

KENTUCKY BOARD OF PHARMACY

CASE REVIEW MEETING AGENDA

November 22, 2022

9:00 a.m.- 4:00 p.m.

Via VIDEO CONFERENCE

<https://us02web.zoom.us/j/89894819025?pwd=bEk1LzU1bVJwTmQ3T3hQWGwyWkVEZz09>

Meeting ID: 898 9481 9025

Passcode: s3MZHY

One tap mobile

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+1 689 278 1000 US

+1 719 359 4580 US

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

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Meeting ID: 898 9481 9025

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- I. CASE REVIEW MINUTES: October 19, 2022
- II. EXECUTED AGREED ORDERS: October 12- November 13, 2022
 - 22-0636 Kenneth Ukauwa
 - 22-0597 Darrell Homan
 - 22-0626 John Herr
 - 22-0602 Emily Kingery
 - 22-0600 Elizabeth Cherry
 - 22-0518 Kasandra Chambers
 - 22-0657 Richard Van Sant
 - 22-0620 John Crouch
 - 22-0599 Daniel Wermeling
 - 22-0114 Callie Sondergard-Bow
 - 22-0115 C Gary McGuffey

III. CASE EXTENSION REQUESTS:

17-0548 A. P07140 B. 014223
22-0026 A. P08088 B. 012673
22-0051 A. P07990 B. 012900 C. 017349
22-0131 A. P07367 B. 021703
22-0165 A. P07979 B. 010888
22-0173 A. P07903 B. 022430
22-0174 A. P06898 B. 010224 C. PT00358597
22-0179 A. P02105 B. 011832 C. 018031
22-0181 017525
22-0185 A. P07661 B. PT00013404 C. 016498
22-0186 A. P06181 B. 012632 C. 013836
22-0187 A. P00579 B. 017980

IV. CASES FOR REVIEW:

22-0047 A. P06395 B. 021511 C. 011785
22-0058 A. P07837 B. 020112 C. 017366
22-0083 A. P00684 B. 008679 C. 014022 D. 010097 E. 010899 F. 019332
22-0116 A. P07420 B. 010170 C. 020697 D. PT00348913
22-0132 PT00350375
22-0148 A. P01403 B. 018491 C. PT00364843
22-0155 A. P06027 B. 020736
22-0163 A. P06315 B. 021488 C. P06588 D. 016099
22-0164 A. P07219 B. 016736
22-0171 P06029
22-0172 A. P07906 B. 015430
22-0183 007141
22-0188 A. P07099 B. 013629 C. 022625
22-0190 021795
22-0191 A. P02082 B. 019438 C. PT00370569
22-0192 A. P07100 B. 022117 C. 012388
22-0197 A. P06903 B. 007180 C. 007653
22-0198 A. OH1321 B. 019729
22-0200 A. P06690 B. 022557 C. PT00032698
22-0202 MG0826
22-0204 A. P06903 B. 007180
22-0205 A. P06902 B. 014155 C. PT00377274
22-0207 015861
22-0208 A. P07389 B. 022253
22-0215 A. P08216 B. 021628 C. PT00377064
22-0218 A. P06903 B. 007180

V. ADJOURN:

ATTENTION: A portion of the meeting may be held in closed/executive session for the purpose of discussing and deliberating upon open investigations, which are preliminary matters that may result in litigation being filed on behalf of the Board and include the review of information required to be conducted in privacy according to federal and state law (under Agenda Items III and IV). The specific statutory sections providing exemptions are: KRS 61.810(1)(c) KRS 61.878(1)(a) KRS 61.810(1)(j) KRS 61.878(1)(h) KRS 61.810(1)(k). Following discussion and deliberation, any and all action will be taken in open/public session.



KENTUCKY BOARD OF PHARMACY

CASE REVIEW MINUTES

November 22, 2022

Via Video Conference

CALL TO ORDER

Peter Cohron, Chairperson called the meeting to order at 9:02 a.m.

Attendees: Peter Cohron; Board President, Jonathan Van Lahr; Board Member, Anthony Tagavi; Board Member, Chris Harlow, Executive Director; Julianna Swiney, Deputy Executive Director; Eden Davis, General Counsel; Amanda Montgomery, Law Clerk; Paula Hurst, Administrative Assistant; Amanda Harding, Pharmacy and Drug Inspector; Paul Daniels, Pharmacy and Drug Inspector; Jessica Williams, Pharmacy and Drug Inspector; John Romines, Pharmacy and Drug Inspector; and Rhonda Hamilton, Pharmacy and Drug Inspector.

