

Tennessee Board of Pharmacy  
Board Meeting  
September 11-12, 2018

TENNESSEE BOARD OF PHARMACY  
665 Mainstream Drive, Iris Room  
Nashville, TN  
September 11-12, 2018

**BOARD MEMBER PRESENT**

R. Michael Dickenson, D.Ph., President  
Debra Wilson, D.Ph., Vice President  
Katy Wright, D. Ph.  
Adam Rodgers, D.Ph.  
Rissa Pryse, D.Ph.  
Lisa Tittle, Consumer Member

**STAFF PRESENT**

Reginald Dilliard, Executive Director  
Matthew Gibbs, Associate General Counsel  
Richard Hadden, Pharmacy Investigator  
Rebecca Moak, Pharmacy Investigator  
Robert Shutt, Pharmacy Investigator  
Terry Grinder, Pharmacy Investigator  
Andrea Miller, Pharmacy Investigator  
Albert Hill, Pharmacy Investigator  
Derek Johnston, Pharmacy Investigator  
Scott Denaburg, Pharmacy Investigator  
Sheila Bush, Administrator Director

The Tennessee Board of Pharmacy convened on Tuesday, September 11, 2018, in the Iris Room, 665 Mainstream Drive, Nashville, TN. A quorum of the members being present, the meeting was called to order at 8:02 a.m.

**Minutes**

The minutes from the July 17-18, 2018 board meeting were presented. After discussion, Ms. Tittle made the motion to accept the minutes as amended. Dr. Wilson seconded the motion. The motion carried.

**OGC Report**

Mr. Gibbs stated that there are currently 63 cases open for discipline within the Office of General Counsel. Of those 63 cases, 26 are eligible for a contested hearing.

Mr. Gibbs informed the board that on July 25, 2018, he and Dr. Dilliard appeared before the General Assembly's Joint Government Operations Committee meeting regarding the "drug repository" rule packet. The rule packet was given a positive recommendation (by the committee) for inclusion within the General Assembly's omnibus bill. The "drug repository" rule packet is scheduled to take effect on August 29, 2018.

The 3PL rule packet will be filed with the Tennessee Secretary of State's Administrative Procedures Division by Monday, September 17, 2018. After 90 days, this rule packet will take effect. Mr. Gibbs asked the board to allow the administrative office to process applications for 3PL's before the rule becomes effective. There is a company in Tennessee trying to do business in California and the California Board of Pharmacy will not issue them a license without proof that they have a 3PL license issued by the Tennessee Board of Pharmacy. After discussion, Dr. Wilson made the motion to accept and approve applications for 3PL licensure before the rules become effective. The rules will be in effective December 11, 2018. Dr. Wright seconded the motion. The motion carried.

Mr. Gibbs informed the board that The Tennessee Board of Pharmacy along with the Tennessee Department of Health has been named as two of the defendants contained in the master docket for the National Prescription Opiate Litigation. The Office of the Attorney General is aware of this litigation.

Mr. Gibbs will review the Preventative Care Policy that was submitted by Dr. Kevin Eidson at the July 2018 board meeting. This policy will be discussed at the December 3, 2018 board meeting.

### **Complaint Summary**

#### **1.**

Consumer Affairs forwarded a Complaint to the BOP. Complainant alleged the respondent pharmacy failed to provide an accurate copay projection resulting in the patient owing more than expected. Complainant also alleged the pharmacy would not honor the quoted copay and only offered alternative organizations to contact regarding patient assistance programs.

BOP Investigators visited the pharmacy and obtained sworn statements. PIC for the respondent pharmacy stated the projected copay was different because the patient had already used the maximum pay-out of the assistance program. Alternative assistance programs were given to the complainant and the complaint was settled with a zero copay for the patient. No violations of pharmacy laws or rules could be determined.

#### **Prior discipline.**

Recommend: Dismiss

Dr. Pryse made the motion to **accept counsel's recommendation**. Ms. Tittle seconded the motion. The motion carried.

#### **2.**

Complainant (prescriber) alleged respondent pharmacist placed the wrong prescriber's name on a controlled substance prescription. BOP Investigator confirmed with respondent the prescription was called in from the clinic where the complainant worked. When respondent pharmacist called the office regarding the complaint, respondent was told it was called in incorrectly and gave the respondent the name of another prescriber at the clinic. The prescription record and CSMD were corrected.

