

Kansas State Board of Pharmacy  
Minutes of the September 8 & 9, 2011  
Board Meeting

Via Christi – St. Joseph Campus  
3600 E. Harry  
3rd Floor, Conference Room A  
Wichita, KS 67218

**Thursday, September 8, 2011**

**Meeting Called to Order:** President Shirley Arck, Pharm.D called the meeting to order at 9:00am.

**Members Present:** Shirley Arck, Pharm. D., President; Jim Garrelts, Pharm. D., Vice-President; Michael Coast, R.Ph.; Bob Haneke, Pharm. D., Nancy Kirk, Public Member; David Schoech, R.Ph.; and Chad Ullom, R.Ph.

**Staff Present:** Debra Billingsley, Executive Secretary; Jim Kinderknecht, R.Ph., Pharmacy Inspector; Tom Frazier, R.Ph., Pharmacy Inspector; Carly Haynes, R.Ph., Pharmacy Inspector; Reyne Kenton, Compliance Officer; Melissa Martin, Compliance Officer; Holly Fisher, Compliance Counsel; Christina Morris, PDMP Director, and Randall Forbes, General Counsel.

**Others Present:** See attached listing.

**Approval of the Agenda:**

A motion was made and seconded to approve the agenda as amended (Garrelts/Kirk). Motion passed.

The amendments include:

- Removing Case 10-9, Irene Gasser
- Move Case 11-61, Leon Winchester, to Friday, September 9 at 9am
- Add KTRACs policy to the Friday, September 9<sup>th</sup> after Case 11-61

**Approval of the June 2011 Minutes:**

A motion was made and seconded to approve the minutes as printed. (Schoech/Ullom) Motion passed.

**Administrative Actions**

WalMart Pharmacy, 2600 NW Rochester Rd., Topeka, KS (2-10111)- Case No. 11-06: The Board appeared by and through Holly Fisher, Compliance Counsel. A motion was made and seconded to increase the fine to \$2500, require WalMart to design a specific plan to address this type of error, send a monthly written report as to incidents, and have the pharmacist in charge and the district manager attend the next Board meeting. (Garrelts /Haneke ) Motion passed.

Ms. Fisher requested the Board go into executive session to receive confidential and privileged information on Cristina Gray, Jeff Rivers and Mohamed Elberry. A motion was made and seconded to go into executive session for 20 minutes to receive privileged information to include Mr. Forbes, Ms. Fisher, Ms., Billingsley, Board staff, and Sharon Iverson, CIPP, to return to open session at 10am. (Haneke/Kirk) Motion passed. Dr. Arck reconvened the meeting at 10am.

Cristina D. Gray, R.Ph. (1-14434) Case 09 - 85.

Ms. Gray was not present. A motion was made and seconded to amend and accept the Summary Order placing Ms. Gray on probation for 5 years to run concurrent with her probation in Missouri with the addition of the requirement Ms. Gray provide a release to Missouri "CIPP" program to send information to Ms. Iverson at CIPP. (Coast/Ullom). Motion passed as amended.

Jeff Rivers, R.Ph. (1-12334) Case 11- 16.

Mr. Rivers was not present. A motion was made and seconded to accept the Summary Order regarding Mr. Rivers. The Order was to revoke Mr. Rivers' pharmacist license. (Coast/Haneke) Motion passed.

Mohamed Y. Elberry, R.Ph. (1-14805) Case 11- 49.

Mr. Elberry was not present. A motion was made and seconded to accept the Consent Agreement for Mr. Elberry. (Coast/Garrelts) Motion passed. Mr. Elberry signed the consent agreement and must appear in front of the Board before the Agreement would be modified.

Denver Wesley Shipman, Case 11- 66.

