



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

August 20 & 21, 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 July 16, 2015.

Location: 5500 San Antonio Dr. NE, Albuquerque, NM 87109

Scheduled Meeting Time: 9:00 a.m. – 5:00 p.m. Thursday and Friday

Thursday August 20, 2015

1. Procedural Items:

9:00 pm. Call to Order: The meeting of the Pharmacy Board was called to order by Chairman Cross at 9:00 a.m. on August 20, 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 A Anise Yarbrough P Cathleen Wingert

Chairman, Danny Cross stated that Ms. Saavedra would be absent for the morning session of the board meeting and would be present for the afternoon session of the board meeting.

Ms. Saavedra was in attendance of the board meeting at 2:07 p.m.

Approval of the Agenda:

Motion made by Ms. Mendez-Harper, seconded by Mr. Anderson to approve the agenda as presented, the board voted unanimously to pass the motion.

Approval of June 2015 Minutes: Ms. Debra Wilhite stated that the June 2015 draft minutes would be presented at the October 2015 board meeting, due to the moving of the board offices between August 3rd and August 20, 2015.

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 Mr. Woodul, board voted unanimously to pass the motion.

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

* 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) 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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Motion: **12 Custodial/Nursing Home** applications all are in order. Motion made by Ms. Mendez-Harper, seconded by Ms. Buesing to approve applications, board voted unanimously to pass motion.

Motion: **9 Pharmacy/Hospital** 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: **40 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. Wingert to approve applications, board voted unanimously to pass motion.

NEW MEXICO BOARD OF PHARMACY
REGULAR MEETING
APPLICATION LIST
August 20 & 21, 2015

CLINIC /HOME HEALTH

1. Albuquerque Westside
300 Unser Blvd
Albuquerque, N, 87121

2. Ben Archer
1990 Bruins Lane
Las Cruces, NM 88007

3. Chavez County Detention Center
3701 S Atkinson
Roswell, NM 88203

4. El Centro Family Health
1331 Gusdorf Road
Taos, NM 87571

5. La Clinica de Familia Inc
2355 Avenida de Mesilla
Mesilla, NM 88046

6. New Mexico Behavioral Health Institute
Community Based Services
700 Friedman Avenue
Las Vegas, NM 87701

7. New Mexico Oncology Hematology
4901 Lang Avenue NE
Albuquerque, NM 87109

8. Sandoval County Detention Center
DBA Southwest Correctional Medical Group
1100 Montoya Road
Bernalillo, NM 87004

9. San Juan Health Partners Neurology
2300 E 20th Street Bldg B Suite 102
Farmington, NM 87401

10. San Juan Health Partners Urology
2700 Farmington Avenue Bldg E Suite 1
Farmington, NM 87401

CONSULTANT PHARMACIST

New
Wilfred Chavez, R.Ph.

New
Sarah Harrington, R.Ph.

Change of Ownership
Wes Langner, R.Ph.

Remodel
Christine Vigil, R.Ph.

New
James Spencer, R.Ph.

Remodel/Re-Classification
Dan Smith, R.Ph.

Remodel
Michelle Loud, R.Ph.

Change of Ownership
Wes Langner, R.Ph.

New
Ernie Armenta, R.Ph.

New
Ernie Armenta, R.Ph.

