

Tennessee Board of Pharmacy
Board Meeting
September 18, 2014

TENNESSEE BOARD OF PHARMACY
665 Mainstream Drive, Poplar Room
Nashville, TN
September 18, 2014

BOARD MEMBER PRESENT

Kevin Eidson, D.Ph.

BOARD MEMBERS ELECTRONICALLY

Michael Dickenson, D.Ph.
Nina Smothers, D.Ph., Vice President
Jason Kizer, D. Ph., President
Will Bunch, D. Ph.

BOARD STAFF ABSENT

Joyce McDaniel, Consumer Member
Debra Wilson, D.Ph.

STAFF PRESENT

Reginald Dilliard, Executive Director
Marc Guilford, Assistant General Counsel
Stefan Cange, Assistant General Counsel
Devin Wells, Deputy General Counsel
Andrea Huddleston, General Counsel
Jane Young, General Counsel
Sheila Bush, Administrative Manager
Valerie Nagoshiner, Assistant
Commissioner of Legislative Affairs
Terry Grinder, Pharmacist Investigator

STAFF PRESENT ELECTRONICALLY

Rebecca Moak, Pharmacist Investigator
Larry Hill, Pharmacist Investigator
Tommy Chrisp, Pharmacist Investigator
Richard Hadden, Pharmacist Investigator
Robert Shutt, Pharmacist Investigator
Andrea Miller, Pharmacist Investigator

The Tennessee Board of Pharmacy convened on Thursday, September 18, 2014 in the Poplar Room, 665 Mainstream Drive, Nashville, TN for an informal hearing concerning Wellness Store Compounding Pharmacy, Cleveland, TN and Robin Terrero, D.Ph. The meeting was called to order at 11:00 a.m.

Mr. Guilford opened the meeting by taking the members through the procedural steps to convene an electronic meeting. Dr. Bunch made the motion to proceed with the meeting electronically. Dr. Eidson seconded the motion. The motion carried with a roll call vote. All members indicated by roll call vote that each could hear the other.

Informal Hearing

Wellness Store Compounding Pharmacy
Robin Terrero, D.Ph.

Dr. Terrero owner and pharmacist in charge of Wellness Store Compounding Pharmacy was presented and represented by Frank Scanlan, Attorney at Law and Sam Helmbreck. Mr. Guilford

represented the state. Mr. Scanlan is questioning whether the summary suspension was imperative to the public health, safety, and welfare of the citizen of Tennessee. Mr. Guilford asked the board to reaffirm the summary suspension of the Wellness Store Compounding Pharmacy, pharmacy license and Robin Terrero, D.Ph. pharmacist license. After discussion, Dr. Smothers made the motion to affirm the summary suspension of the Wellness Store Compounding Pharmacy, pharmacy license and Robin Terrero, D.Ph. pharmacist license. Dr. Edison seconded the motion. The motion carried with a roll call vote. Dr. Eidson made the motion that the action taken was to protect, promote and improve the health and prosperity of people in Tennessee. Dr. Bunch seconded the motion. The motion carried with a roll call vote.

Rules

Mr. Cange discussed with the board the Drug Enforcement Rule that pertains to the drug take back program. This rule was originally discussed at the September 10-11, 2014 board meeting and the board had questions on whether a pharmacy would be allowed to participate in this program. The board rules states that a pharmacy cannot take back drugs. Mr. Cange stated that he has concluded that pharmacies and manufacturer/wholesale/distributors can participate in the DEA take back program. If they are found not to be in compliance with the DEA rules they will be in non-compliance with the board's rule. Mr. Cange stated that in case where federal law preempts state law as long as you are following the federal law a pharmacy and/or manufacturer/wholesaler/distributor that holds a DEA registration they can participate in the drug take back program. Dr. Eidson asked if the board needed to make a statement concerning this issue. Mr. Cange stated that the board can amend the rules concerning this issue but it's not imperative and that if the board wants to issue a statement they could.

Dr. Dickenson made the motion to adjourn at 12:00 p.m. Dr. Bunch seconded the motion. The motion carried.

The minutes were approved and ratified at the November 5-6, 2014 board meeting.