Mr. Shipman was present with counsel, Jadh Kerr. Mr. Shipman is pursuing a pharmacy intern registration and currently enrolled at University of Kansas, Wichita Campus, School of Pharmacy. Ms. Fisher presented the case to the Board. Ms. Kerr made comments on behalf of her client, Mr. Shipman. Mr. Shipman was sworn in and answered the questions posed by the Board. The Board discussed the case. A motion was made and seconded to set aside the Summary Order and grant Mr. Shipman the pharmacy intern registration. (Haneke/Kirk). Motion passed.

**Recess:** Dr. Arck declared a break to reconvene in 10 minutes to resume an 11:10am.

**Reconvene:** Dr. Arck reconvened the meeting at 11:13am

### **Administrative Hearings**

Bill Poulos, Pharm. D. (1-14493) Case 09- 27. Mr. Poulos was not present. He had requested a hearing. Mr. Poulos was seeking early release from his Order. The Board reviewed the Final Agency Order signed July 9, 2009. A motion was made and seconded to deny the request. (Coast/Ullom) Motion passed.

### **Administrative Actions**

Chad Belton, Pharmacy Intern, (3-05467) Case 11- 28.

Mr. Belton was not present. Mr. Haneke recused himself from the discussing or voting having prior knowledge of Mr. Belton. A motion was made and seconded to accept the

Diversion Agreement with Mr. Belton as presented. (Coast/Ullom) Motion passed (4-1) (Kirk)

Jolee DuBray Case 11- 39.

Ms. DuBray was not present. Ms. DuBray had an application pending for registration as a pharmacy technician. A motion was made and seconded to accept the Summary Order to deny the pharmacy technician registration of Ms. DuBray. (Coast/Haneke) Motion passed. Registration denied.

Sherrell Miller, Case 11-55.

Ms. Miller was not present. Ms. Miller had an application pending for registration as a pharmacy technician. A motion was made and seconded to accept the Summary Order with Ms. Miller. (Haneke/Coast) Motion passed. Technician registration approved.

Paul J. Duff, Case 11- 56.

Mr. Duff was not present. Mr. Duff had an application pending for registration as a pharmacy technician. A motion was made and seconded to accept the Summary Order to deny the pharmacy technician registration of Mr. Duff. (Ullom/Garrelts) Motion passed. Registration denied.

Micah Heikes, Case 11- 57.

Mr. Heikes was not present. Mr. Heikes had an application pending for registration as a pharmacy technician. A motion was made and seconded to accept the Summary Order with Mr. Heikes. (Haneke/Coast) Motion passed. Technician registration approved with a one-year probation.

Christian Parker, Case 11- 58.

Mr. Parker was not present. Mr. Parker had an application pending for registration as a pharmacy technician. A motion was made and seconded to accept the Summary Order with Mr. Parker. (Kirk/Coast) Motion passed. Technician registration approved with probation concurrent with his diversion agreement.

Nestor Arredondo, Case 11 - 64.

Mr. Arredondo was not present. Mr. Arredondo had an application pending for registration as a pharmacy technician. A motion was made and seconded to accept the Summary Order with Mr. Arredondo. (Haneke/Coast) Motion passed. Technician registration approved with a one-year probation.

Christy Stevenson, Case 11 – 65.

Ms. Stevenson was not present. Ms. Stevenson has an application pending for registration as a pharmacy technician. A motion was made and seconded to reissue the Summary Order to deny registration. (Coast/Haneke) Motion passed. Summary Order will be reissued to deny registration and Ms. Stevenson will be able to ask for a hearing.

Noah Ball, Case 11 – 68.

Mr. Ball was not present. Mr. Ball had an application pending for registration as a pharmacy intern. The School of Pharmacy at Kansas University has placed the student on probation. A motion was made and seconded to amend the Summary Order to

include a probationary period of one year and compliance with the CIPP recommendation. (Kirk/Ullom) Motion passed. Pharmacy intern registration approved.

Sharmae Keith, Case 11 – 69.

Ms. Keith was not present. Ms. Keith had an application pending for registration as a pharmacy technician. A motion was made and seconded to accept the Summary Order to deny the pharmacy technician registration of Ms. Keith. (Garrelts/Coast) Motion passed. Registration denied.