Recommend: Dismiss

Dr. Wilson made the motion to **accept counsel's recommendation**. Dr. Pryse seconded the motion. The motion carried.

#### **3.**

Complaint alleged the respondent pharmacy shorted the patient #45 Tramadol from a prescription written for #90, and when patient returned to obtain the alleged shorted tablets, there were less than 45 in that bottle when she got home.

BOP Investigator visited the pharmacy and obtained records and sworn statements. The prescription was counted by a Parata, then double counted and initialed by an intern. However, the patient (who has significant medical conditions) became very upset with the explanation. Subsequently, the pharmacist dispensed the patient another 45 tablets to give the patient benefit of the doubt. Later, detailed audits were conducted and it was discovered the pharmacy was short 99 Tramadol, of which 45 of those would be the second dispensing to appease the patient. Pharmacy staff members are now certain the correct amount was dispensed. A policy of having 3 different people recount this patient's medications has been implemented.

Recommend: Dismiss

Dr. Wright made the motion to **accept counsel's recommendation**. Dr. Wilson seconded the motion. The motion carried.

**4.**

On June 5, 2018, BOP Investigator conducted a new opening inspection for respondent which is a prescription device distributor. Investigator discovered prescription devices were already on-site and questioned staff. It was determined the firm started operations June 1, 2017 but did not become licensed until June 13, 2018.

Recommend: \$100 per month for 13 months for unlicensed activity = \$1,300

Dr. Wilson made the motion to **authorize a formal hearing** with a \$1300.00 civil penalty to the distributor for unlicensed activity. Ms. Tittle seconded the motion. The motion carried.

**5.**

**6.**

Complainant (PIC) initiated an internal investigation and observed video footage which revealed respondent technician removing tablets from bottles. A police report was filed.

Recommend: Revoke technician registration

Dr. Pryse made the motion to **authorize a formal hearing** for revocation of the pharmacy technician registration. Dr. Rodgers seconded the motion. The motion carried.

**7.**

Complainant (a veterinarian) called in a non-controlled prescription and became angry when asked for a DEA or NPI number. The respondent is a pharmacy.

BOP Investigator interviewed the pharmacist who was on duty when the incident happened. A technician took the verbal order and noticed the prescriber was not in the pharmacy's database. When the complainant became angry, the pharmacist took the phone and tried to explain the reason the information was requested. The pharmacist manually entered the prescriber's information into the system by using the prescriber's license number instead of a DEA or NPI number. The medication was dispensed.

Recommend: Dismiss

Dr. Wilson made the motion to **accept counsel's recommendation**. Dr. Pryse seconded the motion. The motion carried.

## 8.

During a periodic inspection, BOP Investigator observed failure to counsel three different patients on new prescriptions and failure to offer counseling at the drive-thru window. Three techs were on duty and failed to notify either of two pharmacists on duty there were new prescriptions which needed counseling. When questioned, the two pharmacists stated the counseling pharmacist was at lunch. Two of the techs are experienced. One tech had been working in the pharmacy for two weeks and stated no one had told her about counseling. However, all had signed the technician affidavit statement regarding understanding the laws and rules for technicians

The following other issues were found during the inspection and were corrected on-site with education and a follow-up corrective plan of action:

1. Expired certificates were on display. Some were for employees no longer working there.
2. Two tech registrations were not available or on display.
3. The traceable thermometer for the vaccine freezer had a maximum temperature of 15 degrees F, which exceeds the max temp for the vaccines being stored in the freezer. There was no investigation performed about the length of time or when the excursion occurred. Investigator requested the vaccine be quarantined until an investigation could be performed, and if there was no information due to poor record keeping, the vaccines should be discarded. Investigator also asked that the alarm mode on the thermometer be set correctly.
4. Failure to initial transfer prescriptions. Several prescriptions transfers were not initialed by the person performing the transfer.
5. A prescription for Carisoprodol was found in the non-controlled prescription file.

Recommend: Pharmacy= \$4,000 CP for noted counseling violations. (Suspension of all but \$1,000 with acceptable plan of correction)

Dr. Wilson made the motion to **authorize a formal hearing** with a \$4000.00 civil penalty to the pharmacy with \$3000.00 stayed pending an acceptable plan of correction for failure to counsel. Ms. Tittle seconded the motion. The motion carried.

## 9.

Respondent is one of the dispensing pharmacists for Case 8 above.

