

**Maryland Board of Pharmacy
Public Board Meeting**

**Agenda
June 26th, 2024**

Name	Title	Present	Absent
Evans, K.	Commissioner		
Fink, K.	Commissioner		
Geigher, P.	Commissioner/Treasurer		
Hardesty, J.	Commissioner		
Leikach, N.	Commissioner		
Morgan, K.	Commissioner		
Oliver, B.	Commissioner		
Oriafo, A.	Commissioner		
Patel, A.	Commissioner		
Robinson, D.	Commissioner/Pharmacy Technician		
Rusinko, K.	Commissioner/President		
Slagle, K.	Commissioner		
Vázquez, J.	Commissioner/Secretary		
Bethman, L.	Board Counsel		
Felter, B.	Board Counsel		
Speights-Napata, D.	Executive Director		
Partin, J.	Director of IT, Budget & Procurement		
James, D.	Licensing Manager		
Leak, T.	Compliance Director		
Vacant	Legislative Liaison		
Chew, C.	Enforcement Compliance Auditor		

Subject	Responsible Party	Discussion	Action Due Date (Assigned To)										
I. Executive Committee Report(s)	<p>A.) J. Vazquez, Secretary</p> <p>B.) J. Vázquez, Secretary</p>	<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"> 1. Call to Order 2. Sign-in Introduction and of meeting attendees – <i>(Please indicate on sign-in sheet if you are requesting CE Units for attendance)</i> 3. Distribution of Agenda and packet materials 4. Review and approve May 2024 Public Meeting Minutes 											
II. A. Executive Director Report	D. Speights-Napata Executive Director	<ol style="list-style-type: none"> 1. Meeting Update 2. Staff Update 											
B. New Business	j. Vazquez, Secretary												
C. Operations	J. Partin, IT Director Budget & Procurement	<ol style="list-style-type: none"> 1. Procurement and Budget Updates <ol style="list-style-type: none"> a. Financials – May 2. Management Information Systems (MIS) Unit Updates 											
D. Licensing	K. Slagle, Chair	<ol style="list-style-type: none"> 1. Unit Updates 2. Monthly Statistics <table border="1" data-bbox="772 1300 1518 1386"> <thead> <tr> <th>License Type</th> <th>New</th> <th>Renewed</th> <th>Reinstated</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	License Type	New	Renewed	Reinstated	Total						
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E. Compliance	T. Leak, Compliance Director	<p>1. Unit Updates</p> <p>2. Monthly Statistics</p> <p>Complaints & Investigations:</p> <p>New Complaints – 43</p> <ul style="list-style-type: none"> ● Employee Pilferage - 2 ● Inspection Issues - 28 ● Medication Error - 2 ● Customer Service - 5 																																														

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		<ul style="list-style-type: none"> ● Refusal to Fill - 3 ● Unprofessional Conduct - 1 ● Licensing- 2 <p>Resolved- 46 Actions within Goal - 41/46 Formal (Final) Disciplinary actions taken- 10 Summary Actions Taken - 1 Average Days to Complete - 113</p> <p>Regulatory Inspections: 145 Total - Annual Inspections - 138</p> <ul style="list-style-type: none"> ● Chain - 59 ● Independent - 31 ● Sterile Compounding - 9 ● Repository - 23 ● Comprehensive Care - 4 ● Hospital - 3 ● Supplemental Assisted Living - 5 ● Follow up - 2 ● Distributor - 2 ● Attempted- 0 <p>Openings/Remodels/Relocations - 5 Closing Inspections - 2 Change of Ownership - 0 Pending Opening – 2 Pending Closing - 1</p>	
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III. Committee Reports	K. Evans, Chair	<u>Drug Therapy Management</u>	
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A. Practice Committee		<p><u>Pharmacy:</u> Baltimore Medical Services <u>Pharmacists:</u> Ian Cook and Oyetola Ofulidipe <u>Protocols:</u> HIV Treatment and HIV Prevention</p> <p><u>Pharmacy:</u> Baltimore Medical Services <u>Pharmacists:</u> Nicole Liu <u>Protocols:</u> Diabetes, Hypertension, Dyslipidemia and Coag Management</p> <p><u>Pharmacy:</u> LifeBridge <u>Pharmacists:</u> Maryam D’Alberto <u>Protocols:</u> Clinic Management, Warfarin Management, Anticoagulation Reversal and Management of Bleeding, Perioperative Warfarin Interruption and Bridging with Parenteral Anticoagulants and Direct Oral Anticoagulant Management.</p> <p><u>Pharmacy:</u> Chase Brexton <u>Pharmacist:</u> Salin Nhean and Alexandra Lindo <u>Protocols:</u> HIV and HCV Management</p> <p><u>Pharmacy:</u> Johns Hopkins <u>Pharmacists:</u> Meghin Moynihan <u>Protocols:</u> Renal Dose Adjustment</p> <p><u>Pharmacy:</u> Meritus Health <u>Pharmacists:</u> Julie Shupp <u>Protocols:</u> Ambulatory Oncology Specialty Management Protocol (AOSM)</p> <p><u>Practice of Pharmacy Questions</u></p> <p><u>QUESTION ONE: Xi (Helen) Xu</u></p>	<p>DTM 1. Recommendation by Committee to approve; 2nd by A. Patel</p> <p>DTM 2. Recommendation by Committee to approve; 2nd by K. Morgan</p> <p>DTM 3. Recommendation by Committee to approve:</p> <p>DTM 4. Recommendation by Committee to approve:</p> <p>DTM 5. Recommendation by Committee to approve:</p> <p>Q1. Motion by K. Morgan to approve, 2nd by A. Patel</p>

