The mission of the Oregon State Board of Pharmacy is to promote, preserve and protect the public health, safety and welfare by ensuring high standards in the practice of pharmacy and by regulating the quality, manufacture, sale and distribution of drugs.

WEDNESDAY, JUNE 5, 2019

President Rachael DeBarmore called the meeting to order at 8:38AM

Roll Call
Rachael DeBarmore, President       Cyndi Vipperman, Vice President
Roberto Linares                   Penny Reher
Shannon Beaman                   Wassim Ayoub
Dianne Armstrong                  Public Member, Vacant
Tim Logan

The following staff members will be present for all or part of this session:
Joe Schnabel, Executive Director       Brianne Efremoff, Compliance Director
Karen MacLean, Administrative Director           Chrisy Hennigan, Licensing Program Supervisor
Fiona Karbowicz, Pharmacist Consultant           Joe Ball, Chief Investigator
Cheryl Fox, Inspector                     Jane Gin, Inspector
Katie Baldwin, Inspector                    Laura Elvers, Inspector
Brian Murch, Inspector                 Annette Gearhart, Compliance Secretary
Kim Oster, Compliance Assistant         Rachel Melvin, Project Manager
Loretta Glenn, Management Secretary

Tom Cowan, Sr. AAG Board Counsel

Agenda Review and Approval

MOTION
Motion to approve the agenda was made and unanimously carried (Motion by Beaman, seconded by Vipperman).

Contested Case Deliberation pursuant to ORS 192.690(1) - Not Open to the Public
A. Items for Consideration and Discussion:
   1. Deliberation on Disciplinary Cases and Investigations
   2. Personal Appearances
   3. Deficiency Notifications
   4. Case Review

MOTION
Motion to enter Executive Session at 8:41AM was made and unanimously carried (Motion by Beaman, seconded by Armstrong).

MOTION
Motion to resume Open Session at 3:06PM was made and unanimously carried (Motion by Beaman, seconded by Armstrong).

Adjourn

MOTION
Motion to adjourn at 3:07PM was made and unanimously carried (Motion by Ayoub, seconded by Beaman).

THURSDAY, JUNE 6, 2019

President, Rachael DeBarmore called the meeting to order at 8:32AM

Roll Call
Rachael DeBarmore, President               Cyndi Vipperman, Vice President
Roberto Linares                             Penny Reher
Shannon Beaman                               Wassim Ayoub
Dianne Armstrong                            Public Member, Vacant
Tim Logan

The following staff members will be present for all or part of this session:
Joe Schnabel, Executive Director            Brianne Efremoff, Compliance Director
Karen MacLean, Administrative Director     Chrisy Hennigan, Licensing Program Supervisor
Fiona Karbowicz, Pharmacist Consultant     Joe Ball, Chief Investigator
Jane Gin, Inspector                        Katie Baldwin, Inspector
Laura Elvers, Inspector                    Brian Murch, Inspector
Annette Gearhart, Compliance Secretary     Kim Oster, Compliance Assistant
Rachel Melvin, Project Manager             Loretta Glenn, Management Secretary

Tom Cowan, Sr. AAG Board Counsel

Motions for Contested Cases & Disciplinary Actions – All cases reviewed and the associated motions are located at the end of this document.
GENERAL ADMINISTRATION

Rules

Review Rulemaking Hearing Report & Comments
Administrative Director, MacLean provided a verbal report of the comments received to the Board and stated that few written comments were received and nobody testified.

MOTION
Motion to accept the 5/22/19 Rulemaking Hearing Report was made and unanimously carried (Motion by Ayoub, seconded by Armstrong).

Consider Adoption of Rules

Division 110 Fees
The Board did not have any questions or discussion. Rules to be effective July 1, 2019.

MOTION
Motion to adopt amended rules in OAR Chapter 855, Division 110 was made and unanimously carried (Motion by Ayoub, seconded by Armstrong).

Consider Adoption of Temporary Rules – none

Rules Update - none

Consider rules and send to Rulemaking Hearing - none

Policy Issues for Discussion / Updates –

Pharmacist Consultant Karbowicz gave an update on USP chapters 795, 797 and 825 that were released on 6/1/19. She reviewed a general timeline of next steps for potential adoption of rules, including final discussion at August Board meeting and possible submission to rulemaking hearing in September for adoption in October.

Compounding RAC update

Pharmacist Consultant Fiona Karbowicz gave an overview of the meeting held on 5/8/19 and reported that 14 RAC members were present, as well as Board Member Dianne Armstrong. Committee members provided excellent input regarding topics, including initial and ongoing fiscal impacts, accreditation, shared services and veterinary compounding; RAC meeting minutes are posted on the Board Meeting page on the website. Accreditation will not replace the Board’s annual inspections; it is envisioned to provide additional patient safety. Most compounding pharmacies have moved away from shared services practice due to compliance issues with federal regulations and expectations, though veterinary use is still permitted, outside of 503B Outsourcing Facilities. Draft rules will address these policy items and outreach/communications to Oregon compounding pharmacies will continue. The Board agreed that it may not be
necessary for the RAC to meet again (as a formal RAC), however, Board and staff would like to retain this stakeholder’s work group for reference when needed as these rules are implemented.

