

MISSISSIPPI BOARD OF PHARMACY

MINUTES

MAY 28, 2026

The Mississippi Board of Pharmacy (Board) met at 9:00 a.m. on Thursday, May 28, 2026, at the Board offices, 6311 Ridgewood Road, Suite E 401, Jackson, MS 39211. The following members were present: Jillian Foster - President, Craig Sartin – Vice-President, Mike Gilbow - Secretary, Ryan Harper, Tony Waits, David Hudson and Patti Hawkins.

CONSENT AGENDA

Motion by Board Member Ryan Harper, 2nd by David Hudson, to approve the Consent Agenda for this meeting and for the Consent Agenda and the Website Declaration of this meeting to be placed in the minutes. The following items were reviewed by Board members and approved. All in favor. See attached.

- ❖ APPROVE AND SIGN MINUTES for the March 5, 2026, and April 8, 2026 meetings.
- REQUESTS FOR APPROVAL OF THE FOLLOWING PHARMACY CONTINUING EDUCATION PROGRAMS:
- PROGRAM NUMBER L 003-006-026-001, **“Stress Ulcer Prophylaxis: Current Guideline Updates and Clinical Application”**, as requested by Logan Turner for 1 clock hour of Live pharmacist continuing education credit.
- PROGRAM NUMBER L 003-010-026-001, **“A Head Start Against Inflammation Dexamethasone in Pediatric Meningitis”**, as requested by Emily Nichols for 0.5 clock hours of Live pharmacist continuing education credit.
- PROGRAM NUMBER L 003-018-026-001, **“Too Much of a Good Thing? Cefepime Neurotoxicity”**, as requested by Jacob Shaver for 0.5 clock hours of Live pharmacist continuing education credit.
- PROGRAM NUMBER L 003-018-026-002, **“Tiny Patients, Big Decisions, Optimizing Antibiotic Use in the NICU”**, as requested by Connor Kendrick for 0.5 clock hours of Live pharmacist continuing education credit.
- PROGRAM NUMBER L 003-019-026-001, **“Impellas/Ballon Pumps”**, as requested by Landon Bynum for 0.5 clock hours of Live pharmacist continuing education credit.
- PROGRAM NUMBER L 003-019-026-002, **“Status Epilepticus”**, as requested by Landon Bynum for 0.5 clock hours of Live pharmacist continuing education credit.
- PROGRAM NUMBER L/O 003-019-026-003, **“Acute Pain Management”**, as requested by Daniel Horton for 1 clock hour of Live and Opioid/Addiction pharmacist continuing education credit.
- PROGRAM NUMBER L 003-019-026-004, **“Wait, Weight, What’s the Dose? Antimicrobial Dosing in Obesity”**, as requested by Kaci White for 0.5 clock hours of Live pharmacist continuing education credit.

- PROGRAM NUMBER L 003-031-026-001, **“Update of Community Acquired Pneumonia Treatment Guidelines”**, as requested by Troy Smith for 1 clock hour of Live pharmacist continuing education credit.
- PROGRAM NUMBER O 003-031-026-002, **“Prevention and Management of Opioid Use Disorder-MPHA Summer Journal”**, as requested by MPHA for 2 clock hours of Opioid/Addiction pharmacist continuing education credit.
- PROGRAM NUMBER 004-003-026-001, **“Evaluating Management Decisions Impacting Calf Health and Sales Price”**, as requested by Karri Smith and Jessica Boutwell for 1 clock hour of Virtual pharmacist continuing education credit.
- PROGRAM NUMBER 004-003-026-002, **“How New Technology can Benefit Cattle Operations”**, as requested by Karri Smith and Jessica Boutwell for 1 clock hour of Virtual pharmacist continuing education credit.
- PROGRAM NUMBER 004-003-026-003, **“Treating BRD in High-Risk Calves After Tulathromycin at Arrival”**, as requested by Karri Smith and Jessica Boutwell for 1 clock hour of Virtual pharmacist continuing education credit.
- PROGRAM NUMBER 004-003-026-004, **“Practical Applications of Dairy Technology in Heard Health”**, as requested by Karri Smith and Jessica Boutwell for 1 clock hour of Virtual pharmacist continuing education credit.
- PROGRAM NUMBER L 004-009-026-001, **“Legislative Updates”**, as requested by Amy Wilson MIPA for 1 clock hour of Live pharmacist continuing education credit.
- PROGRAM NUMBER L 004-009-026-002, **“PBM Regulatory Efforts”**, as requested by Amy Wilson MIPA for 1 clock hour of Live pharmacist continuing education credit.
- PROGRAM NUMBER L 004-009-026-003, **“Rural Health Pharmacy Initiative”**, as requested by Amy Wilson MIPA for 1 clock hour of Live pharmacist continuing education credit.
- PROGRAM NUMBER L 004-009-026-004, **“Sports Pharmacy: A Primer”**, as requested by Amy Wilson MIPA for 1.5 clock hours of Live pharmacist continuing education credit.
- PROGRAM NUMBER L 004-009-026-005, **“Untapped Revenue Streams for Pharmacies: Part One Prescription Data Points & Part Two OTC Card Networks”**, as requested by Amy Wilson MIPA for 1.5 clock hours of Live pharmacist continuing education credit.
- PROGRAM NUMBER L 004-009-026-006, **“MS Bureau of Narcotics Report, One DEA Audit”**, as requested by Amy Wilson MIPA for 1.5 clock hours of Live pharmacist continuing education credit.
- PROGRAM NUMBER L 004-009-026-007, **“Recent and Upcoming Changes to Medicare Part D”**, as requested by Amy Wilson MIPA for 1 clock hour of Live pharmacist continuing education credit.
- PROGRAM NUMBER L 004-009-026-008, **“Alpha-gal Syndrome: Recognizing and Managing a Unique Food Allergy in Clinical Practice”**, as requested by Nathen Baggett for 0.5 clock hours of Live pharmacist continuing education credit.
- PROGRAM NUMBER 004-028-026-001, **“From Fang to Formulary: An Updated Review of Venomous Snakes and Evidence-Based Treatment Strategies”**, as requested by MPHA for 2 clock hours of pharmacist continuing education credit.

- PROGRAM NUMBER C/L 004-028-026-002, “**MPHA Consultant Training Seminar 2026(September 24, 2026 Program)**”, as requested by MPHA for 8 clock hours of **Consultant and Live pharmacist continuing education credit**.
- PROGRAM NUMBER MBP-WP-XEY2-OP-L, “**NADDI MS Conference 2026**”, as requested by Catina White for 6 clock hours of Live and Opioid/Addiction pharmacist continuing education credit.
- PROGRAM NUMBER L 005-006-026-001, “**Sweet Survival: High Dose Insulin in Calcium Channel Blocker Overdose**”, as requested by McKenzie Sims for 0.5 clock hours of **Live pharmacist continuing education credit**.

❖ APPROVE ISSUANCE OF PHARMACIST LICENSES

❖ APPROVE VENDOR EXPENDITURES FOR FEBRUARY, MARCH, AND APRIL 2026

❖ TRAVEL REQUESTS

- MS Academy of Family Physicians, July 18-32, 2026 San Destin, FL PMP

❖ SURRENDERS

- Dorothy D. Ivey

❖ DENIAL OF APPLICATION

- Alexis Harry
- Laquetta Watkins

Board President Jillian Foster moved to close the meeting to determine if the Board should declare an executive session. All Board Members voted in favor of the motion. Upon a motion by Board Member Michael Gilbow, 2nd by Board Member David Hudson, the Board voted unanimously to go into executive session in accordance with Mississippi Code Section 25-41-7(4)(b) for the purposes of discussing prospective litigation. On a motion by Board Member Michael Gilbow, 2nd by Board Member Craig Sartin, 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.

REGULATION WORKING GROUP

Todd Dear, Associate Director, presented the following proposed rules to be initially adopted for submission through the Administrative Procedures Act process and then submitted as final if no public comments are submitted or changes recommended:

- Article VI Practice of Pharmacy Permits
- Repeal of Pharmacy Closure requirement in the introduction of Pharmacy Practice Regulations

- Article XLVI Charity Pharmacy Permits
- Article XLIII Prescription Monitoring Program
- Part 3002, Chapter 9- Addition of a waiver and pilot process

On a motion by Board Member Ryan Harper, 2nd by Board Member Mike Gilbow, the Board voted unanimously to adopt the proposed rules submission through the Administrative Procedures Act process and then submitted as final if no public comments are submitted or changes recommended.

Todd Dear, Associate Director, presented the following proposed rules to be adopted for final submission through the Administrative Procedures Act process:

- Title 30, Part 3002, Rule 5.1(h), Rule 6.5

On a motion by Board Member David Hudson, 2nd by Board Member Ryan Harper, the Board voted unanimously to adopt the proposed rules submission through the Administrative Procedures Act process and then submitted as final if no public comments are submitted or changes recommended.

GENERAL BUSINESS

Executive Director Susan McCoy recognized Board President Jillian Foster's and Board Member Ryan Harper's years of dedication to the practice of pharmacy and the Board of Pharmacy with a presentation of certificates from the Governor's office.

Rob Gettus, Executive Director for CVS Health, and McKenzie Dearborn, Lead Director for Pharmacy Services at CVS Health, appeared before the Board to provide a presentation on CVS Health's visual verification process for use in CVS Health pharmacies. Based on the presentation provided and assertions that the process was only utilized by pharmacists located in the pharmacy, the Board noted the use of this process was in compliance with existing rules & regulations.

Board President Jillian Foster called for nominations for board officers for the July 1, 2026 to June 30, 2027 term. Mike Gilbow nominated Craig Sartin for Board President. Board Member Craig Sartin nominated Board Member Mike Gilbow for Board Vice-President. Board Member Tony Waits nominated Board Member David Hudson for Board Secretary. Upon a motion by Board Member Patti Hawkins, 2nd by Board Member Toni Waits, the Board voted unanimously for each nominee.

RESPONDENTS

In Re AffirmedRx, PBC, an Unpermitted Pharmacy Benefit Manager

The Respondent was represented by LaShon Kell, Esq., General Counsel and Chief Compliance Officer for AffirmedRx, PBC. The Board was presented with evidence and a proposed settlement

order. Upon a motion by Board Member Tony Waits, 2nd by Board Member David Hudson, the Board voted unanimously to approve the attached Settlement Order

In Re Abarca Health FL LLC, an Unpermitted Pharmacy Benefit Manager

The Respondent did not appear and an administrative hearing was held in absentia. After an administrative hearing on this matter, upon a motion by Board Member Tony Waits, 2nd by Board Member Craig Sartin, the Board approved the attached Order. Board members Jillian Foster and Patti Hawkins served on the Investigations Review Committee and did not participate in the hearing or deliberations.

In Re Lesley Lyman, Pharmacy Technician Registration Number PT-230151

The Respondent did not appear and an administrative hearing was held in absentia. After an administrative hearing on this matter, upon a motion by Board Member Mike Gilbow, 2nd by Board Member Tony Waits, the Board approved the attached Order. Board members Jillian Foster and Patti Hawkins served on the Investigations Review Committee and did not participate in the hearing or deliberations.