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Last update 1/6/16

EMS

1. AirCare One International
2505 Clark Carr Loop
Albuquerque, NM 87106

2. Rio Grande Estates Fire Department
108 Rio Communities Blvd
Belen, NM 87002

CUSTODIAL/NURSING HOME

1. Active Solutions Inc
8219 Feather Top Road SW
Albuquerque, NM 87110

2. Alta Mira
5032 Pheasant Avenue NW
Albuquerque, NM 87110

3. Casa del Norte
3200 Candlelight Drive NE
Albuquerque, NM 87111

4. Casa del Oso
7635 Arroyo del Oso Avenue NE
Albuquerque, NM 87111

5. Great Livin LLC
1832 Christine Street NE
Albuquerque, NM 87112

6. La Vida Hermosa
2929 Vera Cruz
Santa Fe, NM 87507

7. Los Lunas Community Program
1604 La Paz Avenue
Belen, NM 87002

8. New Beginnings
1331 South Main
Belen, NM 87002

9. New Life Assisted Living
9500 Layton Place NE
Albuquerque, NM 87111

10. New Life Assisted Living
12008 Persimmon Avenue NE
Albuquerque, NM 87111

11. Ridgeview LLC
9215 Payton Place
Albuquerque, NM 87111

12. Robin House
9909 Robin Avenue NE
Albuquerque, NM 87112

CONSULTANT PHARMACIST

New
Timothy Donlin, R.Ph.

New
Wilfred Chavez, R.Ph.

CONSULTANT PHARMACIST

New
Traci Tadano, R.Ph.

New
Reynaldo Saenz, R.Ph.

New
Staci Newman, R.Ph.

New
Shauna Porter, R.Ph.

New
Perry Storey, R.Ph.

New
Ernesto Mascarenas, R.Ph.

New
Wilfred Chavez, R.Ph.

New
Wilfred Chavez, R.Ph.

New
Lori Carabajal, R.Ph.

New
Lori Carabajal, R.Ph.

New
Annabel Roberts, R.Ph.

New
Staci Newman, R. Ph.

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PHARMACY /HOSPITAL

1. Corrales Pharmacy
4940 Corrales Road Suite 200
Corrales, NM 87048

2. North Valley Center for Family and Community Health
Pharmacy
3401 N Fourth Street NW Suite 106
Albuquerque, NM 87107

3. Sonoma Pharmacy
DBA American Specialty Pharmacy
4371 E Lohman
Las Cruces, NM 88011

4. UNM Hospital Outpatient & Discharge Pharmacy
2211 Lomas Blvd NE 4ACC
Albuquerque, NM 87106

5. Walgreens Co
5 Walker Road
Edgewood, NM 87015

6. Walgreens Co
1115 N Riverside Drive
Española, NM 87532-2802

7. Walgreens Co
1401 W Pierce Street
Carlsbad, NM 88220

8. Walgreens Co
5001 Montgomery Blvd NE Suite A
Albuquerque, NM 87109-1315

9. Walgreens Co
7850 Enchanted Hills Blvd NE
Rio Rancho, NM 87144-8623

NON-RESIDENT PHARMACY

1. Acarial Health Pharmacy Inc
1736 Gause Blvd East Site 24
Slidell, LA 70461

2. Accredo Health Group Inc
2 Boulden Circle Suite 1
New Castle, DE 19720

3. Agnes Rx Inc
2800 N MacDill Avenue #C
Tampa, FL 33607

4. Amber Enterprises Inc
DBA Amber Pharmacy
1301 E Arapaho Road Suite 103
Richardson, TX 75081

5. Ashland Health Pharmacy
12 N Catherine Avenue
La Grange, IL 60525

PHARMACIST IN CHARGE

New
Mike Gallegos, R.Ph.

New
Frieda Ortega, R.Ph.

New
Uma Newton, R.Ph.

New
Louis Achusim, R.Ph.

Change of Ownership
Khara Pompei, R.Ph.

Change of Ownership
Antonia Weinstein, R.Ph.

Change of Ownership
Jeanette Goodyear-Leivo, R.Ph.

Change of Ownership
Erik Uhl, R.Ph.

Change of Ownership
Anthony Canfield, R.Ph.

PHARMACIST IN CHARGE

New
Larry Douglas, R.Ph.

Change of Ownership
Ann Campagna, R.Ph.

New
Agnes Park, R.Ph.

New
Donna Filo, R.Ph.

New
Jessica Dangler, R.Ph.

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6.Axtell Pharmacy
1246 S Hwy 377
Pilot Point, TX 76258

New
Will Douglas, R.Ph.

