

**Maryland Board of Pharmacy
Public Board Meeting
September 17, 2003**

President Stanton G. Ades called the Public Board Meeting to order at 9:10 a.m.

Attendance

Commissioners Present: Stanton G. Ades, President, Mark Levi, John Balch; Raymond Love, Jeanne Furman; Wayne Dyke, Rev. William Johnson, Sr., Ramona McCarthy-Hawkins, Christiaan Blake, Joseph DeMino, and Donald Yee

Absence Commissioner: Mel Rubin

Board Counsel: Paul Ballard, Assistant Attorney General and Linda Bethman, Staff Attorney

Board Staff: LaVerne G. Naesea, Executive Director; James Slade, Legislative Officer; Shirley Costley, Fiscal/Personnel, Joanne Lawrence, Public Relations, and Latonya Dickerson, Board Secretary

Guests Howard Schiff, MPhA, Gil Cohen, PEAC, Calvin Lee, MPhA, Corey Johnson, Health Care Consulting & Logistics, Kathryn Lavriha, Barr Labs, Matthew Gainey, Purdue Pharma L.P.

Recusals

President Ades asked Board members to indicate if they had any conflicts of interest with agenda items. No members responded.

Approval of Minutes (8/20/03)

Page 1, heading Bio-terrorism and Emergency Preparedness Task Force, second line, delete the word “were”.

Page 5, heading Scope of Practice, first sentence should read, “The Board received a question about an out-patient anticoagulation clinic that is operated by an in-patient institutional pharmacy”.

Page 5, heading Pharmacy Technicians, last line, delete “and provide a revised copy at the September 2003 Board meeting” and add, “The Board voted to submit a proposal for legislation to the Governor’s office” as the last sentence under the Pharmacy Technicians - Board Action.

Dr. Love moved to accept the August 20, 2003 meeting minutes with corrections. Mrs. Ramona McCarthy-Hawkins seconded the motion. The Board passed the motion.

President/Executive Committee Report

Introduction of New Board Member

President Stanton Ades introduced Mr. Mark Levi, the newly appointed Board Member.

The Board passed a motion appointing Mrs. Furman to organize a social function for former Board Members Irv Lottier, Barbara Faltz-Jackson, Laura Schneider, and former Assistant Attorney General, Paul Ballard.

Bio-terrorism and Emergency Preparedness Task Force

The most recent Bio-terrorism Task Force meeting was held Friday, August 22, 2003. At the meeting the Task Force discussed training for the Local Health Department Liaisons and presented training schedules. The Pharmacy Team Leaders Training will be rescheduled either October 18th, 21st, or November 1, 2003.

Ms. Joan Lawrence reported that fifty-three (53) pharmacists attended the Phase I Training scheduled September 13, 2003 out of sixty-five (65) registered to attend.

The Bio-terrorism Task Force meeting on September 19, 2003 was postponed.

Shortage of Pharmacist – Writing Committee

Mr. Slade reported that the Shortage of Pharmacist Writing Committee met on September 5, 2003. During the meeting the Committee put together a report outline and distributed sections to individual members to revise. On September 22, 2003, Committee members will submit their revised section to the chair. The Committee is scheduled to meet on October 3, 2003 to review the Changes made by each member.

EPIC Pharmacies Inc. – Position on Administering Medications

Mark Levi, in capacity of Chief Operating Officer for EPIC (recently appointed to the Board), sent the Board a letter explaining EPIC Pharmacies' position to allow pharmacists to administer medications and requested that the Board contact the Board of Nursing to discuss this issue.

Board Action

The Board passed a motion to request a meeting with the Board of Nursing to discuss the **Epic's request**. President Ades will appoint representatives to meet with the Board of Nursing.

Meetings & Conferences

The U.S. Pharmacopoeia Conference is October 12 –15, 2003 in Washington, D.C. on packaging, storage, and distribution.

NCPIE Conference is December 2003 on patient safety.

The 2003 NABP/AACP District II meeting will be held October 19-21, 2003 in Richmond, VA. Jeanne Furman, Melvin Rubin, LaVerne Naesea, and Catherine Putz will be attending this meeting. Mr. DeMino indicated that he is also interested in attending and would pay his own fee if the Board were unable to send him.