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		<p>I'm looking for guidance on whether there is an age limit for selling medications that contain pseudoephedrine in the state of Maryland.</p> <p><u>PROPOSED RESPONSE ONE</u></p> <p>Maryland does not have any specific regulations, federal law applies.</p> <p><u>QUESTION TWO: Jen Rolewski</u></p> <p>I am contacting you today on behalf of the independent pharmacies we collaborate with in your state. We have identified a significant opportunity for these pharmacies regarding the shortage of GLP medications. Given that these medications are currently listed as in short supply by the FDA, there exists an opening for sterile pharmacies to compound precise replicas of the branded drugs listed. Additionally, this creates an opportunity for 503b pharmacies to supply these medications to hospitals, healthcare providers, and pharmacies for patient dispensation.</p> <p>This presents a crucial opportunity for independent pharmacies grappling with PBM reimbursement challenges and other obstacles to meet the medication needs of their patients. We have been informed by several of the pharmacies we engage with in your state that they have encountered push back due to the misconception that 503b pharmacies can only distribute to hospitals and providers.</p> <p>Could you kindly offer clarification regarding the position of the Maryland Board of Pharmacy concerning whether these pharmacies are permitted to place orders with a 503b pharmacy?</p> <p><u>PROPOSED RESPONSE TWO</u></p>	<p>Q2. Motion by K. Evans to approve, 2nd by A. Patel</p>

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		<p>The Board does not have any specific regulations for 503b's other than reference to FDA Laws and Regulations.</p> <p><u>QUESTION THREE: Martin Mintz</u></p> <p>Is a pharmacy Tech allowed to show a diabetic how to use a Dexcom 7 glucose diabetic monitor.</p> <p><u>PROPOSED RESPONSE THREE</u></p> <p>Pharmacy Technicians are not allowed to engage in counseling or any activity that involves clinical judgement. To the extent of demonstration of Dexcom, etc... would require clinical judgement and that activity would be prohibited.</p> <p><u>QUESTION FOUR: Shannon Grogg</u></p> <p>I was reviewing regulations around pharmacy physical requirements and was hoping for some clarification on a proposed construction plan we have for one of our stores. We are looking to build a consultation room space for our patients within the existing pharmacy layout. This consultation room would have locked doors separating the prescription area from the public area. Due to county inspection restrictions, the wall for the interior consultation room would not go all the way to the ceiling but would rather be a partial wall up to 7.5' tall. We wanted to make sure that this was an acceptable option that would meet all pharmacy physical requirements and allow us to better serve our patients in the community.</p> <p><u>PROPOSED RESPONSE FOUR</u></p>	<p>Q3. Motion by K. Fink to approve, 2nd by N. Leikach</p>

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		<p>Provided that the prescription area prevents and monitors unauthorized access in accordance with COMAR 10.34.05 this would not be prohibited. You must provide the Board with the new schematics, so an inspection can be done.</p>	

