

# Exhibit #15

State of Iowa  
**Board of Pharmacy**

RiverPoint Business Park  
400 S.W. Eighth Street, Suite E, Des Moines, Iowa 50309-4688  
<http://www.iowa.gov/ibpe>

Telephone: (515) 281-5944 Facsimile: (515) 281-4609

**BOARD MEMBERS**

SUSAN M. FREY, R. Ph.  
Villisca

JAMES MILLER, R. Ph.  
Dubuque

JUDITH M. TRUMPY  
Ames

EDWARD L. MAIER, R. Ph., Mapleton  
*Chairperson*

LLOYD K. JESSEN, R. Ph., JD., West Des Moines  
*Executive Director*

**BOARD MEMBERS**

SHARON K. MEYER, Pharm. D.  
Urbandale

LADONNA GRATIAS  
Clive

EDWARD J. McKENNA, R. Ph.  
Storm Lake

## MINUTES

### August 27, 2014

The Iowa Board of Pharmacy met on August 27, 2014, in the conference room at 400 SW Eighth Street, Des Moines, Iowa. Acting Chairperson Frey called the meeting to order at 9:02 a.m.

#### MEMBERS PRESENT

Edward L. Maier, Chairperson (participated  
by telephone)

Susan M. Frey

LaDonna Gratias

Edward J. McKenna

Sharon K. Meyer

Judith M. Trumpy

#### MEMBERS ABSENT

James Miller, Vice-Chair

#### SPEAKERS

Anthony Pudlo, IPA

Brett Barker, NuCara

Kristin Williams, Hy-Vee

Megan Myers, IPA

Ned Looney, Des Moines

Jennifer Goings, Mercy Medical Center

Jamie Sinclair, Mercy Medical Center

Carl Olsen, Des Moines

#### STAFF PRESENT

Lloyd Jessen, Executive Director

Meghan Gavin, Esq., Assistant Attorney  
General

Laura Steffensmeier, Esq., Assistant Attorney  
General

Therese Witkowski, Executive Officer

Debbie Jorgenson, Administrative Assistant

Becky Hall, Secretary

#### Compliance Officers Present:

Andrew Funk

Curt Gerhold

Mark Mather

Sue Mears

Jean Rhodes

Jennifer Tiffany

Jennifer O'Toole

Jim Wolfe

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## I. Approval of Minutes.

The Minutes of the June 30 – July 2, 2014, meeting were read.

Motion (Gratias/McKenna) to approve the minutes of the June 30 – July 2, 2014, meeting.  
Roll call vote. Yes: Frey, Gratias, Maier, McKenna, Trumpy; No: None; Abstain: None;  
Absent: Miller. Passed: 6-0-0-1.

## II. Reports.

## Executive Director's Report.

## A. Financial.

1. FY14 as of 7/31/14 (100% of FY completed)

Revenue Anticipated:	\$ 4,058,926	
Revenue Actual	\$ 4,228,428	(104%)
Carry-over from FY13	\$ 1,904,222	
FY14 Fee Receipts	\$ 2,324,206	
Budget Allocation	\$ 3,953,101	
Obligations Actual	\$ 2,518,565	(64%)
Fines/Civil Penalties Collected	\$ 70,750	

2. FY15 as of 7/31/14 (8.3% of FY completed)

Revenue Anticipated:	\$ 3,776,461	
Revenue Y-T-D	\$ 1,586,494	(42%)
Carry-over from FY14	\$ 1,447,165	
FY15 Fee Receipts	\$ 139,329	
Budget Allocation	\$ 3,776,461	
Obligations Y-T-D	\$ 332,122	(8.8%)
Cash Fund Balance	\$ 1,501,152	
(\$ 850,000 reserved for database)		
Fines/Civil Penalties Collected	\$ 6,500	

## B. Meetings and Travel.

1. The PIC Task Force will hold its third meeting on September 8, 2014, at the Board office in Des Moines.
2. The Iowa Pharmacy Compounding Task Force will hold its third meeting on September 9, 2014, at the Board office in Des Moines.

