

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

MINUTES OF DECEMBER 9, 2019

Mark Smosna, 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 of the board at least forty-eight (48) hours before the time of the meeting.

Members Present: Mark Smosna, R.Ph., President
Donna Wall, R.Ph., Member
Steven Anderson, R.Ph., Member
Del Fanning, R.Ph., Member (left 4:20p.m.)
Winnie Landis, R.Ph., Member
Matt Balla, R.Ph., Vice President

Staff Present: Darren Covington, J.D., Board Director
Professional Licensing Agency
Jody Edens, Assistant Board Director
Professional Licensing Agency
Zaneta Nunnally, Compliance Director
Professional Licensing Agency
Nicole Schuster, J.D., Deputy Attorney General
Office of the Attorney General

The Board voted to adopt the agenda as amended.

Balla/Fanning, 6/0/0
Motion carries

The following board members voted aye:
Mark Smosna, Donna Wall, Del Fanning, Steve Anderson, Winnie Landis, Matt Balla
The following board members voted nay: none
The following board members abstained: none

The Board voted to approve the November 4, 2019 minutes as written.

Fanning/Landis, 6/0/0
Motion carries

The following board members voted aye:
Mark Smosna, Donna Wall, Del Fanning, Steve Anderson, Matt Balla, Winnie Landis
The following board members voted nay: none
The following board members abstained: none

FULL BOARD APPEARANCES

Crossroads Care Pharmacy – Remote Dispensing Facility App:

Participating Members: Donna Wall, R.Ph., Mark Smosna, R.Ph., Steve Anderson, R.Ph., Del Fanning, R.Ph., Matt Balla, R.Ph., Winnie Landis, R.Ph.

Ben and Amanda Lanie both appeared.

They are going to convert Crossroads Pharmacy to a tele-pharmacy. It is located in Bainbridge. It will be open to the public and will fill on the average on seventy-five (75) prescriptions per day.

The next closest pharmacy is thirteen (13) miles away.

After discussion, the Board moved to APPROVE the Remote Dispensing Facility Application.

Anderson/Wall, 6/0/0
Motion carries

The following board members voted aye:
Mark Smosna, Donna Wall, Del Fanning, Steve Anderson, Winnie Landis, Matt Balla
The following board members voted nay: none
The following board members abstained: none

New Life Center, License No. 6110116B – Opioid Treatment Center – CSR Renewal:

Participating Members: Donna Wall, R.Ph., Mark Smosna, R.Ph., Steve Anderson, R.Ph., Del Fanning, R.Ph., Matt Balla, R.Ph., Winnie Landis, R.Ph.

Nina Hankins and Lavelva Burgs both appeared.

Tim Thomas, Compliance Officer explained an issue with the software at this facility. Tim indicated that he has been working with this facility regarding their software issue for over a year. He has checked on them every 3 months and the last email he had with them indicated they would have the software installed by the end of November 2019.

Ms. Hankins indicated to the Board some of the issues they had getting the software, and that it was actually installed on November 18, 2019.

After discussion, the Board moved to APPROVE New Life Center's license renewal

Wall/Balla, 5/0/1, with Ms. Landis abstaining
Motion carries

The following board members voted aye:
Mark Smosna, Donna Wall, Del Fanning, Steve Anderson, Matt Balla
The following board members voted nay: none
The following board members abstained: Winnie Landis

Marley Drugs, License No. 64001682A Non Resident License Renewal:

Participating Members: Donna Wall, R.Ph., Del Fanning, R.Ph., Steve Anderson, R.Ph., Winnie Landis, R.Ph., Matt Balla, R.Ph.

Dave and Elizabeth Marley both appeared regarding this matter.

Mr. Marley explained to the Board that back in 2011 they created a discounted drug program which grew rapidly.

From 2011 to 2014 they operated the program correctly. Then they made an error in that they started shipping into states prior to having a license in that state. In some states they didn't realize the PIC also had to have a license in some of the states they were shipping to.

In 2016 they hired a Pharmacist to obtain all the licenses. Shortly after, North Carolina figured out what had happened and started disciplinary action.

Mr. Marley & the current PIC's licenses were suspended for two (2) weeks and neither could be a PIC for one (1) year. They put the facility license on a two (2) year probation.

They were licensed in forty-nine (49) states at that time and the North Carolina started the sister state action from almost all of the other states.

After discussion, the Board moved to RENEW Marley Drugs License.

Wall/Anderson, 6/0/0
Motion carries

The following board members voted aye:
Mark Smosna, Donna Wall, Del Fanning, Steve Anderson, Winnie Landis, Matt Balla
The following board members voted nay: none
The following board members abstained: none

PROBATIONARY APPEARANCES

Participating Members: Donna Wall, R.Ph., Del Fanning, R.Ph., Steve Anderson, R.Ph., Winnie Landis, R.Ph., Matt Balla, R.Ph, Mark Smosna, R.Ph.

