

Maryland Board of Pharmacy
Public Meeting Minutes

January 16, 2008

Name	Title	Today's Attendance		Year-to-Date Attendance	
		Present	Absent	Present	Absent
Anderson, C.	Commissioner	x		1	0
Bonnett, M.	Commissioner	x		1	0
Bradley-Baker, L.	Commissioner	x		1	0
Chason, D.	Commissioner/Secretary	x		1	0
Finke, H.	Commissioner	x		1	0
Handelman, M.	Commissioner	x		1	0
Israbian-Jamgochian, L.	Commissioner	x		1	0
Leandre, A.	Commissioner	x		1	0
Souranis, M.	Commissioner/Treasurer	x		1	0
Taylor, D.	Commissioner/President	x		1	0
Taylor, R.	Commissioner	X		1	0
Zimmer, R.	Commissioner	x		1	0
Bethman, L.	Board Counsel	x		1	0
Costley, S.	Licensing Manager	x		1	0
Jeffers, A.	Legislation/Regulations Manager	x		1	0
Eversley, C.	Compliance Investigator	x		1	0
Naesea, L.	Executive Director	x		1	0
Gaither, P.	Administration and Public Support Manager	x		1	0
Goodman, S.	Public Information Officer	x		1	0
Banks, T.	MIS Manager	x		1	0
Taylor, A.	Compliance Officer	x		1	0
All Professional and Administrative Board Staff Members (9)		x		N/A	N/A

Subject	Responsible Party	Discussion	Motion	Action/Results
I. Introductions	Donald Taylor, Board President	Members of the Board with a conflict of interest relating to any item on the agenda were asked to notify the Board at this time. There were no recusals.		Action Item: No action required
II. Approval of the Minutes	Donald Taylor	Revisions to Minutes: Remove all crossed out phrases throughout the minutes. Page 3. VI. Regulations, A.-Retain "AELR" in the first sentence. Page 3. VI. Regulations, A.-Change date to "2008" Page 4. VI. Regulations, B.- 1. Add ...an exemption "for returns" to mail order pharmacies. Page 6. IX, Management Information Services, A. Remove "and" between "secured" and "websites." B. Actions/Results Change "if" to "of" Page 10. XI, Licensing Committee, Last line remove "this morning."	Motion : M. Souranis moved to accept the minutes as amended. A. Leandre Seconded the motion.	Board Action: The Board voted to approve the minutes as amended.

Subject	Responsible Party	Discussion	Motion	Action/Results
III. Executive Director	LaVerne Naesea, Executive Director	<p>A. Ms. Naesea reported on the status of open staff positions. The Administrative Officer position has been removed by the DHMH. Recruitment continues for the Supervisor of Inspectors, the Compliance Secretary and the Inspectors. The Administrative Secretary and Receptionist positions are awaiting a freeze exemption.</p> <p>B. Ms. Naesea informed the Board that the telephones for the Patterson Ave. building including the Board's office are out of operation today.</p> <p>C. Ms. Naesea reported that the Governor's office has requested that the Board participate in preparing a grant application for tracking of controlled substances. Ann Taylor has been appointed to serve on the committee assigned to develop the grant.</p> <p>D. Ms. Naesea announced that Senator Pugh is considering legislation to require pharmacies to post information so that consumers will know how to report medication errors to the Board of Pharmacy.</p> <p>E. Ms. Naesea announced that Lisa Robinson, a reporter from WBAL has contacted the Board to request an interview regarding medication errors.</p>		<p>A. P. Gaither will continue working to fill the vacant positions.</p> <p>C. A. Taylor will report on the progress of the committee once it is formed.</p> <p>D. The Board will review any legislation that Senator Pugh submits.</p> <p>E. Ms. Naesea and the Executive Committee will prepare a response to Ms. Robinson's questions.</p>
IV. Results of Board Planning Retreat	All Members and Staff	<p>Board members presented the results of the small group planning sessions held by Commissioners and Staff. The full text of the presentations is attached to this document and is not repeated as part of the minutes.</p> <p>The Board and Staff developed objectives including Communication, Compliance, Staffing, Public Awareness and Political Relationships, and Miscellaneous issues.</p> <p>1. Communication- A. Leandre presented recommendations that were developed for the future priorities of the Board: in interactions with members of the profession, Board staff, and the media. Additional issues regarding the Board's website and easier use of the Board's law book were proposed.</p> <p>2. Compliance-M. Souranis presented recommendations that were developed for the future priorities of the Board. Recommendations included initiatives on medication safety, technician compliance procedures, public communication of Board orders, and expansion of on line renewals.</p>	<p>1. Motion: R. Zimmer moved to accept the objectives as presented. L. Israbian-Jamgochian seconded the motion.</p> <p>2. Motion: H. Finke moved to accept the objectives as presented. M. Handelman</p>	<p>1. Board Action: The Board voted to approve the motion.</p> <p>2. Board Action: The Board voted to approve the motion.</p>