Aaron Matthews, Case 11 – 72.

Mr. Matthews was not present. Mr. Matthews had an application pending for registration as a pharmacy technician. A motion was made and seconded to accept the Summary Order to deny the pharmacy technician registration of Mr. Matthews. (Haneke/Coast) Motion passed. Registration denied.

Cameo Duncan, Case 11 – 75.

Ms. Duncan was not present. Ms. Duncan had an application pending for registration as a pharmacy technician. A motion was made and seconded to accept the Summary Order to deny the pharmacy technician registration of Ms. Duncan. (Coast/Haneke) Motion passed. Registration denied. The Board would reconsider if Ms. Duncan can clear the record in Missouri.

**Recess:** Dr. Arck recessed the meeting for lunch at 12:22pm to reconvene at 1pm.

**Reconvene:** Dr. Arck reconvened the meeting at 1:03pm.

A motion was made and seconded to move the remaining morning agenda (Sanders Case, Closed Cases, Diversion Report, and Investigative Member Report) to the end of the day. (Schoech/Garrelts) Motion passed

## **Board Discussion**

### Board Budget for FY12 and FY13

License/Registration Fees and Fee Fund Balance – Ms. Billingsley presented the information concerning the budget. The budget analyst suggests keeping a Pharmacy Fee Fund Balance of approximately \$400,000. Some legislators have suggested an amount equal to the yearly budget. The request has been made to create a litigation fund of \$150,000 as many state agencies have already created. Ms. Billingsley requested the ability to fund a project to enhance pharmacy by using the overage in the fee fund for loan forgiveness if a pharmacist works in an underserved area in Kansas. There is currently no federal loan forgiveness program for pharmacists in Kansas. Approximately \$200,000 is added to the fee fund yearly.

Information provided:

- Application Fee Statute – K.S.A. 65-1645
- Controlled Substance Registration - K.S.A. 65-4116
- Controlled Substance Fees - K.S.A. 65-4115
- Fees for CS Registration Regulation – K.A.R. 68-20-9
- Pharmacist Renewal Statute - K.S.A. 65-1632
- Pharmacy Technician Fees - K.S.A. 65-1663
- Letters for Fee Fund Proposals

- KCHP Foundation Proposal Letter
- KCHP Foundation Proposal
- MTM Program for Medicaid

Linda Radke presented for KCHP, Kansas Council of Health-System Pharmacists with a proposal that the Board use any overage for residency programs in Kansas. The letters were attached to the electronic agenda. The Board asked questions on the proposal to clarify various points as to residency areas to be funded and continuation of the residency program after the initial funding grant is completed. James Rorstrom, Hays Medical talked of the need to fund residencies in regions other than larger cities. Once a residency gets going for three years then there is a possibility of Medicare funding. Eugene DeDonder, Mercy Regional in Manhattan, also spoke to the funding of residency start up programs. Katie Burenheide said the program at Stormont-Vail has an emphasis in trauma and they would also like to begin a residency program. Phil Schneider, Olathe Medical, believes residency training should be available in smaller than 300 bed hospitals. The proposal from KCHP has not built in any monetary value for the group except to provide travel and food expenses. The majority of the funding would go directly to the costs of beginning the residency programs. The request was for \$300,000 as a one-time grant.

Pete Stern provided a letter to the Board related to funding the medication therapy management program through KDHE.

Mike Larkin, KPhA, proposed to use the funds for continuing education needs of all pharmacists. Mr. Larkin said the request was for approximately \$100,000 every year. The KPhA program was presented at the June 2011 meeting.

**K-TRACS Funding** – Ms. Morris presented the information. Ms. Morris had requested a two-year extension from the federal government for funding the program. An extension was approved, however some states receiving extensions have been notified the funding would be ending. Options for funding the program after this period are in the packet for Board review.

