

**Maryland Board of Pharmacy
Public Board Meeting**

**Agenda
February 19, 2025**

Name	Title	Present	Absent
Evans, K.	Commissioner		
Fink, K.	Commissioner		
Geigher, P.	Commissioner/Treasurer		
Hardesty, J.	Commissioner		
Leikach, N.	Commissioner		
Masood, M.	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		
Vacant	Licensing Manager		
Leak, T.	Compliance Director		
Gaskins, J.	Legislative Liaison		
Watts-Vess, S	Communications Manager		

Subject	Responsible Party	Discussion	Action Due Date (Assigned To)										
I. Executive Committee Report(s)	<p>A.) K. Rusinko, Board President</p> <p>B.) J. Vazquez, 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 January 2025 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	K. Rusinko, Board President												
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. January Financials 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 1268 1535 1352"> <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 - 79</p> <ul style="list-style-type: none"> ● Inspections - 51 ● Customer Service - 6 ● Employee Pilferage - 3 ● Medication Error - 4 ● Out of State Disciplinary Actions - 5 																																														

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		<ul style="list-style-type: none"> ● CDS Red Flag - 2 ● Refusal to Fill - 3 ● Unprofessional Conduct - 4 ● Shipping without a License - 1 <p>Resolved- 35 Actions within goal- 35/35 Formal Disciplinary Actions Taken- 6 Summary Actions Taken- 0 Average Days to complete- NA</p> <p>Regulatory Inspections: Total - 136 Annual Inspections - 118</p> <ul style="list-style-type: none"> ● Chain - 50 ● Independent - 20 ● Sterile Compounding - 16 ● Repository - 19 ● Comprehensive Care - 0 ● Hospital - 5 ● Supplemental Assisted Living - 3 ● Follow up - 0 ● Distributor - 3 ● Attempted- 2 <p>Openings/Remodels/Relocations - 8 Closing Inspections - 7 Change of Ownership - 4 Pending Opening – 2 Pending Closing - 0</p>	

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F. Legislation & Regulations	J. Gaskins, Legislative Liaison	<p><u>Legislation</u></p> <p>SB 217/ HB 256 - Health Occupations Boards - Membership Alteration and Sunset Extensions</p> <p>SB 371/ HB 565 - State Board of Pharmacy - Renewal Notices - Electronic Means</p> <p>The Board took positions on the following bills:</p>																								
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			<p>proficiency as a condition for licensure, certification, or registration if an applicant holds a valid, unrestricted license, certification, or registration from another state that requires evidence of English proficiency for licensure, certification, or registration; adding manners of acceptable proof of English proficiency for the State Board of Nursing; etc.</p>			
		<p>SB 195</p>	<p>HB 218</p>	<p>Family Law and Child Support</p> <p>This will codify the ability of the Child Support Administration to take action to secure child support payments.</p>	<p>No position</p>	<p>Pending in Senate Judicial Proceedings</p> <p>Pending in House Judiciary Committee</p>
		<p>SB 217</p>	<p>HB 256</p>	<p>Health Occupations Boards - Membership Alteration and Sunset Extensions</p> <p>Continuing certain health occupations boards and the Behavior Analyst Advisory Committee within the State Board of Professional Counselors and Therapists in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the boards and Committee; and altering the membership of the State Board of Massage Therapy Examiners.</p>	<p>Support</p>	<p>Engrossed on February 6, 2025</p> <p>The bill will be presented in final form with the amendments</p>
		<p>SB 275</p>	<p>HB 448</p>	<p>Modernization of Military Laws Act</p>	<p>No position</p>	<p>Pending in Senate</p>

