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

#### Minutes of July 8, 2024

Jason Jablonski, R.Ph., President, called the meeting to order at 8:30 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 Kate Snedeker, Consumer Member

#### **Members Absent**

Andrew Meador, C.Ph.T., Member

#### PLA Staff Present:

Caitlin Cress Kim Snyder

#### **Advisory Counsel:**

Leif Johnson, J.D.

The Board moved to adopt the agenda. Balla/Bunton 6/0/0 Motion carries

The Board moved to approve the minutes from the June 10, 2024, Board meeting. Snedeker/Smosna 6/0/0 Motion carries

#### **Full Board Appearances**

#### <u>Hanzo Logistics – 3PL Application – Provisional License</u>

Representatives from Hanzo Logistics appeared before the Board and discussed their need for a Provisional Third-Party Logistics Provider License. Completed a pre-operational inspection with NABP. 3PL application submitted. Will plan on getting NABP VAWD (Verified Accredited Wholesale Distributor) inspection. During the pre-operational inspection, NABP expressed concerns about temperature control. Temporary structures will remain in place until permanent

temperature control can be addressed. Will not store controlled substances or pre-radioactive materials. Will only store kits. This facility must be open 30 days before NABP will return for a full inspection. Expectation is that NABP will return to complete the VAWD within 6 months. A hold will be placed on the license until receipt of the VAWD inspection document. Failure to submit NABP VAWD inspection report will require a follow up full board appearance.

After discussion, the Board moved to APPROVE the Provisional Third-Party Logistics Provider License.

Anderson/Smosna 6/0/0
Motion carries

#### Elanco US Inc DBA Elanco Clinton Laboratories – WDD Application – Provisional License

Roxanne Estella and John Stewart appeared before the Board and discussed their need for a Provisional Wholesale Drug Distributor License. Requesting a provisional license for Clinton, Indiana site because Missouri requires licensure to ship to that state. They are newly shipping to a Missouri facility and currently have a temporary license in Missouri. No end user shipping will occur. Everything is shipped to the 3PL in Missouri. There are no controlled substances at the site, nor do they own their own pharmacy. This facility has been doing this for several years. They are a manufacturer and registered with the FDA. The Warehouse move trigged the need for this request.

After discussion, the Board moved to APPROVE the Provisional Wholesale Drug Distributor License.

Smosna/Anderson 6/0/0 Motion carries

#### <u>Outpatient Pharmacy Corp DBA Invictus Pharmacy – Non-Resident Application – Positive</u> Response Steven Blikspein.

Steven Blikspein virtually appeared before the Board regarding a positive response on a non-resident application. Positive response due to issues in 2021. March 2021, several deficiencies were identified in the pharmacy. There was an issue regarding sterile compounding which they are no longer doing. Did submit an action plan that was accepted by New Jersey. There was a new location and passed inspection with no deficiencies. Facility is closed to the public. Mail order only. Discussed types of medications shipped from this facility. Currently holds an active license in good standing in New Jersey.

After discussion, the Board moved to APPROVE the applicant's non-resident application.

Bunton/Balla 6/0/0 Motion carries

## <u>Janki Pharmacy Inc DBA Clay City Pharmacy – Remote Dispensing Facility Application – Initial Application</u>

Pavik Patel appeared before the Board and discussed the request for a Remote Dispensing Facility Application. Application should have been submitted as a Change of Ownership. Currently operating as a tele-pharmacy.

After discussion, the Board moved to APPROVE the applicant's Change of Ownership Remote Dispensing Facility application pending receipt of the Shared Services Agreement.

