

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 JUNE 14, 2021

Steve Anderson, R.Ph., President, called the meeting to order at 8:23 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
Jason Jablonski, R.Ph., Member

Member(s) Absent: Matt Balla, R.Ph., Member

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

The Board voted by roll call to adopt the agenda as amended.

Landis/Smosna, 5/0/0
Motion carries

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

FULL BOARD APPEARANCES

University of Pittsburgh, Jeanine Buchanich, Associate Professor – INSPECT Data:

Alyssa Johnston, MPH, Project Coordinator, Graduate School of Public Health submitted this INSPECT data request but was unable to attend the meeting.

Elizabeth VanNostrand, Associate Professor, and Jeanine Buchanich, Associate Professor both with the University of Pittsburgh appeared regarding this request.

Ms. VanNostrand stated that she is the Principal Investigator of the project funded by the Centers for Disease Control and Prevention that is studying the impact of interventions given to individuals sentenced for drug misuse on morbidity and mortality outcomes. They are collaborating with ISDH, Dept of Correction, Department of Homeland Security, Indiana Office of Court Services, and MPH on the study. With respect to PDMP INSPECT data, datasets, including ED presentations, in-patient hospitalizations, EMS call, and fatal events.

They are requesting the following data fields of INSPECT data; row 1, and rows 21-43:

- FIELD_NAME
- RX_NUMBER
- RX_FILL_DATE
- RX_WRITTEN_DATE
- REFILL
- PAYMENT_TYPE
- DEA_SCHEDULE
- DRUG_CATEGORY
- DRUG_NDC
- DRUG_NAME
- DRUG_QUANTITY
- UNIT_TYPE
- DRUG_MEASUREMENT
- DRUG_STRENGTH
- DAYS_SUPPLY
- PLA_MME_DAILY
- PATIENT_FIRST_NAME
- PATIENT_LAST_NAME
- PATIENTS_DOB
- PATIENT_ADDRESS
- PATIENT_CITY
- PATIENT_STATE
- PATIENT_ZIP
- PATIENT_COUNTY

Ms. Slusser in an email wanted to make sure that everyone understands that INSPECT will not be able to provide identifiable patient information, such as the patient's name or address. But they should be able to pull that data to use a hashing tool to remove the identifiers but assign a patient ID to everyone.

After discussion, the Board moved to APPROVE their INSPECT data request.

Landis/Smosna, 5/0/0
Motion carries

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

Laura Fisher, National Emerging Threats Initiative, Atlanta – Carolina's HIDTA – INSPECT DATA request:

Laura Fisher and John Eadie were both here regarding this request.

The National Emerging Threats Initiative (NETI) is requesting 2010 to 2020 data from Indiana's PDMP to assess the levels of prescribing important controlled substances. They are a national program of the High Intensity Drug Trafficking Areas (HIDTA). PDMP data has been very important in examining the changes in prescribing of opioids and stimulants, allowing them to compare that information to the levels of demand for their nonmedical use and adverse outcomes. Likewise, the data has enabled comparisons to illicit opioids like heroin and illicit stimulants like cocaine and methamphetamines. They gave the Board a copy of their Emerging Threats Report from 2019 where they can find predictions of emerging drug threats over the next five (5) years in the "outlook" section. Such predictions would be impossible without PDMP data.

They are requesting the following information:

Number of prescriptions dispensed each year, 2010 through 2020 (or if no data for 2010, start with first year for which you have data):

1. Total number of prescriptions received by PDMP
2. # of stimulant prescriptions.
3. # of opioid prescriptions.
4. # of Fentanyl Rx
5. # of Buprenorphine Rx To include BUPRENORPHINE HCL/NALOXONE HCL, BUPRENORPHINE HCL, BUPRENORPHINE, BUTORPHANOL TARTRATE and PENTAZOCINE HCL/NALOXONE HCL
6. # of benzodiazepine prescriptions (including anxiolytics for treating anxiety and hypnotics, i.e. sleeping pills)
7. # of other substances prescriptions.
8. COVID impact on the dispensing of prescriptions; Month by month; DU days' supply.