In Re Kendall Jordan, Pharmacy Technician Registration Number PT-230336

The Respondent contested the charges and an administrative hearing was held. Member Jillian Foster moved to close the meeting to determine if the Board should declare an executive session. All Board Members voted in favor of the motion. Upon a motion by Board Member Craig Sartin, 2nd by Board Member Tony Waits, the Board voted unanimously to go into executive session in accordance with Section 25-41-7 (4) (b) for the purposes of discussing the issuance of an appealable order of the Board. On a motion by Board Member Tony Waits, 2nd by Board Member Craig Sartin, 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. Upon a motion by Board Member Craig Sartin, 2nd by Board Member Ryan Harper, the Board approved the attached Order. Board members Jillian Foster and Patti Hawkins served on the Investigations Review Committee and did not participate in the hearing or deliberations.

In Re Marjorie Britt, Pharmacist License, Certificate of Registration Number E-010077

Steven Kilgore, Esq. appeared on behalf of the Respondent and contested the charges. An administrative hearing was held. Board Member Jillian Foster moved to close the meeting to determine if the Board should declare an executive session. All Board Members voted in favor of the motion. Upon a motion by Board Member Jillian Foster, 2nd by Board Member Tony Waits, the Board voted unanimously to go into executive session in accordance with Section 25-41-7 (4) (b) for the purposes of discussing the issuance of an appealable order of the Board. On a motion by Board Member Ryan Harper, 2nd by Board Member Patti Hawkins, 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. Upon a motion by Board Member Tony Waits, 2nd by Board Member Ryan Harper, the Board approved the attached Order. Board Members Mike Gilbow and Craig Sartin served on the Investigations Review Committee and did not participate in the hearing or deliberations.

In Re Anna Claire Roberts, Pharmacist License, Certificate of Registration Number E-010757

The Respondent did not appear and an administrative hearing was held in absentia. Board Member Jillian Foster moved to close the meeting to determine if the Board should declare an executive session. All Board Members voted in favor of the motion. Upon a motion by Board Member Tony Waits, 2nd by Mike Gilbow, the Board voted unanimously to go into executive session in accordance with Section 25-41-7 (4) (b) for the purposes of discussing the issuance of an appealable order of the Board. On a motion by Board Member Mike Gilbow, 2nd by Board Member Tony Waits, 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. Upon a motion by Board Member Tony Waits, 2nd by Board Member Mike Gilbow, the Board approved the attached Order with Ryan Harper voting no. Board Members Jillian Foster and Craig Sartin served on the Investigations Review Committee and did not participate in the hearing or deliberations.

PETITIONERS

Destin Healthcare Inc, Medical Equipment Supplier Permit Number 18391/11.1

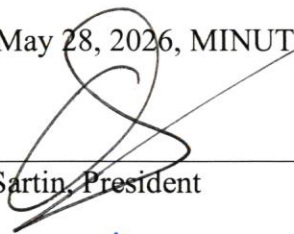
After an administrative hearing on this matter, the Board approved the attached Order granting the petition.

Cardarius Lloyd, Pharmacy Technician Registration Number PT-225519

An administrative hearing was conducted in which the Board recognized that the Petitioner came before the Board, accepted responsibility for his actions, and was remorseful. The Board approved the attached Order denying the petition.

The Board adjourned at 6:30 pm

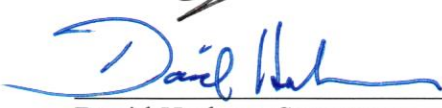
These May 28, 2026, MINUTES of the Board are hereby approved this the 9th day of July, 2026.



Craig Sartin, President



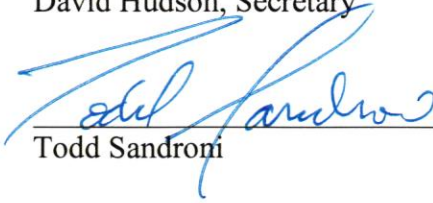
Michael Gilbow, Vice-President



David Hudson, Secretary



Patti Hawkins



Todd Sandrom



Michael Todaro

Tony Waits

Came on May 28, 2026, the matter of Dorothy D. Ivey, Pharmacy Technician Registration Number PT-03562, 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 Patti Hawkins served on the Investigative Review Committee and did not participate in this hearing or deliberations.

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

IN THE MATTER OF:

DOROTHY D. IVEY
2219 RIVER ROAD
LUCEDALE, MS 39452

PHARMACY TECHNICIAN REGISTRATION NUMBER PT-03562

JURISDICTION

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of Dorothy D. Ivey, Pharmacy Technician Registration Number PT-03562, pursuant to Section 73-21-83, Mississippi Code of 1972, Annotated.

STATEMENT OF CHARGES

Dorothy D. Ivey, Pharmacy Technician Registration Number PT-03562, is alleged to have committed the following violations:

Count 1:

Violation of Mississippi Code Annotated Section 73-21-97(1)(f):

(f) Violation of any of the provisions of this chapter or rules or regulations adopted pursuant to this chapter;

Violation of Mississippi Board of Pharmacy Administrative Rules, Title 30, Part 3002, Chapter 5: Disciplinary Actions, Rule 5.1 *Grounds for Disciplinary Actions*, Rule 5.1 I:

Theft or embezzlement of prescription drugs, controlled substances, medical devices, funds or anything of value;

Specifically, on January 20, 2026, the Board received information that pharmacy technician Dorothy D. Ivey, PT-03562, was suspected of diversion of controlled substances from her employer, Burnham-McKinney Pharmacy #6, Pharmacy Permit Number 12179/1.1. An agent of the Board instructed the pharmacist-in-charge, Melvin Fiveash, to begin daily counts of all hydrocodone products and obtained information and video footage from the pharmacy which was evaluated by Board Staff. On January 27, 2026, Ivey was interviewed by an agent of the Board and by Captain Will Peterson of the Mississippi Bureau of Narcotics, who advised Ivey of her Miranda rights. Ivey admitted to taking approximately twenty (20) Hydrocodone/APAP 10/325 mg tablets on three (3) to four (4) occasions and giving them to her husband while Ivey was working as a pharmacy technician at Burnham-McKinney Pharmacy #6. Ivey completed a written statement and was arrested by Captain Peterson.

Following the interview, the Board's agent obtained a DEA 106 Report by the pharmacy showing a shortage of 960 Hydrocodone/APAP 10/325 mg tablets. The Board's agent also obtained Ivey's written statement to MBN and written statements of pharmacy staff and the pharmacist-in-charge describing suspicious behavior by Ivey. Ivey was terminated from her employment with Burnham-McKinney Pharmacy #6.

Dorothy D. Ivey, Pharmacy Technician Registration Number PT-03562, surrendered her pharmacy technician registration to an agent of the Board on January 27, 2026, prior to her arrest.

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-03562, and as such was subject to jurisdiction of the Board pursuant to Section 73-21-83, 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 license to practice pharmacy.

FINAL ORDER OF THE BOARD

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

- The Board officially accepts the voluntary surrender of Pharmacy Technician Registration Number PT-03562.
- Pursuant to Section 73-21-103 (1)(b), Mississippi Code of 1972, Annotated, Pharmacy Technician Registration Number PT-03562 is revoked.
- Pursuant to Section 73-21-103 (2), Mississippi Code of 1972, Annotated, Respondent shall have the right to petition the Board for reinstatement of her registration. The Board will not consider a petition for reinstatement of this registration until at least one (1) year from the date of this Order.
- Pursuant to Section 73-21-103(1)(d)(iii), Mississippi Code of 1972, Annotated, Respondent shall pay the cost of investigation and conduct of a proceeding in the amount of Four Hundred Ninety-Six Dollars and Thirty-Six Cents (\$496.36).
- The total cost of investigation shall be paid by the Respondent prior to petitioning for the reinstatement of her registration.
- The cost of investigation shall be paid electronically through the Board of Pharmacy licensing system or by certified check, attorney's check or money order issued by a usual, customary, and reputable issuer (U.S. Postal Money Order, Western Union Money Order, etc.).

All members participating in the hearing affirmed this Order.

ORDERED AND AGREED TO, this the 28th day of May 2026.


Jillian foster (Jun 24, 2026 09:34:43 CDT)

Jillian Foster, President


Alvin Craig sartin (Jun 18, 2026 10:21:09 CDT)

Craig Sartin, Vice-President


Michael Gilbow (Jun 22, 2026 12:47:46 CDT)

Michael Gilbow, Secretary


Ryan Harper (Jun 19, 2026 14:54:47 CDT)

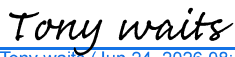
Ryan Harper


Patti Hawkins (Jun 19, 2026 13:32:55 CDT)

Patti Hawkins


David Hudson (Jun 22, 2026 12:18:05 CDT)

David Hudson


Tony waits (Jun 24, 2026 08:52:40 CDT)

Tony Waits

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

ARTICLE VI PRACTICE OF PHARMACY PERMITS

1. Every business or location in this state where prescription drugs are maintained and/or pharmacy services are provided for Mississippi residents shall obtain a permit from the Mississippi Board of Pharmacy. ~~Effective January 1, 2016, every~~ Every location issued a permit by the Board shall renew this permit biennially. The Board shall identify written criteria and issue permits accordingly in one of the following general classifications:
 - A. Community Pharmacy; or
 - B. Institutional Pharmacy; or
 - C. Limited Closed Door Pharmacy; or
 - D. Nonresident Pharmacy; or
 - E. Pharmacy Advisory Services.
 - F. Sterile Product Outsourcing
2. For purposes of this ARTICLE, definitions are as follows:
 - A. A Community Pharmacy shall mean any place, other than an Institutional Pharmacy or a Limited Closed Door Pharmacy, which is accessible to the general public and where pharmacy services are offered. These pharmacies may include but are not limited to independent retail or chain retail pharmacies.
 - B. A Specialty Community Pharmacy shall mean any place other than an Institutional Pharmacy, Limited Closed Door Pharmacy or a Community Pharmacy where ~~the practice of pharmacy occurs and~~ pharmacy services are provided to patients. These services may include, but are not limited to the following: dispensing sterile pharmaceuticals for home infusion, nuclear pharmacy services, compounding, consulting pharmacist services, disease state management, respiratory services and dispensing of nursing home drugs. These pharmacies may be open on a full or part time basis.
 - C. ~~B.~~ An Institutional Pharmacy shall mean that portion of an institutional facility where the practice of pharmacy occurs and where drugs, devices and other materials are dispensed to their patients.
 - (1) Institutional Pharmacy
 - (a) An Institutional I Pharmacy shall mean that portion of an institutional facility where the practice of pharmacy occurs and which is engaged in the compounding, production, and dispensing of drugs, devices and other materials which are used in the diagnosis and treatment of injury, illness and disease. For purposes of these regulations a hospital shall mean any institution for the care and treatment of the sick and injured which is licensed and approved by the Mississippi State Department of Health, Health Facilities, Licensure and Certification.
 - (b) An Institutional I Pharmacy shall also include Out-Patient surgery facilities which maintain, ~~dispense~~ and administer drugs, devices and other materials in treatment and diagnosis of injury, illness and disease.

