

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

MINUTES OF APRIL 8, 2019

Mark Smosna, R.Ph., President, called the meeting to order at 8:39 a.m. and declared a quorum in accordance with IC 25-26-13-3(d), pursuant to public notice posted at the principal office of the board at least forty-eight (48) hours before the time of the meeting.

Members Present: Mark Smosna, R.Ph., President
Del Fanning, R.Ph., Member
Steve Anderson, R.Ph., Member
Donna Wall, R.Ph., Member
Winnie Landis, R.Ph., Member
Matt Balla, R.Ph., Vice President

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

The Board voted to adopt the agenda as amended.

Landis/Wall, 5/0/0
Motion carries

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

The Board voted to approve the March 11, 2019 minutes as written.

Landis/Anderson, 5/0/0
Motion carries

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

FULL BOARD APPEARANCES

Parkview Wabash Hospital – Three (3) Remote Location Apps:

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

The remote locations are for:

- Parkview Wabash Health Clinic – Kissinger Dr.
- Parkview Wabash Health Clinic – Cass St.
- Parkview Wabash Health Clinic – North Manchester

Trenton Shoda, R.Ph., PIC of Parkview Wabash Hospital appeared.

He indicated the controlled substances will be stored in a locked cabinet. The Clinical Supervisor or lead nurse will have the keys to the locked cabinet.

After discussion, the Board moved to APPROVE all three (3) remote location apps pending inspection.

Wall/Landis, 5/0/0
Motion carries

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

Munster Medical Research Foundation d/b/a Community Hospital – Community Stroke and Rehabilitation Center – Remote Location App:

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

Elizabeth Clements, R.Ph., and Tim Gardiner, Medical Safety Manager both appeared.

They will be using an Omnicell machine, one (1) on each of the two (2) floors. The Pharmacist will be there approximately three (3) days a week. The pharmacy technician on duty will have access to drugs in the storage vault.

After discussion, the Board moved to APPROVE the Remote Location Application.

Balla/Anderson, 6/0/0
Motion carries

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

PROBATIONARY APPEARANCES

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

The following made their probationary appearance:

Lucas Sweet
David Ringel
Stephen Potts
Ryan Manges
Susan Adams-Hayes
Charles Gabet
Estil Caton
Phillip Simpson
Nicole Nordeen
Melanie Arvin

The Board thanked Ms. Nunnally for her report.

PERSONAL APPEARANCES

Azadeh Sarafranz, MPJE Repeat Exam App:

Ms. Sarafranz appeared before the Board and discussed her studying habits.

After discussion, the Board moved to APPROVE Ms. Sarafranz's MPJE repeat exam application.

Landis/Balla, 6/0/0
Motion carries

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

Kehinde Afolabi, MPJE Repeat Exam App:

Mr. Afolabi appeared before the Board and discussed his studying habits.

After discussion, the Board moved to APPROVE Mr. Afolabi's MPJE repeat exam application.

Fanning/Wall, 6/0/0
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

Ngoc Nguyen, NAPLEX Repeat Exam App:

Ms. Nguyen appeared before the Board and discussed her studying habits.

After discussion, the Board moved to APPROVE Ms. Nguyen's NAPLEX repeat exam application.

Wall/Landis, 6/0/0
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

Angela Bell, Technician in Training App:

Ms. Bell appeared before the Board regarding her technician in training application and was not represented by counsel.

Ms. Bell has been driving cars for fifteen (15) years without a driver's license and has had many citations/arrests for driving without a license.

She indicated that she hasn't driven in the last two (2) years but currently still does not have a driver's license.

She stated that she will be eligible to take the driving test to obtain a driver's license in seven (7) to ten (10) days.

After discussion, the Board moved to APPROVE Ms. Bell's technician in training license on INDEFINITE PROBATION with terms and conditions.

Wall/Anderson, 6/0/0

Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

ADMINISTRATIVE HEARINGS

Tianna Cardona, Ph.T., License No. 67032776A, Cause No. 2019 IBP 0006

Respondent did not appear in person and was not represented by counsel regarding a Summary Suspension Extension scheduled before the Board. The State of Indiana was represented by Ryan Eldridge, Deputy Attorney General and the court reporter sworn in for this matter was Robin Martz with Stewart Richardson Deposition Services.