7.BioRx
3821 71st Street Suite C
Urbandale, IA 50322

Change of Ownership
Adam Reyna, R.Ph.

8.BioRx
1819 Aston Avenue Suite 102
Carlsbad, CA 92008

Change of Ownership
Patricia Walsh, R.Ph.

9.Bluegrass Pharmacy of Lexington
395 Elaine Drive Suite 110
Lexington, KY 40504

New
Zachary Storer, R.Ph.

10.Caprock Pharmacy
3007 50th Street J
Lubbock, TX 79413

New
Cristina Escobedo, R.Ph.

11.Communicare Inc
30 East 40th Street
New York, NY 10016

New
Robert Viti, R.Ph.

12.CZ Services Inc
DBA CareZone Pharmacy
860 Harbour Way S Suite E
Richmond, CA 94804

New
Holly Krauss, R.Ph.

13.Custom Compounding Pharmacy
1880 Santa Fe Drive Suite 200
Weatherford, TX 76086

New
Thomas Koontz, R.Ph.

14.Davidson Discount Pharmacy Inc
203 N 2nd Street
Boonville, MS 38829

New
Christopher Davidson, R.Ph.

15.DermaTran Health Solutions LLC
2700 Stanley Gault Parkway
Louisville, KY 40223

New
H. Todd Toole, R.Ph.

16.Fast Access Specialty Therapeutics
3131 N I-10 Service Road E #202
Metairie, LA 70002

New
Stephen La Costa, R.Ph.

17.Garden Pharmacy LLC
1019 Government Street Suite D & F
Ocean Springs, MS 39564

New
Dempsey Levi, R.Ph.

18.Hawthorn Drug Group Inc
21 Design Drive
North Kansas City, MO 64116

New
Sarah Spangler, R.Ph.

19.Healthy Meds Pharmacy
730 W Hallandale Beach Blvd #105
Hallandale, FL 33009

New
Ryan Jaglal, R.Ph.

20.Health Pharmacy Solutions
8021 Research Forest Drive Suite D
The Woodlands, TX 77382

New
Christina Johnston, R.Ph.

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Last update 1/6/16

21. Infinite Care Pharmacy 28248 N Tatum Blvd Suite B4 Cave Creek, AZ 85331	New Guy Baker, R.Ph.
22. Integrity Rx Special Pharmacy LLC 8425 N 90 th Street Suite 8 Scottsdale, AZ 85258	New Stephanie Kennedy, R.Ph.
23. Jay Pharmacy Inc 14088 Alabama Street Jay, FL 32565	New Cecil Phillips, R.Ph.
24. Liberty Medical LLC DBA Liberty Medical Supply 8881 Liberty Lane Port Saint Lucia, FL 34952	Change of Ownership Phillip Monaco, R.Ph.
25. Liberty Medical LLC DBA Liberty Medical Supply 2157 Apperson Drive Salem, VA 24153	Change of Ownership Susan Sink, R.Ph.
26. Main Avenue Pharmacy 1094 Main Avenue Clifton, NJ 07011	New Alex Vincent, R.Ph.
27. Manhasset Park Drug Corp 290 Plandome Road Manhasset, NY 11030	New Lewis Leiss, R.Ph.
28. Medscript Pharmacy LLC 14400 John Humphrey Drive Suite 110 Orland Park, IL 60462	New Thao Pham, R.Ph.
29. Mission Pharmacy 3267 Roosevelt Avenue San Antonio, TX 78214	New Kenneth Howell, R.Ph.
30. Pharmacy Link Inc 3648 Vann Road Building II Suite 116 Birmingham, AL 35235	New Anthony Ricciardone, R.Ph.
31. Primary Care Pharmacy 6612 Hornwood Drive #C Houston, TX 77074	New Chukwuemenem Okpala, R.Ph.
32. Raindrop Pharmacy 2705 N Sepulveda Blvd Manhattan Beach, CA 90266	New Lisa Johnson, R.Ph.
33. Red Chip of Nevada 18009 Sky Park Circle Suite F Irvine, CA 92614	New Vishal Gandhi, R.Ph.
34. Reliable Pharmacy 1757 San Marco Road #B Marcos Island, FL 34145	New Marlia Burke, R.Ph.
35. River Medical Pharmacy Inc 4752 Research Drive San Antonio, TX 78240	New Heather Mulvihill, R.Ph.

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Last update 1/6/16

36.Rx of Boca LLC 5801 North Federal Hwy Boca Raton, FL 33487	New Jeffrey Gordon, R.Ph.
37.US Med LLC 1480 NW 79 Avenue Miami, FL 33126	Change of Ownership Fernando Garcia, R.Ph.
38.US Specialty Care LLC 310 Eagles Landing Drive Lakeland, FL 33810	New Marlette Oelofsen, R.Ph.
39.Walgreens Co 14418 W Meeker Blvd #101 Sun City West, AZ 85375-5290	Change of Ownership Jenny Walters, R.Ph.
40.Walgreens Co 13123 East 16 th Avenue Aurora, CO 80045	New Jason Shimanek, R.Ph.
<u>WHOLESALE/BROKERS</u>	
1.Alvix Laboratories LLC 6601 Sunplex Drive Ocean Springs, MS 39564	New
2.Amring Pharmaceuticals Inc 420 International Blvd Suite 500 Brooks, KY 40109	New
3.Banner Life Sciences LLC 4125 Premier Drive High Point, NC 27265	New
4.Cardinal Health DBA Metro Medical Supply 200 Cumberland Bend Nashville, TN 37228	Change of Ownership
5.Cronus Pharma LLC 2 Tower Center Blvd Suite 1101A East Brunswick, NJ 08816	New
6.Hilsinger Company DBA Hilco 33 West Bacon Street Plainville, MA 02762	New
7.Kedrion Biopharma Inc 400 Kelby Street Suite G Fort Lee, NJ 07024	New
8.Libertas Pharma Inc DBA Maybe Pharma 5440 Martin Luther King Jr Blvd Greenville, NC 27834	New
9.Medi-Physics Inc DBA GE Healthcare 20601 North 19 th Avenue Suite 140 Phoenix, AZ 85027	New

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10. Millennium Pharmaceuticals Inc 420 International Blvd Suite 500 Brooks, KY 40109	New
11. Paragon Enterprises Inc 4183 Senator Street Memphis, TN 38118	New
12. PharmaGenetico LLC 500 Lee Road Rochester, NY 14606	New
13. Portola Pharmaceuticals Inc 420 International Blvd Suite 500 Brooks, KY 40109	New
14. Proficient Rx LP 3607 Old Conejo Road Thousand Oaks, CA 91320	New
15. Tesaro Inc 420 International Blvd Suite 500 Brooks, KY 40109	New
16. Veloxis Pharmaceuticals Inc 420 International Blvd Suite 500 Brooks, KY 40109	New

b) Pharmacist Clinicians:

Motion: Approve new protocol for existing license including prescriptive authority for Amando Romero and upon validation from Licensing Manager, Sarah Trujillo controlled substances for Jason Kinyon, motion made by Ms. Mendez-Harper, seconded by Mr. Anderson, board voted unanimously to pass the motion.

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

PLACE: New Mexico Board of Pharmacy
20 & 21, 2015

Date: August

MEMBERS PRESENT: Sarah Trujillo; Cheranne McCracken RPh PhC; Greg D'Amour PharmD RPh PhC; J. Anderson PharmD RPh PhC; Amy Buesing RPh; C. Burlett RPh PhC ; Kirk Irby PharmD RPh PhC;

GUESTS: None

AGENDA ITEM

RECOMMENDATION

Amado Romero New protocol approved for existing license including prescriptive authority.
Jason Kinyon New protocol approved for existing license including prescriptive authority with controlled substances.

Next PhC meeting October 1, 2015 at 12:30.