Jeanne Furman, Joseph DeMino, and James Slade attended NABP's Fall Legislative Conference in Washington, D.C. September 14-16, 2003. Ms. Furman reported that the conference was informative, covering topics which included, how to expedite generic approval, Canadian importation and actions taken by the FDA, a federal legislative update, websites and bills to help monitor federal legislative actions, updates on controlled substance abuse, a presentation on technician diversion monitoring, and how HIPPA applies to what the Board of Pharmacy does. Mr. DeMino noted the importance of registering technicians and sharing information.

Board Action

The Board passed a motion to include an article in the January 2004 newsletter concerning technicians.

Executive Director Report - LaVerne Naesea

Staff Updates

Ms. Naesea reported that over 50 resumes for the 60% Investigator contractual position have been received. The deadline to submit resumes is September 22, 2003.

Orientation for New Board Members

Orientation for new Board Members will be held Monday, September 29, 2003 at 3:00 p.m. at the Maryland Board of Pharmacy.

Council of Boards

The Council of Boards Orientation for New Board Members is scheduled on December 5, 2003. Ms. Naesea encouraged new Board members to attend the next quarterly Council of Boards meeting in January 2004, and to participate in the Orientation for New Board Members.

Managing for Results (MFR)

Ms. Naesea provided a summary of the 2003 program performance strategies (attachment)

Pharmacist Rehabilitation – RFP Update

The Board received bids from two bidders. After careful evaluation both bids were disqualified. The Board will resubmit Request for Proposals and accept new bids. The Board will issue the new RFP September 23, 2003. The deadline for the Board to accept proposals is October 15, 2003.

Board Action

Dr. Love moved to award a 3-month prorated contract to the most recent provider, PEAC, to allow time to review bids and award the new contract. Ms. Furman seconded the motion. The motion passed.

Secretary Retreat on Bio-terrorism

The Secretary of DHMH is hosting a Bio-Terrorism Retreat for Executive Staff on October 7, 2003. The Boards of Pharmacy, Physicians, and Nursing are developing a joint PowerPoint Presentation on their volunteer practitioner projects. Ms. Naesea will represent the Board.

Board Counsel

Ms. Naesea informed the Board that Mr. Paul Ballard has been reassigned to work with the Board of Dental Examiners. Ms. Naesea asked that the Board support promoting Ms. Linda Bethman to an Assistant Attorney General position and hire a second staff attorney to assist her.

Board Action

Jeanne Furman moved to support keeping both attorney positions. Ramona McCarthy Hawkins seconded the motion. The Board passed the motion.

Intern

Ms. Naesea introduced Christina Kirby; a fourth year student from the University of Maryland, School of Pharmacy is currently working on an elective rotation with the Maryland Board of Pharmacy.

Guest Presenter(s):

Deputy Secretary Arlene Stephenson, on behalf of Nelson J. Sabatini, DHMH Secretary, congratulated the Maryland Board of Pharmacy on the wonderful job they perform in relation to Bio-terrorism preparedness. Ms. Stephenson also commended the Board on the number of volunteers registered to help during a bio-terrorism emergency.

PEAC

Mr. Gil Cohen reported that the Board referred ten of the current 30 pharmacists that PEAC serves on its caseload.

PEAC completed the mailing to pharmacists regarding the continuing education conference scheduled on Thursday, October 16, 2003, at the Handelman Learning Center, Beacon Institute, Columbia, Maryland. PEAC is offering 6 CE's during the conference.

Due to a poor response from chain representatives PEAC will reschedule the meeting scheduled for September 24, 2003.

Regulations/Legislative Officer Report

Regulations Status Report of 9/8/03

Mr. Slade reviewed the Regulation Status Report dated September 8, 2003. The report is included in the Board Packet.

Disciplinary Proceedings

Title 10, DHMH, Subtitle 34 Board of Pharmacy, 10.34.01 became effective September 1, 2003.

Pharmacy or Distribution Permit Holder

Comments on the Pharmacy or Distribution Permit Holder are due September 22, 2003.

