

MINUTES

OKLAHOMA STATE BOARD OF PHARMACY

3812 N Santa Fe, Suite 300
Oklahoma City, OK 73118

February 1, 2023

Call to order:

President Willeford called the February 1, 2023 meeting of the Oklahoma State Board of Pharmacy (OSBP) to order at 10:00 am with a roll call vote. 5 of 6 Board members were present.

Those present were:

Board Members: Jason Willeford, President
Randy Curry, Member
Shonda Lassiter, Member
Mark St. Cyr, Member
Justin Wilson, Member

Member Kyle Whitehead was unable to attend this meeting

Board of Pharmacy: Marty Hendrick, Executive Director
Gary LaRue, Deputy Director
Marjan Fardadfar, Compliance Officer
Darrell Switzer, Compliance Officer
Rhonda Jenkins, Executive Secretary
Kristen Johnson, Programs Director
John Settle, Assistant Attorney General
Joe Ashbaker, Assistant Attorney General

Guests Nancy Williams, SWOSU College of Pharmacy
Sarah Yount, SWOSU College of Pharmacy
Vince Dennis, OU College of Pharmacy
Beth Halton, OU College of Pharmacy
Jay Kinnard, 1893 Pharmacy
Lauren Paul, CVS
Ryan Walker, Walgreens
Sarah Clark, Walgreens
Jeremiah Wigenton, Walgreens
Amber Mathias-Hodges, Wal-Mart
Becca Segrest, Cardinal Nuclear
Oliver Lackey, Evans Pharmacy
Burl Beasley, EGID, HealthChoice
Dale Masten, Genoa Healthcare
Elizabeth Stroll, Baxter
Melanie Ewald, Baxter
Luke Martin, Capital Plus Consultants
Loretta Boessing, Unite for Safe Medications
Ron Peterson, One Call
Audrey Benegar, PCMA
Ademora Are, Amazon
Jana Tiger, OKRLCA Vice-President
Bob Bearden, Oklahoma State Association of Letter Carriers
David Allbritton, Retired Letter Carrier
Delonna Callaway, OKRLCA President, USPS
Cody Lenery, Guest

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Approval of minutes and claims:

A motion was made by Dr. Justin Wilson and seconded by Dr. Randy Curry to approve the November 16, 2022 minutes, expense claims #7591 - #7656, #H0476752-#H0476757, #H0478439-#H0478444, #H0479956-#H0479961, and any expense claims of the Executive Director. Motion passed on roll call vote with Dr. Mark St. Cyr abstaining.

A motion was made by Dr. Justin Wilson and seconded by Dr. Shonda Lassiter to approve the December 14, 2022 minutes. 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. Justin Wilson and seconded by Dr. Mark St. Cyr to approve the cancellation list of those that did not renew within the renewal time-period. Motion passed on roll call vote.

Board reviews approved Continuing Education (CE) programs:

The Board reviewed the 4th quarter list of CE programs that had been submitted and approved by the CE Committee on December 9, 2022.

A motion was made by Dr. Justin Wilson and seconded by Dr. Randy Curry to accept the approved list of CE programs that had been submitted. Motion passed on roll call vote.

Board sets future Board meeting(s):

The Board set Wednesday March 29, 2023 as the next scheduled meeting. The Board also set Wednesday June 7, 2023 as a Board meeting.

Board reviews designation of Mission Critical Memberships:

After a review of the list of Board designated Mission Critical Memberships, a motion was made by Dr. Mark St. Cyr and seconded by Dr. Justin Wilson to approve the list of Mission Critical Memberships. Motion passed on roll call vote.

Board reviews designation of Mission Critical Out of State Travel:

After a review of the list of Board designated Mission Critical Out-of-State Travel, a motion was made by Dr. Mark St. Cyr and seconded by Dr. Shonda Lassiter to approve the list of Mission Critical Out-of-State Travel. Motion passed on roll call vote.

P-4 Students:

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

Executive Director gives Agency report:

Legislation:

Director Hendrick stated that the legislative session will begin on February 6, 2023. He reported that currently there are over 3,000 bills that have been submitted. Dr. Hendrick noted that he is currently reviewing upcoming legislation and will keep the Board informed on all bills involving pharmacy and the Board of Pharmacy.

DME:

Director Hendrick reported that the staff are currently licensing DME providers who meet required criteria from legislation that passed during the last session (HB2649). He stated that moving forward, staff will begin creating inspection forms and the conducting of these inspections for the DME providers will begin in 2024. Dr. Hendrick also noted that we are working on finding training for compliance staff to complete these inspections.

