MISSISSIPPI BOARD OF PHARMACY
MINUTES
JULY 13, 2023

The Mississippi Board of Pharmacy (Board) met at 9:00 a.m. on Thursday, July 13, 2023, at the Board offices, 6360 I-55 N. Suite 400, Jackson, MS 39211. The following members were present: Ronnie Bagwell – President, Jillian Foster– Secretary, Ryan Harper, Craig Sartin, Mike Gilbow and David Hudson. Tony Waits – Vice-President, was 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 18, 2023, of the Mississippi Board of Pharmacy.
- Approve Issuance of Pharmacist Licenses
- Requests for approval of the following pharmacy continuing education programs:
  - PROGRAM NUMBER 005-022-023-001, **"An Overview of Status Epilepticus Treatment in a Pediatric Population"**, as requested by Veronica Gustella for 1 clock hour of LIVE pharmacist continuing education credit.
- Consultant Waiver Requests
  - Steve Maruschak
  - Gary Grau
- Naloxone Training Approval
- Future Board Meeting Dates
  - September 21, 2023
  - November 16, 2023

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EXECUTIVE DIRECTOR REPORT

Susan McCoy reported all voluntary surrenders submitted to the Board since its last meeting:

- **Jekeira Abby – Pharmacy Technician**
- **Lisa Stuart-Smith - Pharmacist**

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

New Board members David Houston and Mike Gilbow were administered the oath of office by Board President Ronnie Bagwell.

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REGULATION WORKING GROUP

Todd Dear, Associate Director, presented the following regulations for Board consideration to adopt as a final regulation:

- **Article III**
- **Article XX**
- **Article L**
- **Article LI**

Todd Dear provided an update on **Definitions.**

Upon a recommendation by staff, the Board adopted Article III, Article XX, Article L and Article LI as final regulations without objection.

Upon a motion by Board member Craig Sartin and a 2nd by Board member Ryan Harper, the Board voted unanimously to go into executive session pursuant to Section 25-41-7(4)(b) for the purposes of discussing potential litigation regarding the adoption of a rule and an appeal of a Board order. On a motion by Board member Jillian Foster and a 2nd by Board member Ryan Harper, the Board voted unanimously to rise from executive session and enter open session. It was reported that no action was taken during executive session.

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GENERAL BUSINESS

The Board was informed of the new drug testing protocol that is being implemented by MARP.

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RESPONDENTS

Burnham's Vital Care, Permit to Operate as a Pharmacy, Permit Number 05113/2.1
Keri L. Bernhardt, License to Practice Pharmacy, Certificate of Registration Number E-15623.
Board Counsel, David Scott, requested to present these administrative hearings together. Both Respondents agreed to the request.
Board member Craig Sartin recused himself from the hearing and deliberation from the administrative hearing.
After an administrative hearing on this matter, upon a motion by Board member Ryan Harper and a 2nd by Board member David Hudson, the Board voted unanimously to go into executive session pursuant to Section 25-41-7(4)(b) for the purposes of discussing potential litigation an appeal of a Board order. On a motion by Board member Jillian Foster and a 2nd by Board member Ronnie Bagwell, the Board voted unanimously to rise from executive session and enter open session. It was reported that no action was taken during the executive session.
The Board issued the attached Order.

Board Member Ryan Harper left the meeting and did not participate in the following administrative hearings.

Brent Lindley, License to Practice Pharmacy, Certificate of Registration Number E-09564
After an administrative hearing on this matter, the Board issued the attached Order.

Twanda Rooks, Pharmacy Technician Registration Number PT-222464
After an administrative hearing on this matter, the Board issued the attached Order.

Dees America Supply, Medical Equipment Supplier Permit Number 18355/11.1
After an administrative hearing on this matter, the Board issued the attached Order.

Board member Jillian Foster left the meeting and did not participate in the following administrative hearings.

D & D Health Supply, Medical Equipment Supplier Permit Number 18361/11.1
After an administrative hearing on this matter, the Board issued the attached Order.

A & J Medical Supply, Medical Equipment Supplier Permit Number 18360/11.1
After an administrative hearing on this matter, the Board issued the attached Order.

Total Returns, Reverse Distributor Permit Number 17115/16.7a
After an administrative hearing on this matter, the Board issued the attached Order.

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The Board adjourned at 3:48 p.m.

These July 13, 2023, MINUTES of the Board are hereby approved this the 21st day of September, 2023.

Ronnie Bagwell, President

Tony Waits, Vice-President

Jillian Foster, Secretary

Ryan Harper

Craig Sartin

David Hudson

Mike Gilbow

Mississippi Board of Pharmacy
July 13, 2023

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**
  - **Steve Maruschak**
  - **Gary Grau**
- **NALOXONE TRAINING APPROVAL**
- **FUTURE BOARD MEETING DATES**
  - **September 21, 2023**
  - **November 16, 2023**

III. EXECUTIVE DIRECTOR REPORT

- **VOLUNTARY SURRENDERS-**
  - **Jekeira Abby, Pharmacy Technician**
  - **Lisa Stuart-Smith, Pharmacist**

IV. REGULATION WORKING GROUP

- **Definitions - Update**
- **Article III, Pharmacy Extern/Intern Registration and Practical Experience Requirement**
- **Article XX, Partial Filling of Schedule II Prescriptions**
- **Article L Ambulatory Surgery Center**
- **Article LI Consulting Pharmacists to Ambulatory Surgery Centers and Multi-Provide Clinics**

V. GENERAL BUSINESS

- **MARP-New Drug Testing Protocol**

VI. RESPONDENTS

- **Burnham's Vital Care** **Respondent**
- **Keri L. Bernhardt** **Respondent**
- **Brent Lindley** **Respondent**
- **Twanda Rooks** **Respondent**
- **Dees America Supply** **Respondent**
- **D & D Health Supply** **Respondent**
- **A & J Medical Supply** **Respondent**
- **Total Returns** **Respondent**

VII. PETITIONERS

NOTICE DETAILS

NOTICE DETAILS

State Agency: Pharmacy Board

Public Body: Pharmacy Board

Title: Regular Board Meeting

Subject: Regular Board Meeting

Date and Time: 7/13/2023 9:00:00 AM

Description:

Back

MEETING LOCATION

6360 I 55 North Suite 400
Jackson MS 39211

Map this! (http://maps.google.com/?q=6360 I 55 North Suite 400, Jackson, MS, 39211)

CONTACT INFORMATION

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SUBSCRIPTION OPTIONS

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RSS (/dfa/pmn/Home/Rss/515b42c4-ca11-422c-a305-063d7e461d9e)

BOUT

Mississippi's State Agencies are required to post notices of regular meetings on the Mississippi Public Meeting Notices Website. The statute establishing this website is in Mississippi Code Section A 025-0041-0013 and may be viewed by clicking here (http://billstatus.ls.state.ms.us/2013/pdf/history/SB/SB2070.xml).

Legislation (http://billstatus.ls.state.ms.us/2013/pdf/history/SB/SB2070.xml)

(http://www.ms.gov)

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

ARTICLE LI CONSULTING PHARMACISTS TO AMBULATORY SURGERY CENTERS AND MULTI-PROVIDER CLINICS

1. For purposes of this article, a consultant pharmacist for an ambulatory surgery center (ASC) or multi-provider clinic (MPC) shall mean any Mississippi licensed pharmacist who is listed on an ASC/MPC permit (pharmacist-in-charge). The consultant pharmacist is on site at least monthly to conduct a review of medication related processes and to ensure appropriate reconciliation of controlled substances. The consultant pharmacist for an ASC/MPC would not need a nursing home consultant certificate. The consultant pharmacist is responsible for providing recommendations only to the ASC/MPC.

