

# MISSISSIPPI BOARD OF PHARMACY

## MINUTES

### May 20, 2021

The Mississippi Board of Pharmacy (Board) met at 9:00 a.m. on Thursday, May 20, 2021 at the Hilton Hotel conference room, 1001 East County Line Road, Jackson, MS 39211. The meeting was held at the Hilton Hotel to accommodate the spacing needed due to COVID restrictions. The following members were present: Jillian Foster - President, John T. Barrett - Secretary, Guy Phillips, Ronnie Bagwell and Tony Waits. Board members James L. Calvert - Vice-President, and Ryan Harper were absent.

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### CONSENT AGENDA

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 20, 2021 of the Mississippi Board of Pharmacy.
- ❖ Requests for approval of the following pharmacy continuing education programs:
  - PROGRAM NUMBER 004-007-021-001, **"COVID Response: The Critical Role of Pharmacies and Pharmacists"**, as requested by Thomas Dobbs for 1 clock hour of LIVE pharmacist continuing education credit.
  - PROGRAM NUMBER 004-007-021-002, **"Diabetes Coalition of Mississippi Quarterly Meeting"**, as requested by Madison Moore for 1.5 clock hours of LIVE pharmacist continuing education credit.
  - PROGRAM NUMBER 004-007-021-003, **"Too High, Can't Come Down, Intoxicate Me Now: Overview of Common Drug Toxicities"**, as requested by Lauryn Easley for 1 clock hour of LIVE pharmacist continuing education credit.
  - PROGRAM NUMBER 004-008-021-001, **"Understanding VS Medication Pricing & Utilization Distortions"**, as requested by Robert Dozier for 2 clock hours of LIVE pharmacist continuing education credit.
  - PROGRAM NUMBER 004-008-021-002, **"Am I really In Charge?"**, as requested by Robert Dozier for 1.5 clock hours of LIVE pharmacist continuing education credit.
  - PROGRAM NUMBER 004-008-021-003, **"MS Pharmacy Audit Integrity Act & PBM Auditing Trands?"**, as requested by Robert Dozier for 1.5 clock hours of LIVE pharmacist continuing education credit.
  - PROGRAM NUMBER 004-008-021-004, **"Current Status of COVID -19 Vaccinations"**, as requested by Robert Dozier for 1 clock hour of LIVE pharmacist continuing education credit.

- PROGRAM NUMBER 004-008-021-005, **“Current Status of Medical Marijuana?”**, as requested by Robert Dozier for 1 clock hour of LIVE pharmacist continuing education credit.
- PROGRAM NUMBER 004-008-021-006, **“Independent Pharmacy’s Role in game Changing Early Detections of Dementia?”**, as requested by Robert Dozier for 1.5 clock hours of LIVE pharmacist continuing education credit.
- PROGRAM NUMBER 004-008-021-007, **“State and Governmental Affairs”**, as requested by Robert Dozier for 1.5 clock hours of LIVE pharmacist continuing education credit.
- PROGRAM NUMBER 004-016-021-001, **“Cardiology: Everyone’s Favorite Mental Workout”**, as requested by Brett Lambert for 1 clock hour of LIVE pharmacist continuing education credit.
- PROGRAM NUMBER 004-016-021-002, **“Pleural Effusions”**, as requested by Mary Ables for 0.5 clock hours of LIVE pharmacist continuing education credit.
- PROGRAM NUMBER 004-016-021-003, **“Medication Therapy Management Optimizing Patient Care and Health Center Ops”**, as requested by Desiree Stinson for 1.5 clock hours of LIVE pharmacist continuing education credit.
- PROGRAM NUMBER 004-020-021-001, **“9<sup>th</sup> Annual Stroke Care Symposium ”**, as requested by Heather Sudduth for 6.5 clock hour of LIVE pharmacist continuing education credit.
- PROGRAM NUMBER 004-029-021-001, **“Sodium Glucose Co-Transporter 2 Inhibitors: Update and Review”**, as requested by Ron Welch for 0.5 clock hours of LIVE pharmacist continuing education credit.
- PROGRAM NUMBER 005-007-021-001, **“Emerging Research and Treatments for Managing Diabetes”**, as requested by Susan Hart for 2 clock hours of LIVE pharmacist continuing education credit.
- PROGRAM NUMBER 005-007-021-002, **“Exploring the Clinical and Legal Impact of Controlled Substances”**, as requested by Alisha Nicks for 2 clock hours of LIVE pharmacist continuing education credit.
- MSHP Virtual Annual Meeting of Consultant Certificate Program is approved for 2021 Consultant Certificate.

❖ Approval of Issuance of Pharmacists Licenses

❖ Consultant Waiver Requests:

- Mariam Phillip
- Karen Johnson
- Savannah Lacoste
- Emily Wright
- Camron Jones



- Tori Clearman

❖ Requests for Travel:

- District III- Hilton Head, SC- October 3-6, 2021, Board Members, Susan, Todd and Cheri
- MALTAGON- Gulf Shores, AL- October 17-20, 2021, Board Members and Staff

❖ Association Memberships for staff:

- NASCA

## **CONCLUSION OF CONSENT AGENDA**

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### **EXECUTIVE DIRECTOR REPORT**

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

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### **REGULATION WORKING GROUP**

The following regulation amendments were presented to the Board for consideration:

- Article XII Prescription/Order Required and Refill Authorization/Recordkeeping (see attached)  
Without objection, the Board approved its intent to adopt the proposed amendment and directed the staff to proceed with adoption pursuant to the Administrative Procedures Act.

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## **GENERAL BUSINESS**

The Board elected the following officers for terms from July 2021 to June 2022.

President – Larry Calvert  
Vice President – Guy Phillips  
Secretary – Todd Barrett

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## **RESPONDENTS**

Sabre' Golliday, Pharmacy Technician Registration Number PT-214947

After an administrative hearing on this matter, the Board issued the attached Order.

RXQ Compounding LLC, Sterile Product Outsourcer Permit Number 17621/13.5

After an administrative hearing on this matter, the Board issued the attached Order.

Oxford Treatment Center LLC, IEMK Permit Number 16253/8.1a

After an administrative hearing on this matter, the Board issued the attached Order.

Rinkuben M. Patel, Pharmacy Technician Registration Number PT-220770

After an administrative hearing on this matter, the Board issued the attached Order.

Ashokkumar P. Patel, Pharmacy Technician Registration Number PT-220662

After an administrative hearing on this matter, the Board issued the attached Order.

April M. Miller, License to Practice Pharmacy, Certificate of Registration Number E-010200

After an administrative hearing on this matter, the Board issued the attached Order.

Angel's Pharmacy 1, Inc., Angel's Pharmacy, 259 E. Michigan Street, Orlando, FL 32806

After an administrative hearing on this matter, the Board issued the attached Order.

Arundel Mills Pharmacy, LLC d/b/a KJRX, an unpermitted non-resident pharmacy

After an administrative hearing on this matter, the Board issued the attached Order.

Bay Area Pharmacy, an unpermitted non-resident pharmacy

After an administrative hearing on this matter, the Board issued the attached Order.

First Class Pharmacy, an unpermitted non-resident pharmacy

After an administrative hearing on this matter, the Board issued the attached Order.

RAAJIPO d/b/a Greenhill Pharmacy – Market Street, an unpermitted non-resident pharmacy

After an administrative hearing on this matter, the Board issued the attached Order.

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## **PETITIONERS**

Foothills Professional Pharmacy, Permit to Operate a Pharmacy Number 18086/7.1

After an administrative hearing on this matter, the Board issued the attached Order.

Deliver My Meds Corp., Permit to Operate as a Pharmacy, Permit Number 17598/7.1

After an administrative hearing on this matter, the Board issued the attached Order.



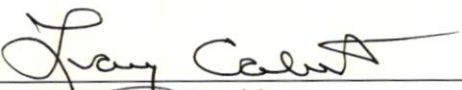
Michael S. Gallotte, License to Practice Pharmacy, Certificate of Registration Number E-09320  
After an administrative hearing on this matter, the Board issued the attached Order.

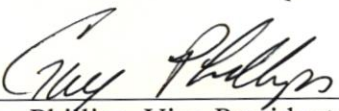
Alexandria Adekunle failed to appear before the Board after requesting the Board approve her pharmacy technician registration application. The Board took no action on the application and restricted Adekunle from petitioning the Board for one (1) year from the date of this meeting.


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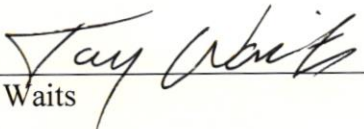
The Board adjourned at 3:11 p.m.

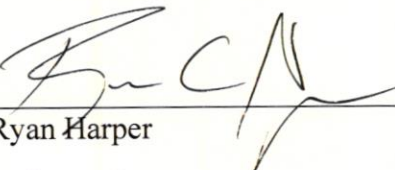
These May 20, 2021, MINUTES of the Board are hereby approved this the 14<sup>th</sup> day of July 2021.

  
James L. Calvert, President

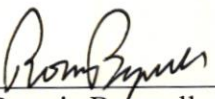
  
Guy Phillips, Vice-President

  
J. Todd Barrett, Secretary

  
Tony Waits

  
Ryan Harper

  
Jillian Foster

  
Ronnie Bagwell

**Mississippi Board of Pharmacy  
May 20, 2021**

**AGENDA**

**I. CALL TO ORDER/ESTABLISH A QUORUM**

- PRAYER AND PLEDGE
- WELCOME AND SPECIAL INTRODUCTIONS

**II. CONSENT AGENDA & WEBSITE DECLARATION**

- APPROVE AND SIGN MINUTES
- CONTINUING EDUCATION REQUEST
- APPROVE ISSUANCE OF PHARMACIST LICENSES
- Consultant Waiver Requests
  - Mariam Phillip
  - Karen Johnson
  - Savannah Lacoste
  - Emily Wright
  - Camron Jones
  - Tori Clearman
- TRAVEL REQUESTS-
  - District III- Hilton Head, SC- October 3-6, 2021, Board Members, Susan, Todd and Cheri
  - MALTAGON- Gulf Shores, AL- October 17-20, 2021, Board Members and Staff
- MEMBERSHIPS FOR STAFF
  - NASCA



### **III. EXECUTIVE DIRECTOR REPORT**

### **IV. REGULATION WORKING GROUP**

- **ARTICLE XII PRESCRIPTION/ORDER REQUIRED AND REFILL  
AUTHORIZATION/RECORDKEEPING**

### **V. GENERAL BUSINESS**

- **Election of Officers**

### **VI. RESPONDENTS**

- |  |                   |
|--|-------------------|
| • <b>Sabre' Golliday</b>                   | <b>Surrender</b>  |
| • <b>RXQ Compounding</b>                   | <b>Respondent</b> |
| • <b>Oxford Treatment Center</b>           | <b>Respondent</b> |
| • <b>Rinkuben M. Patel</b>                 | <b>Respondent</b> |
| • <b>Ashokkumar P. Patel</b>               | <b>Respondent</b> |
| • <b>April Miller</b>                      | <b>Respondent</b> |
| • <b>Angel's Pharmacy (Citation)</b>       | <b>Respondent</b> |
| • <b>Arundel Mills Pharmacy (Citation)</b> | <b>Respondent</b> |
| • <b>Bay Area Pharmacy (Citation)</b>      | <b>Respondent</b> |
| • <b>First Class Pharmacy (Citation)</b>   | <b>Respondent</b> |
| • <b>Greenhill Pharmacy (Citation)</b>     | <b>Respondent</b> |

### **VII. PETITIONERS**

- |                              |                   |
|------------------------------|-------------------|
| • <b>Foothills</b>           | <b>Petitioner</b> |
| • <b>Deliver My Meds</b>     | <b>Petitioner</b> |
| • <b>Alexandria Adekunle</b> | <b>Petitioner</b> |
| • <b>Michael Gallotte</b>    | <b>Petitioner</b> |



## MISSISSIPPI BOARD OF PHARMACY (/)

<https://www.linkedin.com/company/mississippi-board-of-pharmacy/>

 (<https://twitter.com/MississippiBOP>)

(<https://www.facebook.com/MississippiBOP/>)

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## Board Meetings

The meeting of The Mississippi Board of Pharmacy will be held in the Board Room of the Mississippi Board of Pharmacy, 6360 I-55 North, Suite 400, Jackson, Mississippi.

