

**FLORIDA** | Board of Pharmacy

DRAFT  
April 4-5, 2017

Tampa, Florida

DRAFT



Mark Mikhael, PharmD  
*Chair, Board of Pharmacy*

Jeenu Philip, BPharm  
*Vice Chair, Board of Pharmacy*

1 **Tuesday, April 4, 2017 – 1:00 P.M.**

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3 **Section I:** The meeting was called to order by Dr. Mikhael, Chair, at approximately 1:00 P.M. Those present for all or part of the  
4 meeting included the following:  
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7 **MEMBERS PRESENT:**

8 Debra Glass, BPharm  
9 Mark Mikhael, PharmD, Chair  
10 Michele Weizer, PharmD  
11 Goar Alvarez, PharmD  
12 Gavin Meshad  
13 Jeenu Phillip, BPharm, Vice Chair  
14 Jeffrey J. Mesaros, PharmD, JD  
15 David Bisaillon

7 **STAFF PRESENT:**

Bianca Bell, Program Operations Administrator  
C. Erica White, Executive Director

12 **BOARD COUNSEL:**

David Flynn, Assistant Attorney General  
Lawrence Harris, Assistant Attorney General

16  
17 **MEMBERS EXCUSED:**

18  
19 *Please note the minutes reflect the actual order agenda items were discussed and may differ from the agenda outline. AUDIO from*  
20 *this meeting can be found online: <http://floridaspharmacy.gov/>*  
21

22 **General Board Business started: 1:05 PM**

23  
24 **TAB 1: REPORTS**

25  
26 **SECTION A: Chair's Report- Mark Mikhael, PharmD, Chair**

27  
28 Dr. Mikhael briefly touched on the PA/ANRP prescribing webinar which can be found on the Board website. Dr. Mikhael also  
29 reminded everyone that this year's annual NABP meeting will be held in Orlando from May 20<sup>th</sup> – 23<sup>rd</sup>.  
30

31 **SECTION B: Executive Director's Report- C. Erica White, Executive Director**

32  
33 Ms. White presented the proposed 2018 Board Meeting dates to the board members. Mr. Meshad made a motion to approve the  
34 proposed dates, seconded by Mr. Bisaillon. Ms. White also presented a review sheet of the Pharmacy bills in the works for 2017.  
35

36 **SECTION C: Attorney General's Report- David Flynn, Assistant Attorney General**

37  
38 1. Monthly Rules Report

39  
40 Mr. Harris touched on the development and implementation of the rules that have been recently pushed forward and encouraged board  
41 member participation in the process.  
42

43 **SECTION D: Investigative Services Report- Michelle Miller, Field Operations Manager**

44  
45 1. Investigative Services Report

46  
47 Ms. Miller stated that as of March 31, 2017, the Investigative Services Unit has completed 83.27% of their Pharmacy inspections  
48 79.78% of their Sterile Compounding Facility inspections, both above their goal of 75% for the year.  
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55 **Tab 1 ended: 1:35 p.m.**

56 **Tab 2 started: 1:35 p.m.**

1 **TAB 2: GENERAL BUSINESS**

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3 **SECTION A: Ratification of Issued Licenses/Certificates & Staffing Ratios**

- 4 1. Pharmacist (Licensure)(Client 2201) – 41 – Motion by Ms. Glass, seconded by Dr. Alvarez. Motion carried.  
5 2. Pharmacist (Exam Eligibility)(Client 2201) – 56 – Motion by Ms. Glass, seconded by Mr. Bisailon. Motion carried.  
6 3. Pharmacist Interns (Client 2202) – 65 – Motion by Dr. Alvarez, seconded by Ms. Glass. Motion carried.  
7 4. Consultant Pharmacist (Client 2203) – 6 – Motion by Mr. Bisailon, seconded by Ms. Glass. Motion carried.  
8 5. Nuclear Pharmacist (Client 2204) - 1 – Motion by Ms. Glass, seconded by Mr. Bisailon. Motion carried.  
9 6. Pharmacy/Facilities (Client 2205) – 65 – Motion by Dr. Alvarez, seconded by Ms. Glass. Motion carried.  
10 7. Registered Pharmacy Technicians (Client 2208) – 612 – Motion by Mr. Meshad, seconded by Ms. Glass. Motion carried.  
11 8. Nonresident Sterile Compounding (Client 2210) – 1 – Motion by Mr. Bisailon, seconded by Dr. Weizer. Motion carried.  
12 9. CE Providers – 4 – Motion by Dr. Alvarez, seconded by Ms. Glass. Motion carried.  
13 10.CE Courses – 6 – Motion by Ms. Glass, seconded by Mr. Bisailon. Motion carried.  
14 11.CE Individual Request (Approved) – 0  
15 12.CE Individual Request (Denied) – 0  
16  
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18 **SECTION B: Review and approval of minutes from prior meetings**

