

INDIANA BOARD OF PHARMACY

Met THROUGH VIDEO and AUDIO CONFERENCING

<https://IndianaEnhanced.Webex.com/join/PLAWebex>
(240) 454-0887 and entering meeting room # 610 915 440

MINUTES OF AUGUST 9, 2021

Steve Anderson, R.Ph., President, called the meeting to order at 8:02 a.m. and declared a quorum in accordance with IC 25-26-13-3(d), pursuant to public notice posted online at the board's website and on the state calendar at least forty-eight (48) hours before the time of the meeting.

Members Present by Telephone: Steve Anderson, R.Ph., President
Mark Smosna, R.Ph., Vice President
Mark Bunton, R.Ph., Member
Winnie Landis, R.Ph., Member
Jason Jablonski, R.Ph., Member
Matt Balla, R.Ph., Member

Staff Present by Telephone: Laura Turner, J.D., Board Director
Professional Licensing Agency
Jody Edens, Assistant Director
Professional Licensing Agency
Kurt Miller, J.D., Deputy Attorney General
Office of the Attorney General

The Board voted by roll call to adopt the agenda as amended.

Landis/Smosna, 6/0/0
Motion carries

The following board members voted aye by roll call:
Winnie Landis, Mark Smosna, Mark Bunton, Jason Jablonski, Matt Balla, Steve Anderson
The following board members objected: none
The following board members abstained: none

FULL BOARD APPEARANCES

Bloomington Prescription Kiosk, Kellie Knight, Director of Pharmacy – Two (2) Remote dispensing facilities for Hospital move:

Kelly Knight, Director of Pharmacy appeared on behalf of this matter.

Ms. Knight informed the Board that they have built a new Bloomington Hospital. She indicated that the retail pharmacy will move in one (1) day. They are applying for a prescription kiosk using script center. This will be kept for patients and employees to pick up their prescriptions.

They will have a remote dispensing application in the hospital to use while they are moving the pharmacy itself. This will be closed once the pharmacy is up and running. The move is scheduled for December 5, 2021.

After discussion, the Board moved to APPROVE all application requests for the Bloomington Hospital move.

Smosna/Bunton, 6/0/0
Motion carries

The following board members voted aye by roll call:

Steve Anderson, Winnie Landis, Mark Smosna, Mark Bunton, Jason Jablonski, Matt Balla

The following board members objected: none

The following board members abstained: none

Kara Slusser, INSPECT Director – INSPECT Federal Funding Process for E-Prescribing:

Ms. Slusser gave a presentation about INSPECT's e-prescribing project. We have federal grant funds that are to be used to provide financial assistance to healthcare facilities setting up new EMRs to comply with the state's mandatory e-prescribing law (going into effect 01/01/2020). The goal of this meeting is to present the Board with information that we put together on the following topics and ask for a vote to move forward.

- Financial Assistance application process.
- Criteria by which applicants will be chosen and prioritized.
- Maximum amount of funding that each applicant can receive.

The Federal Government pushed back the effective date of e-prescribing to January 1, 2022.

Ms. Slusser also gave the Board her full report as follows:

- 1) AWAxRxE Update: INSPECT will be launching the NarxCare Tile View enhancement on August 11th. We sent out communication to all AWAxRxE users on August 4th to inform them of the upcoming changes. Another message is scheduled for the morning of August 11th before they go live. Tile View is an enhanced data visualization tool that allows the end user to customize their experience. For example, end users who prefer to see a patient's prescription summary first can move that section to the top of the page or view the summary and NarxScores side-by-side. This also allows the State to customize access to data by role type. With this enhancement, we should be able to comply with the 2020 SAMHSA

regulations that allow PMPs to collect OTP data, so long as it is not shared with law enforcement users.

2) Account Updates: The INSPECT team submitted a list of account updates to our technology vendor on July 27th. These account updates included adding a valid CSR, correcting the professional license number, and moving an active account to the correct provider role. By completing these updates, we'll be able to activate the requirement to include a valid CSR number in all new account registrations. We are still working with Appriss Health and System Automation to set a date for the database integration testing. Once this goes live, we'll have an automated process for registering new INSPECT accounts and deactivating accounts that contain an invalid controlled substance registration. The following is a summary of our account updates:

- 8,508 accounts were updated to include an active CSR
- 346 accounts were moved to an out of state prescriber role
- 291 accounts were moved to a VA prescriber role

The Board thanked Ms. Slusser for her report.

