

**AGENDA  
DEPARTMENT OF HEALTH  
BOARD OF PHARMACY  
BOARD MEETING  
February 9-10, 2010  
Embassy Suites  
9300 Baymeadows Road  
Jacksonville, Florida 32256  
(904) 731-3555**

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**Continuing Education credits may be awarded to licensees who attend the Board meeting when the Board discusses disciplinary matters. Pursuant to Rule 64B16-26.103(1)(d), you must attend the entire day to receive credits. Meetings usually end at 4:00 p.m.**

**Continuing education credit will not be granted to licensees required to appear before the Board. Individuals wishing to obtain continuing education credits must sign in prior to the beginning of the meeting. You will receive a certificate at the end of the meeting.**

**PLEASE TURN OFF ALL CELL PHONES, PAGERS, AND BEEPERS DURING THE MEETING.  
THANK YOU.**

**Board Members:**

Michele Weizer, PharmD, Chair, Boca Raton,  
Fritz Hayes, BPharm, Vice-Chair, Miami  
Albert Garcia, BPharm, MHL, Miami  
Cynthia Griffin, PharmD, Jacksonville  
Amy Jones, JD, Consumer Member, Tallahassee  
Steve Melvin, PharmD, Panama City  
Jim Powers, BPharm, Tallahassee  
Lorena Risch, Consumer Member, Bradenton  
Ron Salem, PharmD, Jacksonville

**Board Staff:**

Rebecca Poston, RPh, CPh, Executive Director  
Ronda Bryan, Program Operations Administrator  
Erica Milam, Administrative Assistant II

**Board Counsel:**

Allison Dudley, Assistant Attorney General  
Diane Guillemette, Assistant Attorney General

**Department of Health Staff:**

Billie Jo Owens, Assistant General Counsel

**Tuesday, February 9, 2010– 9:00 a.m.**

**9:00 a.m. Rules Committee, Steve Melvin, PharmD, Chair**

**Tuesday, February 9, 2010– 1:00 p.m. FULL BOARD MEETING**

**1:00 p.m. Rule Hearing on Rule 64B16-27.500, F.A.C., Negative Drug Formulary**

1. Notice of Proposed Rule Language and Comments from FAW
2. Request for Rule Hearing/Comments
  - a. Elliott G. Levy, MD, Clinical Professor of Medicine, University of Miami Miller School of Medicine
  - b. Jeffrey R. Garber, MD, FACP, FACE, President, American Association of Clinical Endocrinologists
  - c. Joan Shey, President, Light of Life Foundation for Thyroid Cancer

- d. Michael J. Ayotte, RPh., Director of Government Affairs
- e. Anthony J. Silvagni, DO, PharmD, MS, FACOFP dist., Dean, NOVA SE University College of Osteopathic Medicine
- f. Kevin J. Nowakowski, MD, Assistant Clinical Professor, USF
- g. Anonymous Pharmacist

**TAB 1**

**REPORTS**

- A. Chair's Report- Michele Weizer, PharmD**
  - 1. Recognition of Past Chair, Ron Salem, PharmD
  - 2. Recognition of Rules Committee and Administration Committee Chair, Amy Jones, JD
  - 3. Recognition of Tripartite Committee Chair, Fritz Hayes, BPharm
  - 4. Recognition of Board of Pharmacy Staff for the Registration of Pharmacy Technicians
- B. Executive Director's Report - Rebecca Poston, RPh**
  - 1. October 2009 PRN Report
  - 2. November 2009 PRN Report
  - 3. Activities
  - 4. Technician Registration Statistics
  - 5. Legislative Update 2010
  - 6. Memorandum from Gerry Schiebler, M.D., Present, PRN, Inc.
  - 7. Continuing Education Audit Process
  - 8. Resume for Allison Dudley, Assistant Attorney General
  - 9. Board Member Confirmations
- C. Attorney General's Report – Allison Dudley, Assistant Attorney General and Diane Guillemette, Assistant Attorney General**
  - 1. Discussion on Rule Hearing - Rule 64B16-27.500, F.A.C., Negative Drug Formulary
  - 2. Rules Reports
  - 3. 64B16-26.1001, F.A.C. Examination and Application Fees
  - 4. 64B16-26.1031, F.A.C. Influenza Immunization Certification Program
- D. Prosecuting Attorney Report – Billie Jo Owens**
  - 1. February 2010 Prosecution Report
- E. Statewide Inspection Program Manager Report – Bob Garey**
- F. Rules Committee –Steve Melvin, PharmD.**
- G. Administrative Report – Amy Jones, JD**
- H. Tripartite Committee Report – Fritz Hayes, BPharm**
- I. Probable Cause Panel Report – Amy Jones, JD and Fritz Hayes, BPharm**

