



JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF COMMUNITY HEALTH  
LANSING

JANET OLSZEWSKI  
DIRECTOR

## MICHIGAN BOARD OF PHARMACY DISCIPLINARY SUBCOMMITTEE DECEMBER 15, 2008 MEETING

### APPROVED MINUTES

In accordance with the Open Meetings Act, 1976, PA 267, as amended, the Michigan Board of Pharmacy Disciplinary Subcommittee met in regular session on December 15, 2008, at the Ottawa Building, 611 West Ottawa, Upper Level Conference Center (UL), Conference Room 1, Lansing, Michigan.

#### **CALL TO ORDER**

Devin Senneker, Public Member, acting Chairperson, called the meeting to order at 2:05 p.m.

**Members Present:** Devin Senneker, Public Member,  
Gwenesia Collins, R.Ph.  
Harvey Schmidt, R.Ph.

**Members Absent:** Pamela Gnodtke, Public Member, Chairperson

**Staff Present:** Karen Carpenter, Analyst, Enforcement Section  
Serene Katranji-Zeni, Assistant Attorney General  
Brooke Parmalee, Analyst, Enforcement Section  
Laurie VanBeelen, Secretary, Health Licensing Division

**Others Present:** Carol Holmes, Attorney for Laura Howard (left at 2:32 p.m.)

#### **APPROVAL OF MINUTES**

**MOTION** by Schmidt, seconded by Collins, to approve the October 8, 2008 meeting minutes as presented.

**MOTION PREVAILED**

## **APPROVAL OF AGENDA**

*MOTION* by Schmidt, seconded by Collins, to approve the agenda with the following correction:

5. REGULATORY CONSIDERATIONS: in item "K" the last name of the Respondent should be spelled "Rutkowski";
5. REGULATORY CONSIDERATIONS: item "O" should be separate regulatory issues. George Hanna Esho, R.Ph., will become "P" and Mehdi Ali Al-Atrach, R.Ph., will become "Q".

*MOTION PREVAILED*

## **REGULATORY CONSIDERATIONS**

### **Kimberly Anne Marshall, R.Ph. – Consent Order and Stipulation**

*MOTION* by Collins, seconded by Schmidt, to accept the Consent Order and Stipulation in the matter of Kimberly Anne Marshall, R.Ph.

Discussion was held.

A roll call vote followed: Yeas: Collins, Schmidt, Senneker

*MOTION PREVAILED*

### **Antoine Semaan Mourani, R.Ph. – Consent Order and Stipulation**

*MOTION* by Collins, seconded by Schmidt, to accept the Consent Order and Stipulation in the matter of Antoine Semaan Mourani, R.Ph.

Discussion was held.

A roll call vote followed: Yeas: Schmidt, Collins, Senneker

*MOTION PREVAILED*

### **Robert W. Baran, R.Ph. – Consent Order and Stipulation**

*MOTION* by Schmidt, seconded by Collins, to accept the Consent Order and Stipulation in the matter of Robert W. Baran, R.Ph.

Discussion was held.

*AMENDED MOTION* by Schmidt, seconded by Collins, to reject the Consent Order and Stipulation in the matter of Robert W. Baran, R.Ph., and counter-offer adding as a term of probation that Respondent must take the ISMP and assessing a fine in the amount of \$500 which shall be paid within 60 days. All other terms and conditions of the Consent Order and Stipulation to remain.

Discussion was held.

A roll call vote followed: Yeas: Collins, Schmidt, Senneker

*MOTION PREVAILED*

**Elissar M. Hammoud, R.Ph. – Consent Order and Stipulation**

*MOTION* by Schmidt, seconded by Collins, to accept the Consent Order and Stipulation in the matter of Elissar M. Hammoud, R.Ph.

Discussion was held.

A roll call vote followed: Yeas: Collins, Schmidt, Senneker

*MOTION PREVAILED*

**Laura Waters Howard, R.Ph. – Consent Order and Stipulation**

*MOTION* by Collins, seconded by Schmidt, to accept the Consent Order and Stipulation in the matter of Laura Waters Howard, R.Ph.

Discussion was held.

A roll call vote followed: Yeas: Schmidt, Collins, Senneker

*MOTION PREVAILED*

**Robert Eugene Mast, R.Ph. – Consent Order and Stipulation**

*MOTION* by Schmidt, seconded by Collins, to accept the Consent Order and Stipulation in the matter of Robert Eugene Mast, R.Ph.

Discussion was held.

A roll call vote followed: Yeas: Collins, Schmidt, Senneker

*MOTION PREVAILED*

**Samuel Odunlami, R. Ph. – Consent Order and Stipulation**

*MOTION* by Collins, seconded by Schmidt, to accept the Consent Order and Stipulation in the matter of Samuel Odunlami, R.Ph.

Discussion was held.

*AMENDED MOTION* by Collins, seconded by Schmidt, to reject the Consent Order and Stipulation in the matter of Samuel Odunlami, R.Ph., and counter-offer adding the assessment of a fine in the amount of \$500 which shall be paid within 60 days. All other terms and conditions of the Consent Order and Stipulation to remain.

Discussion was held.

A roll call vote followed: Yeas: Collins, Schmidt, Senneker

*MOTION PREVAILED*

**Richard Pillon, R.Ph. – Consent Order and Stipulation**

*MOTION* by Schmidt, seconded by Collins, to accept the Consent Order and Stipulation in the matter of Richard Pillon, R.Ph.

Discussion was held.

A roll call vote followed: Yeas: Schmidt, Collins, Senneker

*MOTION PREVAILED*

**Susan Marie Reynolds, R.Ph. – Consent Order and Stipulation**

*MOTION* by Collins, seconded by Schmidt, to accept the Consent Order and Stipulation in the matter of Susan Marie Reynolds, R.Ph.