The following made their probationary appearance:

Lucas Sweet
Ryan Griffin

Emmylou Melton –appeared, but Tracy Traut, Program Director with IPRP has concerns regarding Ms. Melton. She has been on Klonopin for a while now. Mr. Covington informed the Board that Ms. Melton is scheduled to appear before the Board in January on an order to show cause.

Nicole Nordeen – did not appear. She has not turned in her paperwork; tested positive in August for alcohol and has had three (3) abnormal tests

The Board thanked Ms. Nunnally for her report.

PERSONAL APPEARANCES

Austin Halling – Technician in Training App:

Mr. Halling appeared before the Board regarding his technician in training application and was not represented by counsel.

He was charged with public intoxication and criminal mischievous. He entered into a pretrial diversion program.

He has completed the mandatory alcohol classes at Fairbanks.

His diversion program will be complete in April 2020.

After discussion, the Board moved to APPROVE his technician in training application on INDEFINITE PROBATION with terms and conditions.

Wall/Landis, 6/0/0
Motion carries

The following board members voted aye:

Mark Smosna, Donna Wall, Del Fanning, Steve Anderson, Matt Balla, Winnie Landis

The following board members voted nay: none

The following board members abstained: none

ADMINISTRATIVE HEARINGS

Dijon Coleman, Ph.T., License No. 67031695A, Cause No. 2019 IBP 0039

Respondent did not appear in person and was not represented by counsel regarding a Summary Suspension Extension scheduled before the Board. The State of Indiana was represented by Stacy Oliver, Deputy Attorney General and the court reporter was Joyce Shinault with Williams Court Reporting.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board moved to EXTEND the SUMMARY SUSPENSION for ninety (90) days.

Fanning/Balla, 6/0/0
Motion carries

The following board members voted aye:

Mark Smosna, Donna Wall, Del Fanning, Steve Anderson, Winnie Landis, Matt Balla

The following board members voted nay: none

The following board members abstained: none

Kristopher Conner, Ph.T., License No. 67018451A, Cause No. 2019 IBP 0027

Respondent did not appear in person and was not represented by counsel regarding a Summary Suspension Extension scheduled before the Board. The State of Indiana was represented by Ryan Eldridge, Deputy Attorney General and the court reporter was Joyce Shinault with Williams Court Reporting.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board moved to EXTEND the SUMMARY SUSPENSION for ninety (90) days.

Fanning/Wall, 6/0/0
Motion carries

The following board members voted aye:

Mark Smosna, Donna Wall, Del Fanning, Steve Anderson, Winnie Landis, Matt Balla

The following board members voted nay: none

The following board members abstained: none

Michael McNeff, R.Ph., License No. 26014558A, Cause No. 2019 IBP 0040

Respondent did not appear in person and was not represented by counsel regarding a Summary Suspension Extension scheduled before the Board. The State of Indiana was represented by April Keaton, Deputy Attorney General and the court reporter was Joyce Shinault with Williams Court Reporting.

States Exhibit:

A – Response from Respondent

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board moved to EXTEND the SUMMARY SUSPENSION for ninety (90) days.

Fanning/Wall, 6/0/0
Motion carries

The following board members voted aye:

Mark Smosna, Donna Wall, Del Fanning, Steve Anderson, Winnie Landis, Matt Balla

The following board members voted nay: none

The following board members abstained: none

Heather Williams, Ph.T., License No. 67031532A, Cause No. 2019 IBP 0038

Respondent did not appear in person and was not represented by counsel regarding a Summary Suspension Extension scheduled before the Board. The State of Indiana was represented by Stacy Oliver, Deputy Attorney General and the court reporter was Joyce Shinault with Williams Court Reporting.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board moved to EXTEND the SUMMARY SUSPENSION for ninety (90) days.

Fanning/Wall, 6/0/0
Motion carries

The following board members voted aye:

Mark Smosna, Donna Wall, Del Fanning, Steve Anderson, Winnie Landis, Matt Balla

The following board members voted nay: none

The following board members abstained: none

Andrew Farmer, R.Ph.I., License No. 45021009A, Cause No. 2017 IBP 0065

Respondent appeared in person and was not represented by counsel regarding a Petition to Withdraw Probation scheduled before the Board. The State of Indiana was represented by Ryan Eldridge, Deputy Attorney General and the court reporter was Joyce Shinault with Williams Court Reporting.

Mr. Farmer submitted proof to the Board that he has now completed his criminal probation with the Courts.

Respondents Exhibit:

1 – Court discharge summary

After having considered the evidence presented and taking official, judicial notice of the

pleadings, evidence and orders in this matter the Board moved to WITHDRAW the Order of Probation.