Public Health and Pharmacy Formulary Advisory Committee update

Pharmacist Consultant Fiona Karbowicz presented an overview of Committee processes during 2018 and early 2019. She provided a detailed summary of the statutory legal framework as well as an outline of related roles and responsibilities for Committee members, Board members and staff. We continue to “check and adjust” in our ongoing efforts to respond to new pharmacist prescribing scope.

ORS 689.645 and 689.649 describe intent and legal scope for the Public Health and Pharmacy Formulary Advisory Committee (PHPFAC) efforts. Per law, the Committee shall recommend a formulary of drug and devices that a pharmacist may prescribe and dispense to a patient; items must be pursuant to a diagnosis by a health care practitioner qualified to make the diagnosis and who has prescriptive authority. In Oregon, this includes physicians, nurse practitioners and PAs. The Committee shall periodically review the formulary and recommend revisions to the Board and “The formulary may include post-diagnostic drugs and devices such as diabetic testing supplies, emergency refills of insulin, albuterol inhalers, epinephrine autoinjectors, smoking cessation aids, discharge medications for transitions of care, rapid strep tests and spacers.” The law also states that a pharmacist may provide approved patient care services pursuant to a statewide drug therapy management protocol, developed by the PHPFAC; and adopted by rule of the Board. These patient care services include smoking cessation and travel health services. For the purposes of the conversation and past minutes, a statewide protocol consists of a standardized patient assessment process and treatment care plan under which a pharmacist may prescribe and dispense a drug or device to a patient. Board rules will have minor revisions to appropriately reflect statutory authority.

The Committee met on 5/3/19, and learned the same information. They continue development of a clear and consistent methodology reviewing items which can help properly “build” each concept/recommendation. At this time, ongoing efforts are working to address the following concepts: Smoking Cessation, Pre-Travel Health Consultations, and Non-Occupational Post Exposure Prophylaxis. Note: A pharmacy that has started to implement or operationalize services currently codified in Board rule (Division 020) shall understand that rules are being revised.

Additionally, the Board discussed the reappointment process and terms. Administrative Director Karen MacLean gave a timeline and process of rotating membership being appointed by the Governor’s office.

Consider rules & send to Rulemaking Hearing – none

Discussion Items:

Requests:

Bay Area Hospital Request
Request is for PIC of three separate pharmacy drug outlet registrations; however, all exist at a single campus location/address. The three locations are the general hospital IP, its RP, and the Drug Room that will be converting to an RP. Staff recommends approving request, using standard 5-year language, including the need to notify Board of any changes.
MOTION
Motion to approve RPH Suzanne McClelland (RPH-0013479) request to be the PIC at Bay Area Hospital’s three pharmacies (IP-0000616 and RP-0000822 and Drug Room license DR-0000050 transitioning to a Retail Pharmacy) for five years was made and unanimously carried (Motion by Ayoub, seconded by Armstrong).

Diabetes Community Care Team Request -

Pharmacist Consultant Fiona Karbowicz presented a regulatory background informational related to Oregon Charitable Pharmacies.

The Board deliberated on Diabetes Community Care Team 2 waiver requests (9-month and refrigeration) and 1 rule clarification (regarding re-dispensing prescriptions donated by individuals).

The Board had a brief discussion regarding temperature and other safety implications related to donations of insulin. The Board also recognized a person’s good intentions of wanting to donate drugs to others, however they cannot condone practices that could introduce unsafe medications into a community.

The Board stated they are willing to consider a new request for a refrigeration waiver [OAR 855-044-0050(1)(j)], if/when DCCT is able to receive/acquire donated insulin and other refrigerated prescription drug products from a verifiable source (such as a registered manufacturer or wholesaler, or licensed care-facility under supervision of a healthcare provider) that meets criteria for safe cold storage validation and assurances (maintained chain of custody). Staff will reach out to the licensee to gather more info.

MOTION
Motion to approve Diabetes Community Care Team (CP-000015) request to waive OAR 855-044-0050(1)(d) for five years was made and unanimously carried (Motion by Ayoub, seconded by Reher).

Rule clarification: the Board clarified OAR 855-044-0030 by reaffirming their long-standing policy that while an individual may wish to donate a drug, it is expected that a pharmacist will make the professional determination that the drug is unsafe to distribute because there is not a way for the pharmacist to ensure the integrity of the drug product.

