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, OCTOBER 3, 2018

Rachael DeBarmore, R.Ph, Board President called the meeting to order at 8:36AM.

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

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

Tom Cowan, Sr. AAG Board Counsel
Marc Watt, Executive Director – Excused

Agenda Review and Approval

MOTION

Motion to approve the agenda was made and unanimously carried (Motion by Armstrong, seconded by Logan).

Contested Case Deliberation pursuant to ORS 192.690(1) - Not Open to the Public

EXECUTIVE SESSION – NOT OPEN TO THE PUBLIC, pursuant to ORS 676.175, ORS 192.660 (1) (2) (f) (k).
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 8:40AM was made and unanimously carried (Motion by Beaman, seconded by Armstrong).

MOTION
Motion to resume Open Session at 5:28PM was made and unanimously carried (Motion by Beaman, seconded by Armstrong).

Adjourn

MOTION
Motion to adjourn at 5:28PM was made and unanimously carried (Motion by Beaman, seconded by Ayoub).

THURSDAY, OCTOBER 4, 2018

Rachael DeBarmore, R.Ph, Board President called the meeting to order at 8:34AM.

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

The following staff members were present for all or part of this session:
Brianne Efremoff, Compliance Director               Karen MacLean, Administrative Director
Chrisy Hennigan, Licensing Supervisor                Fiona Karbowicz, Pharmacist Consultant
Mo Klein, Project Manager                           Joe Ball, Chief Investigator
Cheryl Fox, Inspector                                Katie Baldwin, Inspector
Laura Elvers, Inspector                              Annette Gearhart, Compliance Secretary
Kim Oster, Compliance Assistant                      Rachel Melvin, Executive Support Specialist II
Loretta Glenn, Management Secretary                  

Tom Cowan, Sr. AAG Board Counsel                      Justin Chen, Intern

Marc Watt, Executive Director – Excused

Executive Director Recruitment Planning Information and Discussion – Pursuant to ORS 192.660 the Board will review and adopt hiring standards, criteria and policy directives.
Board President, Rachael DeBarmore announced Executive Director, Marc Watt’s retirement and stated that Public Member, Sue Richardson has elected to not continue on the Board. Her term expired September 30, 2018, the search for a new Public Member will be re-opened. Karen MacLean Administrative Director will make sure the notice is added back to the agency website for this vacancy.

Rachael introduced our DAS Client Agency - Human Resources Business Partner, Sherry Carter to review the recruitment plan for a new Executive Director that she has worked on closely with Rachael. Sherry is working really hard to keep a tight timeline; the plan is informed by the Governor’s office and includes a stakeholder survey to national and state organizations, board members and licensees to gather input to serve as a frame of reference. Sherry recommended a national, open competitive recruitment to achieve the best results.

The Board had a robust discussion related to the recruitment, addressing timeframe, expectations, salary, applicant qualifications and interview process. Rachael asked the Board if they would like to require that the new Executive Director be an Oregon licensed pharmacist. Board Member, Shannon Beaman stated that she felt very strongly about keeping the “licensed pharmacist” requirement in the recruitment due to the complexity of the position and the statement it makes to licensees. Board Member, Penny Reher stated that she would be very concerned if we didn’t have a licensed pharmacist in the Executive Director position due to the nature of our business and the complexity. Board Member, Wassim Ayoub stated that he would like the recruitment to say “preferred” so we wouldn’t eliminate qualified candidates. Board Member, Dianne Armstrong inquired about whether the position could be a technician, and stated she prefers a licensed pharmacist. Board Member, Tim Logan stated he prefers a professional that is licensed. Board Member, Roberto Linares agreed with Wassim and that he would hesitate to rule someone out just because they aren’t a licensed pharmacist. Board Member, Cyndi Vipperman stated that she agrees that it should a licensed person and that it’s important. Rachael stated that she was leaning towards keeping it as “preferred” and said it’s critical that the candidate be skilled in political and regulatory legislative experience and that some pharmacists don’t have that experience. She went on to say that we have licensed pharmacists on staff, combined with board members and legal counsel, we wouldn’t want to limit our candidate pool. The Board agreed to say pharmacist licensure preferred rather than required. Shannon stated for the record that she is not comfortable with a non-licensed pharmacist Executive Director. Wassim stated that although he respects Shannon’s point of view, our legal counsel is able to execute and isn’t a pharmacist. Rachael asked the Board again if they could agree to move forward using the word “preferred” in the advertisement and the board collectively agreed.