- (2) An Institutional II Pharmacy shall mean that portion of an institution, other than a hospital, where the practice of pharmacy occurs and which is engaged in the compounding, production and dispensing of drugs, devices and other materials used in the diagnosis and treatment of injury, illness and disease.
 - (3) Various categories of Institutional Pharmacies are recognized as follows: "Institutional Facility" or "Organized Health Care Setting" is a:
 - (a) ~~(1)~~ Hospital;
 - (b) ~~(2)~~ Convalescent Home;
 - (c) ~~(3)~~ Nursing Home;
 - (d) ~~(4)~~ Extended Care Facility;
 - (e) ~~(5)~~ Mental Institution;
 - (f) ~~(6)~~ Rehabilitation Center;
 - (g) ~~(7)~~ Retardation Center for People with Intellectual and Developmental Disabilities;
 - (h) ~~(8)~~ Correctional Facility;
 - (i) ~~(9)~~ Hospice;
 - (j) ~~(10)~~ Out-patient surgery facilities;
 - (k) ~~(11)~~ Any other such organization whose primary purpose is to provide a residential environment for patients to obtain health care services, and shall not include those places where physicians, dentists, veterinarians or other practitioners of the healing arts, who are duly licensed, engage in private practice.
- D. Limited Closed Door Pharmacy shall mean any place where pharmacy services are provided and where preferentially priced prescription drugs are purchased for the pharmacy's own use to dispense only to their own patients. These pharmacies are not accessible to the general public and may or may not provide full time pharmacy services. A Limited Closed Door Pharmacy may include, but is not limited to, pharmacies owned by any city, county or state government and federally, state or privately funded non-profit community health clinics.
- E. A Nonresident Pharmacy shall mean any pharmacy that is located outside the State of Mississippi which ~~ships, mails or delivers prescription or legend drugs or devices~~ provides pharmacy services to patients residing in this state.
- F. Pharmacy Advisory Services shall include locations where a pharmacist engages in certain professional advisory services as authorized under the definition of the Practice of Pharmacy. Various types of Advisory Services Permits may be recognized as follows:
- (1) Professional Services 1
 - (a) Pharmacists advise and provide pharmacotherapeutic consultations concerning therapeutic values, content, hazards and uses of drugs and devices.
 - (b) Initiate or modify drug therapy in accordance with written guidelines or protocols previously established and approved by the Board.
 - (c) Order lab work in accordance with written guidelines or protocols as defined by Mississippi Code Annotated, Section 73-21-73, ~~paragraph (jj), Mississippi Code of 1972.~~
 - (d) Such services do not apply to Medication Therapy Management (MTM) conducted under a ~~P~~pharmacy ~~P~~permit at the permitted location.

- (e) The permit must be obtained for the location in compliance with zoning requirements of the city or municipality and may not be located in a residence.
- (f) A stock of drugs or devices may not be maintained or distributed from this location.

(2) Professional Services 2

- (a) Pharmacists advise and provide pharmacotherapeutic consultations concerning therapeutic values, content, hazards and uses of drugs and devices.
- (b) Initiate or modify drug therapy in accordance with written guidelines or protocols previously established and approved by the Board.
- (c) Order lab work in accordance with written guidelines or protocols as defined by Mississippi Code Annotated, Section 73-21-73, ~~paragraph (jj), Mississippi Code of 1972.~~
- (d) Such services do not apply to medication therapy management conducted under a Ppharmacy Ppermit at the permitted location.
- (e) The permit must be obtained for the location in compliance with zoning requirements of the city or municipality and may not be located in a residence.
- (f) A pharmacist may assist in maintaining and distribution of drugs provided to the patients from a manufacturer patient assistance program that assists medically indigent persons to obtain their prescription drugs only.

(3) ~~Professional Services Outpatient Surgery Center Ambulatory Surgery Centers and Multi-Provider Clinics. An advisory pharmacist shall comply with Article LI. supervises appropriate documentation of administration, wastage and disposal of drugs in accordance with documented policies and procedures of the facility.~~

~~The Medical Director of the facility is responsible for obtaining the Drug Enforcement Administration (DEA) registration number for the facility and compliance with applicable DEA regulations.~~

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

3. To obtain or renew a pharmacy permit or sterile product outsourcing permit or renew a permit, the applicant shall have:
 - A. Submitted a written application on a form(s) prescribed by the Board; B. Submitted the required fees as follows:
Three hundred dollars (\$300.00) for the initial registration ~~period January 1, 2011 through December 31, 2012, and~~ each biennial registration period thereafter.
 - C. Any permit renewal application postmarked after December 31 of the renewal period shall be returned and a fifty (\$50.00) late renewal fee shall be assessed prior to renewal.
4. To obtain a Pharmacy Advisory Services permit or renew a permit, the applicant shall

have:

- A. Submitted a written application on a form(s) prescribed by the Board;
 - B. Submitted the required fees as follows:
One hundred dollars (\$100.00) for the initial registration period ~~January 1, 2014 through December 31, 2015~~, and each biennial registration period thereafter.
 - C. Any permit renewal application postmarked after December 31 of the renewal period shall be returned and a fifty (\$50.00) late renewal fee shall be assessed prior to renewal.
5. Newly issued permits ~~which~~ that do not coincide with the registration period shall be valid for the following periods of time: If the permit is issued in the first half of the registration period, it must be renewed at the end of the registration period. If the permit is issued in the second half of the registration period, it must be renewed at the end of the next registration period.
6. Permits issued ~~to any type of facility~~ become null and void sixty (60) days from the date of issuance if inspection reveals a lack of legitimate business activity.
7. A permit ~~for a location~~ shall not be issued or renewed on the application of any person unless such person be a pharmacist licensed in this state.
8. Original permits, once issued for a new facility, may be returned to the Board and a new permit issued without being assessed an additional permit fee provided:
- A. The change is on a one-time basis and is within sixty (60) days of original issuance; and
 - B. Controlled substance inventory requirements are met; and
 - C. A twenty-five dollar (\$25.00) processing fee is paid to the Board.
9. A pharmacy permit shall not be required for the sale or delivery of dialysate solutions or devices necessary to perform home peritoneal renal dialysis to patients with end stage renal disease, provided the following criteria are met:
- A. The dialysate solutions or devices are approved or cleared by the Food and Drug Administration (FDA), as required by federal law;
 - B. The dialysate solutions or devices are lawfully held by a manufacturer or a manufacturer's agent that is properly registered with the Mississippi Board of Pharmacy as a manufacturer, wholesale drug distributor (WDD) or third-party logistics provider (3PL) under Mississippi Code Annotated Section 73-21-105;
 - C. The dialysate solutions or devices are held and delivered in their original, sealed packaging from the manufacturing facility;
 - D. The dialysate solutions or devices are delivered only upon a receipt of a valid prescription by a pharmacy permitted by the Mississippi Board of Pharmacy and the transmittal of an order from the pharmacy to the manufacturer or the manufacturer's agent;
 - E. The manufacturer or the manufacturer's agent delivers the dialysate solutions or devices directly to:
 - (1) A patient with chronic kidney failure, or his/her designee, for the patient's self-administration or the dialysis therapy, or
 - (2) A health care provider or institution for administration or delivery of the dialysis therapy to a patient with chronic kidney failure.

10. To close a pharmacy permit:

- A. The permit holder shall give notice to the Board at least fifteen (15) days prior to the date pharmacy services will no longer be offered and shall provide a timeline for when all legend drugs and devices will be appropriately removed from the permitted location. The date of such removal shall not be more than seven (7) days after the date that pharmacy services are no longer offered.
- B. A complete inventory of any controlled substances on hand, including out-of-date drugs, shall be completed at the close of business on the last day pharmacy services are offered, and such inventory shall be provided to the Board within seven (7) days.
- C. All legend drugs and devices, including out-of-date drugs or devices, must be appropriately transferred to another permittee or destroyed. Transfer transactions to another permittee including a reverse distributor are preferred. If the licensee chooses to destroy product, destruction should be compliant with all applicable state and federal laws and regulations including but not limited to EPA and DEA. Any destruction shall be performed by two licensed pharmacists and documented by their signatures. Controlled drug destruction shall be compliant with Article XXVI. The permit holder shall provide a list of all transfer and destruction transactions regarding legend drugs and devices including controlled and non-controlled drugs to the Board within seven (7) days after the date pharmacy services are no longer offered.
- D. The permit holder shall provide the storage location for all drug records to the Board within seven (7) days after the date pharmacy services are no longer offered.
- E. The permit holder shall provide a contact including a direct email and phone number for any ongoing official correspondence requests.
- F. The Board of Pharmacy shall mark the pharmacy permit closed in the online licensing system seven (7) days after the stated date that pharmacy services are no longer be offered.
- G. All notices and required documentation of the closing pharmacy permit shall be provided to the Board through its online licensing system.

TITLE 30: PROFESSIONS AND OCCUPATIONS

PART 3001: MISSISSIPPI PHARMACY PRACTICE REGULATIONS

MISSISSIPPI PHARMACY PRACTICE REGULATIONS

**Mississippi Board of
Pharmacy 6311
Ridgewood Road, Suite E
401
Jackson, MS 39211
Telephone: 601-899-8880
Fax: 601-899-8851**

www.mbp.ms.gov

GENERAL INFORMATION

PHARMACISTS

CHANGE OF ADDRESS

A pharmacist must notify the Board in writing by mail or fax of change of address within ten (10) days of the change. To ensure the correct changes are made to the Board records, a pharmacist should include the following information:

- (1) Name and license number of pharmacist;
- (2) New address;
- (3) Former address;
- (4) Current telephone number.

Keeping this information current with the Board office will assure pharmacists of receiving license renewal and controlled substance registration applications and their *Board of Pharmacy Newsletter*.

CHANGE OF EMPLOYMENT

Pharmacists must notify the Board in writing or online within ten (10) days of a change of employment. To ensure the correct changes are made to the Board records, a pharmacist should include the following information:

- (1) Name and license number of pharmacist;
- (2) Name, address and permit number of the pharmacy where presently employed;
- (3) Name, address and permit number of the pharmacy where he/she was formerly employed.

CHANGE OF LEGAL NAME

The Board's records and a pharmacist's renewal certificate must accurately reflect the legal name used in pharmacy practice by that pharmacist. Pharmacists who change the legal name, under which they practice, through a legal name change, e.g., marriage or divorce, must notify the Board within ten (10) days of receipt of the legal document effecting the change. The following must be included in the notification of change of pharmacist's name:

- (1) A letter of explanation which includes the new name, clearly printed or typed as it is to appear on the renewal card and in the Board records;
- (2) A copy of the legal document that changed the name, e.g., marriage license, divorce decree or court order;

- (3) The current renewal card (wallet card);
- (4) A check or money order in the amount of fifteen dollars (\$15.00) for each wallet card.

Changing your name on the wall certificate is optional. If you desire a new wall certificate reflecting your new legal name, you must send a check or money order for an additional twenty-five dollars.

OBTAINING DUPLICATE DOCUMENTS

The Board will replace, under certain conditions e.g., lost or stolen, a pharmacist's wall certificate and/or wallet registration card. To obtain duplicates of these documents, the following should be observed:

- (1) A written statement signed by the pharmacist outlining the circumstances under which the card(s) was lost or stolen;
- (2) The name, address and license number on the lost or stolen card(s);
- (3) A check or money order in the amount of fifteen (\$15.00) for each wallet card;
- (4) A check or money order in the amount of twenty-five dollars (\$25.00) for a duplicate wall certificate.

