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ALABAMA STATE BOARD OF PHARMACY

BOARD MEETING

Wednesday, September 21, 2016

9:09 a.m.

LOCATION: Alabama State Board of Pharmacy
111 Village Street
Hoover, Alabama 35242

REPORTER: Sheri G. Connelly, RPR

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ATTENDEES

BOARD MEMBERS:

- Tim Martin, President
- Buddy Bunch, Vice President
- David Darby, Treasurer
- Donna Yeatman, Member

ALSO PRESENT:

- Susan Alverson, Ph.D., Executive Secretary
- Cristal Anderson, Director of Compliance
- Mitzi Ellenburg, Director of Operations
- Edward R. Braden, Chief Drug Inspector
- Mark Delk, Drug Inspector
- Glenn Wells, Drug Inspector
- Mark Hebert, Drug Inspector
- Rhonda Coker, Licensing Manager
- Joe Burns
- Tracy Davis
- Kevin Ryan
- Brent Durrett
- Zachary Palmer
- Tabitha Bice

- 1 Megan Nall
- 2 Tracy Davis
- 3 William Scott Riley
- 4 Dalton Williamson
- 5 Jim Easter
- 6 Katherine Stovall
- 7 Bart Bamberg
- 8 Allison Markham
- 9 Keith Smith
- 10 Julie Hunter
- 11 Charlene Eichorn
- 12 John Rocchio
- 13 Rod Harbin, Jr.
- 14 Cammie Burgess
- 15 Scotty Armstead
- 16 Gary Mount
- 17 Kelli Newman
- 18 Clemice Hurst
- 19 Hetalben Patel
- 20 Joey Sturgeon
- 21 Scott Chapman
- 22 Eddie Vanderver
- 23

1 DR. MARTIN: Good morning. We're
2 going to get started. We're on kind of a tight
3 schedule today and if you don't know, we have --
4 we have an appointment tomorrow with a joint
5 committee of the legislature called Sunset
6 Committee to decide if the Board of Pharmacy is
7 doing a good job or not and if there are any
8 things we need to work on and if we get to exist
9 for another few years. That's a normal thing
10 that happens periodically, so we need to kind of
11 get on with it this morning.

12 First I want to note that there is a
13 quorum present. All members are present with
14 the exception of Mr. Sorrell, so we have enough
15 to do business.

16 Secondly, I will entertain at this
17 time a motion to adopt the agenda for today.

18 MR. DARBY: I move we adopt the
19 agenda.

20 MS. YEATMAN: Second.

21 DR. MARTIN: We have a motion and a
22 second. All those in favor, say aye.

23 MS. YEATMAN: Aye.

1 MR. DARBY: Aye.

2 MR. BUNCH: Aye.

3 DR. MARTIN: Any opposed?

4 (No response.)

5 DR. MARTIN: Thank you very much. Is
6 there any business we need to take out of order
7 this morning?

8 (No response.)

9 DR. MARTIN: Okay. We'll go with the
10 presentations at this time.

11 MS. YEATMAN: Tim, we've got to get
12 the attendees.

13 DR. MARTIN: Oh, we've got to get the
14 attendees. Thank you. One day I'm going to get
15 that right.

16 It's really helpful to us and for the
17 record if we know who's here, so we're going to
18 ask you to stand up, speak to this lady right up
19 front, Sheri, and tell her who you are and who
20 you represent and do it in a voice loud enough
21 and clear enough where she can understand it.
22 We'll start over here.

23 MR. DURRETT: Brent Durrett, P4

1 intern.

2 MR. PALMER: Zachary Palmer, P4,
3 Harrison School of Pharmacy.

4 MS. BICE: Tabitha Bice, P4, Harrison
5 School of Pharmacy.

6 MS. NALL: Megan Nall, P4, Harrison
7 School of Pharmacy.

8 MR. DAVIS: Tracy Davis, I represent
9 APA.

10 MR. RILEY: William Scott Riley, I'm
11 the director of pharmacy at Andalusia Health.

12 MR. WILLIAMSON: Dalton Williamson,
13 director of pharmacy at Vaughan Regional Medical
14 Center.

15 MR. EASTER: Jim Easter, Brookwood
16 Baptist Health.

17 MS. STOVALL: Katherine Stovall, P4,
18 Samford University.

19 MR. BAMBERG: Bart Bamberg, Publix
20 Supermarkets.

21 MS. MARKHAM: Allison Markham, APCI.

22 MR. SMITH: Keith Smith, P4, Samford.

23 MS. HUNTER: Julie Hunter, Omnicare.

1 MS. EICHORN: Charlene Eichorn, CVS
2 Specialty.

3 MR. ROCCHIO: John Rocchio, director
4 of regulatory affairs with CVS Health.

5 MR. HARBIN: Rod Harbin, Jr., Wellness
6 Pharmacy.

7 MS. BURGESS: Cammie Burgess, UAB.

8 MR. ARMSTEAD: Scotty Armstead,
9 Turenne PharMedCo.

10 MR. MOUNT: Gary Mount, director of
11 pharmacy, Baptist South Montgomery.

12 MS. NEWMAN: Kelli Newman, Alabama
13 Medicaid.

14 MS. HURST: Clemice Hurst, Alabama
15 Medicaid.

16 MS. PATEL: Hetalben Patel, Harrison
17 School of Pharmacy, P4.

18 MR. STURGEON: Joey Sturgeon,
19 Silvergate.

20 MR. DELK: Mark Delk, State Board of
21 Pharmacy.

22 MR. WELLS: Glenn Wells, State Board
23 of Pharmacy.

1 MR. CHAPMAN: Scott Chapman,
2 Roadrunner Pharmacy.

3 MR. VANDERVER: Eddie Vanderver, CAPS,
4 Incorporated.

5 MR. HEBERT: Mark Hebert, State Board
6 of Pharmacy.

7 DR. MARTIN: Rhonda and Mitzi, just
8 for the record, please.

9 MS. COKER: Rhonda Coker, Board of
10 Pharmacy.

11 MS. ELLENBURG: Mitzi Ellenburg, Board
12 of Pharmacy.

13 DR. MARTIN: Thank you very much.
14 We're really glad all of you are here. Now we
15 will move to presentations and Andalusia Health,
16 you're on.