Pursuant to Board deliberations, the following decisions related to the recruitment were made:

- The requirement for the position will consider pharmacist licensure a “preferred” attribute, but not a requirement.
- The candidates will be screened by DAS and they will select the qualified applicants who will move forward to first round interviews with two panels. Each panel will consist of: a current Board officer, a previous Board member, a DAS representative, a state agency director, an OSPA/OSHP representative, and a representative from Pacific University/Oregon State University school or college of pharmacy
- Candidates selected to move forward will be interviewed in December, and will include the following panels: staff, stakeholder, Governor’s office and full Board
- Once all interviews are complete, the Board plans to deliberate in executive session
- The Board hopes to offer the position in December
MOTION
Motion to adopt the hiring standards, criteria and policy directives related to the Executive Director recruitment including the recruitment plan and the job posting as edited was made and unanimously carried (Motion by Armstrong, seconded by Vipperman).

Client Agency Human Resources Business Partner, Sherry Carter stated that she has been looking at our partners throughout the state for an Interim Executive Director for the agency. She mentioned that she is working with two agency executive directors, currently located at PSOB and asked that they be able to devote half of their time to OBOP and is looking for someone who can help keep the agency running smoothly. She will meet with the possible candidates and will schedule a phone interview with the Board. The Board will have an opportunity to ask questions and see their resume and it will be a noticed public meeting.

Strategic Planning update –
Client Agency Human Resources Business Partner, Sherry Carter recommended that the Board postpone the Strategic Planning meeting on November 8th until a new Executive Director is hired. She did recommend that the Board continue to have the board training day on November 7th.

MOTION
Motion to postpone the 11/8/18 Strategic Planning until a new Executive Director is hired was made unanimously carried (Motion by Armstrong, seconded by Beaman).

Motions for Contested Cases & Disciplinary Action – see the end of this document

GENERAL ADMINISTRATION

Rules

Review Rulemaking Hearing Report & Comments –
Project Manager, Mo Klein reported on the September 27, 2018 Rulemaking Hearing and comments received regarding the proposed rules relating to “pharmacist authority to prescribe via formulary and protocol compendia” as well as a correction for a filing error made in 2017, regarding the autofill rule. No comments were received for the autofill rule. She stated that all board members received a copy of her report with their board meeting materials that included the number of attendees and all oral and written comments.

She stated that most commenters showed support for the prescribing rules though many asked for an expanded ability to assess patients by means other than in-person, face to face visits. Maintaining flexibility in the use of technology is suggested to allow different methods for patient assessment. There were suggestions on items to add to the Compendia and that some voiced concern regarding the authority of Collaborative Practice and the authority of the Formulary compendium.

Staff clarified that collaborative practice authority will not change based on these new rules. The authority for Collaborative practice is separate from the authority for prescribing via the
compendia. Both will be used in separate situations, independently, and it is important for a pharmacist to understand authorities, in order to practice effectively.

Based on questions received from the rulemaking hearing and additional questions as they are received staff suggests FAQs for clarification. Pharmacies will need to create their own policies and procedures and protocols to implement new services while fulfilling regulatory requirements.

Board President, Rachael DeBarmore stated that she met with Senate President, Peter Courtney regarding the diabetic supplies rule he requested, where pharmacists can use their prescriptive authority (through the Pharmacy Formulary Advisory Committee recommendations). She reported that he is disappointed in the delay of this rule and stated that he will introduce legislation to mandate pharmacists to prescribe if we aren’t able to implement rules as soon as possible. Rachael stated that she recommend this rule move forward. Board Member, Roberto Linares inquired if Senator Courtney was aware of the proposed rule. Rachael stated that he and his team didn’t have any recommendations for changes and she informed them that this type of rule isn’t immediate, will take policy and procedures to be in place and retail chains can decide to participate. She went on to say that they discussed the real world challenge of the pharmacist’s time and knowledge, insurance billing process and patient assessment and that they are not being paid to prescribe. Senator Courtney’s staff asked how they can help and collectively they decided to reach out to Paige Clark from OSU. Rachael believed this would help change the path of mandatory legislation and that the barrier is insurance billing, not the pharmacist refusing to prescribe these products.

