

**Illinois Department of Financial and Professional Regulation**

**Division of Professional Regulation**

**Illinois Board of Pharmacy**

**Open Minutes**

**Date:** November 10, 2009  
**Call to Order:** 9:30 a.m.  
**Location:** Illinois Division of Professional Regulation  
James R. Thompson Center  
100 W. Randolph, Suite 9-171 b & c  
Chicago, Illinois  
**Adjournment:** 12:10 p.m.

**Board Members Present:** Philip Burgess R.Ph., Chairperson  
Sudhir C. Manek, R.Ph., Vice-Chairperson  
Robert Anselmo, R.Ph., Member  
Joe Conover, Member  
Gordon John Mazzotti, R.Ph., Member  
Mahendra Khatau, R.Ph., Member  
Olena Maleckyj, R.Ph., Member  
Yatin M. Shah, M.D., Member  
Ned Milenkovich, J.D., R.Ph., Member

**Staff Members Present:** Kim Scott, Board Liaison  
Scott Golden, Health Related Prosecutions  
Dr. Amin, Director Drug Compliance  
Daniel A. Kelber, Senior Legal Counsel  
Monica Goldman, Office of Legal Counsel  
Kristine Gleason, Office of Legal Counsel  
Mary Skoglund, Health Related Prosecutions

**Guests Present:** Scott Meyer, ICHP  
Bernie Marx  
Wally Cross, Resurrection Behavioral Health  
Ingrid Samuelsen, CVS/ Caremark  
Kristen Goliak, UIC - COP  
Mike Patton, IPHA  
Henry Gould, IPHA  
Chris Wanh, Walgreen  
LaTonya Norwood, Cook County Health &  
Hospital System

Cary Mergele, Sears Holdings  
 Karen Peterson, Sear Holdings (Kmart Pharmacy)  
 Avery Spunt, Midwestern University

<b>TOPIC</b>	<b>DISCUSSION</b>	<b>ACTION</b>
<b>Welcome and Introductions</b>	Mr. Burgess welcomed everyone to the meeting of the Board and asked everyone to introduce themselves.	Board, staff and guests introduced themselves.
<b>Agenda Review</b>	Board reviewed the agenda for the November 10, 2009 meeting.	Subsequent to review, the Board agreed to the agenda, Sears Holding as added to the agenda for the November 10, 2009 meeting.
<b>Minutes Approved</b>	The Board reviewed the open minutes of the September 8, 2009 meeting of the Board. .	Mr. Anselmo made a motion to approve the open minutes of the September 8, 2009 meeting of the Board. Mr. Conover seconded the motion. Ms. Maleckyj abstained. Motion passed.
<b>Board Member Update and/or Changes</b>	There were no changes to be made on the Board contact information.	
<b>Advocate Health Care Update</b>	Russ Romano, LCPC, CADC, Case Manager, Illinois Professionals Health Program, thanked the Board for allowing him to talk to them. 132 pharmacist have signed agreements with them. Mr. Romano reviewed his annual report with the Board. Mr. Romano recommended that email addresses be used in order to keep in contact with the professionals.	Mr. Burgess thanked Mr. Cross and Dr. Angres for their thoughts and information.

