MISSISSIPPI BOARD OF PHARMACY

MINUTES July 21, 2022

The Mississippi Board of Pharmacy (Board) met at 9:00 a.m. on Thursday, July 21, 2022 at the Board offices, 6360 I-55 N. Suite 400, Jackson, MS 39211. The following members were present: Todd Barrett – President, Ronnie Bagwell – Vice-President, Ryan Harper – Secretary, Jillian Foster, Guy Phillips and Craig Sartan. Board member Tony Waits was absent.

New Board member Craig Sartin was administered the oath of office by Board President Todd Barrett.

The following items were reviewed by Board members and approved without objection.

- The Agenda for this meeting and the Website Declaration of this meeting shall be placed in the minutes. See attached.
- ❖ Minutes for the May 11, 2022, and May 12, 2022, of the Mississippi Board of Pharmacy.
- * Requests for approval of the following pharmacy continuing education programs:
 - PROGRAM NUMBER 005-020-022-001, "Evaluation of Cannabis Use", as requested by Taylor Adcock for 1 clock hour of LIVE pharmacist continuing education credit.
 - PROGRAM NUMBER 005-020-022-002, "Overdone Prevention with Opioids and Non-prescribed stimulants", as requested by Kendall Kara for 1 clock hour of LIVE pharmacist continuing education credit and drugs of abuse/addition.
 - PROGRAM NUMBER 005-031-022-001, "Treatment of Multi-drug Resistant Gram-Negative Bacteria Infections of Critically III Patients", as requested by Claire Colcote for 1 clock hour of LIVE pharmacist continuing education credit
 - PROGRAM NUMBER 007-011-022-001, "Brain Chemistry of Addiction", as requested by Jerry Fortenberry for 1.5 clock hours of LIVE pharmacist continuing education credit.
 - PROGRAM NUMBER 007-013-022-001, "Understanding Appropriate Heart Failure Treatment", as requested by MPHA SUMMER JOURNAL for 1.5 clock hours of pharmacist continuing education credit
- ❖ Approval of Issuance of Pharmacists Licenses
- MSDH First Responder Naloxone MOU

- Travel Requests:
 - MALTAGON-New Orleans, September 18-21, Compliance, Board Members, and Board Staff
 - NABP District III- Flowood, MS, August 7-10, Board Members and Staff
 - NABP Tri-regulatory- Alexandria, VA- October 12-14, Susan McCoy and Todd Dear

******** EXECUTIVE DIRECTOR REPORT

Susan McCoy, Executive Director, reported to the Board concerning day to day activities of the agency.

REGULATION WORKING GROUP

Todd Dear, Associate Director, presented the following proposed amendments to the regulations:

Article XXXII Pharmaceutical Drug Facility Permits

The Board adopted the changes to the regulations without objection.

Upon a motion by Board member Ryan Harper and a 2nd by Board member Ronnie Bagwell, the Board voted unanimously to go into executive session to discuss potential litigation concerning proposed regulations. On a motion by Board member Ryan Harper and a 2nd by Board member Jillian Foster, the Board voted unanimously to rise from executive session and enter open session. It was reported that no action was taken during executive session.

The Board heard a presentation from Cathy Cordy from Affiliated Monitors, Inc.

Stephanie L. George, Pharmacy Technician Registration Number PT-08382 After an administrative hearing on this matter, the Board issued the attached Order.

Rosie M. George, Pharmacy Technician Registration Number PT-050 After an administrative hearing on this matter, the Board issued the attached Order.

James R. Bullock, License to Practice Pharmacy, Registration Number E-06064 After an administrative hearing on this matter, the Board issued the attached Order.

CVS Pharmacy #10400, Permit to Operate as a Pharmacy, Permit Number 13885/1.2 CVS Pharmacy #11114, Permit to Operate as a Pharmacy, Permit Number 05284/7.1 CVS Specialty, Permit to Operate as a Pharmacy, Permit Number 04877/7.1 After an administrative hearing on this matter, the Board issued the attached Order.

Ray E. Dukes, License to Practice Pharmacy, Registration Number E-05791 After an administrative hearing on this matter, the Board issued the attached Order.

Jason M. Cannon, License to Practice Pharmacy, Registration Number E-09185 After an administrative hearing on this matter, the Board issued the attached Order.

Cody L Guitreau, License to Practice Pharmacy, Registration Number E-15680 After an administrative hearing on this matter, the Board issued the attached Order.

Clayton A. Kaesberg, License to Practice Pharmacy, Registration Number E-16653 After an administrative hearing on this matter, the Board issued the attached Order.

Shoronda M. James, Pharmacy Technician Registration Number PT-225462 After an administrative hearing on this matter, the Board issued the attached Order.

Jamie L. Cheatheam, License to Practice Pharmacy, Registration Number T-16777 The Board rescheduled this matter until the next scheduled Board meeting.

PETITIONERS

Shanissa Ficklin, Pharmacy Technician Registration Number PT-221533 After an administrative hearing on this matter, the Board issued the attached Order.

The Board adjourned at 4:50 p.m.

These July 21, 2022, MINUTES of the Board are hereby approved this the 15th day of September 2022.

