

**MINUTES
DEPARTMENT OF HEALTH
BOARD OF PHARMACY
FULL BOARD MEETING**

June 10-11, 2014

Embassy Suites – Lake Buena Vista
4955 Kyns Heath Road
Kissimmee, FL 34746
(407) 597-4000

Board Members:

Jeffrey J. Mesaros, PharmD, Chair, Orlando
Michele Weizer, PharmD, Vice-Chair, Boca Raton
Goar Alvarez, PharmD, Cooper City
Leo J. “Lee” Fallon, BPharm, PhD, The Villages
Debra B. Glass, BPharm, Tallahassee
Gavin Meshad, Consumer Member, Sarasota
Mark Mikhael, PharmD, Orlando
Jeenu Philip, BPharm, Jacksonville

Board Staff:

Patrick Kennedy, Executive Director
Tammy Collins, Program Operations Administrator
Jay Cumbie, Regulatory Specialist II

Board Counsel:

David Flynn, Assistant Attorney General
Lynette Norr, Assistant Attorney General

Department of Health Staff:

Yolonda Green, Assistant General Counsel
Matthew Witters, Assistant General Counsel

Tuesday, June 10, 2014 – 1:02p.m.

1:00 p.m. Call to Order by Jeffrey J. Mesaros, PharmD, Chair

All members present with the exception of Goar Alvarez and Gavin Meshad.

TAB 1

REPORTS

A. Chair’s Report – Jeffrey J. Mesaros, PharmD, Chair

Dr. Mesaros welcomed new Executive Director Patrick Kennedy to the Board of Pharmacy.

Dr. Mesaros then gave a brief report of the proceedings from the 110th Annual NABP Meeting in Phoenix, AZ.

Dr. Mesaros informed the audience that the Board will be hosting a conference call in July with the purpose of discussing House Bill 323. Dr. Mesaros then requested that any parties interested in participating in the call as an industry or community advisor submit a letter or email of interest to Board staff.

B. Executive Director’s Report – Patrick Kenned, MA

1. Legislative Update – Patrick Kennedy, MA

Mr. Kennedy presented the legislative update that included the passage of both House Bill 323 and House Bill 7077. Mr. Kennedy informed the Board and the audience that the bills have been presented to the Governor and are awaiting his signature.

Mr. Kennedy then informed the Board and audience that Senate Bill 1030 specifically exempts the dispensing of medical marijuana from Chapter 465 and stated that the Board of Pharmacy will not be afforded an official role in the dispensing of medical marijuana.

2. Compounding Rules Committee Report – Michele Weizer, PharmD

Dr. Weizer started her report by presenting the new recommended language changes to Rule 64B16-27.797(3) that shall read as follows: “**Current Good Manufacturing Practices:** The Board deems that this rule is complied with for any sterile products that are compounded in strict accordance with Current Good Manufacturing Practices per 21 U.S.C. § 501 (2012), adopted and incorporated herein by reference and 21 C.F.R. Parts 210 and 211 (2011), adopted and incorporated herein by reference.”

Motion: by Dr. Weizer, seconded by Dr. Mikhael, to approve new language. Motion carried.

Dr. Weizer then moved to the next recommended change to 64B16-27.797 which included the striking of section 5 and 6 from the rule.

Motion: by Dr. Mesaros, seconded by Dr. Fallon, to strike section 5 and 6 from Rule 64B16-27.797. Motion carried.

Dr. Weizer then presented language regarding an air flow exemption that had been discussed at the June 9, 2014 Compounding Rules Committee.

Motion: by Dr. Weizer, seconded by Dr. Fallon, to approve the language. Motion carried.

Motion: by Dr. Weizer, seconded by Dr. Fallon, that the three modifications to Rule 64B16-27.797 will not have a negative economic impact and that a SERC is not required. Motion carried.

C. Attorney General’s Report – David Flynn, Assistant Attorney General

1. Rules Report – Lynette Norr, Assistant Attorney General

Ms. Norr presented the June rules report which included the current status of Rules: 64B16-27.700, 64B16-27.797, 64B16-28.820, 64B16-27.100, 64B16-26.1031, 64B16-26.2034, 64B16-26.351, 64B16-26.601, 64B16-603, 64B16-27.210, 64B16-27.300, 64B16-27.800, 64B16-27.851, 64B16-28.2021, 64B16-28.450, 64B16-28.503, 64B16-28.605, 64B16-28.606, 64B16-28.607, 64B16-28.702, and 64B16-29.0041.

2. Petition for Declaratory Statements – Mart T. Mason

David Flynn advised the Board to deny the petition for declaratory statement based on the fact that the request doesn’t meet the requirements as set by Chapter 120.565 “Petitions for Declaratory Statements.” Mr. Flynn followed up by stating that the Board cannot rule on a Statute that isn’t in effect.

Motion: by Dr. Mesaros, seconded by Dr. Fallon, to deny the Petition for Declaratory Statement. Motion carried.

3. PDMP Compliance Letter

The Board members discussed the PDMP Compliance Letter which reminded the profession that you are required to report to the PDMP even if there are zero additions.

D. Prosecution Services Report – Yolonda Green, Assistant General Counsel

Mrs. Green presented the Prosecution Services Report which outlined the prosecution services unit's current caseload and informed the Board that the Pharmacy prosecution team is now fully staffed.

Motion: by Dr. Weizer, seconded by Mrs. Glass, to allow Prosecution Services to continue prosecuting cases one year or older. Motion carried.

E. Chief Investigative Services Report – Mark Whitten

Mr. Whitten provided the Board with a report from the Chief Investigative Services Unit. Mr. Whitten stated that 93% of pharmacies have been inspected and made note that the number is short of 100% due to the fact sterile compounding facilities have been made the top priority. Mr. Whitten followed that by stating that 100% of sterile compounding facilities in the state of Florida have been inspected. Mr. Whitten then informed the Board and audience of the new processes in place for inspectors.

TAB 2 BUSINESS – Jeffrey J. Mesaros, PharmD, Chair

A. Ratification of Issued Licenses/Certificates & Staffing Ratios

1. Pharmacist (Licensure) (Client 2201) – 107
2. Pharmacist (Exam Eligibility) (Client 2201) – 117
3. Pharmacist Interns (Client 2202) – 130
4. Registered Pharmacy Technicians (Client 2208) – 1,067
5. Consultant Pharmacist (Client 2203) – 35
6. Nuclear Pharmacist (Client 2204) – 0
7. Pharmacies/Facilities (Client 2205) – 509
8. Registered Pharmacy Technician Ratios (2:1 or 3:1)- 302
9. Pharmacy Technician Training Program (Client 2209) - 28
10. CE Providers – 12
11. CE Courses – 30
12. CE Individual Requests (Approved) – 4
13. CE Individual Requests (Denied) - 1

Motion: by Dr. Mesaros, seconded by Mrs. Glass, to ratify issued licenses/certificates & staffing ratios. Motion carried.

