

## AGENDA

### DEPARTMENT OF HEALTH BOARD OF PHARMACY FULL BOARD MEETING

October 18-19, 2016

Embassy Suites Lake Buena Vista South

4955 Kyngs Heath Rd.

Kissimmee, FL 34746

(407) 597-4000

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**PLEASE TURN OFF ALL CELL PHONES, PAGERS AND BEEPERS DURING THE MEETING. THANK YOU.**

#### **Board Members**

Debra B. Glass, BPharm, Chair,  
Tallahassee

Mark Mikhael, PharmD, Vice-Chair,  
Orlando

Michelle Weizer, PharmD, Boca Raton  
Goar Alvarez, PharmD, Cooper City  
Leo "Lee" Fallon, BPharm, PhD,  
The Villages

Gavin Meshad, Consumer Member,  
Sarasota

Jeenu Philip, BPharm, Jacksonville  
Jeffrey J. Mesaros, PharmD, JD, Orlando  
David Bisailon, Consumer Member,  
Bradenton

#### **Board Staff**

Allison Dudley, Executive Director  
Bianca Bell, Program Operations Admin.  
Alexandra Meredith, Reg. Supervisor

#### **Board Counsel**

David Flynn, Assistant Attorney General  
Larry Harris, Assistant Attorney General

#### **Department of Health Staff**

Matthew Witters, Assistant General  
Counsel  
Christopher Jurich, Assistant General  
Counsel

Participants in this public meeting should be aware that these proceedings are being recorded and that an audio file of the meeting will be posted to the board's website.

**Tuesday, October 18 – 8:09 a.m.**

**TAB 1: REPORTS – Debra Glass, BPharm, Chair**

A. Chair's Report – Debra Glass, BPharm, Chair

1. New National Naplex Retesting Policy- Effective Nov. 1, 2016

Discussion: Ms. Glass informed the board of the new exam changes that are being implemented by the NABP come November 1<sup>st</sup>. Ms. Glass informed that one major change will be the applicants waiting 12 months before attempting the exam again after three failed attempts.

2. NABP District III Meeting

Discussion: Dr. Mikhael provided an overview of the MALTA-GON Meeting that he and Dr. Mesaros attended in Austin, TX. Dr. Mikhael advised that there was no NABP representation at the meeting. Sterile compounding was discussed the first day in regards to the differences between the states as well as the contrast of the state and federal laws. Dr. Mikhael advised that attendees were complimentary towards Ms. Dudley and Mr. Flynn for being leaders for the state of Florida in handling outsourcing facilities. Dr. Mikhael also advised of the differences in board's structures, specifically, how inspectors report to the board and how social media is used.

Dr. Mesaros provided a review of the District III meeting that took place in Alabama. Board of Pharmacy members, Executive Directors, schools of pharmacy, and inspectors attended this meeting. Dr. Mesaros advised that registered pharmacy technician rules were discussed and whether or not pharmacy schools should train technicians.

B. Executive Director's Report – Allison Dudley, Executive Director

1. PARE Examination Update

Discussion: Ms. Dudley discussed this exam being given for the first time in Florida. Ms. Dudley advised that this is a proctored exam that must have an additional fee paid in order for the NABP to proctor the exam.

2. Budget

Discussion: The discussion of the budget was passed to Dr. Weizer. Dr. Weizer advised of the handout provided showing the projection of case on hand. The projection is showing that pharmacy will remain in a positive balance and is in good shape.

### 3. NABP Executive Officers Forum

Discussion: Ms. Dudley provided a review of the Executive Officers Forum in Chicago. This was a small interactive group where Executive Directors could talk about key issues with their state. Ms. Dudley presented on Florida's process for handling outsourcing facility inspections and renewals.

### 4. Fingerprint Update

Discussion: Ms. Dudley advised of the letter that was sent out by the background screening unit to all Prescription Department Managers and affiliates for rescreening. This letter was to advise anyone that was fingerprinted in the FALCON system to be rescreened for AHCA's clearinghouse database. Mr. Harris advised that only fingerprints in the clearinghouse will be acceptable for use.

## C. Attorney General's Report - David Flynn, Assistant Attorney General

### 1. Monthly Rules Report- Lawrence Harris, Asst. Attorney General

Discussion: Mr. Harris advised that the Rules Committee has made some great progress. There have been eight rules adopted since August. There are seventeen open projects and seven are from sterile compounding that are on the committee agenda today. Mr. Harris advised that licensure applications will be finished up at the end of today's meeting.

