

## MINUTES

### OKLAHOMA STATE BOARD OF PHARMACY

2920 N Lincoln Ave., Suite A  
Oklahoma City, OK 73105

**November 29, 2023**

#### **Call to order:**

President St. Cyr called the November 29, 2023 meeting of the Oklahoma State Board of Pharmacy (OSBP) to order at 8:38 am with a roll call vote. 5 out of 6 members were identified as present. Board Member, Bob Howard was not present. No member recused from any of the scheduled hearings.

#### **Those present were:**

##### Board Members:

Mark St.Cyr, President  
Shonda Lassiter, Vice-President  
Randy Curry, Member  
Greg Huenergardt, Member  
Chris Schiller, Member

##### Board of Pharmacy:

Marty Hendrick, Executive Director  
Melissa Jones, Sr. Compliance Officer  
Keevie Ridener, Compliance Officer  
Marjan Fardadford, Compliance Officer  
Darrell Switzer, Compliance Officer  
Kim Hibbard, Compliance Officer  
Jennifer Musgrove, Compliance Officer  
Rhonda Jenkins, Executive Secretary  
Kristen Johnson, Programs Director  
Emily Isbill, Assistant Attorney General  
Joe Ashbaker, Assistant Attorney General, Advisor for the Board.

##### Guests

Nancy Williams, SWOSU College of Pharmacy  
Vince Dennis, OU College of Pharmacy  
Jay Kinnard, OU College of Pharmacy  
Sarah Clark, Walgreens  
KayDee Judd, Walgreens  
Matthew Green, Walmart  
Kyler Roper, Walmart  
Lauren Paul, CVS Health  
Jodi Dozier, CVS  
Renee Flood, CVS  
Jessica Parker-Wu, CVS  
Baruc Lara, Amber Integrated  
McKenna Perrin, Governor's Office  
Dr. Barry Lubin, Guest  
Chris Stanford, Guest  
Randy Stanford, Guest  
Rusty Smith, Guest  
Chad Miller, Guest  
Alexia Forest, Guest

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**Approval of minutes and claims:**

A motion was made by Dr. Greg Huenergardt and seconded by Dr. Randy Curry to approve the November 29, 2023 minutes. Motion passed on roll call vote.

A motion was made by Dr. Randy Curry and seconded by Dr. Chris Schiller to approve expense claims #7930 - #7997, #H0491644 - #H0491650, #H0493104 - #H0493110, October and November payroll, the September and October leave report of the Executive Director and any expense claims of the Executive Director. Motion passed on roll call vote.

**Cancellation of Pharmacist, Pharmacies, Facilities, and Technicians:**

After a review of the cancellation list previously viewed, a motion was made by Dr. Chris Schiller and seconded by Dr. Greg Huenergardt to approve the cancellation list of those that did not renew within the renewal time-period. Motion passed on roll call vote.

**Board sets future Board meeting(s):**

The Board set Wednesday March 6, 2024 as a scheduled Board meeting. The next scheduled Board meeting is Wednesday January 24, 2024.

**P-4 Students:**

The Board welcomed students from Southwestern Oklahoma State University Colleges of Pharmacy and The University of Oklahoma that are attending the Board meeting. All students will attend a Board meeting during their final year of college.

**Executive Director gives Agency report:**

**Travel:**

Director Hendrick stated that he and the Board staff have been very busy with travel during the month of October. He reported that Maltagon was held in October in Knoxville, TN and that Dr. St. Cyr attended. Dr. St. Cyr gave a report on the trip. He also reported that the NABP District 6, 7 & 8 meeting was held at the end of October in Jackson Hole, WY and that Dr. Randy Curry attended. Dr. Curry gave a report on the trip. He noted that he and the compliance officers attended the Opioid Drug Symposium that was held in Little Rock, AR in November. Dr. Hendrick reported on that trip. He reported that the ASHP Midyear meeting will be held in December and that Dr. St. Cyr will be attending that meeting and will give a report at the next Board meeting.

**Building Information:**

Dr. Hendrick reported that the heat and air in the Board room has been installed after 4 months of waiting. Dr. Hendrick also reported that the lease will be going up 25% - 30% and at this time he does not have a definite number.

