

**INDIANA BOARD OF PHARMACY
Indiana Government Center South
402 West Washington Street, Room W064
Indianapolis, IN 46204**

Minutes of June 10, 2024

Jason Jablonski, R.Ph., President, called the meeting to order at 8:32 a.m. and declared a quorum in accordance with IC 25-26-13-3(d), pursuant to public notice posted at the principal office for the Board, online at the board's website and on the state calendar at least forty-eight (48) hours before the time of the meeting.

Members Present:

Jason Jablonski, R.Ph., President
Steve Anderson, R.Ph., Vice President
Matt Balla, R.Ph., Member
Mark Bunton, R.Ph., Member
Mark Smosna, R.Ph., Member
Andrew Meador, C.Ph.T., Member
Kate Snedeker, Consumer Member

Members Absent

PLA Staff Present:

Caitlin Cress
Kim Snyder

Advisory Counsel:

Leif Johnson, J.D.

Court Reporter:

Accurate Reporting – Margie Addington

The Board moved to adopt the agenda.

Balla/Bunton, 7-0-0
Motion carries

The Board moved to approve the minutes from the May 13, 2024, Board meeting.

Bunton/Balla, 7-0-0
Motion carries

Administrative Hearings

Louise J. Feliszak, Pharmacy Technician, License No: 67038387A
Cause No. 2024 IBP 0003

Proposed Settlement Agreement

DAG: Autumn Murphy
Respondent: Not Present
Exhibit(s): None
Witness(es): None

A motion was made and seconded to APPROVE the proposed settlement agreement.

Anderson/Smosna, 7-0-0
Motion carries

Olivia Simpson, RPh., License No: 26030268A - Cause No. 2024 IBP 0008

Proposed Settlement Agreement

DAG: Autumn Murphy
Respondent: Olivia Simpson with Counsel, Barclay Wong
Exhibit(s): None
Witness(es): None

Mark Balla disclosed that he works for CVS but that he could be fair and impartial in this matter.

Olivia and Barclay Wong appeared via Zoom.

The respondent did not answer affirmatively to question #13 on her renewal application. DAG referenced the PSA's \$1000 fine for failure to answer that question correctly clarifying this is being addressed. Respondent's attorney spoke on behalf of the respondent and confirmed that the respondent will be duly monitored.

A motion was made and seconded to APPROVE the proposed settlement agreement.

Smosna/Anderson, 7-0-0
Motion carries

CVS Pharmacy # 6787, License No: 60004538A/B - Cause No. 2024 IBP 0007

Proposed Settlement Agreement

DAG: Jackson Yerkes
Respondent: Not Present
Exhibit(s): None
Witness(es): None

Mark Balla disclosed that he works for CVS but that he could be fair and impartial in this matter.

A motion was made and seconded to APPROVE the proposed settlement agreement.

Anderson/Smosna, 7-0-0
Motion carries

CVS Pharmacy # 8640, License No: 60005999A - Cause No. 2021 IBP 0059

Petition for Probation Withdraw

DAG: Ryan Eldridge
Respondent: Chelsea Shi, Pharmacy Manager with Brian Convey, Attorney for CVS (Not appearing as counsel)
Exhibit(s): None
Witness(es): Chelsea Shi, Pharmacy Manager

Mark Balla disclosed that he works for CVS but that he could be fair and impartial in this matter.

Chelsea was not the pharmacy manager at the time the issues that led to probation occurred. Has taken steps to ensure these problems do not occur again. Chelsea states that she has ensured that CVS has maintained compliance with their terms of probation.

After having considered the evidence presented, testimony of the witness, and taking official, judicial notice of the pleadings, evidence, and orders in this matter the Board moved to WITHDRAW the Order of Probation on the Respondent's license.

