



Minnesota Board of Pharmacy

DISCIPLINARY ACTIVITY: April – July, 2015.

At its April, May and July, 2015 meetings, the Board took disciplinary action against the following **pharmacies, pharmacists and technicians** in cases related to practicing or working without a current license or registration:

Aderman, Robert R., Registration # 731984. Worked as a pharmacy technician for a period of approximately nine weeks prior to becoming registered as a pharmacy technician; reprimand and \$100 civil penalty.

Cambridge Medical Center Pharmacy, License #200635. Representatives of the license holder admitted that from approximately January 1, 2009 through September 12, 2013, licensee allowed a pharmacy technician to work at the pharmacy without active registration. Consequently, the Board issued a Stipulation and Consent Order reprimanding the licensee and imposing a civil penalty in the amount of \$3,600.00.

Frost, Mark T., License # 113364. While serving as a pharmacist-in-charge, allowed a technician to work without an active registration for a period of approximately 17 weeks; reprimand and \$200 civil penalty.

Giguere, Karla R., Registration # 729229. Failed to renew registration by

December 31, 2014; worked for approximately five weeks without an active registration; reprimand and \$50 civil penalty.

Wright-Jackson, Dajon D., Registration # 723336. Worked as a pharmacy technician from January 1 through March 11, 2014, without an active registration; reprimand and \$100 civil penalty.

The Board took the following disciplinary actions against **pharmacies** at its April, May and July, 2015 meetings:

CVS Pharmacy #7152, License # 263379. Representatives of the license holder admitted that a prescription for amoxicillin was dispensed to a patient even though the patient's profile indicated an allergy to penicillins. They further admitted that the pharmacy's counseling procedures were insufficient at the time the incident occurred. The pharmacy has since updated its counseling procedures and policies. Given these facts, the Board issued a Stipulation and Consent Order reprimanding the licensee and imposing a civil penalty in the amount of \$2,500.

U.S. Compounding, Inc., License # 264411. From approximately April, 2013 through September, 2014, licensee compounded and distributed drug products into Minnesota without first obtaining patient-specific prescriptions. Licensee asserted that it was acting in good-faith. Nevertheless, the Board issued a Stipulation and Consent Order reprimanding the licensee and imposing a civil penalty of \$10,000.

The Board took the following disciplinary actions involving **pharmacists** at its April, May, and July 2015 meetings:

Dragich, John, License # 111946. Mr. Dragich admitted that he violated several

statutes and rules enforced by the Board: allowing individuals to work as pharmacy technicians without first being registered; selling drugs at wholesale without having a wholesaler license; incorrectly labeling unit-dose packages; failing to properly document verbal orders. The Board issued a stipulation and consent order reprimanding him and requiring him to: take and pass the MPJE; designate someone else to be pharmacist-in-charge; submit acceptable policies and procedures; and pay a civil penalty in the amount of \$5,000.

Olander, James D., License # 113374. Mr. Olander admitted that, despite being informed twice by Board Surveyors of the USP Chapter 795 standards for non-sterile compounding, he failed to follow those standards. He further admitted that on September 26, 2014, he left his pharmacy during his shift without another pharmacist being present, resulting in the pharmacy being open for business without a licensed pharmacist on duty. Consequently, the Board issued a Stipulation and Consent Order reprimanding Mr. Olander and imposing a \$500 civil penalty.

Mahlendorf, Laura L., License # 118771. Ms. Mahlendorf petitioned the Board to have her pharmacist license reinstated without restrictions. A disciplinary order was issued by the Board when she applied for licensure transfer in 2007. The Board's order was based on a disciplinary order that had been issued by the Montana Board of Pharmacy. The Montana order was related to the diversion of controlled substances. Since Ms. Mahlendorf has successfully met all of the conditions of her order, the Board issued an Order for Unconditional License.

McEachran, Michael W., License #115045. Mr. McEachran petitioned the

Board to have his pharmacist license reinstated without restrictions. A disciplinary order related to the diversion and abuse of narcotics was issued by the Board in 2011. Mr. McEachran provided the Board with information that indicates that he has maintained sobriety for an extended period of time and that he is currently working as a licensed alcohol and drug counselor. Consequently, the Board issued an Order for Unconditional License.

Odens, Karen A., License # 117772. Ms. Odens admitted that, while working as a pharmacist at two pharmacies located in Minnesota, she diverted several hundred tablets of controlled substances containing oxycodone and hydromorphone. Consequently, the Board issued a Stipulation and Consent Order indefinitely suspending her license.

Rutten, Mikal R., License # 121070. Mr. Rutten admitted that he began using hydrocodone-containing products that were not prescribed for him in 2010, stating that he obtained them from a friend. Beginning in July, 2012, he began diverting hydromorphone from his employer by substituting saline for hydromorphone. Licensee realized that the hydromorphone was to be used to help treat patients. On May 1, 2014 licensee agreed to sign a stipulation to cease practice. On August 14, 2014, licensee pled guilty to one count of felony theft in Ramsey County District Court. Consequently, the Board issued a stipulation and consent order suspending his license for a period of no less than 24 months and establishing a variety of conditions which must be met in order for the license to be reinstated.

The Board took the following disciplinary actions against **technicians** at its

January and March meetings:

Davis, Diba, Registration # 729231. Ms. Davis admitted that from approximately November 2014 to January 2015, while working as a pharmacy technician in a pharmacy in Minnesota, she diverted approximately 350 tablets of hydrocodone-acetaminophen, a Schedule II Controlled Substance. Consequently, the Board issued a Stipulation and Consent Order accepting the voluntary surrender of her registration.