After discussion, the Board moved to APPROVE the INSPECT data request.

Landis/Smosna, 5/0/0
Motion carries

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

Jessica Adams & Kendra Croker, Cardinal Health – Central Fill:

Sonexus is Cardinal Health in Texas. They are trying to meet the needs of patients and pharmacies. They submitted the following outline for the board to review.

PROPOSED OPERATIONS:

- Sonexus purchases machinery
- Independent Pharmacies "rent" per use
 - Independent Pharmacy does MedSync
 - Send Rxs to Sonexus Pharmacy
 - Machinery packages Med-packs
 - DSCSA Compliant
 - Inventory tracked virtually
 - One Lot per cell
 - Sonexus pharmacy fills prescription using Med-packs via centra fill
 - Independent pharmacies deliver to customer

Central Fill + Customized Patient Medication Packaging

Combines two (2) unique services into one offering:

- Central Fill
 - Allowing Sonexus Pharmacy to fill a prescription drug order at the request of the pharmacy
- Customized Patient Medication Packaging
 - A package prepared by a pharmacist for a specific patient comprising a series of containers containing two (2) or more prescribed solid oral dosage forms. The label indicates the day and time, or period of time, that the contents within each container are to be taken.

They indicated to the Board that they are not live in any states, but there are approximately fifteen (15) states where it has been approved, but not launched yet. They already have non-resident licenses in these states.

The Board indicated that the process looks good, and they are fine to proceed.

Franciscan Health Michigan City – Remote Location Application:

Michael Olson, R.Ph., appeared on behalf of this application.

He indicated that a technician would fill the Pyxis machine and a pharmacist will be on-site periodically.

After discussion, the Board moved to APPROVE the remote location application.

Smosna/Jablonski, 5/0/0
Motion carries

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

Ron Lanton, III, J.D., NCDQS Wholesale Drug Distributor Accreditation Program

Approval:

Mr. Lanton appeared on behalf of this presentation. He indicated that NCDQS is located in Delaware. He would like for the Board to also accept accreditation that is given to WDD's by NCDQS in place of VAWD accreditation from NABP.

The Board requested information on who the Board members are and who owns NCDQS as the previous presenter wouldn't divulge this information.

Mr. Lanton informed the board that their accreditation program is approved by eleven (11) states.

The Board also informed Mr. Lanton that they would have to change their rules to be able to accept NCDQS.

After discussion, the Board TABLED their request.

Bunton/Landis, 5/0/0
Motion carries

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

Amatheon Animal Health, David Yankana, MHA, Director of Operations, WDD Application:

This matter was continued.

Jennifer Hill, PharmD, Division Director of Pharmacy Operations, HCA – Capital

Division – Return Meds to Pyxis Machine by Nurses:

No one appeared for this matter.

PERSONAL APPEARANCES

The following personal appearance(s) did not appear:

- Kenyelle Mason Technician Application – Positive Response
- Destiny Scott – Technician Application – Positive Response
- Andrea Hayden – Technician Application – Positive Response

Eugene Adjei, R.Ph. – Repeat MPJE Application:

Eugene Adjei appeared telephonically before the Board to discuss his/her studying habits with the Board.

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

Smosna/Bunton, 5/0/0
Motion carries

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

Landon Poulson, R.Ph. – Repeat NAPLEX Application:

Landon Poulson appeared telephonically before the Board to discuss his/her studying habits with the Board.

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

Landis/Smosna, 5/0/0
Motion carries

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

Courtney Avant – Technician/Tech in Training Application: - Positive Response:

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

In 2019, she was arrested and charged with Resisting Law Enforcement, Disorderly Conduct and Criminal Mischief. She entered into a pretrial diversion program.

After discussion, the Board voted by roll call to APPROVE Ms. Avant's application.

