



New Mexico Regulation and Licensing Department
BOARDS AND COMMISSIONS DIVISION
Board of Pharmacy

5200 Oakland Avenue, NE ▪ Suite A ▪ Albuquerque, New Mexico 87113
(505) 222-9830 ▪ Fax (505) 222-9845 ▪ (800) 565-9102
www.rld.state.nm.us/boards/pharmacy.aspx

June 24th – 26th, 2015 Draft Meeting Minutes

Board Meetings are open to the public pursuant to the "Open Meetings Act" and notices to the public are posted in the Albuquerque Journal. Notice published May 14, 2015.

Location: 5200 Oakland Ave. NE, Albuquerque, NM

Scheduled Meeting Time: Wednesday June 24, 2015 1:00 – 5:00 p.m.; Thursday June 25, 2015 9:00 a.m. – 5:00 p.m. & Friday June 26, 2015 (1/2 day 9:00 a.m. – 12:00 p.m. tentative)

Wednesday June 24, 2015

1. Procedural Items:

1:00 pm. Call to Order: The meeting of the Pharmacy Board was called to order by Chairman Cross at 1:00 p.m. on June 24, 2015.

Roll Call: Chairman, Danny Cross called roll and a quorum was established with the following members present: (P = Present A = Absent)

P Danny Cross, Chairman P Amy Buesing, Vice Chairman P LuGina Mendez Harper, Secretary
P Richard Mazzoni P Joe Anderson P Buffie Saavedra
P Chris Woodul P Anise Yarbrough P Cathleen Wingert

Approval of the Agenda: Ms. Wilhite stated that MTP will not be available to present the report until Thursday June 25, 2015 at 9:15 a.m.

Motion made by Ms. Buesing, seconded by Ms. Yarbrough to approve the agenda with the MTP change of presentation date and time, the board voted unanimously to pass the motion.

Approval of April 2015 Minutes: Motion to approve the April 16th & 17th, 2015 minutes as amended by Ms. Buesing, seconded by Mr. Mazzoni, board voted unanimously to pass the motion.

Ms. Wilhite stated that the amendments should include that the count on the April 2015 application list for non-resident pharmacies should be 59 instead of 60 and that case 2015-029 was not recorded as closed. The board amended the case presentations to reflect that case 2015-029 is closed.

2. New Licensee Applications:

a) Application List:

Ms. Mendez-Harper presented the application list to the board.

Motion: **10 Clinic/Home Health** applications all are in order. Motion made by Ms. Mendez-Harper, seconded by Ms. Saavedra, board voted unanimously to pass the motion.

Motion: **2 Researcher** applications all are in order. Motion made by Ms. Mendez-Harper, seconded by Ms. Yarbrough, board voted unanimously to pass the motion.

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Motion: **24 Custodial/Nursing Home** applications all are in order. Motion made by Ms. Mendez-Harper, seconded by Mr. Woodul to approve applications, board voted unanimously to pass motion.

Motion: **20 Pharmacy/Hospital** applications all are in order. Motion made by Ms. Harper-Mendez, seconded by Ms. Buesing to approve applications, board voted unanimously to pass motion.

Motion: **45 Non-Resident Pharmacy** applications all are in order. Motion made by Ms. Harper-Mendez, seconded by Ms. Wingert to approve applications, board voted unanimously to pass motion.

Motion: **16 Wholesale/Broker** applications all are in order. Motion made by Ms. Harper-Mendez, seconded by Ms. Buesing to approve applications, board voted unanimously to pass motion.

NEW MEXICO BOARD OF PHARMACY
REGULAR MEETING
APPLICATION LIST
June 24 & 25

CLINIC /HOME HEALTH

1.ABQ Journal Center Women’s Health
5150 Journal Center Blvd NE
Albuquerque, NM 87114

2.ABQ Westside Family Practice
10511 Golf Course Road NW
Albuquerque, NM 87114

3.Christus St Vincent Entrada Contenta
5501 Herrera Drive
Santa Fe, NM 87507

4.Christus St Vincent Family Practice
5501 Herrera Drive
Santa Fe, NM 87507

5.Christus St Vincent Urgent Care
5501 Herrera Drive
Santa Fe, NM 87507

6.NextCare Urgent Care-Rio Rancho
1721 Rio Rancho Blvd NW Suite B
Rio Rancho, NM 87124

7.North Valley Center for Family & Community Health New
3401 4th Street NW
Albuquerque, NM 87107

8.TLC Home Health Care
110 S Halagueno
Carlsbad, NM 88220

9.Valle del Sol
901 N 1st Street
Grants, NM 87020

10.Valle del Sol
911 Abrahams Road
Moriarty, NM 87035

CONSULTANT PHARMACIST

Relocation
Mark Cordova, R.Ph.