Applications to be accepted through September 23, 2015 and sent to committee for review.

Submitted: Sarah Trujillo, Licensing Manager

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3. 9:30 a.m. Monitored Treatment Program Report*:

Regina Johnson, Director for the MTP program was present.

Motion made by Ms. Buesing, seconded by Mr. Anderson to go into closed session at 9:30 a.m., to discuss the MTP report. Mr. Woodul, Ms. Mendez-Harper, Ms. Buesing, Mr. Mazzoni, Mr. Anderson, Ms. Wingert and Mr. Cross voted unanimously to pass the motion.

The board went back into open session at 9:45 a.m. and the only issue discussed was the MTP report.

4. 9:45 p.m. Rules Hearings:

The Chairman Danny Cross opened the rule hearing at 9:45 a.m. and took roll call. Present were Ms. Wingert, Mr. Anderson, Mr. Mazzoni, Ms. Buesing, Ms. Mendez-Harper, Mr. Woodul and Chairman Cross. Also present were board counsel Susanne Roubidoux, Executive Director, Ben Kesner, Administrative Secretary, Debra Wilhite and Inspector Cheranne McCracken. Ms. Saavedra and Ms. Yarbrough were absent.

The Chairman entered the notice of hearing as exhibit #1, exhibit #2 proposed language for 16.19.4 NMAC, exhibit #3 proposed language for 16.19.10 NMAC, exhibit #4 proposed language for 16.19.12 NMAC, exhibit #5 proposed language for 16.19.30 NMAC, exhibit #6 proposed language for 16.19.20 NMAC, exhibit #7 suggested changes for 16.19.4 NMAC and exhibit #8 sign in sheet.

Class D Clinic Regulations:

[16.19.4 NMAC:](#)

Motion: Adopt language as presented in 16.19.4 NMAC. Motion made by Ms. Mendez-Harper seconded by Mr. Anderson, board voted unanimously to pass the motion.

[16.19.10 NMAC:](#)

Motion: Adopt language as amended in 16.19.10 NMAC. Motion made by Mr. Mazzoni, seconded by Mr. Woodul, board voted unanimously to pass the motion.

[16.19.12 NMAC:](#)

Motion: Adopt language as presented in 16.19.12 NMAC. Motion made by Mr. Mazzoni, seconded by Ms. Wingert, board voted unanimously to pass the motion.

[16.19.30 NMAC – Non-Sterile Compounding:](#)

Motion: Adopt language as presented in 16.19.30NMAC. Motion made by Mr. Mazzoni, seconded by Ms. Wingert, board voted unanimously to pass the motion.

[16.19.20 NMAC – Controlled Substance List Update:](#)

Motion: Adopt language as amended in 16.19.20 NMAC. Motion made by Ms. Mendez-Harper, seconded by Mr. Woodul, board voted unanimously to pass the motion.

5. Committee Reports and Board Actions:

[10 minutes – Outsourcing Committee 16.19.37 NMAC:](#)

The board discussed revisions proposed by Ms. McCracken from the June 2015 board meeting.

Motion: Motion made by Mr. Woodul, seconded by Ms. Mendez-Harper to notice 16.19.37 NMAC at the October 2015 board meeting, board voted unanimously to pass the motion.

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

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a) **Personnel job postings; Administrative Assistant/Receptionist & PMP Manager:** The positions for Administrative Assistant and PMP Manager have been posted.

b) **New Office Location:** 5500 San Antonio Dr. NE, Suite C, Albuquerque NM 87109

c) **2016 NMBOP Meeting Dates:** The board approved the following dates for 2016 board meetings; January 25th & 26th, 2016 – April 21st & 22nd, 2016 – June 23rd & 24th, 2016 – August 25th & 26th, 2016 to be held in Ruidoso or Las Cruces, and October 20th & 21st, 2016.

d) **Custodial 365/24hr:** Notice at the October 2015 board meeting.