2. Responsibilities of the ASC/MPC Consultant Pharmacist
   A. The ASC/MPC Consultant Pharmacist shall be responsible for advising the ASC/MPC on all matters related to safe and efficient administration, control, and accountability for drugs and proper licensing. The responsibilities of the consultant pharmacist shall include developing policies and procedures and implementation for the following:
      (1) All medications shall be purchased from facilities registered with the Mississippi Board of Pharmacy
      (2) Preparation of sterile medications prepared within the ASC/MPC
      (3) Admixture of parenteral products
      (4) Compounding of drugs, solutions, ointments, lotions, etc.
      (5) To assure that no legend medication shall be stored in patient care areas except upon the approval of the Consultant Pharmacist
      (6) Establishment of specifications for procurement of all materials, including drugs, chemicals and biologicals, subject to approval of the appropriate committee of the ASC/MPC and compliance with DSCSA requirements
      (7) Participation in the development of a formulary for the ASC/MPC where applicable
      (8) Proper filling and labeling of all containers from which drugs are to be administered
      (9) Maintenance of records of all transactions of the ASC/MPC as may be required by applicable law, state and federal, and as may be necessary to maintain accurate control and accountability for all pharmaceutical materials
      (10) Assure that all drugs shall be stored in areas within the ASC/MPC and satellite storage areas to provide proper sanitation, temperature, light, ventilation, moisture control, segregation and security; that disinfectants and drugs for external use are stored separately and apart from drugs for internal use or ingestion; that outdated or other unusable drugs are identified and stored in a manner that will prevent their administration prior to disposition; that emergency drugs are in adequate and proper supply at designated locations
      (11) Assure that all areas occupied by the ASC/MPC shall be capable of being locked to prevent unauthorized access, and that all areas where drugs are stored or administered shall be locked

(12)Ensure that discontinued and outdated drugs are returned to a MS Board of Pharmacy registered reverse distributor or destroyed onsite following DEA rules for onsite destruction and use of DEA Form 41.

(13)Drugs shall be administered only upon receipt of a written or oral order. There shall be no "take home" medications dispensed under this permit. Samples are exempt from this Article.

(14)All requirements of the Controlled Substances Act of 1970 and the requirements set forth in the regulations of the Mississippi Board of Pharmacy in the purchasing, storing, administration, record keeping, and disposal of controlled substances are met. There shall be policies and procedures to ensure the control of these drugs at all times, including those instances when drugs are stored in the surgery departments, nursing stations, clinics, diagnostic laboratories, etc. Periodic (at least monthly) inspections by the consultant pharmacist of the proper storage of these drugs is required and deficiencies must be corrected.

(15)At least monthly consultant audits of records of acquisition and disposition. Monthly audits of controlled substance inventory.

(16)Assisting the medical director as applicable in developing inventory listings of drugs to be included in these areas and assure that:

(a) Such drugs are available therein, properly stored and labeled

(b) Only pre-packaged drugs are available therein, in amounts sufficient for immediate therapeutic requirements

(c) Each drug stored in these areas shall be assigned a "par value" and each addition or withdrawal by authorized persons shall be properly documented. The consultant pharmacist shall audit these areas on a regular basis but no less than once per month.

(17)The consultant pharmacist shall provide a monthly report to the ASC/MPC outlining any findings from their review. This document shall be signed by the medical director or designee and dated.

(18)A consultant pharmacist for an ASC/MPC shall report to the appropriate regulatory or licensing agency any serious deficiency or violation noted on his/her consultant report if such deficiency is not corrected or addressed by the permit holder by the date of the next monthly visit by the consultant pharmacist at the permit site.

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

ARTICLE L AMBULATORY SURGERY CENTERS AND MULTI-PROVIDER CLINICS

1. For purposes of this Article, an ambulatory surgery center (ASC) or multi-provider clinic (MPC) shall mean a facility where medical procedures or services are performed or provided by multiple practitioners for outpatients. Examples would include but would not be limited to an ambulatory surgery center, a medical doctor's office/clinic, or a dental office. An ASC/MPC consultant refers to any Mississippi licensed pharmacist who reviews processes and ensures appropriate reconciliation of controlled substances at least monthly on site in an ASC or MPC. The ASC/MPC is responsible for complying with all applicable regulations of the Mississippi Board of Pharmacy as well as other state and federal regulatory agency requirements.

2. Every ASC/MPC shall obtain an ASC/MPC permit from the Mississippi Board of Pharmacy for every location where controlled substances are administered by multiple providers/practitioners under one DEA number. This permit along with a DEA registration allows the ASC/MPC to order controlled substances for the facility to be used by multiple providers/practitioners under one clinic DEA number. Such a permit shall be obtained by applying for a permit on a form supplied by the Mississippi Board of Pharmacy and accompanied by a fee. This requirement does not apply to ASC's or clinics with only a single provider where the provider's registration is based at that location. All ASC/MPC permits will expire on December 31 of each year and shall be renewed annually by submitting a renewal application and renewal fee. Any renewal application received after December 31st of the renewal period will be assessed a $50.00 late fee prior to renewal. ASC/MPC permits are not transferable or assignable. There are two subcategories for ASC/MPC permits: outpatient surgery center/clinic pharmacy and outpatient surgery center/clinic consultant.
   A. Ambulatory Surgery Center/Multi-Provider Clinic Pharmacy Services (fee $300)
      (1) This permit should be used when a pharmacist is integrated into the daily workflows of the facility including ordering and stocking of medications and clinical support but is not an actual dispensing pharmacy. Additionally, a controlled substance permit is required.
      (2) See Institutional Pharmacy Regulations
   B. Ambulatory Surgery Center/Multi-Provider Clinic Consultant (fee $100)
      (1) Requires there to be at least a monthly arrangement with a pharmacist onsite to review processes and ensure appropriate reconciliation of controlled substances. The pharmacist reviews appropriate records for ordering, storage, and other record keeping requirements and documentation of administration, wastage, and disposal of medications in accordance with documented policies and procedures of the ASC/MPC.
      (2) This permit will serve as the controlled substance permit required by statute.

3. Consultant Pharmacist Requirement.
   A. A permit for an ASC/MPC shall not be issued or renewed unless the consultant pharmacist is licensed in this state.

B. If the license of the consultant pharmacist becomes void or inactive due to surrender, revocation, suspension, restriction or for any other reason, or if the license of the consultant pharmacist is removed from the permit of the ASC/MPC for any reason, application must be made for a new permit with another consultant pharmacist within fifteen (15) days.
C. Failure to submit an application with the new consultant pharmacist within fifteen (15) days shall render the permit inactive and the ASC/MPC shall not conduct any activities using the controlled substances that were obtained pursuant to the permit and the corresponding DEA registration until a new permit is issued to the ASC/MPC with a new consultant pharmacist on the permit.
D. The failure to obtain a new consultant pharmacist within the required fifteen (15) day time period shall be reported to DEA by the Mississippi Board of Pharmacy.

4. Record Keeping
   A. Every ASC/MPC permit issued by the Board of Pharmacy shall keep complete and accurate records of acquisition and disposition of all controlled substances. These records shall include:
      (1) Complete and accurate records of receipt of all controlled substances
      (2) Complete and accurate records of disposition of all controlled substances
   B. Records of acquisition and disposition must be maintained for a period of at least 2 years. These records shall be kept in such a manner that an audit will show the beginning inventory and record of acquisition of controlled substances to balance with controlled substances on hand and record of disposition of controlled substances.
   C. Unless authorized by the Federal Drug Enforcement Administration to maintain records of controlled substances at a location other than the location permitted by the Mississippi Board of Pharmacy, these records shall be maintained at the permitted location. All records pertaining to controlled substances shall be made available for inspection and copying by agents of the Mississippi Board of Pharmacy.
   D. The ASC/MPC consultant pharmacist shall provide a monthly report outlining any findings from their review. This document shall be signed by the medical director or designee and dated. The facility must maintain these reports for a period of two (2) years, and a copy must be available for inspection upon request.

5. Storage
   A. All drug products shall be maintained and stored in such a manner that maintains the integrity of the product.
   B. All containers from which drugs are administered must be properly labeled.
   C. Outdated drugs shall be removed from general stock and returned to a reverse distributor licensed with the Mississippi Board of Pharmacy or destroyed onsite following DEA rules for onsite destruction and use of DEA Form 41.

6. Security
   A. In all places where controlled substances are maintained, they shall be maintained in a manner to deter loss by theft or burglary. A securely locked, substantially constructed area shall be provided for storage of all controlled substances. Controlled substances for return to a MS licensed reverse distributor or for onsite destruction as described above shall be maintained in the drug storage area of the clinic and segregated from general stock until

proper disposition of such controlled substances is made. Controlled substances, thus maintained in the drug storage area, shall be kept in a locked cabinet, drawer, or other suitable locked container and only authorized personnel shall have access to the drug storage area.