J. Todd Barrett, President

Ryan Harper, Secretary

Guy Phillips

Tony Waits

Jillian Foster

Craig Sartin

Mississippi Board of Pharmacy July 21, 2022

AGENDA

I. CALL TO ORDER/ESTABLISH A QUORUM

- PRAYER AND PLEDGE
- WELCOME AND SPECIAL INTRODUCTIONS
- OATH OF OFFICE
- Special Guest- Donna Strum, PhD, Dean of University of Mississippi School of Pharmacy

II. CONSENT AGENDA & WEBSITE DECLARATION

- APPROVE AND SIGN MINUTES
- CONTINUING EDUCATION REQUEST
- APPROVE ISSUANCE OF PHARMACIST LICENSES
- MSDH FIRST RESPONDER NALOXONE MOU
- TRAVEL REQUESTS-
 - MALTAGON-New Orleans, September 18-21, Compliance, Board Members, and Board Staff
 - NABP District III- Flowood, MS, August 7-10, Board Members and Staff
 - NABP Tri-regulatory- Alexandria, VA- October 12-14, Susan McCoy and Todd Dear

III. EXECUTIVE DIRECTOR REPORT

IV. REGULATION WORKING GROUP

Article XXXII

V. GENERAL BUSINESS

• Affiliated Monitors Service (Cathy Cordy)

VI. RESPONDENTS

Surrender
Surrender
Respondent

VII. PETITIONERS

Shanissa Ficklin
 Petitioner

Came on July 21, 2022, the matter of Stephanie L. George, Pharmacy Technician Registration Number PT-08382, herein also referred to as Respondent, pursuant to a "Notice of Hearing and Complaint" filed by the Mississippi Board of Pharmacy. Board member Todd Barrett served on the Investigative Review Committee and did not participate in this hearing. Board member Tony Waits was absent from the hearing.

MISSISSIPPI BOARD OF PHARMACY VOLUNTARY SURRENDER OF REGISTRATION

IN THE MATTER OF:

STEPHANIE L. GEORGE P.O. BOX 566 FAYETTE, MS 39069

PHARMACIST TECHNICIAN REGISTRATION NUMBER PT-08382 <u>JURISDICTION</u>

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of Stephanie L. George, Pharmacy Technician Registration Number PT-08382, pursuant to Section 73-21-97 (1)(f), Mississippi Code of 1972, Annotated.

STATEMENT OF CHARGES

Stephanie L. George, Pharmacy Technician Registration Number PT-08382, is alleged to have committed the following violation:

Mississippi Board of Pharmacy Administrative Rules, Rule 2.1 O

Theft or embezzlement of prescription drugs, controlled substances, medical devices or funds from a permitted facility.

Specifically, Stephanie L. George, Pharmacy Technician Registration Number PT-08382 admitted to the theft of controlled substances from the pharmacy where she worked. George voluntarily surrendered her technician registration on February 10, 2022.

FINDINGS OF FACT

The Mississippi Board of Pharmacy, after being presented clear and convincing evidence, makes the following findings of fact:

(1) The "Notice of Hearing and Complaint" along with a sworn affidavit detailing those charges was served pursuant to Section 73-21-99, Mississippi Code of 1972, Annotated.

(2) The Respondent has been afforded all due process required by law.

(3) The Respondent was issued a pharmacy technician registration by the Board, Pharmacy Technician Registration Number PT-08382, and as such was subject to jurisdiction of the Board pursuant to Section 73-21-97 (1)(f), Mississippi Code of 1972, Annotated.

(4) The Respondent did not appear for the hearing and the hearing was held in absentia.

(5) The Respondent committed the violation as charged.

(6) The Respondent voluntarily surrendered her pharmacy technician registration.

FINAL ORDER OF THE BOARD

This ORDER OF THE BOARD is effective immediately. A certified copy of this ORDER shall be served on the Respondent and a copy maintained in the office of the Board.

- The Board officially accepts the voluntary surrender of Pharmacy Technician Registration Number PT-08382.
- Pursuant to Section 73-21-103 (1)(b), Mississippi Code of 1972, Annotated, Pharmacy Technician Registration Number PT-08382 is revoked.

	AYE	NAY	RECUSE
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Ronnie Bagwell, Vice-President			
S-CA			
Ryan Harper, Secretary			
Jillian Foster			
All'	/		
Guy Phillips			
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Craig Sartin	_		
Tony Waits			

Stephanie George

PT-08382

07-21-22

Came on July 21, 2022, the matter of Rosie M. George, Pharmacy Technician Registration Number PT-050, herein also referred to as Respondent, pursuant to a "Notice of Hearing and Complaint" filed by the Mississippi Board of Pharmacy. Board member Todd Barrett served on the Investigative Review Committee and did not participate in this hearing. Board member Tony Waits was absent from the hearing.

MISSISSIPPI BOARD OF PHARMACY VOLUNTARY SURRENDER OF REGISTRATION

IN THE MATTER OF:

ROSIE M. GEORGE P.O. BOX 566 FAYETTE, MS 39069

PHARMACIST TECHNICIAN REGISTRATION NUMBER PT-050 JURISDICTION

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of Rosie M. George, Pharmacy Technician Registration Number PT-050, pursuant to Section 73-21-97 (1)(f), Mississippi Code of 1972, Annotated.

STATEMENT OF CHARGES

Rosie M. George, Pharmacy Technician Registration Number PT-050, is alleged to have committed the following violation:

Mississippi Board of Pharmacy Administrative Rules, Rule 2.1 O

Theft or embezzlement of prescription drugs, controlled substances, medical devices or funds from a permitted facility.

Specifically, Rosie M. George, Pharmacy Technician Registration Number PT-050 admitted to the theft of controlled substances from the pharmacy where she worked. George voluntarily surrendered her technician registration on February 10, 2022.

