

# **INDIANA BOARD OF PHARMACY**

**Indiana Professional Licensing Agency**  
Indiana Government Center South, Conference Room C  
402 W. Washington St.  
Indianapolis, IN 46204

## **MINUTES OF the June 11, 2012 Board Meeting**

### **I. CALL TO ORDER & ESTABLISHMENT OF QUORUM**

President and Presiding Officer Del Fanning called the meeting to order at 8:45 a.m. in Conference Room C of the Indiana Government Center-South, 402 West Washington Street, Indianapolis, Indiana 46204, and declared a quorum with five members present, in accordance with IC § 25-26-13-3.

#### **Board Members Present:**

Del T. Fanning, R.Ph., President  
Sara St. Angelo, PharmD., R.Ph., Vice President  
Winnie Landis, R.Ph., Member  
Donna S. Wall, PharmD., R.Ph., Member  
Lora N. R. Williams, JD, Member (*Consumer Member*)  
William J. Cover, R.Ph., Member

**Present At:** 8:45 a.m.

#### **Board Members Not In Attendance:**

Steven Anderson, R.Ph., Member

#### **State Officials Present:**

Greg Pachmayr, Director, Indiana Professional Licensing Agency  
Amy Hall, Assistant Board Director, Indiana Professional Licensing Agency  
Deborah Frye, Compliance Director, Indiana Professional Licensing Agency  
Wanda Levendoski, Compliance Officer, Indiana Professional Licensing Agency  
Eric Percy, Compliance Officer, Indiana Professional Licensing Agency  
Zaneta Nunnally, Compliance Officer, Indiana Professional Licensing Agency  
Amy Phillips, Compliance Officer, Indiana Professional Licensing Agency  
Tim Thomas, Compliance Officer, Indiana Professional Licensing Agency  
Lorena Sipe, Compliance Officer, Indiana Professional Licensing Agency  
Gordon White, Board Advisory Counsel, Office of the Attorney General  
Darren R. Covington, Deputy Attorney General - Office of the Attorney General

### **II. ADOPTION OF THE AGENDA**

A motion was made by Member Cover and seconded by Member Wall to adopt the agenda.

**MOTION CARRIED: 5-0-0.**

### **III. ADOPTION OF THE MINUTES FROM PREVIOUS MEETING**

A motion was made by Member Williams and seconded by Member Wall to approve the minutes from the previous meeting. **Motion Carried 5-0-0.**

#### **IV. FULL BOARD APPEARANCES**

##### **A. Pharmacon Update**

Natalie Hosier and Jack Wells appeared before the Board on behalf of Pharmacon to update the Board on the usage of the MedSelect Automated Medication system and to ask that the system be approved for unlimited long term care facilities.

A motion was made by Member Wall and seconded by Vice President St. Angelo to **approve**. The **Motion Carried 5-0-0.**

#### **V. STANDING COMMITTEE MEETINGS**

**9:30 – 11:00 a.m.**

##### **A. Administration and Licensing Committee (Conference Room C)**

The Administration and Licensing Committee met at 9:30 a.m. in Conference Room C of the Indiana Government Center-South, 402 West Washington Street, Indianapolis, Indiana 46204.

##### ***Board Members Present:***

Donna Wall  
Lora Williams

##### ***Staff Officials Present:***

Amy Hall  
Gordon White

##### ***Personal Appearances – Individuals***

Name: Julie Marie Coble (Flick)  
Application type: Pharmacist Renewal  
Reason for personal appearances: Positive Response  
Notes:

Committee recommendation to full Board: Extend probation 3 years  
After a discussion with the full Board, a motion was made by Member Cover and seconded by Vice President St. Angelo to **approve committee recommendation**, the motion carried **6-0-0.**

Name: John J. Perry  
Application type: Pharmacist Renewal  
Reason for personal appearances: Positive Response  
Notes:  
Committee recommendation to full Board: Approve  
After a discussion with the full Board, a motion was made by Member Williams and seconded by Member Cover to **approve**, the motion carried **6-0-0.**

Name: Steven Hartman  
Application type: Pharmacist Renewal  
Reason for personal appearances: Positive Response  
Notes: Hartman did not appear  
Committee recommendation to full Board: table until next meeting, deny if there is no appearance at next meeting.  
After a discussion with the full Board, a motion was made by Member Williams and seconded by Member Cover to **approve committee recommendation**, the motion carried **6-0-0.**

Name: Donovan Higgins  
Application type: Pharmacist Application  
Reason for personal appearances: Positive Response  
Notes:  
Committee recommendation to full Board: Probation for three years  
After a discussion with the full Board, a motion was made by Member Williams and seconded by Member Cover to **approve committee recommendation**, the motion carried **6-0-0.**

Name: LaShawn Bolden  
Application type: Pharmacy Technician  
Reason for personal appearances: Positive Response  
Notes:  
Committee recommendation to full Board: Approve  
After a discussion with the full Board, a motion was made by Member Williams and seconded by Member Landis to **approve**, the motion carried **6-0-0**.

Name: Amy Maurer  
Application type: Pharmacy Technician  
Reason for personal appearances: Positive Response  
Notes:  
Committee recommendation to full Board: Approve  
After a discussion with the full Board, a motion was made by Member Williams and seconded by Member Cover to **approve**, the motion carried **6-0-0**.

