respondent technician admitted taking "60 plus" pills of Subutex and Suboxone due to peer pressure and hard times. Internal audit and DEA 106 form showed a combined total of 119 Buprenorphine SL 8mg and 1 Naloxone 2mg missing. Respondent also admitted being fired from a previous fast food job for stealing cash but denies taking cash from the pharmacy.

Prior Discipline:

Recommend: Revoke tech registration

Dr. Wilson made the motion to **authorize a formal hearing** for revocation. Dr. Dickenson seconded the motion. The motion carried.

**5.**

Complainant patient alleged Respondent pharmacist lied and refused to fill a legal prescription. Complainant believes that to be against the law. Complainant provided details that her regular pharmacy was out of stock of Oxycodone and contacted another pharmacy approximately 20 miles away and was allegedly told that pharmacy would fill the prescription. However, when the patient arrived at the other pharmacy, Respondent pharmacist refused to fill the prescription. Patient complained to store management and to BOP.

BOP investigator obtained statements from Respondent pharmacist and staff, as well as staff from the patient's regular pharmacy. There appears to have been miscommunication in what the Respondent pharmacist said to the regular pharmacy's technician, and what the technician relayed to the patient about the Respondent pharmacist being willing to fill the patient's medication. Respondent pharmacy and pharmacist did not have sufficient stock to fill the prescription and did not receive it in that day's order. Because Oxycodone is only received twice a week, the order did not arrive until the next week. Respondent pharmacist was willing to fill the patient's order but did not have enough inventories to do so and stated that is what she had told the technician at the other pharmacy.

Prior Discipline:

Recommend: Dismiss

Dr. Wilson made the motion to **accept counsel's recommendation**. Dr. Dickenson seconded the motion. The motion carried.

**6.**

Respondent pharmacy for companion case 5 above.

Recommend: Dismiss

Ms. McDaniel made the motion to **accept counsel's recommendation**. Dr. Wilson seconded the motion. The motion carried.

**7.**

Complainant patient alleged that while he was hospitalized, his own medications including 20 and ½ tablets of Endocet 10/325 and 15 Morphine ER 30mg disappeared while under the care of Respondent hospital pharmacy and that someone followed complainant's wife from the hospital parking lot.

BOP investigator reviewed hospital documentation and interviewed staff. It appears all protocols were followed by nursing and pharmacy staff. An internal investigation did not reveal any discrepancies or wrongdoing. Patient and spouse were advised to contact law enforcement if they feel someone is following them.

Prior Discipline:

Recommend: Dismiss

Dr. Dickenson made the motion to **accept counsel's recommendation**. Ms. McDaniel seconded the motion. The motion carried.

**8.**

BOP was notified by pharmacy loss prevention that Respondent technician had stolen controlled substances and provided a copy of a signed admission statement. Technician admitted to stealing 46 Alprazolam and 500 Hydrocodone.

Prior Discipline:

Recommend: Revoke technician registration

Dr. Wilson made the motion to **authorize a formal hearing** for revocation. Dr. Eidson seconded the motion. The motion carried.

## 9.

BOP was notified by pharmacy loss prevention that Respondent technician had stolen controlled substances and provided a copy of a signed admission statement. Technician admitted to stealing some drugs for personal use and some to sell. Drugs admittedly stolen were Tramadol, Oxycodone 10/325, APAP #3, and Prednisone (for a rash.)

Totals missing according to DEA 106 filed:

194 Tramadol 50mg

1,259 APAP #3

38 Oxycodone 10/325

523ml APAP/Codeine solution

Prior Discipline:

Recommend: Revoke technician registration

Dr. Dickenson made the motion to **authorize a formal hearing** for revocation. Dr. Smothers seconded the motion. The motion carried.

## 10.

Anonymous complainant alleged Respondent pharmacist self-administers Norco, leaves the drug safe open during the day, and owns an MWD that shares a wholesaler number with a firm in California.

BOP investigators conducted a thorough investigation and audited Hydrocodone APAP. Respondent pharmacist had valid prescriptions for herself. No discrepancies were found and the audit was exactly right. An open safe is not a violation. Respondent does have an MWD license but does not do any business with anyone in California. No violations of Tennessee law were found.