	<p>Mr. Burgess asked about Pharmacy being above average in having their licenses restored.</p> <p>Mr. Romano explained the averages.</p> <p>Mr. Romano reviewed figures that show that there is a high instance of substance abuse among pharmacist. Very few pharmacists are addicted to street drugs; they prefer Opioids. Pharmacists go to a great length to conceal their addictions.</p> <p>Mr. Romano asked that the Board influence the Illinois Pharmacy schools to add an addiction course to the curriculum as a 2 hour lecture is not enough. Studies have shown that education is the best help.</p> <p>Stafford Henry, M.D., Medical Director, Illinois Professionals Health Program, thanked the Board for the opportunity to meet with the Board. IPHP could not help pharmacists without the support of the Board.</p> <p>Dr. Henry gave the Board an overview of his background and qualification for the Medical Director job.</p> <p>Dr. Henry wants to have a safe practice in pharmacy as a goal of IPHP and the Board. The two may differ in the exact methods; however, the goal and support are the same.</p>	
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	<p>Dr. Henry thanked the Board for their continued financial support.</p> <p>Mr. Burgess asked about pharmacy technicians in the program.</p> <p>Mr. Romano stated that there were no full-time technicians in the program. The only ones that are in the program are students. The schools brought students to the attention of the Advocate. He further stated that most technicians quite when they found out what was expected.</p> <p>Ms. Maleckyj asked how we compared with the National programs.</p> <p>Dr. Henry stated that he would get back with the Board when he get the figures. He further stated that the Advocate has an obligation to report to the Department.</p> <p>Mr. Maleckyj asked about putting something in the renewal about the Advocate. Kim Scott, Board Liaison, stated that he thought it was on the CE sheet; if it was not, he would try to get it on something within the renewal.</p> <p>Mr. Burgess expressed that a massive email to Pharmacist would be helpful. Mr. Scott stated that it was a plan of the Department's for all professions.</p>	
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	<p>Dr. Angres introduced himself and gave a brief background on operations and how it is working within the profession.</p> <p>Wally Cross, Resurrection Behavioral Health, expressed that it was nice to be at the meeting.</p> <p>Mr. Cross gave the Board a general overview of his background in Pharmacy.</p> <p>Mr. Cross reviewed with the Board a hand out detailing the risk factors within the pharmacy profession concerning addiction and how it happens. He further stated that there is a number of large differences between pharmacists and other healthcare professions. Pharmacists have an extreme paranoia about loosing their license which is higher than any other profession. This fear leads them not to seek help.</p> <p>Mr. Cross stated that he feels that early intervention is the best thing and that we need to make it easy for them to seek help.</p> <p>Pharmacist have a slightly higher success rate than other profession.</p> <p>Mr. Cross is concerned about pharmacist getting the help that they need and that the pharmacists in Illinois are not getting the help that they need.</p> <p>The Board asked Scott Golden, Health Related</p>	
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	<p>Prosecutions, about mandating participation in the Advocate program. Mr. Golden explained the current procedures to the Board.</p> <p>Mr. Cross stated that taking the Consent Order to their employer is a deterrent to rehabilitation.</p> <p>Daniel A. Kelber, Senior Legal Counsel, explained that Consent Orders to employers is something that all professions need to do, not just pharmacists.</p> <p>Mr. Conover asked why something was not posted in the pharmacy. Mr. Cross stated that it was not currently mandated.</p>	
<p><b>Kmart Corporation Variance Request</b></p>	<p>Mary Tortorice, Vice President/Deputy General Counsel, Sears Holding, explained Kmart's request for the Board to reconsider its proposal to operate a remote consultation site in Joliet, Illinois, with the home pharmacy situated in New Lenox, Illinois.</p> <p>Mr. Burgess asked if the request was just for the Joliet location. Ms. Tortorice stated that the request was only for the Joliet location.</p> <p>Dan Levine explained the operation that they plan for the Joliet location and how it would work at this facility.</p>	<p>Mr. Burgess made a motion pending Kmart drafting a modified variance request and willingness to have a pharmacist on duty at the Joliet premise the Board would support their request to the Director. Mr. Conover seconded the motion.</p> <p>Mr. Milenkovich – Yes  Mr. Mazzotti - No  Mr. Conover – Yes  Mr. Khatau – Yes  Mr. Shah – Yes  Ms. Maleckyj – Yes  Mr. Burgess – Yes  Mr. Manek – Yes  Mr. Anselmo – Yes  Motion carried.</p>

	<p>Mr. Burgess asked if all Pharmacy Technicians would be licensed. Mr. Levine stated that yes they would be license.</p> <p>Board asked questions regarding the operation. Mr. Kelber explained the issues surrounding their request.</p> <p>Mr. Burgess explained to Kmart that the Board is an advisory body and the Director makes the ultimate decision.</p> <p>Mr. Milenkovich stated that that the function that they were going to do were good; however, he is uncomfortable approving a variance to the Rules that have not been adopted yet.</p>	
<p><b>Legislative Update</b></p>	<p>Scott Meyer, ICHP, advised the Board that there was no major damage to the Pharmacy Act during the Veto session.</p> <p>Mr. Meyer reviewed the legislation before the General Assembly.</p> <p>Mr. Burgess asked Mr. Kelber about the Rules. Mr. Kelber stated that the 45 day comment period ended. Craig Cellini, Rules Coordinator, advised him that the August 2010 comments were rescued yesterday (November 9, 2009).</p> <p>Mr. Kelber further explained the process to the Board.</p>	