Bunton/Balla 6/0/0 Motion carries

#### **CSR Application – New Dispensing Machine**

- Vigo County Jail
- Tippecanoe County Jail
- Allen County Jail
- Clay County Jail

Jacob Hyten, Whitney Bruner, Brian Pierce, Heather Beatty, and Caroline Koester appeared virtually before the Board regarding the use of Webence Rx machine. Dispenses up to 3 different medications and up to 6 capsules per packet. Only prints 1 administration at a time. Each packet includes inmate's name. Designated nursing staff and jail administration staff will have access to the machine. Jail Administration Staff will hold all keys. Machines include security cameras that will monitor installation of medication canisters. This machine is also used in Long Term Care Facilities. There is a daily maintenance schedule for the machine. There will be no controlled substances in the machine. Shape and medication descriptions are included when medications are dispensed. Currently all medications are dispensed through blister cards. Intent is to improve medication administration in the jail facilities and decrease medication waste to almost zero per studies.

After discussion, the Board moved to APPROVE the Webence Rx machine at the Vigo County jail limiting 1 dose per pack and completing a daily log to include all related issues that may arise for three months and report back to the board. Tabling Tippecanoe County, Allen County and Clay County Jails.

Jablonski/Balla 6/0/0 Motion carries

#### <u>Covetrus North America, LLC – Positive Response</u>

- Wholesale Drug Distributor Change of Location Application
- Third-Party Logistics Initial Application

Failure to appear.

#### **Personal Appearances**

Prior to the Personal Appearances, Mark Bunton disclosed that he works for CVS but can be fair and impartial in all matters.

Prior to the Personal Appearances, Jason Jablonski disclosed that he can also be fair and impartial in all matters for individuals associated with his employer.

#### <u>Kaitlyn Kelley – Technician/Tech in Training Application – Positive Response:</u>

Kaitlyn Kelley appeared before the Board regarding a positive response on a technician application. Currently employed at OmniCare. While in Pennsylvania, was pulled over for a DUI. This was a first offense. Waiting for the matter to be expunged.

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

#### Smosna/Snedeker 6/0/0 Motion carries

## <u>Kaelin Buell – Technician/Tech in Training Application – Positive Response:</u> Failure to appear.

<u>Adrienne Frymire – Technician/Tech in Training Application – Positive Response:</u> Failure to appear.

## <u>Rylee Ugen – Technician/Tech in Training Application – Positive Response:</u> Failure to appear.

#### Amanda May – Technician/Tech in Training Application – Positive Response:

Amanda May appeared before the Board regarding a positive response on a technician application. Currently works at CVS as a sales associate. If application is approved, will work as a technician. Had one year of unsupervised probation that ends 10/6/24 after being pulled over for a DUI. There have been subsequent traffic violations, not DUI related.

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

Balla/Snedeker 6/0/0 Motion carries

## <u>Danielle E. Neata – 67020492A – Technician Renewal Application – Positive Response:</u> Continued to August 12, 2024.

<u>Israel Gonzalez – 67040915A – Technician Renewal Application – Positive Response:</u> Failure to appear.

#### **KeMaurion Scanlon – 67039902A – Technician Renewal Application – Positive Response:**

KeMaurion Scanlon appeared before the Board regarding a positive response on a technician renewal application. Works at Walgreens Pharmacy. Currently on one year probation.

After discussion, the Board moved to APPROVE applicant's technician renewal application on PROBATION with terms 1, 3, and 8 to run concurrent with criminal probation.

Bunton/Snedeker 6/0/0 Motion carries

#### Paityn Hill - 67035260A - Technician Renewal Application - Positive Response:

Paityn Hill appeared before the Board regarding a positive response on a technician renewal application. Currently employed at CVS Health. August 2022, arrested for DUI. Signed a Plea Agreement for a Class A misdemeanor. Probation ended November 2023. No other substance

issues.

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

Snedeker/Balla 6/0/0 Motion carries

#### Candace Davie – 67042629A – Technician Renewal Application – Positive Response:

Candace Davie appeared before the Board regarding a positive response on a technician renewal application. Currently employed at CVS Health. Did not initially recall which question she answered positively. Self-admitted to Ethan's Crossing for one month concerning alcohol. Currently sees a counselor.

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

Balla/Smosna 6/0/0 Motion carries

#### <u>Victoria Delgado – 67029505A – Technician Renewal Application – Positive Response:</u>

Victoria Delgado appeared before the Board regarding a positive response on a technician renewal application. Currently employed at CVS Pharmacy. In January 2024, was in a car accident that involved drinking. License was suspended for 60 days. 6-month probation ends August 21, 2024. No other issues with the law.

