



New Mexico Regulation and Licensing Department  
BOARDS AND COMMISSIONS DIVISION  
Board of Pharmacy

5500 San Antonio Drive, NE ▪ Suite C ▪ Albuquerque, New Mexico 87109  
(505) 222-9830 ▪ Fax (505) 222-9845 ▪ (800) 565-9102  
[www.rld.state.nm.us/boards/pharmacy.aspx](http://www.rld.state.nm.us/boards/pharmacy.aspx)

MISSION STATEMENT

The mission of the New Mexico Board of Pharmacy is to protect, promote, and preserve the public health, safety, and welfare through effective regulation of the practice of pharmacy in New Mexico

April 20<sup>th</sup> & 21<sup>st</sup>, 2017 Official Meeting Minutes

Board Meetings are open to the public pursuant to the "Open Meetings Act" and notices to the public are posted in the Albuquerque Journal. Notice published March 17, 2017.

Go green. Free WiFi will be available to access documents.

Location: 5500 San Antonio Dr. NE, Albuquerque, NM 87109

Scheduled Meeting Time: 9:00 a.m. – 5:00 p.m. Thursday and Friday

Thursday April 20, 2017

1. Procedural Items:

**9:00 pm. Call to Order:** The meeting of the Pharmacy Board was called to order by Chairman Mazzoni at 9:00 a.m. on April 20, 2017.

**Roll Call:** Chairman, Richard Mazzoni called roll and a quorum was established with the following members present: (P = Present A = Absent)

P Richard Mazzoni, Chairman    P Amy Buesing, Vice Chair    P Neal Dungan, Secretary

P Teri Rolan    P Joe Anderson    P Chris Woodul    P Cathleen Wingert

P Michael Garringer

Board staff members present were Executive Director, Ben Kesner; Administrative Secretary, Debra Wilhite; board counsel Assistant Attorney, David Stevens.

**Approval of the Agenda:** Motion made by Ms. Wingert, seconded by Mr. Anderson to approve the agenda as presented, the board voted unanimously to pass the motion.

**Approval of January 2017 Draft Minutes:** Motion made by Mr. Dungan, seconded by Ms. Buesing to approve the minutes as presented, board voted unanimously to pass the motion.

**NMBOP Brief Introductions: New Board Member, Michael Garringer; NMBOP Intern, Ashton Robinson; Board Counsel, David Stevens:**

2. New Licensee Applications:

a) Application List:

Mr. Dungan presented the application list to the board.

Motion: **15 Clinic/Home Health** applications all are in order. Motion made by Mr. Dungan, seconded by Ms. Buesing, board voted unanimously to pass the motion.

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Motion: **1 EMS** application is in order. Motion made by Mr. Dungan, seconded by Mr. Woodul, board voted unanimously to pass the motion.

Motion: **7 Custodial/Nursing Home** applications all are in order. Motion made by Mr. Dungan, seconded by Mr. Woodul to approve applications, board voted unanimously to pass motion.

Motion: **22 Pharmacy/Hospital** applications all are in order. Motion made by Mr. Dungan, seconded by Ms. Rolan to approve applications, board voted unanimously to pass motion. Mr. Anderson abstained from voting on #1 & #2.

Motion: **32 Non-Resident Pharmacy** applications all are in order. Motion made by Mr. Dungan, seconded by Ms. Rolan to approve applications, board voted unanimously to pass motion.

Motion: **50 Wholesale/Broker** applications all are in order. Motion made by Mr. Dungan, seconded by Ms. Buesing to approve applications, board voted unanimously to pass motion.

Motion: **4 Outsourcing** applications all are in order. Motion made by Mr. Dungan, seconded by Ms. Wingert to approve applications. board voted unanimously to pass motion.

NEW MEXICO BOARD OF PHARMACY  
REGULAR MEETING  
APPLICATION LIST  
April 20 & 21, 2017

**CLINIC /HOME HEALTH**

1.ABQ Health Partners Pediatric Clinic  
2901 Transport Street SE Suite 2126  
Albuquerque, NM 87106

2.Farmington Municipal Schools  
CATE Center Pre-Kindergarten  
301 N Court Ave  
Farmington, NM 87401

3.Farmington Municipal Schools  
2200 Sunset Avenue  
Farmington, NM 87401

4.FMC Clovis High Plains  
121 Townsgate Plaza  
Clovis, NM 88101

5.Guadalupe Correctional Facility  
South Hwy 54  
Santa Rosa, NM 88345

6.Home Dialysis of Santa Fe  
2904 Rodeo Park Drive E Suite 30041  
Santa Fe, NM 87505

**CONSULTANT PHARMACIST**

Relocation  
Mark Cordova, R.Ph.

New  
Jennifer Beyhan, R.Ph.

New  
Jennifer Beyhan, R.Ph.

New  
LaDawna Brooks, R.Ph.

Change of Ownership  
Quentin Florence, R.Ph.

New  
Wilfred Chavez, R.Ph.

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7. Penitentiary of NM  
4311 State Hwy  
Santa Fe, NM 87504-1059

Change of Ownership  
Quentin Florence, R.Ph.

8. Roswell Correctional Center  
578 West Chicksaw Road  
Roswell, NM 88232

Change of Ownership  
Quentin Florence, R.Ph.

9. Southern NM Correctional Facility  
1938 Joe R Silva  
Las Cruces, NM 88005

Change of Ownership  
Quentin Florence, R.Ph.

10. Southern NM Correctional Facility Paul Oliver Unit  
1938 Joe R Silva  
Las Cruces, NM 88005

Change of Ownership  
Quentin Florence, R.Ph.

11. Lovelace UNM Rehabilitation Pain Clinic  
500 Walter NE #309  
Albuquerque, NM 87109

Change of Ownership  
Joell Yan, R.Ph.

12. Lovelace UNM Rehabilitation Wyoming Clinic  
7910 Wyoming NE Suite C  
Albuquerque, NM 87109

Change of Ownership  
Joell Yan, R.Ph.