## D. Investigative Services Report – Mark Whitten, Chief of Enforcement

Michelle Miller with ISU provided this report to the Board.

Ms. Miller stated out of 6,215 pharmacies,

2,063 have been inspected. (33 %).

Ms. Miller stated that 129 resident sterile pharmacies were inspected.

E. Martin Dix, Esq.

1. Edward Brown- Request for Exemption for Disqualification

Licensee was present and sworn in. Licensee was represented by Counsel Dix.

Discussion: Mr. Flynn advised the board of what the request is and the process as this is not an issue that has been brought before the board before. Mr. Dix advised of what charge the licensee had on record and what the applicant has been doing since the charge.

Motion: by: Dr. Fallon, to grant the exemption. Motion carried.

**TAB 2: BUSINESS – Debra Glass, BPharm, Chair**

A. Ratification of Issued Licenses/Certificates & Staffing Ratios

1. Pharmacist (Licensure)(Client 2201) – 864
2. Pharmacist (Exam Eligibility)(Client 2201) – 1,873
3. Pharmacist Interns (Client 2202) – 658
4. Registered Pharmacy Technicians (Client 2208) – 2,234
5. Consultant Pharmacist (Client 2203) – 58
6. Nuclear Pharmacist (Client 2204) – 1
7. Pharmacy/Facilities (Client 2205) – 206
8. Nonresident Sterile Compounding (Client 2210) - 6
9. CE Providers – 22
10. CE Courses – 43
11. CE Individual Request (Approved) – 7
12. CE Individual Request (Denied) – 0

Motion: by: Dr. Fallon, to approve ratification of issued licenses. Motion carried.

B. Review and Approval of Minutes

1. Full Board- August 8-9, 2016

Motion: by: Dr. Fallon, to approve minutes. Motion carried.

2. Sterile Compounding Committee- August 8, 2016

Motion: by: Dr. Weizer, to approve minutes. Motion carried.

3. Rules Committee- August 8, 2016

Motion: by: Mr. Philip, to approve minutes. Motion carried.

Break: 9:25am

Return: 9:43am

**TAB 3: APPLICATIONS REQUIRING BOARD REVIEW – Jeenu Philip, BPharm**

A. Pharmacist Applications

1. Vanesa McGill-Robinson, File: 42592

Applicant was not present. Applicant was not represented by counsel.

Discussion: This was a required appearance at this meeting. Mr. Flynn advised that per statute as a matter of law the application shall be denied. Dr. Weizer wants to include a denial also based on prior discipline.

Motion: by: Dr. Fallon, to deny the application. Motion carried.

B. Registered Pharmacy Technician

1. Estefany E. Santiago, File: 61230

Applicant was not present. Applicant was not represented by counsel.

Discussion: Mr. Philip advised that he would have liked to speak with the applicant. Dr. Weizer advised that counseling notes or the applicant's appearance would be preferred.

Motion: by: Dr. Alvarez, to require board appearance at one of the next two meetings. Motion carried.

## 2. Candace Covington, File: 71555

Applicant was not present. Applicant was not represented by counsel.

Discussion: Mr. Philip advised that the applicant did not show proof of a training certificate from a board approved course so she does not qualify. Dr. Mikhael would like to give the option to withdraw in the denial. Dr. Weizer advises that the process and requirements were clearly explained to the applicant so she should be denied.

Motion: by: Dr. Weizer, to deny the application with the option to withdraw within seven days. Motion carried.

## 3. Bertha Harper, File: 71774

Applicant was present and sworn in. Applicant was not represented by counsel.

Discussion: Mr. Philip advised that this applicant answered yes to the criminal history question and her personal statement is included in the documents. Ms. Harper advised of the events that took place and what she where she has been working since then.

Motion: by: Dr. Fallon, to approve the application. Motion carried.

## 4. Jennifer Marie Griffin, File: 67285

Applicant was present and sworn in. Applicant was not represented by counsel.

Discussion: Mr. Philip advised that the applicant answered yes to the criminal history question and the personal statement is included. The applicant advised that she completed all terms involving her criminal history.

Motion: by: Mr. Meshad, to approve the application. Motion carried.

5. Stacie Foster, File: 69081

Applicant was not present. Applicant was not represented by counsel.

Discussion: Mr. Flynn advised that the applicant appeared in August and requested a continuance to get in contact with PRN. Mr. Flynn advised that the applicant waived her 90 days. Martha Brown from PRN spoke on the applicant's behalf to advise that she is in total compliance at this time.

