

## MINUTES

### OKLAHOMA STATE BOARD OF PHARMACY

2920 N Lincoln Ave., Suite A  
Oklahoma City, OK 73105

**December 18, 2024**

#### **Call to order:**

President Lassiter called the December 18, 2024, meeting of the Oklahoma State Board of Pharmacy (OSBP) to order at 8:35 am with a roll call vote. All members identified as present.

#### **Those present were:**

Board Members: Shonda Lassiter, President  
Randy Curry, Vice-President  
Laura Hawkins, Member  
Greg Huenergardt, Member  
Chris Schiller, Member  
Mark St. Cyr, Member

Board of Pharmacy: Marty Hendrick, Executive Director  
Melissa Jones, Sr. Compliance Officer  
Keevie Ridener, Compliance Officer  
Marjan Fardadfar, Compliance Officer  
Darrell Switzer, Compliance Officer  
Kim Hibbard, Compliance Officer  
Jennifer Musgrove, Compliance Officer  
Rhonda Jenkins, Registration Secretary  
Kristin Bugg, Assistant Attorney General  
Maria Maule, Assistant Attorney General, Advisor for the Board

Guests Nancy Williams, SWOSU College of Pharmacy  
Abigail Birky, SWOSU College of Pharmacy/Walgreens  
Vince Dennis, OU College of Pharmacy  
Jay Kinnard, OU College of Pharmacy/1893 Pharmacy  
Sarah Clark, Walgreens  
Alicia Lewallen, Walgreens  
Ryan Walker, Walgreens  
Lorri Walmsley, Walgreens  
KayDee Judd, Walgreens  
Dylan Hancin, Walgreens  
Michelle Fischer, CVS  
Olivia Morris, Intern

#### **President Lassiter administers Oath of Office to Laura Hawkins:**

President Lassiter conducted the first order of business by administering the Oath of Office to Laura Hawkins. Ms. Hawkins was appointed by Governor Stitt to replace Robert Howard.

#### **Approval of minutes and claims:**

A motion was made by Dr. Randy Curry and seconded by Dr. Greg Huenergardt to approve the September 18, 2024 minutes. Motion passed on roll call vote.

A motion was made by Dr. Greg Huenergardt and seconded by Dr. Randy Curry to approve expense claims #8237 - #8314, #H0511211 - #H0511215, #H0512823-#H0512828, #H0514719 and #H0514721, the August, September, October and November payroll, the September, October and November 2024 leave reports of the

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Executive Director and any expense claims of the Executive Director. Motion passed on roll call vote.

**Cancellation of Pharmacist, Pharmacies, Facilities, and Technicians:**

After a review of the cancellation list previously viewed, a motion was made by Dr. Chris Schiller and seconded by Dr. Randy Curry to approve the cancellation list of those that did not renew within the renewal time-period. Motion passed on roll call vote.

**Presentation of “Years of Service” pin:**

President Lassiter presented Compliance Officer (CO), Darrell Switzer with a 5 years of service pin and Program Director, Kristen Johnson with a 10 years of service pin. President Lassiter congratulated both CO Switzer and Ms. Johnson on their service with the State of Oklahoma and thanked both of them for the work that they do for the Board of Pharmacy.

**Board reviews approved Continuing Education (CE) programs:**

The Board reviewed the 3<sup>rd</sup> and 4<sup>th</sup> quarter list(s) of CE programs that had been submitted to and approved by the CE Committee on September 13, 2024 and December 13, 2024.

A motion was made by Dr. Chris Schiller and seconded by Dr. Greg Huenergardt to accept the approved list(s) of CE programs that had been submitted. Motion passed on roll call vote.

**Board sets future Board meeting(s):**

The Board approved Wednesday February 5, 2025, as the next scheduled Board meeting. It was noted that Board member Laura Hawkins would not be available for this meeting, but it was determined that there would still be a quorum present.

**P-4 Students:**

The Board welcomed students from Southwestern Oklahoma State University Colleges of Pharmacy and The University of Oklahoma that are attending the Board meeting. All students will attend a Board meeting during their final year of college.