13. Lovelace UNM Rehabilitation Santa Fe Clinic  
1692 B Hospital Drive Suite 202  
Santa Fe, NM 87505

Change of Ownership  
Joell Yan, R.Ph.

14. Lovelace UNM Rehabilitation Enchanted Hills Clinic  
7555 Enchanted Hills Blvd Suite 103  
Rio Rancho, NM 87124

Change of Ownership  
Joell Yan, R.Ph.

15. School Based Health  
625 Silver Avenue SW  
Albuquerque, NM 87102

New  
Candace Morrow, R.Ph.

**EMS**

Superior Ambulance  
115 E Country Club  
Roswell, NM 88201

CONSULTANT PHARMACIST  
Relocation  
Karin Feldkamp, R.Ph.

**CUSTODIAL/NURSING HOME**

1. Aspire Developmental Services  
1901 W Hermosa  
Artesia, NM 88210

CONSULTANT PHARMACIST  
New  
Keun-Kyu Yi, R.Ph.

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2.GRE ESM OpCo LLC  
DBA Elan Santa Monica  
6901 San Vincente Avenue  
Albuquerque, NM 87109

New  
Steven Garcia, R.Ph.

3.Ilona Csanyi  
5332 Los Abuelos Court  
Albuquerque, NM 87105

New  
Uri Bassan,R.Ph.

4.Lori Maestas  
2239 Stoner Street SW  
Albuquerque, NM 87105

New  
Richard Garcia, R.Ph.

5.Los Lunas Community Program  
1521 Valley View Drive  
Los Lunas, NM 87031

New  
Wilfred Chavez, R.Ph.

6.Los Lunas Community Program  
14 Parador Road  
Los Lunas, NM 87031

New  
Wilfred Chavez, R.Ph.

7.Onyx Supportive Living  
6630 Hood Road  
Albuquerque, NM 87114

New  
Lori Carabajal, R.Ph.

**PHARMACY /HOSPITAL**

**PHARMACIST IN CHARGE**

1.American Specialty Pharmacy Inc  
7600 Jefferson NE Suite #6  
Albuquerque, NM 87109

New  
Oscar Galvan, R.Ph.

2.BestCare Pharmacy 4 LLC  
2349 State Road 22 #1  
Questa, NM 87556

Relocation  
Ashok Pothula, R.Ph.

3.BestCare Pharmacy Springer  
307 Maxwell Avenue Suite B  
Springer, NM 87747

New  
Timothy Rodriquez, R.Ph.

4.BestCare Pharmacy Lordsburg  
204 E 4<sup>th</sup> Street  
Lordsburg, NM 88045

New  
Ashok Pothula, R.Ph.

5.EZ Pharmacy  
550 E Lisa Suite C  
Chaparral, NM 88081

New  
Douglas Chan, R.Ph.

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6.Lovelace UNM  
505 Elm Street NE  
Albuquerque, NM 87102

Change of Ownership  
Joel Yan, R.Ph.

7.Mesa Group LLC  
DBA Mesa Pharmacy  
308 Colbert Avenue  
Springer, NM 87747

New  
Kathleen McCarthy, R.Ph.

8.Olive Tree Pharmacy  
1920 Westside Blvd Suite B  
Rio Rancho, NM 87124

New  
Ndidiama Okpareke, R.Ph.

9.United Supermarkets LLC  
DBA Sav-On Pharmacy #0922  
6600 Central Avenue SW  
Albuquerque, NM 87121

Change of Ownership  
Randi Sanchez, R.Ph.

10.United Supermarkets LLC  
DBA Sav-On Pharmacy #0917  
1625 Rio Bravo Blvd SW  
Albuquerque, NM 87120

Change of Ownership  
Uri Bassan, R.Ph.

11.United Supermarkets LLC  
DBA Sav-On Pharmacy #0915  
6200 Coors Blvd NW  
Albuquerque, NM 87120

Change of Ownership  
Aaron Carlisle, R.Ph.

12.United Supermarkets LLC  
DBA Sav-On Pharmacy #0987  
3001 S St. Francis Drive  
Santa Fe, NM 87501

Change of Ownership  
Carolyn Abante, R.Ph.

13.United Supermarkets LLC  
DBA Sav-On Pharmacy #0927  
600 North Guadalupe  
Santa Fe, NM 87501

Change of Ownership  
Robert Lucero, R.Ph.

14.United Supermarkets LLC  
DBA Sav-On Pharmacy #0986  
3542 Zafarano Drive  
Santa Fe, NM 87501

Change of Ownership  
Joseph Ramirez, R.Ph.

15.United Supermarkets LLC  
DBA Sav-On Pharmacy #0919  
2351 Main Street SE  
Los Lunas, NM 87031

Change of Ownership  
Thomas Stensland, R.Ph.

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16. United Supermarkets LLC  
DBA Sav-On Pharmacy #0937  
1031 Coors Rd NW  
Albuquerque, NM 87114

Change of Ownership  
Kimberly Murphy, R.Ph.

17. United Supermarkets LLC  
DBA Sav-On Pharmacy #0911  
2801 A Eubank NE  
Albuquerque, NM 87112

Change of Ownership  
G Mark Larragoite, R.Ph.

18. United Supermarkets LLC  
DBA Sav-On Pharmacy #0903  
4300 Ridgecrest Drive  
Rio Rancho, NM 87124

Change of Ownership  
Rita Agbemadzo, R.Ph.

19. United Supermarkets LLC  
DBA Sav-On Pharmacy #0939  
12201 Academy NE  
Albuquerque, NM 87111

Change of Ownership  
Steve Mulryan, R.Ph.

20. United Supermarkets LLC  
DBA Sav-On Pharmacy #0923  
7800 Enchanted Hills Blvd NE  
Rio Rancho, NM 87144

Change of Ownership  
Orlando Gutierrez, R.Ph.

