

**INDIANA BOARD OF PHARMACY**  
**Indiana Government Center South**  
**Conference Center Room B**  
**302 West Washington Street**  
**Indianapolis, Indiana 46204**

**Minutes of November 13, 2023**

Mark Bunton, R.Ph., President, called the meeting to order at 8:52 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:**

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

**PLA Staff Present:**

Evan Bartel, General Counsel (stepped out from 9a-9:30a)  
Christine Cowdin

**Advisory Counsel:**

Leif Johnson, J.D.

**Court Reporter:**

Accurate Reporting – Lindy Meyer

The Board moved to adopt the amended agenda.  
Smosna/Balla, 7-0-0  
Motion carries

The Board moved to approve the minutes from the September 11, 2023 board meeting.  
Balla/Smosna, 5-0-2  
Motion carries  
Meador and Snedeker abstained

The Board moved to approve the minutes from the October 16, 2023 board meeting.  
Balla/Jablonski, 4-0-3

Motion carries  
Smosna, Meador and Snedeker abstained

### **Personal Appearances**

#### **Isaac Alvis, R.Ph. - MPJE Repeat Exam App:**

Isaac Alvis appeared before the Board and discussed his/her studying habits with the Board.

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

Smosna/Jablonski 7-0-0  
Motion carries

#### **Nathaniel Johnson, R.Ph. – NAPLEX and MPJE Repeat Exam App:**

Nathaniel Johnson appeared before the Board and discussed his/her studying habits with the Board.

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

Balla/Jablonski, 7-0-0  
Motion carries

#### **Zoe Saulman, R.Ph. - NAPLEX Repeat Exam App:**

Zoe Saulman appeared before the Board and discussed his/her studying habits with the Board.

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

Smosna/Jablonski, 7-0-0  
Motion carries

#### **Rehman Mustafa, R.Ph. - NAPLEX Repeat Exam App:**

Rehman Mustafa appeared before the Board and discussed his/her studying habits with the Board.

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

Balla/Smosna, 7-0-0

Motion carries

**Irwin Obispo, R.Ph. - MPJE Repeat Exam App:**

Irwin Obispo appeared before the Board and discussed his/her studying habits with the Board.

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

Smosna/Jablonski, 7-0-0  
Motion carries

**Renee Majeski, R.Ph. - NAPLEX Repeat Exam App:**

Renee Majeski appeared before the Board and discussed his/her studying habits with the Board.

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

Smosna/Jablonski, 7-0-0  
Motion carries

**Carrie Sargent - Pharm Tech/Tech in Training Initial Application – Positive Response:**

Carrie Sargent appeared in person and was not represented by counsel regarding a positive response on a pharmacy technician/tech in training application. Open case, diversion has been accepted by but no paperwork yet. Set for pretrial conference, nothing in writing yet. Not currently employed as a pharmacy technician, trying to get a better job in a pharmacy.

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

Balla/Jablonski, 6-0-1  
Motion carries  
Snedeker abstained

**Aaron Anthony - Pharm Tech/Tech in Training Initial App – Positive Response:**

Failed to appear.

**Akram Musleh - Pharm Tech/Tech in Training Initial App – Positive Response:**

Failed to appear.

**Malihaya Teague - Pharm Tech/Tech in Training Initial App – Positive Response:**

Malihaya Teague appeared in person and was not represented by counsel regarding a positive response on a pharmacy technician/tech in training application. Rented U-Haul, had medical emergency, ended up in the hospital could not return truck. Drove the vehicle later to try and make money, was homeless, got pulled over and was arrested for theft of the vehicle. Pending charges, currently in diversion agreement. Currently working for Walgreens pharmacy warehouse, currently just packing shipments.

After discussion, the Board moved to APPROVE applicant's pharmacy technician application with condition that all fees associates with pending criminal case be paid before permit/license is issued.

Jablonski/Balla, 6-0-1  
Motion carries  
Snedeker abstained

**Stacia Brown - Pharm Tech/Tech in Training Initial App – Positive Response:**

Matter continued to December meeting.

**Cortlyn Taylor - Pharm Tech/Tech in Training Initial App – Positive Response:**

Failed to appear.