Smosna/Landis, 5/0/0
Motion carries

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

Camille Sims – Technician/Tech in Training Application: - Positive Response:

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

In 2019, she received an OWI. Her hearing was delayed due to COVID-19 and is currently scheduled for next month. She will enter a deferral program. She also received an OWI back in 2006, which was changed to a public intoxication charge.

After discussion, the Board voted by roll call to TABLE Ms. Sim's application until the completion of her court hearing.

Landis/Bunton, 5/0/0
Motion carries

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

ADMINISTRATIVE HEARINGS

The following hearing(s) were continued:

Charles Heinsen, M.D., License No. 01021497C, Cause No. 2017 IBP 0023

Nathan Damasius, R.Ph., License No. 26020849A, Cause No. 2021 IBP 0016

Respondent appeared telephonically and was represented by counsel, Stephanie Eckerly regarding a 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 Heather Orbaugh, with Accurate Reporting Services also appeared telephonically.

A proposed settlement agreement between the Respondent, his counsel and the Attorney General's Office was presented to the Board. The proposed settlement agreement included INDEFINITE PROBATION for not less than one (1) year with terms and conditions.

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.

Bunton/Jablonski, 4/1/0
Motion carries

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

Anjil Bradley, Ph.T., License No. 67033237A, Cause No. 2021 IBP 0019

Respondent did not appear telephonically and was not represented by counsel regarding an Extension of Summary Suspension 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 Heather Orbaugh, with Accurate Reporting Services also appeared telephonically.

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

Ms. Gibson informed the Board that Ms. Bradley admitted she was diverting medications from CVS from December 2019 through December 2020. She did not know how much she diverted.

Her criminal charges are pending currently.

States Exhibits:

- A – Criminal documents
- B – Employee record

C – Picture of Respondent at the pharmacy
D – Business Record

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.

Jablonski/Smosna, 4/0/0
Motion carries

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

Barbara Lyn Carson, R.Ph., License No. 67031345A, Cause No. 2021 IBP 0023

Respondent did not appear telephonically 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 Heather Orbaugh, with Accurate Reporting Services also appeared telephonically.

The Respondent diverted over 800 tablets from Walgreens, some of which were Hydrocodone. The Respondent is currently facing dealing charges.

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/Landis, 4/0/0
Motion carries

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

Dijon Coleman, Ph.T., License No. 67031695A, Cause No. 2019 IBP 0039

Respondent did not appear in person and was not represented by counsel regarding an Extension of Summary Suspension/Complaint 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 Heather Orbaugh, with Accurate Reporting Services also appeared telephonically.

Mr. Coleman diverted over one thousand (1,000) tablets. His technician license is currently on expired status.

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.

Landis/Jablonski, 4/0/0
Motion carries

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

At the guidance of Kurt Miller, J.D., Board Advisory Counsel, Attorney General's Office the Board moved to GRANT a CONDITIONAL SUMMARY SUSPENSION EXTENSION and to place a hold on the Respondent's license, if he tries to renew the Summary Suspension will be applied to the license.

Jablonski/Landis, 4/0/0
Motion carries

The following board members voted aye by roll call:
Mark Smosna, Jason Jablonski, Mark Bunton, Winnie Landis
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 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 Patricia Gibson, Deputy Attorney General and the court reporter sworn in for this matter was Heather Orbaugh, with Accurate Reporting Services also appeared telephonically.

Mr. Cox has been charged with a level 5 Felony, Dealing in a controlled substance. His pharmacist license is currently on expired status. His trial is set for September 2021.

At the guidance of Kurt Miller, J.D., Board Advisory Counsel, Attorney General's Office the Board moved to GRANT a CONDITIONAL SUMMARY SUSPENSION EXTENSION and to place a hold on the Respondent's license, if he tries to renew the Summary Suspension will be applied to the license.

