

Minutes of the January 7-8, 2013
Meeting of the Ohio State Board of Pharmacy

Monday, January 7, 2013

10:00 a.m. The Ohio State Board of Pharmacy convened in Room South B&C, 31st Floor, of the Vern Riffe Center for Government and the Arts, 77 South High Street, Columbus, Ohio, with the following members present:

Brian M. Joyce, R.Ph., *President*; Kevin J. Mitchell, R.Ph., *Vice-President*; Edward T. Cain, Public Member; Troy A. Gahm, R.Ph.; Margaret A. Huwer, R.Ph.; Richard F. Kolezynski, R.Ph.; Michael A. Moné, R.Ph. and Kilee S. Yarosh, R.Ph.

Also present were Kyle Parker, *Executive Director*; Mark Keeley, *Assistant Executive Director*, Tracy Nave, *Director of Legal Affairs*; Nancy Little, *Licensing Administrator*; Eric Griffin, *Compliance Supervisor*; Danna Droz, *Prescription Drug Monitoring Program Director*; Chad Garner, *Information Technology Administrator*, Terri Ghitman, *OARRS Pharmacist* and Sean Culley, *Assistant Attorney General*.

10:01 a.m. Mr. Gahm moved that the Board go into Executive Session to consider the investigation of charges or complaints against a licensee, confer with Board counsel regarding a pending or imminent court action and to discuss matters required to be confidential by law pursuant to Section 121.22(G)(1), (3) & (5). The motion was seconded by Ms. Huwer and a roll-call vote was conducted by President Joyce as follows: Cain – yes; Huwer – yes; Gahm – yes; Kolezynski – yes; Mitchell – yes; Moné – yes; Yarosh – yes.

10:37 a.m. The Executive Session ended and the meeting was opened to the public.

The Board recessed briefly.

10:38 a.m. The meeting reconvened in Room South B&C.

R-2013-102 Mr. Moné moved to continue the adjudication hearing of **Lindsey Rose Meucci**, R.Ph. (03-2-26437), Cincinnati, Ohio. The motion was seconded by Mr. Kolezynski and approved by the Board: Aye – 7.

R-2013-103 Mr. Gahm moved that the settlement offer in the matter of **Virginia Anne Chastain**, R.Ph., (03-2-16568) Powell, Ohio, be accepted as amended by the Board. The Board's acceptance of a settlement would be contingent on the respondent agreeing to the changes made by the Board. The motion was seconded by Mr. Cain and approved by the Board: Aye – 6/Nay – 1.

R-2013-104 Mr. Gahm moved that the settlement offer in the matter of **Heather Hunt Kennedy**, R.Ph., (03-3-30848) Columbus, Ohio, be accepted as amended by the Board. The Board's acceptance of a settlement would be contingent on the respondent agreeing to the changes made by the Board. The motion was seconded by Mr. Kolezynski and approved by the Board: Aye – 5/Nay – 2.

R-2013-105 Mr. Gahm moved that the settlement offer in the matter of **JAH Pharmacies, Inc.**, (02-2211050) Piqua, Ohio be denied. The motion was seconded by Mr. Cain and approved by the Board: Aye – 6/Nay – 1.

R-2013-106 Mr. Joyce announced the following Settlement Agreement has been signed by all parties and is now effective.

SETTLEMENT AGREEMENT WITH THE STATE BOARD OF PHARMACY
(Docket Number D-120817-259)

In The Matter Of:

CARL LEE JESINA, R.Ph.
8790 Gatewood Drive
North Ridgeville, Ohio 44039-4374
(R.Ph. No. 03-2-09775)

This Settlement Agreement is entered into by and between Carl Lee Jesina and the Ohio State Board of Pharmacy, a state agency charged with enforcing the Pharmacy Practice Act and Dangerous Drug Distribution Act, Chapter 4729. of the Ohio Revised Code.

