

TENNESSEE BOARD OF PHARMACY
WEBEX MEETING
665 Mainstream Dr.
Nashville, TN 37243

BOARD MEMBER PRESENT

Rissa Pryse, D.Ph President
Katy Wright, D.Ph., Vice President
Adam Rodgers, D.Ph.
Melissa McCall, D.Ph.
Richard Breeden, D.Ph.
Debra Wilson, D.Ph

STAFF PRESENT

Reginald Dilliard, Executive Director
Matthew Gibbs, Associate General Counsel
Larry Hill, Pharmacy Investigator
Rebecca Moak, Pharmacy Investigator
Robert Shutt, Pharmacy Investigator
Terry Grinder, Pharmacy Investigator
Andrea Miller, Pharmacy Investigator
Richard Hadden, Pharmacy Investigator
Derek Johnston, Pharmacy Investigator
Scott Denaburg, Pharmacy Investigator
Rita Golden, Pharmacy Investigator
Patricia Beckham, Pharmacy Investigator
Sheila Bush, Administrator Director

The Tennessee Board of Pharmacy convened on Tuesday May 5, 2020, in the Iris Room, 665 Mainstream Drive, Nashville, TN. A quorum of the members being present by WebEx, the meeting was called to order at 8:00 a.m. with Dr. Wright presiding. Dr. Dilliard asked that public comments be sent via email.

Minutes

Dr. McCall made the motion to accept the minutes as amended. Dr. Breeden seconded the motion. The motion carried.

OGC Report

Mr. Gibbs stated that there are currently 40 cases open for discipline within the Office of General Counsel. Of those 40 cases, 6 are eligible for a contested hearing.

Mr. Gibbs informed the board that the Tennessee Board of Pharmacy along with the Tennessee Department of Health has been named as two of the defendants contained in the master docket for the National Prescription Opiate Litigation. The Office of the Attorney General is aware of this litigation.

Mr. Gibbs informed the Board's pharmacy intern and pharmacy technician rules are currently in internal review. A rulemaking hearing will not occur in July of 2020.

Mr. Gibbs informed the board that the second session of the 111th General Assembly will be currently in recess. The General Assembly is scheduled to reconvene in June of 2020.

Complaint Summary

Case 1.

Respondent tech tested positive for Butalbital during a random drug screen. The employer terminated the technician because no prescription could be provided. Respondent has not returned any calls from BOP Investigator.

No prior discipline.

Recommend: Revoke tech registration

Dr. Rodgers made the motion **authorize a formal hearing** for revocation of the pharmacy technician registration. Dr. Breeden seconded the motion. The motion carried.

Case 2.

Respondent technician admitted theft of controlled substances.

No prior discipline.

Recommend: Revoke registration

Dr. McCall made the motion **authorize a formal hearing** for revocation of the pharmacy technician registration. Dr. Rodgers seconded the motion. The motion carried.

Case 3. Pulled for further investigation

Case 4. Pulled for further investigation

Case 5.

Anonymous complaint alleged the respondent pharmacy at various times was left unattended and with an unlocked door. The complaint also alleged safety concerns because the pharmacy serves two prisons and prisoners frequently walk by the pharmacy while at the facility.

BOP Investigator visited the pharmacy and found it to be well secured and properly staffed. The PIC provided a statement that only pharmacists have keys and the pharmacy is never accessible unless a pharmacist is on duty. Investigator also interviewed the Director of Nursing who stated the pharmacy is always secure and that prisoners had not been treated at the facility in over a year. Investigator found no evidence to substantiate allegations made in the complaint.

No prior discipline.

Recommend: Dismiss

Dr. Pryse made the motion to **accept counsel's recommendation**. Dr. Breeden seconded the motion. The motion carried.

Case 6.

BOP opened this complaint after notification of respondent pharmacy's suspension of controlled substance purchases from the pharmacy's primary wholesaler. BOP Investigator worked with DEA to investigate and

conduct audits. BOP investigators conducted a follow up visit which showed the pharmacy implemented the investigators' educational suggestions and resolved the red-flag issues.

