



**STATE OF
OHIO**
BOARD OF PHARMACY

BOARD MEETING AGENDA

Monday & Tuesday, August 31 – September 1, 2020, 9:00 a.m.

**Meetings will end at approximately 3:00 p.m. each day,
depending on remaining business items.**

*****Probation Committee will meet Wednesday,
September 2nd at 9:00 a.m.**

**Instructions to access the Skype Meeting will be located [here](#)
Monday morning, August 31st**

Monday, August 31, 2020

BOARD MEETING

9:00 a.m. – Instructions to access Skype Meeting will be located [here](#) the morning of the meeting.

A. ROLL CALL

B. NEW MEMBER – OATH OF OFFICE

- Victor Goodman, Public Member (Rudell)

C. *ADJUDICATIONS – *Note: The Board will likely take a short five-minute break between the hearing and prior to Board business*

1. Jennifer J. Colla—Youngstown, Ohio
 - Respondent's Attorney: Levi Tkach
 - State's Attorney: Henry Appel

****BOARD BUSINESS**

D. RESOLUTIONS (McNamee/Southard/Wai)

1. University of Cincinnati - Vaccine Study Approval
2. Expedited Licensure of Drug Distributors (Expires August 31, 2020)
3. Temporary Expansion of the Maximum Days' Supply for Multiple Drugs in Single-Dose Containers (Expires August 31, 2020)

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



4. Sale and Shipment of Non-Reportable Dangerous Drugs from Unlicensed Out-of-State Facilities (Expires August 31, 2020)

5. Sale and Shipment of Non-Reportable Patient-Specific Medications by Non-Ohio Licensed Border State Facilities (Expires August 31, 2020)

E. Reports and Correspondence

- OARRS Report (Garner)
- Compliance Report (Griffin)
- Legal Report (Dehner)
- Licensing Report (Southard)
- Legislative Report (McNamee)
- Executive Director Report (Schierholt)

F. EXAMINATION EXTENSION REQUESTS (Southard)

1. Alexandra Manno - Concord Township, OH (APP-000220731)

G. RESPONSIBLE PERSON ON MORE THAN ONE LICENSE REQUESTS (Southard)

1. Vivekanand Manocha, MD (35.087792)

- **Interventional Spine & Pain Center (022141300)**
- **Midwest Spine Interventionalist DBA Interventional Spine & Pain Center (0269000006)**
- **Midwest Spine Interventionalist DBA Interventional Spine & Pain Center (0269000010)**

H. PHARMACY RULES FOR REVIEW (McNamee/Wai)

- 1. 4729:5-5-20 - Remote Outpatient Prescription Processing**
- 2. 4729:5-9-2.14 - Remote Medication Order Processing**
- 3. 4729:4-1-05 - Individual Licensee or Registrant Probation**
- 4. 4729:4-1-09 - Terms While Under Suspension**
- 5. 4729:5-5-11 - Prescription Copy**
- 6. 4729:9-1-01 - Schedule I Controlled Substances**
- 7. 4729:5-8-04 - Drugs Compounded by a Nonresident Pharmacy**

1:00 P.M.

I. *ADJUDICATIONS (continued)– *Note: The Board will likely take a short five-minute break between the hearing and prior to Board business*

- 1. Rita McElwain-Kelley—Flushing, Ohio**
 - **Respondent’s Attorney: Dean G. Makricostas**
 - **State’s Attorney: Henry Appel**

J. DISCUSSION ITEMS (McNamee)

- 1. Rule 4729:5-5-21**
- 2. HME Criminal Records Check Requirements**

Tuesday, September 1, 2020

9:00 a.m. – Instructions to access Skype Meeting will be located [here](#) the morning of the meeting.