19  
20 **February 7-8, 2017 – Full Board Meeting Minutes**

21  
22 Dr. Weizer noted the following correction(s) to the minutes: On pages 2 and 5, Ms. Glass is incorrectly listed as chair under the  
23 “members present” section and needs “BPharm” added next to her name. On page 4, Dr. Mesaros is incorrectly listed as calling the  
24 general rules discussion to order, which should be changed to Dr. Mikhael. Dr. Weizer also noted that on page 2 section A, Dr. Weizer  
25 should be indicated for FSHP liaison. Dr. Alvarez noted that he was indicated as the FPA “sponsor” and that he’s technically the FPA  
26 liaison. Mr. Flynn stated that the verbiage should be updated on the informal section of page 8 to reflect that the clients were properly  
27 served and requested an informal hearing. Motion to accept the minutes with designated amendments was made by Dr. Weizer and  
28 seconded by Ms. Glass, motion carried.  
29

30 **SECTION C: Petition to Allow PDM to Serve at Two Locations**

31  
32 **1. Metro RX LLC, License Type 2205, File#18157**

33  
34 Respondent is petitioning the restrictions under Rule 64B16- 27.104 and requesting that 2 pharmacies located next door to each other be allowed to  
35 share a PDM. It was clarified that there are no overlapping hours of operation, as the pharmacies are open on opposite days. Dr. Weizer made a  
36 motion to grant the petition, with the stipulation that if anything changes from the proposed guidelines of the petition, they must come  
37 before the Board again for approval. Motion seconded by Mr. Philip. Unanimous vote, Motion carried.  
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41 **Tab 2 ended: 2:05 pm**

42 **Tab 3 started: 2:05 pm**  
43

44 **TAB 3: APPLICATIONS REQUIRING BOARD REVIEW**

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46 **SECTION A: Pharmacist Applications**

47  
48 **1. Eseoghene Akamune, License Type 2201, File#49750**

49  
50 Mr. Akamune approached the Board and was sworn in. Mr. Akamune provided some background regarding the incident which  
51 brought him before the board for review. Mr. Akamune also went into detail about the steps he has taken to improve himself since the  
52 incident, such as completing school and working two jobs. He stated he’s been studying for the NAPLEX and is eager to take the  
53 exam. Dr. Mikhael made a motion to approve the application, seconded by Dr. Weizer. Unanimous vote, motion carried.  
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55

1  
2 **SECTION B: Registered Pharmacy Technician Applications**  
3

4 **1. Taylor Tapia, License Type 2208, File#76482**  
5

6 Mr. Tapia approached the board and was sworn in. Dr. Weizer commented on some of the materials included in Mr. Tapia's application packet,  
7 specifically the high regards Mr. Tapia received in his character letters. Motion to approve the application by Dr. Weizer and seconded by Mr.  
8 Bisailon. Unanimous vote, motion carried.  
9

10 **2. Michelle Jenkins, License Type 2208, File#75168**  
11

12 The application came before the board because the applicant answered "yes" to the criminal history question on the application. In addition to this,  
13 Board office staff discovered an undisclosed charge prior to this meeting. Due to the non-disclosure, it was determined that the Board has further  
14 questions for the applicant before they can comfortably approve or deny this application. Dr. Mesaros made a motion to require applicant  
15 appearance at one of the next two meetings, seconded by Dr. Alvarez. Unanimous vote, motion carried.  
16

17 **SECTION C: Non-Resident Sterile Compounding Applications**  
18

19 **1. Nephron Sterile Compounding Center LLC, License Type 2210, File#272**  
20