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			<p>Establishing rules of interpretation related to the uniformed services; altering the rule of interpretation for "veteran"; requiring the Secretary of Veterans and Military Families to develop certain policies related to life transitions of veterans, service members, and military families; and altering the application of certain provisions of law related to veterans, the uniformed services, and the filing of certificates of candidacy, the powers of the Governor, State veterans' cemeteries, and housing and employment discrimination.</p>	<p>Education, Energy, and the Environment Committee</p> <p>Pending in HGO</p>
		<p>SB 276</p>	<p>HB 600</p> <p>Educational Equality for Service Members Act</p> <p>Establishing rules of interpretation related to the uniformed services; altering the rule of interpretation for "veteran"; and altering the application of certain provisions of law governing education to apply to all uniformed services, rather than only the armed forces.</p>	<p>No position</p> <p>Pending in Senate Education, Energy, and the Environment Committee</p> <p>Pending in House Ways and Means Committee</p>
		<p>SB 277</p>	<p>HB 466</p> <p>Health Equality for Service Members Act</p> <p>Establishing rules of interpretation related to the uniformed services; altering the rule of interpretation for "veteran"; and altering the application of certain provisions of law governing public health, the regulation of health occupations, and housing vouchers and assistance to apply to all uniformed services,</p>	<p>No position</p> <p>Pending in Senate Finance Committee</p> <p>Pending in HGO</p>

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			rather than only the armed forces.		
		SB 278	HB 691 Tax Relief and Pensions Equality for Service Members Act Establishing rules of interpretation related to the uniformed services; altering the rule of interpretation for "veteran"; and altering the application of certain provisions of law governing personnel, pensions, and taxation to apply to all uniformed services, rather than only the armed forces.	No position	Pending in Senate Budget and Taxation Committee Pending in House Appropriations Committee
		SB 281	HB 475 Transportation Equality for Service Members Act Establishing rules of interpretation related to the uniformed services; altering the rule of interpretation for "veteran"; and altering the application of certain provisions of law governing transportation to apply to all uniformed services, rather than only certain uniformed services.	No position	Pending in Senate Judicial Proceedings Committee Pending in House Environment and Transportation Committee
		SB 282	HB 494 Recreational Equality for Service Members Act Establishing rules of interpretation related to the uniformed services; altering the rule of interpretation for "veteran"; altering the application of certain provisions of law governing public health and the regulation of health occupations to apply to all uniformed services, rather than only the armed forces; altering the circumstances under which licenses	No position	Pending in Senate Education, Energy, and the Environment Committee Pending in House Environment

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			for fishing in tidal waters do not lapse; etc.		and Transportation Committee	
		SB 303	HB 321	<p>Pharmacy Benefit Managers - Definition of Purchaser and Alteration of Application of Law</p> <p>Altering the definition of “purchaser” for the purpose of certain provisions of State insurance law governing pharmacy benefits managers to exclude certain nonprofit health maintenance organizations; and repealing certain provisions of law to pharmacy benefit managers that provide pharmacy benefits management services on behalf of a carrier.</p>	Monitor	<p>Pending in Senate Finance Committee</p> <p>2nd reading passed with amendments in House</p>
		SB 321	HB 352	<p>Budget Reconciliation and Financing Act of 2025</p> <p>Establishing or altering certain administrative penalties; altering or repealing certain required appropriations; authorizing the use of certain funds for certain purposes; establishing certain funds; authorizing, requiring, or altering the distribution of certain revenue; altering the rates and rate brackets under the State income tax on certain income of individuals; requiring certain groups of corporations to file a combined income tax return reflecting the aggregate income tax liability of all members of the group; etc.</p>	No position	<p>Pending in Senate Budget and Taxation Committee</p> <p>Pending in House Appropriations Committee</p>
		SB 371	HB 565	State Board of Pharmacy - Renewal Notices - Electronic Means	Support and Testimony	2nd reading passed in Senate

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			<p>Requiring the State Board of Pharmacy to send renewal notices to licensees, permit holders, and registrants by electronic means, rather than by first-class mail, unless the licensee, permit holder, or registrant requests to receive the renewal notice by first-class mail.</p>		<p>Pending in HGO</p>
		<p>SB 393</p>	<p>HB 529</p> <p>Health Insurance - Prescription Drug Formularies and Coverage for Generic Drugs and Biosimilars</p> <p>Requiring certain carriers to post updated, accurate, and complete prescription drug formularies and changes to the formularies in a certain manner on a carrier's website; and requiring certain insurers, nonprofit health service plans, and health maintenance organizations to make certain generic drugs and biosimilars available on a formulary with certain cost sharing.</p>		<p>Senate - Withdrawn by sponsor</p> <p>Pending in HGO</p>
		<p>SB 438</p>	<p>HB 813</p> <p>Pharmacy Benefits Administration - Maryland Medical Assistance Program and Pharmacy Benefit Managers</p>	<p>Monitor</p>	<p>Pending in Senate Finance</p> <p>Pending in HGO</p>
		<p>SB 458</p>	<p>HB 783</p> <p>Health Occupations - Structural Racism Training</p> <p>Requiring applicants for renewal of certain licenses and certain certificates issued by certain health occupation boards to attest that</p>	<p>No position</p>	<p>Pending in Senate Finance</p> <p>Pending in HGO</p>