17 DR. MARTIN: Do you have a
18 presentation -- a PowerPoint?

19 MR. RILEY: No, sir. I sent a copy of
20 our policies and procedures. We were able to
21 put this into action.

22 DR. MARTIN: Do we have it?

23 MR. DARBY: Yeah, we have it.

1 MS. ELLENBURG: It's in the Dropbox.

2 DR. MARTIN: Give us a second. Let me
3 catch up with you.

4 MS. ELLENBURG: I also gave you a hard
5 copy I think, up there.

6 DR. MARTIN: Yes, you -- we've got
7 Vaughan. Do we have an Andalusia --

8 MS. ELLENBURG: There was an Andalusia
9 and a Vaughan.

10 DR. MARTIN: We have an Andalusia
11 also.

12 MS. YEATMAN: It's in the Dropbox.

13 COURT REPORTER: Sir that just came
14 in, can I get your name, please?

15 MR. RYAN: Kevin Ryan.

16 COURT REPORTER: And you're with?

17 MR. RYAN: CardinalHealth.

18 DR. MARTIN: The microphone sitting in
19 front of you has a little button and the green
20 light should be on.

21 MR. RILEY: Yes, it is.

22 DR. MARTIN: Okay, great, and if
23 you'll speak into that microphone, it will help

1 us.

2 MR. RILEY: Okay.

3 DR. MARTIN: Good morning.

4 MR. RILEY: We would like to acquire
5 the services of MediStar to perform remote order
6 entry and verification at our pharmacy.
7 Pharmacists are not -- well, our pharmacy is
8 closed. We feel it's a -- will enhance patient
9 safety to have a pharmacist look at orders that
10 have been entered by physicians or nursing
11 after we have left the building. There will be
12 no dispensing functions performed by MediStar.
13 We will continue to have a pharmacist on call
14 that can come in and perform any duties that
15 they require a pharmacist to do.

16 DR. MARTIN: Okay. Questions, Board
17 members?

18 (No response.)

19 DR. MARTIN: So we've heard from
20 MediStar. They were here last month or month
21 before last, so we kind of have an idea what
22 their processes are. Tell us your hours.

23 MR. RILEY: Monday through Friday, our

1 pharmacists will be there 7:00 a.m. to 6:00 p.m.
2 From 6:00 p.m. to 7:00 a.m. would be when
3 MediStar will be -- have access to our records
4 and review those orders and approve them if
5 deemed appropriate.

6 DR. MARTIN: Okay. And what about
7 weekends?

8 MR. RILEY: Weekends, 7:00 a.m. to
9 4:00 p.m. From 4:00 p.m. to 7:00 a.m. would be
10 their coverage and that would include holidays.
11 That's our holiday schedule as well.

12 DR. MARTIN: And if there's an
13 emergency and a pharmacist needs to come out?

14 MR. RILEY: Yes, nothing will change
15 there. We currently have that in place. I have
16 two pharmacists right there in Andalusia that
17 are five minutes away, one in neighboring Opp,
18 Alabama, which is about 20 minutes away.

19 DR. MARTIN: Are you an independent
20 hospital or part of a hospital chain?

21 MR. RILEY: We are LifePoint Health.

22 DR. MARTIN: And does LifePoint do any
23 remote within their system?

1 MR. RILEY: Yes, sir.

2 DR. MARTIN: I'm just curious why you
3 chose to go with MediStar instead of staying
4 with LifePoint system.

5 MR. RILEY: It's based on your volume.
6 Some -- the larger hospitals don't use MediStar
7 because you pay per order.

8 DR. MARTIN: Right.

9 MR. RILEY: So for our volume, it just
10 worked out better from a financial standpoint to
11 use MediStar.

12 DR. MARTIN: Okay. Board members,
13 other questions? David.

14 MR. DARBY: No, I don't have any
15 questions.

16 DR. MARTIN: Donna?

17 MS. YEATMAN: No questions.

18 DR. MARTIN: Buddy?

19 MR. BUNCH: No questions.

20 DR. MARTIN: Are you ready to enter a
21 motion to approve the request for Andalusia
22 Health Care?

23 MR. DARBY: I'll make a motion that

1 Andalusia Regional Health Care be allowed to use
2 MediStar as remote order entry.

3 MS. YEATMAN: Second.

4 DR. MARTIN: We have a motion. We
5 have a second. I thing I heard Ms. Yeatman say
6 second.

7 MS. YEATMAN: Second.

8 DR. MARTIN: Seconded the motion. Do
9 we have any further discussion?

10 (No response.)

11 DR. MARTIN: No further discussion.
12 We're ready for the vote. All those in favor of
13 proposal of the motion as presented, please say
14 aye.

15 MR. DARBY: Aye.

16 MS. YEATMAN: Aye.

17 MR. BUNCH: Aye.

18 DR. MARTIN: Any opposed?

19 (No response.)

20 DR. MARTIN: It is approved. There is
21 some reporting requirements. You should be
22 getting an email from probably Wendy Culver --

23 DR. ALVERSON: House.

1 DR. MARTIN: Culverhouse -- I want to
2 call her Culverson for some reason --
3 Culverhouse. Typically the way it works is for
4 the first year, you'll have some numbers to
5 report, number of orders processed, things like
6 that, at each site and then if things go smooth
7 for a year, they'll usually drop to quarterly at
8 that point.

9 MR. RILEY: Okay.

10 DR. MARTIN: Thank you.

11 MR. RILEY: Thank you.

12 DR. MARTIN: Please call us if you
13 have any questions.

14 MR. RILEY: Yes, sir.

15 DR. MARTIN: All right. Vaughan
16 Regional, good morning.

17 MR. WILLIAMSON: Good morning.
18 Vaughan Regional is requesting the use of
19 MediStar also. We are located in Selma. We are
20 also a part of LifePoint Health and basically we
21 will still have our on-call pharmacists on duty.
22 Our hours of operation are from Monday through
23 Friday 6:30 a.m. to 8:30 a.m. -- p.m., excuse

1 me, and weekends we're open from 7:00 a.m. to
2 5:30 and it's holidays also. Basically with
3 this service it will allow us to enhance our
4 discharge medication review with patients in
5 person with a pharmacist and our medication
6 reconciliation, to enhance that and also get
7 our -- the pharmacist's face on the inpatient
8 floor more frequently.

9 DR. MARTIN: So you heard kind of the
10 other questions and you already gave us the
11 hours and you already told us you're part of
12 LifePoint and we heard earlier how LifePoint
13 makes the decision to keep it in the
14 organization or to outsource it to MediStar, so
15 any other comments along those lines that you
16 want to provide to us?

17 MR. WILLIAMSON: No, it's -- the only
18 thing I would say is that remote order entry
19 will enhance safety in terms of pharmacists
20 reviewing orders before it's actually given to
21 the patient.