B. Review and Approval of Minutes

1. April 1-2, 2014 Meeting Minutes

Motion: by Mrs. Glass, seconded by Dr. Weizer, to approve the minutes from the April 1-2, 2014 Meeting. Motion carried.

Dr. Mesaros informed the Board and audience that the presentation originally scheduled to take place had been moved to later a meeting.

Brad Feiger and Martin Dix, Esquire approached the Board to discuss Mr. Feiger's application for pharmacist licensure by examination (permitted by Dr. Jeff Mesaros, PharmD, Chair).

Mr. Dix stated that his client had just graduated and cited the timeframe between the agenda cycles as his basis of good cause for amending the agenda.

Motion: by Dr. Mesaros, seconded by Dr. Weizer, that there is good cause to amend the agenda. Motion carried.

Mr. Feiger was present and sworn in by the court reporter.

Motion: by Dr. Weizer, seconded by Mrs. Glass, to allow applicant to sit for the exam upon receipt of the applicant's medical errors CE certificate. Motion carried.

Public Comments:

Dr. Mesaros opened the floor to public comments.

Michael Jackson (Florida Pharmacy Association) approached the Board to request that Patrick Kennedy and Dr. Fallon attend the July FPA Annual Meeting to present the 50 year pharmacist certificates.

Dr. Mesaros requested Mr. Jackson bring a list of the recipients of the 50 year pharmacist certificates to be read into the record at the August Florida Board of Pharmacy meeting.

Mr. Kennedy requested that Board vote on proposed meeting dates and locations for the 2015 calendar year. Mr. Kennedy also requested that Board decide if they would like to keep the meetings on Tuesday and Wednesdays or move them to Thursday and Fridays for 2015.

After much deliberation, Dr. Mesaros suggested the Board put some thought into the schedule and bring back any recommendations to Wednesday's meeting.

Motion: by Mr. Philip, seconded by Dr. Fallon, to adjourn the meeting at 2:26p.m.

Wednesday, June 11, 2014 – 9:00 a.m

9:00 a.m. Call To Order by Jeff J. Mesaros, PharmD

All members were present with the exception of Goar Alvarez, PharmD

Dr. Mesaros welcomed the students from the various schools around the state to the meeting.

Dr. Mesaros requested any suggestions from Board members regarding 2015 meeting dates and locations per the discussion from the June 10, 2014 meeting be proposed at this time.

Motion: by Dr. Fallon, seconded by Dr. Weizer, to keep the Tuesday/Wednesday meeting schedule with meetings taking place in the following cities: Orlando (twice), Tampa, Deerfield Beach, Gainesville, and Tallahassee. Motion carried.

TAB 3 Rules Committee Report – Jeffrey J. Mesaros, PharmD, Chair

Ms. Norr gave a brief report of the proceedings from the June 10, 2014 Rules Committee which included the proposed annual regulatory plan.

Motion: by Dr. Mesaros, seconded by Mr. Philip, to accept the annual regulatory plan created at the June 10, 2014 Board of Pharmacy Rules Committee. Motion carried.

TAB 4 DISCIPLINARY CASES – Yolonda Green, Assistant General Counsel

Dr. Mesaros informed the Board and audience that the cases will be taken out of order due to a scheduling conflict.

Please note Settlement Agreements – A-1, A-14, and A-15 were heard after the Informal Cases section.

A. SETTLEMENT AGREEMENT– APPEARANCE REQUIRED CASES

A-1 Alan C. Zimmer, PS 23369 – Boca Raton, FL
Case No. 2012-12992 - PCP Fallon/Meshad

Respondent violated:

Count One: Section 456.072(1)(x), Florida Statutes (2011), which provides that failing to report to the Board, or the department if there is no Board, in writing within thirty days after the licensee has been convicted or found guilty of, or entered a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction constitutes grounds for discipline.

Terms of the Settlement Agreement: Respondent shall be present. Respondent shall pay a fine of \$1,000.00. Respondent shall pay costs of \$611.31. Respondent shall complete a 12 hour Laws and Rules CE.

Respondent was present and sworn in by the court reporter. Respondent was represented by Bill Furlow, Esquire.

Motion: by Dr. Weizer, seconded by Mr. Philip, to accept the settlement agreement. Motion carried.

A-2 Magdi Mikhail Bishara, PS 47410 – Clearwater, FL
Case No. 2013-09121 – PCP Mesaros/Risch

Respondent violated:

Count One: Section 465.016(1)(m) by being unable to practice pharmacy with reasonable skill and safety by reason of use of drugs or narcotics.

Count Two: Section 465.016(1)(i), F.S. (2012-2013), by dispensing controlled substances to himself for reasons outside of the course of the professional practice of pharmacy.

Count Three: Section 465.016(1)(r), F.S. (2012-2013), by violating Section 456.072(1)(b), F.S. (2012-2013), by making misleading or fraudulent representations in the practice of pharmacy.

Terms of the Settlement Agreement: Respondent shall be present. Respondent shall pay a fine of \$1,000.00. Respondent shall pay costs not to exceed \$3,554.40. Respondent must complete a 12 hour Laws and Rules CE within one year. Respondent shall undergo and evaluation from PRN and follow all requirements and recommendations. Respondent shall be placed on probation for a year concurrent with his PRN contract if one is offered.

Case A-2 was pulled from the agenda by Prosecution Services.

A-3 Kerri Morelock Wenslow, PS 44198
Case No. 2013-15058 – PCP – Weizer/Philip

Respondent violated:

Count One: Section 456.072(1)(q), F.S. (2012), by violating a lawful order of the department of the Board, or failing to comply with a lawfully issued subpoena of the department.

Terms of the Settlement Agreement: Respondent shall be present. Respondent shall pay an administrative fine in the amount of \$1,000.00 payable within 30 days. Respondent shall pay costs of \$355.82 within 90 days. Respondent shall complete 4 hours of med errors continuing education credit and 32 hours of credit of any Florida Approved General Pharmacists Courses of which 20 hours must be attended live by respondent within one year.