21 Lou Kennedy, the owner/CEO of Nephron, approached the board and was sworn in. This application has come before the board because the FDA  
22 website states the facility has not yet been inspected. Ms. Kennedy stated the facility was inspected previously, but at the time the facility had two  
23 separate FEINS, which were later merged into one. Dr. Weizer asked Ms. Kennedy to elaborate on the set up of her facility, as she stated there's a  
24 manufacturing side and compounding side of the building. Dr. Mikhael recommended that the operator obtains a letter from the FDA saying her  
25 entity has been inspected, and if provided to the chair of the compounding committee (Dr. Weizer), she can review for further processing. Ms.  
26 Kennedy requested a continuance, motion by Dr. Weizer to approve request for a continuance and seconded by Mr. Philip. Unanimous vote,  
27 motion carried.  
28

29 **2. Auro Pharmacies Inc, License Type 2210, File#259**  
30

31 Nayan Patel, President/CEO of Auro Pharmacies Inc, approached the board and was sworn in. Mr. Patel gave further details regarding the  
32 California FDA inspection and observations/deficiencies. Dr. Mikhael recommended that the applicant provide documentation of inspection  
33 compliance/corrective actions to Dr. Weizer, so she can review for further processing. Mr. Patel requested a continuance, motion by Dr. Weizer  
34 and seconded by Dr. Mikhael. Unanimous vote, motion carried.  
35

36 **Tab 3 ended: 3:06 p.m.**

37 **Tab 4 started: 3:06 p.m.**  
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39

40 **TAB 4: OTHER BUSINESS**  
41

42 **1. Presentation from Austin White**  
43

44 Austin White, President/Co-Founder of MD Health RX Solutions, approached the Board for a presentation on his company. His  
45 company's parent company, MD Plus, has been providing telehealth services via computers, smartphones, and other audio/visual  
46 technology since 2009. The combined goal of both companies is to make pharmacist/patient consultations more accessible by  
47 employing their new 24-hour technology called OnMed. Mr. White presented a PowerPoint presentation which provided further  
48 details about OnMed's design, functionality, and anticipated availability.  
49

50 **Tab 4 ended: 3:32 p.m.**

51 **\*Short Break\***

52 **Tab 5 started: 3:45 p.m.**  
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2 **TAB 5: RULES ACTIONS & DISCUSSION**

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4 **SECTION A: Compounding Rules**

5  
6 **1. 64B16-28.802 – Special Sterile Compounding Permits**

7  
8 Dr. Mikhael made a motion to accept the proposed changes, seconded by Mr. Philip. Unanimous vote, motion carried. After some discussion, Dr.  
9 Mikhael made a motion to amend paragraph 6 to only be inclusive of institutionalized modified 2B permits, seconded by Ms. Glass. Unanimous  
10 vote, motion carried. Dr. Mikhael made a motion that there will be no financial impact and there will be no SERC required, seconded by Mr.  
11 Philip. Unanimous vote, motion carried.

12  
13 **2. 64B16-28.905 – NSRC Permit Inspections; Approved Inspection Entities**

14  
15 Mr. Flynn noted that he is wanting to transfer this existing rule over to Chapter 32 in hopes of completing the chapter. Mr. Flynn also noted that the  
16 Board made a vote at the February to not allow inspections from third party entities, therefore Rule 64B16-32.015 will no longer be needed. Dr.  
17 Mikhael made a motion to move the rule into Chapter 32, and in the same motion close Rules 64B16-32.015 and 64B16-32.017. Motion seconded  
18 by Ms. Glass. Unanimous vote, motion carried.

19  
20 **3. 64B16-32.015 – Approved Inspection Entities – NSRC For Nonresident Pharmacies**

21  
22 Dr. Mikhael made a motion to close the rule, seconded by Ms. Glass. Unanimous vote, motion carried.

23  
24 **4. 64B16-32.017 – Approved Inspection Entities- NSRC For Outsourcing Facilities**

25  
26 Dr. Mikhael made a motion to close the rule, seconded by Ms. Glass. Unanimous vote, motion carried.