Introduction of new Pharmacist Board Member, Michelle Murray term begins July 1.

Policy Discussion and Board Review:

Kaiser Request

The Board was tasked with reviewing Kaiser Permanente NW’s Verification Proposal to determine whether the policies and procedures (P&Ps) provided outlining the system and processes:
1. Meet criteria set forth in law and rule for hallmark elements of the practice of pharmacy, including Drug Utilization Review (DUR), verification, security, supervision, quality assurance (QA); and
2. Provide the Board assurances that the Board’s ‘hallmarks’ of criteria with regard to the utilization of this type of technology.

Kaiser representatives Rob Yancey, RPh & Tabitha Fridriksson, RPh were invited to speak with the Board. President, Rachael DeBarmore stated for the record that she would not provide input on this discussion, but would facilitate.

Rob explained the process and stated that they have been doing these procedures since 2013, but with a pharmacist verifying each item as a final step. He walked through how the technician uses the technology and then how the pharmacist verifies and approves the filled and sealed canister. Barcode technology is utilized to scan and verify the proper medication is in the canister. They currently perform system audits and stated that the system has never dispensed the wrong product and has a 100% accuracy score. The accuracy in tablet count varies with a plus or minus 1 and he stated that it’s a very robust system and that their QA is extremely accurate and controlled by the barcode technology.

The Board noted, that generally, this is similar to the PPS request in 2017, though specific procedures vary between locations. Some foundational elements to highlight include items staff has identified as potential areas of concern for this type of request:

- Canister filling details - ensure correct record of responsible pharmacist verification and pharmacist security/supervision/control (a method discussed was that they would empty every canister prior to filling to ensure appropriate record of pharmacist verification.)
- Drug Utilization Review (DUR) – ensure DUR is performed and documented by a pharmacist for new and all refills of a prescription. Tabitha stated that any prescription that a DUR wasn’t performed by a pharmacist will be performed by a pharmacist at traditional product verification. They are tracking which refills have a DUR activity.
- QA – ensure robust quality assurance plan is utilized. Rob stated they were working on a robust quality assurance plan that would meet the Board expectations.

Board Member Dianne Armstrong and President Rachael DeBarmore recused themselves. Rachael asked the Board for a thumbs up/down decision; it was a thumbs up agreement to proceed for this request when the additional expectations requested are satisfied.

Appearance – Stephanie Vesik, Prescription Drug Monitoring Program (PDMP) update

PDMP Daily Operations Manager, Stephanie Vesik, provided the Board with a presentation that covered who uses PDMP, the purpose and necessity of accurate data for public health policy-making, prescribing decision-making, QA and investigations, as well as pharmacy’s overall interface with the database.

Data entry, accuracy and completeness are required in the PDMP. Mistakes such as incorrect and missing data, impact the prescriber’s decision to prescribe and could impact decisions brought by regulatory boards. She shared data from 25 OR pharmacies and found common errors existed all across the state, which negatively impacts the data and skews reports for OHA and patients which prohibits their help with opioid crisis data for our state. Bad DEA numbers contribute to many of the errors they are seeing. PDMP cannot revise the data; the prescriber
and pharmacy has to input the correct information. Multiple prescriber profiles are a root cause of the some of the issues.

PDMP is seeking to partner with the OBOP for help with responses, such as outreach via the newsletter and communications with pharmacy corporations to help advocate that licensees clean up their data and entries and ensure accuracy prior to sending it to PDMP.

Board Member Ayoub asked about Naloxone being tracked in PDMP and if she had any statistics to report. She stated that because it’s still fairly new for pharmacists to prescribe and dispense, they do not have enough data collected as of yet. Compliance Director Efremoff stated that these inaccurate PDMP entries and records are violations of rules and lead to increased case work for Compliance. Stephanie stated that as the PDMP system has improved, they are now able to track trends and are dedicated to improving the data. Ongoing awareness and improvement efforts are needed.

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**ANNUAL BOARD BUSINESS MEETING**

**Election of New Officers**

Board Member, Penny Reher nominated Vice President Cyndi Vipperman for 2019-2020 President, and Board Member Dianne Armstrong seconded.

Board Member Penny Reher nominated Board Member, Shannon Beaman for Vice President and Board Member Dianne Armstrong seconded.

**MOTION**

*MOTION to appoint Cyndi Vipperman as Board President and Shannon Beaman as Vice President for 2019-2020 was made and carried (Motion by Armstrong, seconded by Reher). Ayoub opposed.*

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Board President Rachael DeBarmore announced that Michelle Murray, Pharmacist Member has been appointed effective 7/1/19 and will replace Board member, Penny Reher whose term ends June 30. Staff will be coordinating her orientation and she will attend the August Board meeting.