Board Meetings for the first half of 2021 will be held on the following dates at 9:00 a.m.:

- January 21 (Located at the Hilton)
- March 25
- May 20



- July 15
- September 16
- November 18

The meetings of the Mississippi Board of Pharmacy are open to the public. However, due to limited space, there may be standing room only.

To subscribe to the Mississippi Public Meeting Notice webpage please visit: <https://www.ms.gov/dfa/pmn> (<https://www.ms.gov/dfa/pmn>)

## **Board Meeting Agendas and Minutes**

**Posted agendas are proposed and subject to change. MBP Board Meeting minutes will be posted after they are approved at the following Board Meeting.**

TITLE 30: PROFESSIONS AND OCCUPATIONS  
PART 3001: MISSISSIPPI PHARMACY PRACTICE REGULATIONS

**ARTICLE XII        PRESCRIPTION/ORDER REQUIRED AND REFILL  
AUTHORIZATION/RECORDKEEPING**

1. Prescription drugs shall be dispensed only pursuant to a valid prescription or a valid order. A pharmacist shall not dispense a prescription which the pharmacist knows or should know is not a valid prescription. A Prescription Drug Order, to be effective, must be issued for a legitimate medical purpose by a Practitioner acting within the course of legitimate professional practice.

A Prescription Drug Order shall contain the following information at a minimum:

- (1) full name and street address (if required by law) of the patient;
  - (2) name, address, and, if required by law or rules of the Board, DEA registration number of the prescribing Practitioner;
  - (3) date of issuance;
  - (4) name, strength, dosage form, and quantity of Drug prescribed;
  - (5) directions for use;
  - (6) refills authorized, if any;
  - (7) if a written Prescription Drug Order, prescribing Practitioner's signature;
  - (8) if an electronically transmitted Prescription Drug Order, prescribing Practitioner's electronic or digital signature;
2. A Prescription Drug Order must be communicated directly to a Pharmacist, or when recorded, in such a way that the Pharmacist may review the Prescription Drug Order as transmitted. A prescription/order may be accepted by a pharmacist in written form, orally, or electronically unless the order is for a Schedule II controlled substance (refer to ARTICLE XIX) of these regulations. Electronically transmitted prescription drug orders shall meet the following requirements:
    - A. Electronically transmitted prescription drug orders shall meet the following criteria:
      - (1) be transmitted only to the pharmacy of the patient's choice; and
      - (2) be transmitted by an authorized Practitioner or his or her designated agent
    - B. Prescription drug orders transmitted by facsimile or computer shall include:
      - (1) The complete name, address, and DEA Registration Number of the practitioner if required;
      - (2) The transmitters telephone number or any other suitable means to contact the transmitter for verbal and/or written confirmation;
      - (3) The name, address, and age of the patient;
      - (4) The time and date of the transmission; and,
      - (5) The full name of the person transmitting the order; and
      - (6) The identity of the Pharmacy intended to receive the transmission, as well as any other information required by federal or state law.



- C. An electronically transmitted drug order which meets the requirements of this ARTICLE shall be deemed the original order.
  - D. The pharmacist shall exercise professional judgment regarding the accuracy, validity, and authenticity of the transmitted prescription drug order consistent with federal or state laws and rules and regulations adopted pursuant to the same.
  - E. An electronically transmitted prescription/order from a prescriber to a pharmacist shall be considered a highly confidential transaction and the said transmission shall not be compromised by interventions, control, change, altering or manipulation by any other person or parties in any manner whatsoever.
  - F. Any pharmacist that transmits, receives or maintains any prescription or prescription refill either orally, in writing or electronically shall ensure the security, integrity and confidentiality of the prescription and any information contained therein.
  - G. To maintain the confidentiality of patient and prescriber records, a computer system shall have security and system safeguards designed to prevent and detect unauthorized access, modification or manipulation of patient records. Once the drug has been dispensed, any alterations in prescription drug order data shall be documented to include the identification of the individual responsible for the alteration.
  - H. Electronic transmission of prescription orders for controlled substances must comply with DEA Regulations.
- 3. Pharmacists must maintain complete and accurate records of all prescription drugs received, disposed of, or dispensed at a permitted facility.
  - 4. A prescription may not be refilled without authorization. When refills are dispensed pursuant to authorization contained on the original prescription or when no refills are authorized on the original prescription but refills are subsequently authorized by the prescriber, the refill authorization shall be recorded on the original prescription document and the record of any refill made shall be maintained on the back of the original prescription document or on some other uniformly maintained record and the dispensing pharmacist shall record the date of the refill, the quantity of the drug dispensed and his/her initials; however, an original prescription for a controlled substance which contains no refill information may not be authorized to be refilled more than five (5) times or after six (6) months from the date of issuance. Authorization for any additional refill of a controlled substance prescription in excess of those refills originally authorized or after six (6) months from the date of issuance of the prescription shall be treated as a new prescription.
  - 5. When filling a prescription or refilling a prescription which may be refilled, the pharmacist shall exercise professional judgment in the matter. Except as provided below, no prescription shall be filled or refilled with greater frequency than the approximate interval of time that the dosage regimen ordered by the prescriber would indicate, unless extenuating circumstances are documented which would justify a shorter interval of time before the filling or refilling of the prescription. For non-controlled maintenance medications only, a pharmacist, exercising his/her professional judgment, may dispense additional dosage units authorized by the prescriber on the original prescription including refills.

6. The pharmacist who fills or refills a prescription shall record the date of the dispensing and indicate his/her identity as the dispensing pharmacist on the prescription document or some other appropriate and uniformly maintained record. If this record is maintained on the original prescription document, the original dispensing and any refills must be recorded on the back of the prescription.
7. A prescription shall not be refilled after twelve (12) months from the date of issuance. Orders for non-controlled medications authorized for patients in LTC facilities are recognized as prescriptions and are valid until the order is discontinued.
8. A prescription becomes invalid thirty (30) days after the prescriber/patient relationship is terminated. When the patient is no longer able to seek personal consultation or treatment from the prescriber the prescriber/patient relationship is terminated.
9. A written prescription document prepared by the prescriber or his agent must bear an original signature of the prescriber, facsimile stamps are not acceptable. When an oral prescription or the oral authorization for the refilling of a prescription is received which is transmitted by someone other than the prescriber, the name of the transmitter and the date of the transmission must be recorded on the original prescription document by the pharmacist receiving the transmission.
10. A pharmacist licensed by the Mississippi Board of Pharmacy may dispense a one-time emergency dispensing of a prescription of up to a seventy-two (72) hour supply of a prescribed medication in the event the pharmacist is unable to contact the prescriber to obtain refill authorization, provided that;
  - A. The prescription is not for a controlled substance;
  - B. In the pharmacist's professional judgment, the interruption of therapy might reasonably produce undesirable health consequences or may cause physical or mental discomfort;
  - C. The dispensing pharmacist notifies the prescriber or his agent of the emergency dispensing within seven (7) working days after the one-time emergency dispensing;
  - D. The pharmacist properly records the dispensing as a separate non-refillable prescription. Said document shall be filed as is required of all other prescription records. This document shall be serially numbered and contain all information required of other prescriptions. In addition, it shall contain the number of the prescription from which it was refilled; and
  - E. The pharmacist shall record on the new document the circumstances which warrant this emergency dispensing.This emergency dispensing shall be done only in the permitted facility which contains the non-refillable prescription.

TITLE 30: PROFESSIONS AND OCCUPATIONS  
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  - 5. When filling a prescription or refilling a prescription which may be refilled, the pharmacist shall exercise professional judgment in the matter. Except as provided below, no prescription shall be filled or refilled with greater frequency than the approximate interval of time that the dosage regimen ordered by the prescriber would indicate, unless extenuating circumstances are documented which would justify a shorter interval of time before the filling or refilling of the prescription. For non-controlled maintenance medications only, a pharmacist, exercising his/her professional judgment, may dispense additional dosage units authorized by the prescriber on the original prescription including refills.



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  - A. The prescription is not for a controlled substance;
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  - E. The pharmacist shall record on the new document the circumstances which warrant this emergency dispensing.This emergency dispensing shall be done only in the permitted facility which contains the non-refillable prescription.

Came on May 20, 2021, the matter of Sabre' Golliday, Pharmacy Technician Registration Number PT-214947, herein also referred to as Respondent, pursuant to a "Notice of Hearing and Complaint" filed by the Mississippi Board of Pharmacy. Board members Todd Barrett and Ryan Harper served on the Investigative Review Committee and did not participate in this hearing.

**MISSISSIPPI BOARD OF PHARMACY  
VOLUNTARY SURRENDER OF REGISTRATION**

IN THE MATTER OF:

SABRE' GOLLIDAY

PHARMACIST TECHNICIAN REGISTRATION NUMBER PT-214947

JURISDICTION

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of Sabre' Golliday, Pharmacy Technician Registration Number PT-214947, pursuant to Section 73-21-97 (1)(f), Mississippi Code of 1972, Annotated.

STATEMENT OF CHARGES

Sabre' Golliday, Pharmacy Technician Registration Number PT-214947, is alleged to have committed the following violation:

Mississippi Board of Pharmacy Administrative Rules, Rule 2.1 O:

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

Specifically, Sabre' Golliday, Pharmacy Technician Registration Number PT-214947 admitted to the theft of alprazolam from the Kroger pharmacy where she worked. Golliday surrendered her pharmacy technician registration on January 7, 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 was issued a pharmacy technician registration by the Board, Pharmacy Technician Registration Number PT-214947, 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


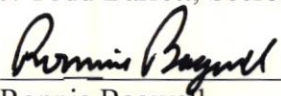
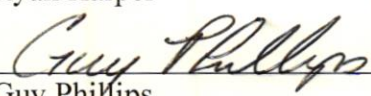
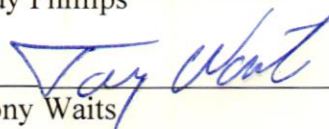
This ORDER OF THE BOARD is effective immediately. A certified copy of this ORDER shall be served on the Respondent and a copy maintained in the office of the Board.



