

## MINUTES

### UTAH UTAH BOARD OF PHARMACY MEETING

November 27, 2007

RM 474–9:00 A.M.  
Heber Wells Building  
Salt Lake City, UT 84111

**CONVENED: 9:07 a.m.**

**ADJOURNED: 1:45 p.m.**

**Bureau Manager:**  
**Board Secretary:**

Dan T. Jones  
Penny Vogeler

**Board Members Present:**

Roger Fitzpatrick, RPh  
Betty Yamashita, RPh  
Derek Garn, RPh  
Edgar Cortes, Technician Member  
David Young, Pharm D  
Dominic DeRose, RPh  
Marty Hill, Public Member

**DOPL Staff Present:**

F. David Stanley, Division Director  
Sandra Hess, DOPL Investigator  
Jared Memmott, DOPL Investigator  
Connie Call, Probation Coordinator

#### **TOPICS FOR DISCUSSION**

#### **DECISIONS AND RECOMMENDATIONS**

**ADMINISTRATIVE BUSINESS:**  
**MINUTES:**

A motion was made and seconded to approve the minutes of 10-27-2007 with corrections. Vote was unanimous.

**BUSINESS FROM PREVIOUS MEETING:**

Mr. Fitzpatrick brought the Board up to date on the NABP/AACP Meeting to be held next fall. The dates of Wednesday, September 17<sup>th</sup> through Saturday, September 20<sup>th</sup> have been secured. The meeting will be held at The Canyons Resort. In January a "Save the Date Letter" will be sent out. Registration will be some time in April or May. We will be combining with Districts 6 and 7. Mr. Fitzpatrick is looking into funding for all Board members to attend. It should be

a very good meeting. More information to follow as the date gets closer.

Mr. Fitzpatrick discussed a meeting he attended for the ACPE Site Accreditation at the University of Utah. They always have a Board member sit in as an observer. The report will be available after the first of the year. Mr. Fitzpatrick stated the University of Utah did very well with their review.

**LETTER OF CONCERN:**  
Debbie Simmons, Pharmacy Technician  
Dan Heaton RPh  
Chad Williams, RPh  
Mark Crosby, RPh

Letters of concern were sent to pharmacy members of Intermountain Homecare. The complaint that was received by DOPL raised concerns of unprofessional conduct. Mr. Mark Crosby, RPh and director of the facility, was the spokesperson for IHC. Mr. Crosby stated that this was an infusion error in the amount of the medication administered to an infant. Mr. Fitzpatrick asked how medication orders are processed. They are received by fax and entered into a computer system. They stated their process has improved since this error. The IHC program does have corrections for age versus dosage that was entered correctly, but the actual dosage was incorrect. If the four key areas on the prescriptions had been checked the error never would have occurred. The technician verifies the drug and the dosage. The dose was entered correctly in the computer but the miscellaneous instructions the technicians use to compound were entered wrong. They use web-event for errors that is input by the person finding the error. Mr. Fitzpatrick asked if there has been a follow-up with the patient indicating any long term side effects. Mr. Crosby stated there had been no long term effects. They have made a change to use two pharmacists in their order processing room that can check each other. Mr. Hill discussed the issue of behavioral changes and systematic errors.

**PROBATION REPORT:**

Ms. Call presented the report. All probationers were compliant.

**PROBATION INTERVIEW:**  
Cameron Tolley

Mr. Tolley was interviewed by Ms. Yamashita. He stated he is working at Smiths 40 hours a week with supervision. His self evaluation was a little concerning. The Board felt there are issues that may cause a relapse if not dealt with. He has a lot of time

on his hands and he stated he works, goes to the gym and spends time with family. The Board is concerned that he needs structured time rather than free time. He attends both AA and PIR twice a month. He was asked to submit a letter from his therapist stating he has completed his treatment. He stated his supervisor is wondering when he will be released from direct supervision. Ms. Yamashita asked Mr. Tolley to write a letter requesting general supervision. The Board will discuss it at the next meeting. Mr. Tolley is **in compliance** with the terms of his Order.

**Michael Sanchez**

Mr. Sanchez was interviewed by Mr. DeRose. He had submitted a change of address. His file was missing his PPG results and he brought a copy for his file. This report showed a positive reflection to his treatment. He feels good about his life at this time. He was asked to submit a letter to have his group therapy terminated. He is **in compliance** with the terms of his Order.