Prior Discipline:

Recommend: Dismiss

Dr. Smothers made the motion to **accept counsel's recommendation**. Dr. Eidson seconded the motion. The motion carried.

**11.**

Pharmacy associated with case 10 above.  
No violation of Tennessee law was found.

Prior Discipline:

Recommend: Dismiss

Dr. Smothers made the motion to **accept counsel's recommendation**. Dr. Eidson seconded the motion.  
The motion carried.

**12.**

During a routine inspection, BOP investigator discovered an expired registration for Respondent pharmacy technician. Respondent was not currently working but employment records showed the tech had been allowed to work on an expired registration from September 1, 2014 until May 20, 2015, a total of 9 months. Respondent and the PIC both stated they did not realize the registration was expired during that time.

Prior Discipline:

Recommend: \$100 CP to tech---?

Dr. Wilson made the motion to **authorize a formal hearing** with a \$100.00 civil penalty to the pharmacy technician for working on an expired registration. Dr. Smothers seconded the motion. The motion carried.

**13.**

Pharmacy associated with case 12 above.

Prior Discipline:

Recommend: LOW?

Dr. Wilson made the motion to issue a **Letter of Warning** to the pharmacy for the expired pharmacy technician registration. Dr. Smothers seconded

**14.**

PIC for cases 12 and 13 above.

Prior Discipline:

Recommend: \$900 CP for unregistered tech

Dr. Wilson made the motion to **authorize a formal hearing** with a \$900.00 civil penalty to the PIC for allowing the technician to work on an expired registration. Dr. Smothers seconded the motion. The motion carried.

**15.**

During a routine inspection, BOP investigator observed a pharmacy technician give a filled prescription for Ciprofloxacin to a patient and read a note the pharmacist had placed on the bag saying to avoid dairy products, without ever asking the pharmacist to counsel. Neither the tech nor the pharmacist on duty had any explanation of why the pharmacist was not called to counsel. The pharmacist on duty stated that the policy is to counsel on all new prescriptions. The PIC was informed of the violation and has since provided a copy of a corrective action plan.

Prior Discipline:

Recommend: \$1,000 CP

Dr. Eidson made the motion to **authorize a formal hearing** with a \$1000.00 civil penalty to the pharmacist in charge for failure to counsel. Dr. Smothers seconded the motion. The motion carried.

**16.**

Pharmacy associated with Case 15 above.

Recommend: \$1,000 CP

Dr. Eidson made the motion to **authorize a formal hearing** with a \$1000.00 civil penalty and a corrective action plan to the pharmacy for failure to counsel. Dr. Smothers seconded the motion. The motion carried.

**17.**

PIC associated with Cases 15 and 16 above.

Prior Discipline:

Recommend: LOI

Dr. Eidson made the motion to issue a **Letter of Instruction** to the pharmacist in charge. Dr. Smothers seconded the motion. The motion carried.

**18.**

BOP was notified by pharmacy loss prevention of an internal investigation resulting in termination of Respondent technician for prescription drug theft. According to investigative notes, Respondent admitted stealing drugs from 2 pharmacy locations. A copy of a signed admission statement, investigative notes and audits were obtained. Respondent admitted stealing APAP #3, APAP #4, and Tramadol but was on video also taking Alprazolam. When confronted by loss prevention, Respondent emptied her purse which contained Carisoprodol, Ondansetron, APAP #3, APAP #4, Alprazolam, and Tramadol which Respondent then admitted to stealing that day and was not sure how many had been consumed already that day.

Audited shortages for pharmacy location #1:

242 APAP #3  
98 APAP #4  
22 Alprazolam 0.25 mg  
51 Alprazolam 0.5 mg  
98 Alprazolam 1 mg  
39 Alprazolam 2 mg  
6 Carisoprodol 350 mg  
21 Tramadol 50 mg  
30 Ondansetron 8 mg

Audited shortages for pharmacy location #2:

105 APAP #3  
244 APAP #4  
32 Alprazolam 0.25 mg  
63 Alprazolam 1 mg  
4 Alprazolam 2 mg  
16 Tramadol 50 mg

Prior Discipline:

Recommend: Revoke tech registration

Dr. Dickenson made the motion to **authorize a formal hearing** for revocation. Dr. Wilson seconded the motion. The motion carried.

