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Minutes of the January 16-18 2007 **Meeting of the Ohio State Board of Pharmacy**

TUESDAY, JANUARY 16, 2007

12:51 p.m. The Ohio State Board of Pharmacy convened in Room East B, 31st Floor, of the Vern Riffe Center for Government and the Arts, 77 South High Street, Columbus, Ohio, with the following members present:

James E. Turner, R.Ph., *President*; Gregory Braylock, R.Ph., *Vice-President*; Robert P. Giacalone, R.Ph.; Elizabeth I. Gregg, R.Ph.; Nathan S. Lipsyc, R.Ph.; Kevin J. Mitchell, R.Ph.; Heather L. Pasquale, R.Ph.; and Dorothy S. Teater, Public Member.

Also present were William T. Winsley, *Executive Director*; Timothy Benedict, *Assistant Executive Director*; William McMillen, *Licensing Administrator*; Mark Keeley, *Legislative Affairs Administrator*; David Rowland, *Legal Affairs Administrator*; and Sally Ann Steuk, *Assistant Attorney General*.

1:01 p.m.

R-2007-114 Mr. Keeley presented the following list of requirements for a computer accessed remote order-entry process for pharmacies for discussion with the Board. After discussion, Mr. Braylock moved that the Board approve the following list of requirements. The motion was seconded by Mr. Lipsyc and approved by the Board. Aye – 7

To be considered board-approved for remote pharmacy computer access, the following requirements, at a minimum, must be met:

- 1) The remote computer must have positive identification, pursuant to rule 4729-5-01(N), of the pharmacist accessing the computer system. If an alternative method to achieve positive identification is desired it must be presented to the Board for approval.
- 2) The remote computer access shall only involve pharmacists and they must be registered and practicing in Ohio. If not, the procedure for remote pharmacy computer access must be presented to the Board for approval.
- 3) There must be an audit trail of any pharmacist remotely accessing the pharmacy computer system. The audit information should contain at least the date, time, information reviewed, information entered, and pharmacist accessing the system. This information should be placed in a report that is reviewed and compared to the orders/documentation as soon as possible by the Responsible Pharmacist or his/her designee. A policy should be in place to detail this quality assurance procedure.
- 4) The remote access and order information received must be secure to ensure confidentiality. The pharmacy must have a confidentiality policy and make a reasonable attempt to determine that it is being followed. If appropriate, this

may require a site inspection by the Responsible Pharmacist or his/her designee.

- 5) The Board must inspect and approve remote pharmacy computer access and its policies prior to use.

- 1:19 p.m. The Board was joined by Assistant Attorney General Sally Ann Steuk to conduct an adjudication hearing in accordance with the Ohio Revised Code Chapters 119. and 4729. in the matter of **Dusini Drugs** (02-1221200) New Philadelphia, Ohio; **Scott Vinci**, R.Ph. (03-2-17886) New Philadelphia, Ohio; **Connie Jo Campbell**, R.Ph. (03-2-15169) Mineral City, Ohio; and **Frank Dusini**, R.Ph. (03-1-06591), New Philadelphia, Ohio.
- 5:10 p.m. The hearing was continued and the Board recessed for the day.

WEDNESDAY, JANUARY 17, 2007

- 9:04 a.m. The Ohio State Board of Pharmacy convened in Room East B, 31st Floor, of the Vern Riffe Center for Government and the Arts, 77 South High Street, Columbus, Ohio, with the following members present:
- James E. Turner, R.Ph., *President*; Gregory Braylock, R.Ph., *Vice-President*; Robert P. Giacalone, R.Ph.; Elizabeth I. Gregg, R.Ph.; Nathan S. Lipsyc, R.Ph.; Kevin J. Mitchell, R.Ph.; Heather L. Pasquale, R.Ph.; and Dorothy S. Teater, Public Member.
- 9:06 a.m. The adjudication hearing in accordance with the Ohio Revised Code Chapters 119. and 4729. in the matter of **Dusini Drugs** (02-1221200) New Philadelphia, Ohio; **Scott Vinci**, R.Ph. (03-2-17886) New Philadelphia, Ohio; and **Connie Jo Campbell**, R.Ph. (03-2-15169) Mineral City, Ohio and consideration of the matter of **Frank Dusini**, R.Ph. (03-1-06591), New Philadelphia, Ohio resumed.
- 11:45 a.m. The Board recessed for lunch.
- 1:12 p.m. The meeting resumed and Mrs. Gregg moved that the Board go into Executive Session for the purpose of the investigation of complaints regarding licensees and registrants pursuant to Section 121.22(G)(1) of the Ohio Revised Code and to confer with an attorney for the Board regarding pending or imminent court action pursuant to Section 121.22(G)(3) of the Ohio Revised Code. The motion was seconded by Mrs. Teater and a roll-call vote was conducted by President Turner as follows: Braylock – yes; Giacalone – yes; Gregg – yes; Lipsyc – yes; Mitchell – yes; Pasquale – yes; and Teater – yes.
- 1:20 p.m. The Executive Session ended and the adjudication hearing in accordance with the Ohio Revised Code Chapters 119. and 4729. in the matter of **Dusini Drugs** (02-1221200) New Philadelphia, Ohio; **Scott Vinci**, R.Ph. (03-2-17886) New Philadelphia, Ohio; and **Connie Jo Campbell**, R.Ph. (03-2-15169) Mineral City, Ohio and consideration of the matter of **Frank Dusini**, R.Ph. (03-1-06591), New Philadelphia, Ohio resumed.
- 4:34 p.m. The Board recessed for the day.