**Update on Board appointments**

Administrative Director MacLean updated the Board on current Board appointments and the process regarding how they are appointed and where our Board has responsibility.

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**Review other Committee/Council appointments**

**Council on Naturopathic Physicians Formulary**

Administrative Director Karen MacLean stated that there are two positions open for appointment and a notice went to all pharmacists earlier this year, only one new person expressed interest.
Karen sought input from the Naturopathic Board Executive Director and she asked that the Board reappoint Natalie Gustafson and recommended appointing the William McClatchey to this Council.

**MOTION**

Motion to appoint Pharmacist William McClatchey and reappoint Pharmacist Natalie Gustafson to the Council on Naturopathic Physicians Formulary for 2 years was made and unanimously carried (Motion by Beaman, seconded by Reher).

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Rural Health Coordinating Council

Administrative Director Karen MacLean stated that LeAnne Yantis, the Board’s current appointee to this Council has moved out of state. Karen asked those who applied last time if they were still interested and only received one response from someone interested, but not available. Karen recommended sending an announcement to all pharmacists to see if there is anyone interested and will report back in August.

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Council on Optometric Non-Topical Formulary

Administrative Director Karen MacLean stated that there is one position open for appointment and a notice went to all pharmacists earlier this year; no one expressed interest. This Council has not met for more than 4 years and has no plans to meet. She recommend leaving this vacant indefinitely.

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Delegation of Board Authority update

No changes at this time.

**MOTION**

Motion to reaffirm use of the current Delegated Authority to Staff, Board Policy and Compliance Guidance (ABC) document was made and unanimously carried (Motion by Beaman, seconded by Armstrong).

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Board Best Practices

Administrative Director Karen MacLean stated that each biennium the Board’s budget includes legislatively approved Key Performance Measures (KPMs). One of the six measures is the Board Best Practices measure, which seeks input from Board Members on 16 areas. The Board is expected to self-assess best practices for the Annual Performance Progress Report (APPR) due in September each year.

Last year it was suggested that we should automate the collection of this information; our HR Consultant advised that the survey tool she suggested is no longer available. The Board briefly discussed and decided that a Survey Monkey would be best. Staff will create and send out the survey to collect the data and report back at the August meeting.
Recognition of outgoing Board Member Penny Reher

Board President Rachael DeBarmore presented Penny with a State of Oregon plaque and gavel. She reviewed Board accomplishments during Penny’s tenure such as: Technicians added to the Board in 2016, receiving the Mahaffey Awards in 2012 & 2017, multiple legislative directives, transition to biennial licensure, establishing new types of registrations and rules to keep up with technology and much more. Penny has been a dogged advocate for action around the drug shortage issue. Penny has taken this role very seriously; she comes prepared and actively participates. Always keeping the mission of the Board in mind and the deep understanding and appreciation that the work that is done here has an impact on people, whether it is the patients we serve or our licensees.

Penny thanked staff for their dedication as well as past Bard Members Ken Wells, Kate James, Linda Howrey, retired Compliance Director, Gary Miner and her husband Ron. She commented how compassion is an important part of what we do.

Past Board Member, Kate James read a haiku for Penny:
Heart for all people, do the best you can by them, they are your neighbor
Looks for solutions, embracing innovation, pharmacy’s future
Everything orange, elite level fan

Past Board Member, Ken Wells thanked Penny for her dedication, compassion, friendship and positive attitude.

The Board thanked Penny for her dedication, guidance, leadership and compassion.

Providence Specialty Pharmacy LTC Request

Pharmacist Consultant Fiona Karbowicz stated that per patient safety assessment, this meets the Board criteria for “as safe, or safer”. Ongoing proactive oversight by pharmacy staff and collaborative care team ensures that the patient is receiving the correct medications. Therefore, a patient or patient’s agent does not have to enroll each prescription into the Providence Specialty – LTC Pharmacy prescription filling and dispensing program, which is occurring in a federally designated facility. Based on the rules intent, staff believes these specific processes for ElderPlace (PACE) patient’s prescriptions meet the intent of the auto-refill rule and LTC cycle-fill exclusion. Rule reference: OAR 855-041-1120(6)

The Board agreed that this meets the intent of the rule.

E-Verification

Licensing Program Supervisor Chrisy Hennigan proposed that staff be able to import available prepared formal disciplinary records prior to 2007 for license verification into the new database system. This will increase efficiency and less staff time responding to public records requests in the future. The Board agreed and approved.
**Strategic Planning**

Executive Director Joe Schnabel gave an update including the ongoing timeline leading up to the November 2019 meeting. He described a top down approach going forward. At the August meeting, we will cover the overview and defining of Mission, Vision and Values. At the October meeting, we will cover the overview and defining of Strategic Areas and associated goals if we have not achieved this by August. At the November meeting, we will cover development of the tactics to achieve the Strategic Area Goals. Will look for a facilitator and location in the Portland area next.