22 DR. MARTIN: Board members, do you
23 have questions?

1 MR. DARBY: No, sir.

2 MR. BUNCH: No questions.

3 DR. MARTIN: No questions at this
4 point?

5 MS. YEATMAN: No questions.

6 DR. MARTIN: Okay. Are you ready for
7 a motion?

8 MR. DARBY: I make a motion that
9 Vaughan Regional Medical Center be granted
10 permission to use MediStar for remote order
11 entry.

12 MS. YEATMAN: Second.

13 DR. MARTIN: We have a motion -- a
14 motion by Mr. Darby, second by Ms. Yeatman. Do
15 you have any additional discussion?

16 (No response.)

17 DR. MARTIN: Seeing none, we'll call
18 for the vote. All of those in favor of the
19 proposal, say aye.

20 MS. YEATMAN: Aye.

21 MR. DARBY: Aye.

22 MR. BUNCH: Aye.

23 DR. MARTIN: Any opposed, like sign.

1 (No response.)

2 DR. MARTIN: The proposal is approved.

3 MR. WILLIAMSON: Appreciate it, thank
4 you.

5 DR. MARTIN: Thank you, sir. CVS
6 Specialty. Good morning.

7 MR. ROCCHIO: Good morning.

8 COURT REPORTER: If y'all could state
9 your names again, please.

10 MR. ROCCHIO: John Rocchio, CVS
11 Health.

12 MS. EICHORN: Charlene Eichorn.

13 DR. MARTIN: The floor is yours.

14 MR. ROCCHIO: Thank you,
15 Mr. President. We are here to obtain a pharmacy
16 services permit for our Chandler, Arizona,
17 Specialty Pharmacy. We did provide a
18 presentation. I'm not sure if we're going to be
19 displaying it at this moment.

20 DR. ALVERSON: Is it a PowerPoint?

21 MR. ROCCHIO: Right, if the Board has
22 seen it, I don't see it --

23 DR. MARTIN: I believe it must have

1 been the AZ Caremark.

2 MR. ROCCHIO: Correct.

3 MS. YEATMAN: Yeah, it's in the
4 Dropbox.

5 DR. MARTIN: Okay. We have it.

6 MR. DARBY: We've got it, yeah.

7 MR. ROCCHIO: Okay, excellent.

8 Charlene Eichorn is here. She'll be the
9 supervising pharmacist responsible for upholding
10 the laws of Alabama at this practice.

11 DR. MARTIN: Do you want to walk us
12 through your presentation?

13 MR. ROCCHIO: Either questions
14 about the presentation or we could walk through
15 it. It's up to the Board.

16 MR. DARBY: Walk us through it.

17 DR. MARTIN: Walk us through if you
18 don't mind and in the process, we will have a
19 couple of questions.

20 MR. ROCCHIO: Absolutely, will we be
21 able to get it up on display?

22 DR. ALVERSON: I can see --

23 DR. MARTIN: I should have announced

1 at the first of the meeting everybody turn off
2 your devices or put them on silence because I
3 have two and they're buzzing away here.

4 MS. ELLENBURG: Susan, I don't think
5 it's in there.

6 DR. ALVERSON: Oh, really?

7 MS. ELLENBURG: No, but it's in
8 everybody's Dropbox.

9 DR. ALVERSON: Oh, okay.

10 DR. MARTIN: Yeah, we're looking at
11 it.

12 MR. ROCCHIO: We can certainly speak
13 to the contents of it, absolutely.

14 So it is a front-end processing
15 pharmacy. They do not have any drug storage on
16 location. Technicians will be doing
17 prescription data entry. Pharmacists will be
18 doing prescription data entry review and
19 verification as well as drug utilization review
20 and also hope to be doing counseling in the near
21 future for these patients and -- anything else
22 you'd like to add about the practice.

23 At any given time, there are four

1 pharmacists on duty, so certainly upholding the
2 three to one Alabama ratio would be something
3 that would be easy to achieve at any given
4 point. They have over 46 permits across the
5 country in other states to provide similar
6 services and there's a few states that don't
7 require a nonresident permit at this time, so
8 they also help service those states as well.

9 DR. MARTIN: So the ratio is actually
10 in Alabama two to one unless there's one
11 technician who is certified, then you go to
12 three to one.

13 MR. ROCCHIO: That is correct and
14 Charlene could speak -- most of our technicians
15 are certified for specialty with the type of
16 medications that they deal with. We really push
17 certification of all of our technicians.

18 DR. MARTIN: Okay. So Board members,
19 you see the presentation in front of you. I'm
20 going to give them just a minute to look over
21 that.

22 MR. DARBY: Will you just be handling
23 specialty pharmacy items?

1 MS. EICHORN: Medication, yes.

2 MR. DARBY: Okay.

3 DR. MARTIN: Board members, any
4 questions?

5 MR. BUNCH: No questions.

6 DR. MARTIN: No questions.

7 MS. YEATMAN: No questions.

8 DR. MARTIN: Okay. Are you ready to
9 entertain the motion or to make a motion?
10 David, do you want to go --

11 MR. DARBY: Do you want me to make it?

12 MS. YEATMAN: I'll second it.

13 MR. DARBY: I'll make a motion that
14 Arizona Caremark Specialty Pharmacy will be
15 granted an Alabama nonresident services
16 permit.

17 MS. YEATMAN: Second.

18 DR. MARTIN: Okay. We have a motion
19 by Mr. Darby, a second by Ms. Yeatman. Do we
20 have any additional discussion?

21 (No response.)

22 DR. MARTIN: No additional discussion.
23 Then we'll vote.

1 All those in favor of the motion,
2 please say aye.

3 MR. BUNCH: Aye.

4 MS. YEATMAN: Aye.

5 MR. DARBY: Aye.

6 DR. MARTIN: Any opposed, same sign.

7 (No response.)

8 DR. MARTIN: Motion approved.

9 MR. ROCCHIO: Thank you and thank you,
10 President Martin.

11 DR. MARTIN: Thank you. Mr. Darby,
12 treasurer's report.

13 MR. DARBY: All right. You have the
14 treasurer's report in your Dropbox. I will note
15 that our revenue is a little short of what we
16 projected. We are now 11/12 of the way through
17 the fiscal year and revenue is a little bit
18 short. We fell down on the number of pharmacist
19 permits issued this year according to budget and
20 that's where most of the shortfall is. Our
21 expenses are pretty much on track, slightly
22 above budget, but we're in good shape, money in
23 the bank to cover the bills and pay checks, so

1 we're good.

2 DR. MARTIN: So members, you've had an
3 opportunity to review the treasurer's report in
4 detail. It appears in your Dropbox. Do you
5 have any questions for Mr. Darby?

