

Maryland Board of Pharmacy
Public Board Meeting Minutes
February 15, 2006

Attendance

Officers: John Balch, President; Jeanne Furman, Secretary

Commissioners: Margie Ann Bonnett, David Chason, Joseph DeMino, Mayer Handelman, Donald Taylor, Rodney Taylor, Michael Souranis and Don Yee

Staff: LaVerne Naesea, Executive Director; Linda Bethman, Board Counsel; Colin Eversley, Compliance Investigator; Shirley Costley, Licensing Manager; Summar Goodman, Public Information and Education Officer; Alicia Carter, Executive Secretary

Absent: Mark Levi, Treasurer; Anna Jeffers, Legislative Officer
(Mr. Levi and Ms. Jeffers on Board business with Legislature in Annapolis)

Guests: Howard Schiff, Maryland Pharmacist's Association; Chandra Mouli, Division of Drug Control; Georgette P. Zoltani, Division of Drug Control; Melvin Rubin, Pharmacist; Milton Moskowitz, PEAC; Kristin Zerumski, U.M School of Pharmacy.

I. Call to Order/Record Conflict of Interest

President Balch called the Public Meeting to order at 9:15 a.m. He requested that anyone with a conflict of interest their conflict at this time. There were no conflict of interest declarations. Guest attendees were asked to introduce themselves.

II. Corrections of Minutes 2/15/06

Page 2

-Under #4 "put a space between the and 2001."

Page 3

-Under B1 "Emergency Regulations *was* published in the Maryland Register" change to "Emergency Regulations *were* published in the Maryland Register."

-Under B2 "Howard Schiff commented that a coalition would have input on this bill." change to "Howard Schiff commented that a *Pharmacy Coalition* would have input on this bill.

Page 4 – 1st paragraph last sentence "members *were* to find bills of interest to the Board prior to Board meetings." change to ""members *where* to find bills of interest of the Board prior to Board meetings."

-Under D2 – "Each site will be at a licensed pharmacy." change to "Each site will be at a licensed pharmacy or *medical facility*."

-Under D2 – "There will be a nominal fee charge to patients." change to "There will be a nominal fee *charged* to patients."

-Under #7A – "take out parenthesis after "open".

-Under 7A- last sentence – “*evaluated*, especially during the licensing renewal period.” change to “*monitoring*, especially during the licensing renewal period.”

Page 5

-Under IX – “Board Action- The Board unanimously voted to approve if the *language* can be agreed upon.” change to “The Board unanimously voted to approve if the *Language* can be agreed upon.”

-Under 2a – “Mr. *Summefield* asked the Board what assurances did the Board require?” change to “Mr. *Summerfield* asked the Board what assurances did the Board require?”

Page 6

-Under B5- “Board Action” change to “*Board* voted not to approve Rjat Kumar reciprocity to Maryland.”

-Under B6 – “Administration of *Influenza* Vaccine Registration Application.” change to “Administration of *influenza* Vaccine Registration Application.”

Page 7

-“Board Action - Board voted to unanimously *to* approve registration form.” change to “take out the word *to* before approve.”

-1st paragraph – “Shirley presented post card to be used to remind pharmacists to renew their license.” Change to “Shirley presented *a sample* post card to be used to remind pharmacists to renew their licenses.”

-“Board Action, 2nd sentence “Motion Unanimously.” change to “Motion *passed* unanimously.”

Motion: Donald Taylor moved to accept the minutes with the changes

Board Action: Board voted unanimously to accept the minutes with corrections

III. President/ Executive Committee Report- John Balch

“P3” Project

John Balch gave an overview of the “P3” Project, which will duplicate the “Asheville Project”, in Allegany County, MD. He was approached by Delegate Rudolph to help expedite the launching of this initiative, which will involve pharmacists in monitoring diabetic patients. Medicaid will be supporting the “P3” project. The University of Maryland School of Pharmacy will be assisting in the training of the pharmacists and APhA will be funding this through a grant that will be channeled through MphA. This will be a collaborative effort between the School of Pharmacy, MphA, APhA and the State. An invitation to participate was offered to all Pharmacies in Allegany County. John Balch will be backing away as a facilitator and Keith Broom (pharmacist) and Paul Gurney (DHMH) will be the new facilitators.