Recommend: \$1,000 CP

Dr. Wright made the motion to **authorize a formal hearing** with a \$1000.00 civil penalty to one the dispensing pharmacist for failure to counsel. Dr. Rodgers seconded the motion. The motion carried.

**10.**

Respondent is one of the dispensing pharmacists for Case 8 above.

Recommend: \$1,000 CP

Dr. Wright made the motion to **authorize a formal hearing** with a \$1000.00 civil penalty to one the dispensing pharmacist for failure to counsel. Dr. Rodgers seconded the motion. The motion carried.

**11.**

Respondent is PIC for Case 8 above.

Recommend: LOI

Dr. Wilson made the motion to issue a **Letter of Instruction** to the PIC for failure to counsel. Dr. Pryse seconded the motion. The motion carried.

**12.**

Respondent is one of the technicians on duty for Case 8 above.

Recommend: LOW

Dr. Pryse made the motion to issue a **Letter of Warning** to the pharmacy technician for failure to notify the pharmacist of two new prescriptions that needed counseling. Dr. Wright seconded the motion. The motion carried.

**13.**

Respondent is one of the technicians on duty for Case 8 above.

Recommend: LOW

Dr. Pryse made the motion to issue a **Letter of Warning** to the pharmacy technician for failure to notify the pharmacist of two new prescriptions that needed counseling. Dr. Wright seconded the motion. The motion carried.

**14.**

Respondent is one of the technicians on duty for Case 8 above.

Recommend: LOW

Dr. Pryse made the motion to issue a **Letter of Warning** to the pharmacy technician for failure to notify the pharmacist of two new prescriptions that needed counseling. Dr. Wright seconded the motion. The motion carried.

**15.**

Complainant alleged the respondent technician sent him a social media message with inflammatory language. Complainant stated he is being treated for depression and the respondent works at the pharmacy where the complainant obtains his medications.

BOP Investigator attempted to contact the complainant on two separate occasions, however there was no answer and a message indicated voice mail was not in place. Investigator also sent an email which was never answered.

Investigator interviewed the respondent who stated the complainant was a co-worker, not a patient, and had been sending harassing messages which the respondent's boyfriend intercepted in the middle of the night and responded to it. Respondent stated that apologies were exchanged and no more contact has been made by either party.

Recommend: Dismiss

Dr. Pryse made the motion to **accept counsel's recommendation**. Dr. Wilson seconded the motion. The motion carried.

**16.**

Complainant alleged the respondent pharmacist was disrespectful and degrading to the patient and refused to fill the patient's prescription for Gabapentin.

BOP Investigator interviewed the respondent, who was aware of the complaint. After reviewing CSMD, the respondent discovered the patient was receiving Buprenorphine-Naloxone from another pharmacy. Based upon possible drug interactions and abuse potential of Gabapentin, the respondent declined to dispense the medication, created a "refusal to fill" document, counseled the patient about the reason the prescription was declined, and gave the prescription back to the patient. Respondent denies any type of disrespectful or degrading behavior. Investigator believes the prescription was declined based upon professional judgment.

Recommend: Dismiss

Dr. Wilson made the motion to **accept counsel's recommendation**. Ms. Tittle seconded the motion. The motion carried.

**17.**

BOP Investigator performed a joint inspection with DEA and noted the respondent pharmacy was deficient in documentation of DUR and early refills despite being previously educated by BOP; the pharmacy ranks several times higher than the national average for purchases of Oxycodone and Oxymorphone; Staff repeatedly ignored "red flags" when dispensing CS.

Several CS violations were noted and resulted in a DEA-issued Memorandum of Agreement with the respondent pharmacy.

During the investigation, BOP Investigator discovered an employee performing technician duties without a technician registration. Employee had been performing tech duties for 29 months (26 months post probationary period.) Another registered technician was observed taking prescription orders by phone without being certified. It could not be determined how many specific prescriptions the technician has taken, however the tech has worked at the pharmacy for a total of 14 months.

Recommend: Probation and monitoring for the pharmacy for 3 years.

Dr. Wilson made the motion to **authorize a formal hearing** with a 3 year probation for the pharmacy with monitoring by the Tennessee Board of Pharmacy administrative office. Dr. Wright seconded the motion. The motion carried.

### 18.

Respondent is PIC for Case 17 above.