Rachael then invited Paige Clark to speak to the Board where she stated that she was able to meet with Senator Courtney and explain how the process works, the barriers such as regulation, legislation, education and implementation. She informed the Board that she does believe that there is a greater understanding now on the Board’s role and what she perceives as the next steps in awareness and implementing this rule.

Roberto stated the legislators and the public want to see patients visit the pharmacy and get their supplies/medicine and don’t see the other side of the assessment and that it’s not always cut and dry. He went on to say that the prices of insulin are extremely expensive today, more than they have been in the past, which makes it more complex. He then asked for clarification on the “face to face” language and if that included care givers/representatives because often patients can’t communicate or it’s for children. [Note: it is not a standard of practice for any provider to prescribe to a patient without an assessment.] Pharmacist Consultant, Fiona Karbowicz stated that the foundational elements were put in place during the first and second formulary committee meetings and April 2018 Board meeting. This rule doesn’t replace the current functions of a pharmacist, it simply adds a different opportunity for the pharmacist to treat a patient.

Board Member, Wassim Ayoub stated that he wanted to make sure that everyone understands that diagnosis is different than assessment.

**MOTION**

Motion to accept the 9/27/18 Rulemaking Hearing Report was made and unanimously carried (Motion by Reher, seconded by Ayoub).
Consider Adoption of Rules

Division 019 – Pharmacist rules related to Formulary & Protocol rules
Division 020 – Prescriptive Authority, Formulary & Protocol rules
Division 041 – Outlet Rules related to Formulary & Protocol rules

The Board agreed that the effective date of these rules would be upon filing.

**MOTION**
Motion to adopt Formulary rules in OAR 855-020-0110, 0120, 0200, 0300 was made and unanimously carried (Motion by Linares, seconded by Reher).

**MOTION**
Motion to adopt Formulary related rules in OAR 855-019-0200 was made and unanimously carried (Motion by Linares, seconded by Reher).

**MOTION**
Motion to adopt Formulary related rules in OAR 855-041-1040 was made and unanimously carried (Motion by Linares, seconded by Reher).

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Division 041 – Auto Refill

The Board agreed that the effective date of these rules would be upon filing.

**MOTION**
Motion to adopt Auto Refill rules in OAR 855-041-1120 as noticed was made and unanimously carried (Motion by Vipperman, seconded by Armstrong).

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Consider Adoption of Temporary Rules – none

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Rules Advisory Committee (RAC) – 8/23/18 meeting update

Board President, Rachael DeBarmore stated that the Board received and reviewed all minutes, info and audio provided from the RAC meeting. Rachael recommended that because of the workload they are faced with during the interim without a full-time director, they should pull back on this subject to allow the Board to focus on the multiple tasks that need attention. Board Member, Shannon Beaman stated that she believes it would be counterintuitive to delay these rules, due to the fact that the Board is trying to create a safe infrastructure for the new prescribing authorities. Board Member, Wassim Ayoub stated that he doesn’t want this to be pushed off for too long, and that perhaps it could be revisited after the new executive director is in place. Rachael directed the staff to finalize and publish the 8/23 meeting minutes.

The Board collectively agreed to table this subject at this time.
Pharmacist Consultant, Fiona Karbowicz provided an update to the Compounding rules. She gave the background and timeframe of the current regulations which are from February 2008 and were written "in the spirit" of USP 795 and 797 utilizing a work group. They were drafted prior to the publication of USP 800 (Feb 2016). She shared an updated version of the timeline graphic and showed where we stand in regards to their timeline.

Current drafts from 2014-2018 have been informed by a number of various sources. This includes: in 2014, the original 2009 work group reconvened in 2014 in response to changing federal landscape; staff has attended six 50 State FDA meetings, becoming informed of federal landscape to remain aware of ongoing dialogue and continued “moving targets”. Additionally, recall that USP has published a timeline that head towards a target of December 2019 for compliance enforcement. Fiona informed the Board that since the last board meeting, we now have a Compounding page on our website and it’s live. It included a link to the survey asking licensees for feedback regarding the certain policy items, such as accreditation, shared services allowances and recall notification. Because these rules will impact a vast array of licensees, it was helpful to receive input from any and all stakeholders interested in providing input.