Fanning/Landis, 6/0/0
Motion carries

The following board members voted aye:
Mark Smosna, Donna Wall, Del Fanning, Steve Anderson, Winnie Landis, Matt Balla
The following board members voted nay: none
The following board members abstained: none

Stacey Kaiser, R.Ph., License No. 2601450A, Cause No. 2016 IBP 0081

Respondent appeared in person and was not represented by counsel regarding a Petition for Reinstatement scheduled before the Board. The State of Indiana was represented by Tina Mann, Deputy Attorney General and the court reporter was Joyce Shinault with Williams Court Reporting.

In November 2017, the Respondents license was placed on Indefinite Suspension may not withdraw for one (1) year.

On April 17, 2019 the Respondent completed court criminal probation with no violations. She was charged with conspiracy a C Felony.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board moved to REINSTATE the Respondent's license on INDEFINITE PROBATION with terms and conditions.

Wall/Balla, 6/0/0
Motion carries

The following board members voted aye:
Mark Smosna, Donna Wall, Del Fanning, Steve Anderson, Winnie Landis, Matt Balla
The following board members voted nay: none
The following board members abstained: none

Troy Martin, R.Ph., License No. 26017299A, Cause No. 2016 IBP 0079

Respondent appeared in person and was not represented by counsel regarding a Petition to Withdraw Probation scheduled before the Board. The State of Indiana was represented by Tina Mann, Deputy Attorney General and the court reporter was Joyce Shinault with Williams Court Reporting.

Let the record reflect that Mark Smosna recused himself from this matter and left the room.

Tracy Traut, MS, Program Director, IPRP and Darren Covington, J.D., Board Director

were both sworn in as witnesses.

In October 2016, the Respondent's license was placed on Indefinite Probation after receiving a DUI.

He also signed a three (3) year contract with IPRP.

He has completed his contract with IPRP and he indicated that he will continue with his program as he moves forward. He goes to at least one (1) meeting a week.

In 2017 he was released from his criminal court probation.

His sobriety date is January 28, 2016.

Ms. Traut testified that Mr. Martin has been one-hundred percent (100%) compliant with his contract. All his drug tests have been negative.

Mr. Covington testified to the information contained in Mr. Martin's probation file.

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

Landis/Fanning, 6/0/0
Motion carries

The following board members voted aye:

Mark Smosna, Donna Wall, Del Fanning, Steve Anderson, Winnie Landis, Matt Balla

The following board members voted nay: none

The following board members abstained: none

Robert Richey, Jr., M.D., License No 01023980B, Cause No. 2017 IBP 0093

Respondent appeared in person and was not represented by counsel regarding a Petition to Withdraw Probation scheduled before the Board. The State of Indiana was represented by Tina Mann, Deputy Attorney General and the court reporter was Joyce Shinault with Williams Court Reporting.

Darren Covington, J.D., Board Director was sworn in to testify.

Dr. Richey indicated that Indiana University School of Medicine approached him to teach and he has signed up to do voluntary work with programs like Doctors without Borders.

He completed the CE requirements in July 2018.

Mr. Covington testified to the contents of Dr. Richey's probationary file. He has completed all the requirements in his probation order.

Respondent's Exhibit:

1 – Policies & Procedures – plan for future practice monitoring

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board moved to WITHDRAW the Order of Probation. The Board also approved the Respondent's to have schedules 2-5.

Landis/Wall, 6/0/0
Motion carries

The following board members voted aye:

Mark Smosna, Donna Wall, Del Fanning, Steve Anderson, Winnie Landis, Matt Balla

The following board members voted nay: none

The following board members abstained: none

Samuel Byrd, M.D., License No. 01058714B, Cause No. 2019 IBP 0064

Respondent appeared in person and was not represented by counsel regarding a Reinstatement of CSR scheduled before the Board. The State of Indiana was represented by Tina Mann, Deputy Attorney General and the court reporter was Joyce Shinault with Williams Court Reporting.

In February 2015, Dr. Byrd surrendered his DEA for writing prescriptions for himself and for his family. He was addicted to alcohol and marijuana.

He entered into a contract with Indiana State Medical Association which he completed this past Friday.

The Medical Board has withdrawn the probation on his medical license.

He goes to two (2) AA/NA meetings per week and has a Sponsor. He last contacted his Sponsor in July 2019.

Respondent's Exhibits:

1 – Copy of MLB order

2 – Letter from Dr Frick with ISMA

3 – Proof of Opioid CE

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board moved to REINSTATE Dr. Byrd's CSR on INDEFINITE PROBATION with terms and conditions

Wall/Landis, 6/0/0
Motion carries

The following board members voted aye:

Mark Smosna, Donna Wall, Del Fanning, Steve Anderson, Winnie Landis, Matt Balla
The following board members voted nay: none
The following board members abstained: none

Vincent Lombardi, M.D., License No. 01050269B, Cause No. 2019 IBP 0051

Respondent did not appear in person and was represented by counsel, Mike Gardte regarding a Complaint scheduled before the Board. The State of Indiana was represented by Ryan Eldridge, Deputy Attorney General and the court reporter was Joyce Shinault with Williams Court Reporting.