Mr. Balch reminded Board members about Pharmacy Legislative Day in Annapolis. An announcement will be made about the “P3” project at that time.

Joe DeMino asked, as President of the U.M. School of Pharmacy Alumni Association, for the Board’s support in promoting State funding for additions/renovations to the School of Pharmacy building.

Board Officer Elections

President Balch presented the slate of candidates for Board officers.

President: John Balch
Secretary: Jeanne Furman
Treasurer: Mark Levi
Joseph DeMino

Jeanne Furman withdrew her name and nominated Donald Taylor for Board Secretary. Donald Taylor accepted the nomination

Board members were asked to mark their ballots and turn them in at the end of the Public Session.

IV. Executive Director's Report

Thank You

Ms. Naesea thanked the Board and Staff for the flowers sent to her mother and also flowers sent in memory of Alicia Carter's mother.

Introduction

Ms. Naesea introduced Megan Vry, Pharmacy student on rotation with the Board. She will be working mainly with Anna Jeffers with legislative issues.

Anna Jeffers and Mark Levi are in Annapolis for a subcommittee meeting on the Pharmacy Technician Bill.

V. PEAC Update

Milton Moskowitz, chairman of the PEAC Committee, gave a historical overview of PEAC. Currently, Mr. Moskowitz, Tony Tomasello and Elizabeth Kirkland serve on the Executive Committee of PEAC. PEAC will be sending out a poster about "Duty to Report" to all retail pharmacies, to raise awareness in the pharmacy community of the responsibility to report impaired Pharmacists. Currently PEAC has 30 clients; 10 are self-referred and 20 are Board referred.

John Balch inquired on the status of the Executive Director position. Mr. Moskowitz reported that John McGrath left the position several months ago. Mr. McGrath now volunteers for PEAC. PEAC is in the process of revamping the duties/responsibilities of his old position and will be starting to recruit for a replacement a in the near future.

Melvin Rubin reported that he attended a strategic Planning session held by PEAC. PEAC will be hiring an outside firm to develop a fundraising strategy.

VI. Legislation and Regulation Report- LaVerne Naesea (for Anna Jeffers)

Regulation Status

COMAR 10.34.32 Pharmacist Administration of Influenza Vaccinations.

Letter to Diane Darvey, NACDS:

A draft letter, for Board approval, was presented in reply to comments submitted from NACDS on the Influenza Vaccine regulations.

COMAR 10.34.33 Restrictions on the sale of Psudoephedrine

Letter to Steven Wise, attorney representing Schering Plough.

A draft letter, for Board approval, was presented in reply to comments submitted by the firm of Schwarz& Metz, representing Schering-Plough

Letter to Carl Johnson, Government Relations, Pfizer

A draft letter, for Board approval, was presented in reply to comments submitted by Pfizer

Motion: David Chason moved to approve the letters as drafted.

Board Action: The Board unanimously approved the draft letters

Legislation Update

Ms. Naesea gave an update on the status of current legislation-

HB 41- Controlled Dangerous Substances- pseudoephedrine Products

Letter of Education sent

HB 492- State Board of Pharmacy- Registration of Pharmacy Technicians.

Hearing date set for 2/22/06 - Board representative to testify in favor. Issues still exist with grandfathering and foreign pharmacist interns.

Donald Taylor expressed concern with the implementation date. There is ongoing discussion dealing with the actual "effective date".

SB 333 Prescription Drug Monitoring Program- The program is proposed to be under the Division of Drug Control. Currently, the make up of the study group has been determined. It was pointed out that DDC is not mentioned as having a representative.

HB 1190- Prescription Drug Safety Act

Hearing date not scheduled. Donald Taylor submitted his comments/ concerns. The Board members should forward their concerns to Anna Jeffers. Ms. Jeffers will be submitting Board comments to Delegate Stern before 3/2/06. Jeanne Furman will be testifying, on behalf of the Board, in favor of the bill, with some technical amendments. The bill requires certain content and format of prescriptions to help prevent medication Errors due to illegible and unclear prescriptions.