Carl Lee Jesina voluntarily enters into this Agreement being fully informed of his rights afforded under Chapter 119. of the Ohio Revised Code, including the right to representation by counsel, the right to a formal adjudication hearing on the issues contained herein, and the right to appeal. Carl Lee Jesina acknowledges that by entering into this Agreement he has waived his rights under Chapter 119. of the Revised Code.

Whereas, the Board is empowered by Section 4729.16 of the Ohio Revised Code to suspend, revoke, limit, place on probation, refuse to grant or renew an identification card or enforce a monetary penalty on the license holder for violation of any of the enumerated grounds therein.

Whereas, Carl Lee Jesina is licensed to practice pharmacy in the State of Ohio.

Whereas, on or about August 16, 2012, pursuant to Chapter 119. of the Ohio Revised Code, Carl Lee Jesina was notified of the allegations or charges against him, his right to a hearing, his rights in such hearing, and his right to submit contentions in writing. Carl Lee Jesina requested a hearing; it was scheduled and continued.

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of a formal hearing at this time, Carl Lee Jesina knowingly and voluntarily agrees with the State Board of Pharmacy to the following:

Carl Lee Jesina hereby agrees to retire his license to practice pharmacy in the state of Ohio. In exchange for Carl Lee Jesina's agreement to retire his license, the Board will

dismiss the allegations set forth in the Notice of Opportunity for Hearing letter issued on August 16, 2012 and hold the entire matter for naught. Carl Lee Jesina's record before the Board will not reflect disciplinary matters.

Carl Lee Jesina acknowledges that he has had an opportunity to ask questions concerning the terms of this Agreement and that all questions asked have been answered in a satisfactory manner. Any action initiated by the Board based on alleged violation of this Agreement shall comply with the Administrative Procedure Act, Chapter 119. of the Ohio Revised Code.

Carl Lee Jesina waives any and all claims or causes of action he may have against the State of Ohio or the Board, and members, officers, employees, and/or agents of either, arising out of matters which are the subject of this Agreement. Carl Lee Jesina waives any rights of appeal pursuant to Chapter 119. of the Ohio Revised Code.

This Settlement Agreement shall be considered a public record, as that term is used in Section 149.43 of the Ohio Revised Code, it SHALL NOT be considered disciplinary and will not be published by the Board. This Agreement shall become effective upon the date of the Board President's signature below.

| | |
|---|-------------------|
| _____ | <u>11/21/2012</u> |
| Carl Lee Jesina, R.Ph., Respondent | Date of Signature |
| _____ | <u>01/07/2013</u> |
| Brian M. Joyce, R.Ph., President | Date of Signature |
| Ohio State Board of Pharmacy | |
| _____ | <u>01/07/2013</u> |
| Sean M. Culley, Ohio Assistant Attorney General | Date of Signature |

- 10:46 a.m.** Mr. Gahm stated that there was no Nursing Board CPG Committee meeting report and that the next meeting will be held on January 14, 2013.
- Mr. Moné stated that there was no Medical Board PAPC report.
- Mr. Keeley presented the Legislative Report.
- Ms. Droz presented the Ohio Automated Prescription Reporting System update.
- Ms. Little provided the Licensing Report.
- Mr. Garner provided the IT Report.

R-2013-107 The Board received a request for an approval to Ohio Administrative Code Rule 4729-5-11 (A) (1) requesting that **Richard Adams**, R.Ph. (03-1-17765) Steubenville, Ohio, be the responsible person for the following pharmacies:

Harrison Community Hospital, Cadiz, Ohio (02-0034450)
Health Connection Pharmacy, Cadiz, Ohio (02-0560300)

After discussion, Mr. Kolezynski moved that the Board approve the request for a period of one year. The motion was seconded by Mr. Gahm and approved by the Board: Aye – 7.