## 19.

Complainant alleged a possible misfill. Patient noticed the dispensed medication did not look like patient's usual Hydrochlorothiazide and only contained 30 peach colored football shaped tablets instead of the usual 90 green capsules. When it was returned to the pharmacy, complainant alleged a pharmacy employee said "this doesn't even look like hydrochlorothiazide" then took the bottle behind the counter and returned another bottle to the patient and said "sorry about that." The patient verified these pills were his regular green capsules.

BOP investigator interviewed the pharmacist that corrected the mistake. Pharmacist stated the patient brought in a bottle containing Lisinopril. Pharmacist stated he asked patient if any of them had been

consumed and that the patient said no. Pharmacist corrected the medication and apologized to the patient.

BOP investigator interviewed the dispensing pharmacist who stated he had no idea how the misfill could have occurred. The filling process was reviewed and if all procedures are followed correctly, several steps requiring scanning matches should have prevented such a misfill. Pharmacist stated he will be diligent in checking prescriptions with a “double check” review.

BOP investigator notified PIC of the misfill, but PIC was neither the dispensing pharmacist nor the pharmacist that corrected the error.

Prior Discipline:

Recommend: Dismiss against the pharmacy

Dr. Dickenson made the motion to **accept counsel’s recommendation**. Dr. Wilson seconded the motion. The motion carried.

**20.**

Dispensing pharmacist for case 19 above.

Prior Discipline:

Recommend: LOW for misfill

Dr. Dickenson made the motion to issue a **Letter of Warning** to the dispensing pharmacist for the misfill. Dr. Eidson seconded the motion. The motion carried.

**21.**

PIC for cases 19 and 20 above.

Prior Discipline:

Recommend: LOI for corrective plan of action

Dr. Dickenson made the motion to issue a **Letter of Instruction** to the pharmacist in charge for the misfill. Dr. Eidson seconded the motion. The motion carried.

**22.**

Case was previously presented to the Board for discipline. A 2014 inspection found that Respondent pharmacy was dispensing unusually high quantities of controlled substances during the previous year.

After discussion, Dr. Wilson made the motion to issue an **Order of Compliance** to the pharmacy. Dr. Dickenson seconded the motion. The motion carried.

## **Director's Report**

Dr. Dilliard asked the board to authorize travel for the executive director, pharmacy investigators and board members to attend the Tennessee Pharmacist Association Winter Meeting scheduled for February 28, 2016 thru March 1, 2016. Dr. Eidson made the motion to authorize travel for the executive director, pharmacy investigators and board members to attend the Tennessee Pharmacist Association Winter Meeting. Dr. Smothers seconded the motion. The motion carried.

Dr. Dilliard informed the board of the pharmacy updates and asked the board to consider attending as well. The pharmacy updates are scheduled for the following dates and locations: February 12-14, 2016, Murfreesboro, TN; February 20-21, 2016, Knoxville, TN; March 12-13, 2016, Kingsport, TN; March 19-20, 2016, Nashville, TN; April 2-3, 2016, Memphis, TN; April 9-10, 2016, Jackson, TN; April 23-24, 2016, Cookeville, TN; and April 30-May 1, 2016, Chattanooga, TN.

Dr. Dilliard asked the board to authorize travel for the executive director and board members to attend the National Association of Board of Pharmacy (NABP) Annual Conference to be held in San Diego, CA on March 14-17, 2016. Dr. Smothers made the motion to authorize travel for the executive director and board members to attend the National Association of Board of Pharmacy (NABP) Annual Conference to be held in San Diego, CA on March 14-17, 2016, Dr. Dickenson seconded the motion. The motion carried. Ms. McDaniel made the motion to elect Dr. Pryse to be the delegate and to accept the travel grant. Dr. Wilson seconded the motion. The motion carried.

Dr. Dilliard asked the board to authorize travel for the NABP District III meeting scheduled for August 14-17, 2016 in Pointe Clear, AL. Ms. McDaniel made the motion to authorize travel for the executive staff, pharmacy investigators and board members to attend the NABP District III meeting scheduled for August 14-17, 2016. Dr. Smothers seconded the motion. The motion carried.

Dr. Dilliard asked the board to authorize travel to attend the TALKOM Conference scheduled for February 15-16, 2016. Ms. McDaniel made the motion to authorize travel for Dr. Dilliard to attend the TALKOM Conference. Dr. Wilson seconded the motion. The motion carried.