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B. Licensing Committee	K. Slagle, Chair	<p>1. Review of Pharmacist Applications:</p> <p>2. Review of Pharmacist Renewal Applications:</p> <p> a. C.S.- Requesting the Board to reverse the \$35 return payment fee. <u>Committee Recommendation:</u> <i>Approve</i></p> <p>3. Review of Pharmacist Reinstatement Applications:</p> <p>4. Review of Technician Applications:</p> <p> a. J.S- Requesting 30-day extension of Kiery Valladares technician training. She was doing her training and she was transferred stores so training was on hold. <u>Committee Recommendation:</u> <i>Approve, have until July 30, 2024 to finish hours.</i></p> <p>5. Review of Technician Reinstatement Applications:</p> <p> a. B.J- Requesting to waive the requirement of taking an exam due to the COVID-19 pandemic. <u>Committee Recommendation:</u> <i>Deny</i></p> <p> b. L.B- Requesting a refund for \$45 since he paid renewal in December. He was unaware that he had to take an implicit bias. <u>Committee Recommendation:</u> <i>Deny</i></p> <p>6. Review of Intern Renewal Applications:</p>	

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		<p>7. Review of Pharmacy Renewal Applications:</p> <p>a. P07970- Requesting a 6-month extension on their pharmacy non-resident renewal. Their pharmacist was unaware they needed an MD PIC since this is their 2nd time renewing without one. She has a pending reciprocity application and now needs time to study and take a test. <u>Committee Recommendation:</u> <i>Approve for 60 days starting on June 26,2024. After that if not resolved must cease shipment into MD.</i></p> <p>b. PW0524- Requesting a waiver of the \$200 late fee from the Board. They were advised to hold off renewing until the relocation process was complete. In doing so, the physical move took a couple weeks longer than expected and realized she had missed the May 1st deadline. On May 3rd she went online to renew the system had a few glitches and she couldn't renew. <u>Committee Recommendation:</u> <i>Approve, refunding \$200 late fee.</i></p> <p>c. P08456- Requesting an extension for finding a new MD PIC. <u>Committee Recommendation:</u> <i>Approve for 60 days starting on June 26,2024. After that if not resolved must cease shipment into MD.</i></p> <p>d. P05384-Our Laboratory Scientist requests that the committee review. The pharmacy has not been performing sterile compounding since June 2023 due to humidity control issues with the HVAC system so a full inspection for sterile compounding is not possible. Once they resume they will submit an updated inspection. <u>Committee Recommendation:</u> <i>Approve, let the Board know once resumed, and send inspection when completed.</i></p>	
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		<p>e. P08825- Paid the \$700.00 and would like to be credited the \$200.00. They had been trying to renew online before May 1st and were never contacted by IT. They weren't able to log in until May 6th. <u>Committee Recommendation:</u> <i>Approve, refund \$200.</i></p> <p>f. P08526- Paid the \$700.00 and would like to be credited the \$200.00. They had been trying to renew online before May 1st and were never contacted by IT. They weren't able to log in until May 6. Requesting a refund of \$200. Committee Recommendation: <i>Approve, refund \$200.</i></p> <p>8. Review of Continuing Education Program Request:</p> <p>9. Review of Pharmacy Technicians Training Programs:</p> <p>a. Little Acorn Pharmacy- Using PEER Program <u>Committee Recommendation:</u> <i>Approve</i> Commissioner Leikach Recused</p> <p>b. Ultra Care Pharmacy- Columbia <u>Committee Recommendation:</u> <i>Approve</i></p> <p>10. New Business:</p>	

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C. Public Relations Committee	J. Vázquez, Chair	Public Relations Committee Update:	
D. Disciplinary	K. Fink, Chair	Disciplinary Committee Update	
E. Emergency Preparedness Task Force	N. Leikach, Chair	Emergency Preparedness Task Force Update	
IV. Other Business & FYI	R. Rusinko, President		
V. Adjournment	K. Rusinko, President	<p>A. The Public Meeting was adjourned</p> <p>B. I would like to ask for a motion to close the public meeting and open a closed public session for the purpose of engaging in medical review committee deliberations of confidential matters contained in licensure applications in accordance with General Provisions Article Section 3-305(b)(13).</p> <p>C. Immediately thereafter, K. Rusinko, convened an Administrative Session for purposes of discussing confidential disciplinary cases.</p> <p>D. With the exception of cases requiring recusals, the Board members present at the Public Meeting continued to participate in the Administrative Session.</p>	