THURSDAY, JANUARY 18, 2007

- 8:54 a.m. The Ohio State Board of Pharmacy convened in Room East B, 31st Floor, of the Vern Riffe Center for Government and the Arts, 77 South High Street, Columbus, Ohio, with the following members present:
- James E. Turner, R.Ph., *President*; Gregory Braylock, R.Ph., *Vice-President*; Robert P. Giacalone, R.Ph.; Elizabeth I. Gregg, R.Ph.; Nathan S. Lipsyc, R.Ph.; Kevin J. Mitchell, R.Ph.; Heather L. Pasquale, R.Ph.; and Dorothy S. Teater, Public Member.

8:55 a.m.

R-2007-115 After discussion, Mr. Lipsyc moved that the Board find the proposed **Omnicare Cincinnati Clinical Intervention Center** (TDDD# 02-1663950) West Chester, Ohio, central processing system with Beeber and Home Care Pharmacy to be approvable pending final inspection. Mr. Braylock seconded the motion and it was approved by the Board: Aye – 7.

9:14 a.m. The adjudication hearing in accordance with the Ohio Revised Code Chapters 119. and 4729. in the matter of **Dusini Drugs** (02-1221200) New Philadelphia, Ohio; **Scott Vinci**, R.Ph. (03-2-17886) New Philadelphia, Ohio; and **Connie Jo Campbell**, R.Ph. (03-2-15169) Mineral City, Ohio and consideration of the matter of **Frank Dusini**, R.Ph. (03-1-06591), New Philadelphia, Ohio resumed.

10:04 a.m. The hearing was recessed briefly and Mrs. Gregg moved that the Board go into Executive Session for the purpose of the investigation of complaints regarding licensees and registrants pursuant to Section 121.22(G)(1) of the Ohio Revised Code and to confer with an attorney for the Board regarding pending or imminent court action pursuant to Section 121.22(G)(3) of the Ohio Revised Code. The motion was seconded by Mr. Mitchell and a roll-call vote was conducted by President Turner as follows: Braylock – yes; Giacalone – yes; Gregg – yes; Lipsyc – yes; Mitchell – yes; Pasquale – yes; and Teater – yes.

10:17 a.m. The Executive Session ended and the meeting was opened to the public.

R-2007-116 Mr. Braylock moved that the Board summarily suspend the license to practice pharmacy belonging to **Allison Re**, R.Ph. (03-3-24114) pursuant to Ohio Revised Code 3719.121(A) and 3719.121(B). The motion was seconded by Ms. Pasquale and approved by the Board: Aye – 7.

10:47 a.m. The adjudication hearing in accordance with the Ohio Revised Code C Chapters 119. and 4729. in the matter of **Dusini Drugs** (02-1221200) New Philadelphia, Ohio; **Scott Vinci**, R.Ph. (03-2-17886) New Philadelphia, Ohio; and **Connie Jo Campbell**, R.Ph. (03-2-15169) Mineral City, Ohio and consideration of the matter of **Frank Dusini**, R.Ph. (03-1-06591), New Philadelphia, Ohio resumed.

12:15 p.m. The Board recessed for lunch.

1:08 p.m. The adjudication hearing in accordance with the Ohio Revised Code Chapters 119. and 4729. in the matter of **Dusini Drugs** (02-1221200) New Philadelphia, Ohio; **Scott Vinci**, R.Ph. (03-2-17886) New Philadelphia, Ohio; and **Connie Jo Campbell**, R.Ph. (03-2-15169) Mineral City, Ohio and consideration of the matter of **Frank Dusini**, R.Ph. (03-1-06591), New Philadelphia, Ohio resumed.

1:53 p.m. The hearing was stopped and the Board recessed briefly.

2:14 p.m. Mrs. Gregg moved that the Board go into Executive Session for the purpose of the investigation of complaints regarding licensees and registrants pursuant to Section 121.22(G)(1) of the Ohio Revised Code and to confer with an attorney for the Board regarding pending or imminent court action pursuant to Section 121.22(G)(3) of the Ohio Revised Code. The motion was seconded by Mrs. Teater and a roll-call vote was conducted by President Turner as follows: Braylock – yes; Giacalone – yes; Gregg – yes; Lipsyc – yes; Mitchell – yes; Pasquale – yes; and Teater – yes.

2:42 p.m. The Executive Session ended and the meeting was opened to the public.

2:42 p.m. The adjudication hearing in accordance with the Ohio Revised Code Chapters 119. and 4729. in the matter of **Dusini Drugs** (02-1221200) New Philadelphia, Ohio; **Scott Vinci**, R.Ph. (03-2-17886) New Philadelphia, Ohio; and **Connie Jo Campbell**, R.Ph. (03-2-15169) Mineral City, Ohio and consideration of the matter of **Frank Dusini**, R.Ph. (03-1-06591), New Philadelphia, Ohio resumed.

3:10 p.m. The Board recessed for the day with the hearing set to resume February 5, 2007 at 8:00 a.m.

3:13 p.m. Mrs. Gregg moved that the Board receive Per Diem as follows:

PER DIEM	01/16	01/17	01/18	Total
Braylock	1	1	1	3
Eastman	-	-	-	-
Giacalone	1	1	1	3
Gregg	1	1	1	3
Lipsyc	1	1	1	3
Mitchell	1	1	1	3
Pasquale	1	1	1	3
Teater	1	1	1	3
Turner	1	1	1	3

The motion was seconded by Mrs. Teater and approved by the Board: *Aye – 7.*

3:13 p.m. Mr. Lipsyc moved that the meeting be adjourned. The motion was seconded by Mrs. Gregg and approved by the Board: *Aye – 7.*

<p>The Ohio State Board of Pharmacy approved these Minutes January 6, 2007</p>
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