7. Inventory
   A. A perpetual inventory shall be maintained on all Controlled Substances, Schedule II-V.
   B. The medical director shall develop inventory listings of drugs to be included in specified areas and assure that:
      a. Such drugs are available therein, properly stored and labeled
      b. Only pre-packaged drugs are available therein, in amounts sufficient for immediate therapeutic requirements
      c. Each drug stored in these areas shall be assigned a "par value" and each addition or withdrawal by authorized persons shall be properly documented.
   C. If a facility has a loss of controlled substances, a complete inventory of all remaining controlled substances shall be made within forty-eight (48) hours of discovery of the loss of controlled substances. This inventory shall be dated and signed by the ASC/MPC staff conducting the inventory.
   D. The consultant pharmacist shall be notified within twenty-four (24) hours of discovery of any discrepancy in counts or the loss of any controlled substances. The consultant pharmacist shall notify the Board immediately upon his/her notification with a plan to investigate the loss. A written report shall be submitted to the Mississippi Board of Pharmacy within fifteen (15) days; this written report shall include a copy of the inventory required by this ARTICLE.
   E. When a facility has a change in ownership or a change in the consultant pharmacist listed on their permit (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 consultant pharmacist (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.
   F. Every facility permitted by the Mississippi Board of Pharmacy shall take an annual inventory of all controlled substances on hand on or about May 1 but no later than May 15. A facility may conduct the controlled substance inventory at another date as long as the annual inventory is conducted during the same period each year. This inventory shall be maintained with the other controlled substance records of the facility.

ARTICLE XX PARTIAL FILLING OF SCHEDULE II PRESCRIPTIONS

Partial filling of Schedule II controlled substance prescriptions shall be as follows:

1. Partial Fills: A prescription for a controlled substance in schedule II may be partially filled if:
   a. it is not prohibited by Mississippi law;
   b. the prescription is written and filled in accordance with United States Code, Title 21, Chapter 13, Subchapter 1, any regulations prescribed by the United States Attorney General, and Mississippi law;
   c. the partial fill is requested by the patient or the practitioner that wrote the prescription; and
   d. the total quantity dispensed in all partial fillings does not exceed the total quantity prescribed.
2. Remaining portions
   a. In general, except as provided in subparagraphs b and c, the remaining portions of a partially filled prescription for a controlled substance in schedule II:
      i. May be filled; and
      ii. Shall be filled not later than thirty (30) days after the date on which the prescription is written.
   b. In emergency situations, as described in 21 U.S.C. §829 (a), the remaining portions of a partially filled prescription for a controlled substance in schedule II:
      i. May be filled; and
      ii. Shall be filled not later than seventy-two (72) hours after the prescription is issued.
   c. If the patient is terminally ill or a long term care facility patient, the remaining portions of a partially filled prescription for a controlled substance in schedule II:
      i. May be filled;
      ii. Shall be filled not later than sixty (60) days after the prescription is issued; and
      iii. The prescription must comply with the provisions of Title 21, Chapter 2, CFR 1306.13.

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

ARTICLE III PHARMACY EXTERN/INTERN REGISTRATION AND PRACTICAL EXPERIENCE REQUIREMENT

1. Every person enrolled in the professional curriculum of a school of pharmacy and pursuing either a Bachelor of Science in pharmacy degree or a Doctor of Pharmacy degree must obtain an extern/intern registration from the Mississippi Board of Pharmacy prior to enrolling and participating in externship or clerkship rotations or obtaining practical experience in a pharmacy permitted by the Board. The pharmacy extern/intern shall in no manner falsely assume, directly or by inference, to be a pharmacist. To obtain an extern/intern registration, the applicant shall:
   A. Have submitted a written application on a form prescribed by the Board;
   B. Be of good moral character as evidenced by having undergone and successfully passed a criminal background check conducted by the Board;
   C. Show proof to the Board the applicant is enrolled in a school of pharmacy approved by the Board;
   D. Have paid fees as specified by the Board.

2. A pharmacy extern/intern registration which has been issued by the Board shall expire:
   A. If the extern/intern is expelled, suspended, withdraws or is dismissed from a school of pharmacy;
   B. One (1) year after graduation from a school of pharmacy;
   C. One year after being issued by the Board if the extern/intern registration is issued to an applicant for the purpose of obtaining extern/intern hours for reinstatement of a pharmacist license;

   An Extern/Intern who is expelled, suspended, dismissed or withdraws from a school of pharmacy may not register as a pharmacy technician until one (1) year from the date his/her extern/intern registration expiration, unless approved by the Board pursuant to a petition.

3. A pharmacy extern/intern may petition the Board for renewal of the registration for a period not to exceed one additional year.

4. The externship/internship practical experience required for licensure is defined as a total of sixteen hundred (1,600) hours of pharmacy experience. The sixteen hundred (1,600) hours of practical experience shall be obtained after the student is enrolled in the professional program of a school of pharmacy. Practical experience hours gained through clerkships and externships, while enrolled in a school of pharmacy whose externship rotations are approved by the Board, may be used to satisfy these requirements. In order for a pharmacy student to be considered as a valid extern in such a program, he/she must be certified by a school of pharmacy as a bona fide student making normal progress toward completion of either a Bachelor of Science or a Doctor of Pharmacy degree in pharmacy.

   Any remaining practical experience required for licensure, not obtained by the extern through externship rotations, may be obtained during official vacation periods when the extern is not enrolled as a full-time student or as an intern after graduation. No more than fifty (50) hours per week of practical experience shall be credited during any of these periods.

5. All practical experience gained in Mississippi, which is related to the dispensing of drugs, must be under the direct and immediate supervision of a pharmacist registered in Mississippi and in good standing with the Mississippi Board of Pharmacy. The direct and immediate supervision by the pharmacist requires the physical presence of the supervising pharmacist at all times and includes the constant personal supervision and monitoring of the extern or intern by the supervising pharmacist. The supervising pharmacist shall be responsible for the activities of the extern or intern.

6. No practical experience obtained in this state shall be credited to an extern or intern unless such extern or intern be registered with the Mississippi Board of Pharmacy as a pharmacy extern/intern. Practical experience hours obtained in Mississippi will expire two (2) years after graduation.

7. When a Pharmacy Intern desires to obtain credit for training received in a state other than this State, he/she shall abide by all the provisions of the internship rules in that state, and shall provide evidence from that state's Board of Pharmacy of the number of clock hours of experience actually participated in by the Pharmacy Intern. For practical experience obtained in another state and for which the Mississippi Board of Pharmacy is requested to grant credit toward the experience requirements, the applicant shall:
   A. Submit the affidavits certifying the work experience to the Board of pharmacy in the state in which the experience was obtained; and verification that these hours are currently acceptable for a license in the state where the practical experience was obtained.
   B. Request that Board of Pharmacy to send copies of the affidavits to the Mississippi Board of Pharmacy along with certification that the hours of experience claimed are acceptable to that Board.

   Upon receipt of copies of the affidavits and the statement of their acceptance by the Board of Pharmacy in the state in which the experience was obtained, the Mississippi Board of Pharmacy may grant the same credit toward practical experience requirements.

   For purposes of this Article, the term "practical experience" shall include, but not be limited to, the compounding, dispensing and labeling of drugs, interpreting and evaluating prescriptions, maintaining prescription drug records and any other activity included in the practice of pharmacy.

8. In addition to any other provisions of these regulations, the Board may impose disciplinary action upon an extern/intern for one or more of the following grounds:
   A. Fraud or intentional misrepresentation by a extern/intern in securing the issuance of a pharmacy extern/intern registration or failing to report to the Board any adverse action taken by another licensing jurisdiction, government agency, law enforcement agency, or court that would constitute grounds for action;
   B. Obtaining practical experience in a pharmacy permitted by the Board without the direct supervision and presence of a pharmacist licensed by the Board;
   C. Failure to notify the Board of expulsion, suspension, dismissal or withdrawal from a school of pharmacy;
   D. Violation of any university, college, or school of pharmacy policies, rules or regulations thereof.