Discussion was held.

A roll call vote followed: Yeas: Collins, Schmidt, Senneker

*MOTION PREVAILED*

**Paul D. Ross, R.Ph. – Consent Order and Stipulation**

*MOTION* by Collins, seconded by Schmidt, to accept the Consent Order and Stipulation in the matter of Paul D. Ross, R.Ph.

Discussion was held.

A roll call vote followed: Yeas: Collins, Schmidt, Senneker

*MOTION PREVAILED*

**Edward Stanley Rutkowski, R.Ph. – Consent Order and Stipulation**

*MOTION* by Collins, seconded by Schmidt, to accept the Consent Order and Stipulation in the matter of Edward Stanley Rutkowski, R.Ph.

Discussion was held.

*AMENDED MOTION* by Collins, seconded by Schmidt, to reject the Consent Order and Stipulation in the matter of Edward Stanley Rutkowski, R.Ph., and counter-offer adding as a term of probation that Respondent must take the ISMP. All other terms and conditions of the Consent Order and Stipulation to remain.

Discussion was held.

A roll call vote followed: Yeas: Schmidt, Collins, Senneker

*MOTION PREVAILED*

**David R. Smith, R.Ph. – Consent Order and Stipulation**

*MOTION* by Schmidt, seconded by Collins, to accept the Consent Order and Stipulation in the matter of David R. Smith, R.Ph.

Discussion was held.

A roll call vote followed: Yeas: Collins, Schmidt, Senneker

*MOTION PREVAILED*

**Donald C. Spencer, R.Ph. – Consent Order and Stipulation**

*MOTION* by Schmidt, seconded by Collins, to accept the Consent Order and Stipulation in the matter of David R. Smith, R.Ph.

Discussion was held.

*AMENDED MOTION* by Schmidt, seconded by Collins, to reject the Consent Order and Stipulation in the matter of David R. Smith, R.Ph., and counter-offer adding the assessment of a fine in the amount of \$500 which shall be paid within 60 days. All other terms and conditions of the Consent Order and Stipulation to remain.

Discussion was held.

A roll call vote followed: Yeas: Collins, Schmidt, Senneker

*MOTION PREVAILED*

**Med 4 Home – Order of Dismissal**

*MOTION* by Schmidt, seconded by Collins, to accept the Order of Dismissal in the matter of Med 4 Home.

A roll call vote followed: Yeas: Schmidt, Collins, Senneker

*MOTION PREVAILED*

**Liberty Discount Drugs, Inc. – Proposal for Decision**

*MOTION* by Schmidt, seconded by Collins, to accept the Proposal for Decision in the matter of Liberty Discount Drugs, Inc.

Discussion was held.

A roll call vote followed: Yeas: Collins, Schmidt, Senneker

*MOTION PREVAILED*

*MOTION* by Schmidt, seconded by Collins, to assess a fine in the amount of \$1,000 which shall be paid within 60 days in the matter of Liberty Discount Drugs, Inc.

Discussion was held.

A roll call vote followed: Yeas: Schmidt, Collins, Senneker

*MOTION PREVAILED*

**George Hanna Esho, R.Ph. – Proposal for Decision**

*MOTION* by Collins, seconded by Schmidt, to accept the Proposal for Decision in the matter of George Hanna Esho, R.Ph.

Discussion was held.

A roll call vote followed: Yeas: Collins, Schmidt, Senneker

*MOTION PREVAILED*

*MOTION* by Collins, seconded by Schmidt, to place respondent on probation for one (1) year in the matter of George Hanna Esho, R.Ph. Respondent must complete a board-approved continuing education course regarding ethics within 60 days which will not apply toward licensure renewal. Within 90 days, Respondent must submit to the Department for review by the Board chairperson or his designee, policies and procedures of the pharmacy's operations with emphasis on inventory control and maintaining perpetual inventory.

Respondent shall maintain a perpetual inventory for one (1) year. On a quarterly basis, Respondent shall submit a copy of the pharmacy's perpetual inventory records to the Department for review by the Board chairperson or his designee which shall be due within 30 days after each quarter. The one year period of inventory shall begin on the effective date of the order.

Respondent is also assessed a fine in the amount of \$2,500 which shall be paid within 60 days.

Discussion was held.

A roll call vote followed: Yeas: Collins, Schmidt, Senneker

*MOTION PREVAILED*

**Mehdi Ali Al-Atrach, R.Ph. – Administrative Complaint**

*MOTION* by Schmidt, seconded by Collins, to dissolve the summary suspension and revoke Respondent's license in the matter of Mehdi Ali al-Atrach, R.Ph. Additionally, Respondent is assessed a fine in the amount of \$1,000 which shall be paid prior to applying for reinstatement.

Discussion was held.

A roll call vote followed: Yeas: Collins, Schmidt, Senneker

*MOTION PREVAILED*

***PUBLIC COMMENT***

None


***ANNOUNCEMENTS***

The next regularly scheduled meeting will be held February 11, 2009, immediately following the full board meeting scheduled to begin at 9:00 a.m. at the Ottawa Building, 611 West Ottawa, Upper Level Conference Center (UL), Conference Room 4, Lansing, Michigan.

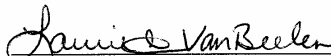
## **ADJOURNMENT**

*MOTION* by Schmidt, seconded by Collins to adjourn at 3:20 p.m.

*MOTION PREVAILED*

*for*   
Devin Senneker, Public Member,  
Acting Chairperson

*Feb 11, 2009*  
Date Minutes Approved

  
Laurie A. VanBeelen, Secretary

*December 17, 2008*  
Date Minutes Prepared