



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF HEALTH CARE SERVICES

MIKE ZIMMER
ACTING DIRECTOR

**MICHIGAN BOARD OF PHARMACY
DISCIPLINARY SUBCOMMITTEE
DECEMBER 10, 2014
MEETING**

APPROVED MINUTES

In accordance with the Open Meetings Act, 1976, PA 267, as amended, the Michigan Board of Pharmacy met in regular session on December 10, 2014, in the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center (UL), Conference Room 3, Lansing, Michigan.

CALL TO ORDER

Kathleen Burgess, Acting Chairperson, called the meeting to order at 9:50 a.m.

Members Present: Kathleen Burgess, Public Member
Suit Hing Moy-Sandusky, R.Ph.
Nichole Penny, R.Ph.
Patricia Smeelink, R.Ph (Alternate)

Members Absent: Pamela Wyett, Public Member, Chairperson
James Stevenson, PharmD

Staff Present: Amy Schneider, Secretary, Policy, Rules and Board Support Section
Joe Campbell, Enforcement Director
Virginia Abdo, Compliance Manager
Kiran Parag, Analyst, Enforcement Division
Bruce Johnson, Assistant Attorney General
Ray Garza, Director, Investigations Division

Others Present: Dhafer Almaklani, R.Ph.
Rose Baran, Ferris State University
John Vandervoort, Meijer
Wm Maguire, Ommiell
Jeff Kauffaman, Walmart
Jim Szyskowski, Kroger
Ahmed Zaher, CVS
Jeff Fitzgerald

LARA is an equal opportunity employer.

Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.

611 W. OTTAWA ST. • P.O. BOX 30670 • LANSING, MICHIGAN 48909

www.michigan.gov/healthlicense • (517) 335-0918

Rony Fournia, Consultant
Amanda Lick, MPA
Ashley Builta, MPA
Abigail Larsen, MPA
Chris Norollo, MPA
Farah Mian

APPROVAL OF MINUTES

MOTION by Penny, seconded by Moy-Sandusky, to approve the October 8, 2014 meeting minutes as presented.

MOTION PREVAILED

APPROVAL OF AGENDA

MOTION by Moy-Sandusky, seconded by Penny, to approve the agenda with the following changes: Regulatory Consideration Item I. Gary E. Stein, R.Ph – Consent Order and Stipulation, be removed from the agenda, and Item D. Index Meds Pharmacy – Consent Order and Stipulation moved under Item A. Khajendranath Atluri, R.Ph – Consent Order and Stipulation.

MOTION PREVAILED

REGULATORY CONSIDERATIONS

Khajendranath Atluri, R.Ph – Consent Order and Stipulation

MOTION by Moy-Sandusky, seconded by Smeelink, to accept the Consent Order and Stipulation in the matter of Khajendranath Atluri, R.Ph.

Discussion was held.

A roll call vote followed: Nay: Moy-Sandusky, Penny, Smeelink, Burgess

MOTION FAILED

MOTION by Moy-Sandusky, seconded by Smeelink, to reject the Consent Order and Stipulation and offer a counter-offer to suspend Respondent's license for one (1) year, in the matter of Khajendranath Atluri, R.Ph.

Additionally, Respondent shall pay a fine in the amount of \$25,000.00, payable prior to application for reinstatement.

Discussion was held.

A roll call vote followed: Yeas: Moy-Sandusky, Penny, Smeelink, Burgess

MOTION PREVAILED

Index Meds Pharmacy – Consent Order and Stipulation

MOTION by Moy-Sandusky, seconded by Smeelink, to accept the Consent Order and Stipulation in the matter of Index Meds Pharmacy.

Discussion was held.

A roll call vote followed: Yeas: Moy-Sandusky, Penny, Smeelink, Burgess

MOTION PREVAILED

Chroniscript A Walgreens Pharmacy – Consent Order and Stipulation

Members Moy-Sandusky, Penny, Smeelink recused themselves, therefore Consent Order and Stipulation tabled due to lack of quorum in the matter of Chroniscript A Walgreens Pharmacy.

Dort Longway Pharmacy – Consent Order and Stipulation

MOTION by Moy-Sandusky, seconded by Penny, to accept the Consent Order and Stipulation in the matter of Dort Longway Pharmacy.

Discussion was held.

A roll call vote followed: Yeas: Moy-Sandusky, Penny, Smeelink, Burgess

MOTION PREVAILED

Neena Kumari Gupta, R.Ph – Consent Order and Stipulation

MOTION by Penny, seconded by Moy-Sandusky, to accept the Consent Order and Stipulation in the matter of Neena Kumari Gupta, R.Ph.

Discussion was held.

A roll call vote followed: Yeas: Moy-Sandusky, Penny, Smeelink, Burgess

MOTION PREVAILED

Naresh Kumar Jain, R.Ph – Consent Order and Stipulation

MOTION by Penny, seconded by Moy-Sandusky, to accept the Consent Order and Stipulation in the matter of Naresh Kumar Jain, R.Ph.

Discussion was held.

