

**Maryland Board of Pharmacy  
Public Board Meeting**

**Agenda  
November 15, 2017**

Name	Title	Present	Absent
Ashby, D.	Commissioner		
Bouyoukas, E	Commissioner		
Evans, K.	Commissioner		
Gavani, M. Z.	Commissioner/President		
Hardesty, J.	Commissioner		
Leikach, N.	Commissioner		
Morgan, K.	Commissioner/Treasurer		
Oliver, B	Commissioner		
Peters, R.	Commissioner		
St. Cyr, II, Z. W.	Commissioner/Secretary		
Toney, R.	Commissioner		
Yankellow, E.	Commissioner		
Bethman, L.	Board Counsel		
Felter, B.	Staff Attorney		
Speights-Napata, D.	Executive Director		
Fields, E.	Deputy Director /Operations		
Evans, T.	Pharmacist Inspector		
Brand, E.	Licensing Manager		
Logan, B.	Legislation/Regulations Manager		
Chew, C.			

Subject	Responsible Party	Discussion	Action Due Date (Assigned To)
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<b>I. Executive Committee Report(s)</b>	<b>A.) M. Gavgani, Board President</b>  <b>B.) Z. St. Cyr, II, Secretary</b>	<p><i>Members of the Board with a conflict of interest relating to any item on the agenda are advised to notify the Board at this time or when the issue is addressed in the agenda.</i></p> <ol style="list-style-type: none"> <li><b>1. Call to Order</b></li> <li><b>2. Sign-in Introduction and of meeting attendees –</b> <i>(Please indicate on sign-in sheet if you are requesting CE Units for attendance)</i></li> <li><b>3. Distribution of Agenda and packet materials</b></li> <li><b>4. Review and approve September 2017 Public Meeting Minutes</b></li> </ol>																
<b>II. A. Executive Director Report</b>	<b>D. Speights-Napata, Executive Director</b>	<ol style="list-style-type: none"> <li><b>1. Operations Updates</b></li> <li><b>2. Meetings Update</b></li> </ol>																
<b>B. Operations</b>	<b>E. Fields, Deputy Director/ Operations</b>	<ol style="list-style-type: none"> <li><b>1. Administration and Public Support (APS) Unit Updates</b> <ol style="list-style-type: none"> <li>a) <b>Financial Status October 2017</b></li> </ol> </li> <li><b>2. Management Information Systems (MIS) Unit Updates</b> <ol style="list-style-type: none"> <li>b) <b>None</b></li> </ol> </li> </ol>																
<b>C. Licensing</b>	<b>E. Brand, Licensing Manager</b>	<ol style="list-style-type: none"> <li><b>1. Unit Updates</b></li> <li><b>2. Monthly Statistics</b></li> </ol> <table border="1" data-bbox="745 1128 1493 1367"> <thead> <tr> <th>License Type</th> <th>New</th> <th>Renewed</th> <th>Reinstated</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Distributor</td> <td>12</td> <td>27</td> <td>0</td> <td>1,169</td> </tr> <tr> <td>Pharmacy</td> <td>27</td> <td>0</td> <td>0</td> <td>2,140</td> </tr> </tbody> </table>	License Type	New	Renewed	Reinstated	Total	Distributor	12	27	0	1,169	Pharmacy	27	0	0	2,140	
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<b>D. Compliance</b>	<b>T. Evans, Pharmacist Inspector</b>	<p><b>1. Unit Updates</b></p> <p><b>2. Monthly Statistics</b></p> <p><b>Complaints &amp; Investigations:</b></p> <p>New Complaints - 27  Resolved (Including Carryover) – 21  Actions within Goal – 19/21  Final disciplinary actions taken – 8  Summary Actions Taken – 0  Average days to complete - 30</p> <p><b>Inspections:</b></p> <p>Total - 146  Annual Inspections - 131  Opening Inspections - 9  Closing Inspections - 3</p>																															

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		Relocation/Change of Ownership Inspections - 2 Board Special Investigation Inspections – 1	
<b>E. Legislation &amp; Regulations</b>	<b>B. Logan, Legislation and Regulations Manager</b>	<u>1. COMAR 10.34.34.05 Pharmacy Students</u> <u>2. COMAR 10.34.05.05 Security Responsibilities</u> <u>3. COMAR 10.34.32.03 D Requirements to Administer Vaccinations</u> <u>4. COMAR 10.34.40 Pharmacist Prescribing Contraceptives</u>	
<b>III. Committee Reports</b>  <b>A. Practice Committee</b>	<b>R. Peters, Chair</b>	<u><b>Fatimah Rahaman</b></u> <b>Dr. DD has prescribed a prescription for Ambiem CR 12.5 mg to ML to be taken immediately before bedtime. The prescription was issued on 06/05/2017 with the instruction to be filled only after 10/10/2017. According to Maryland State Pharmacy Law, as a pharmacist, would you fill this prescription on the requested date?</b>  <b>1. I was under the impression that you shouldn't fill prescriptions passed 120 days from the issue date but then controlled drugs are allowed five refills which go beyond that 120 day mark...which rule precedes?</b>  <b>2. I came across this practice question and was stumped because the provider put a "do not fill until date." Should pharmacists use that date as the issued date or use the actual issue date and start the 120 day or five refill count from the issue date?</b>	