Special Attendee: Shane Miller (22-0207)

Meeting Minutes: Jonathan moved for the Case Review Panel to approve the Meeting Minutes for October 2022 and Pete Cohron seconded and the motion passed unanimously.

Jonathan Van Lahr moved for the Case Review Panel to go into closed session to include board staff for the purpose of reviewing, discussing, and deliberating upon open investigations, all of which are matters that may result in litigation being filed on behalf of the Board and/or require the review of information deemed confidential in accordance with state and federal law. The deliberations require the panel members to review and discuss information compiled in the course of the Board's work to detect and investigate statutory and regulatory violations (the premature release of which may harm the Board's ability to carry out its administrative adjudication or prospective law enforcement functions, if an investigation remains open and final action is not taken in this meeting) and to determine whether to initiate litigation on behalf of the Board against individual licensees, permit holders or registrants. The statutory sections providing authorizing executive session are KRS 61.810(c)(j) and (k) and KRS 61.878(1)(a) and (1)(h). Anthony Tagavi seconded, and the motion passed unanimously.

Jonathan Van Lahr moved to come out of closed session. Peter Cohron seconded, and the motion passed unanimously.

CASE EXTENSION APPROVALS

Peter Cohron moved to approve an extension for 120 days be granted for the following cases. Anthony Tagavi seconded, and the motion passed unanimously.

17-0548 A. P07140 B. 014223
22-0026 A. P08088 B. 012673
22-0051 A. P07990 B. 012900 C. 017349
22-0131 A. P07367 B. 021703
22-0165 A. P07979 B. 010888
22-0173 A. P07903 B. 022430
22-0174 A. P06898 B. 010224 C. PT00358597
22-0179 A. P02105 B. 011832 C. 018031
22-0181 017525
22-0185 A. P07661 B. PT00013404 C. 016498
22-0186 A. P06181 B. 012632 C. 013836
22-0187 A. P00579 B. 017980

NEW BUSINESS ITEMS CASE EXTENSION REQUESTS:

21-0237, 21-0277, 22-0003, 22-0090, 22-0098, 22-0109, 22-0126, 22-0146

Pete Cohron motioned to approve the extension requests and Anthony Tagavi seconded and the motion passed unanimously.

CASE REVIEW DISCIPLINARY FINDINGS

22-0047 A P06395 DISMISSAL WITHOUT PREJUDICE

Alleged Violation of Law: KRS 315.121 (1)(a). KRS 217.065 (1).

Peter Cohron moved that there is not a preponderance of the evidence of a violation of law to warrant disciplinary action. The case is dismissed without prejudice. Anthony Tagavi seconded, and the motion passed unanimously.

22-0047 B 021511 DISMISSAL WITHOUT PREJUDICE

Alleged Violation of Law: KRS 315.121 (2)(d). 201 KAR 2:205 Section 2 (3)(b).

Peter Cohron moved that there is not a preponderance of the evidence of a violation of law to warrant disciplinary action. The case is dismissed without prejudice. Anthony Tagavi seconded, and the motion passed unanimously.

22-0047 C 011785 PROPOSED SETTLEMENT VIA INTERIM AGREED ORDER/DIVERSION AGREEMENT

Alleged Violation of Law: KRS 315.121 (2)(d).

Peter Cohron moved that there is a preponderance of the evidence of a violation of law on all charges and that an Interim Agreed Order (with the terms below) should be issued to attempt resolution of the case informally. Anthony Tagavi seconded, and the motion passed unanimously

Proposed Terms: Six- month Diversion Agreement. (6) hours continuing education on medication error. After six-month, if compliant with all terms, a letter of reprimand to be issued.

22-0058 A P07837 DISMISSAL WITHOUT PREJUDICE

Alleged Violation of Law: KRS 315.121 (1)(a).

Peter Cohron moved that there is not a preponderance of the evidence of a violation of law to warrant disciplinary action. The case is dismissed without prejudice. Anthony Tagavi seconded, and the motion passed unanimously.

22-0058 B 020112 DISMISSAL WITHOUT PREJUDICE

Alleged Violation of Law: KRS 315.121 (2)(d). 201 KAR 2:205 Section 2 (3)(b).