Respondent was not present nor represented by counsel.

Motion: by Mr. Meshad, seconded by Dr. Fallon, to accept the settlement agreement. Motion carried.

A-4 Donna M. Fulton, PS 29339 – Tampa, FL
Case No. 2013-09986 – PCP – Glass/Mikhael

Respondent violated:

Count One: Section 456.072(1)(k), F.S. (2013), by violating Section 465.022(11)(a), F.S. (2013), by failing to ensure the permittee's compliance with all rules adopted under those chapters as they relate to the practice of the profession of pharmacy and the sale of prescription drugs.

Terms of the Settlement Agreement: Respondent shall be present. Respondent shall pay administrative fine in the amount of \$2,000.00 payable within 30 days. Respondent shall pay costs of \$1,623.56. Respondent shall complete a 12 hour laws and rules CE to be completed within 1 year.

Respondent was present and sworn in by the court reporter. Respondent was represented by Daniel Fernandez, Esquire.

Respondent stated for the record her name is now Donna M. Dunn.

Motion: by Dr. Fallon, seconded by Mr. Philip, to accept the settlement agreement. Motion carried.

The respondent requested the Board extend the payment deadline to 180 days.

Motion: by Mr. Philip, seconded by Dr. Fallon to allow the respondent 180 days to pay the fines and costs associated with this case.

A-5 Future Pharmacy, LLC, PH 24109 – Tampa, FL
Case No. 2013-09966 – PCP – Glass/Mikhael

Respondent violated:

Count One: Section 465.023(1)(c), F.S. (2013), by violating Rule 64B16-28.110, F.A.C., persons qualified to do so shall examine the stock of the prescription department of each pharmacy at a minimum interval of four months, and shall remove all deteriorated pharmaceuticals or pharmaceuticals which bear upon the container an expiration date which date has been reached.

Count Two: Section 465.023(1)(c), F.S. (2013), by violating Rule 64B16-27.797(4), F.A.C., a policy and procedure manual shall be prepared and maintained for the compounding, dispensing, and delivery of sterile preparations prescriptions and shall be available for inspection by the Department.

Terms of the Settlement Agreement: Respondent shall be present. Respondent shall impose an administrative fine \$1,000.00 within 30 days. Respondent shall pay costs of \$1,757.00 within 90 days. Respondent shall complete a 12 hour Laws and Rules CE within one year.

Respondent was present and sworn in by the court reporter. Respondent was represented by Daniel Fernandez, Esquire.

The Board recommends the settlement agreement be orally amended to include that the respondent be placed on probation for a period of one year with semiannual inspections at the respondent's costs.

The respondent accepted the orally amended settlement agreement.

Motion: by Dr. Weizer, seconded by Mr. Meshad, to accept the amended settlement agreement. Motion carried.

A-6 Mercy Pharmacy Corp., PH 24592 – Coral Gables, FL
Case No. 2013-15391 – PCP – Weizer/Philip

Respondent Violated

Count One: Section 465.023(1)(c), F.S. (2013), by violating Rule 64B16-28.1081, F.A.C., which requires that any person who receives a community pharmacy permit pursuant to Section 465.018, F.S., and commences to operate such an establishment shall keep the prescription department of the establishment open for a minimum of forty (40) hours per week.

Terms of the Settlement Agreement: Respondent shall be present. Respondent shall pay administrative fine in the amount of \$1,000.00 payable within 30 days. Respondent must pay costs of \$1,334.63 within 90 days. Respondent shall complete a 12 hour Laws and Rules CE within one year.

Respondent (President of Mercy of Pharmacy Eliseo Degesus Esbaillat) was present and sworn in by the court reporter.

Motion: by Mrs. Glass, seconded by Mr. Meshad, to accept the settlement agreement. Motion carried.

A-7 Jide Collins Akambi, PS 17857 – Miramar, FL
Case No. 2013-15392 – PCP Weizer/Philip

Respondent Violated:

Count One: Section 456.072(1)(k), F.S. (2013), by violating Section 465.022(11)(a), F.S. (2013), by failing to sure the permittee's compliance with Rule 64B6-28.1081, F.A.C., which requires that any person who receives a community pharmacy permit pursuant to Section 465.018, F.S., and commences to operate such an establishment shall keep prescription department of the establishment open for a minimum of forty (40) hours per week.

Terms of the Settlement Agreement: Respondent shall be present. Respondent shall pay a fine of \$1,000.00 within 30 days. Respondent shall pay costs of \$1,026.65 within 90 days. Respondent shall complete a 12 hour laws and rules CE to be completed within one year. Respondent shall be placed on probation for a period of one year.

Respondent was present and sworn in by the court reporter.

Motion: by Dr. Fallon, seconded by Mrs. Glass, to reject the settlement agreement. Motion carried.

Motion: by Mr. Meshad, seconded by Dr. Fallon, for all the terms of the original settlement agreement with the addition of a probationary period of one year, during which time the respondent may not serve as a prescription department manager. The probationary period will begin upon completion of the 12 hour Laws and Rules CE course. Motion carried.

The respondent chose not to accept the counter offer at the meeting.

Please note that cases A-8 & A-9 contain the same facts for the same person and were considered at the same time.

Respondent was present and sworn in by the court reporter. Respondent was represented by Martin Dix, Esquire.

A-8 Samir V. Amin, PU 4620 – Orlando, FL
 Case No. 2012-13559 – PCP Glass/Mikhael

Respondent Violated:

Count One: Section 456.072(1)(o), F.S. (2011-2012), practicing or offering to practice beyond the scope permitted by law or accepting and performing responsibilities the licensee knows, or has reason to know, the licensee is not competent to perform.

Count Two: Section 456.072(1)(m), F.S. (2011-2012), making deceptive, untrue, or fraudulent representations in or related to the practice of a profession or employing a trick or scheme in or related to the practice of a profession.

Terms of the Settlement Agreement: Respondent shall be present. Respondent shall pay costs of \$1,822.50 within 12 months. Respondent shall complete a 12 hour laws and rules CE course within one year. Respondent shall be placed on probation for 2 years.

Motion: by Dr. Fallon, seconded by Mr. Philip, to reject the settlement agreements for both A-8 & A-9. Motion carried.

Motion: by Dr. Fallon, seconded by Mr. Philip, to collect costs and not allow the respondent to renew his consultant license. Motion carried.