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		<p>3. Staffing- S Goodman presented recommendations that were developed for the future priorities of the Board. Recommendations included development of strategies with <u>DHMH</u> for staffing the Board, career development for staff, orientation for commissioners, mentorship for transitions to new committee leaders and officer positions and updating operating manuals for all staff positions.</p> <p>4.A. Public Awareness- H. Finke presented recommendations that were developed for the future priorities of the Board. Recommendations included increased public awareness of the role of the pharmacist, medication safety and public education.</p> <p>4.B Political Relationships- H. Finke presented recommendations to facilitate improvements in relationship with key stakeholders including the Attorney General's office, other Boards and state agencies.</p> <p>5. Miscellaneous- C. Anderson presented recommendations that were developed for the future priorities of the Board. Recommendations included managing change, technology training, developing a "paperless" Board, streamlining operations, expanding the scope of immunizations, long range planning and revisions to the definitions for waived permits.</p>	<p>Seconded the motion.</p> <p>3. Motion: C. Anderson moved to accept the objectives as presented. M. Bonnett Seconded the motion.</p> <p>4. Motion: M. Souranis moved to accept the objectives as presented. D. Chason Seconded the motion.</p> <p>5. Motion: M. Souranis moved to accept the objectives as presented. L. Israbian-Jamgochian seconded the motion.</p>	<p>3. Board Action: The Board voted to approve the motion.</p> <p>4. Board Action: The Board voted to approve the motion.</p> <p>5. Board Action: The Board voted to approve the motion.</p>

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V. Old Business	Donald Taylor, Board President	<p>M. Handelman requested clarification of whether the technician Regulation start up procedure will include an invitational, regional or alphabetical phase in process.</p> <p>The Board revised the Mission Statement as follows:</p> <p>To protect Maryland consumers and to promote quality healthcare in the field of pharmacy through licensing pharmacists and registering pharmacy technicians, issuing permits to pharmacies and distributors, and setting pharmacy practice standards through developing and enforcing regulations and legislation, resolving complaints, and educating the public.</p>	<p>Motion: M. Handelman moved to develop a phase in process for technician registration. A. Leandre seconded the motion.</p> <p>Motion: R. Zimmer moved to accept the revised Mission Statement. H. Finke seconded the motion.</p>	<p>Board Action: The Board voted to approve the motion.</p> <p>Board Action: The Board voted to approve the motion.</p>
VI. Announcements	Howard Schiff	H. Schiff reminded the Commissioners that the MPhA Midyear meeting is scheduled for Sunday January 27 th 2008 and the annual Legislative Day is planned for February 2008.	No Action	No Action
VI. Adjournment	Donald Taylor, Board President	The Public Meeting was adjourned at 5 PM.	Motion: D. Chason moved to adjourn the Public Meeting. H. Finke seconded the motion.	Board Action: The voted unanimously to adjourn the Public Meeting.

Approved by: Donald Taylor, President
David Ross Chason, Secretary
LaVerne Naesea, Executive Director