Recommend: CE for PIC on CS and recordkeeping; \$2,600 CP for unregistered tech; \$1,400 CP for uncertified tech performing certified tech duties.

Dr. Wilson made the motion to **authorize a formal hearing** with a \$2600.00 civil penalty for an unregistered technician, a \$1400.00 civil penalty for an uncertified technician performing certified technician duties and continuing pharmaceutical education hours in controlled substances and recordkeeping to the PIC. Ms. Tittle seconded the motion. The motion carried. Dr. Wilson made the motion to that the PIC obtain six (6) continuing education hours pertaining to controlled substances and six (6) hours of recordkeeping. Dr. Rodgers seconded the motion. The motion carried

### 19.

Respondent is unregistered tech for Case 17 above.

Recommend: \$100 CP

Dr. Wright made the motion to **authorize a formal hearing** with a \$100.00 civil penalty to the unregistered technician for unregistered practice. Dr. Pryse seconded the motion. After discussion, Dr. Wright amended the motion for a Letter of Instruction to the unregistered technician. Dr. Pryse seconded the amended motion. The amended motion carried.

### 20.

Respondent is uncertified tech for Case 17 above.

Recommend: \$100 CP

Dr. Rodgers made the motion to **authorize a formal hearing** with a \$100.00 civil penalty to the uncertified technician for performing certified technician duties. Ms. Tittle seconded the motion.

After discussion, Rodgers amended the motion for a Letter of Instruction to the uncertified technician for performing certified technician duties. Ms. Tittle seconded the amended motion. The amended motion carried.

**21.**

BOP Investigator performed a periodic inspection in March of 2018 and obtained reports showing high percentages of dispensing plain Buprenorphine as opposed to combination Buprenorphine/Naloxone. Investigator noted a majority of the single entity product was prescribed by one physician. Investigator educated the PIC on treatment guidelines and OBOT licensure requirements. Investigator noted new verbal prescriptions were not being initialed as required and provided education. CS were being transferred from another pharmacy without an invoice. Some red flags were ignored and/or not documented. Examples: High volume of plain Buprenorphine being dispensed to patients that live over an hour away from the pharmacy; a high percentage of these prescriptions come from one prescriber; Investigator witnessed a patient saying they paid this prescriber \$300 per visit.

Investigator made a follow-up visit in July and noted some changes had been made by the PIC. Specifically, more information was being obtained prior to deciding whether to dispense; there was improvement in following guidelines for plain Buprenorphine; the PIC met with the largest prescriber and educated him on the treatment guidelines and OBOT licensure requirements (prescriber claimed he was not familiar with either); PIC has created policy documents for Buprenorphine dispensing, patient information, C2 dispensing, and C3-5 dispensing; some patients have been dismissed since implementing new policies.

Recommend: Pharmacists acquire CE regarding CS recordkeeping requirements and also substance abuse disorder.

Dr. Wilson made the motion to **authorize a formal hearing** to the Pharmacists to acquire continuing education hours regarding controlled substance recordkeeping requirements and substance abuse disorder. Dr. Wright seconded the motion. The motion carried.

**22.**

Complaint alleged respondent pharmacy dispensed the wrong medication with the wrong prescriber's name and the patient had a reaction of stomach pain and shortness of breath.

BOP Investigator interviewed pharmacists at the respondent pharmacy. The prescription had been e-scribed and the pharmacy system defaults to the patient's usual prescriber. This was not noticed by the pharmacist and the prescription was dispensed. Everything else was correct. The pharmacist told Investigator that the patient still uses this pharmacy and has never mentioned the incident or complaint to the pharmacist.

Recommend: LOW

Dr. Pryse made the motion to **dismiss** the complaint. Dr. Rodgers seconded the motion. The motion carried.



**23.**

Complainant (nurse practitioner) alleged the respondent pharmacy had submitted information to the CSMD incorrectly listing the NP as a prescriber on a CS prescription. The pharmacy had been sold and the buyer uses different software. BOP Investigators worked with CSMD staff, the previous pharmacy owner, the current pharmacy owner and corporate management. The CSMD information has been corrected.

Recommend: Dismiss pharmacy, LOI to former owner.

Dr. Pryse made the motion to **dismiss** the complaint. Dr. Rodgers seconded the motion. The motion carried.

**24.**

BOP Investigator received information indicating a pharmacy was licensed with no PIC present. Investigator found that the previous PIC had resigned 6/12/18. After Investigator made contact with the pharmacy owner, a new PIC was named on 7/23/18. The pharmacy did not have a PIC between those dates.