MBOP Policy Statements

Mr. Slade prepared a Maryland Board of Pharmacy Policy Statement to inform stakeholders the procedure to present to the Board. The Board reviewed the policy statement.

Board Action

The Board passed a motion to post the MBOP Policy Statement on the BOP website.

Patient Safety Improvement

The Board received a letter from Diane Darvey, Director of National Association of Chain Drug Stores (NACDS) requesting comments on proposed COMAR 10.34.26, Patient Safety Improvement. She was specifically interested in the definition of medication error, the scope of the ongoing quality assurance program, information provided to patients, and high alert medications. Mr. Slade prepared a response to Ms. Darvey's letter (in Board packet).

Board Action

Mrs. Furman moved to send the letter dated 9/17/03 prepared by Mr. Slade to Diane Darvey, Director of NACDS in response to her comments. Mr. Wayne Dyke seconded the motion. The Board passed the motion.

Drug Therapy Management

The Board received a letter from Royce Burruss, Vice President of HomeCall Pharmaceutical Services, Inc. requesting comments on Proposed Regulations COMAR

10.34.29 Drug Therapy Management. Mr. Slade prepared a response dated September 17, 2003 to Mr. Burruss's letter.

Board Action

Mrs. Furman motioned to send the letter (included in Board packet) dated 9/17/03 to Mr. Burruss in responding to his comments. Mr. John Balch seconded the motion. The Board passed the motion.

Pharmacy Practice Committee

The Pharmacy Practice Committee met on September 3, 2003. During the meeting the Committee discussed the Shortage of Pharmacies Task Force. The Committee recommended that Mr. Slade inform the Task Force to include information regarding technicians in the report. The Committee reviewed the response to comments on the Patient Safety Regulations (included in the Board packet). The Committee recommended changes regarding the Collaborative Drug Management Regulations. The Committee also reviewed the Regulations for Dispensing & Distributing in a Setting that Does not Hold a Pharmacy Permit. Dr. Love recommended on behalf of the Practice Committee that the Board adopt the proposed Regulations. Ms. Bethman suggested that wording be added to the regulations to clarify that a medical facility or clinic referenced in .01A. (3) does not mean a hospital or other type of setting that is otherwise required to have a pharmacy permit. Specifically, Ms. Bethman suggested that “ and is not otherwise required to possess a pharmacy permit”, be added at the end of .01A(3).

Board Action

Mr. Balch moved that the Board adopt the Regulations for Dispensing & Distributing at a Setting that does not Hold a Pharmacy Permit, with the changes recommended by Ms. Bethman. Jeanne Furman seconded the motion. The Board passed the motion.

Long Term Care

The Long Term Care Committee met on September 16, 2003. The Committee reviewed the definitions of packaging, prepackaging and repackaging at the meeting. During the coming months the Committee will begin writing regulations for Assistant Living Facilities. The next scheduled Long Term Care Task Force meeting is Tuesday, October 14, 2003.

Licensing Committee

The Licensing Unit did not meet in September. The Committee will provide a report in October.

Licensing of Wholesale Prescription Drug or Device Distributors

Board Action

The Board voted to publish the Licensing of Wholesale Prescription Drug or Device Distributors draft for comment.

Public Relations

Ms. Lawrence reported the State Fair on August 28, 2003 was a success. Consumer interest was excellent. The Board had 19 volunteers. Ms. Lawrence thanked Tamarra Banks, Doris James, Sandra Hines, Jeanne Furman and the Coalition for their help.

Upcoming Public Relations Events

The Board of Pharmacy voted at previous meetings host booths at the following events:

10/8/03	Howard County Community Day
10/16/03	PEAC Conference
10/10/03 –	
10/12/03	MSHP Conference

Channel 11 contacted the Board to interview a representative regarding Canadian prescription drugs.

Board Action

The Board passed a motion to contact WBAL to speak on public safety issues to educate the consumer

Mr. Blake extended an invitation to the Board for a member to speak fifteen to thirty minutes on WLLB radio station on Canadian prescription drugs. President Ades will appoint a member to speak on WLLB radio Station.

.

Meeting adjourned at 12:30 p.m.