

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

DRAFT Minutes of April 14, 2025

Steve Anderson, R.Ph., Board President, called the meeting to order at 8:32 a.m. and declared a quorum in accordance with IC 25-26-13-3(d), pursuant to public notice posted at the principal office for the Board, 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:

Steve Anderson, R.Ph., President
Matt Balla, R.Ph., Vice President
Mark Bunton, R.Ph., Member
Andrew Meador, C.Ph.T., Member
Mark Smosna, R.Ph., Member
Kate Snedeker, Consumer Member

Members Absent

Jason Jablonski, R.Ph., Member

PLA Staff Present:

Kim Snyder, Board Director
Caitlin Cress, Assistant Board Director
Bradley Repass, Litigation Specialist

Advisory Counsel:

Leif Johnson, J.D.

Court Reporter:

Accurate Reporting – Margie Addington

The Board moved to adopt the agenda.
Smosna/Balla 6-0-0
Motion carries

The Board moved to approve the minutes from the March 10, 2025 Board meeting.
Bunton/Smosna 6-0-0
Motion carries

Administrative Hearings

Administrative Hearing(s) Continued:

The following hearing(s) were continued:

- **Kodi Scott Hamilton, Ph.T., License No: 67039798A – Cause No. 202411-BOP-0032 – Administrative Complaint**
- **Charles N. Ringger, R.Ph., License No: 26012961A – Cause No. 202501-BOP-0005 – Administrative Complaint**

Paul's Pharmacy, License No: 60006286A – Cause No. 2023 IBP 0010

Petition for Probation Withdraw

DAG: Ryan Eldridge

Respondent: Madison Heartman-Laredo and Stephanie Eckerle with Krieg DeVault, Counsel for Paul's Pharmacy, Jacob Mayor, Owner of Paul's Pharmacy

Exhibit(s): Respondent referenced Exhibits A – D which were already accessible records.

Witness(es): Jacob Mayor, Owner of Paul's Pharmacy, Deborah Larison, Chief Compliance Officer for Paul's Pharmacy, Johnathan Garvey, employee of Paul's Pharmacy

Margie Addington sworn in as court reporter. Respondent's attorney and Ryan Eldridge gave opening statements. Respondent's attorney stated all terms of probation were met including the remediation plan. Andrew asked about the two separate related probations and why the issues occurred. Jacob hired a full time Chief Compliance and Operations Officer to oversee pharmacy operations, compliance and created new policies and procedures. Deb Larison explained and discussed remediation details. Even though one store was under this agreement, all locations are following this new policy and procedure manual. All training and communication occur in real time. Compound about 15% of products; non-sterile compounding. Conducts mock inspections and audits; culture of being inspection ready all of the time. Separate storage is available for staff and for patients (referring to refrigerators and freezers). Ryan asked about the process for outdated medication, both compounded and shelf medications related to the reverse distributor. Respondents and state gave closing statements. State has no objections to the withdraw of probation.

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

Bunton/Smosna, 6-0-0
Motion carries

Alexander Nikifor Chaikin, M.D., License No: 01067044B – Cause No. 2019 IBP 0053

Petition for Probation Withdraw

DAG: Ryan Eldridge

Respondent: Alexander Nikifor Chaikin, Mike Gaerte, Counsel

Exhibit(s): Respondent Exhibits A - I

Witness(es): Alexander Nikifor Chaikin

Respondent and DAG provided opening statements. Mike Gaerte stated that respondent has met all terms of probation. The Indiana Medical Licensing Board withdrew probation January 2025.

The order has not been issued yet. Dr. Chaikin is a Board Certified anesthesiologist and explained his current practice and current ideal work life balance and that he has been sober over 7 years. Currently licensed in Illinois and Indiana. He's maintained his Indiana license because he may return to teach in Indiana. Illinois probation withdrawn in November 2024. Mike Gaerte provided a closing statement. State does not object to withdrawing probation.

After having considered the evidence presented, testimony of the witness, and taking official, judicial notice of the pleadings, evidence, and orders in this matter the Board moved to WITHDRAW the Order of Probation on the Respondent's license once the Indiana Medical Licensing Board issues their order.

Meador/Smosna, 6-0-0
Motion carries

Daphney Kay Leverett, A.P.R.N., License No: 71001239A – Cause No. 2021 IBP 0033

Order to Show Cause for Reinstatement of Suspended Controlled Substance Registration

DAG: None
Respondent: Daphney Kay Leverett
Exhibit(s): None
Witness(es): None

Respondent did not bring counsel and wished to proceed. Daphney provided an opening statement and did give up her DEA. She would like to be issued a CSR so that she can reapply for a DEA. Does not plan to work in pain management. The nursing board withdrew probation last July 2024. Andrew asked Daphney to explain what lead to her relinquishing her DEA. Full time position was in Occupational Health. Does have a position with an Employee Health Clinic. This potential employer requires that she have a CSR and DEA. Daphney gave a closing statement.