Next steps, staff expects to have draft rules for review at upcoming board meetings. This rule revision (not rule re-write, as previously proposed) will provide for the broad directive to “Comply with all USP Chapters commensurate with compounding being performed” and include items that are related to compliance and enforcement, in order to provide structure and clarity to licensees who compound drugs by specifying responsibilities, required P&Ps and documentation.

Fiona informed the Board that California has a process for a pharmacy to make a formal request (waiver) for a specific amount of time needed to comply with compounding regulations and standards due to physical construction or alterations to a facility. Staff will provide background on CA’s topic at a future meeting for review.

Fiona summarized the survey results that were provided to the Board in the raw data format they requested. The Board asked if staff would compile the data for a clearer picture of the results and she stated she would provide that at the next available meeting.

Compliance Director, Brianne Efremoff stated that NABP will be a great resource for us because a lot of states are ahead of us and have already gone through updates to compounding rules. USP has finalized Chapter 800 and its proposed revisions for Chapters 795 and 797 are available online, but we won't see the finished products of 795 and 797 until June 2019.

Consider rules and send to Rulemaking Hearing - none

Policy Issues for Discussion – none
Updates:
Drug Shortages -
Pharmacist Consultant, Fiona Karbowicz shared follow-up communications with the Board after receiving the August 2018 BUD extension (from 30 hours to 4 days) for injectable opioids request.

Follow-up report: On 8/24/18, we received an email that Legacy and Providence representatives were not interested in pursuing a similar request, but for all drugs on shortage, at this time.

Technology -
Staff is continuing to gather research from other states, NABP Survey of Pharmacy law and any relevant NABP Model Act rules as well as current Oregon statute, as well as compiling information from companies related to use of technology for review at an upcoming meeting.

Technicians -
Staff is currently gathering research from other states, NABP Survey of Pharmacy law and any relevant NABP Model Act rules and will summarize the studies including those provided by the Technician Research Council for Board review at an upcoming meeting.

Public Health and Pharmacy Formulary Advisory Committee –
Pharmacist Consultant, Fiona Karbowicz stated there is nothing to report at this time since the committee hasn't met since our last board meeting.

Committee meeting update – next meeting 10/26/18
We currently have 2 concepts for the 10/26/18 meeting for consideration
Agenda and information available on the webpage dedicated to the PHPFAC processes

Committee Recommendation update - none

Consider rules & send to Rulemaking Hearing – see rules adopted earlier at this meeting

Discussion Items:

Waiver Requests –Sanofi (3 requests)

Licensing Program Supervisor, Chrisy Hennigan read the three requests from Sanofi. They have multiple subsidiaries of Sanofi Corporation that require individual licenses for legal reasons. They all operate out of a single location and a single building. They are requesting to have one Designated Representative for each location pursuant to OAR 855-065-0009(1). This will be for 5 years and if any of the individuals change, they will need to request this again in writing for approval. Staff recommends approving the requests.

MOTION
Motion to approve Sanofi-Adventis – Forest Park, GA (four Wholesale Outlets (W1-0002295-CS, W1-0003964, W1-0003426, W1-0003387) request to allow a single designated representative, Ms. Kamara Hirni, to oversee the day to day operations of all registrants in the same physical location pursuant to OAR 855-065-0009(1) – for 5 years was made and unanimously carried (Motion by Reher, seconded by Beaman).

MOTION
Motion to approve Sanofi-Adventis – Reno, NV (three Wholesale Outlets (W1-0001795, W1-0002444, W1-0002455) request to allow a single designated representative, Mr. Steve DeLong, to oversee the day to day operations of all registrants in the same physical location pursuant to OAR 855-065-0009(1) – for 5 years was made and unanimously carried (Motion by Reher, seconded by Beaman).

MOTION
Motion to approve Sanofi-Adventis – Taylor, PA (three Wholesale Outlets (W1-0004555, W1-0002445 and W1-0002422) request to allow a single designated representative, Mr. Ross Treible, to oversee the day to day operations of all registrants in the same physical location pursuant to OAR 855-065-0009(1) – for 5 years was made and unanimously carried (Motion by Reher, seconded by Beaman).