Jablonski/Landis, 4/0/0
Motion carries

The following board members voted aye by roll call:

Mark Smosna, Jason Jablonski, Mark Bunton, Winnie Landis
The following board members objected: None
The following board members abstained: none

Sarah Gourley, Ph.T., License No. 67029782A, Cause No. 2019 IBP 0079

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 Amy Osborn, Deputy Attorney General and the court reporter sworn in for this matter was Heather Orbaugh, with Accurate Reporting Services also appeared telephonically.

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

Ms. Gourley diverted at least one hundred fifty-three (153) tables of Phentermine and other medication. She entered into a pretrial diversion agreement which has been completed. Her technician license is currently on expired status.

At the guidance of Kurt Miller, J.D., Board Advisory Counsel, Attorney General's Office the Board moved to GRANT a CONDITIONAL SUMMARY SUSPENSION EXTENSION and to place a hold on the Respondent's license, if she tries to renew the Summary Suspension will be applied to the license.

Jablonski/Smosna, 4/0/0
Motion carries

The following board members voted aye by roll call:
Mark Smosna, Jason Jablonski, Mark Bunton, Winnie Landis
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 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 Amy Osborn, Deputy Attorney General and the court reporter sworn in for this matter was Heather Orbaugh, with Accurate Reporting Services also appeared telephonically.

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

Ms. Lindsey was terminated from CVS for diverting controlled substances. She was sent home several times as she appeared to be impaired while working.

At the guidance of Kurt Miller, J.D., Board Advisory Counsel, Attorney General's Office the Board moved to GRANT a CONDITIONAL SUMMARY SUSPENSION EXTENSION and to place a hold on the Respondent's license, if she tries to renew the Summary Suspension will be applied to the license.

Jablonski/Smosna, 4/0/0
Motion carries

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

Brent A. Losier, R.Ph., License No. 260128627A, 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 Natalie Stidd, Deputy Attorney General and the court reporter sworn in for this matter was Heather Orbaugh, with Accurate Reporting Services also appeared telephonically.

Mr. Losier was indicted back in 2017. His license was placed on Summary Suspension at that time. His pharmacist license is currently on expired status.

At the guidance of Kurt Miller, J.D., Board Advisory Counsel, Attorney General's Office the Board moved to GRANT a CONDITIONAL SUMMARY SUSPENSION EXTENSION and to place a hold on the Respondent's license, if he tries to renew the Summary Suspension will be applied to the license.

Landis/Jablonski, 4/0/0
Motion carries

The following board members voted aye by roll call:
Mark Smosna, Jason Jablonski, Mark Bunton, Winnie Landis
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 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 Natalie Stidd, Deputy Attorney General and the court reporter sworn in for this matter was Heather Orbaugh, with Accurate Reporting Services also appeared telephonically.

Mr. Ringger was indicted back in 2017. His license was placed on Summary Suspension

at that time. His pharmacist license is currently on expired status.

At the guidance of Kurt Miller, J.D., Board Advisory Counsel, Attorney General's Office the Board moved to GRANT a CONDITIONAL SUMMARY SUSPENSION EXTENSION and to place a hold on the Respondent's license, if he tries to renew the Summary Suspension will be applied to the license.

Landis/Smosna, 5/0/0
Motion carries

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

Misty Johnson-Dennis, Ph.T., License No. 67017728A, Cause No. 2018 IBP 0028

Respondent appeared telephonically and was not represented by counsel regarding a Reinstatement of License 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 Margie Addington, with Accurate Reporting Services also appeared telephonically.

The Respondent's license is currently on a six (6) month suspension for diverting Oxycodone for personal use.

She has completed counseling and the drug treatment program through the courts. She hasn't had any issues since 2018.

Ms. Rochester informed the Board that the Respondent's criminal matter is closed and has been expunged from her record. She completed thirty-one (31) group meetings with the courts. Her family supports her and currently she is in the process of adopting her baby niece.

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter, the Board moved to TABLE her Reinstatement request for additional documentation.