Ms. Cardona pled guilty to Count II charging Possession of a Controlled Substance, Class A misdemeanor. She was placed on 363 days formal probation with conditions ordered by the Court.

State's Exhibit B – Sentencing Order

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.

Wall/Anderson, 6/0/0
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

Gianna Graham, Ph.T., License No. 67030515A, Cause No. 2019 IBP 0042

Respondent did not appear in person 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 Robin Martz with Stewart Richardson Deposition Services.

Ms. Graham was terminated from CVS for diverting Tramadol, Amphetamine salts, Oxycodone and Hydrocodone for personal use.

State's Exhibits:

A – CVS employment record

A1 – Statements from Ms. Graham regarding diverting medications

B – email from Ms. Graham

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

Fanning/Wall, 6/0/0
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

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

Respondent did not appear in person and was not represented by counsel regarding an Extension of Summary Suspension scheduled before the Board. The State of Indiana was represented by Tina Mann, Deputy Attorney General and the court reporter sworn in for this matter was Robin Martz with Stewart Richardson Deposition Services.

Mr. Losier was indicted for ten (10) counts of Health Care fraud, which is currently pending in the courts.

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

Fanning/Balla, 6/0/0
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

Patricia Macias, Ph.T., License No. 67010608A, Cause No. 2018 IBP 0037

Respondent did not appear in person and was not represented by counsel regarding an Extension of Summary Suspension scheduled before the Board. The State of Indiana was represented by Tim Weber, Deputy Attorney General and the court reporter sworn in for this matter was Robin Martz, with Stewart Richardson Deposition Services.

Ms. Macias's technician license has now expired.

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

Suspension Extension at the State's request due to the expiration of the license.

Fanning/Balla, 6/0/0
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

Pharmedium Services, LLC, License No's 64000801A, 64000845A, 64000910A and 64000844A, Cause No's 2019 IBP 0009, 2019 IBP 0010, 2019 IBP 0011 and 2019 IBP 0012

Respondent did not appear in person and was not represented by counsel regarding an Extension of Summary Suspension scheduled before the Board for all four (4) matters. The State of Indiana was represented by Ryan Eldridge, Deputy Attorney General and the court reporter sworn in for this matter was Robin Martz with Stewart Richardson Deposition Services.

A voluntary settlement agreement between the Respondent, their Counsel and the Attorney General's Office was presented to the Board. The settlement agreement included SUMMARY SUSPENSION EXTENSION for SIXTY (60) days.

After reviewing the settlement agreements and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board moved to ACCEPT the settlement agreement.

Balla/Anderson, 6/0/0
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

Darrel Rinehart, M.D., License No. 01031165B, Cause No. 2019 IBP 0007

Respondent appeared in person and was represented by counsel, Derek Peterson regarding a Motion to Vacate Hearing scheduled before the Board. The State of Indiana was represented by Tim Weber, Deputy Attorney General and Tina Mann, Deputy Attorney General and the court reporter sworn in for this matter was Robin Martz with Stewart Richardson Deposition Services.

The State filed a motion to vacate because the Respondent recently surrendered his DEA, which by law places his CSR on Suspended status.

State Exhibit 1– copy of DEA surrender

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 the MOTION TO VACATE Summary Suspension

Anderson/Wall, 6/0/0
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

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

Respondent did not appear in person and was not represented by counsel regarding an Extension of Summary Suspension scheduled before the Board. The State of Indiana was represented by Tina Mann, Deputy Attorney General and the court reporter sworn in for this matter was Robin Martz with Stewart Richardson Deposition Services.

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.

Wall/Balla, 6/0/0
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

Eric Falconer, M.D., No License, Cause No. 2019 IBP 0014

Respondent appeared in person and was not represented by counsel regarding an Order to Show Cause – Controlled Substances Registration Application scheduled before the Board. The State of Indiana was represented by Tim Weber, Deputy Attorney General and the court reporter sworn in for this matter was Robin Martz with Stewart Richardson Deposition Services.

Dr. Falconer informed the Board that the Medical Licensing Board recently issued his medical license on Indefinite Probation for one (1) year, limiting him to work in Emergency Medicine only.

His license in Missouri was revoked for practicing and using/prescribing controlled

substances without appropriate controlled substances license. He explained that he had the license but moved offices and the Board in Missouri didn't get his address change so the license he had was for the empty office and not the one he was practicing out of.

