



**STATE OF  
OHIO**  
BOARD OF PHARMACY

## **BOARD MEETING AGENDA February 5<sup>th</sup>, 6<sup>th</sup>, and 7<sup>th</sup> 2024**

**Monday, February 5<sup>th</sup> – Probation Committee Meeting at  
9:00 a.m.**

**Monday, February 5<sup>th</sup> - Board Meeting at 10:00 a.m.**

**Tuesday, February 6<sup>th</sup> - Board Meeting at 9:00 a.m.**

**Wednesday, February 7<sup>th</sup> - Board Meeting at 9:00 a.m.**

**Vern Riffe Center – 17<sup>th</sup> Floor – Hearing Room**

### **VIEWING OPTIONS:**

- **Limited seating for the public will be available in the 17<sup>th</sup>-Floor Board Meeting Room.**
- **Online streaming of the Board Meeting via Teams will also be available for members of the public who prefer to view remotely.**

The State of Ohio Board of Pharmacy is committed to providing access and inclusion and reasonable accommodation in its services, activities, programs, and employment opportunities in accordance with the Americans with Disabilities Act (ADA) and other applicable laws. To request a reasonable accommodation due to a disability please contact Jenelle D. Tyson, Human Resources Manager, 614-315-9835, [janelle.tyson@pharmacy.ohio.gov](mailto:janelle.tyson@pharmacy.ohio.gov), no later than 14 days before the meeting.

### **Monday, February 5<sup>th</sup>, 2024 PROBATION COMMITTEE MEETING**

**9:00 a.m. - The Probation Committee Meeting will NOT be accessible via Teams Meeting. Interested parties may attend in-person in the 17th Floor-Board Meeting Room.**

#### **A. APPEARANCES**

- 1. Darrel Dunker**
- 2. Jordan Talbert**

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

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3. Michele Hacker
4. Dani (Stacy) Kmentt

**B. DISCUSSION ITEMS**

1. Kenneth Smith

**C. ADJOURN**

**Monday, February 5<sup>th</sup>, 2024**  
**BOARD MEETING**

10:00 a.m. – Instructions to access the Teams Meeting will be located [here](#) the morning of the meeting.

**A. ROLL CALL**

**B. ADJUDICATION**

1. Eric T. Juergens, Yellow Springs, Ohio (A-2022-0578) & Madison Avenue Pharmacy, Springfield, Ohio (A-2022-0577)
  - Respondent's Attorneys: Walter A. (Scott) Lucas & Samuel J. Lauricia
  - State's Attorney: Henry Appel

**Tuesday, February 6<sup>th</sup>, 2024**  
**BOARD MEETING**

9:00 a.m. – Instructions to access the Teams Meeting will be located [here](#) the morning of the meeting. The *Royer* hearing will NOT be accessible via Teams Meeting. Interested parties may attend in-person in the 17<sup>th</sup> Floor-Board Meeting Room.

**A. ROLL CALL**

**B. ADJUDICATION**

1. Joshua Royer, Bethel, Ohio (A-2022-0410) - NO HEARING REQUESTED
  - Respondent's Attorney: n/a
  - State's Attorney: Henry Appel

Approximately 9:30 a.m.

**C. REPORTS AND CORRESPONDENCE**

- OARRS Report (Defiore-Hyrmer/Garner)
- Compliance Report (Griffin)
- Legal Report (Maerten-Moore)
- Licensing Report (Southard)
- Legislative (McNamee)
- Executive Director Report (Schierholt)

**D. PHARMACY TECHNICIAN TRAINEE EXTENSION REQUESTS (Southard)**

\*\*Reports, New Business, Matters for Discussion, Administrative Matters and Executive Session may occur at any point during the Board Meeting.