Recommend: \$100. CP (\$50 per month X 2 months) plus cost of the investigation.

Dr. Wilson made the motion to **authorize a formal hearing** with a \$100.00 civil penalty plus the cost of the investigation to the pharmacy for not having a PIC. Dr. Pryse seconded the motion. The motion carried.

**25.**

Upon search of respondent's (a pharmacist) home related to theft of personal property, but unrelated to the practice of pharmacy, law enforcement discovered four non-controlled "return to stock" bottles inside Respondent's home. Respondent denies intent to divert legend drugs and claims the removal of drugs from the pharmacy was accidental. Respondent was arrested and charged of theft of property. Value was estimated at more than \$1,000 but less than \$2,500. In the Respondent's best interest, Respondent pled to theft of property.

Recommend: Two years of probation to mirror dates of criminal probation.

Dr. Wilson made the motion to **authorize a formal hearing** with 2 year probation with a \$1000.00 civil penalty for each drug and \$1000.00 civil penalty for failure to report the conviction. Dr. Pryse seconded the motion. The motion carried.

**26.**

Periodic inspection revealed at least 16 violations of USP 797 standards, including garbing, cleansing, expired certifications and untrained personnel performing sterile compounding. After BOP Investigator advised PIC of issues, the PIC responded re-training would be scheduled and all pharmacists without proper training would cease compounding or the performance of verification functions of compounded prescriptions until certified to do so. PIC admitted

compounding without proper training, however, he believes patient care would have been impacted if he had not compounded.

Recommend: Reprimand and costs.

Dr. Wilson made the motion to **authorize a formal hearing** with \$1000.00 civil penalty for each violation of USP 797 standards all stayed but \$1000.00 pending successfully re-inspection by the pharmacy investigator, license reprimand and case cost. Dr. Rodgers seconded the motion. The motion carried.

**27.**

Respondent was the PIC for Case 26 above where multiple violations of USP 797 were found by BOP Investigator.

Recommend: Reprimand

Dr. Wilson made the motion to **authorize a formal hearing** to reprimand the PIC's pharmacist license. Dr. Pryse seconded the motion. The motion carried.

**28.**

Anonymous complaint alleged respondent out-of-state pharmacy uses input technicians that are not registered in Tennessee.

A representative for the respondent pharmacy indicated the company follows Tennessee BOP rules and all pharmacies, PIC's and techs are properly licensed in Tennessee. However, it was admitted that an oversight resulted in finding one pharmacy not being licensed, but the PIC and techs were. All processing into Tennessee from that site has been halted until the pharmacy becomes licensed. As of 9/7/18, it has not been licensed.

Recommend: Dismiss original complaint, open a complaint against the unlicensed facility.

Dr. Wilson made the motion to **accept counsel's recommendation**. Ms. Tittle seconded the motion. The motion carried.

**Appearance**

**Vanderbilt University Medical Center**

Rusty Caitlin appeared before the board to ask for approval of a ScriptCenter Prescription kiosk from the Vanderbilt Children's Hospital to the Vanderbilt Integrated Pharmacy for employees at that location. The Board has previously approved a ScriptCenter Prescription kiosk for Vanderbilt Children's Hospital but they are in the midst of a remodel and would prefer that the kiosk not be implemented at this time. After discussion, Dr. Wilson made the motion to approve the request for the ScriptCenter Prescription kiosk to be located at Vanderbilt Integrated Pharmacy. Dr. Wright seconded the motion. The motion carried. Dr. Caitlin also request permission for a ScriptCenter Prescription kiosk at Vanderbilt Psychiatric for patients upon discharge. After discussion, Dr. Pryse made the motion to approve the ScriptCenter Prescription

kiosk at Vanderbilt Psychiatric for patients upon discharge. Ms. Tittle seconded the motion. The motion carried.

### **Director's Report**

Dr. Dilliard reminded the board of the upcoming MALTAGON meeting scheduled for October 11-14, 2018 in Kansas City, KS.

Dr. Dilliard pass out a slide presentation Data Analytics showing the number of people who have died due to overdose from 2013 to 2017. The number of Tennessee resident that have died due to overdose in 2017 has increased due to prescription pain medications.

Dr. Dilliard also reminded the board that the November board meeting date has been changed to December 3, 2018. This will be a one day meeting.

