

## MINUTES

### OKLAHOMA STATE BOARD OF PHARMACY

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

July 17, 2024

#### Call to order:

President St. Cyr called the July 17, 2024, meeting of the Oklahoma State Board of Pharmacy (OSBP) to order at 8:33 am with a roll call vote. 5 of 6 members identified as present.

#### Those present were:

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

\*\*Bob Howard was unable to attend this meeting\*\*

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

Guests Nancy Williams, SWOSU College of Pharmacy  
Vince Dennis, OU College of Pharmacy  
Jay Kinnard, OU College of Pharmacy/1893 Pharmacy  
Sarah Clark, Walgreens  
Alicia Lewallen, Walgreens  
Megan King, Walgreens  
Shannon Griggs, Wal-Mart  
Lauren Paul, CVS  
Gina Poulter, Reasor's

#### Re-Organization of the Board:

President St. Cyr opened the floor for re-organization of the officers of the Board. Motion was made by Dr. Chris Schiller and seconded by Dr. Greg Huenergardt to elect Dr. Shonda Lassiter as President and Dr. Randy Curry as Vice-President of the Board. Motion passed on roll call vote.

At this time Dr. Lassiter took over as President. Executive Director, Marty Hendrick presented Dr. Mark St. Cyr with an engraved gavel for his work as President. Director Hendrick thanked Dr. St. Cyr for all of the work that he has done for the Board of Pharmacy and for the pharmacy profession.

#### President Lassiter administers Oath of Office to Chris Schiller:

President Lassiter conducted the first order of business by administering the Oath of Office to Chris Schiller. Dr. Schiller was re-appointed by Governor Stitt to replace himself. Dr. Schiller was first appointed to the Board to finish out the term of the late Kyle Whitehead.

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**Approval of minutes and claims:**

A motion was made by Dr. Randy Curry and seconded by Dr. Chris Schiller to approve the April 17, 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 #8114 - #8191, #H0501254 - #H0501260, #H0502806 - #H0502812, #H0504860- #H0504866, #H0506253- #H0506258, and the April, May and June payroll. Motion passed on roll call vote.

A motion was made by Dr. Greg Huenergardt and seconded by Chris Schiller to approve the expense claims of the Executive Director. Motion passed on roll call vote.

A motion was made by Dr. Chris Schiller and seconded by Dr. Randy Curry to approve the April, May and June leave report 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. Mark St. Cyr 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.

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

The Board reviewed the 2nd quarter list of CE programs that had been submitted to and approved by the CE Committee on June 14, 2024.

A motion was made by Dr. Mark St. Cyr and seconded by Dr. Chris Schiller to accept the approved list of CE programs that had been submitted. Motion passed on roll call vote.

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

The Board set Wednesday September 18, 2024, as the next scheduled Board meeting.

**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, along with the Compliance Officers as well as a couple of Board members attended the NABP Annual Conference that was held in Fort Worth, TX at the Worthington Renaissance Hotel on May 14<sup>th</sup> - May 17<sup>th</sup>. President Lassiter gave a brief report on some of the topics that were discussed with one of the biggest ones being on AI.

Director Hendrick reported that he and the Compliance Officers attended the NADDI meeting that was held in July where Former Deputy Director, Gary LaRue received an award.

Director Hendrick also reported that President Lassiter attended the Attorney Generals Task Force – Opioid Commission and asked that she report on that meeting.

Director Hendrick reminded the Board of the upcoming meetings and stated that if they wish to attend, they will need to let him know. Those meetings are listed below:

OPHA Annual Meeting will be held August 24<sup>th</sup> in Oklahoma City

MALTAGON will be held September 8<sup>th</sup> - 11<sup>th</sup> in Rogers, AR

NABP Forum will be held September 26<sup>th</sup> in Chicago and will be attended by Director Hendrick

NABP District 6, 7 & 8 will be held October 20<sup>th</sup>- 24<sup>th</sup> at the Sandia Resort in NM.

NCPA will be held October 26<sup>th</sup> – 29<sup>th</sup> in OH

AShP will be held December 8<sup>th</sup>- 12<sup>th</sup> in New Orleans, LA

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**2 Executive Orders from Governor Stitts office:**

Director Hendrick reported that the office has received 2 Executive Orders signed by Governor Stitt and explained that these orders relate to the process of our licensing and our permits. The staff has a deadline to meet and at this point, they are working on getting the information together for him to review and submit back to the Governor's office.