PHARMACIES

LOSS OF CONTROLLED SUBSTANCES

When a pharmacy has a loss of controlled substances or suspected loss, the pharmacist-in-charge must comply with the following:

- (1) Any loss or suspected loss must be reported directly to the office of the Board by telephone (601-889-8880) immediately upon discovery;
- (2) Within forty-eight hours of discovery of the loss, a complete inventory of controlled substances shall be made. This inventory must be dated and signed by the pharmacist-in-charge;
- (3) Within fifteen days of discovery of the loss, a written report shall be forwarded to the office of the Board. This written report shall include a copy of the controlled substance inventory as required by paragraph (2) above.

FAILURE TO REPORT ANY LOSS OR SUSPECTED LOSS DIRECTLY TO THE BOARD MAY BE GROUNDS FOR DISCIPLINARY ACTION BY THE BOARD.

CHANGE OF PHARMACIST-IN-CHARGE

When a pharmacist-in-charge is terminated or relinquishes the responsibilities of the pharmacist-in-charge, he/she must return the pharmacy permit to the office of the Board with written notice that he/she is no longer the pharmacist-in-charge at that facility with the effective date of the change and a complete inventory of controlled substances performed at the time of the change. If the outgoing pharmacist-in-charge cannot or does not properly inform the Board of the change, the responsibility of notification

shall be that of the incoming pharmacist-in-charge.

~~PROCEDURES FOR PERMANENT CLOSURE OF BUSINESS~~

Requirements under Board regulations:

- ~~(1) The pharmacist in charge shall give notice to the Board of the effective date of closure at least fourteen (14) days prior to the closure and shall notify the Board in writing fourteen (14) days by what means and as to whom controlled substances were transferred or disposed of; and~~
- ~~(2) Take a complete inventory of any controlled substances on hand, including out of date drugs; and~~
- ~~(3) Send the pharmacy permit, controlled substances registration and a copy of the controlled substances inventory to the Board; and~~
- ~~(4) Remaining controlled substances may be transferred to another registrant pursuant to DEA regulations.~~

OTHER AGENCIES

DRUG ENFORCEMENT ADMINISTRATION (DEA)

Drug Enforcement
Administration
Registration Unit
P. O. Box 28083
Central Station
Washington, DC 20038-8083
telephone: (800)-882-9539 (24 hour automated system)

New Orleans
Divisional Office
Drug Enforcement
Administration 3838
North Causeway Blvd.
Suite 1800
3 Lakeway Center
Metairie, LA 70002
telephone: 504-840-1100

MISSISSIPPI BUREAU OF NARCOTICS

6090 I-55 South
Jackson, MS 39272
telephone 601-371-3600
toll free: 800-844-6272

MISSISSIPPI BOARD OF NURSING

Mississippi Board of
Nursing 1080 River
Oaks Drive Suite A100
Flowood, MS 39232
telephone: 601-664-9303 -----fax: 601-664-9304

MISSISSIPPI STATE BOARD OF DENTAL EXAMINERS

Mississippi State Board of Dental
Examiners 600 East Amite Street
Jackson, MS 39201-2801
telephone: 601-944-9622 -----fax: 601-944-9624

MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE

Mississippi State Board of Medical
Licensure 1867 Crain Ridge Dr.
Suite
200B
Jackson
, MS
39216
telephone: 601-987-3079 fax: 601-987-4159

U. S. FOOD AND DRUG ADMINISTRATION

Food and Drug
Administration 100
West Capitol
Suite 340
Jackson, MS 39269
telephone: 601-965-4581 -----fax: 601-965-4584

DIVISION OF MEDICAID

550 High Street Suite 1000
Jackson, MS 39201
telephone: 601-359-6050
toll free: 800-421-2408

TITLE 30: PROFESSIONS AND OCCUPATIONS

PART 3001: MISSISSIPPI PHARMACY PRACTICE REGULATIONS

ARTICLE XLVI CHARITY PHARMACY PERMITS

1. Facilities that dispense prescription medications to poor and underprivileged persons at no charge shall obtain a charity pharmacy permit from the Mississippi Board of Pharmacy. Such medications must be dispensed pursuant to orders or prescriptions of practitioners authorized by law to prescribe such drugs. A facility permitted by the Mississippi Board of Pharmacy may dispense prescription medications to poor and underprivileged persons at no charge without a charity pharmacy permit pursuant to a charitable drug distribution program that has been approved by the Mississippi Board of Pharmacy.
2. A Charity Pharmacy may receive, maintain and dispense donated “sample” or purchased prescription medications to medically indigent residents of the State of Mississippi pursuant to a valid prescription or order. No dispensed patient specific medications may be received for re-dispensing under this permit except as allowed by these regulations. It is the responsibility of the charity pharmacy to determine eligibility of patients to receive medications at no cost. Controlled substances may not be donated, purchased by or transferred to a charity pharmacy under this regulation. Donated medications must be received, maintained and dispensed in accordance with Pharmacy Board Regulations.
3. A Charity Pharmacy may receive, maintain and dispense un-needed and unused prescription medications donated by Long Term Care Facilities (LTCF), ~~and~~ Assisted Living Facilities (ALF), and Correctional Facilities, collectively referred to as “donating facility”, pursuant to regulations as established by the Board.
4. A donating facility Long Term Care (LTC) and Assisted Living Facilities (ALF) may apply to the Mississippi Board of Pharmacy for an Unused/Unneeded Medication Donation Permit. LTCF and ALF donating facilities ~~Such facilities~~ must be in good standing with the Mississippi State Department of Health and must comply with guidelines established by the Board for donation of un-needed and unused prescription medications to a charity. It is the responsibility of the charity pharmacy to determine eligibility of patients to receive medications at no cost. Controlled substances may not be donated or transferred ~~by a LTC or ALF~~ to a charity pharmacy under this regulation.
5. The Consultant Pharmacist for the ~~Long Term Care/Assisted Living Facility~~ donating facility must verify that the facility has policies and procedures to comply with the following guidelines regarding donation of un-needed and unused prescription medication to a charity pharmacy:
 - A. A dispensed prescription is the property of the patient for whom it was prescribed regardless of who paid for the prescription. The patient or agent of the patient must authorize the donation of the un-needed or unused medications, unless the patient is deceased. ~~Long Term Care/Assisted Living Facilities~~ Donating facilities must maintain documentation of authorization for donation of medications for a period of two years.
 - B. Quality and suitability for reuse of prescription medications may be determined by verifying documentation of the following:
 - (1) That the medications have been maintained in compliance with applicable Board

of Pharmacy Regulations.

- (2) That prior to donation to the Charity pharmacy, the name of the patient and any identifying information must be redacted or removed.
 - (3) That medications are not adulterated or mutilated.
 - (4) That medications have identifiable expiration dates that are more than 60 days after the date the drugs are donated to the charity pharmacy.
 - (5) That unopened liquid medications are not acceptable for reuse or dispensing.
 - (6) That expired medications are not acceptable for reuse or dispensing.
 - (7) That controlled substances are not acceptable for donation and dispensing.
- C. Medication Donation Forms must be completed according to the following guidelines and contain the following pertinent information:
- (1) Name, address, Board of Pharmacy Permit Number for the donating ~~LTC/ALF~~ facility and name of consultant pharmacist of the donating facility.
 - (2) Name, address, Pharmacy Permit Number and name of Pharmacist-In-Charge of Charity Pharmacy to whom the medications are to be donated.
 - (3) Name, strength, quantity, expiration date, and identification verification of medications to be donated.
 - (4) The consultant pharmacist or a licensed healthcare provider of the donating ~~entity~~ facility must attest that the donated medications have been maintained in compliance with procedures developed by the consulting pharmacist to protect integrity of the donated medications.
 - (5) The Medication Donation Form must be signed and dated by the Charity Pharmacy Pharmacist Representative on receipt of donated medications.
 - (6) A copy of the Medication Donation Form must be maintained in chronological order by the donating ~~entity~~ facility as well as the receiving Charity Pharmacy for a period of two (2) years.
6. Eligibility of donated prescription drugs:
- A. Prescription drugs for donation must be packaged in the original sealed or tamper evident packaging in unit dose or blister packs as prepared by the original packager/repackager of the medication.
 - B. Prior to reuse or dispensing by the Charity pharmacy, medications must be identified by a licensed Pharmacist.
 - C. No adulterated, misbranded, compounded or unidentified medications may be accepted and dispensed by the Charity Pharmacy.
 - D. The expiration date assigned by the original packager/repackager of the medication will become the expiration date of the donated medication.
 - E. Donated prescription medications may not be sold, resold, offered for sale, traded or transferred to any other entity.
 - F. Donated medications must remain in original sealed packaging until time of dispensing.
 - G. Unused and un-needed donated medications may not be returned to the donating facility and must be rendered unusable and disposed of in accordance with Board of Pharmacy Regulations. Records of disposal must be maintained for a period of two (2) years and must contain the signatures of two witnesses to the destruction one of which must be a licensed pharmacist.
7. Responsibility of Charity Pharmacy Pharmacist-In-Charge regarding donated medications for dispensing:

- A. Coordinate retrieval, transportation and storage of donated unused prescription medications from authorized LTC/ALF donating facility. To insure the integrity of the donated medications, the donated medications should be transported directly from the donating facility to the charitable pharmacy.
- B. Assure that donated medications are identified and product integrity is guaranteed.

Pt. 3001, Art. XLIII. PRESCRIPTION MONITORING PROGRAM

The Mississippi Board of Pharmacy shall operate a Prescription Monitoring Program (PMP) as provided for in Mississippi Code Annotated Section 73-21-127.

1. “Dispenser” shall mean, as it pertains to the Prescription Monitoring Program, a person authorized in this state to distribute to the ultimate user a substance monitored by the prescription monitoring program, but does not include:
 - (a) a licensed hospital pharmacy that distributes such substances for the purposes of inpatient hospital care or the dispensing of prescriptions for controlled substances at the time of discharge from such a facility.
 - (b) a licensed nurse or medication aide who administers such substances at the direction of a licensed physician; or
 - (c) a wholesale distributor of a substance monitored by the prescription monitoring system.

2. ~~4.~~ In addition to the provisions of Mississippi Code Annotated Section 73-21-127, the following reporting provisions shall apply:

- a. Direct administration of a controlled substance to the body of an ultimate user (such as in an inpatient setting) is exempt from reporting.
- b. Any quantity of drug dispensed that is limited to an amount adequate to treat the ultimate user for 48 hours or less is exempt from reporting.
- c. Dispensing by a veterinarian is exempt; however, prescriptions written by a veterinarian and filled by a pharmacy are required to be reported by the pharmacy.
- d. Controlled substance prescriptions dispensed for patients in nursing homes, ICFMRs, and Assisted Living facilities ARE required to be reported.
- e. Mail Order pharmacies (in Mississippi, or shipping into Mississippi) shall report to the Mississippi Prescription Monitoring Program.
- f. ~~Pharmacies~~ Dispensers shall report controlled substance dispensing and dispensing of specified noncontrolled substances identified by the Board of Pharmacy, which are listed in the PMP Data Submission Guide for Dispensers, information every twenty-four (24) hours or the next business day. This includes the filing of a zero report if no dispensing occurred.
- g. Pharmacies and dispensing physicians that do not hold a controlled substance registration may attest to zero reporting for controlled substances. Specified non-controlled substances must still be reported.