21. United Supermarkets LLC  
DBA Sav-On Pharmacy #0904  
4950 Montgomery NE  
Rio Rancho, NM 87109

Change of Ownership  
Gregory Zanger, R.Ph.

22. United Supermarkets LLC  
DBA Sav-On Pharmacy  
710A Paseo Del Pueblo Sur  
Taos, NM 87571-5998

Change of Ownership  
Tammy Martinez, R.Ph.

### **NON-RESIDENT PHARMACY**

1. Advanced Rx  
5205 Militia Hill Road Suite 200  
Plymouth Meeting, PA 19462

### **PHARMACIST IN CHARGE**

New  
Jason Jerusik, R.Ph.

2. Banner Family Pharmacy  
7300 W Detroit Street  
Chandler, AZ 85226

New  
Wesam Hammad, R.Ph.

3. Big Bend Pharmacy LLC  
6045 East Shelby Drive Suite 1A  
Memphis, TN 38141

New  
Suzanne Tagg, R.Ph.

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4.Chemistry Rx  
829 Spruce Street Suite 100  
Philadelphia, PA 19107

New  
Vicki Jung, R.Ph.

5.Community Pharmacy  
4400 Teasley Lane #100  
Denton, TX 76210

New  
Kelly Selby, R.Ph.

6.Custom Rx LLC  
3510 N Ridge Road Suite 900  
Wichita, KS 67205

New  
Andrea Roths, R.Ph.

7.Duncan Specialty Pharmacy  
317 West Broadway  
Mayfield, KY 42066

New  
Mykel Tidwell, R.Ph.

8.Gaston Pharmacy 2  
712 N Washington Ave Suite 500  
Dallas, TX 75246

New  
Kristi Kubosh, R.Ph.

9.Helping Hand Pharmacy Inc  
529 Mason Road  
Katy, TX 77450

New  
Khanh Bui, R.Ph.

10.Innovative Rx LLC  
12176 South 1000 E Suite 2  
Draper, UT 84020

New  
Angelee Dean, R.Ph.

11.Integra Rx  
2661 W Atlantic Blvd  
Pompano Beach, FL 33069

New  
Harry Zifferblatt, R.Ph.

12.Maxxon Home Health Care LLC  
DBA 1RXCentral Pharmacy & Medical Supplies  
1550 NW Federal Hwy  
Stuart, FL 34994

New  
Mitchell Fingerhutt, R.Ph.

13.Medisuite  
160 Macgregor Pines Drive Suite 110  
Cary, NC 27511

New  
Terri Donofrio, R.Ph.

14.Mesa Hills Pharmacy  
310 S Mesa Hills Drive Suite C  
El Paso, TX 79912

New  
Ravichandra Kamisetti, R.Ph.

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|   |                                 |
|---|---------------------------------|
| 15.Missouri Health Infusion LLP<br>2319 Weldon Parkway<br>Saint Louis, MO 63146                                 | New<br>Gary Anderson, R.Ph.     |
| 16.NYC Wholesale Inc<br>DBA Moon Pharmacy<br>112-17 Jamaica Avenue<br>Richmond Hill, NY 11418                   | New<br>Bruce Snipas, R.Ph.      |
| 17.Oak Creek Rx LLC<br>8607 F Street<br>Omaha, NE 68127   | New<br>Anitha Teekaraman, R.Ph. |
| 18.PharmaScript Inc<br>5437 N Broadway Avenue<br>Chicago, IL 60640  | New<br>Michael Green, R.Ph.     |
| 19.Pillpack Austin<br>2200 Industrial Blvd Suite 100<br>Austin, TX 78745  | New<br>Michael Hearn, R.Ph.     |
| 20.Pinnacle Pharmacy Solutions LLC<br>3011 S 52 <sup>nd</sup> Street<br>Tempe, AZ 85282                         | New<br>Kathleen Cray, R.Ph.     |
| 21.PMOA Inc<br>676 S University Blvd<br>Mobile, AL 36609  | New<br>Jason Hodges, R.Ph.      |
| 22.Prime Therapeutics Specialty Pharmacy LLC<br>2901 Kinwest Parkway Suite 350<br>Irving, TX 75063              | New                             |
| 23.Professional Rx Pharmacy LLC<br>2560 E Sunset Road #120<br>Las Vegas, NV 89120                               | New<br>Tamara Angeles, R.Ph.    |
| 24.Public Super Markets Inc<br>Publix Specialty Pharmacy #3212<br>7616 Southland Blvd #112<br>Orlando, FL 32809 | New<br>Desirae Hill, R.Ph.      |
| 25.Recept Pharmacy<br>4011 Crescent Park Drive<br>Riverview, FL 33578   | New<br>Steven Gale, R.Ph.       |

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26.Schraft's 2.0 LLC  
3 Wing Drive Suite 102  
Cedar Knolls, NJ 07927

New  
Victoria Khavulya, R.Ph.

27.Southside Pharmacy  
7700 Main Street Suite 260  
Houston, TX 77030

New  
Romil Patel, R.Ph.

28.Triangle Compounding Pharmacy  
3700 Regency Parkway Suite 140  
Cary, NC 27518

Change of Ownership  
Wendy Hagwood, R.Ph.

29.Walgreens Mail Service LLC  
DBA Walgreens Mail Service  
8350 S River Parkway  
Tempe, AZ 85284-2615

Change of Ownership  
Hazem Abawi, R.Ph.

30.Walgreens #02445  
8337 S Park Circle  
Orlando, FL 32819

Change of Ownership  
Lonnie Wollitz, R.Ph.

31.Wellness Pharmacy LLC  
1480 Wilcrest Drive  
Houston, TX 77042

New  
Ngozi Obi, R.Ph.

32.Veterinary Internet Company Pharmacy  
9542 Union Grove Road  
Union Grove, AL 35775

New  
Michael Arrowood, R.Ph.