- The Board officially accepts the voluntary surrender of Pharmacy Technician Registration Number PT-214947.
- Pursuant to Section 73-21-103 (1)(b), Mississippi Code of 1972, Annotated, Pharmacy Technician Registration Number PT-214947 is revoked.
- Pursuant to Section 73-21-103 (2), Mississippi Code of 1972, Annotated, Respondent shall have the right to petition the Board for reinstatement of her registration. The Board will not consider a petition for reinstatement of this registration until at least one (1) year from the date of this Order.
- Pursuant to Section 73-21-103(1)(d)(iii), Mississippi Code of 1972, Annotated, Respondent shall pay and the cost of investigation and conduct of a proceeding in the amount of One Hundred Fifty Dollars (\$150.00).
- The total monetary penalty and cost of investigation in the amount of One Hundred Fifty Dollars (\$150.00) shall be paid by the Respondent prior to the reinstatement of her registration.

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ORDERED AND AGREED TO, this the 20th day of May 2021.

	AYE	NAY	RECUSE
 Jillian Foster, President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Larry Calvert, Vice-President	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
IRC _____ J. Todd Barrett, Secretary	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
 Ronnie Bagwell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
IRC _____ Ryan Harper	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
 Guy Phillips	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Tony Waits	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Sabre' Golliday

PT-214947

05/20/21

On May 20, 2021, came the matter of RXQ Compounding LLC, Sterile Product Outsourcer Permit Number 17621/13.5, herein also referred to as Respondent, pursuant to a "Notice of Hearing and Complaint" filed by the Mississippi Board of Pharmacy. Board members Jillian Foster and Tony Waits served on the Investigative Review Committee (IRC) and did not participate in the hearing. Board member Larry Calvert was absent from the hearing.

## **BEFORE THE MISSISSIPPI BOARD OF PHARMACY**

IN THE MATTER OF:

RXQ COMPOUNDING LLC  
2364 BLIZZARD LANE  
ALBANY, OH 45701

### PERMIT TO OPERATE AS A STERILE PRODUCT OUTSOURCER NUMBER 17621/13.5

#### JURISDICTION

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of RXQ Compounding LLC, Sterile Product Outsourcer Permit Number 17621/13., pursuant to Section 73-21-97(1)(f), Mississippi Code of 1972, Annotated.

#### STATEMENT OF CHARGES

RXQ Compounding LLC, is alleged to have committed the following violation:

Violation of Mississippi Pharmacy Practice Regulations ARTICLE VI, PRACTICE OF PHARMACY PERMITS, Paragraph 2 F:

F. Sterile Product Outsourcing shall mean the compounding and distribution of sterile medications both in-state and out-of-state in accordance with FDA guidelines. The facility must apply for a Human Drug Compounding Outsourcing Registration from the U. S. Food and Drug Administration (FDA) and must **comply with applicable FDA Current Good Manufacturing Practice requirements** and other applicable guidelines. Facilities are subject to inspection by FDA on a risk-based schedule. Facilities must be in compliance with applicable U. S. Drug Enforcement Administration (DEA) regulations. On the application for Sterile Product Outsourcing, the Pharmacist-In- Charge must certify that the facility is in full compliance all applicable FDA and DEA regulations and guidelines. The facility may not hold a pharmacy permit within the same location as an Outsourcer.

Specifically, the Food and Drug Administration (FDA) conducted a facility inspection of Rxq Compounding LLC, Sterile Product Outsourcer Permit Number 17621/13.5 located at 2364 Blizzard Lane, Albany, Ohio, from May 6, 2019 through June 6, 2019. The inspection revealed fourteen (14) observation violations, including four (4) repeat violations that were noted during an inspection of the facility in 2017.



### FINDINGS OF FACT

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

- (1) The Respondent was properly notified of the charges by a duly processed "Notice of Hearing and Complaint" along with a sworn affidavit detailing those charges as provided for in Section 73-21-99, Mississippi Code of 1972, Annotated, and the Respondent has been afforded all due process required by law.
- (2) The Respondent was subject to jurisdiction of the Board pursuant to Section 73-21-97 (l)(f), Mississippi Code of 1972, Annotated.
- (3) The Respondent did not appear for the hearing and the hearing was held in the Respondent's absence.
- (4) The Respondent committed the violation as charged.

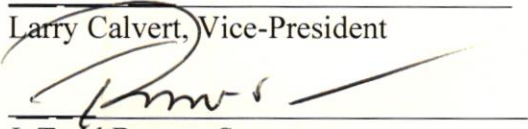
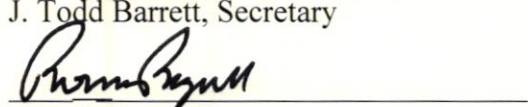
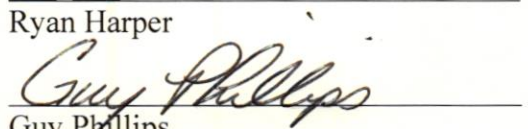
### FINAL ORDER OF THE BOARD

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)(a), Respondent's permit, 17621/13.5, shall be suspended indefinitely.
- Pursuant to Section 73-21-103 (1)(d), Respondent shall pay a monetary fee in the amount of Four Thousand Dollars (\$4,000.00)
- Pursuant to Section 73-21-103 (1)(d)(iii), Respondent shall pay the cost of investigation and proceeding in the amount of Two Hundred Fifty Dollars (\$250.00).
- The total monetary fee and cost of investigation shall be Four Thousand Two Hundred Fifty Dollars (\$4,250.00).
- Respondent shall obtain another inspection showing all prior observations have been corrected prior to petitioning for reinstatement of the permit.

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ORDERED AND AGREED TO, this the 20th day of May 2021.

	AYE	NAY	RECUSE
<u>IRC</u> Jillian Foster, President	_____	_____	<u>IRC</u>
<u>Larry Calvert, Vice-President</u>	_____	_____	_____
 J. Todd Barrett, Secretary	_____ ✓ _____	_____	_____
 Ronnie Bagwell	_____ X _____	_____	_____
<u>Ryan Harper</u>	_____	_____	_____
 Guy Phillips	_____ X _____	_____	_____
<u>IRC</u> Tony Waits	_____	_____	<u>IRC</u>

RXQ Compounding

F-17621-13.5

05/20/21

On May 20, 2021, came the matter of Oxford Treatment Center LLC, IEMK Permit Number 16253/8.1a, herein also referred to as Respondent, pursuant to a "Notice of Hearing and Complaint" filed by the Mississippi Board of Pharmacy. Board members Todd Barrett and Ryan Harper served on the Investigative Review Committee (IRC) and did not participate in the hearing. Board member Larry Calvert was absent from the hearing.

## **BEFORE THE MISSISSIPPI BOARD OF PHARMACY**

IN THE MATTER OF:

OXFORD TREATMENT CENTER  
297 CR 244  
ETTA, MS 38627

PERMIT FOR AN INSTITUTIONAL EMERGENCY MEDICAL KIT (IEMK) NUMBER  
16253/8.1a

### JURISDICTION

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of Oxford Treatment Center LLC, IEMK Permit Number 16253/8.1a, pursuant to Section 73-21-97(1)(f), Mississippi Code of 1972, Annotated.

### STATEMENT OF CHARGES

Oxford Treatment Center LLC, 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.  
(Article XXVI)**

### **ARTICLE XXVI DISPOSAL OF CONTROLLED SUBSTANCES**

1. Any registrant of the Board authorized to possess controlled substances in the course of their professional practice or the course of their business may dispose of any expired, excess, or unwanted controlled substances by contacting and utilizing the services of a reverse distributor as defined by the Federal Drug Enforcement Administration. Any such reverse distributor must hold a valid Certificate of Registration Number issued by the Federal Drug Enforcement Administration and the Mississippi Board of Pharmacy. All records of the disposal of controlled substances shall be maintained for a period of two (2) years.
2. An institution permitted or registered by the Mississippi Board of Pharmacy in which controlled substances are administered to patients, may make on-premises destruction of controlled substances provided:
  - A. The controlled substance is the remainder of a prepackaged single dosage unit or unit of use.
  - B. At least part of the unit dose or unit of use was administered.
  - C. The destruction is recorded showing:



- (1) The name of the drug;
  - (2) The amount of the drug which was administered and the amount of the drug which was destroyed;
  - (3) The time and the date of destruction;
  - (4) The name of the patient;
  - (5) The room number of the patient;
  - (6) The name of the person administering the drug;
  - (7) The signature of the person (pharmacist or nurse) making the destruction;
  - (8) The signature of a second person who witnessed the destruction.
- D. The record of the destruction is maintained by the facility.
- E. A single dosage unit or any unit of use of a controlled substance which (1) is broken, (2) becomes contaminated, or (3) for any reason cannot be used, must be returned to the control of the pharmacy for proper disposal. When it is not possible to return a broken, contaminated, or unwanted dosage unit or unit of use to the pharmacy, documentation of the loss may be substituted. Broken or contaminated single dosage units or units of use returned to the pharmacy for destruction may be destroyed on premise provided the destruction is documented.
3. If for any reason a registrant is unable to dispose of excess or undesired stock of controlled substances under other provisions of this ARTICLE, the registrant may contact the Board of Pharmacy and the disposal shall be made as follows:
- An agent of the Pharmacy Board shall obtain an inventory of the controlled substances to be disposed of and make two (2) copies of this inventory. The first copy of this inventory shall be retained by the Pharmacy Board; the second copy shall be given to the registrant. After complying with this inventory requirement, the agent of the Pharmacy Board shall take possession of the controlled substances. The controlled substances thus taken by the Pharmacy Board Agent shall be placed in a sealed container and labeled with the date and the name and address of the registrant and stored by the Board of Pharmacy until such time as they are disposed.
4. Except as provided for in this ARTICLE, no controlled substance may be destroyed or disposed of by a registrant without written permission of the Regional Director of the Federal Drug Enforcement Administration.

Specifically, Oxford Treatment Center LLC, IEMK Permit Number 16253/8.1a, improperly destroyed 121 Buprenorphine 2mg from an automated dispensing machine that was being returned to Pharm-Care pharmacy. The Buprenorphine 2mg was not being properly stored in the automated dispensing machine and was unaccounted for when the Pharm-Care reclaimed the machine. Oxford Treatment Center provided a log indicating that the missing Buprenorphine 2mg was destroyed. Oxford Treatment Center did not comply with Article XXXVI Disposal of Controlled Substances to destroy these medications.

#### FINDINGS OF FACT

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

- (1) The Respondent was properly notified of the charges by a duly processed "Notice of Hearing and Complaint" along with a sworn affidavit detailing those charges as provided for in

Section 73-21-99, Mississippi Code of 1972, Annotated, and the Respondent has been afforded all due process required by law.

- (2) The Respondent was subject to jurisdiction of the Board pursuant to Section 73-21-97 (l)(f), Mississippi Code of 1972, Annotated.
- (3) The Respondent committed the violation as charged.