Based upon the corrections taken, BOP Investigator does not see any violations at this time and believes the educational component helped reach the desired outcome.

No prior discipline.

Recommend: LOI to always monitor new laws and regulations, especially for opioids.

Dr. Pryse made the motion to issue a **Letter of Instruction** to the pharmacy to always monitor new laws and regulations, especially for opioids. Dr. McCall seconded the motion. The motion carried.

Case 7.

Respondent is PIC for Case 6 above.

No prior discipline.

Recommend: LOI to always monitor new laws and regulations, especially for opioids.

Dr. Pryse made the motion to issue a **Letter of Instruction** to the pharmacist in charge to always monitor new laws and regulations, especially for opioids. Dr. Breeden seconded the motion. The motion carried.

Case 8.

Respondent technician admitted to being arrested for simple possession of marijuana and evading arrest. Court ordered probation ends 7/1/20 and the court date has been continued until July, 2020 when the court will consider potential actions, including possible expungement.

No prior discipline.

Recommend: Evaluation by TPRN

Dr. Breeden made the motion to **accept counsel's recommendation**. Dr. Rodgers seconded the motion. The motion carried.

Case 9.

Complaint alleged the respondent pharmacy dispensed medication that was recalled, did not notify patients in a timely manner, and did not inform patients of the risk of taking the recalled medication.

BOP Investigator interviewed pharmacy management and reviewed documents. The pharmacy followed their SOP and FDA recall requirements.

No prior discipline.

Recommend: Dismiss

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

Case 10.

Respondent technician admitted in writing to diversion of controlled substances.

No prior discipline.

Recommend: Revoke technician registration

Dr. McCall made the motion to **authorize a formal hearing** for revocation of the pharmacy technician registration. Dr. Breeden seconded the motion. The motion carried.

Case 11. (Same as case 12)

Dr. Breeden made the motion to accept counsel's recommendation. Dr. Rodgers seconded the motion. The motion carried.

Case 12.

Complainant made 2 allegations: (1) being shorted #8 Hydrocodone APAP 5/325 resulting in the discovery that at least 6 of 24 tablets were actually plain APAP ER 650 and (2) being shorted #2 tablets of Hydrocodone 5/325 . Complainant asserts the pharmacy is responsible by way of employee theft.

BOP Investigator gathered statements and documentation. Loss prevention viewed hours of video and found no evidence which indicates tampering with either prescription before the prescription was dispensed. Patient still uses this pharmacy and counts are performed with the patient before dispensing.

No prior discipline.

Recommend: Dismiss

Dr. Pryse made the motion to **accept counsel's recommendation**. Dr. Breeden seconded the motion. The motion carried.

Case 13.

Complaint lodged against the respondent pharmacy alleged a misfill occurred resulting in a patient receiving the wrong strength of Hydrocodone/APAP.

BOP Investigator confirmed the misfill occurred and verified the pharmacist on record and the inputting technician.

No prior discipline.

Recommend: LOI to conduct root cause analysis to determine contributing factors and create a plan of correction to prevent future occurrences.

Dr. Wilson made the motion to issue a **Letter of Instruction** to the pharmacy for to conduct a root cause analysis to determine contributing factors and create a plan of correction to prevent future occurrences for the misfill. . Dr. McCall seconded the motion. The motion carried.

Case 14.

Respondent is the verifying pharmacist for Case 13 above.

No prior discipline.

Recommend: LOW for misfill

Dr. McCall made the motion to issue a **Letter of Warning** to the PIC for the misfill. Dr. Pryse seconded the motion. The motion carried.

Case 15.

Respondent is the inputting technician for Case 13 above.

No prior discipline.

Recommend: LOW for misfill

Dr. Wilson made the motion to issue a **Letter of Warning** to the pharmacy technician for the misfill. Dr. Breeden seconded the motion. The motion carried.

Case 16.

Complaint from a concerned customer alleged the respondent pharmacy did not have running water or restroom facilities and had been without either for several days.

BOP Investigator confirmed the pharmacy had been without water for nine days. After the Investigator made contact with management personnel, water was restored the following evening.

