

# Maryland Board of Pharmacy

## Public Board Meeting – November 15, 2000

**The Public Meeting was called to order at 8:45 a.m.**

### **ATTENDANCE**

Commissioners Present: Stanton Ades, President; W. Irving Lottier, Secretary; Raymond C. Love; Melvin Rubin, Treasurer; Commissioners: Ramona McCarthy Hawkins; John Balch; Wayne Dyke and Jeanne Furman

Board members Absent: Barbara Faltz Jackson, Laura Schneider, Reverend William E. Johnson, Sr. and Donald K. Yee

Board Counsel: Paul Ballard, Linda Bethman

Board Staff: LaVerne G. Naesea, Executive Director; Michelle Andoll, Pharmacy Compliance Officer; James Slade, Legislative/Regulatory Officer; Deitra M. Gale, Compliance Specialist; Tamarra Banks, Network & Information Services; Sharon Demory-Cornish, Personnel Officer; Doris Thomas, Acting Licensing Supervisor and Sandra A. Hines, Executive Secretary

Guests: Nathan Gruz (MPhA Executive Director Emeritus); Catherine Putz (Division of Drug Control); Kathryn Lavriha (Barr Labs); Mike Nicholson (DuPont Pharmaceuticals); Sam Thomas (Knoll Pharmaceutical); Bob Feroli (MSHP); Howard Schiff (MPhA); John Gleespen (Intern-MPhA)

### **INTRODUCTION**

President Ades asked each guest to introduce him or herself.

### **RECUSALS**

There were no recusals of Commissioners due to conflicts of interest.

### **APPROVAL OF MINUTES**

The following corrections were made to the minutes: pg. #1: Richard Baylis is with Omni Care; pg. #4: under section "Return and Re-use of Blister Packaging/Bingo Cards," 5<sup>th</sup> sentence, should be: "Medicare/Medicaid requires;" add "fully labeled;" "30" day instead of "20." Under "Question About allowing Inpatients To Take Certain Medications Home," add that "the Practice Committee recommended that inpatients." Last sentence should read "The Board." Under "Questions On Technician Verification," should read "the Board." "Tech Check Tech" is not permitted. Then add: "The Board will re-examine this issue." Page #5, under "Public Relations Committee/Council of Boards Report," should read: "to visit pharmacies at various locations." Page #6, under "Communications," correct web-site address to read: "[www.mdbop.com](http://www.mdbop.com)."

Dr. Love made a motion for acceptance of the minutes with corrected amendments. Ms. McCarthy-Hawkins seconded the motion which was passed by the Board.

### **PRESIDENT/EXECUTIVE COMMITTEE REPORT**

#### **2001 Board Seat Vacancies**

President Ades announced that there are three Board terms that will expire in 2001. The members affected are: Ramona McCarthy Hawkins, (At Large Designation); Raymond Love, (Acute Care Hospital Designation); Melvin Rubin, (Independent Designation).

# **Maryland Board of Pharmacy**

## **Public Board Meeting – November 15, 2000**

President Ades stated that the Board of Pharmacy is required by law to notify all pharmacist of the availability of positions. An announcement will be placed in the January Board of Pharmacy Newsletter specifying which organization to contact to obtain an application. MPhA and MPhS will develop a list of three names for the independent designation. MPhA will do the same for the acute care designation, and MPhS will collect all names for the at-large designation, and send there lists to Rozlyn Goldner, Director of Applicants/Executive Nominee, who will then forward the list of nominees from the three groups to the Governor from which to choose.

### **District II Meeting**

President Ades reported that on October 19-21, 2000 NABP District II States, in conjunction with AACP, held their annual meeting in Short Hills, N.J. The three main topics discussed were: Medication Errors, Contemporary Compounding Practice and Principles of Pain Management. There was also a discussion on Pharmacy Manpower. In attendance representing the Maryland Board of Pharmacy were: President Ades, Board Commissioners: Ms. Furman, Mr. Rubin, Board staff members: Ms. Naesea and Ms. Andoll. The District II meeting for 2001 will be held in Cooperstown, New York.