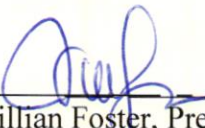

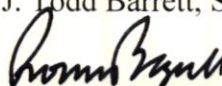
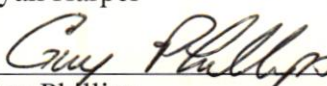
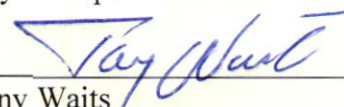
#### FINAL ORDER OF THE BOARD

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)(iii), Respondent shall pay the cost of investigation and proceeding in the amount of Two Hundred Fifty Dollars (\$250.00).

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ORDERED AND AGREED TO, this the 20th day of May 2021.

	AYE	NAY	RECUSE
 _____ Jillian Foster, President	<u>✓</u>	_____	_____
_____ Larry Calvert, Vice-President	_____	_____	_____
IRC  _____ J. Todd Barrett, Secretary	_____	_____	<u>IRC</u>
 _____ Ronnie Bagwell	<u>X</u>	_____	_____
IRC _____ Ryan Harper	_____	_____	<u>IRC</u>
 _____ Guy Phillips	<u>X</u>	_____	_____
 _____ Tony Waits	<u>X</u>	_____	_____

Oxford Treatment Center

F-16253-8.1a

05/20/21



Came on May 20, 2021, the matter of Rinkuben M. Patel, Pharmacy Technician Registration Number PT-220770, herein also referred to as Respondent, pursuant to a "Notice of Hearing and Complaint" filed by the Mississippi Board of Pharmacy. Board members Todd Barrett and Ryan Harper served on the Investigative Review Committee and did not participate in this hearing.

**BEFORE THE MISSISSIPPI BOARD OF PHARMACY**

IN THE MATTER OF:

RINKUBEN M. PATEL  
503 FOREST GLEN LANE  
BRANDON, MS 39047

PHARMACIST TECHNICIAN REGISTRATION NUMBER PT-220770

JURISDICTION

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of Rinkuben M. Patel, Pharmacy Technician Registration Number PT-220770, pursuant to Section 73-21-97 (1)(f), Mississippi Code of 1972, Annotated.

STATEMENT OF CHARGES

Rinkuben M. Patel, Pharmacy Technician Registration Number PT-220770, 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 XL PHARMACY TECHNICIANS Paragraph 5. D:

5. Persons registered with the Board as a pharmacy technician, **under the direct supervision of a registered pharmacist** may perform approved tasks as follows:

D. **Entering information into the pharmacy computer.** The pharmacy technician shall not make any judgmental decisions, which could affect patient care. The final verification of prescription information entered into the computer shall be made by the supervising pharmacist who is then totally responsible for all aspects of the data and data entry.

Specifically, on December 17, 2020, Rinkuben M. Patel, Pharmacy Technician Registration Number PT-220770, was entering prescriptions into the pharmacy computer system from her home without the direct supervision of a pharmacist. Rinkuben Patel was performing technician functions while not being supervised by a pharmacist.

### 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-220770, 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 committing the violation as charged.


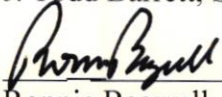
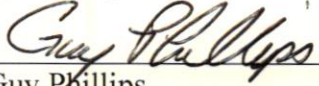
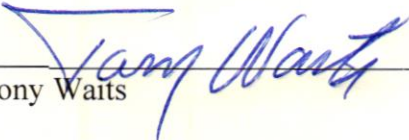
### FINAL ORDER OF THE BOARD

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, 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, Respondent shall pay and the cost of investigation and conduct of a proceeding in the amount of Two Hundred Fifty Dollars (\$250.00).
- The total monetary penalty and cost of investigation in the amount of One Thousand Two Hundred Fifty Dollars (\$1,250.00) shall be paid by the Respondent within thirty (30) days of this Order.

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ORDERED AND AGREED TO, this the 20th day of May 2021.

	AYE	NAY	RECUSE
 Julian Foster, President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Larry Calvert, Vice-President	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
IRC _____ J. Todd Barrett, Secretary	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
 Ronnie Bagwell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
IRC _____ Ryan Harper	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
 Guy Phillips	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Tony Waits	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Rinkuben Patel

PT-220770

05/20/21



Came on May 20, 2021, the matter of Ashokkumar P. Patel, Pharmacy Technician Registration Number PT-220662, herein also referred to as Respondent, pursuant to a "Notice of Hearing and Complaint" filed by the Mississippi Board of Pharmacy. Board members Todd Barrett and Ryan Harper served on the Investigative Review Committee and did not participate in this hearing.

## **BEFORE THE MISSISSIPPI BOARD OF PHARMACY**

IN THE MATTER OF:

ASHOKKUMAR P. PATEL  
503 FOREST GLEN LANE  
BRANDON, MS 39047

### PHARMACIST TECHNICIAN REGISTRATION NUMBER PT-220662

#### JURISDICTION

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of Ashokkumar P. Patel, Pharmacy Technician Registration Number PT-220662, pursuant to Section 73-21-97 (1)(f), Mississippi Code of 1972, Annotated.

#### STATEMENT OF CHARGES

Ashokkumar P. Patel, Pharmacy Technician Registration Number PT-220662, is alleged to have committed the following violations:

- I. 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 XII PRESCRIPTION/ORDER REQUIRED AND REFILL AUTHORIZATION/RECORDKEEPING:

1. Prescription drugs shall be dispensed only pursuant to a valid prescription or a valid order. A pharmacist shall not dispense a prescription which the pharmacist knows or should know is not a valid prescription. A Prescription Drug Order, to be effective, must be issued for a legitimate medical purpose by a Practitioner acting within the course of legitimate professional practice.  
A Prescription Drug Order shall contain the following information at a minimum:
  - (1) full name and street address (if required by law) of the patient;
  - (2) name, address, and, if required by law or rules of the Board, DEA registration number of the prescribing Practitioner;
  - (3) date of issuance;
  - (4) name, strength, dosage form, and quantity of Drug prescribed;
  - (5) directions for use;
  - (6) refills authorized, if any;
  - (7) if a written Prescription Drug Order, prescribing Practitioner's signature;
  - (8) if an electronically transmitted Prescription Drug Order, prescribing Practitioner's electronic or digital signature;



2. A Prescription Drug Order must be communicated directly to a Pharmacist, or when recorded, in such a way that the Pharmacist may review the Prescription Drug Order as transmitted. A prescription/order may be accepted by a pharmacist in written form, orally, or electronically unless the order is for a Schedule II controlled substance (refer to ARTICLE XIX) of these regulations. Electronically transmitted prescription drug orders shall meet the following requirements:
  - A. Electronically transmitted prescription drug orders shall meet the following criteria:
    - (1) be transmitted only to the pharmacy of the patient's choice; and
    - (2) be transmitted by an authorized Practitioner or his or her designated agent provided that the identity of the transmitting agent is included in the order; and
  - B. Prescription drug orders transmitted by facsimile or computer shall include:
    - (1) The complete name, address, and DEA Registration Number of the practitioner if required;
    - (2) The transmitters telephone number or any other suitable means to contact the transmitter for verbal and/or written confirmation;
    - (3) The name, address, and age of the patient;
    - (4) The time and date of the transmission; and,
    - (5) The full name of the person transmitting the order; and
    - (6) The identity of the Pharmacy intended to receive the transmission, as well as any other information required by federal or state law.
  - C. An electronically transmitted drug order which meets the requirements of this ARTICLE shall be deemed the original order.
  - D. The pharmacist shall exercise professional judgment regarding the accuracy, validity, and authenticity of the transmitted prescription drug order consistent with federal or state laws and rules and regulations adopted pursuant to the same.
  - E. An electronically transmitted prescription/order from a prescriber to a pharmacist shall be considered a highly confidential transaction and the said transmission shall not be compromised by interventions, control, change, altering or manipulation by any other person or parties in any manner whatsoever.
  - F. Any pharmacist that transmits, receives or maintains any prescription or prescription refill either orally, in writing or electronically shall ensure the security, integrity and confidentiality of the prescription and any information contained therein.
  - G. To maintain the confidentiality of patient and prescriber records, a computer system shall have security and system safeguards designed to prevent and detect unauthorized access, modification or manipulation of patient records. Once the drug has been dispensed, any alterations in prescription drug order data shall be documented to include the identification of the individual responsible for the alteration.
  - H. Electronic transmission of prescription orders for controlled substances must comply with DEA Regulations.

Specifically, pharmacy technician Ashokkumar Patel (PT-220662), was receiving prescriptions via email and then entering them into the computer as if they were an e-prescribed prescription. The emailed prescriptions were being sent by another pharmacy and not the prescriber. This created an invalid prescription and is a violation of Mississippi Pharmacy Practice Regulations Article XII.



II. Mississippi Board of Pharmacy Administrative Rules, Rule 2.1 Y:

**Any act by any person which subverts the authority of the pharmacist-in-charge by impeding the management of the prescription department or the practice of pharmacy in the compliance with federal and state drug or pharmacy laws and regulations.**

Specifically, pharmacy technician, Ashokkumar Patel (PT-220662), authorized pharmacy technician, Rinkuben Patel (PT-220770) to enter prescription information into the pharmacy computer (remote order entry) from her home with no supervision and without the knowledge of April M. Miller, License to Practice Pharmacy, Certificate of Registration Number E-010200, who is the pharmacist-in-charge.

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-220662, 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 approximately Five Hundred (500) violations of Article XII.

FINAL ORDER OF THE BOARD




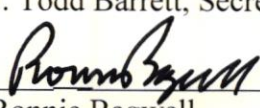

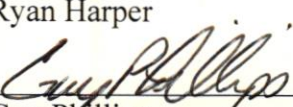



This ORDER OF THE BOARD is effective immediately. A certified copy of this ORDER shall be served on the Respondent and a copy maintained in the office of the Board.

- Pursuant to Section 73-21-103(1)(d)(i), Mississippi Code of 1972, Annotated, Respondent shall pay a monetary penalty of One Thousand Dollars (\$1,000.00) for the first violation.
- Pursuant to Section 73-21-103(1)(d)(ii), Mississippi Code of 1972, Annotated, Respondent shall pay a monetary penalty of Five Thousand Dollars (\$5,000.00) for each of the additional Four Hundred Ninety-Nine (499) violations. ( $\$5,000 \times 499 = \$2,495,000$ )
- Pursuant to Section 73-21-103(1)(d)(iii), Mississippi Code of 1972, Annotated, Respondent shall pay and the cost of investigation and conduct of a proceeding in the amount of Two Hundred Fifty Dollars (\$250.00).
- The total monetary penalty and cost of investigation in the amount of Two Million Four Hundred Ninety-Six Thousand Two Hundred Fifty Dollars (\$2,496,250.00) is imposed on the Respondent with all but Twenty-Five Thousand Dollars (\$25,000.00) being held in abeyance. The monetary penalty being held in abeyance may be enforced if Respondent commits any other violations.
- Twenty-Five Thousand Dollars (\$25,000.00) shall be paid by the Respondent within thirty (30) days of this Order.
- Respondent shall obtain twenty (20) hours of continuing education on pharmacy technician duties and provide proof of completion of the continuing education to the Board within two (2) months of this Order.



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ORDERED AND AGREED TO, this the 20th day of May 2021.

