

**OPEN MINUTES**  
**Missouri Board of Pharmacy**  
**November 18, 2008**  
**Courtyard by Marriott**  
**3301 LeMone Industrial Boulevard**  
**Columbia, MO 65203**

The Missouri Board of Pharmacy met in open session during the times and dates stated in the following minutes. Each item in the minutes is listed in the order it was discussed at the meeting. The regular meeting was called to order by President James Riddle at 8:38 a.m. on November 18, 2008.

**Board Members Present**

James Riddle, R.Ph., President  
Barbara Bilek, R.Ph., Vice President  
Pamela Marshall, R.Ph., Member  
Gary Sobocinski, R.Ph., Member  
Elaina Wolzak, R.Ph., Member  
Anita Parran, Public Member

**Board Members Absent**

Melissa Graham, R.Ph., Member

**Staff Present**

Tom Glenski, R.Ph., Chief Inspector  
Mike Kidd, R.Ph., Inspector  
George McConnell, R.Ph., Inspector  
Shawn Marshall, R.Ph., Inspector  
Steven Smith, R.Ph., Inspector  
Frank VanFleet, R.Ph., Inspector  
Sid Werges, R.Ph., Inspector  
Barbara Wood, R.Ph., Inspector  
Tammy Siebert, Executive I

**Others Present**

Curtis Thompson, Legal Counsel  
Visitors as recorded in the visitor register

**#A1 Approval of Minutes:**

**1. February 6-7, 2008 Board Meeting**

Discussion was held. **Motion was made by Pam Marshall, seconded by Barbara Bilek, to approve the minutes of the February 6-7, 2008 open session meeting as printed. Motion passed, all in favor, none opposed, Melissa Graham absent.**

**2. April 30-May 1, 2008 Board Meeting**

Discussion was held. **Motion was made by Gary Sobocinski, seconded by Anita Parran, to approve the minutes of the April 30-May 1, 2008 open session meeting as printed. Motion passed, all in favor, none opposed, Melissa Graham absent.**

**3. August 13, 2008 Conference Call Meeting**

Discussion was held. **Motion was made by Elaina Wolzak, seconded by Anita Parran, to approve the minutes of the August 13, 2008 open session conference call meeting as printed. Motion passed, all in favor, none opposed, Melissa Graham absent.**

**4. September 17, 2008 Conference Call Meeting**

Discussion was held. **Motion was made by Elaina Wolzak, seconded by Anita Parran, to approve the minutes of the September 17, 2008 open session conference call meeting as printed. Motion passed, all in favor, none opposed, Pam Marshall abstained, Melissa Graham absent.**

**#A2 Agenda Additions/Corrections** – Tom Glenski reported regarding additional handout items for Item #A5, plus new cases at #E2 and #E3.

**#A3 Board Member Report**

Tom Glenski reported that he did a presentation at the Missouri Pharmacy Association Fall Conference at Lodge of the Four Seasons.

**#A4 Board Member Update to Phone, Address, E-mail, Fax #**

None reported.

**#A5 General Administration Report** –The Board reviewed:

- a) FY2008 Monthly Fund Balance Sheet
- b) FY 2008 YTD Financial Summary as of June 30, 2008 - Tom Glenski and Tammy Siebert reported and discussion was held.
- c) Legislation – There were no enclosures. Tom Glenski reported he has received no information from the Division office regarding addition of the proposed revision to Section 338.260, RSMo.
- d) Presentation of service award to Pam Marshall – Tom Glenski presented a plaque to Pam Marshall in recognition of five years of service to the Board.
- e) Meeting dates 2009 – Tom Glenski reported and suggested a conference call be scheduled for February. It was Board consensus that the call be scheduled for February 25.

**#D1 Definition of Medicine** – There were no enclosures for this item. Tom Glenski and Curt Thompson reported and discussion was held.

**#D2 Electronic Signatures** – The Board reviewed:

- Letter from Stephanie Lumley-Hemme with attachment received 10/16/08
- Faxed examples of e-sig for Cerner provided by Ms Lumley-Hemme
- Copy of 338.056 RSMo – Generic Substitutions may be made.
- Copy of 20 CSR 2220-2.085 Electronic Transmission of Prescription Data

Tom Glenski and Curt Thompson reported and discussion was held. Doug Lang commented as a member of the public.

### **MOTION TO CLOSE 9:22 AM**

**At 9:22 a.m. Elaina Wolzak made a motion, seconded by Gary Sobocinski, that the Board go into closed session and that all votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under Section 610.021(1), (3), (5), (7), (13) and (14), RSMo, and under Section 324.001.8, RSMo. Motion passed, all in favor, none opposed, Melissa Graham absent.**

ALL MEMBERS OF THE PUBLIC LEFT THE MEETING ROOM AT 9:22 AM.

### **RETURN TO OPEN**

By motion duly made, seconded, passed and recorded in closed session minutes, the Board returned to open session at 9:42 a.m.