Name: William Thomas  
Application type: Pharmacy Technician  
Reason for personal appearances: Positive Response  
Notes:  
Committee recommendation to full Board: Approve  
After a discussion with the full Board, a motion was made by Member Williams and seconded by Member Cover to **approve**, the motion carried **6-0-0**.

Name: Robert Ethan Ransdell  
Application type: Pharmacy Technician Renewal  
Reason for personal appearances: Positive Response  
Notes:  
Committee recommendation to full Board: Probation  
After a discussion with the full Board, a motion was made by Member Williams and seconded by Member Cover to **approve committee recommendation**, the motion carried **6-0-0**.

Name: Sheila Schapker  
Application type: Pharmacy Technician  
Reason for personal appearances: Positive Response  
Notes:  
Committee recommendation to full Board: Approve  
After a discussion with the full Board, a motion was made by Member Cover and seconded by Vice President St. Angelo to **approve**, the motion carried **6-0-0**.

Name: Alexander Anderson  
Application type: Pharmacy Technician  
Reason for personal appearances: Positive Response  
Notes:  
Committee recommendation to full Board: Probation  
After a discussion with the full Board, a motion was made by Member Williams and seconded by Vice President St. Angelo to **approve committee recommendation**, the motion carried **6-0-0**.

Name: Mane Kirby  
Application type: Pharmacy Technician  
Reason for personal appearances: Positive Response  
Notes: Mr. Kirby did not appear  
Committee recommendation to full Board: table until next meeting, deny if there is no appearance at next meeting.  
After a discussion with the full Board, a motion was made by Member Williams and seconded by Member Wall to **approve the committee's recommendation**, the motion carried **6-0-0**.

Name: Philip Bigge  
Application type: Pharmacy Technician Renewal  
Reason for personal appearances: Positive Response  
Prepared by Greg Pachmayr, Director  
Indiana Board of Pharmacy

Notes:

Committee recommendation to full Board: Probation

After a discussion with the full Board, a motion was made by Member Williams and seconded by Vice President St. Angelo to **approve the committee recommendation**, the motion carried **6-0-0**.

### ***Applications***

#### ***Individual Applications***

Name: Yvette Rene Lloyd

Application Type: Pharmacist Renewal Application

Reason for Application Review: Extended period of time between renewals

Notes:

Committee recommendation to full Board: Require Lloyd to retake MPJE and NAPLEX

After a discussion with the full Board, a motion was made by Member Williams and seconded by Member Wall to **approve committee recommendation**, the motion carried **6-0-0**.

Name: Summer Ferran

Application Type: Pharmacy Technician

Reason for Application Review: Pending complaint

Notes:

Committee recommendation to full Board: Required a personal appearance

After a discussion with the full Board, a motion was made by Member Williams and seconded by Member Wall to **require a personal appearance**, the motion carried **6-0-0**.

Name: Kelsey McGrath

Application Type:

Reason for Application Review: Testing Accommodation

Notes:

Committee recommendation to full Board: Approve

After a discussion with the full Board, a motion was made by Member Williams and seconded by Member Wall to **approve**, the motion carried **6-0-0**.

#### ***Continuing Education Applications***

Applicant name: Brian P. Barrett

CE title: BIO Intellectual Property Counsels Committee Spring Conference

Location: BIO Intellectual Property Counsels Committee Spring Conference

Speaker/Presenter: Various

Date: 4/16/2012 – 4/18/2012

Number of CE hours: Not specified in application

Notes:

Committee recommendation to full Board: Approve for 8 hours

After a discussion with the full Board, a motion was made by Member Wall and seconded by Member Cover to **approve**, the motion carried **6-0-0**.

Applicant name: Danielle Ruddick

CE title: End of Life Pain Management Strategies

Location: IU Health Ball Memorial Hospital

Speaker/Presenter: Dr. Sulfi Ibrahim and Joshua Hull

Date: 5/22/2012

Number of CE hours: 1

Notes:

Committee recommendation to full Board: Approve

After a discussion with the full Board, a motion was made by Member Wall and seconded by Member Cover to **approve**, the motion carried **6-0-0**.

Applicant name: Elayne Ansara

CE title: Got Drugs?

Location: Wishard Health Services

Speaker/Presenter: Brittany Romine

Date: 5/8/2012

Number of CE hours: 0.5

Notes:

Prepared by Greg Pachmayr, Director  
Indiana Board of Pharmacy

Committee recommendation to full Board: Approve  
After a discussion with the full Board, a motion was made by Member Wall and seconded by Member Cover to **approve**, the motion carried **6-0-0**.

Applicant name: Belinda Crain  
CE title: Advanced Cardiac Life Support Renewal Course  
Location: Bloomington Hospital  
Speaker/Presenter: Jason King  
Date: 5/23/2012

Number of CE hours: 6

Notes:

Committee recommendation to full Board: Approve  
After a discussion with the full Board, a motion was made by Member Wall and seconded by Member Cover to **approve**, the motion carried **6-0-0**.

Applicant name: Stacy Waterman  
CE title: Oncotype DX  
Location: Parkview Regional Medical Center  
Speaker/Presenter: Stacy Waterman  
Date: 5/17/2012

Number of CE hours: 0.5

Notes:

Committee recommendation to full Board: Approve  
After a discussion with the full Board, a motion was made by Member Wall and seconded by Member Cover to **approve**, the motion carried **6-0-0**.

