

## AGENDA

### DEPARTMENT OF HEALTH BOARD OF PHARMACY FULL BOARD MEETING

October 8-9, 2013

Wyndham Bay Point Resort  
4114 Jan Cooley Drive  
Panama City Beach, FL 32408  
(850) 236-6000

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

#### Board Members

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

#### Board Staff

Mark Whitten, Executive Director  
Tammy Collins, Program Operations Administrator  
Jay Cumbie, Regulatory Specialist II

#### Board Counsel:

David Flynn, Assistant Attorney General  
Lynette Norr, Assistant Attorney General

#### Department of Health Staff

Yolonda Green, Assistant General Counsel  
Matthew Witters, 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, October 8, 2013 – 1:00p.m.**

#### **TAB 1: REPORTS**

- A. Chair's Report - Albert Garcia, BPharm, MHL, Chair**
  - 1. Letter from Deputy Secretary**
- B. Executive Director's Report - Mark Whitten**
  - 1. Compounding Rules Committee Report – Michele Weizer, PharmD**
  - 2. Request for Declaratory Statement**
    - i. Eric J. Renker, PharmD**
  - 3. MedAvail Technologies**
  - 4. Senate Bill 248**
- C. Attorney General's Report - David Flynn, Assistant Attorney General**
  - 1. Rules Report**
- D. Prosecuting Attorney's Report – Yolanda Green, Assistant General Counsel**
  - 1. Prosecuting Services Report**
- E. Chief Investigative Services Report - Jeane Clyne**

**TAB 2: BUSINESS - Albert Garcia, BPharm, MHL, Chair**

**A. Ratification of Issued Licenses/Certificates & Staffing Ratios**

1. Pharmacist (Licensure)(Client 2201) – 737
2. Pharmacist (Exam Eligibility)(Client 2201) – 1,298
3. Pharmacist Interns (Client 2202) – 150
4. Registered Pharmacy Technicians (Client 2208) – 1,065
5. Consultant Pharmacist (Client 2203) – 30
6. Nuclear Pharmacist (Client 2204) – 1
7. Pharmacist/Facilities (Client 2205) – 121
8. Registered Pharmacy Technician Ratios (2:1 or 3:1) – 54
9. Pharmacy Technician Training Program (Client 2209) – 16
10. CE Providers – 19
11. CE Courses – 28
12. CE Individual Request (Approved) – 6
13. CE Individual Request (Denied) – 0

**B. Review and Approval of Minutes**

1. August 13-14, 2013 Meeting Minutes

Wednesday, October 9, 2013 - 9:00a.m.

**TAB 3: RULES COMMITTEE REPORT**

- A. Rules Committee Report – Jeff Mesaros, PharmD**

**TAB 4: DISCIPLINARY CASES – Yolanda Green, Esq. & Albert Garcia, BPharm, MHL, Chair  
SETTLEMENT AGREEMENTS - APPEARANCE REQUIRED**

- A-1 Premier Compounding Pharmacy, Inc., Case No. 2012-02690  
(Weizer/Mesaros)**
- A-2 Cody Fay Balance, R.Ph., Case No. 2012-16677  
(Risch/Mesaros)**
- A-3 Florida Solutions Pharmacy, Case No. 2013-00163  
(Risch/Mesaros)**
- A-4 Scott Edward Kierenia, R.Ph., Case No. 2013-06313  
(Weizer/Meshad)**
- A-5 Monika Marie Girgis, R.Ph., Case No. 2013-03899  
(Risch/Mesaros)**
- A-6 Adorys Martinez Flores, R.Ph., Case No. 2013-01123  
(Risch/Mesaros)**
- A-7 Jessica Danielle Bramble, RPT, Case No. 2012-16397  
(Fallon/Risch)**

**VOLUNTARY RELINQUISHMENTS**

- VR-1 Healthy Choice Pharmacy, Inc., PH, Case No. 2013-07687  
(PCP Waived)**
- VR-2 DRM Enterprises, Inc., Case No. 2013-07692  
(PCP Waived)**
- VR-3 Joshua Stephen Ezzo, RPT, Case No. 2012-15204  
(Weizer/Meshad)**
- VR-4 Malissa Sue Bender, RPT, Case No. 2013-10982**