### **Restructuring of Disciplinary Committee**

President Ades reported that the Board decided to make the Disciplinary Committee a standing committee and has requested that Ms. Furman be the Chairperson. President Ades stated that the Board has improved greatly in the way disciplinary functions were handled within the last two years. The decision for establishing the Disciplinary Committee was made to give it some consistency and continuity. Ms. Furman will appoint the committee members.

### **Legislative Committee**

President Ades announced that the next scheduled Legislative Committee meeting will be held on Monday, November 27, 2000 at 9 a.m. in room #310.

### **Office Renovations**

Ms. Naesea reported that the renovations are practically completed. The Board of Pharmacy is waiting for the installation of additional phone lines and computer lines. In addition, the Board is completing the removal of clutter caused by the move.

### **Electronic Licensing Update**

Ms. Naesea reported that Ms. Banks is still waiting to hear from NABP about their joint electronic licensing program. The Board expects to utilize this program.

Ms. Naesea informed the Board that she attended an orientation sponsored by the Department of Health and Mental Hygiene that consisted of discussing their plans for electronic licensing and suggestions for various ways for units to upgrade their system for customer service delivery. Ms. Naesea stated that the Board of Pharmacy has already upgraded its system to deliver customer service.

Ms. Naesea reported that various Boards in the building are interested in purchasing an electronic service together as a collective project to develop the system. Ms. Naesea stated that the Board of Pharmacy would not participate due to our commitment to NABP.

# **Maryland Board of Pharmacy**

## **Public Board Meeting – November 15, 2000**

### **Sunset Review – Preliminary Comments**

Ms. Naesea updated the Board on the Sunset Review Process performed by Robyn Elliott, Department of Legislative Services. Ms. Elliott examined the Board's activities during the spring of 2000 to make

recommendations regarding whether we would need a full review or if the preliminary review would be sufficient. Her recommendation is for a full review next summer. The Board commented on the initial recommendations pertaining to accuracy. The Board's biggest concern is the review showed a lack of understanding of the relationship between the Division of Drug control and the role that the Board plays in monitoring Pharmacies. Ms. Naesea also stated that there were some questions related to the budget. A copy of our comments will be disseminated at the next Board meeting.

### **Staffing Updates**

Ms. Demory-Cornish reported that the Board is currently recruiting for a new licensing supervisor. Currently, Ms. Thomas is the acting licensing supervisor and questions pertaining to licensing should be referred to her.

Ms. Demory-Cornish reported that the classification for the Public Relations person has been approved. The position will be published in this weeks Sunday Sun Paper under Educational and Training Specialist. It will be a half-time position.

Ms. Demory-Cornish announced that within the next several weeks, she would be working to convert Ms. Gale's position into a permanent State position. Currently, it is a contractual position. The permanent position is hoped to be effective starting December 14, 2000.

Ms. Naesea announced that she and Ms. Demory-Cornish have been looking at the State's Tele-Networking System since the State has encouraged all units to begin examining it. Ms. Gale will be going on maternity leave soon, so it was decided that she would be a good test case for the Board. Ms. Gale will be Tele-Networking activities 50% on a contractual basis while on maternity leave. Ms. Naesea stated that she would keep the Board posted during the interim.

### **Board Counsel Report**

#### **Composition of Joint Committee on Nurse Midwifery**

Mr. Ballard reported that a few months ago when representatives from the Nursing Board attended the Pharmacy Board meeting, the Pharmacy Board correctly noted that the Nursing Board's regulations provided for a "Joint Committee on Nurse Midwifery composed of an equal number of members appointed by the Pharmacy Board and the Board of Physician Quality Assurance (BPQA). However, upon further review by the Nursing Board, it was ascertained that the Division of State Documents had mistakenly printed the term "Pharmacy". On October 6, 2000, the Maryland Register published an Errata sheet correcting this error. Thus, the Nursing Board is required to have a Joint Committee on Nurse Midwifery composed of three members from the Nursing Board and three members from the BPQA, and is not required to have any members appointed by the Pharmacy Board.