Dr. Dilliard asked the board to authorize Dr. Hadden to attend the NABP multistate pharmacy jurisprudence exam (MPJE) item writing workshop scheduled for March 15-16, 2016. Dr. Smothers made the motion to allow Dr. Hadden to attend the NABP multistate pharmacy jurisprudence exam (MPJE) item writing workshop. Dr. Wilson seconded the motion. The motion carried.

Dr. Grinder gave a brief overview on the number of pharmacy inspections, investigations, and training (national and in house) that the investigators have conducted and/or participated in.

## **Reinstatement**

**Terry Moore, D.Ph.**

Dr. Moore requested to have his license reinstated. Dr. Moore's license was revoked on 05/11/2015. After discussion, Dr. Smothers made the motion to reinstate Dr. Moore's license. Dr. Moore's license will be on five (5) year probation once he has completed all the necessary requirements for reinstatement with the following conditions. Dr. Eidson seconded the motion. The motion carried.

(a) The Respondent shall completely abstain from the consumption of alcohol or any other drugs, except as specified in (b);

(b) The Respondent shall be able to consume legend drugs or controlled substances prescribed by the Respondent's primary physician Dr. Rucker, except in the case of an emergency or upon proper referral from the Respondent's primary physician. Upon ratification of this order, the Respondent shall immediately notify the Board office in writing of the name of the Respondent's primary care physician. The Respondent shall immediately notify the Board office in writing of the name of the Respondent's primary physician each time the Respondent changes primary physicians;

(c) The Respondent shall not obtain or attempt to obtain any prescriptions in the Respondent's name for any legend drugs, controlled substances or devices containing same from a physician other than the Respondent's primary physician or from any other health care provider, such as a nurse practitioner, physician's assistant or psychiatrist;

(d) The Respondent shall destroy any unused controlled substances prescribed under the provisions of subsection (b) no later than thirty (30) days following the completion of the prescribed course of treatment;

(e) The Respondent shall report to the Board, in writing, the ingestion of any and all legend drugs or controlled substances (a copy of the prescription will satisfy the requirement);

(f) The Respondent shall submit to random sampling of urine, blood or bodily tissues for the presence of drugs and alcohol, at the Respondent's own expense, by agents of the Board, such as the Tennessee Pharmacist Recovery Network for as long as the Respondent has an active license. In the event that the sampling indicates the presence of drugs for which the Respondent does not have a valid prescription or the sampling indicates the presence of alcohol, then formal disciplinary charges may be brought against the Respondent which could result in the revocation of the Respondent's remaining term of probation or the suspension or revocation of the Respondent's license to engage in the practice of pharmacy. Prior to such disciplinary charges being heard by the Board, the Respondent's license may be summarily suspended;

(g) The Respondent shall comply with all of the terms and conditions of the extended aftercare contract she entered into with the Tennessee Pharmacist Recovery Network. Respondent shall return a copy of said contract with this consent order to the Board Office.

(h) The Respondent shall not serve as pharmacist-in-charge for a period of three (3) years from the start date of probation; however, after a period of two (2) years' probation the respondent may petition the Board for a modification of this Consent Order to remove the restrictions upon show of good causes. The Respondent shall not work as a "floater" for a period of three (3) years, meaning that the Respondent shall not work at more than one (1) pharmacy location at the same time without permission of the Board;

(i) Respondent shall complete all provisions required for the reinstatement of his license listed in Board Rule 1140-01-.07 (3) (a):

1. Provide written notice to the board requesting an active license;
2. Satisfy all past due continuing pharmaceutical education as required by the board;
3. Pay all cumulative license renewal fees and any applicable penalty fees for the period During which the license was inactive, delinquent, suspended or revoked;

### **Appearance**

#### **Scott Stracener, D.Ph.**

Dr. Stracener requested to appear before the board to discuss reciprocating to Tennessee from Arkansas. Dr. Stracener's Arkansas pharmacist license is on 5 year probation due to impairment. After discussion, Dr. Eidson made the motion to mirror the action taken by the Arkansas Board of Pharmacy once Dr. Stracener has completed the application process in Tennessee. Dr. Smothers seconded the motion. The motion carried. Dr. Dickenson voted no.