Meador/Snedeker, 7-0-0
Motion carries

Indy Scripts Pharmacy, License No: 60006663A - Cause No. 202405-BOP-0009

Proposed Settlement Agreement

DAG: Ryan Eldridge
Respondent: Representative for Indy Scripts with counsel, Stephanie Eckerle
Exhibit(s): None
Witness(es): None

A motion was made and seconded to APPROVE the proposed settlement agreement.

Anderson/Balla, 7-0-0
Motion carries

Stacey L. Hart, RPh., License No: 26016575A - Cause No. 2020 IBP 0015

Petition for Probation Withdraw

DAG: Ryan Eldridge
Respondent: Stacey Hart
Exhibit(s): None
Witness(es): Stacey Hart

Mark Balla disclosed that he works for CVS but that he could be fair and impartial in this matter.

Stacey worked with Mark years ago. Stacey Hart provided an opening statement and respectfully asked that her probation be withdrawn. Ryan provided an overview of the matter. Actual incident occurred 11 years ago. Stacey complied with all terms of probation.

After having considered the evidence presented, testimony of the witness, and taking official, judicial notice of the pleadings, evidence, and orders in this matter the Board moved to WITHDRAW the Order of Probation on the Respondent's license.

Smosna/Anderson, 7-0-0
Motion carries

Mahmoud A. Khattab RPh., License No: 26028971 Cause No. 2022 IBP 0042

Petition for Probation Withdraw

DAG: None
Respondent: Mahmoud Khattab
Exhibit(s): Exhibit A, April 9, 2024, Notice of completion of probation.
Witness(es): None

Mahmoud provided an opening statement about his license being placed on probation due to a domestic battery situation resulting in probation. Mahmoud presented Exhibit A, Notice of Completion of Probation dated April 9, 2024. The board questioned whether the respondent was eligible to request probation withdrawal. Pharmacy license probation began in September 2022. Works at Geist Pharmacy in Fishers.

Board Counsel advised that if the respondent remedied the situation, probation withdrawal could be considered by the board. The board typically follows criminal probation terms.

After having considered the evidence presented, testimony of the witness, and taking official, judicial notice of the pleadings, evidence, and orders in this matter the Board moved to WITHDRAW the Order of Probation on the Respondent's license.

Bunton/Balla, 6-1-0
Anderson - Opposed
Motion carries

Kenneth A. Riddle, RPh., License No: 26026715A - Cause No. 2022 IBP 0061

Petition for Reinstatement

DAG: Ryan Eldridge
Respondent: Kenneth Riddle
Exhibit(s): None
Witness(es): Kenneth Riddle, Tracy Traut IPRP Program Director

Mark Balla disclosed that he works for CVS but that he could be fair and impartial in this matter.

Kenneth provided an opening statement. He became addicted to and diverted stimulants. He has been compliant with IPRP agreement as well as the terms of his Suspension. Kenneth signed a 5- year RMA with IPRP on May 25, 2023. Tracy Traut confirmed Kenneth's compliance with his RMA.

After having considered the evidence presented, testimony of the witness, and taking official, judicial notice of the pleadings, evidence, and orders in this matter the Board moved to REINSTATE the Respondent's license on INDEFINITE PROBATION (terms 1,3 & 7) for the length of his RMA.

Jablonski/Balla, 7-0-0
Motion carries

Southern Anesthesia & Surgical, Inc, License No: 48002277A - Cause No. 2023 IBP 0013

Motion to Dismiss

DAG: Ryan Eldridge
Respondent: Not Present
Exhibit(s): None
Witness(es): None

Motion to dismiss with prejudice because Respondent's business is being acquired and the license is Closed therefore there is no reason for the matter to proceed.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter, the Board moved to DISMISS this matter.

Bunton/Smosna, 7-0-0
Motion carries

Discussion

Monthly Reports

Board Director's Report – Presented by Kim Snyder

INSPECT Director's Report – No report to present

Compliance Director Report – Presented by Zaneta Nunnally & Tim Thomas

- Discussed the NABP Universal Inspection Form and USP 825.
- Invite former Compounding Committee members to include Willis Triplet, Allison Young Jeff Jackson and Kara Weatherman to discuss matter during next month's board meeting.

