



GUAM BOARD OF EXAMINERS FOR PHARMACY

Department of Public Health & Social Services
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REGULAR SESSION AGENDA

Thursday, August 16, 2018, 7:30 a.m.

Health Professional Licensing Office Conference Room

Terlaje Professional Building, Suite 209

194 Hernan Cortez Ave., Hagatna, GU 96910

MEMBERS PRESENT:

Thomas J. Caruso, Chairperson

Lourdes Evangeline Phillips, Vice Chairperson

Angelina Eustaquio, Secretary

Racquel Sperrazzo, Member

Gary Roy, Member

GUESTS:

Heather Narcis, HPLO Board Secretary

Robert Weinberg, Assistant Attorney General

Margaret Greenwood, Board Investigator

Eva Aguon, Board Investigator

Heather O'Connor, Pharmacist

Mary Jean Cabildo, Pharmacist

Sung Wook Park, Pharmacist

Moon Hee Cho, Pharmacist

Jeniffer Sylvester, Pharmacist

Christina Benavente, MedPharm Rep

Mary Chargualaf, MedPharm Rep

James Bui, MedPharm Rep

Jon Visosky, MedPharm Attorney

Cheryl Marimla, Pharmacist

Jose Marimla, public attendee

Mitch Thompson, Attorney for C. Marimla

I. CALL TO ORDER

Chairperson Thomas Caruso called the GBEP Regular Session Meeting to order at 7:45 a.m. and a Quorum was established.

II. PROOF OF PUBLICATION NOTICE

Guam Daily Post – August 9, 2018 and August 14, 2018

Publication in the Guam Daily Post was reviewed and noted as published in a timely matter.

III. REVIEW AND APPROVAL OF AGENDA

Member Gary Roy motioned to approve the August 16, 2018 agenda as written. Secretary Angelina Eustaquio seconded the motion. All in favor; motion carried.

Chairperson Thomas Caruso informed members and audience that, due to the large amount of guests in attendance, the board will rearrange the agenda sequence to accommodate those in attendance first. Chairperson Caruso asked all guests in attendance to state their names for the record.

IV. REVIEW AND APPROVAL OF MINUTES

April 19, 2018

May 15, 2018 – Reconvened Meeting (04/19/18)

June 21, 2018

June 28, 2018 – Reconvened Meeting (06/21/18)

July 19, 2018

- No action taken on approval of minutes due to time. Member Racquel Sperrazzo motioned to table the minutes until next scheduled meeting. Member Gary Roy seconded the motion. All in favor; motion carried.

V. OLD BUSINESS

A. Rules and Regulations

- Proposed Law for Immunizing
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 - Ms. Heather O'Connor is in attendance on behalf of Kmart in case the board had any questions regarding immunizing, as Kmart pharmacists do immunizing.
 - Working session was held and the goal was to try and get an agreement on the age limit, collaborative practice agreements (CPAs), and who will maintain the list of what vaccines can be administered.
 - Members came to a general agreement on age limit of 18 years or older.
 - Vice Chairperson Phillips mentioned that Kmart currently has a CPA in place with Dr. McCalister. Mr. James Bui mentioned that when he was with the Kmart corporation it was a necessary in the 10 states that he covered in his region to have a CPA with physicians. There was further discussion with Mr. Bui about his experience with immunizing pharmacists while with Kmart corporation.
 - Board decided to hold another working session on August 25, 2018 at 3:30 p.m. at GMH.
- Electronic Prescribing
 - Subject tabled until next scheduled meeting.

B. Harmon Drugs Investigation

- Renewal Applications for Harmon Drugs Pharmacy and Adela Carlos
- Follow up email from EnvisionRx
- DEA Inquiry of Harmon Drugs Licensure Status
 - Subject tabled until next scheduled meeting.

C. Review and Renumbering of GBEP Forms

- Potential requirements for licensure (disciplinary questionnaire and court/police clearance)
- Subject tabled until next scheduled meeting.

D. Referral on Mega Drug – from EnvisionRx

- Subject tabled until next scheduled meeting.