3. ~~2~~: The Board may specify a uniform electronic format for the mandatory reporting, sharing, and disclosure of PMP information. Dispensers will submit information as required by the Prescription Monitoring Program. Any reporting errors shall be corrected by the dispensers within seven (7) working days of being notified of the error. The Board may develop guidelines for the registration and use of the Prescription Monitoring Program. Failure to follow the Board approved guidelines may result in disciplinary action.

4. ~~3~~: It is the intent of the Board that pharmacists utilize the PMP on a regular basis based on their professional judgment.

5. ~~4~~: Prior to dispensing a prescription for a Schedule II opiate, a pharmacist shall review the prescription monitoring program based on any of the following circumstances:

a. The patient is a new customer to that pharmacy; or

b. The patient has not had an opioid prescription filled at that pharmacy within six (6) months;

6. ~~5~~: The prescription monitoring program shall be reviewed at least once every six (6) months for any patient receiving controlled substances.

Part 3002 Chapter 9: Petition for Waiver of Requirements of Administrative Rules or Practice Regulations.

Rule 9.1 Purpose and Scope

These rules establish a formal process by which an eligible person or entity may petition the board for a waiver from certain administrative rules or practice regulations.

This process is intended to provide flexibility where strict application of a rule would result in undue hardship or unintended consequences that would negatively impact the citizens of Mississippi. Additionally, this process ensures any granted waiver remains consistent with public safety, statutory mandates, and Board policies. Lastly, the waiver process allows the opportunity for demonstrations of less restrictive mechanisms to ensure public safety in accordance with policies set by the Mississippi legislature.

Rule 9.2 Limitations on Waivers

- A. The Board shall not grant a waiver from:
 - i) Any requirement established by state or federal statute; or
 - ii) Any administrative rule where the authorizing statute mandates a regulation be promulgated and does not permit for a waiver; or
 - iii) Any rule necessary to ensure minimum standards for public health, safety, or welfare where allowance of a waiver would undermine such protections as determined by the Board.
- B. A waiver shall only apply to requirements created solely by Board rules and regulations and shall not extend to any requirements of any other entity.
- C. Under no circumstances shall a waiver conflict with governing law or exceed the Board's statutory authority.

Rule 9.3 Eligibility to Petition for Waiver.

To be eligible to petition the Board for a waiver, the person or entity must be:

- A. Currently licensed, permitted, or regulated by the Board; or
- B. Has submitted an application for a license, permit, or registration with the Board;
- C. Is enrolled, or is within a year of having graduated, from a school or college of pharmacy accredited by the American Council on Pharmaceutical Education or as approved by the Board.

Rule 9.4 Form and Content of Petition

A petition for a waiver must be submitted in writing and must include, at a minimum:

- A. The name, address, licensee number or permit number (if applicable), street address, phone number, and email address.

- B. The citation of the specific administrative rule or practice regulation for which a waiver is requested.
- C. A detailed explanation of:
 - i) The undue hardship, burden, or practical difficulty created by compliance. Alternatively, how a waiver may allow for the petitioner to demonstrate a less restrictive mechanism to protect consumers from present, significant and substantiated harms that threaten public safety in accordance with the policy set by the Mississippi Legislature in Section 73-47-7 of the Mississippi Code.
 - ii) How waiver of the administrative rule or practice regulation will not negatively impact the public health, safety, or welfare
 - iii) How the waiver will be utilized and any alternative compliance measures to be implemented.
 - iv) If the waiver will be a temporary waiver or permanent waiver and the justification for the length of the waiver.
- D. Any supporting documentation including documents, studies, affidavits, or other evidence that would support the request.

Rule 9.5 Submission of Petition

- A. An eligible person or entity shall submit a completed petition application to the Executive Director, or their designee. The Executive Director, or their designee, shall review the petition for compliance with these rules and may request additional information as deemed necessary. Once the petition has been deemed to meet the requirements of these rules, the Executive Director shall provide the members of the Board with a copy of the petition and any additional information provided by the petitioner. The Executive Director, or their designee, shall notify the petitioner, via the contact information place upon the petition, once the petition for waiver has been placed on an agenda for a board meeting so that the petitioner may be in attendance
- B. The Executive Director, or their designee, shall reject any petition not in compliance with these rules and notify the petitioner of the same.

Rule 9.6 Board Action on Petition for Waiver

- A. After reviewing the petition, any supporting documentation, and hearing any other information provided by the petitioner at a board hearing, the Board may:
 - i. Grant the waiver; or
 - ii. Grant the waiver with conditions; or
 - iii. Deny the waiver; or
 - iv. Table the petition pending additional information.

- B. If the Board grants the waiver, with or without conditions, the Board shall issue such waiver in writing such that the scope, duration, and any conditions are specified. Any such waiver shall be limited only to the specific petitioner based on the facts provided.

Rule 9.7 Revocation

The Board may revoke a waiver at any time upon finding that:

- A. The petitioner is not in compliance with the conditions of the waiver; or
- B. The underlying facts have materially changed; or
- C. Continued application of the waiver would harm public health, safety, or welfare.

Rule 9.8 No Right to Waiver

Nothing in these rules shall be construed a right or entitlement to a waiver. All waivers are granted at the sole discretion of the Board.

Came on May 28, 2026, the matter of AffirmedRx, PBC, an unpermitted pharmacy benefits manager, herein also referred to as Respondent, pursuant to a “Notice of Hearing and Complaint” filed by the Mississippi Board of Pharmacy.

BEFORE THE MISSISSIPPI BOARD OF PHARMACY

IN THE MATTER OF:

AFFIRMEDRX, PBC
10200 FOREST GREEN BLVD.,
SUITE 112
LOUISVILLE, KY 40223

JURISDICTION

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of AffirmedRx, PBC, an unpermitted pharmacy benefits manager, pursuant to Section 73-21-83, Mississippi Code of 1972, Annotated.

STATEMENT OF CHARGES

AffirmedRx, PBC, an unpermitted pharmacy benefits manager, is alleged in the Complaint to have committed the following violations:

Count One: Violation of Miss. Code Ann. § 73-21-157, which provides in relevant part:

(1) Before beginning to do business as a pharmacy benefit manager, a pharmacy benefit manager shall obtain a license to do business from the board. To obtain a license, the applicant shall submit an application to the board on a form to be prescribed by the board.

A pharmacy benefit manager is defined in Miss. Code Ann. § 73-21-153(h) and Miss. Code Ann. § 73-21-179(d).

On September 24, 2024, Board staff communicated with AffirmedRx and learned that on January 1, 2025, AffirmedRx would begin doing business as a pharmacy benefit manager in Mississippi. AffirmedRx did not apply for a permit prior to January 1, 2025. On January 23, 2026, and January 28, 2026, Board staff communicated to AffirmedRx by email and by certified letter, in order to request information about pharmacy benefit manager activity by AffirmedRx within the State of Mississippi. AffirmedRx did not respond to the information requests by Board Staff. On February 10, 2026, AffirmedRx initiated an initial application for a Mississippi permit to do business as a pharmacy benefit manager. At the time of the Board’s action, AffirmedRx had not completed or submitted the application.

The Board’s investigation shows that AffirmedRx has done business in Mississippi as a pharmacy benefit manager without the required permit from the Board since approximately January 1, 2025, for a period of at least 365 days.

STATEMENT OF AGREEMENT TO SETTLE

Pursuant to discussions between Board Counsel and Respondent, being represented by counsel, the Respondent does not contest the violation of Miss. Code Ann. § 73-21-157(1). For the purpose of avoiding expenses associated with continuing administrative proceedings and ensuring compliance with applicable statutes and regulations, it is hereby agreed as follows:

FINDINGS OF FACT

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

- (1) The "Notice of Hearing and Complaint" along with a sworn affidavit detailing those charges was served pursuant to statute.
- (2) Respondent has been afforded all due process required by law.
- (3) Respondent, an unpermitted pharmacy benefits manager, is subject to jurisdiction of the Board pursuant to Miss. Code Ann. § 73-21-83.
- (4) Respondent does not contest the violation as charged.
- (5) Respondent and the Board agree to the terms of this settlement as stated below.

FINAL ORDER OF THE BOARD

The Mississippi Board of Pharmacy hereby ORDERS as follows:

- Within fifteen (15) days of the date of Respondent's execution of this Settlement Order, Respondent shall obtain the required permit, as required by Miss. Code Ann. § 73-21-157.
- Pursuant to Miss. Code Ann. § 73-21-103(1)(d)(vii), Respondent shall pay a monetary penalty in the amount of Seventy-Five Thousand Dollars (\$75,000.00) for the violation as stated in Count One of the Complaint.
- Pursuant to Miss. Code Ann. § 73-21-163(3), Respondent shall pay the cost of investigation in the amount of Five Hundred Seventy-One Dollars and Sixty Cents (\$571.60).
- The total monetary penalty and cost of investigation in the amount of Seventy-Five Thousand Five Hundred Seventy-One Dollars and Sixty Cents (\$75,571.60) shall be paid by Respondent in four (4) quarterly payments, with payment of Twenty-One Thousand Five Hundred Seventy-One Dollars and Sixty Cents (\$21,571.60) due on June 30, 2026, and payments of Eighteen Thousand Dollars (\$18,000.00) due on September 30, 2026, December 31, 2026, and March 31, 2027.
- The monetary penalty shall be paid electronically through the Board of Pharmacy licensing system or by certified check, attorney's check or money order issued by a usual, customary, and reputable issuer (U.S. Postal Money Order, Western Union Money Order, etc.).

This ORDER OF THE BOARD is effective immediately. Executive Director Susan McCoy shall cause a certified copy of this ORDER to be served on Respondent and a copy maintained on file in the office of the Board.

REMAINDER OF PAGE LEFT BLANK INTENTIONALLY

I hereby agree to the findings and terms of this Settlement Agreement, as stated herein:



Representative of AffirmedRx, PBC, Respondent

LASHON KELL, GC

SUBSCRIBED AND SWORN TO, in my presence, this 27 day of May, 2026.


NOTARY PUBLIC

MY COMMISSION EXPIRES:

2/9/30



REMAINDER OF PAGE LEFT BLANK INTENTIONALLY

ORDERED AND AGREED TO, this the 28th day of May 2026.