6 MS. YEATMAN: No questions.

7 MR. BUNCH: No questions.

8 DR. MARTIN: No questions. Then since
9 this is a matter of finance, we will entertain a
10 motion to receive the treasurer's report as
11 submitted.

12 MS. YEATMAN: I move that we receive
13 the treasurer's report as submitted by
14 Mr. Darby.

15 DR. MARTIN: Is there a second?

16 MR. BUNCH: Second.

17 DR. MARTIN: We have a motion by
18 Ms. Yeatman and a second by Mr. Bunch. Any
19 additional -- I don't believe we call for
20 additional discussion on that motion. I believe
21 we just call for the vote. All those in favor,
22 say aye.

23 MR. BUNCH: Aye.

1 MS. YEATMAN: Aye.

2 MR. DARBY: Aye.

3 DR. MARTIN: Any opposed?

4 (No response.)

5 DR. MARTIN: The treasurer's report is
6 received. Are we ready for the Board Wellness
7 report? Susan, are you doing that for us today?

8 DR. ALVERSON: I am.

9 DR. MARTIN: Thank you.

10 DR. ALVERSON: From Dr. Garver dated
11 September 18. Gentlemen and Ladies, There are
12 presently 152 people in our screening program
13 with signed contracts or orders. This number
14 includes any individuals with a diagnostic
15 monitoring contract but does not include any of
16 the professionals listed below. We have three
17 pharmacists in inpatient, three techs in
18 treatment, three technicians going for an
19 evaluation, one student in phase two of
20 treatment considered maintenance, and one
21 student who has had treatment and is self-
22 reporting as a freshman student.

23 The total number of pharmacy

1 professionals identified and worked with so far
2 in 2016 is 33: 17 pharmacists, 13 pharmacy
3 technicians, and three students. The total
4 number of health professionals identified during
5 this time period in 2015 was 26. All of these
6 individuals who are in treatment or in
7 evaluation or undecided are presently out of the
8 workplace and without a license.

9 There are seven others who are working
10 their way through halfway house, Time Out for
11 Recovery, or who are in the process of being
12 investigated or scheduled for hearings and
13 includes those who cannot make up their minds.
14 There are 75 individuals in facility-driven
15 aftercare.

16 The completed work portion of the
17 monthly report is as follows: We have met
18 personally with all licensees returning to work
19 to sign contracts and explain how monitoring
20 works. All returning licensees have been placed
21 in a caduceus, either pharmacy or health
22 professional.

23 Thank you for letting me serve

1 recovering pharmacy professionals.

2 DR. MARTIN: Do we have any questions
3 for Susan on the Wellness report?

4 (No response.)

5 DR. MARTIN: Thank you very much,
6 Susan.

7 DR. ALVERSON: You're welcome.

8 DR. MARTIN: Okay. We'll move to the
9 Board minute approval. We have two sets, I see
10 today, that need to be approved.

11 MR. DARBY: I make a motion that we
12 approve the Board business minutes of August 16,
13 2016.

14 MS. YEATMAN: Second.

15 DR. MARTIN: I have a motion by
16 Mr. Darby, a second by Ms. Yeatman that we
17 approve those minutes. All those in favor, say
18 aye.

19 MS. YEATMAN: Aye.

20 MR. BUNCH: Aye.

21 MR. DARBY: Aye.

22 DR. MARTIN: Any opposed?

23 (No response.)

1 DR. MARTIN: Motion approved.

2 MR. DARBY: I make a motion we approve
3 the interview minutes of August 16, 2016.

4 MS. YEATMAN: Second.

5 DR. MARTIN: I have a motion by
6 Mr. Darby and a second by Ms. Yeatman to approve
7 those minutes. All those in favor, say aye.

8 MS. YEATMAN: Aye.

9 MR. DARBY: Aye.

10 MR. BUNCH: Aye.

11 DR. MARTIN: Any opposed?

12 (No response.)

13 DR. MARTIN: The motion carries.
14 Inspector's report, Mr. Braden.

15 MR. BRADEN: Yes, sir, Mr. President,
16 members of the Board, in the Dropbox are the
17 monthly statistics for August 2016, number of
18 inspections completed, number of complaints
19 received and completed, and then we have a
20 breakdown for the year. And then underneath
21 that you'll see some additional activities that
22 the inspectors were involved in in the month of
23 August.

1 DR. MARTIN: Any questions for
2 Mr. Braden?

3 (No response.)

4 DR. MARTIN: No questions. Thank you,
5 Mr. Braden.

6 MR. BRADEN: Yes, sir. I have some
7 additional items for executive session.

8 DR. MARTIN: Executive session, yes,
9 thank you very much. Secretary's report, Susan.

10 DR. ALVERSON: All right. We've spent
11 a good portion of this month finishing up the
12 applications. I'd be glad to give you a
13 demonstration of what all the applications look
14 like. I'm guessing you don't want to see
15 that.

16 DR. MARTIN: Any board members who
17 would like to see that, raise your hand.

18 MS. YEATMAN: No.

19 DR. MARTIN: I see none. Go ahead,
20 please.

21 DR. ALVERSON: You'll see it when you
22 register.

23 So at this point, all licenses are now

1 online, whether it's renewal or an original
2 application. I must say that every single day
3 since we began this process, we have had to
4 call, and it's been mostly Rhonda -- I shouldn't
5 say we -- has had to call the computer company
6 to fix some -- to tweak something and we've had
7 a response almost always within 24 hours and
8 whatever we needed was changed or fixed.

9 We have had days when staff have had
10 100 to 150 phone calls, plus almost an equal
11 number of emails, so it's really been momentous.
12 But it seems as we've made tweaks to the
13 applications, the number of phone calls has gone
14 down and we tried to post instructions, so we're
15 trying to adjust every day.

16 A fair amount of this past month has
17 been devoted to getting everything ready for the
18 Sunset committee. Some of us will be going down
19 today to listen to other presentations and of
20 course, we'll all be there tomorrow, and I think
21 we're in as good a shape as we can be.

22 Three of our staff -- Cristal
23 Anderson, Todd Brooks, and Scott Daniel -- are

1 at the 50 state meeting called by the FDA in
2 Washington, D.C. It's another meeting -- I
3 think this is the fifth in the series -- on
4 compounding issues.

5 We are in the process of discussing
6 salary changes for the upcoming year. We should
7 finish that within the week and once we have
8 those to David, he'll be able to finish the
9 budget by the end of September and we will have
10 that to you by the end of September. I think
11 that means we're going to vote on it during
12 October but it will be in your hands by the end
13 of September.