A roll call vote followed: Yeas: Moy-Sandusky, Penny, Smeelink, Burgess

MOTION PREVAILED

Daniel P. Keller, R.Ph – Consent Order and Stipulation

MOTION by Penny, seconded by Moy-Sandusky, to accept the Consent Order and Stipulation in the matter of Daniel P. Keller, R.Ph.

Discussion was held.

A roll call vote followed: Yeas: Moy-Sandusky, Penny, Smeelink, Burgess

MOTION PREVAILED

Essa Mashni, R.Ph – Consent Order and Stipulation

MOTION by Moy-Sandusky, seconded by Burgess, to reject the Consent Order and Stipulation and offer a counter-offer to suspend Respondent's license for six (6) months and one (1) day, in the matter of Essa Mashni, R.Ph.

Additionally, Respondent shall pay a fine in the amount of \$15,000.00, payable prior to application for reinstatement.

Discussion was held.

A roll call vote followed: Yeas: Moy-Sandusky, Penny, Smeelink, Burgess

MOTION PREVAILED

Teleflex Medical Incorporated, 130219 – Consent Order and Stipulation

MOTION by Moy-Sandusky, seconded by Penny, to accept the Consent Order and Stipulation in the matter of Teleflex Medical Incorporated, 130219.

Discussion was held.

A roll call vote followed: Yeas: Moy-Sandusky, Penny, Smeelink, Burgess

MOTION PREVAILED

X-Gen Pharmaceuticals, Inc. – Consent Order and Stipulation

MOTION by Moy-Sandusky, seconded by Penny, to accept the Consent Order and Stipulation in the matter of X-Gen Pharmaceuticals, Inc.

Discussion was held.

A roll call vote followed: Yeas: Moy-Sandusky, Penny, Smeelink, Burgess

MOTION PREVAILED

Knight Drugs – Grand Blanc, Inc. – Consent Order and Stipulation

MOTION by Moy-Sandusky, seconded by Penny, to accept the Consent Order and Stipulation in the matter of Knight Drugs – Grand Blanc, Inc.

Discussion was held.

A roll call vote followed: Nay: Moy-Sandusky, Penny, Burgess
Recuse: Smeelink

MOTION FAILED

MOTION by Penny, seconded by Moy-Sandusky, to reject the Consent Order and Stipulation and offer a counter-offer to suspend Respondent's license for six (6) months and one (1) day, in the matter of Knight Drugs – Grand Blanc, Inc.

Additionally, Respondent shall pay a fine in the amount of \$75,000.00, payable prior to application for reinstatement.

Discussion was held.

A roll call vote followed: Nay: Moy-Sandusky, Penny, Burgess
Recuse: Smeelink

MOTION PREVAILED

US Compounding, Inc. – Consent Order and Stipulation

MOTION by Moy-Sandusky, seconded by Penny, to accept the Consent Order and Stipulation in the matter of US Compounding, Inc.

Discussion was held.

A roll call vote followed: Nay: Moy-Sandusky, Penny, Burgess
 Recuse: Smeelink

MOTION PREVAILED

Goddard Discount Pharmacy – Request for Dismissal

MOTION by Moy-Sandusky, seconded by Penny, to accept the Request for Dismissal, in the matter of Goddard Discount Pharmacy

Discussion was held.

A roll call vote followed: Nay: Moy-Sandusky, Penny, Burgess
 Recuse: Smeelink

MOTION PREVAILED

US Specialty Care – Proposal for Decision

MOTION by Moy-Sandusky, seconded by Penny, to accept the Proposal for Decision, in the matter of US Specialty Care.

Discussion was held.

A roll call vote followed: Yeas: Moy-Sandusky, Penny, Smeelink, Burgess

MOTION PREVAILED

MOTION by Moy-Sandusky, seconded by Penny, assess a fine in the amount of \$500.00, payable within ninety (90) days, in the matter of US Specialty Care.

Discussion was held.

A roll call vote followed: Yeas: Moy-Sandusky, Penny, Burgess
 Nay: Smeelink

MOTION PREVAILED

PUBLIC COMMENT

None

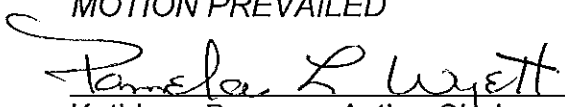
ANNOUNCEMENTS

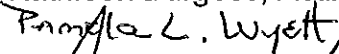
The next regularly scheduled meeting will be held February 11, 2015, immediately following the full board meeting scheduled to begin at 9:00 a.m. in the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center (UL), Conference Room 3, Lansing, Michigan.

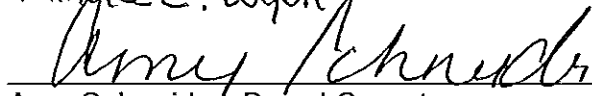
ADJOURNMENT

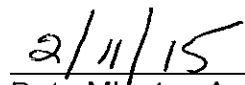
MOTION by Moy-Sandusky, seconded by Penny, to adjourn the meeting at 11:00 a.m.

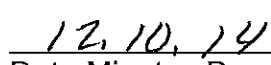
MOTION PREVAILED


Kathleen Burgess, Acting Chairperson


Pamela L. Wyett


Amy Schneider, Board Secretary


Date Minutes Approved


Date Minutes Prepared