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)
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

*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.
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.

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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)


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

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