- K-TRACS Current Funding Statute - K.S.A. 65-1684
- Proposed Funding Language – The proposal would allow the Pharmacy Board to collect a fee from prescribers of controlled substances and pharmacies not to exceed \$25.
- K-TRACS Annual Budget

**K-TRACS Update** – Dr. Twillman presented the update. Information was provided to the Board for their review. In the first week of September, the system went live for the law enforcement agencies. For law enforcement or administrative oversight agencies there must be an active case to obtain the information. The information, when verified, is released electronically to the agency or law enforcement. The concern is continued funding for the program.

The Board discussed the funding of KTRACS as the first priority since the program is already in operation. Total yearly funding for KTRACS is approximately \$250,000. If KTRACS loses the federal grant funding, they would need approximately \$104,000 until

July 2012. This amount deletes anything the grants require to be performed while using the grant money. If the Board gave them money to continue the program it would be considered a loan, but continued funding would not be allowed. The Board of Healing Arts, per Ms. Morris, would like the program to continue. Many physicians like the system for the information it provides in caring for certain patients.

The contingency plan will be for the Board to loan the money to KTRACS. The long-term plan must be to gather support to change the statute to fund the program.

Ms. Morris asked about the statute language from Louisiana. The Board stated the language was fine because all prescribers/dispensers accessing the program would be paying for the program. Mr. Haneke proposed decreasing the renewal fee and then adding the \$25 KTRACs fee proposed making a net increase to the licensee be zero.

The Board discussed options to decrease pharmacy fee fund. Mr. Garrelts championed the residency request since the state would benefit through increased public health. The places receiving the grant would receive the money in increments over three years. Mr. Coast likes the residency and the continuing education proposals.

Currently, the Board has \$1.3 million in the Pharmacy Fee Fund. The Pharmacy Fee Fund should maintain the \$400,000 to \$700,000 as suggested by the budget analyst and legislature. Ms. Billingsley will turn in the budget in September and wait for approval in January. Ms. Billingsley will defend the budget and the drawing of the fee fund down. The Board consensus was to take the residency and continuing education proposals forward with the changes in the KTRACs funding statute.

**Recess:** Dr. Arck declared a break to reconvene in 10 minutes.

**Reconvene:** Dr. Arck reconvened the meeting at 3pm

#### Automated Dispensing Access

- KVC – 22 bed psychiatric hospital. Nahid Shavak, ARNP; Alan Brown; and Tammy Willits, R.Ph. presented information regarding the system the facility uses. The pyxis machine is located in a space identified as the pharmacy. Only RNs may access a pharmacy therefore a LPN cannot access the pharmacy. The machine must be moved out of the area designated as the pharmacy in order for an LPN to access the machine.
- Care ATC, Inc. Application – Care ATC representatives were not in attendance.
- Suggested Changes – Their proposal for a statute change would be to allow them to dispense to the employees' family. The proposed statute would create many problems. Board staff will continue to discuss this issue with Care ATC.

#### **NPLEx Update**

- NPLEx Letter – The letter presented was sent to pharmacies selling PSE and Ephedrine over the counter.
- NPLEx Transaction Summary Report – The report indicates 558 pharmacies are loaded into the system and 535 have participated in the last 30 days.
- Dashboard Report – Ms. Billingsley gave the report. Any glitches are in the process of being fixed. One glitch was giving a “do not sell” incorrectly.
- Signature Scanner Report – The Salina Police Department has accessed the reports more than any other law enforcement agency.

### **Administrative Actions**

Dana Sanders, Pharmacy Intern (3-05698) Case 09- 48 and 11- 18.

Ms. Sanders was not present. A motion was made and seconded to go into executive session to receive privileged information for 30 minutes and to return to open session at 4:10pm. The executive session is to include Mr. Forbes, Ms. Billingsley, Ms. Fisher, Board staff, and Ms. Iverson, CIPP. (Kirk/Ullom) Motion passed. Dr. Arck reconvened the meeting at 4:10pm.