#### **B. Compliance Committee (Room W064)**

The Compliance Committee met at **9:30** a.m. in Room W064 of the Indiana Government Center-South, 402 West Washington Street, Indianapolis, Indiana 46204.

#### ***Board Members Present:***

Bill Cover  
Sara St. Angelo

#### ***Staff Officials Present:***

Deborah Frye  
Eric Pearcy, Tim Thomas, Zaneta Nunnally, Wanda Levendoski, Amy Phillips, Lorena Sipe

#### ***Facility Appearances***

Business Name: Franciscan St. Anthony Health Michigan City/Woodland Cancer Care Center  
Representative: Sylvester Barnes

Reason for Appearing: CSR Remote Location Application

Notes: Self Contained Pharmacy at Cancer treatment facility. Cancer and pain meds prepared by and accessed only by pharmacy staff. (Pharmacist and Technicians). Board members applaud the commitment to providing pharmacy control.

Committee recommendation to full Board: Approval

After a discussion with the full Board, a motion was made by Member **Cover** and seconded by Member **St. Angelo** to **Approve**, the motion carried **6-0-0**

#### ***Individual Appearances***

Name: Dustin Spencer

Application type: Pharmacist Renewal

Reason for personal appearances: Positive Response

Notes: DUI arrests, reduced to reckless driving. Completed 20 hours community service, 20 hours substance abuse, He has completed all terms of probation, paid all fees, court ordered probation to extend until 9/21/12. Committee requests that Pharmacy probation run contiguously with the court probation. Provide documentation of completion of court probation; report any additional arrests or criminal activity immediately to the board. Provide an employer report to the board for review quarterly, and contact the board at the end of court probation to petition for release of license. No probationary appearances required.

Prepared by Greg Pachmayr, Director  
Indiana Board of Pharmacy

Committee recommendation to full Board :Voluntary Probation  
After a discussion with the full Board, a motion was made by Member **Cover** and seconded by Member **St. Angelo** to **approve**, the motion carried **5-0-1**

Name: Katherine Staples  
Application type: Pharmacy Technician  
Reason for personal appearances: Positive Response  
Notes:

Committee recommendation to full Board: Approve  
After a discussion with the full Board, a motion was made by Member Cover and seconded by Vice President St. Angelo to **approve**, the motion carried **6-0-0**.

Name: Ominique Manuel  
Application type: Pharmacy Technician  
Reason for personal appearances: Positive Response  
Notes:

Committee recommendation to full Board: Approve  
After a discussion with the full Board, a motion was made by Member Cover and seconded by Vice President St. Angelo to **approve**, the motion carried **6-0-0**.

Name: Darin Barnett  
Application type: Pharmacy Technician  
Reason for personal appearances: Positive Response  
Notes:

Committee recommendation to full Board: Probation  
After a discussion with the full Board, a motion was made by Member Cover and seconded by Vice President St. Angelo to **approve committee recommendation**, the motion carried **6-0-0**.

Name: Tracey Borszem  
Application type: Pharmacy Technician Renewal  
Reason for personal appearances: Positive Response  
Notes:

Committee recommendation to full Board: Approve pending court documentation showing completion of probation.  
After a discussion with the full Board, a motion was made by Member Cover and seconded by Vice President St. Angelo to **approve committee recommendation**, the motion carried **6-0-0**.

## **COMPLIANCE REPORTS**

### **Compliance Director Report**

Compliance Director Frye's monthly report is incorporated into these minutes by reference.

### **Compliance Officer Reports**

Report from Compliance Officer Eric Pearcy:

- Compliance Officer Pearcy's monthly report is incorporated into these minutes by reference.

Report from Compliance Officer Tim Thomas:

- Compliance Officer Thomas's monthly report is incorporated into these minutes by reference.

Report from Compliance Officer Wanda Levendoski:

- Compliance Officer Wanda Levendoski's monthly report is incorporated into these minutes by reference.

Report from Compliance Officer Zaneta Nunally:

- Compliance Officer Nunally's monthly report is incorporated into these minutes by reference.

Report from Compliance Officer Amy Phillips:

- Compliance Officer Phillips's monthly report is incorporated into these minutes by reference.

Report from Compliance Officer Lorena Sipe:

- Compliance Officer Sipe's monthly report is incorporated into these minutes by reference.

### ***Probation Appearances Review***

Probationary appearances were conducted by the Compliance Officers in Room W064 of the Indiana Government Center South starting at 7:30 a.m.

- Compliance Director Frye conducted the following probationary appearances, and a motion was made by Member **Cover** and seconded by Member **Landis** to approve the following probationary appearances:

**Robert Mark Hudson**  
**Jordan David Nuger**

**Motion Carried 6-0-0**

- Compliance Officer Percy conducted the following probationary appearances, and a motion was made by Member **Cover** and seconded by Member **Landis** to approve the following probationary appearances:

**Julie Flick Coble**  
**Wes Gilman**  
**Brynn Searles**

**Motion Carried 6-0-0**

- Compliance Officer Phillips conducted the following probationary appearances, and a motion was made by Member **Cover** and seconded by Member **Landis** to approve the following probationary appearances:

**Amber Rodda Cooper**  
**Sandra Hayes**  
**Melanie Powell**

**Motion Carried 6-0-0.**

- Compliance Officer Nunnally conducted the following probationary appearances, and a motion was made by Member **Cover** and seconded by Member **Landis** to approve the following appearances:

