



Alabama State Board of Pharmacy

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Published to promote voluntary compliance of pharmacy and drug law.

Administrative Hearings – July through August 2002

Technician's name: **Lynda Janelle Dickinson**, #T08000.

Working without current registration. Action – Registration suspended; ordered to pay an administrative fine of \$100.

Technician's name: **Darzell M. Holyfield**, #T02044.

Conviction in Municipal Court of theft of property in the Third. Action – Registration revoked; ordered to pay an administrative fine of \$200.

Technician's name: **Dorothy D. Smith**, #T02339. *Tested positive for the presence of alcohol and/or being under the influence of alcohol while working. Action –*

Registration revoked; ordered to pay an administrative fine of \$100.

Pharmacist's name: **Jason W. Smith**, #12724. Pharmacy's name: **E&C Medical Supply/Pharmacy**, #111638. *Allowing pharmacy to be opened for business without the personal supervision of a duly licensed pharmacist; allowing someone other than a licensed pharmacist to have possession of a key to pharmacy; allowing pharmacy technicians to be present in the prescription department while not under the direct supervision of a licensed pharmacist; Action – Pharmacist's license placed on probation for one year; pay an administrative fine of \$250. Pharmacy's permit placed on probation for one year; pay an administrative fine of \$1,000.*

Technician's name: **Rietta Renee McCarley**, #T07609.

Being present in the prescription department while not under the direct supervision of a licensed pharmacist; by possessing a key to pharmacy. Action – Registration placed on probation for one year; pay an administrative fine of \$250.

Pharmacy's name: **Rite Aid Pharmacy #7041**, #105080.

Second occurrence of unauthorized substitution. Action – Pay an administrative fine of \$250.

Technicians' names: **Christy Golden Neal**, #T08285; **Alyson Leigh Jordan**, #T02157; **Amanda Scott Wallace**, #T07081; **Timika Michelle Jackson**, #T09097; **Gewanda Faye Farley**, #T03572; **Christopher James Welborn**, #T10707; **Richard Derek Walters**, #T10706; **Essie Mae Godbolt**, #T10012; **Jane Marie Brazil**, #T01262. *Performing pharmacy functions and working as a pharmacy technician without first having obtained an annual registration. Action – Signed 'Consent Order'; assessed administrative fine of \$125.*

Pharmacists' names: **Sarah Scott Jones**, #10870; **Robert Ellison Childs, Jr**, #8069; **William David Dudley**, #7780; **Charles Dwayne Beams, Jr**, #13456; **James Edward Heritage**, #6215; **Vanessa Walker Campbell**, #9943; **Perry Neal Watson**, #8007; **Teresa Vacca Estep**, #7863; **Ruth Naomi Messersmith**, #7734. *Allowing a technician to perform pharmacy functions and work as a pharmacy technician without a current registration. Action – Signed 'Consent Order'; assessed administrative fine of \$250.*

Pharmacies' names: **Rite Aid #7088**, #105077; **Rite Aid #7123**, #105031; **Walgreens #06431**, #111892; **Walgreens #5151**, #111513; **Express-Med, Inc** #111978; **Kroger Pharmacy #310**, #105933; **CVS Pharmacy #4953**, #110945; **D. W. McMillan Memorial Hospital**, #180052; **Sam's Pharmacy 10-8247**, #111823; **St Vincent's Hospital**, #150045; **Wal-Mart Co Pharmacy 10-0315**, #109974; **L. V. Stabler Memorial Hospital**, #180040. *Allowing technician to perform pharmacy functions and work as a pharmacy technician without a current pharmacy technician registration. Action – Signed 'Consent Order'; assessed administrative fine of \$500.*

Pharmacists' names: **Lori Parrish Granberry**, #11076; **William Marvin Cook, Sr**, #7973; **June McKissick**

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Adams, #9360; Melinda K. Spurlock, #12393; George Stevie Shiver, #8058; Robert Joseph Oliver, #10807. *Practicing pharmacy and working as a pharmacist without a current pharmacist's license.* Action – Assessed administrative fine of \$500.

Pharmacies' names: **Wiregrass Community Pharmacy, #110190; CVS Pharmacy #4975, #110970; Adams Pharmacy and Home Care, #110503; Center Home Health Care LLC, #111317; Winn-Dixie Pharmacy #454, #110393.** *Allowed pharmacist to perform pharmacy functions and work as a pharmacist without a current pharmacist registration.* Action – Assessed administrative fine of \$500 or \$1,000.

Pharmacist's name: **Cathy Parker King, #12694.** *Allowed pharmacist to perform pharmacy functions and work as a pharmacist without first having registered with the Board.* Action – Assessed administrative fine of \$500.

HIPAA: HHS Publishes Final Modifications to the Privacy Regulations

Compliance date

- ◆ Covered entities must be in compliance with the rule by April 14, 2003.

Acknowledgement

- ◆ Regulations require covered health care providers with a direct treatment relationship with an individual, including pharmacies, to make a good-faith effort to obtain the individual's written acknowledgement of receipt of the "notice of privacy practices" no later than the date of first service delivery.
- ◆ A pharmacist is permitted to have the individual sign or initial an acknowledgment within the log book that patients already sign when they pick up prescriptions, so long as the individual is clearly informed on the log book of what they are acknowledging and the

acknowledgement is not also used as a waiver or permission for something else (such as a waiver to consult with the pharmacist).

Marketing

- ◆ Requires an authorization from the individual before making any "marketing" communications. "Marketing" means:
- ◆ To make a communication about a product or service that encourages recipients of the communication to purchase or use the product or service.

What to do

- ◆ Inventory uses of protected health information.
- ◆ Identify covered entities and business associates.
- ◆ Develop and implement privacy policies and procedures.
- ◆ Give notice and get acknowledgement.
- ◆ Determine organization type.
- ◆ Training.

The above is by no means an exhaustive list of all that must be completed before April 14, 2003. **Do not wait until the last minute, begin the process now.** Contact your pharmacy organizations about the availability of Health Insurance Portability and Accountability Act compliance manuals.

Reminder

Please include your license, permit, or technician registration number when corresponding with the Alabama State Board of Pharmacy.

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