E. Complaint GBEP CO-16-01

- Chairperson gave a brief summary of complaints filed against pharmacist Cheryl Marimla and concerns of alleged illegal activity at Express Med (EMP1) and Express Med 2 Mangilao (EMP2) Pharmacies. Alleged activities to include having technicians sign off as if they were pharmacists, transferring of prescriptions between pharmacies to circumvent that EMP1 did not have a contract in place with NetCare without the knowledge of the PIC at EMP2, and other numerous allegations.
- Chairperson Caruso asked Mr. Jon Visosky, MedPharm legal counsel, if he had any comments at this point. Mr. Visosky did not.
- Chairperson Caruso read the inspection report for Express Med Pharmacy from Ms. Eva Aguon and Ms. Margaret Greenwood, which was reported at the June 21 regular session meeting.

- Chairperson Caruso addressed pharmacists present, Ms. Marimla's previous coworkers, regarding their complaints.
 - Mr. Soon Park's complaint was that Express Med was selling glucometers and test strips from outside of the US. Mr. Park noticed that the language on the boxes were different. When asked, he did not receive a response right away. Mr. Park later found that the glucometers and test strips were not approved for sale, even on Guam.
 - Ms. Jeniffer Sylvester's complaint was regarding the transferring of prescriptions from EMP1 to EMP2. Prescriptions were being transferred from EMP1 to EMP2 without the Pharmacist on duty's knowledge. These prescriptions were being billed at EMP2 but filled at EMP1. Ms. Sylvester had written a letter to the owner, Renee Ramos, as the problem was not addressed during a meeting with all EMP pharmacists.
 - Ms. Mary Jean Cabildo's complaint was also regarding the transfer and billing of prescriptions to NetCare.
 - Ms. Moon Cho's complaint was that Ms. Marimla was using other pharmacists' initials without approval. Ms. Marimla has informed Ms. Cho that it was approved by upper management.
 - Chairperson Caruso addressed Ms. Marimla and asked if she would like to say anything. Attorney Mitch Thompson spoke on behalf of Ms. Marimla and stated that they would like to resolve the issues with the board. They would like to submit a written response against allegations made. Chairperson Caruso gave them until the next scheduled board meeting to submit their written response.
 - Jon Visosky, MedPharm legal counsel, requested that all requests for documentation be a written request to MedPharm from the board.
 - Member Sperrazzo asked how Ms. Marimla's legal counsel would know what to respond to when nothing was officially given to Ms. Marimla. Chairperson Caruso mentioned that the complaints are now public information and can be given to them. If Attorney Thompson should ask for copies, Ms. Narcis is designated to go ahead and release copies.
- F. Questions from Meeta
- Meeting with Guam Board of Nurse Examiners
 - Subject tabled until next scheduled meeting.
- G. Controlled Substances Registration Requirement
- Subject tabled until next scheduled meeting.
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- H. Inquiry from Marvir regarding Patient Counseling and Refusal
- Subject tabled until next scheduled meeting.
- I. Inquiries/Clarifications from Non-Resident Applicants
- Cardinal Health; regarding Virtual Manufacturer
 - Jennifer Stewart; regarding Third Party Logistics Providers
 - Stephanie Sabillon-Marcelin; regarding physician compounding practice
 - Subject tabled until next scheduled meeting.
- J. Prescription Drug Monitoring Program Inquiry Forms
- Subject tabled until next scheduled meeting.

- K. Pharmacy Intern
 - Laxamana, Caroline
 - Subject tabled until next scheduled meeting.

VI. NEW BUSINESS

- A. Question regarding Updated CSR Rules & Regulations
 - Sunny Suhr, Pharmacist
 - Tami Morford, Non-Resident Pharmacist
 - Subject tabled until next scheduled meeting.
- B. DEA Requirements for Schedule 2 Prescriptions
 - Subject tabled until next scheduled meeting.
- C. New – Non-Resident Pharmacy
 - 1. Sina Drug, LLC dba Onco360 – KY
 - Review and approval of applications tabled until next scheduled meeting.
- D. New – Non-Resident Wholesaler/Distributor
 - 1. J. Knipper and Company, Inc - IN
 - 2. J. Knipper and Company, Inc – NJ
 - Review and approval of applications tabled until next scheduled meeting.
- E. New – Pharmacist by Examination
 - 1. Gozum, Jennifer A.
 - 2. Taman, John James
 - Secretary Eustaquio moved to approve applicants for licensure pending passing of NAPLEX and MPJE. Member Sperrazzo seconded the motion. All in favor; motion carried.
- F. New – Pharmacist by Endorsement
 - 1. Horn, Adrienne Michelle
 - 2. Kruczek, Nicole
 - 3. Kuratko, Michael
 - 4. Le, Chloe Doan
 - 5. Neely, Brandon E.
 - 6. Thomas, Darren G.
 - 7. Yeo, Sueng Y.
 - Secretary Eustaquio moved to approve Nicole Kruczek, Michael Kuratko, Brandon Neely, and Darren Thomas for licensure pending passing of MPJE. Member Sperrazzo seconded the motion. All in favor; motion carried.
 - All other applicants tabled until next scheduled meeting.
- G. New – Pharmacy Technician
 - 1. Badajos, Charlene Joy - RCPT
 - Tabled pending receipt of letter of recommendation from a pharmacist in good standing. Applicant has a letter from Cheryl Marimla, who is currently under investigation at the moment.

