



---

## PHARMACY EXAMINING BOARD

**Contact: Dan Williams (608) 266-2112**  
**Room 121A 1400 East Washington Avenue, Madison, WI 53703**  
**June 3, 2015**

*Notice: The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a description of the action and deliberation of the Board.*

### AGENDA

**10:00 A.M.**

*Or immediately following the pharmacy rules committee meeting.*

#### OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. **Adoption of Agenda**
- B. **Approval of Minutes of March 25, 2015**
- C. **Administrative Updates – Discussion and Consideration**
  - 1) Staff Updates
    - a. **APPEARANCE: DSPPS Deputy Secretary Jay Risch and Assistant Deputy Secretary Eric Esser**
  - 2) Board Member – Term Expiration Date
    - a. Franklin LaDien – 7/1/2016
    - b. Terry Maves – 7/1/2018
    - c. Charlotte Rasmussen – 7/1/2014
    - d. Thaddeus Schumacher – 7/1/2015 (Reappointed, not yet confirmed)
    - e. Kristi Sullivan – 7/1/2016
    - f. Philip Trapskin – 7/1/2017
    - g. Cathy Winters – 7/1/2017
- D. **APPEARANCE – Adam Chesler, Pharm.D. - Presentation as it Relates to the Pharmacy Technician Certification Board**
- E. **APPEARANCE – Dean Arneson, Pharm.D., Ph.D. – Concordia University**
- F. **Variations**
  - 1) Reports
    - a. University of Wisconsin Hospital and Clinics
  - 2) Requests
    - a. O’Connell Pharmacy
    - b. LTC Rx, Inc.

**G. PDMP Update – Discussion and Consideration**

**H. Legislation/Administrative Rule Matters – Discussion and Consideration**

- 1) Verbal Update on Pending Projects
  - a. Phar 2, 4 Relating to Act 114
  - b. Phar 5 Relating to Renewal/Reinstatement
  - c. Phar 6 Relating to Temperature and Humidity Controls
  - d. Phar 7 Relating to Practice of Pharmacy
  - e. Phar 15 Relating to Compounding
  - f. Phar 18 Relating to PDMP Clean-Up
- 2) Verbal Update on Legislation
  - a. AB 96/SB74 Relating to Prescriptions Issued by Optometrists for Controlled Substances
  - b. AB 228 Relating to Definition of Tetrahydrocannabinols (CBD)
- 3) Draft of Phar 1 and 8 Relating to Definitions and Controlled Substances
- 4) Proposals for Phar 8 Relating to Recording Name and Health Care Facility Definition
- 5) Proposals for Phar 18 Relating to Act 199
- 6) Proposals for Phar 14 Relating to Medical Oxygen
- 7) Update on Legislation and Pending or Possible Rulemaking Projects

**I. Speaking Engagement(s), Travel, or Public Relations Request(s)**

- 1) 2015 NABP Program Review and Training Session on July 21-22, 2015
- 2) Update on NABP 111<sup>th</sup> Annual Meeting on May 16-19, 2015 in New Orleans, LA

**J. Informational Items**

- 1) NACDS Generic Nexium Shortage

**K. Items Received After Preparation of the Agenda**

- 1) Introductions, Announcements and Recognition
- 2) Presentations of Petition(s) for Summary Suspension
- 3) Presentation of Proposed Stipulation(s), Final Decision(s) and Order(s)
- 4) Presentation of Proposed Final Decision and Order(s)
- 5) Informational Items
- 6) Division of Legal Services and Compliance (DLSC) Matters
- 7) Education and Examination Matters
- 8) Credentialing Matters
- 9) Practice Questions/Issues
- 10) Legislation/Administrative Rule Matters
- 11) Speaking Engagement(s), Travel, or Public Relations Request(s)
- 12) Prescription Drug Monitoring Program Information
- 13) Consulting with Legal Counsel

14) **Liaison Report(s)**

- a. CE Liaison: Terry Maves
- b. Credentialing Liaison(s): Terry Maves, Cathy Winters
- c. Digest Liaison: Philip Trapskin
- d. Legislative Liaison: Philip Trapskin, Thaddeus Schumacher, Terry Maves
- e. DLSC Liaison: Thaddeus J. Schumacher, Cathy Winters
- f. PAP Liaison: Franklin LaDien
- g. Monitoring Liaison: Franklin LaDien
- h. PHARM Rep to CSB: Franklin LaDien
- i. Variance Report Liaison: Philip Trapskin, Cathy Winters
- j. PHARM Rep to SCAODA: Kristi Sullivan
- k. Screening Panel: Cathy Winters, Franklin LaDien, Charlotte Rasmussen
- l. PDMP Workgroup: Terry Maves, Philip Trapskin