27  
28 **5. 64B16- 28.100 – Pharmacy Permits – Applications and Permitting**

29  
30 Dr. Mikhael made a motion to close the rule, seconded by Ms. Glass. Unanimous vote, motion carried.

31  
32 **SECTION B: General Rules**

33  
34 **1. 64B16-26.351- Standards for Approval of RPT Training Programs**

35  
36 Dr. Weizer noted that ASHP was referred to incorrectly as ASHSP. Dr. Weizer made a motion to approve proposed changes, seconded  
37 by Mr. Philip. Unanimous vote, motion carried. Dr. Alvarez made a motion that there will be no regulatory or financial impact,  
38 seconded by Mr. Philip. Dr. Weizer wanted to clarify that this was just a language change and does not impact any programs  
39 previously approved, to which Mr. Harris stated she is correct. Unanimous vote, motion carried. Mr. Philip made a motion that there is  
40 no legislative ratification required, seconded by Dr. Alvarez. Unanimous vote, motion carried.

41  
42 **2. 64B16-27.104 – Conduct Governing Pharmacists & Pharmacy Permittees**

43  
44 Dr. Alvarez made a motion to withdrawal the proposed changes to the rule, which would leave the rule as-is and allow more time for Mr. Harris  
45 and Mr. Flynn to work on amendments. Motion seconded by Mr. Bisailion. Unanimous vote, motion carried

46  
47 **3. 64B16-26.1032- Immunization Administration Certification Application**

48  
49 Dr. Weizer made a motion to move approve proposed changes, seconded by Mr. Bisailion. Unanimous vote, motion carried. Dr.  
50 Weizer made a motion that there will be no regulatory or financial impact, seconded by Mr. Bisailion. Unanimous vote, motion  
51 carried. Dr. Weizer made a motion that there is no legislative ratification required, seconded by Mr. Bisailion. Unanimous vote,  
52 motion carried.

53  
54 **4. 64B16-30.002 – Minor Violations**

55  
56 Dr. Weizer made a motion to open the rule for development, seconded by Mr. Philip. Unanimous vote, motion carried.

1  
2 **5. 64B16- 27.100 – Display of Current License or Registration**  
3

4 Dr. Mikhael made a motion to open the rule for development, seconded by Ms. Glass. Unanimous vote, motion carried.  
5

6 **6. 64B16-28.501- Institutional Permit – Consultant Pharmacist of Record**  
7

8 Dr. Alvarez made a motion to move the rule forward with the proposed amendments, seconded by Dr. Weizer. Dr. Weizer made a  
9 motion that there is no regulatory or financial impact, seconded by Mr. Bisailon. Dr. Weizer made a motion that there is no legislative  
10 ratification required, seconded by Mr. Bisailon. Unanimous vote, motion carried.  
11

12 **7. 64B16- 28.870 – Special ALF**  
13

14 Dr. Alvarez made a motion to move the rule forward with the proposed amendments, seconded by Dr. Weizer. Dr. Weizer made a  
15 motion that there is no regulatory or financial impact, seconded by Mr. Bisailon. Dr. Weizer made a motion that there is no legislative  
16 ratification required, seconded by Mr. Bisailon. Unanimous vote, motion carried.  
17

18 **8. 64B16-28.503 – Transmission of Starter Dose Prescriptions**  
19

20 Dr. Weizer made a motion to approve the proposed changes, with the addition of an exclusion for controlled substances. Motion  
21 seconded by Dr. Mikhael. Unanimous vote, motion carried. Dr. Alvarez made a motion that there is no regulatory or financial impact,  
22 seconded by Mr. Bisailon. Dr. Alvarez made a motion that no legislative ratification required, seconded by Mr. Bisailon. Unanimous  
23 vote, motion carried.  
24

25 **9. 64B16- 28.606- Remote Medication Order Processing**  
26

27 Dr. Mikhael made a motion to approve the amendments with the addition of a HIPA regulation, seconded by Dr. Weizer. Mr. Philip made a  
28 motion that there is no regulatory or financial impact, seconded by Ms. Glass. Mr. Philip made a motion that no legislative ratification required,  
29 seconded by Ms. Glass. Unanimous vote, motion carried.  
30