**TAB 2**

**BUSINESS –Michele Weizer, PharmD, and Allison Dudley, Assistant Attorney General**

**A. Ratification of Issued Licenses/Certificates & Staffing Ratios – Michele Weizer, PharmD**

1. Pharmacist (Licensure) (Client 2201) – 101
2. Pharmacist (Exam Eligibility) (Client 2201) – 60
3. Pharmacist Interns (Client 2202) – 376
4. Registered Pharmacy Technicians (Client 2208)- 24,561
5. Consultant Pharmacist (Client 2203) – 31
6. Nuclear Pharmacist (Client 2204) – 1
7. Pharmacies/Facilities (Client 2205) – 62
8. Technician Ratios
9. CE Providers and Programs - 2
10. Registered Pharmacy Technicians Approved by Board Chair

**B. Ratification of Practice Plans Approved by Board Chair - Michele Weizer, Pharm.D.**

**C. Minutes – Michele Weizer, PharmD**

1. Approval of December 8-9, 2009, Meeting Minutes
2. Approval of December 21, 2009, Meeting Minutes
3. Approval of December 28, 2009, Meeting Minutes
4. Approval of December 30, 2009, Meeting Minutes

**Wednesday, February 10, 2009 – 8:00 a.m. – Disciplinary Cases**

**8:00 a.m. Call To Order by Michele Weizer, PharmD, Chair**

**TAB 3**

**DISCIPLINARY CASES – Billie Jo Owens and Michele Weizer, PharmD**

**A. SETTLEMENT AGREEMENT– APPEARANCE REQUIRED CASES**

- A-1 NICOLE SUZANNE HANNA, RPH, Clearwater, FL., PS 39335, Case No. 2007-39452 - PC: Powers/Jones - Settlement Agreement – CDS
- A-2 JOHANNA MELENDEZ, RPH, New York, NY, PS 41192, Case No. 2007-39446 PC: Powers/Jones - Settlement Agreement - CDS
- A-3 FRANCES FOLEY CASH, RPH, Safety Harbor, FL., PS 19984, Case No. 2007-32341 - PC: Powers/Jones - Settlement Agreement - CDS
- A-4 EARL S. PARAMORE, RPH, Marianna, FL., PS 14067, Case No. 2009-10273 PC: Hayes/Weizer - Settlement Agreement - WLS
- A-5 RANDALL LAHTI, RPH, Fort Lauderdale, FL., PS 32671, Case No. 2009-03669 PC: Melvin/Risch - Settlement Agreement - CDS
- A-6 HOLIDAY CVS, LLC, Woodsocket, RI, PH 20347, Case No. 2009-10677 - PC: Garcia/Griffin - Settlement Agreement – WLS

**B. DETERMINATION OF WAIVER**

- DOW-1 JACOB'S PHARMACY, INC., Miami Spring, FL., PH 23544, Case No. 2009-02609 - PC: Powers/Jones - Determination of Waiver - CDS
- DOW-2 TRINITY COMMUNITY HOSPITAL, Jasper, FL., PH 16766, Case No. 2008-20104 - PC: Hayes/Weizer - Determination of Waiver - CDS
- DOW-3 ALBERT WILLIAMS, RPH, Tampa, FL., PU 885, Case No. 2009-01844 PC: Garcia/Griffin - Determination of Waiver - CDS

**C. VOLUNTARY RELINQUISHMENTS**

- VR-1 MED CARE PHARMACEUTICALS, INC., Hialeah, FL., PH 22699, Case No. 2009-10371 - PC: Garcia/Griffin - Voluntary Relinquishment of Permit - CDS
- VR-2 HERBERT HERBST, RPH, Boynton Beach, FL., PS 8184, Case No. 2009-11929 PC: Waived - Voluntary Relinquishment of License
- VR-3 JO ANN MOLDENHAUER, RPH., Pawcatuck, Connecticut, PU 4071, Case No. 2009-17165 - PC: Melvin/Risch - Voluntary Relinquishment of License - WLS
- VR-4 RAICHELL WASHINGTON SAVOY, RPH, Upper Marlboro, Maryland, PU 5673, Case No. 2009-15732 - PC: Melvin/Risch - Voluntary Relinquishment of License - WLS
- VR-5 TORRES PHARMACY DISCOUNT, INC., Hialeah, FL., PH 9324, Case No. 2009-11370 - PC: Waived - Voluntary Relinquishment of Permit - WLS
- VR-6 SIMON BARNES, RPH., Delray Beach, FL., PS 6345, Case No. 2009-11930 PC: Waived - Voluntary Relinquishment of License - BJO