FINDINGS OF FACT

The Mississippi Board of Pharmacy, after being presented clear and convincing evidence, makes the following findings of fact:

- (1) The "Notice of Hearing and Complaint" along with a sworn affidavit detailing those charges was served pursuant to Section 73-21-99, Mississippi Code of 1972, Annotated.
- (2) The Respondent has been afforded all due process required by law.
- (3) The Respondent was issued a pharmacy technician registration by the Board, Pharmacy Technician Registration Number PT-050, and as such was subject to jurisdiction of the Board pursuant to Section 73-21-97 (1)(f), Mississippi Code of 1972, Annotated.
- (4) The Respondent did not appear for the hearing and the hearing was held in absentia.
- (5) The Respondent committed the violation as charged.
- (6) The Respondent voluntarily surrendered her pharmacy technician registration.

FINAL ORDER OF THE BOARD

This ORDER OF THE BOARD is effective immediately. A certified copy of this ORDER shall be served on the Respondent and a copy maintained in the office of the Board.

- The Board officially accepts the voluntary surrender of Pharmacy Technician Registration Number PT-050.
- Pursuant to Section 73-21-103 (1)(b), Mississippi Code of 1972, Annotated, Pharmacy Technician Registration Number PT-050 is revoked.

	AYE	NAY	RECUSE
IRC J. Todd Barrett, President			IRC_
Ronnie Bagwell, Vice-President	*		
Ryan Harper, Secretary			
Jillian Foster			
Guy Phillips Guy Phillips	X		
Craig Sartin	X	<u> </u>	
Tony Waits			

Rosie George

PT-050

07-21-22

Came on July 21, 2022, the matter of James R. Bullock, License to Practice Pharmacy, Certificate of Registration Number E-06064, herein also referred to as Respondent, pursuant to a "Notice of Hearing and Complaint" filed by the Mississippi Board of Pharmacy. Board member Todd Barrett served on the Investigative Review Committee and did not participate in this hearing. Board member Tony Waits was absent from the hearing.

MISSISSIPPI BOARD OF PHARMACY

IN THE MATTER OF:

JAMES R. BULLOCK 1702 ADAIR ROAD TERRY, MS 39170

LICENSE TO PRACTICE PHARMACY NUMBER E-06064 JURISDICTION

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of James R. Bullock, License to Practice Pharmacy, Certificate of Registration Number E-06064, pursuant to Section 73-21-97 (1)(f), Mississippi Code of 1972, Annotated.

STATEMENT OF CHARGES

James R. Bullock, License to Practice Pharmacy, Certificate of Registration Number E-06064, is alleged to have committed the following violation:

Mississippi Board of Pharmacy Administrative Rules, Rule 2.1 F:

Violation of any of the provisions of the Mississippi Pharmacy Practice Act or rules or regulations adopted pursuant to such Act; or violation of pharmacy or drug laws of any other state or the federal government or the rules/regulations pertaining thereto.

Count 1:

Mississippi Pharmacy Practice Regulations Article VII, RESPONSIBILITY OF PHARMACIST-IN-CHARGE (PIC), Paragraph 4:

4. If a permitted facility is permanently closed or has a change of ownership, the pharmacist-in charge for that facility shall give notice to the Board of the effective date of closure or change in ownership and include the storage location of the business's records and appropriate contact information. If a permitted facility has a change in name or location, application for a new permit must be made to the Board at least fifteen (15) days prior to the change in name or location. Once issued, a permit cannot be amended, transferred or assigned to another person.

Specifically, Sav-Rite Disc Drugs, Pharmacy Permit # 01134/1.1, closed sometime between September 14, 2021 and November 10, 2021 and did not provide the appropriate notice to the Board of the closure. James R. Bullock, License to Practice Pharmacy, Certificate of Registration Number E-06064, was the pharmacist-in-charge and was responsible for providing notice to the Board of the store closing.

Count 2:

Mississippi Pharmacy Practice Regulations Article XXV, INVENTORY REQUIREMENTS FOR CONTROLLED SUBSTANCES, Paragraph 2:

2. When a facility has a change in ownership or a change in pharmacist-in-charge, or is permanently closed, a complete inventory shall be made of all controlled substances at the time of the change. A copy of this inventory shall be kept with other records of controlled substances in the facility and a copy shall be sent to the office of the Board of Pharmacy. When a facility is permanently closed, the pharmacist-in-charge shall notify the Board in writing within fourteen (14) days by what means and as to whom controlled substances were transferred or disposed of.

Specifically, Sav-Rite Disc Drugs, Pharmacy Permit # 01134/1.1, closed sometime between September 14, 2021 and November 10, 2021. James R. Bullock, License to Practice Pharmacy, Certificate of Registration Number E-06064, as the pharmacist-in-charge did not notify the Board in writing within fourteen (14) days by what means and as to whom controlled substances were transferred or disposed of as required by the regulation.

Count 3:

Mississippi Board of Pharmacy Administrative Rules, Rule 2.1, M:

Rule 2.1: Grounds for Disciplinary Actions.

The Board may refuse to issue or renew, or may suspend, reprimand, revoke or restrict the license, registration or permit or any person upon one or more of the following grounds:

M. The unlawful or unauthorized possession or use of a controlled substance.

Specifically, after the closing of Sav-Rite Disc Drugs, Pharmacy Permit # 01134/1.1, James R. Bullock, License to Practice Pharmacy, Certificate of Registration Number E-06064 moved the controlled substances from the pharmacy to his personal residence. After the pharmacy closed, Bullock had no authority to possess controlled substances, either at the drug store location or at his personal residence where he transferred and stored the controlled substances.

Count 4:

Mississippi Board of Pharmacy Administrative Rules, Rule 2.1, R:

Rule 2.1: Grounds for Disciplinary Actions.

The Board may refuse to issue or renew, or may suspend, reprimand, revoke or restrict the license, registration or permit or any person upon one or more of the following grounds:

R. Failure to obtain the license, registration or permit required by this Mississippi Pharmacy Practice Act.

Specifically, the pharmacy permit of Sav-Rite Disc Drugs, Pharmacy Permit # 01134/1.1 expired December 31, 2021. At some point, James R. Bullock, License to Practice Pharmacy, Certificate of Registration Number E-06064 moved the controlled substances from the pharmacy to his personal residence. Bullock failed to maintain a permit, either at the pharmacy location or at his personal residence where he stored the controlled substances.

FINDINGS OF FACT

The Mississippi Board of Pharmacy, after being presented clear and convincing evidence, makes the following findings of fact:

- (1) The "Notice of Hearing and Complaint" along with a sworn affidavit detailing those charges was served pursuant to Section 73-21-99, Mississippi Code of 1972, Annotated.
- (2) The Respondent has been afforded all due process required by law.
- (3) The Respondent did not appear for the hearing and the hearing was held in absentia.
- (4) The Respondent was issued a pharmacist license by the Board, Pharmacist License, Certificate of Registration Number E-06064, and as such was subject to jurisdiction of the Board pursuant to Section 73-21-97 (1)(f), Mississippi Code of 1972, Annotated.
- (5) The Respondent committed the violations as charged.
- (6) The Respondent has retired his Pharmacist License, Certificate of Registration Number E-06064.

FINAL ORDER OF THE BOARD

This ORDER OF THE BOARD is effective immediately. A certified copy of this ORDER shall be served on the Respondent and a copy maintained in the office of the Board.

 Respondent's license shall remain retired and shall not be reinstated unless the Respondent personally appears before the Board to request reinstatement.

	AYE	NAY	RECUSE
J. Todd Barrett, President			(IRC)
Ronnie Bagwell, Vice-President			
Ryan Harper, Secretary			
Jillian Foster			
Guy Phillips			
Craig Sartin	\times		
Tony Waits			

James Bullock

E-06064

Came on July 21, 2022, the matter of Ray E. Dukes, License to Practice Pharmacy, Certificate of Registration Number E-05791, herein also referred to as Respondent, pursuant to a "Notice of Hearing and Complaint" filed by the Mississippi Board of Pharmacy. Board member Todd Barrett served on the Investigative Review Committee and did not participate in this hearing. Board member Tony Waits was absent from the hearing.

MISSISSIPPI BOARD OF PHARMACY

IN THE MATTER OF:

RAY E. DUKES 4880 RAYMOND ROAD JACKSON, MS 39212

LICENSE TO PRACTICE PHARMACY NUMBER E-05791 JURISDICTION

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of Ray E. Dukes, License to Practice Pharmacy, Certificate of Registration Number E-05791, pursuant to Section 73-21-97 (1)(f), Mississippi Code of 1972, Annotated.

STATEMENT OF CHARGES

Ray E. Dukes, License to Practice Pharmacy, Certificate of Registration Number E-05791, is alleged to have committed the following violation:

Mississippi Board of Pharmacy Administrative Rules, Rule 2.1 F:

Violation of any of the provisions of the Mississippi Pharmacy Practice Act or rules or regulations adopted pursuant to such Act; or violation of pharmacy or drug laws of any other state or the federal government or the rules/regulations pertaining thereto.

Mississippi Pharmacy Practice Regulations Article VIII, RESPONSIBILITY OF PHARMACIST/PHARMACIST CARE, Paragraph 1. C, (2):

- C. In the dispensing of medications for ambulatory (or outpatients):
 - (2) The pharmacist shall be present and personally supervising the activities of the pharmacy technician at all times;

Specifically, Ray E. Dukes, License to Practice Pharmacy, Certificate of Registration Number E-05791, would leave Fayette Discount Drugs, Permit #06117/1.1 to go dispense medications at Jefferson County Hospital. This would leave the pharmacy technicians working at Fayette Discount Drugs unsupervised for about thirty to forty-five minutes each day he worked.

FINDINGS OF FACT

The Mississippi Board of Pharmacy, after being presented clear and convincing evidence, makes the following findings of fact:

(1) The "Notice of Hearing and Complaint" along with a sworn affidavit detailing those charges was served pursuant to Section 73-21-99, Mississippi Code of 1972, Annotated.

- (2) The Respondent has been afforded all due process required by law.
- (3) The Respondent was issued a pharmacist license by the Board, Pharmacist License, Certificate of Registration Number E-05791, and as such was subject to jurisdiction of the Board pursuant to Section 73-21-97 (1)(f), Mississippi Code of 1972, Annotated.
- (4) The Respondent admitted to the violation as charged.

FINAL ORDER OF THE BOARD

This ORDER OF THE BOARD is effective immediately. A certified copy of this ORDER shall be served on the Respondent and a copy maintained in the office of the Board.

- Pursuant to Section 73-21-103 (1)(d), Mississippi Code of 1972, Annotated, the Respondent shall pay a monetary penalty of Five Hundred Dollars (\$500.00).
- Said monetary penalty is due and payable in the office of the Board within 30 days of receipt of Notice of Board Action.

	AYE	NAY	RECUSE
IRC m			(IRC)
J. ToddyBarrett, President	×		
Ronnie Bagwell, Vice-President			
Ryan Harper, Secretary			
Jillian Foster		-	
Guy Philips Tully			
Craig Sartin	7		
Tony Waits			

Ray Dukes

E-05791

07-21-22

Came on July 21, 2022, the matter of Jason M. Cannon, License to Practice Pharmacy, Certificate of Registration Number E-09185, herein also referred to as Respondent, pursuant to a "Notice of Hearing and Complaint" filed by the Mississippi Board of Pharmacy. Board member Todd Barrett served on the Investigative Review Committee and did not participate in this hearing. Board member Tony Waits was absent from the hearing.

MISSISSIPPI BOARD OF PHARMACY

IN THE MATTER OF:

JASON M. CANNON 4938 PALENSTINE ROAD RAYMOND, MS 39154

LICENSE TO PRACTICE PHARMACY NUMBER E-09185 JURISDICTION

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of Jason M. Cannon, License to Practice Pharmacy, Certificate of Registration Number E-09185, pursuant to Section 73-21-97 (1)(f), Mississippi Code of 1972, Annotated.

STATEMENT OF CHARGES

Jason M. Cannon, License to Practice Pharmacy, Certificate of Registration Number E-09185, is alleged to have committed the following violations:

Mississippi Board of Pharmacy Administrative Rules, Rule 2.1 F:

Violation of any of the provisions of the Mississippi Pharmacy Practice Act or rules or regulations adopted pursuant to such Act; or violation of pharmacy or drug laws of any other state or the federal government or the rules/regulations pertaining thereto.

Count 1:

Mississippi Pharmacy Practice Regulations Article VII, RESPONSIBILITY OF PHARMACIST-IN-CHARGE (PIC), Paragraph 1. A:

The pharmacist-in-charge is responsible for assuring that all personnel are properly registered or licensed with the Board and that all pharmacy permits are current and appropriate for the type of pharmacy operation being conducted.

Specifically, Shoronda James performed pharmacy technician duties at Fayette Discount Drugs, Permit #06117/1.1, although she was not registered with the Board as a pharmacy technician. As the pharmacist-in-charge, Cannon was responsible for ensuring that all employees were properly registered with the Board.

Count 2:

Mississippi Pharmacy Practice Regulations Article XXIV, SECURITY OF CONTROLLED SUBSTANCES:

In all places where controlled substances are maintained, they shall be maintained in a manner to deter loss by theft or burglary. When a person who has a controlled substances registration with the Board of Pharmacy has a loss of controlled substances, the Board may issue an order to that person to appear before the Board to present a plan to the Board designed to prevent further loss of controlled substances or he/she may be ordered by the Board to implement any other reasonable measures to improve security on controlled substances deemed necessary by the Board or prevent further loss of controlled substances.

Specifically, an investigation by the Compliance Division of the Mississippi Board of Pharmacy revealed that several employees of Fayette Discount Drugs, Permit #06117/1.1, were stealing large amounts of controlled substances, to include: Alprazolam, Clonazepam, Hydrocodone and others. As the pharmacist-in-charge, Jason M. Cannon, License to Practice Pharmacy, Certificate of Registration Number E-09185, was responsible for ensuring the security of the controlled substances.

FINDINGS OF FACT

The Mississippi Board of Pharmacy, after being presented clear and convincing evidence, makes the following findings of fact:

- (1) The "Notice of Hearing and Complaint" along with a sworn affidavit detailing those charges was served pursuant to Section 73-21-99, Mississippi Code of 1972, Annotated.
- (2) The Respondent has been afforded all due process required by law.
- (3) The Respondent was issued a pharmacist license by the Board, Pharmacist License, Certificate of Registration Number E-09185, and as such was subject to jurisdiction of the Board pursuant to Section 73-21-97 (1)(f), Mississippi Code of 1972, Annotated.
- (4) The Respondent admitted to the violations as charged.

FINAL ORDER OF THE BOARD

This ORDER OF THE BOARD is effective immediately. A certified copy of this ORDER shall be served on the Respondent and a copy maintained in the office of the Board.

- Pursuant to Section 73-21-103 (1)(d)(i), Mississippi Code of 1972, Annotated, the Respondent shall pay a monetary penalty of One Thousand Dollars (\$1,000.00).
- Pursuant to Section 73-21-103 (1)(d)(ii), Mississippi Code of 1972, Annotated, the Respondent shall pay a monetary penalty of Five Thousand Dollars (\$5,000.00).
- Pursuant to Section 73-21-103 (1)(d)(iii), Mississippi Code of 1972, Annotated, the Respondent shall pay a monetary penalty for cost of investigation and the conducting an administrative hearing, the amount of Five Thousand Twenty-Four Dollars and Seventy Cents (\$5,024.70).
- The Respondent shall pay the total monetary penalty of Eleven Thousand Twenty-Four Dollars and Seventy Cents (\$11,024.70).
- Said monetary penalty is due and payable in the office of the Board within 30 days of receipt of Notice of Board Action.

Board members Ronnie Bagwell, Ryan Harper, Jillian Foster and Craig Sartin voted in favor of the above listed actions. Board member Guy Phillips voted nay.

	AYE	NAY	RECUSE
IRC J. Todd Barrett, President			(IRC)_
Ronnie Bagwell, Vice-President	X		
Ryan Harper, Secretary			
Jillian Foster		<u></u>	
Guy Phillips	_	X	_
Craig Sartin			
Tony Waits			

Jason Cannon

E-09185

07-21-22

Came on July 21, 2022, the matter of Shoronda M. James, Pharmacy Technician Registration Number PT-225462, herein also referred to as Respondent, pursuant to a "Notice of Hearing and Complaint" filed by the Mississippi Board of Pharmacy. Board member Todd Barrett served on the Investigative Review Committee and did not participate in this hearing. Board member Tony Waits was absent from the hearing.