**Other**

Compliance Director Brianne Efremoff presented the draft CBD FAQs the Board had requested at the last meeting. The Board reviewed and approved publishing Oregon Retail Sale of Cannabidiol Products FAQ on the website. Brianne commented that more recently, the FDA has taken a formal approach to this topic and they will be providing more direction in the future.

**Website Redesign Demo**

Administrative Director Karen MacLean reported that Rachel Melvin has been promoted into the Project Manager position and that she has been working on the state mandated redesign for the agency website. Rachel presented a demo of the new Board website that will launch in the fall of 2019. The new platform includes task driven content strategy that increases usability and accessibility for all citizens of Oregon.

**ISSUES/ACTIVITIES**

**Upcoming Board Meeting Dates**
- August 7-9, 2019* Portland (*3 day meeting)
- October 2-3, 2019 Portland
- November 6-7, 2019 Portland
- December 11-12, 2019 Portland
- February 5-7, 2020* Portland (*3 day meeting)
- April 15-16, 2020 Portland
- June 17-18, 2020 Portland
- August 12-14, 2020* Portland (*3 day meeting)
- October 14-15, 2020 Portland
- November 18-19, 2020 TBA (Strategic Planning – subject to change)
- December 16-17, 2020 Portland

**Rulemaking Hearing Dates**

(The following dates are reserved for potential rulemaking hearings, identified only for planning purposes, and approved by the Board. Actual Rulemaking Activities will be noticed as required by law and may deviate from this schedule as needed.)

- September 24, 2019
Committees/Meetings

OSHP Spring Meeting – Sunriver - 4/26-28/2019 Executive Director Joe Schnabel, and Compliance Director Brianne Efremoff attended and hosted a booth that was well attended.

NABP 2019 Annual meeting – Minneapolis, MN - May 16-18, 2019 Executive Director Joe Schnabel and Board Member Shannon Beaman attended and reported it was a great meeting and discussed resolutions that were accepted.

NABP District VI-VIII Mtg. Boise, ID, 10/6-9/2019 Executive Director Joe Schnabel discussed the past meeting proposal to send all Members, however the after evaluating various travel options, the costs required and how those expenses could negatively impact the travel budget it would be more prudent to only send 1-2 members along with the Director. The Board will decide which Members will attend at the August meeting.

Board Member/Staff Presentations

Pharmacy Coalition – 4/16/19 Executive Director Joe Schnabel reported that most of the pharmacy bills were still alive.

Professional Practice Roundtable – 4/24/19, 6/12/19 Executive Director Joe Schnabel attended and was introduced to the group.

Financial/Budget Report - Administrative Director Karen MacLean reported that February, March and April revenue and expenditures were on target as anticipated and that staff is gearing up to close-out the biennium 6/30/19. She stated that two new FTE were approved in the budget for a new Licensing Representative as well as a new Pharmacist Consultant/Inspector.

Legislative update – Executive Director Schnabel discussed the following:

- **SB 9** (emergency refills of insulin) signed by the Governor on 5/13.
- **SB 71** (allows use of sedative and analgesic medications when euthanizing animals) signed by the Governor on 5/20.
- **SB 698** (labeling in patient’s language) third reading in House scheduled for 6/3.
- **SB 409** (study of importation of prescription drugs from Canada) at Ways and Means Committee.
- **SB 910** (requires retail or hospital pharmacy to provide written notice in conspicuous manner of availability of naloxone at pharmacy) second and third readings in House scheduled for 6/3 and 6/4.
- **HB 2303** (pseudoephedrine/ephedrine) -10 amendment leaves PSE C-III and allows pharmacist to prescribe and dispense with quantity limits. Scheduled for third reading in House on 6/5.
- **HB 2689** (Oregon Health Authority to design program to import wholesale prescription drugs from Canada) at Ways and Means.
• **HB 2935** (requires pharmacies to notify of availability of prescription reader) Third reading in Senate on 6/5
• **HB 3273** (manufacturer to develop and implement drug take-back program for disposal) at Natural Resources Committee

He also stated that HB 2303 is still being negotiated by both parties and that session is ending soon and will have more to report at the August meeting.

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**Reports:**

**Board President/Members – N/A**

Executive Director Joe Schnabel reported that Rachel Melvin has been promoted to the Project Manager position, his personal onboarding continues, busy with Opioid Task Force attended 3 meetings so far, attended the National Association of Drug Diversion Investigators on 5/2 with Investigator Brian Murch and has had multiple law update presentations at OSU, MPY & Salem Hospital.

**Board Counsel Cowan – N/A**

Compliance Director Brianne Efremoff reported that HPSP enrollment is at 22, we have 420 cases, which is similar to this time last year, and inspections are at 32% (February-to-February). We have also been busy updating the FAQs and applications.