3. IPRN will hold its Fall Meeting at the Board office in Des Moines on September 25, 2014.
  4. The November Board Meeting will be held on November 18-19, 2014, at the Board office in Des Moines. A committee of the Board will meet with the Iowa Pharmacy Association Board of Trustees for an annual dinner meeting on the evening of November 18, 2014, at the Iowa Pharmacy Association's office in Urbandale.
  5. The 2015 Midwest Pharmacy Expo will be held in Des Moines, on February 13-15, 2015. The Board will provide a pharmacy law presentation on Sunday, February 15, 2015.
- C. Investigation of Simulated Pharmacist Decision Making Involving Prescriptions With a High Probability of Causing Patient Harm – Journal of Pharmacy Technology.  
Information item.
- D. Iowa Man Seeks Court Help in Getting Marijuana Reclassified – Quad City Times (online, July 15, 2014.)  
Information item.
- E. Iowa Pharmacy Recovery Network Statement of Financial Position- June 30, 2014.  
Motion (Trumpy/McKenna) to approve the Statement of Financial Position. Roll call vote.  
Yes: Frey, Gratias, Maier, McKenna, Meyer, Trumpy; No: None; Abstain: None; Absent: Miller. Passed: 6-0-0-1.
- F. Allen Hospital Tech-Check-Tech Quarterly Report – June 2014.  
Allen Memorial Hospital provided their quarterly progress report for their Tech-Check-Tech Program for review.
- G. Zearing Telepharmacy's 2014 Second Quarter Telepharmacy Report.  
NuCara Telepharmacy in Zearing provided their Quarterly Telepharmacy Report for review.
- H. Hy-Vee Pharmacy Fulfillment Center's 2014 Second Quarter Error Report.  
Hy-Vee Pharmacy Fulfillment Center provided their Quarterly Error Report for review.
- I. New Practice Model Quarter One Report – Megan Meyers, Iowa Pharmacy Association.  
The Iowa Pharmacy Association provided their first Quarter New Practice Model Report for review.
- IX. Requests.

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- A. Application for Limited Use Pharmacy – The Naturopathic Pharmacist, Harbor View Medical, Des Moines and Request for Waiver – 657 I.A. C. Chapter 6, General Pharmacy Requirements – Ned J. Looney, The Naturopathic Pharmacist.

Motion (Meyer/McKenna) to approve the Limited Use Pharmacy Application and waiver request. Roll call vote. Yes: Frey, Gratias, Maier, McKenna, Meyer, Trumpy; No: None; Abstain: None; Absent: Miller. Passed: 6-0-0-1.

- B. Request for Variance – 657 I.A.C. 8.34(2), Collaborative Drug Therapy Management – Jennifer Goings, Mercy Medical Center, Cedar Rapids.

Motion (Maier/Trumpy) to deny the waiver request on the basis the waiver is not necessary. Roll call vote. Yes: Frey, Gratias, Maier, McKenna, Meyer, Trumpy; No: None; Abstain: None; Absent: Miller. Passed: 6-0-0-1.

- C. Petition for Agency Action – Marijuana Scheduling – Carl Olsen.

Motion (Trumpy/McKenna) to form a special committee to review the Petition for Agency Action for Marijuana Scheduling and bring back for discussion at the November 19, 2014, board meeting. Roll call vote. Yes: Frey, Gratias, Maier, McKenna, Meyer, Trumpy; No: None; Abstain: None; Absent: Miller. Passed: 6-0-0-1.

- D. Request for Internship Credit – Inae Oh, Reno, Nevada.

Motion (Trumpy/Gratias) to approve the request granting credit for 250 hours of internship for life experience requiring Ms. Oh to complete an additional 1250 hours of internship. Roll call vote. Yes: Frey, Gratias, Maier, McKenna, Meyer, Trumpy; No: None; Abstain: None; Absent: Miller. Passed: 6-0-0-1.

- E. Request for Internship Credit – Mohamed A. Zeinelabdin, Overland Park, Kansas.

Motion (Meyer/McKenna) to approve the request granting credit for 250 hours of internship for life experience requiring Mr. Zeinelabdin to complete an additional 1250 hours of internship. Roll call vote. Yes: Frey, Gratias, Maier, McKenna, Meyer, Trumpy; No: None; Abstain: None; Absent: Miller. Passed: 6-0-0-1.

- F. Request for Pharmacist Reciprocity with California and Extension of Internship Hours – Olga Zadorozhnyaya, La Quinta, California.

Motion (McKenna/Gratias) to accept reciprocity from California licensees provided the candidates have taken and passed the North American Pharmacist Licensure Examination (NAPLEX) after January 1, 2004. Roll call vote. Yes: Frey, Gratias, Maier, McKenna, Meyer, Trumpy; No: None; Abstain: None; Absent: Miller. Passed: 6-0-0-1.