R-2013-108 The Board received a request for an approval to Ohio Administrative Code Rule 4729-5-11 (A) (1) requesting that **Briana Brown**, R.Ph. (03-3-21872) Somerville, Ohio, the current responsible person for Dayton Rehabilitation Institute (02-2002450), also be the responsible person for the following pharmacy:

The Medical Center at Elizabeth Place, LLC, Dayton, Ohio (02-1609050)

After discussion, Mr. Moné moved that the Board approve the request for a period of one year. The motion was seconded by Mr. Mitchell and approved by the Board: Aye – 7.

R-2013-109 The Board received a request for an approval to Ohio Administrative Code Rule 4729-5-11 (A) (1) requesting that **Kilee Yarosh**, R.Ph. (03-2-24884) Jefferson, Ohio, the current responsible person for University Hospitals Ahuja Medical Center (02-2053250), also be the responsible person for the following pharmacy:

UH Rehabilitation Hospital, Beachwood, Ohio (license pending)

After discussion, Mr. Mitchell moved that the Board approve the request for a period of 6 months. The motion was seconded by Ms. Huwer and approved by the Board: Aye – 6/Abstain – 1. Ms. Yarosh abstained from the vote.

11:15 a.m. Mr. Keeley and Mr. Griffin presented the Quarterly Compliance Report for the fourth quarter of 2012.

11:25 a.m. Ms. Ghitman reported on her involvement with the NABP questions Item Writing Workshop related to the PARE Test.

11:30 a.m. The Board recessed for lunch.

1:15 p.m. The meeting reconvened in Room South B&C.

Mr. Gahm moved that the Board go into Executive Session to consider the investigation of charges or complaints against a licensee, confer with Board counsel regarding a pending or imminent court action and to discuss matters required to be

confidential by law pursuant to Section 121.22 (G)(1), (3) & (5). The motion was seconded by Mr. Moné and a roll-call vote was conducted by President Joyce as follows: Cain – yes; Huwer – yes; Gahm – yes; Kolezynski – yes; Mitchell – yes; Moné – yes; Yarosh – yes.

1:28 p.m. The Executive Session ended and the meeting was opened to the public.

R-2013-110 Mr. Moné moved to allow the continuance in the matter of **Wal-Mart Pharmacy** (02-0850200) C/O **Bryan Ballard**, R.Ph. (03-2-17920), Bentonville, Arkansas. The motion was seconded by Ms. Huwer and approved by the Board: Aye – 4/Nay – 3.

1:30 p.m. The Board was joined by Assistant Attorney General Sean Culley to conduct an adjudication hearing in accordance with the Ohio Revised Code Chapters 119. and 4729. in the matter of **Justin Allan Bracken**, R.Ph. (03-2-26310) Canton, Ohio.

3:09 p.m. The hearing ended and the record was closed.

Mr. Kolezynski moved that the Board recess in order to consider this quasi-judicial matter in accordance with Chapter 119. of the Revised Code and the case precedent of *Angerman v. State Medical Bd.* (1990) 70 Ohio App.3d 346 and *TBC Westlake Inc. v. Hamilton Cty Bd of Revision, et al.* (1998) 81 Ohio St.3d 58. The motion was seconded by Mr. Mitchell and a roll-call vote was conducted by President Joyce as follows: Cain – yes; Huwer – yes; Gahm – yes; Kolezynski – yes; Mitchell – yes; Moné – yes; Yarosh – yes.

3:33 p.m. The recess ended and the meeting was open to the public.

R-2013-111 After votes were taken in public session, the Board adopted the following order in the matter of **Justin Allan Bracken**, R.Ph. (03-2-26310) Canton, Ohio.

ORDER OF THE STATE BOARD OF PHARMACY

(Docket Number D-091006-019)

In The Matter Of:

JUSTIN ALLAN BRACKEN, R.Ph.