**Jared Baker**  
**Nicholas Meyers**

**Motion Carried 6-0-0.**

- Compliance Officer Thomas conducted the following probationary appearances, and a motion was made by Member **Cover** and seconded by Member **Landis** to approve the following probationary appearances:

**Edward Fritz**  
**Thomas Goodge**  
**Kathrine Walters**

**Motion Carried 6-0-0.**

- Compliance Officer Sipe conducted the following probationary appearances, and a motion was made by Member **Cover** and seconded by Member **Landis** to approve the following probationary appearances:

**Douglas Anderson**  
**Barbara Chew**  
**Mark Lawson**  
**Dennis Mann**

**Motion Carried 6-0-0.**

- The following individuals did not appear for their probationary appearances:  
**Arthur Pasquinelli** was on the list mistakenly. He has begun quarterly appearances as of his last appearance in May.

### **C. INSPECT Committee (Quigley Conference Room)**

The INSPECT Committee met at 9:30 a.m. in the Quigley Conference Room, Room W072 of the Indiana Government Center-South, 402 West Washington Street, Indianapolis, Indiana 46204.

#### ***Board Members Present:***

President Fanning  
Member Landis

#### ***Staff Officials Present:***

Marty Allain  
Greg Pachmayr  
Taya Fernandes  
Kara Gordon

#### ***INSPECT Appearances***

Business name: Health Care Solutions

Reason for personal appearances: reporting violations

Notes: The representative from Health Care Solutions indicated that there was a problem with their software, which has since been addressed. They also instituted a new policy regarding INSPECT reporting. They are currently caught up and compliant.

Committee recommendation to full Board: No further action at this time.

After a discussion with the full Board, a motion was made by Member Landis and seconded by Vice President St. Angelo to **approve**, the motion carried **6-0-0**.

Business name: Communitycare Pharmacy

Reason for personal appearances: Reporting violations

Notes: The representative indicated that there were problems with their software. They are current and are in the process of catching up.

Committee recommendation to full Board: No further action at this time.

After a discussion with the full Board, a motion was made by Member Landis and seconded by Vice President St. Angelo to **approve**, the motion carried **6-0-0**.

Business name: Werner Drug Store

Reason for personal appearances: Reporting violations

Notes: The representative from Werner Drug Store indicated that the person responsible for reporting had issues at home and left. They have now trained two individuals on reporting and are reporting twice a week. They are current and compliant at this time.

Committee recommendation to full Board: No further action at this time.

After a discussion with the full Board, a motion was made by Member Landis and seconded by Vice President St. Angelo to **approve**, the motion carried **6-0-0**.

#### ***INSPECT Reports***

##### ***INSPECT Director's Report***

Marty Allain's monthly INSPECT report is incorporated into these minutes by reference.

#### ***Controlled Substance Registration Applications***

Business name: IU Dept of Environmental Health

Applicant: Lisa Kamendulis

Notes:

Committee recommendation to full Board: Approve for schedule 3 and 3N

After a discussion with the full Board, a motion was made by President Fanning and seconded by Member Wall to **approve**, the motion carried **6-0-0**.



Business name: Carmel Specialty Surgery Center, LLC

Applicant: Joseph Webster, MD

Notes:

Committee recommendation to full Board: Approve for schedules 2, 2N, 3, 3N, 4, and 5

After a discussion with the full Board, a motion was made by President Fanning and seconded by Member Wall to **approve**, the motion carried **6-0-0**.

Business name: Milan Police Dept

Applicant: Phillip Wilson, Jr.

Notes:

Committee recommendation to full Board: Approve for schedules 1, 2, and 2N

After a discussion with the full Board, a motion was made by President Fanning and seconded by Member Wall to **approve**, the motion carried **6-0-0**.

Business name: IU Anatomy & Cell Biology Dept

Applicant: Kathryn Jones, Ph.D.

Notes:

Committee recommendation to full Board: Approve for schedule 3 and 3N

After a discussion with the full Board, a motion was made by President Fanning and seconded by Member Wall to **approve**, the motion carried **6-0-0**.

### ***Individual Appearances***

Name: DeJa Jones

Application type: Pharmacy Technician

Reason for personal appearances: Positive Response

Notes:

Committee recommendation to full Board: Approval

After a discussion with the full Board, a motion was made by Member Landis and seconded by Member Wall to **approve**, the motion carried **6-0-0**.

## **VI. STANDING COMMITTEE DEBRIEFING/VOTE 11:00 a.m. (or following Standing Committee Meetings) (Room W064)**

### **VII. MISCELLANEOUS**

- A. Board Director Update
- B. Renewal Update
- C. NABP Annual Meeting Documents
- D. NABP eProfile Update
- E. NABP 2012 Survey of Pharmacy Law
- F. EPCS Update Documents
- G. School Nurse Update
- H. Probationary pharmacist purchasing pharmacy question
- I. Test score expiration discussion

### **VIII. Old/New Business**

- A. Drug Shortage Letter – Member Wall and Member St. Angelo informed the Board of their independent meeting with Senator Coats to express their support for dealing with drug shortage issues. No further action on the letter was taken.
- B. Compliance Fund Memo
  - A motion was made by Member Wall and seconded by Member Williams to continue pursuing a compliance fund, motion carried **6-0-0**.
- C. PTCB Language Memo
  - A motion was made by Member Wall and seconded by Member Williams to continue pursuing PTCB requirements for pharmacy technicians, motion carried **6-0-0**.
- D. Attorney Position
- E. Board Retreat
- F. Rules