Peter Cohron moved that there is not a preponderance of the evidence of a violation of law to warrant disciplinary action. The case is dismissed without prejudice. Anthony Tagavi seconded, and the motion passed unanimously.

22-0058 C 017366 DISMISSAL WITHOUT PREJUDICE

Alleged Violation of Law: KRS 315.121 (2)(d).

Peter Cohron moved that there is not a preponderance of the evidence of a violation of law to warrant disciplinary action. The case is dismissed without prejudice. Anthony Tagavi seconded, and the motion passed unanimously.

22-0083 A P00684 LETTER OR REPRIMAND TO BE ISSUED

Alleged Violation of Law: KRS 315.121 (1)(a). KRS 217.065 (1). 902 KAR 55:110 Section 2 (2)(f).

Peter Cohron moved that there is a preponderance of the evidence of a violation of law on all charges but that a letter of reprimand should issue. Anthony Tagavi seconded, and the motion passed unanimously.

22-0083 B 008679 LETTER OR REPRIMAND TO BE ISSUED

Alleged Violation of Law: 201 KAR 2:205 Section 2 (3)(b). KRS 315.121 (2)(j).

Peter Cohron moved that there is a preponderance of the evidence of a violation of law on all charges but that a letter of reprimand should issue. Anthony Tagavi seconded, and the motion passed unanimously.

22-0083 C 014022 LETTER OF REPRIMAND TO BE ISSUED

Alleged Violation of Law: KRS 315.121 (2)(j).

Peter Cohron moved that there is a preponderance of the evidence of a violation of law on all charges but that a letter of reprimand should issue. Anthony Tagavi seconded, and the motion passed unanimously.

22-0083 D -0010097 LETTER OF CONCERN TO BE ISSUED

Alleged Violation of Law: KRS 315.121 (2)(j). KRS 315.121 (2)(d).

Peter Cohron moved that there is not a preponderance of the evidence of a violation of law to warrant disciplinary action but that a letter of concern should be issued. The case is dismissed without prejudice. Anthony Tagavi seconded, and the motion passed unanimously.

22-0083 E 010899 DISMISSAL WITHOUT PREJUDICE

Alleged Violation of Law: KRS 315.121 (2)(j).

Peter Cohron moved that there is not a preponderance of the evidence of a violation of law to warrant disciplinary action. The case is dismissed without prejudice. Anthony Tagavi seconded, and the motion passed unanimously.

22-0083 F 019332 LETTER OF CONCERN TO BE ISSUED

Alleged Violation of Law: KRS 315.121 (2)(j).

Peter Cohron moved that there is not a preponderance of the evidence of a violation of law to warrant disciplinary action but that a letter of concern should be issued. The case is dismissed without prejudice. Anthony Tagavi seconded, and the motion passed unanimously.

22-0116 A P07420 DISMISSAL WITHOUT PREJUDICE

Alleged Violation of Law: KRS 315.121 (1)(a). 201 KAR 2:100 Section 1 (1)(a).

Peter Cohron moved that there is not a preponderance of the evidence of a violation of law to warrant disciplinary action. The case is dismissed without prejudice. Anthony Tagavi seconded, and the motion passed unanimously.

22-0116 B 010170 DISMISSAL WITHOUT PREJUDICE

Alleged Violation of Law: 201 KAR 2:205 Section 2 (3)(b).

Peter Cohron moved that there is not a preponderance of the evidence of a violation of law to warrant disciplinary action. The case is dismissed without prejudice. Anthony Tagavi seconded, and the motion passed unanimously.

22-0116 C 020697 PROPOSED SETTLEMENT VIA AGREED ORDER

Alleged Violation of Law: KRS 315.121 (1)(a). KRS 315.121 (2)(f).

Peter Cohron moved that there is a preponderance of the evidence of a violation of law on all charges and that an Agreed Order should be issued to attempt resolution of the case informally. Anthony Tagavi seconded, and the motion passed unanimously.

Proposed Settlement Terms: 1000.00 fine and (6) hours of continuing education on pharmacy law.

22-0116 D PT00348913 PROPOSED SETTLEMENT VIA AGREED ORDER

Alleged Violation of Law: KRS 315.121 (1)(a). KRS 315.121 (2)(f).