1. Deborah Turnipseed – Cleveland, OH (09112688)

**E. INTERN/PHARMACIST RATIO REQUEST** (Southard)

1. Asian Health Initiative Free Clinic

**F. EXAM ATTEMPT REQUEST** (Southard)

1. Kimoy Pemberton

**G. RECIPROCITY/FPGEC REQUEST** (Southard)

1. Rabih El-Sibai – Dearborn Heights, MI

**H. RESOLUTIONS** (McNamee)

1. NeighborHub Health - Drug Repository Program
2. Licensure Requirements for Terminal Distributors

**I. RULES** (McNamee)

- 4729:5-5-02 - Minimum Standards for the Operation of an Outpatient Pharmacy
- 4729:5-5-02.1 - Provision of Ancillary Services in an Outpatient Pharmacy.
- 4729:5-5-02.2 - Mandatory Rest Breaks for Pharmacy Personnel.
- 4729:5-5-02.3 - Staffing Requests or Concerns in an Outpatient Pharmacy.
- 4729:5-5-02.4 - Significant Delays in the Provision of Pharmacy Services.
- 4729:5-5-02.5 - Outpatient Pharmacy Access Points.
- 4729:5-3-22 - Continuous Quality Improvement Programs in Pharmacy Services.
- 4729:1-4-02 - Duty to report.
- 4729:2-4-02 - Duty to report.
- 4729:3-4-02 - Duty to report.
- 4729:5-4-02 - Duty to Report.
- 4729:1-4-01 - Disciplinary actions.
- 4729:2-4-01 - Disciplinary actions.
- 4729:3-4-01 - Disciplinary actions.
- 4729:8-5-01 - Dispensary reporting into the prescription monitoring program. (RESCIND 3796:6-3-10)
- 4729-4-01 - Definitions - confidential personal information.
- 4729-4-02 - Confidential personal information.
- 4729-7-01 - Severability.
- 4729:1-3-05 - Therapeutic diabetic shoes.
- 4729:2-3-01 - Practice as a pharmacy intern.
- 4729:2-3-02 - Therapeutic diabetic shoes.
- 4729:5-1-02 - Licensed health professional authorized to prescribe drugs.
- 4729:5-3-01 - Disposal of controlled substances.
- 4729:5-3-03 - Inspections and corrective actions.
- 4729:5-3-05 - Confidentiality of patient records.
- 4729:5-3-06 - Storage of adulterated drugs.
- 4729:5-3-07 - Controlled substances inventory requirements.

4729:5-3-08 - Sales of dangerous drugs on-line.  
4729:5-3-10 - Employment of individuals with felony convictions.  
4729:5-7-01 - Definitions - Charitable pharmacies.  
4729:5-7-02 - Licensure, compliance, and support personnel.  
4729:5-7-03 - Persons eligible to transfer sample drugs to a charitable pharmacy.  
4729:5-7-04 - Eligibility requirements for sample drugs received by a charitable pharmacy.  
4729:5-7-05 - Dispensing a sample drug by a charitable pharmacy.  
4729:5-12-01 - Medication Therapy Management – Definitions  
4729:5-12-02 - Medication Therapy Management  
4729:6-2-03 - Criminal Records Checks.  
4729:6-2-04 - Drug Distributor Applications.  
4729:6-2-06 - Procedure for discontinuing business as a distributor of dangerous drugs.  
4729:6-3-01 - Disposal of controlled substances.  
4729:6-3-03 - Inspections and corrective actions.  
4729:6-3-04 - Verification of licensure prior to sale or purchase.  
4729:6-3-05 - Suspicious Order Monitoring and Due Diligence.  
4729:6-3-06 - Controlled Substances Inventory Requirements.  
4729:6-3-07 - Sales of dangerous drugs on-line.  
4729:6-3-08 - Distributor of dangerous drugs samples and complimentary supplies.  
4729:6-5-01 - Wholesale Distributors - General Operations.  
4729:6-5-02 - Wholesale distributors – recordkeeping.  
4729:6-6-01 - Virtual wholesalers - general operations.  
4729:6-7-01 - Brokers - general operations.  
4729:6-8-01 - Manufacturers - General Operations.  
4729:6-8-02 - Manufacturers - recordkeeping.  
4729:6-9-01 - Repackagers - General Operations.  
4729:6-9-02 - Repackagers - recordkeeping.  
4729:6-10-01 - Outsourcing facilities - general operations.  
4729:6-10-02 - Outsourcing facilities - record keeping.  
4729:6-11-01 - Third party logistics providers - general operations.  
4729:6-11-02 - Third party logistics providers - recordkeeping.  
4729:1-5-03 - Veteran and military family provisions related to continuing education.  
4729:2-1-01 - Definitions - pharmacy interns.  
4729:2-2-05 - Internship credit.  
4729:3-5-03 - Veteran and military family provisions related to continuing education.  
4729:5-1-01 - Definitions - terminal distributors of dangerous drugs.  
4729:6-1-01 - Definitions - distributors of dangerous drugs.

**J. SUMMARY SUSPENSION AND/OR MENTAL/PHYSICAL EXAMINATION REVIEW  
(as needed) (Flaharty)**

**Wednesday, February 7<sup>th</sup>, 2024**  
**BOARD MEETING**

\*\*Reports, New Business, Matters for Discussion, Administrative Matters and Executive Session may occur at any point during the Board Meeting.

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

**A. ROLL CALL**

**B. ADJUDICATION**

**1. CVS Pharmacy #10246, Toledo, Ohio (A-2022-0453)**

- **Respondent's Attorneys: Kristina Dahmann and Lydia Reback**
- **State's Attorneys: Henry Appel and Caitlyn Nestleroth Johnson**

**C. ADJOURN**