A-9 Samir V. Amin, PS 28174 – Orlando, FL
 Case No. 2012-13506 – PCP Glass/Mikhael

Respondent Violated:

Count One: Section 456.072(1)(o), F.S. (2011-2012), practicing or offering to practice beyond the scope permitted by law or accepting and performing responsibilities the licensee knows, or has reason to know, the licensee is not competent to perform.

Count Two: Section 456.072(1)(m), F.S. (2011-2012), making deceptive, untrue, or fraudulent representations in or related to the practice of a profession or employing a trick or scheme in or related to the practice of a profession.

Terms of the Settlement Agreement: Respondent shall be present. Respondent shall pay a fine of \$6,000.00 within 12 months. Respondent shall pay costs not to exceed \$2,426.99 within 12 months. Respondent shall complete a 12 hour laws and rules CE credit within one year. Respondent shall be placed on probation for a period of 2 years.

Settlement agreement was rejected as part of the motion for agenda item A-8.

Motion: by Dr. Weizer, seconded by Dr. Fallon, for a settlement agreement with the same terms with the addition that the respondent cannot be a prescription department manager during probationary period. Motion carried.

Respondent accepted the counter offers for both A-8 & A-9.

A-10 Biosic-Winzeler, Inc., PH 12866 – Miami, FL
Case No. 2013-15420 – PCP Mesaros/Mikhael

Respondent Violated:

Count One: Section 465.023(1)(c), F.S. (2013), by violating Rule 64B16-28.109(1), F.A.C., the prescription department of any community pharmacy permittee shall be considered closed whenever the establishment is open and a pharmacist is not present and on duty.

Count Two: Section 465.023(1)(c), F.S. (2013), by violating Rule 64B16-109(5), F.A.C., whenever the prescription department of any community pharmacy establishment is closed, no person other than a pharmacist shall enter, be permitted to enter, or remain in the prescription department.

Terms of the Settlement Agreement: Respondent shall be present. Respondent shall pay an administrative fine of \$1,000.00 within 30 days. Respondent shall pay costs not to exceed \$889.20 within 90 days. Respondent shall be placed on probation for a period of one year.

Zurita Winzeler was present on behalf of the respondent and sworn in by the court reporter. Respondent was not represented by counsel.

Mrs. Glass recommended a 12 hour laws and rules CE course for the president of the pharmacy to complete within one year.

Ms. Winzeler agreed to the additional stipulation.

Motion: by Mrs. Glass, seconded by Mr. Philip, to accept the amended settlement agreement. Motion carried.

A-11 Shafali Data, PS 25758 – Parkland, FL
Case No. 2012-19066 – PCP Fallon/Glass

Respondent Violated:

Count One: Section 456.072(1)(k), F.S. (2012), by violating Section 465.022(11)(a), F.S. (2012), by failing to ensure the permittee's compliance with all rules adopted under those chapters as they relate to the practice of the profession of pharmacy and the sale of prescription drugs.

Terms of the Settlement Agreement: Respondent shall be present. Respondent shall pay a fine of 2,000.00. Respondent shall pay costs not to exceed \$2,041.89 within 90 days. Respondent shall complete a 12 hour laws and rules CE within one year. Respondent shall be placed on probation for a period of 2 years.

Respondent was present and sworn in by the court reporter. Respondent was represented by Christopher Brown, Esquire.

Motion: by Dr. Weizer, seconded by Dr. Mikhael, to reject the settlement agreement. Motion carried.

Motion: by Dr. Weizer, seconded by Mr. Meshad, for a settlement agreement with the same terms and with the addition of a permanent restriction for the entire length of licensure on acting as a prescription department manager. Motion carried with Mr. Philip in opposition.

Respondent did not accept the counter-offer at the meeting.

Please note A-13 was taken before A-12 due to the fact that it is related to A-11.

A-13 Coral Springs Specialty Pharmacy, Inc., PH 24616 – Coral Springs, FL
Case No. 2012-19067 – PCP Fallon/Glass

Respondent violated:

Count One: Section 465.023(1)(c), F.S. (2012), by violating Section 499.005(1), F.S. (2012), by manufacturing, repackaging, selling, delivering, or holding or offering for sale any drug, device, or cosmetic that is adulterated or misbranded or has otherwise been rendered unfit for human or animal use.

Count Two: Section 465.023(1)(c), F.S. (2012), by having an affiliated person, partner, officer, director, or agent of the Respondent violate the requirements of Chapter 465, F.S., Chapter 893, F.S., or the rules of the Board of Pharmacy.

Terms of the Settlement Agreement: Respondent shall be present. Respondent shall pay a fine of \$500.00 within 90 days. Respondent shall pay costs not to exceed \$2,154.32 within 90 days. Respondent shall be placed on probation for a period of one year with semiannual inspections at the respondent's cost.

Raj Data was present on behalf of the respondent and sworn in by the court reporter. Respondent was represented by Christopher Brown, Esquire.

Dr. Weizer requested the settlement agreement have a stipulation added that requires the respondent to complete a 12 hour laws and rules CE course.

Motion: by Dr. Weizer, seconded by Mr. Philip, to accept the amended settlement agreement. Motion carried.

A-12 Village Fertility Pharmacy, PH 23449 – Waltham, MA 02451
Case No. 2013-03343 – PCP Mesaros/Mikhael

Respondent Violated:

Count One: Section 465.023(1)(c), F.S. (2013), by violating Section 465.016(1)(h), F.S. (2013), by having been disciplined by a regulatory agency in another state for any offense that would constitute a violation of this chapter.

Terms of the Settlement Agreement: Respondent shall be present. Respondent shall pay fine of \$5,000.00 within 90 days. Respondent shall pay costs not to exceed \$2,577.12 within 90 days. Respondent shall be placed on probation for a period of 2 years.

David Brass was present on behalf of the respondent and sworn in by the court reporter. Respondent was not represented by counsel.

Motion: by Mr. Philip, seconded by Dr. Fallon, to accept the settlement agreement. Motion carried.

A-14 RPh Solution, Inc., PH 19484 – Dade City, FL
Case No. 2013-12131 – PCP – Glass/Risch

Respondent violated:

Count One: Section 465.023(1)(c), F.S. (2013), through a violation of Rule 64B16-28.140(3)(d), F.A.C., and/or Rule 64B16-28.140(4)(d), F.A.C.

Terms of the Settlement Agreement: Respondent shall be present. Respondent shall pay a fine of \$1,500.00 within 90 days. Respondent shall pay costs of \$1,334.95 within 90 days. Respondent shall be placed on probation for a period of one year including semiannual inspections at respondent's costs.

