

**ALABAMA STATE BOARD OF PHARMACY
BUSINESS MEETING MINUTES
December 18, 2019**

President Kenny Sanders called the December 18, 2019, meeting of the Alabama State Board of Pharmacy to order at 9:11 a.m. to conduct necessary business and determined a quorum was present.

The following Board members were present:

Kenny Sanders	President
Ralph E. Sorrell	Vice President
Brenda R. Denson	Treasurer
Chris Phung	Member
Rob Colburn	Member

Other Alabama Board of Pharmacy staff members present were:

Christy Garmon, Incoming Bd. Member	Glenn Wells, Drug Investigator
Donna C. Yeatman, Executive Secretary	Todd Brooks, Drug Investigator
Cristal Anderson, Director of Compliance	Wendy Passmore, Operations Manager
Scott Daniel, Asst. Chief Drug Investigator, Legal/Legislative Liaison	Rhonda Coker, Technician Licensing Mgr. Kim Pickett, Facilities Licensing Manager

Members of the public present were:

Jim Driskell	Jeenu Philip	Ronda Lacey
Jim Easter	Johnny Garcia	Traci Collins
Jon Linna	Lauren Paul	Julie Chandler
Megan Heath	Chris Riviere	Wagma Komak
Kelly Slaten	Melissa Pharo	Melissa Cox
Jennifer Clark	Kelly Tate	Clemice Hurst
Sarah Merkle	Audra Clifton	Gary Mount
Amy Adams	David Darby	Kelli Newman
Joe Acierno	Louise Jones	Alex Jenkins
Tommy Cobb	Tracy Davis	Donnis Hackney
Julie Lasseigne	Allison Souders	Steve McCormick
Rosanne Thurman	Brittney Withers	Bart Bamberg
Laura Armistead	Jeff Church	Eddie Vanderver
Charlie Cook	Wes Maddox	Leah Pierce
Rich Palombo		

1. MOTION TO ADOPT AGENDA

President Sanders called for a motion to adopt the agenda. A motion was made by Mr. Sorrell and seconded by Dr. Denson. A vote was taken and the motion to adopt the agenda passed with aye votes from Mr. Sorrell, Mr. Colburn, Dr. Denson, and Mr. Phung.

2. PRESENTATIONS:

- Wagma Komak with Athens-Limestone Hospital and Melissa Cox with CPS Telepharmacy gave a presentation requesting remote order verification. After a discussion, a motion was made by Dr. Denson and seconded by Mr. Sorrell to approve the request for remote order verification. A vote was taken and the motion passed unanimously.
- Sarah Merkle of Bradley Arant Boult Cummings and Amy Adams and Jim Acierno of Hy-Vee Pharmacy Solutions gave a presentation requesting a nonresident permit. After a discussion, a motion was made by Dr. Denson and seconded by Mr. Phung to approve the request for a nonresident pharmacy permit. A vote was taken and the motion to approve the nonresident permit passed unanimously.

3. TREASURER'S REPORT:

Treasurer Brenda Denson presented the treasurer's report. As of November 30, two months into the new fiscal year, revenues were at 34.46 percent of the annual budget; expenses were 15.16 percent of the annual budget; and licensing fee revenues were at 35.99 percent of the annual budget projection.

A motion was made by Mr. Sorrell and seconded by Mr. Colburn to approve the treasurer's report. A vote was taken and the motion to approve the treasurer's report passed with aye votes from Mr. Sorrell, Mr. Colburn, Mr. Sanders, and Mr. Phung.

4. WELLNESS COMMITTEE REPORT

Mr. Scott Daniel gave the following report in the absence of Dr. Garver: There are currently 131 people in the screening program, which includes individuals with signed monitoring contracts but does not include the number of individuals who choose not to contact the Board after being advised to by investigators or staff.

There are two pharmacists in residential treatment and two pharmacists in a halfway house. There is one pharmacist with an indefinitely suspended license who wants to return to practice. Dr. Garver is working with that person. The total individuals worked with during 2019 is 45.

