

**VIRTUAL/TELECONFERENCE
PHARMACY EXAMINING BOARD
MEETING MINUTES
JUNE 28, 2024**

PRESENT: Susan Kleppin, Anthony Peterangelo, Michael Walsh, John Weitekamp, Christa Wilson

EXCUSED: Tiffany O’Hagan

STAFF: Brad Wojciechowski, Executive Director; Whitney DeVoe, Legal Counsel; Nilajah Hardin, Administrative Rules Coordinator; Tracy Drinkwater, Board Administration Specialist; and other Department staff

CALL TO ORDER

John Weitekamp, Chairperson, called the meeting to order at 11:03 a.m. A quorum was confirmed with five (5) members present.

ADOPTION OF AGENDA

MOTION: Michael Walsh moved, seconded by Christa Wilson, to adopt the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF APRIL 25, 2024

Amendments to the Minutes:

Update document footer to April 25, 2024

MOTION: Susan Kleppin moved, seconded by Michael Walsh, to approve the Minutes of April 25, 2024, as amended. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Appointments of Liaisons and Alternates, Delegation of Authorities

Delegation to Monitoring Liaison

MOTION: Michael Walsh moved, seconded by Christa Wilson, to delegate authority to the Monitoring Liaison(s) to make any determination on Orders under monitoring and to refer to the Full Board any matter the Monitoring Liaison deems appropriate. Motion carried unanimously.

Delegation to Department Monitor

MOTION: Michael Walsh moved, seconded by Christa Wilson, to adopt the delegations to the Department Monitor listed in the “Roles and Authorities Delegated for Monitoring” document as presented in the January 18, 2024, agenda materials on pages 43-45. Motion carried unanimously.

ADMINISTRATIVE RULE MATTERS

Adoption Order: Phar 1, 5, 6, 7, and 8, Relating to Remote Dispensing

MOTION: John Weitekamp moved, seconded by Susan Kleppin, to approve the Adoption Order for Clearinghouse Rule 23-054 (Phar 1, 5, 6, 7, and 8), relating to Remote Dispensing. Motion carried unanimously.

Adoption Order: Phar 1, 5, 7, 10, and 19, Relating to Registration of Pharmacy Technicians

MOTION: John Weitekamp moved, seconded by Susan Kleppin, to approve the Adoption Order for Clearinghouse Rule 23-072 (Phar 1, 5, 7, 10, and 19), relating to Registration of Pharmacy Technicians. Motion carried unanimously.

Scope Statement: Phar 7, Relating to Electronic Prescriptions, Prescription Labeling, CPR for Pharmacists, Epinephrine Delivery Systems, Controlled Substances Prescription Transfers, Remote Dispensing, Managing Pharmacist Definition, Initial Consultation, Alteration, and Final Check

MOTION: Michael Walsh moved, seconded by Susan Kleppin, to approve the Scope Statement revising Phar 7, relating to Electronic Prescriptions, Prescription Labeling, CPR for Pharmacists, Epinephrine Delivery Systems, Controlled Substances Prescription Transfers, Remote Dispensing, Managing Pharmacist Definition, Initial Consultation, Alteration, and Final Check, for submission to the Department of Administration and Governor’s Office and for publication. Additionally, the Board authorizes the Chairperson to approve the Scope Statement for implementation no less than 10 days after publication. If the Board is directed to hold a preliminary public hearing on the Scope Statement, the Chairperson is authorized to approve the required notice of hearing. Motion carried unanimously.

DSPS INTERDISCIPLINARY ADVISORY COUNCIL

Board Appointment of Liaison

MOTION: Michael Walsh moved, seconded by Christa Wilson, to delegate authority to the Interdisciplinary Advisory Council liaison to speak and take action on behalf of the Pharmacy Examining Board in matters considered by the Council, and to report back to the Pharmacy Examining Board on any actions taken by the Council. Motion carried unanimously.