Mr. Gardte requested that this matter be continued as Dr. Lombardi is currently bed bound.

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

Wall/Balla, 6/0/0
Motion carries

The following board members voted aye:
Mark Smosna, Donna Wall, Del Fanning, Steve Anderson, Winnie Landis, Matt Balla
The following board members voted nay: none
The following board members abstained: none

Jennifer Coy, Ph.T., License No. 67012615A, Cause No. 2017 IBP 0071

Respondent did not appear in person and was not represented by counsel regarding an Order to Show Cause scheduled before the Board. The State of Indiana was represented by Ryan Eldridge, Deputy Attorney General and the court reporter was Joyce Shinault with Williams Court Reporting.

Mr. Eldridge informed the Board that Ms. Coy was here earlier and then left.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board moved to issue a Notice of Proposed Default.

Fanning/Balla, 6/0/0
Motion carries

The following board members voted aye:
Mark Smosna, Donna Wall, Del Fanning, Steve Anderson, Winnie Landis, Matt Balla
The following board members voted nay: none
The following board members abstained: none

Jude Olesh, R.Ph.I., License No. 45020302A, Cause No. 2017 IBP 0097

Respondent appeared in person and was not represented by counsel regarding an Order to Show Cause scheduled before the Board. The State of Indiana was represented by Ryan Eldridge, Deputy Attorney General and the court reporter was Joyce Shinault with Williams Court Reporting.

Tracy Traut, MS, Program Director with IPRP was sworn in as a witness.

Mr. Olesh signed a contract with PRN and then transferred over in 2018 to IPRP.

Ms. Traut testified that he has had sixty-three (63) missed check-ins for drug/alcohol testing. He is not compliant with his IPRP contract.

Mr. Olesh indicated he is willing to sign a new contract with IPRP and start everything over. He also indicated that he is currently getting a degree in Biology at Butler. He graduates in two (2) weeks. He stated he feels he should not be in the health care field.

After discussion the Board found the Respondent to not be in violation of count 1.

Fanning/Anderson, 6/0/0
Motion carries

The following board members voted aye:

Mark Smosna, Donna Wall, Del Fanning, Steve Anderson, Winnie Landis, Matt Balla

The following board members voted nay: none

The following board members abstained: none

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board moved to CONTINUE the INDEFINITE SUSPENSION currently on the Respondent's license. No further action will be taken.

Fanning/Anderson, 6/0/0
Motion carries

The following board members voted aye:

Mark Smosna, Donna Wall, Del Fanning, Steve Anderson, Winnie Landis, Matt Balla

The following board members voted nay: none

The following board members abstained: none

Kara Korem, Ph.T., License No. 67019038A, Cause No. 2019 IBP 0050

Respondent did not appear in person and was not represented by counsel regarding a Final Hearing scheduled before the Board. The State of Indiana was represented by Ryan Eldridge, Deputy Attorney General and the court reporter was Joyce Shinault with Williams Court Reporting.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board moved to issue a Notice of Proposed Default.

Wall/Fanning, 6/0/0
Motion carries

The following board members voted aye:
Mark Smosna, Donna Wall, Del Fanning, Steve Anderson, Winnie Landis, Matt Balla
The following board members voted nay: none
The following board members abstained: none

Kelly Rose, Ph.T., License No. 67025524A, Cause No. 2019 IBP 0049

Respondent did not appear in person and was not represented by counsel regarding a Final Hearing scheduled before the Board. The State of Indiana was represented by Ryan Eldridge, Deputy Attorney General and the court reporter was Joyce Shinault with Williams Court Reporting.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board moved to issue a Notice of Proposed Default.

Fanning/Balla, 6/0/0
Motion carries

The following board members voted aye:
Mark Smosna, Donna Wall, Del Fanning, Steve Anderson, Winnie Landis, Matt Balla
The following board members voted nay: none
The following board members abstained: none

Brook Sivits, P.T.I.T., License No. 99089283A, Cause No. 2019 IBP 0033

Respondent did not appear in person and was not represented by counsel regarding a Final Hearing and Summary Suspension Extension scheduled before the Board. The State of Indiana was represented by Stacy Oliver, Deputy Attorney General and the court reporter was Joyce Shinault with Williams Court Reporting.

Ms. Oliver indicated that she is not requesting an extension for the Summary Suspension as the Respondent's license is now expired.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board moved to issue a Notice of Proposed Default.

Fanning/Balla, 6/0/0
Motion carries

The following board members voted aye:
Mark Smosna, Donna Wall, Del Fanning, Steve Anderson, Winnie Landis, Matt Balla
The following board members voted nay: none
The following board members abstained: none

Emily Sullivan, Ph.T., License No. 67032856A, Cause No. 2019 IBP 0034

Respondent did not appear in person and was not represented by counsel regarding a Final Hearing scheduled before the Board. The State of Indiana was represented by Ryan Eldridge, Deputy Attorney General and the court reporter was Joyce Shinault with Williams Court Reporting.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board moved to issue a Notice of Proposed Default.

