

GRETCHEN WHITMER
GOVERNOR

# STATE OF MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS LANSING

ORLENE HAWKS

# MICHIGAN BOARD OF PHARMACY DECEMBER 8, 2021 MEETING

#### **UNAPPROVED MINUTES**

In accordance with the Open Meetings Act, 1976 PA 267, as amended, the Michigan Board of Pharmacy met on December 8, 2021, at 611 West Ottawa Street, Upper-Level Conference Room 3, Lansing, Michigan 48933.

#### **CALL TO ORDER**

Charles Mollien, PharmD, JD, Chairperson, called the meeting to order at 10:01 a.m.

#### **ROLL CALL**

**Members Present:** Charles Mollien, PharmD, JD, Chairperson

Maria Young, R.Ph., Vice Chairperson Kathleen Burgess, Public Member

David Hills, Public Member Kyle McCree, Public Member Kelli Oldham. Public Member

Grace Sesi, PharmD Michael Sleiman, PharmD Sandra Taylor, R.Ph.

**Members Absent:** Cynthia Boston, BHS, R.Ph.T.

Pierre Boutros, R.Ph.

**Staff Present:** Andria Ditschman, Senior Policy Analyst, Boards and Committees Section

Jennifer Shaltry, Senior Analyst, Enforcement Section Michele Wagner-Gutkowski, Assistant Attorney General

Stephanie Wysack, Board Support, Boards and Committees Section

#### APPROVAL OF AGENDA

MOTION by McCree, seconded by Burgess, to approve the agenda, amending it by removing item 5. and replacing it with item 8.G.1. to 4.

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A voice vote followed.

MOTION PREVAILED

#### APPROVAL OF MINUTES

MOTION by McCree, seconded by Young, to approve the October 13, 2021 meeting minutes as written.

A voice vote followed.

MOTION PREVAILED

#### **NEW BUSINESS**

# **Spot Rx Pilot Program**

# **Quarterly Update**

Seema Siddiqui, VP, Business Development & Regulatory Affairs with SpotRx Pharmacy/MedAvail Technologies Inc. provided the required quarterly report.

## **Extension Request**

Ditschman explained that the initial approval of the SpotRx Pilot Program was given for 18 months, but the statute allows for an 18-month extension.

MOTION by Young, seconded by Hills, to approve the request for an 18-month extension.

A roll call vote was taken: Yeas: Burgess, Hills, McCree, Oldham, Sesi, Sleiman,

Taylor, Young, Mollien

Nays: None

#### **MOTION PREVAILED**

#### Modification to add 4 Oak Street clinics

Ditschman stated that SpotRx made a request to add 4 clinics as well as to remove the ratio restriction of pharmacists per site/kiosk.

MOTION by Sesi, seconded by Sleiman, to discuss.

A voice vote followed.

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#### **MOTION PREVAILED**

Discussion was held, clarifying that prescriptions are not released from a kiosk, until a pharmacist appears on the screen for a consultation.

MOTION by Sesi, seconded by Hills, to approve the request to add the 4 Oak Street Clinics and remove the ratio restriction of pharmacists per site/kiosk.

A roll call vote was taken: Yeas: Burgess, Hills, McCree, Oldham, Sesi, Sleiman,

Taylor, Young, Mollien

Nays: None

#### **MOTION PREVAILED**

## Request for modification to rules

Ditschman stated that this was on the list of items to cover at the next Rules Committee Work Group meeting and therefore no action was necessary by the Board at this time.

#### **REGULATORY CONSIDERATIONS**

# **Proposals for Decision**

#### Sureshkumar Dakshinamoorthy, R.Ph.

MOTION by Burgess, seconded by Sleiman, to accept the Proposal for Decision.

Discussion was held.

A roll call vote was taken: Yeas: None

Nays: Burgess, Hills, McCree, Oldham, Sesi, Sleiman,

Taylor, Young, Mollien

#### MOTION FAILED

MOTION by Hills, seconded by Oldham, to accept in part and reject in part the Proposal for Decision and to table the matter for a rewrite to find that the Petitioner met the requirements for reinstatement.

A roll call vote was taken: Yeas: Burgess, Hills, McCree, Oldham, Sesi, Sleiman,

Taylor, Young, Mollien

Navs: None

MOTION PREVAILED

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## Ghassan Hamka, R.Ph.

MOTION by Sleiman, seconded by Oldham, to accept the Proposal for Decision.

A roll call vote was taken: Yeas: Burgess, Hills, McCree, Oldham, Sesi, Sleiman,

Taylor, Young, Mollien

Nays: None

#### **MOTION PREVAILED**

MOTION by McCree, seconded by Hills, to discuss.

A voice vote followed.

#### **MOTION PREVAILED**

Discussion was held.

MOTION by Taylor, seconded by Hills, to grant reinstatement of the pharmacist license and place the Petitioner on probation for one year. The term of probation is compliance with the Public Health Code.

A roll call vote was taken: Yeas: Burgess, Hills, McCree, Oldham, Sesi, Sleiman,

Taylor, Young, Mollien

Nays: None

#### **MOTION PREVAILED**

#### Christopher Ryan Miller, Ph.T.

Taylor recused herself.