The SB 568 deals with State supported prescription plans to access medications through Canadian Pharmacies. The Board will send a letter of concern.

There was some disagreement between sending a letter of concern or a letter of opposition.

Motion: Donald Taylor moved that the Board send a letter of concern

Board Action: The Board voted 8-2 in favor of sending a letter of concern

SB- 624- Medicaid. The Board will send a letter of support

HB 1444- Conscience Clause

The Bill states that a pharmacist cannot refuse to fill a prescription on moral/ethical grounds. The Board has already approved a "Position Statement" dealing with the responsibility of pharmacists and pharmacies in dealing with refusal to fill prescriptions based on moral or ethical grounds. The Board will take no position on this bill.

Motion: Motion made by Donald Taylor to take no position on this bill

Board Action: Board unanimously voted to take no position on this bill

USP 797

AAG Linda Bethman is drafting regulations for approval by the Practice Committee and the Board. The Sterile Product Inspection form has already been submitted to the Practice Committee and is being revised by Cynthia Anderson and David Chason.

Drug Repository Task Force

Donald Taylor presented the interim report from the Task Force. The Medbank of Maryland has been proposed to administer the Drug Repository Program. This will be a voluntary program. There will be forthcoming legislation based on the Task Force report.

Drug Therapy Management Committee

The issues regarding the Thrombosis Protocol have been resolved by moving language into the Physician-Pharmacist agreement from the protocol dealing with when a Physician is notified of changes in drug therapy.

The Board has received protocols from the Joslin Diabetes Center. The protocols submitted involve management of Metabolic Syndrome and Smoking Cessation.

LaVerne Naesea announced that Drug Therapy Management is now the responsibility of the licensing department.

VII. Administration and Public Support- Pat Gaither

Staffing

Pat Gaither gave an update on new personnel and open positions.

Newsletter

Summar Goodman informed the Board of the status of the winter newsletter. Due to problems with the vendor, the newsletter will be even later than anticipated. Our contract with the current vendor will be up in May. Ms. Goodman proposes to take over formatting the newsletter since the Board now has the capacity to do this.

The Board approved handling the format in-house and sending the newsletter out for printing only.

District I/II Meeting

Ms. Goodman contacted the District II Secretary/Treasurer regarding help with hiring an outside planner to help with the meeting. He advised that since funding is tight, we might not want to invest in outside help.

The Board approved letting the Board staff and representatives from the University of Maryland School of Pharmacy handle the planning and fundraising for the District I/II meeting. Kristin Zerumsky from the University of Maryland presented the Board with some tentative topics for consideration.

Emergency Preparedness Committee

Donald Taylor asked permission to set-up a procedure to have an (MOU) in place with Wholesalers to obtain drugs in the case of an emergency.

Board Action: Board voted to strongly recommend having a MOU in place.

VIII. Management Information Services

Tamara Banks gave an update on the Online Renewal Systems. Pharmacists must renew their licenses more than 5 days prior to the end of the expiration month to be able to use the online system. After that deadline date, (after the last date of the birth month) the pharmacist must submit a paper renewal application.

IX. Committee Reports

Constituent Response Letters

Woodhaven Infusion Services – Craig Weinert – Whether a hospital pharmacy serve as a “back-up pharmacy” for your infusion service during inclement weather and dispense IV medications to a LTC facility?

Board Action: The Board confirmed that the question had been answered the previous month.

Letter from UMMC- Marc Summerfield – Implementation of Pharmacy Audits

Board Action: The Board voted to approve the letter.

Long Term Care

John Balch reported that the LTC did not meet.

Thank you Letter

John Balch received a letter from Secretary S. Anthony McCann thanking him for his concern about health safety issues and the Maryland Preferred Drug List (PDL).

Licensing Committee

January statistics were included in Board Packets.

Shirley Costley asked that the applications for reciprocity by Jose Ivan Diaz-Luna and Debra Lynn Ryan be referred to the Disciplinary Committee for investigation. Work on the Influenza Vaccine procedure continues and will be brought to the next meeting.

Meeting adjourned