Fanning/Wall, 6/0/0
Motion carries

The following board members voted aye:
Mark Smosna, Donna Wall, Del Fanning, Steve Anderson, Winnie Landis, Matt Balla
The following board members voted nay: none
The following board members abstained: none

Terri Robbins, Ph.T., License No. 67026641A, Cause No. 2019 IBP 0078

Respondent did not appear in person and was not represented by counsel regarding a Summary Suspension scheduled before the Board. The State of Indiana was represented by Ryan Eldridge, Deputy Attorney General and the court reporter was Joyce Shinault with Williams Court Reporting.

Ms. Robbins diverted 29,700 tablets from her employer.

States Exhibits:

- A – Full employment file
- A1- Relevant parts of her employment file
- B – Video showing her putting pills in her purse
- C – DEA 106

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board moved to place the Respondent's license on SUMMARY SUSPENSION for ninety (90) days.

Fanning/Balla, 6/0/0
Motion carries

The following board members voted aye:
Mark Smosna, Donna Wall, Del Fanning, Steve Anderson, Winnie Landis, Matt Balla
The following board members voted nay: none
The following board members abstained: none

Sara Gourley, Ph.T., License No. 67029782A, Cause No. 2019 IBP 0078

Respondent did not appear in person and was not represented by counsel regarding a Summary Suspension scheduled before the Board. The State of Indiana was represented by Tina Mann, Deputy Attorney General and the court reporter was Joyce Shinault with Williams Court Reporting.

Ms. Mann informed the Board that the Respondent was terminated for suspected diversion at CVS.

States Exhibits:

- A – Probable cause affidavit
- B – Certified employer records

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board moved to place the Respondent's license on SUMMARY SUSPENSION for ninety (90) days.

Wall/Balla, 5/0/0
Motion carries

The following board members voted aye:
Mark Smosna, Donna Wall, Steve Anderson, Winnie Landis, Matt Balla
The following board members voted nay: none
The following board members abstained: none

DISCUSSION

The Board did not discuss the following items:

- **Corporate Pharmacy policies regarding limits on opioid prescriptions**
- **DEA Suspicious Orders Report System**
- **Study of Medication Fill Safety and Role of PIC**
- **Secured Paper Prescription Requirements**
- **Tech Training Program email**

INSPECT:

Participating Members: Mark Smosna, R.Ph., Del Fanning, R.Ph., Donna Wall, R.Ph., Steve Anderson, R.Ph., Winnie Landis, R.Ph., Matt Balla, R.Ph.

There is monthly zero reporting required of Hospitals; daily for everyone else. Ms. Slusser indicated an issue with large animal Veterinarians. She stated they never dispense controlled substances; they only use them. Since this is a Board policy, she is requesting that the large animal Veterinarians that go out to farms be allowed to also do monthly zero reporting.

After discussion, the Board moved to ALLOW Large Animal Veterinarians to do Monthly Zero Reporting.

Balla/Anderson, 6/0/0
Motion carries

The following board members voted aye:

Mark Smosna, Donna Wall, Del Fanning, Steve Anderson, Winnie Landis, Matt Balla

The following board members voted nay: none

The following board members abstained: none

The Board thanked Ms. Slusser for her report.

Zaneta Nunnally – Compliance Director – Report:

Participating Members: Matt Balla, R.Ph., Donna Wall, R.Ph., Steve Anderson, R.Ph., Del Fanning, R.Ph., Winnie Landis, R.Ph.

Ms. Nunnally reported the following:

- 74 inspections were performed for the month of August
- 37 Pharmacies
- 07 Home Medical Equipment Facilities
- 28 Controlled Substance Registrations
- 02 RDF's

The Board thanked Ms. Nunnally for her report.

White Bagging & Brown Bagging:

Participating Members: Matt Balla, R.Ph., Donna Wall, R.Ph., Del Fanning, R.Ph., Steve Anderson, R.Ph., Winnie Landis, R.Ph., Mark Smosna, R.Ph.

From NABP:

White bagging – refers to the distribution of patient-specific medication from a pharmacy, typically a specialty pharmacy, to the physician's office, hospital, or clinic for administration. It is often used in oncology practices to obtain costly injectable or infusible medications that are distributed by specialty pharmacies and may not be available in all non-specialty pharmacies.

Brown bagging – refers to the dispensing of a medication from a pharmacy (typically a specialty pharmacy) directly to a patient, who then transports the medication(s) to

the physician's office for administration.

The Board requested Mr. Covington to see what other states are doing.

CE Audit for Physician CSR's:

Participating Members: Matt Balla, R.Ph., Donna Wall, R.Ph., Del Fanning, R.Ph., Steve Anderson, R.Ph., Winnie Landis, R.Ph., Mark Smosna, R.Ph.