Med Shoppe Pharmacy – Remote Dispensing Facility/CSR Application:

Let the record reflect that Steve Anderson recused himself from this matter and left the meeting.

Casey Summers, R.Ph., appeared regarding this matter. Ms. Summers indicated that the Remote Dispensing Facility will be located inside a clinic, and they will provide prescriptions to patients of the physicians in that clinic. They are attached to a hospital, but with a separate entrance. And will provide prescriptions to the Hospital patients. They will not serve the public, only patients seeing physicians in the building.

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

Bunton/no second (2nd)
Motion fails

After further discussion, the Board moved to TABLE this application for additional information.

Landis/Jablonski, 5/0/0
Motion carries

The following board members voted aye by roll call:
Winnie Landis, Mark Smosna, Mark Bunton, Jason Jablonski, Matt Balla
The following board members objected: none

The following board members abstained: none

Clean Harbors Aragonite, LLC, WDD Application – Positive Response:

William Simmons, General Manager and Bridgett Sullivan both appeared on behalf of this matter. They are a Hazardous waste facility/reverse distributor and their DDA (formerly VAWD) is active through 2024.

A civil penalty action letter from the DEA was sent to them in 2014, with four (4) discrepancies noted from the September 2013 inspection. They were:

- The facility conducted a required biennial inventory when no controlled substances were on-site. Documentation was not in the format preferred by DEA.
- A customer shipment was rejected due to a count discrepancy. The facility mistakenly issued a duplicate form 222.
- Same rejection issue described above. It was not properly documented on a DEA form 222.
- There were pending errors in ARCOS due to unresponsive customers who were requested to supply NDC data.

As a result of the deficiencies, they revised their DEA disposal program and hired a former DEA Agent as a consultant to critique the manual and provide guidance. They also hired an outside law firm that specializes in DEA actions to review the manual and provide guidance. They also implemented an internal review process to audit the paperwork being generated from the services. These discrepancies were resolved in a Settlement Agreement and Mutual Release in the amount of \$190,000, which has been paid in full.

In 2015, during a self-audit, they discovered their Utah limited controlled substance business license expired on September 30, 2013, as a former employee failed to renew it. They contacted the Utah board and submitted an application on May 20, 2015. The Utah board inspected the facility on June 15, 2015, which lead to a Stipulation and Order that cited them for not renewing their license nor informing them of the DEA action. They were issued a penalty in the amount of \$20,000, which has been paid.

In 2015, they again were issued a civil penalty by the DEA, for paperwork discrepancies from the June 16, 2015, inspection, which included: Finding minor mistakes on transfer and Form 41 forms. The facility made changes to make sure this would not happen and were issued a penalty in the amount of \$63,000, which has been paid.

2018 they again had a DEA inspection and a civil penalty action letter from DEA was sent to them on January 28, 2019. The inspection found the following violations:

- Failure to file the ARCOS yearend inventory for 2017
- Delinquent filing of quarterly ARCOS reports for all four (4) quarters in 2017 and the second (2nd) quarter in 2018.
- Failure to maintain separately a biennial inventory of controlled substances listed in Schedules I and II as required.
- Failure to record beginning of business/clos of business on the biennial inventory.

They addressed the findings by creating a new position to assist with the ARCOS reporting requirements and additional electronic reminders were created. They were issued a penalty in the amount of \$96,000 which has been paid.

In 2019 they received a notice of response letter from Utah board noting the following administrative violation:

- A pharmacy shall report in writing to the division not later than ten (10) business days before the date of any matter or occurrence that the board requires by rule to be reported.

The Compliance Manager position was in transition, so they failed to report the DEA action taken earlier. They were issued a \$300 fine, which has been paid.

In 2020, Alabama Board issued a consent order noting the following allegations:

- From 2013 through September 2019, they engaged in activities in Alabama but failed to timely renew their existing permit
- Failed to conduct business in accordance with the State rules because of violations settled with the DEA in January 2019.

As a result, they agreed to pay an administrative fine of \$10,000.

In 2021, the Arizona Board issued a consent agreement for a \$250.00 civil penalty for misinterpretation pertaining to the response of regulatory questions on their WDD application.

Again in 2021, the Alabama Board issued a consent order for failing to report the Utah consent order in a timely manner. They were issued a penalty in the amount of \$2,000.

In 2019, Georgia Board issued an Investigative Subpoena requesting documentation for all drugs received for destruction within the State of Georgia between July 1, 2017, through March 1, 2019. This was requested due to the permit not being renewed on time, due to an oversight. The Georgia Board issued the investigative subpoena to inquire about which services may have been impacted. In June, they were informed that they will be moving towards disciplinary actions.