TCVP - none

Other –
OHSU Dose Edge report back: Pharmacist Consultant, Fiona Karbowicz stated that at a 2017 board meeting, the Board was presented with a request from OHSU regarding Dose Edge. Fiona asked the Board if they had questions regarding the report and stated that staff recommends accepting the report OHSU submitted.

MOTION
Motion to accept OHSU Dose Edge follow up report was made and unanimously carried. (Motion by Beaman, seconded by Reher).

ABC Update –

Compliance Director, Brianne Efremoff stated that in an effort to streamline our processes, increase response time to licensees regarding case outcomes, and efficiently manage resources and workload, Board Staff is requesting an addition to the ABCs. We are requesting that the Board provide staff the authority to issue CPTs Notices for CE audit failures per Board approved compliance guidelines, last reviewed and approved at the June Board Meeting, prior to Board case review.

All cases will be promptly presented at the next available Board meeting in the Written Review section of the Board packet. This does not include CE audit non responder, they will still be presented in case review. On September 4th, 1083 CPTs were mailed a letter and also notified by email that they had been selected for a CE audit. Audit submissions are due no later than this Friday, October 5th. As of October 2nd at noon, 330 audits have been reviewed: 308 have
passed, 22 have failed. As of Tuesday at noon on October 2nd, there are approximately 518 audits that have been submitted but have not yet been reviewed.

**MOTION**

Motion to approve Board Authority, Policies and Compliance Guidelines document as revised was made and unanimously carried. (Motion by Beaman, seconded by Vipperman).

**ISSUES/ACTIVITIES**

**Board Meeting Dates**

- November 8, 2018 Portland (Strategic Planning) Postponed
- December 12-13, 2018 Portland
- February 6-8, 2019* Portland (*3 day meeting)
- April 3-4, 2019 Portland
- June 5-6, 2019 Portland
- August 7-9, 2019* Portland (*3 day meeting)
- October 2-3, 2019 Portland
- November 6-7, 2019 Portland (Strategic Planning)
- December 11-12, 2019 Portland

**Rulemaking Hearing Dates**

(The following dates are reserved for potential rulemaking hearings and 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.)

- May 22, 2019
- November 26, 2019

**Committees/Meetings**

2018 Intergovernmental Working Meeting on Drug Compounding (FDA) 9/25 – 26/2018, Silver Spring, MD – Compliance Director, Brianne Efremoff reported that she and Inspector Cheryl Fox attended and will compile some information they would like to present to the Board in February.

OSPA Annual Convention, 10/12-14/2018, Portland – Board Member, Shannon Beaman and Compliance Director, Brianne Efremoff will present a law update and host an informational booth.

NABP District VI-VIII, Mtg Kansas City, MO 10/14-17/2018 – Executive Director, Marc Watt and Board Member, Cyndi Vipperman will attend. Board President, Rachael DeBarmore asked the Board if they had any resolutions, and they did not.

OSHP Fall Meeting –11/10/18, Portland – Pharmacist Consultant, Fiona Karbowicz will present and Board Member, Dianne Armstrong will attend.

NABP Interactive Member Forum Chicago, 11/28-29/2018 – Board President, Rachael DeBarmore isn’t able to attend, so she asked the Board for a volunteer. Board Members, Wassim Ayoub, Shannon Beaman and Roberto Linares stated they would like to attend if their schedules permit. They will reach out to Administrative Director, Karen MacLean to confirm.
MOTION
Motion to send a board member to the 2018 NABP Interactive Member Forum was made and unanimously carried. (Motion by Reher, seconded by Vipperman).

OSPA Lane Co. Mid-Winter CE Seminar, Eugene – 2/16-17/2019 – Board Member, Tim Logan will attend with Pharmacist Consultant, Fiona Karbowicz where they will present and host an informational booth.

Board Member/Staff Presentations –

Pharmacy Coalition – 8/14/18, 9/11/18, 10/16/18 – Pharmacist Consultant, Fiona Karbowicz attended the September meeting and will attend the meeting in October.

Professional Practice Roundtable – 9/18/18 – Board President, Rachael DeBarmore and Pharmacist Consultant, Fiona Karbowicz attended this meeting which focused around the emergency preparedness and pharmacy’s and pharmacists role. Possible table-top exercise coming early next year.