The states of Illinois and Arizona followed suit and revoked his license. The state of Florida placed his license on suspension.

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 Dr. Falconer's CSR application.

Anderson/Balla, 5/0/0
Motion carries

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

Andrew Felman, D.O., No License, Cause No. 2019 IBP 0015

Respondent appeared in person and was represented by counsel, Michael Gaerte regarding an Order to Show Cause – Controlled Substances Registration Application before the Board. The State of Indiana was represented by Tim Weber, Deputy Attorney General and the court reporter for this matter was Robin Martz with Steward Richardson Deposition Services.

In 2010 Dr. Felman was arrested for a DUI and possession of Marijuana. The possession charges were dropped. He was placed on Court Probation which was completed in 2012.

He filed for and was granted expungement of the above issue but the expungement wasn't sent to the FBI.

The Medical Board order him to obtain an evaluation. He went to Bradford Health and was successfully discharged. He entered into a five (5) year contract with ISMA.

His medical license has been on active status since 2018.

His sobriety date is November 26, 2017

Respondent Exhibits:

- 1 – Copy of CSR application
- 2 – Chronological Case Summary
- 3 – Positive response explanation
- 4 – Completion letter from Bradford Health
- 5 – Letter from Dr. Frick
- 6 – Letter from Dr. Eifried with St. Vincent/Ascension

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 Dr. Felman's CSR application.

WallAnderson, 6/0/0
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

Mikhail Galperin, M.D., License No. 01075196B, Cause No. 2019 IBP 0018

Respondent appeared in person and was represented by counsel, Michael Gaerte before an Order to Show Cause – Reinstatement of Suspended Controlled Substances Registration scheduled before the Board. The State of Indiana was represented by Tim Weber, Deputy Attorney General and the court reporter sworn in for this matter was Robin Martz with Stewart Richardson Deposition Services.

Dr. Galperin stated that he received his medical license and controlled substances registration in 2015. In 2018 he surrendered his DEA and his CSR was then suspended automatically.

He was an Anesthesiologist and in 2017 he developed an Opioid addiction. His drug of choice was Fentanyl. He stated that in 2017 he developed severe insomnia and he used OTC medication but they didn't work and that was when he turned to Opioid's. He said he wouldn't take it until end of shift or when he got home and was ready for bed.

He self-reported to ISMA and went to Bradford Health in Alabama for twelve (12) weeks.

In June 2018 he agreed to have his medical license placed on Indefinite Probation for three (3) years.

His sobriety date is January 13, 2018.

Respondent Exhibits:

- A – Voluntary surrender of privileges DEA
- B – ISMA monitoring contract
- C – MLB proposed settlement agreement
- D – MLB Order accepting settlement agreement
- E – St. Joseph Superior Court Plea Agreement
- F – Judgement of Conviction and sentencing order
- G – Letter from Dr. Frick

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 Dr. Galperin's CSR application on INDEFINITE PROBATION with terms and conditions.

Wall/Anderson, 6/0/0
Motion carries

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

Melanie Arvin, R.Ph., License No. 26020779A, Cause No. 2018 IBP 0002

Respondent appeared in person and was not represented by counsel regarding an Order to Show Cause scheduled before the Board. The State of Indiana was represented by Tim Weber and the court reporter sworn in for this matter was Robin Martz with Stewart Richardson Deposition Services.

Terry Harman, Ph.D., LACA, LMHC, LMFT, Program Director at Indiana Professionals Recovery Program (IPRP) was sworn in as a witness.

Dr. Harman testified that Ms. Arvin was not in compliance with her IPRP contract. She missed seventeen (17) check-ins from October 2018 through March 2019. A check-in is to see if you have been selected to do a urine drug screen.

IPRP is an abstinence based program, but Ms. Arvin is taking a low dose of Alprazolam, it hasn't shown up on any of her actual drug screens. On March 11, 2019 she had an abnormal drug screen. She has had ten (10) negative drug screens since November 2018.

Ms. Arvin stated that she hasn't worked as a Pharmacist since October 2017.

After discussion, the Board moved that the Respondent VIOLATED terms f and h of her probationary order.