No prior discipline.

Recommend: Reprimand

Dr. Pryse made the motion to **authorize a formal hearing** to reprimand the pharmacy license. Dr. McCall seconded the motion. The motion carried.

Case 17.

Complainant alleged another patient's medication was wrongfully placed in the complainant's prescription bag resulting in privacy violations. No consumption of the incorrect occurred.

BOP Investigators found that on the day of the mistake, the pharmacy only had one pharmacist and one trained technician on duty; had several prescriptions in the queue; the pharmacist on duty was typing, filling, checking and counseling; the pharmacist had to help the technician on duty cover two drive-thru lanes and two registers at the front counter. The pharmacist did counsel using the leaflets but did not open the bag to verify the contents.

Respondent pharmacy is growing and becomes busy during high volume times. Staffing is set by corporate management. Internal policy requires prescriptions to be routed through a queue resulting in cluttered conditions.

No prior discipline.

Recommend: LOW

Dr. Wilson made the motion to issue a **Letter of Warning** to the pharmacy. Dr. McCall seconded the motion. The motion carried.

Case 18.

Complaint filed against the respondent pharmacy and three individual pharmacists alleged inappropriate dispensing to a patient who used the medication to attempt self-harm.

BOP Investigators reviewed prescription dispensing records and discovered the following:

- On 3/13/19, Pharmacist 1 filled #20 Butalbital/APAP/Caffeine, listed as a three day supply;
- On 3/14/19, Pharmacist 2 filled #30 Butalbital/APAP/Caffeine, listed as a four day supply;
- On 3/16/19, Pharmacist 3 filled #30 Butalbital/APAP/Caffeine, listed as a four day supply.

According to the complainant, the patient made the attempt on 3/16/19 by taking more of the medication than was prescribed.

According to the PIC, the patient was advised of the potential for toxicity if taken inappropriately. Also, given the medication is a non-controlled substance used for migraines, the dispensing pharmacists trusted the patient's reasons for needing early refills.

Investigators noted the respondent pharmacy was very busy and hectic and seemed to be short on staffing.

No prior discipline.

Recommend: LOW and recommend workflow review to allow pharmacists more time to spend with patients.

Dr. Breeden made the motion to issue a **Letter of Warning** and recommend workflow review to allow pharmacists more time to spend with patients. Dr. Pryse seconded the motion. The motion carried.

Case 19.

Respondent is Pharmacist 1 and the PIC for case 18 above.

No prior discipline.

Recommend: LOI as PIC to review workflow and consult with management.

Dr. McCall made the motion to issue a **Letter of Instruction** to the PIC to review workflow and consult with management. Dr. Breeden seconded the motion. The motion carried.

Case 20.

Respondent is Pharmacist 2 for case 18 above.

No prior discipline.

Recommend: LOI for proper DUR and documentation

Dr. Breeden made the motion to issue a **Letter of Instruction** for proper DUR and documentation to pharmacist 2. Dr. McCall seconded the motion. The motion carried.

Case 21.

Respondent is Pharmacist 3 for case 18 above.

No prior discipline.

Recommend: LOI for proper DUR and documentation

Dr. Breeden made the motion to issue a **Letter of Instruction** for proper DUR and documentation to pharmacist 3. Dr. Wilson seconded the motion. The motion carried.

Case 22.

Complaint alleged unprofessional conduct concerning the patient's request to have maintenance medications filled early. The complainant patient alleged the pharmacy staff was rude and refused to fill the medication early and that the staff lied about speaking to the patient's prescriber.

BOP Investigator obtained sworn statements from the pharmacists who all agreed the patient was getting confused and also taking too much medication. The pharmacy contacted the prescriber. The prescriber told the pharmacists not to dispense any more medication until the patient visited the prescriber. The patient saw the prescriber the same day, and according to the patient, received new prescriptions which were filled at another pharmacy.

No prior discipline.

Recommend: Dismiss

Dr. Rodgers made the motion to **accept counsel's recommendation**. Dr. McCall seconded the motion. The motion carried.

Case 23.