**Executive Director gives Agency report:**

**Travel:**

Director Hendrick reported that he attended the NABP Forum that was held September 24<sup>th</sup> through the 26<sup>th</sup> in Chicago. He stated that there were several different topics discussed. He noted that one of the discussions held was on different registrant applications and what type of questions are asked on those applications. He stated that it may be time to do some reevaluating on some of our applications.

Director Hendrick noted that he and the Compliance Officers, along with President Lassiter and Dr. Greg Huenergardt attended the NABP District 6, 7 & 8 meeting in Sandia, NM on October 21<sup>st</sup> and 22<sup>nd</sup>. President Lassiter and Dr. Huenergardt shared their thoughts on the meeting.

Director Hendrick noted that Dr. Chris Schiller and Dr. Randy Curry attended the NCPA meeting that was held October 26<sup>th</sup> through the 29<sup>th</sup> in Columbus, OH. Dr. Schiller and Dr. Curry reported on some of the topics discussed at the meeting.

Director Hendrick reported that President Lassiter attended the NABP Member Forum for Presidents on December 3<sup>rd</sup> through the 5<sup>th</sup> in Chicago, IL. President Lassiter reported on this meeting.

Director Hendrick reported that Dr. Randy Curry attended the ASHP Mid-Year meeting that was held December 8<sup>th</sup> through the 12<sup>th</sup> in New Orleans, LA. Dr. Randy Curry reported on this meeting.

Director Hendrick then reminded the Board of several upcoming meetings and to let him know if they are interested in attending:

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The Compounding Summit that will be held in North Carolina at the end of February. President Lassiter stated that she would be willing to attend.

The Tri-Regulatory Symposium Summit that will be held in Tysons Corner, Virginia, March 4<sup>th</sup> through the 7<sup>th</sup> and that he will be attending this meeting.

The NABP Annual Conference that will be held May 12<sup>th</sup> through May 16<sup>th</sup> in Ft. Lauderdale, FL.

**Building update:**

Director Hendrick reported that the stone issue on the building has been corrected.

**Evaluation for Executive Director:**

Dr. Hendrick stated that he and President Lassiter have discussed the evaluation process for the Executive Director. He noted that the form was revamped last year so it would look a little different and that it should be going out sometime in February. He stated that he would like to have it completed by the June meeting.

**Interstate Portability:**

Director Hendrick reported that he is working on a Task Force with NABP dealing with the Licensure Interstate Portability and that it is still in the early discussion stage. At this point, they are getting feedback on topics from other health professions such as nursing, physical therapy etc.

At this time, a motion was made by Dr. Greg Huenergardt and seconded by Dr. Randy Curry to accept the Executive Director's report. Motion passed on a roll call vote.

**NAPLEX applicant and Foreign Graduate, Susan Varghese Paul appears before the Board:**

The Board was called to order by President Lassiter to hear the request of Susan Varghese Paul. Ms. Paul had taken and failed the NAPLEX 3 times and was requesting that the Board allow her a fourth attempt. Ms. Paul explained to the Board that she plans to work part time in order to be able to study more and that she plans to do some online study plans and listen to lectures.

A motion was made by Dr. Chris Schiller and seconded by Dr. Randy Curry to grant Ms. Paul permission to re-take the NAPLEX a fourth time and encouraged her to continue with her studies and preparation for the exam. Motion passed on roll call vote.

**Kevin Rich of Oklahoma Pharmacists Helping Pharmacists (OPHP) gives Annual report:**

Kevin Rich, Director of Oklahoma Pharmacists Helping Pharmacist presented the Board with an annual report from OPHP. He spoke on the leadership of the organization, and some of the issues and solutions that the organization has experienced. Mr. Rich also spoke on the support, involvement, and outreach opportunities that individuals have available to them.

The Board thanked Dr. Rich for his presentation, and commended him for his excellent work with the organization and the help OPHP provides to the profession.

**OSBP vs Cade Nelson, Technician #31291, Case No. 1690:**

The Board was called to order by President Lassiter to hear the case of Cade Nelson. Mr. Nelson was not present. Registration Secretary Rhonda Jenkins and Compliance Officer (CO), Keevie Ridener were sworn in by President Lassiter. Ms. Jenkins testified that Mr. Nelson has been properly notified of the time and date of the hearing. CO Keevie Ridener testified for the Board. Assistant Attorney General, Kristin Bugg, prosecuted for the Board.