31 **10. 64B16- 28.118 – Unit Dose and Customized Patient Medication Package Returns**  
32

33 After much discussion regarding the proposed language change, it was decided that this rule should continue to be developed and continued for  
34 discussion at the June board meeting.  
35

36 **11. 64B16-28.301 – Destruction of Controlled Substances**  
37

38 Dr. Mikhael made a motion to move forward with the proposed language change, seconded by Dr. Alvarez. Unanimous vote, motion carried. Dr.  
39 Mikhael made a motion that there is no regulatory or financial impact, seconded by Dr. Weizer. Unanimous vote, motion carried. Dr. Mikhael  
40 made a motion that there is no legislative ratification required, seconded by Dr. Weizer. Unanimous vote, motion carried.  
41

42 ~~**12. Package from CVS/Omnicare**~~  
43

44 This matter was placed on the agenda as supporting documentation to some of the above mentioned rules and served as a visual reference for  
45 meeting attendees.  
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47 **Tab 5 ended: 6:34 p.m.**

48 **Meeting adjourned at: 6:36 p.m.**  
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**Wednesday, April 5, 2017 – 9:00 A.M.**

The meeting was called to order by Dr. Mikhael, Chair, at approximately 8:57 a.m. Those present for all or part of the meeting included the following:

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**General Board Business started: 9:00 a.m.**

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**MEMBERS PRESENT:**

Debra Glass, BPharm  
Mark Mikhael, PharmD, Chair  
Michele Weizer, PharmD  
Goar Alvarez, PharmD  
Gavin Meshad  
Jeenu Phillip, BPharm, Vice Chair  
Jeffrey J. Mesaros, PharmD, JD  
David Bisailon

**STAFF PRESENT:**

Bianca Bell, Program Operations Administrator  
C. Erica White, Executive Director

**BOARD COUNSEL:**

David Flynn, Assistant Attorney General  
Lawrence Harris, Assistant Attorney General

**PROSECUTORS:**

Kate Holmes, Assistant General Counsel  
Christopher Jurich, Assistant General Counsel

*Please note the minutes reflect the actual order agenda items were discussed and may differ from the agenda outline. AUDIO from this meeting can be found online: <http://floridaspharmacy.gov/>*

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**TAB 3: APPLICATIONS FOR REVIEW (CONTINUED)**

*Client requested to be reviewed on Wednesday*

**Section D: Pharmacy Permit Applications**

1. **Guest House Ocala LLC, License Type 2205, File#24212**

Motion to approve the application made by Dr. Weizer, seconded by Ms. Glass. Unanimous vote, motion carried.

2. **Accredo Health, License Type 2210, File#264**

Motion by Dr. Weizer to amend agenda to discuss and review application and supporting documents, seconded by Mr. Meshad. Unanimous vote, motion carried. Discussion followed. Dr. Alvarez recused himself. Dr. Mikhael motioned for required appearance at one of the next two meetings, seconded by Dr. Weizer. Unanimous vote, motion carried.

**Tab 3 ended at: 9:07 a.m.**

**Tab 6 started at: 9:08 a.m.**

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**TAB 6: DISCIPLINARY CASES**

**SECTION A: Settlement Agreements (Appearance Required)**

**SA-1 Professional Pharmacy & Compounding Services LLC, Case#2015-09137**

**Dr. Weizer & Mr. Bisailon recused due to participation on the Probable Cause Panel.**

Motion to accept the Settlement Agreement made by Dr. Mesaros, seconded by Ms. Glass. Unanimous vote, motion carried.

**SA-2 Ergogenic Labs, Inc, Case#2016-00116**

**Dr. Weizer & Mr. Bisailon recused due to participation on the Probable Cause Panel.**

1  
2 Motion to accept the Settlement Agreement made by Dr. Mesaros, seconded by Dr. Alvarez. Unanimous vote, motion carried.  
3

4 **SA-3 Azubueze Ikejiani, R.Ph, Case#2015-04723**  
5 **Ms. Glass & Dr. Mikhael recused due to participation on the Probable Cause Panel.**  
6

7 Motion to accept and grant continuance made by Dr. Mesaros, seconded by Dr. Weizer. Unanimous vote, motion carried.  
8