Jillian foster (Jun 24, 2026 09:34:43 CDT)

Jillian Foster, President


Alvin Craig sartin (Jun 18, 2026 10:21:09 CDT)

Craig Sartin, Vice-President


Michael Gilbow (Jun 22, 2026 12:47:46 CDT)

Michael Gilbow, Secretary


Ryan Harper (Jun 19, 2026 14:54:47 CDT)

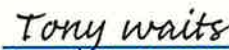
Ryan Harper


Patti Hawkins (Jun 19, 2026 13:32:55 CDT)

Patti Hawkins


David Hudson (Jun 22, 2026 12:18:05 CDT)

David Hudson


Tony waits (Jun 24, 2026 08:52:40 CDT)

Tony Waits

Came on May 28, 2026, the matter of Abarca Health FL LLC, 5237 Summerlin Commons Blvd., Suite 400, Fort Myers, FL 33907, an unpermitted pharmacy benefit manager, pursuant to a "Notice of Hearing and Complaint" filed by the Mississippi Board of Pharmacy. Board members Jillian Foster and Patti Hawkins served on the Investigations Review Committee and did not participate in the hearing or deliberations.

BEFORE THE MISSISSIPPI BOARD OF PHARMACY

IN THE MATTER OF:

ABARCA HEALTH FL LLC
5237 SUMMERLIN COMMONS BLVD.,
SUITE 400
FORT MYERS, FL 33907

PHARMACY BENEFIT MANAGER (UNPERMITTED)
JURISDICTION

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of Abarca Health FL LLC (hereinafter "Abarca"), 5237 Summerlin Commons Blvd., Suite 400, Fort Myers, FL 33907, an unpermitted pharmacy benefit manager doing business in Mississippi, pursuant to Miss. Code Ann. § 73-21-83.

STATEMENT OF CHARGES

Abarca, an unpermitted pharmacy benefit manager, has committed the following violation:

Count One: Violation of Miss. Code Ann § 73-21-157

Mississippi Code Section 73-21-157(1), provides in relevant part:

(1) Before beginning to do business as a pharmacy benefit manager, a pharmacy benefit manager shall obtain a license to do business from the board. To obtain a license, the applicant shall submit an application to the board on a form to be prescribed by the board.

A pharmacy benefit manager is defined in Miss. Code Ann. § 73-21-153(h) and Miss. Code Ann. § 73-21-179(d), as follows:

- (d) "Pharmacy benefit manager" means a business that administers the prescription drug/device portion of pharmacy benefit management plans or health insurance plans on behalf of plan sponsors, insurance companies, unions and health maintenance organizations. Pharmacy benefit managers may also provide some, all, but may not be limited to, the following services either directly or through outsourcing or contracts with other entities:
- (i) Adjudicate drug claims or any portion of the transaction.
 - (ii) Contract with retail and mail pharmacy networks.
 - (iii) Establish payment levels for pharmacies.

- (iv) Develop formulary or drug list of covered therapies.
- (v) Provide benefit design consultation.
- (vi) Manage cost and utilization trends.
- (vii) Contract for manufacturer rebates.
- (viii) Provide fee-based clinical services to improve member care.
- (ix) Third-party administration.

The Board's investigation shows that Abarca entered into a contract to perform pharmacy benefit manager services on behalf of PerformRx, LLC, Permit No. 140193/14.1.

The Board's investigation shows that Abarca processed and/or paid at least 2,264 prescription drug claims on behalf of PerformRx, but Abarca has not applied for or received a permit to do business as a pharmacy benefit manager in Mississippi. The Board's investigation shows that the unpermitted activity occurred for a period of at least 730 days, including but not limited to the time period from January 1, 2024 through December 31, 2025.

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 Miss. Code Ann. § 73-21-99.
- (2) The Respondent has been afforded all due process required by law.
- (3) The Respondent is subject to jurisdiction of the Board pursuant to Miss. Code Ann. § 73-21-83.
- (4) The Respondent did not appear to contest the charges, and the hearing was held in absentia.
- (5) The Respondent committed the violation as charged.

FINAL ORDER OF THE BOARD

The Mississippi Board of Pharmacy hereby ORDERS as follows:

- Pursuant to Miss. Code Ann. § 73-21-103(1)(d)(vii), for the violation of Count One, the Respondent shall pay a monetary penalty in the amount of Seven Hundred Thirty Thousand Dollars (\$730,000.00). This represents a monetary penalty of One Thousand Dollars (\$1,000.00) per day for 730 days in which the Respondent did business as a pharmacy benefit manager in the State without the required permit.
- Pursuant to Miss. Code Ann. § 73-21-163(3), the Respondent shall pay the cost of investigation in the amount of Five Hundred Seventy-One Dollars and Sixty Cents (\$571.60).
- The total monetary penalty and cost of investigation in the amount of Seven Hundred Thirty Thousand Five Hundred Seventy-One Dollars and Sixty Cents (\$730,571.60) is due and payable by the Respondent within thirty (30) days of receipt of this Order.

- The monetary penalty shall be paid electronically through the Board of Pharmacy licensing system or by certified check, attorney's check or money order issued by a usual, customary, and reputable issuer (U.S. Postal Money Order, Western Union Money Order, etc.).

All Board Members voted in favor of the above Order, except for Board members Jillian Foster and Patti Hawkins, who served on the Investigations Review Committee and abstained.

This ORDER OF THE BOARD is effective immediately. Executive Director Susan McCoy shall cause a certified copy of this ORDER to be served on the Respondent and a copy maintained on file in the office of the Board.

REMAINDER OF PAGE LEFT BLANK INTENTIONALLY

ORDERED AND AGREED TO, this the 28th day of May 2026.


Jillian foster (Jun 24, 2026 09:34:43 CDT)

Jillian Foster, President


Alvin Craig sartin (Jun 18, 2026 10:21:09 CDT)

Craig Sartin, Vice-President


Michael Gilbow (Jun 22, 2026 12:47:46 CDT)

Michael Gilbow, Secretary


Ryan Harper (Jun 19, 2026 14:54:47 CDT)

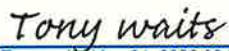
Ryan Harper


Patti Hawkins (Jun 19, 2026 13:32:55 CDT)

Patti Hawkins


David Hudson (Jun 22, 2026 12:18:05 CDT)

David Hudson


Tony waits (Jun 24, 2026 08:52:40 CDT)

Tony Waits

Came on May 28, 2026, the matter of Lesley Lyman, Pharmacy Technician Registration #PT-230151, pursuant to a “Notice of Hearing and Complaint” filed by the Mississippi Board of Pharmacy. Board members Jillian Foster and Patti Hawkins served on the Investigations Review Committee and did not participate in the hearing or deliberations.

BEFORE THE MISSISSIPPI BOARD OF PHARMACY

IN THE MATTER OF:

LESLEY LYMAN
747 WELLS DR.
HERNANDO, MS 38632

PHARMACY TECHNICIAN REGISTRATION NUMBER PT-230151
JURISDICTION

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of Lesley Lyman, Pharmacy Technician Registration #PT-230151, pursuant to Miss. Code Ann. § 73-21-83.

STATEMENT OF CHARGES

Lesley Lyman, Pharmacy Technician Registration #PT-230151, has committed the following violation:

Count 1: Violation of Mississippi Code Annotated Section 73-21-97(1)(i):

(i) Addiction to or dependence on alcohol or controlled substances or the unauthorized use or possession of controlled substances;

Specifically, Lesley Lyman answered yes on her pharmacy technician renewal application that she had received inpatient or outpatient treatment for alcohol or drug abuse. “Yes-went for help with alcohol abuse and now sober”. She was admitted to Ember Recovery Center in Florida on July 18, 2025 and discharged on August 17, 2025. On March 4, 2026, the IRC voted to approve Lyman’s renewal application with the following conditions: 1) Lyman must sign a memorandum of agreement (MOA) with the Board and 2) Lyman must enter into a contract with Professionals Health Network (PHN). Lyman signed the MOA but refused to enter into a contract with PHN.

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 Miss. Code Ann. § 73-21-99.
- (2) The Respondent has been afforded all due process required by law.
- (3) The Respondent was subject to jurisdiction of the Board pursuant to Miss. Code Ann. § 73-21-83.

- (4) The Respondent did not appear to contest the charges, and the hearing was held in absentia.
- (5) The Respondent committed the violation as charged.

FINAL ORDER OF THE BOARD

The Mississippi Board of Pharmacy hereby ORDERS as follows:

- Pursuant to Miss. Code Ann. § 73-21-97(1)(i), the application for renewal of Pharmacy Technician Registration #PT-230151 is denied.
- Pursuant to Miss. Code Ann. § 73-21-103(1)(c), the Respondent is restricted from engaging in the practice of pharmacy technician duties until such registration is reinstated by the Board.
- Pursuant to Miss. Code Ann. § 73-21-103(2), the Respondent shall have the right to petition the Board for the reinstatement of Pharmacy Technician Registration #PT-230151
- The Respondent must enter into a contract with Professionals Health Network and must execute a new memorandum of agreement with the Board before appearing before the Board to petition for reinstatement.
- Pursuant to Miss. Code Ann. § 73-21-103(1)(d)(iii), the Respondent shall pay the cost of investigation and conduct of a proceeding in the amount of One Hundred Fifty-Nine Dollars and One Cent (\$159.01), which shall be paid prior to petitioning for reinstatement.
- The monetary penalty shall be paid electronically through the Board of Pharmacy licensing system or by certified check, attorney's check or money order issued by a usual, customary, and reputable issuer (U.S. Postal Money Order, Western Union Money Order, etc.).

All Board Members voted in favor of the above Order, except for Board members Jillian Foster and Patti Hawkins, who served on the Investigations Review Committee and abstained.

This ORDER OF THE BOARD is effective immediately. Executive Director Susan McCoy shall cause a certified copy of this ORDER to be served on the Respondent and a copy maintained on file in the office of the Board.

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ORDERED AND AGREED TO, this the 28th day of May 2026.


Jillian foster (Jun 24, 2026 09:34:43 CDT)

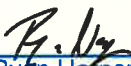
Jillian Foster, President


Alvin Craig sartin (Jun 18, 2026 10:21:09 CDT)

Craig Sartin, Vice-President


Michael Gilbow (Jun 22, 2026 12:47:46 CDT)

Michael Gilbow, Secretary


Ryan Harper (Jun 19, 2026 14:54:47 CDT)

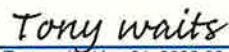
Ryan Harper


Patti Hawkins (Jun 19, 2026 13:32:55 CDT)

Patti Hawkins


David Hudson (Jun 22, 2026 12:18:05 CDT)

David Hudson


Tony waits (Jun 24, 2026 08:52:40 CDT)

Tony Waits

Came on May 28, 2026, the matter of Kendall Jordan, Pharmacy Technician Registration Number PT-230336, pursuant to a “Notice of Hearing and Complaint” filed by the Mississippi Board of Pharmacy. Board members Jillian Foster and Patti Hawkins served on the Investigations Review Committee and did not participate in the hearing or deliberations.

BEFORE THE MISSISSIPPI BOARD OF PHARMACY

IN THE MATTER OF:

KENDALL JORDAN
504 HENSLEY AVE.
GULPORT, MISSISSIPPI 39503

PHARMACY TECHNICIAN REGISTRATION NUMBER PT-230336
JURISDICTION

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of Kendall Jordan, Pharmacy Technician Registration Number PT-230336, pursuant to Miss. Code Ann. § 73-21-83.