Motion: by: Dr. Alvarez, to approve the application. Motion carried.

C. Community Pharmacy Permit

1. Agape Community Health Center, Inc., File: 23820

Applicant was present and sworn in. Applicant was represented by Counsel Bayo.

Discussion: Mr. Philip advised that the board chair of the pharmacy had serious charges placed against him at one time as well as other board members of the pharmacy. Mr. Bayo advised the board of the applicant's accomplishments since this time and his role in the community. Mr. Bayo advised that the applicant was compliant with all requirements.

Motion: by: Dr. Fallon, to approve the application. Motion carried.

2. Soleo Health, Inc., File: 23923

Applicant was present and sworn in. Applicant was not represented by counsel.

Discussion: Representative for pharmacy spoke on changes that had been made since the discipline took place.

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

3. Best Care dba ASPCARES, File: 23728

Applicant was present and sworn in. Applicant was represented by Counsel Bayo.

Discussion: Mr. Philip advised that the applicant is looking to apply for a change of ownership. Mr. Bayo advised of all prior discipline that took place and how the applicant has complied with the terms.

Motion: by: Dr. Alvarez, to approve the application. Motion carried.

~~4. Care Med Pharmacy Group, LLC, PH25243~~

~~i. Transfer of Stock Request~~

D. Non-Resident Pharmacy Permit

1. The Diennet Pharmacy, File: 23701

Applicant was not present. Applicant was not represented by counsel.

Discussion: Mr. Philip advised that this is a required appearance.

Motion: by: Ms. Glass, to deny the application. Motion carried.

2. Curerx Compounding Pharmacy, Inc., File: 23643

Applicant was not present. Applicant was not represented by counsel.

Discussion: Mr. Philip advised that this is a required appearance. Mr. Flynn advised that the applicant contacting requesting a continuance due to observation of a religious holiday.

Motion: by: Ms. Glass, to allow continuance for one final appearance at the December meeting. Motion carried.

E. Special Sterile Compounding Pharmacy Permit

1. LBG Holdings, LLC. File: 24023

Applicant was not present. Applicant was represented by Counsel Bayo.

Discussion: Mr. Philip advised that the inspection noted deficiencies that were to go to the board for review. Mr. Bayo request continuance for another inspection.

Motion: by: Dr. Weizer, to waive 90 day requirement. Motion carried.

Motion: by: Dr. Fallon, to delegate the responsibility of review of the inspection and application once completed to the board chair. Motion carried.

**Public Comment:**

Michael Jackson spoke on the telehealth survey that is required for renewal. Mr. Jackson asked the board to consider possibly allowing for licensees to take the survey prior to renewal. Mr. Jackson also informed the board that this month is American Pharmacist Month and today is Registered Pharmacy Technician Day.

Brian Conn requests that a schedule of all upcoming 2017 board meetings be posted to the website as soon as possible. Mr. Conn also inquired about the CE's to be received for board meetings. Ms. Glass advised of the process for receiving CE's.

Fritz Hayes spoke on the Zika research that is currently being conducted and the PDMP E-Forse reporting. Mr. Hayes provided an update on PDMP reports and waiting on the final rule approval. Mr. Hayes acknowledged Ms. Dudley for her service with the Board of Pharmacy.

Adjourned at 11:05am to begin Rules Committee Meeting.

**Wednesday, October 19, 2016 - 8:06 a.m.**

**TAB 4: COMMITTEE REPORTS & ACTIONS (FROM October 18, 2016)**

1. Rules Committee, Jeff Mesaros, Committee Chair

Discussion: Dr. Mesaros advised that a great deal was completed at the committee between JAP-C and Mr. Harris. Four automation rules were opened for discussion to be completed at the December board meeting. Dr. Mesaros advised that the board is being proactive in working on automation. The disciplinary guideline rule was also discussed and adjusted due to the statute. There was a minimum disciplinary standard put into the rule.

Motion: by: Mr. Philip, to approve the actions of the committee. Motion

carried.

Motion: by: Dr. Fallon, to approve the ratification. Motion carried.

Motion: by: Dr. Fallon, to approve ratification of language. Motion carried.

2. Special Sterile Compounding, Michele Weizer, Committee Chair

Discussion: Dr. Weizer recapped the intergovernmental meeting. There was a great deal discussed at the Sterile Compounding committee meeting. The inspections for 503a and 503b facilities were discussed as well as possibly opening up this rule for development. Dr. Weizer advised of the rules that were discussed and opened for development during the committee meeting.