Motion made by Ms. Mendez-Harper, seconded by Ms. Wingert to notice 16.19.11.8 NMAC at the October 2015 board meeting, board voted unanimously to pass the motion.

e) **16.19.5 NMAC – 30 hours to be an Intern:** Notice at the October 2015 board meeting.

Motion made by Ms. Mendez-Harper, seconded by Ms. Wingert to notice 16.19.5 NMAC at the October 2015 board meeting, board voted unanimously to pass the motion.

f) **LuGina – Change NMBOP meeting date for October:** The October 2015 meeting dates will be changed from 10/15 & 10/16, 2015 to 10/22 & 10/23, 2015. The conference room calendar and board website will be updated to reflect the change.

g) **Cindy McCormick – Office Inventory/Surplus:** Ms. McCormick, Financial Administrator for the board presented the surplus inventory to the board for approval of transfer to GSD or donation.

Motion was made by Mr. Mazzoni, seconded by Ms. Saavedra to approve the surplus inventory for transfer to GSD or donation, board voted unanimously to pass the motion.

h) **Environment Department:** The board discussed starting a dialogue with an Environment Department representative regarding jurisdiction, rules and laws that are in conflict and the possible need to challenge is an agreement is not met.

Ben Kesner, Executive Director and Danny Cross, Chairman for the board will contact the Environment Department and ask for a time to discuss the ED's jurisdictional authority and to cease the departments inspections.

i) **.pharmacy NABP:** NABP set up all boards to be linked by the new URL to begin with the state name and end with .pharmacy NABP.

j) **Grey Market medications - NABP Resolution:** The board discussed the NABP prescription medication distribution for resale 5% resolution. Ms. Mendez-Harper would like the board staff to evaluate our rules regarding this issue to see if rule changes are recommended to be presented and considered by the board.

k) **Pharmacies selling to wholesalers (Grey Market) Regulation Proposal:** The board discussed the issue of grey market companies exploiting drug shortages.

Mr. Kesner presented proposed language in 16.19.8.7 P (1) to send to wholesale committee for review.

m) **Amy Bachyrycz - Immunization protocol:** The board approved the immunization protocol presented by Ms. Bachyrycz and gave kudos for her outstanding work & dedication.

Motion mad by Mr. Anderson, seconded by Ms. Mendez-Harper to approve the immunization protocol, board voted unanimously to pass the motion.

n) **Intern – 30 hours: *Should have not been on agenda!***

o) **Open meetings resolution 2015:** Mr. Kesner, Executive Director for the board presented the 2015 Open Meetings Resolution.

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Motion made by Ms. Mendez-Harper, seconded by Ms. Saavedra to approve the 2015 Open Meetings Resolution, board voted unanimously to pass the motion.

7. **Recess for the day:** The board recessed at 4:32 p.m.

Friday August 21, 2015

1. Procedural Items:

9:00 pm. Call to Order: The meeting of the Pharmacy Board was called to order by Chairman Cross at 9:00 a.m. on August 21, 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 A Anise Yarbrough P Cathleen Wingert

2. 9:15 a.m. Rule Hearings:

The Chairman Danny Cross opened the rule hearing at 9:15 a.m. and took roll call. Present were Ms. Wingert, Ms. Saavedra, Mr. Anderson, Mr. Mazzoni, Ms. Buesing, Ms. Mendez-Harper, Mr. Woodul and Chairman Cross. Also present were board counsel Susanne Roubidoux, Executive Director, Ben Kesner, and Administrative Secretary, Debra Wilhite.

The Chairman entered the notice of hearing as exhibit #1, exhibit #2 proposed language for 16.19.6 NMAC, exhibit #3 written comments from Mr. McAllister, exhibit #4 written comments from CVS exhibit #5 written comments from NACDS, exhibit #6 sign in sheet.