Hareesh Patel (Prescription Department Manager) was present on behalf of the respondent and sworn in by the court reporter. Respondent was represented by Ed Bayo, Esquire.

Motion: by Dr. Weizer, seconded by Dr. Mikhael, to accept the settlement agreement. Motion carried.

A-15 Hareesh C. Patel, PS 30906 – Tampa, FL
Case No. 2013-12130 – PCP – Glass/Risch

Respondent violated:

Count One: Section 456.072(1)(k), F.S. (2013) by violating Section 465.016(1)(r), F.S. (2013), through a violation of Section 465.22(11)(a), F.S. (2013), by failing to ensure the permittee's compliance with all rules adopted under those chapters as they relate to the practice of the profession of pharmacy and sale of prescription drugs.

Terms of the Settlement Agreement: Respondent shall be present. Respondent shall pay a fine of \$1,000.00 within 90 days. Respondent shall pay costs of \$670.41 within one year. Respondent must complete a 12 hour laws and rules CE course within one year. Respondent shall be placed on probation for a period of one year.

Respondent was present and sworn in by the court reporter. Respondent was represented by Ed Bayo, Esquire.

Dr. Weizer requested the settlement agreement be amended to restrict Mr. Patel's ability to be a PDM to the current permit.

The respondent agreed to the orally amended settlement agreement.

Motion: by Dr. Fallon, seconded Dr. Weizer, to accept the amended settlement agreement. Motion carried.

A-16 PharmaCity, LLC – PH 26251 – Miami, FL
Case No. 2013-02155 – PCP – Mesaros and Mikhael

Respondent violated:

Count One: Section 456.072(1)(k), F.S. (2012-2013), by failing to perform any statutory or legal obligation placed on a licensee, by violating Rules 64B16-28.102(1), 64B16-28.102(5)(a), 64B16-28.108, and 64B16-28.1081, F.A.C.

Terms of the Settlement Agreement: Respondent shall be present. Respondent shall pay a fine of \$1,000.00 within 90 days. Respondent shall pay costs not to exceed \$1,746.24 within 90 days. Respondent shall complete a 12 hour Laws and Rules CE course within one year.

Respondent was not present nor represented by counsel.

Motion: by Mrs. Glass, seconded by Mr. Philip to proceed without appearance.

Motion: by Mr. Meshad, seconded by Dr. Fallon, to accept the settlement agreement. Motion carried.

B. DETERMINATION OF WAIVER

DOW-1 Robert E. Thurn, PS 23814 – Hunt, TX
 Case No. 2013-15061 – PCP Mesaros/Mikhael

Respondent was not present nor represented by counsel.

Count One: Respondent 456.072(1)(q), F.S. (2012), by violating a lawful order of the department or board, or failing to comply with a lawfully issued subpoena of the department.

Motion: by Mr. Philip, seconded by Mrs. Glass, to accept the investigative report into evidence for the purposes of imposing a penalty, find that respondent was properly served and has waived the right to a formal hearing, and adopt the findings, facts, and conclusions of law set forth in the Administrative Complaint. Motion carried.

Motion: by Mrs. Glass, seconded by Mr. Philip, to adopt the conclusions of law set forth in the Administrative Complaint and find that this constitutes a violation of the Pharmacy Practice Act. Motion carried.

Recommended Penalty: \$1,000.00 Fine to paid within one year, costs, and suspension until respondent has complied with the final order from case no. 2012-05706 and the final order issued from this case.

Motion: by Mr. Philip, seconded by Dr. Fallon, for revocation. Motion carried.

The Department withdrew the motion for costs.

DOW-2 Laura L. Raymo, PS 29844 – Hickory, NC
 Case No. 2013-15052 – PCP Mikhael/Mesaros

Respondent was not present nor represented by counsel.

Count One: Section 456.072(1)(q), F.S. (2012), by violating a lawful order of the department of Board, or failing to comply with a lawfully issued subpoena of the department.

Motion: by Mr. Philip, seconded by Mrs. Glass, to accept the investigative report into evidence for the purposes of imposing a penalty, find that respondent was properly served and has waived the right to a formal hearing, and adopt the findings, facts, and conclusions of law set forth in the Administrative Complaint. Motion carried.

Motion: by Mr. Philip, seconded by Mrs. Glass, to adopt the conclusions of law set forth in the Administrative Complaint and find that this constitutes a violation of the Pharmacy Practice Act. Motion carried.

Recommended Penalty: \$500.00 Fine

Motion: by Mrs. Glass, seconded by Mr. Philip, to accept the recommendations of the Department. Motion carried.

Motion: by Mr. Philip, seconded by Dr. Fallon, to assess costs of \$147.86. Motion carried.

DOW-3 Thomas Washington III, RPT 14609 – Tampa, FL
Case No.2013-06311- PCP Glass/Fallon

Count One: Respondent violated Section 456.072(1)(c), F.S. (2011-2012), by being convicted or found guilty of, or entering a plea of guilty or nolo contendere to, regardless of adjudication, a crime of any jurisdiction which relates to the practice of, or to the ability to practice pharmacy.

Count Two: Respondent violated Section 456.072(1)(x), F.S. (2011-2012), by failing to report to the Board, or the department if there is no Board, in writing within 30 days after the licensee has been convicted or found guilty of, or entered a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction.

Count Three: Respondent violated Section 456.072(1)(aa). F.S. (2012), by testing positive for a drug, as defined in Section 112.0455, on a confirmed pre-employment or employer-ordered drug screening when the practitioner does not have a lawful prescription and legitimate medical reason for using the drug.

Respondent was not present nor represented by counsel.

Motion: by Dr. Mikhael, seconded by Dr. Weizer, to accept the investigative report into evidence for the purposes of imposing a penalty. Motion carried.

Motion: by Dr. Weizer, seconded by Dr. Mikhael, to find that respondent was properly served and has waived the right to a formal hearing. Motion carried.

Motion: by Dr. Mikhael, seconded by Dr. Weizer, to adopt the findings and facts as set forth in the Administrative Complaint. Motion carried.

Motion: by Dr. Mikhael, seconded by Dr. Weizer, to adopt the conclusions of law set forth in the Administrative Complaint and find that this constitutes a violation of the Pharmacy Practice Act. Motion carried.

Recommended Penalty: Revocation

Motion: by Dr. Weizer, seconded by Dr. Mikhael, to accept the recommendations of the Department. Motion carried.

The Department withdrew the motion for costs.