2. Barcena, Kryshel C. – RPT
 - Secretary Eustaquio moved to approve applicant for licensure. Member Sperrazzo seconded the motion. All in favor; motion carried.
 3. Caisido, Odelson John P. – RCPT
 - Secretary Eustaquio moved to approve applicant for licensure pending submission of social security number. Member Sperrazzo seconded the motion. All in favor; motion carried.
 4. Morgan, Casandra Rose L. – RPT
 - Secretary Eustaquio moved to approve applicant for licensure. Member Sperrazzo seconded the motion. All in favor; motion carried.
 5. Rosales, Melanie Grace – RPT
 - Tabled pending completion of Applicant Affidavit.
- H. Renewal – Retail Pharmacy
1. Aetna Rx Home Delivery, LLC
 2. Aetna Specialty Pharmacy, LLC
 3. Costco Pharmacy #581
 4. DPHSS Mangilao Pharmacy
 5. Express Scripts Specialty Distribution Services, Inc.
 6. Guam Regional Medical City Pharmacy
 7. Guam Rexall Drugs
 8. Guam SDA Clinic Pharmacy
 9. Isla Home Infusion
 10. Kmart Pharmacy
 11. Mega Drug
 12. Mega Drug II
 13. SuperDrug Harmon
 14. USRC Pharmacy, LLC
 - Review and approval of applications tabled until next scheduled meeting.
- I. Renewal – Wholesale/Distributor
1. MD Wholesale
 2. JCME Distributors
 3. JMI Edison
 - Review and approval of applications tabled until next scheduled meeting.
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- J. New – Pending Item(s) – Applicants have been emailed
- Pharmacist by Endorsement
1. Abawi, Hazem
 - Application for Endorsement, Payment, and Letters of Recommendation
 2. Burgin, Krista B.
 - Two (3) Letters of Recommendation
 3. Hess, Sarah Anne
 - Application by Endorsement
 4. Kennedy, Christopher E.
 - Payment, Three (3) Letters of Recommendation

Pharmacy Intern

1. Laborte, Danica Grace T
 - Certificate of Pharmacy Education, Transcript, Certificate of FPGEE

Non-Resident Facility

1. Cardinal Health 414, LLC
 - Facility Inspection Report

VII. OTHER

- A. Invitation from GPhA
 - Subject tabled until next scheduled meeting.
- B. Notice of Suspension
 - Express Med Pharmacy
 - Subject tabled until next scheduled meeting.
- C. New Pharmacist-In-Charge
 - Express Med Pharmacy
 - Express Med Pharmacy 2 Mangilao
 - Express Scripts Pharmacy, Inc. dba Express Scripts
 - Express Scripts Specialty Distribution Services, Inc dba Express Scripts
 - DPHSS Mangilao
 - GMHA
 - Subject tabled until next scheduled meeting.
- D. New – Director of Pharmacy
 - Express Med Pharmacy
 - Minutes Rx Pharmacy
 - Perezville Pharmacy
 - Subject tabled until next scheduled meeting.
- E. Letter from Guam Board of Examiners for Optometry
 - Subject tabled until next scheduled meeting.
- F. NABP Upcoming Meetings
 1. MPJE Item Pool Review and Selection – September 6-7, 2018; IL
 - Lourdes Phillips and Marlene Carbullido
 2. NABP/AACP District 6, 7, & 8 Annual Meeting – October 14-17, 2018; Kansas City, MO
 - Subject tabled until next scheduled meeting.

VIII. ANNOUNCEMENT

The next Pharmacy Board Meeting is scheduled for Thursday, September 20, 2018, HPLO Conference Room

IX. ADJOURNMENT

Member Sperrazzo motioned to adjourn meeting at 10:55 a.m. Vice Chairperson Phillips seconded the motion. All in favor; motion carried.