

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 FEBRUARY 8, 2021

Steve Anderson, R.Ph., President, called the meeting to order at 8:05 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
Matt Balla, R.Ph., Member
Jason Jablonski, R.Ph., Member

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

The Board voted by roll call to adopt the agenda.

Bunton/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

FULL BOARD APPEARANCES

Veronica Vernon – Legislative Update:

Ms. Vernon appeared telephonically and discussed HB 1468, regarding remote dispensing facility wording, the increase of ratio of Pharmacist to Techs and Interns. Ratio is going to 1:8, it is currently 1:6; Techs working remotely; Qualifying R.Ph. shifts some

responsibility of staffing back to the Store owner.

HB 1379 – Pharmacists/contraception; PBM's.

HB 1393 – PBM's/340B programs

The Board thanked Ms. Vernon for her update.

Steven Scott, PharmD, Director of Alumni Engagement-Dept of Pharmacy Practice, Associate Professor of Pharmacy Practice, Purdue & David Scott, Pesticide Administrator for the office of the State Chemist, Purdue – Hemp Discussion:

No one appeared telephonically for this discussion.

Brad Ray, Associate Professor, Wayne State University School of Social Work Director, Center for Behavioral Health and Justice – INSPECT Report:

Mr. Ray appeared telephonically regarding this matter.

At the June 2020 Board meeting, Mr. Ray was approved for INSPECT data and the Board requested he return in six (6) months to give them an update on his report.

The following is the information provided in his original appearance back in June.

He is the Director of the Center for Behavioral Health and Justice at Wayne State University, and he has funding from CDC (through ISDH) to develop and examine novel approaches to overdose surveillance data. He works closely with the Indiana Management Performance Hub (MPH) who conducts the necessary record linkage between disparate statewide data sets, removes identifying information, and then provides the data to him in a secure Enhanced Research Environment (ERE). Within the ERE he is able to conduct statistical analysis and then seek permission (from MPH) to remove the analysis for write-up. This approach provides top-notch data security and assures that no individual information is ever seen or disseminated. For this project he is requesting approval to share the INSPECT data with ISDH. What this means is that MPH will access the INSPECT and ISDH datasets (which includes vital records and toxicology data) for record linkage and then provide the nonidentifiable information to him through the ERE for subsequent analysis. His goal in this project is to use the ISDH and INSPECT data to determine the role, if any, of dispensed prescription medications among accidental drug overdose deaths and whether there are patterns over time and space with overlaps in the data. Preliminary data suggest that less than 6% of those who die from an accidental drug overdose death die from a substance that was dispensed through INSPECT; in fact, most individuals die from illicit or diverted substances. Only his linking INSPECT and ISDH data can we examine this pattern statewide. He has prior experience working with the linked INSPECT data with MPH and would continue to defer to them on data governance concerns.

He reviewed information from 2016 to 2020 and linked the toxicology results to accidental deaths. Approximately 420 deaths in 2020 were a result of overdoses.

The Board thanked him for the update and ask that he return in six (6) months for another update.

Brian Jent, J.D., Hall, Render, Killian, Heath & Lyman / Ascension St. Vincent – Discuss preparing & providing drugs for infusion:

Mr. Jent appeared telephonically to discuss options regarding preparing and providing drugs for infusion to patients who are affiliated with the Hospital but now are receiving care from a home health agency relate to the Hospital entity.

Mr. Safford also appeared with Mr. Jent. He indicated they are using an existing clean room to manage outpatient home infusions.

Mr. Jablonski stated they need to keep separate office and separate inventory, then come down and use the clean room to do the outpatient infusion.

Mr. Jent thanked the Board for their input.

Pharmacy Consulting, LLC – Non Resident Application – Positive Response:

No one appeared telephonically for this matter

PERSONAL APPEARANCES

The following personal appearance(s) did not appear:

- Charlotte Thomas, R.Ph. – Repeat MPJE Application

Jerusah Okwoyo, R.Ph. – Repeat MPJE Application:

Jerusah Okwoyo appeared telephonically before the Board and discussed his/her studying habits with the Board.

After discussion, the Board voted by roll call to APPROVE Jerusha's MPJE repeat exam application.

Smosna/Landis, 6/0/0
Motion carries

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

Betsy Abraham, R.Ph. – Repeat MPJE Application:

Betsy Abraham appeared telephonically before the Board and discussed his/her studying habits with the Board.

After discussion, the Board voted by roll call to APPROVE Betsy's MPJE repeat exam application.