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

Meador/Snedeker, 6-0-0
Motion carries

Megan S. Utterback, Ph.T., License No: 67020545A - Cause No. 202412-BOP-0038

Administrative Complaint

DAG: Alex James
Respondent: Not Present
Exhibit(s): None
Witness(es): None

DAG requested respondent be issued OTSC. The Hearing Notice cites a nursing rule and not a pharmacy rule. Board counsel recommended that this matter be continued. DAG explained that the main count is #2 related to diversion. The hearing will be continued to correct the hearing notice error.

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

PROPOSED DEFAULT.

Bunton/Smosna, 6-0-0
Motion carries

Sein Hnin Zee Grocery - Cause No. 202412-BOP-0039

Cease and Desist

DAG: Ryan Eldridge on behalf of Rebekah Hammond
Respondent: Not Present
Exhibit(s): None
Witness(es): None

Ryan gave an opening statement. All notice requirements were met. Requested a Notice of Proposed Default to give respondent time to respond. If the Respondent does not respond, will proceed with 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 issue a NOTICE OF PROPOSED DEFAULT.

Smosna/Snedeker, 6-0-0
Motion carries

Rebecca A. Laird, Ph.T., License No: 67031108A - Cause No. 202411-BOP-0031

Proposed Settlement Agreement

DAG: Sarah Rochester
Respondent: Not Present
Exhibit(s): None
Witness(es): None

State requested the board accept the proposed settlement agreement. Must pay a fine prior to petitioning for reinstatement.

A settlement agreement between the Respondent, their counsel and the Attorney General's Office was presented to the Board. The settlement agreement included stipulated facts and INDEFINITE SUSPENSION with terms and conditions and a FINE OF \$1,000.00 prior to petitioning for reinstatement.

After reviewing the agreement and taking official, judicial notice of the pleadings, evidence, and orders in this matter the Board moved to APPROVE the SETTLEMENT AGREEMENT.

Bunton/Smosna, 6-0-0
Motion carries

Neil J. Gorski, R.Ph., License No: 26025940A - Cause No. 202411-BOP-0031

Proposed Settlement Agreement

DAG: Ryan Eldridge
Respondent: Michael Roth, Counsel for Neil Gorski
Exhibit(s): None
Witness(es): None

DAG provided brief summary of the Proposed Settlement Agreement. The respondent is currently employed in Indiana at a Nursing Home. The employer is not aware of this matter and the reason why employer quarterly reports are not required. The respondent has a current IPRP contract.

The settlement agreement between the Respondent, their counsel and the Attorney General's Office was presented to the Board. The settlement agreement included stipulated facts and INDEFINITE PROBATION with terms and conditions.

After reviewing the agreement and taking official, judicial notice of the pleadings, evidence, and orders in this matter the Board moved to APPROVE the SETTLEMENT AGREEMENT.

Snedeker/Bunton, 6-0-0
Motion carries

Tad Gordon Itamura, R.Ph., License No: 26016350A - Cause No. 202501-BOP-0003

Default Hearing

DAG: Sarah Rochester
Respondent: Not Present
Exhibit(s): State Exhibits 1 & 2
Witness(es): Natalie Christy, OAG Investigator

Kate Snedeker recused herself.

Mark disclosed that the respondent was a former CVS employee but that he could be fair and impartial in this matter.

Respondent did not respond to the Notice of Proposed Default.

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

Meador/Balla, 5-0-1
Snedeker Recused
Motion carries

The state's exhibits were not initially moved for viewing but were admitted after the fact. Sarah asked Natalie about the exhibits. Respondent admitted to diverting controlled and non-controlled substances. No cycle counts occurred during these diversions. Respondent admitted to diverting pills from 2022 to 2024 and used diverted drugs.

Violation of Count 1 Balla/Smosna 5-0-1

Violation of Count 2 Meador/Balla 5-0-1

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and order in the matter the Board moved to place the Respondent's license on INDEFINITE SUSPENSION for two (2) years with terms and conditions.

Meador/Balla, 5-0-1
Snedeker Recused
Motion carries

Discussion

Monthly Reports

Board Director's Report – Presented by Kim Snyder

INSPECT Director's Report – Presented by Kara Slusser

Compliance Director Report – Presented by Zaneta Nunnally

OAG Report - Presented by DAG, Ryan Eldridge, Heather Kennedy (new section chief).

Old Business

A. IPA Legislative Updates – Darren Covington

New Business

A. Zoom Access currently unavailable due to security concerns for individuals who cannot appear in person due to personal circumstances. Kate and other board members expressed concerns about how the current lack of technology security is disenfranchising many who are not able to attend virtually.

Full Board Appearances

Full Board Appearance(s) Continued:

- The Compounding Pharmacist – Non-Resident Pharmacy Application

Cody Drug – Non-Resident Pharmacy Application

Failure to appear.

