



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

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 20th & 21st, 2017 Draft 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.

*The board may go into Executive Session to discuss these items and any other items pursuant to Section 10-15-1H(1), Section 10-15-1H(2), Section 10-15-1H(3), or Section 10-15-1H(7) of the Open Meeting Act. Agenda items may be executed at any time during the meeting to accommodate hearings. H(1) are licensing matters, H(2) is limited to personnel matters, H(3) is limited to deliberations on administrative adjudicatory proceedings, H(7) is pending or threatened litigation.

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

CONSULTANT PHARMACIST

New

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1901 W Hermosa
Artesia, NM 88210

Keun-Kyu Yi, R.Ph.

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 4th Street

New
Ashok Pothula, R.Ph.

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Lordsburg, NM 88045

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

**New
Douglas Chan, R.Ph.**

**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.**

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**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.**

**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.**

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NON-RESIDENT PHARMACY

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

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

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

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

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

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

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

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

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

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

11. Integra Rx
2661 W Atlantic Blvd

PHARMACIST IN CHARGE

New
Jason Jerusik, R.Ph.

New
Wesam Hammad, R.Ph.

New
Suzanne Tagg, R.Ph.

New
Vicki Jung, R.Ph.

New
Kelly Selby, R.Ph.

New
Andrea Roths, R.Ph.

New
Mykel Tidwell, R.Ph.

New
Kristi Kubosh, R.Ph.

New
Khanh Bui, R.Ph.

New
Angelee Dean, R.Ph.

New
Harry Zifferblatt, R.Ph.

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Pompano Beach, FL 33069

12. Maxxon Home Health Care LLC
DBA 1RX Central 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 Kamiseti, R.Ph.

15. Missouri Health Infusion LLP
2319 Weldon Parkway
Saint Louis, MO 63146

New
Gary Anderson, R.Ph.

16. NYC Wholesale Inc
DBA Moon Pharmacy
112-17 Jamaica Avenue
Richmond Hill, NY 11418

New
Bruce Snipas, R.Ph.

17. Oak Creek Rx LLC
8607 F Street
Omaha, NE 68127

New
Anitha Teekaraman, R.Ph.

18. PharmaScript Inc
5437 N Broadway Avenue
Chicago, IL 60640

New
Michael Green, R.Ph.

19. Pillpack Austin
2200 Industrial Blvd Suite 100
Austin, TX 78745

New
Michael Hearn, R.Ph.

20. Pinnacle Pharmacy Solutions LLC
3011 S 52nd Street
Tempe, AZ 85282

New
Kathleen Cray, R.Ph.

21. PMOA Inc
676 S University Blvd
Mobile, AL 36609

New
Jason Hodges, R.Ph.

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- | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| <p>22.Prime Therapeutics Specialty Pharmacy LLC
 2901 Kinwest Parkway Suite 350
 Irving, TX 75063</p> | <p>New</p> |
| <p>23.Professional Rx Pharmacy LLC
 2560 E Sunset Road #120
 Las Vegas, NV 89120</p> | <p>New
 Tamara Angeles, R.Ph.</p> |
| <p>24.Public Super Markets Inc
 Publix Specialty Pharmacy #3212
 7616 Southland Blvd #112
 Orlando, FL 32809</p> | <p>New
 Desirae Hill, R.Ph.</p> |
| <p>25.Recept Pharmacy
 4011 Crescent Park Drive
 Riverview, FL 33578</p> | <p>New
 Steven Gale, R.Ph.</p> |
| <p>26.Schraft's 2.0 LLC
 3 Wing Drive Suite 102
 Cedar Knolls, NJ 07927</p> | <p>New
 Victoria Khavulya, R.Ph.</p> |
| <p>27.Southside Pharmacy
 7700 Main Street Suite 260
 Houston, TX 77030</p> | <p>New
 Romil Patel, R.Ph.</p> |
| <p>28.Triangle Compounding Pharmacy
 3700 Regency Parkway Suite 140
 Cary, NC 27518</p> | <p>Change of Ownership
 Wendy Hagwood, R.Ph.</p> |
| <p>29.Walgreens Mail Service LLC
 DBA Walgreens Mail Service
 8350 S River Parkway
 Tempe, AZ 85284-2615</p> | <p>Change of Ownership
 Hazem Abawi, R.Ph.</p> |
| <p>30.Walgreens #02445
 8337 S Park Circle
 Orlando, FL 32819</p> | <p>Change of Ownership
 Lonnie Wollitz, R.Ph.</p> |
| <p>31.Wellness Pharmacy LLC
 1480 Wilcrest Drive
 Houston, TX 77042</p> | <p>New
 Ngozi Obi, R.Ph.</p> |

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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 45th Avenue
Phoenix, AZ 85043