**TAB 5: DISCIPLINARY CASES – Matthew Witters, Esq. & Debra Glass, BPharm, Chair**

**SETTLEMENT AGREEMENTS - APPEARANCE REQUIRED**

SA-1 Brandon Ray Simon, R.Ph. Case No. 2015-09153  
(Fallon & Alvarez)

Respondent was present. Respondent was represented by Counsel Bayo.

Dr. Fallon and Dr. Alvarez were recused due to participation on the probable cause panel.

Matthew Witters represented the Department and presented the case to the Board.

Motion: by: Mr. Meshad, to accept the Settlement Agreement. Motion carried.

SA-2 Summit Pharmacy, Inc., Case No. 2016-07759  
(Glass & Mikhael)

Respondent was present. Respondent was represented by counsel.

Ms. Glass and Dr. Mikhael were recused due to participation on the probable cause panel. Mr. Philip to chair during this portion.

Matthew Witters represented the Department and presented the case to the Board.

Motion: by: Dr. Weizer, to accept the Settlement Agreement. Motion carried.

SA-3 Stephanie Elizabeth Metzger, C. PH., Case No. 2016-11603  
(Weizer & Bisailon)

Respondent was present. Respondent was represented by Counsel Bayo.

Dr. Weizer and Mr. Bisailon were recused due to participation on the probable cause panel.

Matthew Witters represented the Department and presented the case to the Board.

Motion: by: Dr. Fallon, to accept the Settlement Agreement. Motion carried.

SA-4 Smith Riker Pharmacy, Inc., Case No. 2016-10235  
(Weizer & Bisailon)

Respondent was not present. Respondent was not represented by counsel.

Dr. Weizer and Mr. Bisailon were recused due to participation on the probable cause panel.

Matthew Witters represented the Department and presented the case to the Board.

Discussion: Dr. Mikhael advised that he does not feel comfortable waiving the mandatory appearance. Mr. Witters advised that he will move this to the December agenda.

SA-5 Pedro A. Torres, R. PH. Case No. 2016-04965  
(Weizer & Bisailon)

Respondent was present. Respondent was represented by Counsel Bayo.

Dr. Weizer and Mr. Bisailon were recused due to participation on the probable cause panel.

Matthew Witters represented the Department and presented the case to the Board.

Motion: by: Dr. Mikhael, to accept the Settlement Agreement. Motion carried.  
Mr. Philip opposed.

SA-6 Luis Cortes, R. P. T., Case No. 2015-21814  
(Philip & Meshad)

Respondent was present. Respondent was represented by Counsel Bayo.

Mr. Philip and Mr. Meshad were recused due to participation on the probable cause panel.

Matthew Witters represented the Department and presented the case to the Board.

Motion by: Dr. Weizer, to accept the Settlement Agreement. Motion carried.

SA-7 David A. Sagy, R. PH., Case No. 2015-30625  
(Weizer & Bisailon)

Respondent was present. Respondent was represented by counsel Bayo.

Dr. Weizer and Mr. Bisailon were recused due to participation on the probable cause panel.

Matthew Witters represented the Department and presented the case to the Board.

Motion: by: Dr. Fallon, to accept the Settlement Agreement. Motion carried. Dr. Mikhael opposed.

Break: 9:50 am

Return: 10:05 am

## **DETERMINATION OF WAIVERS**

DOW-1 Arry Bertrand, R.P.T., Case No. 2014-07911  
(Mesaros & Bisailon)

Respondent was not present. Respondent was not represented by counsel.

Dr. Mesaros and Mr. Bisailon were recused due to participation on the probable cause panel.

Matthew Witters represented the Department and presented the case to the Board.

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

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

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

Motion: 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 of License

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

The Department withdraws its motion for costs.

DOW-2 Elizabeth Ann Bennett, R.P.T., Case No. 2015-17574  
(Mikhael & Glass)

Respondent was not present. Respondent was not represented by counsel.

Dr. Mikhael and Ms. Glass were recused due to participation on the probable cause panel. Mr. Philip to chair during this portion.

Matthew Witters represented the Department and presented the case to the Board.

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

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

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

Motion: 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 of License

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

The Department withdraws its motion for costs.

DOW-3 Vanguard Pharmacy & Discount, Inc., Case No. 2015-29287  
(Mikhael & Philip)

Respondent was not present. Respondent was not represented by counsel.