Landis/Bunton, 5/0/0
Motion carries

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

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

Respondent appeared telephonically and was not represented by counsel regarding a Petition to Withdraw Probation 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 Margie Addington, with Accurate Reporting Services also appeared telephonically.

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

Tye Dominguez, IPRP was sworn in as a witness.

Mr. Dominguez testified that Ms. Arvin completed her IPRP program on March 22, 2021. She was diagnosed with opiate dependence.

Her probation was extended for three (3) months for a positive screen for alcohol. She indicated that the last time she consumed alcohol was back in 2019.

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 MODIFY her PROBATIONARY ORDER to extend it INDEFINITELY and she must have six (6) months employment as a pharmacist with all other conditions remaining intact.

Jablonski/Smosna, 5/0/0
Motion carries

The following board members voted aye by roll call:

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

The following board members objected: None

The following board members abstained: none

Risa Gethers, R.Ph., License No. 26027551A, Cause No. 2018 IBP 0019

Respondent appeared telephonically and was not represented by counsel regarding a 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 Margie Addington, with Accurate Reporting Services also appeared telephonically.

Ms. Gethers explained that back in October 2008 her Ohio license was placed on Probation. Indiana followed and placed her Indiana license on Indefinite Probation mirroring the terms of her Ohio probation.

Currently her Ohio license is free and clear.

Respondent Exhibits:

- 1 – Letter from Kathryn Lewis
- 2 – Successful completion of the Ohio impaired program
- 3 – Example of quarterly reports she has been submitting
- 4 – Letter from Tye Dominguez, with IPRP
- 5 – Her plan to move forward

After having considered the evidence presented and taking official, judicial notice of the pleadings, evidence and orders in this matter, the Board moved WITHDRAW the Order of Probation.

Landis/Smosna, 5/0/0
Motion carries

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

Ryan Griffin, R.Ph., License No. 26028923A, Cause No. 2019 IBP 0065

Respondent appeared telephonically and was not represented by counsel regarding a Petition to Withdraw Probation scheduled before the Board. The State of Indiana was represented by Patricia Gibson, Deputy Attorney General in this matter and the court reporter sworn in for this matter was Margie Addington, with Accurate Reporting Services also appeared telephonically.

Tye Dominguez, IPRP was sworn in as a witness.

Mr. Griffin's sobriety date is January 11, 2016.

Mr. Dominguez testified that Mr. Griffin has been compliant with his IPRP contract and has completed the program.

Mr. Griffin indicated that he is currently working for Eli Lilly and he started working part-time as a pharmacist administering COVID-19 vaccinations in December 2020.

Respondent Exhibit:
1 – letter from IPRP

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.

Smosna/Anderson, 5/0/0
Motion carries

The following board members voted aye by roll call:

Steve Anderson, Mark Smosna, Jason Jablonski, Mark Bunton, Winnie Landis
The following board members objected: None
The following board members abstained: none

Hicham Riba, D.D.S., License No. 12013461B, Cause No. 2020 IBP 0058

Respondent appeared telephonically and was not represented by counsel regarding a Petition to Withdraw Probation/OTSC CSR scheduled before the Board. The State of Indiana was not represented in this matter and the court reporter sworn in for this matter was Heather Orbaugh, with Accurate Reporting Services also appeared telephonically.

Zaneta Nunnally, Compliance Director was sworn in as a witness.

Ms. Nunnally testified that Dr. Riba was in compliance with the boards probation order.

Respondents Exhibits:

- 1 – IL order
- 2 – Copy of IL license

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.

Smosna/Bunton, 5/0/0
Motion carries

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

Kevin Daniel Krembs, M.D., License No. 01062530C, Cause No. 2019 IBP 0032

Respondent did not appear telephonically and was not represented by counsel regarding a OTSC/Failure to Comply scheduled before the Board. The State of Indiana was represented by Patricia Gibson, Deputy Attorney General in this matter and the court reporter sworn in for this matter was Heather Orbaugh, 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 issue a NOTICE of PROPOSED DEFAULT.