OAG Report - Presented by DAG, Ryan Eldridge

Old Business

- Third Party Logistic Provider – Provisional Licenses Process

New Business

- Draft 856 IAC Pharmacy Technician Vaccinations Administered via Protocol Rule
 - Draft was accepted for the rule.
 - Bunton/Meador - 7-0-0, Motion Carries
- Proposed Interim Rule 2-Methyl AP-237
 - Draft was accepted for the rule.
 - Balla/Bunton, 7-0-0, Motion Carries

Personal Appearances

Matthew M. Bend – Pharmacist Re-exam NAPLEX 3rd attempt:

Matthew Bend appeared before the Board and discussed his studying habits with the Board.

After discussion, the Board moved to APPROVE applicant’s repeat exam application.

Smosna/Meador 7-0-0
Motion carries

Rehman Mustafa – Pharmacist Re-exam NAPLEX 4th attempt:

Rehman Mustafa appeared before the Board and discussed his studying habits with the Board.

After discussion, the Board moved to APPROVE applicant’s repeat exam application.

Smosna/Bunton 7-0-0
Motion carries

Kandice Hooper – Technician/Tech in Training Application – Positive Response:

Kandice Hooper appeared via Zoom before the Board regarding a positive response on a technician application.

After discussion, the Board moved to APPROVE applicant’s Technician application.

Meador/Balla 7-0-0
Motion carries

Jessica Haszler – Technician/Tech in Training Application – Positive Response:

Jessica Haszler appeared via Zoom before the Board regarding a positive response on a technician application.

After discussion, the Board moved to APPROVE applicant's Technician application.

Smosna/Balla 7-0-0
Motion carries

Britney J. Gordon – Technician/Tech in Training Application – Positive Response:

Britney Gordon appeared via Zoom before the Board regarding a positive response on a technician application.

After discussion, the Board moved to APPROVE applicant's Technician application.

Balla/Snedeker 7-0-0
Motion carries

Jasmine N. Branham – Technician/Tech in Training Application – Positive Response:

Jasmine Branham appeared before the Board regarding a positive response on a technician application.

After discussion, the Board moved to APPROVE applicant's Technician application.

Smosna/Balla 7-0-0
Motion carries

Lisa Gavina – Pharmacist Application – Waiver of 1500 Internship Hours:

Lisa Gavina appeared before the Board regarding the 1500 Internship Hour waiver request on the pharmacist application. Lisa is currently licensed in Canada and passed all required examinations.

After discussion, the Board moved to GRANT the applicant's waiver request for their Pharmacist application.

Balla/Meador 7-0-0
Motion carries

Danielle E. Neata – 67020492A – Technician Renewal Application – Positive Response:

Failure to appear.

Angela M. Ryan – 67031206A – Technician Renewal Application – Positive Response:

Angela Ryan appeared before the Board regarding a positive response on a technician renewal application.

After discussion, the Board moved to APPROVE applicant's technician renewal application.

Smosna/Snedeker 7-0-0
Motion carries

Penny O. Myers – 67022946A – Technician Renewal Application – Positive Response:

Penny Myers appeared before the Board regarding a positive response on a technician renewal

application.

After discussion, the Board moved to APPROVE applicant's technician renewal application.

Snedeker/Balla 7-0-0
Motion carries

Jill C. Cole – 67024092A – Technician Renewal Application – Positive Response:

Jill Cole appeared before the Board regarding a positive response on a technician renewal application. Has 2 pending charges. Had initial hearing in April. Pretrial is June 24, 2024. Being charged with misdemeanor and felony. Has enrolled with IPRP RMA. Board counsel advised there is justification to renew on probation. Respondent would have to agree to probation. Tracy Traut advised that if something happens IPRP will notify Pharmacy Board Director.