E. Knowing or suspecting that a Pharmacist or Pharmacy Intern is incapable of engaging in the Practice of Pharmacy or that a Pharmacy Technician is incapable of assisting in the Practice of Pharmacy, with reasonable skill, competence, and safety to the public, is diverting or abusing controlled substances or prescription drugs and failing to report any relevant information to the Board of Pharmacy.

F. The unlawful disclosure of information from the Prescription Monitoring Program or using information obtained from the Prescription Monitoring Program for unlawful or unethical purposes.

9. An Extern/Intern shall notify the Board immediately of any change of residence or change in enrollment status including delayed progression within the program.

10. An Extern/Intern that surrenders his/her registration is no longer eligible to work as an extern/intern without petitioning the Board to re-instate his/her registration.

Came on July 13, 2023, the matter of Burnham's Vital Care, Permit to Operate as a Pharmacy, Permit Number 05113/2.1, 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 and did not participate in this hearing. Board member Craig Sartin recused himself and did not participate in this hearing.

BEFORE THE MISSISSIPPI BOARD OF PHARMACY

IN THE MATTER OF:

BURNHAM'S VITAL CARE
4931 MAIN STREET, UNIT B
P.O. BOX 8647
MOSS POINT, MS 39562

PERMIT TO OPERATE AS A PHARMACY, NUMBER 05113/2.1

JURISDICTION

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of Burnham's Vital Care, Permit to Operate as a Pharmacy, Permit Number 05113/2.1, pursuant to Section 73-21-97(1)(f), Mississippi Code of 1972, Annotated.

STATEMENT OF CHARGES

Burnham's Vital Care, Permit to Operate as a Pharmacy, Permit Number 05113/2.1, is alleged to have committed the following violations:

Mississippi Board of Pharmacy Administrative Rules, Rule 2.1 F:

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

Mississippi Pharmacy Practice Regulations Article XXXI, COMPOUNDING GUIDELINES:

> **Every pharmacy permitted by the Mississippi Board of Pharmacy engaged in the compounding of pharmaceuticals shall comply with USP 797 and 795 standards. The designated USP representative must be a pharmacist licensed in the State of Mississippi.**

Count 1:
USP General Chapter 797 Pharmaceutical Compounding - Sterile Preparations provides in relevant part:

Personnel Training and Competency Evaluation of Garbing, Aseptic Work Practices, and Cleaning/ Disinfection Procedures

Media-fill testing of aseptic work skills shall be performed initially before beginning to prepare CSPs and at least annually thereafter for low- and medium-risk level compounding and semiannually for high-risk level compounding.

Specifically, Burnham's Vital Care, Pharmacy Permit Number 05113/2.1, could not provide any documentation that the compounding employees had any media-fill testing prior to compounding sterile product.

Count 2:
USP General Chapter 797 Pharmaceutical Compounding - Sterile Preparations provides in relevant part:

Sterilization Methods
STERILIZATION OF HIGH-RISK LEVEL CSPS BY FILTRATION

Filter units used to sterilize CSPs shall also be subjected to manufacturers' recommended integrity test, such as the bubble point test.

Specifically, Burnham's Vital Care, Pharmacy Permit Number 05113/2.1, could not provide any documentation that any filter integrity test, such as the bubble point test, was being performed. Leslie J. Keen, pharmacy technician # PT-04430, admitted that Burnham's Vital Care, Pharmacy Permit Number 05113/2.1, was not performing bubble point testing on the filters. Keen stated that Burnham's Vital Care, Pharmacy Permit Number 05113/2.1, had a bubble point testing device at one time but was no longer using it.

Count 3:
USP General Chapter 797 Pharmaceutical Compounding - Sterile Preparations provides in relevant part:

CSP MICROBIAL CONTAMINATION RISK LEVELS
High-Risk Level CSPs

For a sterilized high-risk level preparation, in the absence of passing a sterility test, the storage periods cannot exceed the following time periods: before administration, the CSPs are properly stored and are exposed for not more than 24 hours at controlled room temperature, for not more than 3 days at a cold temperature and for 45 days in solid frozen state between −25° and −10°.

Specifically, Burnham's Vital Care, Pharmacy Permit Number 05113/2.1, could not provide any documentation for sterility testing on the high-risk compounds. Leslie J. Keen, pharmacy technician # PT-04430, admitted that Burnham's Vital Care, Pharmacy Permit Number 05113/2.1, did not

perform sterility testing on high-risk compounds. Compounding records for Trimix (Papaverine, Phentolamine, Alprostadil, Bacteriostatic) assigned a Beyond Use Date (BUD) of sixty (60) days. Compounding records for Semaglutide/B12 assigned a Beyond Use Date (BUD) of Fifty-Six (56) days.

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 statute.

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

(3) The Respondent was issued a Permit to Operate a Pharmacy Number 05113/2.1, 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 the violations as charged.

FINAL ORDER OF THE BOARD

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

- Pursuant to Section 73-21-103(1)(c), Mississippi Code of 1972, Annotated, Respondent, Burnham's Vital Care, Permit to Operate as a Pharmacy, Permit Number 05113/2.1, shall be restricted to immediately suspend all medium and high risk and/or Category 2 and Category 3 sterile compounding until all staff involved in compounding have received in-person training, which shall be pre-approved by the Executive Director of the Mississippi Board of Pharmacy.
- Pursuant to Section 73-21-103(1)(d)(i), Mississippi Code of 1972, Annotated, Respondent shall pay a monetary penalty in the amount of One Thousand Dollars ($1,000.00) for a violation of Count 1.
- Pursuant to Section 73-21-103(1)(d)(ii), Mississippi Code of 1972, Annotated, Respondent shall pay a monetary penalty in the amount of Five Thousand Dollars ($5,000.00) for a violation of Count 2.
- Pursuant to Section 73-21-103(1)(d)(ii), Mississippi Code of 1972, Annotated, Respondent shall pay a monetary penalty in the amount of Five Thousand Dollars ($5,000.00) for a violation of Count 3.
- 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 Eleven Thousand Two Hundred Fifty Dollars ($11,250.00) shall be paid by the Respondent within thirty (30) days of this Order. In addition, the above restriction on Permit Number 05113/2.1 shall not be lifted until this total monetary penalty is paid in full.
- The Respondent shall petition the Board to have the above compounding restriction on Permit Number 05113/2.1 lifted and shall appear before the Board to present evidence of

compliance with all compounding rules and standards and completion of the required staff training prior to the Board lifting the compounding restriction.

All members participating in the hearing affirmed this Order.

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ORDERED AND AGREED TO, this the 13th day of July, 2023.

Ronnie Bagwell, President

Tony Waits, Vice-President

Jillian Foster, Secretary

Michael Gilbow

Ryan Harper

David Hudson

Craig Sartin

Came on July 13, 2023, the matter of Keri L. Bernhardt, Pharmacist Certificate of Registration Number E-15623, 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 and did not participate in this hearing. Board member Craig Sartin recused himself and did not participate in this hearing.

BEFORE THE MISSISSIPPI BOARD OF PHARMACY

IN THE MATTER OF:

KERI L. BERNHARDT
2016 BROOKSIDE STREET
GAUTIER, MS 39553

LICENSE TO PRACTICE PHAMRACY NUMBER E-15623

JURISDICTION

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of Keri L. Bernhardt, Pharmacist Certificate of Registration Number E-15623, pursuant to Section 73-21-97(1)(f), Mississippi Code of 1972, Annotated.

STATEMENT OF CHARGES

Keri L. Bernhardt, Pharmacist Certificate of Registration Number E-15623, is alleged to have committed the following violations:

Mississippi Board of Pharmacy Administrative Rules, Rule 2.1 F:

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

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

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.**

Mississippi Pharmacy Practice Regulations Article XXXI, COMPOUNDING GUIDELINES:

Every pharmacy permitted by the Mississippi Board of Pharmacy engaged in the compounding of pharmaceuticals shall comply with USP 797 and 795 standards. The designated USP representative must be a pharmacist licensed in the State of Mississippi.