[Remote Technicians 16.19.6 NMAC – New section 29](#)
[Comment McAllister](#) [Comment NACDS](#)
[Comment CVS](#)

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

3. 11:00 a.m. – 11:15 a.m. Public/Professional Requests/Waiver Petitions*:

11:00 – 11:10 [PharMerica - Waiver Request Letter](#) PharMerica Request Form: The board voted to deny waiver request.

Motion made by Mr. Mazzoni, seconded by Ms. Buesing to deny waiver, a roll call vote was taken; Mr. Woodul, no; Ms. Mendez-Harper, yes; Ms. Buesing, yes; Mr. Mazzoni, yes; Mr. Anderson, Yes; Ms. Wingert, yes; the board voted to deny the waiver.

4. Litigation Update: *Moved to stipulated agreements!*

5. Case Presentations:

Motion made by Ms. Mendez-Harper, seconded by Ms. Wingert to go into closed session at 3:45 p.m. on Monday August 20th to discuss the case presentations and reconvene on Tuesday August 21, 2016, Ms. Wingert, Ms. Saavedra, Mr. Anderson, Mr. Mazzoni, Ms. Buesing, Ms. Mendez-Harper and Mr. Woodul voted unanimously to pass the motion.

The board went back into open session on Tuesday August 21st and the only issue discussed during closed session on August 20, 2016 was the case presentations.

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Inspector McCracken:	2014-084/NCA	2015-044/close	2015-050/NCA
Inspector Mossberg:	2014-071/close 2015-042/table 2015-054/table	2014-074/close 2015-047/table	2015-026/table 2015-048/close
Inspector B. Padilla:	2014-050/close 2015-040/close 2015-055/VS 2015-051/table	2014-076/close 2015-043/VS 2015-052/close	2015-024/NCA 2015-046/BCSO 2015-053/table
Inspector A. Padilla:	2015-017/close	2015-036/close	

Motion: **Close cases:** 2015-044, 2014-046, 2014-071, 2014-074, 2015-048, 2014-050, 2014-076, 2015-040, 2015-052, 2015-017, 2015-036. Motion made by Ms. Mendez-Harper, seconded by Ms. Buesing, board voted unanimously to pass the motion.

Motion: **Table cases:** 2015-026, 2015-042, 2015-047, 2015-054, 2015-053, 2015-051. Motion made by Ms. Mendez-Harper, seconded by Mr. Mazzoni, board voted unanimously to pass the motion.

Motion: **Issue NCA to revoke:** 2014-084. Motion made by Ms. Mendez-Harper, seconded by Mr. Woodul, board voted unanimously to pass the motion.

Motion: **Issue NCA to revoke:** 2015-024A (technician) & 2015-024B (PIC & Pharmacy). Motion made by Ms. Mendez-Harper, seconded by Ms. Saavedra, board voted unanimously to pass the motion.

Motion: **Issue NCA:** 2015-050. Motion made by Ms. Mendez-Harper, seconded by Ms. Wingert, board voted unanimously to pass the motion.

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

[2015-004P – Comncare Pharmacy PH3245 – Stipulated Agreement](#)
[2012-018 – Rosa Elva Gurule - Sally Galanter & Dan Cron - Stipulated Agreement](#)
 2012-028 – Stephen Ellwood – Ryan Harrigan, Esq., - Stipulated Agreement

Motion made by Ms. Mendez-Harper, seconded by Mr. Mazzoni to accept the stipulated agreements for Commcare Pharmacy and Rosa Elva Gurule and Stephen Ellwood, the board voted unanimously to pass the motion.

2015-043 – Voluntary Surrender
 2015-055 – Voluntary Surrender

Motion made by Ms. Mendez-Harper, seconded by Ms. Buesing to accept the voluntary surrenders for 2015-043 and 2015-055; accept the stipulated agreement for Stephen Ellwood, the board voted unanimously to pass the motion.

8. **Adjournment:** Motion made by Ms. Saavedra, seconded by Mr. Anderson to adjourn the board meeting @ 11:40 a.m., board voted unanimously to pass the motion.

* 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) 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(7) is pending or threatened litigation.