14 We did one inspection of a wholesaler
15 in conjunction with the FDA during this month
16 and that -- that went well. There were very few
17 problems and FDA left happy and we haven't heard
18 that they're coming back anytime soon.

19 Just so you know, we received a call
20 from Mental Health about two months ago. The
21 National Organization Governors Association,
22 their organization, had support available for
23 seven states but you had to write a proposal and

1 they judge those and then awarded them to seven
2 different states. So Mental Health asked if we
3 would pitch in on writing that proposal, which
4 we did. Eddie pulled a lot of data. We all
5 pitched in, wrote it, sent it to Mental Health,
6 and we're glad to report Alabama was one of the
7 seven that did receive that.

8 DR. MARTIN: Good, that's great.
9 That's super.

10 DR. ALVERSON: Of course, I'd like to
11 say it was based on what pharmacy wrote but that
12 would be -- that would not -- I can't say that.

13 DR. MARTIN: Is Mr. English here
14 today?

15 MR. BRADEN: I didn't see
16 Mr. English.

17 DR. MARTIN: Isn't he Mental Health?

18 DR. ALVERSON: Yes, he is, so.

19 DR. MARTIN: I wish he could have been
20 here to have heard that. I guess he already
21 knows.

22 DR. ALVERSON: Right. I have left a
23 calendar, I think, at each of your places. I

1 didn't know if we needed to set a meeting date
2 for January or Mitzi, can we do that next month
3 or -- I know people like to plan and get that on
4 the schedule.

5 MS. ELLENBURG: Well, I'm just setting
6 cases now in November, so really December --
7 probably end of November would be a good time.

8 DR. ALVERSON: All right.

9 DR. MARTIN: We'll add that under new
10 business.

11 DR. ALVERSON: Okay.

12 DR. MARTIN: Mr. Bunch, you may want
13 to be thinking about that.

14 Do you want to deal with this now or
15 do you want to wait?

16 MS. YEATMAN: I say do it now.

17 DR. ALVERSON: I'm not aware of any
18 national meetings in January or things that
19 interfere other than Martin Luther King Day.

20 MR. DARBY: You've got some holidays.

21 DR. ALVERSON: Pardon me?

22 MR. DARBY: Yeah, I think in February
23 don't you have a President's Day holiday also?

1 DR. ALVERSON: Yes, we do and we have
2 that on the other side.

3 DR. MARTIN: I believe as the current
4 pattern goes, we'd be looking at January 17 and
5 18.

6 MR. DARBY: It falls after a -- I
7 mean, that Monday is a holiday.

8 MS. YEATMAN: Yeah, I'd move it to the
9 24th and 25th. Yeah, that's on the 16th, so I'd
10 do the 24th and 25th.

11 DR. MARTIN: Let's let Susan finish
12 her report and then we'll take up the motion of
13 setting those dates for January.

14 DR. ALVERSON: That's all -- that's
15 all I had to say.

16 MR. DARBY: She is finished.

17 DR. MARTIN: Okay. And then you've
18 heard the discussion about the need to set
19 January meeting dates. We have to do that, you
20 know, pretty far ahead because of notifications
21 and other legal, you know, form for how dates
22 get published and how individuals for hearings
23 are notified. So would you like to propose the

1 meeting dates for January 24 and 25 and if so,
2 we'll entertain a motion to that effect.

3 MR. BUNCH: Yeah, I make a motion that
4 we do set the 24th and 25th of January of 2017
5 for the State Board meeting.

6 MS. YEATMAN: Second.

7 DR. MARTIN: We have a motion by
8 Mr. Bunch. We have a second by Ms. Yeatman.
9 Any discussion?

10 (No response.)

11 DR. MARTIN: Seeing none, all those in
12 favor, say aye.

13 MR. DARBY: Aye.

14 MR. BUNCH: Aye.

15 MS. YEATMAN: Aye.

16 DR. MARTIN: Any opposed?

17 (No response.)

18 DR. MARTIN: None opposed, the motion
19 passes and the dates for the rest of the year
20 will probably be set in the next couple of
21 months.

22 DR. ALVERSON: So we'll have calendars
23 for you in November.

1 DR. MARTIN: Okay.

2 DR. ALVERSON: Thank you.

3 DR. MARTIN: Great. Thank you, Susan.
4 Mr. Ward.

5 MR. WARD: Executive session only.

6 DR. MARTIN: Thank you. Under old
7 business, I see we have two items today. One is
8 for long-term disability policy proposal. Is
9 the Board ready to take that under consideration
10 today?

11 MR. DARBY: Yes.

12 MS. YEATMAN: Yes, and I would defer
13 to Susan, if you would present the proposal so
14 that we can vote on that.

15 DR. ALVERSON: All right. Do you all
16 have this on your desk?

17 DR. MARTIN: I believe --

18 MR. DARBY: Is it the same as what was
19 in the Dropbox?

20 MS. YEATMAN: It's the same as what
21 was presented previously.

22 DR. ALVERSON: It's in the Dropbox.
23 We looked at a variety of different options for

1 employees of the Board and we recommend this
2 particular one. It will actually cost us less
3 than our present insurance. The plan is that
4 for people who are enrolled in our present
5 program, which is the local government health
6 insurance program, for an employee who reaches
7 the age of 60 and has 15 years of service and
8 retires, they would receive insurance coverage
9 for a maximum of five years at the rate of one
10 year for every three years employed. It goes on
11 to explain that such employees would -- we
12 would -- that we would be paying it. We would
13 be responsible for it and this would continue
14 until they were eligible for Medicare for
15 whatever reason.

16 The only change I would add to this is
17 at the end of the paragraph on the second page,
18 it says a status change form must be sent prior
19 to Medicare effective date. I would add, will
20 be the responsibility of the retiree to inform
21 the Board office of current means of contact and
22 to respond promptly to a request for needed
23 documents.

1 DR. MARTIN: Okay. Any questions for
2 Susan?

3 (No response.)

4 DR. MARTIN: Then with that additional
5 verbiage that Susan just read for the top
6 paragraph on page two to be added, is there a
7 motion that we adopt this policy?

8 MS. YEATMAN: I move that we adopt the
9 policy for hospital insurance for retirees as
10 presented by Dr. Alverson.

11 DR. MARTIN: Is there a second?

12 MR. DARBY: Second.

13 DR. MARTIN: We have a motion by
14 Ms. Yeatman and a second by Mr. Darby. Any
15 further discussion?

16 (No response.)

17 DR. MARTIN: All those in favor, say
18 aye.

19 MS. YEATMAN: Aye.

20 MR. DARBY: Aye.

21 MR. BUNCH: Aye.

22 DR. MARTIN: Any opposed, by like
23 sign.

1 (No response.)