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G. Hy-Vee Pharmacies – Request for Clarification Regarding Delegation of the Administration of Vaccines.

This item was referred to the Rules Committee.

H. Request for Waiver – 657 I.A.C. 9.3(2) Telepharmacy – NuCara Pharmacy -- Brett Barker.

Motion (Gratias/McKenna) to approve the request extending the Telepharmacy Pilot Project for 18 months beginning December 1, 2014. Roll call vote. Yes: Frey, Gratias, Maier, McKenna, Meyer, Trumpy; No: None; Abstain: None; Absent: Miller. Passed: 6-0-0-1.

X. Licensure/Registration.

A. Preliminary Notice of Intent to Deny License - Medical Supply Liquidators, West Des Moines.

Motion (Gratias/McKenna) to approve Preliminary Notice of Intent to Deny License. Roll call vote. Yes: Frey, Gratias, Maier, McKenna, Meyer, Trumpy; No: None; Abstain: None; Absent: Miller. Passed: 6-0-0-1. A copy of the Preliminary Notice of Intent to Deny License is attached as Addendum A.

B. Preliminary Notice of Intent to Deny Registration – Susan M. Terry, Omaha, Nebraska.

Motion (Maier/Trumpy) to approve Preliminary Notice of Intent to Deny Registration. Roll call vote. Yes: Frey, Gratias, Maier, McKenna, Meyer, Trumpy; No: None; Abstain: None; Absent: Miller. Passed: 6-0-0-1. A copy of the Preliminary Notice of Intent to Deny Registration is attached as Addendum B.

XI. Rules.

A. Notice of Intended Action – Amend Chapter 3, “Pharmacy Technicians.”

Motion (Trumpy/McKenna) to approve for filing Notice of Intended Action. Roll call vote. Yes: Frey, Gratias, Maier, McKenna, Meyer, Trumpy; No: None; Abstain: None; Absent: Miller. Passed: 6-0-0-1. A copy is attached as Addendum C.

B. Notice of Intended Action – Amend Chapter 4, “Pharmacist-Interns,” and Chapter 8, “Universal Practice Standards.”

Motion (Trumpy/McKenna) to approve for filing Notice of Intended Action. Roll call vote. Yes: Frey, Gratias, Maier, McKenna, Meyer, Trumpy; No: None; Abstain: None; Absent: Miller. Passed: 6-0-0-1. A copy is attached as Addendum D.

C. Notice of Intended Action – Amend Chapter 10, “Controlled Substances.”

Motion (Gratias/McKenna) to approve for filing Notice of Intended Action. Roll call vote. Yes: Frey, Gratias, Maier, McKenna, Meyer, Trumpy; No: None; Abstain: None; Absent:

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Miller. Passed: 6-0-0-1. (Prior to filing, Notice of Intended Action was amended and approved at the September 11, 2014, meeting.)

D. Notice of Intended Action – Amend Chapter 19, “Nonresident Pharmacy Practice.”

Motion (Trumpy/McKenna) to approve for filing Notice of Intended Action. Roll call vote. Yes: Frey, Gratias, Maier, McKenna, Meyer, Trumpy; No: None; Abstain: None; Absent: Miller. Passed: 6-0-0-1. A copy is attached as Addendum E.

E. Notice of Intended Action to Adopt New Chapter 33, “Military Service and Veteran Reciprocity.”

Motion (Gratias/Trumpy) to approve for filing Notice of Intended Action to adopt new Chapter 33, “Military Service and Veteran Reciprocity.” Roll call vote. Yes: Frey, Gratias, Maier, McKenna, Meyer, Trumpy; No: None; Abstain: None; Absent: Miller. Passed: 6-0-0-1. A copy is attached as Addendum F.

XII. Legislation.

A. Proposed 2015 Legislative Changes.

The amendments being considered to Iowa Code Chapter 155A, Iowa Pharmacy Practice Act by the Iowa Board of Pharmacy relate to supervision of pharmacy technicians in telepharmacy practice; the licensure and discipline of nonresident pharmacies and outsourcing facilities; various definitions relating to pharmacy practice; the appointment of a pool of alternative Board Members; Board Investigator enforcement authority; and the sharing of inspection reports with other state boards of pharmacy through the National Association of Boards of Pharmacy’s inspection network.