Smosna/Landis, 6/0/0
Motion carries

The following board members voted aye by roll call:

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

The following board members objected: none

The following board members abstained: none

Think Vo, R.Ph. – Repeat NAPLEX Application:

Think Vo appeared telephonically before the Board and discussed his/her studying habits with the Board.

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

Smosna/Landis, 6/0/0
Motion carries

The following board members voted aye by roll call:

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

The following board members objected: none

The following board members abstained: none

Rebecca Arney, R.Ph. – Repeat NAPLEX Application:

Rebecca Arney appeared telephonically before the Board and discussed his/her studying habits with the Board.

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

Smosna/Landis, 6/0/0
Motion carries

The following board members voted aye by roll call:

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

The following board members objected: none

The following board members abstained: none

Amanda Walker, R.Ph. – Repeat MPJE Application:

Amanda Walker appeared telephonically before the Board and discussed his/her studying habits with the Board.

After discussion, the Board voted by roll call to APPROVE Amanda's MPJE repeat exam application.

Smosna/Landis, 6/0/0
Motion carries

The following board members voted aye by roll call:

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

The following board members objected: none

The following board members abstained: none

Ishmael Duagbor, R.Ph. – Repeat MPJE Application:

Ishmael Duagbor appeared telephonically before the Board and discussed his/her studying habits with the Board.

After discussion, the Board voted by roll call to APPROVE Ishmael's MPJE repeat exam application.

Smosna/Landis, 6/0/0
Motion carries

The following board members voted aye by roll call:

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

The following board members objected: none

The following board members abstained: none

Idoreyin Bob, R.Ph. – Repeat MPJE Application:

Idoreyin Bob appeared telephonically before the Board and discussed his/her studying habits with the Board.

After discussion, the Board voted by roll call to APPROVE Indoreyin's MPJE repeat exam application.

Smosna/Landis, 6/0/0
Motion carries

The following board members voted aye by roll call:

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

The following board members objected: none

The following board members abstained: none

Adele Woodruff – Technician Application – Positive Response

Adele Woodruff appeared telephonically before the Board and was not represented by counsel regarding a positive response on her initial application.

Let the record reflect that Winnie Landis and Mark Bunton explained that they are both employed by CVS and do not have knowledge of this applicant. Ms. Woodruff was fine with both participating.

Ms. Woodruff has had approximately eight (8) arrests/charges from 1999 to September 2013 for various reasons. None related to drugs, one in 1999 was a public intoxication charge as she drank for her birthday. Her last arrest was in September 2013.

After discussion, the Board voted by roll call to APPROVE Ms. Woodruff’s application.

Jablonski/Smosna, 6/0/0
Motion carries

The following board members voted aye by roll call:

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

The following board members objected: none

The following board members abstained: none

Kelly Spain – Technician Application – Positive Response

Kelly Spain appeared telephonically before the Board and was not represented by counsel regarding a positive response on her initial application.

Ms. Spain appeared before the Board in January 2021 and her application was tabled for her to obtain an addictionology evaluation.

Ms. Spain was evaluated by Addictions Recovery Centers, and it was determined no recommendations were required.

After discussion, the Board moved to APPROVE Ms. Spain’s application.

Balla/Smosna, 6/0/0
Motion carries

The following board members voted aye by roll call:

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

The following board members objected: none

The following board members abstained: none

Brooke Carr – Technician Application – Positive Response

Brooke Carr appeared telephonically before the Board and was not represented by counsel regarding a positive response on her initial application.

Let the record reflect that Winnie Landis and Mark Bunton explained that they are both employed by CVS and do not have knowledge of this applicant. Ms. Carr was fine with both participating.

Ms. Carr currently works at CVS.

She was charged with illegal consumption of alcohol while in college in 2018. She then was arrested and charged with a DUI in September 2020. Her BAC was .15. This case is still pending.

After discussion, the Board moved to TABLE Ms. Carr's application until after her court date.

Jablonski/Smosna, 6/0/0
Motion carries

The following board members voted aye by roll call:

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

The following board members objected: none

The following board members abstained: none

Moriah Chester – Technician Application – Positive Response

Moriah Chester appeared telephonically before the Board and was not represented by counsel regarding a positive response on her initial application.

Let the record reflect that Winnie Landis and Mark Bunton explained that they are both employed by CVS and do not have knowledge of this applicant. Ms. Chester was fine with both participating.

Ms. Chester currently works at CVS.

In January 2020 Ms. Chester was arrested for resisting arrest. She entered a diversion program which runs until January 21, 2022. She must complete thirty (30) hours of community service and pay court fees.