**Controlled Substance Diversion Report** – Ms. Billingsley presented the information on diversion from pharmacies and the statistics of who was diverting the drugs. In 2011, 9 pharmacists, 1 technician, and 1 intern had drug or alcohol problems.

**Closed Cases** – The closed cases were presented to the Board for review and discussion.

**Investigative Member Report** – Ms. Billingsley presented the information. 2011 may be a high volume year in regards to cases. Ninety complaints have been received with four months remaining to the end of the year.

### **Executive Session:**

A motion was made and seconded to go into executive session for 40 minutes to discuss client/attorney privilege at 4:20pm and to reconvene the regular meeting at 5pm in the same room. The executive session is to include Mr. Forbes, Ms. Billingsley and the Board staff. (Kirk/Ullom) Motion passed.

Agenda items not discussed today will be moved to tomorrow.

**Adjourn:** Dr. Arck adjourned the meeting at 5:02pm.

### **Friday, September 9, 2011**

**Meeting Called to Order:** President Shirley Arck called the meeting to order at 9:00am.

**Members Present:** Shirley Arck, Pharm. D., President; Jim Garrelts, Pharm. D., Vice-President; Michael Coast, R.Ph.; Bob Haneke, Pharm. D., Nancy Kirk, Public Member; David Schoech, R.Ph.; and Chad Ullom, R.Ph.

**Staff Present:** Debra Billingsley, Executive Secretary; Jim Kinderknecht, R.Ph., Pharmacy Inspector; Tom Frazier, R.Ph., Pharmacy Inspector; Carly Haynes, R.Ph., Pharmacy Inspector; Reyne Kenton, Compliance Inspector; Melissa Martin, Compliance Inspector; Holly Fisher, Compliance Counsel; Christina Morris, PDMP Director, and Randall Forbes, General Counsel.

**Others Present:** See attached listing.

## **KTRACs Policy**

The last motion of the June meeting was in question as to whether Ms. Braman was a Board member at the time the motion was made. The Board remade the motion to clarify the position of the Board.

A motion was made and seconded to adopt a policy directing the pharmacy inspectors and compliance inspectors to make all requests to access information from the prescription-monitoring program to the executive secretary of the Board. (Coast/Kirk)  
Motion passed.

## **Approval of New Pharmacists and New Registrants**

A motion was made and seconded to approve the new licenses. (Coast/Ullom) Motion passed.

A motion was made and seconded to approve the new registrations. (Coast/Haneke)  
Motion passed.

## **Future Board Meeting Dates:**

February 15, 2012	9am-12pm	Topeka (Legislative – possibly conference call)
March 8 & 9, 2012		Lawrence
June 7 & 8, 2012		Topeka
September 13 & 14, 2012		Wichita
November 29 & 30, 2012		Topeka

## **Administrative Hearing**

Leon Winchester, Case 11- 61.

Mr. Winchester was to be present via phone. Mr. Winchester appealed the denial of his application for registration as a pharmacy technician. Ms. Fisher presented the case to the Board. Mr. Winchester sent via email an explanation. He was unable to attend due to pre-pharmacy classes at Kansas University. The Board discussed the case and wanted to give Mr. Winchester a second chance, but felt they needed to talk to him and the references before make a decision. A motion was made and seconded to table the decision until December 2011. (Ullom /Kirk). Motion passed.

## **Update on 2012 Legislation**

Ms. Billingsley is recommending the following statute changes:

1. Amend Intern statute adding disciplinary language.
2. Amend Pharmacist and Pharmacy Technician statute so fees can be collected year round instead of once a year to help with cash flow.
3. Amend Fee statute so it clearly requires renewal and late fee from each license/registration type.
4. Draft a PMP bill permitting the Board to collect fees from KTRACs users.
5. Draft changes to “Practice of Pharmacy” statute to allow for collaborative practice.
6. Support change to drug disposal law, if drafted appropriately. – Meeting to be hosted by KPhA with all stakeholders including KDHE.
7. Amend statute to allow for electronic transmission of Schedule II prescriptions / controlled substance prescriptions.