A motion was made by Dr. Mark St. Cyr and seconded by Dr. Chris Schiller to allow Maria Maule, Chief Assistant Attorney General, to open the record and lead the discussion as Advisor for the Board. Motion passed on roll call vote.

At this time, President Lassiter asked the Board if anyone feels the need to recuse themselves from hearing the case. All Board members present answered "no".

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Prior to the Board meeting, the Board received the Complaint for review. Mr. Nelson was found unresponsive lying on the floor in the men's restroom with several pills next to him of which he did not have a prescription for. Mr. Nelson was arrested. Shortly after, he notified his employer that he was resigning from his position immediately.

A motion was made by Dr. Mark St. Cyr and seconded by Dr. Greg Huenergardt that the facts that are alleged in the complaint are true with the noted count typo from 27 to 21. Motion passed on roll call vote.

A motion was made by Dr. Mark St. Cyr and seconded by Greg Huenergardt that based on the clear and convincing evidence presented, Mr. Nelson be found guilty of the violations in the complaint. Motion passed on roll call vote.

A motion was made by Dr. Mark St. Cyr and seconded by Dr. Chris Schiller that the technician permit of Cade Nelson be revoked, and that Mr. Nelson pay a fine of \$2,000. Motion passed on roll call vote.

**OSBP vs Michelle Lang, D.Ph. #17665, Case No. 1699:**

The Board was called to order by President Lassiter to hear the case of Michelle Lang. Ms. Lang was present and chose to appear without Counsel. Oklahoma Pharmacist Helping Pharmacist (OPHP) Director, Kevin Rich was present to answer any questions of the Board. Assistant Attorney General, Kristin Bugg prosecuted for the Board.

At this time, President Lassiter asked the Board if anyone feels the need to recuse themselves from hearing the case. All Board members present answered "no".

Prior to the Board meeting, the Board received the Complaint for review. Ms. Lang was charged with multiple violations of state and federal regulations and rules including: a registrant will conduct themselves, at all times, in a manner that will entitle them to the respect and confidence of the community in which they practice.

Ms. Bugg then presented the Board with an Agreed Order that had been signed by Ms. Lang. If the Board accepts the Agreed Order, Ms. Lang would agree to the following: Ms. Lang will fully comply with the ten-year contract that she voluntarily entered into with Oklahoma Pharmacist Helping Pharmacist (OPHP), including following all recommendations made by OPHP. Ms. Lang's license is indefinitely suspended until she has been determined to be "Fit for Duty" and the Board receives a recommendation from OPHP in support of Ms. Lang's reinstatement of her license. Ms. Lang must appear before the Board to request that her license be reinstated. Ms. Lang would agree to complete fifteen (15) hours of live CE for the years 2025 and 2026. Ms. Lang is also required to complete a "substance use disorder" conference or seminar by December 31, 2027, that has been approved by OPHP.

A motion was made by Dr. Randy Curry and seconded by Dr. Greg Huenergardt to accept the Agreed Order as presented. Motion passed on roll call vote.

**OSBP vs Kassidy Porter, Technician #26919, Case No. 1700:**

The Board was called to order by President Lassiter to hear the case of Kassidy Porter. Ms. Porter was not present, but it had been determined that she had been properly notified. Assistant Attorney General, Kristin Bugg, prosecuted for the Board.

At this time, President Lassiter asked the Board if anyone feels the need to recuse themselves from hearing the case. All Board members present answered "no".

Prior to the Board meeting, the Board received the Complaint for review. Ms. Porter's technician license was cancelled for failure to renew. She completed a reinstatement application but did not complete payment for the reinstatement and remained cancelled. Upon a routine Board inspection, it was determined that Ms. Porter had been working as a technician and as a sterile compounding technician without an active pharmacy technician permit.

Ms. Bugg then presented the Board with an Agreed Order that had been signed by Ms. Porter. By signing the Agreed Order, Ms. Porter admits guilt on all counts and accepts revocation of her technician permit.

Motion was made by Dr. Greg Huenergardt and seconded by Dr. Chris Schiller to accept the Agreed Order as presented. Motion passed on roll call vote.