7511 Market Avenue N.

Canton, Ohio 44721

(R.Ph. Number 03-2-26310)

INTRODUCTION

The Matter of Justin Allan Bracken came for hearing on January 7, 2013, before the following members of the Board: Brian M. Joyce, R.Ph.; (presiding); Edward T. Cain, Public Member; Troy A. Gahm, R.Ph.; Margaret A. Huwer, R.Ph.; Richard F. Kolezynski, R.Ph.; Kevin J. Mitchell, R.Ph.; Michael A. Moné, R.Ph. and Kilee S. Yarosh, R.Ph.

Justin Allan Bracken was represented by Elizabeth Y. Collis. The State of Ohio was represented by Sean M. Culley, Assistant Attorney General.

SUMMARY OF EVIDENCE

State's Witness:

1. Justin Allan Bracken, R.Ph., Respondent

Respondent's Witnesses:

1. Justin Allan Bracken, R.Ph., Respondent
2. Jarrod Grossman, R.Ph.
3. Tom Oswald, R.Ph.

State's Exhibits:

1. Reinstatement Hearing Request Letter [06-22-12]
1A-1C. Procedurals
2. Board Order in re Justin Allan Bracken [12-08-09]

Respondent's Exhibits:

- A. Pharmacist's Recovery Contract [07-20-09]
- B. Pharmacist's Recovery Contract [12-21-09]
- C. Letter from Michael D. Quigley, R.Ph. [11-15-12]
- D. Letter from Jarrod Grossman, PharmD, R.Ph. [11-08-12]
- E. FirstLab Test History Report [09-03-09 to 10-19-12]
- F. Support Group Meeting Log [09-27-09 to 11-03-12]
- G. Monetary Penalty Payment Form [01-06-10]
- H. Quest Recovery and Prevention Services Letter from Keith Hochadel [08-15-12]
- I. Quest Recovery and Prevention Services Discharge Report [12-02-09]
- J. Stark County Treatment Accountability for Safer Communities (TASC) Program Discharge Letter [10-13-09]
- K. Continuing Education Credits and Certificates [various dates]

FINDING OF FACT

After having heard the testimony, observed the demeanor of the witnesses, considered the evidence, and weighed the credibility of each, the State Board of Pharmacy finds that Justin Allan Bracken has substantially complied with the terms set forth in the Order of the State Board of Pharmacy, Docket Number D-091006-019, effective December 8, 2009.

DECISION OF THE BOARD

On the basis of the Finding of Fact set forth above, and after consideration of the record as a whole, the State Board of Pharmacy hereby approves the reinstatement of the

pharmacist identification card, Number 03-2-26310, held by Justin Allan Bracken to practice pharmacy in Ohio subject to the following conditions:

(A) Justin Allan Bracken must take and pass the North American Pharmacist Licensure Examination (NAPLEX) and the Multistate Pharmacy Jurisprudence Examination (MPJE) within one year from the date of the Order. Upon successful completion of the NAPLEX and MPJE, the indefinite suspension will be lifted and Justin Allan Bracken will be subject to a period of probation for five years, with the following requirements:

(B) Justin Allan Bracken must enter into a new contract, signed within thirty days after the effective date of this Order, with an Ohio Department of Alcohol and Drug Addiction Services (ODADAS) approved treatment provider or a treatment provider acceptable to the Board for a period of not less than five years and submit a copy of the signed contract to the Board office before his pharmacist identification card is issued. The contract must provide that:

(1) Random, observed urine drug screens shall be conducted at least once each month for the first year and then at least once every three months for the remaining four years.

(a) The urine sample must be given within twelve hours of notification. The urine drug screen must include testing for creatinine or specific gravity of the sample as the dilutional standard.

(b) Alcohol must be added to the standard urine drug screen. A Breathalyzer may be used to test for alcohol, but an appropriately certified individual must conduct the test within twelve hours of notification.

(c) Results of all drug and alcohol screens must be negative. Refusal of a urine screen or a diluted urine screen is equivalent to a positive result. Any positive results, including those which may have resulted from ingestion of food, but excluding false positives which resulted from medication legitimately prescribed, indicates a violation of the contract.