MOTION by Oldham, seconded by Burgess, to accept the Proposal for Decision.

A roll call vote was taken: Yeas: Burgess, Hills, McCree, Oldham, Sesi, Sleiman,

Young, Mollien

Navs: None

#### MOTION PREVAILED

MOTION by Oldham, seconded by Sesi, to grant reinstatement of the pharmacy technician license and place the Petitioner on probation for one year. The term of probation is compliance with the Public Health Code.

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A roll call vote was taken: Yeas: Burgess, Hills, McCree, Oldham, Sesi, Sleiman,

Young, Mollien

Nays: None

**MOTION PREVAILED** 

#### **OLD BUSINESS**

None

#### **NEW BUSINESS**

# **Continuing Education Waiver Request**

## **Phyllis Gorski**

MOTION by Sesi, seconded by Burgess, to discuss.

A voice vote followed.

**MOTION PREVAILED** 

Discussion was held.

MOTION by McCree, seconded by Taylor, to grant the Continuing Education Waiver

Request.

A roll call vote was taken: Yeas: Burgess, Hills, McCree, Oldham, Sesi, Sleiman,

Taylor, Young, Mollien

Nays: None

#### **MOTION PREVAILED**

# **Beaumont Health Pharmacy – Pharmacy Technician Examination**

Taylor recused herself.

MOTION by Hills, seconded by Oldham, to approve the pharmacy technician examination.

A roll call vote was taken: Yeas: Burgess, Hills, McCree, Oldham, Sesi, Sleiman,

Young, Mollien

Nays: None

**MOTION PREVAILED** 

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# Mercy Health Saint Mary's Pharmacy and 9 other locations – Pharmacy Technician Program and Examination

MOTION by Oldham, seconded by Hills, to approve the pharmacy technician program and examination.

A roll call vote was taken: Yeas: Burgess, Hills, McCree, Oldham, Sesi, Sleiman,

Taylor, Young, Mollien

Nays: None

#### **MOTION PREVAILED**

# Michigan HealthCare Academy – Pharmacy Technician Program, Proprietary School

MOTION by Sesi, seconded by Oldham, to approve the pharmacy technician program under a proprietary school.

A roll call vote was taken: Yeas: Burgess, Hills, McCree, Oldham, Sesi, Sleiman,

Taylor, Young, Mollien

Nays: None

#### MOTION PREVAILED

# Munson Healthcare System – Pharmacy Technician Employer Based Program Examination Modification

MOTION by Sleiman, seconded by Hills, to approve the pharmacy technician employer-based program examination modification.

A roll call vote was taken: Yeas: Burgess, Hills, McCree, Oldham, Sesi, Sleiman,

Taylor, Young, Mollien

Nays: None

#### **MOTION PREVAILED**

ProMedica Monroe Regional Hospital, ProMedica Charles and Virginia Hickman Hospital, and ProMedica Coldwater Regional Hospital – Pharmacy Technician Employer Based Program

MOTION by Oldham, seconded by Sesi, to approve the pharmacy technician employer-based program and examination.

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A roll call vote was taken: Yeas: Burgess, Hills, McCree, Oldham, Sesi, Sleiman,

Taylor, Young, Mollien

Nays: None

#### **MOTION PREVAILED**

# **Continuing Education**

Mollien directed the Board to the list of continuing education programs for consideration (Attachment #1).

MOTION by Taylor, seconded by Hills, to approve the continuing education list as presented.

A roll call vote was taken: Yeas: Burgess, Hills, McCree, Oldham, Sesi, Sleiman,

Taylor, Young, Mollien

Nays: None

#### **MOTION PREVAILED**

#### **Rules Discussion**

Ditschman stated that the Pharmacist – Continuing Education and Central Fill Pharmacy rule sets will be ready for the Board to vote on at the February 16, 2022 Board meeting.

MOTION by Burgess, seconded by Hills, to open the Pharmacy Technician rules.

A roll call vote was taken: Yeas: Burgess, Hills, McCree, Oldham, Sesi, Sleiman,

Taylor, Young, Mollien

Nays: None

#### **MOTION PREVAILED**

#### Chair Report

None

#### **Department Update**

Ditschman stated that the Bureau will hold the next Board Member Training on January 20, 2022, via Zoom. All Board members are welcome to attend.

Wysack reminded the Board members to check their state email address regularly.

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#### **PUBLIC COMMENT**

Justin Kuhns, R.Ph. expressed his concerns about obtaining clarity in certain areas of inspections that are done on compounding pharmacies.

Robin Webb, MD, MS, made a statement that photosensitivity sulfonamide medicaments can cause free radicals. He also stated that compounds which are on the *Do Not Compuund* list need to be allowed to be compounded.

#### **ANNOUNCEMENTS**

The next regularly scheduled meeting will be held February 16, at 10:00 a.m. at the Ottawa Building, 611 West Ottawa Street, Upper-Level Conference Center Room 3, Lansing, Michigan 48933.

#### **ADJOURNMENT**

MOTION by McCree, seconded by Hills, to adjourn the meeting at 1	11:28 a.m.
A voice vote followed.	
MOTION PREVAILED	
Minutes approved by the Board on	
Prepared by: Stephanie Wysack, Board Support Bureau of Professional Licensing	December 9, 2021