Peter Cohron moved that there is a preponderance of the evidence of a violation of law on all charges and that an Agreed Order should be issued to attempt resolution of the case informally. Anthony Tagavi seconded, and the motion passed.

Proposed Settlement Terms: 150.00 fine and (3) hours of continuing education on pharmacy law.

22-0132 PT00350375 DISMISSAL WITHOUT PREJUDICE

Alleged Violation of Law: KRS 315.121 (2)(b).

Peter Cohron moved that there is not a preponderance of the evidence of a violation of law to warrant disciplinary action. The case is dismissed without prejudice. Jonathan Van Lahr seconded, and the motion passed unanimously. Anthony Tagavi abstained from the vote.

22-0148 A P01403 LETTER OF REPRIMAND TO BE ISSUED

Alleged Violation of Law: KRS 315.020 (6). KRS 315.121 (1)(g).

Peter Cohron moved that there is a preponderance of the evidence of a violation of law on all charges but that a letter of reprimand should issue. Jonathan Van Lahr seconded, and the motion passed unanimously. Anthony Tagavi abstained from the vote.

22-0148 B 018491 LETTER OF REPRIMAND TO BE ISSUED

Alleged Violation of Law: 201 KAR 2:205 Sec 2 (3)(b). Alleged Violation of Law: 201 KAR 2:205 Sec 2 (3)(b).

Peter Cohron moved that there is a preponderance of the evidence of a violation of law on all charges but that a letter of reprimand should issue. Jonathan Van Lahr seconded, and the motion passed unanimously. Anthony Tagavi abstained from the vote.

22-0148 C PT00364843 LETTER OF REPRIMAND TO BE ISSUED

Alleged Violation of Law: KRS 315.135 (1).

Peter Cohron moved that there is a preponderance of the evidence of a violation of law on all charges but that a letter of reprimand should issue. Jonathan Van Lahr seconded, and the motion passed unanimously. Anthony Tagavi abstained from the vote.

22-0155 A P06027 PROPOSED SETTLEMENT VIA AGREED ORDER

Alleged Violation of Law: 201 KAR 2:165 Section 1 (1)(b). 201 KAR 2:165 Section 1 (2). 201 KAR 2:165 Section 1 (3). 201 KAR 2:165 Section 1 (5). 201 KAR 2:106 Section 2 (1)(a). 201 KAR 2:106 Section 2 (1)(b).

Peter Cohron moved that there is a preponderance of the evidence of a violation of law on all charges and that an Agreed Order should be issued to attempt resolution of the case informally. Jonathan Van Lahr seconded, and the motion passed unanimously. Anthony Tagavi abstained from the vote.

Proposed Settlement Terms: 5000.00 fine. Records need to be corrected—all information needs to be corrected to comply with state and federal law. Corrective action plan—submit to board inspector.

22-0155 B 020736 DISMISSAL WITHOUT PREJUDICE

Alleged Violation of Law: 201 KAR 2:205 Section 2 (3)(b).

Peter Cohron moved that there is not a preponderance of the evidence of a violation of law to warrant disciplinary action. The case is dismissed without prejudice. Jonathan Van Lahr seconded, and the motion passed unanimously. Anthony Tagavi abstained from the vote.

22-0163 A P06315 DISMISSAL WITHOUT PREJUDICE

Alleged Violation of Law: 201 KAR 2:106 Section 2 (2). KRS 315.121 (1)(a).

Peter Cohron moved that there is not a preponderance of the evidence of a violation of law to warrant disciplinary action. The case is dismissed without prejudice. Jonathan Van Lahr seconded, and the motion passed unanimously. Anthony Tagavi abstained from the vote.

22-0163 B 021488 DISMISSAL WITHOUT PREJUDICE

Alleged Violation of Law: KRS 315.121 (1)(a). KRS 315.121(1)(a).

Peter Cohron moved that there is not a preponderance of the evidence of a violation of law to warrant disciplinary action. The case is dismissed without prejudice. Jonathan Van Lahr seconded, and the motion passed unanimously. Anthony Tagavi abstained from the vote.

22-0163 C P06588 DISMISSAL WITHOUT PREJUDICE

Alleged Violation of Law: 201 KAR 2:106 Section 2 (2). KRS 315.121 (1)(a).

