

MISSISSIPPI BOARD OF PHARMACY
MINUTES
July 21, 2022

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

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

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

❖ Travel Requests:

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

EXECUTIVE DIRECTOR REPORT

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

REGULATION WORKING GROUP

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

- Article XXXII Pharmaceutical Drug Facility Permits

The Board adopted the changes to the regulations without objection.

NEW BUSINESS

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

GENERAL BUSINESS

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

RESPONDENTS

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

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

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

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

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

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

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

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

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


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

PETITIONERS

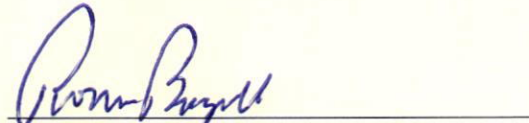
Shanissa Ficklin, Pharmacy Technician Registration Number PT-221533
After an administrative hearing on this matter, the Board issued the attached Order.

The Board adjourned at 4:50 p.m.

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



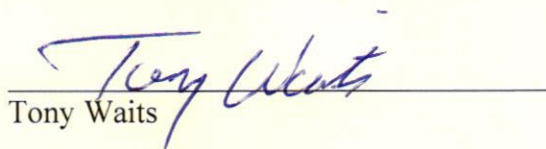
J. Todd Barrett, President



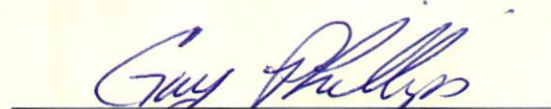
Ronnie Bagwell, Vice-President



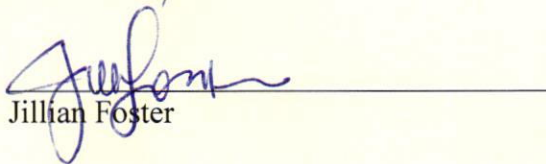
Ryan Harper, Secretary



Tony Waits



Guy Phillips



Jillian Foster

Craig Sartin

Mississippi Board of Pharmacy
July 21, 2022

AGENDA

I. CALL TO ORDER/ESTABLISH A QUORUM

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

II. CONSENT AGENDA & WEBSITE DECLARATION

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

III. EXECUTIVE DIRECTOR REPORT

IV. REGULATION WORKING GROUP

- **Article XXXII**

V. GENERAL BUSINESS

- **Affiliated Monitors Service (Cathy Cordy)**

VI. RESPONDENTS

- | | |
|-------------------------------|-------------------|
| • Stephanie George | Surrender |
| • Rosie George | Surrender |
| • James Bullock | Respondent |
| • CVS Pharmacy #010400 | Respondent |
| • CVS Pharmacy #1114 | Respondent |
| • CVS Specialty | Respondent |
| • Ray Dukes | Respondent |
| • Jason Cannon | Respondent |
| • Shoronda James | Respondent |
| • Cody Guitreau | Respondent |
| • Clayton Kaesberg | Respondent |
| • Jamie Cheatheam | Respondent |

VII. PETITIONERS

- | | |
|---------------------------|-------------------|
| • Shanissa Ficklin | Petitioner |
|---------------------------|-------------------|

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

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

IN THE MATTER OF:

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

PHARMACIST TECHNICIAN REGISTRATION NUMBER PT-08382
JURISDICTION

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

STATEMENT OF CHARGES

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

Mississippi Board of Pharmacy Administrative Rules, Rule 2.1 O

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

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

FINDINGS OF FACT

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

- (1) The "Notice of Hearing and Complaint" along with a sworn affidavit detailing those charges was served pursuant to Section 73-21-99, Mississippi Code of 1972, Annotated.
- (2) The Respondent has been afforded all due process required by law.
- (3) The Respondent was issued a pharmacy technician registration by the Board, Pharmacy Technician Registration Number PT-08382, and as such was subject to jurisdiction of the Board pursuant to Section 73-21-97 (1)(f), Mississippi Code of 1972, Annotated.
- (4) The Respondent did not appear for the hearing and the hearing was held in absentia.
- (5) The Respondent committed the violation as charged.
- (6) The Respondent voluntarily surrendered her pharmacy technician registration.