### **Legislative Officer Report**

#### **Drugs and Prescription Records**

Mr. Slade reported that the Division of Drug Control submitted a Bill for Departmental sponsorship stating that the Department would be able to immediately impound any prescription drugs and records when a permit is denied, revoked or suspended due to a threat to the public health, safety and welfare.

# **Maryland Board of Pharmacy**

## **Public Board Meeting – November 15, 2000**

### **Crisis in Pharmacy Workforce Legislation**

Mr. Slade reported that the Task Force for the Crisis in Pharmacy Workforce Bill has been revised to have 19 members instead of the 27. Also, the President of the Board of Pharmacy will be the chairperson instead of Secretary Benjamin. Mr. Slade informed the Board that the Task Force is still waiting to hear from Secretary Benjamin.

### **Update on Regulations**

Mr. Slade reported on the Board of Pharmacy Regulations Status Report that the Closing of the Pharmacy Regulations have been submitted for publication. The Portable Drug Kits have been submitted for publication. Mr. Slade has contacted USP to obtain a progress report on their work, which would affect the Consumer Drug Stores and Shipment Safety Regulations. Mr. Slade will follow-up with USP.

### **Guest Presenter(s) – None**

### **Committee Reports**

#### **Practice Committee**

Dr. Love reported that the Practice Committee focused on two sets of regulations. The first set of regulations, which were addressed, were the Outsourcing of Prescriptions Regulations. After revision, the committee decided to present the regulations to the Board for a vote. The second set of regulations that the committee addressed was the Delivery of Prescription Medication Regulations. The committee reviewed comments that were received after publication, and made revisions to the proposed text. Mr. Slade is drafting the responses to the comments, which will be reviewed at the January 3, 2001 committee meeting. The committee will not meet in December

#### **Unlicensed Personnel/Technicians**

Mr. Rubin informed the Board that the initial regulations, which would place the responsibility for the actions of technicians on the permit holder and the pharmacist on duty, received comments from NACDS subsequent to the Proposed Regulations publication in the Maryland Register. The Committee will address these comments.

#### **Automation Task Force**

Dr Love reported that after the many changes to the regulations, there are still some issues that the Task Force has been asked to clarify.

#### **Medication Error Task Force**

Ms. Furman informed the Board that the Task Force will be taking the recommendations that they came up with and prioritizing them, then taking the ones they feel the Board should act on first and putting them into formal language.

#### **Licensing Committee**

#### **Reciprocity**

Mr. Dyke read the names of the candidates from the meeting held on November 14, 2000. Mr. Dyke made a motion to approve the candidates for licensing. The motion was seconded by Dr. Love and approved by the Board.

# **Maryland Board of Pharmacy**

## **Public Board Meeting – November 15, 2000**

### **Exam Certification**

Mr. Dyke spoke of the draft proposal of a letter to University of Maryland, Howard University, and other neighboring schools (PCP, Temple, University of Virginia, and others who have had students take our exams in the past two (2) years). The letter will state that the Maryland Board of Pharmacy has been accepting certification letters from schools of pharmacy which indicate that a student will have graduated

from that School and will have earned a specified number of pharmacy experience hours by a date before the laboratory examination is offered. The Licensing committee of the Maryland Board of Pharmacy will now accept certification in advance of the actual completion of all requirements under the following conditions: “The School will forward a list within two weeks after the candidates actually qualify for graduation and have completed the experiential portion of their training” or similar wording; Candidates for the Board Examination will be allowed the opportunity to take examinations according to a listed schedule, but will not receive notification of grades unless the schools sent the follow-up letter.