Relocation
Mark Cordova, R.Ph.

Change of Location
Teri Stanford, R.Ph.

New
Teri Stanford, R.Ph.

New
Teri Stanford, R.Ph.

New
Andrew Kurtz, R.Ph.

Cynthia Lujan, R.Ph.

New
Joseph Cross, R.Ph.

Class Upgrade
Shelley Bagwell, R.Ph.

Class Upgrade
Shelley Bagwell, R.Ph.

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RESEARCHER

1.Lovelace Respiratory
9217 Area Y K.A.F.B.
Albuquerque, NM 87115
New

2.New Mexico State Police
4615 Hawkins Street NE
Albuquerque, NM 87109
New

CUSTODIAL/NURSING HOME

1.Alegria Family Services Inc
3921 La Sombra SW
Albuquerque, NM 87105

2.Alianza Family Services
6600 Binbrook NW
Albuquerque, NM 87114

3.Alianza Family Services
832 Eastridge Drive NE
Albuquerque, NM 87123

4.Aspire Development Services LLC
1101-B South Main
Roswell, NM 88203

5.Aspire Development Services LLC
1213 Auburn Drive
Roswell, NM 88203

6.Aspire Development Services LLC
704 W Hervey
Roswell, NM 88203

7.Beehive Homes of Deming
1721 Santa Monica Street
Deming, NM 88030

8.CareFirst of NM Inc
8604 Camino Osito NE
Albuquerque, NM 87111

9.CareFirst of NM Inc
1008 Chiricahua SE
Albuquerque, NM 87123

10.Desert Springs Health Facilities LP
DBA Desert Springs Nursing & Rehabilitation
1701 N Turner Street
Hobbs, NM 88240-3833

11.Four Winds Behavioral Health Inc
4100 Barbara Loop SE
Rio Rancho, NM 87124

12.Four Corners Detox Recovery
1500 South Second Street Suite A
Gallup, NM 87301

CONSULTANT PHARMACIST

New
Traci Tadano, R.Ph.

New
Daniel Castellano, R.Ph.

New
Daniel Castellano, R.Ph.

New
Paul Tunell, R.Ph.

New
Paul Tunell, R.Ph.

New
Paul Tunell, R.Ph.

New
Jane Kruse, R.Ph.

New
Staci Newman, R.Ph.

New
Staci Newman, R.Ph.

New
Ann Gayle Bowhay, R.Ph.

New
Robert Duran, R.Ph.

New
Adrienne Patel, R.Ph.

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13.Geno Health Services 8312 Camino San Martin SW Albuquerque, NM 87121	New Annabel Roberts, R.Ph.
14.Good Life Senior Living 801 W Cherry Lane Carlsbad, NM 88220	New Clover Wagner, R.Ph.
15.Good Life Senior Living 601 W Cherry Lane Carlsbad, NM 88220	New Clover Wagner, R.Ph.
16.High Desert Family Services 909 Bullock Court Artesia, NM 88210	New Theresa Lewis, R.Ph.
17.Life Mission Family Services 928 Avenida Manana Albuquerque, NM 87110	New Lori Carabajal, R.Ph.
18.New Life Assisted Living 12008 Persimmon Avenue NE Albuquerque, NM 87111	New Shauna Porter, R.Ph.
19.New Life Assisted Living 9500 Layton Place Albuquerque, NM 87111	New Shauna Porter, R.Ph.
20.Night N Gail Assisted Living Two 7604 Prospect Avenue Albuquerque, NM 87110	New Traci Tadano, R.Ph.
21.Sandia Senior Suites LLC 303 San Mateo Blvd Suite 101 Albuquerque, NM 87122	New Shauna Porter, R.Ph.
22.Serenity Mesa Youth Recovery Center 3701 Conder Shire Drive SW Albuquerque, NM 87121	New Lori Carabajal, R.Ph.
23.Silver Wings Assisted Living @Layton LLC 9500 Layton Place NE Albuquerque, NM 87111	New Lori Carabajal, R.Ph.
24.Silver Wings Assisted Living @Persimmon LLC 12008 Persimmon Avenue NE Albuquerque, NM 87111	New Lori Carabajal, R.Ph.
<u>PHARMACY /HOSPITAL</u>	<u>PHARMACIST IN CHARGE</u>
1.ABQ Bestcare Pharmacy-1 LLC 2929 Coors Blvd #1110 Albuquerque, NM 87120	New Timothy Rodriguez, R.Ph.
2.Christus St Vincent Outpatient Pharmacy 455 St Michaels Drive Santa Fe, NM 87505	New Christine Atwell, R.Ph.