Anderson/Fanning, 6/0/0
Motion carries

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

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board moved to impose no further discipline.

Anderson/Balla, 6/0/0
Motion carries

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

Kelly Branchfield, R.Ph., License No. 26017946A, Cause No. 2018 IBP 0052

Respondent appeared in person and was not represented by counsel regarding an Order to Show Cause scheduled before the Board. The State of Indiana was represented by Tim Weber, Deputy Attorney General and the court reporter sworn in for this matter was Robin Martz with Stewart Richardson Deposition Services.

Terry Harman, Ph.D., LCAC, LMHC, LMFT, Program Director at Indiana Professional Recovery Program was sworn in as a witness.

Dr. Harman informed the Board that Ms. Branchfield did not sign her contract timely. She signed it on March 18, 2019 after the OTSC was issued.

He indicated she has had two (2) abnormal urine drug screens and one (1) that was dilute. He indicated that was due to the amount of medication she takes.

Dr. Harman indicated she is on a one (1) year contract but he would like to see 100% compliance for one (1) year.

After discussion, the Board moved that the Respondent did not VIOLATE terms e and g of her probationary order.

Wall/Anderson, 6/0/0
Motion carries

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

Kristina Luers, R.Ph., License No. 26020473A, Cause No. 2016 IBP 0068

Respondent did not appear in person and was not represented by counsel regarding an Order to Show Cause scheduled before the Board. The State of Indiana was represented by Tim Weber, Deputy Attorney General and the court reporter sworn in for this matter was Robin Martz with Stewart Richardson Deposition Services.

Ms. Luers sent the Board a letter in which she requested that her license be placed back on Suspension and she is taking CBD oil for mental health issues.

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 an NOTICE of PROPOSED DEFAULT.

Fanning/Anderson, 6/0/0
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

Charley Yancey, Ph.T., License No. 67023489A, Cause No. 2019 IBP 0013

Respondent did not appear in person and was not represented by counsel regarding a Final Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Laura Iosue, Deputy Attorney General and the court reporter sworn in for this matter was Robin Martz with Stewart Richardson Deposition Services.

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 an NOTICE of PROPOSED DEFAULT.

Wall/Fanning, 6/0/0
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

Kristopher Conner, Ph.T., License No. 67018451A, Cause No. 2018 IBP 0027

Respondent did not appear in person and was not represented by counsel regarding a Summary Suspension scheduled before the Board. The State of Indiana was represented by Ryan Eldridge, Deputy Attorney General and the court reporter sworn in for this matter was Robin Martz with Stewart Richardson Deposition Services.

Mr. Conner is currently in jail.

He has been charged with the following:

1. Child Molesting- intercourse or deviate sex with victim less than 14 – Class A Felony
2. Rape when compelled by force or imminent threat or force – Class 3 Felony
3. Rape when compelled by force or imminent threat or force – Class 3 Felony
4. Rape when compelled by force or imminent threat or force – Class 3 Felony

State's Exhibit A – Chronological Case Summary

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

Anderson/Wall, 6/0/0
Motion carries

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

Kathryn Bearss, Ph.T., License No. 67003506A, Cause No. 2004 IBP 0033

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default/Order to Show Cause 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 Robin Martz with Stewart Richardson Deposition Services.

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.

Anderson/Wall, 6/0/0
Motion carries

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

After discussion, the Board moved that the Respondent VIOLATED term 2e of her probationary order.

Anderson/Wall, 6/0/0
Motion carries

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

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

pleadings, evidence and orders in this matter the Board moved to place the Respondent's license on INDEFINITE SUSPENSION.

Wall/Balla, 6/0/0
Motion carries

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

Brandon Boston, Ph.T., License No. 67030243A, Cause No. 2018 IBP 0003

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default/Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Tim Weber, Deputy Attorney General and the court reporter sworn in for this matter was Robin Martz with Stewart Richardson Deposition Services.

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.

Wall/Landis, 6/0/0
Motion carries

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

The Respondent was arrested for shoplifting at Walmart and he was in possession of a fire arm at the time.

In 2017 he also admitted to his then employer, Walgreens that he diverted Alprazolam, Buprenorphine and Hydrocodone for self-use.

State's Exhibits:

- A – Chronological Case Summary
- B – Employment 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 hold the Respondent's license in DEFAULT.