8. Draft language to allow grant funding with excess fee fund monies.

### **Drug Disposal Information**

- KBOP Newsletter-Drug Disposal – An article appeared in the March 2011 Kansas State Board of Pharmacy newsletter concerning drug disposal.
- KDHE Drug Disposal – Attached to the agenda - KDHE document regarding disposal of drugs.
- AHCA Drug Disposal – American Health Care Association’s letter in support of designing consistent and environmentally friendly way to dispose of unwanted drugs especially in the long-term care facilities.

### **Guidance Documents**

The Legislature changed the law to permit an agency to submit guidance documents. These documents do not need to go through the process of a regulation and would be very helpful to the Board. The guidance documents must be available to the public and may be posted on the agency’s website. The following are examples of topics that could be addressed:

- As an example: Can an authorized generic be substituted for a brand name even though it is not an A rated generic.
- Hospital Telepharmacy needing a document to clarify the Board’s intent.

### **Regulation Update**

Regulation with minor changes can have a 30-day notice rather than a 60-day notice. Regulations with major changes must have the longer 60-day notice. The Board scheduled either October 24 or 25<sup>th</sup> for a phone conference to discuss the regulation changes. The Legislative Committee is scheduling meetings only monthly rather than several times per month, however Ms. Billingsley said this should not adversely affect the Board.

### **Board Discussion**

License Certificates – Several examples of wall certificates were attached to the electronic agenda. Several proposed options were also attached.

Honorary pharmacy certificates – Examples are attached to the electronic agenda

Nameplates – Several examples of nameplates were attached to the electronic agenda. The electronic agenda had the reverted Ad Astra as the new state preferred symbol.

Mr. Schoech presented the information. A motion was made and seconded to revert back to the earlier style (1980’s) license with gold seal and black borders and lettering. (Coast/Haneke) Motion passed. The Board discussed the wording as to Registered or Licensed Pharmacist. A motion was made and seconded to change the wording from “Registered” to “Licensed” (Haneke/Coast) Motion passed.

### **Election of Officers**

Investigative Member – Mr. Coast nominated Mr. Schoech as Investigative Member seconded by Ms. Kirk. Mr. Schoech was elected unanimously. Mr. Schoech may pass to another Board Member if there is a conflict or particular expertise that would be helpful.

A motion was made and seconded to allow the Investigative Member to take all action necessary regarding disciplinary cases on behalf of the Board. (Coast/Garrelts) Motion passed.

Vice-President - Dr. Arck nominated Ms. Kirk as Vice-President seconded by Mr. Coast. Ms. Kirk was elected unanimously.

President – Mr. Coast nominated Mr. Garrelts as President seconded by Ms. Kirk. Dr. Garrelts was elected unanimously.

Mr. Schoech congratulated the new officers and presented new nameplates designating their new positions on the Board.

### **Board Member Reports**

Shirley Arck – thanked the Board for a great year and for the opportunity to serve.

Michael Coast – reported he has been working on forming a committee to review first dose and automation at LTCFs to formulate recommendations to the Board. He wants to help KPhA, KDHE and pharmacists find possible options to the drug disposal problem. Mr. Coast would like pharmacies to be able to help their customers in disposing of unwanted drugs.

Jim Garrelts – shared an article from the Wichita Eagle about Insty-meds. He said there is a push for pharmacy to join the Accountable Care Model. He encouraged the Board to become aware and that pharmacy/pharmacists needed to be proactive or chance being left out of the model. The model would tie provider reimbursements to outcomes for the patient in an effort to decrease the overall cost of coverage. Dr. Garrelts thanked Dr. Arck for her leadership as president during the past year.

Bob Hanek – had no report.