### WHOLESALE/BROKERS

1.ACI Healthcare USA  
10100 W Sample Road Suite 405  
Coral Springs, FL 33065

New

2.Aegerion Pharmaceuticals Inc  
One Main Street Suite 800  
Cambridge, MA 02142

Change of Ownership

3.Airgas USA LLC  
301 South 45<sup>th</sup> Avenue  
Phoenix, AZ 85043

New

4.ALK-Abello Inc  
2 Channel Drive  
Port Washington, NY 11050

New

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|  |                     |
|--|---------------------|
| 5.AmerisourceBergen Drug Corporation<br>7775 W Buckeye Road Suite 150<br>Phoenix, AZ 85041         | New                 |
| 6.Aries Pharmaceuticals Inc<br>15 Ingram Blvd<br>La Vergne, TN 37086                               | New                 |
| 7.Array BioPharma Inc<br>420 International Blvd Suite 500<br>Brooks, KY 40109                      | New                 |
| 8.Astra Zeneca Pharmaceuticals LP<br>355 Omicron Court<br>Sherpardsville, KY 40165                 | Change of Ownership |
| 9.Aurex Pharmaceuticals LLC<br>10 Lake Drive<br>East Windsor, NJ 08520                             | New                 |
| 10.Biofrontera Inc<br>201 Edgewater Drive Suite 210<br>Wakefield, IL 01880                         | New                 |
| 11.BioRamo LLC<br>5319 NW 35 Terrace<br>Fort Lauderdale, FL 33309                                  | New                 |
| 12.Bioverativ US LLC<br>4500 Progress Blvd<br>Louisville, KY 40219                                 | New                 |
| 13.Cambridge Therapeutic Technologies LLC<br>500 Frank W Burr Blvd Suite 4<br>Teaneck, NJ 07666    | New                 |
| 14.Canton Laboratories LLC<br>1015 Nine North Drive Suite 200<br>Alpharetta, GA 30004-5945         | New                 |
| 15.Coherus Biosciences Inc<br>333 Twin Dolphin Drive Suite 600<br>Redwood City, CA 94065           | New                 |
| 16.Country Line Pharmaceuticals LLC<br>10 Bloomfield Avenue Bldg B Suite 3<br>Pine Brook, NJ 07058 | New                 |

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17.Davita Medical Group Sunport Healthcare Center Relocation  
2901 Transport Street SE  
Albuquerque, NM 87106

18.E5 Pharma LLC New  
225 NE Mizner Blvd Suite 770  
Boca Raton, FL 33432

19.Glenmark Pharmaceuticals Inc USA New  
301 Island Road  
Mahwah, NJ 07430

20.Hibbert Group New  
400 Pennington Avenue  
Trenton, NJ 08618

21.Huvepharma Inc New  
3360 Maury Avenue  
St Louis, MO 63116

22.ICU Medical Sales Inc New  
4653 Nall Road  
Farmers Branch, TX 75244

23.Impax Laboratories Inc New  
1910 Danielson Place  
Memphis, TN 38114

24.Independent Pharmacy Distributor LLC New  
703 South Salisbury Street  
Lexington, NC 27292

25.Ipsen Biopharmaceuticals Inc New  
1001 Cheri Way Suite 100  
Louisville, KY 40118

26.Ironwood Pharmaceuticals Inc New  
501 Mason Road Suite 200  
La Vergne, TN 37086

27.ISDIN Corp New  
36 Cattano Avenue 3<sup>rd</sup> floor  
Morristown, NJ 07960

28.Keryx Biopharmaceuticals Inc New  
One Marina Park Drive 12<sup>th</sup> Floor  
Boston, MA 02210

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|   |                     |
|---|---------------------|
| 29.Lexicon Pharmaceuticals Inc<br>8800 Technology Forest Place<br>The Woodlands, TX 77381 | New                 |
| 30.Lifestar Pharma LLC<br>1200 MacArthur Blvd<br>Mahwah, NJ 07430                         | New                 |
| 31.Mallinckrodt Nuclear Medicine LLC<br>2703 Wagner Place<br>Maryland Heights, MO 63043   | Change of Ownership |
| 32.Marnel Pharmaceuticals LLC<br>635 East Bay Street Bldg G<br>Charleston, SC 29403       | New                 |
| 33.MXR SourceOne<br>604 Lambert Point Drive Bldg C<br>Hazelwood, MO 63042                 | New                 |
| 34.Native Vet Material LLC<br>5600 Wyoming Blvd NE Suite 150<br>Albuquerque, NM 87109     | New                 |
| 35.Neos Therapeutics Brands LLC<br>420 International Blvd Suite 500<br>Brooks, KY 40109   | New                 |
| 36.Oculos Innovative Sciences<br>1129 N McDowell Blvd<br>Petaluma, CA 94954               | New                 |
| 37. Pharmaceutical Trade Services Inc<br>5820 Gulf Tech Drive<br>Ocean Springs, MS 39564  | New                 |
| 38.Phlight Pharma LLC<br>998 Robinson Street Suite B<br>Ocean Springs, MS 39564           | New                 |
| 39.PI Services LLC<br>2936 W 17 <sup>th</sup> Street Suite A<br>Erie, PA 16505            | New                 |
| 40.ProMetic Bio Therapeutics Inc<br>1330 Piccard Drive Suite 201<br>Rockville, MD 20850   | New                 |

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41.SCA Pharmaceuticals LLC  
8821 Knoedl Court  
Little Rock, AR 72205

Change of Ownership

42.Sentynl Therapeutics Inc  
420 Stevens Avenue Suite 200  
Solana Beach, CA 92075

Change of Ownership

43.Solis Generic Pharmaceuticals LLC  
1200 US Highway 22 East Suite 3  
Bridgewater, NJ 08807

New

44.Southern Anesthesia & Surgical Inc  
One Southern Court  
West Columbia, SC 29169

Change of Ownership

45.Southern Anesthesia & Surgical Inc  
1155 South Rock Blvd Suite 460  
Reno, NV 89502

Change of Ownership

46.Southern Anesthesia & Surgical Inc  
2308 North Sweetgum Avenue  
Broken Arrow, OK 74012