## IX. ADMINISTRATIVE HEARINGS

<b>A. In the Matter of the Indiana Pharmacist License of Larry Harter, R.Ph.</b>	
<b>License No.</b>	26012910A
<b>Administrative Cause No.</b>	2008 IBP 0052
<b>Regarding</b>	Petition to withdraw probation
<b>Parties Present</b>	Larry Harter
<b>Counsel Present</b>	No Counsel for Respondent Amanda Elizondo, Attorney for the State
<b>Participating Board Members</b>	Del T. Fanning, R.Ph., President Sara St. Angelo, PharmD., R.Ph., Vice President Winnie Landis, R.Ph., Member Donna S. Wall, PharmD., R.Ph., Member Steven Anderson, R.Ph., Member Lora N. R. Williams, JD, Member ( <i>Consumer Member</i> )
<b>Witnesses for the Petitioner</b>	Carol Dunham, PRN Ms. Harter, Wife
<b>Witnesses for the State</b>	None
<b>Case Summary</b>	Member Cover recused himself from this hearing. Mr. Harter presented evidence including letters of support. Mr. Harter completed the terms of his probation.
<b>Board Action</b>	A motion was made by Member Landis and seconded by Member wall to approve
<b>Vote</b>	Motion Carried <u>5-0-1</u>

<b>B. In the Matter of the Indiana Pharmacist License of Brynn Searles, R.Ph.</b>	
<b>License No.</b>	26021864A
<b>Administrative Cause No.</b>	2011 IBP 0029
<b>Regarding</b>	Petition to withdraw probation
<b>Parties Present</b>	Brynn Searles
<b>Counsel Present</b>	No Counsel for Respondent Amanda Elizondo, Attorney for the State
<b>Participating Board Members</b>	Del T. Fanning, R.Ph., President Sara St. Angelo, PharmD., R.Ph., Vice President Winnie Landis, R.Ph., Member Donna S. Wall, PharmD., R.Ph., Member Steven Anderson, R.Ph., Member Lora N. R. Williams, JD, Member ( <i>Consumer Member</i> ) William J. Cover, R.Ph., Member
<b>Witnesses for the Petitioner</b>	None
<b>Witnesses for the State</b>	None
<b>Case Summary</b>	Ms. Searles testified as to the lessons she has learned through this process, and that she has completed the terms of her probation.
<b>Board Action</b>	A motion was made by Member Wall and seconded by Member Williams to approve
<b>Vote</b>	Motion Carried <u>6-0-0</u>

<b>C. In the Matter of the Indiana Pharmacist License of Melanie Powell, R.Ph.</b>	
<b>License No.</b>	26014597A

<b>Administrative Cause No.</b>	2007 IBP 0070
<b>Regarding</b>	Petition to withdraw probation
<b>Parties Present</b>	Melanie Powell
<b>Counsel Present</b>	No Counsel for Respondent Amanda Elizondo, Attorney for the State
<b>Participating Board Members</b>	Del T. Fanning, R.Ph., President Sara St. Angelo, PharmD., R.Ph., Vice President Winnie Landis, R.Ph., Member Donna S. Wall, PharmD., R.Ph., Member Steven Anderson, R.Ph., Member Lora N. R. Williams, JD, Member ( <i>Consumer Member</i> ) William J. Cover, R.Ph., Member
<b>Witnesses for the Petitioner</b>	Carol Dunham, PRN David Powell, Husband Hillary Powell, Daughter Hailey Powell, Daughter
<b>Witnesses for the State</b>	None
<b>Case Summary</b>	Ms. Powell presented support letters as evidence. Her family testified that she is more family oriented now that she has gone through this process. Ms. Dunham testified that she has completed the terms of her PRN contract.
<b>Board Action</b>	A motion was made by Member Cover and seconded by Vice President St. Angelo to approve
<b>Vote</b>	Motion Carried <b>6-0-0</b>

#### D. In the Matter of the Indiana Pharmacist License of Christy Wade, R.Ph.

<b>License No.</b>	26018048A
<b>Administrative Cause No.</b>	2009 IBP 0014
<b>Regarding</b>	Petition to withdraw probation
<b>Parties Present</b>	Christy Wade
<b>Counsel Present</b>	No Counsel for Respondent Amanda Elizondo, Attorney for the State
<b>Participating Board Members</b>	Del T. Fanning, R.Ph., President Sara St. Angelo, PharmD., R.Ph., Vice President Winnie Landis, R.Ph., Member Donna S. Wall, PharmD., R.Ph., Member Steven Anderson, R.Ph., Member Lora N. R. Williams, JD, Member ( <i>Consumer Member</i> ) William J. Cover, R.Ph., Member
<b>Witnesses for the Petitioner</b>	Carol Dunham, PRN Anna Wade, Mother
<b>Witnesses for the State</b>	None
<b>Case Summary</b>	Ms. Wade presented support letters and court documents that show her conviction was reduced to a misdemeanor as evidence. Her mother testified that she is now more family oriented, and that she is confident in her sobriety. Ms. Dunham testified that she has done well in the program.
<b>Board Action</b>	A motion was made by Vice President St. Angelo and seconded by Member Wall to approve
<b>Vote</b>	Motion Carried <b>6-0-0</b>