STATEMENT OF CHARGES

Kendall Jordan, Pharmacy Technician Registration Number PT-230336, has committed the following violation:

Count 1: Violation of Mississippi Board of Pharmacy Administrative Rules, Title 30, Part 3002, Chapter 5: Disciplinary Actions, Rule 5.1 *Grounds for Disciplinary Actions*, Rule 5.1 P:

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

Specifically, Board staff received notification of the termination of Pharmacy Technician Kendall Jordan, PT-230336 from Walmart Pharmacy, Permit 01994/1.2. Agent Megan Guillot contacted Walmart to discuss the reason as stated on the notification “for violation of the company’s drug and alcohol-free policy”. Agent Guillot received clarification that Technician Jordan had disclosed to pharmacy manager, Jason Lee, that she has a medical marijuana card and used marijuana medicinally. This was Technician Jordan’s response to Mr. Lee after being asked if she had been smoking because Lee smelled marijuana on her. Agent Guillot reached out to Technician Jordan who stated she has a medical marijuana card for a health condition (sickle cell disease). Jordan sent a copy of a card but it expired in 2023. Jordan stated she would send Agent Guillot the updated card once she receives it in the mail. PMP reports show Technician Jordan last purchasing any cannabis product from a dispensary in 2024. An inquiry to the MS Medical Cannabis Program revealed that Technician Jordan did not currently have an active medical marijuana card. Ms. Jordan sent a screenshot of a medical marijuana certification to Agent Guillot on February 13, 2026. The provider’s signature on the certification was dated February 13, 2026.

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 Miss. Code Ann. § 73-21-99.
- (2) The Respondent has been afforded all due process required by law.
- (3) The Respondent is subject to jurisdiction of the Board pursuant to Miss. Code Ann. § 73-21-83.
- (4) The Respondent committed the violation as charged.

FINAL ORDER OF THE BOARD

The Mississippi Board of Pharmacy hereby ORDERS as follows:

- Pursuant to Miss. Code Ann. § 73-21-103(1)(a), Pharmacy Technician Registration Number PT-230336 is suspended.
- Pursuant to Miss. Code Ann. § 73-21-103(1)(c), the Respondent is restricted from engaging in the practice of pharmacy technician duties until such registration is reinstated by the Board.
- Pursuant to Miss. Code Ann. § Section 73-21-103(2), the Respondent shall have the right to petition the Board for reinstatement of her registration. The Board will not consider a petition for reinstatement until at least three (3) months from the date of this Order.
- Pursuant to Miss. Code Ann. § 73-21-103(1)(d)(iii), the Respondent shall pay the cost of investigation and conduct of a proceeding in the amount of One Hundred Eighty-Six Dollars and Eighty-Two Cents (\$186.82) prior to petitioning for reinstatement.
- The monetary penalty shall be paid electronically through the Board of Pharmacy licensing system or by certified check, attorney's check or money order issued by a usual, customary, and reputable issuer (U.S. Postal Money Order, Western Union Money Order, etc.).

All Board Members voted in favor of the above Order, except for Board members Jillian Foster and Patti Hawkins, who served on the Investigations Review Committee and abstained.

This ORDER OF THE BOARD is effective immediately. Executive Director Susan McCoy shall cause a certified copy of this ORDER to be served on the Respondent and a copy maintained on file in the office of the Board.

REMAINDER OF PAGE LEFT BLANK INTENTIONALLY

ORDERED AND AGREED TO, this the 28th day of May 2026.


Jillian foster (Jun 24, 2026 09:34:43 CDT)

Jillian Foster, President


Alvin Craig sartin (Jun 18, 2026 10:21:09 CDT)

Craig Sartin, Vice-President


Michael Gilbow (Jun 22, 2026 12:47:46 CDT)

Michael Gilbow, Secretary


Ryan Harper (Jun 19, 2026 14:54:47 CDT)

Ryan Harper


Patti Hawkins (Jun 19, 2026 13:32:55 CDT)

Patti Hawkins


David Hudson (Jun 22, 2026 12:18:05 CDT)

David Hudson


Tony waits (Jun 24, 2026 08:52:40 CDT)

Tony Waits

Came on May 28, 2026, the matter of Marjorie Britt, Pharmacist Certificate of Registration Number E-010077, herein also referred to as Respondent, pursuant to a "Notice of Hearing and Complaint" filed by the Mississippi Board of Pharmacy. Board Members Mike Gilbow and Craig Sartin served on the Investigations Review Committee and did not participate in the hearing or deliberations.

BEFORE THE MISSISSIPPI BOARD OF PHARMACY

IN THE MATTER OF:

MARJORIE BRITT
420 PECAN AVE.
PHILADELPHIA, MS 39350

LICENSE TO PRACTICE PHARMACY, NUMBER E-010077 **JURISDICTION**

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of Marjorie Britt, Pharmacist Certificate of Registration Number E-010077, pursuant to Section 73-21-83, Mississippi Code of 1972, Annotated.

STATEMENT OF CHARGES

Marjorie Britt, Pharmacist Certificate of Registration Number E-010077, committed the following violation:

Count 1:

Violation of Mississippi Code Annotated Section 73-21-97(1)(i):

(i) Addiction to or dependence on alcohol or controlled substances or the unauthorized use or possession of controlled substances;

Specifically, Marjorie Britt, Pharmacist Certificate of Registration Number E-010077, underwent random drug testing by her employer, the Mississippi Band of Choctaw Indians, on January 21, 2026. Testing results were reported on January 27, 2026, and showed a positive result for marijuana. Representatives of the Board were notified of the positive drug test and interviewed Britt, who admitted to purchasing and using CBD gummies which she stated were the cause of the positive drug test for marijuana. Britt also provided the Board with documentation of scheduled drug tests which were negative for marijuana. The Board requested that Britt voluntarily place her pharmacy license into inactive status pending the Board's further investigation and the completion of an inpatient evaluation. Britt did not agree to voluntary inactive status or to the requested evaluation.

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 the charges was served pursuant to Miss. Code Ann. § 73-21-99.
- (2) The Respondent has been afforded all due process required by law.
- (3) The Respondent was issued a license to practice pharmacy by the Board, Certificate of Registration Number E-010077.
- (4) The Respondent is subject to jurisdiction of the Board pursuant to Miss. Code Ann. § 73-21-83.
- (5) The Respondent committed the violations as charged.

FINAL ORDER OF THE BOARD

The Mississippi Board of Pharmacy hereby ORDERS as follows:

- Pursuant to Miss. Code Ann. § 73-21-103(1)(b), Pharmacist License Number E-010077 is suspended indefinitely.
- Pursuant to Miss. Code Ann. § 73-21-103(1)(c), the Respondent is restricted from engaging in the practice of pharmacy until License Number E-010077 is reinstated by the Board.
- Pursuant to Miss. Code Ann. § 73-21-103(2), the Respondent shall have the right to petition the Board for reinstatement of her pharmacist license.
- Prior to petitioning for reinstatement, the Respondent shall undergo an evaluation with Professionals Health Network, Inc.
- The Respondent may petition the Board for reinstatement of License Number E-010077 after the Respondent has completed the required evaluation.
- Should the evaluation recommend no further treatment or care, then the Respondent shall have the right to petition the Board for the immediate reinstatement of her pharmacist license.
- Pursuant to Miss. Code Ann. § 73-21-103(1)(d)(iii), the Respondent shall pay the cost of investigation and conduct of a proceeding in the amount of Two Hundred Forty-Two Dollars and Forty-Three Cents (\$242.43), which must be paid prior to petitioning for reinstatement.
- The monetary penalty shall be paid electronically through the Board of Pharmacy licensing system or by certified check, attorney's check or money order issued by a usual, customary, and reputable issuer (U.S. Postal Money Order, Western Union Money Order, etc.).

All Board Members voted in favor of the above Order, except for Board members Mike Gilbow and Craig Sartin, who served on the Investigations Review Committee and abstained.

This ORDER OF THE BOARD is effective immediately. Executive Director Susan McCoy shall cause a certified copy of this ORDER to be served on Respondent and a copy maintained on file in the office of the Board.

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ORDERED AND AGREED TO, this the 28th day of May 2026.


Jillian foster (Jun 24, 2026 09:34:43 CDT)

Jillian Foster, President


Alvin Craig sartin (Jun 18, 2026 10:21:09 CDT)

Craig Sartin, Vice-President


Michael Gilbow (Jun 22, 2026 12:47:46 CDT)

Michael Gilbow, Secretary


Ryan Harper (Jun 19, 2026 14:54:47 CDT)

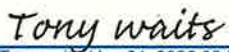
Ryan Harper


Patti Hawkins (Jun 19, 2026 13:32:55 CDT)

Patti Hawkins


David Hudson (Jun 22, 2026 12:18:05 CDT)

David Hudson


Tony waits (Jun 24, 2026 08:52:40 CDT)

Tony Waits

Came on May 28, 2026, the matter of Anna Claire Roberts, Pharmacist License, Certificate of Registration Number E-010757, 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 Craig Sartin served on the Investigations Review Committee and did not participate in the hearing or deliberations.

BEFORE THE MISSISSIPPI BOARD OF PHARMACY

IN THE MATTER OF:

ANNA CLAIRE ROBERTS
350 BARROW STREET
PEARL, MISSISSIPPI 39208

LICENSE TO PRACTICE PHARMACY, NUMBER E-010757
JURISDICTION

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of Anna Claire Roberts, Pharmacist License, Certificate of Registration Number E-010757, pursuant to Miss. Code Ann. § 73-21-83.

STATEMENT OF CHARGES

Anna Claire Roberts, Pharmacist License, Certificate of Registration Number E-010757, has committed the following violations:

Count 1:

Mississippi Code Annotated, Section 73-21-97, provides in relevant part:

- (1) The board may refuse to issue or renew, or may suspend, reprimand, revoke or restrict the license, registration or permit of any person, or may impose a monetary penalty, upon one or more of the following grounds:
 - (g) Failure to comply with lawful orders of the Board.

Specifically, on May 8, 2025, the Board issued an order against Anna Claire Roberts, Pharmacist License, Certificate of Registration Number E-010757, as the pharmacist-in-charge of Olde Towne Drugs, Ltd, Pharmacy Permit Number 13280/1.1. The Board’s order imposed certain conditions and requirements upon Roberts which included the following:

- All USP 797 compounding shall be immediately suspended and all staff performing and/or supervising USP 797 compounding shall obtain USP 797 training, which shall be pre-approved by the Board. The Respondent shall appear before the Board to request the suspension of USP 797 compounding be lifted. Documentation of USP 797 training shall be provided to the Board prior to lifting the suspension of USP 797 training.
- All staff performing or supervising USP 795 compounding shall obtain USP 795 training, which shall be pre-approved by the Board, and documentation of such training shall be provided to the Board within ninety (90) days of this Order.

Roberts was reminded of the USP 795 and 797 requirements in the Board's order in communications between attorneys for the Board and Roberts; however, Roberts did not request pre-approval of any USP 797 or USP 795 training, as required by the Board's order. Roberts also did not provide documentation of USP 795 training within ninety (90) days as required by the Board's order. On September 17, 2025, after the deadline expired, Roberts made a partial production of some training documents which did not satisfy the terms of the Board's order.