Change of Ownership

47.UPS Supply Chain Solutions Inc  
7 Gateway Blvd  
Pedricktown, NJ 08067

New

48.ViroPharma Biologics Inc  
300 Shire Way  
Lexington, MA 02421

New

49.West-Ward Pharmaceuticals Corp  
2130 Rohr Road  
Lockbourne, OH 43137

New

50.Westminster Pharmaceuticals LLC  
154 Downing Street Unit 1 & 2  
Olive Branch, MS 38654

Change of Ownership

### **OUTSOURCING**

1.Auro Pharmacies Inc.  
511 S Harbor Blvd Bldg F  
La Harba, CA 90631

New

2.Central Admixture Pharmacy Services Inc  
6580 Snowdrift Road Suite 100  
Allentown, PA 18106

New

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3. Central Admixture Pharmacy Services Inc New  
 7935 Dunbrook Road Suite C  
 San Diego, CA 92126

4. Pentec Health Inc New  
 9 Creek Parkway  
 Boothwyn, PA 19061

**b) Pharmacist Clinicians:**

Motion: Approve registration of pharmacist clinician for Megan Dill and Justin Schmetterer, motion made by Mr. Dungan, seconded by Mr. Anderson, board voted unanimously to pass motion.

Motion: Attach application lists to the minutes, motion made by Mr. Dungan, seconded by Ms. Buesing, board voted unanimously to pass the motion.

**PLACE: New Mexico Board of Pharmacy**

**Date: 4/11/17**

**MEMBERS PRESENT: Sarah Trujillo; Cheranne McCracken RPh PhC; C. Burlett RPh PhC; Amy Buesing RPh**

**ABSENT; Kirk Irby PharmD RPh PhC; Greg D'Amour PharmD RPh PhC; J. Anderson PharmD RPh PhC**

**GUESTS: None**

| AGENDA ITEM        | Request PhC certification | Recommendation | Request PhC Renewal / Protocol Update | Recommendation | Request Prescriptive Authority | Recommendation | REPORT/DISCUSSION   | RECOMMENDATION / FOLLOW UP ACTION              |
|--------------------|---------------------------|----------------|---------------------------------------|----------------|--------------------------------|----------------|---|--|
| Megan Dill         | YES                       | YES            |                                       |                |                                |                | Application for registration as pharmacist clinician<br>Physical assessment course and preceptorship with appropriate patient encounters completed  | Recommend registration as Pharmacist Clinician |
| Justin Schmetterer | YES                       | YES            |                                       |                |                                |                | Application for registration as pharmacist clinician<br>Physical assessment course and preceptorship with appropriate patient encounters completed. | Recommend registration as pharmacist clinician |

**3. 9:30 a.m. Rules Hearings\*:**

The Chairman Richard Mazzoni opened the rule hearing at 9:46 a.m. and took roll call. Present were Mr. Dungan, Mr. Anderson, Ms. Wingert, Ms. Buesing, Ms. Rolan, Mr. Woodul, and Chairman Mazzoni. Also present were Executive Director, Ben Kesner, Administrative Secretary, Debra Wilhite and board counsel David Stevens.

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The Chairman entered the notice of hearing as exhibit #1, exhibit #2 proposed language for 16.19.6 NMAC, exhibit #3 proposed language for 16.19.26 NMAC, and exhibit #4 proposed language for 16.19.6.33; exhibit #5 written comments from Lauren Burton for 16.19.6 NMAC; exhibit #6 written comments from NACDS for 16.19.26 NMAC; exhibit # 7 written comments for 16.19.33; exhibit # 8 letter from Cardinal for 16.19.33; exhibit #9 written comments from Michael Raburn for 16.19.33; exhibit #10 sign in sheet.

**a) 16.19.6 NMAC – Pharmacies:**

Wording added to require Non-Resident Sterile Compounding Pharmacies to show compliance with USP within the past 12 months.

**Motion: Adopt language as amended in 16.19.6 NMAC. Motion made by Ms. Buesing, seconded by Mr. Dungan, board voted unanimously to pass the motion.**

**Further discussion was held to go back to committee to address exclusion of “Chapter USP/NF 800”.**

**b) 16.19.26 NMAC – Pharmacist Prescriptive Authority NMBOP Approved HCD Protocol:**

Addition of Hormonal Contraception Drug Therapy to Pharmacist Prescriptive Authority

**Motion: Adopt language as amended in 16.19.26 NMAC. Motion made by Mr. Dungan, seconded by Mr. Garringer, board voted unanimously to pass the motion. Ms. Rolan recused herself from the vote.**

**c) 16.19.33 NMAC – Tele-Pharmacy and Remote Dispensing:**

Expansion, revision, clarification of the NMBOP Tele-Pharmacy Regulation

**Discussion regarding the 20 mile radius change from 25 mile radius and the Subsections A & B exceptions was accepted.**

**Motion #1: Adopt the language as presented and amended in 16.19.33.2 NMAC. Motion made by Ms. Wingert, seconded by Mr. Woodul, board voted unanimously to pass the motion.**

**Further discussion was held regarding the 20 mile radius and Subsections A & B exceptions, the board deliberated to rescind the previous motion and keep the 20 mile radius change and strike Subsections A & B.**

**Motion #2: Rescind motion #1. Motion made by Ms. Wingert, seconded by Ms. Buesing, board voted unanimously to pass the motion.**

**Motion #3: Adopt the language as deliberated and amended in 16.19.33.2 NMAC. Motion made by Ms. Wingert, seconded by Ms. Buesing, board voted unanimously to pass the motion.**

**Motion #4: Adopt the language as amended in 16.19.33 NMAC, sections 7, 8, and 9 NMAC. Motion made by Ms. Buesing, seconded by Ms. Wingert, board voted unanimously to pass the motion.**