Peter Cohron moved that there is not a preponderance of the evidence of a violation of law to warrant disciplinary action. The case is dismissed without prejudice Jonathan Van Lahr seconded, and the motion passed unanimously. Anthony Tagavi abstained from the vote.

22-0163 D 016099 DISMISSAL WITHOUT PREJUDICE

Alleged Violation of Law: 201 KAR 2:205 Section 2 (3)(b). KRS 315.121(1)(a). KRS 315.121 (2)(d).

Peter Cohron moved that there is not a preponderance of the evidence of a violation of law to warrant disciplinary action. The case is dismissed without prejudice Jonathan Van Lahr seconded, and the motion passed unanimously. Anthony Tagavi abstained from the vote.

22-0164 A P07219 LETTER OF CONCERN TO BE ISSUED

Alleged Violation of Law: KRS 315.121 (1)(a).

Peter Cohron moved that there is not a preponderance of the evidence of a violation of law to warrant disciplinary action but that a letter of concern should be issued. The case is dismissed without prejudice. Jonathan Van Lahr seconded, and the motion passed unanimously. Anthony Tagavi abstained from the vote.

22-0164 B 016736 DISMISSAL WITHOUT PREJUDICE

Alleged Violation of Law: 201 KAR 2:205 Section 2 (3)(b).

Peter Cohron moved that there is not a preponderance of the evidence of a violation of law to warrant disciplinary action. The case is dismissed without prejudice. Jonathan Van Lahr seconded, and the motion passed unanimously. Anthony Tagavi abstained from the vote.

22-0171 P06029 DISMISSAL WITHOUT PREJUDICE

Alleged Violation of Law: KRS 315.121 (1)(a).

Peter Cohron moved that there is not a preponderance of the evidence of a violation of law to warrant disciplinary action. The case is dismissed without prejudice. Jonathan van Lahr seconded, and the motion passed unanimously. Anthony Tagavi abstained from the vote.

Executive Director to follow-up with facility to make sure they're not engaging in automatic communication.

22-0172 A 07906 DISMISSAL WITHOUT PREJUDICE

Alleged Violation of Law: KRS 315.121 (1)(a)

Peter Cohron moved that there is not a preponderance of the evidence of a violation of law to warrant disciplinary action. The case is dismissed without prejudice. Anthony Tagavi seconded, and the motion passed unanimously.

22-0172 B 015430 DISMISSAL WITHOUT PREJUDICE

Alleged Violation of Law: KRS 315.121 (2)(j). KRS 315.121 (2)(d). 201 KAR 2:205 Section 2 (3) (b).

Peter Cohron moved that there is not a preponderance of the evidence of a violation of law to warrant disciplinary action. The case is dismissed without prejudice. Anthony Tagavi seconded, and the motion passed unanimously.

22-0183 007141 DISMISSAL WITHOUT PREJUDICE

Alleged Violation of Law: KRS 315.121(1)(a). KRS 315.121(1)(f). KRS 315.121(2)(h).

Peter Cohron moved that there is not a preponderance of the evidence of a violation of law to warrant disciplinary action. The case is dismissed without prejudice. Anthony Tagavi seconded, and the motion passed unanimously.

22-0188 A P07099 DISMISSAL WITHOUT PREJUDICE

Alleged Violation of Law: KRS 315.121 (1)(a).

Peter Cohron moved that there is not a preponderance of the evidence of a violation of law to warrant disciplinary action. The case is dismissed without prejudice. Anthony Tagavi seconded, and the motion passed unanimously.

22-0188 B 013629 DISMISSAL WITHOUT PREJUDICE

Alleged Violation of Law: 201 KAR 2:205 Section 2 (3)(b).

Peter Cohron moved that there is not a preponderance of the evidence of a violation of law to warrant disciplinary action. The case is dismissed without prejudice. Anthony Tagavi seconded, and the motion passed unanimously.

22-0188 C 022625 DISMISSAL WITHOUT PREJUDICE

Alleged Violation of Law: KRS 315.121 (2)(d).

Peter Cohron moved that there is not a preponderance of the evidence of a violation of law to warrant disciplinary action. The case is dismissed without prejudice. Anthony Tagavi seconded, and the motion passed unanimously.

22-0190 021795 LETTER OF REPRIMAND TO BE ISSUED

Alleged Violation of Law: KRS 315.121(1)(c).