After discussion, the Board moved to APPROVE Ms. Chester's application on INDEFINITE PROBATION with terms and conditions.

Smosna/Jablonski, 6/0/0
Motion carries

The following board members voted aye by roll call:

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

The following board members objected: none

The following board members abstained: none

ADMINISTRATIVE HEARINGS

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 a Summary Suspension Extension 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 Lindy Meyer, with Accurate Reporting Services also appeared telephonically.

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.

Landis/Smosna, 6/0/0
Motion carries

The following board members voted aye by roll call:
Steve Anderson, Winnie Landis, 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 0003

Respondent did not appear telephonically and was not represented by counsel regarding a Summary Suspension Extension 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 Lindy Meyer, with Accurate Reporting Services also appeared telephonically.

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.

Landis/Bunton, 6/0/0
Motion carries

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

John Cox, R.Ph., License No. 26016022A, Cause No. 2020 IBP 0003

Respondent did not appear telephonically and was not represented by counsel regarding a Summary Suspension Extension scheduled before the Board. The State of Indiana was

represented by Erika Steuerwald, Deputy Attorney General and the court reporter sworn in for this matter was Lindy Meyer, with Accurate Reporting Services also appeared telephonically.

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.

Landis/Bunton, 6/0/0
Motion carries

The following board members voted aye by roll call:

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

The following board members objected: none

The following board members abstained: none

Sarah Gourley, Ph.T., License No. 67029782A, Cause No. 2019 IBP 0029

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

Let the record reflect that Winnie Landis and Mark Bunton explained that they are both employed by CVS and do not have knowledge of this applicant. Mr. Hart was fine with both participating.

The Attorney General's Office requested the Board to VACATE this matter as her license is 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 DENY the request to vacate.

Landis/Smosna, 6/0/0
Motion carries

The following board members voted aye by roll call:

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

The following board members objected: none

The following board members abstained: none

After further discussion, the Board moved to EXTEND the SUMMARY SUSPENSION for Ninety (90) days.

Landis/Balla, 6/0/0
Motion carries

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

Shirley Lindsey, Ph.T., License No. 67032904A, Cause No. 2019 IBP 0029

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

Let the record reflect that Winnie Landis and Mark Bunton explained that they are both employed by CVS and do not have knowledge of this applicant. Mr. Hart was fine with both participating.

The Attorney General's Office requested the Board to VACATE this matter as her license is 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 DENY the request to vacate.

Landis/Smosna, 6/0/0
Motion carries

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

After further discussion, the Board moved to EXTEND the SUMMARY SUSPENSION for Ninety (90) days.

Landis/Smosna, 6/0/0
Motion carries

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

Brent A. Losier, R.Ph., License No. 26018627A, Cause No. 2017 IBP 0057

Respondent did not appear telephonically and was not represented by counsel regarding a Summary Suspension Extension 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 Lindy Meyer, with Accurate Reporting Services also appeared telephonically.

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.

Landis/Bunton, 6/0/0
Motion carries

The following board members voted aye by roll call:

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

The following board members objected: none

The following board members abstained: none

Charles N. Ringger, R.Ph., License No. 26012961A, Cause No. 2017 IBP 0049

Respondent did not appear telephonically and was not represented by counsel regarding a Summary Suspension Extension 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 Lindy Meyer, with Accurate Reporting Services also appeared telephonically.

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.

Bunton/Smosna, 6/0/0
Motion carries

The following board members voted aye by roll call:

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

The following board members objected: none

The following board members abstained: none

Christopher Wagner, Ph.T., License No. 67009920A, Cause No. 2020 IBP 0002

Respondent did not appear telephonically 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 sworn in for this matter was Lindy Meyer, with Accurate Reporting Services also appeared telephonically.

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.

Landis/Balla, 6/0/0
Motion carries

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

Janie Arington, A.P.R.N., License No. 71003636C, Cause No. 2016 IBP 0059

Respondent appeared telephonically and was not represented by counsel regarding a Petition to Modify Order of 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 Lindy Meyer, with Accurate Reporting Services also appeared telephonically.

Zaneta Nunnally, Compliance Director and Jody Edens, Assistant Board Director with Professional Licensing Agency were sworn in as witnesses.

Ms. Arington testified that she has an x-waiver on her DEA in Kentucky and wants to start her own clinic. She is requesting to withdraw the probation on her license.

Ms. Arington has been on Probation for five (5) years. She voluntarily surrendered her DEA for cause, which subsequently caused her controlled substance registration (CSR) to be suspended by law. In 2016, the Board reinstated her CSR with schedules three through five (3-5). In 2017, her CSR was placed on Indefinite Probation by the Board.

