

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

**Minutes of December 12, 2022**

Mark Bunton, R.Ph., Vice President, called the meeting to order at 8:30 a.m., 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 Smosna, R.Ph., President  
Mark Bunton, R.Ph., Vice President – arrived 10:15am  
Jason Jablonski, R.Ph., Member  
Matt Balla, R.Ph., Member  
Winnie Landis, R.Ph., Member – arrived 8:37am  
Steve Anderson, R.Ph., Member

**Members Absent:**

**PLA Staff Present:**

Alyssa Servies, MPH, JD  
Christine Cowdin

**Advisory Counsel:**

Claire Dyer, J.D.

The Board voted to adopt the agenda.

Balla/Anderson, 4-0-0  
Motion carries

The following board members voted aye:

Mark Smosna, Jason Jablonski,  
Steve Anderson, and Matt Balla

The following board members objected: none

The following board members abstained: none

## **Adoption of Minutes**

August 9, 2021 – move to approve Anderson/Balla 6-0-0  
September 13, 2021 – move to approve Anderson/Balla 6-0-0  
October 18, 2021 – move to approve Anderson/Balla 6-0-0  
November 8, 2021 – move to approve Anderson/Balla 6-0-0  
December 13, 2021 – move to approve Anderson/Balla 6-0-0  
January 10, 2022 – move to approve Landis/Smosna 6-0-0  
February 14, 2022 – move to approve Landis/Smosna 6-0-0  
February 28, 2022 Emergency Meeting – move to approve Landis/Smosna 6-0-0  
March 14, 2022 – move to approve Landis/Smosna 6-0-0  
April 11, 2022 – move to approve Balla/Jablonski 6-0-0  
May 9, 2022 – move to approve Landis/Smosna 6-0-0

## **Full Board Appearances**

### **Diamond Pharmacy Services – 48001459A – WDD Renewal - PR**

Mathew Catanzaro from Diamond and Jerry O'Brien counsel appeared regarding this matter.

Diamond is a family-owned company, closed door mail order servicing long-term care facilities and correctional institutions across the county. All clients are under contract. DEA found recordkeeping issues 2014-2016, none occurred in Indiana. Diamond came to an agreement with the DEA, signed an MOU May 2022, provided it to PLA in June 2022. No other discipline against license(s), no restrictions in any state.

After discussion, the Board moved to APPROVE their license renewal.

Anderson/Balla 4-0-1  
Motion carries

The following board members voted aye:

Mark Smosna, Jason Jablonski,  
Steve Anderson, and Matt Balla

The following board members objected: none

The following board members abstained: Winnie Landis

### **Bill Cover, NABP – Data Integration**

Discussion about integration of the NABP e-profile systems with state systems. There was no motion needed for this appearance.

## **Personal Appearances**

**The following did not show for their scheduled personal appearance:**

Nicholas Bosler, Tech/Tech in Training – Initial App – Positive Response  
Alexandra Pesenko, Tech/Tech in Training – Initial App – Positive Response  
Vincent Collis, Tech/Tech in Training – Initial App – Positive Response  
Sydney Stillwell, Tech/Tech in Training – Initial App – Positive Response

### **Olivia Jones, R.Ph. - NAPLEX Repeat Exam App:**

Olivia Jones appeared before the Board and discussed his/her studying habits. Manchester 2022 graduate currently works at CVS.

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

Landis/Balla, 5-0-0  
Motion carries

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

### **Jenna DeJoris, R.Ph. - NAPLEX Repeat Exam App:**

Jessa DeJoris appeared before the Board and discussed his/her studying habits. Purdue 2022 graduate. Currently works at Spectron rx as a nuclear pharmacist. Currently on PTO to study.

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

Balla/Jablonski, 5-0-0  
Motion carries

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

**Chukwunonso Nwandu, R.Ph. - MPJE Repeat Exam App:**

Chukwunonso Nwandu appeared before the Board and discussed his/her studying habits.

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

Balla/Jablonski, 5-0-0  
Motion carries

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

**Jaricelis Soto Hernandez, R.Ph. - MPJE Repeat Exam App:**

Jaricelis Soto Hernandez appeared before the Board and discussed his/her studying habits.

Butler 2022 graduate. Currently works at Amerimed homecare pharmacy.

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

Balla/Jablonski, 5-0-0  
Motion carries

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

**Sophia Esterline, Tech/Tech in Training – Initial App – Positive Response**

Sophia Esterline appeared on behalf of this matter and was not represented by counsel. Matter was previously tabled. Applicant had underage drinking misdemeanor, diversion program no completed, no court costs owed.

After discussion, the Board moved to APPROVE Sophia Esterline's application.

Landis/Anderson 5-0-0  
Motion carries

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

**Derrick Dawson, Tech/Tech in Training – Initial App – Positive Response**

Derrick Dawson appeared on behalf of this matter and was not represented by counsel. Applicant discussed 2022 misdemeanor OWI. Not currently working as a pharmacy technician, but he has in the past. Currently on criminal probation until October 2023, on payment plan with the court.