Count 1:
USP General Chapter 797 Pharmaceutical Compounding - Sterile Preparations provides in relevant part:

Personnel Training and Competency Evaluation of Garbing, Aseptic Work Practices, and Cleaning/ Disinfection Procedures

Media-fill testing of aseptic work skills shall be performed initially before beginning to prepare CSPs and at least annually thereafter for low- and medium-risk level compounding and semiannually for high-risk level compounding.

Specifically, Burnham's Vital Care, Pharmacy Permit Number 05113/2.1, could not provide any documentation that the compounding employees had any media-fill testing prior to compounding sterile product. As the pharmacist-in-charge, Keri L. Bernhardt, Pharmacist Certificate of Registration Number E-15623, was responsible for ensuring that the compounding employees followed the required compounding guidelines.

Count 2:
USP General Chapter 797 Pharmaceutical Compounding - Sterile Preparations provides in relevant part:

Sterilization Methods
STERILIZATION OF HIGH-RISK LEVEL CSPS BY FILTRATION

Filter units used to sterilize CSPs shall also be subjected to manufacturers' recommended integrity test, such as the bubble point test.

Specifically, Burnham's Vital Care, Pharmacy Permit Number 05113/2.1, could not provide any documentation that any filter integrity test, such as the bubble point test, was being performed. Leslie J. Keen, pharmacy technician # PT-04430, admitted that Burnham's Vital Care, Pharmacy Permit Number 05113/2.1, was not performing bubble point testing on the filters. Keen stated that Burnham's Vital Care, Pharmacy Permit Number 05113/2.1, had a bubble point testing device at one time but was no longer using it. As the pharmacist-in-charge, Keri L. Bernhardt, Pharmacist Certificate of Registration Number E-15623, was responsible for ensuring that the pharmacy complied with the required compounding guidelines.

Count 3:
USP General Chapter 797 Pharmaceutical Compounding - Sterile Preparations provides in relevant part:

CSP MICROBIAL CONTAMINATION RISK LEVELS
High-Risk Level CSPs

For a sterilized high-risk level preparation, in the absence of passing a sterility test, the storage periods cannot exceed the following time periods: before administration, the CSPs are properly stored and are exposed for not more than 24 hours at controlled room temperature, for not more than 3 days at a cold temperature and for 45 days in solid frozen state between −25° and −10°.

Specifically, Burnham's Vital Care, Pharmacy Permit Number 05113/2.1, could not provide any documentation for sterility testing on the high-risk compounds. Leslie J. Keen, pharmacy technician # PT-04430, admitted that Burnham's Vital Care, Pharmacy Permit Number 05113/2.1, did not perform sterility testing on high-risk compounds. Compounding records for Trimix (Papaverine, Phentolamine, Alprostadil, Bacteriostatic) assigned a Beyond Use Date (BUD) of sixty (60) days. Compounding records for Semaglutide/B12 assigned a Beyond Use Date (BUD) of Fifty-Six (56) days. As the pharmacist-in-charge, Keri L. Bernhardt, Pharmacist Certificate of Registration Number E-15623, was responsible for ensuring that the pharmacy complied with the required compounding guidelines.

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 statute.
(2) The Respondent has been afforded all due process required by law.
(3) The Respondent was issued a Pharmacist Certificate of Registration Number E-15623, 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 the violations as charged.

FINAL ORDER OF THE BOARD

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

- Pursuant to Section 73-21-103(1)(c), Mississippi Code of 1972, Annotated, Respondent, Keri L. Bernhardt, Pharmacist Certificate of Registration Number E-15623, shall be immediately restricted from being able to serve as a pharmacist in charge of any compounding pharmacy. Additionally, this restriction shall only be lifted after petition and approval by the Board is granted.
- Pursuant to Section 73-21-103(1)(d)(i), Mississippi Code of 1972, Annotated, Respondent shall pay a monetary penalty in the amount of One Thousand Dollars ($1,000.00) for a violation of Count 1.

- Pursuant to Section 73-21-103(1)(d)(ii), Mississippi Code of 1972, Annotated, Respondent shall pay a monetary penalty in the amount of One Thousand Dollars ($1,000.00) for a violation of Count 2.
- Pursuant to Section 73-21-103(1)(d)(ii), Mississippi Code of 1972, Annotated, Respondent shall pay a monetary penalty in the amount of One Thousand Dollars ($1,000.00) for a violation of Count 3.
- 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 Three Thousand Two Hundred Fifty Dollars ($3,250.00) shall be paid by the Respondent within thirty (30) days of this Order.

All members participating in the hearing affirmed this Order.

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ORDERED AND AGREED TO, this the 13th day of July, 2023.

Ronnie Bagwell, President

Tony Waits, Vice-President

Jillian Foster, Secretary

Michael Gilbow

Ryan Harper

David Hudson

Craig Sartin

Came on July 13, 2023, the matter of Brent Lindley, 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:

BRENT LINDLEY
251 BROKEN ARROW TRAIL
PETAL, MS 39465

LICENSE TO PRACTICE PHARMACY AND/OR
ACT AS A PHARMACY TECHNICIAN

JURISDICTION

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of Brent Lindley, pursuant to Section 73-21-97(1)(f), Mississippi Code of 1972, Annotated.

STATEMENT OF CHARGES

Brent Lindley is alleged to have committed the following violations:

Count 1:
Mississippi Board of Pharmacy Administrative Rules, Rule 2.1F:

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 Act, Mississippi Code Annotated, Section 73-21-83:

(2) A license for the practice of pharmacy shall be obtained by all persons prior to their engaging in the practice of pharmacy.

Count 2:
Mississippi Board of Pharmacy Administrative Rules, Rule 2.1F:

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 Act, Mississippi Code Annotated, Section 73-21-111

(2) Every person who acts or serves as a pharmacy technician in a pharmacy that is located in this state and permitted by the board shall obtain a registration from the board.

Count 3:
Mississippi Board of Pharmacy Administrative Rules, Rule 2.1F:

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 I.6

A pharmacist that surrenders his/her license is no longer eligible to practice pharmacy without petitioning the Board to re-instate his/her license.

Specifically, an anonymous complaint filed with the Board of Pharmacy stated that Brent Lindley was impaired while working as the pharmacist in charge for Park Place Pharmacy. As a result of this complaint, the Board requested Lindley submit to a hair sample test, which confirmed the presence of hydrocodone and oxycodone. Lindley submitted a voluntary surrender of his pharmacy license on April 19, 2023, and acknowledged that he was prohibited from performing pharmacist or pharmacy technician duties in the state of Mississippi, particularly in Park Place Pharmacy. On May 5, 2023, a compliance agent returned to Park Place Pharmacy to meet with the new pharmacist in charge and found Lindley working in the pharmacy. Upon questioning, Lindley admitted to entering three refills for himself and assisting with insurance claims on May 4, 2023. Review of the pharmacy activity reports by the compliance agent identified activity by Lindley on thirteen prescriptions after the voluntary surrender of his pharmacist license. On May 11, 2023, the compliance agent returned to the pharmacy and reviewed video footage of the pharmacy area. Lindley was questioned about the video. During this questioning, Lindley admitted that he processed and verified prescriptions for two patients, which was supported by the transaction history.

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 statute.
(2) The Respondent has been afforded all due process required by law.
(3) The Respondent is subject to jurisdiction of the Board pursuant to Section 73-21-97 (1)(f), Mississippi Code of 1972, Annotated.
(4) The Respondent committed the violations as charged.

FINAL ORDER OF THE BOARD

This ORDER OF THE BOARD is effective immediately. A certified copy of this ORDER shall be served on the Respondent and a copy maintained on file 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 in the amount of One Thousand Dollars ($1,000.00) for a violation of Count 1.
- Pursuant to Section 73-21-103(1)(d)(iii), Mississippi Code of 1972, Annotated, Respondent shall pay the cost of investigation and conduct of a proceeding in the amount of Five Hundred Five Dollars and Fifty-Two Cents ($505.52).
- The total monetary penalty and cost of investigation in the amount of One Thousand Five Hundred Five Dollars and Fifty-Two Cents ($1,505.52) shall be paid by the Respondent within thirty (30) days of this Order.
- Pursuant to Section 73-21-103 (2), Mississippi Code of 1972, Annotated, Respondent shall have the right to petition the Board for reinstatement of his License for the Practice of Pharmacy. The Board will not consider a petition for reinstatement of this license until at least one (1) year from the date of this Order.