(2) The intervener/sponsor shall submit reports to the Board, in a format acceptable to the Board, indicating drug screens and their results in a timely fashion. Actual copies of drug screens shall be made available to the Board upon request.

(3) Attendance is required a minimum of three times per calendar week (Sunday through Saturday), at an Alcoholics Anonymous, Narcotics Anonymous, and/or similar support group meeting.

(4) The program shall immediately report to the Board any violations of the contract and/or lack of cooperation.

(C) Justin Allan Bracken must submit quarterly progress reports to the Board (due January 10, April 10, July 10, and October 10 of each year of probation) that include:

(1) The written report and documentation provided by the treatment program pursuant to the contract, and

(2) A written description of Justin Allan Bracken's progress towards recovery and what Justin Allan Bracken has been doing during the previous three months.

(D) Other terms of probation are as follows:

(1) The State Board of Pharmacy hereby declares that Justin Allan Bracken's pharmacist identification card is not in good standing and thereby denies the privilege of being a preceptor and training pharmacy interns pursuant to paragraph (D)(1) of Rule 4729-3-01 of the Ohio Administrative Code.

(2) Justin Allan Bracken may not serve as a responsible pharmacist.

(3) Justin Allan Bracken may not destroy, assist in, or witness the destruction of controlled substances.

(4) Justin Allan Bracken must abide by the contract with his treatment provider and must immediately report any violation of the contract to the Board.

(5) Justin Allan Bracken must not violate the drug laws of Ohio, any other state, or the federal government.

(6) Justin Allan Bracken must abide by the rules of the State Board of Pharmacy.

(7) Justin Allan Bracken must comply with the terms of this Order.

(8) Justin Allan Bracken's license is deemed not in good standing until successful completion of the probationary period.

(E) Any violation of probation may result in a Board hearing to consider alternative or additional sanctions under Section 4729.16 of the Ohio Revised Code.

Justin Allan Bracken is hereby advised that the Board may at any time revoke probation for cause, modify the conditions of probation, and reduce or extend the period of probation. At any time during this period of probation, the Board may revoke probation for a violation occurring during the probation period.

Tuesday, January 8, 2013

9:30 a.m. The Ohio State Board of Pharmacy convened in Room South B&C, 31st Floor, of the Vern Riffe Center for Government and the Arts, 77 South High Street, Columbus, Ohio, with the following members present:

Brian M. Joyce, R.Ph., President; Kevin J. Mitchell, R.Ph., Vice-President; Edward T. Cain, Public Member; Troy A. Gahm, R.Ph.; Margaret A. Huwer, R.Ph.; Richard F. Kolezynski, R.Ph.; Michael A. Moné, R.Ph. and Kilee S. Yarosh, R.Ph.

R-2013-112 Mr. Kolezynski moved that the Board minutes of December 3-4, 2012 be approved as amended. Ms. Yarosh seconded the motion and it was approved by the Board: Aye – 7.

9:33 a.m. The Board was joined by Assistant Attorney General Sean Culley to create a record in accordance with the Ohio Revised Code Chapters 119. and 4729. in the matter of **Harold Eugene Fletcher, R.Ph. (03-1-19231)** Columbus, Ohio.

9:43 a.m. The hearing ended and the record was closed.

Mr. Kolezynski moved that the Board recess in order to consider this quasi-judicial matter in accordance with Chapter 119. of the Revised Code and the case precedent of *Angerman v. State Medical Bd.* (1990) 70 Ohio App.3d 346 and *TBC Westlake Inc. v. Hamilton Cty Bd of Revision, et al.* (1998) 81 Ohio St.3d 58. The motion was seconded by Mr. Mitchell and a roll-call vote was conducted by President Joyce as follows: Cain – yes; Huwer – yes; Gahm – yes; Kolezynski – yes; Mitchell – yes; Moné – yes; Yarosh – yes.

