

## **MINUTES**

### **OKLAHOMA STATE BOARD OF PHARMACY**

4545 Lincoln Boulevard, Suite 112  
Oklahoma City, OK 73105-3488

**March 11, 2004**

#### **Call to order:**

The March 11, 2004 Board meeting of the Oklahoma State Board of Pharmacy (OSBP) was called to order by President Jerry Allen.

#### **Those present were:**

Board members: Jerry Allen from Weatherford, President  
Jim Spoon from Sand Springs, Vice-President  
Gordon Richards from Shawnee, Member  
Janis McAllister from Woodward, Member

**\*\*Mr. Osborn and Dr. Hampton were unable to attend this meeting due to prior commitments\*\***

Board of Pharmacy: Bryan Potter, Executive Director  
Betty Beil, Compliance Officer  
Cindy Hamilton, Compliance Officer  
Gary LaRue, Compliance Officer  
Terry Bratt, Pharmacy Inspector

Guests: John Rodden, Wal-Mart

#### **Approval of Minutes and claims:**

Motion was made by Janis McAllister and seconded by Gordon Richards to approve the minutes of the January 21, 2004 Board meeting. Motion passed on roll call vote.

Motion was made by Jim Spoon and seconded by Janis McAllister to approve expense claims #117-#204 and #4016-4018 and the expenses of the Executive Director. Motion passed on roll call vote.

#### **Duplicate certificate request approved:**

Motion was made by Gordon Richards and seconded by Janis McAllister to approve the duplicate DPh certificate requests from Mendy Michelle Canoy, D.Ph. #12207, Julie Daily, D.Ph. #12512 and Theresa E. Tsoodle, D.Ph. #11239. Motion passed on roll call vote.

#### **Board set next Board Meeting:**

It was determined that the next Board meeting will be April 7, 2004.

#### **Technician Cancellations:**

A list of "Failed to Renew" Technicians was presented to the Board for their review. Motion was made by Jim Spoon and seconded by Janis McAllister to cancel these permits. Motion passed on roll call vote.

#### **Board discusses CE Audit:**

Mr. Potter reviewed the finalized 2003 CE Audit report with the Board.

#### **Board discusses Foreign Graduate Intern request from Raichel Samuel and Susan John:**

Foreign Graduates, Raichel Samuel and Susan John had each written a letter to the Board requesting and extension on their Intern license.

Motion was made by Jim Spoon and seconded by Gordon Richards to extend each Foreign Graduates request for a period of 90 days. Motion passed on roll call vote.

#### **Board meets with 3 Reciprocity and 1 NAPLEX applicant:**

The Board interviewed 3 Reciprocity applicants and 1 NAPLEX applicant. All were accepted upon passing the Law exam and NAPLEX if applicable.

**Reciprocities:**

James Alan Byrd	AR
Sandra Evans O'Hara	IL
Susan L. Steiner	KS

**NAPLEX:**

Denise Nguyen

**Board holds Rule Hearing:**

President Allen called the Board to order to have the posted Rule Hearing. All published rules were adopted with minor changes with the exception of the two sections on "adequate staffing of pharmacists and support people." There had been suggestions made by the chain representatives so the Board decided to withdraw the language. The Board would review the report of the committee on this subject and come up with new language next year.

Motion was made by Jim Spoon and seconded by Gordon Richards to adopt and go forward with the rest of the rules as amended. Motion passed on roll call vote.

**OSBP vs. Craig Hoyt Howell, D.Ph. #12460, Case No. 613A:**

The case of Craig Howell was continued until the next meeting.

**Board recessed for lunch:**

**OSBP vs. Carl C. Aven, D.Ph. #9706, Case No. 573A-revoke probation:**

President Allen called the Board to order to hear the case of Carl Aven. Mr. Aven chose to appear without Counsel. Grant Moak, Assistant Attorney General, prosecuted for the Board.

The Board was presented with a proposed Agreed Order. After review, motion was made by Gordon Richards and seconded by Janis McAllister to accept the Agreed Order.

The probation of Mr. Aven's license was revoked and suspension of his license was invoked until May 31, 2010. Mr. Aven's license will be placed on probation July 1, 2005 providing that he abides by the provisions of the Agreed Order. He was fined \$100 per count for a total of \$900. He will be required to attend a one-day law seminar in 2004 in addition to the required CE. Mr. Aven must attend live CE for the years 2004, 2005 and 2006.