Ms. Edens testified that when she receives documents by email from practitioners on probation, she forwards the emails on to Zaneta Nunnally, Compliance Director.

Ms. Nunnally testified that she receives document for practitioners on probation by email, she prints them off and places them in the files. Ms. Nunnally indicated she has not received any INSPECT reports from Ms. Arington since 2018.

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 contingent upon submission and review of missing INSPECT reports.

Smosna/Bunton, no vote
Both withdrew their vote

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter, the Board moved to DENY her request to Withdraw Probation.

Landis/Smosna, 6/0/0

Motion carries

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

The following board members objected: none

The following board members abstained: none

Brian Scholfield, R.Ph., License No. 26024215A, Cause No. 2021 IBP 0004

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

Mr. Scholfield submitted a letter to the Board requesting to surrender his license.

Mr. Scholfield's contract with IPRP was closed per his request. He is currently working in MO and does not have a contract with the MO PAP program.

He stated his sobriety date is April 28, 2020.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter, the Board moved to ACCEPT the SURRENDER of Mr. Scholfield's license with terms and conditions.

Bunton/Landis, 6/0/0

Motion carries

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

The following board members objected: none

The following board members abstained: none

Emili Hefler, Ph.T., License No. 67027455A, Cause No. 2020 IBP 0001

Respondent did not appear telephonically and was not represented by counsel regarding a Final Hearing/Complaint/Summary Suspension Extension scheduled before the Board. The State of Indiana was represented by April Keaton, Deputy Attorney General and the court reporter sworn in for this matter was Lindy Meyer, with Accurate Reporting Services also appeared telephonically.

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

Landis/Smosna, 6/0/0

Motion carries

The following board members voted aye by roll call:

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

The following board members objected: 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 EXTEND the SUMMARY SUSPENSION for Ninety (90) days.

Landis/Smosna, 6/0/0

Motion carries

The following board members voted aye by roll call:

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

The following board members objected: none

The following board members abstained: none

Susan Northrop, R.Ph., License 26016401A, Cause No. 2019 IBP 0009

Respondent did not appear telephonically and was not represented by counsel regarding a Summary Suspension/Proposed Settlement Agreement 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 Lindy Meyer, with Accurate Reporting Services also appeared telephonically.

A proposed settlement agreement between the Respondent and the Attorney General's Office was presented to the Board. The proposed settlement agreement included SUMMARY SUSPENSION for Ninety (90) days.

After reviewing the proposed settlement agreement and taking official, judicial notice of the pleadings, evidence and orders in this matter, the Board moved to APPROVE the Settlement Agreement.

Jablonski/Bunton, 6/0/0

Motion carries

The following board members voted aye by roll call:

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

The following board members objected: none

The following board members abstained: none

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

Respondent did not appear telephonically and was not represented by counsel regarding a Complaint/Default Hearing/Extension of Summary Suspension scheduled before the

Board. The State of Indiana was represented by Erika Steuerwald, Deputy Attorney General and the court reporter sworn in for this matter was Lindy Meyer, with Accurate Reporting Services also appeared telephonically.

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

Smosna/Bunton, 5/0/0
Motion carries

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

Kathryn Dagett, Investigator, Attorney General's Office was sworn in as a witness.

Ms. Dagett testified that she participated in the investigation regarding Heather Williams. She found that Ms. Williams diverted legend drugs while employed at Kroger. Ms. Williams admitted she diverted the drugs from filled prescription bottles. She was recently criminally convicted.

States Exhibits:
A – Consumer Complaint
B – Court documents

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter, the Board moved to REVOKE the Respondent's license.

Landis/Smosna, 5/0/0
Motion carries

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

Josiah Pheuisompou, Ph.T., License No. 67027662A, Cause No. 2020 IBP 0028

Respondent did not appear telephonically and was not represented by counsel regarding a Complaint/Default Hearing/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 Lindy Meyer, with Accurate Reporting Services also appeared telephonically.

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

Smosna/Balla, 5/0/0

Motion carries

The following board members voted aye by roll call:

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

The following board members objected: none

The following board members abstained: none

Rodney Crawford was sworn in as a witness.

In 2018 the Respondent stole \$1,000 case from the register at Kroger's, where he was employed. He did not appear for his criminal trial and a warrant was issued for his arrest. Kroger terminated his employment.