#### E. In the Matter of the Indiana Pharmacist License of Tracy Davis, R.Ph.

<b>License No.</b>	26016713A
<b>Administrative Cause No.</b>	2008 IBP 0042
<b>Regarding</b>	Petition to withdraw probation
<b>Parties Present</b>	Tracy Davis
<b>Counsel Present</b>	No Counsel for Respondent

	Amanda Elizondo, Attorney for the State
<b>Participating Board Members</b>	Del T. Fanning, R.Ph., President Sara St. Angelo, PharmD., R.Ph., Vice President Winnie Landis, R.Ph., Member Donna S. Wall, PharmD., R.Ph., Member Steven Anderson, R.Ph., Member Lora N. R. Williams, JD, Member ( <i>Consumer Member</i> ) William J. Cover, R.Ph., Member
<b>Witnesses for the Petitioner</b>	Carol Dunham, PRN Dawn Wiseman, Sponsor
<b>Witnesses for the State</b>	None
<b>Case Summary</b>	Ms. Davis submitted support letters and negative drug screens as evidence. Her sponsor testified that she has done a good job and that she is confident in her continued sobriety. Ms. Dunham testified that she was compliant with her PRN contract and is very involved in AA.
<b>Board Action</b>	A motion was made by Member Wall and seconded by Member Williams to approve
<b>Vote</b>	Motion Carried <b>6-0-0</b>

#### F. In the Matter of the Indiana Pharmacy License of The Drug Store, Inc.

<b>License No.</b>	60002372A
<b>Administrative Cause No.</b>	2012 IBP 0034
<b>Regarding</b>	Final Hearing
<b>Parties Present</b>	J. Lynne Freiberger
<b>Counsel Present</b>	No Counsel for Respondent Darren R. Covington, Deputy Attorney General - Office of the Attorney General
<b>Participating Board Members</b>	Del T. Fanning, R.Ph., President Sara St. Angelo, PharmD., R.Ph., Vice President Winnie Landis, R.Ph., Member Donna S. Wall, PharmD., R.Ph., Member Steven Anderson, R.Ph., Member Lora N. R. Williams, JD, Member ( <i>Consumer Member</i> ) William J. Cover, R.Ph., Member
<b>Witnesses for the Petitioner</b>	Vaughn Zoeller, Brother
<b>Witnesses for the State</b>	None
<b>Case Summary</b>	This hearing was combined with J. Lynne Freiberger's hearing.
<b>Board Action</b>	A motion was made by Member Landis and seconded by Member Williams to issue a \$1,000 fine for each letter, totaling \$3,000, to be paid within 90 days, as well as one year probation for the pharmacy.
<b>Vote</b>	Motion Carried <b>6-0-0</b>

#### G. In the Matter of the Indiana Pharmacist License of J. Lynne Freiberger, R.Ph.

<b>License No.</b>	26011641A
<b>Administrative Cause No.</b>	2012 IBP 0035
<b>Regarding</b>	Final Hearing
<b>Parties Present</b>	J. Lynne Freiberger
<b>Counsel Present</b>	No Counsel for Respondent Darren R. Covington, Deputy Attorney General - Office of the Attorney General
<b>Participating Board Members</b>	Del T. Fanning, R.Ph., President Sara St. Angelo, PharmD., R.Ph., Vice President Winnie Landis, R.Ph., Member Donna S. Wall, PharmD., R.Ph., Member Steven Anderson, R.Ph., Member

	Lora N. R. Williams, JD, Member ( <i>Consumer Member</i> ) William J. Cover, R.Ph., Member
<b>Witnesses for the Petitioner</b>	Vaughn Zoeller, Brother
<b>Witnesses for the State</b>	None
<b>Case Summary</b>	This hearing was combined with The Drug Store, Inc.'s hearing. Freiberger testified that she had back surgery and several armed robberies that contributed to her non-compliance with INSPECT reporting. She also testified that she did not receive the INSPECT personal appearance letter, although it was signed for. Deputy Attorney General Covington submitted the INSPECT letters as evidence.
<b>Board Action</b>	A motion was made by Member Landis and seconded by Member Williams to require one year of probation.
<b>Vote</b>	Motion Carried 6-0-0

#### H. In the Matter of the Indiana Pharmacist License of Andrea Badke, R.Ph.

<b>License No.</b>	26013404A
<b>Administrative Cause No.</b>	2012 IBP 0036
<b>Regarding</b>	Final Hearing
<b>Parties Present</b>	Andrea Badke
<b>Counsel Present</b>	No Counsel for Respondent Darren R. Covington, Deputy Attorney General - Office of the Attorney General
<b>Participating Board Members</b>	Del T. Fanning, R.Ph., President Sara St. Angelo, PharmD., R.Ph., Vice President Winnie Landis, R.Ph., Member Donna S. Wall, PharmD., R.Ph., Member Steven Anderson, R.Ph., Member Lora N. R. Williams, JD, Member ( <i>Consumer Member</i> )
<b>Witnesses for the Petitioner</b>	None
<b>Witnesses for the State</b>	None
<b>Case Summary</b>	Member Cover recused himself from this hearing. There was a settlement in this case, including a letter of reprimand and CE.
<b>Board Action</b>	A motion was made by Member Williams and seconded by Vice President St. Angelo to approve the settlement agreement
<b>Vote</b>	Motion Carried <b>5-0-1</b>