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

Smosna/Snedeker 6/0/0 Motion carries

#### Zipporah Hill – 67039366A – Technician Renewal Application – Positive Response:

Zipporah Hill appeared before the Board regarding a positive response on a technician renewal application. Currently employed at the Waters of Indianapolis. Charged with possession of marijuana. Was not driving her vehicle when she was pulled over. No other issues with the law.

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

Snedeker/Balla 6/0/0 Motion carries

#### <u>Samantha Fultz – 67019133A – Technician Renewal Application – Positive Response:</u>

Samantha Fultz appeared before the Board regarding a positive response on a technician renewal application. Currently employed at Kroger. Case closed and no probation issued. Has been a pharmacy technician for 14 years.

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

Bunton/Smosna 6/0/0 Motion carries

<u>Amanda Taylor – 67001530A – Technician Renewal Application – Positive Response:</u>

Amanda Taylor appeared before the Board regarding a positive response on a technician renewal application. Currently employed at Parkview in the Endocrinology Department as a medication assistance navigator. Completed probation in February 2024.

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

Bunton/Snedeker 6/0/0 Motion carries

#### <u>Jennifer Clampitt – 67041268A – Technician Renewal Application – Positive Response:</u>

Jennifer Clampitt appeared before the Board regarding a positive response on a technician renewal application. Currently employed at Kroger. Following an arrest, participated in a Diversion Program. Court date in September 2024 to close case.

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

Snedeker/Balla 6/0/0 Motion carries

#### <u>Kevin Leskody – 67041982A – Technician Renewal Application – Positive Response:</u>

Kevin Leskody appeared virtually before the Board regarding a positive response on a technician renewal application. Currently employed with Costco Mail Order Pharmacy. Suspended for excessive tardiness. May 10, checked into an Alcohol dependency program. The year leading up to that date was suspended several times by employer due to excessive tardiness. Never drank at work. Landmark Recovery program for 35 days. Frequently attends AA, therapy and psychiatry appointments. May 10 sobriety date. Board questioned Tracy Trautman about possible next steps.

After discussion, the Board moved to TABLE applicant's technician renewal application pending IPRP evaluation.

## <u>Kiana Anderson – 67029648A – Technician Renewal Application – Positive Response:</u> Failure to appear.

#### Lyndon Stiff – 67030732A – Technician Renewal Application – Positive Response:

Lyndon Stiff appeared before the Board regarding a positive response on a technician renewal application. Currently employed at IU NE hospital. In February 2024 tested positive for THC and suspended. Was not diagnosed with substance abuse problem at Fairbanks. Returned to work in March. Completed a 12-hour marijuana awareness program. Working with employer's EAP.

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

Balla/Bunton 6/0/0 Motion carries

#### Seth Grinstead – 67029254A – Technician Renewal Application – Positive Response:

Seth Grinstead appeared before the Board regarding a positive response on a technician renewal application. Currently employed at Genoa Healthcare. Court case is on-going and maintains his innocence. Arrested January 2023 following a domestic situation involving felony strangulation

and misdemeanor domestic battery. Had an underage drinking ticket around 2014. There is no conviction. Currently with the same partner, engaged and have a child together.

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

Bunton/Smosna 6/0/0 Motion carries

#### Charde Calbert – 67040714A – Technician Renewal Application – Positive Response:

Charde Calbert virtually appeared before the Board regarding a positive response on a technician renewal application. Currently employed at CVS Pharmacy. October/November 2023 went to Walmart, was stopped at the door and notified of an item's price change. Was refunded for the purchase. A month later was notified by law enforcement about the incident and disputed allegation. Was still required to go to court and participated in Pre-trial diversion. No other issues.