The Board voted to conduct an audit of licensees who renewed in 2019 with the following parameters:

- 1% of licensees with CSR's would be audited
- The Board staff has the authority to issue Notices of Non-Compliance and Notices of Immediate Suspension as needed
- The penalty fee of \$1,000 if non-compliant

Wall/Anderson, 6/0/0

Motion carries

The following board members voted aye:

Matt Balla, Donna Wall, Del Fanning, Steve Anderson, Winnie Landis, Mark Smosna

The following board members voted nay: none

The following board members abstained: none

E-prescribing:

Participating Members: Matt Balla, R.Ph., Donna Wall, R.Ph., Del Fanning, R.Ph., Steve Anderson, R.Ph., Winnie Landis, R.Ph., Mark Smosna, R.Ph.

Mr. Covington informed the Board that the rule for e-prescribing must be in place January 1, 2021. It is for all controlled substance.

They need to start thinking about exceptions to the rule.

Some things they should think about:

- Locum tenens physicians
- Let the physician determine what's best for the patient – or if a patient wants a paper prescription to compare prices
- Physician that doesn't utilize electronic records
- Compounded prescriptions
- Directions on a prescription that are more than 140 characters
- Physicians volunteering

Emergency Drug Scheduling of Synthetic Drugs:

Participating Members: Matt Balla, R.Ph., Mark Smosna, R.Ph., Del Fanning, R.Ph., Donna Wall, R.Ph., Winnie Landis, R.Ph., Steve Anderson, R.Ph.

The Board considered an emergency rule that temporarily amends 856 IAC 2-2-2 to add synthetic drug compounds to Schedule I.

It is scheduled by Alabama and Florida.

The Board moved to ADOPT the emergency Rule adding the following to the Synthetic Drugs list:

- a. Benzylone (BMPD)

Anderson/Wall, 6/0/0
Motion carries

The following board members voted aye:
Matt Balla, Donna Wall, Del Fanning, Steve Anderson, Winnie Landis, Mark Smosna
The following board members voted nay: none
The following board members abstained: none

REVIEW OF APPLICATIONS

Participating Members: Donna Wall, R.Ph., Mark Smosna, R.Ph., Matt Balla, R.Ph., Winnie Landis, R.Ph., Steve Anderson, R.Ph.

Individual Application Review:

The Board reviewed and APPROVED on the following initial application(s):

- Tri Ishak – Technician in Training App – High School Diploma issue
- Ibourahima Fofana – Pharmacist App

Wall/Landis, 6/0/0
Motion carries

The following board members voted aye:
Matt Balla, Winnie Landis, Donna Wall, Steve Anderson, Mark Smosna, Del Fanning
The following board members voted nay: none
The following board members abstained: none

The Board reviewed and requested a PERSONAL APPEARANCE on the following:

- Alicia Minniear – Technician in Training App
- Thomas Manewitz – Technician in Training App
- Mercedes Rodriguez – Technician in Training App – Failed to complete IPRP

evaluation

- Isaac Holliday – Technician in Training App – Failed to complete IPRP evaluation
- Nicholas Stout – Technician in Training App – Failed to complete IPRP evaluation

Fanning/Wall, 6/0/0

Motion carries

The following board members voted aye:

Matt Balla, Winnie Landis, Donna Wall, Steve Anderson, Mark Smosna, Del Fanning

The following board members voted nay: none

The following board members abstained: none

Controlled Substance Registrations, HME & EDI Applications:

The Board reviewed and APPROVED the following CSR, HME & EDI application(s):

- Stacey Shore, D.V.M., License# 24004886B – CSR Renewal
- Ball State University-Cooper Life Sciences Building, CL073/Philip Smaldino – Researcher CSR App – Schedule 3
- Indiana University School of Medicine/Carmella Evans-Molina – Researcher CSR App – Schedule 3N
- Indiana University School of Medicine/Takashi Hato, M.D. – Researcher CSR App – Schedule 3N
- Purdue University/Sandra Taylor – Researcher CSR App – Schedule 2
- Jeffersonville Animal Shelter d/b/a J.B. Ogle Animal Shelter – Humane Society CSR App – Schedules 2,3
- Cherie Benntett, M.D. License# 01057933B – CSR Renewal
- Elizabeth Peters, D.V.M., License# 24008322B – CSR Renewal
- Purdue University/Deborah Knapp – Researcher CSR App – Schedules 2N,3,4
- Purdue University/Stephen Byrn – Researcher CSR App Change of Location – Schedules 2,2N,3,3N,4,5
- Indiana University School of Medicine/Animal Resource Center/Mithun Sinha, Ph.D. – Researcher CSR App – Schedules 3,3N
- Indiana Hemp Analysis Laboratory, LLC – Analytical Lab CSR App – Schedule 1
- Agrozen Life Sciences/Brian Schroeder – Researcher CSR App – Schedule 1
- Vivek Shahgal, M.D., License# 01073427B – CSR Renewal