FINAL ORDER OF THE BOARD

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

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

REMAINDER OF PAGE LEFT BLANK INTENTIONALLY

ORDERED AND AGREED TO, this the 21st day of July 2022.

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

Stephanie George

PT-08382

07-21-22

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

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

IN THE MATTER OF:

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

PHARMACIST TECHNICIAN REGISTRATION NUMBER PT-050

JURISDICTION

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

STATEMENT OF CHARGES

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

Mississippi Board of Pharmacy Administrative Rules, Rule 2.1 O

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

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

FINDINGS OF FACT

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

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

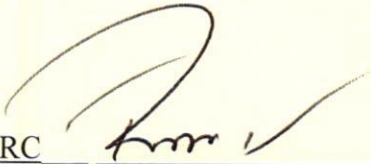
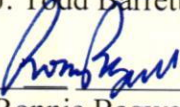
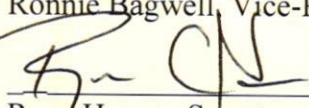
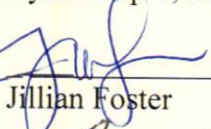
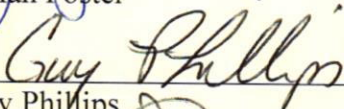
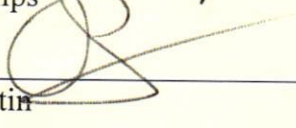
FINAL ORDER OF THE BOARD

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

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

REMAINDER OF PAGE LEFT BLANK INTENTIONALLY

ORDERED AND AGREED TO, this the 21st day of July 2022.

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

Rosie George

PT-050

07-21-22

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

MISSISSIPPI BOARD OF PHARMACY

IN THE MATTER OF:

JAMES R. BULLOCK
1702 ADAIR ROAD
TERRY, MS 39170

LICENSE TO PRACTICE PHARMACY NUMBER E-06064

JURISDICTION

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

STATEMENT OF CHARGES

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

Mississippi Board of Pharmacy Administrative Rules, Rule 2.1 F:

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

Count 1:

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

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

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

Count 2:

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

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

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

Count 3:

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

Rule 2.1: Grounds for Disciplinary Actions.

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

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

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

Count 4:

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

Rule 2.1: Grounds for Disciplinary Actions.

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

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

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

FINDINGS OF FACT

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

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

FINAL ORDER OF THE BOARD

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

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

REMAINDER OF PAGE LEFT BLANK INTENTIONALLY

ORDERED AND AGREED TO, this the 21st day of July 2022.

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

James Bullock
E-06064
07-21-22

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

MISSISSIPPI BOARD OF PHARMACY

IN THE MATTER OF:

RAY E. DUKES
4880 RAYMOND ROAD
JACKSON, MS 39212

LICENSE TO PRACTICE PHARMACY NUMBER E-05791 JURISDICTION

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

STATEMENT OF CHARGES

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

Mississippi Board of Pharmacy Administrative Rules, Rule 2.1 F:

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

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

C. In the dispensing of medications for ambulatory (or outpatients):

(2) The pharmacist shall be present and personally supervising the activities of the pharmacy technician at all times;

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

FINDINGS OF FACT

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

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

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

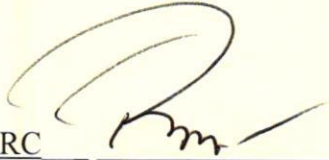
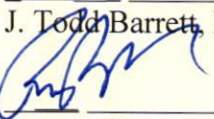
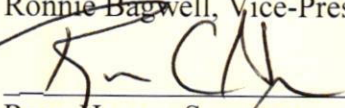
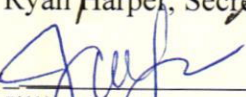
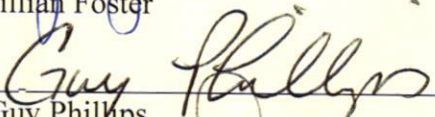
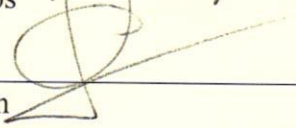
FINAL ORDER OF THE BOARD

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

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

REMAINDER OF PAGE LEFT BLANK INTENTIONALLY

ORDERED AND AGREED TO, this the 21st day of July 2022.

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

Ray Dukes
E-05791
07-21-22