Peter Cohron moved that there is a preponderance of the evidence of a violation of law on all charges but that a letter of reprimand should issue. Anthony Tagavi seconded, and the motion passed unanimously.

22-0191 A P02082 DISMISSAL WITHOUT PREJUDICE

Alleged Violation of Law: KRS 315.121 (1)(a). 201 KAR 2:210 Section 3.

Anthony Tagavi moved that there is not a preponderance of the evidence of a violation of law to warrant disciplinary action. The case is dismissed without prejudice. Jonathan Van Lahr seconded, and the motion passed unanimously. Pete Cohron abstained from the vote.

22-0191 B 019438 DISMISSAL WITHOUT PREJUDICE

Alleged Violation of Law: 201 KAR 2:205 Section 2 (3)(b).

Anthony Tagavi moved that there is not a preponderance of the evidence of a violation of law to warrant disciplinary action. The case is dismissed without prejudice Jonathan Van Lahr seconded, and the motion passed unanimously. Pete Cohron abstained from the vote.

22-0191 C PT00370569 PROPOSED SETTLEMENT VIA INTERIM AGREED ORDER/DIVERSION AGREEMENT

Alleged Violation of Law: KRS 315.121 (2)(b).

Anthony Tagavi moved that there is a preponderance of the evidence of a violation of law on all charges and that an Interim Agreed Order (with the terms below) should be issued to attempt resolution of the case informally. Jonathan Van Lahr seconded, and the motion passed unanimously. Pete Cohron abstained from the vote.

Proposed Settlement Terms: 150.00 fine and (3) hours of continuing education on medication errors. After six-month and completion of terms, a letter of reprimand to be issued, so long as no further allegations or convictions of pharmacy law.

22-0192 A P07100 DISMISSAL WITHOUT PREJUDICE

Alleged Violation of Law: KRS 315.121 (1) (a).

Peter Cohron moved that there is not a preponderance of the evidence of a violation of law to warrant disciplinary action. The case is dismissed without prejudice. Anthony Tagavi seconded, and the motion passed unanimously.

22-0192 B 022117 DISMISSAL WITHOUT PREJUDICE

Alleged Violation of Law: 201 KAR 2:205 Section 2 (3) (b).

Peter Cohron moved that there is not a preponderance of the evidence of a violation of law to warrant disciplinary action. The case is dismissed without prejudice. Anthony Tagavi seconded, and the motion passed unanimously.

22-0192 C 012388 DISMISSAL WITHOUT PREJUDICE

Alleged Violation of Law: KRS 315.121 (2) (j).

Peter Cohron moved that there is not a preponderance of the evidence of a violation of law to warrant disciplinary action. The case is dismissed without prejudice. Anthony Tagavi seconded, and the motion passed unanimously.

22-0197 A P06903 FURTHER INVESTIGATION

Alleged Violation of Law: KRS 217.065 (2)(b). KRS 315.121 (1)(h).

Peter Cohron moved to approve an extension for 120 days be granted to conduct further investigation. Anthony Tagavi seconded, and the motion passed unanimously.

22-0197 B 007180 FURTHER INVESTIGATION

Alleged Violation of Law: 201 KAR 2:205 Section 2 (3)(b).

Peter Cohron moved to approve an extension for 120 days be granted to conduct further investigation. Anthony Tagavi seconded, and the motion passed unanimously.

22-0197 C 007653 FURTHER INVESTIGATION

Alleged Violation of Law: KRS 315.121 (2)(d).

Peter Cohron moved to approve an extension for 120 days be granted to conduct further investigation. Anthony Tagavi seconded, and the motion passed unanimously.

22-0198 A OH1321 DISMISSAL WITHOUT PREJUDICE

Allegation of Law: KRS 315.121 (1)(a).

Peter Cohron moved that there is not a preponderance of the evidence of a violation of law to warrant disciplinary action. The case is dismissed without prejudice. Anthony Tagavi seconded, and the motion passed unanimously.

22-0198 B 019729 DISMISSAL WITHOUT PREJUDICE

Alleged Violation of Law: 201 KAR 2:205 Section 2 (3)(b).

Peter Cohron moved that there is not a preponderance of the evidence of a violation of law to warrant disciplinary action. The case is dismissed without prejudice. Anthony Tagavi seconded, and the motion passed unanimously.