Dr. Mikhael and Mr. Philip were recused due to participation on the probable cause panel.

Matthew Witters represented the Department and presented the case to the Board.

Motion: by: Dr. Alvarez, to find that respondent was properly served and

waived the right to a formal hearing. Motion carried.

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

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

Motion: by: Dr. Alvarez, 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 of License

Motion: by: Dr. Alvarez, to accept the recommendations of the Department. Motion carried.

The Department withdraws its motion for costs.

DOW-4 Universal Pharmacy Group, Inc., Case No. 2015-10973  
(Mikhael & Glass)

Respondent was not present. Respondent was not represented by counsel.

Dr. Mikhael and Ms. Glass were recused due to participation on the probable cause panel. Mr. Philip to chair during this portion.

Matthew Witters represented the Department and presented the case to the Board.

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

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

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

Motion: 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 of License

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

The Department withdraws its motion for costs.

~~DOW-5 Amy Catherine Topolski, R.P.T., Case No. 2015-23699~~  
~~(Weizer & Meshad)~~  
**Withdrawn by PSU**

DOW-6 Maria Echarri, R. P. T., Case No. 2015-19861  
(Weizer & Fallon)

Respondent was not present. Respondent was not represented by counsel.

Dr. Weizer and Dr. Fallon were recused due to participation on the probable cause panel.

Matthew Witters represented the Department and presented the case to the Board.

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

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

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

Motion: 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: Revocation of License

Motion: by: Dr. Mikhael, to accept the recommendations of the

Department. Motion carried.

The Department withdraws its motion for costs.

DOW-7 Linda Ann Paccione, R. P. T., Case No. 2016-12823  
(Philip & Glass)

Respondent was not present. Respondent was not represented by counsel.

Ms. Glass and Mr. Philip were recused due to participation on the probable cause panel. Dr. Mikhael to chair during this portion.

Matthew Witters represented the Department and presented the case to the Board.

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

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

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

Motion: 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 of License

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

The Department withdraws its motion for costs.

DOW-8 Mohammed Elbilitagy, PSI, Case No. 2016-13670  
(Weizer & Bisailon)

Respondent was not present. Respondent was not represented by counsel.

Dr. Weizer and Mr. Bisailon were recused due to participation on the probable cause panel.

Matthew Witters represented the Department and presented the case to the Board.

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

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

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

Motion: 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: Revocation of License

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

The Department withdraws its motion for costs.

DOW-9 Jeremy Clarence Risher, R. P. T., Case No. 2016-12053  
(Mikhael & Glass)

Respondent was not present. Respondent was not represented by counsel.

Dr. Mikhael and Ms. Glass were recused due to participation on the probable cause panel. Mr. Philip to chair during this portion.

Matthew Witters represented the Department and presented the case to the Board.

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

Motion: by: Dr. Fallon, to accept the investigative report into

evidence for the purposes of imposing a penalty. Motion carried.

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

Motion: 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: Suspended until evaluation of PRN, appears before board and shows compliance and safe to continue practice, reserve jurisdiction to impose probation upon approval of license, motion for costs not to be paid until full reinstatement of license

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

### **VOLUNTARY RELINQUISHMENTS**

VR-1 Sarah Elizabeth Murphy, R. P. T., Case No. 2015-11110  
(Glass & Mikhael)

Dr. Mikhael and Ms. Glass were recused due to participation on the probable cause panel. Mr. Philip to chair during this portion. Mr. Philip to chair during this portion.

Motion: by: Mr. Meshad, to accept the Voluntary Relinquishment. Motion carried.

VR-2 Rosetta Vanessa Thomas, R. P. T., Case No. 2016-12693  
(PCP Waived)

VR-3 Joshua John Wright, R. P. T., Case No. 2016-18036  
(PCP Waived)

Voluntary Relinquishment 2 and 3 were taken together.

Motion: by: Dr. Alvarez, to accept the Voluntary Relinquishment. Motion carried.

VR-4 Medshop Pharmacy, Inc., Case No. 2016-14108  
(Bisaillon & Weizer)

Dr. Weizer and Mr. Bisaillon were recused due to participation on the probable cause panel.

Motion: by: Dr. Mikhael, to accept the Voluntary Relinquishment. Motion carried.

VR-5 Walter Ernesto Caceres, R. P. T., Case No. 2016-08668  
(Glass & Alvarez)

Dr. Alvarez and Ms. Glass were recused due to participation on the probable cause panel. Dr. Mikhael to chair during this portion.