**PA Sub Committee:**

Dr. Hendrick reported that there is a PA Sub-Committee meeting at 4:00 to discuss rules for the PA's and C2's and if time allowed, he would be attending and will report back to the Board at the next Board meeting.

**Deputy Director, Gary LaRue:**

Dr. Hendrick noted that Dr. LaRue was not present at the meeting due to a back injury. He noted that Dr. LaRue will be retiring on December 29, 2023 and spoke on the excellent work that Dr. LaRue had done throughout his years with the Board. Dr. Hendrick stated that he will be greatly missed by everyone.

**Intern:**

Dr. Hendrick introduced Intern Abigail "Abbey" Mills and reported that she has been the Board's intern for the month of November. Ms. Mills is a 4<sup>th</sup> year student with Southwestern Oklahoma State University College of Pharmacy and will graduate in December 2023.

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**OSBP vs. Nathan Forest, DPh #19188, Case No. 1681:**

The Board was called to order by President St. Cyr to hear the case of Nathan Forest. Mr. Forest was present with Counsel Aimee Majoue.

A motion was made by Dr. Shonda Lassiter and seconded by Dr. Randy Curry to allow Joe Ashbaker, Assistant Attorney General, to lead the discussion as Advisor for the Board. Motion passed on roll call vote. At this time, President St. Cyr asked the Board if anyone feels the need to recuse themselves from hearing the case. All Board members answered "no".

After a discussion, a motion was made by Dr. Shonda Lassiter and seconded by Dr. Chris Schiller to go into Executive Session. Motion passed on roll call vote.

A motion was made by Dr. Shonda Lassiter and seconded by Dr. Greg Huenergardt to return from Executive Session. Motion passed on roll call vote.

A motion was made by Dr. Chris Schiller and seconded by Dr. Greg Huenergardt to continue this hearing until the January 24, 2024 Board meeting. Motion passed on roll call vote.

**Kevin Rich of Oklahoma Pharmacists Helping Pharmacists (OPHP) gives Annual report:**

Kevin Rich, Director of Oklahoma Pharmacists Helping Pharmacist presented the Board with an annual report from OPHP. He spoke on the leadership of the organization, and some of the issues and solutions that the organization has experienced. Mr. Rich also spoke on the support, involvement, and outreach opportunities that individuals have available to them.

The Board thanked Dr. Rich for his presentation, and commended him for his excellent work with the organization and the help OPHP provides to the profession.

**OSBP vs. Catherine Mattea Tate, DPh #14362, Case No. 1126 – request probation be lifted:**

The Board was called to order to hear the request of Catherine Mattea Tate. Ms. Tate was present. OPHP Director Kevin Rich was present for any questions of the Board.

After a brief discussion with Ms. Tate and Mr. Rich on her progress with OPHP, a motion was made by Dr. Shonda Lassiter and seconded by Dr. Randy Curry to lift the probation from her license, and that she is to continue to comply with OPHP guidelines. Motion passed on roll call vote.

**OSBP vs Mikayla Marshall, Technician #28016, Case No. 1670:**

The Board was called to order by President St. Cyr to hear the case of Mikayla Marshall. Ms. Marshall was present but chose to appear without Counsel. Compliance Officer (CO) Marjan Fardadford was present to testify for the Board. Assistant Attorney General, Emily Isbill prosecuted for the Board.

A motion was made by Dr. Shonda Lassiter and seconded by Dr. Randy Curry to allow Joe Ashbaker, Assistant Attorney General, to lead the discussion as Advisor for the Board. Motion passed on roll call vote. At this time, President St. Cyr asked the Board if anyone feels the need to recuse themselves from hearing the case. All Board members answered "no". President St. Cyr then swore in CO Marjan Fardadford and Technician Mikayla Marshall for any questions the Board may have.

Prior to the Board meeting, the Board received the Complaint for review. Ms. Marshall was interviewed by members of the Wal-Mart Asset Protection Team when she admitted that she may have "forgot to scan" some items but denied stealing anything from the pharmacy. Ms. Marshall refused to provide a statement. Ms. Marshall was terminated from Walmart Pharmacy for theft of merchandise.