Attachment: 1 Planning Session Summary

Planning Session Summary

1. Public Board Role

1. Flower Mart Fair
 2. Permit holders and pharmacist plus BOP to educate public on how complaints are resolved as related to pharmacy law and standards of practice.
 3. Composed of the above groups represented above. Partners with pharmacy coalition.
 4. Travel through regions of the state to address public concerns as a traveling group—made up of above group.
 5. Utilize customer relations programs for BOP staff in dealing with the public as a training module.
 6. Promote pharmacist program for customer relations training. –CE
 7. Information to profession on how to contact the BOP.
 8. Establish protocol of how information is provided to the public and professionals –including Board members.
 9. Position assigned to specific persons to communicate to the media—two staff and two Board
 10. *Past—former board members cannot discuss non-public information for ___ years or until it becomes public knowledge.
 11. *Link pharmacy awareness to the public with national or local or special seasons—Veterans Day, Black History Month, etc..
 12. MEDIA
 13. Pharmacy slogan for BOP to be presented to public—profession as a contest that we can use to get the public attention
 14. Bumper Sticker
 15. *Internet links to other sites to easily contact BOP information.
 16. Pharmacy inspectors can distribute BOP brochures, information for public.
 17. Inform legislators on events in their area—invite to attend
 18. Host a dinner to award the licensee—charge for large size—to attendees in conjunction with pharmacy schools.
 19. Invite media to the function.
 20. Photos to be published in BOP newsletters.
 21. Awards to QA –i.e.—given years without a complaint
 22. Secure web site:
 23. Paperless packet, committee information etc.
 24. Ink and paper provided for members or request
 25. Or put on expense report every three months.
 26. Law Book
 27. Task forces to work on Law Book –to index it to be more user friendly for users. Currently arranged to be used by law professionals. CE on Law Book on use and Content.
 28. Newsletter for Technicians—TECH CHECK as supplement to quarterly newsletter.
 29. AG & Board Communications
- Discussion: Medication Safety, improvement pgms, reconciliation process for patients themselves to address the question about restriction
Best practice recommendations
Continuous updated medication list/vitamin interactions (OTC)
Medication reconciliation
Showcase how pharmacists prevention actions – positive aspects
Mpha will support

Calif: new medication Rxs, the pharmacist visits/consults the patient
Motion : Accept suggestions and move forward with plan for prioritize - passed

2. COMPLIANCE

1. Medication Safety
 - a. Highlight complaint in newsletter w/o identifiers, education on how it could be prevented, tell the story, suggestions on prevention
 - b. EDCF form review and update

2. Development of compliance procedures for new Programs
 - a. Flu – complaint driven
 - b. Techs – complaint driven
 - i. Create a sub committee
 - ii. Minors differently than adults
 - iii. 3 Responses
 - c. Distributors (familiar with environment – similar to establishment)
 - i. Inspection Driven
 1. Annual Board
 2. Opening DDC
 3. Closing DDC/Board
 - ii. Complaint driven
 - iii. Expert consultant necessary
 - iv. NABP'S VAWD system
 - d. Repository – complaint driven
 - i. New inspection form
 - ii. training
 - e. DTM – complaint driven (~~doe might complain~~)
 - f. Operating a establishment on an expired permit (Lic./Dis Committees process)
 - i. Process - Investigate late renewal after 30 days
 - ii. Potential fines up to \$50K
 - iii. Consider regulatory change for cut-off date

3. Website orders online / dissemination of orders
 - a. Neighboring States, NABP, HIPDB, Medicaid, Other Boards, DDC,
 - b. Consistent procedure for maintaining the orders
 - c. Provided adequate staff in Compliance beginning in 2000
 - i. Notation of the end of probation via letter would need to be added to web to indicate the end of the probation

4. Sanction reference binder to encourage more consistency in Bd. decisions
 - a. place in categories
 - b. create database similar to Anna/Ann tracking
 - c. appropriate probation stipulations
 - d. reference guide

- e. options list to consider for probationary conditions
- 5. Expand online renewals
 - a. n/a
- 6. PIC
 - a. What level of oversight on the part of the Board (Lic. Comm.)
 - b. Issues:
 - i. Who is accountable
 - ii. Can't find out who filled the Rx
 - iii. Identifying the PIC w/Floaters
 - iv. Whoever opens the Pharmacy name gets placed on everything even when Pharm didn't fill
 - v. Hard for Board to relate importance of procedures to corporate non-pharmacists
 - vi. Wrong pharm get accused of errors, or is required to find who is working
 - c. Can say PIC is not responsible for individual errors
 - d. Need to research what other states – Defer to Licensing Committee (VA, NC, Dakotas)