Complaint alleged a prescription written for Alprazolam with no refills was refilled twice without prescriber authorization.

BOP Investigator confirmed the allegation. The PIC acknowledged the prescription was incorrectly entered as having two refills and has apologized to the prescriber.

No prior discipline

Recommend: LOW for strict conformity.

Dr. Rodgers made the motion to issue a **Letter of Warning** for strict conformity to the PIC. Dr. McCall seconded the motion. The motion carried.

Case 24.

Complainant's name reported to TBOP as PIC for an out-of-state pharmacy. Complainant never started employment and wanted his name removed as PIC.

BOP Investigator contacted the out-of-state pharmacy and found the pharmacy operated seven months without a Tennessee licensed pharmacist and filled twenty-eight prescriptions for Tennessee-based patients. The pharmacy voluntarily surrendered its Tennessee license and, subsequently, is closed. The surrender occurred after the investigation began.

No prior discipline.

Recommend: Civil penalty of \$100 per month for failure to have a Tennessee licensed pharmacist as PIC. (\$700 total.) In addition, \$100 per prescription for the twenty-eight prescriptions sent into Tennessee without a properly licensed Tennessee pharmacist. (\$2,800.) Total civil penalty equals \$3,500 plus the cost of investigation.

Dr. Wilson made the motion to **authorize a formal hearing** with a \$700.00 civil penalty, \$100.00 per month for failure to have a Tennessee license pharmacist as PIC, a \$100.00 civil penalty per prescription for the twenty-eight prescriptions (\$2800.00) sent into TN without a properly license TN pharmacist as PIC for a total of \$3500.00 plus the cost of the investigation. Dr. Pryse seconded the motion. The motion carried.

Case 25.

Complaint alleged unprofessional conduct by the respondent pharmacy by way of poor customer service which resulted in a lapse of treatment for a patient on a specialty medication. Allegations included slow response times, poor phone etiquette, poor communication, and delays in medication delivery.

BOP Investigator reviewed records at the respondent pharmacy. The respondent denied the accusations and maintains that call logs do not show long hold times or any disconnections on phone calls. The respondent asserts that delays in the patient receiving medication were because the patient did not respond to requests to schedule delivery of the medication.

BOP Investigator could not identify any violations of laws or rules.

Unable to determine if prior discipline exists.

Recommend: Dismiss

Dr. Breeden made the motion to **accept counsel's recommendation**. Dr. Rodgers seconded the motion. The motion carried.

Case 26.

Complaint alleged unprofessional conduct by the respondent pharmacy when a prescription for pen needles was mishandled resulting in the order not being shipped in a timely manner.

BOP Investigator obtained a response from the respondent pharmacy admitting the new prescription was overlooked but the patient had a supply from previous orders so there was no delay in therapy.

BOP Investigator could not identify any violations of laws or rules.

Unable to determine if prior discipline exists.

Recommend: Dismiss

Dr. McCall made the motion to **accept counsel's recommendation**. Dr. Breeden seconded the motion. The motion carried.

Case 27.

Complaint alleged the respondent pharmacist called in prescriptions, including controlled substances, for herself and for another person and used the name of a local physician as the prescriber. On a subsequent call-in, the pharmacist became suspicious and contacted the prescriber. The prescriber denied authorizing any prescriptions for the respondent or any patient matching the second person's name.

BOP Investigator obtained a sworn statement from the prescriber and reviewed records and recordings at the pharmacy.

Investigator met with the respondent who denied the allegations but stated that due to a medical condition it is possible these events occurred without a recollection of the Responding.

No prior discipline.

Recommend: Revoke pharmacist's license

Dr. Rodgers made the motion to **authorize a formal hearing** for revocation of the pharmacist license. Dr. Wilson seconded the motion. The motion carried.

Case 28.

Complaint alleged unprofessional conduct when a pharmacist caused embarrassment by aggressively questioning the patient about pain medication.

BOP Investigator interviewed the filling pharmacist who was a floater working at the pharmacy that day. The pharmacist denied being aggressive but did speak to the patient who is 72 years old already taking Tramadol. The prescription, #120 Oxycodone/APAP 10/325, contained a diagnosis of ankle pain. The pharmacist wanted correct information to document in the patient's profile. The medication was filled and dispensed.