Wall/Landis, 6/0/0
Motion carries

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

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

Anderson/Fanning, 6/0/0
Motion carries

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

Erin Crouch, Ph.T. License No. 67018943A, Cause No. 2018 IBP 0053

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default/Order to Show Cause scheduled before the Board. The State of Indiana was represented by Tim Weber, Deputy Attorney General and the court reporter sworn in for this matter was Robin Marts with Stewart Richardson Deposition Services.

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.

Wall/Landis, 6/0/0
Motion carries

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

At the September 2018 meeting the Board renewed Ms. Crouch's license on Indefinite Probation based upon the following:

- Has a job offer pending with CVS. Has prior arrests from fraud and invasion of privacy. She has three (3) years sobriety from opioids and heroin.

She has failed to appear for her quarterly appearances.

State's Exhibits:

A – Court documents

B – Copy of Renewal information

After discussion, the Board moved that the Respondent VIOLATED term 2e of her probationary order.

Anderson/Wall, 6/0/0

Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

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

Wall/Landis, 6/0/0

Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

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

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Dismissal of Petition to Withdraw Probation scheduled before the Board. The State of Indiana was not represented in this matter and the court reporter sworn in for this matter was Robin Martz with Stewart Richardson Deposition Services.

Mr. Covington informed the Board that the Respondent did respond timely to the Notice of Proposed Dismissal and requested the matter to be reset for hearing.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter the Board moved to DISMISS the Notice of Proposed Dismissal and to have this matter rescheduled.

Anderson/Wall, 6/0/0

Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

Nathan Reeise, Ph.T., License No. 67031441A, Cause No. 2018 IBP 0065

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default/Disciplinary Hearing scheduled before the Board. The State of Indiana was represented by Tim Weber, Deputy Attorney General and the court reporter sworn in for this matter was Robin Martz with Stewart Richardson Deposition Services.

Mr. Weber informed the Board that Mr. Reeise now has an attorney and he requested this matter be reset for a hearing.

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

Anderson/Balla, 6/0/0
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

Shatteri Stanley, Ph.T., License No. 67028338A, Cause No. 2016 IBP 0006

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Dismissal of Petition to Withdraw Probation 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 Robin Martz with Stewart Richardson Deposition Services.

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

Anderson/Wall, 6/0/0
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

DISCUSSION

INSPECT:

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

Education:

- INSPECT will be doing a training and education push. They will work with the Veterinary Association on some Q & A's and will meet with the Veterinary Board to see if the Board has any suggestions on what would be most beneficial to educate Veterinarians on INSPECT.

Integration:

- INSPECT completed a three (3) store pilot with CVS and recently rolled out to over three hundred (300) CVS stores.
- They have added fifteen (15) additional Healthcare Facilities

Kara also informed the board that they have cleaned up accounts of practitioners that have retired or surrendered their CSR's. They closed all of those accounts.

The Board thanked Ms. Slusser for her report.

Zaneta Nunnally – Compliance Director – Report:

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

Ms. Nunnally reported the following:

- 90 inspections were performed for the month of March
- 43 Pharmacies
- 08 Home Medical Equipment Facilities
- 39 Controlled Substance Registrations
- 8 deficiencies were found
- 04 consumer complaints filed
- 01 Pharmacy robberies

Ms. Nunnally explained an issue they are having with some of the ADS in nursing homes. They have found that some have temperature issues. One was between 85 and 90 degrees. They are requiring them to keep temperature logs at least two (2) times per day.

The Board indicated it's the Pharmacy's responsibility and they should have a copy of the temperature logs on file at the Pharmacy too. The Board also suggested that before the original inspection is completed that they require the machine to be up and running (no

drugs installed) so that when the inspection is completed the Compliance Officer can test the temperature to make sure it's at a good level.

The Board thanked Ms. Nunnally for her report.

Pseudoephedrine Rule Update:

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

Last month, Mr. Covington informed the Board that they need to start over with the rule revisions, as the rule was withdrawn for not complying with statutory requirements.

Mr. Covington has prepared a revised draft for the Board's review. The Board suggested a couple of changes to the proposed rule.

Mr. Covington thanked them for their input.

Cayla Fluke – Bounced Check:

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

Ms. Fluke bounced her \$25.00 check that was sent in for payment of her technician application. Staff has notified her twice regarding this matter. She has not responded.