States Exhibits:

A – Kroger Employee Records

B – More Kroger Employee Records

C – Criminal Documents

C – Court Order Arrest Documents

D – Copy of Warrant for arrest

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter, the Board moved to REVOKE the Respondent's license.

Landis/Balla, 5/0/0

Motion carries

The following board members voted aye by roll call:

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

The following board members objected: none

The following board members abstained: none

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

Respondent did not appear telephonically and was not represented by counsel regarding a Complaint/Default Hearing/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 Lindy Meyer, with Accurate Reporting Services also appeared telephonically.

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

license in DEFAULT.

Smosna/Bunton, 5/0/0
Motion carries

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

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

Mr. Wire testified that he investigates consumer complaints, and he was assigned to Ms. Robbins' case.

He also stated that she was employed at Phils Health Mart and diverted over thirty thousand (30,000) tablets of schedule 2 drugs including Oxycodone, Hydrocodone and Adderall. He reviewed a video of Ms. Robbins putting pills in her purse.

States Exhibits:

- A – Employment records
- B – Video of theft
- C – Criminal 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 REVOKE the Respondent's license.

Landis/Balla, 5/0/0
Motion carries

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

After discussion, the Board further moved to EXTEND the SUMMARY SUSPENSION for Ninety (90) days.

Landis/Smosna, 5/0/0
Motion carries

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

Dalisa Leavelle-Tubbs, Ph.T. License No. 67029976A, Cause No. 2021 IBP 0007

Respondent appeared telephonically and was not represented by counsel regarding an Appeal of Renewal Denial scheduled before the Board. The State of Indiana was not represented, and the court reporter sworn in for this matter was Lindy Meyer, with Accurate Reporting Services also appeared telephonically.

The Respondent missed her original appearance with the Board because the notice was emailed to her Attorney, who forwarded it to her, but it went to her spam folder, and she never saw it. This appearance was to discuss with the Board her positive response on her renewal application.

She explained that on December 19, 2019, she was drinking at her home with some friends and she got too loud and the neighbor called the Police. She is on a court deferral program which started on December 1, 2020 and is for one (1) year. She has to complete forth (40) hours of community service and stay out of trouble.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter, the Board moved to APPROVE her APPEAL and REVERSED the Denial of her License.

Landis/Balla, 5/0/0
Motion carries

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

After further discussion, the Board moved to TABLE her license renewal until she has completed her diversion program. The Board also requested that her license status be placed on valid to practice while reviewed as the Board has one-hundred-twenty (120) days in which to act upon a license renewal.

Balla/Landis, 6/0/0
Motion carries

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

DISCUSSION

E-Prescribing Waivers:

Participating Members Mark Smosna, R.Ph., Jason Jablonski, R.Ph., Winnie Landis, R.Ph., Steve Anderson, R.Ph., Mark Bunton, R.Ph., Matt Balla, R.Ph.

Zaneta is working on FAQ sheet for the Compliance Officers to give out during inspections.

Laura, along with Darren Covington, will be doing a webinar on e-prescribing through IPA on Thursday at 11:00a.m. EST.

INSPECT Report – Kara Slusser, INSPECT Director

INSPECT clinical alerts have been updated to maintain consistency with the CDC's guidelines. Practitioners will receive an alert via email and PMP AWARe if any of their patients exceed the following thresholds within any sixty (60) day period. Practitioners must log into AWARe to review the patient information. Alerts will remain in the practitioner's account for ninety (90) days.

The first alert is for multiple provider episodes. It generates an alert when a patient meets or exceeds five (5) prescribers and five (5) Dispensers within a sixty (60) day period. The second alert is a daily active MME threshold. It generates an alert when the daily active MME (Morphine Milligram Equivalent) is greater than or equal to one-hundred twenty (120). The third alert is for overlapping prescriptions. It generates an alert when opioids and benzodiazepines are prescribed concurrently to a patient. Each alert is sent out with a disclaimer and an explanation.


Kara Slusser, INSPECT Director and Zaneta Nunnally, Compliance Director requested to use CSR Funds to pay for recertification for Ms. Nunnally and Mr. Tim Thomas's CISCi recertification. They will be taking the CriticalPoint training for Sterile Compounding. The cost is \$60.00 per person and the certification will be good for three (3) years.

After discussion, the Board moved to APPROVE CSR Funds to pay for both Ms. Nunnally and Mr. Thomas's registration fees.

Landis/Bunton, 6/0/0
Motion carries

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

There being no further business the Board adjourned at 5:36 p.m.



Steve Anderson, R.Ph., President

Mark Smosna, R.Ph., Vice President