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**OSBP vs Mandy Windholz, Technician #26611, Case No. 1689:**

The Board was called to order by President Lassiter to hear the case of Mandy Windholz. Ms. Windholz was not present, but it had been determined that she had been properly notified. Assistant Attorney General, Kristin Bugg, prosecuted for the Board.

At this time, President Lassiter asked the Board if anyone feels the need to recuse themselves from hearing the case. All Board members present answered "no".

Prior to the Board meeting, the Board received the Complaint for review. The Board received notice that Ms. Windholz had been terminated from Walmart Pharmacy. After an investigation by Walmart Asset Protection, it was determined that Ms. Windholz would come into Walmart in the evening and clock in. She would later adjust her time so that she was clocked in for several hours even though she never worked any hours in the pharmacy that day.

Ms. Bugg then presented the Board with an Agreed Order that had been signed by Ms. Windholz. By signing the Agreed Order, Ms. Windholz admits guilt on all counts and accepts revocation of her technician permit.

Motion was made by Dr. Randy Curry and seconded by Dr. Chris Schiller to accept the Agreed Order as presented. Motion passed on roll call vote.

**OSBP vs Edwardo Pena, Technician #31763, Case No. 1698:**

The Board was called to order by President Lassiter to hear the case of Edwardo Pena. Mr. Pena was not present, but it had been determined that he had been properly notified. Assistant Attorney General, Kristin Bugg, prosecuted for the Board.

At this time, President Lassiter asked the Board if anyone feels the need to recuse themselves from hearing the case. All Board members present answered "no".

Prior to the Board meeting, the Board received the Complaint for review. Mr. Pena was interviewed by Walmart Asset Protection regarding theft of cash and prescription drugs. Mr. Pena admitted stealing cash from the register and to stealing Amoxicillin for he and his family.

Ms. Bugg then presented the Board with an Agreed Order that had been signed by Mr. Pena. By signing the Agreed Order, Mr. Pena admits guilt on all counts and accepts revocation of his technician permit.

Motion was made by Dr. Randy Curry and seconded by Dr. Chris Schiller to accept the Agreed Order as presented. Motion passed on roll call vote.

**OSBP vs Chad Gassett, D.Ph. #15120, Case No. 1691 – request for reinstatement:**

The Board was called to order by President Lassiter to hear the request of Chad Gassett. Mr. Gassett was present along with Counsel Scott Anderson. OPHP Director, Kevin Rich testified on behalf of Mr. Gassett.

After a discussion with Mr. Rich and Mr. Gassett's attorney, a motion was made by Dr. Mark St. Cyr and seconded by Dr. Randy Curry that based on the recommendation of OPHP, the request of Chad Gassett be approved. Motion passed on roll call vote.

**OSBP vs Reba Jones, D.Ph. #17375, Case No. 1678 – request for reinstatement:**

The Board was called to order by President Lassiter to hear the request of Reba Jones. Ms. Jones was present. OPHP Director, Kevin Rich testified on behalf of Ms. Jones.

After a discussion with Mr. Rich and Ms. Jones, a motion was made by Dr. Randy Curry and seconded by Dr. Mark St. Cyr that based on the recommendation of OPHP, the request of Reba Jones be approved. Motion passed on roll call vote.

**OSBP vs Vernon Wall, D.Ph. #8630, Case No. 1697 – possible action of Imminent Danger letter:**

The Board was called to order by President Lassiter to discuss possible action of an Imminent Danger letter that was issued to Vernon Wall. Director Hendrick reported that Mr. Wall had been arrested and due to the nature of the arrest it was determined that an Imminent Danger letter needed to be issued until a case could be heard before the Board.

A motion was made by Dr. Mark St. Cyr and seconded by Dr. Randy Curry to

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ratify and continue with the Imminent Danger letter until this issue is brought before the Board. Motion passed on roll call vote.

**President Lassiter adjourned the Board meeting:**

A motion was made by Dr. Greg Huenergardt and seconded by Dr. Mark St. Cyr to adjourn the Board meeting. Motion passed on roll call vote. President Lassiter adjourned the Board meeting at 11:08 a.m.

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