

## **BOARD COMPLIANCE MINUTES**

**SALBASGEON SUITES HOTEL  
COLUMBIA ROOM  
1730 NW 9TH STREET  
CORVALLIS, OR 97330**

**February 7, 2006 @ 8:30 a.m.  
Linda Howrey, RPh. Presiding**

An Executive Session of the Board to discuss Compliance was held on February 7, 2006 in the Columbia Room at the Salbasgeon Suites Hotel located at 1730 NW 9<sup>th</sup> in Corvallis. Board Members present: Bernie Foster, Lee Howard, Linda Howrey, R.Ph., Cathryn Lew, R.Ph., Blake Rice, R.Ph., Marc Watt, R.Ph. and Ann Zweber, R.Ph.. Staff present: Executive Director Gary Schnabel, Administrative Director Karen MacLean, Compliance Director Gary Miner, Board Investigators Joe Ball, Michele Cale, Mike Beck and Judy Van Uden and Compliance Secretary Annette Gearhart. Board Counsel Thomas Cowan also present.

Working lunch.

### **BOARD APPEARANCES:**

---

#### **Case: 2004-0145**

**Motion to grant request to remove probation was unanimously accepted. (Motion by: Blake Rice; Seconded by: Ann Zweber)**

### **WARNING NOTICES:**

---

**Motion to accept all of the following warning notices as deficiencies corrected was unanimously accepted with Marc Watt abstaining on cases 2005-0383, 2005-0396 and 2005-0450 due to conflict of interest. (Motion by: Blake Rice; Seconded by: Cathryn Lew)**

**Case: 2005-0346, 2005-0375, 2005-0376, 2005-0379, 2005-0380, 2005-0381, 2005-0383, 2005-0384, 2005-0388, 2005-0389, 2005-0390, 2005-0392, 2005-0393, 2005-0394, 2005-0396, 2005-0397, 2005-0399, 2005-0401, 2005-0402, 2005-0403, 2005-0404, 2005-0405, 2005-0406, 2005-0407, 2005-0408, 2005-0409, 2005-0410, 2005-0411, 2005-0412, 2005-0413, 2005-0414, 2005-0417, 2005-0418, 2005-0420, 2005-0421, 2005-0422, 2005-0424, 2005-0425, 2005-0426, 2005-0429, 2005-0430, 2005-0431, 2005-0433, 2005-0447, 2005-0448, 2005-0449, 2005-0450, 2005-0451, 2005-0453, 2005-0454, 2005-0455, 2005-0456, 2005-0457, 2005-0458, 2005-0459, 2005-0463, 2005-0465, 2005-0468, 2005-0470, 2005-0471, 2005-0473, 2005-0488, 2005-0489, 2005-0490 and 2005-0491.**

### **CASE REVIEW:**

---

#### **Case: 2005-0484**

**Motion to revoke wholesale drug outlet registration was unanimously accepted (Motion by: Blake Rice; Seconded by: Lee Howard.)**

**Cases: 2005-0478, 2005-0483 and 2005-0487**

**Motion to revoke pharmacist license in case #2005-0478, and issue Letter of Concern against the technicians in cases 2005-0483 and 2005-0487 was unanimously accepted with Linda Howrey (case 2005-0478) and Marc Watt abstaining due to conflict of interest. (Motion by: Blake Rice; Seconded by: Cathryn Lew)**

**Case: 2005-0297**

**Motion to revoke pharmacist license was unanimously accepted (Motion by: Blake Rice; Seconded by: Cathryn Lew)**

**Case: 2005-0360**

**Motion to Revoke technician license was unanimously accepted. (Motion by: Blake Rice; Seconded by: Cathryn Lew)**

**Case: 2005-0187**

**Motion to revoke pharmacist license was unanimously accepted with Marc Watt abstaining due to conflict of interest. (Motion by: Blake Rice; Seconded by: Cathryn Lew)**

**Case: 2005-0452**

**Motion to revoke pharmacist license was unanimously accepted. (Motion by: Blake Rice; Seconded by: Cathryn Lew)**

**Case: 2005-0348**

**Motion to Revoke pharmacy technician license was unanimously accepted. (Motion by: Blake Rice; Seconded by: Cathryn Lew)**

**Case: 2005-0330**

**Motion to Suspend pharmacist license was unanimously accepted. (Motion by: Blake Rice; Seconded by: Cathryn Lew)**

**Case: 2005-0294**

**Motion to impose \$1,000 civil penalty per violation for unlicensed practice of pharmacy was unanimously accepted. (Motion by: Blake Rice; Seconded by: Lee Howard)**

**Case: 2005-0295**

**Motion to impose \$1,000 civil penalty against drug outlet was unanimously accepted. (Motion by: Blake Rice; Seconded by: Ann Zweber)**