No prior discipline.

Recommend: Dismiss

Dr. McCall made the motion to **accept counsel's recommendation**. Dr. Rodgers seconded the motion. The motion carried.

Case 29.

Respondent is the filling pharmacist for Case 28 above.

No prior discipline.

Recommend: Dismiss

Dr. Rodgers made the motion to **accept counsel's recommendation**. Dr. McCall seconded the motion. The motion carried.

Case 30.

Complainant patient alleges having a reaction to a flu shot in 2016 but it was not reported to VAERS until he followed up with the pharmacy in 2019.

BOP Investigator interviewed staff and management; however nobody had any recollection of the patient's allegations. Investigator reviewed a table from VAERS of adverse events that healthcare providers are "required by law" to report, however the patient's reported symptoms did not appear on the list. VAERS goes on to say healthcare providers are "strongly encouraged" to report any adverse event involving vaccines and it is the pharmacy's policy to do so. However, there was no documentation of the event and no recollection of the staff of the patient reporting the reaction to them. Considering the timeline and the fact that the reactions did not meet the "required by law" threshold, no violation could be found.

Unable to determine if prior discipline exists.

Recommend: Dismiss

Dr. Pryse made the motion to **accept counsel's recommendation**. Dr. Breeden seconded the motion. The motion carried.

Case 31.

Respondent was the administering pharmacist for Case 30 above and was named specifically in the complaint as the pharmacist to whom the complainant spoke and argued with a week after the injection. However, work schedules show that this pharmacist did not work on that date and told Investigator she had no memory of any such interaction.

No prior discipline.

Recommend: Dismiss

Dr. Breeden made the motion **to accept counsel's recommendation**. Dr. Rodgers seconded the motion. The motion carried.

Case 32.

A Board of Pharmacy investigation occurred regarding the Respondent-pharmacy's dispensing of 54 unauthorized, fraudulent prescriptions, which includes 4 prescriptions for testosterone, over a 10-month period. Most of the prescriptions were for maintenance medications. Respondent received fraudulent prescriptions via the telephone and fax machine from a newly-opened primary care clinic. Evidence exists of verification of some prescriptions; however, verification occurred with the same person who produced the prescriptions – an unlicensed agent of the prescriber. Respondent's PIC believed the agent to be legal based upon personal knowledge of the relationship between the agent and the prescriber.

The investigation revealed the following practiced-based violations regarding the 54 prescriptions:

- Noting appropriate comments about medical and prescription orders*.
- Receiving prescriptions transmitted not from an authorized prescriber or the prescriber's designated agent.
- 5 prescriptions did not contain the initials of the person receiving the prescription.

- 2 prescriptions did not contain the name of a prescriber.

* Investigators requested copies of prescriptions during their initial visit. The PIC produced prescriptions which did not contain dispensing information and PIC also requested time to produce the prescriptions with applicable dispensing information. Eight days later, the PIC produced copies of prescriptions which included dispensing information. However, investigators noted the addition of information written on five prescriptions. Examples include: the addition of the initials of the person receiving the prescription; the addition of the name or initials of the caller for the prescription; prescriber's name and "verified" added to a prescription; a strikethrough to two prescriptions.

No prior discipline.

Recommend: Reprimand for record keeping and altering records.

Dr. Wilson made the motion to **authorize a formal hearing** for a license reprimand for record keeping and altering records to the PIC. Dr. Breeden seconded the motion. The motion carried.

Case 33.

Complainant alleged misconduct by respondent pharmacy when the pharmacy faxed a refill request to the complainant but the complainant was not the correct prescriber.

BOP Investigators found that the respondent pharmacy had transferred in the prescription information from another pharmacy. Respondent pharmacy requested refill authorization from the prescriber on record at the transferring pharmacy. Respondent pharmacy never filled the prescription with the wrong prescriber's name.

No prior discipline.