Please note that DOW-4 was taken as an Informal Hearing.

DOW-4 Lucretia D. Pitts, PS 24121 – Miami, FL
Case No. 2013-13389 – PCP Meshad/Weizer

Respondent was present and sworn in by the court reporter. Respondent was represented by Vincent Brown, Esquire.

Count One: Respondent violated Section 456.072(1)(m), F.S. (2011-2012), by making deceptive, untrue, or fraudulent representations in or related to the practice of a profession or employing a trick or scheme in or related to the practice of a profession.

Motion: by Mrs. Glass, seconded by Dr. Mikhael, to accept the investigative report into evidence for the purposes of imposing a penalty. Motion carried.

Motion: by Mrs. Glass, seconded by Dr. Mikhael, to find that respondent was properly served and has waived the right to a formal hearing. Motion carried.

Motion: by Mrs. Glass, seconded by Dr. Mikhael, to adopt the findings and facts as set forth in the Administrative Complaint. Motion carried.

Motion: by Mrs. Glass, seconded by Dr. Mikhael, to adopt the conclusions of law set forth in the Administrative Complaint and find that this constitutes a violation of the Pharmacy Practice Act. Motion carried.

Recommended Penalty: \$10,000.00 fine, costs of \$1,574.43, one year suspension, one year probationary period to follow suspension where the respondent cannot act as a PDM and also requires an appearance before the Board within the last 3 months of probation. Respondent shall also complete a 12 hour laws and rules CE during the year of probation.

Motion: by Dr. Mikhael, seconded by Mrs. Glass, for a probationary period of 2.5 years with the following stipulations: 6 month suspension starting January 1, 2015, \$5,000.00 administrative fine to be paid during the probationary period, and completion of a 12 hour laws and rules during the probationary period. Motion carried.

DOW-5 Five Star Pharmacy & Discount, Inc., PH 25730 – Miami, FL
Case No. 2013-15383 – PCP Weizer & Philip

Respondent was not present nor represented by counsel.

Count One: Respondent violated Section 465.023(1)(c), F.S. (2013), by violating a rule of the Board of Pharmacy through a violation of Rule 64B16-28.202(3), F. A.C., by failing to notify the Board of Pharmacy in writing as to the effective date of closure, return the pharmacy permit to the Board of pharmacy office or arrange with the local Bureau of Investigative Services of the Department to have the pharmacy permit returned to the Board of Pharmacy, and/or notify the Board of Pharmacy, which permittee is to receive the prescription files.

Motion: by Mrs. Glass, seconded by Dr. Mikhael, to accept the investigative report into evidence for the purposes of imposing a penalty. Motion carried.

Motion: by Mrs. Glass, seconded by Dr. Mikhael, to find that respondent was properly served and has waived the right to a formal hearing. Motion carried.

Motion: by Mrs. Glass, seconded by Dr. Fallon, to adopt the findings and facts as set forth in the Administrative Complaint. Motion carried.

Motion: by Mrs. Glass, seconded by Dr. Fallon, to adopt the conclusions of law set forth in the Administrative Complaint and find that this constitutes a violation of the Pharmacy Practice Act. Motion carried.

Recommended Penalty: Revocation

Motion: by Mrs. Glass, seconded by Dr. Mikhael, to accept the recommendations of the Department. Motion carried.

The Department withdrew the motion for costs.

DOW-6 Kevin Benjamin Sheppard, RPT 40450 – Jacksonville, FL
Case No. 2013-05507 – PCP Mullins/Risch

Respondent was not present nor represented by counsel.

Count One: Respondent violated Section 456.072(1)(aa), F.S. (2012), by testing positive for cannabinoids, cocaine, and opiates, as defined in s. 112.0455, on any confirmed pre-employment or employer-ordered drug screening when the practitioner does not have a lawful prescription and legitimate medical reason for using the drug.

Motion: by Mrs. Glass, seconded by Dr. Weizer, to accept the investigative report into evidence for the purposes of imposing a penalty. Motion carried.

Motion: by Mrs. Glass, seconded by Dr. Weizer, to find that respondent was properly served and has waived the right to a formal hearing. Motion carried.

Motion: by Mrs. Glass, seconded by Dr. Weizer, to adopt the findings and facts as set forth in the Administrative Complaint. Motion carried.

Motion: by Mrs. Glass, seconded by Dr. Weizer, to adopt the conclusions of law set forth in the Administrative Complaint and find that this constitutes a violation of the Pharmacy Practice Act. Motion carried.

Recommended Penalty: Revocation

Motion: by Mrs. Glass, seconded by Dr. Weizer, to accept the recommendations of the Department. Motion carried.

The Department withdrew the motion for costs.

DOW-7 Jeremy Ryan Niewinski, RPT 41431 – Orlando, FL
Case No. 2013-11959 – PCP Weizer/Glass

Respondent was present and sworn in by the court reporter. Respondent was not represented by counsel.

Count One: Respondent violated Section 456.072(aa), F.S. (2012), by testing positive for any drug, as defined in s. 112.0455, on any confirmed pre-employment or employer-ordered screening when the practitioner does not have a lawful prescription and legitimate medical reason for using such drug.

Motion: by Dr. Mikhael, seconded by Mr. Philip, to accept the investigative report into evidence for the purposes of imposing a penalty. Motion carried.

Motion: by Dr. Mikhael, seconded by Dr. Fallon, to find that respondent was properly served and has waived the right to a formal hearing. Motion carried.

Motion: by Dr. Mikhael, seconded by Dr. Fallon, to adopt the findings and facts as set forth in the Administrative Complaint. Motion carried.

Motion: by Dr. Mikhael, seconded by Dr. Fallon, to adopt the conclusions of law set forth in the Administrative Complaint and find that this constitutes a violation of the Pharmacy Practice Act. Motion carried.

Mr. Niewinski approached the Board and requested revocation of his license.

Recommended Penalty: Revocation

Motion: by Dr. Mikhael, seconded by Dr. Fallon, to accept the recommendations of the Department. Motion carried.

The Department withdrew the motion for costs.

C. VOLUNTARY RELINQUISHMENTS

Please note that the Voluntary Relinquishment section was moved until after the informal cases section.

VR's voted on at one time: Voluntary Relinquishment Numbers: 1,2,3,4,5,6,7,8,9,10,11,12, and 13.

Motion: by Dr. Weizer, seconded by Mrs. Glass, to accept/reject the above-listed Voluntary Relinquishments. Motion carried.