5. APPROVAL OF MINUTES

A motion was made by Mr. Sorrell and seconded by Dr. Denson to approve the business meeting minutes from the November 20, 2019, business meeting. A vote was taken and the motion to approve the business meeting minutes passed unanimously.

A motion was made by Mr. Sorrell and seconded by Dr. Denson and Mr. Colburn to approve the interview minutes from the November 20, 2019, interviews. A vote was taken and the motion to approve the interview minutes passed unanimously.

6. INVESTIGATOR'S REPORT

Assistant Chief Investigator Scott Daniel was called upon to give the report of activities of investigations and inspections in Mr. Braden's absence. As of November 2019, 277 cases have been received by the Board for the year. For the month of November, 76 inspections were completed, seven of which were USP and 797 investigations. Eighteen complaints were received and 39 investigations were completed during November.

7. SECRETARY'S REPORT

Donna Yeatman gave the Executive Secretary's report, which consisted of the following:

- Ms. Yeatman began by thanking Mr. Sanders for his strong leadership as president of the Board over the last 14 months. He will be missed when his term expires at the end of this month.
- There are no changes or new information relative to collaborative practice. The Board is still awaiting an opinion from the Attorney General as requested by the Alabama Board of Medical Examiners on the statute related to the legality of any physician being a party to a collaborative practice agreement and their antitrust concerns. Sarah Moore is no longer the executive director for ALBME. A replacement has not been identified at this time.
- The design of the street sign has been finalized and work should begin in January.
- Ms. Yeatman is still working with the Department of Finance, Procurement Division, to gather sealed bids for the building's lighting project.
- As of January 1, 2020, any newly registered technician must complete a Board-approved training program within six months of their initial registration. The Board has approved a program through Samford University. Other training programs have been submitted for approval.
- Technician renewals will be delinquent after December 31, 2019. It is the technician's responsibility to renew timely; however, supervising pharmacists should ensure all technicians maintain current registration status. The supervising pharmacist, pharmacist on duty, and any technician without a current registration may face disciplinary action if registrations are not renewed timely.
- Any changes of work location and change in supervising pharmacist must be submitted within 10 days of the change. Failure to comply could result in disciplinary action.
- The Board heard four cases on December 17. There are 19 cases scheduled for January, 17 scheduled for February, 23 scheduled for March, and 20 remaining to be scheduled. There are 130 cases that are now in process with counsel, down from 135 last month.

Board investigators are currently working 125 cases, down from 129 last month. There are four cases pending resolution and seven complaints pending resolution.

8. OLD BUSINESS

- After a brief discussion, a motion to approve new Rule 680-X-2-.44, Collaborative Practice as presented was made by Mr. Sorrell and seconded by Mr. Colburn. A vote was taken and the motion to approve Rule 680-X-2-.44 passed unanimously.
- A motion to approve Amended Rule 680-X-3-.3, Time and Method of Payment; Renewal and Non-Disciplinary Penalty for Late Renewal of Controlled Substances Permit as presented was made by Mr. Sorrell and seconded by Dr. Denson. A vote was taken and the motion to approve Amended Rule 680-X-3-.3 passed unanimously.
- The Board will table the vote on Amended Rule 680-X-2-.14, The Role of Technicians in Pharmacies in Alabama in order to conduct additional research on the matter.
- Public hearing on Rule 680-X-2-.33, Internet Pharmacies, to ensure valid patient/physician relationship for all prescriptions. No comments were submitted and none were offered during the public hearing. A motion to approve Rule 680-X-2-.33 as presented was made by Mr. Colburn and seconded by Dr. Denson. A vote was taken and the motion to approve Rule 680-X-2-.33 passed unanimously.
- Medical marijuana was mentioned and is still on the agenda, although no discussion was held regarding the matter.