Financial/Budget Report – Administrative Director, Karen MacLean shared the 2019-21 Agency Request Budget information with the Board and stated that she and Marc will be having a conversation with the folks in Salem very soon. She reported that all agency fee requests are on hold due to a November ballot measure. The election will have an impact on our request; as soon as the Governor’s race is determined, their office will then send out their proposed budget priorities.

Legislative update – Pharmacist Consultant, Fiona Karbowicz updated the Board that the Drug Takeback legislative group may have up to three proposals coming forward, one possibly similar to WA’s rule. Also, we are aware of a concept regarding the prescription label being provided in the patient’s desired language (Rep. Greenlick).

Reports -

Board President/Members- Board Member, Roberto Linares gave an update on OSU stating that they are searching for a Dean and currently have an Interim. ACPE is visiting OSU in 2020, all faculty is helping to get ready for that visit.

Executive Director – None

Board Counsel, Tom Cowan attended the FARB meeting in Portland which included great presentations on relevant cases. He stated that he will compile the information and create a report for the Board.

Compliance Director, Brianne Efremoff reported 653 cases as of today, 65% inspections completed and 3% of those inspections have resulted in non-compliance. HPSP 22 people enrolled; we have two staff members attending Critical Point training with the intent to get everyone certified; and more to come about the FDA meeting she attended.
Pharmacist Consultant, Fiona reported that she was invited to central Oregon to speak about Naloxone, syringe access policy and drug take-back. She’s been working on streamlining internal processes such as approving Oregon CE and dealing with issues where some Oregon CE isn’t accepted in other states.

Administrative Director, Karen MacLean reported that she’s working on CJIS record requirements, MLO procurement contract getting it ready for DOJ review.

Licensing Program Supervisor, Chrisy Hennigan reported that they just completed the Drug Distribution Agent/Manufacturer/Wholesaler renewal cycle and lapsed a total of 145 or 8% of the registrations in these categories. They launched the Intern renewal recently and have already had 40 of the 363 Interns renew. Chrisy is will be attending the System Automation Users Conference in Baltimore later this month and is looking forward to seeing proposed updates for “My License Office”, which is the licensing database system that we are working to implement. She gave an example of the efficiencies of this system, including a licensee self-service module, where licensees will be able to make their own address changes which will save us at least 16 hours a month in staff resources.

She went on to say that we have been notified by the Oregon State Police that the fingerprinting fee will increase by $1.25 starting on January 1, 2019. All applications will be updated to reflect the new price of $41.25 and we will add a notification on our website in December.

She reported that last December, we switched to Survey Monkey as the platform for the 2018 CE Law Exam and it turns out it wasn’t an ideal solution. We only had 16% of the licensees utilize the exam for CE in 2018 to date and that due to the resources it takes to prepare and produce the exam, coupled with low percentage of use, staff unanimously supported discontinuing the 1 hour of Oregon Law CE. The current exam will be available through the end of the year and we will be posting a notice on our website as well as including it in an upcoming newsletter that it will no longer be available after December 31st.

Project Manager, Mo Klein stated she had nothing to report.

**Approve Consent Agenda***

*Items listed under the consent agenda are considered to be routine agency matters and will be approved by a single motion of the Board without separate discussion. If separate discussion is desired, that item will be removed from the consent agenda and placed on the regular business agenda.

1. NAPLEX Scores – 1/1/2018 – 4/30/2018 [Consent -1 CONFIDENTIAL](#Consent -1 CONFIDENTIAL)
2. MPJE Scores – 1/1/18 - 4/30/2018 [Consent -2 CONFIDENTIAL](#Consent -2 CONFIDENTIAL)
3. License/Registration Ratification – August 2, 2018 – September 25, 2018 [Consent -3](#Consent -3)
4. Pharmacy Technician Extensions – none
5. Board Minutes – August 8-10, 2018 – [Consent -4](#Consent -4)

**MOTION**

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

MOTION
Motion to adjourn at 2:34PM was made and unanimously carried (Motion by Linares, seconded by Logan).

Accepted by:

Karen S. MacLean,
Administrative Director
Executive Session of the Board was held on Wednesday, October 3, 2018 to discuss Compliance cases, followed by motions on Thursday, October 4, 2018.