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		<p><b><u>Proposed Answer</u></b> Please be advised pursuant to Health Occupations, §12-503 (b), Annotated Code of Maryland, unless otherwise instructed by the authorized prescriber who issues the prescription, a pharmacist may not dispense a prescription that is more than 120 days after the prescription was issued. The Board recommends that you call the prescriber for further instructions.</p> <p><b><u>Linh Nguyen</u></b></p> <p><b>Many customers give us tips. Is there any law against that? Common sense tells me no, but I check anyway.</b></p> <p><b><u>Proposed Answer</u></b> Please be advised that the Maryland Pharmacy Act does not expressly prohibit such practice, but this can be construed as unethical, unprofessional, and/or a conflict of interest and a violation of COMAR 10.34.10.01 B. (2) and (3).</p> <p><b><u>C. William Hall, Ed.D., Director of Institutional Research and State Authorization, Campbell University</u></b> Per our phone conversation from this past Friday (10/13/2017), attached please find a letter that outlines the nature of Campbell University's inquiry to the Maryland Board of Pharmacy.</p> <p>In particular, we are interested in the first issue, regarding our Doctor of Pharmacy students engaging in clinical rotations in the State of Maryland. These rotations would potentially take place at a variety of facilities, such as FDA, NIH, Walter Reed Army Medical Center, Johns Hopkins University, and the like. Pharmacy students would be under the direct supervision of a Pharmacist duly licensed by the State of Maryland.</p>	
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		<p>Also, we would like to know whether or not our students would need to register as a “Pharmacy Student” or a “Registered Pharmacy Intern,” as defined in <b>Md. HEALTH OCCUPATIONS Code Ann. § 12-101</b>, and per <b>Md. HEALTH OCCUPATIONS Code Ann. § 12-301</b>, and also as governed by COMAR Title 10, Subtitle 34, in order to engage in a clinical rotation as part of their Doctor of Pharmacy education.</p> <p><b><u>Proposed Answer</u></b> Please be advised that a pharmacy student participating in an experiential learning rotation is not subject to the pharmacy technician’s registration requirements pursuant to COMAR 10.34.34.05.</p> <p><b><u>Item for Discussion</u></b> At the October Practice Committee meeting, the issue came up regarding partial filling requirements under COMAR 10.19.03.08. The Committee would like the Board to recommend to the Office of <del>Controlled Substances Administration Drug Control</del> to align its regulations with the Federal Code.</p>	
<b>B. Licensing Committee</b>	<b>D. Ashby, Chair</b>	<ol style="list-style-type: none"> <li>1. <b>Review of Pharmacist Applications:</b> NONE</li> <li>2. <b>Review of Pharmacy Intern Applications:</b> NONE</li> <li>3. <b>Review of Pharmacy Technician Applications:</b> NONE</li> <li>4. <b>Review of Distributor Applications:</b> NONE</li> <li>5. <b>Review of Pharmacy Applications:</b> NONE</li> <li>6. <b>Review of Pharmacy Technicians Training Program:</b> NONE</li> <li>7. <b>New Business:</b> <ol style="list-style-type: none"> <li>a) <b>MD Pharmacist Hours on Non-Resident Pharmacy Application- Should the working hours of the</b></li> </ol> </li> </ol>	

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		<p><b>Maryland licensed pharmacist be captured on the non-resident pharmacy application?</b>  <b><u>Licensing Committee's Recommendation:</u> No change to the application.</b></p>	
C. Public Relations Committee	E. Yankellow, Chair	Public Relations Committee Update:	
D. Disciplinary	K. Morgan, Chair	Disciplinary Committee Update	
E. Emergency Preparedness Task Force		Emergency Preparedness Task Force Update	
IV. Other Business & FYI	M. Gavgani, President		
V. Adjournment	M. Gavgani, President	<p><b>A. The Public Meeting was adjourned.</b></p> <p><b>B. M. Gavgani convened a Closed Public Session to conduct a medical review committee evaluation of confidential applications.</b></p> <p><b>C. The Closed Public Session was adjourned. Immediately thereafter, M. Gavgani convened an Administrative Session for purposes of discussing confidential disciplinary cases.</b></p>	

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		<p><b>D. With the exception of cases requiring recusals, the Board members present at the Public Meeting continued to participate in the Closed Public Session and the Administrative Session.</b></p>	