Pharmacist Consultant Fiona Karbowicz reported that she’s been discussing some ideas for a CE conversation with the staff and will be presenting something to the Board in the future, ongoing collaboration with OR Public Health and the Patient Safety Commission. Regarding our response to certain new legislation heading our direction, the Board may consider an awareness campaign regarding the nexus of a pharmacist’s documentation of pharmacy practice (DUR, etc.) and pharmacy billing, for both consultative services as well as prescription adjudication (SB 9). She stated that there will be an in depth conversations about animal euthanasia rules and it will take additional resources to respond to SB 71. She has been asked by veterinary clinics for some help regarding their inspections.

Administrative Director Karen MacLean reported her primary focus since the last meeting has been related to the contract and kick-off for the agency’s upgraded database called MyLicense Office (MLO). Over the next five months, she and Licensing Program Supervisor Chrisy Hennigan will serve as the Project Managers working with the vendor to set up and staff to test the conversion and implement the upgrade that includes incorporating all of the online services for license verification and e-gov into a single system. The new system will allow self-service for licensees to change their own address, upload documents and renew online; eventually we’ll be moving towards online applications and other more automated services. A big thank you to Chrisy in advance for all the work that she’s started and will continue through and after this implementation is complete. Karen is pleased that Rachel Melvin has accepted the Project Manager position. Rachel will continue to function in her current roll until her replacement is hired.

Licensing Program Supervisor Chrisy Hennigan reported as of 6/6/19, 7,217 pharmacist license renewals out of 8,471 have been received and 6,443 or 76% of those have been renewed. There are still 772 active pharmacy technicians with an expiration date of 6/30/19. There are currently
delays in issuing individual licenses due to resources, as well as national fingerprint background check results, which are currently taking 10-21 days to receive the results back from OSP.

The Wholesaler, Manufacturer and Drug Distribution Agent renewal notices are anticipated to be mailed out and the online renewal will be live no later than July 10. Staff has been working closely with the System Automation team on the MLO database upgrade and have made great progress. Staff is committed to a successful transition in a very short timeframe. Every two years staff and Board Members are required to complete the CJIS Security Training to maintain compliance with the FBI CJIS security policy. Recertification training for all must be completed no later than September 4 to remain in compliance. Login credentials will be sent out in early August.

Project Manager Rachel Melvin reported that she has been working diligently on the website redesign, reviewing all of our content and attending workshop in Salem 1-2 days per week. The agency completed an IT security risk assessment project for the state ESO, she built and implemented several iPads/iPhones for members and staff, working on BOX implementation, procurement and end of fiscal year accounts payable and required reports.

Approve Consent Agenda*

1. NAPLEX Scores – none
2. MPJE Scores – none
3. License/Registration Ratification – March 26, 2019 - May 21, 2019
4. Pharmacy Technician Extensions – March 1, 2019 – May 21, 2019
5. Board Minutes – April 3-4, 2019

MOTION
Motion to approve Consent Agenda was made and unanimously carried (Motion by Armstrong, seconded by Beaman).

OPEN FORUM - none

Adjourn

MOTION
Motion to adjourn at 3:53PM was made and unanimously carried (Motion by Reher, seconded by Beaman).

Accepted by:

Joseph Schnabel, PharmD, RPh
Executive Director
Executive Session of the Board was held on Wednesday, June 5, 2019, to discuss Compliance cases, followed by motions on Thursday, June 6, 2019.

Board Members present for all or part of compliance session:
- Rachael DeBarmore, RPH, President
- Cyndi Vipperman, CPT, Vice President
- Wassim Ayoub, RPH
- Shannon Beaman, RPH
- Roberto Linares, RPH
- Penny Reher, RPH
- Dianne Armstrong, CPT
- Tim Logan, Public Member
- Vacant, Public Member

Staff present for all or part of compliance session:
- Brianne Efremoff, RPH, Compliance Director
- Joe Ball, RPH, Chief Investigator
- Katie Baldwin, RPH, Board Inspector
- Laura Elvers, RPH, Board Inspector
- Cheryl Fox, RPH, Board Inspector
- Jane Gin, RPH, Board Inspector
- Brian Murch, RPH, Board Inspector
- Annette Gearhart, Compliance Secretary
- Kim Oster, Compliance Assistant
- Joseph Schnabel, RPH, Executive Director
- Karen MacLean, Administrative Director
- Fiona Karbowicz, R.Ph., Pharmacist Consultant
- Chrisy Hennigan, Licensing Program Supervisor
- Thomas Cowan, Senior AAG

Case 2016-0569  Motion to accept stipulated Consent Order.
Motion by: Dianne Armstrong; Seconded by: Wassim Ayoub. Motion unanimously carried.