9 **SA-4 Azubueze Ikejiani, R.Ph, Case#2015-09139**  
10 **Dr. Weizer & Mr. Bisailon recused due to participation on the Probable Cause Panel.**  
11

12 Motion to accept and grant continuance made by Dr. Mesaros, seconded by Ms. Glass. Unanimous vote, motion carried.  
13

14 **SA-5 Julia S. Thompkins, R.P.T., Case#2015-26017**  
15 **Dr. Weizer recused due to participation on the Probable Cause Panel.**  
16

17 Motion to accept the Settlement Agreement made by Dr. Mesaros, seconded by Ms. Glass. Unanimous vote, motion carried.  
18

19 **SA-6 Southwest Florida Infusion Care Inc, Case#2015-30232**  
20 **Mr. Philip recused due to participation on the Probable Cause Panel.**  
21

22 Continuance to June meeting granted prior to the Board Meeting.  
23

## 24 **SECTION B: Determination of Waivers**

25  
26 **DOW-1 RC Pharma Inc, Case#2015-18504**  
27 **Dr. Mikhael & Mr. Philip recused due to participation on the Probable Cause Panel**  
28

29 Motion by Dr. Alvarez and seconded by Dr. Weizer to find that respondent was properly served and waived the right to a formal  
30 hearing. Motion carried. Motion by Dr. Alvarez and seconded by Dr. Weizer, to accept the investigative report into evidence for the  
31 purposes of imposing a penalty. Motion carried. Motion by Dr. Alvarez and seconded by Dr. Weizer, to adopt the conclusions of law  
32 set forth in the Administrative Complaint and find that this constitutes a violation of the Pharmacy Practice Act. Motion Carried.  
33 Recommended Penalty: Revocation. Motion by Dr. Alvarez and seconded by Dr. Weizer. Motion carried.  
34

35 **DOW-2 Guillermo Juan Delgado, R.P.T., Case#2014-07559**  
36 **Dr. Mikhael & Dr. Weizer recused due to participation on the Probable Cause Panel**  
37

38 Motion by Ms. Glass and seconded by Dr. Alvarez to find that respondent was properly served and waived the right to a formal  
39 hearing. Motion carried. Motion by Ms. Glass and seconded by Dr. Alvarez, to accept the investigative report into evidence for the  
40 purposes of imposing a penalty. Motion carried. Motion by Ms. Glass and seconded by Dr. Alvarez, to adopt the conclusions of law  
41 set forth in the Administrative Complaint and find that this constitutes a violation of the Pharmacy Practice Act. Motion Carried.  
42 Recommended Penalty: Revocation. Motion by Ms. Glass and seconded by Dr. Alvarez. Motion carried.  
43

44 **DOW-3 Euro Pharma Inc, Case#2016-09048**  
45 **Dr. Alvarez & Ms. Glass recused due to participation on the Probable Cause Panel**  
46

47 Motion by Mr. Bisailon and seconded by Mr. Philip to find that respondent was properly served and waived the right to a formal  
48 hearing. Motion carried. Motion by Mr. Philip and seconded by Mr. Bisailon to accept the investigative report into evidence for the  
49 purposes of imposing a penalty. Motion carried. Motion by Mr. Philip and seconded by Mr. Bisailon to adopt the conclusions of law  
50 set forth in the Administrative Complaint and find that this constitutes a violation of the Pharmacy Practice Act. Motion Carried.  
51 Recommended Penalty: Revocation. Motion by Mr. Philip and seconded by Mr. Bisailon. Motion carried.  
52

53 **DOW-4 Ruba F.S. Khandaqji, R.Ph, Case#2015-09199**  
54 **Ms. Glass & Mr. Philip recused due to participation on the Probable Cause Panel**  
55

56 Motion by Mr. Bisailon and seconded by Dr. Weizer to find that respondent was properly served and waived the right to a formal  
57 hearing. Motion carried. Motion by Mr. Bisailon and seconded by Dr. Weizer, to accept the investigative report into evidence for the  
58 purposes of imposing a penalty. Motion carried. Motion by Mr. Bisailon and seconded by Dr. Weizer to adopt the conclusions of law