4. **10:30 a.m. Received a motion on 3/20/17 to vacate and reschedule - Disciplinary Hearing 2016-022 – Richard Marano PT6492: Board tabled settlement agreement to be presented June 2017**
5. **PMP Report\*: Board tabled to be presented June 2017**
  - a) SB 263 update:
  - b) Users
  - c) Presentations and Meetings
    - [NAGTRI Opioid Abuse Training](#)
    - NAMSDDL PMP Resource Group Meeting (March 2-3, 2017) Dallas
    - Ruidoso – Medical Society Meeting (December)

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- Alamogordo – GCRMC Update (January)
- Podiatrists Association Meeting (January)
- Northern New Mexico Implementation Team – Espanola (February)
- HERO Trails – Silver City (April)

b) Grant(s) update

**6. Committee Reports and Board Actions\*:**

a) **Facilities and Operations Committee – Amy Buesing/Cathleen Wingert:** No action at this time.

b) **Distribution and Storage Committee – Chris Woodul/Neal Dungan:**  
[16-19-8 NMAC](#)                      [Track Changes](#)                      [Fees 16.19.12 NMAC:](#)

**Motion: Notice 16.19.8 NMAC and 16.19.12 NMAC at the June 2017 board meeting. Motion made by Mr. Garringer, seconded by Ms. Wingert, board voted unanimously to pass the motion.**

c) **Pharmacy Practice Committee – Joe Anderson - Pharmacist DUR Practice Sites:**

Opinion and direction is needed from board counsel, David Stevens regarding the rule 16.19.6.24 NMAC and NM Statute 61-11-2.

**Current Statutes and Rules:**

**NM Statute 61-11-2. Definitions. (Repealed effective July 1, 2024.)**

As used in the Pharmacy Act:

S. "nonresident pharmacy" means any pharmacy located outside of New Mexico that ships, mails or delivers, in any manner, drugs into New Mexico;

**New Mexico Board of Pharmacy Rules:**

**16.19.6.24 NONRESIDENT PHARMACIES:**

**A. Definitions.**

(1) "Board" means the New Mexico Board of Pharmacy.

(2) "Nonresident Pharmacy" means any pharmacy located outside New Mexico that ships, mails or delivers in any manner prescription drugs to New Mexico patients or consumers.

(3) "Prescription drugs" means any drug required by federal or New Mexico law or regulation to be dispensed only by a prescription and includes "dangerous drugs" and "controlled substances" as defined by federal and New Mexico law.

(4) "Resident state" means the state in which the Nonresident Pharmacy is a resident.

**B. Licensure requirement.**

(1) No nonresident pharmacy shall ship, mail or deliver prescription drugs to a patient in this state unless licensed by the Board. In addition, no nonresident pharmacy shall ship, mail or deliver controlled substances to a patient in this state unless registered by the Drug Enforcement Administration and the Board for controlled substances.

(2) Separate Licensure. Any person that ships, mails or delivers prescription drug to New Mexico patients from more than one nonresident pharmacy shall obtain a separate New Mexico Nonresident Pharmacy license for each pharmacy.

**Request for Board Counsel:**

**Background information:**

- Based on definition of nonresident pharmacy there is concern a nonresident pharmacy without drug inventory performing prescription entry, drug utilization review, and prescription verification may not know they need to register as a non-resident pharmacy
- Goal is to make certain BoP has oversight of this practice type whether it is occurring in state or out of state

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- The part of nonresident pharmacy reading "...delivers in any manner prescription drugs.." could include the prescription entry, drug utilization review and prescription verification as those are integral elements in the delivery of a prescription drug.

Action Requested:

1. Could 16.19.24.(A)(2) be adjusted to:

**16.19.6.24 NONRESIDENT PHARMACIES:**

**A. Definitions.**

**(2)**

"Nonresident Pharmacy" means any pharmacy located outside New Mexico that ships, mails or delivers in any manner prescription drugs including the provision of dispensing process pharmacy services such as prescription entry, prospective drug review, or prescription verification to New Mexico patients or consumers.

2. Could the Board counsel develop a "substantive policy" to address this in interim until rule is updated?

**Motion: Notice 16.19.6.24 NMAC at the June 2017 board meeting. Motion made by Ms. Buesing, seconded by Mr. Woodul, board voted unanimously to pass the motion.**

**7. Executive Session\*: Personnel Matters:**

Motion made by Ms. Rolan, seconded by Mr. Dungan to go into closed session at 3:00 p.m. to discuss personnel issues and case presentations, Mr. Dungan, Mr. Garringer, Mr. Anderson, Ms. Wingert, Ms. Buesing, Ms. Rolan, Mr. Woodul and Chairman Mazzoni voted unanimously to pass the motion.

The board went back into open session on 4/21/17 and the only issues discussed were personnel issues and case presentations.

8. **Recess for the day:** The board recessed at 5:36 p.m.

**Friday April 21, 2017**

**1. Procedural Items:**

**9:00 pm. Reconvene:** The meeting of the Pharmacy Board was called to order by Chairman Mazzoni at 9:00 a.m. on April 21, 2017.

**Roll Call:** Chairman, Richard Mazzoni called roll and a quorum was established with the following members present: (P = Present A = Absent)

P Richard Mazzoni, Chairman    P Amy Buesing, Vice Chair    P Neal Dungan, Secretary

P Teri Rolan    P Joe Anderson    P Chris Woodul    P Cathleen Wingert

P Michael Garringer

Board staff members present were Executive Director, Ben Kesner; Administrative Secretary, Debra Wilhite; board counsel Assistant Attorney, David Stevens arrived at 11:38 a.m.

**2. 9:15 a.m. – 10:35 a.m. Public/Professional Requests/Waiver Petitions\*:**

**Christyanna Carabajal PT9641 - requesting an additional extension of 1 year (2018); was licensed in 6/25/14 and is not nationally certified – has attended training program twice since license issue date (Havins/graduation August 2017) – spoke with Administrative Secretary, Debra Wilhite on 3/21/17:** Ms. Carabajal was not in attendance. Ms. Wilhite stated that upon internal decision, that the current expiration date on Ms. Carabajal's license would be extended from June 2017 until August 31, 2017, allowing her to graduate from CNM and requesting that she become nationally certified in order to renew in August 2017.