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3. J & R's Scripts INC DBA Phil's Pharmacy 5510 Lomas Blvd NE Albuquerque, NM 87110	Change of Ownership Jacqueline Guerrero, R.Ph.
4.Total Care Pharmacy 5400 Gibson Blvd SE Albuquerque, NM 87108	New Farnoush Falakrou, R.Ph.
5.UNM Truman Health Services 801 Encino Place NE Suite B-4 Albuquerque, NM 87102	New Larry Georgopoulos, R.Ph.
6.Walgreens 620 Mills Avenue Las Vegas, NM 87701	Change of Ownership Zivile Seamons, R.Ph.
7.Walgreens 3100 N Main Street Las Cruces, NM 88001-1162	Change of Ownership Jeffrey Gorbett, R.Ph.
8.Walgreens 1835 N Main Street Roswell, NM 88201	Change of Ownership Lacey Scott, R.Ph.
9.Walgreens 1721 Rio Rancho Blvd SE Suite C Rio Rancho, NM 87124	Change of Ownership Jennifer Ortega, R.Ph.
10.Walgreens 2121 Juan Tabo NE Albuquerque, NM 87112	Change of Ownership Jennifer Ortega, R.Ph.
11.Walgreens 5150 Journal Center Blvd NE Albuquerque, NM 87109	Change of Ownership Jennifer Ortega, R.Ph.
12.Walgreens 500 Walter Street NE Suite 202 Albuquerque, NM 87102	Change of Ownership Jennifer Ortega, R.Ph.
13.Walgreens 3401 Isleta Blvd SW Albuquerque, NM 87105	Change of Ownership Justin Clark, R.Ph.
14.Walgreens 701 E 20 th Street Farmington, NM 87401-4204	Change of Ownership Michael Flish, R.Ph.
15.Walgreens 5201 Central Avenue NE Albuquerque, NM 87108	Change of Ownership Dalia Arafat, R.Ph.
16.Walgreens 10800 Unser Blvd NW Albuquerque, NM 87114-1064	Change of Ownership Michael Vanderwoude, R.Ph.
17.Walgreens 201 Cedar Street SE #102 Albuquerque, NM 87105	Change of Ownership Apryl Marlowe, R.Ph.

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18. Walgreens
3990 E Lohman Avenue
Las Cruces, NM 88011

Change of Ownership
William Sanders, R.Ph.

19. Walgreens
122 N Gold Avenue
Deming, NM 88030

Change of Ownership
Ryan Harrington, R.Ph.

NON-RESIDENT PHARMACY

1. 360 Pharmacy Services LLC
100 E Nasa Road 1 Suite 101
Webster, TX 77598

PHARMACIST IN CHARGE

New
Bernard Price, R.Ph.

2. Alliance Allergy Solutions
1318 20th Street South Suite 125
Birmingham, AL 35205

New
P Lindsay Slappy Moneyham, R.Ph.

3. Atlantic Pharmacy and Compounding
1000 E Atlantic Blvd
Pompano Beach, FL 33060

New
Serge Francois, R.Ph.

4. Baylor Health Enterprises
DBA Outpatient Pharmacy at the Cancer Center
3410 Worth Street Suite 240
Dallas, TX 75246-2002

New
Belinda Espey, R.Ph.

5. Best Care Pharmacy Inc
2657 NW 20th Street
Miami, FL 33142

New
Benjamin Boches, R.Ph.

6. Cardinal Health 128 LLC
202 Cumberland Bend
Nashville, TN 37228

Change of Ownership
Timothy Hoffman, R.Ph.

7. Coast Quality Pharmacy LLC
DBA AzanzoHealth
5710 Hoover Blvd
Tampa, FL 33634

Change of Ownership
Robert McKenzie, R.Ph.

8. Cordele Pharmacy LLC
3809 Beam Road Suite H
Charlotte, NC 28217-0000

New
Jelani Davis, R.Ph.

9. Dashwood Pharmacy LLC
1300 W Walnut Hill Lane Suite 163
Irving, TX 75038

New
Dhiraj Singh, R.Ph.