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

Snedeker/Smosna 6/0/0 Motion carries

#### <u>Audrey Dickerson – 67035037A – Technician Renewal Application – Positive Response:</u>

Audrey Dickerson appeared before the Board regarding a positive response on a technician renewal application. Currently employed at Meijer. In September 2022 a car accident occurred involving alcohol. Began attending counseling and attending AA in January 2023. February 22, 2024, charges filed from the September 2022 car accident. The matter is currently in diversion with no convictions. Signed plea agreement May 22, 2024.

After discussion, the Board moved to TABLE applicant's technician renewal application until next month and until completion of IRPR evaluation.

#### Brady Suthard – 67037429A – Technician Renewal Application – Failure to Disclose:

Brady Suthard appeared before the Board regarding a failure to disclose on a technician renewal application. Failed to disclose an incident on his renewal. Currently employed full time at University of Louisville, Jewish Hospital, Louisville, KY. The failure to disclose on renewal was an oversight. Did self-report in May 2023, but his case was on-going at that time. Was placed on 361 days' probation.

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

Snedeker/Smosna 6/0/0 Motion carries

#### **Manuel Francia – Pharmacist Application – Positive Response:**

Manuel Francia appeared before the Board regarding a positive response on a pharmacist application. In April 2023 issued a grievance by KY BOP and an agreed order. Can no longer be PIC for sterile compounding facilities. Current KY license status is valid. Per Board Counsel, could be analogous to a probationary license in Indiana. Also licensed in Tennessee and Ohio with no restrictions. December 2026 KY restrictions expire.

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

#### Smosna/Snedeker 6/0/0 Motion carries

## Matiur Bhuiya, R.Ph., – 26021314A – Pharmacist Renewal Application – Positive Response: Matiur Bhuiya appeared before the Board regarding a positive response on a pharmacist renewal application. Currently employed at Walmart Pharmacy in Mobile, AB. May 2023 charged with domestic violence and was arrested. Charges were dropped and the case was closed. Holds a valid, active license in Alabama with no restrictions.

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

Bunton/Balla 6/0/0 Motion carries

#### Gary Burris, R.Ph., - 26014917A - Pharmacist Renewal Application - Positive Response:

Gary Burris appeared before the Board regarding a positive response on a pharmacist renewal application. Retired in 2016 from VA as a clinical pharmacist. Does work as a contractor. December 2024 DUI (New Year's Eve). Trial in March. 6-month license suspension and one year probation that ends March 2025. Never had a DUI before. Is not actively dispensing.

After discussion, the Board moved to APPROVE applicant's pharmacist renewal application on PROBATION with terms 1, 3, and 8 to run concurrent with criminal probation.

Smosna/Balla 6/0/0 Motion carries

<u>Brian LaRowe, R.Ph., – 26022971A – Pharmacist Renewal Application – Positive Response:</u> Failure to appear.

# Chloe You, R.Ph., – 26030431A – Pharmacist Renewal Application – Positive Response: Chloe You appeared before the Board regarding a positive response on a pharmacist renewal application. Represented by Cindy Marcus. Currently employed at Walgreen's. June 22, 2023, DUI. Immediately reported incident to BOP. Contacted IPRP and completed evaluation. Plead guilty to a misdemeanor. Successfully completed probation December 2023. No other incidents with the law.

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

Smosna/Snedeker 6/0/0 Motion carries

## <u>Jeremy Blosser, R.Ph., – 26024173A – Pharmacist Renewal Application – Positive</u> Response:

Jeremy Blosser appeared before the Board regarding a positive response on a pharmacist renewal application. Currently employed at Northwest Health Hospital. Jason previously disclosed he could be fair and impartial. In 2022, charged with domestic battery and entered a diversion program. Those charges were dropped. Also charged with violation of invasion of privacy. Has 34 days left of probation on that charge. No other issues with the law.

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

### Anderson/Bunton 6/0/0 Motion carries

<u>Jessica Perez, R.Ph., – 26027302A – Pharmacist Renewal Application – Positive Response:</u> Jessica Perez appeared before the Board regarding a positive response on a pharmacist renewal application. Currently employed by Francian health. February 2024, DUI arrest. Only incident with law. Opted for an ignition interlock device to keep driver's license. Completely compliant. Court date set for July 17, 2024, and planning on entering a plea agreement pending outcome of license renewal.

