

**COMPREHENSIVE AGENDA
DEPARTMENT OF HEALTH
BOARD OF PHARMACY
FULL BOARD MEETING**

December 11-12, 2012

**Holiday Inn and Suites
2725 Graves Road
Tallahassee, FL 32303
(850) 536-2000**

PLEASE TURN OFF ALL CELL PHONES, PAGERS, AND BEEPERS DURING THE MEETING. THANK YOU.

Board Members:

Cynthia Griffin, PharmD, Chair, Jacksonville
Albert Garcia, BPharm, MHL, Vice-Chair, Miami
Michele Weizer, PharmD, Boca Raton
Gavin Meshad, Consumer Member, Sarasota
Jeffrey J. Mesaros, PharmD, Tampa
Lorena Risch, Consumer Member, Bradenton
DeAnn Mullins, BPharm, Lynn Haven
Debra B. Glass, BPharm, Tallahassee
Leo J. "Lee" Fallon, BPharm, PhD, The Villages

Board Staff:

Mark Whitten, Executive Director
Tammy Collins, Program Operations Administrator
Valerie Vakili, Regulatory Specialist II

Board Counsel:

David Flynn, Assistant Attorney General

Department of Health Staff:

John J. Truitt, Assistant General Counsel
William Miller, Assistant General Counsel

Participants in this public meeting should be aware that these proceedings are being recorded and that an audio file of the meeting will be posted to the board's website.

Tuesday, December 11, 2012 – 9:00 a.m.

**TAB 1 PETITIONS FOR DECLARATORY STATEMENTS/ VARIANCE OR WAIVER/
RULE MAKING**

1. Gregory Milanich: 64B16-27.830 Standards of Practice – Drug Therapy Management

TAB 2 REPORTS

A. Chair's Report - Cynthia Griffin, PharmD, Chair

1. Dr. Cynthia Griffin – Short Term Priority List
 - a. Emergency Rule
 - b. Re-visit Cases with Sterile Compounding Issues
 - i. Franck's Lab, Inc d/b/a Franck's Compounding Pharmacy
 - ii. Anazao Health Corp
 - c. Inspector Training
 - d. Non-Resident Pharmacies Compliance with Florida Law
 - e. Possible Requirement of FL Pharmacist in Non-Resident Pharmacy
 - f. USP Standards – Physician Exemption

- g. Collaboration with other Professional Boards
- h. Proposed Legislation
- i. Disciplinary Guidelines
- 2. Dr. Michele Weizer
 - a. USP 797 Beyond Use Date (BUD)

B. Executive Director's Report - Mark Whitten

- 1. Gavin Meshad
 - a. Prescription Drug Abuse Committee Update
- 2. Trust Fund Update with Melinda Simmons
- 3. Proposed Board Meeting Places
- 4. Omnicare Correspondence
- 5. Request for Modification of Business Hours
 - a. Julio Rodriguez – St. Jude Pharmacy
 - b. Ross Domke – DermaTran Health Solutions
 - c. Adam Schnepf – Walgreens
 - d. Tony Singletary – Pinnacle Infusion - **Moved to Tab 5**
 - e. Laura Watkins – Prime Therapeutics Specialty Pharmacy LLC
 - f. Mischelle Smoot – US Bioservices Florida Branch
 - g. Vivian Gurgis – Diabetic Supply & Support Inc.
- 6. Compounding Survey Results
- 7. Proposed Conference Call Meeting Dates and Times
- 8. Application Updates – Addendum Material

C. Attorney General's Report – David Flynn, Assistant Attorney General

- 1. Rules Report
 - a. Rule 64B16-29.004 Language Suggestion
 - b. Rule 64B16-28.140 Discussion of Potential Update
- 2. Proposed Rule on Pharmacies/ Labeling of Medicinal Drugs
- 3. Correspondence – Robert Wellins

D. Prosecuting Attorney Report - John Truitt, Assistant General Counsel

- 1. Prosecuting Services Report

E. Chief Investigative Services Report - Jeane Clyne

TAB 3

BUSINESS - Cynthia Griffin, PharmD, Chair

A. Ratification of Issued Licenses/Certificates & Staffing Ratios

- 1. Pharmacist (licensure) (Client 2201) - 199
- 2. Pharmacist (Exam Eligibility (Client 2201) - 106
- 3. Pharmacist Interns (Client 2202) - 981
- 4. Registered Pharmacy Technicians (Client 2208) - 891
- 5. Consultant Pharmacist (Client 2203) - 34
- 6. Nuclear Pharmacist (2204) - 2
- 7. Pharmacist/Facilities (2205) - 122
- 8. Registered Pharmacy Technician Ratios (2:1 or 3:1) - 109
- 9. Pharmacy Technician Training Program (Client 2209) - 19
- 10. CE Providers - 10

11. CE Courses - 36
12. CE Individual Request (Approved) - 34
13. CE Individual Request (Denied) - 0

B. Review and Approval of Minutes

1. October 9-10, 2012 Meeting Minutes
2. November 20, 2012 Meeting Minutes – Addendum Material

C. Election of Officers

Wednesday, December 12, 2012 at 8:00 a.m.