Board Members present for all or part of compliance session:
- Rachael DeBarmore, R.Ph., 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
- Karen MacLean, Administrative Director
- Fiona Karbowicz, R.Ph., Pharmacist Consultant
- Mo Klein, Project Manager
- Chrisy Hennigan, Licensing Program Supervisor
- Thomas Cowan, Senior AAG

Staff absent for all of the compliance session:
- Marcus Watt, R.Ph., Executive Director

Case 2018-0097
Motion to grant reconsideration contingent upon stipulated order.
Motion by: Penny Reher; Seconded by: Dianne Armstrong. Motion unanimously carried.

Case 2018-0369
Motion to deny request.
Motion by: Tim Logan; Seconded by: Dianne Armstrong. Motion unanimously carried.

Case 2017-0473
Motion to grant request.
Motion by: Penny Reher; Seconded by: Shannon Beaman. Motion unanimously carried.

Case 2018-0427
Motion to revoke pharmacist license and impose $1,000 civil penalty per violation.
Motion by: Cyndi Vipperman; Seconded by: Tim Logan. Motion unanimously carried.
Case 2018-0338
Motion to revoke pharmacist license and impose $1,000 civil penalty per violation.
Motion by: Penny Reher; Seconded by: Dianne Armstrong. Motion unanimously carried.

Case 2018-0396
Motion to impose $10,000 civil penalty per violation against outlet and close with Board direction.
Motion by: Tim Logan; Seconded by: Shannon Beaman. Motion unanimously carried.

Case 2018-0261
Motion to revoke outlet registration and impose $10,000 civil penalty per violation against outlet.
Motion by: Cyndi Vipperman; Seconded by: Penny Reher. Motion unanimously carried.

Case 2017-0226
Motion to impose $10,000 civil penalty per violation against outlet; and in

Case 2017-0295
Motion to suspend pharmacist license for 30 days and impose $1,000 civil penalty per violation against pharmacist KF; and in

Case 2018-0620
Motion to suspend pharmacist license for 30 days and impose $1,000 civil penalty per violation against pharmacist BE; and in

Case 2018-0621
Motion to impose $1,000 civil penalty per violation against pharmacist JY.
Motion by: Tim Logan; Seconded by: Penny Reher. Motion unanimously carried.

Cases 2016-0549 and 2018-0054
Motion to close with Board direction.
Motion by: Penny Reher; Seconded by: Tim Logan. Motion unanimously carried.

Case 2018-0498
Motion to impose $10,000 civil penalty per violation against outlet; and in

Case 2018-0499
Motion to impose $1,000 civil penalty per violation against PIC; and in

Case 2018-0497
Motion to impose $1,000 civil penalty per violation against technician.
Motion by: Cyndi Vipperman; Seconded by: Dianne Armstrong. Motion unanimously carried.

Case 2018-0584
Motion to grant pharmacist license with Board direction.
Motion by: Penny Reher; Seconded by: Wassim Ayoub. Motion unanimously carried.

Case 2018-0462
Motion to deny intern license and impose $1,000 civil penalty per violation.
Motion by: Wassim Ayoub; Seconded by: Tim Logan. Motion carried with Roberto Linares recused.
Case 2018-0335
Motion to deny technician license and impose $1,000 civil penalty per violation.
Motion by: Dianne Armstrong; Seconded by: Wassim Ayoub. Motion unanimously carried.

Case 2018-0549
Motion to grant pharmacist license.
Motion by: Penny Reher; Seconded by: Tim Logan. Motion unanimously carried.

Case 2018-0536
Motion to grant pharmacist license.
Motion by: Wassim Ayoub; Seconded by: Shannon Beaman. Motion unanimously carried.

Case 2018-0458
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 2018-0434
Motion to grant intern license and close with Board direction.
Motion by: Penny Reher; Seconded by: Wassim Ayoub. Motion unanimously carried.

Case 2018-0511
Motion to grant technician license.
Motion by: Penny Reher; Seconded by: Dianne Armstrong. Motion unanimously carried.

Case 2018-0433
Motion to ratify Stipulated Consent Order withdrawing intern license application.
Motion by: Tim Logan; Seconded by: Penny Reher. Motion unanimously carried.