All members participating in the hearing affirmed this Order.

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ORDERED AND AGREED TO, this the 13th day of July, 2023.

Ronnie Bagwell, President

Tony Waits, Vice-President

Jillian Foster, Secretary

Michael Gilbow

Ryan Harper

David Hudson

Craig Sartin

Came on July 13, 2023, the matter of Twanda Rooks, Pharmacy Technician Registration PT-222464, 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:

TWANDA ROOKS
645 SIMS STREET
MARKS, MS 38646

PHARMACY TECHNICIAN REGISTRATION PT-222464

JURISDICTION

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of Twanda Rooks, Pharmacy Technician Registration PT-222464, pursuant to Section 73-21-97(1)(f), Mississippi Code of 1972, Annotated.

STATEMENT OF CHARGES

Twanda Rooks, Pharmacy Technician Registration PT-222464, is alleged to have committed the following violations:

Mississippi Board of Pharmacy Administrative Rules, Rule 2.1 F:

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

Count 1:
Mississippi Board of Pharmacy Administrative Rules, Rule 2.1 I:

> **Negligently or willfully acting in a manner inconsistent with the health or safety of the public.**

Specifically, Walgreens Batesville Pharmacy video surveillance of May 8, 2023, shows Twanda Rooks transferring medication from a stock bottle onto a medication counting tray. She then pours a second medication, Hydrocodone 10mg/APAP 325mg, onto the same medication counting tray, simultaneously having two different medications on the same counting tray at the same time. She then rakes the first medication from the tray into a vial, affixes the label to the medication and hands the vial to the pharmacist for final verification. She then rakes the second medication into a second medication vial and marks it with a marker.
Count 2:

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, Walgreens Batesville Pharmacy video surveillance of May 8, 2023, shows Twanda Rooks filling medication vials from the stock bottle of Hydrocodone 10mg/APAP325mg and marking them with a marker during a time in the pharmacy when there were no active prescriptions being filled for Hydrocodone 10mg/APAP 325mg.

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 statute.

(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-222464, 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 violations as charged.

FINAL ORDER OF THE BOARD

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

- Pursuant to Section 73-21-103 (1)(b), Mississippi Code of 1972, Annotated, Pharmacy Technician Registration Number PT-222464 is revoked.
- Pursuant to Section 73-21-103(1)(d)(iii), Mississippi Code of 1972, Annotated, Respondent shall pay the cost of investigation and conduct of a proceeding in the amount of One Thousand Three Hundred Seventy-Nine Dollars and Sixty-Two Cents ($1,379.62).
- 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 and upon full payment of the cost of investigation and conduct of a proceeding in the amount of One Thousand Three Hundred Seventy-Nine Dollars and Sixty-Two Cents ($1,379.62).

All members participating in the hearing affirmed this Order.

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ORDERED AND AGREED TO, this the 13th day of July, 2023.

Ronnie Bagwell, President

Tony Waits, Vice-President

Jillian Foster, Secretary

Michael Gilbow

Ryan Harper

David Hudson

Craig Sartin

Came on July 13, 2023, the matter of Dees America Supply LLC, Medical Equipment Supplier Permit # 18355/11.1, herein also referred to as Respondent, pursuant to a "Notice of Hearing and Complaint" filed by the Mississippi Board of Pharmacy. Board member Ryan Harper served on the Investigative Review Committee and did not participate in this hearing. Board member Tony Waits was absent for the hearing.

BEFORE THE MISSISSIPPI BOARD OF PHARMACY

IN THE MATTER OF:

DEES AMERICA SUPPLY LLC
2203 HIGHWAY 39N #B
MERIDIAN, MS 39301

MEDICAL EQUIPMENT SUPPLIER PERMIT, NUMBER 18355/11.1

JURISDICTION

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of Dees America Supply LLC, Medical Equipment Supplier Permit # 18355/11.1, pursuant to Section 73-21-108, Mississippi Code of 1972, Annotated.

STATEMENT OF CHARGES

Dees America Supply LLC, Medical Equipment Supplier Permit # 18355/11.1, is alleged to have committed the following violations:

Count 1:
Violation of Mississippi Code Annotated Section 73-21-108(2)(a) which provides:

> No person, business or entity located in this state or outside this state that is subject to this section shall sell, rent or provide or offer to sell, rent or provide directly to patients in this state any home medical equipment, legend devices, and/or medical gas unless such person, business or entity first obtains a Medical Equipment Supplier Permit from the board.

Specifically, Dees America Supply LLC, Medical Equipment Supplier Permit # 18355/11.1, sold medical equipment to patients as early as January 11, 2022 but did not obtain a Medical Equipment Supplier Permit until May 6, 2022.

Count 2:
Violation of Mississippi Pharmacy Practice Regulations, Article XXXVIII, MEDICAL EQUIPMENT SUPPLIERS PERMIT, Paragraph (4) which provides:

> (4) Order required.
> Home medical equipment suppliers shall not provide any home medical equipment, legend device or medical gas to a patient without a valid order from an authorized licensed practitioner. All orders must be readily retrievable and must be produced on request by the Board or an agent of the Board. All home medical equipment, legend devices and medical gases require a new prescription order on a yearly basis.

Specifically, during an inspection of Dees America Supply LLC, Medical Equipment Supplier Permit # 18355/11.1, on April 28, 2023, acquisition records and disposition records, including orders, were not readily retrievable. Dees America Supply LLC, Medical Equipment Supplier Permit # 18355/11.1, was not able to supply the requested records until May 9, 2023.

Count 3:
Violation of Mississippi Pharmacy Practice Regulations, Article XXXVIII, MEDICAL EQUIPMENT SUPPLIERS PERMIT, Paragraph (7)(a), which provides:

(7) Additional Regulations for Other Medical Equipment
Persons that shall sell, rent and/or provide other medical equipment or legend devices, as defined in these regulations, shall also comply with the following:
(a) Provide proper training of personnel for the safe delivery and use of any medical equipment or legend device;
(b) Ensure that all manufacturer's recommended assembly and maintenance procedures are followed; and
(c) Meet the following safety inspection requirements:
(i) Demonstrate that each piece of medical equipment or legend device has been checked, is free of defect and operates within the manufacturer's specifications;
(ii) Refrain from modifying equipment to the extent that the modification might reasonably cause harm;
(iii) Maintain all electrical components so that they do not present fire or shock hazard; and
(iv) Ensure that all appropriate warning labels or labeling, including tags, are present on the equipment provided.

Specifically, an inspection of Dees America Supply LLC, Medical Equipment Supplier Permit # 18355/11.1, on April 28, 2023, revealed that there was no documentation of proper training of personnel.

Count 4:
Violation of Mississippi Pharmacy Practice Regulations, Article XXXVIII, MEDICAL EQUIPMENT SUPPLIERS PERMIT, Paragraph (7)(c)(i), which provides:

(7) Additional Regulations for Other Medical Equipment
Persons that shall sell, rent and/or provide other medical equipment or legend devices, as defined in these regulations, shall also comply with the following:
(a) Provide proper training of personnel for the safe delivery and use of any medical equipment or legend device;
(b) Ensure that all manufacturer's recommended assembly and maintenance procedures are followed; and
(c) Meet the following safety inspection requirements:
(i) Demonstrate that each piece of medical equipment or legend device has been checked, is free of defect and operates within the manufacturer's specifications;

(ii) Refrain from modifying equipment to the extent that the modification might reasonably cause harm;
(iii) Maintain all electrical components so that they do not present fire or shock hazard; and
(iv) Ensure that all appropriate warning labels or labeling, including tags, are present on the equipment provided.

Specifically, an inspection of Dees America Supply LLC, Medical Equipment Supplier Permit # 18355/11.1, on April 28, 2023, revealed that there was no safety inspection documents of the medical equipment that demonstrated that each piece of medical equipment or legend device had been checked, is free of defect and operates within the manufacturer's specifications.