	AYE	NAY	RECUSE
 _____ Jillian Foster, President	 _____	_____	_____
_____ Larry Calvert, Vice-President	_____	_____	_____
IRC _____ J. Todd Barrett, Secretary	_____	_____	 _____
 _____ Ronnie Bagwell	 _____	_____	_____
IRC _____ Ryan Harper	_____	_____	_____ IRC
 _____ Guy Phillips	 _____	_____	_____
 _____ Tony Waits	 _____	_____	_____

Ashkkumber P. Patel

PT-220662

05/20/21

Came on May 20, 2021, the matter of April M. Miller, License to Practice Pharmacy, Certificate of Registration Number E-010200, herein also referred to as Respondent, pursuant to a "Notice of Hearing and Complaint" filed by the Mississippi Board of Pharmacy. Board members Todd Barrett and Ryan Harper served on the Investigative Review Committee and did not participate in this hearing.

## MISSISSIPPI BOARD OF PHARMACY

IN THE MATTER OF:

APRIL M. MILLER  
160 PLANTATION BLVD.  
BRANDON, MS 39047

### LICENSE TO PRACTICE PHARMACY NUMBER E-010200 JURISDICTION

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of April M. Miller, License to Practice Pharmacy, Certificate of Registration Number E-010200, pursuant to Section 73-21-97 (1)(f), Mississippi Code of 1972, Annotated.

### STATEMENT OF CHARGES

April M. Miller, License to Practice Pharmacy, Certificate of Registration Number E-010200, is alleged to have committed the following violations:

I. 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 VII RESPONSIBILITY OF PHARMACIST-IN-CHARGE (PIC):

1. The person who signs the application for a pharmacy permit or the renewal of a pharmacy permit shall be the pharmacist-in-charge (PIC) for that facility.

**A. Authority. The PIC of the pharmacy shall be responsible for complete supervision, management and compliance with all federal and state pharmacy laws and regulations pertaining to the practice of pharmacy in the entire prescription department. He/She shall have the cooperation and support of all pharmacy staff in carrying out these responsibilities. 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.**

A pharmacist shall not be the PIC at more than one Community Pharmacy or Institutional I Pharmacy (unless the Board grants a waiver upon presentation of good cause) and shall not be the pharmacist-in-charge or have personal supervision of more than one facility which is open to the general public on a full-time basis.



Specifically, April M. Miller, License to Practice Pharmacy, Certificate of Registration Number E-010200, is the pharmacist-in-charge of D&B Discount Drugs, Pharmacy, Permit #01593/1.1. The pharmacy technician registration of Megan Moss (PT 221780) expired March 31, 2020. Megan Moss continued to perform pharmacy technician duties while her pharmacy technician registration was expired. As the pharmacist-in-charge, Miller was responsible for assuring that all pharmacy technicians were properly registered.

## II. Mississippi Pharmacy Practice Regulations Article XII PRESCRIPTION/ORDER REQUIRED AND REFILL AUTHORIZATION/RECORDKEEPING:

1. Prescription drugs shall be dispensed only pursuant to a valid prescription or a valid order. A pharmacist shall not dispense a prescription which the pharmacist knows or should know is not a valid prescription. A Prescription Drug Order, to be effective, must be issued for a legitimate medical purpose by a Practitioner acting within the course of legitimate professional practice.  
A Prescription Drug Order shall contain the following information at a minimum:
  - (1) full name and street address (if required by law) of the patient;
  - (2) name, address, and, if required by law or rules of the Board, DEA registration number of the prescribing Practitioner;
  - (3) date of issuance;
  - (4) name, strength, dosage form, and quantity of Drug prescribed;
  - (5) directions for use;
  - (6) refills authorized, if any;
  - (7) if a written Prescription Drug Order, prescribing Practitioner's signature;
  - (8) if an electronically transmitted Prescription Drug Order, prescribing Practitioner's electronic or digital signature;
2. A Prescription Drug Order must be communicated directly to a Pharmacist, or when recorded, in such a way that the Pharmacist may review the Prescription Drug Order as transmitted. A prescription/order may be accepted by a pharmacist in written form, orally, or electronically unless the order is for a Schedule II controlled substance (refer to ARTICLE XIX) of these regulations. Electronically transmitted prescription drug orders shall meet the following requirements:
  - A. Electronically transmitted prescription drug orders shall meet the following criteria:
    - (1) be transmitted only to the pharmacy of the patient's choice; and
    - (2) be transmitted by an authorized Practitioner or his or her designated agent provided that the identity of the transmitting agent is included in the order; and
  - B. Prescription drug orders transmitted by facsimile or computer shall include:
    - (1) The complete name, address, and DEA Registration Number of the practitioner if required;
    - (2) The transmitters telephone number or any other suitable means to contact the transmitter for verbal and/or written confirmation;
    - (3) The name, address, and age of the patient;
    - (4) The time and date of the transmission; and,
    - (5) The full name of the person transmitting the order; and
    - (6) The identity of the Pharmacy intended to receive the transmission, as well as any other information required by federal or state law.



- C. An electronically transmitted drug order which meets the requirements of this ARTICLE shall be deemed the original order.
- D. The pharmacist shall exercise professional judgment regarding the accuracy, validity, and authenticity of the transmitted prescription drug order consistent with federal or state laws and rules and regulations adopted pursuant to the same.
- E. An electronically transmitted prescription/order from a prescriber to a pharmacist shall be considered a highly confidential transaction and the said transmission shall not be compromised by interventions, control, change, altering or manipulation by any other person or parties in any manner whatsoever.
- F. Any pharmacist that transmits, receives or maintains any prescription or prescription refill either orally, in writing or electronically shall ensure the security, integrity and confidentiality of the prescription and any information contained therein.
- G. To maintain the confidentiality of patient and prescriber records, a computer system shall have security and system safeguards designed to prevent and detect unauthorized access, modification or manipulation of patient records. Once the drug has been dispensed, any alterations in prescription drug order data shall be documented to include the identification of the individual responsible for the alteration.
- H. Electronic transmission of prescription orders for controlled substances must comply with DEA Regulations.

Specifically, pharmacy technician Ashokkumar Patel (PT-220662), was receiving prescriptions via email and then entering them into the computer as if they were an e-prescribed prescription. The emailed prescriptions were being sent by another pharmacy and not the prescriber. As the pharmacist-in-charge, April Miller was responsible for complete supervision, management and compliance with all federal and state pharmacy laws and regulations pertaining to the practice of pharmacy in the entire prescription department.

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

- 1. In the dispensing of drugs, the pharmacist shall have the following responsibilities:
  - 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, pharmacy technician, Rinkuben Patel (PT-220770) was entering prescription information into the pharmacy computer (remote order entry) from her home with no supervision. Patel performed input of 33 % of all prescriptions processed on 12/17/20.

### IV. Mississippi Pharmacy Practice Regulations Article VIII RESPONSIBILITY OF PHARMACIST/PHARMACIST CARE, paragraph 1, C. (5):

- 1. In the dispensing of drugs, the pharmacist shall have the following responsibilities:
  - C. In the dispensing of medications for ambulatory (or outpatients):
    - (5) A pharmacist shall not actively supervise more than three pharmacy technicians at one time.



Specifically, on December 17, 2020, Compliance Agent Brad Hammons observed April Miller, License to Practice Pharmacy, Certificate of Registration Number E-010200, supervising five (5) pharmacy technicians from 10:00 a.m. to 11:25 at D&B Discount Drugs, Permit #01593/1.1. Tracy Nichols (PT-08857), Brandi Neuhaus (PT-0159), Jigarkumar Patel (PT-223361), Rinkuben Patel (PT-220770) and Ashokkumar Patel (PT-220662) all performed pharmacy technician duties for the pharmacy while Miller was the only pharmacist present.

V. Mississippi Board of Pharmacy Administrative Rules, Rule 2.1 J:

Addiction to or dependence on alcohol, controlled substances or other habit-forming legend drugs or the unauthorized use, possession or theft of controlled substances or other habit-forming legend drugs:

Specifically, April Miller, License to Practice Pharmacy, Certificate of Registration Number E-010200, admitted that she had relapsed and voluntarily surrendered her license on March 8, 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 was issued a pharmacist license by the Board, License to Practice Pharmacy, Certificate of Registration Number E-010200, 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 committed violations I-IV as charged and has voluntarily surrendered her license to practice pharmacy.

FINAL ORDER OF THE BOARD



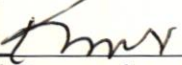

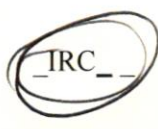
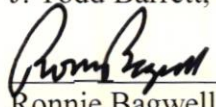

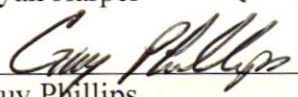

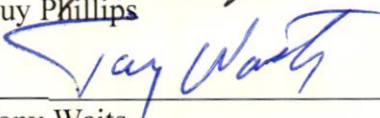

This ORDER OF THE BOARD is effective immediately. A certified copy of this ORDER shall be served on the Respondent and a copy maintained in the office of the Board.

- The surrender of License to Practice Pharmacy, Certificate of Registration Number E-010200 is accepted by the Board.
- Pursuant to Section 73-21-103(1)(d), Mississippi Code of 1972, Annotated, Respondent shall pay a monetary penalty of Four Thousand Dollars (\$4,000.00). This monetary penalty shall be held in abeyance.
- Pursuant to Section 73-21-103(1)(d)(iii), Mississippi Code of 1972, Annotated, Respondent shall pay and the cost of investigation and conduct of a proceeding in the amount of Four Hundred One Dollars and Thirty-Eight Cents (\$401.38) which shall be paid by the Respondent within thirty (30) days of this Order.

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ORDERED AND AGREED TO, this the 20th day of May 2021.

	AYE	NAY	RECUSE
 _____ Jillian Foster, President	 _____	_____	_____
_____ Larry Calvert, Vice-President	_____	_____	_____
IRC  _____ J. Todd Barrett, Secretary	 _____	_____	 _____
 _____ Ronnie Bagwell	 _____	_____	_____
IRC _____ Ryan Harper	_____	_____	IRC _____
 _____ Guy Phillips	 _____	_____	_____
 _____ Tony Waits	 _____	_____	_____

April Miller

E-010200

05/20/21

On May 20, 2021, came the matter of Angel's Pharmacy 1, Inc., Angel's Pharmacy, 259 E. Michigan Street, Orlando, FL 32806, an unpermitted Non-Resident Pharmacy, herein also referred to as Respondent, pursuant to a "Notice of Hearing and Complaint" filed by the Mississippi Board of Pharmacy. Board members Todd Barrett and Ryan Harper served on the Investigative Review Committee (IRC) and did not participate in the hearing. Board member Larry Calvert was absent from the hearing.

## **BEFORE THE MISSISSIPPI BOARD OF PHARMACY**

IN THE MATTER OF:

ANGEL'S PHARMACY 1, INC  
ANGEL'S PHARMACY  
259 E. MICHIGAN STREET  
ORLANDO, FL 32806

### **PHARMACEUTICAL DRUG FACILITY** **PERMIT TO OPERATE AS A WHOLESALE DISTRIBUTOR**

#### **JURISDICTION**

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of Angel's Pharmacy 1, Inc., Angel's Pharmacy, 259 E. Michigan Street, Orlando, FL 32806, an unpermitted Non-Resident Pharmacy, pursuant to Section 73-21-97 (l)(n), Mississippi Code of 1972, Annotated.