#### **Kimberly Alexander, RT**

Ms. Alexander answered yes to the question that asked "Have you ever been charged or convicted (including a nolo contendere plea or guilty plea) of a felony or misdemeanor (other than a minor traffic offenses) whether or not sentence was imposed, suspended, expunged, or whether you were pardoned from any such offense?" Ms. Alexander pled guilty to selling cocaine on 9/11/2015 and was sentence to 10 year community correction and \$2000.00 court cost. After discussion, Dr. Dickenson made the motion to deny Ms. Alexander's application for registration as a pharmacy technician. Dr. Wilson seconded the motion. The motion carried. Ms. McDaniel abstained.

#### **Odilia Ayanama, D.Ph.**

#### **Board rule 114-01-.05 (4)**

Dr. Ayanama appeared before the board to request approval to retake the NAPLEX. Dr. Ayanama has taken and failed the NAPLEX six (6) times. After discussion, Dr. Smothers made the motion to grant Dr. Ayanama's request and allow her to take and pass the NAPLEX one more time. Dr. Wilson seconded the motion. The motion carried.

### **Reinstatement**

#### **Christopher Webb, D.Ph.**

Dr. Webb appeared before the board to discuss the status of his pharmacist license. Dr. Webb has admitted to impairment but did not want to surrender his pharmacist license as recommended by Dr. Dilliard. After discussion, Dr. Eidson made the motion to place Dr. Webb's license on probation for 5 year with conditions. Dr. Smothers seconded the motion. After further discussion, Dr. Eidson withdrew his motion. Ms. McDaniel made the motion to flag Dr. Webb's pharmacist license and for Dr. Webb to appear before the board at the May 10-11, 2016 board meeting. Dr. Wilson seconded the motion. The motion carried.

## Waivers

### Board rule 1140-01-.13 (3)(d) & (e)

Dr. Smothers made the motion to approve the request from **Hillcrest Healthcare Center, Ashland City, TN** for the automated dispensing machine that the pharmacy to be 180 square feet and hot and cold running water. Ms. McDaniel seconded the motion. The motion carried.

Dr. Smothers made the motion to approve the request from **Claiborne and Hughes Nursing and Rehabilitation Center, Franklin, TN** for the automated dispensing machine that the pharmacy to be 180 square feet and hot and cold running water. Ms. McDaniel seconded the motion. The motion carried.

Dr. Smothers made the motion to approve the request from **Tennessee Veterans Home in Clarksville, TN** for the automated dispensing machine that the pharmacy to be 180 square feet and hot and cold running water. Ms. McDaniel seconded the motion. The motion carried.

Dr. Smothers made the motion to approve the request from **Spring Gate Rehab and Health Center, Memphis, TN** for the automated dispensing machine that the pharmacy to be 180 square feet and hot and cold running water. Ms. McDaniel seconded the motion. The motion carried.

### Board rule 1140-03-.14 (12)

Dr. Smothers made the motion to approve the request from **Cameron James, D.Ph.** to be the pharmacist in charge of the automated dispensing machines at Hillcrest Healthcare Center, Ashland City, TN; Claiborne and Hughes Nursing and Rehabilitation Center, Franklin, TN and Tennessee Veterans Home in Clarksville, TN. Ms. McDaniel seconded the motion. The motion carried.

### Board rule 1140-01-.07 (3)(b) 5 (ii) & (iii)

Dr. Wilson made the motion to approve the request from **Valeria Bernardo, D.Ph.**, to waive the one hundred and sixty (160) internship hours but she must successfully take and pass the MPJE. Dr. Eidson seconded the motion. The motion carried.

Dr. Smothers made the motion to approve the request from **Angela Elkins, D.Ph.**, to waive the three hundred and twenty (320) internship hours and the NAPLEX but she must successfully take and pass the MPJE. Dr. Eidson seconded the motion. The motion carried.

## Consent Orders

Dr. Wilson made the motion to accept the following consent orders as presented. Ms. McDaniel seconded the motion. The motion carried.