MISSISSIPPI BOARD OF PHARMACY

IN THE MATTER OF:

SHORONDA M. JAMES 229 MAGNOLIA STREET FAYETTE, MS 39069

PHARMACIST TECHNICIAN REGISTRATION NUMBER PT-225462 JURISDICTION

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of Shoronda M. James, Pharmacy Technician Registration Number PT-225462, pursuant to Section 73-21-97 (1)(f), Mississippi Code of 1972, Annotated.

STATEMENT OF CHARGES

Shoronda M. James, Pharmacy Technician Registration Number PT-225462, is alleged to have committed the following violation:

Mississippi Board of Pharmacy Administrative Rules, Rule 2.1 R:

Failure to obtain the license, registration or permit required by the Mississippi Pharmacy Practice Act.

Specifically, Shoronda M. James, Pharmacy Technician Registration Number PT-225462 performed pharmacy technician duties at Fayette Discount Pharmacy without first obtaining pharmacy technician registration. James admitted to opening drug orders and placing stickers on them prior to other technicians stocking them. James also admitted to going behind the counter and counting pills at times.

FINDINGS OF FACT

The Mississippi Board of Pharmacy, after being presented clear and convincing evidence, makes the following findings of fact:

(1) The "Notice of Hearing and Complaint" along with a sworn affidavit detailing those charges was served pursuant to Section 73-21-99, Mississippi Code of 1972, Annotated.

(2) The Respondent has been afforded all due process required by law.

The Respondent was issued a pharmacy technician registration by the Board, Pharmacy Technician Registration Number PT-225462, and as such was subject to jurisdiction of the Board pursuant to Section 73-21-97 (1)(f), Mississippi Code of 1972, Annotated.

FINAL ORDER OF THE BOARD

This ORDER OF THE BOARD is effective immediately. A certified copy of this ORDER shall be served on the Respondent and a copy maintained in the office of the Board.

 The Board remands the charges back to the Investigative Review Committee for further review.

	AYE	NAY	RECUSE
J. Told Barrett, President			(IRC)
Ronnie Bagwell, Vice-President	X		
Ryan Harper, Secretary		-	
Jillan Faster			
Guy Philips	X		
Craig Sartin	*	_	
Tony Waits		0	

Sharonda James

PT-0000000

Came on July 21, 2022, the matter of Cody L. Guitreau, Pharmacist License, Certificate of Registration Number E-15680, herein also referred to as Respondent, pursuant to a "Notice of Hearing and Complaint" filed by the Mississippi Board of Pharmacy. Board member Guy Phillips served on the Investigative Review Committee and did not participate in this hearing. Board member Tony Waits was absent from the hearing.

MISSISSIPPI BOARD OF PHARMACY

IN THE MATTER OF:

CODY L GUITREAU 18525 HWY 22 MAUREPAS, LA 70449

LICENSE TO PRACTICE PHARMACY NUMBER E-15680 JURISDICTION

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of Cody L. Guitreau, Pharmacist License, Certificate of Registration Number E-15680, pursuant to Section 73-21-97 (1)(f), Mississippi Code of 1972, Annotated.

STATEMENT OF CHARGES

Cody L. Guitreau, Pharmacist License, Certificate of Registration Number E-15680, is alleged to have committed the following violations:

Z. Failure to produce evidence of continuing education credits as required by regulation.

Mississippi Pharmacy Practice Regulations, ARTICLE IV LICENSE RENEWAL AND CONTINUING EDUCATION, Paragraph 1, B:

- 1. To renew his/her license, a pharmacist shall:
 - A. Submit an application for renewal on the form prescribed by the Board or through the online process found at the Mississippi Board of Pharmacy webpage;
 - B. On the application, indicate and certify the number of continuing education hours earned for Licensure:
 - i. Fifteen (15) hours of continuing education is required for each licensure period.
 - ii. At least two (2) hours of the continuing education received each year must be related to opioid abuse and prevention or some other drug of abuse or addiction related issue.
 - iii. At least two (2) hours of the continuing education received each year must be obtained via a live seminar. Live webcasts are valid for this requirement.
 - iv. A pharmacist licensed by the Mississippi Board of Pharmacy must be a registered user of the Prescription Monitoring Program.

Specifically, pursuant to an audit request, Cody L. Guitreau, Pharmacist License, Certificate of Registration Number E-15680, failed to provide documentation of obtaining fifteen (15) hours of continuing educations with at least two (2) continuing education hours of opioid/addiction related issues for the licensure period of January 1, 2021, through December 31, 2021.

FINDINGS OF FACT

The Mississippi Board of Pharmacy, after being presented clear and convincing evidence, makes the following findings of fact:

(1) The "Notice of Hearing and Complaint" along with a sworn affidavit detailing those charges was served pursuant to Section 73-21-99, Mississippi Code of 1972, Annotated.

(2) The Respondent has been afforded all due process required by law.

- (3) The Respondent failed to appear for the hearing and the hearing was held in absentia.
- (4) The Respondent was issued a pharmacist license by the Board, Pharmacist License, Certificate of Registration Number E-15680, and as such was subject to jurisdiction of the Board pursuant to Section 73-21-97 (1)(f), Mississippi Code of 1972, Annotated.

(5) The Respondent committed the violation as charged.

FINAL ORDER OF THE BOARD

This ORDER OF THE BOARD is effective immediately. A certified copy of this ORDER shall be served on the Respondent and a copy maintained in the office of the Board.

- Pursuant to Section 73-21-103 (1)(d)(i), Mississippi Code of 1972, Annotated, the Respondent shall pay a monetary penalty of One Thousand Dollars (\$1,000.00). The Respondent shall be given credit for Six Hundred Dollars (\$600.00) that has already been paid.
- The Respondent shall be subject to a continuing education (CE) audit during the next audit
 period and the hours obtained by the Respondent to satisfy this charge shall not be counted
 for the required CE hours for this licensure period.