Case 2018-0336
Motion to grant intern license.
Motion by: Penny Reher; Seconded by: Dianne Armstrong. Motion carried with Roberto Linares recused.

Case 2018-0579
Motion to deny technician license.
Motion by: Penny Reher; Seconded by: Shannon Beaman. Motion unanimously carried.

Case 2018-0582
Motion to grant technician license.
Motion by: Tim Logan; Seconded by: Dianne Armstrong. Motion unanimously carried.

Case 2018-0581
Motion to grant technician license.
Motion by: Penny Reher; Seconded by: Wassim Ayoub. Motion unanimously carried.

Case 2018-0492
Motion to grant technician license.
Motion by: Cyndi Vipperman; Seconded by: Dianne Armstrong. Motion unanimously carried.
Case 2018-0481
Motion to deny technician license and impose $1,000 civil penalty per violation.
Motion by: Penny Reher; Seconded by: Wassim Ayoub. Motion unanimously carried.

Case 2018-0538
Motion to revoke technician license and impose $1,000 civil penalty per violation plus the $850 civil penalty stayed in Case No. 2018-0065.
Motion by: Dianne Armstrong; Seconded by: Cyndi Vipperman. Motion unanimously carried.

Case 2018-0494
Motion to ratify Stipulated Consent Order to surrender technician license.
Motion by: Penny Reher; Seconded by: Shannon Beaman. Motion unanimously carried.

Case 2018-0129
Motion to impose $1,000 civil penalty per violation against pharmacist.
Motion by: Tim Logan; Seconded by: Cyndi Vipperman. Motion unanimously carried.

Case 2018-0131
Motion to close with Board direction.
Motion by: Penny Reher; Seconded by: Shannon Beaman. Motion unanimously carried.

Case 2018-0141
Motion to impose $1,000 civil penalty per violation against pharmacist.
Motion by: Wassim Ayoub; Seconded by: Dianne Armstrong. Motion unanimously carried.

Case 2018-0482
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 2018-0475
Motion to close with Board direction.
Motion by: Shannon Beaman; Seconded by: Cyndi Vipperman. Motion unanimously carried.

Case 2018-0430
Motion to close with Board direction.
Motion by: Shannon Beaman; Seconded by: Penny Reher. Motion unanimously carried.

Case 2018-0531
Motion to close with Board direction.
Motion by: Tim Logan; Seconded by: Wassim Ayoub. Motion unanimously carried.

Case 2018-0425
Motion to close with Board direction.
Motion by: Penny Reher; Seconded by: Wassim Ayoub. Motion unanimously carried.
Case 2018-0506
Motion to close with Board direction.
Motion by: Tim Logan; Seconded by: Dianne Armstrong. Motion carried with Shannon Beaman recused and Wassim Ayoub opposed.

Cases 2018-0308; 2018-0522; 2018-0523; 2018-0524; 2018-0525; 2018-0526; and 2018-0527
Motion to close with Board Direction.
Motion by: Penny Reher; Seconded by: Shannon Beaman. Motion unanimously carried.

Case 2018-0512
Motion to grant technician license.
Motion by: Dianne Armstrong; Seconded by: Tim Logan. Motion unanimously carried.

Case 2018-0445
Motion to impose $1,000 civil penalty per violation against the outlet.
Motion by: Tim Logan; Seconded by: Wassim Ayoub. Motion unanimously carried.

Case 2018-0332, 2018-0577 & 2018-0583
Motion to deny technician license and impose $1,000 civil penalty per violation; and in

Case 2018-0589
Motion to deny intern license and impose $1,000 civil penalty per violation.
Motion by: Cyndi Vipperman; Seconded by: Penny Reher. Motion unanimously carried.

Case 2018-0535
Motion to close with Board direction.
Motion by: Penny Reher; Seconded by: Wassim Ayoub. Motion unanimously carried.

Case 2018-0172
Motion to close with Board direction.
Motion by: Tim Logan; Seconded by: Roberto Linares. Motion unanimously carried.

Motion to accept the items on the consent agenda with Case No. 2018-0172 and 2018-0535 pulled for discussion.
Motion by: Dianne Armstrong; Seconded by: Penny Reher. Motion unanimously carried.

Consent Agenda Cases Closed with Board Direction: