



MINUTES OF THE NOVEMBER 7-8, 2016
MEETING OF THE STATE OF OHIO BOARD OF PHARMACY

Monday, November 7, 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, RPh, *President*; Joshua M. Cox, RPh; Megan E. Marchal, RPh; Curtis L. Passafume, Jr., RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; and Shawn C. Wilt, RPh

Also present were Steven Schierholt, *Executive Director*; David Ingram, *Associate Legal Counsel*; Chad Garner, *Director of OARRS*; Chandra Galante, *Director of Licensing*; Eric Griffin, *Director of Compliance and Enforcement*; Steven Kochheiser, *Assistant Attorney General* and Matthew Corlett, *Director of Administration*; Cameron McNamee, *Director of Policy and Communications*.

Mr. Corlett introduced himself to the Board.

10:05 a.m. The Board was joined by Assistant Attorney General Steven Kochheiser to conduct an adjudication hearing in accordance with the Ohio Revised Code Chapters 119. and 4729. in the matter of **Hatem Ebrahim**, Allentown, Pennsylvania.

10:50 a.m. The hearing ended and the record was closed.

Ms. Marchal moved that the Board recess in order to consider the quasi-judicial matters in accordance with Chapter 119. of the Revised Code and the case precedent of *Angerman v. State Medical Bd.* (1990) 70 Ohio App.3d 346 and *TBC Westlake Inc. v. Hamilton Cty Bd of Revision, et al.* (1998) 81 Ohio St.3d 58. The motion was seconded by Ms. Rudell and a roll-call vote was conducted by President Moné as follows: Cox-yes; Marchal-yes; Passafume-yes; Rudell-yes; Weaver-yes; Wilt-yes.

11:00 a.m. The recess ended and the hearing was opened to the public.



R-2017-127 After votes were taken in public session, the Board adopted the following order in the matter of **Hatem Ebrahim**, Allentown, Pennsylvania.

ORDER OF THE STATE BOARD OF PHARMACY

(Case Number 2011-1384)

In The Matter Of:

Hatem Ebrahim, R.Ph.

275000 Bishop Park Drive, Apt. 405

Willoughby Hills, Ohio 44092

(RPh No. 03-1-29382)

INTRODUCTION

The Matter of Hatem Ebrahim came for hearing on November 7, 2016, before the following members of the State of Ohio Board of Pharmacy (Board): Michael A. Moné, R.Ph., *Presiding*; 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.; and Shawn C. Wilt, R.Ph.

Kilee S. Yarosh, R.Ph.; Absent.

Hatem Ebrahim was not represented by Counsel. The State of Ohio was represented by Steven Kochheiser, Assistant Attorney General.

SUMMARY OF EVIDENCE

State's Witnesses:

None

Respondent's Witnesses:

1. Hatem Ebrahim, Petitioner
2. Melissa Lynn, Character Witness

State's Exhibits:

- | | | |
|----|--|------------|
| 1. | Request for Reinstatement | 06-28-2016 |
| 2. | Request for Reinstatement | 11-05-2015 |
| 3. | Notice of Hearing | 06-28-2016 |
| 4. | Credential View Screen | No Date |
| 5. | Board Order | 09-15-2011 |
| 6. | Summary Suspension/Notice of Opportunity for Hearing | 01-24-2011 |

Respondent's Exhibits:

- | | | |
|----|--|------------|
| A. | S.A.R.P.H. Monitoring/Treatment Contract | 05-02-2012 |
| B. | Compliance Letter by Kathie Simpson | 10-31-2016 |
| C. | Urine Screens | Various |
| D. | Meeting Attendance Logs | Various |
| E. | Meeting Attendance Logs | Various |

F. Meeting Attendance Logs

Various

FINDINGS OF FACT

After having heard the testimony, observed the demeanor of the witnesses, considered the evidence, and weighed the credibility of each, the Board finds that Hatem Ebrahim has substantially complied with the terms set forth in the Board Order of the State of Ohio Board of Pharmacy, Case No. 2011-1384, dated September 15, 2011.

DECISION OF THE BOARD

On the basis of the Finding of Fact set forth above, and after consideration of the record as a whole, the State of Ohio Board of Pharmacy hereby approves the reinstatement of the pharmacist identification card, No. 03-1-29382, held by Hatem Ebrahim to practice pharmacy in Ohio subject to a period of probation for five years beginning on the effective date of this Order, with the following conditions:

1. Hatem Ebrahim must enter into and adhere to the terms of a **new** contract, signed within thirty days after the effective date of this Order, with an Ohio Department of Mental Health and Addiction Services (ODMHAS) treatment provider or a treatment provider acceptable to the Board for a period of not less than five years and, upon signing, submit a copy of the contract to the Board office. Failure to adhere to the terms of the treatment contract will be considered a violation of the Board's Order and subject Hatem Ebrahim to potential sanctions up to and including revocation of license. The contract must provide that:
 - a. Random, observed urine drug screens shall be conducted at least once each month.
 - b. The urine sample must be given within twelve hours of notification. The urine drug screen must include testing for creatinine or specific gravity of the sample as the dilutional standard.
 - c. Alcohol and Ethyl Glucuronide (ETG) must be added to the standard urine drug screen.
 - d. Results of all drug screens must be negative. Refusal of a drug screen or a diluted drug screen is equivalent to a positive result. Any positive results, including those which may have resulted from ingestion of food, but excluding false positives which resulted from medication legitimately prescribed, indicates a violation of the contract.
 - e. In the event of a negative diluted screen, a hair sample test must be completed at the cost of the Hatem Ebrahim in a timeframe consistent with the drug lab's recommended policy, but in any event no later than 12 days after the negative diluted screen.
2. The intervener/sponsor shall submit reports to the Board, in a format acceptable to the Board, indicating drug screens and their results in a timely fashion. Actual copies of drug screens shall be made available to the Board upon request.

- a. Attendance is required a minimum of three times per calendar week (Sunday through Saturday) on separate days, at an Alcoholics Anonymous, Narcotics Anonymous, and/or similar support group meeting.
 - b. The program shall immediately report to the Board any violations of the contract and/or lack of cooperation.
3. Hatem Ebrahim shall not refuse an employer provided drug or alcohol screen. If the Board becomes aware of any positive drug or alcohol screen results that were obtained in the course of employment or any mechanism other than via the signed contract with ODMHAS, the Board shall treat these results as a violation of the Board's Order and request Hatem Ebrahim reappear before the Board for possible additional sanctions, including and up to revocation of license.
4. Hatem Ebrahim shall not refuse a breathalyzer or other drug testing requested by law enforcement during the duration of probation. The Board shall treat any such refusal as a violation of the Board's Order and request Hatem Ebrahim reappear before the Board for possible additional sanctions, including and up to revocation of license.
5. Hatem Ebrahim must submit quarterly progress reports to the Board (due January 10, April 10, July 10, and October 10 of each year of probation) that include:
- a. The written report and documentation provided by the treatment program pursuant to the contract, and
 - b. A written description of Hatem Ebrahim's progress towards recovery and what Hatem Ebrahim has been doing during the previous three months.
6. Other terms of probation are as follows:
- a. The State Board of Pharmacy hereby declares that Hatem Ebrahim's pharmacist identification card is not in good standing and thereby denies the privilege of being a preceptor and training pharmacy interns pursuant to paragraph (D)(1) of Rule 4729-3-01 of the Ohio Administrative Code.
 - b. Hatem Ebrahim may not serve as a responsible pharmacist.
 - c. Hatem Ebrahim may not destroy, assist in, or witness the destruction of controlled substances.
 - d. Hatem Ebrahim may not work in a pharmacy more than 40 hours per week or 80 hours over a two-week period.
 - e. Hatem Ebrahim must, during the first six months of practice, work only with a pharmacist whose license is in good standing.
 - f. Hatem Ebrahim must not violate the drug laws of Ohio, any other state, or the federal government.

- g. Hatem Ebrahim must abide by the rules of the State of Ohio Board of Pharmacy.
 - h. Hatem Ebrahim must comply with the terms of this Order.
 - i. Hatem Ebrahim's license is deemed not in good standing until successful completion of the probationary period.
7. Hatem Ebrahim must immediately report any violation of the terms of this probation to the Board by contacting legal@pharmacy.ohio.gov. Failure to self-report any violation shall be treated as a violation of this Board's Order and will subject Hatem Ebrahim to possible additional sanctions, including and up to revocation of license.
8. Any violation of probation or this Board's Order may result in a Board hearing to consider alternative or additional sanctions under Section 4729.16 of the Ohio Revised Code, including and up to revocation of Hatem Ebrahim's license.

At the conclusion of the probationary period, the Board will issue a notice of opportunity for hearing to Hatem Ebrahim regarding the status of Hatem Ebrahim's probation and whether Hatem Ebrahim has successfully met all terms of probation and may be considered in good standing.

Mr. Weaver moved for Findings of Fact; Mr. Cox seconded the motion. Motion passed (Aye-6/Nay-0).

Mr. Weaver moved for Action of the Board; Mr. Cox seconded the motion. Motion passed (Aye-6/Nay-0).

SO ORDERED.

11:03 a.m. The Board recessed briefly.

11:05 a.m. The meeting reconvened in Room South B&C.

Ms. Marchal provided the CPG report from the October 17, 2016, committee meeting.

Ms. Rudell stated the PAPC committee meeting will be November 8, 2016.

Mr. Garner provided the OARRS report.

Mr. Griffin provided the Compliance and Enforcement report, introducing new staff members Katie Stabi, *Compliance Specialist* and William "Bill" DiFrangia, *Compliance Agent*.

Mr. Ingram provided the Legal update.

Mr. Passafume provided an update of the Medical Marijuana Advisory Committee and an overview of their first meeting held on November 1, 2016.

Mr. Schierholt provided the Executive Director report.

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 Mr. Passafume and a roll-call vote was conducted by President Moné as follows: Cox-yes; Marchal-yes; Passafume-yes; Rudell-yes; Weaver-yes; and Wilt-yes.

12:05 p.m. Executive Session ended and the Board recessed for lunch.

1:07 p.m. The meeting reconvened in Room South B&C.

R-2017-128 The Board received an application for the Continuing Education Provider Status of **Johnnie Hanna, RPh** (03-1-12477) Hillsboro, Ohio. Ms. Marchal moved that the Continuing Education Provider Status be approved. The motion was seconded by Mr. Passafume and approved by the Board: Aye-6.

R-2017-129 The Board received a Relevant Military Education request, 4729-7-02(H), of **Maj Robert Brutcher, RPh** (03-2-26128) Point of Rocks, Maryland. Mr. Wilt moved that the request be approved. The motion was seconded by Mr. Passafume and approved by the Board: Aye-6.

R-2017-130 The Board received a Foreign Grad Intern Renewal request, 4729-3-04(B), of **Mai Safi** (06-011962) Sylvania, Ohio. Mr. Passafume moved that Board approve the request for a one year extension. The motion was seconded by Ms. Marchal and approved by the Board: Aye-6.

R-2017-131 The Board received a Foreign Grad Intern Renewal request, 4729-3-04(B), of **Ahmed Syed** (06-013820) Youngstown, Ohio. Mr. Cox moved that Board approve the request for a six-month extension. The motion was seconded by Mr. Weaver and approved by the Board: Aye-6.

R-2017-132 Mr. Wilt moved that the Board adopt the following resolution:

Pursuant to Rule 4729-5-11, the Board of Pharmacy is required to adopt a resolution providing the credential types or qualifications required to the responsible person of each classification of terminal and wholesale distributor of dangerous drugs license. Only individuals that meet the credentials specified may be the responsible person for that classification type.

Effective, September 1, 2016, the Board hereby adopts the following responsible person requirements:

LICENSES	LIMITED OR UNLIMITED LICENSE	RESPONSIBLE PERSON	ADDITIONAL REQUIREMENTS
<u>PHARMACY</u>			
In-State Pharmacy	Unlimited	RPH	N/A
Consulting Pharmacy	Limited	RPH	Consulting Only Form
Non-Resident Pharmacy	Unlimited	RPH	Compounding pharmacies must

			provide documentation to Rule 4729-16-08
Non-Resident Consulting Only	Limited	RPH	Consulting Only Form
Remote Order Entry	Limited	RPH	Remote Order Entry Form
Contingency Stock-Nursing Home	Unlimited	RPH	N/A
<u>MEDICAL GASES</u>			
Oxygen	Limited	MD, DO, RN, APRN, MANAGEMENT, LNHA, RRT	Provide a notarized, signed drug list. APRN statement
Nitrous Oxide Manufacturer Use	Limited	MANAGEMENT	Provide a notarized, signed drug list.
<u>FACILITIES</u>			
Animal Control, Dog Pound, Dog Warden-Humane Society	Limited	DVM	Provide a notarized, signed drug list, protocol, and an authorized personnel list on initial application or if a change in Medical Director.
Animal Euthanasia	Limited	CET, DVM, DOG WARDEN	Provide a notarized, signed drug list, protocol, and an authorized personnel list on initial application or if a change in Medical Director. Provide Euthanasia certifications of technicians.
Zoo/Veterinary Practice	Unlimited	DVM	N/A
Dog Trainer	Limited	MEDA: Law Enforcement Official RESP: Management	Must have law enforcement affiliation. Provide a signed and notarized contract with an Ohio Law Enforcement Agency. Provide a notarized drug list

			approved by the MEDA.
First Aid Room	Limited	DO, MD, APRN	Provide a notarized, signed drug list, protocol, and an authorized personnel list on initial application or if a change in Medical Director. APRN statement
Home Health	Limited	DO, MD	Provide a notarized, signed drug list, protocol, and an authorized personnel list on initial application or if a change in
Hospice	Unlimited	DO, MD, RPH	N/A
Custodial Care/Group Home	Unlimited	DO, MD	N/A
Blood Banks	Unlimited	DO, MD	N/A
Imaging	Limited	DO, MD	Provide a notarized, signed drug list, protocol, and an authorized personnel list on initial application or if a change in Medical Director.
Laboratory/Research	Unlimited	DO, MD, PHD, CHEMIST, MANAGEMENT	Provide a proof of a degree in one of the following: Chemistry, Biochemistry, Forensic Science, Biology, Microbiology, or related pure applied science (for PHD, CHEMIST, MANAGEMENT only)
Clinical Trials	Unlimited	DO, MD	N/A
Nursing Home Drug Stock	Limited	DO, MD, APRN	Provide a notarized, signed drug list, protocol,

			and an authorized personnel list on initial application or if a change in Medical Director. APRN statement
Peritoneal Dialysis Center	Limited	MANAGEMENT	Provide a notarized, signed drug list, protocol, and an authorized personnel list on initial application or if a change in Medical Director.
Correctional Institutions	Unlimited	MD, DO, APRN, RPH	APRN statement **Correctional Institution-Hospital must be a RPH**
EMS Headquarters & Satellites	Limited	MD, DO, RPH	Provide a notarized, signed drug list, protocol, and an authorized personnel list on initial application or if a change in Medical Director.
Pain Management	Unlimited	MD, DO	Pain Management Addendum on renewal and meet requirements in rule 4729-5-11.
Clinics (Mobile Clinics, Urgent Care, Convenience Care Clinics, Helicopter/Aircraft)	Unlimited	MD, DO, APRN, RPH, DPM	APRN statement
Prescriber Practices	Unlimited	MD, DO, APRN, RPH, DPM	Prescriber Compounding Addendum APRN statement
Oncology Clinics	Unlimited	MD, DO, APRN, RPH	APRN statement
Infusion Center	Unlimited	DO, MD, APRN, MD, RPH	APRN statement
Dialysis	Unlimited	DO, MD, APRN	APRN statement

Free Standing Emergency Department	Unlimited	DO, MD, RPH	N/A
Ambulatory Surgery Center	Unlimited	DO, MD, RPH	N/A
Physical Therapy	Limited	DO, MD, APRN, RPH, DPM	Provide a notarized, signed drug list, protocol, and an authorized personnel list on initial application or if a change in Medical Director. APRN statement
Sports Training Facility	Unlimited	DO, MD, DPM	N/A
Mental Health	Unlimited	DO, MD	N/A
Outpatient Chemical Treatment	Unlimited	DO, MD	N/A
Teaching Institutions *Injecting into humans RESP must be DDS, DO, MD, DPM, RPH, and/or APRN	Limited	DDS, DO, DPM, MD, RPH, APRN, RN (HEAD OF PROGRAM)	Provide a notarized, signed drug list, protocol, and an authorized personnel list on initial application or if a change in Medical Director.
<u>WHOLESALE DISTRIBUTORS</u>			
<ul style="list-style-type: none"> • Wholesaler Distributors <ul style="list-style-type: none"> • Virtual Manufacturer/Wholesaler Third Party Logistics (3PL) 	Unlimited	MANAGEMENT	N/A
Outsourcing Facility	Unlimited	RPH	Provide a FDA inspection report (483A) and a State Inspection less than 2 years' old.

The motion was seconded by Mr. Passafume and approved by the Board: Aye-6.

1:22 p.m.

Mr. McNamee provided the Legislative update.

Mr. Moné left the meeting.

R-2017-133

Mr. Passafume moved that the Board approve Rule 4729-9-28 as amended for filing with JCARR. The motion was seconded by Ms. Rudell and approved by the Board: Aye-5.

R-2017-134

Mr. Passafume moved that the Board approve Rule 4729-9-06 for filing with JCARR. The motion was seconded by Mr. Cox and approved by the Board: Aye-5.

R-2017-135

Mr. Wilt moved that the Board approve Rule 4729-5-11 as amended for filing with JCARR. The motion was seconded by Mr. Passafume and approved by the Board: Aye-5.

1:37 p.m. Mr. Moné returned to the meeting.

R-2017-136 Mr. Passafume moved that Rules 4729-9-14 and 4729-9-22 be approved as amended for filing with JCARR. The motion was seconded by Ms. Marchal and approved by the Board: Aye-6.

R-2017-137 Mr. Passafume moved that Rule 4729-9-30 be approved as amended for filing with JCARR. The motion was seconded by Mr. Wilt and approved by the Board: Aye-6.

Mr. McNamee presented Rule 4729-16-01 and the Board requested additional edits.

2:05 p.m. **Julie Kennerly, PharmD**, gave a presentation to the Board regarding the OSU ScriptCenter Pilot Project requesting approval for installation and implementation. (Ms. Marchal was recused).

3:02 p.m. The Board recessed briefly.

3:15 p.m. The meeting reconvened in Room South B&C.

R-2017-138 Pursuant to Section 4729.16 of the Ohio Revised Code, the Ohio State Board of Pharmacy considered a summary suspension as required by Section 3719.121 of the Ohio Revised Code. After hearing Mr. Griffin discuss the significant facts regarding the activities of the individual, Ms. Marchal moved that the Board summarily suspend the license to practice pharmacy belonging to **Brian Scott, R.Ph.** (03-2-23111) Blacklick, Ohio, pursuant to Ohio Revised Code 3719.121(A)(B). The motion was seconded by Mr. Passafume and approved by the Board: Aye-6.

R-2017-139 The Board received a request for an approval to Ohio Administrative Code Rule 4729-5-11 (A)(1) requesting that **John Lepto, RPh** (03-1-16350) Akron, Ohio, be the Responsible Person for the following pharmacies:

Akron Children's Hospital at Akron General: Akron, Ohio (02-2057950)
Akron Children's at Aultman: Canton, Ohio (02-2334750)
Akron Children's Special Care Nursery at Summa Akron: Akron, Ohio (02-2097850)
Children's Hospital Medical Center of Akron: Akron, Ohio (02-0038900)
Wooster Special Care Nursery: Wooster, Ohio (02-2423750)

After discussion, Mr. Cox moved that the Board approve the request for a period of 8 months. The motion was seconded by Mr. Passafume and approved by the Board: Aye-6.

R-2017-140 The Board received a request for an approval to Ohio Administrative Code Rule 4729-5-11 (A)(1) requesting that **Chester Kaczor, RPh** (03-1-27410) Upper Arlington, Ohio, be the Responsible Person for the following pharmacies:

NCH in St. Ann's Hospital: Westerville, Ohio (02-2562150)
NCH in Dublin Methodist Hospital: Columbus, Ohio (02-2487800)
NCH in Riverside Methodist Hospital: Columbus, Ohio (02-269000)
NCH in Doctors Hospital: Columbus, Ohio (02-2333150)
Nationwide Children's Hospital: Columbus, Ohio (02-0039200)
NCH in Grant Medical Hospital: Columbus, Ohio (02-2330300)

After discussion, Mr. Passafume moved that the Board approve the request for a period of 8 months. The motion was seconded by Ms. Marchal and approved by the Board: Aye-6.

R-2017-141

The Board received a request for an approval to Ohio Administrative Code Rule 4729-5-11 (A)(1) requesting that **Paul Alexander, RPh** (020229935) Martinsville, Virginia, be the Responsible Person for the following pharmacies:

Martinsville Family Practice, Inc.: Martinsville, Virginia (02-2608100)
Family LTC Pharmacy, Inc.: Martinsville, Virginia (02-2608150)

After discussion, Mr. Passafume moved that the Board table the request for additional information. The motion was seconded by Ms. Rudell and approved by the Board: Aye-6.

R-2017-142

The Board received a request for an approval to Ohio Administrative Code Rule 4729-5-11 (A)(1) requesting that **Monica Ohliger Lavelle, RPh** (03-3-19954) Westlake, Ohio, be the Responsible Person for the following pharmacies:

Ohliger Drug of North Olmstead: Westlake, Ohio (02-16357400)
Ohliger Drug Long Term Care: Westlake, Ohio (02-1852550)

After discussion, Mr. Weaver moved that the Board approve the request for a period of 8 months. The motion was seconded by Mr. Passafume and approved by the Board: Aye-6.

R-2017-143

The Board received a request for an approval to Ohio Administrative Code Rule 4729-5-11 (A)(1) requesting that **Rachelle Huffman, RPh** (03-3-28792) Loveland, Ohio, be the Responsible Person for the following pharmacies:

Fitzgerald's Pharmacy: Williamsburg, Ohio (02-0102450)
Fitzgerald's Pharmacy LTC: Williamsburg, Ohio (02-1967600)

After discussion, Ms. Rudell moved that the Board approve the request for a period of 8 months. The motion was seconded by Mr. Passafume and approved by the Board: Aye-6.

R-2017-144

The Board received a request for an approval to Ohio Administrative Code Rule 4729-5-11 (A)(1) requesting that **Charles Cather, RPh** (03-3-26599) Massillon, Ohio, be the Responsible Person for the following pharmacies:

K-C Institutional Pharmacy: Brewster, Ohio (02-0832350)
Brewster Family Pharmacy: Brewster, Ohio (02-0831200)

After discussion, Ms. Marchal moved that the Board approve the request for a period of 8 months. The motion was seconded by Mr. Passafume and approved by the Board: Aye-6.

R-2017-145

The Board received a request for an approval to Ohio Administrative Code Rule 4729-5-11 (A)(1) requesting that **Shawn Roe, RPh** (019653) Coralville, Iowa, be the Responsible Person for the following pharmacies:

VetRx Direct: Coralville, Iowa (02-1757400)
Nucara Pharmacy #1: Coralville, Ohio (02-2298300)

After discussion, Mr. Cox moved that the Board approve the request for a period of 8 months. The motion was seconded by Ms. Rudell and approved by the Board: Aye-6.

R-2017-146 The Board received a request for an approval to Ohio Administrative Code Rule 4729-5-11 (A)(1) requesting that **Jon Michael Myers, RPh** (03-1-22750) Hicksville, Ohio, be the Responsible Person for the following pharmacies:

Hicksville Pharmacy: Hicksville, Ohio (02-2091050)
Community Memorial Hospital: Hicksville, Ohio (02-0037550)

After discussion, Mr. Wilt moved that the Board table the request for additional information. The motion was seconded by Mr. Passafume and approved by the Board: Aye-5/Abstain-1.

R-2017-147 The Board received a request for an approval to Ohio Administrative Code Rule 4729-5-11 (A)(1) requesting that **Amy Myers, RPh** (03-1-20444) Bluffton, Ohio, be the Responsible Person for the following pharmacies:

Riley Creek Pharmacy: Pandora, Ohio (02-2023650)
Pharmacy Solutions: Pandora, Ohio (02-2023900)

After discussion, Mr. Passafume moved that the Board deny the request. The motion was seconded by Mr. Weaver and approved by the Board: Aye-5/Abstain-1.

R-2017-148 The Board received a request for an approval to Ohio Administrative Code Rule 4729-5-11 (A)(1) requesting that **Marissa Welling Stewart, RPh** (03-1-22544) Loveland, Ohio, be the Responsible Person for the following pharmacies:

The Craig and Francis Linder Center of Hope: Mason, Ohio (02-1816700)
Cincinnati Children's Hospital Medical Center: Mason, Ohio (02-2136250)

After discussion, Ms. Rudell moved that the Board approve the request for a period of 8 months. The motion was seconded by Mr. Passafume and approved by the Board: Aye-5/Abstain-1.

R-2017-149 The Board received a request for an approval to Ohio Administrative Code Rule 4729-5-11 (A)(1) requesting that **Abel Ngoh, RPh** (03-3-25292) Vandalia, Ohio, be the Responsible Person for the following pharmacies:

Dayton Pharmacy: Dayton, Ohio (02-1883900)
Pharmacy One: Springfield, Ohio (02-2018450)

After discussion, Mr. Wilt moved that the Board deny the request. The motion was seconded by Mr. Weaver and approved by the Board: Aye-5/Abstain-1.

R-2017-150 The Board received a request for an approval to Ohio Administrative Code Rule 4729-5-11 (A)(1) requesting that **Sherif Salama, MD** (35-071836) Broadview Heights, Ohio, be the Responsible Person for the following pain management clinics:

Advanced Comprehensive Pain Management: Highland Heights, Ohio (02-2143950)

Advanced Comprehensive Pain Management: Parma, Ohio (02-2144000)

After discussion, Mr. Wilt moved that the Board approve the request for 8 months. The motion was seconded by Ms. Marchal and approved by the Board: Aye-5/Abstain-1.

R-2017-151 The Board received a request for an approval to Ohio Administrative Code Rule 4729-5-11 (A)(1) requesting that **Amol Soin, MD** (35-090518) Dayton, Ohio, be the Responsible Person for the following pain management clinics:

Ohio Pain Clinic, LLC: Dayton, Ohio (02-2140850)

Ohio Pain Clinic, LLC: Beavercreek, Ohio (02-2140750)

After discussion, Mr. Wilt moved that the Board approve the request indefinitely or until such time the business model changes. The motion was seconded by Ms. Marchal and approved by the Board: Aye-5/Abstain-1.

R-2017-152 The Board received a request for an approval to Ohio Administrative Code Rule 4729-5-11 (A)(1) requesting that **Michael Stretanski, DO** (34-007293) Sunbury, Ohio, be the Responsible Person for the following pain management clinics:

Interventional Spine and Pain: Mansfield, Ohio (02-2146580)

Saturday Spine Clinic: Columbus, Ohio (02-2138650)

After discussion, Mr. Wilt moved that the Board approve the request indefinitely or until such time the business model changes. The motion was seconded by Ms. Marchal and approved by the Board: Aye-5/Abstain-1.

3:49 p.m. Mr. Passafume left the meeting.

Mr. McNamee led a discussion regarding Rule 4729-16-01.

R-2017-153 Mr. Wilt moved that Rule 4729-16-01 be approved for filing with JCARR. The motion was seconded by Mr. Weaver and approved by the Board: Aye-5

R-2017-154 Mr. Moné announced that the following Settlement Agreement has been signed by all parties and is now effective:

**IN THE MATTER OF:
CASE NO. 2014-2075-A**

**Kroger Pharmacy #909
c/o Kelli Jo Waggoner, RPh
1014 Vine Street**

Cincinnati, Ohio 45202
License No. 02-1043700

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 Kroger Pharmacy #909, for the purpose of resolving all issues between the parties relating to the OSBP investigation of the failure to report a loss to the Board. Together, OSBP and Kroger Pharmacy #909 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. Kroger Pharmacy #909 is a licensed Terminal Distributor of Dangerous Drugs under license number 02-1043700.

FACTS

1. On or about November 12, 2014, the OSBP initiated an investigation of Kroger Pharmacy #909, Terminal Distributor of Dangerous Drugs license number 02-1043700, related to Kroger Pharmacy #909's the failure to report a loss to the Board.
2. On or about April 12, 2016, the OSBP sent a Notice of Opportunity for Hearing to Kroger Pharmacy #909, which outlined the allegations and provided notice of their right to a hearing, their rights in such hearing, and their right to submit contentions in writing.
3. On or about July 12, 2016, Kroger Pharmacy #909 timely requested an administrative hearing, which was subsequently scheduled for November 8, 2016.

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. Kroger Pharmacy #909 neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter dated April 12, 2016; however, the OSBP has evidence sufficient to sustain the allegations and hereby adjudicates the same.

3. Kroger Pharmacy #909 agrees to pay to the OSBP the amount of \$2,500.00, 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. Kroger Pharmacy #909 agrees to continue training staff in Best Practices, quarterly education meetings, and training pharmacy staff in proper disposal of returned medications.
 5. Kroger Pharmacy #909 and Kelli Jo Waggoner, or any subsequent Responsible Person, agree and acknowledge that this OSBP disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction in which Kroger Pharmacy #909 currently holds a professional license, including the OSBP on renewal applications or applications for a new license.
 6. Kroger Pharmacy #909 agrees to comply with all federal and state requirements related to Terminal Distributors of Dangerous Drugs, including but not limited to, Ohio Revised Code Chapter 4729. and the Rules adopted thereunder, Chapter 3719. and the Rules adopted thereunder, Chapter 3715. and the Rules adopted thereunder as well as the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301 and Chapter 21, Section 360 of the United States Code, and Section 207.20 of the Code of Federal Regulations. Any violation by Kroger Pharmacy #909 of the terms of one or more federal or state requirements may constitute sufficient grounds for further enforcement action related to any licenses granted to Kroger Pharmacy #909 by the OSBP and will NOT discharge Kroger Pharmacy #909 from any obligation under the terms of this Agreement.
 7. Kroger Pharmacy #909 agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
 8. Kroger Pharmacy #909 understands that it has the right to be represented by counsel for review and execution of this agreement.
 9. 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 Kroger Pharmacy #909 will operate.
 10. Kroger Pharmacy #909 waives an opportunity to be heard pursuant to Chapter 119 of the Ohio Revised Code and specifically withdraws its request for a hearing in this matter. Kroger Pharmacy #909 also waives any right to an appeal.
 11. 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.
 12. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.
 13. 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-2017-155

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

**IN THE MATTER OF:
CASE NO. 2015-1428**

**Crosby's Drugs, Inc.
c/o Kirk Betteridge, RPh
2609 N. High Street
Columbus, Ohio 43202
License No. 02-0173000**

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 Crosby's Drugs, Inc., for the purpose of resolving all issues between the parties relating to the OSBP investigation of the pharmacies failure to create and implement corrective action plan as required by the Board. Together, OSBP and Crosby's Drugs, Inc. 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. Crosby's Drugs, Inc. is a licensed Terminal Distributor of Dangerous Drugs under license number 02-0173000.

FACTS

1. On or about May 20, 2015, the OSBP initiated an investigation of Crosby's Drugs, Inc., Terminal Distributor of Dangerous Drugs license number 02-0173000, related to Crosby's Drugs, Inc.'s failure to create and implement corrective action plan as required by the Board.
2. On or about December 11, 2015, the OSBP sent a Notice of Opportunity for Hearing to Crosby's Drugs, Inc., which outlined the allegations and provided notice of their right to a hearing, their rights in such hearing, and their right to submit contentions in writing.
3. On or about December 29, 2015, Crosby's Drugs, Inc. timely requested an administrative hearing, which was subsequently scheduled for September 13, 2016.

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. Crosby's Drugs, Inc. neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter dated December 11, 2015; however, the OSBP has evidence sufficient to sustain the allegations and hereby adjudicates the same.
3. Crosby's Drugs, Inc. agrees to pay to the OSBP the amount of \$1,000.00, 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. Crosby's Drugs, Inc. and its Responsible Person as that term is used in Ohio Administrative Code 4729-5-11 agree and acknowledge that this OSBP disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction in which Crosby's Drugs, Inc. currently holds a professional license, including the OSBP on renewal applications or applications for a new license.
5. Crosby's Drugs, Inc. agrees to comply with all federal and state requirements related to Terminal Distributors of Dangerous Drugs, including but not limited to, Ohio Revised Code Chapter 4729. and the Rules adopted thereunder, Chapter 3719. and the Rules adopted thereunder, Chapter 3715. and the Rules adopted thereunder as well as the "Federal Food, Drug, and Cosmetic Act," 52 Stat. 1040 (1938), 21 U.S.C.A. 301 and Chapter 21, Section 360 of the United States Code, and Section 207.20 of the Code of Federal Regulations. Any violation by Crosby's Drugs, Inc. of the terms of one or more federal or state requirements may constitute sufficient grounds for further enforcement action related to any licenses granted to Crosby's Drugs, Inc. by the OSBP and will NOT discharge Crosby's Drugs, Inc. from any obligation under the terms of this Agreement.
6. Crosby's Drugs, Inc. agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
7. Crosby's Drugs, Inc. 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 Crosby's Drugs, Inc. will operate.
9. Crosby's Drugs, Inc. waives its right to an appeal and an opportunity to be heard pursuant to Chapter 119 of the Ohio Revised Code and specifically withdraws its request for a hearing in this matter.
10. 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.

11. All parties to this Agreement understand that this document is a public record pursuant to Ohio Revised Code Section 149.43.

12. 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-2017-156

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

**IN THE MATTER OF:
CASE NO. 2015-1679**

Joseph Sierota
4504 Colonial Avenue
Erie, PA 16506
License No. 03-3-35213

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 Joseph Sierota, for the purpose of resolving all issues between the parties relating to the OSBP investigation of the positive answer to the legal question on his reciprocity application. Together, OSBP and Joseph Sierota 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. Joseph Sierota submitted an application for reciprocity on or about June 14, 2015.

FACTS

1. On or about August 13, 2015, the OSBP initiated an investigation of Joseph Sierota, pending pharmacist license number 03-3-35213, related to Joseph Sierota’s positive answer to the legal question on his reciprocity application.
2. On or about July 5, 2016, the OSBP sent a Notice of Opportunity for Hearing to Joseph Sierota, which outlined the allegations and provided notice of his right to a hearing, his rights in such hearing, and his right to submit contentions in writing.
3. On or about July 27, 2016, Joseph Sierota timely requested an administrative hearing, which was subsequently scheduled for September 13, 2016.

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. Joseph Sierota neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter dated July 5, 2016; however, the OSBP has evidence sufficient to sustain the allegations and hereby adjudicates the same.
3. Joseph Sierota 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. Joseph Sierota 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.
5. Joseph Sierota agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
6. Joseph Sierota understands that he has the right to be represented by counsel for review and execution of this agreement.
7. Joseph Sierota agrees and acknowledges that this OSBP disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction in which he currently holds a professional license, including to the OSBP on renewal applications or applications for a new license.
8. Joseph Sierota waives his right to be heard pursuant to Chapter 119 of the Ohio Revised Code and specifically withdraws his request for a hearing in this matter. Joseph Sierota also waives any right to appeal.
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-2017-157

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

IN THE MATTER OF:**CASE NOS.****2015-1666-B****2015-1671-B****Edward Driver**

11272 Brookbridge Dr.

Cincinnati, Ohio 45249

License No. 03207809**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 Edward Driver, for the purpose of resolving all issues between the parties relating to the OSBP investigation of the error in dispensing of RX#2296594. Together, OSBP and Edward Driver 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. Edward Driver is a licensed pharmacist under license number 03207809.

FACTS

1. On or about August 6, 2015, the OSBP initiated an investigation of Edward Driver, pharmacist license number 03207809, related to Edward Driver's error in dispensing of RX#2296594.
2. On or about June 16, 2016, the OSBP sent a Notice of Opportunity for Hearing to Edward Driver, which outlined the allegations and provided notice of his right to a hearing, his rights in such hearing, and his 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. Edward Driver neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter dated June 16, 2016; however, the OSBP has evidence sufficient to sustain the allegations and hereby adjudicates the same.
 3. **Edward Driver PERMANENTLY AND VOLUNTARILY SURRENDERS TO THE STATE OF OHIO BOARD OF PHARMACY HIS LICENSE AND REGISTRATION TO PRACTICE PHARMACY, LICENSE NO. 03207809, WITH DISCIPLINE PENDING.**
 4. **Edward Driver may never reapply for any license issued by the State of Ohio Board of Pharmacy pursuant to Chapters 3719., 3796., and 4729. of the Revised Code.**
 5. Edward Driver agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
 6. Edward Driver understands that he has the right to be represented by counsel for review and execution of this agreement.
 7. Edward Driver agrees and acknowledges that this OSBP disciplinary action must be disclosed to the proper licensing authority of any state or jurisdiction in which he currently holds a professional license, including to the OSBP on renewal applications or applications for a new license.
 8. Edward Driver waives his right to an appeal and an opportunity to be heard pursuant to Chapter 119. of the Ohio Revised Code and specifically withdraws his ability to request a hearing.
 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.
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R-2017-158

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

**IN THE MATTER OF:
CASE NO. 2014-1306**

Rachael Lemmon, R.Ph.

2037 Lake Center Street NW
Uniontown, Ohio 44685
License No. 03-1-32176

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 Rachael Lemmon, for the purpose of resolving all issues between the parties relating to the OSBP investigation of the error in dispensing of prescription number 951766. Together, OSBP and Rachael Lemmon 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. Rachael Lemmon is a licensed pharmacist under license number 03-1-32176.

FACTS

1. On or about March 17, 2014, the OSBP initiated an investigation of Rachael Lemmon, pharmacist license number 03-1-32176, related to Rachael Lemmon's error in dispensing of prescription number 1951766.
2. On or about May 25, 2016, the OSBP sent a Notice of Opportunity for Hearing to Rachael Lemmon, 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. Rachael Lemmon neither admits nor denies the allegations stated in the Notice of Opportunity for hearing letter dated May 24, 2016; however, the OSBP has evidence sufficient to sustain the allegations and hereby adjudicates the same.
3. Rachael Lemmon 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. Rachael Lemmon 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. Rachael Lemmon agrees to pay all reasonable costs associated with the collection of any payment, and of the prosecution of any violation of this Agreement.
 6. Rachael Lemmon understands that she has the right to be represented by counsel for review and execution of this agreement.
 7. Rachael Lemmon 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-2017-159 Mr. Moné announced that the citation issued to **Angela Gable, RPh** is hereby dismissed.

4:15 p.m. The Board recessed for the day.