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Ms. Wilhite stated that the language in 16.19.22 NMAC may need to be amended to be more specific on the number of times attending a technical training program should be granted, Mr. Anderson was in agreement. Mr. Woodul also stated that many parts of New Mexico do not offer training programs and that these circumstances should be taken into account. The board requested that proposed language be presented at the June 2017 board meeting.

**Cynthia Stinson PT00010239 – request waiver of one year certification:** Ms. Stinson was present and requested that the board allow her an extension for one year to become nationally certified, as her former employer did not provide her with the necessary training to pass the PTCB exam. She stated that her current employer will focus on the training she was not provided, in order to test and pass the PTCB exam.

Motion made by MS. Buesing, seconded by Mr. Dungan to approve the waiver for extension until November 1, 2017, allowing Ms. Stinson this time to train, test and pass the national certification exam, board voted unanimously to pass the motion.

**Yazid Atieh RPh – Tele-Pharmacy waiver of distance from nearest pharmacy:** Mr. Yazid was present and requested that the board allow a waiver for the “25 mile distance requirement to the nearest pharmacy” as required in 16.19.33.2 NMAC. Upon discussion with the board it was determined that a waiver was not necessary because the nearest pharmacy in proximity to his tele pharmacy in New Mexico, was in compliance with rule 16.19.33 NMAC.

**Elayne Biscamp PC – Petition to remove asterisk:** Ms. Biscamp was present to request that the asterisk be removed from her license, after numerous years of compliance. Upon discussion with the board stating the asterisk is related to disciplinary action against the licensee which enables the public notice of such action. Ms. Biscamp suggested that the board consider that after a certain length of time of compliance, that the asterisk be removed. The board stated that they would take that into consideration but at this time they would deny her request for removal of the asterisk.

Motion made by Ms. Wingert, seconded by Ms. Rolan to deny the request of removal of asterisk that appears on Ms. Biscamp’s license, board voted unanimously to pass the motion.

**Brandon Warrick - Discussion regarding Loperamide abuse - counterfeit pills – Project update:** [See Attachment A](#)

**Ernest Dole PC – Discuss pharmacy policies regarding opioid prescriptions:** Board does not have the authority to regulate pharmacy practices. Mr. Anderson suggested Mr. Dole discuss with the Medical Board and Mr. Tinker suggested Mr. Dole address with the Governor’s Task Force.

**Ashok Pothula – Bestcare Pharmacy Waiver:** Mr. Ashok withdrew his request.

### **3. Deliberation of Christopher Trujillo RP7033\* - January 30, 2017 Hearing 2015-055 - Decision & Order:**

Motion made by Mr. Woodul, seconded by Ms. Wingert to go into closed session at 1:35 p.m. to deliberate on administrative adjudicatory proceedings for Christopher Trujillo’s; Mr. Dungan, Ms. Wingert, Ms. Buesing, Ms. Rolan, Mr. Woodul and Chairman Mazzoni voted unanimously to pass the motion. Mr. Anderson and Mr. Garringer recused themselves.

The board went back into open session at 2:10 p.m. and the only issue discussed was administrative adjudicatory proceedings for Christopher Trujillo. Mr. Christopher Trujillo was present at the time awaiting the decision of the board.

Motion made by Ms. Rolan, seconded by Ms. Buesing to reinstate Mr. Trujillo’s license with the following stipulations, he shall; be on probation until May 23, 2021, participate in MTP through May 23, 2021, provide proof of 30 hours of CE completion, take and pass the MPJE within 6 months (9/21/17), and report to the board any material changes of his criminal case, board voted unanimously to pass the motion. Mr. Garringer recused himself from the vote.

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#### 4. **Litigation Update\*:**

a) **Issue OSC/Violation of order to test NAPLEX & MPJE within 6-month timeframe 2015-070 – Craig Collyer RP5334 – Licensing Manager, Sarah Trujillo:** No action at this time as Mr. Collyer is currently unlicensed.

b) **AGO scope of authority:** Board requested that board counsel, David Stevens discuss with the AGO and work towards a resolution.

- Matter as closed 2016-048 - not declined, not nolloed, closed for administrative purposes
- Modify/Amend MPJE testing time-frame from 18 months to 6 months as board ordered 2016-018 - Martin Salas RP5599
- Kelsie Current PT8609 Disciplinary Hearing Vacated 2016-063 – AGO offered Settlement Agreement: **Board tabled settlement agreement to be presented June 2017**
- Richard Marano PT6492 Disciplinary Hearing Vacated 2016-022 – AGO offered Settlement Agreement: **Board tabled settlement agreement to be presented June 2017**
- Withdrawal of NCA issued 2015-084; Gilbert Orosco acceptance of settlement agreement received 2/13/17
- Declining to prosecute; insufficient evidence
- Subpoena's, authentication of photos, certified copies (evidence submitted by NMBOP inspectors, need guidance and direction)
- Declining to send original signed settlement agreements to the board

5. **Monitored Treatment Program Report\*:** **Board tabled to be presented June 2017**