Personal Appearance(s) Continued:

- Alicia Hull – Technician/Tech in Training Application – Positive Response –
APPLICATION WITHDRAWN – CANCELED

Personal Appearances

Ali Salameh – Pharmacist Application – 3rd Attempt at MPJE:

Failure to appear.

Ye Larm Park – Pharmacist Application – 3rd Attempt at MPJE:

Ye Larm Park appeared before the Board and discussed her studying habits with the Board. Experienced personal family issues that impacted her studying and was unprepared. Graduated in 2021. Took the Purdue on-line course and taking more practice exams. IPA is sponsoring a prep-test in May.

After discussion, the Board moved to APPROVE applicant's repeat exam application.

Buton/Smosna 4-0-2
Meador and Balla
Abstained
Motion carries

Joshua Madueke – Pharmacist Application – 4th Attempt at MPJE:

Joshua Madueke appeared before the Board and discussed his studying habits with the Board. Is working with an individual who has taught MPJE. Graduated in 2022 from Chicago State University. Currently licensed in Ohio and Kentucky.

After discussion, the Board moved to APPROVE applicant's repeat exam application.

Smosna/Snedeker 6-0-0
Motion carries

Phillip Joseph Daniels, Jr. – Pharmacist Application – 4th Attempt at MPJE:

Phillip Joseph Daniels Jr. appeared before the Board and discussed his studying habits with the Board. Purchased pharmacy law for review, reached out to colleagues who passed the exam and purchasing other resources.

After discussion, the Board moved to APPROVE applicant's repeat exam application.

Smosna/Bunton 6-0-0
Motion carries

Brionne Denay Fergison – Pharmacist Application – 3rd Attempt at NAPLEX:

Brionne Denay Fergison appeared before the Board and discussed her studying habits with the Board. First time had some health issues and working full time. Has cut back her hours and will purchase practice exams.

After discussion, the Board moved to APPROVE applicant's repeat exam application.

Smosna/Snedeker 6-0-0
Motion carries

Nicholas Ryan Boggs – Pharmacist Application – Failure to Disclose:

Nicholas Ryan Boggs appeared before the Board regarding his Pharmacist application. Completed probation in January 2023. Mistakenly did not complete the application correctly. Is on-track to graduate in May. Completed his pharmacist application about a month ago. Fines are not applicable with initial applications.

After discussion, the Board moved to APPROVE applicant's Pharmacist application.

Snedeker/Smosna 6-0-0
Motion carries

Sidney Chandler – Technician/Tech in Training Application – Positive Response:

Sidney Chandler appeared before the Board regarding a positive response on a technician application. Has several past misdemeanors. The majority of misdemeanors occurred in 2016 while in college related to a college room mate. Currently not on probation or in any legal trouble. Attended Indiana State University. Last arrest was in 2019.

After discussion, the Board moved to APPROVE applicant's Technician application.

Snedeker/Bunton 6-0-0
Motion carries

Paulette M. Holland – Technician/Tech in Training Application – Positive Response:

Paulette M. Holland appeared before the Board regarding a positive response on a technician application. Andrew Meador recused himself. Alcohol related charges. Did seek treatment in 2022. Has a job offer with IU West Retail Pharmacy. IU West is aware of this situation.

After discussion, the Board moved to APPROVE applicant's Technician application.

Snedeker/Smosna 5-0-1
Meador recused
Motion carries

Heather L. Spaulding – Technician/Tech in Training Application – Positive Response:

Heather Spaulding appeared before the Board regarding a positive response on a technician application related to a 2018 auto theft charge for returning a rented car late involving drugs and spent time in the Department of Corrections. No current charges or incidents. Board counsel advised that these matters were passed the disqualification period regarding Convictions of Concern. Current employer is aware of her background.

After discussion, the Board moved to APPROVE applicant's Technician application.

Snedeker/Balla 6-0-0
Motion carries

Teresa L. Douglas – Technician/Tech in Training Application – Positive Response:

Teresa L. Douglas appeared before the Board regarding a positive response on a technician application. Currently serving a 2-year probation in Ohio where she was convicted of an OWI. Probation ends August 2026. This is her only conviction. Sought treatment 2 days after the incident. Current employer is aware of the charge. Provided letters of recommendation from current employer and sponsor. Awarded Employee of the Month last month. Works at Walgreens.

After discussion, the Board moved to APPROVE applicant's Technician application on INDEFINITE PROBATION with terms and conditions and to run concurrent with Criminal Probation.

Meador/Balla 6-0-0
Motion carries

Bailey Mersch – Technician/Tech in Training Application – Positive Response:

Bailey Mersch appeared before the Board regarding a positive response on a technician application. Andrew Meador recused himself. June 2022 OWI. Completed AA and probation. No other criminal issues. OWI was dismissed. Has a job lined up with IU Arnette.

After discussion, the Board moved to APPROVE applicant's Technician application.

Snedeker/Bunton 6-0-0
Meador Recused
Motion carries

There being no further business the Board ADJOURNED at 12:50pm