A. ROLL CALL

B. ADJUDICATIONS – *Note: The Board will likely take a short five-minute break between hearings and prior to Board business*

- 1. John Jeffries—Saint Clairsville, Ohio (Goldman)**
 - **Respondent’s Attorney: Pro Se**
 - **State’s Attorney: Henry Appel**

****BOARD BUSINESS (Continued)**

C. MEDICAL MARIJUANA DISCUSSION ITEMS (Maerten-Moore)

- 1. Program Update**
- 2. NMG Ohio, LLC Change of Ownership Application**
- 3. Medical Marijuana Rules for Review: CSI Comments**

Chapter 3796:6 Proposed Amended Rules

- a. 3796:6-2-02 Applications to operate medical marijuana dispensaries.**
- b. 3796:6-2-04 Medical marijuana dispensary license application evaluation.**
- c. 3796:6-2-05 Number of dispensary provisional licenses.**

*Adjudications will begin at approximately 9:00 a.m. Monday and Tuesday morning, and will continue until complete.
**Reports, New Business, Matters for Discussion, Administrative Matters and Executive Session may occur at any point during the Board Meeting.

- d. 3796:6-2-06 Final inspection and certificate of operation for medical marijuana dispensaries.
- e. 3796:6-2-07 Licensing of medical marijuana dispensary associated key employees and dispensary key employees.
- f. 3796:6-2-08 Licensing of medical marijuana dispensary support employees.
- g. 3796:6-2-10 Medical marijuana dispensary certificate of operation renewal.
- h. 3796:6-2-13 Request to relocate a dispensary.
- i. 3796:6-3-01 Dispensary operations generally.
- j. 3796:6-3-03 Hours of operation.
- k. 3796:6-3-05 Medical marijuana dispensary designated representative.
- l. 3796:6-3-08 Dispensing of medical marijuana.
- m. 3796:6-3-11 Duty to report.
- n. 3796:6-3-13 Review of dispensing errors.
- o. 3796:6-3-14 Destruction and disposal of medical marijuana.
- p. 3796:6-3-17 Record keeping requirements.
- q. 3796:6-3-19 Employee training requirements.
- r. 3796:6-3-20 Medical marijuana dispensary internal inventory control system.
- s. 3796:6-3-22 Prohibitions.
- t. 3796:6-3-23 Dispensary access.
- u. 3796:6-4-03 Grounds for discipline.
- v. 3796:6-5-01 Medical marijuana dispensary fee structure.

Chapter 3796:7 Proposed Amended Rules

- a. 3796:7-2-02 Caregiver eligibility.
- b. 3796:7-2-08 Grounds for discipline.

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- c. **3796:7-2-09 Suspension of a patient or caregiver registration without a hearing.**

Chapter 3796:8 Proposed Amended Rules

- a. **3796:8-3-01 Product identifier fee.**

1:00 p.m.

D. BOARD APPEARANCE

- 1. Centerville Long Term Care Pharmacy – Probationary Requirement**
- **Phillip Broerman, RPh, Responsible Person**

E. PROPOSED ORDERS FOR CONSIDERATION (Executive Session)

- 1. Denied medical marijuana dispensary applicant review – no hearing requested: viable/low score, Restore Integrative Wellness (2018-M490) (Sheridan/Dehner)**
- 2. Reports & Recommendation for Consideration (Koltak)**
- **Karla Moore (A-2020-0178)**
- 3. Pharmacy technician and medical marijuana dispensary employee administrative cases for Board consideration – no hearing requested (Gilbert/Siba/Koltak/Sheridan)**
- **Chanelle La'Shawn Middlebrooks (A-2018-0106)**
 - **Alicia Smith (A-2018-0107)**
 - **Joshua Bey (A-2019-0084)**
 - **Shelby Hall (A-2018-0148)**
 - **Sharea Ayers (A-2019-0036)**
 - **Monique Callieham (A-2018-0041)**
 - **Jachelle Sims (A-2019-0029)**
 - **Jasmine Greys (A-2019-0074)**
 - **Tim Bednarz (A-2019-0250)**
 - **Arvin Irizarry (A-2019-0520-MME)**

F. SUMMARY SUSPENSION/MENTAL PHYSICAL EXAMINATION – as needed (Pyles)

G. ADJOURN

*Adjudications will begin at approximately 9:00 a.m. Monday and Tuesday morning, and will continue until complete.
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*****Wednesday, September 2, 2020, 9:00 a.m.**

PROBATION COMMITTEE MEETING

Instructions to access Probation Committee Skype Meeting will be located [here](#) the day of the meeting.

PROBATION COMMITTEE MEETING

A. APPEARANCES

- 1. Amy Wildermuth**
- 2. Cynthia Yu**
- 3. Katherine Schaefer**
- 4. Chanice Newcomer**