#### I. In the Matter of the Indiana Pharmacist License of Michael Ross Futa, R.Ph.

<b>License No.</b>	26023008A
<b>Administrative Cause No.</b>	2012 IBP 0031
<b>Regarding</b>	Final Hearing
<b>Parties Present</b>	Mr. Futa did not appear
<b>Counsel Present</b>	No Counsel for Respondent Darren R. Covington, Deputy Attorney General - Office of the Attorney General
<b>Participating Board Members</b>	Del T. Fanning, R.Ph., President Sara St. Angelo, PharmD., R.Ph., Vice President Winnie Landis, R.Ph., Member Donna S. Wall, PharmD., R.Ph., Member Steven Anderson, R.Ph., Member Lora N. R. Williams, JD, Member ( <i>Consumer Member</i> ) William J. Cover, R.Ph., Member
<b>Witnesses for the Petitioner</b>	None
<b>Witnesses for the State</b>	None

<b>Case Summary</b>	Member Cover recused himself from this hearing. There was a settlement in this case.
<b>Board Action</b>	A motion was made by Member Williams and seconded by Vice President St. Angelo to approve the settlement agreement
<b>Vote</b>	Motion Carried <b>5-0-1</b>

<b>J. In the Matter of the Indiana Pharmacy Technician Certification of Erin Jennifer Cupp, C.Ph.T.</b>	
<b>Certification No.</b>	67007062A
<b>Administrative Cause No.</b>	2012 IBP 0028
<b>Regarding</b>	Continued Final Hearing
<b>Parties Present</b>	Ms. Cupp did not appear
<b>Counsel Present</b>	Darren R. Covington, Deputy Attorney General - Office of the Attorney General
<b>Participating Board Members</b>	Del T. Fanning, R.Ph., President Sara St. Angelo, PharmD., R.Ph., Vice President Winnie Landis, R.Ph., Member Donna S. Wall, PharmD., R.Ph., Member Steven Anderson, R.Ph., Member Lora N. R. Williams, JD, Member ( <i>Consumer Member</i> ) William J. Cover, R.Ph., Member
<b>Witnesses for the Petitioner</b>	None
<b>Witnesses for the State</b>	None
<b>Case Summary</b>	Respondent's attorney filed a continuance motion due to his military orders requiring his presence elsewhere
<b>Board Action</b>	A motion was made by Member Cover and seconded by Member Wall to approve the continuance motion
<b>Vote</b>	Motion Carried <b>6-0-0</b>

<b>K. In the Matter of the Indiana Pharmacist Intern Registration of Daniel Rushton</b>	
<b>Registration No.</b>	45016775A
<b>Administrative Cause No.</b>	2012 IBP 0051
<b>Regarding</b>	Appeal of Renewal Application Denial
<b>Parties Present</b>	Daniel Rushton
<b>Counsel Present</b>	No Counsel for Respondent Darren R. Covington, Deputy Attorney General - Office of the Attorney General
<b>Participating Board Members</b>	Del T. Fanning, R.Ph., President Sara St. Angelo, PharmD., R.Ph., Vice President Winnie Landis, R.Ph., Member Donna S. Wall, PharmD., R.Ph., Member Steven Anderson, R.Ph., Member Lora N. R. Williams, JD, Member ( <i>Consumer Member</i> ) William J. Cover, R.Ph., Member
<b>Witnesses for the Petitioner</b>	None
<b>Witnesses for the State</b>	None
<b>Case Summary</b>	Member Landis recused herself from this hearing. Rushton claimed to not have received notice of his May personal appearance and appealed his denial. Rushton had a positive response on his intern registration renewal application. Rushton had concealed hydrocodone, but disclosed this to his employer.
<b>Board Action</b>	A motion was made by Vice President St. Angelo and seconded by Member Wall to recess the hearing, pending a letter from a physician addressing potential addiction issues

<b>Vote</b>	Motion Carried <b><u>5-0-1</u></b>
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<b>L. In the Matter of the Indiana Pharmacy Technician Certification of Kennisha Brandon, C.Ph.T.</b>	
<b>Certification No.</b>	67006926A
<b>Administrative Cause No.</b>	2012 IBP 0047
<b>Regarding</b>	Appeal of Renewal Application Denial
<b>Parties Present</b>	Kennisha Brandon
<b>Counsel Present</b>	No Counsel for Respondent Darren R. Covington, Deputy Attorney General - Office of the Attorney General
<b>Participating Board Members</b>	Del T. Fanning, R.Ph., President Sara St. Angelo, PharmD., R.Ph., Vice President Winnie Landis, R.Ph., Member Donna S. Wall, PharmD., R.Ph., Member Steven Anderson, R.Ph., Member William J. Cover, R.Ph., Member
<b>Witnesses for the Petitioner</b>	None
<b>Witnesses for the State</b>	None
<b>Case Summary</b>	Brandon claimed to not have received notice of her May personal appearance and appealed her denial. Brandon had a positive response on her pharmacy technician renewal application.
<b>Board Action</b>	A motion was made by Member Wall and seconded by Vice President St. Angelo to approve on probation
<b>Vote</b>	Motion Carried <b><u>5-0-0</u></b>