VR-1 Flores &Mowatt Rx Group. Inc., PH 24590 – Hialeah, FL
Case No. 2013-18769 – PCP Waived

The Department suggests that the Board entertain a Motion Accepting the Voluntary Relinquishment executed by Respondent in resolution of this case.

Motion: See group motion.

VR-2 Flores &Mowatt Rx Group, Inc., PH 26857 – Hialeah, FL
Case No. 2013-18771 – PCP Waived

The Department suggests that the Board entertain a Motion Accepting the Voluntary Relinquishment executed by Respondent in resolution of this case.

Motion: See group motion.

VR-3 Vivi Pharmacy, LLC, PH 25554 – Miami, FL
Case No. 2013-18555 – PCP Waived

The Department suggests that the Board entertain a Motion Accepting the Voluntary Relinquishment executed by Respondent in resolution of this case.

Motion: See group motion.

VR-4 Amber N. Bizzell, RPT 31116 – Hollywood, FL
Case No. 2014-01121 – PCP Waived

The Department suggests that the Board entertain a Motion Accepting the Voluntary Relinquishment executed by Respondent in resolution of this case.

Motion: See group motion.

VR-5 Alvin Grullon Bueno, RPT 16716 – North Lauderdale, FL
Case No.2014-02347 – PCP Waived

The Department suggests that the Board entertain a Motion Accepting the Voluntary Relinquishment executed by Respondent in resolution of this case.

Motion: See group motion.

VR-6 Jason Romano, RPT 9592 – Port St. Lucie, FL
Case No. 2014-00789 – PCP Waived

The Department suggests that the Board entertain a Motion Accepting the Voluntary Relinquishment executed by Respondent in resolution of this case.

Motion: See group motion.

VR-7 Gloryvee Perez, RPT 18855 – Margate, FL
Case No. 2014-03631 – PCP Waived

The Department suggests that the Board entertain a Motion Accepting the Voluntary Relinquishment executed by Respondent in resolution of this case.

Motion: See group motion.

VR-8 Florida Pharmacy & Discount Corporation, PH 26028 – Miami, FL
Case No. 2014-01247 – PCP Waived

The Department suggests that the Board entertain a Motion Accepting the Voluntary Relinquishment executed by Respondent in resolution of this case.

Motion: See group motion.

VR-9 Florida Pharmacy & Discount Corporation, PH 26028 – Miami, FL
Case No. 2014-01248 – PCP Waived

The Department suggests that the Board entertain a Motion Accepting the Voluntary Relinquishment executed by Respondent in resolution of this case.

Motion: See group motion.

VR-10 Ambulatory and Professional Medical Equipment, Inc., PH 23392 – Hialeah, FL
Case No. 2013-20508 – PCP Waived

The Department suggests that the Board entertain a Motion Accepting the Voluntary Relinquishment executed by Respondent in resolution of this case.

Motion: See group motion.

VR-11 Charles R. Diffenderfer, PS 32915 – Alachua, FL
Case No. 2014-04502 – PCP Waived

The Department suggests that the Board entertain a Motion Accepting the Voluntary Relinquishment executed by Respondent in resolution of this case.

Motion: See group motion.

VR-12 Steve P. Albert, PS 29045 – Beaumont, TX
Case No. 2014-00983 – PCP Waived

The Department suggests that the Board entertain a Motion Accepting the Voluntary Relinquishment executed by Respondent in resolution of this case.

Motion: see group motion.

VR-13 17th Street Pharmacy & Discount Inc., PH 26047 - Miami, FL
Case No. 2014-03218 – PCP Waived

The Department suggests that the Board entertain a Motion Accepting the Voluntary Relinquishment executed by Respondent in resolution of this case.

Motion: See group motion.

VR-14 William E.M. Whatley, PS 20453 – New Smyrna Beach, FL
Case No. 2013-07262 – PCP Garcia/Glass

The Department suggests that the Board entertain a Motion Accepting the Voluntary Relinquishment executed by Respondent in resolution of this case.

Motion: by Dr. Weizer, seconded by Mrs. Glass, to accept the Voluntary Relinquishment. Motion carried.

VR-15 NW Pharmacy, Inc., PH 25097 – Miami, FL
Case No. 2013-00710 – PCP Weizer/Meshad

The Department suggests that the Board entertain a Motion Accepting the Voluntary Relinquishment executed by Respondent in resolution of this case.

Motion: by Mrs. Glass, seconded by Mr. Philip, to accept the Voluntary Relinquishment. Motion carried.

D. BOARD ACTION BY HEARING NOT INVOLVING DISPUTED ISSUES OF MATERIAL FACT

I-1 Naranja Pharmacy, PH 26258 – Homestead, FL
Case No. 2013-10828 – PCP Glass/Mikhael

Count One: Respondent violated Section 456.072(1)(k), F.S. (2012, 2013), by violating Section 465.023(1)(c), F.S. (2012, 2013), by violating Section 499.005(18), F.S. (2012, 2013), through a violation of Rule 61N-1.012(1)(a), F.A.C., which requires that records to document the movement of drugs, devices, or cosmetics must provide a complete audit trail from a person's receipt or acquisition to sale or other disposition of the product or component.

Respondent was not present nor represented by counsel.

Motion: by Dr. Weizer, seconded by Mr. Philip, to accept the investigative report into evidence for the purposes of imposing a penalty. Motion carried.

Motion: by Dr. Weizer, seconded by Mr. Philip, to find that respondent was properly served and has requested a formal hearing. Motion carried.

Motion: by Dr. Weizer, seconded by Mr. Philip, to adopt the findings and facts as set forth in the Administrative Complaint. Motion carried.

Motion: by Dr. Weizer, seconded by Mr. Philip, to adopt the conclusions of law set forth in the Administrative Complaint and find that this constitutes a violation of the Pharmacy Practice Act. Motion carried.

Departments Recommendation: Revocation

Motion: by Dr. Weizer, seconded by Mr. Philip, to accept the recommendations of the Department. Motion carried.

I-2 Lamonte George Hambrick, RPT 35920 – Tampa, FL
Case No. 2013-01501. PCP – Meshad/Weizer

Count One: Respondent violated Section 456.072(1)(c), F.S. (2012), by being convicted or found guilty of, or entering a plea of guilty or nolo contendere to, regardless of adjudication, a crime in any jurisdiction which relates to the practice of, or the ability to practice, a licensee's profession.