After discussion, the Board moved to APPROVE Clean Harbors Aragonite's application.

Landis/Jablonski, 6/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Winnie Landis, Mark Smosna, Mark Bunton, Jason Jablonski, Matt Balla
The following board members objected: none
The following board members abstained: none

Christian Johnson, Ph.D Candidate, Dept of Epidemiology, College of Public Health, University of Iowa – INSPECT Request:

Mr. Johnson appeared on behalf of this request.

He informed the Board that the data will be used for his Ph.D. dissertation and subsequently could be published in a peer reviewed journal. The data will be aggregated with other states with similar PDMP policies and will be used to assess the impact of these policies on opioid-related outcomes. He hopes to publish three (3) peer-reviewed journal articles on the following dissertation aims:

Aim 1: Examine state-level factors that predict the adoption of PDMP and EPCS mandatory use state policies in the U.S. between 2010 and 2020.

Aim 2: Examine whether adoption of PDMP and EPCS mandatory use state policies changed the trajectory of opioid-related prescribing, mortality, and admission to SUD treatment facilities following implementation compared to states that did not adopt these policies between 2010 and 2020.

Aim 3: Examine the mechanisms of action with which PDMP mandatory use state policies reduce opioid overdose mortality in the US between 2010 and 2020.

He is specifically looking for annual estimates of the following date points from 2010 – 2020:

- Annual number of registered prescribers (including delegates) in Indiana
- Annual number of registered dispensers or pharmacists (including delegates in Indiana
- Annual number of PDMP requests (excluding interstate data sharing) by a prescriber (including delegates).
- Annual number of PDMP requests (excluding interstate data sharing) by a dispenser or pharmacist (including delegates). If available, he would like the annual number of PDMP requests further broken down by requests integrated through the E.H.R. vs requests through a website/portal
- Annual number of PDMP requests (excluding interstate data sharing) integrated through the E.H.R by a prescriber.
- Annual number of PDMP requests (excluding interstate data sharing) integrated through the E.H.R. by a dispenser or pharmacist.
- Annual Number of PDMP requests (excluding interstate data sharing) through a website/portal by a prescriber.
- Annual number of PDMP requests (excluding interstate data sharing) through a website/portal dispenser

After discussion, the Board moved to APPROVE his INSPECT data request.

Smosna/Landis, 6/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Winnie Landis, Mark Smosna, Mark Bunton, Jason Jablonski, Matt Balla

The following board members objected: none
The following board members abstained: none

Tammie Nelson, MPL, CHP, Research Associate in Pediatrics, Children’s Health Services Research – INSPECT request:

Tammie Nelson, Sami Gharbi, Angela Campbell, and Deb Litzelman all appeared on behalf of this request.

This is a new INSPECT data request. The two (2) IRB approved studies include:

- CARE Plus: An Innovative, Community-Based Addiction Reduction Program
- CARE: An Innovative, Community-based Addiction Reduction Program

The purpose of these studies is to understand how to provide better care to, and improve outcomes in, mothers and their partners who have substance use disorder (SUD), as well as mothers and their infants who are exposed to opioids during pregnancy. They will examine various factors that may contribute to improved neonatal abstinence syndrome (NAS) outcomes and impact on the family unit to help physicians and scientists improve care and outcomes for mothers and infants with opioid dependence.

After discussion the Board moved to APPROVE the INSPECT request of only de-identified data.

Smosna/Balla, 6/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Winnie Landis, Mark Smosna, Mark Bunton, Jason Jablonski, Matt Balla
The following board members objected: none
The following board members abstained: none

PERSONAL APPEARANCES

Benjamin Swart, Tech in Training No. 99105799A and Brooke Swart, Tech in Training No. 99105800A – Age/High School Graduation Issue:

Benjamin and Brooke Swart along with their father, Mike Swart all appeared telephonically before the Board to discuss this issue with the Board.

Let the record reflect that Mark Bunton used to work with Mike Swart but feels he can be fair and impartial. The Board and Mr. Swart agreed that he could participate.

This matter is coming to the board because both Brooke and Benjamin are only fifteen (15) years of age and will not graduate from High School until 2024.

Mr. Swart addressed the Board and indicated that these are his children, and he is very much aware of their age. They will be working in his pharmacy, gradually doing work that a technician will do, once their training is completed.