OTHER APPOINTMENTS	
Interdisciplinary Advisory Council	John Weitekamp <i>Alternate: Christa Wilson</i>

SPEAKING ENGAGEMENTS, TRAVEL, OR PUBLIC RELATION REQUESTS, AND REPORTS

NABP District 4 Meeting, September 18-20 – Detroit, MI

MOTION: Michael Walsh moved, seconded by Susan Kleppin, to designate John Weitekamp, Tiffany O’Hagan and Brad Wojciechowski to attend the NABP District 4 Meeting on September 18-20, 2024, in Detroit, MI. Motion carried unanimously.

NABP Executive Officer Forum, September 25-26 – Mount Prospect, IL

MOTION: Susan Kleppin moved, seconded by Michael Walsh, to designate Brad Wojciechowski to attend the NABP Executive Officer Forum on September 25-26, 2024, in Mount Prospect, IL. Motion carried unanimously.

CLOSED SESSION

MOTION: Susan Kleppin moved, seconded by Christa Wilson, to 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.). John Weitekamp, Chairperson, read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Susan Kleppin-yes; Anthony Peterangelo-yes; Michael Walsh-yes; John Weitekamp-yes; and Christa Wilson-yes. Motion carried unanimously.

The Board convened into Closed Session at 12:19 p.m.

DELIBERATION ON REVIEW OF ADMINISTRATIVE WARNING

12:30 P.M. APPEARANCE: Julie Zimmer, DLSC Attorney; Michael Ghobrial, Attorney; and A.H.G.I., Respondent: WARN00003717 – 24 PHM 011 – A.H.G.I.

MOTION: Anthony Peterangelo moved, seconded by Michael Walsh, to affirm the issuance of the administrative warning in the matter of A.H.G.I., DLSC Case WARN00003717 – 24 PHM 011. Motion carried unanimously.

(Susan Kleppin recused herself and left the room for deliberation and voting in the matter concerning A.H.G.I. DLSC Case Number WARN00003717 – 24 PHM 011 – A.H.G.I.)

CREDENTIALING MATTERS

Application Reviews

A.F. – Pharmacy Technician

MOTION: Susan Kleppin moved, seconded by John Weitekamp, to approve the Pharmacy Technician application of A.F., once all requirements are met. Motion carried unanimously.

C.N.A.L. – Pharmacy (Out-of-State) and Wholesale Distributor

MOTION: John Weitekamp moved, seconded by Anthony Peterangelo, to approve the renewal of the following Pharmacy (Out-of-State) applications of C.N.A.L.

- IA-346062
- IA-348686
- IA-348717
- IA-348696
- IA-348708

once all requirements are met. Motion carried unanimously.

MOTION: John Weitekamp moved, seconded by Michael Walsh, to deny the request of C.N.A.L. for renewal of the following applications:

- IA-345483
- IA-358018
- IA-358041

but to offer a limited license with the following conditions: comply with all conditions of supervision in case number DVAW124MJ000009-001 and to report any new violations to the Board. **Reason for Denial:** 450.10(1)(a)2. And 450.10(1)(b)3. Motion carried unanimously.

M.V.S.I. – Wholesale Distributor

MOTION: Susan Kleppin moved, seconded by Christa Wilson, to request additional information from the Wholesale Distributor applicants of M.V.S.I., and to authorize the Board liaison to make a final determination on the applications. Motion carried unanimously.

J.D. – Pharmacy Technician

MOTION: John Weitekamp moved, seconded by Christa Wilson, to approve the Pharmacy Technician application of J.D. once all requirements are met. Motion carried unanimously.

L.H. – Pharmacy Technician

MOTION: Michael Walsh moved, seconded by Susan Kleppin, to deny the request of L.H. for an unencumbered Pharmacy Technician credential but to offer a limited license with the following conditions: quarterly work reports, direct supervision by a pharmacist, to comply with bond conditions, to report any convictions or new violations to the Department monitor and to comply with the results of any pending criminal actions. Reason for Denial: 111.321, 111.322, and 111.335 and 450.10(1)(a)2. Motion carried unanimously.