Nancy Kirk – asked if a registered professional nurse could delegate the activity of entering a pharmacy to retrieve drugs to an LPN after training. This is done for many of the activities the LPN may be able to perform. The comments were that the pharmacy falls under the jurisdiction of the Board of Pharmacy and our statutes and regulations state that only the registered professional nurse may enter.

Ms. Kirk requested a list of regulations-in-process be provided so the Board may keep up with and know where each regulation is in the process. Ms. Kirk thanked Ms. Fisher for the paper with the case presentation for each of the cases.

David Schoech – The Board thanked Mr. Schoech for having the new nameplates made. Mr. Schoech questioned where Kansas was in the DEA's process to allow e-scripts for controlled substances. Ms. Billingsley said the DEA and Surescripts were hoping that e-scribe could begin in the fall. Prescriptions for III, IV, and V will be able to be e-scribed as allowed and prescribers/dispensers can prove their systems are secure. Schedule II prescriptions will be available for electronic prescriptions when the statute changes are approved by the legislature and go into effect.

Chad Ullom – had no report

### **Staff Reports**

Carly Haynes – said that she, Ms. Kenton, and Ms. Martin had spent several days reviewing the MPJE test pool and accessing the new question pool for additions to the Kansas pool. Ms. Haynes said that they have perfected a method to verify the question, relate it to information the prospective pharmacist should know, and how the question would relate to a pharmacy practice setting. Ms. Haynes complimented Barb Woods on her expertise in preparing the students at KU School of Pharmacy for the test. Ms. Haynes related a call from a pharmacist about shared services involving multiple states. She shared an article from the Wichita Eagle about JCB Labs, a compounding pharmacy.

Reyne Kenton – welcomed the new Board members and thanked Mr. Schoech for his work on the investigation committee.

Melissa Martin – said the MPJE, while a lot of tedious work, was also a good review of the law. We look forward to continuing the yearly reviews for continuity.

Jim Kinderknecht – shared the sentencing of a pharmacist, known to the Board, to federal prison for 4 years. Mr. Kinderknecht told the Board about the sudden turn in health of an owner of two pharmacies in northeast Kansas.

Tom Frazier – told the Board he is writing a paper on what happens to drugs after taken. Many drugs leave the body unchanged and from there they enter into the water system. He will share the paper when finished.

Randall Forbes – had no report at this time.

Debra Billingsley – told the Board that the Governor and current administration have focused on service to small agencies. The state is providing more services to help with the consolidation of functions. The office is now in process of upgrading the computer programs rather than switching to a totally new software vendor. The system will allow for scanning all documents and maintaining them as electronic documents. This will allow for a paperless office and increasing efficiency. Ms. Billingsley introduced the flowchart and Ms. Fisher gave background for the development of the flowchart. Ms. Fisher explained the flowchart. Using technology to increase efficiency making processes more visible using less paper will create a “lean office”.

- Licensing Flowchart

Holly Fisher - asked the Board how they would like to proceed with the cases and hearings.

Mr. Forbes explained the difference between a “Summary Order” and a “Petition” A Summary Order has little to no argument about the facts of the case, gives the stipulations, penalties and allows for 15-days to request a hearing. If no hearing is requested, the Summary Order becomes a Final Order.

“Petition” notifies the registrant/licensee that they must appear before the Board and typically moves to a Consent Agreement. A petition is easier to change at the Board table than a Summary Order.

The suggestion was made to use a Summary Order for problems with applications where the Board would deny the application or approve with requirements that must met. If the application fails to disclose, there would need to be a determination whether it was a failure to disclose or an incomplete application. The Office would need to follow –up on the application to make the appropriate determination. Drug diversion cases are handled efficiently with a Summary Order to revoke.

Pharmacies, pharmacists, and interns would start with a Consent Agreement. The Consent Agreement can be sent with a Petition to allow the registrant/licensee to appear before the Board if they chose not to sign the Consent Agreement.

Ms. Fisher thanked the Board for the direction in processing the cases.

**Adjourn:** Dr. Garrelts adjourned the meeting at 11:41am.