10. Dunn Meadow LLC
DBA Dunn Meadow Pharmacy
1555 Center Avenue 1st Floor
Fort Lee, NJ 07024

New
Randal Novak, R.Ph.

11. Econo Pharmacy Inc
20230 Northwest Freeway Suite 300
Houston, TX 77006

New
Sholeh Karsten, R.Ph.

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12.ESI Mail Pharmacy Service Inc DBA Express Scripts 4700 N Hanley Road Suite C St Louis, MO 63134	New Christine Poling, R. Ph.
13.Express Drugs & Surgicals 2381 Fredrick Douglas Blvd New York, NY 10027	New Diamantis Kakatsos, R.Ph.
14.Great Lake Medical Pharmacy LLC 23247 Pinewood Street Suite 100 Warren, MI 48091	New Rami Lazeki, R.Ph.
15.Heartland Veterinary Pharmacy 401 W 33 rd Street Hastings, NE 68901	New Douglas Synek, R.Ph.
16.Homescripts.com LLC DBA AcariaHealth 6923 Lee Vista Blvd Suite 300 Orlando, FL 32822	New Suhair Farida, R.Ph.
17.Intermountain Home Delivery Pharmacy 7268 S Bingham Junction Blvd Midvale, UT 84047	New Brian Hardy, R.Ph.
18.Lake Side Pharmacy LLC 10005 Hwy 9 North Cedar Bluff, AL 35959	New Stephen Wilson, R.Ph.
19.Legends Pharmacy 6601 Blanco Road #125 San Antonio, TX 78216	New Melissa Mora, R.Ph.
20.Leiter's Enterprises Inc DBA Leiter's Compounding 17 Great Oaks Blvd San Jose, CA 95119	Change of Ownership Robyn Shalinsky, R.Ph.
21.Martinsville Family Pharmacy 1049-A Brookdale Street Martinsville, VA 24112	New Penny Wyatt, R.Ph.
22.Mesa Pharmacy VII 18013 Sky Park Circle Suite D Irvine, CA 92614	Change of Ownership Amy Summers, R.Ph.
23.NuFactor Inc 1601 Old Greensboro Road Kernersville, NC 27284	New Robert Harrison, R.Ph.
24.Omnicare Pharmacy of TX2 LP DBA Omnicare of Tyler 105 Jordan Plaza Blvd Tyler, TX 75704	New Thomas Wood, R.Ph.
25.Opus Rx LLC 350 West Woodrow Wilson Avenue Jackson, MS 39213	New Richard Cole, R.Ph.

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26.Paradigm Healthcare Solutions LLC
DBA Athena Pharmacy
2025 N Mt Juliet Road Suite 100
Mt Juliet, TN 37122

New
Ashley Dick, R.Ph.

27.Pet360 Pharmacy LLC
2815 Watterson Trail
Louisville, KY 40299

Change of Ownership
Justin Mills, R.Ph.

28.PharMerica Long-Term Care
DBA PharMerica
4171 N Mesa Street Suite 201A
El Paso, TX 79902-1443

New
Patrick Claxton, R.Ph.

29.Pop's Pharmacy
20 NE 2nd Avenue
Deerfield Beach, FL 33441

New
Stephen Chalker, R.Ph.

30.Precision Rx Compounding LLC
10323-A Cross Creek Blvd
Tampa, FL 33647

New
Randy Leonard, R.Ph.

31.PharMerica Long-Term Care LLC
DBA PharMerica
4171 N Mesa Street Suite #210A
El Paso, TX 79902

New
Patrick Claxton, R.Ph.

32.Professional Compounding Pharmacy
721 W Whittier Blvd Suite 4
La Habra, CA 90631

New
Christi Giang, R.Ph.

33.Reeves-Sain Drug Store Inc
DBA Entrust Rx
402 Wilkins Wise Road Suite 38
Columbus, MS 39705

Change of Ownership
Kristy Humber, R.Ph.

34.Ridgepoint Medical Pharmacy
DBA RGV Family Pharmacy
4955 S Jackson Road
Edinburg, TX 78539

New
Christina Lopez, R.Ph.

35.Rock City Pharmacy LLC
47103 5 Mile Road
Plymouth, MI 48170

New
Heather Stanavich, R.Ph.

36.Rx Blue Star Solutions LLC
40 Pennwood Place Suite 200
Warrendale, PA 15086

New
Edward Szczypiorski, R.Ph.