**Case: 2005-0446**

**Motion to impose \$1,000 Civil Penalty against pharmacist; *or* earn 3 hours of CE and report error to ISMP within 60 days in lieu of civil penalty. CE is to be in the area of medication error reduction and is not eligible for CE requirements for renewal purposes. Letter of Concern to PIC, CC: pharmacy. Motion was unanimously accepted. (Motion by: Blake Rice; Seconded by: Cathryn Lew)**

**Case: 2005-0461**

**Motion to impose \$1000 Civil penalty against pharmacist; *or* earn 3 hours of CE and report error to ISMP within 60 days in lieu of civil penalty. CE is to be in the area of medication error reduction and is not eligible for CE requirements for renewal purposes. Letter of Concern to PIC, CC: pharmacy. Motion was unanimously accepted. (Motion by: Blake Rice; Seconded by: Ann Zweber)**

**Case: 2005-0354**

**Motion to impose Suspension and \$1,000 civil penalty against technician was unanimously accepted. (Motion by: Blake Rice; Seconded by: Cathryn Lew)**

**Case: 2005-0373**

**Motion to impose \$1,000 civil penalty; *or* earn 3 hours of CE and report error to ISMP within 60 days in lieu of civil penalty. CE is to be in the area of medication safety and is not eligible for CE requirements for renewal purposes. pharmacists and CC: PIC and pharmacy was unanimously accepted. (Motion by: Blake Rice; Seconded by: Cathryn Lew)**

**Case: 2005-0438**

**Motion to issue Letter regarding pharmacy's need to register with the Oregon Board of Pharmacy was unanimously accepted. (Motion by: Blake Rice; Seconded by: Cathryn Lew)**

**LETTERS OF CONCERN CASES:**

---

**Case: 2005-0288**

**Motion to issue Letter of Concern to pharmacist and CC: PIC and pharmacy was unanimously accepted. (Motion by: Blake Rice; Seconded by: Cathryn Lew)**

**Case: 2005-0479**

**Motion to issue Letter of Concern to pharmacist, CC: pharmacy and PIC was unanimously accepted with Marc Watt abstaining due to conflict of interest. (Motion by: Blake Rice; Seconded by: Cathryn Lew)**

**“NO PIC SELF INSPECTION” CIVIL PENALTY ORDERS:**

By authority delegated to Oregon Board of Pharmacy Staff by the Board Members on August 9, 2005 and confirmed on October 11, 2005, [grant staff authority to issue discipline in the form of \$1,000 Civil Penalty stay \$700 pending no further violations of OAR 855-041-0020(1)(f) for three years when PIC Self Inspection Form not completed or not available as required] the following notices with proposed orders have been issued:

**Cases:** 2005-0331, 2005-0395 and 2005-0423.

**Motion to ratify action was unanimously accepted. (Motion by: Blake Rice; Seconded by: Cathryn Lew)**

**“PRODUCT IDENTIFICATION LABEL” CIVIL PENALTY ORDERS:**

By authority delegated to Oregon Board of Pharmacy Staff by the Board Members on 10/11/2005, [grant staff authority to issue discipline in the form of \$1,000 Civil Penalty] the following notices with proposed orders have been issued:

**Cases:** 2005-0416 and 2006-0017.

**Motion to ratify action was unanimously accepted. (Motion by: Blake Rice; Seconded by: Cathryn Lew)**

**TECHNICIAN LICENSES GRANTED WITH PROBATION:**

By authority delegated to Oregon Board of Pharmacy Staff by the Board Members on October 11, 2005, the following technician licenses have been granted with probation:

**Case:** 2006-0016

**Motion to ratify action was unanimously accepted. (Motion by: Blake Rice; Seconded by: Cathryn Lew)**

**DENIAL OF TECHNICIAN APPLICATION ORDERS:**

By authority delegated to Oregon Board of Pharmacy Staff by the Board Members on December 1, 2004 and confirmed on October 11, 2005, the following denial of technician application orders have been issued:

**Case:** 2005-0285

**Motion to ratify action was unanimously accepted. (Motion by: Blake Rice; Seconded by: Cathryn Lew)**

**UNABLE TO SUBSTANTIATE:**

**Cases:** 2005-0364, 2005-0367 and 2005-0443.

**NO VIOLATION:**

**Case:** 2005-0339, 2005-0371, 2005-0427, 2005-0428, 2005-0437, 2005-0486 and 2005-0497.

**NO JURISDICTION:**

**Case:** 2005-0516

**ADMINISTRATIVE DISCUSSION:**

**Case: 2006-0001**

**Tabled for further discussion at next board meeting.**

**Case: 2006-0024**

**Tabled for further discussion at next board meeting.**

**Case: 2005-0044**

**Motion to approve request for reinstatement of suspended pharmacist license and implementation of 10 year probation was unanimously accepted with Linda Howrey abstaining due to conflict of interest. (Motion by: Cathryn Lew; Seconded by: Blake Rice)**

**Case: 2005-0235**

**No action – bring back at future meeting.**

**NEXT BOARD MEETING:**

4/4-5/2006 – Portland