9:48 a.m. The recess ended and the meeting was opened to the public.

R-2013-113 After votes were taken in public session, the Board adopted the following order in the matter of **Harold Eugene Fletcher, R.Ph. (03-1-19231)** Columbus, Ohio.

ORDER OF THE STATE BOARD OF PHARMACY

(Docket Number D-120321-247)

In The Matter Of:

HAROLD EUGENE FLETCHER, R.Ph.

USP Lee

U.S. Penitentiary

PO Box 305

Jonesville, VA 24263

(R.Ph. Number 03-1-19231)

INTRODUCTION

The Matter of Harold Eugene Fletcher came for consideration on January 8, 2013, before the following members of the Board: Brian M. Joyce, R.Ph.; (presiding); Edward T. Cain, Public Member; Troy A. Gahm, R.Ph.; Margaret A. Huwer, R.Ph.; Richard F. Kolezynski, R.Ph.; Kevin J. Mitchell, R.Ph.; Michael A. Moné, R.Ph. and Kilee S. Yarosh, R.Ph.

Harold Eugene Fletcher was not present nor was Harold Eugene Fletcher represented by counsel. The State of Ohio was represented by Sean M. Culley, Assistant Attorney General.

SUMMARY OF EVIDENCE

State's Witness:

None

Respondent's Witness:

None

State's Exhibits:

1. Copy of Summary Suspension Order/Notice of Opportunity for Hearing letter [03-21-12]
 - 1A. Procedural
2. Plea Agreement, United States of America vs. Harold E. Fletcher, Case No. 2:10-CR-249, United States District Court, Southern District of Ohio [01-12-12]
3. Judgment, United States of America V. Harold E. Fletcher, Case No. CR-2-10-249, United States District Court, Southern District of Ohio [03-07-12]
4. Settlement Agreement in re Harold Eugene Fletcher, R.Ph. [05-12-03]
5. Board Order in re Harold Eugene Fletcher, R.Ph. [03-05-09]

Respondent's Exhibits:

None

FINDINGS OF FACT

After having heard the testimony, observed the demeanor of the witnesses, considered the evidence, and weighed the credibility of each, the State Board of Pharmacy finds the following to be fact:

- (1) Records of the Board of Pharmacy indicate that Harold Eugene Fletcher was originally licensed in the State of Ohio on February 28, 1992, pursuant to examination, and Harold Eugene Fletcher's license to practice pharmacy in the State of Ohio was

summarily suspended effective March 21, 2012. Records further reflect Harold Eugene Fletcher was previously disciplined by the Board on May 12, 2003 and March 5, 2009.

(2) In accordance with Section 2929.42 of the Ohio Revised Code, this Board has received information which indicates that on January 9, 2012, Harold Eugene Fletcher was convicted of a felony drug abuse offense under 21 U.S.C. 84, to wit: Harold Eugene Fletcher was indicted for, plead guilty and was committed to the United States Bureau of Prisons for a term of (24) months for the Distribution of Oxycodone in violation of 21 U.S.C. 84 in the United States District Court, Southern District of Ohio, United States v. Fletcher, Case No. CR-2-10-249.

CONCLUSIONS OF LAW

(1) The State Board of Pharmacy concludes that paragraph (2) of the Findings of Fact constitutes being guilty of a felony and gross immorality as provided in Division (A)(1) of Section 4729.16 of the Ohio Revised Code.

(2) The State Board of Pharmacy concludes that paragraph (2) of the Findings of Fact constitutes being guilty of dishonesty and unprofessional conduct in the practice of pharmacy as provided in Division (A)(2) of Section 4729.16 of the Ohio Revised Code.

(3) The State Board of Pharmacy concludes that paragraph (2) of the Findings of Fact constitutes being guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of provisions of Chapter 2925. of the Revised Code as provided in Division (A)(5) of Section 4729.16 of the Ohio Revised Code.