XIII. Complaints Against Non-Licensees.

A. 2014-42 – PharmaCo Ventures, L.P., Philadelphia, Pennsylvania.

Motion (Trumpy/McKenna) to close with no action. Roll call vote. Yes: Frey, Gratias, Maier, McKenna, Meyer, Trumpy; No: None; Abstain: None; Absent: Miller. Passed: 6-0-0-1.

B. 2014-77 – KVP Pharmacy, Glendale, California.

Motion (Maier/Meyer) to issue a Cease and Desist Order. Roll call vote. Yes: Frey, Gratias, Maier, McKenna, Meyer, Trumpy; No: None; Abstain: None; Absent: Miller. Passed: 6-0-0-1.

C. 2014-79 – MedEx Direct, Warren, Michigan.

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Motion (Meyer/Trumpy) to issue a Cease and Desist Order. Roll call vote. Yes: Frey, Gratiias, Maier, McKenna, Meyer, Trumpy; No: None; Abstain: None; Absent: Miller. Passed: 6-0-0-1.

D. 2014-88 – Hopkington Drug, Hopkington, Massachusetts.

Motion (Trumpy/Meyer) to draft Licensure by Consent Agreement. Roll call vote. Yes: Frey, Gratiias, Maier, McKenna, Meyer, Trumpy; No: None; Abstain: None; Absent: Miller. Passed: 6-0-0-1.

E. 2014-108 – Medical Supply Liquidators, Clive.

This item was tabled.

XIV. Closed Session.

Motion (McKenna/Gratiias) to go into closed session in accordance with Iowa Code Section 21.5(1)(f) to discuss the decision to be rendered in a contested case. Roll call vote. Yes: Frey, Gratiias, McKenna, Meyer, Trumpy; No: None; Abstain: None; Absent: Maier, Miller. Passed: 5-0-0-2.

Motion (Meyer/McKenna) to go into open session. Roll call vote. Yes: Frey, Gratiias, McKenna, Meyer, Trumpy; No: None; Abstain: None; Absent: Maier, Miller. Passed: 5-0-0-2.

In open session, the following actions were taken.

A. Dismissal Order.

Motion (Meyer/Trumpy) to approve the Dismissal Order for Amy Moet, Pharmacist License No. 19502 of North Liberty. Roll call vote. Yes: Frey, Gratiias, McKenna, Meyer, Trumpy; No: None; Abstain: None; Absent: Maier, Miller. Passed: 5-0-0-2. A copy of the Dismissal Order is attached as Addendum G.

B. Findings of Fact, Conclusions of Law, Decision and Order.

Motion (Meyer/McKenna) to approve the Findings of Fact, Conclusions of Law, Decision, and Order in the case of Chuck Long, Pharmacy Support Person Registration No. 1054 of Cedar Rapids. Roll call vote. Yes: Frey, Gratiias, McKenna, Meyer, Trumpy; No: None; Abstain: None; Absent: Maier, Miller. Passed: 5-0-0-2. A copy of the Findings of Fact, Conclusions of Law, Decision, and Order is attached as Addendum H.

C. Findings of Fact, Conclusions of Law, Decision and Order.

Motion (Trumpy/McKenna) to approve the Findings of Fact, Conclusions of Law, Decision, and Order in the case of Christopher Tuetken, Pharmacist License No. 19681 of Robins, and Downtown Drug, Pharmacy License No. 1281 of Cedar Rapids. Yes:

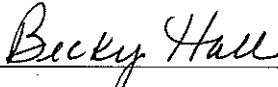



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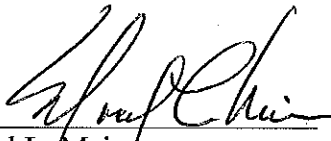
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Frey, Gratiass, McKenna, Meyer, Trumpy; No: None; Abstain: None; Absent: Maier, Miller. Passed: 5-0-0-2. A copy of the Findings of Fact, Conclusions of Law, Decision, and Order is attached as Addendum I.

Meeting adjourned at 3:08 p.m. on August 27, 2014.

  
Becky Hall  
Recording Secretary

  
Lloyd K. Jessen  
Executive Director

  
Edward L. Maier  
Board Chair

APPROVED THIS 19 DAY OF Nov., 2014.