Count 2:

Mississippi Code Annotated, Section 73-21-97, provides in relevant part:

- (1) The board may refuse to issue or renew, or may suspend, reprimand, revoke or restrict the license, registration or permit of any person, or may impose a monetary penalty, upon one or more of the following grounds:
 - (f) Violation of any of the provisions of this chapter or rules or regulations adopted pursuant to this chapter;

Mississippi Board of Pharmacy Administrative Rules, Part 3002, Chapter 5: Disciplinary Actions, Rule 5.1 Q, provides:

Failure to furnish the Board, its agents or representatives any information requested by the Board, or retaliation for providing information to the Board;

Specifically, on October 9, 2025, Compliance Agents for the Board attempted to conduct an annual inspection of Olde Towne Drugs, Ltd, Pharmacy Permit Number 13280/1.1, where Roberts served as the pharmacist-in-charge. When the Agents arrived, Roberts began crying, communicated that she could not have the Agents in the pharmacy, and asked to defer the inspection to a later date. Roberts informed the Board's Agents that she was experiencing severe personal and professional problems and planned on closing the pharmacy by the end of October. Roberts and all employees left the pharmacy through the back door, and she closed and locked the pharmacy. The pharmacy remained closed through Monday, October 13, 2025.

The agents had to suspend the inspection of the pharmacy on October 9, 2025. Prior to leaving the pharmacy, the Board's Agents made a written request to Roberts for the following records:

1. All acquisition records of Active Pharmaceutical Ingredient (API) purchased since May 24, 2025.
2. All disposition records for legend medications dispensed since May 24, 2025.
3. All On-Hand-quantities of semaglutide, tirzepatide, ivermectin, alprostadil, papaverine and phentolamine API.
4. Documentation of training for all staff performing or supervising compounding.

This records request was also communicated by email to Roberts' attorney. While compliance is expected within twenty-four (24) hours, Roberts was given additional time until October 13, 2025, at 5:00 pm to provide the requested records.

On October 13, 2025, Roberts' counsel made a partial production of records, including API acquisition records and partial disposition records of legend medications. Roberts failed to provide complete and accurate records of all legend medications that had been dispensed since May 24,

2025. Roberts failed to provide records of all on-hand quantities of Semaglutide, Tirzepatide, Ivermectin, Alprostadil, Papaverine and Phentolamine API. Roberts also failed to provide complete training documentation for all staff performing or supervising compounding and only provided training documentation for pharmacist Lance Brock.

On October 20, 2025, Compliance Agents hand-delivered another records request to Olde Towne Drugs for the following records:

1. A detailed list of information on all dispensing records from May 24, 2025 to October 20, 2025.
2. Compounding records from May 24, 2025 to October 20, 2025, including active ingredients.
3. Direct to clinic records from May 24, 2025 to October 20, 2025.
4. All on-hand-quantities of Semaglutide, Tirzepatide, Ivermectin, Alprostadil, Papaverine and Phentolamine API.
5. All training records for all staff performing or supervising compounding.

The request was also emailed to Roberts' counsel. Records were to be produced by October 21, 2025 at 5:00 pm.

On October 21, 2025, Roberts' counsel provided dispensing records, some direct to clinic records, and Roberts' 2024 training transcript. On October 23, 2025, Roberts' counsel asked for more time and stated that Roberts experienced a medical emergency at or near 5:00 pm on October 21st. The deadline had already passed and was not extended by the Board; however, the Board encouraged Roberts to fully comply with the record request. On October 24, 2025, on-hand API quantities and incomplete compounding records were produced by email, and Roberts confirmed that the original, complete compounding records would be hand-delivered to the Board that day. No such records were received, and Roberts failed to provide full and complete compounding records. Also, Roberts again failed to provide all training documentation as 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 the charges was served pursuant to Miss. Code Ann. § 73-21-99.
- (2) The Respondent has been afforded all due process required by law.
- (3) The Respondent was issued a license to practice pharmacy by the Board, Certificate of Registration Number E-010757 which was active at the time of the events giving rise to the charges.
- (4) The Respondent is subject to jurisdiction of the Board pursuant to Miss. Code Ann. § 73-21-83.
- (5) The Respondent did not appear to contest the charges and the hearing was held in absentia.
- (6) The Respondent committed the violations as charged.

FINAL ORDER OF THE BOARD

The Mississippi Board of Pharmacy hereby ORDERS as follows:

- Pursuant to Miss. Code Ann. § 73-21-103(1)(b), Pharmacist License, Certificate of Registration Number E-010757 is suspended indefinitely.
- Pursuant to Miss. Code Ann. § 73-21-103(1)(c), the Respondent is restricted from engaging in the practice of pharmacy until Certificate of Registration Number E-010757 is reinstated by the Board.
- Pursuant to Miss. Code Ann. § 73-21-103(2), the Respondent shall have the right to petition the Board for reinstatement of her pharmacist license.
- Prior to petitioning for reinstatement of her pharmacist license, the Respondent shall undergo a mental health evaluation coordinated by Professionals Health Network (“PHN”) and shall complete any further evaluation and treatment as determined by PHN. The Respondent must provide the results of the evaluation to the Board prior to appearing before the Board to request reinstatement.
- Pursuant to Miss. Code Ann. § 73-21-103(1)(d)(iii), the Respondent shall pay the cost of investigation and conduct of a proceeding in the amount of One Hundred Dollars (\$100.00) prior to petitioning for reinstatement.
- The monetary penalty shall be paid electronically through the Board of Pharmacy licensing system or by certified check, attorney’s check or money order issued by a usual, customary, and reputable issuer (U.S. Postal Money Order, Western Union Money Order, etc.).

All Board Members voted in favor of the above Order, except for Board Member Ryan Harper who voted No, and Board members Jillian Foster and Craig Sartin who served on the Investigations Review Committee and abstained.

This ORDER OF THE BOARD is effective immediately. Executive Director Susan McCoy shall cause a certified copy of this ORDER to be served on the Respondent and a copy maintained on file in the office of the Board.

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ORDERED AND AGREED TO, this the 28th day of May 2026.


Jillian foster (Jun 24, 2026 09:34:43 CDT)

Jillian Foster, President


Alvin Craig sartin (Jun 18, 2026 10:21:09 CDT)

Craig Sartin, Vice-President


Michael Gilbow (Jun 22, 2026 12:47:46 CDT)

Michael Gilbow, Secretary


Ryan Harper (Jun 19, 2026 14:54:47 CDT)

Ryan Harper


Patti Hawkins (Jun 19, 2026 13:32:55 CDT)

Patti Hawkins


David Hudson (Jun 22, 2026 12:18:05 CDT)

David Hudson


Tony waits (Jun 24, 2026 08:52:40 CDT)

Tony Waits

Came on May 28, 2026, the matter of Destin Healthcare Inc, Medical Equipment Supplier Permit Number 18391/11.1, herein also referred to as Petitioner, pursuant to a request to petition the Mississippi Board of Pharmacy.

BEFORE THE MISSISSIPPI BOARD OF PHARMACY

IN THE PETITION OF:

DESTIN HEALTHCARE INC
P.O. BOX 1202
YAZOO CITY, MS 39194

MEDICAL EQUIPMENT SUPPLIER PERMIT NUMBER 18391/11.1
JURISDICTION

The Mississippi Board of Pharmacy has jurisdiction of the subject matter pursuant to Miss. Code Ann. § 73-21-103(2).

PROCEEDINGS

The Petitioner's Medical Equipment Supplier Permit Number 18391/11.1 was revoked by the Board after an administrative hearing on January 18, 2025. The Board found that Destin Healthcare, Inc. and its designated representative DeJa Almore violated Mississippi Board of Pharmacy Administrative Rule 2.1 D by submitting an application for a medical equipment supplier permit which contained a false photo of the facility's storefront. The Board ordered the revocation of Medical Equipment Supplier Permit Number 18391/11.1 and restricted DeJa Almore from serving as a person in charge of a medical supplier permit.

Petitioner requests that the Board reinstate its medical equipment supplier permit and remove the restriction that DeJa Almore cannot serve as a person in charge of a medical supplier permit.

ACTION OF THE BOARD

Based upon the clear and convincing evidence presented at the petition hearing, all members of the Board present voted to approve the request by the Petitioner to reinstate Medical Equipment Supplier Permit Number 18391/11.1 and to allow DeJa Almore to serve as a person in charge of a medical equipment supplier permit.

All Board Members voted in favor of the above Order, except for Board members Craig Foster and Patti Hawkins, who served on the Investigations Review Committee and abstained.

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

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ORDERED AND AGREED TO, this the 28th day of May 2026.


Jillian foster (Jun 24, 2026 09:34:43 CDT)

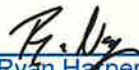
Jillian Foster, President


Alvin Craig sartin (Jun 18, 2026 10:21:09 CDT)

Craig Sartin, Vice-President


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Patti Hawkins


David Hudson (Jun 22, 2026 12:18:05 CDT)

David Hudson


Tony waits (Jun 24, 2026 08:52:40 CDT)

Tony Waits

Came on May 28, 2026, the matter of Cardarius Lloyd, Pharmacy Technician Registration Number PT-225519, herein also referred to as Petitioner, pursuant to a request to petition the Mississippi Board of Pharmacy.

BEFORE THE MISSISSIPPI BOARD OF PHARMACY

IN THE PETITION OF:

CARDARIUS K. LLOYD
175 INEZ OWENS
JACKSON, MS 39212

PHARMACY TECHNICIAN REGISTRATION NUMBER PT-225519
JURISDICTION

The Mississippi Board of Pharmacy has jurisdiction of the subject matter pursuant to Miss. Code Ann. § 73-21-103(2).

PROCEEDINGS

The Petitioner's Pharmacy Technician Registration Number PT-225519 was revoked by the Board after an administrative hearing on March 27, 2025, upon a finding that the Petitioner engaged in diversion in violation of Mississippi Board of Pharmacy Administrative Rule 2.1 Q. The Petitioner requests that the Board reinstate his pharmacy technician registration. The Board heard testimony concerning the Petitioner's request.

ACTION OF THE BOARD

The Board recognized that the Petitioner has accepted responsibility and shows remorse for his actions; however, based upon the clear and convincing evidence presented at the petition hearing, the Petitioner's request for reinstatement was denied. The Petitioner shall have the right to petition the Board for reinstatement of his registration in the future.

All Board Members voted to deny the Petition, except for Board members Jillian Foster and Patti Hawkins, who served on the Investigations Review Committee and abstained.

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

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ORDERED AND AGREED TO, this the 28th day of May 2026.


Jillian foster (Jun 24, 2026 09:34:43 CDT)

Jillian Foster, President


Alvin Craig sartin (Jun 18, 2026 10:21:09 CDT)

Craig Sartin, Vice-President


Michael Gilbow (Jun 22, 2026 12:47:46 CDT)

Michael Gilbow, Secretary


Ryan Harper (Jun 19, 2026 14:54:47 CDT)

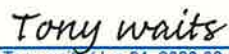
Ryan Harper


Patti Hawkins (Jun 19, 2026 13:32:55 CDT)

Patti Hawkins


David Hudson (Jun 22, 2026 12:18:05 CDT)

David Hudson


Tony waits (Jun 24, 2026 08:52:40 CDT)

Tony Waits