After discussion, the Board moved to DENY Ms. Fluke's application.

Wall/Balla, 6/0/0
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

Repeal of Pharmacist license display rule:

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

Mr. Covington prepared an amendment to repeal the language regarding the display of a pharmacist license.

After discussion, the Board moved to APPROVE the repeal language.

Wall/Anderson, 5/0/0
Motion carries

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

Current Legislative Bills:

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

Mr. Covington gave the Board a synopsis of the following bills that could affect the Pharmacy Board.

- HB 1294
- HB 1252
- HB 1248
- HB 1246
- HB 1269
- SB 433
- SB 312
- SB 176
- SB 136
- SB 133

Approval of NAPB Blueprint Participation:

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

Zaneta Nunnally, Compliance Director, Darren Covington, Board Director and Bill Cover, NABP met and discussed the blueprint participation this past December.

The NABP blueprint is a universal inspection form that all states can use so there will be standardization of compounding of inspections across state lines.

Only Compliance Officers with approved training can do the blueprint inspection forms. Both Zaneta and Tim Thomas are certified inspectors. The inspections would also be done every eighteen (18) months.

Both Zaneta and Tim thought they would be able to do this since there weren't that many facilities.

After discussion, the Board moved to APPROVE the NAPB Blueprint Participation.

Landis/Wall, 6/0/0
Motion carries

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

Rule Updates:

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

Repeal of Pharmacist License Display Rule:

Mr. Covington informed the Board that the Governor's Office has approved the Board to move forward with this rule. His next step is to request a Moratorium.

The Board thanked him for the information.

Breanna Ferrell, Ph.T., Probation Compliance Review:

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

Let the record reflect that Winnie Landis recused herself and left the room.

Staff found out that Ms. Ferrell has had some court appearances for driving while suspended. Mr. Covington informed the Board that they are infractions and not actual crimes.

After reviewing the documents the Board moved that this was NOT a violation of her probation order.

Wall/Balla, 5/0/0
Motion carries

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

INSPECT Query Waiver Procedure:

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

WAIVER OF QUERY REQUIREMENT – IC 35-48-7-11.1(q) & IC 35-48-7-12.1(d)

Waiver only applies to query requirement, not to registration requirement.

Waiver can only be granted if practitioner does not have access to the Internet at the practitioner's place of business.

WAIVER REQUEST PROCEDURE

1. Practitioner submits a written request for a waiver of the query requirement, by sending a letter to the Board or by emailing the Board at pla4@pla.in.gov.
2. The written request should include the name and license number of the practitioner, the location of the practitioner's place of business, and an explanation as to why the practitioner does not have access to Internet services.
3. The written request will be saved to the practitioner's electronic record kept by IPLA.
4. The Board will review the request at their regularly scheduled meeting, and may ask the practitioner to make a personal appearance to answer any questions.
5. The Board will then vote on whether to grant or deny a waiver request. A waiver should not be granted if the sole reason a practitioner does not have access to the Internet is that they do not want to pay for the service.
6. The Board will send a letter to the practitioner notifying them of the Board's decision. This letter will also be maintained with the practitioner's electronic file.
7. The Board may rescind approval of a waiver if it receives information that the practitioner now has access to Internet services. This decision would be communicated and saved in the same manner described in #6 above.
8. Require new waiver request at regular intervals?

The Board indicated the waiver would be good for one (1) year.

Mr. Covington stated he would post the information on the Board's website.

Terry Harman, Ph.D., LCAC, LMHC, LMFT, Program Director IPRP:

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

Dr. Harman gave the following report to the Board.

- He is working with Affinity to get better reports.
- More of the participants have transferred to their phone app vs their computer app.
- Trying to get a handle on CBD oil.
- Concerned with Technicians as many do not consider alcohol a drug, so he has to make sure he calls it a mood altering substance.
- Having issues with dual diagnosis were medications are not allowed with the program. Example – ADHD medications. They are looking at and encouraging participants to try other alternatives; requesting that a Psychiatrist evaluate the patient and not a GP, NP etc.

The Board thanked Dr. Harman for his report.