Count Two: Respondent violated Section 456.072(1)(x), F.S. (2012), failing to report to the Board, or the department if there is no board, in writing within 30 days after the licensee has been convicted or found guilty of, or entered a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction.

Respondent was present and sworn in by the court reporter. Respondent was not represented by counsel.

Motion: by Mrs. Glass, seconded by Dr. Mikhael, to accept the investigative report into evidence for the purposes of imposing a penalty. Motion carried.

Motion: by Mrs. Glass, seconded by Dr. Fallon, to find that respondent was properly served and has requested a formal hearing. Motion carried.

Motion: by Mrs. Glass, seconded by Mr. Philip, to adopt the findings and facts as set forth in the Administrative Complaint. Motion carried.

Motion: by Mrs. Glass, seconded by Dr. Fallon, to adopt the conclusions of law set forth in the Administrative Complaint and find that this constitutes a violation of the Pharmacy Practice Act. Motion carried.

Departments Recommendation: Revocation

Motion: by Mr. Philip, seconded by Dr. Fallon, to accept the recommendations of the Department. Motion carried.

The Department withdrew the motion for costs.

TAB 5 APPLICATIONS REQUIRING BOARD REVIEW – Debra Glass, BPharm

A. Endorsement Applicants

1. James Sadler, File: 44199 – North Branch, MI

Respondent was not present nor represented by counsel.

Motion: by Dr. Weizer, seconded by Dr. Mikhael, to approve the application. Motion carried.

2. Nicole Hudgins, File: 36681 – Tampa, FL

Respondent was not present nor represented by counsel.

Motion: by Dr. Weizer, seconded by Mr. Philip, to approve the application. Motion carried.

B. Examination Applications.

1. John Major, File: 43928 – Indian Shores, FL

Respondent was present and sworn in by the court reporter. Respondent was not represented by counsel.

No action was taken on Mr. Major’s application.

C. Registered Pharmacy Technician Applications.

1. Michelle Lorraine Rissky, File: 52234 – Naples, FL

Respondent was not present nor represented by counsel.

Motion: by Mrs. Glass, seconded by Dr. Weizer, to approve the application. Motion carried.

2. Daniel Joseph Allen, File: 55819 – Palmetto Bay, FL

Respondent was not present nor represented by counsel.

Motion: by Mrs. Glass, seconded by Dr. Mikhael, to deny the application. Motion carried.

3. Omar Emilio Fernandez, File: 55819 – Palmetto Bay, FL

Respondent was not present nor represented by counsel.

Motion: by Dr. Weizer, seconded by Mrs. Glass, to deny application. Motion carried.

4. Wandey Alexis, File: 43696 – Boca Raton

Respondent withdrew their application from consideration.

D. Pharmacy Permit Applications

1. AcariaHealth, Inc., File: 20537 – Falls Church, VA

James Whitford (Director of Pharmacy) & Steve Cobb (Vice-President of Operations) were present on behalf of AcariaHealth, Inc. Mr. Whitford and Mr. Cobb were sworn in by the court reporter. No counsel was present.

Motion: by Dr. Mikhael, seconded by Mrs. Glass, to approve the application. Motion carried.

2. Barsky Enterprises, LLC, File: 20524 – Plano, TX

Dr. Donna Barsky (Owner) was present on behalf of the respondent and was sworn in by the court reporter. Respondent was not represented by counsel.

Motion: by Dr. Mikhael, seconded by Dr. Weizer, to approve the application. Motion carried.

3. Vet Meds N More, File: 21144 – Kihei, HI

Respondent was not present nor represented by counsel.

Motion: by Dr. Mikhael, seconded by Mr. Philip, to approve the application. Motion carried.

4. Professional Pharmacy & Compounding Services, LLC – Miami, FL

Azubueze Ikejiani was present on behalf of the respondent and sworn in by the court reporter. Respondent was represented by Bill Furlow, Esquire.

Motion: by Dr. Weizer, seconded by Mrs. Glass, to approve the community pharmacy permit application with the conditions of one year of probation with semiannual inspections at the respondent's cost and a 12 hour laws and rules CE course to be completed over the course of probation. Motion carried.

The respondent withdrew is application for a special sterile compounding permit.

TAB 6 LICENSURE ISSUES

A. Request for Termination of Probation

1. Lisa A. McGrail, PS 28141 – Parkland, FL

Respondent was present and sworn in by the court reporter. Respondent was represented by Ed Bayo, Esquire.

Motion: by Dr. Weizer, seconded by Dr. Mikhael, to terminate probation. Motion carried.

2. Kendall D. Morris, PS 43086 – Brandon, FL

Respondent was present and sworn in by the court reporter. Respondent was not represented by counsel.

Motion: by Mr. Philip, seconded by Dr. Fallon, to terminate probation. Motion carried.

3. Kenneth J. Pettengill, PS 27736 – Gainesville, FL

Respondent was present and sworn in by the court reporter. Respondent was not represented by counsel.

Motion: by Dr. Fallon, seconded by Dr. Mikhael, to terminate probation. Motion carried.

B. Request for Board Appearance

1. Richard Alonso, PS 39780 – Safety Harbor, FL

Respondent was present and sworn in by court reporter. Respondent was not represented by counsel.

Mr. Flynn informed the Board that Mr. Alonso is requesting a modification to his previous final order. Mr. Flynn then informed the Board that they cannot make a ruling as Mr. Alonso is currently in violation of said final order and under an emergency suspension order.

2. Daniel Singer, PS 27033 – Coral Springs, FL

Respondent was present and sworn in by the court reporter. Respondent was represented by Bill Furlow, Esquire.

Motion: by Dr. Mesaros, seconded by Dr. Fallon, to lift restriction that prohibits the respondent from engaging in any sterile compounding, or acting as a PDM at a pharmacy that engages in sterile compounding upon successful completion of a board approved sterile compounding course to be submitted to the Board office for approval by the Board Chair. Motion carried.

3. Lindsay Marie Wolfe, PS 45441 – Tampa, FL

Respondent was present and sworn in by the court reporter. Respondent was represented by Tim Sweeney, Esquire.

Dr. Martha Brown (PRN) was present and stated that the respondent was in compliance and doing well.

Motion: by Dr. Fallon, seconded by Mr. Philip, to require the respondent to pay \$200.00 a month until fines and costs are paid in full. Motion carried.

Dr. Mesaros appointed Mrs. Glass as the new Healthy Weight of the State Liaison.

Motion: by Dr. Fallon, seconded by Mrs. Glass, to adjourn the meeting at 4:03pm. Motion carried.