A motion was made by Dr. Randy Curry and seconded by Dr. Shonda Lassiter to go into Executive Session. Motion passed on roll call vote.

A motion was made by Dr. Greg Huenergardt and seconded by Dr. Randy Curry to return from Executive Session. Motion passed on roll call vote.

A motion was made by Dr. Chris Schiller and seconded by Dr. Greg Huenergardt that based on the clear and convincing evidence presented Ms. Marshall be found guilty as charged. Motion passed on roll call vote.

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A motion was made by Dr. Chris Schiller and seconded by Dr. Greg Huenergardt that the technician permit of Mikayla Marshall be revoked. Motion passed on roll call vote.

**OSBP vs. Angelica Leland, Technician #26326, Case No. 1670:**

The Board was called to order by President St. Cyr to hear the case of Angelica Leland. Ms. Leland was not present, but it had been determined that she had been properly notified. Assistant Attorney General, Emily Isbill, prosecuted for the Board.

A motion was made by Dr. Randy Curry and seconded by Dr. Shonda Lassiter to allow Joe Ashbaker, Assistant Attorney General, to lead the discussion as Advisor for the Board. Motion passed on roll call vote. At this time, President St. Cyr asked the Board if anyone feels the need to recuse themselves from hearing the case. All Board members answered "no".

Prior to the Board meeting, the Board received the Complaint for review. Walgreens store manager reviewed CCTV footage and saw Ms. Leland disposing of paper towels, cookies, and crackers by bagging them as "1506", a term used by Walgreens in reference to front end hazardous waste such as expired products, open products, disposal items, etc. Ms. Leland was interviewed by the store manager and asset protection and admitted in a voluntary written statement that she had 1506'd items that were damaged out and taken those products home. Ms. Leland was terminated from Walgreens.

Ms. Isbill then presented the Board with an Agreed Order that had been signed by Ms. Leland. By signing the Agreed Order, Ms. Leland admits guilt on all counts and accepts revocation of her technician permit.

Motion was made by Dr. Greg Huenergardt and seconded by Dr. Chris Schiller to accept the Agreed Order. Motion passed on roll call vote.

**OSBP vs John Schick, Technician #26307, Case No. 1677:**

This case was continued until the next available Board meeting.

**OSBP vs Billy McGlaughlin, Technician #17232, Case No. 1680:**

The Board was called to order by President St. Cyr to hear the case of Billy McGlaughlin. Mr. McGlaughlin was not present. A motion was made by Dr. Shonda Lassiter and seconded by Dr. Randy Curry to allow Joe Ashbaker, Assistant Attorney General, to lead the discussion as Advisor for the Board. Motion passed on roll call vote. At this time, President St. Cyr asked the Board if anyone feels the need to recuse themselves from hearing the case. All Board members answered "no".

Registration Secretary, Rhonda Jenkins and Compliance Officer (CO) Keevie Ridener were sworn in by President St. Cyr. Ms. Jenkins testified that Mr. McGlaughlin had been properly notified of the time and date of the hearing. CO Keevie Ridener testified for the Board. Assistant Attorney General, Emily Isbill, prosecuted for the Board.

Prior to the Board meeting, the Board received the Complaint for review. The Pharmacist in Charge (PIC) had reports of miscellaneous Hydrocodone Tablets being found at the workstation of Mr. McGlaughlin with some being found under a pile of rubber bands. The PIC reviewed camera footage of Mr. McGlaughlin that led him to believe that he was possibly diverting CDS. The police were called and attempted to question Mr. McGlaughlin who refused to answer questions without a lawyer present and then immediately resigned. A narcotic inventory was taken, and it was determined that there was a loss of Hydrocodone and Oxycodone tablets.

A motion was made by Dr. Chris Schiller and seconded by Dr. Greg Huenergardt that based on the clear and convincing evidence presented, Mr. McGlaughlin be found guilty as charged. Motion passed on roll call vote.