Recommend: Dismiss

Dr. Breeden made the motion to **accept counsel's recommendation**. Dr. Rodgers seconded the motion. The motion carried.

Case 34.

Respondent pharmacy was the original transferring pharmacy for Case 33 above. Complainant named the pharmacy in the complaint, however misfills are usually attributed to pharmacists, not pharmacies.

Prior discipline – Expired drugs. Pharmacy paid a civil penalty.

Recommend: Dismiss against the pharmacy and open a complaint against the dispensing pharmacist.

Dr. McCall made the motion to **accept counsel's recommendation**. Dr. Rodgers seconded the motion. The motion carried.

Case 35.

Respondent is the dispensing pharmacist for Case 34 above.

Prior discipline – 1997; unprofessional conduct. There is no other information about the case.

Recommend: LOW for misfill

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

Case 36.

Complainant alleged fraudulent billing by respondent pharmacy by billing for 3 separate thirty days supply of a drug but dispensing a ninety day supply.

BOP Investigator reviewed records and interviewed pharmacy staff. All denied fraudulent billing. Investigator found that the claim was actually a rebill and when the patient was asked to sign for receipt, the patient refused to sign because of the confusion of rebilling the insurance for the correct amount. Investigator did not find anything to support the allegations.

No prior discipline.

Recommend: Dismiss

Dr. Pryse made the motion to **accept counsel's recommendation**. Dr. Rodgers seconded the motion. The motion carried.

Case 37.

Complaint allegations included a staff pharmacist not allowed to supervised technicians; a misfill was not reported to BOP; and insulin not properly stored.

BOP Investigator found the complainant pharmacist holds a non-supervisory position but was still able to oversee certain aspects. Investigator could not find evidence of improper storage or shipping of insulin. Investigator did find that a misfill with adverse effects went unreported to BOP.

No prior discipline.

Recommend: Dismiss against the pharmacy, open a complaint against the PIC

Dr. Breeden made the motion to **accept counsel's recommendation**. Dr. McCall seconded the motion. The motion carried.

Case 38.

Respondent is PIC for Case 37 above.

No prior discipline.

Recommend: LOI to follow 1140-03-.14 (14)

Dr. Breeden made the motion to issue a **Letter of Instruction** to the PIC follow board rule 1140-03-.14 (14). Dr. McCall seconded the motion. The motion carried.

Director's Report

Dr. Dilliard informed the board that grant for TPRN would expire on 6/30/2020 and asked if they would like to extend the contract. After discussion, Dr. Wilson made the motion to extend the grant to TPRN. Dr. Rodgers seconded the motion. The motion carried.

Dr. Dilliard informed the board that the NABP Annual Meeting scheduled for May 14, 2020 will be virtual this year. The board voted Dr. Dilliard to be the delegate and Dr. Wright to be the alternate delegate. Dr. Dilliard also stated that MPJE Review Committee meeting scheduled for June 3-4, 2020 will be virtual this year.

Dr. Dilliard informed the board that Pearson Vue Testing Agency will open 200 sites for testing due to COVID19 with no special accommodations.

Dr. Dilliard ask for authorization for travel to attend the NABP District III meeting scheduled for August 3, 2020 and the TPA Summer Meeting scheduled for June 18, 2020. Dr. Wilson made the motion to authorize travel for the TPA Summer Meeting and District III meeting. Dr. McCall seconded the motion. The motion carried.

Dr. Dilliard asked for volunteers to help rewrite the board rules. Dr. Wright volunteer to help rewrite the board rules.

Application Review Stacey Williams, RT

Ms. Williams' submitted an application to reapply for registration as a pharmacy technician. Ms. Williams' registration was revoked by the board at the March 14, 2017 board meeting. After discussion, Dr. Wilson made the motion to approved Ms. Williams request to reapply for registration as a pharmacy technician with a 2 year probation as long as she is works at Family Pharmacy in Lexington, TN. Dr. Breeden seconded the motion. The motion carried.