37.Safety & Health Technology LLC
4645 Highway 6 Suite J
Sugarland, TX 77478

New
Lynh Phan, R.Ph.

38.Shield Drugs Inc
680 Hwy 51 Suite G
Ridgeland, MS 39157

New
Tommy Shields, R.Ph.

39.Smith Pharmacy
91 Smith Street
Perth Amboy, NJ 08861

New
Aarti Shah, R.Ph.

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40. Town and Country Compounding And Consulting Services LLC 106 Prospect Street Ridgewood, NJ 07450	New John Herr, R.Ph.
41. Walgreens 3838 N Campbell Avenue Tucson, AZ 85719	New Scott Cheattle, R.Ph.
42. Walgreens Co DBA Walgreens Infusion Services 10924 John Galt Blvd Omaha, NE 68137-2309	Change of Ownership Erica Ross, R.Ph.
43. Walgreen Co DBA Cystic Fibrosis Services Inc 119 Huizar Rear-A San Antonio, TX 78214	Change of Ownership Guan-Jie Wang, R.Ph.
45. Your Compounding Pharmacy DBA Rx Pro Pennsylvania 280 Indian School Road Suite 125 Indiana, PA 15701	New James Kodman, R.Ph.
<u>WHOLESALE/BROKER</u>	
1. Acaria Health Solutions 6610 W Sam Houston Parkway N #330 Houston, TX 77041-5183	Change of Ownership
2. Benco Dental Supply Co 501 Lakeside Parkway Flower Mount, TX 75028	New
3. BioRx LLC 7167 E Kemper Road Cincinnati, OH 45249	Change of Ownership
4. Dental Health Products Inc 2614 N Sugar Bush Road New Franken, WI 54229	New
5. Encore Dermatology Inc 5 Great Valley Parkway Malvern, PA 19355	New
6. Eye Care and Cure Corporation 4646 S Overland Drive Tucson, AZ 85714	New
7. Genco I Inc 1704 Mid Park Road Knoxville, TN 37921	New
8. Haemonetics Corporation 12046 Lone Peak Parkway Draper, UT 84020	New

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- | | |
|---|-----|
| 9.HemaSource Inc
4158 West Nike Drive Suite B
West Jordan, UT 84088 | New |
| 10.HyGen Pharmaceuticals Inc
8635 154 th Avenue NE
Redmond, WA 98052 | New |
| 11.Metrics Inc
DBA Mayne Pharma
5440 Martin Luther King Jr Blvd
Greenville, NC 27834 | New |
| 12.New Haven Pharmaceuticals Inc
15 Ingram Blvd
La Vergne, TN 37086 | New |
| 13.Tri-Pharma Inc
1290 Kennestone Circle Bldg A Suite 112
Marietta, GA 30066 | New |
| 14.Unit Dose Services LLC
321 North Bryan Road
Dayton Beach, FL 33004 | New |
| 15.Veterinary Service Inc
1731 W 16 th Street
Merced, CA 95348 | New |
| 16.Virtus Pharmaceuticals OpCo II LLC
DBA Virtus Specialty
951 Clint Moore Road Suite A
Boca Raton, FL 33487 | New |

b) Pharmacist Clinicians:

Motion: Approve registration as pharmacist clinician for Juliann Horne, Jessica Janda, Jason Kinyon and Claire Seelinger, motion made by Ms. Mendez-Harper, seconded by Mr. Anderson, board voted unanimously to pass the motion.

PLACE: New Mexico Board of Pharmacy Date: June 24 & 25, 2015
MEMBERS PRESENT: Sarah Trujillo; Cheranne McCracken RPh PhC; Greg D'Amour PharmD RPh PhC;
J.Anderson PharmD RPh PhC; Amy Buesing RPh;
ABSENT; C. Burlett RPh PhC ; Kirk Irby PharmD RPh PhC;
GUESTS: None

AGENDA ITEM	RECOMMENDATION
Juliann Horne	Approval of registration as pharmacist clinician.
Jessica Janda	Approval of registration as pharmacist clinician.
Jason Kinyon	Approval of registration as pharmacist clinician.
Claire Seelinger	Approval of registration as pharmacist clinician.

Next PhC meeting July 30, 2015 at 12:30.
Applications to be accepted through July 20, 2015 and sent to committee for review.

Submitted: Sarah Trujillo, Licensing Manager

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Motion: Attach application list to the minutes, motion made by Ms. Mendez-Harper, seconded by Ms. Buesing, board voted unanimously to pass the motion.

3. 1:45 p.m. Rules Hearings:

The Chairman Danny Cross opened the rule hearing at 1:45 p.m. and took roll call. Present were Mr. Woodul, Ms. Yarbrough, Ms. Mendez-Harper, Ms. Buesing, Mr. Mazzoni, Mr. Anderson, Ms. Saavedra, Ms. Wingert and Chairman Cross. Also present were board counsel Susanne Robidoux, Executive Director, Ben Kesner, Administrative Secretary, Debra Wilhite and Inspector Cheranne McCracken.

The Chairman entered the notice of hearing as exhibit #1, exhibit #2 proposed language for 16.19.6.27 NMAC, exhibit #3 written comment from the Governor's Office, exhibit #4 letter form Nathan Skyes, exhibit #5 sign in sheet, exhibit #6 proposed language for 16.19.26 NMAC, exhibit #7 proposed language for 16.19.29 NMAC.

a) 16.19.6 NMAC Pharmacies – New section 27: Automated Drug Distribution Systems in Healthcare Facilities:

Motion: Adopt new language as presented in 16.19.6. NMAC section 27. Motion made by Mr. Mazzoni, seconded by Ms. Mendez-Harper, board voted unanimously to pass the motion.

The board took a 10 minute break at 3:11 p.m.

Ms. Saavedra left the board meeting at 3:27 p.m.

b) 16.19.26 NMAC Pharmacist Prescriptive Authority – Immunizations:

Motion: Adopt language as amended in 16.19.26. NMAC. Motion made by Mr. Anderson, seconded by Ms. Buesing, board voted unanimously to pass the motion.

c) 16.19.29 NMAC Controlled Substance Prescription Monitoring Program – Identifiers:

Motion: Table presentation of amended language for 16.19.29. NMAC. Motion made by Ms. Mendez-Harper, seconded by Mr. Mazzoni, board voted unanimously to pass the motion.

4. Committee Reports and Board Actions*:

Cheranne McCracken –New Rule 16.19.37 NMAC - Outsourcing:

The board discussed revisions proposed by Ms. McCracken and agreed to have the rule taken back to the committee for further revisions, to be presented at the August 2015 board meeting.

Ben Kesner - Proposed language for 16.19.11 NMAC and 16.19.4 NMAC - 24-hour/365 day on-site nurse may use an emergency drug tray containing controlled substances:

Clinic Proposal:

16-19-4 Consultant Pharmacist Clinic

16-19-10 ClassD Clinic

16-19-12 Fee Clinic

Custodial Proposal:

16-19-4 Consultant Pharmacist Custodial

16-19-10 Removal ClassD Custodial

16-19-11 NMAC Custodial

16-19-12 Fee Custodial

Motion made by Ms. Mendez-Harper, seconded by Mr. Anderson to notice 16.19.4 NMAC, 16.19.10 NMAC, 16.19.11 NMAC and 16.19.12 NMAC at the August 2015 board meeting, board voted unanimously to pass the motion.

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Danny Cross – Proposed language for 16.19.22 NMAC and 16.19.6 NMAC new section 29

Remote technicians:

Motion made by Ms. Saavedra, seconded by Mr. Woodul to notice 16.19.22 NMAC and new section 29 of 16.19.6 NMAC at the August 2015 board meeting, board voted unanimously to pass the motion.

Joe Anderson – CPD Pilot Program presentation: Joe Anderson, Kristina Wittstrom, Lucas McGaff and Eugene Rooney stated that they are requesting that the board allow the program to be extended for another 5 years until 2020. As to date they have had 679 participants.

Motion made by Mr. Woodul, seconded by Ms. Yarbrough to extend the CPD pilot program until 2020, board voted unanimously to pass the motion.

6. Public/Professional Requests/Waiver Petitions*:

Deborah Zamora-Martinez - Maintaining active Pharmacist license: Ms. Deborah Zamora-Martinez was present to request that the board accept internship hours from the UNM School of Law that are sufficiently engaged in the practice of pharmacy, in lieu of engaged pharmacy employment as defined in 16.19.4.7 NMAC Subsection X, in order to keep her pharmacists' license as active.

Motion made by Ms. Mendez-Harper, seconded by Ms. Yarbrough to approve the request submitted by Ms. Deborah Zamora-Martinez for two renewal periods, at which time she may petition the board for an extension, board voted unanimously to pass the motion.

Kenneth Sanchez PT4852 – 2nd request to re-open case (action #3): Kenneth Sanchez did not appear to make his request.