	AYE	NAY	RECUSE
J. Toold Barrett, President	_		
Ronnie Bagwell, Vice-President	X		
Ryan Harper, Secretary		_	
Jillian Foster			
Guy Phillips		-	_IRC _
Craig Sartin	7		
Tony Waits			

Cody Guitreau

E-15680

07-21-22

Came on July 21, 2022, the matter of Clayton A. Kaesberg, Pharmacist License, Certificate of Registration Number E-16653, herein also referred to as Respondent, pursuant to a "Notice of Hearing and Complaint" filed by the Mississippi Board of Pharmacy. Board member Guy Phillips served on the Investigative Review Committee and did not participate in this hearing. Board member Tony Waits was absent from the hearing.

MISSISSIPPI BOARD OF PHARMACY

IN THE MATTER OF:

CLAYTON A. KAESBERG 206 ASHLEY LANE BRIGHTON, TN 38011

LICENSE TO PRACTICE PHARMACY NUMBER E-16653 JURISDICTION

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of Clayton A. Kaesberg, Pharmacist License, Certificate of Registration Number E-16653, pursuant to Section 73-21-97 (1)(f), Mississippi Code of 1972, Annotated.

STATEMENT OF CHARGES

Clayton A. Kaesberg, Pharmacist License, Certificate of Registration Number E-16653, is alleged to have committed the following violations:

Z. Failure to produce evidence of continuing education credits as required by regulation.

Mississippi Pharmacy Practice Regulations, ARTICLE IV LICENSE RENEWAL AND CONTINUING EDUCATION, Paragraph 1, B:

- 1. To renew his/her license, a pharmacist shall:
 - A. Submit an application for renewal on the form prescribed by the Board or through the online process found at the Mississippi Board of Pharmacy webpage;
 - B. On the application, indicate and certify the number of continuing education hours earned for Licensure:
 - i. Fifteen (15) hours of continuing education is required for each licensure period.
 - ii. At least two (2) hours of the continuing education received each year must be related to opioid abuse and prevention or some other drug of abuse or addiction related issue.
 - iii. At least two (2) hours of the continuing education received each year must be obtained via a live seminar. Live webcasts are valid for this requirement.
 - iv. A pharmacist licensed by the Mississippi Board of Pharmacy must be a registered user of the Prescription Monitoring Program.

Specifically, pursuant to an audit request, Clayton A. Kaesberg, Pharmacist License, Certificate of Registration Number E-16653, failed to provide documentation of obtaining fifteen (15) continuing education hours for the licensure period of January 1, 2021, through December 31, 2021.

FINDINGS OF FACT

The Mississippi Board of Pharmacy, after being presented clear and convincing evidence, makes the following findings of fact:

- (1) The "Notice of Hearing and Complaint" along with a sworn affidavit detailing those charges was served pursuant to Section 73-21-99, Mississippi Code of 1972, Annotated.
- (2) The Respondent has been afforded all due process required by law.
- (3) The Respondent failed to appear for the hearing and the hearing was held in absentia.
- (4) The Respondent was issued a pharmacist license by the Board, Pharmacist License, Certificate of Registration Number E-16653, and as such was subject to jurisdiction of the Board pursuant to Section 73-21-97 (1)(f), Mississippi Code of 1972, Annotated.
- (5) The Respondent committed the violation as charged.

FINAL ORDER OF THE BOARD

This ORDER OF THE BOARD is effective immediately. A certified copy of this ORDER shall be served on the Respondent and a copy maintained in the office of the Board.

- Pursuant to Section 73-21-103 (1)(d)(i), Mississippi Code of 1972, Annotated, the Respondent shall pay a monetary penalty of One Thousand Dollars (\$1,000.00).
- Pursuant to Section 73-21-103 (1)(d)(iii), Mississippi Code of 1972, Annotated, the Respondent shall pay a monetary penalty of Two Hundred Dollars (\$200.00) for the cost of an administrative hearing.
- The Respondent shall show proof to the Board of obtaining the required continuing education hours that are the subject of these charges.
- The Respondent shall be subject to a continuing education (CE) audit during the next five (5) audit periods and the hours obtained by the Respondent to satisfy this charge shall not be counted for the required CE hours for this licensure period.

ORDERED AND AGREED TO, this the 21st day of July 2022. AYE NAY RECUSE J. Todd Barrett, President Ronnie Bagwell, Vice-President Ryan Harper, Secretary IRC Guy Phillips Tony Waits

Clayton Kaesburg

E-16653

On July 21, 2022, came the matter of CVS Pharmacy #10400, Pharmacy Permit Number 13885/1.2; CVS Pharmacy #11114, Pharmacy Permit Number 05284/7.1; and CVS Specialty, Pharmacy Permit Number 04877/7.1, herein also referred to as Respondents, pursuant to a "Notice of Hearing and Complaint" filed by the Mississippi Board of Pharmacy against each of the listed pharmacies. The three Respondents were consolidated into one hearing since charges all rise from the same facts and circumstances. Board members Ronnie Bagwell and Guy Phillips served on the Investigative Review Committee and did not participate in this hearing. Board member Tony Waits was absent from the hearing.