He indicated they do about a thousand (1,000) prescriptions per week. He feels this will be a good experience for Brooke and Benjamin.

After discussion, the Board voted by roll call to APPROVE both Brooke & Benjamin's technician in training permits and indicated that Mr. Swart will need to request extensions of the permits before the expire each year.

Balla/Anderson, 4/2/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Mark Smosna, Mark Bunton, Matt Balla
The following board members objected: Winnie Landis, Jason Jablonski
The following board members abstained: none

Ashley Wolf, Technician/Tech in Training Application – Positive Response:

Ashley Wolf appeared telephonically before the Board and was not represented by counsel regarding a positive response on her application.

Eight (8) years ago, she was arrested and charged with under the influence of Methadone. She went to a treatment program.

She is currently a supervisor at Walmart and wants to move to the pharmacy. To do so she must obtain a tech in training/technician license.

She was on suboxone for a while but is completely off of it too. He had a baby, and he was born addicted. She stated that her son made her turn her life around. She has family support and sees a counselor.

After discussion, the Board voted by roll call to APPROVE Ms. Wolf's application.

Balla/Landis, 6/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Mark Smosna, Mark Bunton, Matt Balla, Winnie Landis, Jason Jablonski
The following board members objected: None
The following board members abstained: none

Chike Egbuna, R.Ph. – Repeat NAPLEX Application:

Chike Egbuna appeared telephonically before the Board to discuss his/her studying habits

with the Board.

After discussion, the Board voted by roll call to APPROVE Ms. Egbuna's NAPLEX repeat exam application.

Smosna/Bunton, 6/0/0
Motion carries

The following board members voted aye by roll call:

Steve Anderson, Winnie Landis, Mark Smosna, Mark Bunton, Jason Jablonski, Matt Balla

The following board members objected: none

The following board members abstained: none

ADMINISTRATIVE HEARINGS

The following hearing(s) were continued:

Michael Porvaznik, M.D., License No. 01060166B, Cause No. 2017 IBP 0102

Karen Coleman, R.Ph., License No. 26015063A, Cause No. 2021 IBP 0024

George's Pharmacy East Side, LLC, License No. 60006735A, Cause No. 2021 IBP 0025

The following hearing request was withdrawn:

Daphne Leverett, APRN, License No. 71001239B

Natasha Renee Perkins, Ph.T., License No. 67029299A, Cause No. 2021 IBP 0040

Respondent did not appear telephonically and was not represented by counsel regarding a Petition for Summary Suspension scheduled before the Board. The State of Indiana was represented by Natalie Stidd, Deputy Attorney General and the court reporter sworn in for this matter was Margie Addington, with Accurate Reporting Services also appeared telephonically.

Scott Wilson, Walgreens Asset Protection Manager was sworn in as a witness.

Mr. Wilson indicated that the store manager sent him some reports to review where they found missing Hydrocodone tablets. During an interview with Ms. Perkins, she admitted to Mr. Wilson that she diverted the medications and ingested some of them while at work.

She was at that time terminated and turned over to the Police.

States Exhibits:

A – Voluntary statement from Ms. Perkins

B – Case Report

C – Copy of DEA 106 form

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

Smosna/Landis, 6/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Mark Smosna, Jason Jablonski, Mark Bunton, Winnie Landis, Matt Balla
The following board members objected: None
The following board members abstained: none

Anjil D. Bradley, Ph.T., License No. 67033237A, Cause No. 2021 IBP 0019

Respondent did not appear telephonically and was not represented by counsel regarding an Extension of Summary Suspension/Administrative Complaint scheduled before the Board. The State of Indiana was represented by Patricia Gibson, Deputy Attorney General and the court reporter sworn in for this matter was Margie Addington, with Accurate Reporting Services also appeared telephonically.

Let the record reflect that Winnie Landis recused herself from this matter and left the meeting.

Let the record reflect that Mark Bunton explained that he is employed by CVS and does not have knowledge of this applicant. Ms. Gibson was fine with him participating.

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.

Smosna/Jablonski, 5/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Mark Smosna, Jason Jablonski, Mark Bunton, Matt Balla
The following board members objected: None
The following board members abstained: none

After further discussion, and 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.

Smosna/Balla, 5/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Mark Smosna, Jason Jablonski, Mark Bunton, Matt Balla
The following board members objected: None
The following board members abstained: none

Barbara Lyn Carson, Ph.T., License No. 67031345A, Cause No. 2020 IBP 0023

Respondent did not appear telephonically and was not represented by counsel regarding an Extension of Summary Suspension scheduled before the Board. The State of Indiana was represented by Ryan Eldridge, Deputy Attorney General and the court reporter sworn in for this matter was Margie Addington, with Accurate Reporting Services also appeared telephonically.