Cases 2017-0355 and 2018-0325  Motion to withdraw Amended Notice in Cases 2017-0355 and 2018-0325.
Motion by: Cyndi Vipperman; Seconded by: Dianne Armstrong. Motion unanimously carried.

Case 2018-0713  Motion to accept stipulated Consent Order.
Motion by: Tim Logan; Seconded by: Wassim Ayoub. Motion unanimously carried.

Case 2016-0370  Motion to grant request to reinstate preceptor license.
Motion by: Penny Reher; Seconded by: Wassim Ayoub. Motion unanimously carried.

Case 2016-0262  Motion to grant request to reinstate preceptor license.
Motion by: Wassim Ayoub; Seconded by: Dianne Armstrong. Motion carried with Roberto Linares recused.

Motion by: Penny Reher; Seconded by: Dianne Armstrong. Motion unanimously carried.

Motion to proceed with Board direction.
Motion by: Dianne Armstrong; Seconded by: Cyndi Vipperman. Motion unanimously carried.

Case 2019-0169  Motion to revoke technician license and impose $1,000 civil penalty per violation.
Motion by: Wassim Ayoub; Seconded by: Cyndi Vipperman. Motion unanimously carried.

Case 2019-0194  Motion to Amend Notice in Case 2018-0483 to include 2019-0194, revoke pharmacist license and impose $1,000 civil penalty per violation.
Motion by: Tim Logan; Seconded by: Cyndi Vipperman. Motion unanimously carried.

Case 2019-0280  Motion to revoke pharmacist license and impose $1,000 civil penalty per violation.
Motion by: Dianne Armstrong; Seconded by: Penny Reher. Motion unanimously carried.

Case 2019-0162  Motion to revoke technician license and impose $1,000 civil penalty per violation.
Motion by: Penny Reher; Seconded by: Dianne Armstrong. Motion unanimously carried.

Case 2019-0176  Motion to revoke technician license and impose $1,000 civil penalty per violation.
Motion by: Cyndi Vipperman; Seconded by: Dianne Armstrong. Motion unanimously carried.

Case 2019-0072  Motion to revoke pharmacist license and impose $1,000 civil penalty per violation.
Motion by: Dianne Armstrong; Seconded by: Cyndi Vipperman. Motion unanimously carried.

Case 2019-0319  Motion to revoke technician license and impose $1,000 civil penalty per violation.
Motion by: Wassim Ayoub; Seconded by: Roberto Linares. Motion unanimously carried.

Case 2018-0698  Motion to revoke technician license and impose $1,000 civil penalty per violation.
Motion by: Wassim Ayoub; Seconded by: Cyndi Vipperman. Motion carried with Dianne Armstrong opposed.

Case 2019-0186  Motion to suspend pharmacist license for 30 days and impose $1,000 civil penalty.
Motion by: Wassim Ayoub; Seconded by: Dianne Armstrong. Motion unanimously carried.

Case 2019-0216  Motion to deny pharmacist license and impose $1,000 civil penalty per violation.
Motion by: Tim Logan; Seconded by: Roberto Linares. Motion carried with Wassim Ayoub recused.

Case 2019-0215  Motion to deny technician license and impose $1,000 civil penalty per violation.
Motion by: Dianne Armstrong; Seconded by: Cyndi Vipperman. Motion unanimously carried.

Case 2019-0157  Motion to close with Board direction.
Motion by: Cyndi Vipperman; Seconded by: Tim Logan. Motion unanimously carried.

Case 2019-0147  Motion to deny technician license and impose $1,000 civil penalty per violation.
Motion by: Penny Reher; Seconded by: Roberto Linares. Motion unanimously carried.
Case 2019-0155  Motion to deny technician license and impose a $1,000 civil penalty per violation.
Motion by: Roberto Linares; Seconded by: Wassim Ayoub. Motion unanimously carried.

Case 2019-0148  Motion to deny technician license and impose $1,000 civil penalty per violation.
Motion by: Penny Reher; Seconded by: Shannon Beaman. Motion unanimously carried.

Case 2019-0158  Motion to deny technician license and impose $1,000 civil penalty per violation.
Motion by: Dianne Armstrong; Seconded by: Penny Reher. Motion carried with Shannon Beaman, Wassim Ayoub and Roberto Linares opposed.

Case 2019-0318  Motion to revoke technician license and impose $1,000 civil penalty per violation plus the $850 stayed in Case No. 2016-0282 Consent Order.
Motion by: Wassim Ayoub; Seconded by: Roberto Linares. Motion unanimously carried.

Case 2019-0304  Motion to revoke technician license and impose $1,000 civil penalty per violation.
Motion by: Dianne Armstrong; Seconded by: Wassim Ayoub. Motion unanimously carried.