Smosna/Landis, 5/0/0
Motion carries

The following board members voted aye by roll call:

Steve Anderson, Mark Smosna, Jason Jablonski, Mark Bunton, Winnie Landis
The following board members objected: None
The following board members abstained: none

Shari Hicks, Ph.T., License No. 67008012A, Cause No. 2021 IBP 0011

Respondent did not appear telephonically and was represented by counsel, Mike Barnes regarding a Complaint/Final Hearing scheduled before the Board. The State of Indiana was represented by Ryan Eldridge, Deputy Attorney General in this matter and the court reporter sworn in for this matter was Heather Orbaugh, with Accurate Reporting Services also appeared telephonically.

A proposed settlement agreement between the Respondent, her counsel and the Attorney General's Office was presented to the Board. The proposed settlement agreement included a LETTER of REPRIMAND.

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.

Landis/Smosna, 5/0/0
Motion carries

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

Phil's Healthmart Pharmacy, License No. 60006328A, Cause No. 2021 IBP 0020

Respondent did not appear telephonically and was represented by counsel, Jay Bogdon regarding a Complaint/Final Hearing scheduled before the Board. The State of Indiana was represented by Ryan Eldridge, Deputy Attorney General in this matter and the court reporter sworn in for this matter was Heather Orbaugh, with Accurate Reporting Services also appeared telephonically.

A proposed settlement agreement between the Respondent, her counsel and the Attorney General's Office was presented to the Board. The proposed settlement agreement included INDEFINITE PROBATION for not less than one (1) year with terms and conditions.

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.

Smosna Bunton, 5/0/0
Motion carries

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

DISCUSSION

Ambulance CSR Rule:

The public hearing was held at the May 2021 board meeting, nothing has changed. Ms. Turner requested approval to move forward with the rule.

After discussion, the Board moved to APPROVE Ms. Turner to move forward with the rule.

Jablonski/Bunton, 4/0/0
Motion carries

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

Guidance on X-Waiver changes – Kara Slusser:

Participating Members: Steve Anderson, Winnie Landis, Mark Bunton, Mark Smosna, and Jason Jablonski

Ms. Slusser gave the following report:

New HHS Waiver Guidance- During the last Board of Pharmacy meeting, on May 10th, I mentioned that the US Department of Health and Human Services (HHS) had announced on April 27th that they were issuing new practice guidelines regarding waiver processes for practitioners wanting to prescribe buprenorphine to patients for the treatment of opioid use disorder. Following our last meeting, HHS released details on the waiver changes. Those changes are as follows:

- up to 30 patients can be treated without completing x-waiver training.
- up to 100 patients can be treated once the controlled substance act (x-waiver) training is completed.
- referring to or providing psychosocial services is not required. providers should still follow best practice care models when deciding referrals to psychosocial support services.

These changes apply to physicians, Advanced Practice Registered Nurses (APRNs), Physician Assistants, and other providers eligible to prescribe

medications.

At this time, no new guidance has been issued for emergency medicine providers. Those providers can still follow the three-day rule of administering buprenorphine to patients in the ED.

She posted a guidance document for board review, from the U.S. Department of Health and Human Services, which details the recent changes to the X-waiver process. In addition, there is a free webinar, hosted by Get Waivered and California Bridge, that will help providers with completion of the Notice of Intent (NOI) Process, as well as answer any questions about the waiver process and administering buprenorphine.

The guidance document stated the following:

“ON APRIL 27, 2021, THE US DEPARTMENT OF HEALTH AND HUMAN SERVICES ISSUED NEW PRACTICE GUIDELINES REGARDING THE WAIVER PROCESS FOR MEDICAL PROVIDERS WISHING TO PRESCRIBE BUPENORPHINE TO PATIENTS WITH OPIOID USE DISORDER.