BEFORE THE MISSISSIPPI BOARD OF PHARMACY

IN THE MATTER OF:

CVS PHARMACY #10400 1435 NORTH FRONTAGE ROAD VICKSBURG, MS 39180

CVS SPECIALTY 800 BIERMANN COURT, STE B MOUNT PROSPECT, IL 60056

CVS PHARMACY #11114 2800 ENTERPRISE, STE 5 INDIANAPOLIS, IN 46219

PERMITS TO OPERATE AS PHARMACIES, NUMBERS 13885/1.2, 05284/7.1 and 04877/7.1

JURISDICTION

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of CVS Pharmacy #10400, Pharmacy Permit Number 13885/1.2; CVS Pharmacy #11114, Pharmacy Permit Number 05284/7.1; and CVS Specialty, Pharmacy Permit Number 04877/7.1, pursuant to Section 73-21-97(1)(f), Mississippi Code of 1972, Annotated.

STATEMENT OF CHARGES

CVS Pharmacy #10400, Pharmacy Permit Number 13885/1.2; CVS Pharmacy #11114, Pharmacy Permit Number 05284/7.1; and CVS Specialty, Pharmacy Permit Number 04877/7.1 are all alleged to have committed a violation of the following:

Mississippi Pharmacy Practice Regulations, Article XV Issuance and Receipt of Prescription Copies, Paragraph 1., C:

- Prescriptions for drugs which are controlled substances as defined by the Mississippi Uniform Controlled Substances Law shall not be transferred. Prescriptions for noncontrolled drugs may be transferred orally by telephone or electronically (to include facsimile) by pharmacists between pharmacies for the purpose of refill dispensing provided:
 - A. That in pharmacies with a manual record keeping system the transferor pharmacist invalidates the prescription on file as of the date the copy is given by writing "Void" on its

face; and records on the back of the invalidated prescription order that a copy has been issued, to whom, the date of issuance of such copy and the initials of the pharmacist issuing the transferred prescription.

B. That in pharmacies with a computerized record keeping system the transferor pharmacist records in the system a cancellation of the prescription. This cancellation shall record that a copy of the prescription has been issued, to whom it was issued, the date of issuance of such copy and the initials of the pharmacist issuing the copy. This required information must be immediately retrievable (via CRT display or hard copy printout).

C. The transferee pharmacist, upon receiving such prescription directly from another pharmacist, records the following and enters into the data processing system:

(1) The name and address of the pharmacy from which the prescription was transferred and the original prescription number used by that pharmacy;

(2) The name of the transferor pharmacist;

(3) All information constituting a prescription order, including the following:

(a) Patient's name.

(b) Date of issuance of original prescription and date of original dispensing.

(c) Original number of refills authorized on original prescription;

(d) Number of valid refills remaining.

D. The receiving pharmacist informs the patient that the original prescription has been canceled at the pharmacy from which it was obtained.

2. Computerized systems must satisfy all requirements of paragraph 1. of this ARTICLE.

3. Presentation of a written prescription copy or label from dispensed medication shall be for information purposes only and has no legal status as a valid prescription order. The recipient pharmacist of such copy or prescription label shall contact the prescribing practitioner for authorization to dispense the prescription, which is the same as obtaining an original prescription order or transfer the prescription in accordance with the provisions of paragraph 1. of this ARTICLE.

PROCEEDINGS

The Mississippi Board of Pharmacy heard testimony and received evidence during a hearing on this matter. Before making a final decision, the Board entertained a motion for Settlement from the Respondents. The Board continued the matter until the next Board meeting to allow time for settlement negotiations.

	AYE	NAY	RECUSE
J. Todd Barrett, President			
IRCRonnie Bagwell, Vice-President			IRC
Ryan Harper, Secretary		_	_
Jillian Foster			
IRC Guy Phillips			_IRC
Craig Sartin			
Tony Waits			

CVS 010400

F13885-1.2

07/21/22

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J. Todd Barrett, President			
IRCRonnie Bagwell, Vice-President		1	IRC
Ryan Harper, Secretary		_	
Jillian Foster		<u> </u>	
IRC Guy Phillips		-	_IRC
Craig Sartin	-		
Tony Waits			

CVS 1114

F 05284-7.1

07/21/22

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J. Todd Barrett, President			
Ronnie Bagwell, Vice-President			IRC
Ryan Harper, Secretary			
Jillian Foster			
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Craig Sartin			
Tony Weite			

CVS Specialty

F 04877-7.1

07/21/22

Came on July 21, 2022, the matter of Shanissa Ficklin, Pharmacy Technician Registration PT-221533, herein also referred to as Petitioner, pursuant to a request to petition the Mississippi Board of Pharmacy.

BEFORE THE MISSISSIPPI BOARD OF PHARMACY

IN THE PETITION OF:

SHANISSA FICKLIN 244 MANCHU COURT CLINTON, MS 39056

PHARMACY TECHNICIAN REGISTRATION RENEWAL APPLICATION JURISDICTION

The Mississippi Board of Pharmacy has jurisdiction of the subject matter pursuant to Section 73-21-103(2), Mississippi Code of 1972, Annotated.

PROCEEDINGS

The Petitioner was unable to renew her pharmacy technician registration due to pending criminal charges that were filed against her. The grand jury subsequently returned a no bill effectively dismissing the criminal charges against Petitioner. Petitioner now requests that this Board allow her to renew her pharmacy technician registration.

ACTION OF THE BOARD

Based upon the clear and convincing evidence presented at the petition hearing, all members of the Board present voted to allow the Petitioner to renew her pharmacy technician registration and to waive the fees associated with renewal since Petitioner had paid the fees the prior year.

A certified copy of this ORDER shall be served on the Petitioner and maintained in the office of the Board.

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Jillian Foster			
Guy Phillips	\propto		1-
Craig Sartin	X	_	
Tony Waits		<u></u>	-