After discussion, the Board moved to APPROVE Derrick Dawson's application ON PROBATION with terms and conditions.

Landis/Balla 5-0-0  
Motion carries

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

**Alyssa Radford – Pharmacist Application – Positive Response:**

Alyssa Radford appeared in person and was not represented by counsel regarding a positive response.

Applicant discussed July 2022 charge. On way to Owensboro, KY to work traveling through Indiana to get to Kentucky, woke up late, decided to drive over the speed limit. Pulled over in Indiana, did not see or hear police. Charged with evading the police, not intentional. Felony charge dropped, only charged with reckless driving because speed she was traveling was so high, was going 108mph on the highway. Case is now closed. No substances involved in charges.

After discussion, the Board moved to APPROVE Ms. Radford's application.

Ballas/Jablonski, 5-0-0  
Motion carries

The following board members voted aye:  
Mark Smosna, Jason Jablonski, Winnie Landis,  
Steve Anderson, and Matt Balla

The following board members objected: none  
The following board members abstained: none

**Dustin Hoagland, Tech/Tech in Training Initial App – Positive Response:**

Mr. Hoagland appeared in person and was not represented by counsel regarding a positive response on a tech/tech in training application.

Applicant discussed August 2022 incident, out celebrating 29<sup>th</sup> birthday, was intoxicated, car broke down, police stopped to help, his BAC was higher than .15.

Charges are pending. Car was Mr. Hoagland's, he was not driving, car was broken down on side of road, but he had the keys in his possession. Friend had been driving had left to get help.

After discussion, the Board moved to APPROVE Mr. Hoagland's tech/tech in training application and FILE A COMPLAINT.

Balla/Jablonski, 5-0-0  
Motion carries

The following board members voted aye:  
Mark Smosna, Jason Jablonski, Winnie Landis,  
Steve Anderson, and Matt Balla

The following board members objected: none  
The following board members abstained: none

**Christine Uzcategui, RPh – 26019083A – Reinstatement – Expired over 3 years – Positive Response:**

Ms. Uzcategui appeared in person and was not represented by counsel regarding positive response(s).

Went to Butler – In NC, was living there, 2015 DUI driving, parade ahead, started to turn around, backed into unmarked police car. OWI conviction with no BAC but she had taken sleeping medication. No criminal issues since that time. Also convicted of failing to keep records at an independent pharmacy in NC (2013). The independent pharmacy was doing an audit and found missing controlled substances. She voluntarily surrendered her license in NC. She has not practiced pharmacy since the failing to keep records claim. Has been working in customer service, now as a care giver to disabled mother.

After discussion, the Board moved to TABLE Ms. Uzcategui's reinstatement application for: Expungement order or court docs. Aly to request more information from NC regarding

Board orders.

Landis/Balla 5-0-0  
Motion carries

The following board members voted aye:  
Mark Smosna, Jason Jablonski, Winnie Landis,  
Steve Anderson, and Matt Balla

The following board members objected: none  
The following board members abstained: Mark Bunton

**Jackson Widlic – 45022556A - Intern Renewal – Positive Response:**

Jackson Widlic appeared in person and was not represented by counsel regarding positive response(s). P3 Butler student on disciplinary probation.

Applicant discussed July 2022 DUI charges. Did substance evaluation on his own, has not used marijuana since 2020. Case is open.

After discussion, the Board moved to TABLE Mr. Widlic's renewal application for: addictionology report IPRP, resolution of open case.

Landis/Bunton 6-0-0  
Motion carries

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

The following board members objected: none  
The following board members abstained: none

**ADMINISTRATIVE HEARINGS**

**Shelby Rene Gunn, License No. 67030031A, Cause No. 2022 IBP 0055**

Respondent did not appear in person and was not represented by counsel, regarding a Proposed Settlement Agreement scheduled before the Board. The State of Indiana was represented by Britney McMahan, Deputy Attorney General and the court reporter sworn in for this matter was Margie Addington, with Accurate Reporting Services.

Exhibit(s): None

Witness(es): None

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

Landis/Balla, 6-0-0  
Motion carries

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

The following board members objected: none  
The following board members abstained: none

**Stephanie Spachman (McDonald), RPh, License No. 26025886A, Cause No. 2022 IBP 0019**

Respondent did not appear and was not represented by counsel regarding a Proposed Settlement Agreement scheduled before the Board. The State of Indiana was represented by Alex James, Deputy Attorney General and the court reporter sworn in for this matter was Margie Addington, with Accurate Reporting Services.

Exhibit(s): None

Witness(es): None

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

Jablonski/Balla, 6-0-0  
Motion carries

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

The following board members objected: none  
The following board members abstained: none

**Three Rivers Pharmacy Lic. No. 60006641A, Cause No. 2022 IBP 0038**

Respondent was represented by counsel, Chris Dubes regarding a Proposed Settlement Agreement scheduled before the Board. The State of Indiana was represented by Britney McMahan, Deputy Attorney General and the court reporter sworn in for this matter was Margie Addington.