New

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

New

5.AmerisourceBergen Drug Corporation
7775 W Buckeye Road Suite 150
Phoenix, AZ 85041

New

6.Aries Pharmaceuticals Inc
15 Ingram Blvd
La Vergne, TN 37086

New

7.Array BioPharma Inc
420 International Blvd Suite 500
Brooks, KY 40109

New

8.Astra Zeneca Pharmaceuticals LP
355 Omicron Court
Sherpardsville, KY 40165

Change of Ownership

9.Aurex Pharmaceuticals LLC
10 Lake Drive
East Windsor, NJ 08520

New

10.Biofrontera Inc
201 Edgewater Drive Suite 210

New

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Wakefield, IL 01880

11. BioRamo LLC New
5319 NW 35 Terrace
Fort Lauderdale, FL 33309

12. Bioverativ US LLC New
4500 Progress Blvd
Louisville, KY 40219

13. Cambridge Therapeutic Technologies LLC New
500 Frank W Burr Blvd Suite 4
Teaneck, NJ 07666

14. Canton Laboratories LLC New
1015 Nine North Drive Suite 200
Alpharetta, GA 30004-5945

15. Coherus Biosciences Inc New
333 Twin Dolphin Drive Suite 600
Redwood City, CA 94065

16. Country Line Pharmaceuticals LLC New
10 Bloomfield Avenue Bldg B Suite 3
Pine Brook, NJ 07058

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

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<p>22.ICU Medical Sales Inc 4653 Nall Road Farmers Branch, TX 75244</p>	New
<p>23.Impax Laboratories Inc 1910 Danielson Place Memphis, TN 38114</p>	New
<p>24.Independent Pharmacy Distributor LLC 703 South Salisbury Street Lexington, NC 27292</p>	New
<p>25.Ipsen Biopharmaceuticals Inc 1001 Cheri Way Suite 100 Louisville, KY 40118</p>	New
<p>26.Ironwood Pharmaceuticals Inc 501 Mason Road Suite 200 La Vergne, TN 37086</p>	New
<p>27.ISDIN Corp 36 Cattano Avenue 3rd floor Morristown, NJ 07960</p>	New
<p>28.Keryx Biopharmaceuticals Inc One Marina Park Drive 12th Floor Boston, MA 02210</p>	New
<p>29.Lexicon Pharmaceuticals Inc 8800 Technology Forest Place The Woodlands, TX 77381</p>	New
<p>30.Lifestar Pharma LLC 1200 MacArthur Blvd Mahwah, NJ 07430</p>	New
<p>31.Mallinckrodt Nuclear Medicine LLC 2703 Wagner Place Maryland Heights, MO 63043</p>	Change of Ownership
<p>32.Marnel Pharmaceuticals LLC 635 East Bay Street Bldg G Charleston, SC 29403</p>	New

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33.MXR SourceOne 604 Lambert Point Drive Bldg C Hazelwood, MO 63042	New
34.Native Vet Material LLC 5600 Wyoming Blvd NE Suite 150 Albuquerque, NM 87109	New
35.Neos Therapeutics Brands LLC 420 International Blvd Suite 500 Brooks, KY 40109	New
36.Oculos Innovative Sciences 1129 N McDowell Blvd Petaluma, CA 94954	New
37. Pharmaceutical Trade Services Inc 5820 Gulf Tech Drive Ocean Springs, MS 39564	New
38.Phlight Pharma LLC 998 Robinson Street Suite B Ocean Springs, MS 39564	New
39.PI Services LLC 2936 W 17th Street Suite A Erie, PA 16505	New
40.ProMetic Bio Therapeutics Inc 1330 Piccard Drive Suite 201 Rockville, MD 20850	New
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	Change of Ownership

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**One Southern Court
West Columbia, SC 29169**

**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

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

New

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

New

b) Pharmacist Clinicians:

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Motion: Approve registration of pharmacist clinician for Megan Dill and Justin Schmetterer, motion made by Mr. Anderson, 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 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 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.

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.

*The board may go into Executive Session to discuss these items and any other items pursuant to Section 10-15-1H(1), Section 10-15-1H(3), Section 10-15-1H(2) or Section 10-15-1H(7) of the Open Meeting Act. Agenda items may be executed at any time during the meeting to accommodate hearings. H(1) are licensing matters, H(2) is limited to personnel matters, H(3) is limited to deliberations on administrative adjudicatory proceedings, H(7) is pending or threatened litigation.

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](#)
- NAMSDL PMP Resource Group Meeting (March 2-3, 2017) Dallas
- Ruidoso – Medical Society Meeting (December)
- 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:**

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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
- 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.

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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.

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

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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.

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

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- 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
- **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.

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

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

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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.