**Sheryl Ledet**

Ms. Ledet was interviewed by Mr. Hill. She was asked if she had any questions regarding her Stipulation and she did not. She has signed up with Nancy Carter at McKay Dee Hospital for her therapy. She has not started a PIR group because there are none located in Layton however; there are NANSA meetings in the Ogden area. She is looking into a job in Salt Lake City and could then attend the meetings there. Ms. Call gave Ms. Ledet a name of someone to contact at NANSA. Ms. Ledet is also attending a 12-step program as part of her aftercare. Her primary goal at this time is to get a job and then schedule her meetings accordingly. She received a letter from OIG because she is on probation and had a suspended license she did not know how to answer several questions on the OIG questionnaire. She questioned whether or not she had been sanctioned. Ms. Ledet was advised by Mr. Stanley that she is under sanction. Ms. Ledet will keep the Board informed of her decisions and progress.

**Hollie Kilburn**

Ms. Yamashita conducted the interview with Ms. Kilburn. She stated she is working for IHC Homecare doing infusion therapy. Her training involved video and hands-on training. Her probation started in September. Her goal is to go to school and work full

time and is looking into nursing or radiology as a career change. She is **in compliance** with the terms of her Order.

**Diann Millikan**

Ms. Yamashita conducted the interview with Ms. Millikan. Ms. Millikan stated she is working two thirteen hour shifts and one eight hour shift at Smith's in Layton. She has completed her neuropsych evaluation that was requested by the Board in October, and will be seeing Dr. Corally in December. Diann is concerned about her thinking ability and the possibility of ADHD. She wondered if the medication that is prescribed for this would help her. Ms. Yamashita suggested that she bring this matter up with her new physician. It was suggested that she get back into her exercise regimen. The Board was concerned about her not eating, not taking breaks, and not having lunch at work. Ms. Yamashita reminded Ms. Millikan that she needs to have her new supervisor submit a letter that she has read the Stipulation. The Board feels Ms. Millikan needs to discuss her situation with her supervisor, and try to make some changes allowing her to take care of herself. She is **in compliance** with the terms of her Order.

**New Application:  
Chelse Buma**

Ms. Buma is applying for a license as a pharmacy technician. She was brought before the Board due to a "yes" answer on her application. She stated she has learned from her DUI and does not drink and drive. The Board was concerned with her drinking and wanted to monitor her for the next few years. A motion was made by Mr. Hill and seconded by Mr. Garn to approve the license with a MOU consisting of no drugs or alcohol and a minimum of four UA's a year for the next 23 months. Vote was unanimous.

**New Application:  
PWR**

NO SHOW

**New Application:  
Reuel Jay Bawden**

Mr. Bawden was interviewed by Mr. Garn. Mr. Bawden stated he had been taking merchandise while employed as the pharmacy manager at Shopko. He was released from Shopko and was then employed at other pharmacies in Cache Valley. He stated how

grateful he was for those who gave him a second chance. He has completed counseling and paid fines for restitution. He is currently working for Macey's and Reed's Pharmacy in Hyrum. He submitted letters from his supervisors stating they have read the Stipulation. He told the Board that he is presently working a total of 55 hours a week. Mr. Bawden asked the Board what they could do about the forty eight hours clause in his stipulation. Mr. Jones stated that making changes to the stipulation this early was not advisable. Mr. Bawden is not in any counseling at this time. He will be working 39 hours at Macey's and 9 hours at Reed's. The Board requested to have Mr. Bawden attend the December meeting to see how things worked out with his hours. At that time the Board will decide the frequency of his meetings.

**DISCUSSION ITEMS:**  
**David Young**

Dr. Young has been asked if a pharmacy intern can do the "final check" on medication being dispense. He feels the Board needs to discuss this issue and resolve the problem. Mr. Fitzpatrick stated, he would be in favor of this if the intern was in his final stages of his training and needed to actually have hands on experience. However, they can not check themselves. Currently, the Pharmacist-in-Charge makes the decision of the activities of the intern.

After some discussion Dr. Munger of the University of Utah, suggested the Board not add additional language to the present law.

**ADJOURNED:**

Motion to adjourn was made by Mr. Fitzpatrick.

*Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.*

12-18-2007  
Date Approved

(ss) Daniel T. Jones  
Chairperson, Utah Board of Pharmacy

12-18-2007  
Date Approved

(ss) Diana Baker  
Bureau Manager, Division of Occupational & Professional  
Licensing