**D. BOARD ACTION BY HEARING NOT INVOLVING DISPUTED ISSUES OF MATERIAL FACT**

- I-1 KEVIN STRYCHALSKI, RPH, Sanford, FL., PS 25362, Case No. 2009-14938 PC: Melvin/Risch - Informal - WLS
- I-2 NATHAN MOY, RPH, Miramar, FL., PS 34644, Case No. 2009-11174 PC: Hayes/Weizer - Informal - CDS
- I-3 REGINALD DAWSON, RPH, Jacksonville, FL., PS 26434, Case No. 2008-20950 PC: Garcia/Hayes - Informal - CDS
- I-4 ACE MEDICAL EQUIPMENT GROUP CORP., Hialeah, FL., PH 23203, Case No. 2009-11386 - PC: Garcia/Griffin - Informal - WLS
- I-5 KATRINA VALENCIA TOUCHSTONE, RPH, West Park, FL., PS 40439, Case No. 2009-07782 PC: Powers/Jones - Informal - CDS
- I-6 ROBERT MURRO, RPH, Lake Worth, FL., PU 3723, Case No. 2009-17143 PC: Garcia/Griffin - Informal - PLB

- I-7 DONALD N. NJIKAM, RPH, Tampa, FL., PS 37427, Case No. 2008-21976  
PC: Salem/Melvin - Informal - CDS
- I-8 DANA JOANNE WRIGHT, RPH, Orlando, FL., PS 35998, Case No. 2009-10347 PC:  
Garcia/Griffin - Informal - WLS
- I-9 Christopher Wilcox, RPh., Fort Walton, FL PS 28036, Case No. 2008-23655  
PC: Salem/Melvin

**E. PROFESSIONALS RESOURCE NETWORK CASES**

- PRN - SA – 1 MARGUERITE PATTERSON REGHANTI, RPH., Louisburg, NC, PS 16947, Case  
No. 2009-09577 - PC: Melvin/Risch - Settlement Agreement - BJO

**TAB 4 APPLICATIONS REQUIRING BOARD REVIEW– Amy Jones, JD**

**A. Endorsement Candidates**

1. Hemin H. Patel; File # 37895
2. Elizabeth Brown Countryman, File # 35358

**B. Registered Pharmacy Technician Candidates**

1. Kristen E. Barnes, File # 20941
2. Deniece Buddie, File # 20254
3. Krista M. Chisesi, File # 27499
4. Rachel Cunningham, File # 20295
5. Gwendolyn Demps, File # 19138
6. Merly Diaz, File # 25421
7. Nestor Garcia, File # 21576
8. Jocelyn J. Gutzke, File # 12303
9. Arlen Harter, File # 10326
10. Anthony Hatfield, File # 22266
11. Susan Learish, File # 25399
12. Sandra Jordan, File # 24173
13. David Moton, File # 23062
14. David Ostrom, File # 10773
15. Shelby M. Owens, File # 26876
16. Lori Patterson RPHT 12195
17. Johnathan Pham, File # 16001
18. Toufue Vue, File # 25188

**C. Pharmacy Permit Candidates**

1. Friendly Pharmacy Two, Inc.; File # 17141
2. Monument Pharmacy, Inc.; File # 16607

**TAB 5 LICENSURE ISSUES – Allison Dudley, Assistant Attorney General**

**A. Petition for Reinstatement**

1. David Richard Fish, License # 15079
2. Lisa McGrail, License # 28141

**B. Petition to Terminate Probation**

1. Denis B. Bousquet, License # 26142
2. Gail E. Mulhearn, License # 27783

**C. Petition for Declaratory Statement**

1. Gary G. Koesten, B.Pharm, M.S., C.Ph.

**D. Petition for Hearing**

1. Celeste Ann Donald

Time will be allowed at the conclusion of the meeting for public comments. Please limit your comments to 3 minutes.

Adjourn

**Note: Items shown on the agenda may be taken out of order.**