TAB 4 DISCIPLINARY CASES - John Truitt, Esq. & Cynthia Griffin, PharmD

A. SETTLEMENT AGREEMENT – APPEARANCE REQUIRED

- A-1 Sinikiwe Chiwara, PS 36603, Lauderdale Lakes, FL
Case No. 2011-05945 – PCP Risch/Glass
- A-2 Hal Goldman, PS 22414, Parkland, FL
Case No. 2012-04357 – PCP Risch/Glass
Pulled by Prosecution Services Unit
- A-3 Harry G. Horodeck, PS 12646, Cape Coral, FL
Case No. 2011-13626 – PCP Fallon/Weizer
- A-4 Afshin Sadeghi, PS 41434, Titusville, FL
Case No. 2012-04658 – PCP Garcia/Risch
- A-5 Debra Lee Campbell, PS 37100, Parrish, FL
Case No. 2011-13921 – PCP Weizer/Mesaros
- A-6 Denise Marie Buttacavoli, PS 44260, Clearwater, FL
Case No. 2011-16620 – PCP Weizer/Mesaros
- A-7 Lauren Elizabeth Dickinson, PSI 24755, West Palm Beach, FL
Case No. 2012-09540 – PCP Garica/Risch
- A-8 Steven S. Goodman, PS 11401, Treasure Island, FL
Case No. 2011-15158 – PCP Risch/Glass
- A-9 Arlen L. Bias, PS 14430, Orange Park, FL
Case No. 2012-05286 – PCP Risch/Glass

B. DETERMINATION OF WAIVER

- DOW-1 Y & Y Pharmacy, Inc., PH 24103, Miami, FL
Case No. 2011-17218 – PCP Garcia/Glass
- DOW-2 Rhonda Powell Albert, RPT 21063, Jacksonville, FL

Case No. 2011-18879 – PCP Garcia/Mesaros

DOW-3 Stacie Richardson Lewis, RPT 25557, Jacksonville, FL
Case No. 2012-07118 – PCP Fallon/Glass

C. VOLUNTARY RELINQUISHMENTS

VR-1 George Louis Garcia, RPT 28334, Sunrise, FL
Case No. 2011-11057 – PCP Mullins/Risch

VR-2 Jessica Lynn Gilbert, RPT 35041, Tampa, FL
Case No. 2012-10459 – Weizer/Mullins

VR-3 Nicole Lara Buckley, RPT 26470, Lecanto, FL
Case No. 2012-14362 – PCP Waived

VR-4 New England Compounding Center, PH 18643, Framingham, MA
Case No. 2012-14725 – PCP Waived

VR-5 Ahmad H. Alhaddad, PS 25397, Fort Myers, FL
Case No. 2005-53542 & 2009-24379 – PCP Hayes/Garcia

VR-6 Terri Sue Guerra, RPT 31330, Jupiter, FL
Case No. 2011-13455 – PCP Weizer/Mesaros

VR-7 Izz and Sons, PH 17042, Miami, FL
Case No. 2011-01893 – PCP Waived

VR-8 Joshua Scott Mantecon, RPT 14275, Fountain, FL
Case No. 2011-13934 – PCP Fallon/Risch

VR-9 RDS Pharmacy Management, PH 21474, Miami, FL
Case No. 2011-01803 – PCP Waived

D. INFORMALS

I-1 Bret H. Peterson, PS 25577, Royal Palm Beach, FL
Case No. 2012-04835 – PCP Weizer/Mesaros

I-2 Florida Integrated Health Services, PH 24567, South Bay, FL
Case No. 2012-05349 – PCP Risch/Glass

TAB 5 APPLICATION REQUIRING BOARD REVIEW

A. Non-Resident Pharmacy Permit Applicant

1. Red Oak Drug, Inc., DBA Red Oak Drug, File 19616, Red Oak, TX
2. Pinnacle Infusion, Inc., File 19489, Albany, GA – Addendum Material

B. Pharmacist Examination Applicant

1. Stuart Alan Soban, File 42697, Miami, FL

- C. Pharmacy Technician Applicant**
 - 1. Sandra Yvonne Jordan, File 47152, Fort Lauderdale, FL
- D. Pharmacy Intern Candidates**
 - 1. Ryan Michael Griffin, File 17525, Lancaster, OH

TAB 6

LICENSURE ISSUES

- A. Petition for Reinstatement**
 - 1. Brian Bulfer, PS 21587, Miami, FL
- B. Request for Payment Extension**
 - 1. Catherine Crowe, PS 34409, Jacksonville, FL
- C. Motion to Stay – Addendum Material**
 - 1. Baldwin I. O. Ihenacho, PS 27158, Stoughton, MA
- D. Request for Termination of Probation – Addendum Material**
 - 1. John Yates, PS 27850, Camilla, GA

TAB 7

ADDITIONAL REFERENCE MATERIAL – Addendum Material

- 1. Chapter 499, Florida Statutes
- 2. Federal Food, Drug, and Cosmetic Act
- 3. The Committee On Energy And Commerce – Briefing Document- Hearing on “The Fungal Meningitis Outbreak: Could It Have Been Prevented?”
- 4. Massachusetts Compounding Survey
- 5. Correspondence, Florida Pharmacy Association
- 6. United States Senate Committee on Health, Education, Labor, and Pensions' Staff Report for November 15, 2012 Hearing on Meningitis
- 7. United States Pharmacopeia (USP) 797