A motion was made by Dr. Chris Schiller and seconded by Dr. Randy Curry that the technician permit of Billy McGlaughlin be revoked. Motion passed on roll call vote.

**OSBP vs Reba Jones, D.Ph. #17375, Case No. 1678:**

The Board was called to order by President St. Cyr to hear the case of Reba Jones. Ms. Jones was present and chose to appear without Counsel. Assistant

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Attorney General, Emily Isbill prosecuted for the Board. A motion was made by Dr. Shonda Lassiter and seconded by Dr. Randy Curry to allow Joe Ashbaker, Assistant Attorney General, to lead the discussion as Advisor for the Board. Motion passed on roll call vote. At this time, President St. Cyr asked the Board if anyone feels the need to recuse themselves from hearing the case. All Board members answered "no".

Prior to the Board meeting, the Board received the Complaint for review. Ms. Jones was charged with multiple violations of state and federal regulations and rules including abuse of alcohol or drugs, use of an illegal controlled dangerous substance (CDS) or testing positive for such substance or its metabolite is a violation of registrant conduct.

Ms. Isbill then presented the Board with an Agreed Order. If the Board accepts the Agreed Order, Ms. Jones would agree to pay a total fine of \$1000.00 for eight (8) Counts, which will be due on November 29, 2023. All required CE for the years 2024 and 2025 shall be live. Ms. Jones will agree to be evaluated by an Oklahoma Pharmacist Helping Pharmacist (OPHP) provider. Ms. Jones' pharmacist license is indefinitely suspended until she is determined to be "Fit for Duty" by OPHP and receives a recommendation from OPHP in support of her license becoming active. At that time, Ms. Jones may appear before the Board to request her license be reinstated.

A motion was made by Dr. Randy Curry and seconded by Dr. Greg Huenergardt to accept the Agreed Order. Motion passed on roll call vote.

**OSBP vs Cristina Gonzalez, D.Ph. #16765, Case No. 1674:**

The Board was called to order by President St. Cyr to hear the case of Cristina Gonzalez. Ms. Gonzalez was present and chose to appear without Counsel. OPHP Director Kevin Rich was present. Assistant Attorney General, Emily Isbill prosecuted for the Board. A motion was made by Dr. Randy Curry and seconded by Dr. Chris Schiller to allow Joe Ashbaker, Assistant Attorney General, to lead the discussion as Advisor for the Board. Motion passed on roll call vote. At this time, President St. Cyr asked the Board if anyone feels the need to recuse themselves from hearing the case. All Board members answered "no". President St. Cyr then swore in OPHP Director Kevin Rich and Cristina Gonzalez for any questions the Board may have for them.

Prior to the Board meeting, the Board received the Complaint for review. Ms. Gonzalez was charged with multiple violations of state and federal regulations and rules including the violation of a Board Order or Agreed Order.

Ms. Isbill then presented the Board with an Agreed Order. If the Board accepts the Agreed Order, Ms. Gonzalez would agree to complete a "Substance Use Disorder" conference or seminar approved by OPHP before November 29, 2026. All CE for the years 2024 and 2025 shall be live. Ms. Gonzalez would agree to enter into a lifetime contract with OPHP and have full compliance. The pharmacist license of Ms. Gonzalez is indefinitely suspended until she is determined to be "Fit for Duty" by OPHP and receives a recommendation from OPHP in support of her license becoming active. At that time, Ms. Gonzalez may appear before the Board to request her license be reinstated.

A motion was made by Dr. Randy Curry and seconded by Dr. Chris Schiller to accept the Agreed Order. Motion passed on roll call vote.

**OSBP vs Daniel Keller, D.Ph. #19432, Case No. 1676:**

This hearing was continued until the next available Board meeting.

**OSBP vs Texas Star Pharmacy, #99-8411, Case No. 1675:**

This hearing was continued until the next available Board meeting.

**President St. Cyr adjourned the Board meeting:**

A motion was made by Dr. Greg Schiller and seconded by Dr. Greg Huenergardt to adjourn the Board meeting. Motion passed on roll call vote. President St. Cyr adjourned the Board meeting at 11:21 a.m.

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