



MINUTES OF THE JULY 12-13, 2016
MEETING OF THE STATE OF OHIO BOARD OF PHARMACY

Monday, July 12, 2016

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:

Michael A. Moné, R.Ph., *President*; Edward T. Cain, *Public Member*; Joshua M. Cox, R.Ph.; Megan E. Marchal, R.Ph.; Curtis L. Passafume, Jr., R.Ph.; Jennifer M. Rudell, R.Ph.; Fred M. Weaver, R.Ph.; Shawn C. Wilt, R.Ph.; and Kilee S. Yarosh, R.Ph.

Also present were Steven Schierholt, *Executive Director*; Nicole Dehner, *Chief Legal Counsel*; Eric Griffin, *Director of Compliance and Enforcement*; David Ingram, *Associate Legal Counsel*; Chad Garner, *Director of OARRS*; Chandra Galante, *Director of Licensing*; Kenneth Moon, *Director of Administration* and Cameron McNamee, *Director of Policy and Communications*.

Ms. Yarosh administered the Oath of Office to the President-elect, Michael Moné.

Oath of President

I, Michael Moné, as President of the state of Ohio Board of Pharmacy do solemnly swear to uphold the Constitution of the United States and the state of Ohio; to impartially enforce the laws governing the profession of pharmacy and the legal distribution of drugs in the state of Ohio; and carry out the responsibilities of the Board as mandated by the laws of the state of Ohio without bias or prejudice, so help me God.

Ms. Yarosh administered the Oath of Office to the Vice President-elect, Megan Marchal.

Oath of Vice President

I, Megan Marchal, as Vice President of the state of Ohio Board of Pharmacy do solemnly swear to uphold the Constitution of the United States and the state of Ohio; to impartially enforce the laws governing the profession of pharmacy and the legal distribution of drugs in the state of Ohio; and carry out the responsibilities of the Board as mandated by the laws of the state of Ohio without bias or prejudice, so help me God.

10:05 a.m. Halli Brownfield of the Ohio Attorney General's Office gave a presentation to the Board regarding Ohio's Sunshine Laws including, the Open Meetings Act and the Public Records Act.

11:00 a.m. The Board recessed briefly.

77 South High Street, 17th Floor, Columbus, Ohio 43215



- 11:05 a.m.** The meeting reconvened in Room South B&C.
- Mr. Griffin gave a report regarding the March 7-11, 2016, Kaizen event for the Board's Compliance and Enforcement Department.
- 11:25 a.m.** Mr. Moon gave a brief update regarding state travel information.
- 11:32 a.m.** Ms. Marchal 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) of the Ohio Revised Code. The motion was seconded by Ms. Yarosh and a roll-call vote was conducted by President Moné as follows: Cain-yes; Cox-yes; Marchal-yes; Passafume-yes; Rudell-yes; Weaver-yes; Wilt-yes; and Yarosh-yes.
- 11:58 a.m.** The meeting reconvened in Room South B&C.
- 12:00 p.m.** The Board recessed for lunch.
- 1:10 p.m.** The meeting reconvened in Room South B&C.
- Ms. Dehner gave an Ethics presentation to the Board regarding conflicts of interest, gifts, and confidentiality.
- 1:56 p.m.** Ms. Dehner, Ms. Marchal, and Mr. Moné led a discussion regarding the Board's probation committee and presented the Board with the proposed draft of 4729-2-03.
- 2:15 p.m.** The Board discussed and appointed members to the sub-committees and Board responsibilities as outlined in 4729-2-02.
- 2:25 p.m.** The Board recessed briefly.
- 2:39 p.m.** The meeting reconvened in Room South B&C.
- The Board discussed the applicants for the CPG committee member. After unanimous consent, the Board appointed Megan Keller.
- 2:44 p.m.** Ms. Marchal moved that the Board go into Executive Session to consider the employment (dismissal, discipline, promotion, demotion, compensation, appointment) of a public employee and matters required to be confidential by law pursuant to Section 121.22(G)(1), (3) & (5) of the Ohio Revised Code. The motion was seconded by Mr. Passafume and a roll-call vote was conducted by President Moné as follows: Cain-yes; Cox-yes; Marchal-yes; Passafume-yes; Rudell-yes; Weaver-yes; Wilt-yes; and Yarosh-yes.
- 2:53 p.m.** The meeting reconvened in Room South B&C.
- Mr. McNamee provided the Legislative Update.

R-2017-001 Mr. Weaver moved that the Board adopt the following Resolution:

Compounding Auxiliary Label

The Board has been asked whether the labeling requirements requiring the phrase “compounded drug product” can be satisfied through the use of an auxiliary label. As adjusting existing pharmacy dispensing systems to accommodate for this requirement may cause undue burden on pharmacies, the Board hereby indicated that the use of an auxiliary label to indicated the drug is a compounded product meets the requirements listed in Rules 4729-16-03 and 4729-5-16.

The motion was seconded by Mr. Wilt and approved by the Board: Aye-8.

R-2017-002 Mr. Passafume moved that the Board adopt the following Resolution:

Compounding TDDD

The Board has recently been informed by a number of prescribers that they were unaware of the need to obtain a terminal distributor of dangerous drugs license if they were compounding on-site or ordering compounded drugs to their offices (ORC 4729.541). This requirement impacts all prescriber practices that were previously exempted from licensure, including those who are engaged in a form of compounding commonly referred to as reconstitution (which can include vaccines).

So as to not disrupt patient care, the Board is using its authority under Section 4729.25 of the Ohio Revised Code to grant an extension to all prescribers that are performing drug compounding (including reconstitution) or ordering compounded drugs to their offices from the requirement to obtain a terminal distributor of dangerous drugs license. This extension is hereby valid until April 1, 2017.

The motion was seconded by Ms. Rudell and approved by the Board: Aye-8.

R-2017-003 Mr. Passafume moved that the Board adopt the following Resolution:

TDDD Responsible Person

The Board has been approached by a number of halfway homes and community corrections facilities regarding obtaining a terminal distributor of dangerous drugs license to possess and use naloxone in the event of an overdose. These facilities will be utilizing protocol adopted by the Medical Director of the Ohio Department of Rehabilitation and Corrections who will be unable to serve as the responsible person at all of the authorized locations.

In order to allow access to this critically needed medication, the Board is using its authority under Section 4729.25 of the Ohio Revised Code to permit facility directors, executive directors or chief operating officers to serve as the Responsible Person on a category II terminal distributor license until March 31, 2017.

Prior to licensure, such facilities must submit a signed physician protocol allowing for the possession and use of naloxone by facility and staff in accordance with Board Resolution issued on March 1, 2016.

The motion was seconded by Mr. Wilt and approved by the Board: Aye-8.

R-2017-004 Ms. Marchal moved that Rule 4729-29-02 be approved for refiling with JCARR. The motion was seconded by Ms. Yarosh and approved by the Board: Aye-8.

R-2017-005 Ms. Rudell moved that Rule 4729-5-16 be approved for refiling with JCARR. The motion was seconded by Mr. Passafume and approved by the Board: Aye-8.

R-2017-006 Mr. Cox moved that Rule 4729-16-01 be approved for filing with CSI and JCARR. The motion was seconded by Ms. Yarosh and approved by the Board: Aye-8.

3:33 p.m. Mr. McNamee and the Board discussed draft compounding Rule 4729-16-04.

3:50 p.m. Mr. McNamee and the Board discussed draft Rule 4729-16-13.

R-2017-007 Mr. Passafume moved that Rules 4729-1-01; 4729-1-02; 4729-2-02; 4729-2-03; 4729-2-04; 4729-5-02(rescind); 4729-5-03(rescind); 4729-7-02; 4729-5-07; 4729-5-18; 4729-5-26; 4729-9-04; and 4729-9-06(rescind) be approved for filing with CSI and JCARR. The motion was seconded by Mr. Weaver and approved by the Board: Aye-8.

R-2017-008 Ms. Yarosh moved that the request submitted by Foreign Grad Intern, **Reem Kastoon** (06-014623), for an exemption to Rule 4729-3-06 B(1)(a) be approved. The motion was seconded by Ms. Marchal and approved by the Board: Aye-7/Abstain-1.

R-2017-009 Ms. Marchal moved to approve a 7.5% increase in compensation to the Executive Director, to be effective in the pay period beginning June 26, 2016, subject to approval by the Governor's Office. The motion was seconded by Mr. Cain and approved by the Board: Aye-8.

4:04 p.m. The Board recessed for the day.

Tuesday, June 12, 2016

8:28 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:

Michael A. Moné, R.Ph., *President*; Edward T. Cain, *Public Member*; Joshua M. Cox, R.Ph.; Megan E. Marchal, R.Ph.; Curtis L. Passafume, Jr., R.Ph.; Jennifer M. Rudell, R.Ph.; Fred M. Weaver, R.Ph.; Shawn C. Wilt, R.Ph.; and Kilee S. Yarosh, R.Ph.

Mr. Garner led a training session to the Board on Surface Pro's and Microsoft One Drive.

9:24 a.m. The Board recessed briefly.

9:30 a.m. The meeting reconvened in Room South B&C.

Ms. Dehner and Ms. Galante led a discussion regarding the Board's change of ownership process.

R-2017-010 Ms. Marchal moved that Rule 4729-9-08 as amended be approved for filing with CSI and JCARR. The motion was seconded by Mr. Passafume and approved by the Board: Aye-8.

R-2017-011 Mr. Wilt moved to approve the proposed amendments to R-1983-095. The motion was seconded by Ms. Yarosh and approved by the Board: Aye-8.

Procedure for Changes in Drug Distributor Licensure

Conditions	New ID #	Fee	D/C Bus.	New App	Fees*
Change of Ownership					
Limited Liability Company (A)	YES	YES	YES	YES	T2-\$112.50 T3-\$150.00 W2-\$750.00 W3-\$787.50
Sole Proprietorship	YES	YES	YES	YES	T2-\$112.50 T3-\$150.00 W2-\$750.00 W3-\$787.50
Corporate					
Existing Corp. Ceases-New Corporation is formed	YES	YES	YES	YES	T2-\$112.50 T3-\$150.00 W2-\$750.00 W3-\$787.50
Existing Corp. Continues- 100% Stock Purchased By Another Corporations ^(B)	NO	YES	NO	YES	T2-\$112.50 T3-\$150.00 W2-\$750.00 W3-\$787.50
Controlling Interest Purchased By Individual Or Another Business (10% Or More Of The Stock In A Corporation)	NO	YES	No	YES	T2-\$112.50 T3-\$150.00 W2-\$750.00 W3-\$787.50
Two Wholly-Owned Subsidiaries Of Parent Corp. Are	NO	YES	NO	YES	T2-\$112.50 T3-\$150.00 W2-\$750.00

Merged With No Change In Name, Officers, Or Responsible Rph ^(c)					W3-\$787.50
New Corp. Created To Own And Operate Sites With No Change In DBA or Responsible Person ^(D) *NO CHANGE IN EIN OR CHARTER NUMBER	NO	YES	NO	YES	T2-\$112.50 T3-\$150.00 W2-\$750.00 W3-\$787.50
Partnership Created To Own And Operate other than that originally licensed With No Change In DBA Or Responsible Rph ^(E) *NO CHANGE IN EIN OR CHARTER NUMBER	NO	YES	NO	YES	T2-\$112.50 T3-\$150.00 W2-\$750.00 W3-\$787.50
Change Of Name-DBA	NO	YES	NO	YES	T2-\$112.50 T3-\$150.00 W2-\$750.00 W3-\$787.50
Change of Address ^(F)	No	YES	NO	Yes	T2-\$112.50 T3-\$150.00 W2-\$750.00 W3-\$787.50
Change Of Category (any distributor or satellite)	NO	YES	NO	YES	T2-\$112.50 T3-\$150.00 W2-\$750.00 W3-\$787.50
Change Of Credential Class	NO	YES	NO	YES	\$37.50
Emergency Medical Systems					
Add Units (HQ/Satellites)	NO	YES	NO	YES	T2(L)-\$112.50 T3(L)-\$150.00 Note: satellites are not charged for their renewal

Change Name Of Headquarters	NO	YES	NO	YES	T2(L)-\$112.50 T3(L)-\$150.00
Change Of Name - Satellite	NO	YES	NO	YES	\$37.50
Change Of Address- Satellite	NO	YES	NO	YES	\$37.50
Changes In Address Of Headquarters	NO	YES	NO	YES	T2(L)-\$112.50 T3(L)-\$150.00

- A- Added 04/25/96 by resolution
- B- Controlling Interest=**15%** or more of the stock in a corp
- C- Added 10/15/83 by resolution
- D- Added 12/02/1986 by resolution
- E- Added 03/06/00 by resolution
- F- Requires inspection of new location

*Dangerous Drugs that are not Controlled Substance

T2= Terminal Distributor of Dangerous Drugs Category II & Limited Category II
 W2=Wholesale Distributor of Dangerous Drugs Category II

*Dangerous Drugs and Controlled Substances

T3= Terminal Distributor of Dangerous Drugs Category III & Limited Category III
 W3= Wholesale Distributor of Dangerous Drugs Category III

10:41 a.m. The Board recessed briefly.

11:00 a.m. The meeting reconvened in Room South B&C.

Ms. Galante provided the Licensing update.

R-2017-012 The Board received a request for an approval to Ohio Administrative Code Rule 4729-5-11 (A)(1) requesting that **Jenni Wai, R.Ph.** (03-3-23558) Gahanna, Ohio, be the Responsible Person for the following pharmacies:

Mount Carmel East Hospital: Columbus, Ohio (02-0032900)
 Diley Ridge Medical Center: Canal Winchester, Ohio (02-207400)

After discussion, Mr. Passafume moved that the Board approve the request for a period of 1 year. The motion was seconded by Ms. Yarosh and approved by the Board: Aye-8.

R-2017-013 The Board received a request for an approval to Ohio Administrative Code Rule 4729-5-11 (A)(1) requesting that **Daniel Lee Palmer, R.Ph.** (03-2-21155) St. Clairsville, Ohio, be the Responsible Person for the following pharmacies:

Belmont Community Hospital: Bellaire, Ohio (02-0035850)

Acuity Specialty Hospital: Bellaire, Ohio (02-1989000)

After discussion, Ms. Yarosh moved that the Board approve the request for a period of 1 year. The motion was seconded by Mr. Weaver and approved by the Board: Aye-8.

R-2017-014 The Board received a request for an approval to Ohio Administrative Code Rule 4729-5-11 (A)(1) requesting that **Lisa Dimich, R.Ph.** (153881-1701) Sandy, Utah, be the Responsible Person for the following pharmacies:

PCM Venture I, LLC: Sandy, Utah (02-1621200)

Bella Brands, LLC: Sandy, Utah (02-2274700)

After discussion, Mr. Weaver moved that the Board approve the request for a period of 1 year. The motion was seconded by Mr. Passafume and approved by the Board: Aye-8.

R-2017-015 The Board received a request for an approval to Ohio Administrative Code Rule 4729-5-11 (A)(1) requesting that **Michael Sturgill, R.Ph.** (03-3-18736) McDermott, Ohio, be the Responsible Person for the following pharmacies:

Smith Drug Company, Inc.: Portsmouth, Ohio (02-0117250)

Smith Home Medical, Inc.: Portsmouth, Ohio (02-1447700)

After discussion, Mr. Passafume moved that the Board table the request until additional information is obtained. The motion was seconded by Ms. Yarosh and approved by the Board: Aye-8.

R-2017-016 The Board received a request for an approval to Ohio Administrative Code Rule 4729-5-11 (A)(1) requesting that **Rodney Banks, R.Ph.** (03-2-25265) Greenfield, Ohio, be the Responsible Person for the following pharmacies:

Fayette County Health Department Pharmacy: Washington Courthouse, Ohio (02-1877800)

Fayette Pharmacy: Washington Courthouse, Ohio (02-1444800)

After discussion, Mr. Passafume moved that the Board approve the request for a period of 1 year. The motion was seconded by Mr. Cox and approved by the Board: Aye-8.

R-2017-017 The Board received a request for an approval to Ohio Administrative Code Rule 4729-5-11 (A)(1) requesting that **Donald Wiley, R.Ph.** (03-3-14220) Marion, Ohio, be the Responsible Person for the following pharmacies:

Marion Prescription: Marion, Ohio (02-1292200)

Marion Prescription Institutional RX: Marion, Ohio (02-1878900)

After discussion, Mr. Weaver moved that the Board approve the request for a period of 1 year. The motion was seconded by Mr. Passafume and approved by the Board: Aye-8.

R-2017-018

The Board received a request for an approval to Ohio Administrative Code Rule 4729-5-11 (A)(1) requesting that **John Hunter, R.Ph.** (03-1-11072) Granville, Ohio, be the Responsible Person for the following pharmacies:

Heritage Pharmacy: Carroll, Ohio (02-20150150)
Heritage Healthcare Services: Carroll, Ohio (02-1090450)

After discussion, Mr. Wilt moved that the Board approve the request for a period of 1 year and John Hunter, R.Ph. must notify the Board if there are any significant changes to the business model. The motion was seconded by Ms. Yarosh and approved by the Board: Aye-8.

R-2017-019

The Board received a request for an approval to Ohio Administrative Code Rule 4729-5-11 (A)(1) requesting that **Mark Unger, R.Ph.** (03-1-12433) Chillicothe, Ohio, be the Responsible Person for the following pharmacies:

Adena Cancer Center Pharmacy: Chillicothe, Ohio (02-2178500)
Adena Regional Medical Center: Chillicothe, Ohio (02-0041021)

After discussion, Mr. Cox moved that the Board approve the request for a period of 1 year. The motion was seconded by Ms. Marchal and approved by the Board: Aye-8.

R-2017-020

The Board received a request for an approval to Ohio Administrative Code Rule 4729-5-11 (A)(1) requesting that **Michael Carlin, R.Ph.** (03-3-19856) Avon Lake, Ohio, be the Responsible Person for the following pharmacies:

University Hospitals St. John Medical Center: Westlake, Ohio (02-2008800)
St. John Medical Center Outpatient Pharmacy: Westlake, Ohio (02-2594600)

After discussion, Mr. Passafume moved that the Board approve the request for a period of 1 year. The motion was seconded by Ms. Rudell and approved by the Board: Aye-8.

R-2017-021

The Board received a request for an approval to Ohio Administrative Code Rule 4729-5-11 (A)(1) requesting that **Donald Watson, R.Ph.** (03-1-12437) Lebanon, Ohio, be the Responsible Person for the following pharmacies:

Miami University Health Service Pharmacy: Oxford, Ohio (02-0252750)
McCullough-Hyde Memorial Hospital: Oxford, Ohio (02-2594600)

After discussion, Mr. Weaver moved that the Board approve the request until August 29, 2016 or until such time a temporary pharmacist is hired. The motion was seconded by Mr. Wilt and approved by the Board: Aye-8.

R-2017-022 The Board received a request for an approval to Ohio Administrative Code Rule 4729-5-11 (A)(1) requesting that **Beth Krause, R.Ph.** (03-3-18369) Chargin Falls, Ohio, be the Responsible Person for the following pharmacies:

Lake Health/Lake West Medical Center: Willoughby, Ohio (02-0030600)

TriPoint Hospital at Lake Health: Concord, Ohio (02-2606150)

After discussion, Ms. Yarosh moved that the Board approve the request for a period of 1 year. The motion was seconded by Mr. Cox and approved by the Board: Aye-8.

R-2017-023 The Board received a request for an approval to Ohio Administrative Code Rule 4729-5-11 (A)(1) requesting that **Hussein El-Khatib, R.Ph.** (03-2-30760) Dundee, Ohio, be the Responsible Person for the following pharmacies:

Toledo Family Pharmacy: Toledo, Ohio (02-2160300)

Toledo, LTC: Toledo, Ohio (02-2558600)

After discussion, Mr. Wilt moved that the Board approve the request for a period of 1 year. The motion was seconded by Mr. Passafume and approved by the Board: Aye-7/Abstain-1.

R-2017-024 The Board received a request for an approval to Ohio Administrative Code Rule 4729-5-11 (A)(1) requesting that **Eva Brahimaj, R.Ph.** (03-3-31494) Sunbury, Ohio, be the Responsible Person for the following pharmacies:

Ohio Health Emergency Care Center: Westerville, Ohio (02-2206050)

Ohio Health Emergency Care Center Pharmacy: Westerville, Ohio (02-2218250)

After discussion, Mr. Weaver moved that the Board approve the request for a period of 1 year. The motion was seconded by Ms. Yarosh and approved by the Board: Aye-8.

11:47 a.m. The Board recessed for lunch.

1:01 p.m. The meeting reconvened in Room South B&C.

Ms. Marchal moved that the Board go into Executive Session to consider the employment (dismissal, discipline, promotion, demotion, compensation, appointment) of a public employee and matters required to be confidential by law pursuant to Section 121.22(G)(1), (3) & (5) of the Ohio Revised Code. The motion was seconded by Mr. Passafume and a roll-call vote was conducted by President Moné as follows: Cain-yes; Cox-yes; Marchal-yes; Passafume-yes; Rudell-yes; Weaver-yes; Wilt-yes; and Yarosh-yes.

1:18 p.m. The meeting reconvened in Room South B&C.

R-2017-025 Mr. Moné announced that the following Settlement Agreement has been signed by all parties and is now effective:

**IN THE MATTER OF:
CASE NO. 2014-1154**

**Pure MD Lasers
c/o Ali Khan, M.D.
4151 Lawrence Drive
Perrysburg, Ohio 43551
License No. 02-1871350**

Service accepted by and through counsel:

Eric J. Plinke
Dinsmore & Shohl LLP
191 West Nationwide Blvd, Suite 300
Columbus, OH 43215

SETTLEMENT AGREEMENT WITH THE STATE OF OHIO BOARD OF PHARMACY

This Settlement Agreement (Agreement) is entered into by the State of Ohio Board of Pharmacy (OSBP) and Pure MD Lasers, for the purpose of resolving all issues between the parties relating to the OSBP investigation of Pure MD Lasers' responsible person, Dr. Ali Khan's guilty plea to one count of theft and the revocation of Dr. Khan's medical license. Together, OSBP and Pure MD Lasers are referred to hereinafter as "the parties."

JURISDICTION

1. Pursuant to Section 4729.57 of the Ohio Revised Code and the rules adopted thereunder, the OSBP has the authority to suspend, revoke, or refuse to grant or renew any license issued pursuant to Section 4729.55 of the Ohio Revised Code to practice pharmacy the state of Ohio.
2. Pure MD Lasers is a licensed Terminal Distributor of Dangerous Drugs under license number 02-1871350.

FACTS

1. On or about December 23, 2013, the OSBP initiated an investigation of Pure MD Lasers' Terminal Distributor of Dangerous Drugs license number 02-1871350, related to Pure MD Lasers' responsible person, Dr. Ali Khan's guilty plea to one count of theft and the Ohio Medical Board's revocation of Dr. Khan's license.
2. On or about June 16, 2016, the OSBP sent a Notice of Opportunity for Hearing to Pure MD Lasers, which outlined the allegations and provided notice of its right to a hearing, its rights in such hearing, and its right to submit contentions in writing.

WHEREFORE, the parties desire to resolve the issues relating to the above-referenced findings without resorting to further administrative or judicial proceedings.

TERMS

NOW THEREFORE, in consideration of the mutual promises herein expressed, the parties knowingly and voluntarily agree as follows:

1. The recitals set forth above are incorporated in this Settlement Agreement as though fully set forth herein.
2. Pure MD Lasers neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter dated April 7, 2016; however, the OSBP has evidence sufficient to sustain the allegations and hereby adjudicates the same.
3. **PURE MD LASERS PERMANENTLY AND VOLUNTARILY SURRENDERS TO THE STATE BOARD OF PHARMACY LICENSE NO. 02-1871350 INCLUDING REGISTRATION TO SELL, DELIVER OR DISTRIBUTE DANGEROUS DRUGS, WITH DISCIPLINE PENDING.**
4. **Pure MD Lasers agrees to never reapply for any license issued by the State of Ohio Board of Pharmacy pursuant to Chapters 3719. and 4729. of the Revised Code and it is agreed and acknowledged that Dr. Khan is ineligible to do so for the reasons set forth in the June 16, 2016, Notice of Opportunity for Hearing letter.**
5. Pure MD Lasers agrees and acknowledges that this OSBP disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction in which it currently holds a professional license.
6. Pure MD Lasers agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
7. Pure MD Lasers understands that it has the right to be represented by counsel for review and execution of this agreement.
8. This Agreement is binding upon any and all successors, assigns, affiliates, and subsidiaries of the parties or any other corporation through whom or with whom Pure MD Lasers will operate.
9. This Agreement may be executed in counterparts or facsimiles, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
10. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
11. This Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.

R-2017-026

Mr. Moné announced that the following Settlement Agreement has been signed by all parties and is now effective:

IN THE MATTER OF:

CASE NO. 2014-2104

Lauren Stinson, R.Ph.
2860 Markbreit Avenue
Cincinnati, Ohio 45209
License No. 03-1-31671

SETTLEMENT AGREEMENT WITH THE STATE OF OHIO BOARD OF PHARMACY

This Settlement Agreement (Agreement) is entered into by the State of Ohio Board of Pharmacy (OSBP) and Lauren Stinson, for the purpose of resolving all issues between the parties relating to the OSBP investigation of the error in dispensing of Prescription #998811. Together, OSBP and Lauren Stinson are referred to hereinafter as "the parties."

JURISDICTION

1. Pursuant to Section 4729.16 of the Ohio Revised Code and the rules adopted thereunder, the OSBP has the authority to suspend, revoke, or refuse to grant or renew any license issued pursuant to Section 4729.16 of the Ohio Revised Code to practice pharmacy as in the state of Ohio.
2. Lauren Stinson is a licensed pharmacist under license number 03-1-31671.

FACTS

1. On or about November 24, 2014, the OSBP initiated an investigation of Lauren Stinson, pharmacist license number 03-1-31671, related to Lauren Stinson's error in dispensing of Prescription #998811.
2. On or about May 19, 2016, the OSBP sent a Notice of Opportunity for Hearing to Lauren Stinson, which outlined the allegations and provided notice of her right to a hearing, her rights in such hearing, and her right to submit contentions in writing.

WHEREFORE, the parties desire to resolve the issues relating to the above-referenced findings without resorting to further administrative or judicial proceedings.

TERMS

NOW THEREFORE, in consideration of the mutual promises herein expressed, the parties knowingly and voluntarily agree as follows:

1. The recitals set forth above are incorporated in this Settlement Agreement as though fully set forth herein.
2. Lauren Stinson neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter dated May 19, 2016; however, the OSBP has evidence sufficient to sustain the allegations and hereby adjudicates the same.

3. Lauren Stinson agrees to pay to the OSBP the amount of \$500.00, by means of a cashier's check made payable to "Treasurer, State of Ohio," mailed with the enclosed form to the OSBP, 77 South High Street, 17th Floor, Columbus, Ohio 43215-6126, no later than 30 days from the effective date of this Agreement.
 4. Lauren Stinson must obtain, within 90 days from the effective date of this Agreement, 6 hours of approved continuing pharmacy education (0.6 CEUs) in medication errors and/or patient safety, which may not also be used for license renewal. Copies of completed CEUs must be e-mailed to legal@pharmacy.ohio.gov, within 90 days from the effective date of this Agreement.
 5. Lauren Stinson agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
 6. Lauren Stinson understands that she has the right to be represented by counsel for review and execution of this agreement.
 7. Lauren Stinson agrees and acknowledges that this OSBP disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction in which she currently holds a professional license, including to the OSBP on renewal applications or applications for a new license.
 8. This Agreement may be executed in counterparts or facsimiles, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
 9. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
 10. This Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Agreement.
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R-2017-027 Mr. Passafume moved that the Board Meeting minutes of June 6-7, 2016, be approved as amended. The motion was seconded by Ms. Marchal and approved by the Board: Aye-8.

R-2017-028 Ms. Yarosh moved that all future requests for exemption to Rule 4729-3-01 be approved indefinitely unless there is a change in their model or a requested change. The motion was seconded by Ms. Marchal and approved by the Board: Aye-8.

R-2017-029 Ms. Yarosh moved that the request submitted by Cedarville University for exemption to Rule 4729-3-01 "Intern Ratio" be approved for a 5 to 1 ratio and require the site to maintain licensure. The motion was seconded by Ms. Marchal and approved by the Board: Aye-8.

1:30 p.m. The following candidates for licensure by reciprocity participated in a discussion of pharmacy laws and rules with Ms. Terri Ghittman, *OARRS Pharmacist*, in Room South A, 31st Floor of the Vern Riffe Center for the Government and the Arts:

ADNAN ABDULHUSAIN	TEXAS
SIMON BAE	MARYLAND
SEBASTIAN BIGLIONE	TEXAS
KARA G. BLEVINS	KENTUCKY
COREY CHRISTOPHER BURELLI	MASSACHUSETTS
LENA CERANSKI	ILLINOIS
JULIA NICOLE CHASE	FLORIDA
ANNE ELIZABETH COUNTWAY	PENNSYLVANIA
MICHAEL G. DEBUSK	INDIANA
JENNIFER C. DELA-PENA	MICHIGAN
MITCHELL ALLEN DORN	NORTH CAROLINA
JOCELYN DOWE	VIRGINIA
MEGHAN ELIZABETH FEENEY	OREGON
SARAH ANN FERRY	CALIFORNIA
ANDREW HOUCK	INDIANA
CARISSA DANA E JACOBS	MICHIGAN
POONAM KUMARI JEWANI	MICHIGAN
GERALD MUTHUJI KIARITHA	MARYLAND
ALEXIS KATHERINE KUHN	MINNESOTA
CARLO S. LEGASTO	ILLINOIS
STEVEN N. LEONARD	INDIANA
ALEXIS RAE LUCKEY	TENNESSEE
ANDREA BRENNETTA MARSHALL	ILLINOIS
KRISTIN MARTINEZ	UTAH
COURTNEY ANN MONTEPARA	NEW JERSEY
KIMBERLY PAIGE NIVER	INDIANA
SARAH NOTTINGHAM	WEST VIRGINIA
KATIE PARK	PENNSYLVANIA
PRIYASHA PATEL	WISCONSIN
VINCENT J. PEYKO	NEW YORK
STEPHEN RAY POLLEY	KENTUCKY
JACOB RADCLIFF	NEW JERSEY
AIMRIE L. REAM	MICHIGAN
MARGARET MARY RILEY	INDIANA
PERRY WARREN RIPPLE III	TENNESSEE
CARY ALLEN ROGERS	TEXAS
CLAUDIA CASSETT RONDON	CALIFORNIA
MARY ALEXANDRA SCHICKLI	KENTUCKY
SUHAIR KAMAL SHAWAR	ILLINOIS
MICHAEL LLOYD SIMON	INDIANA
KEATON STERLING SMETANA	KENTUCKY
BROOKE ELAINE STANTON	MISSOURI
DMITRIY SULIK	PENNSYLVANIA
ROBERT ZACHARY THOMPSON	KENTUCKY

NICOLE DANIELLE TOOCHECK	PENNSYLVANIA
MOLLIE JEAN TRENT	KENTUCKY
ERIN K. VANMETER	VIRGINIA
MARIE NICHOLE WADDLES	NORTH CAROLINA
LYNN C. WARDLOW	ARIZONA
JESSICA LYNN WESOLEK	PENNSYLVANIA
JAYE SCOTT WEXLER	MARYLAND
RENEE SUSAN WHITE	ARIZONA
CHENDING WU	ILLINOIS
STEPHANIE BETH YAGER	MASSACHUSETTS

1:54 p.m. The meeting reconvened in Room South B&C.

R-2017-030 Mr. Wilt moved that the request submitted by Ashley Koleman, R.Ph., *Ohio State University*, for exemption to Rule 4729-3-01 "Intern Ratio" be approved indefinitely until such time the business model changes or a change is requested. The motion was seconded by Ms. Rudell and approved by the Board: Aye-7/Abstain-1.

1:57 p.m. Mr. Griffin led a discussion regarding the licensure of Medication Therapy Management (MTM) facilities. Board requested the Rules Committee draft a rule for the Board's review.

2:03 p.m. Ms. Galante continued the Licensing update.

2:15 p.m. Mr. Griffin gave the Compliance and Enforcement update.

2:19 p.m. The Board recessed briefly.

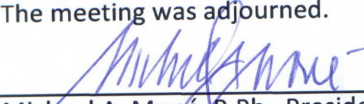
2:30 p.m. The meeting reconvened in Room South B&C.

Mr. McNamee and the Board discussed changes to the proposed compounding Rules 4729-16-01, 4729-16-04, and 4729-16-13.

R-2017-031 Ms. Yarosh moved that Rules 4729-16-04, 4729-16-04, and 4729-16-13 as amended be approved for filing with CSI and JCARR. The motion was seconded by Mr. Passafume and approved by the Board: Aye-8.

R-2017-032 Mr. Passafume moved that the meeting be adjourned. The motion was seconded by Mr. Cox and approved by the Board: Aye-8.

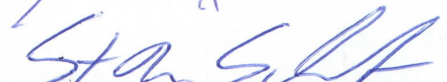
2:42 p.m. The meeting was adjourned.



Michael A. Moné, R.Ph., President

8/9/2016

Date



Steven W. Schierholt, Esq., Executive Director

8/10/16

Date