Logan, Joseph W., Registration # 718518. Given that Mr. Logan failed to appear for a Prehearing Conference before an administrative law judge (ALJ), and because his failure to appear was without the consent of the ALJ, the allegations that the Board made against him in a Notice and Order for Hearing are taken as true and deemed proven without further evidence, pursuant to Minn. R. 1400.6000. The Board had alleged that, between approximately October 15, 2013 and October 21, 2013, while working as a pharmacy technician in a hospital pharmacy in Minnesota, Mr. Logan diverted approximately 870 tablets of zolpidem, which is a Schedule IV Controlled Substance. On, or about, September 15, 2014, in Crow Wing County District Court, he pled guilty to Felony Theft. Consequently, the Board issued Findings of Fact, Conclusions and Final Order suspending her pharmacy technician registration.

Medberry, Julie L., Registration # 708751. Ms. Medberry admitted that she worked at a pharmacy from which 23 tablets of Vicoprofen went missing. She further acknowledged that video camera footage showed her to be the only person who handled the stock bottle of Vicoprofen during the period that the tablets went missing. She also acknowledged that she found one Vicoprofen pill at her home on the floor of her laundry

room. Ms. Medberry denied taking the missing Vicoprofen tablets but could offer no explanation for how they went missing or how one tablet ended up in her home.

Consequently, the Board adopted a Stipulation and Consent Order which accepted the voluntary surrender of her pharmacy technician registration.

Pitman, Keri M., Registration # 731616. Ms. Pitman admitted that while working as a pharmacy technician in a pharmacy in Minnesota, she diverted approximately 138 tablets of hydrocodone-acetaminophen, a Schedule II Controlled Substance. Consequently, the Board adopted a Stipulation and Consent Order which accepted the voluntary surrender of her pharmacy technician registration.

Premo, Nichole M., Registration # 729967. Because Ms. Premo failed to appear for a telephone Prehearing Conference before an administrative law judge (ALJ), and because her failure to appear was without the consent of the ALJ, the allegations that the Board made against her in a Notice and Order for Hearing are taken as true and deemed proven without further evidence, pursuant to Minn. R. 1400.6000. The Board had alleged that, while working as a pharmacy technician in a pharmacy in Proctor, Minnesota, she diverted approximately 824 tablets of varying strengths of hydrocodone / APAP, which was a Schedule III Controlled Substance at the time. On, or about, September 11, 2014, in St. Louis County District Court, she was charged with Felony Theft of a Schedule III, IV, or V Controlled Substance. Consequently, the Board issued Findings of Fact, Conclusions and Final Order suspending her pharmacy technician registration.

Richardson, Rochelle M., Registration # 726433. Because Ms. Richardson failed to appear for a Prehearing Conference before an administrative law judge (ALJ),

and because her failure to appear was without the consent of the ALJ, the allegations that the Board made against her in a Notice and Order for Hearing are taken as true and deemed proven without further evidence, pursuant to Minn. R. 1400.6000. The Board had alleged that, between October 3 and October 29, 2012, Ms. Richardson diverted 120 hydrocodone-containing tablets and two Zofran tablets from her employer, a pharmacy in Minnesota. She used the medications while on duty. On, or about, October 29, 2012, in Hennepin County District Court, Ms. Richardson was charged with Felony Fifth Degree Drug Possession and Felony Theft of Property. On March 26, 2013, she entered a one-year diversion program and on April 15, 2014, the charges were dropped upon her completion of the diversion program. Consequently, the Board issued Findings of Fact, Conclusions and Final Order suspending her pharmacy technician registration.

Shimko, Kristine., Registration # 729043. Because Ms. Shimko failed to appear for a Prehearing Conference before an administrative law judge (ALJ), and because her failure to appear was without the consent of the ALJ, the allegations that the Board made against her in a Notice and Order for Hearing are taken as true and deemed proven without further evidence, pursuant to Minn. R. 1400.6000. The Board had alleged that, while working as a pharmacy technician in a pharmacy in Stillwater, Minnesota, she diverted approximately 234 tablets of hydrocodone/APAP 10/325, which was a Schedule III Controlled Substance. She also stole approximately 15 gift cards from the pharmacy and knowingly allowed patrons to leave the store without paying for goods. On, or about, November 19, 2014, in Washington County District Court, Ms. Shimko was charged with Felony Theft. Consequently, the Board issued Findings of Fact, Conclusions and Final Order suspending her pharmacy technician registration.

Vojoodi, Sahar, Registration # 719274. Ms. Vojoodi admitted that, while working at a pharmacy in Minnesota, she diverted approximately 66 tablets of tramadol, a Schedule IV Controlled Substance. Consequently, the Board adopted a Stipulation and Consent Order which accepted the voluntary surrender of her pharmacy technician registration.

Whitfield, Tamara O., Registration # 724312. Ms. Whitfield admitted that, while working at a pharmacy in Minnesota, she diverted approximately 1,200 tablets of a drug product that contained oxycodone, which is a Schedule II controlled substance. Consequently, the Board adopted a Stipulation and Consent Order which accepted the voluntary surrender of her pharmacy technician registration.

Winkelman, Heidi A., Registration # 700631. Because Ms. Winkelman failed to appear for a Prehearing Conference before an administrative law judge (ALJ), and because her failure to appear was without the consent of the ALJ, the allegations that the Board made against her in a Notice and Order for Hearing are taken as true and deemed proven without further evidence, pursuant to Minn. R. 1400.6000. The Board had alleged that Ms. Winkelman admitted to diverting promethazine with codeine from her employer, a pharmacy in Minnesota, and that she intended to sell the medication. Her employment with the pharmacy was subsequently terminated. On or about March 6, 2013, in a Hennepin County court, she pled guilty to felony theft of property and felony fourth-degree drug sale (conspiracy to commit). Consequently, the Board issued Findings of Fact, Conclusions and Final Order suspending her pharmacy technician registration.