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			<p>the applicant completed an implicit bias and structural racism training program, rather than an implicit bias training program, approved by the Cultural and Linguistic Health Care Professional Competency Program.</p>		
		<p>SB 490</p>	<p>HB 696</p> <p>State Boards, Committees, Commissions, Task Forces, and Workgroups - Elimination of Citizenship Requirements and Establishment of Diversity Requirements</p> <p>Eliminating citizenship requirements for boards and commissions; and requiring that members of boards, committees, commissions, task forces, and workgroups reflect the full diversity of the State to the extent practicable.</p>	<p>No position</p>	<p>Pending in Senate Finance</p> <p>Pending in HGO</p>
		<p>SB 539</p>	<p>HB 1493</p> <p>Health Occupations - Prescriptions for Children Subject to Shared Custody or Visitation Schedules</p>	<p>Opposition and testimony</p>	<p>Pending in Senate Finance Committee</p>
			<p>HB 231</p> <p>Constitutional Amendment - Fee or Tax Rate Increases - Yea and Nay Vote of General Assembly Required (Taxpayer Disclosure and Protection Act)</p> <p>Prohibits a certain increase of a State fee or the rate of a State tax from taking effect unless the General Assembly, by a yea and nay vote, explicitly approves the increased fee or tax rate; and requiring that the amendment to the Maryland Constitution be submitted to the qualified votes of the State at the next general election to be held in November 2026 for adoption or rejection.</p>	<p>No position</p>	<p>Pending in House Ways and Means Committee</p>

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		HB 482	<p>Occupational Licensing and Certification - Criminal History - Predetermination Review Process</p> <p>Establishing a predetermination review process for occupational licenses and certificates in certain departments of State government; authorizing a department to charge a criminal history review fee of not more than \$100; and authorizing the fee to be waived if the individual's income is at or below 300% of the federal poverty level.</p>	Letter of Concern	Pending in House Economic Matters Committee
		HB 621	<p>Criminal Procedure - Expungement - Adverse Actions and Removal From Maryland Electronic Courts System (MDEC)</p> <p>Clarifying that refusal by a person to disclose information about criminal charges that have been expunged may not be the sole reason for a unit, an official, or an employee of the State or a political subdivision of the State to deny the person's application for a license, permit, registration, or governmental service; providing that refusal by a person to disclose information about criminal charges that have been expunged may not be the sole reason for an educational institution to expel or refuse to admit the person; etc.</p>	No position	Pending in House Judiciary Committee
		HB 820	<p>Health Insurance - Utilization Review - Use of Artificial Intelligence</p>	No position	Pending in HGO

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		<p>Requiring that certain carriers, pharmacy benefits managers, and private review agents ensure that artificial intelligence, algorithm, or other software tools are used in a certain manner when used for conducting utilization review.</p>	
<p><u>Regulations</u></p> <p>Regulatory Review:</p> <p>Final Board Vote:</p> <ol style="list-style-type: none"> 1) 10.34.04 - Transfer and Outsourcing of Prescriptions and Prescription Orders 2) 10.34.06 - Reporting Pharmacist's Pharmacy Intern's, and Pharmacy Technician's Mailing Address and Location of Employment 3) 10.34.07 - Pharmacy Equipment <p>The following chapters are being presented for review and public comment:</p> <ol style="list-style-type: none"> 4) 10.34.12 - Removal of Expired Medications 5) 10.34.26 - Patient Safety Improvements 6) 10.34.27 - Compelling Purpose Disclosure 			