**Blast Email:**

Director Hendrick reported that the office had recently sent out a blast email on behalf of the Oklahoma Bureau of Narcotics and has received several phone calls about out of state control prescriptions. Director Hendrick stated that he would keep the Board updated once more information is available.

**DEA:**

Director Hendrick reported that Board staff met with the Oklahoma Medical Marijuana Association on the scheduling of Medical Marijuana. Director Hendrick stated that he will update the Board once more information is available.

**Ryan Walker, Walgreens Healthcare Specialty Supervisor and Megan King, Walgreens Area Healthcare Supervisor to appear before the Board to discuss the possibility of amending the current regulations related to Shared Services:**

The Board was called to order to hear the request of Walgreens. Healthcare Specialist Supervisor, Ryan Walker and Area Healthcare Supervisor, Megan King appeared before the Board to discuss the possibility of amending current regulations related to Shared Services and to allow these functions to be performed using a non-resident pharmacy licensed by the Oklahoma Board of Pharmacy. Director Hendrick stated that this request started out as a waiver in 2022 and was intended for a few stores that were struggling in order to help the patient so they would not have to wait a long time for their prescriptions. At the time, Walgreens was working on starting a facility and the waiver helped with the process until it became fully dependent. During the discussion, it was stated that Walgreens has other facilities in Arizona and Florida and that recent closers were due to non-performance and not due to staffing issues.

After a lengthy discussion, a motion was made by Dr. Mark St. Cyr to table the discussion. There was no second from the Board, so the motion failed. At this point, no action was taken.

**OSBP vs Monique Chandler, Technician #17564, Case No. 1688:**

The Board was called to order by President Lassiter to hear the case of Monique Chandler. Ms. Chandler was not present, but it had been determined that she had been properly notified. Assistant Attorney General, Joe Ashbaker, 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. Chandler was terminated by Walgreens Pharmacy after admitting to stealing cash from the registers.

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

A motion was made by Dr. Mark St. Cyr and seconded by Dr. Greg Huenergardt to accept the Agreed Order. Motion passed on roll call vote.

**OSBP vs Juan Bermea, Jr., Technician #30831, Case No. 1687:**

The Board was called to order by President Lassiter to hear the case of Juan Bermea, Jr. Mr. Bermea was not present, but it had been determined that he had been properly notified. Assistant Attorney General, Joe Ashbaker, 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".

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

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Prior to the Board meeting, the Board received the Complaint for review. CVS Pharmacy began an investigation regarding possible diversion of CDS after noticing a shortage of Alprazolam 2mg tablets. A review of camera footage shows Mr. Bermea exhibiting suspicious behavior. At one point, while reaching into bins containing patient prescriptions, footage showed that he had removed a closed fist from a bin and then appeared to be depositing something in his pocket. Mr. Bermea was then interviewed and signed a written confession stating that he had taken two Alprazolam 1 mg pills in the past and had ingested them while working. Mr. Bermea was terminated from CVS.

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

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

**OSBP vs John Schick, Technician #26307, Case No. 1677:**

The Board was called to order by President Lassiter to hear the case of John Schick. Mr. Schick was not present, but it had been determined that he had been properly notified. Assistant Attorney General, Joe Ashbaker, 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”.

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

Prior to the Board meeting, the Board received the Complaint for review. Mr. Schick admitted in a written statement to diverting “a few Benzodiazepines” and “a couple of Phentermine”. Mr. Schick was terminated from Walmart Pharmacy for gross misconduct.

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

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

**Board discusses yearly evaluation and possible salary adjustment of the Executive Director:**

Motion was made by Dr. Mark St. Cyr and seconded by Dr. Randy Curry to go into Executive Session to discuss the yearly evaluation and possible salary adjustment of the Executive Director. Motion passed on roll call vote.

Motion was made by Dr. Mark St. Cyr and seconded by Dr. Chris Schiller to return from Executive Session. Motion passed on roll call vote.

A motion was made by Dr. Randy Curry and seconded by Dr. Greg Huenergardt to increase the salary of the Executive Director to \$195,000 to be effective July 1, 2024. Motion passed on roll call vote.

**President Lassiter adjourned the Board meeting:**

A motion was made by Dr. Chris Schiller and seconded by Dr. Randy Curry to adjourn the Board meeting. Motion passed on roll call vote. President Lassiter adjourned the Board meeting at 10:50 a.m.

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