Waivers Board rule 1140-01-.05

Dr. Rodgers made the motion to approve the request from **Marcus Maddox, Pharm. D.** to grant an extension of his passing results of the NAPLEX and allow him to take the MPJE because his application for pharmacist license is set to expire. Dr. Maddox passed the NAPLEX March 6, 2020. After discussion, Dr. Rodgers made the motion to grant Dr. Maddox's request until March 6, 2021 to successfully take and pass the MPJE. Dr. Breeden seconded the motion. The motion carried.

Board rule 1140-03-.14 (12)

Dr. Breeden made the motion to approve **Caleb Selby, Pharm.D.** to be PIC of The Phoenix Pharmacy and Caremax Extended Care Pharmacy for one year. Dr. Rodgers seconded the motion. The motion carried.

Dr. Wilson made the motion to approve **Philip Musick, Pharm.D.** to be PIC of Genoa Health LLC, and Life Well Pharmacy, LLC. Dr. McCall seconded the motion. The motion carried. Dr. Musick must notify the board if the hours change at Life Well Pharmacy, LLC.

Board rule 1140-01-07

Dr. Wilson made the motion to approve **Laura Brooks, D.Ph.** request to waive the \$10.00 late fee from May 2019 to August 2019. Dr. Breeden seconded the motion. The motion carried.

Board rule 1140-01-.07 (3) (b) 5 (i)

Dr. McCall made the motion to approve the request from **Michael K Sigmon, PharmD...** to waive the one hundred and sixty (160) internship hours. Dr. Sigmon must successfully take and pass the MPJE. Dr. Wilson seconded the motion. The motion carried.

Dr. Wilson made the motion to approve the request from **Emily Shive, Pharm. D.** to waive the one hundred and sixty (160) internship hours. Dr. Shive must successfully take and pass the MPJE. Dr. Rodgers seconded the motion. The motion carried.

Dr. McCall made the motion to approve the request from **Michelle Smith, D.Ph...** to waive the three hundred and twenty (320) internship hours. Dr. Smith must successfully take and pass the MPJE. Dr. Rodgers seconded the motion. The motion carried.

Dr. Rodgers made the motion to approve the request from **Patricia Turner, D.Ph.** to waive the one hundred and sixty (160) internship hours. Dr. Turner must successfully take and pass the MPJE. Dr. Breeden seconded the motion. The motion carried.

Dr. Wilson made the motion to approve the request from **Courtney Spahn, PharmD.** to waive the one hundred and sixty (160) internship hours. Dr. Spahn must successfully take and pass the MPJE. Dr. McCall seconded the motion. The motion carried.

Board rule 1140-02-.02 (7)

Dr. Wilson made the motion to approve the pharmacist to technician ration from 4:1 to 5:1 for Lowe's Drugs. All technicians above the 2:1 ration must be certified pharmacy technicians. Dr. McCall seconded the motion.

Board rule 1140-01-.08 (3) (a) 8

Dr. Wilson made the motion to deny **Sally Schwarz D.Ph.**, PIC for WUSTL PET Nuclear Pharmacy, request to not have a TN licensed PIC for a non-resident pharmacy license. The motion failed. WUSTL PET Nuclear Pharmacy has a contract with St. Jude's Children's Hospital to provide an investigational drug. The drug has been approved for this facility by the FDA approved IND. Dr. Schwarz stated that there will only be a limited number of doses shipped in a year, in the range of 5-8 total doses. Dr. Rodgers made the motion to approve Sally Schwarz, D.Ph. PIC for WUSTL PET Nuclear Pharmacy, request to not have a TN licensed PIC for a non-resident pharmacy license for the 2 year renewal cycle and for this investigational drug only. Dr. McCall seconded the motion. The motion carried.

Tennessee Board of Pharmacy
Board Meeting
May 5, 2020

Consent Order

Dr. McCall made the motion to accept the following consent order as presented. Dr. Breeden seconded the motion. The motion carried.

Voluntary Surrender (same as revocation)

Joshua Johnson, D.Ph.

Dr. Breeden made the motion to adjourn at 12:50 p.m. Dr. Wilson seconded the motion. The motion carried.

The minutes were approved and ratified as amended at the July 14, 2020 board meeting.