### **Laboratory Examination**

Mr. Rubin reported that he had reviewed many questions which were proposed to be used for the first written laboratory examination and that many did not apply to compounding or patient counseling and that a lot of work is needed.

Mr. Dyke said he hopes to have a test exam in January or February with recent graduates being given the exam. Dr. Love said that a wider representation of item writers might be needed.

### **PEAC (Pharmacists Education and Assistance Committee) – Update**

Mr. Rubin reported that the PEAC conference gave a good presentation about the laws and how it refers to the Board of Pharmacy. Mr. Rubin also stated that they spoke about joining with smaller Boards to work with them to help them expand their role.

### **Public Relations Committee**

#### **Consumer-Related Activities**

Ms. Furman reported that the Board of Pharmacy Public Relations Committee’s activities for the year 2000 were successful. Ms. Furman named the following activities that took place for the year: Radio Advertisement (April 21 – May 8, 2000); WCBM: 30 Interview/Senior & Caregivers, Pharmacy Panel (April 21, 2000); WELG: 10 Interview/Pharmacists as a Resource (April 30, 2000); Flower Mart (May 17, 2000); Maryland Pharmacists Association (MphA) (June 9-13, 2000); Maryland Pharmaceutical Society (MSP) & National Pharmaceutical Association (NphA) (July 21-25, 2000); America, Society of Consultant Pharmacists (ASCP) (August 18-20, 2000); Senior Expo (October 11, 2000); Maryland Society of Hospital Pharmacists (MSHP) (October 13-15, 2000); Radio Advertisement (October 16 – November 1, 2000); Pharmacists Education & Assistance Committee (PEAC) (October 19, 2000); WELG: 10 Interview/Traveling Medicine Show (April 30, 2000); The Traveling Medicine Show (October 22-28, 2000); Harford Futures Fair (November 7, 2000); Maryland Nurses Association (MNA) (November 8-10, 2000).

### **Technology and Automation Report**

#### **Web Site**

Ms. Banks announced that the Board of Pharmacy has a new web-site [www.mdbop.com](http://www.mdbop.com)

# **Maryland Board of Pharmacy**

## **Public Board Meeting – November 15, 2000**

Ms. Banks reported that the Board of Pharmacy went from 15 to 11 in rank for The Department of Health and Mental Hygiene's most popular web site. In October, the Board of Pharmacy had 1,500 persons who used the web site, compared to 745 who used in June.

### **Hardware & Software Updates**

Ms. Banks informed the Board that she and Ms. Naesea would meet with the Management Staff to give a presentation on the upgrading of their system.

### **Council of Boards Report**

#### **Minutes and November Agenda**

Ms. Naesea reported that Ms. Faltz-Jackson attended the November meeting. The minutes are not available. However, Ms. Jackson informed Ms. Naesea that the Council of Boards received a four million dollar grant from the Department of Labor for licensing fees and/or certification. The grant will benefit veteran Pharmacist who are renewing their license by paying for the licensing fees.

### **Board Member Orientation**

Ms. Naesea announced that there would be a Board Member Orientation on November 29, 2000. A letter was mailed to Board Members announcing the orientation. New Board Members will receive a debriefing.

### **Legislative Reception**

Ms. Naesea announced that there would be a legislative reception sponsored by the Counsel of Boards and Commissions, in Annapolis, tentatively, on January 31, 2001 from 11 a.m. to 2 p.m. Ms. Faltz-Jackson is working on reserving the Baltimore Legislative Room in Annapolis for the activity. Ms. Naesea reported that Ms. Anna Jeffers, Regulations/Legislation Specialist, stated that the Secretary should decide upon all the 2001 proposals, which include the Board of Pharmacy's proposal, in the next two weeks.

### **Board of Pharmacy Report on Medication Errors**

Ms. Furman reported that BPQA and the Board of Nursing on Medication Errors activities representatives would meet with the Board of Pharmacy to share their information.

President Ades adjourned the Public Board meeting at 11 a.m.