**22-0200 A P06690 PROPOSED SETTLEMENT VIA INTERIM AGREED ORDER/
DIVERSION AGREEMENT**

Alleged Violation of Law: KRS 315.121 (1)(a). 201 KAR 2:210 Section 3.

Anthony Tagavi moved that there is a preponderance of the evidence of a violation of law on all charges and that an Interim Agreed Order (with the terms below) should be issued to attempt resolution of the case informally. Jonathan Van Lahr seconded, and the motion passed unanimously.

Proposed Terms: Diversion Agreement. Drive-through is closed until corrective action plan provided to Board inspector. Board inspector must approve reopening the drive through. Once reopened—Six- month period of diversion agreement to ensure drive-thru is in working condition. After six month period, letter of reprimand to issue so long as no further violations of law.

22-0200 B 022557 DISMISSAL WITHOUT PREJUDICE

Alleged Violation of Law: 201 KAR 2:205 Section 2 (3)(b).

Anthony Tagavi moved that there is not a preponderance of the evidence of a violation of law to warrant disciplinary action. The case is dismissed without prejudice. Jonathan Van Lahr seconded, and the motion passed unanimously.

22-0200 C PT00032698 LETTER OF REPRIMAND TO BE ISSUED

Alleged Violation of Law: KRS 315.121 (2)(b).

Anthony Tagavi moved that there is a preponderance of the evidence of a violation of law on all charges but that a letter of reprimand should issue. Jonathan Van Lahr seconded, and the motion passed unanimously. Pete Cohron recused.

22-0202 MG0826 PROPOSED SETTLEMENT VIA INTERIM AGREED ORDER/DIVERSION AGREEMENT

Alleged Violation of Law: 201 KAR 2:225.

Peter Cohron moved that there is a preponderance of the evidence of a violation of law on all charges and that an Interim Agreed Order (with the terms below) should be issued to attempt resolution of the case informally. Anthony Tagavi seconded, and the motion passed unanimously

Proposed Terms: Three month diversion agreement Conditions: 500.00 fine and name a pharmacist in charge. If in 3 months, no pharmacist in charge named, interim agreed order will be null and the Board of Pharmacy will file a formal complaint seeking suspension. If compliant with conditions, then letter of reprimand to issue at conclusion of term.

22-0204 A P06903 PROPOSED SETTLEMENT VIA AGREED ORDER (Combined with 22-0218 A)

Alleged Violation of Law: KRS 315.121 (1)(a). 201 KAR 2:171 Section 1 (8)(a).

Peter Cohron moved that there is a preponderance of the evidence of a violation of law on all charges and that an Agreed Order should be issued to attempt resolution of the case informally. Anthony Tagavi seconded, and the motion passed unanimously.

Proposed Settlement Terms: 25,000 fine. Pharmacist in charge present for at least forty hours for the next three months to ensure appropriate supervision and control under 201 KAR 2:205(2)(2)(b). Corrective action plan to ensure proper control of pharmacy and signature log. 1 year probation.

22-0204 B 007180 PROPOSED SETTLEMENT VIA AGREED ORDER (combined with 22-0218 B)

Alleged Violation of Law: 201 KAR 2:205 Section 2 (3)(b). 201 KAR 2:205 Section 2 (2)(b).

Peter Cohron moved that there is a preponderance of the evidence of a violation of law on all charges and that an Agreed Order should be issued to attempt resolution of the case informally. Anthony Tagavi seconded, and the motion passed unanimously.

Proposed Settlement Terms: 1,000 fine. May not be a pharmacist in charge for (3) years.

22-0205 A P06902 DISMISSAL WITHOUT PREJUDICE

Alleged Violation of Law: KRS 315.121 (1)(a). 201 KAR 2:210 Section 3.

Anthony Tagavi moved that there is not a preponderance of the evidence of a violation of law to warrant disciplinary action. The case is dismissed without prejudice. Pete Cohron seconded, and the motion passed unanimously.

22-0205 B 014155 DISMISSAL WITHOUT PREJUDICE

Alleged Violation of Law: 201 KAR 2:205 Section 2 (3)(b).

Anthony Tagavi moved that there is not a preponderance of the evidence of a violation of law to warrant disciplinary action. The case is dismissed without prejudice. Pete Cohron seconded, and the motion passed unanimously.

22-0205 C PT00377274 PROPOSED SETTLEMENT VIA INTERIM AGREED ORDER/DIVERSION AGREEMENT

Alleged Violation of Law: KRS 315.121 (2)(b).