ALL MEMBERS OF THE PUBLIC RETURNED TO THE MEETING ROOM.

**#D2 Electronic Signatures – Further discussion was held. Motion was made by Pam Marshall, seconded by Elaina Wolzak, to approve the use of electronic indication of signatures without bit-map type signatures, similar to what is presented in the agenda material. Motion passed, Pam Marshall, Elaina Wolzak and Anita Parran in favor; Gary Sobocinski and Barbara Bilek opposed; Melissa Graham absent.**

**#D3 Advisory Council on Pain and Symptom Management – The Board reviewed:**

- Background on Joint Statement
- Proposed Joint Statement language

Tricia Schlechte of the Missouri Department of Health presented history and information about the Joint Statement on Pain Management. **Motion was made by Gary Sobocinski, seconded by Barbara Bilek, to approve the Joint Statement on Pain Management as presented. Motion passed, all in favor, none opposed; Melissa Graham absent.**

THE FOLLOWING ITEMS WERE REVIEWED IN SECTION E, BUT NO SPECIFIC DISCUSSION/DECISION WAS NECESSARY

**#E1 Motion Language for New Rules/Amendments**

**#EH2 Fraudulent Prescriptions – The Board reviewed:**

- Letter from Susan Foust, pharmacist, received 11/3/08

Discussion was held. Gary Sobocinski suggested this information be forwarded to the Bureau of Narcotics and Dangerous Drugs.

**#EH3 Narcotic Forgery** – The Board reviewed:

- Email communiqué from Dr. Gregory Cummins, D.O., M.S. received 11/3/08

**MOTION TO CLOSE 10:15 AM**

**At 10:15 a.m. Anita Parran made a motion, seconded by Barbara Bilek, that the Board go into closed session and that all votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under Section 610.021(1), (3), (5), (7), (13) and (14), RSMo, and under Section 620.010.14(7), RSMo. Motion passed, all in favor, none opposed, Melissa Graham absent.**

By motion duly made, seconded, passed and recorded in closed session minutes, the Board returned to open session at 1:21 p.m.

MEMBERS OF THE PUBLIC RETURNED TO THE MEETING ROOM.

**#B3 Mary Lynn Rostie, #028810, #2008-005108-F1** – The Board reviewed:

- Notice of Felony Disciplinary Hearing
- Felony Conviction Complaint

A felony disciplinary hearing was scheduled for November 18, 2008, at 1:30 p.m., third case on the docket. A court reporter was present and the hearing began at 1:33 p.m. The Board was represented by Lanette Gooch of Newman, Comley & Ruth, and Ms. Rostie was not present but was represented by William Nacy. The hearing concluded at approximately 1:49 p.m. A copy of the transcript is on file with the Board of Pharmacy.

**#B1 Santosh K. Reddy, #042629, #2008-004385-V1** – The Board reviewed:

- Notice of Hearing on Violation of Disciplinary Order
- Complaint

A violation of discipline hearing was scheduled for November 18, 2008, at 1:30 p.m., first case on the docket. A court reporter was present and the hearing began at 1:51 p.m. The Board was represented by Lanette Gooch of Newman, Comley & Ruth, and Mr. Reddy was not present and was not represented by counsel. The hearing concluded at approximately 2:11 p.m. A copy of the transcript is on file with the Board of Pharmacy.

**#B2 Reddy Drugs, Inc. d/b/a The Medicine Shoppe, #005742, #2008-004386-V1** – The Board reviewed:

- Notice of Hearing on Violation of Disciplinary Order
- Complaint

A violation of discipline hearing was scheduled for November 18, 2008, at 1:30 p.m., second case on the docket. A court reporter was present and the hearing began at 2:12

p.m. The Board was represented by Lanette Gooch of Newman, Comley & Ruth, and a representative of The Medicine Shoppe was not present and was not represented by counsel. The hearing concluded at approximately 2:48 p.m. A copy of the transcript is on file with the Board of Pharmacy.

**MOTION TO CLOSE 3:12 PM**

**At 3:12 p.m. Gary Sobocinski made a motion, seconded by Barbara Bilek, that the Board go into closed session and that all votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under Section 610.021(1), (3), (5), (7), (13) and (14), RSMo, and under Section 620.010.14(7), RSMo. Motion passed, all in favor, none opposed, Melissa Graham absent.**

**RETURN TO OPEN**

By motion duly made, seconded, passed and recorded in closed session minutes, the Board returned to open session at 8:46 p.m.

**MOTION TO ADJOURN**

**At approximately 8:47 p.m., motion was made by Anita Parran, seconded by Pam Marshall, to adjourn the November 18, 2008, meeting. Motion passed, all in favor, none opposed.**

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KIMBERLY A GRINSTON  
EXECUTIVE DIRECTOR

DATE APPROVED: 4/21/2011