L. Public Comments

**CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).**

M. **Deliberation on Division of Legal Services and Compliance (DLSC) Matters**

1) **Proposed Stipulations, Final Decision and Orders**

a. *Attorney Sandra Nowack*

1. 13 PHM 055, 14 PHM 057, and 14 PHM 075 (D.Z.)
2. 13 PHM 055, 14 PHM 057, and 14 PHM 075 (MD Custom Rx)
3. 14 PHM 073 (O.K.C.)
4. 14 PHM 075 (M.Z.)
5. 14 PHM 082 (D.L.K.)

b. *Attorney Cody Wagner*

1. 14 PHM 134, 15 PHM 005, 15 PHM 030 (P.P.)
2. 14 PHM 139 (D.T.H.S.)

2) **Administrative Warnings**

a. *Attorney Sandra Nowack*

1. 14 PHM 055 (Walgreens #02927)

b. *Attorney Cody Wagner*

1. 14 PHM 090 (A.S.P.)
2. 14 PHM 091 (A.H.S.)
3. 14 PHM 096 (C.P.S.)
4. 14 PHM 097 (C.P.S.)
5. 14 PHM 101 (H.D.C.)
6. 14 PHM 102 (L.F.P.)
7. 14 PHM 103 (L.H.P.)
8. 14 PHM 104 (L.O.P.)
9. 14 PHM 114 (V.S.C.P.)
10. 14 PHM 115 (W.P.)

11. 14 PHM 118 (C.C.H.P. and J.J.W.)
12. 14 PHM 121 (P.P.A.L. and M.K.S.)
13. 14 PHM 123 (S.A.H.P. and J.J.S.)
14. 14 PHM 124 (V.H.P. and G.L.B.)

3) **Case Closings and Case Status Report**

a. *Attorney Sandra Nowack*

1. 14 PHM 002
2. Iowa Board of Pharmacy Referred Cases
  - a. 14 PHM 020
  - b. 14 PHM 021
  - c. 14 PHM 024
  - d. 14 PHM 026
  - e. 14 PHM 027
  - f. 14 PHM 028
  - g. 14 PHM 029
  - h. 14 PHM 030
3. 14 PHM 042
4. 14 PHM 088

b. *Attorney Jim Polewski*

1. 13 PHM 041
2. 14 PHM 147

4) **Monitoring**

- a. Dirk Larson, R.Ph. – Requesting Modification (Impairment)
- b. Erin Orth, R.Ph. – Requesting Modification (Impairment)

N. Deliberation of Items Received After Preparation of Agenda

- 1) Credential Issues and/or Reviews
- 2) Application Review
- 3) Education and Examination Matters
- 4) Disciplinary Matters
- 5) Professional Assistance Procedure (PAP) Matters
- 6) Monitoring Matters
- 7) Administrative Warnings
- 8) Review of Administrative Warning
- 9) Proposed Stipulations, Final Decisions and Orders
- 10) Proposed Final Decisions and Orders
- 11) Orders Fixing Costs/Matters Related to Costs
- 12) Petitions for Summary Suspension
- 13) Designation of Hearing Examiner
- 14) Case Closings
- 15) Case Status Report
- 16) Petitions for Re-Hearing
- 17) Motions

O. Consult with Legal Counsel

**RECONVENE INTO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION**

- P. Voting on Items Considered or Deliberated upon in Closed Session, if Voting is Appropriate**
- Q. Board Meeting Process (Time Allocation, Agenda Items) – Discussion and Consideration**

**ADJOURNMENT**

The next scheduled meeting is July 22, 2015.

\*\*\*\*\*  
MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE. IF A BOARD ADJOURNS TO CLOSED SESSION, RECONVENES IN OPEN SESSION TO VOTE ON ITEMS CONSIDERED IN CLOSED SESSION, AND DURING VOTING DETERMINES THAT ADDITIONAL DELIBERATIONS ARE NECESSARY FOR VOTING, THE BOARD MAY ADJOURN TO CLOSED SESSION TO CONTINUE DELIBERATIONS AND THEN RECONVENE INTO OPEN SESSION FOR VOTING.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held at 1400 East Washington Avenue, Madison, Wisconsin, unless otherwise noted. In order to confirm a meeting or to request a complete copy of the board's agenda, please call the listed contact person. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Interpreters for the hearing impaired provided upon request by contacting the Affirmative Action Officer, 608-266-2112.