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 statute.
(2) The Respondent has been afforded all due process required by law.
(3) The Respondent was issued a Medical Equipment Supplier Permit Number 18355/11.1, and as such was subject to jurisdiction of the Board pursuant to Section 73-21-108 (7)(b), Mississippi Code of 1972, Annotated.
(4) The Respondent committed the violations as charged under counts (1), (2) and (3). The Board makes no finding with respect to Count (4).

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 on file in the office of the Board.

- Pursuant to Section 73-21-108(7)(a), Mississippi Code of 1972, Annotated, Respondent, shall pay a total monetary penalty in the amount of Five Thousand Dollars ($5,000.00) for the violations of Counts 1, 2 and 3.
- Pursuant to Section 73-21-103(1)(d)(iii), Mississippi Code of 1972, Annotated, Respondent shall pay the cost of investigation and conduct of a proceeding in the amount of Two Hundred Seventy-Five Dollars and Thirty-Four Cents ($275.34).
- The total monetary penalty and cost of investigation in the amount of Five Thousand Two Hundred Seventy-Five Dollars and Thirty-Four Cents ($5,275.34) shall be paid by the Respondent within thirty (30) days of this Order.

All members participating in the hearing affirmed this Order.

REMAINDER OF PAGE LEFT BLANK INTENTIONALLY

ORDERED AND AGREED TO, this the 13th day of July, 2023.

Ronnie Bagwell, President

Tony Waits, Vice-President

Jillian Foster, Secretary

Michael Gilbow

Ryan Harper

David Hudson

Craig Sartin

Came on July 13, 2023, the matter of D&D Health Supply LLC, Medical Equipment Supplier Permit # 18361/11.1, herein also referred to as Respondent, pursuant to a "Notice of Hearing and Complaint" filed by the Mississippi Board of Pharmacy. Board member Ryan Harper served on the Investigative Review Committee and did not participate in this hearing. Board members Tony Waits and Jillian Foster were absent for the hearing.

BEFORE THE MISSISSIPPI BOARD OF PHARMACY

IN THE MATTER OF:

D&D HEALTH SUPPLY LLC
1702 HIGHWAY 39N STE 2
MERIDIAN, MS 39301

MEDICAL EQUIPMENT SUPPLIER PERMIT, NUMBER 18361/11.1

JURISDICTION

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of D&D Health Supply LLC, Medical Equipment Supplier Permit # 18361/11.1, pursuant to Section 73-21-108, Mississippi Code of 1972, Annotated.

STATEMENT OF CHARGES

D&D Health Supply LLC, Medical Equipment Supplier Permit # 18361/11.1, is alleged to have committed the following violations:

Count 1:
Violation of Mississippi Pharmacy Practice Regulations, Article XXXVIII, MEDICAL EQUIPMENT SUPPLIERS PERMIT, Paragraph (7)(a) which provides:

(7) Additional Regulations for Other Medical Equipment
Persons that shall sell, rent and/or provide other medical equipment or legend devices, as defined in these regulations, shall also comply with the following:
(a) Provide proper training of personnel for the safe delivery and use of any medical equipment or legend device;
(b) Ensure that all manufacturer's recommended assembly and maintenance procedures are followed; and
(c) Meet the following safety inspection requirements:
(i) Demonstrate that each piece of medical equipment or legend device has been checked, is free of defect and operates within the manufacturer's specifications;
(ii) Refrain from modifying equipment to the extent that the modification might reasonably cause harm;
(iii) Maintain all electrical components so that they do not present fire or shock hazard; and
(iv) Ensure that all appropriate warning labels or labeling, including tags, are present on the equipment provided.

Specifically, an inspection of D&D Health Supply LLC, Medical Equipment Supplier Permit # 18361/11.1, on May 1, 2023, revealed that personnel were not properly trained for the safe delivery and use of any medical equipment or legend device.

Count 2:
Violation of Mississippi Pharmacy Practice Regulations, Article XXXVIII, MEDICAL EQUIPMENT SUPPLIERS PERMIT, Paragraph (7)(c)(i), which provides:

(7) Additional Regulations for Other Medical Equipment
Persons that shall sell, rent and/or provide other medical equipment or legend devices, as defined in these regulations, shall also comply with the following:
(a) Provide proper training of personnel for the safe delivery and use of any medical equipment or legend device;
(b) Ensure that all manufacturer's recommended assembly and maintenance procedures are followed; and
(c) Meet the following safety inspection requirements:
(i) Demonstrate that each piece of medical equipment or legend device has been checked, is free of defect and operates within the manufacturer's specifications;
(ii) Refrain from modifying equipment to the extent that the modification might reasonably cause harm;
(iii) Maintain all electrical components so that they do not present fire or shock hazard; and
(iv) Ensure that all appropriate warning labels or labeling, including tags, are present on the equipment provided.

Specifically, an inspection of D&D Health Supply LLC, Medical Equipment Supplier Permit # 18361/11.1, on May 1, 2023, revealed that there were no safety inspection documents of the medical equipment that demonstrated that each piece of medical equipment or legend device had been checked, is free of defect and operates within the manufacturer's specifications.

Count 3:
Violation of Mississippi Board of Pharmacy Administrative Rules, Rule 2.1 V. which provides:

Jeopardizing, compromising, interfering or failing to cooperate with any lawful investigation conducted by the Board or any state or federal regulatory or law enforcement agency;

Specifically, Compliance Agent Brad Hammons set up an inspection for D&D Health Supply LLC, Medical Equipment Supplier Permit # 18361/11.1, for May 1, 2023 for 9:30 a.m. When Hammons arrived for the inspection, D&D Health Supply LLC, Medical Equipment Supplier Permit # 18361/11.1, was closed and no person was available for the inspection. Hammons called the contact number for D&D Health Supply LLC, Medical Equipment Supplier Permit # 18361/11.1, several times and left messages that someone needed to meet Agent Hammons for the inspection. Deandra Gibbs, person-in-charge of D&D Health Supply LLC, Medical Equipment Supplier Permit # 18361/11.1, did not show up until 2:40 p.m. and opened D&D Health Supply LLC, Medical Equipment Supplier Permit # 18361/11.1, at 2:55 p.m. for the inspection.

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 statute.

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

(3) The Respondent was issued a Medical Equipment Supplier Permit Number 18361/11.1, and as such was subject to jurisdiction of the Board pursuant to Section 73-21-108 (7)(b), Mississippi Code of 1972, Annotated.

(4) The Respondent committed the violations as charged under counts (1) and (3). The Board makes no finding with respect to Count (2).

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 on file in the office of the Board.

- Pursuant to Section 73-21-108(7)(a), Mississippi Code of 1972, Annotated, Respondent, shall pay a total monetary penalty in the amount of Five Thousand Dollars ($5,000.00) for the violations of Counts 1 and 3.
- Pursuant to Section 73-21-103(1)(d)(iii), Mississippi Code of 1972, Annotated, Respondent shall pay the cost of investigation and conduct of a proceeding in the amount of Two Hundred Seventy-Five Dollars and Thirty-Four Cents ($275.34).
- The total monetary penalty and cost of investigation in the amount of Five Thousand Two Hundred Seventy-Five Dollars and Thirty-Four Cents ($5,275.34) shall be paid by the Respondent within thirty (30) days of this Order. In addition, Permit # 18361/11.1 shall provide staff training records and the current contact information to the Board prior to applying for renewal of its medical equipment supplier permit.

All members participating in the hearing affirmed this Order.

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ORDERED AND AGREED TO, this the 13th day of July, 2023.

Ronnie Bagwell, President

Tony Waits, Vice-President

Jillian Foster, Secretary

Michael Gilbow

Ryan Harper

David Hudson

Craig Sartin

Came on July 13, 2023, the matter of A&J Medical Supply, Medical Equipment Supplier Permit # 18360/11.1, herein also referred to as Respondent, pursuant to a "Notice of Hearing and Complaint" filed by the Mississippi Board of Pharmacy. Board member Ryan Harper served on the Investigative Review Committee and did not participate in this hearing. Board members Tony Waits and Jillian Foster were absent for the hearing.