Travel:

Director Hendrick reported that he would be traveling to Phoenix, AZ in March to attend the APhA Annual Conference along with Dr. Randy Curry. He

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reported that the NABP Annual Conference will be held in Nashville, TN in May. He stated that he would be attending as a voting delegate and that Dr. St. Cyr would also be in attendance. He noted that Maltagon will be in Knoxville, TN on October 15th – 18th and the NABP District 6 meeting will be held October 22nd-25th in Jackson hole, WY.

Dr. Hendrick reported that Dr. Mark St. Cyr attended the ASHP Midyear in Las Vegas, NV in December of 2022. Dr. St. Cyr reported on this meeting stating that he attended an interesting discuss on drug diversion and stated that the attendance at the Boards of Pharmacy meeting was very low and was concerned about the future of the meeting.

Compliance Officer, Marjan Fardadfar:

Dr Hendrick reported that Compliance Officer, Marjan Fardadfar had completed a phone interview with the Innovations magazine and was spotlighted in the magazine under the “Interview with a Board Inspector” section. The Board congratulated Dr. Fardadfar on her spotlight.

New Compliance Officer:

Dr. Hendrick introduced Jennifer (Jenny) Musgrove. He stated that Jenny had joined the Board as a new Compliance Officer at the end of January. He noted that she currently lives in Weatherford and will be covering parts of Western and Central Oklahoma.

Building Information:

Dr. Hendrick reported that the move back to 2920 N. Lincoln had been completed. He noted that Lingo is still completing work on mechanical systems and other small projects around the building. Dr. Hendrick stated that he was happy to report that we have not had any water issues.

NAPLEX applicant Boakai Kamara appears before the Board:

The Board was called to order by President Willeford to hear the request of Boakai Kamara. Mr. Kamara had taken and failed the NAPLEX 3 times and was requesting that the Board allow him a fourth attempt. Mr. Kamara explained to the Board some of the issues of what has happened that he feels has caused him not to be as prepared as he should have been. He also told the Board his study plan for the future.

A motion was made by Dr. Justin Wilson and seconded by Dr. Shonda Lassiter to grant Mr. Kamara permission to re-take the NAPLEX a fourth time and encouraged Mr. Kamara to continue with his studies and preparation for the exam. Motion passed on roll call vote.

Tina Dyer of SSM Health request to appear before the Board:

The Board was called to order by President Willeford to hear the presentation of Tina Dyer. Ms. Dyer presented the Board with a proposal for possible rule changes for RMOP’s in a hospital setting at the November 16, 2022 Board meeting. The Board felt that because Dr. St. Cyr has experience in the hospital setting, he may be willing to head a committee for possible rule changes. Dr. St. Cyr spoke to the Boards thoughts. He stated that he didn’t feel that a committee was necessary as he was on the original committee for the rules the Board has now. He thought that maybe an interpretation of the rule would be appropriate. He also stated that the Pharmacist in Charge (PIC) of the RMOP would be the ones that are responsible. He also stated that he liked the possible addition of the “expanding clinical services” proposal and that the Board may look at rules for the next session. The Board tabled the discussion for now.

OSBP vs. Dedra A. Putchaven, DPh #11464, Case No. 1658:

The case of Dedra A. Putchaven was continued until the next scheduled Board meeting.

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Board discusses Pay for Performance 2025 Plan:

Director Hendrick stated that he is requesting that the Board consider the possibility of awarding Pay for Performance (PPM) for Board employees excluding the Executive Director.

Motion was made by Dr. Justin Wilson and seconded by Dr. Mark St. Cyr to approve the Pay for Performance 2025 Plan as presented. Motion passed on roll call vote.

Board reviews and approves 2023 Draft Rule Revisions: Title 535, Chapters 1, 10, 15 and 20:

The Board was called to order by President Willeford to review and approve the 2023 Draft Rule Revisions. Business Manager MaryAnn Terral presented the Board with Title 535, Chapters 1, 10, 15 and 20 written public comments that were received along with discussion with those in attendance with comments. The Board reviewed and discussed the rule changes and the comments that were presented.

After a discussion, a motion was made by Dr. Justin Wilson and seconded by Dr. Shonda Lassiter to approve all rules as presented. Motion passed on roll call vote.

President Willeford adjourned the Board meeting:

A motion was made by Dr. Justin Wilson and seconded by Dr. Mark St. Cyr to adjourn the Board meeting. Motion passed on roll call vote. President Willeford adjourned the Board meeting at 2:50 p.m.

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