Dr. Dilliard informed the board that they were approved for two (2) new pharmacist investigator's positions and that the position has been posted.

Dr. Dilliard informed the board that he has been scouting places for the NABP District III meeting scheduled for Tennessee in August 2019. The location for the meeting will be in Chattanooga, TN.

Dr. Dilliard, Dr. Grinder and Mr. Gibbs presented at a continuing education seminar at Lipscomb University. Dr. Dilliard and Dr. Grinder will present at another continuing education seminar at Lipscomb University on October 6, 2018.

Dr. Dilliard with Dr. Micah Cost will participate at West TN Pharmacy Association meeting at Union University.

Dr. Dilliard explained to the board that the board rules need to a complete overhaul due to the different changes in the practice of pharmacy and some of the rules are outdated. After discussion, the board decided the each member will take a section of the rules for review and updates.

### **Order Modification**

#### **Benjamin Todd Bradford, Pharm.D.**

Dr. Bradford appeared before the board to request that the he be allowed to be float at CuraHealth Nashville, LLC. Dr. Bradford's license was placed on probation on 12/1/2017. After discussion, Dr. Wilson made the motion to approve Dr. Bradford's request to be float at CuraHealth Nashville, LLC. Ms. Tittle seconded the motion. The motion carried.

## **Reinstatement**

### **Kelley Ledet, D.Ph.**

Dr. Ledet requested to have her license reinstated. Dr. Ledet's license was revoked on September 13, 2017. After discussion, Dr. Wright made the motion to reinstate Dr. Ledet's license. Dr. Ledet's license will be on five (5) year probation once she has completed all the necessary requirements for reinstatement with the following conditions. Dr. Pryse seconded the motion. The motion carried.

(a) The Respondent shall completely abstain from the consumption of alcohol or any other drugs, except as specified in (b);

(b) The Respondent shall be able to consume legend drugs or controlled substances prescribed by the Respondent's primary physician, except in the case of an emergency or upon proper referral from the Respondent's primary physician. Upon ratification of this order, the Respondent shall immediately notify the Board office in writing of the name of the Respondent's primary care physician. The Respondent shall immediately notify the Board office in writing of the name of the Respondent's primary physician each time the Respondent changes primary physicians;

(c) The Respondent shall not obtain or attempt to obtain any prescriptions in the Respondent's name for any legend drugs, controlled substances or devices containing same from a physician other than the Respondent's primary physician or from any other health care provider, such as a nurse practitioner, physician's assistant or psychiatrist;

(d) The Respondent shall destroy any unused controlled substances prescribed under the provisions of subsection (b) no later than thirty (30) days following the completion of the prescribed course of treatment;

(e) The Respondent shall report to the Board, in writing, the ingestion of any and all legend drugs or controlled substances (a copy of the prescription will satisfy the requirement);

(f) The Respondent shall not serve as pharmacist-in-charge for a period of three (3) years from the start date of probation; however, after a period of two (2) years' probation the respondent may petition the Board for a modification of this Consent Order to remove the restrictions upon show of good causes. The Respondent shall not work as a "floater" for a period of three (3) years, meaning that the Respondent shall not work at more than one (1) pharmacy location at the same time without permission of the Board;

(g) Respondent shall complete all provisions required for the reinstatement of his license listed in Board Rule 1140-01-.07 (3) (a):

1. Provide written notice to the board requesting an active license;
2. Satisfy all past due continuing pharmaceutical education as required by the board;
3. Pay all cumulative license renewal fees and any applicable penalty fees for the period During which the license was inactive, delinquent, suspended or revoked;

## **Waivers**

### **Board rule 1140-01-.07 (3) (b) (i) 5 (ii)**

Dr. Wilson made the motion to approve the request from **Terrica Tabb, D.Ph.**, to waive the one hundred and sixty (160) internship hours and the MPJE. Dr. Pryse seconded the motion. The motion carried.

Dr. Wilson made the motion to approve the request from **Amanda Berger, D.Ph.**, to waive the one hundred and sixty (160) internship hours but she must successfully take and pass the MPJE. Dr. Rodgers seconded the motion. The motion carried.

Dr. Wilson made the motion to approve the request from **Jonathan O'Brien, D.Ph.**, to waive the one hundred and sixty (160) internship hours and the MPJE. Ms. Tittle seconded the motion. The motion carried.