Tuesday, November 8, 2016

9:03 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, RPh, *President*; Joshua M. Cox, RPh; Megan E. Marchal, RPh; Curtis L. Passafume, Jr., RPh; Jennifer M. Rudell, RPh; Fred M. Weaver, RPh; Shawn C. Wilt, RPh and Kilee S. Yarosh, RPh

R-2017-160 Mr. Passafume moved that the Conference Call Minutes of October 27, 2016, be approved as written. The motion was seconded by Ms. Rudell and approved by the Board: Aye-7.

R-2017-161 Ms. Marchal moved that Meeting Minutes of October 3, 2016, be approved as amended. The motion was seconded by Mr. Wilt and approved by the Board: Aye-7.

9:07 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: Cox-yes; Marchal-yes; Passafume-yes; Rudell-yes; Weaver-yes; Wilt-yes and Yarosh-yes.

9:43 a.m. The meeting reconvened in Room South B&C.

The Board held a discussion regarding the OSU ScriptCenter Pilot request. Mr. Passafume stated the expansion from employee-based distribution via a kiosk to patient-based distribution was a big step. He indicated a concern with the fluidity of the discharge process and indicated that a true pilot would bring forward new data and knowledge rather than a repeat of previous information.

Mr. Wilt expressed concern regarding removal of the pharmacist relationship, and indicated that in his experience patients do not know what to ask until they are out of the hospital environment. Mr. Wilt indicated the availability of a professional for consultation is extremely important, he distinguished the concern for hospital employees receiving prescriptions in this manner is not as great due to the ready accessibility of licensed health professionals in their environment. Mr. Wilt indicated that the protection of the public had to come first.

R-2017-162 After discussion, Mr. Wilt moved to approve the OSU ScriptCenter Kiosk for employee use. The motion was seconded by Mr. Passafume and approved by the Board: Aye-6/Abstain-1.

R-2017-163 After discussion, Mr. Weaver moved that the request for installation and implementation of the OSU ScriptCenter Pilot for patient use be denied. The motion was seconded by Mr. Passafume and approved by the Board: Aye-6/Abstain-1.

Mr. Passafume encouraged the OSU presenters, based upon the questions and answers during yesterday's meeting and the comments they heard today, to consider the process flow, sharpen the proposal with more robust and valuable information including knowledge of the outflow and indicated the Board would be looking for solid patient care solutions.

Mr. McNamee led a discussion regarding Responsible Person Rule 4729-5-11.

R-2017-164 After discussion, Mr. Wilt moved to approve Rule 4729-5-11 as amended for filing with JCARR. The motion was seconded by Mr. Passafume and approved by the Board: Aye-7.

10:03 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 Mr. Weaver and a roll-call vote was conducted by President Moné as follows: Cox-yes; Marchal-yes; Passafume-yes; Rudell-yes; Weaver-yes; Wilt-yes and Yarosh-yes.

12:32 p.m. The meeting reconvened in Room South B&C.

R-2017-165 Mr. Passafume moved that the meeting be adjourned. The motion was seconded by Ms. Yarosh and approved by the Board: Aye-7.


12:35 p.m. The meeting was adjourned.

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:

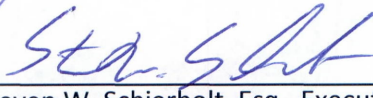
HEBA AWADALLAH	KENTUCKY
CHRISTOPHER J. BOMMER	WISCONSIN
ANGELA BOSINSKI	NEW YORK
MARK CARROLL	KENTUCKY
AMRIT CHANDRA	NEW JERSEY
JONATHAN CLARK	MICHIGAN
GARY E. DAY	NORTH CAROLINA
DEBORAH ANNE DELPH	NEW JERSEY
DAVID RANDALL DRAYER	NORTH CAROLINA
LAURA EVENRUD	MINNESOTA
KIMBERLY DAWN GRIEGO	COLORADO
LEAH L. GRYBOSKI	PENNSYLVANIA
JASON WALTER GUY	DELAWARE
JENNI TAYLOR HARRIS	GEORGIA
CURTIS BYRON HUGHES	UTAH
REBECCA JEAN JAMPANI	FLORIDA
DUSTIN HOWARD JOHNSON	PENNSYLVANIA
BRYAN JASON KATZ	MARYLAND
RIVKA KATZ	NEW YORK
NOEL KIM	CALIFORNIA
NICHOLAS JAMES KIRKPATRICK	MICHIGAN
PHUONG LE	WASHINGTON
NATALIE LYNN MARSHALL	TENNESSEE
KEMPER CHRISTIAN MAY	PENNSYLVANIA
MUSSA DIB MUSTAPHA	MICHIGAN
ROBIN NORRIS	WEST VIRGINIA
IKENNA STEPHEN OKAFOR	VIRGINIA
STEPHEN OLAH	MICHIGAN
ABBY PAGE	NEW MEXICO
VANESSA ANNE PASCUAL	CALIFORNIA
NEELIMA P. PATIL	TENNESSEE
SHAUNTE RAISHELE POHL	ILLINOIS
CRYSTAL SAU	CALIFORNIA
KRISTEN E. SCHMITT	KENTUCKY

HOLLY SEIDMAN
MATT STANEK
MICHAEL STIPANOVICH
BRIAN ROBERT TOOTLE
JESSICA L. WHITE
SCOTT ANTHONY WILLIAMS
SHAUN FRANCIS YOUNG

ILLINOIS
FLORIDA
PENNSYLVANIA
CALIFORNIA
TEXAS
WEST VIRGINIA
HAWAII



Michael A. Mone, RPh, President



Steven W. Schierholt, Esq., Executive Director

12/6/2016

Date

12/8/16

Date