#### **STATEMENT OF CHARGES**

Angel's Pharmacy 1, Inc. Angel's Pharmacy is alleged to have committed a violation of:

Mississippi Code Annotated Section 73-21-105:

Every facility/business that engages in the wholesale distribution of prescription drugs, to include without limitation, manufacturing in this state, distribution into this state, or selling or offering to sell in this state, or distribution from or within this state, and every reverse distributor located in or outside of this state that conducts business with pharmacies in this state, shall register biennially or annually, to be determined by the board, with the Mississippi State Board of Pharmacy by applying for a permit on a form supplied by the board and accompanied by a fee as set by subsection (4) of this section. The Pharmacy Board shall by regulation determine the classification of permit(s) that shall be required.

Specifically, on December 11, 14, 15, 17 and 18, 2020, Angel's Pharmacy 1, Inc., Angel's Pharmacy, 259 E. Michigan Street, Orlando, FL 32806, sold prescription drugs to North Halstead, a virtual wholesaler, Drug Facility Permit 17534/16.4 located in Mississippi, without obtaining a drug facility permit from the Mississippi Board of Pharmacy.

### FINDINGS OF FACT

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

- (1) The Respondent was properly notified of the charges by a duly processed "Notice of Hearing and Complaint" along with a sworn affidavit detailing those charges as provided for in Section 73-21-99, Mississippi Code of 1972, Annotated, and the Respondent has been afforded all due process required by law.
- (2) The Respondent was subject to jurisdiction of the Board pursuant to Section 73-21-97 (1)(n), Mississippi Code of 1972, Annotated.
- (3) The Respondent did not appear for the hearing and the hearing was held in the Respondent's absence.
- (4) The Respondent committed the violation as charged.

### FINAL ORDER OF THE BOARD



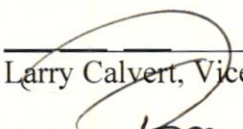
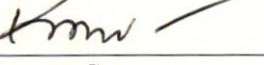
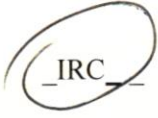
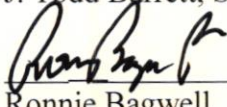

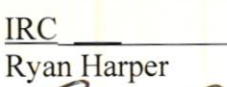
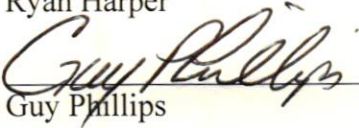

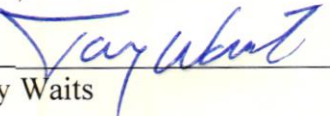

This ORDER OF THE BOARD is effective immediately. A certified copy of this ORDER shall be served on the Respondent and a copy maintained in the office of the Board.

- Respondent shall cease shipping drugs into the State of Mississippi until it has secured a permit from the Board.
- Pursuant to Section 73-21-103 (1)(d)(vii), Respondent shall pay a monetary fee in the amount of Two Thousand Five Hundred Dollars (\$2,500.00)
- Pursuant to Section 73-21-103 (1)(d)(iii), Respondent shall pay the cost of investigation and proceeding in the amount of Two Hundred Fifty Dollars (\$250.00).
- The total monetary fee and cost of investigation shall be Two Thousand Seven Hundred Fifty Dollars (\$2,750.00).
- Respondent shall not be issued a permit until the costs imposed by this order are paid in full.

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ORDERED AND AGREED TO, this the 20th day of May 2021.

	AYE	NAY	RECUSE
 Jillian Foster, President			
 Larry Calvert, Vice-President			
IRC  J. Todd Barrett, Secretary			
 Ronnie Bagwell			
IRC  Ryan Harper			IRC
 Guy Phillips			
 Tony Waits			

Angels Pharmacy

05/20/21

On May 20, 2021, came the matter of Arundel Mills Pharmacy, LLC d/b/a KJRX, 1912 Liberty Road, Building 2, Suite 21, Sykesville, MD 21784, an unpermitted Non-Resident Pharmacy, herein also referred to as Respondent, pursuant to a "Notice of Hearing and Complaint" filed by the Mississippi Board of Pharmacy. Board members Todd Barrett and Ryan Harper served on the Investigative Review Committee (IRC) and did not participate in the hearing. Board member Larry Calvert was absent from the hearing.

## **BEFORE THE MISSISSIPPI BOARD OF PHARMACY**

IN THE MATTER OF:

ARUNDEL MILLS PHARMACY, LLC  
DBA KJRX  
1912 LIBERTY ROAD  
BUILDING 2, SUITE 21  
SYKESVILLE, MD 21784

### **PHARMACEUTICAL DRUG FACILITY** **PERMIT TO OPERATE AS A WHOLESALE DISTRIBUTOR**

#### **JURISDICTION**

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of Arundel Mills Pharmacy, LLC d/b/a KJRX, 1912 Liberty Road, Building 2, Suite 21, Sykesville, MD 21784, an unpermitted Non-Resident Pharmacy, pursuant to Section 73-21-97 (l)(n), Mississippi Code of 1972, Annotated.

#### **STATEMENT OF CHARGES**

Arundel Mills Pharmacy, LLC d/b/a KJRX is alleged to have committed a violation of:

Mississippi Code Annotated Section 73-21-105:

Every facility/business that engages in the wholesale distribution of prescription drugs, to include without limitation, manufacturing in this state, distribution into this state, or selling or offering to sell in this state, or distribution from or within this state, and every reverse distributor located in or outside of this state that conducts business with pharmacies in this state, shall register biennially or annually, to be determined by the board, with the Mississippi State Board of Pharmacy by applying for a permit on a form supplied by the board and accompanied by a fee as set by subsection (4) of this section. The Pharmacy Board shall by regulation determine the classification of permit(s) that shall be required.

Specifically, on October 1, 2020 and December 17, 2020, Arundel Mills Pharmacy, LLC d/b/a KJRX, 1912 Liberty Road, Building 2, Suite 21, Sykesville, MD 21784, sold prescription drugs to North Halstead, a virtual wholesaler, Drug Facility Permit 17534/16.4 located in Mississippi, without obtaining a drug facility permit from the Mississippi Board of Pharmacy.

### FINDINGS OF FACT

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

- (1) The Respondent was properly notified of the charges by a duly processed "Notice of Hearing and Complaint" along with a sworn affidavit detailing those charges as provided for in Section 73-21-99, Mississippi Code of 1972, Annotated, and the Respondent has been afforded all due process required by law.
- (2) The Respondent was subject to jurisdiction of the Board pursuant to Section 73-21-97 (l)(n), Mississippi Code of 1972, Annotated.
- (3) The Respondent did not appear for the hearing and the hearing was held in the Respondent's absence.
- (4) The Respondent committed the violation as charged.

### FINAL ORDER OF THE BOARD

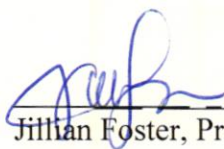
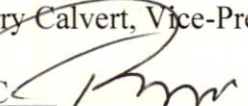
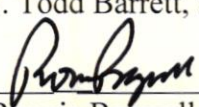
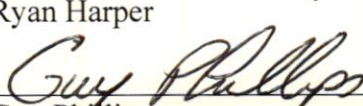
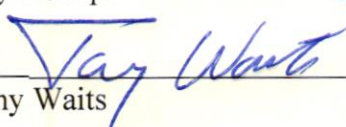
This ORDER OF THE BOARD is effective immediately. A certified copy of this ORDER shall be served on the Respondent and a copy maintained in the office of the Board.

- Respondent shall cease shipping drugs into the State of Mississippi until it has secured a permit from the Board.
- Pursuant to Section 73-21-103 (1)(d)(vii), Respondent shall pay a monetary fee in the amount of Two Thousand Five Hundred Dollars (\$2,500.00)
- Pursuant to Section 73-21-103 (1)(d)(iii), Respondent shall pay the cost of investigation and proceeding in the amount of Two Hundred Fifty Dollars (\$250.00).
- The total monetary fee and cost of investigation shall be Two Thousand Seven Hundred Fifty Dollars (\$2,750.00).
- Respondent shall not be issued a permit until the costs imposed by this order are paid in full.

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ORDERED AND AGREED TO, this the 20th day of May 2021.

	AYE	NAY	RECUSE
 Jillian Foster, President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Larry Calvert, Vice-President	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
IRC  J. Todd Barrett, Secretary	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
 Ronnie Bagwell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
IRC _____ Ryan Harper	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
 Guy Phillips	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Tony Waits	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Arundel Mills Pharmacy

05/20/21

On May 20, 2021, came the matter of Bay Area Pharmacy, 2519 South King Road, San Jose, CA 95122, an unpermitted Non-Resident Pharmacy, herein also referred to as Respondent, pursuant to a "Notice of Hearing and Complaint" filed by the Mississippi Board of Pharmacy. Board members Todd Barrett and Ryan Harper served on the Investigative Review Committee (IRC) and did not participate in the hearing. Board member Larry Calvert was absent from the hearing.

## **BEFORE THE MISSISSIPPI BOARD OF PHARMACY**

IN THE MATTER OF:

BAY AREA PHARMACY  
2519 SOUTH KING ROAD  
SAN JOSE, CA 95122

### PHARMACEUTICAL DRUG FACILITY PERMIT TO OPERATE AS A WHOLESALE DISTRIBUTOR

#### JURISDICTION

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of Bay Area Pharmacy, 2519 South King Road, San Jose, CA 95122, an unpermitted Non-Resident Pharmacy, pursuant to Section 73-21-97 (1)(n), Mississippi Code of 1972, Annotated.

#### STATEMENT OF CHARGES

Bay Area Pharmacy is alleged to have committed a violation of:

Mississippi Code Annotated Section 73-21-105:

Every facility/business that engages in the wholesale distribution of prescription drugs, to include without limitation, manufacturing in this state, distribution into this state, or selling or offering to sell in this state, or distribution from or within this state, and every reverse distributor located in or outside of this state that conducts business with pharmacies in this state, shall register biennially or annually, to be determined by the board, with the Mississippi State Board of Pharmacy by applying for a permit on a form supplied by the board and accompanied by a fee as set by subsection (4) of this section. The Pharmacy Board shall by regulation determine the classification of permit(s) that shall be required.

Specifically, on December 14, 2020 and December 17, 2020, Bay Area Pharmacy, 2519 South King Road, San Jose, CA 95122, sold prescription drugs to North Halstead, a virtual wholesaler, Drug Facility Permit 17534/16.4 located in Mississippi, without obtaining a drug facility permit from the Mississippi Board of Pharmacy.

#### FINDINGS OF FACT

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

- (1) The Respondent was properly notified of the charges by a duly processed "Notice of Hearing and Complaint" along with a sworn affidavit detailing those charges as provided for in

Section 73-21-99, Mississippi Code of 1972, Annotated, and the Respondent has been afforded all due process required by law.

- (2) The Respondent was subject to jurisdiction of the Board pursuant to Section 73-21-97 (1)(n), Mississippi Code of 1972, Annotated.
- (3) The Respondent did not appear for the hearing and the hearing was held in the Respondent's absence.
- (4) The Respondent committed the violation as charged.