**Autumn Caine - Pharm Tech/Tech in Training Initial App – Positive Response:**

Failed to appear.

**Jasmine Branham - Pharm Tech/Tech in Training Initial App – Positive Response:**

Failed to appear.

**Meagan Petersen, Nursing CSR Initial App – Positive Response:**

Meagan Petersen appeared in person and was not represented by counsel regarding a positive response on a Nursing CSR application. First nursing job was 21 years old employed at Morton hospital about a year into

employment received notice that she was not documenting narcotics correctly. She was let go from employer, Aug 2019. Reported to KY board, had substance abuse eval, Oct 2021 was seen by KY board, consent decree with KY has been completed. Was not disciplined in KY, IN licenses are all active and unencumbered.

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

Smosna/Jablonski, 6-0-1  
Motion carries  
Snedeker abstained

## **DISCUSSION**

### **Monthly Reports**

Board Director's Report – Presented by Christine Cowdin  
Currently in renewals for in-state pharmacies, non-resident pharmacies, HMEs, and facility CSRs.

OAG Report - Presented by DAG, Ryan Eldridge

Compliance Director's Report – Presented by Zaneta Nunnally and Tim Thomas

## **ADMINISTRATIVE HEARINGS**

### **Leonard Dale Guyer, M.D., License No: 01040481B - Cause No. 2021 IBP 0045**

Petition for Summary Suspension  
Agreement

DAG: Ryan Eldridge and Rebekka Hammond  
Respondent: Present with counsel, Justin Sorrell and Alexis Jenkins  
Exhibit(s):  
Petitioner Exhibit 1 – Consumer Complaint  
Petitioner Exhibit 2 – Response  
Petitioner Exhibit 3 – Secretary of State Information  
Petitioner Exhibit 4 – Secretary of State Information  
Petitioner Exhibit 5 – 2020 Facebook Posts  
Petitioner Exhibit 6 – 2023 Facebook Posts  
Petitioner Exhibit 7 – Feb 6, 2020 SDT to Guyer  
Petitioner Exhibit 8 – March 2, 2020 SDT Response  
Petitioner Exhibit 9 – March 2, 2020 SDT Response Attachments  
Petitioner Exhibit 10 – Petition to Enforce SDT  
Petitioner Exhibit 11 – Court Order  
Petitioner Exhibit 12 – March 18, 2021 Supplemental SDT Response  
Petitioner Exhibit 13 – Responsive Documents Demonstrative Exhibit

Petitioner Exhibit 14 – Responsive Documents  
Petitioner Exhibit 16 – June 3, 2021 Inspection Report  
Petitioner Exhibit 17 – FDA Authorization  
Petitioner Exhibit 18 – Bei He CV  
Petitioner Exhibit 19 – FDA 482  
Petitioner Exhibit 20 – Guyer Brochure  
Petitioner Exhibit 21 – Redacted FDA 483  
Petitioner Exhibit 22 – Response to FDA 483  
Petitioner Exhibit 23 – Facility Diagram  
Petitioner Exhibit 24 – FDA Photos of Facility  
Petitioner Exhibit 25 – FDA Photos of Syringe Fills  
Petitioner Exhibit 26 – IV Walk-in Menu  
Petitioner Exhibit 27 – Guyer Billboard  
Petitioner Exhibit 29 – IV Questionnaire  
Petitioner Exhibit 30 – FDA Photos of IV Bag Production  
Petitioner Exhibit 31 – Sterile Compounding Logs  
Petitioner Exhibit 32 – Cleaning Log  
Petitioner Exhibit 33 – FDA Photos of Facility and Equipment  
Petitioner Exhibit 34 – FDA Photos of IV Bag Production  
Petitioner Exhibit 35 – FDA Photos of Nonsterile Operations  
Petitioner Exhibit 36 – Stock IV Request Form from IV Area  
Petitioner Exhibit 37 – Medisca CF  
Petitioner Exhibit 38 – CF Peptides  
Petitioner Exhibit 39 – FDA Authorization Letter for Dominic Markwordt  
Petitioner Exhibit 40 – CV of Dominic Markwordt  
Petitioner Exhibit 42 – Prescription Requirement under 503 A of the FD&C  
Petitioner Exhibit 43 – FDA Authorization Letter for Stacey DeGarmo  
Petitioner Exhibit 44 – CV of Stacey DeGarmo