<b>M. In the Matter of the Indiana Pharmacy Technician Certification of Stacy Lynn Mohney, C.Ph.T.</b>	
<b>Certification No.</b>	67002839A
<b>Administrative Cause No.</b>	2012 IBP 0027
<b>Regarding</b>	Default Hearing
<b>Parties Present</b>	Mohney did not appear
<b>Counsel Present</b>	No Counsel for Respondent Darren R. Covington, Deputy Attorney General - Office of the Attorney General
<b>Participating Board Members</b>	Del T. Fanning, R.Ph., President Sara St. Angelo, PharmD., R.Ph., Vice President Winnie Landis, R.Ph., Member Donna S. Wall, PharmD., R.Ph., Member Steven Anderson, R.Ph., Member William J. Cover, R.Ph., Member
<b>Witnesses for the Petitioner</b>	None
<b>Witnesses for the State</b>	None
<b>Case Summary</b>	Mohney did not respond to the notice of proposed default.
<b>Board Action</b>	A motion was made by Member Cover and seconded by Member Wall to hold respondent in default A motion was made by Member Wall and seconded by Member Cover to revoke respondent's certification
<b>Vote</b>	Both Motions Carried <b><u>5-0-0</u></b>

<b>N. In the Matter of the Indiana Pharmacy Technician In-Training Permit of Jessica E. Donahue, P.T.I-T.</b>	
<b>Permit No.</b>	99048774A
<b>Administrative Cause No.</b>	2012 IBP 0024
<b>Regarding</b>	Default Hearing

<b>Parties Present</b>	Donahue did not appear
<b>Counsel Present</b>	No Counsel for Respondent Darren R. Covington, Deputy Attorney General - Office of the Attorney General
<b>Participating Board Members</b>	Del T. Fanning, R.Ph., President Sara St. Angelo, PharmD., R.Ph., Vice President Winnie Landis, R.Ph., Member Donna S. Wall, PharmD., R.Ph., Member Steven Anderson, R.Ph., Member William J. Cover, R.Ph., Member
<b>Witnesses for the Petitioner</b>	None
<b>Witnesses for the State</b>	None
<b>Case Summary</b>	Donahue did not respond to the notice of proposed default.
<b>Board Action</b>	A motion was made by Vice President St. Angelo and seconded by Member Cover to hold respondent in default. A motion was made by Member Wall and seconded by Member Cover to revoke respondent's permit
<b>Vote</b>	Both Motions Carried <b>5-0-0</b>

**O. In the Matter of the Indiana Pharmacy Technician Certification of Nicole A. Parks, C.Ph.T.**

<b>Certification No.</b>	67014632A
<b>Administrative Cause No.</b>	2012 IBP 0032
<b>Regarding</b>	Default Hearing
<b>Parties Present</b>	Parks did not appear
<b>Counsel Present</b>	No Counsel for Respondent Darren R. Covington, Deputy Attorney General - Office of the Attorney General
<b>Participating Board Members</b>	Del T. Fanning, R.Ph., President Sara St. Angelo, PharmD., R.Ph., Vice President Winnie Landis, R.Ph., Member Donna S. Wall, PharmD., R.Ph., Member Steven Anderson, R.Ph., Member William J. Cover, R.Ph., Member
<b>Witnesses for the Petitioner</b>	None
<b>Witnesses for the State</b>	None
<b>Case Summary</b>	Parks did not respond to the notice of proposed default.
<b>Board Action</b>	A motion was made by Member Wall and seconded by Vice President St. Angelo to hold respondent in default. A motion was made by Member Wall and seconded by Member Cover to revoke respondent's certification.
<b>Vote</b>	Both Motions Carried <b>5-0-0</b>

**P. In the Matter of the Indiana Pharmacy Technician Certification of Nicole Lynn Krause, C.Ph.T.**

<b>Certification No.</b>	67015859A
<b>Administrative Cause No.</b>	2012 IBP 0030
<b>Regarding</b>	Default Hearing
<b>Parties Present</b>	Krause did not appear
<b>Counsel Present</b>	No Counsel for Respondent Darren R. Covington, Deputy Attorney General - Office of the Attorney General
<b>Participating Board Members</b>	Del T. Fanning, R.Ph., President Sara St. Angelo, PharmD., R.Ph., Vice President Winnie Landis, R.Ph., Member Donna S. Wall, PharmD., R.Ph., Member



	Steven Anderson, R.Ph., Member William J. Cover, R.Ph., Member
<b>Witnesses for the Petitioner</b>	None
<b>Witnesses for the State</b>	None
<b>Case Summary</b>	Krause did not respond to the notice of proposed default.
<b>Board Action</b>	A motion was made by Vice President St. Angelo and seconded by Member Landis to hold respondent in default. A motion was made by Member Wall and seconded by Member Cover to revoke respondent's certification.
<b>Vote</b>	Both Motions Carried <b><u>5-0-0</u></b>

## **VII. FINAL NOTES PRIOR TO ADJOURNMENT**

## **VIII. ADJOURNMENT**

President Fanning adjourned the meeting at approximately 6:05 p.m.

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Del Fanning, R.Ph., President  
Indiana Board of Pharmacy

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Date

### **Next Scheduled Meeting:**

Monday, July 9, 2012  
Indiana Government Center South  
Conference Room C