The Respondent diverted over eight hundred (800) Oxycodone and Hydrocodone tablets from her employer, Walgreens.

The Respondent has entered a guilty plea with the courts, but the sentencing hasn't happened yet.

After further discussion, and 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.

Smosna/Jablonski, 5/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Mark Smosna, Jason Jablonski, Mark Bunton, Matt Balla
The following board members objected: None
The following board members abstained: none

Lovie T. Hunn, Ph.T., License No. 67034784A, Cause No. 2019 IBP 0073

Respondent did not appear telephonically and was not represented by counsel regarding a Petition to Withdraw Probation scheduled before the Board. The State of Indiana was represented by Patricia Gibson, Deputy Attorney General and the court reporter sworn in for this matter was Margie Addington, with Accurate Reporting Services also appeared telephonically.

Ms. Hunn completed her court probation on April 14, 2020. She is currently working as a C.N.A.

While she has completed her court probation, she has not paid all her court costs.

At this time, the Respondent requests a continuance so she can complete the payments for her court costs.

After further discussion, and having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter, the Board moved to APPROVE the Respondent's request for a CONTINUANCE.

Smosna/Balla, 5/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Mark Smosna, Jason Jablonski, Mark Bunton, Matt Balla
The following board members objected: None
The following board members abstained: none

Colton Martz, Ph.T., License No. 67026370A, Cause No. 2018 IBP 0057

Respondent appeared telephonically and was not represented by counsel regarding a Petition to Withdraw Probation scheduled before the Board. The State of Indiana was not represented, and the court reporter sworn in for this matter was Margie Addington, with Accurate Reporting Services also appeared telephonically.

Laura Turner, J.D., Board Director was sworn in as a witness.

Mr. Martz informed the Board that no criminal charges were ever filed. He also indicated he has completed all the terms in his probation order.

Ms. Turner testified that Mr. Martz was compliant with the terms of his probation order.

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

Balla/Bunton, 5/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Mark Smosna, Jason Jablonski, Mark Bunton, Matt Balla
The following board members objected: None
The following board members abstained: none

Ronald Hacker, APRN, License Pending, Cause No. 2021 IBP 0034

Respondent appeared telephonically and was not represented by counsel regarding an Order to Show Cause/CSR Application scheduled before the Board. The State of Indiana was not represented, and the court reporter sworn in for this matter was Margie Addington, with Accurate Reporting Services also appeared telephonically.

In 2013 the Respondent was terminated from Scott Memorial Hospital for failure to correctly label a narcotic medication.

In 2014 his nursing license was placed on indefinite probation and was required to enter ISNAP PRN program. He went to Centerstone for an evaluation and was not diagnosed with a substance abuse issue.

In October 2015, the Nursing Board lifted the probation from his license, and he has had no issues since.

He is not licensed in any other states.

After having considered the evidence presented, testimony of the witness and taking official, judicial notice of the pleadings, evidence and orders in this matter, the Board moved to APPROVE Mr. Hacker's CSR application.

Smosna/Jablonski, 5/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Mark Smosna, Jason Jablonski, Mark Bunton, Matt Balla
The following board members objected: None
The following board members abstained: none

Kevin Daniel Krembs, M.D., License 01062530C, Cause No. 2019 IBP 0032

Respondent appeared telephonically and was not represented by counsel regarding an Order to Show Cause/Probation Non-Compliance scheduled before the Board. The State of Indiana was represented by Patricia Gibson, Deputy Attorney General, and the court reporter sworn in for this matter was Margie Addington, with Accurate Reporting Services also appeared telephonically.

Zaneta Nunnally, Compliance Director with IPLA was sworn in as a witness.

In 2019 the Respondent's controlled substance registration (CSR) was issued on indefinite probation with terms and conditions.

Ms. Nunnally testified that the Respondent has not been compliant with any of the terms in his probation. She indicated the only thing she has received from him is an email changing his address on his CSR.

The terms of his probation in part are as follows:

- Keep the Board apprised of his place of employment, employment telephone number and name of supervisor
- Keep the Board informed of his occupation title and work schedule
- Shall submit a copy of the board's order and cause his employer to sign and return to the Board within 10 days
- Comply with his MOA with DEA and may only prescribe III, IV, & V
- 10 hours of continuing education in areas indicated in the order

- Shall submit his prescriber INSPECT to the Board every 6 months
- Dr. Krembs indicated that he is a Medical Director for an Acupuncture Clinic and that he has completed his continuing education and submitted it to the Board.