DECISION OF THE BOARD

Pursuant to Section 3719.121 of the Ohio Revised Code, the State Board of Pharmacy hereby removes the Summary Suspension Order issued to Harold Eugene Fletcher on March 21, 2012.

Pursuant to Section 4729.16 of the Ohio Revised Code, and after consideration of the record as a whole, the State Board of Pharmacy adjudicates the matter of Harold Eugene Fletcher as follows:

(1) On the basis of the Findings of Fact and paragraph (1) of the Conclusions of Law, the State Board of Pharmacy hereby revokes permanently the pharmacist identification card, No. 03-1-19231, held by Harold Eugene Fletcher effective as of the date of the mailing of this Order.

(2) On the basis of the Findings of Fact and paragraph (2) of the Conclusions of Law, the State Board of Pharmacy hereby revokes permanently the pharmacist

identification card, No. 03-1-19231, held by Harold Eugene Fletcher effective as of the date of the mailing of this Order.

(3) On the basis of the Findings of Fact and paragraph (3) of the Conclusions of Law, the State Board of Pharmacy hereby revokes permanently the pharmacist identification card, No. 03-1-19231, held by Harold Eugene Fletcher effective as of the date of the mailing of this Order.

Harold Eugene Fletcher, pursuant to Section 4729.16(B) of the Ohio Revised Code, must return his license to practice (pocket ID card) and registration (wall certificate) to the office of the State Board of Pharmacy within ten days after receipt of this Order unless the Board office is already in possession of both. The identification card and wall certificate should be sent by certified mail, return receipt requested.

Michael Moné moved for Findings of Fact; Troy Gahm seconded the motion. Motion passed (Aye-7/Nay-0).

Kevin Mitchell moved for Conclusions of Law; Kilee Yarosh seconded the motion. Motion passed (Aye-7/Nay-0).

Kilee Yarosh moved for Action of the Board; Margaret Huwer seconded the motion. Motion passed (Aye-7/Nay-0).

9:52 a.m.

Mr. Kolezynski moved that the Board go into Executive Session to discuss the employment of a public employee, the purchase of property and matters required to be confidential by law pursuant to Section 121.22(G)(1), (2) & (5) of the Ohio Revised Code. The motion was seconded by Ms. Huwer and a roll-call vote was conducted by President Joyce as follows: Cain – yes; Huwer – yes; Gahm – yes; Kolezynski – yes; Mitchell – yes; Moné – yes; Yarosh – yes.

10:47 a.m.

The Executive Session ended and the meeting was opened to the public.

R-2013-114

Mr. Kolezynski moved that the Board adopt the following recognition for James Reye, recognizing his outstanding service to the Board of Pharmacy. The motion was seconded by Mr. Mitchell and approved by the Board: Aye – 7.

RESOLUTION of the BOARD

WHEREAS, the administrative and investigative efforts of James H. Reye as Compliance Agent and then as Regional Compliance Supervisor with the Ohio State Board of Pharmacy, have directly led to the successful and thoughtful enforcement of the Ohio Drug Laws; and

WHEREAS, these efforts have contributed to the ongoing protection and safety of the citizens of Ohio; therefore

BE IT RESOLVED, that the Ohio State Board of Pharmacy hereby commends James Reye for his 24 years of exemplary service and performance to the Board and to the people of Ohio in carrying out the responsibilities of his position, and

BE IT ALSO RESOLVED, that we, the Members of the Ohio State Board of Pharmacy, in its one hundredth twenty-ninth year, so express our profound appreciation to James Reye for his dedication and service to the Board and the citizens of Ohio, and

BE IT FURTHERED RESOLVED, that this resolution be spread upon the permanent Minutes of the Ohio State Board of Pharmacy.

10:47 a.m. The Board recessed for lunch and Mr. Gahm left for personal reasons.