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

VR-6 Carol S. Fowler, R. P. T., Case No. 2016-09074  
(Fallon & Mesaros)

Dr. Fallon and Dr. Mesaros were recused due to participation on the probable cause panel.

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

**Prosecution Services Report – Matthew Witters, Assistant General Counsel**

Christopher Jurich presented the numbers as well as a handout with the report.

Motion: by: Dr. Mikhael, to prosecute all cases one year and older.  
Motion carried.

## **TAB 6: LICENSURE ISSUES**

### A. Petition for Termination of Probation

#### 1. Michael Halbert, PS29204, Case No. 2010-01941

Respondent was present. Respondent was represented by Counsel Conn.

Discussion: Martha Brown from PRN spoke on behalf of stating that he is in total compliance and the contract is to terminate on Nov. 7<sup>th</sup>. Attorney Brian Conn spoke on behalf of client explaining his client's past history and what has changed since. Mr. Halbert states he is grateful for the opportunity and to the board.

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

#### 2. Anthony's Drugs, PH24221, Case No. 2010-22563

Respondent was present. Respondent was represented by Counsel Furlough.

Discussion: Counsel Furlough advised of a current clear inspection. Mr. Flynn and the board reviewed the current inspection.

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

#### 3. Gregory Edwards, PS39131, Case No. 2009-06942

Respondent was present. Respondent was represented by Counsel Bayo.

Discussion: Counsel Bayo states that the licensee has completed all of the requirements. Ms. Brown with PRN states that he is in compliance with PRN.

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

#### 4. Pine Island Drugs, PH13774, Case No. 2012-06981

Respondent was not present. Respondent was not represented by counsel.

Discussion: Mr. Flynn provided a recap of this case. Dr. Weizer states that the second inspection has not been completed. Dr. Mikhael stated that this was a required appearance as well.

Motion: by: Dr. Mikhael, to continue to December meeting. Motion carried.

5. Alan Wingerter, PS14151, Case No. 2014-11272

Discussion: Moved to December meeting per Ms. Glass.

6. Shafali Data, PS25758, Case No. 2012-19066

Respondent was not present. Respondent was not represented by counsel.

Discussion: Mr. Flynn advised that this was a required appearance.

Motion: by: Dr. Mikhael, to continue to December meeting. Motion carried.

7. Douglas Todd Miller, PS38626, Case No. 2014-03174

Respondent was present. Respondent was represented by Counsel Shriver.

Discussion: Counsel Shriver states that all requirements have been met.

Motion: by: Mr. Philip, to terminate probation. Motion carried.

B. Request for Reinstatement

1. Richard Blankenship, PS54973, 2201-47733

Discussion: This was previously approved. No further discussion needed.

C. Request to lift permanent practice restriction

1. Richard Alonso, Case No. 2010-01941

Respondent was not present. Respondent was not represented by counsel.

Discussion: Dr. Weizer states that she would not wish to remove the practice restriction. Ms. Glass advised that this was a continuous issue.

Motion: by: Dr. Fallon, to deny request to lift permanent practice restriction. Motion carried.

D. Request for Payment Extension

1. Dennis Hamilton, PS38458, Case No. 2015-30258

Respondent was not present. Respondent was not represented by counsel.

Discussion: Mr. Flynn advised that the responsibility to determine payment extension can be delegated to the board chair for a one-time payment extension. If the board chair is not comfortable completing this, it can always be referred to the board.

Motion: by: Dr. Mesaros, to allow one-time payment extensions without appearing before the board and to delegate to the chair and discuss payment extension timeframe with licensee. Motion carried.

E. Request to Lift PDM Restriction

1. Lindsay Marie Wolfe, PS45441, Case No. 2012-14467

Respondent was not present. Respondent was not represented by counsel.

Discussion: Mr. Flynn provided a recap of the case. Ms. Glass would like to hear from Ms. Wolfe about the request. Mr. Philip states that the request would still be denied in his opinion.

Motion: by: Mr. Meshad, to deny request to lift PDM restriction. Motion carried.

**Public Comment:**

Ms. Brown is an educator of pharmacy technicians. She wanted to thank the board for the chance to celebrate technician day. Ms. Brown also advised of her school being the educators of the Pulse victims.

Motion: by: Dr. Mesaros to adjourn meeting. Motion carried.

Adjourned 1:10 pm