3. Staffing

- 1. Staff Upgrade –Development
 - a. Develop specialized job descriptions – encourage greater knowledge of work responsibilities
 - b. Encourage staff to pursue training – greater promotion potential
 - c. Cross-training -
 - d. Continue discussions with DHMH for staffing purposes -
- 2. Board Development
 - a. Orientation –overview of unit operations by managers
 - b. Committee co-chairs—staggering terms can mentor
 - c. Improve response time for inquires needing Board approval
- 3. Operational –Mentoring
 - a. Review updated manuals housed in Board's library
 - b. Weekly internal newsletter – Managers send e-mail to point person who disseminates
 - c. Establish a Board Activity Calendar- track personnel & committee activities (secure web site)

4. Public Awareness

Public Education –info sources

- 1. Ongoing public campaign – what do pharmacists do?? Let public know; showcase pharmacies
- 2. Med safety – inform public
- 3. MTM—medication therapy management – senior med review
- 4. Counseling by pharmacists to patients
 - a. Public expectation and rights
 - b. Educate public on HIPAA violations
- 5. Public Service Announcement – take advantage of free forums to provide info
 - a. MPT
 - b. NPR

- c. Community papers – *BBJ, Business Monthly, Smart CEO, Smart Woman, Baltimore Mag.*
 - d. Pharmacists volunteer schools (MD Busin
 - e. Senior centers—dept of aging
 - f. Public libraries—groups within
 - g. Pharmacy students—pharmacy schools/brown bag meds, etc.
6. Role of technicians in the pharmacy – promote tech role, educate public
 7. Public safety
 - a. Truth and-or dangers of internet and mail order pharmacy

Political Relationships

1. Joint Board mtgs of practitioners
 - a. Resolve disputes
2. Improve relationship with AG’s prosecution office on proper execution of Board decisions for charging actions
 - a. Lack of communication
 - b. Timeliness in filing charges, etc.
3. Communication with OHCQ
 - a. Assist with regulations
 - b. Long Term Care Reqs
 - c. LOA Medications
4. Better Communication with DHMH bureaucracy
5. Be Proactive with Legislators –state, national, local levels
 - a. Letters, phone calls, or emails
 - b. Consumer Advocacy groups
6. Relationships with federal legal agencies, example DEA, FDA, FBI CMS, ATF – joint investigations
7. State and Local:
 - a. MD Medicaid, Dept of Aging – increase lines of communication

5 Misc. Ops

Risk Assessment

1. Define functions
2. Prioritize risk of each
 - a. Likelihood of an event
 - b. Impact of an event
3. Develop plan for each scenario
4. COOP Continuity Operations Plan—Broken down by scenario

Questions:

1. Blueprint plan for IS systems failure
2. Blueprint for retrieval to TEST back-ups functionality

Technology Training (staff + commissioners)

Staff

1. Development training programs by information system + process
2. ID who needs what training
3. ID cross training opportunities
4. Plan + implement training

Commissioners

1. Secure site training
2. Current and future states of computer technology which impacts pharmacy
3. Practice
 - a. ID training opportunities -
 - b. Trade shows
 - c. Vendor training

Paperless Board

1. Laptops to BD members
 - a. Email addresses
2. Define secure site components
 - a. BD minutes
 - b. Schedule of CRC's + Hearings + Assigned Confidential BD Orders
3. Upload –build site secure
4. Train on usage of secure site
5. Shared Drive—modify docs remotely by multiple users
6. Inspector-Inspection of docs accessed by inspectors and disciplinary only
7. Close unnecessary sites

Time Mgmt + Efficiencies- streamlining Bd. operations

1. Cross training of jobs
2. Re-evaluation duties and eliminate duplications
 - a. E.g.—minutes completed at Board meeting electronically—note—need some type of computer
3. Routing of phone calls for FAQ's, new regs, and legislation – expand for reception
4. Email updates from unite mgrs
 - a. weekly to keep staff informed
 - b. cc to commissioners

Long Range Strategic Planning

1. Training Session on Strategic Planning
2. Subcommittee to create plan

Waiver Permit

1. Categorize “specialties” – bona fide ops only
2. Define which settings should be licensed as such:
 - a. Home infusion pharmacy

- b. Hospital
 - c. LTC
 - d. Retail
3. Vs. combinations (retail + waiver) – separate inventories; define restrictions; allowances
- 1. retail + LTC
 - 2. retail + compounding
 - 3. mail order + retail
 - 4. retail + veterinary

Immunizations

Need task force to expand types of vaccines through legs/regs (Board/public and collaborating boards)

Discussion: back up of critical docs, etc. take samples to test and restore