States Exhibit:

A - DEA interview with Dr. Krembs

After having considered the evidence presented, testimony of the witness and taking official, judicial notice of the pleadings, evidence and orders in this matter, the Board moved to EXTEND Dr. Krembs' INDEFINITE PROBATION for not less than 3 years and must provide all missing documentation within thirty (30) days to the Board.

Bunton/Jablonski, 6/0/0

Motion carries

The following board members voted aye by roll call:

Steve Anderson, Mark Smosna, Jason Jablonski, Mark Bunton, Matt Balla, Winnie Landis

The following board members objected: None

The following board members abstained: none

John Sessoms, APRN, License Pending, Cause No. 2021 IBP 0035

Respondent appeared telephonically and was not represented by counsel regarding an Order to Show Cause/CSR Application scheduled before the Board. The State of Indiana was not represented in this matter, and the court reporter sworn in for this matter was Margie Addington, with Accurate Reporting Services also appeared telephonically.

In 1993 and 2000 Mr. Sessoms was charged with possession of Marijuana and paraphernalia. He also was charged with a DUI.

His Florida license is in good standing. He is a trauma nurse practitioner therefore he does prescribe controlled substances.

After having considered the evidence presented, testimony of the witness and taking official, judicial notice of the pleadings, evidence and orders in this matter, the Board moved to APPROVE Mr. Sessoms CSR Application.

Smosna/Jablonski, 5/0/0

Motion carries

The following board members voted aye by roll call:

Steve Anderson, Mark Smosna, Jason Jablonski, Mark Bunton, Matt Balla

The following board members objected: None

The following board members abstained: none

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

Respondent appeared telephonically and was not represented by counsel regarding a Default/Final Hearing scheduled before the Board. The State of Indiana was represented by Carah Rochester, Deputy Attorney General, and the court reporter sworn in for this matter was Margie Addington, with Accurate Reporting Services also appeared telephonically.

Rodney Crawford, Case Analyst with the Attorney General's Office was sworn in as a witness.

After having considered the evidence presented, testimony of the witness and taking official, judicial notice of the pleadings, evidence and orders in this matter, the Board moved to hold the Respondent in DEFAULT.

Smosna/Bunton, 5/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Mark Smosna, Jason Jablonski, Mark Bunton, Matt Balla
The following board members objected: None
The following board members abstained: none

Mr. Crawford informed the Board that the Respondent worked for Wellfount and in April 2019 they reported one thousand (1,000) Oxycodone and one thousand seven hundred-twenty-six Hydrocodone tablets missing.

In a statement to his employer, the Respondent admitted that he took the drugs.

States Exhibits:

- A – Employment Records
- B – Criminal records
- C – Video of Respondent taking drugs

At the guidance of Kurt Miller, J.D., Board Advisory Counsel, Attorney General's Office the Board moved to GRANT a CONDITIONAL INDEFINITE SUSPENSION and to place a hold on the Respondent's license, if he tries to renew the Indefinite Suspension will be applied to the license.

Smosna/Bunton, 5/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Mark Smosna, Jason Jablonski, Mark Bunton, Matt Balla
The following board members objected: None
The following board members abstained: none

Robert Frymire, Ph.T., License No. 67028190A, Cause No. 2021 IBP 0028

Respondent did not appear telephonically and was not represented by counsel regarding an Administrative Complaint scheduled before the Board. The State of Indiana was represented by Carah Rochester, Deputy Attorney General, and the court reporter sworn in for this matter was Margie Addington, with Accurate Reporting Services also appeared telephonically.

After having considered the evidence presented, testimony of the witness and taking official, judicial notice of the pleadings, evidence and orders in this matter, the Board moved to issue a NOTICE OF PROPOSED DEFAULT.

Smosna/Balla, 5/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Mark Smosna, Jason Jablonski, Mark Bunton, Matt Balla
The following board members objected: None
The following board members abstained: none

DISCUSSION

Third Party Logistic Applications – Jody:

Ms. Edens requested that staff be allowed to review and approve all 3PL applications without issues.

After discussion, the Board granted Ms. Edens request for staff to now review and approve 3PL applications. Only those with issues need to be brought to the Board for review.

There being no further business the Board adjourned at 3:15 p.m.