**OSBP vs. Valerie Lynn Grober, D.Ph. #9961, Case No. 699:**

The Board was called to order to hear the case of Valerie Grober. Ms. Grober was present and chose not to have an attorney. Assistant Attorney General, Grant Moak, was prosecutor for the Board.

A proposed Agreed Order was presented to the Board for their review. Motion was made by Gordon Richards and seconded by Jim Spoon to accept the Agreed Order. Motion passed on roll call vote.

Ms. Grober's license will be suspended for 10 years until March 11, 2014. The suspension will be stayed on April 1, 2004 and will be placed on probation for the remaining length of time. She will pay a fine of \$2000 and must abide by an OPHP contract. Ms. Grober will also be required to attend a one-day law seminar in the year 2004. This will be in addition to the required CE.

**OSBP vs. Tascha C. Drennan, Technician #3961, Case No. 700:**

President Allen called the Board to order to hear the case of Tascha Drennan. Ms. Drennan was not present, but it was determined that she had been properly served. Assistant Attorney General, Grant Moak, prosecuted the case. Compliance Officer, Cindy Hamilton and Terry Cothran of FairMeds testified for the Board.

Motion was made by Jim Spoon and seconded by Janis McAllister that based on the clear and convincing evidence presented, Ms. Drennan be found guilty on all counts. Motion passed on roll call vote.

Motion was made by Jim Spoon and seconded by Gordon Richards to permanently revoke the Respondents technician permit. Motion passed on roll call vote.

**OSBP vs. Stephanie D. Tabor, Technician #4766, Case No. 704:**

The Board was called to order to hear the case of Stephanie Tabor. Ms. Tabor chose to appear without Counsel. Grant Moak, Assistant Attorney General, prosecuted the case for the Board. Compliance Officer, Gary LaRue and John Rodden of Wal-Mart testified for the Board.

Ms. Tabor had tested positive for Marijuana. Motion was made by Gordon Richards and seconded by Janis McAllister that based on the clear and convincing evidence that was presented, that the Respondent be found guilty on all counts. Motion passed on roll call vote.

Motion was made by Jim Spoon and seconded by Gordon Richards to permanently revoke Ms. Tabor's

technician license. Motion passed on roll call vote.

**OSBP vs. Aaron Moline, Technician #6023, Case No. 701:**

The Board was called to order to hear the case of Aaron Moline. Mr. Moline was not present but it was determined that he had been properly notified. Grant Moak, Assistant Attorney General, prosecuted for the Board. Compliance Officer, Betty Beil, testified for the Board.

Motion was made by Jim Spoon and seconded by Gordon Richards that based on the clear and convincing evidence that was presented, the Respondent be found guilty on all counts. Motion passed on roll call vote.

Motion was made by Janis McAllister and seconded by Gordon Richards to permanently revoke Mr. Moline's technician license. Motion passed on roll call vote.

**OSBP vs. Harrold Lee Champlin, Jr., D.Ph. #10449, Case No. 702:**

President Allen called the Board to order to hear the case of Harrold Champlin. Mr. Champlin chose to appear without Counsel. Compliance Officer, Cindy Hamilton testified for the Board while Assistant Attorney General, Grant Moak, prosecuted the case.

Motion was made by Gordon Richards and seconded by Janis McAllister that based on clear and convincing evidence that was presented, that the Respondent be found guilty on 2 counts.

Motion was made by Jim Spoon and seconded by Gordon Richards that Mr. Champlin be fined \$500 on Count I which stated that the Respondent had been issued a warning while still having a letter of reprimand in his file, and that the Respondent will continue to have a letter of reprimand left in his file until March 11, 2005. Motion passed on roll call vote.

**OSBP vs. Arian Christopher Lakey, D.Ph. #12931, Case No. 703:**

Mr. Lakey requested a continuance for the purpose of retaining an Attorney. A continuance was granted and the case was continued until the next Board meeting.

**Miscellaneous discussion:**

The Board discussed the pursuit of the case against RXExpressway. Grant Moak indicated that he would pursue.

**Board adjourned at 5:15 p.m.**