Byron Piatt – NMDMAT discussion: Mr. Piatt gave a brief synopsis of the New Mexico Disaster Medical Assistance Teams' functionality after a natural disaster has occurred; oldest team founded in 1984, 60 similar teams throughout the state; teams are sent out to areas of the country to help victims of natural disasters by facilitating search and rescue, medical care, shelter; teams consist of pharmacists, pharmacy technicians, and numerous other medical practitioners. Currently NMDMAT needs pharmacists and technicians.

Ben will continue to participate and has included his name to be on call if needed.

7. Recess for the day: The board recessed at 5:20 p.m.

Thursday June 25, 2015

1. Procedural Items:

9:00 a.m. Reconvene: The meeting of the Pharmacy Board was called to order by Chairman Cross at 9:00 a.m. on June 25, 2015.

Roll Call: Chairman, Danny Cross called roll and a quorum was established with the following members present: (P = Present A = Absent)

P Danny Cross, Chairman P Amy Buesing, Vice Chairman P LuGina Mendez Harper, Secretary

P Richard Mazzoni P Joe Anderson P Buffie Saavedra

P Chris Woodul P Anise Yarbrough P Cathleen Wingert

Director, Ben Kesner stated that the board meeting scheduled for August, will be held in the conference room in Albuquerque instead of Ruidoso Convention Center, due to the board offices moving from their current location to a new location during the month of August, which is tentative.

*The board may go into Executive Session to discuss these items and any other items pursuant to Section 10-15-1H(1), Section 10-15-1H(2), Section 10-15-1H(3) or Section 10-15-1H(7) of the Open Meeting Act. Agenda items may be executed at any time during the meeting to accommodate hearings. H(1) are licensing matters, H(2) is limited to personnel matters, H(3) deliberation of hearing, H(7) is pending or threatened litigation.

2. 9:15 a.m. Monitored Treatment Program Report*:

Regina Johnson, Director for the MTP program was present.

Motion made by Ms. Mendez-Harper, seconded by Ms. Yarbrough to go into closed session at 9:03 a.m., to discuss the MTP report. Mr. Woodul, Ms. Buesing, Mr. Mazzoni, Mr. Anderson, Ms. Saavedra, Ms. Yarbrough, Ms. Yarbrough, Ms. Wingert and Mr. Cross voted unanimously to pass the motion.

The board went back into open session at 9:15 a.m. and the only issue discussed was the MTP report.

4. Litigation Update*:

a) Stephen Ellwood 2012-028 Appeal - Ryan Harrigan, Esq., proposed stipulated agreement: Mr. Ryan Harrigan, attorney for Mr. Ellwood was present and discussed with the board a possible solution regarding the pending appeal with NM Appeals Court; that NMBOP would agree to recognizing the California Superior Court statement, removing the decision and order from the boards' website and moving forward with an agreement that would state that Mr. Ellwood would never reapply for licensure in NM and Mr. Ellwood would drop the appeal.

Motion made by Mr. Mazzoni, seconded by Ms. Mendez-Harper to go into closed session to discuss the offer. Mr. Woodul, Ms. Buesing, Mr. Mazzoni, Mr. Anderson, Ms. Saavedra, Ms. Wingert and Mr. Cross voted unanimously to pass the motion.

The board went back into open session and the only issue discussed was Mr. Ellwood's pending appeal and the offer made by his attorney Mr. Ryan Harrigan.

Motion made by Mr. Mazzoni, seconded by Mr. Anderson to accept the offer made by Mr. Ryan Harrigan for Stephen Ellwood, the board voted unanimously to pass the motion.

b) Rosa Elva Gurule 2013-018 – Sally Galanter & Dan Cron discussion regarding possible settlement: Director, Ben Kesner stated that upon speaking with Ms. Gallanter, that the board will proceed with scheduling a hearing.

5. Executive Director's Report*:
(May be heard at any time during the meeting)

a) [S.314 Pharmacy and Medically Underserved Areas Enhancement Act - Pharmacist as healthcare providers](#): Mr. Kesner will submit a statement of support by the board regarding HR592 and SB314; increased access to support underserved areas by pharmacists as healthcare providers.

b) [Immunization protocol – Amy Bachyrycz](#): Ms. Bachyrycz presented the modified immunization protocol of which the board was in support of the language. The board asked that she bring back to the board on 6/25/15 with the addition of the traveler's diarrhea protocol. Ms. Bachyrycz stated that the protocol will be presented to the Medical Board & Nursing Board in August 2015 for approval.

c) [Non-Sterile Compounding – Kris Mossberg](#) – 16.19.36 NMAC proposed changes: Mr. Mossberg presented proposed language to the board. The board approved the proposed language and asked that the language be noticed.