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

Snedeker/Balla 6/0/0 Motion carries

Samuel Kelley, R.Ph., – 26021235A – Pharmacist Renewal Application – Positive Response: Samuel Kelley appeared before the Board regarding a positive response on a pharmacist renewal application. Matt Balla disclosed that he knows Samual but can be fair and impartial. Currently employed at Walmart in Martinsville. Was fired from CVS for using profanity and never had a disciplinary action prior to that incident.

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

Anderson/Smosna 6/0/0
Motion carries

## Ricky Matthews, R.Ph., – 26015629A – Pharmacist Renewal Application – Positive Response:

Ricky Matthews appeared before the Board regarding a positive response on a pharmacist renewal application. Works in Kentucky, in a pavilion medical pharmacy. Accused of leaving a Pharmacy Tech in a store. Suffered a severe nosebleed and locked the door. A KY BOP Inspector was on site at the time of the incident. Can not be a PSC until December 2026.

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

Bunton/Anderson Motion carries

## Morgan Roberts, R.Ph., – 26026328A – Pharmacist Renewal Application – Failure to Disclose:

Morgan Roberts appeared before the Board regarding a failure to disclose on a pharmacist renewal application. In 2023 a device was mislabeled but did have correct patient information. The mother of the patient filed a complaint. She self-disclosed this in November 2023. Kentucky issued a reprimand that did not constitute discipline. Per Board Counsel, it may not be disclosable, and her renewal answer was not inappropriate. Holds an active Kentucky license.

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

#### Smosna/Balla 6/0/0 Motion carries

## <u>Richard Zimmerman, R.Ph., – 26027868A – Pharmacist Renewal Application – Failure to Disclose:</u>

Richard Zimmerman appeared before the Board regarding a failure to disclose on a pharmacist renewal application. Had an incident with the Kentucky BOP. Had to pay a fine and complete CE. Did self-report and didn't realize he had to also disclose on the renewal. Kentucky license is active and in good standing.

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

Snedeker/Anderson 6/0/0 Motion carries

#### Michael Jones, D.D.S. - Dental CSR Application - Positive Response:

Michael Jones appeared before the Board regarding a positive response on a dental controlled substance registration application. Did receive IN Dental license. Has a private practice in Illinois. Will be helping at a Valpariso, IN practice, so seeking a license in Indiana. Completed an Illinois version of Indiana's IPRP program. Holds an unrestricted Illinois license. Unrestricted DEA license for 5 years.

After discussion, the Board moved to APPROVE applicant's dental controlled substance registration application.

Smosna/Anderson 6/0/0 Motion carries

#### **Discussion**

#### **Monthly Reports**

Board Director's Report – Presented by Kim Snyder

INSPECT Director's Report – Presented by Kara Slusser and Logan

- Discussed Open Beds Program and contract.
- MES Certification discussion/process. May take up to 9 months.
- Opioid Treatment Program data integration.

Compliance Director Report – Presented by Zaneta Nunnally

- DSCSA (Drug Supply Chain Security Act) update, awareness and stabalization 11/27/2024.
  - Small Dispenser exemption 11/27/2026.

OAG Report - Presented by DAG, Ryan Eldridge

#### **Old Business**

#### **New Business**

- 2024 NABP MPJE Review Reps 9/11 9/13
  - o Request remote representation by Pharmacy Board members.
- Virtual Appearance Policy Draft
  - o 6.2.4 Staff may at their discretion may approve requests.
  - o Turn on video camera if the means to do so.
  - Discourage virtual meetings
- 2025 Meeting Dates
- USP 825: NABP Universal Inspection Form
  - Kara Weatherman, Willis Triplett, Jeff Jackson, Allison Young introductions.
  - Current rules only reference USP 797.
  - Discussed history and former draft rules (30, 30.1) that were previously approved by the board but never enacted.
  - Re-establish a Compounding Workgroup/committee to review former draft rules and resume rule making process.

There being no further business the Board ADJOURNED at 2:20p.