Exhibit(s): None

Witness(es): None



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

Jablonski/Balla, 6-0-0  
Motion carries

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

**Natasha Renee Perkins, Ph.T., License No. 67029299A, Cause No. 2021 IBP 0040**

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 Natalie Stidd, Deputy Attorney General and the court reporter sworn in for this matter was Margie Addington.

Exhibit(s): None

Witness(es): None

Ms. Stidd informed the Board that the AUSA is reviewing from criminal 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 an additional Ninety (90) days.

Bunton/Landis, 6-0-0  
Motion carries

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

**George's Pharmacy Est Side, LLC - Lic No. 60006735A, Cause No. 2021 IBP 0025**

Respondent appeared in person represented by Blake Gillman and was not represented by counsel regarding a request 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 Margie Addington, with Accurate Reporting Services.

Exhibit(s): None  
Witness(es): None

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

Balla/Bunton, 6-0-0  
Motion carries

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

**Paige Rogers, License No. 99090949A, Cause No. 2018 IBP 0067**

Respondent appeared in person and was not represented by counsel regarding a request to Withdraw Probation scheduled before the Board. The State of Indiana was not represented and the court reporter sworn in for this matter was Margie Addington, with Accurate Reporting Services.

Exhibit(s): None  
Witness(es): None

Does not have a current tech in training license, has a new pending application. Currently working at Walgreens as a clerk doing non-tech duties.

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

Landis/Balla, 6-0-0  
Motion carries

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

**Jessica Bollhoefer, PhT, License No. 99103561A, Cause No. 2022 IBP 0056**

Respondent did not appear in person and was not represented by counsel regarding an Administrative Complaint scheduled before the Board. The State of Indiana was represented in this matter by AJ Holbrook, and the court reporter sworn in for this matter was Margie Addington, with Accurate Reporting Services.

Exhibit(s): None  
Witness(es): None

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 issue a NOTICE of PROPOSED DEFAULT.

Jablonski/Balla, 6/0/0  
Motion carries

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

**Nicholas Brown, Ph.T, License No. 67034928A, Cause No. 2022 IBP 0030**

Respondent did not appear in person and was not represented by counsel regarding an Administrative Complaint scheduled before the Board. The State of Indiana was represented in this matter by Regan Perrodin, and the court reporter sworn in for this matter was Margie Addington, with Accurate Reporting Services.

Exhibit(s): None  
Witness(es): None

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 issue a NOTICE of PROPOSED DEFAULT.

Bunton/Jablonski, 6/0/0  
Motion carries

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

**Nicole Dillard, License No. 67021337A, Cause No. 2022 IBP 0049**

Respondent did not appear in person and was not represented by counsel regarding an Administrative Complaint and Summary Suspension Renewal scheduled before the Board. The State of Indiana was represented by Britney McMahan, Deputy Attorney

General and the court reporter sworn in for this matter was Margie Addington with Accurate Reporting Services.

Exhibit(s): Petitioner's Exhibit 1 – Affidavit of John Utz  
Petitioner's Exhibit A – Video from Skilled Care of Indiana

Witness(es): None

Petitioner requested amotion to continue the final 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 CONTINUE the final hearing.

Jablonski/Bunton, 5-0-0  
Motion carries  
Balla recused

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

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

Jablonski/Landis, 5-0-0  
Motion carries  
Balla recused

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

**Edge Pharma, LLC, License No. 48002400A, Cause No. 2022 IBP 0053**

Respondent did not appear in person and was not represented by counsel regarding an Administrative Complaint scheduled before the Board. The State of Indiana was represented in this matter by Ryan Eldridge, and the court reporter sworn in for this matter was Margie Addington, with Accurate Reporting Services.

Exhibit(s): None

Witness(es): None

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 issue a NOTICE of PROPOSED DEFAULT.

Jablonski/Balla, 6/0/0  
Motion carries

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

The following board members objected: none  
The following board members abstained: none

**Kenneth Andrew Riddle, RPh, License No. 26026715AA, Cause No. 2022 IBP 0061**

Respondent did not appear and was not represented by counsel regarding a Petition for 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 Margie Addington.

Exhibit(s): None

Witness(es): None

After reviewing the voluntary summary suspension agreement, and taking official, judicial notice of the pleadings, evidence, and orders in this matter the Board moved to ACCEPT the Voluntary Summary Suspension Agreement.

Balla/Anderson, 6-0-0  
Motion carries  
Bunton recused

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

The following board members objected: none  
The following board members abstained: none

**DISCUSSION**

**Reports:**

- Director's Report presented by Director, Alyssa Servies
- INSPECT Report – Presented by Director, Kara Slusser
- Compliance Report – presented by Director, Zaneta Nunnally
- Attorney General Report – presented by Deputy Attorney General, Ryan Eldridge

**New Business**

Draft Case Management Order – 2023 plan

Emergency Rule 22 – New drugs to add to Schedule 1

Board moved to ADOPT Emergency Rule 22

Landis/Balla, 6-0-0

Motion carries

There being no further business the Board ADJOURNED at 2:35pm.