After discussion, the Board moved to APPROVE applicant's technician renewal application on INDEFINITE PROBATION.

Smosna/Snedeker 7-0-0
Motion carries

Laurane A. Mayfield – 67040751A – Technician Renewal Application – Positive Response:

Laurane Mayfield appeared before the Board regarding a positive response on a technician renewal application.

Mark Smosna disclosed that he works for Amazon but that he could be fair and impartial in this matter.

After discussion, the Board moved to APPROVE applicant's technician renewal application.

Balla/Anderson 7-0-0
Motion carries

Israel Gonzalez – 67040915A – Technician Renewal Application – Positive Response:

Failure to appear.

Madison M. Grier – 67035096A – Technician Renewal Application – Positive Response:

Madison Grier appeared via Zoom before the Board regarding a positive response on a technician renewal application.

After discussion, the Board moved to APPROVE applicant's technician renewal application.

Bunton/Smosna 7-0-0
Motion carries

Tanja Izynski, R.Ph., – 26024077A – Pharmacist Renewal Application – Positive Response:

Tanja Izynski appeared before the Board regarding a positive response on a pharmacist renewal application.

After discussion, the Board moved to APPROVE applicant's pharmacist renewal application.

Smosna/Bunton 7-0-0
Motion carries

Michael L. West, R.Ph., – 26026472A – Pharmacist Renewal Application – Positive

Response:

Michael West appeared before the Board regarding a positive response on a pharmacist renewal application.

After discussion, the Board moved to APPROVE applicant's pharmacist renewal application.

Smosna/Balla 7-0-0
Motion carries

Suzana Ivetic, R.Ph., – 26021374A – Pharmacist Renewal Application – Positive Response:

Suzana Ivetic appeared before the Board regarding a positive response on a pharmacist renewal application.

After discussion, the Board moved to APPROVE applicant's pharmacist renewal application.

Balla/Smosna 7-0-0
Motion carries

Danielle N. Harrison, R.Ph., – 26029121A – Pharmacist Renewal Application – Positive

Response:

Danielle Harrison appeared before the Board regarding a positive response on a pharmacist renewal application.

After discussion, the Board moved to APPROVE applicant's pharmacist renewal application.

Snedeker/Balla 7-0-0
Motion carries

Jason C. Bagley, R.Ph., – 26018380A – Pharmacist Renewal Application – Positive

Response:

Jason Bagley appeared before the Board regarding a positive response on a pharmacist renewal application.

Mark Bunton Recused himself.

After discussion, the Board moved to APPROVE applicant's pharmacist renewal application.

Meador/Balla 6-0-1
Bunton - Recused
Motion carries

Matiur R. Bhuiya, R.Ph., – 26021314A – Pharmacist Renewal Application – Positive Response:

Failure to appear.

Joshua H. Goskowsky, R.Ph., – 26029147A – Pharmacist Renewal Application – Positive Response:

Joshua Goskowsky appeared before the Board regarding a positive response on a pharmacist renewal application.

After discussion, the Board moved to APPROVE applicant's pharmacist renewal application.

Snedeker/Smosna 7-0-0
Motion carries

Susan M. Vendemelio, R.Ph., – 26029596A – Pharmacist Renewal Application – Positive Response:

Susan Vendemelio appeared before the Board regarding a positive response on a pharmacist renewal application.

After discussion, the Board moved to APPROVE applicant's pharmacist renewal application.

Anderson/Balla 7-0-0
Motion carries

Raymond J. Kraucunas, R.Ph., – 26019788A – Pharmacist Renewal Application – Positive Response:

Raymond Kraucunas appeared before the Board regarding a positive response on a pharmacist renewal application.

After discussion, the Board moved to TABLE applicant's pharmacist renewal application until Raymond provides a Fitness for Duty letter from his Neurologist and Cardiologist.

There being no further business the Board ADJOURNED at 1:28pm