### **Board rule 1140-03-.14 (12)**

Dr. Pryse made the motion to approve the request from **Corey Grimshaw, D.Ph.** to be the pharmacist in charge at Care Solutions and Care Solutions 2. Dr. Rodgers seconded the motion. The motion carried.

### **Board rule 1140-01-.13(3)**

Dr. Wilson made the motion to approve the request from **Summit Medical Center** that the pharmacy is at least 180 square feet have hot and cold running water and refrigeration. Dr. Rodgers seconded the motion. The motion carried.

The meetings adjourned at 2:00 p.m.

## **September 12, 2018**

The Tennessee Board of Pharmacy reconvened on Wednesday, September 12, 2018 in the Iris Room, 665 Mainstream Drive, Nashville, TN. A quorum of the members were present, the meeting was called to order at 8:01 a.m., by Dr. Dickenson, president.

## **Consent Orders**

Dr. Wilson made the motion to accept the following consent order. Dr. Pryse seconded the motion. The motion carried.

## **Probation**

Morgan Brown, RT

Ms. Tittle made the motion to the following consent order. Dr. Wright seconded the motion. The motion carried.

## **Reprimand**

### **Riddle Drug #3**

Dr. Wilson made the motion to the following consent order. Ms. Tittle seconded the motion. The motion carried

Jared Riddle, D.Ph.

Dr. Wright made the motion to accept the following consent order. Dr. Rodgers seconded the motion. The motion carried.

## **Volunteer Surrender (same as revocation)**

Melissa Sue Scott, RT

## **Contested Case**

### **Vickie R. Malone, RT**

Ms. Malone was not present nor represented by legal counsel. Mr. Gibbs represented the State. Mr. Shannon Barnhill was the Administrative Law Judge. Mr. Gibbs asked to proceed in default. Dr. Wilson made the motion to proceed in default. Dr. Wright seconded the motion. The motion carried. Mr. Gibbs passed out the Notice of Charges. Ms. Malone is charged with violating T.C.A. 53-10-104 (a) and (b) and T.C.A. §53-10-105 (a). After discussion, Dr. Wilson made the motion to revoke Ms. Malone's registration as a pharmacy technician and access case cost. Ms. Tittle seconded the motion. The motion carried. Dr. Wright made the motion that the action taken was to protect, promote and improve the health and prosperity of people in Tennessee. Ms. Tittle seconded the motion. The motion carried.

### **Christian Rudman, RT**

Ms. Rudman was not present nor represented by legal counsel. Mr. Gibbs represented the State. Mr. Shannon Barnhill was the Administrative Law Judge. Mr. Gibbs asked to proceed in default. Dr. Rodgers made the motion to proceed in default. Dr. Pryse seconded the motion. The motion carried. Mr. Gibbs passed out the Notice of Charges. Ms. Rudman is charged with violating T.C.A. 53-10-104 (a) and (b) and T.C.A. §53-10-105 (a). After discussion, Dr. Wilson made the motion to revoke Ms. Rudman's registration as a pharmacy technician and access case cost. Dr. Pryse seconded the motion. The motion carried. Ms. Tittle made the motion that the action taken was to protect, promote and improve the health and prosperity of people in Tennessee. Dr. Rodgers seconded the motion. The motion carried.

### **Brittany Sullivan, RT**

Ms. Sullivan was not present nor represented by legal counsel. Mr. Gibbs represented the State. Mr. Shannon Barnhill was the Administrative Law Judge. Mr. Gibbs asked to proceed in default. Dr. Wilson made the motion to proceed in default. Ms. Tittle seconded the motion. The motion carried. Mr. Gibbs passed out the Notice of Charges. Ms. Sullivan is charged with violating T.C.A. 63-10-305 (6) After discussion, Dr. Wright made the motion to revoke Ms. Sullivan's

Tennessee Board of Pharmacy  
Board Meeting  
September 11-12, 2018

registration as a pharmacy technician and access case cost. Dr. Pryse seconded the motion. The motion carried. Dr. Rodgers made the motion that the action taken was to protect, promote and improve the health and prosperity of people in Tennessee. Dr. Wright seconded the motion. The motion carried.

Dr. Wright made the motion to adjourn at 9:18 a.m. Dr. Pryse seconded the motion. The motion carried.

**The minutes were approved as amended at the December 3, 2018 board meeting.**