Anthony Tagavi moved that there is a preponderance of the evidence of a violation of law on all charges and that an Interim Agreed Order (with the terms below) should be issued to attempt resolution of the case informally. Jonathan Van Lahr seconded, and the motion passed unanimously. Pete Cohron abstained from the vote.

Proposed Settlement Terms: 150.00 fine and (3) hours continuing education on pharmacy law. Diversion Agreement for 6 months —Letter of reprimand to be issued at end of period if no further violations of law and compliant with all terms.

22-0207 015861 HELD IN ABEYANCE

Alleged Violation of Law: KRS 315.121 (1)(e). KRS 315.121 (1)(c).

Pete Cohron moved to hold case in abeyance pending the outcome of the North Carolina Board of Pharmacy's pending discipline case. Jonathan Van Lahr seconded, and the motion passed unanimously.

22-0208 A P07389 DISMISSAL WITHOUT PREJUDICE

Alleged Violation of Law: KRS 315.121 (1)(a).

Pete Cohron moved that there is not a preponderance of the evidence of a violation of law to warrant disciplinary action. The case is dismissed without prejudice. Anthony Tagavi seconded, and the motion passed unanimously.

22-0208 B 022253 DISMISSAL WITHOUT PREJUDICE

Alleged Violation of Law: 201 KAR 2:205 Section 2 (3)(b).

Peter Cohron moved that there is not a preponderance of the evidence of a violation of law to warrant disciplinary action. The case is dismissed without prejudice. Anthony Tagavi seconded, and the motion passed unanimously.

22-0215 A P08216 DISMISSAL WITHOUT PREJUDICE

Alleged Violation of Law: 201 KAR 2:100 Section 1 (1)(a).

Peter Cohron moved that there is not a preponderance of the evidence of a violation of law to warrant disciplinary action. The case is dismissed without prejudice. Anthony Tagavi seconded, and the motion passed unanimously.

22-0215 B 021628 DISMISSAL WITHOUT PREJUDICE

Alleged Violation of Law: 201 KAR 2:205 Section 2 (3)(b).

Peter Cohron moved that there is not a preponderance of the evidence of a violation of law to warrant disciplinary action. The case is dismissed without prejudice. Anthony Tagavi seconded, and the motion passed unanimously.

22-0215 C PT00377064 EMERGENCY ORDER OF SUSPENSION TO BE ISSUED

Alleged Violation of Law: KRS 315.121 (2)(f).

Peter Cohron moved that there is a preponderance of the evidence of a violation of law on all charges and that an Agreed Order of revocation should be issued to attempt resolution of the case informally. Peter Cohron further moved that an emergency order of suspension be issued and that a formal complaint and notice of hearing be filed with the Office of the Attorney General. Anthony Tagavi seconded, and the motion passed unanimously.

Proposed Settlement Terms: Agreed Order of Revocation

22-0218 A P06903 PROPOSED SETTLEMENT VIA AGREED ORDER (combined with 22-0204 A)

Alleged Violation of Law: KRS 315.121 (1)(a).

Peter Cohron moved that there is a preponderance of the evidence of a violation of law on all charges and that an Agreed Order should be issued to attempt resolution of the case informally. Anthony Tagavi seconded, and the motion passed unanimously.

Proposed Settlement Terms: Proposed Settlement Terms: 25,000.00 fine. Pharmacist in charge present for at least forty hours for the next three months to ensure appropriate supervision and control under 201 KAR 2:205(2)(2)(b). Corrective action plan to ensure proper control of pharmacy and signature log. 1 year probation.

22-0218 B 007180 PROPOSED SETTLEMENT VIA AGREED ORDER (combined with 22-0204 B)

Alleged Violation of Law: 201 KAR 2:205 Section 2 (3)(b).

Peter Cohron moved that there is a preponderance of the evidence of a violation of law on all charges and that an Agreed Order should be issued to attempt resolution of the case informally. Anthony Tagavi seconded, and the motion passed unanimously.

Proposed Settlement Terms: 1,000 fine. May not be a pharmacist in charge for (3) years.

ADJOURNMENT: Pete Cohron moved to adjourn. Jonathan Van Lahr seconded, and the motion passed unanimously. Peter Cohron adjourned the meeting at 2:00 p.m.