1 set forth in the Administrative Complaint and find that this constitutes a violation of the Pharmacy Practice Act. Motion Carried.  
2 Recommended Penalty: Revocation. Motion by Mr. Bisailon and seconded by Dr. Weizer. Motion carried.  
3

4 **DOW-5 Amy Catherine Topolski, R.P.T., Case#2015-23641**  
5 **Dr. Mikhael & Mr. Meshad recused due to participation on the Probable Cause Panel**  
6

7 Motion by Ms. Glass and seconded by Dr. Alvarez to find that respondent was properly served and waived the right to a formal  
8 hearing. Motion carried. Motion by Ms. Glass and seconded by Dr. Alvarez to accept the investigative report into evidence for the  
9 purposes of imposing a penalty. Motion carried. Motion by Ms. Glass and seconded by Dr. Alvarez to adopt the conclusions of law set  
10 forth in the Administrative Complaint and find that this constitutes a violation of the Pharmacy Practice Act. Motion Carried.  
11 Recommended Penalty: Revocation. Motion by Ms. Glass and seconded by Dr. Alvarez. Motion carried.  
12

13 **DOW-6 Calan Pharmacy & Discount Service LLC, Case#2016-10670**  
14 **Mr. Philip Alvarez & Dr. Fallon recused due to participation on the Probable Cause Panel**  
15

16 Motion by Ms. Glass and seconded by Dr. Alvarez to find that respondent was properly served and waived the right to a formal  
17 hearing. Motion carried. Motion by Ms. Glass and seconded by Dr. Alvarez, to accept the investigative report into evidence for the  
18 purposes of imposing a penalty. Motion carried. Motion by Ms. Glass and seconded by Dr. Alvarez, to adopt the conclusions of law  
19 set forth in the Administrative Complaint and find that this constitutes a violation of the Pharmacy Practice Act. Motion Carried.  
20 Recommended Penalty: Revocation. Motion by Ms. Glass and seconded by Dr. Alvarez. Motion carried.  
21

22 **SECTION C: Voluntary Relinquishments**  
23

24 **VR-1 Simon Broadhead Van Wagenen, R.Ph, Case#2016-13015**  
25 **Ms. Glass & Dr. Alvarez recused due to participation on the Probable Cause Panel**  
26

27 Motion by Dr. Mesaros and seconded by Dr. Weizer to accept Voluntary Relinquishment. Unanimous vote, Motion carried.  
28

29 **VR-2 Calan Pharmacy & Discount Service LLC, Case#2016-23928**  
30 **Mr. Philip recused due to participation on the Probable Cause Panel**  
31

32 Motion by Dr. Mesaros and seconded by Dr. Weizer to accept Voluntary Relinquishment. Unanimous vote, Motion carried.  
33

34 **VR-3 California Pharmacy & Compounding Center, Case#2016-23928**  
35 **Dr. Weizer recused due to participation on the Probable Cause Panel**  
36

37 Motion by Dr. Mesaros and seconded by Dr. Weizer to accept Voluntary Relinquishment. Unanimous vote, Motion carried.  
38

39 **VR-4 Yis Fernandez, R.P.T., Case#2016-17851**  
40

41 Motion by Dr. Mesaros and seconded by Ms. Glass to accept Voluntary Relinquishment. Unanimous vote, Motion carried.  
42

43 **VR-5 Lillianne Fernandez, R.P.T., Case#2016-11662**  
44 **Ms. Glass & Dr. Alvarez recused due to participation on the Probable Cause Panel**  
45

46 Motion by Dr. Mesaros and seconded by Dr. Weizer to accept Voluntary Relinquishment. Unanimous vote, Motion carried.  
47

48 **VR-6 Diego Gumerindo Carbonell, R.P.T., Case#2016-15832**  
49

50 Motion by Dr. Mesaros and seconded by Ms. Glass to accept Voluntary Relinquishment. Unanimous vote, Motion carried.  
51

52 **VR-7 Infinity Pharmacy, Inc, Case#2017-00401**  
53 **PCP Waived**  
54

55 Motion by Dr. Mesaros and seconded by Ms. Glass to accept Voluntary Relinquishment. Unanimous vote, Motion carried.  
56  
57