L.S. – Pharmacy Technician

MOTION: Susan Kleppin moved, seconded by John Weitekamp, to approve the Pharmacy Technician application of L.S. once all requirements are met. Motion carried unanimously.

**DELIBERATION ON DIVISION OF LEGAL SERVICES AND
COMPLIANCE (DLSC) MATTERS**

Administrative Warnings

MOTION: Susan Kleppin moved, seconded by Michael Walsh, to issue an Administrative Warning in the following DLSC Cases:

1. 21 PHM 162 – C.N.M.
2. 21 PHM 162 – T.L.S.
3. 22 PHM 041 – A.H.G.I.
4. 22 PHM 116 – W.
5. 23 PHM 009 – F.H.
6. 23 PHM 096 – E.S.P.I.
7. 23 PHM 137 – O.I.
8. 23 PHM 159 – A.A.J.
9. 23 PHM 159 – V.R.A.
10. 23 PHM 189 – W.P.

Motion carried unanimously.

23 PHM 189 – E.G.

MOTION: Susan Kleppin moved, seconded by Michael Walsh, to issue an Administrative Warning in the matter of E.G., DLSC Case Number 23 PHM 189 amended as follows: 1)d. December 15, 2023. Motion carried unanimously.

Case Closings

MOTION: John Weitekamp moved, seconded by Susan Kleppin, to close the following DLSC Cases for the reasons outlined below:

1. 20 PHM 064 – W.P. & O.E. – Insufficient Evidence
2. 21 PHM 110 – W.P. – Insufficient Evidence

3. 22 PHM 139 – D.C. – Insufficient Evidence
4. 22 PHM 178 – W. – No Violation
5. 22 PHM 184 – Q.P.I. – No Violation
6. 23 PHM 021 – C.P. – Insufficient Evidence
7. 23 PHM 036 – C.P. – Insufficient Evidence
8. 23 PHM 144 – M.D.I. – No Violation
9. 23 PHM 156 – W. – Prosecutorial Discretion (P2)
10. 23 PHM 159 – W. – Prosecutorial Discretion (P2)
11. 24 PHM 0042 – P.I. – No Violation

Motion carried unanimously.

Proposed Stipulations, Final Decisions and Orders

MOTION: Michael Walsh moved, seconded by Christa Wilson, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of the following cases:

1. 22 PHM 044 – Mohamed I. Alnahrawi
2. 23 PHM 085 – Omar H. Eliwa
3. 23 PHM 085 – Welltopia Pharmacy
4. 23 PHM 114 – Jessica Eicher
5. 23 PHM 144 – Mark C. Anderson

Motion carried unanimously.

DELIBERATION OF PROPOSED FINAL DECISIONS AND ORDERS

Complete Pharmacy and Medical Solutions, LLC – (DHA Case Number SPS-24-0013/DLSC Case Number 22 PHM 074)

MOTION: Christa Wilson moved, seconded by Anthony Peterangelo, to delegate to DSPS Chief Legal Counsel the Board’s authority to preside over and resolve the matter concerning disciplinary proceedings against Complete Pharmacy and Medical Solutions, LLC – DHA Case Number SPS-24-0013/DLSC Case Number 22 PHM 074. Motion carried unanimously.

(Susan Kleppin recused herself and left the room for deliberation and voting in the matter concerning DLSC Case Number Complete Pharmacy and Medical Solutions, LLC – DHA Case Number SPS-24-0013/DLSC Case Number 22 PHM 074.)

RECONVENE TO OPEN SESSION

MOTION: Anthony Peterangelo moved, seconded by Christa Wilson, to reconvene into Open Session. Motion carried unanimously.

The Board reconvened into Open Session at 3:05 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

MOTION: Michael Walsh moved, seconded by Anthony Peterangelo, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

(Be advised that any recusals or abstentions reflected in the Closed Session motions stand for the purposes of the affirmation vote.)

ADJOURNMENT

MOTION: Anthony Peterangelo moved, seconded by Christa Wilson, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 3:06 p.m.