BEFORE THE MISSISSIPPI BOARD OF PHARMACY

IN THE MATTER OF:

A&J MEDICAL SUPPLY
271 VETERANS STREET
DEKALB, MS 39328

MEDICAL EQUIPMENT SUPPLIER PERMIT, NUMBER 18360/11.1

JURISDICTION

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of A&J Medical Supply, Medical Equipment Supplier Permit # 18360/11.1, pursuant to Section 73-21-108, Mississippi Code of 1972, Annotated.

STATEMENT OF CHARGES

A&J Medical Supply, Medical Equipment Supplier Permit # 18360/11.1, is alleged to have committed the following violations:

Count 1:
Violation of Mississippi Pharmacy Practice Regulations, Article XXXVIII, MEDICAL EQUIPMENT SUPPLIERS PERMIT, Paragraph (4) which provides:

> (4) Order required.
> Home medical equipment suppliers shall not provide any home medical equipment, legend device or medical gas to a patient without a valid order from an authorized licensed practitioner. All orders must be readily retrievable and must be produced on request by the Board or an agent of the Board. All home medical equipment, legend devices and medical gases require a new prescription order on a yearly basis.

Specifically, during an inspection of A&J Medical Supply, Medical Equipment Supplier Permit # 18360/11.1, on April 25, 2023, acquisition records and disposition records, including orders, were not readily retrievable. A&J Medical Supply, Medical Equipment Supplier Permit # 18360/11.1, was not able to supply the requested records until May 5, 2023.

Count 2:
Violation of Mississippi Pharmacy Practice Regulations, Article XXXVIII, MEDICAL EQUIPMENT SUPPLIERS PERMIT, Paragraph (7)(c)(i), which provides:

> (7) Additional Regulations for Other Medical Equipment

Persons that shall sell, rent and/or provide other medical equipment or legend devices, as defined in these regulations, shall also comply with the following:

(a) Provide proper training of personnel for the safe delivery and use of any medical equipment or legend device;

(b) Ensure that all manufacturer's recommended assembly and maintenance procedures are followed; and

(c) Meet the following safety inspection requirements:

(i) Demonstrate that each piece of medical equipment or legend device has been checked, is free of defect and operates within the manufacturer's specifications;

(ii) Refrain from modifying equipment to the extent that the modification might reasonably cause harm;

(iii) Maintain all electrical components so that they do not present fire or shock hazard; and

(iv) Ensure that all appropriate warning labels or labeling, including tags, are present on the equipment provided.

Specifically, an inspection of A&J Medical Supply, Medical Equipment Supplier Permit # 18360/11.1, on April 25, 2023, revealed that there were no safety inspection documents of the medical equipment that demonstrated that each piece of medical equipment or legend device had been checked, is free of defect and operates within the manufacturer's specifications.

Count 3:

Violation of Mississippi Pharmacy Practice Regulations, Article XXXVIII, MEDICAL EQUIPMENT SUPPLIERS PERMIT, Paragraph (7)(c)(iv) which provides:

(7) Additional Regulations for Other Medical Equipment

Persons that shall sell, rent and/or provide other medical equipment or legend devices, as defined in these regulations, shall also comply with the following:

(a) Provide proper training of personnel for the safe delivery and use of any medical equipment or legend device;

(b) Ensure that all manufacturer's recommended assembly and maintenance procedures are followed; and

(c) Meet the following safety inspection requirements:

(i) Demonstrate that each piece of medical equipment or legend device has been checked, is free of defect and operates within the manufacturer's specifications;

(ii) Refrain from modifying equipment to the extent that the modification might reasonably cause harm;

(iii) Maintain all electrical components so that they do not present fire or shock hazard; and

(iv) Ensure that all appropriate warning labels or labeling, including tags, are present on the equipment provided.

Specifically, an inspection of A&J Medical Supply, Medical Equipment Supplier Permit # 18360/11.1, on April 25, 2023, revealed that there were no safety inspection documents of the

medical equipment to ensure that all appropriate warning labels or labeling, including tags, were present on the equipment provided to patients.

Count 4:
Violation of Mississippi Board of Pharmacy Administrative Rules, Rule 2.1 V. which provides:

> Jeopardizing, compromising, interfering or failing to cooperate with any lawful investigation conducted by the Board or any state or federal regulatory or law enforcement agency;

Specifically, Compliance Agent Brad Hammons requested acquisition and disposition records for A&J Medical Supply, Medical Equipment Supplier Permit # 18360/11.1, for all business done in 2022 and 2023. A&J Medical Supply, Medical Equipment Supplier Permit # 18360/11.1, failed to provide all records requested.

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 statute.
(2) The Respondent has been afforded all due process required by law.
(3) The Respondent was issued a Medical Equipment Supplier Permit Number 18360/11.1, and as such was subject to jurisdiction of the Board pursuant to Section 73-21-108 (7)(b), Mississippi Code of 1972, Annotated.
(4) The Respondent committed the violations as charged under Counts (1) and (4). The Board makes no finding with respect to Counts (2) and (3).

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 on file in the office of the Board.

- Pursuant to Section 73-21-108(7)(a), Mississippi Code of 1972, Annotated, Respondent, shall pay a total monetary penalty in the amount of Two Thousand Five Hundred Dollars ($2,500.00) for the violations of Counts 1 and 4.
- Pursuant to Section 73-21-103(1)(d)(iii), Mississippi Code of 1972, Annotated, Respondent shall pay the cost of investigation and conduct of a proceeding in the amount of Two Hundred Fifty-Three Dollars and Seventy-Six Cents ($253.76).
- The total monetary penalty and cost of investigation in the amount of Two Thousand Seven Hundred Fifty-Three Dollars and Seventy-Six Cents ($2,753.76) shall be paid by the Respondent within thirty (30) days of this Order.

All members participating in the hearing affirmed this Order.

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ORDERED AND AGREED TO, this the 13th day of July, 2023.

Ronnie Bagwell, President

Tony Waits, Vice-President

Jillian Foster, Secretary

Michael Gilbow

Ryan Harper

David Hudson

Craig Sartin

On July 13, 2023, came the matter of Total Returns, Drug Facility Permit Number 17115/16.7a, 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.

BEFORE THE MISSISSIPPI BOARD OF PHARMACY

IN THE MATTER OF:

TOTAL RETURNS
100 SOUTH 3RD AVENUE
MARIETTA, OK 73448

PHARMACEUTICAL DRUG FACILITY
PERMIT TO OPERATE AS A REVERSE DISTRIBUTOR

JURISDICTION

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and person, Total Returns, Drug Facility Permit Number 17115/16.7a, pursuant to Section 73-21-97 (l)(n), Mississippi Code of 1972, Annotated.

STATEMENT OF CHARGES

Total Returns, Drug Facility Permit Number 17115/16.7a is alleged to have committed a violation of:

Count 1:
Mississippi Board of Pharmacy Administrative Rules, Rule 2.1R:
Failure to obtain the license, registration or permit required by the Mississippi Pharmacy Practice Act:

Mississippi Pharmacy Practice Act, Mississippi Code Annotated, Section 73-21-105:
(1) 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 March 28, 2023, during an inspection it was noted that Family Drug Mart of Poplarville, MS, utilizes Total Returns, Drug Facility Permit Number 17115/16.7a, as its reverse distributor. Total Returns permit expired December 31, 2022. Records show transactions between Family Drug Mart and Total Return as recent as January 17, 2023. As of May 17, 2023, Total Returns permit has not been renewed.

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 and has operated in the State of Mississippi without a pharmaceutical drug facility permit at least from January 1, 2023 to January 17, 2023.

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 to do business as a reverse distributor in the State of Mississippi until it has secured a pharmaceutical drug facility permit from the Board.
- Pursuant to Section 73-21-103 (1)(d)(vii), Respondent shall pay a monetary fee in the amount of Seventeen Thousand Dollars ($17,000.00). This represents a monetary penalty of One Thousand Dollars ($1,000.00) for each day it did business in the State without the required permit.
- 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 Seventeen Thousand Two Hundred Fifty Dollars ($17,250.00).
- 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 13th day of July, 2023.

Ronnie Bagwell, President

Tony Waits, Vice-President

Jillian Foster, Secretary

Michael Gilbow

Ryan Harper

David Hudson

Craig Sartin