Anderson/Wall, 6/0/0

Motion carries

The following board members voted aye:

Matt Balla, Winnie Landis, Donna Wall, Steve Anderson, Mark Smosna, Del Fanning

The following board members voted nay: none

The following board members abstained: none

The Board reviewed and requested a PERSONAL APPEARANCE on the following CSR, HME & EDI application(s):

- William Neumann, D.V.M., License# 24005860B – CSR Renewal
- Bonnie Clark, A.P.N., License# 71003710B – CSR Renewal
- James Kirk, D.D.S., License# 12009931B – CSR Renewal

Anderson/Wall, 6/0/0
Motion carries

The following board members voted aye:
Matt Balla, Winnie Landis, Donna Wall, Del Fanning, Steve Anderson, Mark Smosna
The following board members voted nay: none
The following board members abstained: none

Facility Applications:

The Board reviewed and APPROVED the following application(s):

- Westwood Pharmacy Clinical Services – Non Resident Change of Location Application

Fanning/Landis, 6/0/0
Motion carries

The following board members voted aye:
Matt Balla, Winnie Landis, Donna Wall, Del Fanning, Steve Anderson, Mark Smosna
The following board members voted nay: none
The following board members abstained: none

The Board reviewed and APPROVED the following compounding facility application(s):

- Legacy Heights Pharmacy – review inspection report
- RX Compound Centre
- Rite Care Pharmacy V
- Long's Drugs of Lexington, South Carolina – review email
- Compounding Pharmacies of Louisiana d/b/a Professional Arts Pharmacy
- Stokes Pharmacy – Change of Location & License Renewal

Anderson/Landis, 6/0/0
Motion carries

The following board members voted aye:
Matt Balla, Winnie Landis, Donna Wall, Del Fanning, Steve Anderson, Mark Smosna
The following board members voted nay: none

The following board members abstained: none

The Board reviewed and TABLED the following compounding facility application(s):

- Coram CVS/Specialty Infusion Services
- Bond Pharmacy d/b/a Advanced Infusion Solutions
- Cross Timbers Compounding d/b/a Custom Compounding Pharmacy – Change of Ownership
- Central Admixture Pharmacy Services

Anderson/Landis, 6/0/0
Motion carries

The following board members voted aye:

Matt Balla, Winnie Landis, Donna Wall, Del Fanning, Steve Anderson, Mark Smosna

The following board members voted nay: none

The following board members abstained: none

Continuing Education Applications:

The Board reviewed and APPROVED the following continuing education programs:

- Karishma Deodhar – Eskenazi Health – The Down Low on Depression: Integrating Care through Primary and Specialty Settings – 1 hour
- Karishma Deodhar – Eskenazi Health – Thrombolytic Use in Plumonary Embolish: Lysis or Crisis? – 1 hour
- Karishma Deodhar – Eskenazi Health – Acute Kidney Injury with Vancomycin and Piperillin-Tazobactam: A Double Punch to the Kidneys – 1 hour
- Karishma Deodhar – Eskenazi Health – Biologics for Severe Asthma: Full of Hot Air? – 1 hour
- Karishma Deodhar – Eskenazi Health – Tackling HIT: DOCA or Don't? – 1 hour
- Karishma Deodhar – Eskenazi Health – Durgs, Genes, and Genius Ideas: Pharmacogenomics for the Lay Pharmacists – 1 hour
- Karishma Deodhar – Eskenazi Health – Continous Glucose Monitoring Candidates by Evidence and Insurance – 1 hour

Landis/Fanning, 6/0/0
Motion carried

The following board members voted aye:

Matt Balla, Winnie Landis, Donna Wall, Del Fanning, Steve Anderson, Mark Smosna

The following board members voted nay: none

The following board members abstained: none

The Board reviewed and TABLED the following continuing education programs:

- Lindsey Norris – Harvard Business School – High Potentials Leadership Program – 40 hours

Landis/Fanning, 6/0/0
Motion carried

The following board members voted aye:
Matt Balla, Winnie Landis, Donna Wall, Del Fanning, Steve Anderson, Mark Smosna
The following board members voted nay: none
The following board members abstained: none

Pharmacy Technician Training Programs:

The Board reviewed and APPROVED the following technician training programs:

- Nation's Medicines – initial app
- Sheldon's Express Pharmacy – initial app

Landis/Fanning, 6/0/0
Motion carried

The following board members voted aye:
Matt Balla, Winnie Landis, Donna Wall, Del Fanning, Steve Anderson, Mark Smosna
The following board members voted nay: none
The following board members abstained: none

Facility Renewal Applications:

The Board reviewed and APPROVED the following facility renewal application(s)