Respondent's Exhibit A – INSPECT Records  
Respondent's Exhibit B – Controlled Substance Inventories  
Respondent's Exhibit C – SOPs for Syringe and Needle Use  
Respondent's Exhibit E – Hood SOPs Certifications, Cleaning Logs  
Respondent's Exhibit F – SOPs for Gloves  
Respondent's Exhibit G – Alternate- SOPs for BUDs, Labels (further redacted)  
Respondent's Exhibit H – SOPs for Cleaning  
Respondent's Exhibit I – Master Formula Records and Compounding Formula Logs  
Respondent's Exhibit J – Collin Baker CV  
Respondent's Exhibit K – Dr. Guyer Certificate of Completion  
Respondent's Exhibit L – Dr. Speidel CV  
Respondent's Exhibit N – Map of New Facility  
Respondent's Exhibit R – 503A (21 USC 353A)  
Respondent's Exhibit S – Patient Rx Label Exemplar  
Respondent's Exhibit T – Unclassified Segregated Compounding Area  
Respondent's Exhibit U – Sterile SOPs

Witness(es): Brittany Snow Investigator OAG Investigator, Zaneta Nunnally IPLA Compliance Director, Lt. Bei He FDA consumer safety officer, Dominic Markwordt Regulatory Counsel FDA, Stacey DeGarmo Team Lead Div of Compounding I with FDA, Collin Baker, RPh employed by Advanced Nutraceuticals LLC, Guyer Institute, Leonard

Dale Guyer, MD, Ken Speidel, RPh

A motion was made and seconded to find in violation of Count 1:  
Balla/Smosna 6-0-1 – Snedeker abstained

A motion was made and seconded to find in violation of Count 2:  
Smosna/Jablonski 6-0-1 – Snedeker abstained

A motion was made and seconded to find in violation of Count 3:  
Smosna/Balla 6-0-1 – Snedeker abstained

A motion was made and seconded to find in violation of Count 4:  
Balla/Jablonski 6-0-1 – Snedeker abstained

A motion was made and seconded to find in violation of Count 5:  
Jablonski/Smosna 6-0-1 – Snedeker abstained

A motion was made and seconded to find in violation of Count 6:  
Smosna/Jablonski 6-0-1 – Snedeker abstained

A motion was made and seconded to find in violation of Count 7:  
Smosna/Jablonski 6-0-1 – Snedeker abstained

A motion was made and seconded to find in violation of Count 8:  
Jablonski/Balla 6-0-1 – Snedeker abstained

A motion was made and seconded to find in violation of Count 9:  
Smosna/Jablonski 6-0-1 – Snedeker abstained

A motion was made and seconded to find in violation of Count 10:  
Smosna/Balla 6-0-1 – Snedeker abstained

A motion was made and seconded to find in violation of Count 11:  
Smosna/Balla 6-0-1 – Snedeker abstained

A motion was made and seconded to find in violation of Count 12:  
Jablonski/Balla 6-0-1 – Snedeker abstained

A motion was made and seconded to find in violation of Count 13:  
Jablonski/Smosna 6-0-1 – Snedeker abstained

A motion was made and seconded to find in violation of Count 14:  
Smosna/Jablonski 6-0-1 – Snedeker abstained

A motion was made and seconded to find in violation of Count 15:  
Anderson/Balla 6-0-1 – Snedeker abstained

A motion was made and seconded to find in violation of Counts 16 - 24:  
Smosna/Jablonski – Snedeker abstained

A motion was made and seconded to place Dr. Guyer's CSR license on indefinite PROBATION for a minimum of twelve (12) months with terms and conditions, impose a fine of \$19,500, and pay health records fee of \$5.00.

Anderson/Jablonski, 6-0-1  
Motion carries  
Snedeker abstained

There being no further business the Board ADJOURNED at 8:53 p.m.