1 **SECTION D: Informals**

2  
3 **I-1 Brigitte Elizabeth Brown, R.P.T., Case#2016-15946**

4 **Dr. Mikhael and Dr. Weizer recused due to participation on the Probable Cause Panel**

5  
6 Motion by Ms. Glass and seconded by Dr. Alvarez to find that respondent was properly served and requested an informal hearing.  
7 Motion carried. Motion by Ms. Glass and seconded by Dr. Alvarez to accept the investigative report into evidence for the purposes of  
8 imposing a penalty. Motion carried. Motion by Ms. Glass and seconded by Dr. Alvarez, to adopt the conclusions of law set forth in the  
9 Administrative Complaint and find that this constitutes a violation of the Pharmacy Practice Act. Motion Carried. Motion for \$125.73  
10 costs payable upon reinstatement. Motion by Ms. Glass and seconded by Dr. Alvarez. Motion Carried.

11  
12 **I-2 Brigitte Elizabeth Brown, R.P.T., Case#2016-15930**

13 **Ms. Glass and Dr. Fallon recused due to participation on the Probable Cause Panel**

14  
15 Motion by Dr. Alvarez and seconded by Dr. Mesaros to find that respondent was properly served and requested a formal hearing.  
16 Motion carried. Motion by Dr. Alvarez and seconded by Dr. Mesaros, to accept the investigative report into evidence for the purposes  
17 of imposing a penalty. Motion carried. Motion by Dr. Alvarez and seconded by Dr. Mesaros to adopt the conclusions of law set forth  
18 in the Administrative Complaint and find that this constitutes a violation of the Pharmacy Practice Act. Motion Carried. Motion for  
19 \$531/59 costs payable upon reinstatement. Motion by Dr. Alvarez and seconded by Dr. Mesaros. Motion carried. Jeenu made a motion  
20 to put both cases and the costs together, seconded by Dr. Alvarez.

21  
22 **SECTION F: Prosecution Services Report**

23  
24 **1. Christopher Jurich, Assistant General Counsel**

25  
26 Mr. Jurich stated that the inventory was 275 cases at the February meeting and is now 279 cases. Mr. Jurich stated we currently have  
27 94 cases that are 1 year or older and asked the board to consider allowing PSU a continuance for prosecuting these cases. Ms. Glass  
28 made a motion to allow the continuance, seconded by Mr. Philip. Motion carried.

29  
30 **Tab 6 ended at: 11:59 p.m.**

31 **Tab 7 started: 12:00 p.m.**

32  
33 **TAB 7: LICENSURE ISSUES**

34  
35 **SECTION A: Petition for Termination of Probation**

36  
37 **1. Lindsay Wolfe, Case#2012-14467, File#37720**

38  
39 Motion by Dr. Mesaros and seconded by Mr. Bisailon to accept termination of probation. Unanimous vote, Motion carried.

40  
41 **2. Eastern Pharmacy, Case#2014-00677, File#19620**

42  
43 Motion by Dr. Weizer and seconded by Dr. Alvarez to accept termination of probation. Unanimous vote, Motion carried.

44  
45 **SECTION B: Petition to Lift Restriction**

46  
47 **1. Evans Branch, R.Ph, License type 2201, File#47848**

48  
49 Motion by Dr. Mikhael and seconded by Dr. Weizer to not accept the petition to lift restriction. Unanimous vote, Motion carried.

50  
51 **2. John Major, License type 2201, File#43928**

52  
53 After some discussion, it was determined that the terms of the petition as currently proposed are unable to be met by the Board of  
54 Pharmacy. Mr. Major was asked to revise his petition and request to appear before the Board at a future meeting.

1 **SECTION C: Petition for Reconsideration**  
2

3 **1. Joseph Thomas Norkus, License type 2201, File#48221**  
4

5 Motion by Dr. Mesaros and seconded by Dr. Alvarez to vacate the notice of intent to deny filed on September 16, 2016 and to grant  
6 the client's previously requested withdrawal of application. Unanimous vote, Motion carried.  
7

8  
9  
10 **Tab 7 ended at: 1:18 p.m.**

11 **Meeting adjourned at: 1:22p.m.**

DRAFT