#### FINAL ORDER OF THE BOARD



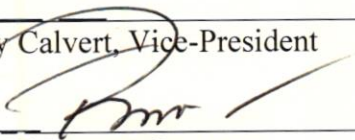

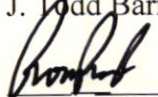

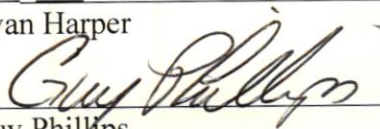

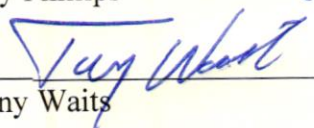

This ORDER OF THE BOARD is effective immediately. A certified copy of this ORDER shall be served on the Respondent and a copy maintained in the office of the Board.

- Respondent shall cease shipping drugs into the State of Mississippi until it has secured a permit from the Board.
- Pursuant to Section 73-21-103 (1)(d)(vii), Respondent shall pay a monetary fee in the amount of Two Thousand Five Hundred Dollars (\$2,500.00)
- Pursuant to Section 73-21-103 (1)(d)(iii), Respondent shall pay the cost of investigation and proceeding in the amount of Two Hundred Fifty Dollars (\$250.00).
- The total monetary fee and cost of investigation shall be Two Thousand Seven Hundred Fifty Dollars (\$2,750.00).
- Respondent shall not be issued a permit until the costs imposed by this order are paid in full.

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ORDERED AND AGREED TO, this the 20th day of May 2021.

	AYE	NAY	RECUSE
 _____ Jillian Foster, President	 _____	_____	_____
_____ Larry Calvert, Vice-President	_____	_____	_____
IRC  _____ J. Todd Barrett, Secretary	_____	_____	 IRC
 _____ Ronnie Bagwell	 _____	_____	_____
IRC _____ Ryan Harper	_____	_____	IRC _____
 _____ Guy Phillips	 _____	_____	_____
 _____ Tony Waits	 _____	_____	_____

Bay Area Pharmacy

05/20/21

On May 20, 2021, came the matter of First Class Pharmacy, 7316 Frankford Avenue, 1<sup>st</sup> Floor, Philadelphia, PA 19136, an unpermitted Non-Resident Pharmacy, herein also referred to as Respondent, pursuant to a "Notice of Hearing and Complaint" filed by the Mississippi Board of Pharmacy. Board members Todd Barrett and Ryan Harper served on the Investigative Review Committee (IRC) and did not participate in the hearing. Board member Larry Calvert was absent from the hearing.

## **BEFORE THE MISSISSIPPI BOARD OF PHARMACY**

IN THE MATTER OF:

FIRST CLASS PHARMACY  
7316 FRANKFORD AVENUE, 1<sup>ST</sup> FLOOR  
PHILADELPHIA, PA 19136

### **PHARMACEUTICAL DRUG FACILITY** **PERMIT TO OPERATE AS A WHOLESALE DISTRIBUTOR**

#### **JURISDICTION**

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of First Class Pharmacy, 7316 Frankford Avenue, 1<sup>st</sup> Floor, Philadelphia, PA 19136, an unpermitted Non-Resident Pharmacy, pursuant to Section 73-21-97 (l)(n), Mississippi Code of 1972, Annotated.

#### **STATEMENT OF CHARGES**

First Class Pharmacy is alleged to have committed a violation of:

Mississippi Code Annotated Section 73-21-105:

Every facility/business that engages in the wholesale distribution of prescription drugs, to include without limitation, manufacturing in this state, distribution into this state, or selling or offering to sell in this state, or distribution from or within this state, and every reverse distributor located in or outside of this state that conducts business with pharmacies in this state, shall register biennially or annually, to be determined by the board, with the Mississippi State Board of Pharmacy by applying for a permit on a form supplied by the board and accompanied by a fee as set by subsection (4) of this section. The Pharmacy Board shall by regulation determine the classification of permit(s) that shall be required.

Specifically, on December 17, 2020 and December 19, 2020, First Class Pharmacy, 7316 Frankford Avenue, 1<sup>st</sup> Floor, Philadelphia, PA 19136, sold prescription drugs to North Halstead, a virtual wholesaler, Drug Facility Permit 17534/16.4 located in Mississippi, without obtaining a drug facility permit from the Mississippi Board of Pharmacy.

#### **FINDINGS OF FACT**

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

- (1) The Respondent was properly notified of the charges by a duly processed "Notice of Hearing and Complaint" along with a sworn affidavit detailing those charges as provided for in Section 73-21-99, Mississippi Code of 1972, Annotated, and the Respondent has been afforded all due process required by law.
- (2) The Respondent was subject to jurisdiction of the Board pursuant to Section 73-21-97 (1)(n), Mississippi Code of 1972, Annotated.
- (3) The Respondent did not appear for the hearing and the hearing was held in the Respondent's absence.
- (4) The Respondent committed the violation as charged.

#### FINAL ORDER OF THE BOARD

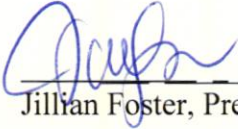
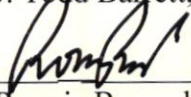
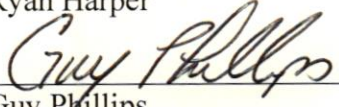
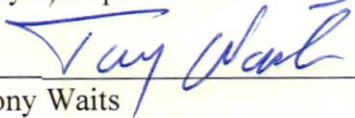
This ORDER OF THE BOARD is effective immediately. A certified copy of this ORDER shall be served on the Respondent and a copy maintained in the office of the Board.

- Respondent shall cease shipping drugs into the State of Mississippi until it has secured a permit from the Board.
- Pursuant to Section 73-21-103 (1)(d)(vii), Respondent shall pay a monetary fee in the amount of Two Thousand Five Hundred Dollars (\$2,500.00)
- Pursuant to Section 73-21-103 (1)(d)(iii), Respondent shall pay the cost of investigation and proceeding in the amount of Two Hundred Fifty Dollars (\$250.00).
- The total monetary fee and cost of investigation shall be Two Thousand Seven Hundred Fifty Dollars (\$2,750.00).
- Respondent shall not be issued a permit until the costs imposed by this order are paid in full.

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ORDERED AND AGREED TO, this the 20th day of May 2021.

	AYE	NAY	RECUSE
 Jillian Foster, President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Larry Calvert, Vice-President	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
IRC _____ J. Todd Barrett, Secretary	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
 Ronnie Bagwell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
IRC _____ Ryan Harper	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
 Guy Phillips	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Tony Waits	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

First Class Pharmacy

05/20/21

On May 20, 2021, came the matter of RAAJIPO d/b/a Greenhill Pharmacy – Market Street, 824 N. Market Street, Suite 103, Wilmington, DE 19801, an unpermitted Non-Resident Pharmacy, herein also referred to as Respondent, pursuant to a "Notice of Hearing and Complaint" filed by the Mississippi Board of Pharmacy. Board members Todd Barrett and Ryan Harper served on the Investigative Review Committee (IRC) and did not participate in the hearing. Board member Larry Calvert was absent from the hearing.

## **BEFORE THE MISSISSIPPI BOARD OF PHARMACY**

IN THE MATTER OF:

RAAJIPO  
D/B/A GREENHILL PHARMACY, MARKET ST.  
824 N. MARKET STREET, SUITE 103  
WILMINGTON, DE 19801

### PHARMACEUTICAL DRUG FACILITY PERMIT TO OPERATE AS A WHOLESALE DISTRIBUTOR

#### JURISDICTION

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of RAAJIPO d/b/a Greenhill Pharmacy – Market Street, 824 N. Market Street, Suite 103, Wilmington, DE 19801, an unpermitted Non-Resident Pharmacy, pursuant to Section 73-21-97 (l)(n), Mississippi Code of 1972, Annotated.

#### STATEMENT OF CHARGES

RAAJIPO d/b/a Greenhill Pharmacy – Market Street is alleged to have committed a violation of:

Mississippi Code Annotated Section 73-21-105:

Every facility/business that engages in the wholesale distribution of prescription drugs, to include without limitation, manufacturing in this state, distribution into this state, or selling or offering to sell in this state, or distribution from or within this state, and every reverse distributor located in or outside of this state that conducts business with pharmacies in this state, shall register biennially or annually, to be determined by the board, with the Mississippi State Board of Pharmacy by applying for a permit on a form supplied by the board and accompanied by a fee as set by subsection (4) of this section. The Pharmacy Board shall by regulation determine the classification of permit(s) that shall be required.

Specifically, on August 28, 2020 and October 5, 2020, Greenhill Pharmacy – Market Street, 824 N. Market Street, Suite 103, Wilmington, DE 19801, sold prescription drugs to North Halstead, a virtual wholesaler, Drug Facility Permit 17534/16.4 located in Mississippi, without obtaining a drug facility permit from the Mississippi Board of Pharmacy.

### FINDINGS OF FACT

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

- (1) The Respondent was properly notified of the charges by a duly processed "Notice of Hearing and Complaint" along with a sworn affidavit detailing those charges as provided for in Section 73-21-99, Mississippi Code of 1972, Annotated, and the Respondent has been afforded all due process required by law.
- (2) The Respondent was subject to jurisdiction of the Board pursuant to Section 73-21-97 (1)(n), Mississippi Code of 1972, Annotated.
- (3) The Respondent did not appear for the hearing and the hearing was held in the Respondent's absence.
- (4) The Respondent committed the violation as charged.

### FINAL ORDER OF THE BOARD

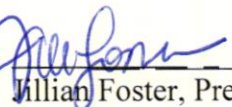
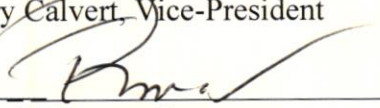
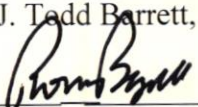

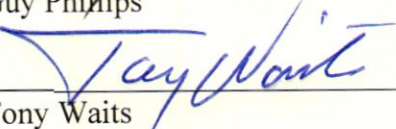
This ORDER OF THE BOARD is effective immediately. A certified copy of this ORDER shall be served on the Respondent and a copy maintained in the office of the Board.

- Respondent shall cease shipping drugs into the State of Mississippi until it has secured a permit from the Board.
- Pursuant to Section 73-21-103 (1)(d)(vii), Respondent shall pay a monetary fee in the amount of Two Thousand Five Hundred Dollars (\$2,500.00)
- Pursuant to Section 73-21-103 (1)(d)(iii), Respondent shall pay the cost of investigation and proceeding in the amount of Two Hundred Fifty Dollars (\$250.00).
- The total monetary fee and cost of investigation shall be Two Thousand Seven Hundred Fifty Dollars (\$2,750.00).
- Respondent shall not be issued a permit until the costs imposed by this order are paid in full.

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ORDERED AND AGREED TO, this the 20th day of May 2021.