6. **Executive Director's Report\*:** *(May be heard at any time during the meeting)*

a) **Error in Pharmacy Filling Medications – Joe Anderson:** Mr. Anderson's notes as presented; an investigative report conducted by the Chicago Tribune newspaper found that pharmacies frequently failed to warn customers about potentially dangerous drug-drug interactions. The Tribune had reporters present to 255 Chicago-area pharmacies with prescriptions containing drug pairs of medications that have dangerous, potentially fatal, interactions. Shockingly, 52% of the pharmacies dispensed the medications without contacting the prescriber or without counseling the patient. Several pharmacists were interviewed following the study after being shown the results in an attempt to determine why so many of the interactions were missed. Reasons provided included: pharmacist understaffing, emphasis on speed of dispensing instead of safety, electronic alert fatigue. With regard to speed of dispensing, the National Association of Boards of Pharmacy called on states to prohibit, restrict or regulate company policies that measure the speed of pharmacists' work but that would require individual states to change regulations which has not happened. The study has caught the attention of politicians. Governor Bruce Rauner, Illinois, has introduced a plan that would require pharmacists to counsel patients on new medications or medications that have changed dose, frequency, or route of administration. Additionally, his plan would implement "mystery shoppers" who would be used to evaluate compliance with the new laws. U.S. Senator Dick Durban of Illinois has asked the Centers for Disease Control and Prevention (CDC) to study pharmacies across the United States to determine the frequency of occurrence for dispensing potentially dangerous medication combinations. In addition, he asked the CDC to issue guidelines to state Boards of Pharmacy and private industry groups to ensure consumer safety and to study factors that contribute to pharmacy errors.

b) **Emergency Preparedness – Amy Buesing:** The Facilities & Operations committee will address this topic

c) **16.19.22 NMAC – Section 14 regarding enrollment in board recognized technician training program – language amended in 2013:** Discussion regarding extension for renewal of non-certified technicians enrolled in board recognized training program, the Administrative Secretary will submit proposed language at the June 2017 board meeting.

d) **Pharmacy Board Budget Report:**

- **Board meetings to be held in Albuquerque:** FYI

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- **Travel (Including vehicles and Subscriptions & Dues):** FYI
- **Licensee Funds/Pharmacist Wall Certificates – Licensees are calling for status - Sarah/Debra:** Board requests that pending certificates be issued and printed internally or through state printing agency.

e) **NABP Member Benefit Statement – Richard Mazzoni:** A membership fee of \$250.00 paid to the NABP by the board is a great value considering the high standards, that all boards in every state should follow and mimic; a number of services are provided; all public members should be encouraged to attend seminars and training programs offered at the expense of the NABP.

f) **FTC Task Force Will Put Licensing Boards On Notice – Ms. Mendez-Harper:** FYI

g) **OTC Ephedrine Sales Reporting:** Proposed language will be submitted at the June 2017 board meeting for 16.19.17.7 NMAC.

h) **Legislative Update – Dale Tinker:** Tabled until June 2017

i) **DEA Drug Take-Back – Jennifer Ortega:** Scheduled April 29, 2017, one of two sponsored by the DEA; 3 sites @ Walgreens; news anchor visiting two sites that NMBOP Ben Kesner and Kris Mossberg will be manning; students from the COP to volunteer; NMSU Pharmacists Society @ 6 locations in Las Cruces; APD substations & DPS stations in Albuquerque year round collection; community participates and appreciates the program.

j) **Open Meetings Act – Debra Wilhite:** Board members forward public/licensee inquiries/questions to Executive Director for follow-up.

#### 7. Case Presentations\*:

|                       |                                  |                                     |                              |
|-----------------------|----------------------------------|-------------------------------------|------------------------------|
| Inspector McCracken:  | 2016-072/close<br>2017-023/NCA   | 2017-002/table<br>2017-024/NCA      | 2017-016/NCA<br>2017-025/NCA |
| Inspector Mossberg:   | 2016-016/table<br>2017-019/close | 2017-009/close                      | 2017-011/VS                  |
| Inspector B. Padilla: | 2016-086/table<br>2017-018/close | 2017-010/close-DA<br>2017-026/table | 2017-013/NCA                 |
| Inspector A. Padilla: | 2016-084/close<br>2017-017/close | 2016-089/close<br>2017-022/close-DA | 2017-014/close               |

Motion: **Close cases:** 2016-072, 2017-009, 2017-019, 2017-010, 2017-018, 2016-084, 2016-089, 2017-014, 2017-017, 2017-022. Motion made by Mr. Garringer, seconded by Ms. Wingert, board voted unanimously to pass the motion.

Motion: **Table cases:** 2017-002, 2016-016, 2016-086, 2017-026. Motion made by Mr. Garringer, seconded by Ms. Buesing, board voted unanimously to pass the motion, Ms. Wingert, board voted unanimously to pass the motion.

Motion: **Issue NCA to revoke 10 years:** 2017-016, 2017-023, 2017-024, 2017-025. Motion made by Ms. Wingert, seconded by Mr. Woodul to revoke for 10 years, shall not own or operate a facility, \$5000 fine and cost of investigation, board voted unanimously to pass the motion.

Motion: **Issue NCA to revoke w/pre-nca to complete Texas actions:** 2017-013. Motion made by Mr. Dungan, seconded by Ms. Buesing, board voted unanimously to pass the motion.

#### 8. Stipulated or Settlement Agreements/Surrenders/Defaults and Orders\*:

**2013-053 & 2015-024 – Robert McClelland/Bob’s Budget Pharmacy – Modified Settlement Agreement**

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Motion made by Ms. Buesing, seconded by Ms. Wingert to accept the modified agreement for Robert McClelland 2013-053 & 2015-024, board voted unanimously to pass the motion.

**2015-059 – Cindy Johnson RP6916 – Settlement Agreement**  
**2015-084 – Gilbert Orosco PT9936 – Settlement Agreement**

Motion made by Mr. Woodul, seconded by Mr. Dungan to accept the settlement agreements for 2015-059 and 2015-084, board voted unanimously to pass the motion.

**2016-022 - Richard Marano PT6492 – Settlement Agreement**  
**2016-063 - Kelsie Current PT8609 – Settlement Agreement**

Motion made by Mr. Garringer, seconded by Mr. Dungan to table settlement agreements for 2016-022 and 2016-063, board voted unanimously to pass the motion.

**2017-011 - Voluntary Surrender**

Motion made by Mr. Garringer, seconded by Mr. Woodul to accept the voluntary surrender for 2017-011, board voted unanimously to pass the motion.

9. **Adjournment:** Motion made by Ms. Wingert, seconded by Mr. Dungan to adjourn the board meeting @ 5:20 p.m., board voted unanimously to pass the motion.

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