- College Pharmacy – 64000736A
- Sav-Rx Pharmacy – 64001579A
- Carekinesis, Inc – 64001638A pending recent inspection – Donna to review
- Medicine Plus – 60005748B
- Fresenius Med Care Pharmacy Services – 64000106A
- Fairview Home Infusion – 64001205A
- Fairview Specialty Services – 64000811A
- Healthwardhouse.com – 64000967A
- IOM Health System – 600004851A
- Wells Specialty Pharmacy – 64002197A
- Orsini Pharmaceutical Services – 64002789A
- Accredo Health Group – 60006353A
- ESI Mail Pharmacy Service – 64000469A
- GenRx Pharmacy – 64001860A
- Riley Hospital for Children at IU – 60004963A

Wall/Anderson, 5/0/0
Motion carried

The following board members voted aye:
Matt Balla, Winnie Landis, Donna Wall, Steve Anderson, Mark Smosna
The following board members voted nay: none
The following board members abstained: none

The Board reviewed and requested a PERSONAL APPEARANCE on the following facility renewal application(s)

- Wells Pharmacy Network – 64001355A
- Wells Pharmacy Network – 64001422A
- Henry Ford Pharmacy Advantage Southfield – 64001230A
- Woodland Hills – 64001491A

Wall/Anderson, 5/0/0
Motion carried

The following board members voted aye:
Matt Balla, Winnie Landis, Donna Wall, Steve Anderson, Mark Smosna
The following board members voted nay: none
The following board members abstained: none

The Board reviewed and requested ADDITIONAL DOCUMENTATION on the following facility renewal application(s)

- AcariaHealth Pharmacy – 64001575A
- Bioscript Infusion services – 64000397A
- VFC Pharmacy #101 d/b/a Covetrus Maine – 64002775A VIPPS issue
- Pentec Health – 64000300A

Wall/Anderson, 5/0/0
Motion carried

The following board members voted aye:
Matt Balla, Winnie Landis, Donna Wall, Steve Anderson, Mark Smosna
The following board members voted nay: none
The following board members abstained: none

Facility On Line Renewal Applications:

The Board reviewed and APPROVED the following facility online renewal application(s)

- Basic Home Infusion – 64000943A
- BriovaRx Infusion Service – 64001428A
- Caremark IL Specialty Pharmacy – 64000813A
- Caremark NJ Specialty Pharmacy d/b/a CVS/specialty – 64000349A

- Caremark PA mail d/b/a CVS/caremark – 64000449A
- Carrie Boyds Prescription Shop – 64001704A
- Dania Discount Drugs – 64002604A
- Enclara Pharmacia – 64001759A & 64001788A
- Express Scripts – 64001723A
- Injured Workers Pharmacy – 64000564A
- Lincare Pharmacy d/b/a Reliant Pharmacy – 64000446A
- MasterPharm – 64000955A
- MedQuest Pharmacy – 64002079A
- OptumRx – 64000314A
- Premier Pharmacy Service – 64002035A
- Prescription Dispensing Labs – 64000717A
- Procure Pharmacy d/b/a CarePlus CVS – 64000982A
- SavRx Pharmacy – 64001579A
- Tailor Made Compounding – 64002320A
- US Compounding – 64002186A
- US Healthlink Pharmacy – 64001962A
- Walgreens Mail Service – 64002314A

Anderson/Balla, 5/0/0
Motion carried

The following board members voted aye:
Matt Balla, Winnie Landis, Donna Wall, Steve Anderson, Mark Smosna
The following board members voted nay: none
The following board members abstained: none

The Board reviewed and TABLED the following facility online renewal application(s)

- Ameripharma d/b/a MedVantx – 64000584A
- Animal Health – 64002063A & 64002066A
- Avella of Deer Valley – 64000959A
- Central Drugs – 64000970A
- Coast Quality Pharmacy d/b/a AnazaoHealth – 64002184A
- Doc Lanes Vet Pharmacy – 64001433A
- Healthcare Specialty Transaction – 64002038A
- Optum Pharmacy 703 – 64001942A
- Procure Pharmacy – 64000572A

Anderson/Balla, 5/0/0
Motion carried

The following board members voted aye:
Matt Balla, Winnie Landis, Donna Wall, Steve Anderson, Mark Smosna
The following board members voted nay: none
The following board members abstained: none

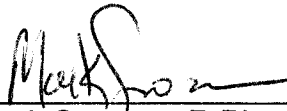
The Board reviewed and requested a PERSONAL APPEARANCE the following facility online renewal application(s)

- Caremark Florida Mail Pharmacy – 64000536A
- Diamond Pharmacy – 64000035A


Anderson/Balla, 5/0/0
Motion carried

The following board members voted aye:
Matt Balla, Winnie Landis, Donna Wall, Steve Anderson, Mark Smosna
The following board members voted nay: none

There being no further business the Board adjourned at 4:50 p.m.



Mark Smosna, R.Ph., President



Matt Balla, R.Ph., Vice President