Case 2019-0093  Motion to revoke technician license and impose $1,000 civil penalty per violation.
Motion by: Dianne Armstrong; Seconded by: Penny Reher. Motion carried with Rachael DeBarmore recused.

Case 2019-0218  Motion to impose 30 day suspension and impose $1,000 civil penalty per violation against pharmacist; and in
Case 2019-0204  Motion to revoke technician license and impose $1,000 civil penalty per violation.
Motion by: Roberto Linares; Seconded by: Tim Logan. Motion unanimously carried.

Case 2019-0013  Motion to impose $10,000 civil penalty per violation in Case 2019-0013 and impose the $10,000 stayed in Case No. 2017-0463.
Motion by: Wassim Ayoub; Seconded by: Roberto Linares. Motion carried with Cyndi Vipperman recused.

Case 2019-0151  Motion to impose $10,000 civil penalty per violation against outlet.
Motion by: Wassim Ayoub; Seconded by: Roberto Linares. Motion unanimously carried.

Case 2019-0028 and 2018-0750  Motion to impose $10,000 civil penalty per violation against outlet.
Motion by: Tim Logan; Seconded by: Penny Reher. Motion unanimously carried.

Case 2018-0454  Motion to Amend Notice in Case Nos. 2017-0528 and 2018-0209 (for revocation) against outlet; and in
Case 2019-0191  Motion to revoke pharmacist license and impose $1,000 civil penalty per violation.
Motion by: Cyndi Vipperman; Seconded by: Dianne Armstrong. Motion unanimously carried.

Case 2018-0741  Motion to impose $1,000 civil penalty per violation against Pharmacist-in-Charge.
Motion by: Penny Reher; Seconded by: Tim Logan. Motion unanimously carried.

Case 2019-0222  Motion to impose $10,000 civil penalty per violation against outlet; and in
Case 2019-0057  Motion to suspend pharmacist license for 30 days and impose $1,000 civil penalty
per violation.
Motion by: Penny Reher; Seconded by: Roberto Linares. Motion unanimously carried.

Case 2019-0219 Motion to close with Board direction.
Motion by: Tim Logan; Seconded by: Dianne Armstrong. Motion carried with Wassim Ayoub recused and Cyndi Vipperman opposed.

Case 2019-0090 Motion to close with Board Direction.
Motion by: Roberto Linares; Seconded by: Dianne Armstrong. Motion carried with Cyndi Vipperman opposed.

Case 2019-0168 Motion to impose $1,000 civil penalty per violation against Pharmacist-in-Charge.
Motion by: Tim Logan; Seconded by: Cyndi Vipperman. Motion unanimously carried.

Case 2019-0042 Motion to close with Board Direction.
Motion by: Penny Reher; Seconded by: Wassim Ayoub. Motion unanimously carried.

Case 2019-0243 Motion to close with Board Direction.
Motion by: Wassim Ayoub; Seconded by: Dianne Armstrong. Motion unanimously carried.

Case 2019-0245 Motion to close with Board Direction.
Motion by: Wassim Ayoub; Seconded by: Dianne Armstrong. Motion unanimously carried.

CPT CE AUDITS – Non-responders:
Motion to revoke technician license and impose $1,000 civil penalty per violation in the following cases.

Motion by: Dianne Armstrong; Seconded by: Cyndi Vipperman. Motion unanimously carried.

Case 2019-0154 and 2019-0159
Motion to grant pharmacist license and close with Board direction.
Motion by: Dianne Armstrong; Seconded by: Penny Reher. Motion unanimously carried.

Case 2019-0068, 2019-0069, 2019-0070, and 2019-0089 Motion to impose $10,000 civil penalty per violation against outlet.
Motion by: Tim Logan; Seconded by: Wassim Ayoub. Motion unanimously carried.

Cases:
Motion to impose $1,000 civil penalty per violation against technicians.
Motion by: Dianne Armstrong; Seconded by: Wassim Ayoub. Motion carried with Penny Reher recused on Case No. 2019-0290.
Case 2019-0164  
Motion to revoke pharmacist license and impose $1,000 civil penalty per violation.

Case 2019-0217  
Motion to deny intern license and impose $1,000 civil penalty per violation.


Motion to deny technician license and impose $1,000 civil penalty per violation.  
Motion by: Cyndi Vipperman; Seconded by: Penny Reher.  Motion unanimously carried.

Cases 2018-0792 and 2019-0213  
Motion to ratify signed Stipulated Consent Orders.  
Motion by: Dianne Armstrong; Seconded by: Wassim Ayoub. Motion unanimously carried.

Motion to accept the items on the consent agenda.  
Motion by: Penny Reher; Seconded by: Dianne Armstrong. Motion unanimously carried.

Cases closed with Board direction:  