<b>Pharmacy Prosecutions Report</b>	Scott Golden, Health Related Prosecutions, reported that there are around 179 cases and distributed a break down of the cases to the Board. Ms. Maleckjy inquired if there were any cases open. Board asked several questions concerning the cases in which Mr. Golden answered.	
<b>Election of Officers</b>	Mr. Burgess nominated Sudhir Manek as the Chairman.  Ms. Maleckjy nominated Robert Anselmo as the Vice-Chairman.	Motion was made and seconded elect Sudhir Manek as the Chairman. Motion passed.  Motion was made and seconded to elect Robert Anselmo as the Vice-Chairman.
<b>Ethics Training</b>	Mr. Burgess asked each of the Board members to sign the Ethics Training form if they had not done so yet and give to Mr. Scott.	
<b>Application Review</b>	Ahmad Naji Mustafa Abu-Rmilah Remedial Training Action Sheet 093347  Rania G. Hanna Remedial Training Action Sheet 093348	Mr. Anselmo made a motion to approve Ahmad Naji Mustafa Abu-Rmilah's remedial training. Mr. Manek seconded the motion. Motion passed.  Mr. Anselmo made a motion to defer Rania G. Hanna's request for approval of remedial training pending additional information regarding the course content, hours on each subject and method of study. Mr. Milenkovich seconded the motion. Motion passed.

	<p>Sarah Lee Remedial Training Action Sheet 093349</p> <p>Fatima Alzahraa Khatib Course of Clinical Instruction Action Sheet 093350</p> <p>Fozia Naz Haque Course of Clinical Instruction Action Sheet 093351</p> <p>Branka Markovic Course of Clinical Instruction Action Sheet 093352</p>	<p>Mr. Anselmo made a motion to approve Sarah Lee’s remedial training. Mr. Khatau seconded the motion. Motion passed.</p> <p>Mr. Anselmo made a motion to approve Fatima Alzahraa Khatib’s course of clinical instruction. Ms. Maleckyj seconded the motion. Motion passed.</p> <p>Mr. Manek made a motion approved Fozia Naz Haque’s course of clinical instruction. Mr. Anselmo seconded the motion. Motion passed.</p> <p>Mr. Anselmo made a motion to approve Branka Markovic’s course of clinical instruction. Mr. Manek seconded the motion. Motion passed.</p>
<p><b>Motion enter into Closed Session</b></p>		<p>At 11:45 a.m. Mr. Anselmo made a motion that Board go into Closed Session for the Purpose set forth in Section 2 (c)(15) of the Illinois Open Meeting Act. Mr. Manek seconded the motion.</p> <p>Mr. Burgess – Yes Mr. Manek – Yes Mr. Anselmo – Yes Mr. Conover – Yes Mr. Mazzotti – Yes Mr. Khatau – Yes Ms. Maleckyj – Yes Mr. Shah – Yes Mr. Milenkovich – Yes Motion passed.</p>

<b>Closed Minutes</b>	The Board reviewed the closed minutes of the September 8, 2009 meeting of the Board.	
<b>Deliberations</b>	<p>The following Deliberations were reviewed and discussed by the Board.</p> <p>Pharmaceutical System, Inc. 097.001070 Case # 2006-10785</p> <p>Galen Pharmacy, Inc. 054.011986 Case # 2009-03990</p> <p>Paul R. Wax 049.081377 Case # 2009-03990</p> <p>Steven Snyder 051.289319 Case # 2007-05726</p>	
<b>Motion to go into Open Session</b>		At 12:05 p.m. Mr. Conover made a motion that Board go into Open Session. Ms. Maleckyj seconded the motion. Motion passed.
<b>Closed Minutes</b>	The Board reviewed the closed minutes of the September 8, 2009 meeting of the Board.	Mr. Anselmo made a motion to approve the closed minutes of the September 8, 2009 meeting. Mr. Manck seconded the motion. Motion passed.
<b>Deliberation Recommendations</b>	Pharmaceutical System, Inc. 097.001070 Case # 2006-10785	Mr. Anselmo made a motion to revoke Pharmaceutical System, Inc's, license. Mr. Manck seconded the motion. Motion passed.

	Galen Pharmacy, Inc. 054.011986 Case # 2009-03990	Mr. Anselmo made a motion to revoke Galen Pharmacy, Inc's, pharmacy and controlled substance licenses. Mr. Manck seconded the motion. Motion passed.
	Paul R. Wax 049.081377 Case # 2009-03990	Mr. Anselmo made a motion to revoke Paul R. Wax's license. Mr. Manck seconded the motion. Motion passed.
	Steven Snyder 051.289319 Case # 2007-05726	Mr. Anselmo made a motion to revoke Steven Snyder's license. Mr. Manck seconded the motion. Motion passed.
<b>Adjournment</b>		Mr. Milenkovich made a motion to adjourn the meeting at 12:10 p.m. Mr. Mazzotti seconded the motion. Motion passed.