2 DR. MARTIN: Motion passes.

3 DR. ALVERSON: Thank you.

4 DR. MARTIN: Thank you, Susan. We
5 also have an item for approval of holiday hours
6 for Auburn University pharmacies. Does anybody
7 have that information this morning?

8 MR. DARBY: Yeah, and this is
9 something we do every year. I would make a
10 motion that we allow Auburn University
11 pharmacies to be open reduced hours during the
12 holiday schedule.

13 DR. MARTIN: I have a motion. Is
14 there a second?

15 MS. YEATMAN: Second.

16 DR. MARTIN: We have a motion by
17 Mr. Darby and a second by Ms. Yeatman. Is there
18 any additional discussion?

19 (No response.)

20 DR. MARTIN: Seeing none, all those in
21 favor, say aye.

22 MR. BUNCH: Aye.

23 MS. YEATMAN: Aye.

1 MR. DARBY: Aye.

2 DR. MARTIN: Any opposed?

3 (No response.)

4 DR. MARTIN: The motion carries. That
5 is all the old business unless you can think of
6 anything else we need to cover.

7 Under new business, we have a few
8 items. First is amendment to the employee
9 personnel handbook for policy number 17. Is
10 that the policy we just considered?

11 MR. DARBY: Yeah.

12 DR. MARTIN: So I guess it's kind of a
13 no-brainer that we would do that, so let's just
14 make sure on that number. It is number 17. So
15 all those in favor -- let's do it through a
16 motion just to make it official.

17 MR. DARBY: We already made it
18 official, didn't we?

19 DR. MARTIN: Well, we made an
20 official policy now I guess -- just putting it
21 in the -- putting it in the handbook is a
22 no-brainer; right?

23 MR. DARBY: Okay, I see what you're

1 saying.

2 DR. MARTIN: You couldn't imagine that
3 we would need a motion for that, would we?

4 MR. DARBY: No.

5 DR. MARTIN: As we go into Sunset, I
6 say that.

7 Okay. Amendment to Rule 680-X-2-.23
8 on drug manufacturers, wholesalers, and
9 distributors.

10 DR. ALVERSON: You have this document
11 in front of you in that big pile that you -- we
12 discussed this a couple of times. We are now
13 required by FDA to separate manufacturing,
14 wholesaler, distributor, repackager, relabeler
15 facilities into individual licenses.

16 DR. MARTIN: 3PLs and virtuals also.

17 DR. ALVERSON: 3PLs, right, virtuals,
18 everything has to have its own license. So I
19 rewrote this with the changes. I gave it to
20 Mitzi and Mitzi made it the right way to rewrite
21 it. So we have a change in .23 and you can see
22 where we've added because it's underlined and
23 where we have removed because it's crossed out.

1 We had to change all references from biennial
2 license to annual license.

3 We had to add under principals, it's
4 now required that all businesses have what
5 they -- federal government is calling a
6 designated representative and that's a person
7 who's responsible for what is going on in that
8 facility. You may only be a designated
9 representative for one facility and there is a
10 lot of information we have to collect on those
11 people. We have used the definitions that we
12 have read from the federal government. We're
13 trying to stay as close to that as possible.

14 You'll notice we've labeled virtual
15 wholesaler distributors and virtual
16 manufacturers. The FDA seems to be changing
17 that title almost weekly. There's a new title
18 as of this week, so it's going to be hard to
19 nail that definitely but we will have to rewrite
20 this and put some of it in statute on the next
21 go-round, all right.

22 MR. WARD: Yeah, but I'm not sure you
23 might have to wait to do the rule.

1 DR. ALVERSON: I spoke to the director
2 of Legislative Services and he said since we are
3 already licensing these people, we are not
4 assuming their right to license someone that we
5 didn't license before.

6 MR. WARD: But the law defines a
7 manufacturer very specifically, so unless --

8 DR. ALVERSON: I think I left that.

9 MR. WARD: No, you've got a virtual --

10 DR. ALVERSON: I changed it?

11 MR. WARD: You've got a virtual -- I'm
12 not sure -- you've just got to look at it. You
13 just need to make sure that that statute --

14 DR. ALVERSON: All right. But would
15 you do that for us?

16 MR. WARD: Yeah.

17 DR. ALVERSON: All right. You can see
18 which parts have been added and under .24, the
19 precursor, I don't think I caught changing from
20 biennial to annual, so we will have to add that.

21 DR. MARTIN: Board members, do you
22 have any questions for Susan about this?

23 (No response.)

1 DR. MARTIN: It sounds like we're
2 going to be playing a bit of a waiting game.
3 They have a couple of things that need to be
4 changed. Mr. Ward will be reviewing it also
5 with the hopes of officially beginning the
6 process in next month's meeting; is that
7 correct?

8 MR. WARD: Yeah, this by way of
9 history and I'm not sure we have to do this
10 again, but when the -- what I call the sample
11 law was passed, the Prescription Drug Marketing
12 Act was passed, that was relatively new, we had
13 defined -- we added 34-23-32.1 to say that all
14 the guidelines of the FDA to be used. So
15 because we didn't have a lot of what that new
16 law provided, you know, we just have to go back
17 and check what you've done to make sure you have
18 the statutes -- the statutes are broad enough to
19 cover it because repackager is defined in our
20 law as manufacturers under the law, so you can't
21 do something by rule that would split -- as I
22 read it, I've just got to make sure. I'm not
23 saying you can't. I've just got to make sure.

1 What you're doing is good. It needs to be done.
2 I just hope you can try to do it by rule without
3 having to go back to the legislature before we
4 pass the rule. We may have to wait or do an
5 emergency -- we looked at other -- that other
6 provision that allows the Board by rule to
7 adopt -- we may do it that way. You need to
8 look at it and see how it --

9 DR. ALVERSON: Both Mitzi and I have
10 spoken with the Legislative Review office and
11 they said by emergency we can change the rules
12 but by emergency, we can't change the statute.

13 MR. WARD: Right, correct. There's a
14 part of the Administrative Procedure Act that, I
15 think, may be broad enough to allow you by rule
16 to adopt statutes. You've just got to look --
17 that's what you and I and Logan talked about
18 that day. We've just got to look at it --

19 DR. ALVERSON: All right.

20 MR. WARD: -- to make sure, especially
21 in light of the issue you've had of ongoing
22 email exchange you're having right now in a case
23 we used to have, I just want to make sure

1 that --

2 DR. ALVERSON: I most certainly do
3 too.

4 MR. WARD: I'm not critical of -- I
5 think this assumption is --

6 DR. MARTIN: Does this address the
7 question of need for different license
8 categories?

9 MR. WARD: Yes.

10 DR. ALVERSON: Yes, it does.

11 DR. MARTIN: Okay. Will there be any
12 additional questions from Board members?

13 (No response.)