- (PCP Waived)  
VR-5 Deborah Louise Chenoweth, R.Ph., Case No. 2013-00800  
(Fallon/Glass)  
VR-6 DRM Enterprises, Inc., d/b/a Wilson Drug, Case No. 2013-07691  
(PCP Waived)  
VR-7 Eric H. Cairns, R.Ph., Case No. 2013-05212  
(PCP Waived)  
VR-8 Brothers Pharmacy and Discount, LLC, Case No. 2013-01267  
(PCP Waived)

#### **DETERMINATION OF WAIVERS**

- DOW-1 Ihab S. Barsoum, P.S., Case No. 2011-17660  
(Glass/Mullins)  
DOW-2 Good Sight Pharmacy, Inc., Case No. 2013-00708  
(Weizer/Meshad)  
DOW-3 George Adriazola, RPT, Case No. 2012-16942  
(Weizer/Meshad)  
DOW-4 Speed II Pharmacy, Inc., Case No. 2012-18551  
(Weizer/Meshad)  
DOW-5 Ryan Daniel Rodriguez, RPT., Case No. 2012-13596 & 2012-13608  
(Mullins/Glass)

#### **INFORMALS**

- I-1 James M. Maister, R.Ph., Case No. 2010-19143  
(Weizer/Meshad)  
I-2 Dino Jose Antonioni, R.Ph., Case No. 2012-14458  
(Griffin/Mesaros)  
I-3 Eric Jansen Gaines II, RPT, Case No. 2012-16863  
(Mesaros/Risch)  
I-4 Lamonte George Hambrick, RPT, Case No. 2013-01501  
(Weizer/Meshad)

#### **TAB 5: APPLICATIONS REQUIRING BOARD REVIEW**

##### **A. Pharmacist Examination Applicants**

1. Joseph Thomas Brown – File: 44114 – Lake Worth, FL
2. Arlen Trevor Harter – File: 43350 – Bradenton, FL
3. Clifton Webb – File: 44069 – Pembroke Pines, FL

##### **B. Pharmacist Endorsement Applicants**

1. Rodney Vuurens – File: 42822 – Harlingen, TX
2. Mark Alan Kemp – File: 43630 – Decatur, IL
3. Darren James Palmer – File: 42962 – Ft. Lauderdale, FL
4. Richard P. Becker – File: 42747 – Ft. Lauderdale, FL
5. Janet Dwigans – File: 43834 – Greencastle, IN
6. Rosemary Tecza – File: 44101 – Wadsworth, OH

##### **C. Pharmacy Intern Applicant**

1. Curtis Michael Drees – File: 19170 – Fort Loramie, OH

##### **D. Registered Pharmacy Technician Applicants**

1. Joshua Klasinski – File: 51724 – Sarasota, FL
2. Whitney Elizabeth Mack – File: 49600 – Jacksonville, FL

**E. Non-Resident Pharmacy Permit Applications**

1. Wiley Chemists Pharmacy, Inc., File: 19943 – Sante Fe, NM

**TAB 6: LICENSURE ISSUES**

**A. Informal Hearing**

1. EntirelyPets Pharmacy, LLC – File: 19899 – Union City, CA
2. Pride Pharmacy, LLC – File: 15738 – Oakland Park, FL

**TAB 7 - REFERENCE MATERIALS**

**A. Florida Statutes**

1. Chapter 465, Florida Statutes: Pharmacy
2. Chapter 893, Florida Statutes: Drug Abuse Prevention and Control
3. Chapter 456, Florida Statutes: Health Professions and Occupations: General Provisions
4. Chapter 499, Florida Statutes: Drug, Cosmetic, and Household Products
5. Chapter 120, Florida Statutes: Administrative Procedure Act

**B. Rules**

1. 64B16-25: Organization and Purpose
2. 64B16-26: Pharmacists Licensure
3. 64B16-27: Pharmacy Practice
4. 64B16-28: General Requirements – Permits
5. 64B16-29: Animal Control Shelter Permits
6. 64B16-30: Disciplinary Guidelines

**C. United States Pharmacopeia (USP) 797**

**D. Federal Food, Drug, and Cosmetic Act**

**E. The Committee On Energy And Commerce - Briefing Document- Hearing on “The Fungal Meningitis Outbreak: Could It Have Been Prevented?”**

**F. Massachusetts Compounding Survey**

**G. Correspondence, Florida Pharmacy Association**

**H. United States Senate Committee on Health, Education, Labor, and Pensions’ Staff Report for November 15, 2012 Hearing on Meningitis**