Motion made by Ms. Buesing, seconded by Mr. Mazzoni to notice 16.19.36 at the August 2015 board meeting, the board voted unanimously to pass the motion.

d) Asterisk policy regarding board action: Mr. Kesner will write an internal policy regarding licensee disciplinary actions and how they are flagged in the database with an asterisk indefinitely.

e) In memoriam - Brenda Padilla: Ms. Buesing attended the service held for former board member and colleague, Brenda Padilla. Ms. Buesing gave her condolences for the board and recognition of Ms. Padilla's services past and present.

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f) **Controlled substance list update – Sara Aldaz – 16.19.20 NMAC proposed changes:** The current intern for the board reviewed rule 16.19.20 NMAC and updated the list to include numerous controlled substances, to be noticed.

Motion made by Ms. Mendez-Harper, seconded by Ms. Yarbrough to notice 16.19.20 NMAC at the August 2015 board meeting, the board voted unanimously to pass the motion.

g) **Chiropractor Formulary:** The Governor has asked to table; the formulary task force has completed the a report and formulary that will be presented for approval on August 7, 2015 to the Chiropractic Board, then brought back to the Pharmacy Board at the August 25th & 26th board meeting.

h) **Personnel:** The board has submitted the job descriptions to SPO & RLD for the PMP Director and the Administrative Assistant positions to be filled. The intern is currently working with Maria, the PMP Manager.

i) **50-year pharmacists:** The list for 2015 includes two pharmacists that have been actively licensed for 50 years, a certificate of recognition will be sent to both.

j) **Strategic Plan:** The board approves the strategic plan for 2015 – 2016.

Motion made by Mr. Mazzoni, seconded by Ms. Buesing to approve the strategic plan for 2015 – 2016, the board voted unanimously to pass the motion.

6. Case Presentations*:

Motion made by Ms. Mendez-Harper, seconded by Mr. Anderson to go into closed session at 2:15 p.m. to discuss the case presentations, Mr. Woodul, Ms. Yarbrough, Ms. Mendez-Harper, Ms. Buesing, and Mr. Mazzoni, voted unanimously to pass the motion.

The board went back into open session and the only issue discussed was the case presentations.

Inspector McCracken:	2015-037/close	2015-039/close	
Inspector Mossberg:	2014-074/table	2014-071/table	2015-018/close
	2015-030/close	2015-035/close	2015-041/close

Motion: **Close cases:** 2015-018, 2015-030, 2015-035, 2015-037, 2015-039 and 2015-041. Motion made by Ms. Mendez-Harper, seconded by Ms. Wingert, board voted unanimously to pass the motion.

Motion: **Table cases:** 2014-071 and 2014-074. Motion made by Ms. Mendez-Harper, seconded by Ms. Saavedra, board voted unanimously to pass the motion.

7. Stipulated or Settlement Agreements/Surrenders/Defaults and Orders*:

2014-057P – Lowell’s Pharmacy PH1211 – Stipulated Agreement
2014-062P – Coram Alternate Site Services, Inc.PH3015 – Stipulated Agreement
2014-063P – Haoeyou Pharmacy PH3723 – Stipulated Agreement
2014-064P – Colbert Pharmacy PH3523 – Stipulated Agreement
2014-065P – Corporate Pharmacy Services Inc. PH3059 – Stipulated Agreement
2015-002P – Bob’s Budget Pharmacy PH2392 – Stipulated Agreement

Motion made by Mr. Mazzoni, seconded by Ms. Yarbrough to accept the stipulated agreements, board voted unanimously to pass the motion.

8. **Decision to reconvene discussion – Tentative Friday June 26, 2015 @ 9:00 a.m.:** The board will not reconvene on June 26, 2015.

*The board may go into Executive Session to discuss these items and any other items pursuant to Section 10-15-1H(1), Section 10-15-1H(2), Section 10-15-1H(3) or Section 10-15-1H(7) of the Open Meeting Act. Agenda items may be executed at any time during the meeting to accommodate hearings.
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9. Adjournment: With no further business, Mr. Mazzoni made a motion to adjourn the Pharmacy Board meeting at 2:44 p.m., seconded by Ms. Mendez-Harper, board voted unanimously to pass the motion.

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