14 DR. MARTIN: Seeing none, thank you,
15 Susan, very much.

16 Approval for renewal of Mr. Ward's
17 contract and Mr. Alexander's contract. Do I ask
18 Jim to leave the room?

19 MR. WARD: My ratio will be two to
20 one. There will be no drugs -- prescription
21 drugs -- there will be no drugs unless they were
22 prescribed in my office.

23 DR. MARTIN: Okay.

1 MR. DARBY: I would make a motion we
2 renew our contract with Jim Ward and have Jim
3 draw the contract up for our review.

4 MR. WARD: We're using the same form
5 but yeah, I can do that.

6 MR. DARBY: Well, just in dollar
7 changes you might want to change.

8 MR. WARD: Okay, all right.

9 MR. DARBY: As opposed to the one in
10 the Dropbox.

11 MR. WARD: I'll look at it.

12 MR. DARBY: We'll be happy to leave it
13 like it is.

14 MR. WARD: No, that's fine. I don't
15 get the Dropbox.

16 MR. DARBY: Oh, okay.

17 MS. YEATMAN: Well, let's let him go
18 ahead and agree to it sight unseen.

19 MR. DARBY: Yeah.

20 MS. YEATMAN: You trust us, don't you,
21 Jim?

22 MR. WARD: I do trust y'all.

23 DR. MARTIN: So question of procedure,

1 can we approve the contract if we're not looking
2 at the contract?

3 MR. WARD: Why aren't you looking at
4 it?

5 DR. MARTIN: It's going to be amended,
6 as I understand. It's likely to be amended as I
7 understand, so do we need to be looking at the
8 amended version of the contract before we vote
9 on it?

10 DR. ALVERSON: Tim, could I add that
11 that amendment was voted on last year?

12 MR. DARBY: Right. Let me change the
13 motion.

14 MS. YEATMAN: There you go.

15 MR. DARBY: I will make a motion we
16 approve to review the contract of Jim Ward that
17 was effective last year.

18 MS. YEATMAN: Second.

19 DR. MARTIN: Okay. We have a motion
20 and we have a second. The motion is by
21 Mr. Darby. The second is by Ms. Yeatman that
22 we -- well, you heard the motion. Do we have
23 any further Board member discussion?

1 (No response.)

2 DR. MARTIN: Hearing none, all those
3 in favor, say aye.

4 MS. YEATMAN: Aye.

5 MR. DARBY: Aye.

6 MR. BUNCH: Aye.

7 DR. MARTIN: Any opposed, like sign.

8 (No response.)

9 DR. MARTIN: That is approved.

10 MR. DARBY: I make a motion that we
11 approve the contract for Vance Alexander, the
12 hearing officer, as presented in the Dropbox.

13 MS. YEATMAN: Second.

14 DR. MARTIN: We have a motion by
15 Mr. Yeatman -- Mr. Yeatman. We have a motion by
16 Mr. Darby.

17

18 (Whereupon, a discussion was held off
19 the record.)

20

21 DR. MARTIN: Okay. The last I checked
22 we have a motion and a second by somebody to
23 approve the contract of Vance Alexander. Any

1 further discussion?

2 (No response.)

3 DR. MARTIN: Hearing none, all of
4 those in favor, say aye.

5 MR. BUNCH: Aye.

6 MR. DARBY: Aye.

7 MS. YEATMAN: Aye.

8 DR. MARTIN: Any opposed, same sign.

9 (No response.)

10 DR. MARTIN: Motion passes.

11 MR. WARD: Who came up with that.

12 DR. MARTIN: Came up with what?

13 MR. WARD: Same sign. It's either yea
14 or a nay. That's not the same sign.

15 DR. MARTIN: Well, how would you like
16 us to do it?

17 MR. WARD: Well, I don't know. That's
18 all --

19 DR. MARTIN: Yea and nay.

20 MR. WARD: Well, is a yea the same as
21 a nay?

22 DR. MARTIN: Yeah.

23 MR. WARD: Then how can you say the

1 same sign? What does that mean?

2 DR. MARTIN: I don't know. It means
3 if anybody says anything it's a no.

4 Okay. Do we have any additional new
5 business today?

6 MR. DARBY: No.

7 MS. YEATMAN: No.

8 DR. MARTIN: Okay. That moved so
9 quickly, you caught me a little unprepared.

10 So at this time I will entertain a
11 motion for the Board to go into executive
12 session for the purpose of discussing
13 qualifications and competency of those regulated
14 by this Board. The executive session will begin
15 at 10:15 and end at 10:45. When the Board
16 returns to its public meeting, we will only vote
17 on those matters discussed during executive
18 session and then we will promptly adjourn.
19 You're welcome to come back for that if you
20 like.

21 MR. WARD: And mention also that we
22 will be discussing resolution of pending cases.

23 DR. MARTIN: And we will be discussing

1 the resolution of pending cases and Mr. Ward, do
2 you have a comment you'd like to make?

3 MR. WARD: The motion needs to be
4 seconded first and then I'll --

5 DR. MARTIN: Do we have a motion to go
6 into executive session?

7 MR. DARBY: I make a motion we go into
8 executive session.

9 DR. MARTIN: We need a voice vote from
10 individual members. Do we have a second?

11 MS. YEATMAN: Second.

12 MR. WARD: Hold on, I've got to first
13 say that one of the purposes -- as an attorney
14 licensed to practice law in the State of
15 Alabama, one of the purposes for the adjournment
16 into executive session will be to discuss
17 resolution of pending matters before the
18 Board.

19 DR. MARTIN: Okay. Now we'll take a
20 motion. Is there a motion to go into executive
21 session?

22 MR. DARBY: I make the motion.

23 MS. YEATMAN: I second the motion.

1 DR. MARTIN: There is a motion by
2 Mr. Darby and the second by Ms. Yeatman to go
3 into executive session. We do need an
4 individual voice vote for this. Mr. Darby, how
5 do you vote?

6 MR. DARBY: Yes.

7 DR. MARTIN: Ms. Yeatman, how do you
8 vote?

9 MS. YEATMAN: Yes.

10 DR. MARTIN: Mr. Bunch?

11 MR. BUNCH: Yes.

12 DR. MARTIN: I vote yes. We are in
13 executive session. Thank you very much.

14

15 (Whereupon, a recess for executive
16 session was taken from 9:57 a.m. to
17 12:00 p.m.)