VIOLATED BOARD RULE 1140-2-.02 (1)  
Jerrie S. Arunthamakum, D.Ph. -\$1900.00 civil penalty  
Jimmie B. Stewart, D.Ph. -\$1000.00 civil penalty  
Annaliesa Bales, RT- \$100.00 civil penalty

VIOLATED BOARD RULE 1140-3-.01(1)(a) & (f)  
Brandon Thomas Lock, D.Ph. -\$1000.00 civil penalty

Mark B. Stanfield, D.Ph-\$1000.00 civil penalty  
Amy Belew, D.Ph.-\$1000.00 civil penalty  
Tennessee CVS Pharmacy #6363-\$1000.00 civil penalty

Dr. Eidson made the motion to accept the following consent order signed by **Margaret R. Hallman, D.Ph.** as presented. Dr. Dickenson seconded the motion. The motion carried. Dr. Hallman's license will be placed on probation for 1 year and she cannot be pharmacist in charge during the probation period. She is also required to submit 15 additional continuing pharmaceutical hours in controlled substance and recordkeeping.

Dr. Smothers made the motion to accept the following consent order signed by **Kelly Snyder, D.Ph.** as presented. Dr. Pryse seconded the motion. The motion carried. Dr. Snyder's license will be placed on probation for 2 years, she cannot serve as PIC during the probation and assessed a \$5,000.00 civil penalty.

Dr. Dickenson made the motion to accept the following consent order signed by **Food City Pharmacy #611** as presented. Ms. McDaniel seconded the motion. The motion carried. Food City Pharmacy #611 license will be placed on probation for ninety (90) days with a \$10.00 civil penalty per expired product for a total of \$710.00.

Dr. Eidson made the motion to accept the following consent order signed by **Dinah Smith, D.Ph.** as presented. Dr. Wilson seconded the motion. The motion carried. Dr. Smith's license will be placed on probation for ninety (90) days.

Dr. Eidson made the motion to accept the following consent order signed by **Belew Drugs** as presented. Dr. Wilson seconded the motion. The motion carried. Belew Drug's license will be placed on probation for ninety (90) days.

Dr. Wilson made the motion to accept the following consent order as presented. Dr. Dickenson seconded the motion. The motion carried.

VIOLATED BOARD RULE 1140-01-.12(3)(g)(1)  
David Valentine, D.Ph.-\$200.00 civil penalty

Dr. Wilson made the motion to accept the following consent orders as presented. Dr. Dickenson seconded the motion. The motion carried.

REVOCATION  
Julie Farmer, RT  
Katherine Syndor, RT  
Marcia Jones, D.Ph.  
Samuel Yeboah, RT  
Mickie Ratliff, D.Ph.  
Heather Hall, RT  
Whitney Abernathy, RT

## **ORDER MODIFICATION**

Dr. Smothers made the motion to accept the order modification for Jennie Garvey, RT as presented. Dr. Dickenson seconded the motion. The motion carried. Dr. Eidson voted no.

### **Agreed Orders**

Mr. Cange present an agreed order signed by **Oakley Pharmacy**. Oakley Pharmacy has agreed to place the pharmacy license on a sixty (60) day suspension. The suspension is stayed with 5 year probation with quarterly monitoring reports. The monitoring will be conducted by Affiliated Monitors. Dr. Smothers made the motion to accept the agreed order as presented. Dr. Dickenson seconded the motion. The motion carried.

Mr. Cange presented an agreed order signed by **Roxsan Pharmacy**. Roxsan Pharmacy has agreed to pay \$250.00 civil penalty per prescription mailed into this state prior to being license for a total of \$12,750.00 and that Shahla Keyvanfar Melamed will no longer practice pharmacy in any capacity at Roxsan Pharmacy and will not participate in the management or administration at Roxsan Pharmacy as long as they maintain an active Tennessee license. Dr. Wilson made the motion to accept the agreed order as presented. Dr. Eidson seconded the motion. The motion carried.

Mr. Cange presented an agreed order signed by **Phillip Bradley, D.Ph.** Dr. Bradley has agreed to pay a \$1000.00 civil penalty for violating board rule 1140-01-.09 (1). Dr. Dickenson made the motion to accept the agreed order as presented. Dr. Smother seconded the motion. The motion carried.

Ms. McDaniel made the motion to adjourn at 4:23 p.m. Dr. Dickenson seconded the motion. The motion carried.

**The minutes were approved and ratified at the March 8-9, 2016 board meeting.**