1:04 p.m. The meeting reconvened in Room South B&C with the following members present:

Brian M. Joyce, R.Ph., *President*; Kevin J. Mitchell, R.Ph., *Vice-President*; Edward T. Cain, Public Member; Margaret A. Huwer, R.Ph.; Richard F. Kolezynski, R.Ph. and Kilee S. Yarosh, R.Ph.

R-2013-115 **Anne Baker**, R.Ph. (03-1-32483), South Portsmouth, Kentucky, presented the Board with a request for the approval of a **King’s Daughters** non-resident pharmacy remote order entry system. Mr. Mitchell moved to approve the King’s Daughters non-resident pharmacy remote order entry system presented by Ms. Baker. Mr. Kolezynski seconded the motion and it was approved by the Board: Aye – 5.

1:22 p.m. Mr. Moné joined the meeting.

R-2013-116 Mr. Kolezynski moved to allow one centralized CE Provider, **Sarah Persinger**, PharmD, Esq. (03-2-25343), for all hospitals’ pharmacists in the **Ohio Health** system. Mr. Cain seconded the motion and it was approved by the Board: Aye – 5. Ms. Huwer recused herself from the vote.

R-2013-117 Mr. Kolezynski moved that the Board receive Per Diem as follows:

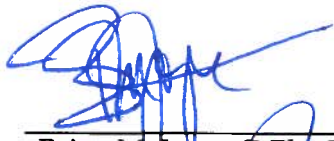
| PER DIEM | 1/7 | 1/8 | Total |
|------------|-----|-----|-------|
| Cain | 1 | 1 | 2 |
| Gahm | 1 | 1 | 2 |
| Huwer | 1 | 1 | 2 |
| Joyce | 1 | 1 | 2 |
| Kolezynski | 1 | 1 | 2 |
| Mitchell | 1 | 1 | 2 |
| Moné | 1 | 1 | 2 |
| Yarosh | 1 | 1 | 2 |

Mr. Moné seconded the motion and it was approved by the Board: Aye – 6.

R-2013-118 Mr. Kolezynski moved that the meeting be adjourned at the conclusion of introductions to and discussion with candidates for licensure by reciprocity. The motion was seconded by Ms. Huwer and approved by the Board: Aye – 6.

1:30 p.m. The Board reconvened in Room South A, 31st Floor of the Vern Riffe Center for Government and the Arts. The following candidates for licensure by reciprocity introduced themselves to the Board, and then participated in a discussion of pharmacy laws and rules with Mr. Keeley, *Assistant Executive Director* and the Board.

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|-----------------------------|----------------|
| Rilwan Adewale Adewumi | Illinois |
| Lindy Ashby | Kentucky |
| Anne F. Baker | Kentucky |
| John Michael Bishel | Indiana |
| Rochelle Jereene Bussa | Kentucky |
| Christopher Kent Currin | Virginia |
| Michael F. Daniels | Kentucky |
| Brittany K. Dolsen | Indiana |
| Larry Winston Ellison | Kentucky |
| Evgeny Gorodetsky | Wisconsin |
| Emily S. Goshorn | Kentucky |
| Julie Ann Graf | Kentucky |
| Lori A. Hilger | Kentucky |
| James Daniel Hutchison | Indiana |
| Joseph P. Makowski | Florida |
| Elise Meredith May | Wisconsin |
| Jesse r. Milowicki | Arizona |
| George K. Nimako | New York |
| Robert M. Pogue | West Virginia |
| Diana Mohamad Saad | Michigan |
| Stephanie D. Saunders | Kentucky |
| Kyle Jeffery Sloan | North Carolina |
| Inara Livia Sternadori | New Jersey |
| Christopher Martin Thompson | Indiana |
| Schevilla Wilkinson | Maryland |
| Pei-I Yua | Louisiana |
| Allison D. Zettwoch | Kentucky |



Brian M. Joyce, R.Ph., President

Date: 2-5-13



Kyle W. Parker, M.B.A., R.Ph., Executive Director

Date: 2-5-13