18

19 DR. MARTIN: This is the Alabama Board
20 of Pharmacy returning from executive session.

21 We have items that need attention as a
22 result of the executive session and we'll move
23 into those items at this time.

1 MR. DARBY: Case number 16-0002, I
2 make a motion we accept the recommended action
3 of a letter of concern and action plan.

4 DR. MARTIN: Is there a second?

5 MS. YEATMAN: Second.

6 DR. MARTIN: Any discussion?

7 (No response.)

8 DR. MARTIN: All those in favor, say
9 aye.

10 MR. BUNCH: Aye.

11 MS. YEATMAN: Aye.

12 MR. DARBY: Aye.

13 DR. MARTIN: Any opposed, say nay.

14 (No response.)

15 MR. DARBY: Case number 16-0076, I
16 make a motion we accept the recommended action
17 for a corrective action plan.

18 DR. MARTIN: We have a motion. Is
19 there a second?

20 MS. YEATMAN: Second.

21 DR. MARTIN: Any discussion?

22 (No response.)

23 DR. MARTIN: All those in favor, say

1 aye.

2 MR. DARBY: Aye.

3 MS. YEATMAN: Aye.

4 MR. BUNCH: Aye.

5 DR. MARTIN: Any opposed, say nay.

6 (No response.)

7 DR. MARTIN: Pass.

8 MR. DARBY: Case numbers 16-0074,
9 16-0077, I make a motion we accept the
10 recommended action plan of a permanent
11 surrender.

12 DR. MARTIN: We have a motion. Do we
13 have a second?

14 MS. YEATMAN: Second.

15 DR. MARTIN: Any discussion?

16 (No response.)

17 DR. MARTIN: All in favor, say aye.

18 MR. BUNCH: Aye.

19 MS. YEATMAN: Aye.

20 MR. DARBY: Aye.

21 DR. MARTIN: Any opposed, say nay.

22 (No response.)

23 DR. MARTIN: Motion passes.

1 MR. DARBY: Case number 15-0081, I
2 make a motion we accept the recommended action
3 plan of maintain administrative hold until
4 mental health evaluation of the pharmacist.

5 DR. MARTIN: Is there a second?

6 MS. YEATMAN: Second.

7 DR. MARTIN: We have a motion and a
8 second. Is there any discussion?

9 (No response.)

10 DR. MARTIN: Seeing none, all those in
11 favor, say aye.

12 MR. DARBY: Aye.

13 MR. BUNCH: Aye.

14 MS. YEATMAN: Aye.

15 DR. MARTIN: Any opposed, say nay.

16 (No response.)

17 DR. MARTIN: Motion passes.

18 MR. DARBY: Case number 15-0175,
19 16-0001, 16-0039, 16-0069, 16-0093, 16-0113, I
20 make a motion we accept the recommended action
21 of no violation.

22 DR. MARTIN: There's a motion. Is
23 there a second?

1 MS. YEATMAN: Second.

2 DR. MARTIN: There's a motion and a
3 second. Is there further discussion?

4 (No response.)

5 DR. MARTIN: All those in favor, say
6 aye.

7 MR. BUNCH: Aye.

8 MS. YEATMAN: Aye.

9 MR. DARBY: Aye.

10 DR. MARTIN: All those opposed, say
11 nay.

12 (No response.)

13 DR. MARTIN: Motion passes.

14 MR. DARBY: Case numbers 16-0046,
15 16-0051, 16-0053, I make a motion that we refer
16 these to the Medical Board for their review.

17 MR. DARBY: We have a motion. Do we
18 have a second?

19 MS. YEATMAN: Second.

20 DR. MARTIN: Do we have any
21 discussion?

22 (No response.)

23 DR. MARTIN: All those in favor, say

1 aye.

2 MS. YEATMAN: Aye.

3 MR. BUNCH: Aye.

4 MR. DARBY: Aye.

5 DR. MARTIN: Any opposed, say nay.

6 (No response.)

7 DR. MARTIN: The motion passes.

8 MR. DARBY: Case number 16-0081, I
9 make a motion we accept the recommended action
10 of an educational letter.

11 DR. MARTIN: We have a motion. Do we
12 have a second?

13 MS. YEATMAN: Second.

14 DR. MARTIN: Any discussion?

15 (No response.)

16 DR. MARTIN: All those in favor, say
17 aye.

18 MR. BUNCH: Aye.

19 MS. YEATMAN: Aye.

20 MR. DARBY: Aye.

21 DR. MARTIN: All those opposed, say
22 nay.

23 (No response.)

1 DR. MARTIN: Motion passes.

2 MR. DARBY: Case number 16-0108, I
3 make a motion we accept the recommended action
4 of a letter of concern.

5 DR. MARTIN: We have a motion. Do we
6 have a second?

7 MS. YEATMAN: Second.

8 DR. MARTIN: We have a motion and a
9 second. Any discussion?

10 (No response.)

11 DR. MARTIN: All those in favor, say
12 aye.

13 MS. YEATMAN: Aye.

14 MR. DARBY: Aye.

15 MR. BUNCH: Aye.

16 DR. MARTIN: Any opposed, say nay.

17 (No response.)

18 DR. MARTIN: The motion passes.

19 Do we have any further business to
20 consider coming out of executive session?

21 (No response.)

22 DR. MARTIN: Hearing none, we'll
23 entertain a motion for adjournment. I need a

1 motion for adjournment.

2 MS. YEATMAN: I move we adjourn.

3 DR. MARTIN: We have a motion for
4 adjournment. Is there a second?

5 MR. BUNCH: Second.

6 DR. MARTIN: All those in favor, say
7 aye.

8 MR. BUNCH: Aye.

9 MS. YEATMAN: Aye.

10 MR. DARBY: Aye.

11 DR. MARTIN: Any opposed, say nay.

12 (No response.)

13 DR. MARTIN: Adjourned.

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15 (Whereupon, the hearing was adjourned
16 at 12:04 p.m.)

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CERTIFICATE

STATE OF ALABAMA
SHELBY COUNTY

I, Sheri G. Connelly, RPR, Certified Court Reporter, hereby certify that the above and foregoing hearing was taken down by me in stenotype and the questions, answers, and statements thereto were transcribed by means of computer-aided transcription and that the foregoing represents a true and correct transcript of the said hearing.

I further certify that I am neither of counsel, nor of kin to the parties to the action, nor am I in anywise interested in the result of said cause.

/s/ Sheri G. Connelly
SHERI G. CONNELLY, RPR
ACCR No. 439, Expires 9/30/2017

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