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<p>III. Committee Reports</p> <p>A. Practice Committee</p>	<p>K, Evans, Chair</p>	<p><u>Question One: M. Dark</u></p> <p>I am the manager for the Maryland Tobacco Control Resource Center and we've received an inquiry regarding the new regulation for pharmacists to prescribe NRT as indicated here: https://dsd.maryland.gov/regulations/Pages/10.34.42.03.aspx</p> <p>The inquiry is regarding:</p> <p>a pharmacist shall complete a training program developed for the prescribing of a nicotine replacement therapy medication approved by the Board that is:</p> <ul style="list-style-type: none"> (a) Offered by an accredited school of pharmacy; (b) Offered by an accredited school of medicine; or (c) Accredited by the Accreditation Council for Pharmacy Education. <p><u>PROPOSED RESPONSE Q1:</u></p> <p>Please refer to ACPE’s website and search “ Nicotine Replacement Therapy”</p> <p><u>Question Two: S. Rath</u></p> <p>I had a prescription filled 12/4/2024 at CVS. The prescription is Budesonide and Formoterol inhalation aerosol 80/4.5. My instructions per my physician is to start this medication with prednisone only when I have an asthma attack that does not resolve with albuterol inhalation. Therefore, I could go months without needing this medication. The problem is that the</p>	

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		<p>expiration date on the package is 8/25. My question is: I thought the pharmacy had to dispense a prescription that at least did not expire for 12 months. So is that assumption not true? If it is not true, should the physician write the script a different way to cover 12 months for all prescriptions that one needs?</p> <p>I am a State retiree kicked off the State plan as of 12/31. As of 1/1, I will be on medicare D and will have the cost increased by hundreds of dollars.(look out,all state employees will be facing this when they retire!!)</p> <p><u>PROPOSED RESPONSE Q2:</u></p> <ol style="list-style-type: none"> 1. The MD Board of Pharmacy does not have regulations where a pharmacy has to dispense a prescription that does not expire for 12 months. 2. Contact your physician and The Board of Physicians for further guidance. <p><u>Question Three: S. Patil</u></p> <p>I am contacting you on behalf of Chase Brexton Healthcare in Baltimore.</p> <p>As the Board of Pharmacy is probably aware, the issue of white/brown bagging has become a major issue of late especially as it relates to patient safety and care. We would like to know if the Board of Pharmacy has any guidance on this issue.</p> <p>We do understand that the State of Maryland has pending</p>	

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		<p>proposed legislation related to the issue of white bagging.</p> <p><u>PROPOSED RESPONSE Q3:</u></p> <p>A non-controlled dispensed drug can be delivered to a physician's office.</p> <p><u>DRUG THERAPY MANAGEMENT PROGRAM</u></p> <p><u>Pharmacy:</u> Johns Hopkins</p> <p><u>Pharmacists:</u> Michael Cuda</p> <p><u>Protocols:</u> Anticoagulation</p>	
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B. Licensing Committee	K. Slagle, Chair	<p>1. Review of Pharmacist Applications: None</p> <p>2. Review of Pharmacist Renewal Applications: None</p> <p>3. Review of Pharmacist Reinstatement Applications:</p> <p>a. 14790: The applicant is requesting to submit copies of paystubs and current pharmacist license in lieu of the required pharmacy experience affidavit. <i>Committee Recommendation:</i> Deny. The Pharmacy Experience Affidavit is a requirement of a pharmacist application.</p> <p>4. Review of Technician Applications: None</p> <p>5. Review of Technician Reinstatement Applications: None</p> <p>6. Review of Intern Renewal Applications:</p> <p>a. PI02869: The registrant is requesting an extension on their intern registration while preparing for the NAPLEX and MPJE exams scheduled for June 2025. <i>Committee Recommendation:</i> Deny. The registrant may apply as a pharmacy technician if pharmacy technician application requirements are met.</p> <p>b. PI02510: The registrant is requesting an extension on their intern registration due to the pharmacist application not being complete by the application expiration date. <i>Committee Recommendation:</i> Approve. Extension is approved until 04/30/2025.</p> <p>7. Review of Pharmacy Applications: None</p> <p>8. Review of Pharmacy Renewal Applications: None</p>	

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		<p>9. Review of Continuing Education Program Request: None</p> <p>10. Review of Pharmacy Technicians Training Program: None</p> <p>11. New Business: None</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	K. 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>	