	AYE	NAY	RECUSE
 William Foster, President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Calvert, Vice-President	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
IRC  J. Todd Barrett, Secretary	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
 Ronnie Bagwell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
IRC _____ Ryan Harper	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
 Guy Phillips	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Tony Waits	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Greenhill Pharmacy

05/20/21

Came on May 20, 2021, the matter of Deliver My Meds Corp., Permit to Operate as a Pharmacy, Permit Number 17598/7.1, 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 MATTER OF:

DELIVER MY MEDS CORP.  
380 OSER AVENUE  
HAUPPAUGE, NY 11788

PERMIT TO OPERATE AS A PHARMACY NUMBER 17598/7.1

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

On May 12, 2020, the Board held an administrative hearing concerning charges filed against the Petitioner's permit. The Petitioner was charged with violation of:

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 VII, RESPONSIBILITY OF PHARMACIST-IN-CHARGE (PIC), Paragraph 3:

3. If the employment of a pharmacist-in-charge is terminated or if for any other reason he/she wishes to be relieved of the responsibilities of the PIC, he/she must:
  - A. Return the permit to the Mississippi Board of Pharmacy with written notice that he/she is no longer the pharmacist-in-charge for that facility and;
  - B. In accordance with the provision of paragraph 2 of ARTICLE XXV of the Regulations, send to the Board of Pharmacy an inventory of any controlled substances on hand at the facility at the time of his/her termination as pharmacist-in-charge.
  - C. When the relinquishing PIC cannot or does not comply with the inventory requirements of this paragraph it shall be the responsibility of the new PIC to send to the Board of Pharmacy an inventory of any controlled substances on hand at the time he/she assumes responsibility as PIC.
  - D. The relinquishing PIC is responsible for notification of appropriate supervisors or owners of the surrender of the permit. When a permit is thus returned for a facility, application for a new permit for that facility must be made to the Mississippi Board of Pharmacy within ten (10) days.

Specifically, Deliver My Meds Corp. was issued a permit, #17598/7.1 on May 14, 2019 with Douglas C. Klein, T-14832 as the Pharmacist in Charge. On July 3, 2019, the Board learned that Douglas C. Klein, T-14832 was no longer the pharmacist-in-charge for Deliver My Meds Corp. An application for a new pharmacist in charge was not submitted to the Mississippi Board of Pharmacy within the time required by regulation.

The Board issued an Order revoking the Petitioner's permit. The Petitioner is requesting the Board to reconsider the May 12, 2020 Order. Petitioner offered evidence that due to COVID restrictions in New York, his administrative personnel were not allowed to work from the office and as a result, his office could not complete the proper applications. The pharmacy did not ship any drugs into Mississippi during this time.

#### ACTION OF THE BOARD

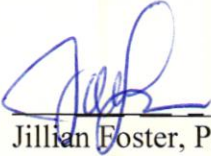
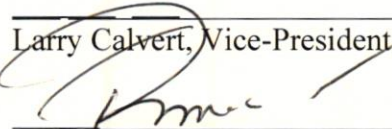

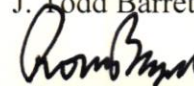

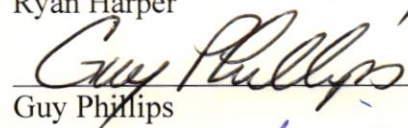
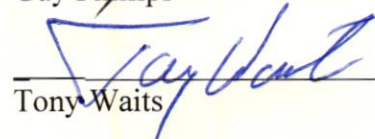
The prior Order of this Board issued May 12, 2020 shall be set aside and rescinded. Deliver My Meds Corp., Permit to Operate as a Pharmacy, Permit Number 17598/7.1 is allowed to submit an application for a new pharmacist-in-charge.

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

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ORDERED AND AGREED TO, this the 20th day of May 2021.

	AYE	NAY	RECUSE
 Jillian Foster, President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Larry Calvert, Vice-President	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 J. Todd Barrett, Secretary	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Ronnie Bagwell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Ryan Harper	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Guy Phillips	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 Tony Waits	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Deliver My Meds

F-17598-7.1

05/20/21

Came on May 20, 2021, the matter of Foothills Professional Pharmacy, Permit to Operate a Pharmacy Number 18086/7.1, 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 MATTER OF:

FOOTHILLS PROFESSIONAL PHARMACY  
4545 E. CHANDLER BLVD. #100  
PHOENIX, AZ 85048

**PERMIT TO OPERATE AS A PHARMACY NUMBER 18086/7.1**

**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**

On January 21, 2021, the Board held an administrative hearing concerning charges filed against the Petitioner's permit. The Petitioner was charged with violation of Mississippi Pharmacy Practice Regulations ARTICLE XXXI, COMPOUNDING GUIDELINES, Paragraph 1. A:

**A. Prior to engaging in the compounding of pharmaceuticals, a pharmacy shall obtain a compounding certificate from the Mississippi Board of Pharmacy.**

The Board issued an Order revoking the Petitioner's permit, imposing a monetary penalty of Two Hundred Thirty Thousand Five Hundred Dollars (\$230,500.00) with any monetary penalty above Fifty Thousand Dollars (\$50,000.00) suspended. The Order also denied the Petitioner's application for a compounding certificate. The Petitioner appealed the Board's Order to the Chancery Court of Hinds County on February 22, 2021.

**SETTLEMENT AGREEMENT**

Pursuant to discussions between Board Counsel and the Petitioner, being represented by counsel, an Agreement to settle this matter is found to be in the best interest of all parties involved. It is hereby Agreed as follows:

**FINDINGS OF FACT**

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

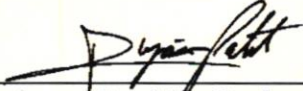
- (1) Foothills Professional Pharmacy was properly notified of the charges by a duly processed "Notice of Hearing and Complaint" along with a sworn affidavit detailing those charges as provided for in Section 73-21-99, Mississippi Code of 1972, Annotated, and has been afforded all due process required by law.
- (2) Foothills Professional Pharmacy was issued a permit to operate as a pharmacy by the Board, Permit Number 18086/7.1, and as such was subject to jurisdiction of the Board pursuant to Section 73-21-97 (l)(f), Mississippi Code of 1972, Annotated.
- (3) Foothills Professional Pharmacy 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 Foothills Professional Pharmacy and a copy maintained on file in the office of the Board.

- The prior Order of this Board issued January 21, 2021 shall be set aside and vacated upon the dismissal of the appeal of that Order filed by Foothills Professional Pharmacy.
- Foothills Professional Pharmacy agrees to not apply to this Board for a compounding certificate prior to January 1, 2023.
- Pursuant to Section 73-21-103 (1)(d), Foothills Professional Pharmacy shall pay a monetary penalty in the amount of Twenty Thousand Dollars (\$20,000.00).

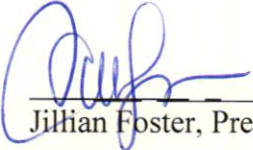
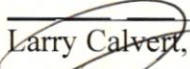
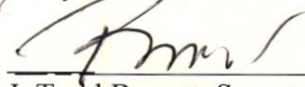
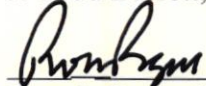

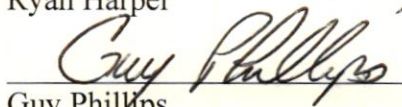
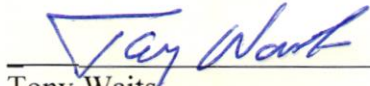
I hereby agree to the findings and terms of this Agreed Settlement Order:



\_\_\_\_\_  
Representative of Foothills Professional Pharmacy



ORDERED AND AGREED TO, this the 20th day of May 2021.

	AYE	NAY	RECUSE
 Jillian Foster, President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Larry Calvert, Vice-President	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 J. Todd Barrett, Secretary	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Ronnie Bagwell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Ryan Harper	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Guy Phillips	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Tony Waits	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Foothills Professional Pharmacy

F18086-7.1

05/20/21

Came on May 20, 2021, the matter of Michael S. Gallotte, License to Practice Pharmacy, Certificate of Registration Number E-09320, 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 MATTER OF:

MICHAEL S. GALLOTTE  
20117 BOX COVE  
SAUCIER, MS 39574

LICENSE TO PRACTICE PHARMACY NUMBER E-09320

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

On January 18, 2018, the Board entered an Order which imposed the following restriction upon Petitioner's license:

- Pursuant to Section 73-21-103 (1)(f), the Respondent's license shall be placed on probation for ten (10) years beginning January 18, 2018 and expiring January 17, 2028;
- During the probationary period, Respondent shall be supervised by the Mississippi Association of Recovering Pharmacists (MARP).
- Respondent shall enter into a contract with the Mississippi Association of Recovering Pharmacists (MARP) for the probationary period and provide the Board of copy of the contract and comply with all terms of that contract;
- The Respondent shall be subject to the following conditions and restrictions during the probationary period:
  - Respondent shall abstain from the use of alcohol or the unauthorized use of controlled substances or other habit-forming legend drugs.
  - Respondent shall not take any mood-altering drug which has not been prescribed for him.
  - Respondent shall immediately inform the Board in writing (by email or fax) of all medications prescribed for him, stating the name of the drug, the number and strength of the doses prescribed, the dosage regimen and the name and registration number of the prescriber.
  - The Respondent shall submit a urine specimen, serum specimen or hair sample when requested by the Board or any agent of the Board of Pharmacy.
  - Respondent shall keep the Board informed of his place of employment as a Pharmacist and his residential address and shall immediately report to the Board any change of employment or change of residential address.
  - Respondent shall submit a written quarterly report to the Board, due the first week of January, April, July and October, detailing his personal and professional well-being.

Petitioner requested that the Board remove his probation and end the contract with MARP.

ACTION OF THE BOARD

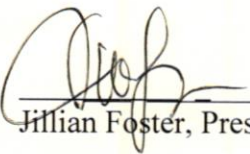
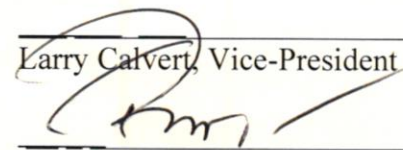
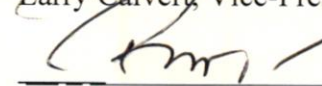
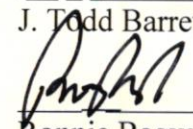
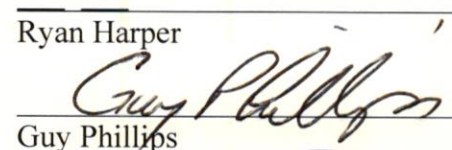
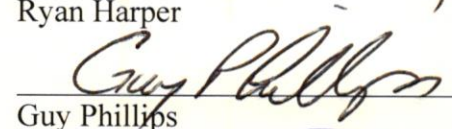

Based upon the clear and convincing evidence presented at the petition hearing, all members of the Board present voted to remove the Petitioner's probation and to reduce the length of his MARP contract. The requirement to be in a contract with MARP shall expire on December 31, 2023. All other provisions of the January 18, 2018 Board Order shall remain in effect for the duration of the MARP contract.

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

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ORDERED AND AGREED TO, this the 20th day of May 2021.

	AYE	NAY	RECUSE
 Jillian Foster, President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Larry Calvert, Vice-President	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 J. Todd Barrett, Secretary	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Ronnie Bagwell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Ryan Harper	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Guy Phillips	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Tony Waits	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Michael Gallotte

E-09320

05/20/21