

**MINTUES
DEPARTMENT OF HEALTH
BOARD OF PHARMACY
BOARD MEETING
January 19, 2010 @ 10:00**

**CONFERENCE CALL NUMBER: 1-888-808-6959
CONFERENCE CODE: 5642037**

Board Members Present:

Michele Weizer, PharmD, Boca Raton, Chair
Fritz Hayes, BPharm, Miami, Vice-Chair
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 Present:

Rebecca Poston, BPharm, Executive Director
Kelli Ferrell, BPharm, Senior Pharmacist
Ronda Bryan, Program Operations Administrator
Erica Milam, Administrative Assistant II

Board Counsel:

Lee Ann Gustafson, Assistant Attorney General

Call To Order by Michele Weizer, Chair

Dr. Weizer called the meeting to order at 10:00 a.m.

Dr. Weizer introduced Ms. Allison Dudley, Assistant Attorney General, and provided an overview of her credentials.

TAB 1 APPLICATIONS REQUIRING BOARD REVIEW – Amy Jones, JD

A. Registered Pharmacy Technician Applications for Board Review

1. Kizzie Robinson

The applicant was present and sworn in by the court reporter. The applicant was not represented by counsel.

Ms. Robinson answered “yes” to having been convicted of, or entered a plea of guilty, nolo contendere, or no contest, to a crime in any jurisdiction other than a minor traffic offense.

Action Taken: After discussion, Ms. Jones moved to approve the application and place applicant on probation to run concurrent with her criminal probation, comply with all laws and rules related to pharmacy and pharmacy technician and comply with all criminal and probation terms. Dr. Salem seconded the motion, which carried unanimously.

2. Jared Brian Zwang

The applicant was not present or represented by counsel.

Mr. Zwang answered “yes” to having been convicted of, or entered a plea of guilty, nolo contendere, or no contest, to a crime in any jurisdiction other than a minor traffic offense.

Action Taken: After discussion, Ms. Jones moved to require personal appearance at one of the next two scheduled Board meetings and provide disposition of his case. Dr. Salem seconded the motion, which carried unanimously.

3. Kelina Smith-Battle

The applicant was present and sworn in by the court reporter. The applicant was not represented counsel.

Ms. Smith-Battle applied for registration and was denied on December 8, 2009. Ms. Smith-Battle requested a hearing before the Board not disputing material facts.

Action Taken: After discussion, Ms. Jones moved to approve the application. Mr. Powers seconded the motion, which carried unanimously.

4. Yvonne Nelson

The applicant was present and sworn in by the court reporter. The applicant was not represented counsel.

Ms. Nelson answered "yes" to questions on the application which require Board review.

Action Taken: After discussion, Ms. Jones moved to approve with conditions, pending an evaluation by the Professional Resource Network (PRN), pending approval of PRN recommendations by Chair. Dr. Melvin seconded the motion, which carried unanimously.

5. Penny Cartwright

The applicant was not present or represented by counsel.

Ms. Cartwright answered "yes" to questions on the application which require Board review.

Action Taken: After discussion, Ms. Jones moved to approve with conditions, pending an evaluation by the Professional Resource Network (PRN), pending approval of PRN recommendations by Chair. Dr. Griffin seconded the motion, which carried unanimously.

B. Non-Resident Pharmacy Permit for Board Review

1. HomeChoice Partners, Inc.

The applicant was not present or represented counsel.

Respondent reported on application that the hours of operation are less than six days per week as required by Chapter 465.0156, Florida Statutes but noted that a pharmacist is on call available 24 hours a day, 7 days a week.

Action Taken: After discussion, Ms. Jones moved to approve the application. Dr. Salem seconded the motion, which carried unanimously.

TAB 2

LICENSURE ISSUES – Lee Ann Gustafson, Attorney

A. Petition for Variance and Waiver

1. Vivekanand Y. Aher

The applicant was not present or represented by counsel.

Mr. Aher filed a Petition for Variance and Waiver regarding the TOEFL exam.

Action Taken: After discussion, Ms. Jones moved to deny the request based on the underlying statute would not be met. Mr. Garcia seconded the motion, which carried unanimously.

Action Taken: After discussion, Dr. Griffin moved to deny the application for licensure. Ms. Jones seconded the motion, which carried unanimously.

Note: Mr. Aher does not have a pending application with the Board of Pharmacy at this time.

Adjourn: Mr. Powers moved to adjourn the meeting at 10:31 a.m. Dr. Melvin seconded the motion, which carried unanimously.