9. NEW BUSINESS

- There will be no executive session today because the Board attorney is not present at the meeting.
- Omnicare of Prattville submitted a request to add an additional automated dispensing unit. Ms. Yeatman asked the Board to review her review of the request. A motion was made to approve the request for the automated dispensing unit under Ms. Yeatman's oversight by Mr. Sorrell and seconded by Dr. Denson and Mr. Phung. A vote was taken and the motion to approve the automated dispensing unit passed with aye votes from Mr. Sorrell, Mr. Colburn, Mr. Sanders, and Dr. Denson.
- The Board does not provide a short-term disability policy for employees. A motion was made to research and move forward with providing a short-term disability policy for employees of the Alabama Board of Pharmacy by Mr. Colburn and seconded by Mr. Sorrell. A vote was taken and the motion to institute a short-term disability passed unanimously.
- A discussion was held regarding moving the May Board hearings and meeting to May 12 and 13 due to high school graduations occurring on the previously scheduled dates of

May 19 and 20. A motion was made by Mr. Sorrell and seconded by Mr. Colburn to move the Board hearings and meeting to May 12 and 13, 2020. A vote was taken and the motion to move the Board hearings and meeting to May 12 and 13, 2020, passed unanimously.

10. MOTIONS ON CASES

A motion was made by Dr. Denson and seconded by Mr. Sorrell to take the recommended action to accept a permanent surrender on case number 19-0141. A vote was taken and the motion to accept a permanent surrender passed unanimously.

A motion was made by Dr. Denson and seconded by Mr. Sorrell to take the recommended action of no violation for the following case numbers: 19-0089; 19-0137; 19-0195; 19-0203; 19-0209; 19-0259; and 19-0269. A vote was taken and the motion for no violation passed with aye votes from Mr. Sorrell, Mr. Colburn, Mr. Sanders, and Mr. Phung.

A motion was made by Dr. Denson and seconded by Mr. Sorrell to take no further action for the following case numbers: 19-0126; 19-0179; 19-0220; 19-0221; 19-0239; 19-0241; 19-0240; 19-0242; 19-0243; 19-0244; 19-0245; 19-0246; 19-0247; 19-0250; 19-0252; 19-0253; 19-0254; 19-0255; 19-0257; and 19-0276. A vote was taken and the motion to take no further action passed unanimously.

A motion was made by Dr. Denson and seconded by Mr. Sorrell to take no action for the following case numbers: 19-0185; 19-0267; and 19-0270. A vote was taken and the motion to take no action passed with aye votes from Mr. Sorrell, Mr. Colburn, Mr. Sanders, and Mr. Phung.

A motion was made by Dr. Denson and seconded by Mr. Sorrell to reinspect the pharmacy in case number 18-0063. A vote was taken and the motion to reinspect the pharmacy passed unanimously.

11. ELECTION OF 2020 OFFICERS

A motion was made by Dr. Denson and seconded by Mr. Phung to elect Ralph Sorrell as president of the Alabama Board of Pharmacy for the year 2020. A vote was taken and the motion passed with aye votes from Mr. Colburn, Mr. Sanders, Dr. Denson, and Mr. Phung.

A motion was made by Mr. Sorrell and seconded by Mr. Phung to elect Brenda Denson as vice president of the Alabama Board of Pharmacy for the year 2020. A vote was taken and the motion passed with aye votes from Mr. Sorrell, Mr. Colburn, Mr. Sanders, and Mr. Phung.

A motion was made by Dr. Denson and seconded by Mr. Colburn to elect Chris Phung as treasurer of the Alabama Board of Pharmacy for the year 2020. A vote was taken and the motion passed with aye votes from Mr. Sorrell, Mr. Colburn, Mr. Sanders, and Dr. Denson.

A motion was made by Mr. Sorrell and seconded by Dr. Denson to elect Donna Yeatman as executive secretary of the Alabama Board of Pharmacy for the year 2020. A vote was taken and the motion passed unanimously.

12. ADJOURN

The meeting was adjourned at 10:27 a.m.



Kenny Sanders, President



Donna C. Yeatman, Executive Secretary



Date