REVIEW OF APPLICATIONS

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

Individual Application Review:

The Board reviewed and requested a PERSONAL APPEARANCE on the following initial application(s):

- Ryan Herald, Tech in Training

Balla/Fanning, 6/0/0
Motion carries

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

Controlled Substance Registrations, HME & EDI Applications:

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

- Olusola Olowe, M.D. – CSR App
- Indiana University/Monte Willis, M.D. – Researcher CSR App – Schedules 2,2N,3,3N
- Akron Medical Clinic – Hospital/Clinic CSR App – Schedules 3,4
- Argos Medical Clinic – Hospital/Clinic CSR App – Schedules 3,4
- Purdue University/Theresa Anderson – Researcher CSR App – Schedule 3
- Peacable primate Sanctuary – License #61101889B Humane Society/Animal Shelter – adding Schedule 2, 2N

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

- IN Wellness LLC d/b/a Volonte – Bloomington – Hospital/Clinic CSR App – Schedule 3
- IN Wellness LLC d/b/a Volonte – Indpls – Hospital/Clinic CSR App – Schedule 3
- IN Wellness LLC d/b/a Volonte – Lafayette – Hospital/Clinic CSR App – Schedule 3
- IN Wellness LLC d/b/a Volonte – Kokomo – Hospital/Clinic CSR App – Schedule 3

Anderson/Wall, 6/0/0
Motion carried

The following board members voted aye:

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

Facility Applications:

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

- Elanco US Inc – WDD App
- Costco Wholesale Corp d/b/a Costco Pharmacy #1331
- Costco Pharmacy #1349
- Costco Pharmacy #1348

Fanning/Wall, 6/0/0
Motion carries

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

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

- Pope Shenouda d/b/a 1st Choice Pharmacy
- JSK Drug d/b/a RX Solutions
- KABAFUSION NJ
- Commons Corner Apothecary
- Skin Specialty Solutions

The Board reviewed and TABLED the following compounding facility application(s) for additional documentation

- Premium Compounding
- Lee Silsby Compounding Pharmacy
- Harper's Pharmacy d/b/a Ameripharma
- Customedico Pharmacy & Wellness

Anderson/Balla, 6/0/0
Motion carries

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

Continuing Education Applications:

The Board reviewed and APPROVED the following continuing education programs:

- Don Newman – Morton Plant Hospital – Grand Rounds/Telemedicine – 1 hour
- Don Newman – Morton Plant Hospital – Grand Rounds/Excellent Speech – 1 hour
- Joan Hand – Ft. Wayne Medical Education Program – PWMEP Resident Didactics – 2 hours
- Joan Hand - Ft. Wayne Medical Education Program – PWMEP Research Day – 3 hours
- Joan Hand - Ft. Wayne Medical Education Program – PWMEP Resident Didactics – 1.5 hours
- Jessica Lynton – American College of Rheumatology – 6 hours – to use as her CE renewal credits
- Jessica Lynton – NASPGHAN Annual Meeting – 6 hours – to use as her CE renewal credits
- Don Newman – Morton Plant Hospital – Grand Rounds/Malabsorption Syndrome – 1 hour
- Connor Hummel – Community Health Network, Pharmacy Services – Take my Breath Away: Application of 2019 Gold Guidelines – 1 hour

Landis/Fanning, 6/0/0
Motion carried

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

Pharmacy Technician Training Programs:

The Board reviewed and APPROVED the following Technician Training Program(s):

- Martin's Super Markets – initial app
- VIBRA Hospital of Northwest Indiana – initial app
- Confidential Drug Pharmacy – initial app

Landis/Fanning, 6/0/0
Motion carried

The following board members voted aye:

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

The following board members voted nay: none

The following board members abstained: none

Third Party Logistics Applications:

The Board reviewed and APPROVED the following 3PL application(s).

- Butler Animal Health Supply d/b/a Henry Schein Animal Health
- Lifescience Logistics, LLC
- LeSaint Logistics

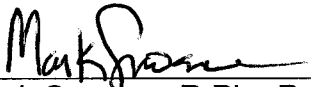
The Board reviewed and TABLED the following 3PL application(s).

- Integrity Pharmaceutical Solutions

Wall/Landis, 6/0/0
Motion carried

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

There being no further business the Board adjourned at 4:45 p.m.



Mark Smosna, R.Ph., President

Matt Balla, R.Ph., Vice President