NEW CHANGES TO THE GUIDELINES:

- UP TO 30 PATIENTS CAN BE TREATED WITH OUT COMPLETING X-WAIVER TRAINING
- UP TO 100 PATIENTS CAN BE TREATED ONCE THE CONTROLLED SUBSTANCE ACT (X-WAIVER) TRAINING IS COMPLETED
- REFERRING TO OR PROVIDING PSYCHOSOCIAL SERVICES IS NOT REQUIRED. PROVIDERS SHOULD STILL FOLLOW BEST PRACTICE CARE MODELS WHEN DECIDING REFERRALS TO PSYCHOSOCIAL SUPPORT SERVICES

These changes apply to physicians, Advanced Practice Registered Nurses (APRNs), Physician Assistants, and other providers eligible to prescribe medications.

EVEN IF YOU DO NOT COMPLETE THE TRAINING, YOU MUST COMPLETE A NOTICE OF INTENT (NOI) WITH SAMSHA TO PRESCRIBE BUPRENORPHINE.

The impact of these changes for emergency medicine providers is still being sought. At this time, emergency medicine providers can still follow the "three-day rule" of administering buprenorphine to patients in the ED. For more information on prescribing practices please follow the American College of Emergency Physicians.”

Ms. Slusser gave the rest of her report to the Board as follows:

An announcement about these waiver changes was sent to eligible prescribers registered in AWARxE on June 1, 2021. We also added links to the SAMHSA website and the waiver application website under the “quick links” section of AWARxE for practitioners to reference.

- 1) Compliance- The INSPECT team ran a new prescriber registration compliance report last week. At this time, there are 4,094 prescribers with an active license and CSR who are not registered to use INSPECT, in compliance with SEA 221. Practitioners with access to our integrated solution will still have the ability to run patient INSPECT reports through their EMR, but they are not complying with registration requirements. PLA is working on a non-compliance message to be sent to practitioners this week notifying them of a July 1st deadline to get registered.
- 2) Data Request- I was contacted by the epidemiologist for the Marion County Public Health Department. Their office has requested information about the percentage of CSR prescribers who are registered to use INSPECT and a list of CSR prescribers who are licensed in Marion County. No contact information was requested. I'm bringing this to the board to determine whether a representative of the Marion County Public Health Department will need to appear before the board to make this request at the next meeting.

The Board thanked Ms. Slusser for the information.

White Bagging – Information received:

Participating Members: Steve Anderson, Winnie Landis, Mark Bunton, Mark Smosna, and Jason Jablonski

Ms. Turner reported that she has received three (3) different insurance letters.

She has a meeting with Dr. Kristina Box, Department of Health tomorrow at 11:00 a.m. all Board members are welcome to attend the meeting. They will discuss the report due to Legislature on July 1, 2021.

The following Board members indicated they would like to attend: Jason Jablonski, Steve Anderson, Mark Bunton and Matt Balla.

Compliance Report – Zaneta Nunnally:

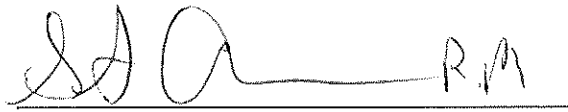
Participating Members: Steve Anderson, Winnie Landis, Mark Bunton, Mark Smosna, and Jason Jablonski

Ms. Nunnally reported the following:

- 151 inspections were performed for the month of May
- 80 Pharmacies
- 15 Home Medical Equipment Facilities
- 53 Controlled Substance Registrations
- 03 Remote Dispensing Facilities
- 19 deficiencies were found
- 06 consumer complaints filed
- 01 Pharmacy robberies

The Board thanked Ms. Nunnally for her report.

There being no further business the Board adjourned at 5:35 p.m.

A handwritten signature in black ink, appearing to read 'S.A. Anderson R.M.', written over a horizontal line.

Steve Anderson, R.Ph., President

Mark Smosna, R.Ph., Vice President

