

**Maryland Board of Pharmacy
Public Meeting Minutes
Date: September 16, 2009**

Name	Title	Today's Attendance		Year-to-Date Attendance	
		Present	Absent	Present	Absent
Anderson, C.	Commissioner	x		3	0
Bradley-Baker, L.	Commissioner	x		3	0
Chason, D.	Commissioner	x		3	0
Finke, H.	Commissioner	x		3	0
Handelman, M.	Commissioner	x		3	0
Israbian-Jamgochian, L.	Commissioner	x		3	0
Leandre, A.	Commissioner	x		3	0
Matens, R.	Commissioner	x		3	0
Souranis, M.	Commissioner/Treasurer	x		3	0
Taylor, D.	Commissioner/President	x		3	0
Taylor, R.	Commissioner/Secretary	x		3	0
Zimmer, R.	Commissioner	x		2	1
Bethman, L.	Board Counsel	x		3	0
Gibbs, F.	Board Counsel	x		3	0
Banks, T.	MIS Manager	x		2	1
Eversley, C.	Compliance Investigator	x		3	0
Gaither, P.	Administration and Public Support Manager	x		3	0
Goodman, S.	Acting Licensing Manager	x		3	0
Jeffers, A.	Legislation/Regulations Manager	x		3	0
Kreindler, S.	Compliance Coordinator		x	2	1
Naesea, L.	Executive Director	x		3	0
Simmons, L.	Executive Secretary	x		3	0

3Subject	Responsible Party	Discussion	Motion	Action/Results
I. Call to Order & Announcements	Donald Taylor, Board President	A. D. Taylor brought the Public Meeting to order at 9:00am.		
		B. D. Taylor requested that all members of the Board with a conflict of interest relating to any item on the agenda to notify the Board at this time or when the issue is addressed in the agenda.		
		C. D. Taylor requested that all members of the audience, please introduce themselves and to please remember to sign the guest list.		
		D. D. Taylor reported that all guests will be given packets of draft materials so that they can follow meeting discussions. Guests were asked to please return the draft packets when they leave.		D. A. Jeffers distributed packets of the draft regulations to be discussed to all guests with the request that the packets be returned at the end of the Public Board Meeting

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II. Approval of the Minutes & President Updates	Donald Taylor, Board President	<p>A. D. Taylor requested additions and corrections to the Minutes for August 19, 2009.</p> <ol style="list-style-type: none"> 1. Page 2, Section II, Discussion Section, Item D. Remove "is" and Add "are". 2. Page 2, Section II, Discussion Section, Item D. Remove "all" and Add "majority". 3. Page 2, Section II, Discussion Section, Item G. Add "distribution facility". 4. Page 3, Section III, Discussion Section, Item F. Add "To provide receptionist duties to the Board in response of the mail and phone inquiries". 5. Page 4, Section IV, Motion Section, Item C. Remove "M. Souranis made a motion to send regulations to practice committee for revisions". 5. Page 4, Section IV, Action/Result Section, Item C. Remove "The Board voted to approve the motion". 6. Page 7, Section X, Discussion Section, Item B 1, Reverse "Question and Response". 7. Page 7, Section X, Discussion Section, Item C 1, Reverse "Question and Response". 	<p>A. Motion: L. Israbian-Jamgochian made a motion to approve the minutes as amended.</p> <p>R. Zimmer seconded the motion.</p>	<p>A. Board Action: The Board voted to approve the minutes as amended.</p>
		<p>B. D. Taylor reported that the ACPE Evaluation at the University of Maryland School of Pharmacy Eastern Shore will be conducted November 10-12' 2009.</p>		<p>B. Action Item: D. Taylor will attend the ACPE Evaluation at the Univ. of MD E. S. on behalf of the Board.</p>
		<p>C. D. Taylor introduced Dean Blanchard- Univ. of MD. E.S.</p> <p>Dean Blanchard reported that the Univ. of MD. E.S. is a 3 year Pharm-D program. The program will be year round and will be in block model form.. Students will need at least 85% on each block to pass and if the student has 95% or better, they will receive honors. Eighty (80%) of the 70 applicants who have applied are from Maryland, District of Columbia and Virginia areas. The admission process will begin on March 1, 2010 and classes with start in Fall 2010. The average Grade Point Average (GPA) is 3.2 and the average age of applicants accepted to the program is 26. Univ. of MD E. S. goals are to have 60 students in each class by year 2015 and 30 full time faculty within 3 years.</p>		
		<p>D. D. Taylor reported on the Prescription Monitoring Workgroup meeting that was held on September 11, 2009. Several committees were formed, including:</p> <ol style="list-style-type: none"> 1. Database – Bob Lyles, Chair - 2. Access - Marcia Wolf 3. Security - Davis Sharp 4. Domicile - Georgette Zoltani 5. Funding - Michael Wajda 6. Liability - Judge Fader 		<p>D. Action Result. D. Taylor reported that he has joined the Database Committee for Prescription Monitoring Workgroup.</p>
		<p>E. D. Taylor reported DHMH EOC/ H1N1 Vaccine Updates</p> <ol style="list-style-type: none"> 1. Only 1 injection is now required for H1N1 influenza, which has been determined to be the dominant form of influenza throughout the US. 2. FDA has approved 4 companies making H1N1 Vaccine: 		

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		<p>1. CSL Limited 2. MedImunne 3. Novartis 4. Sanofi</p> <p>3. C. Anderson has been assigned to a conference call at 10am on 09/16/2009 to receive further updates from the State RSS.</p>		
		<p>F. D. Taylor reported that the PEAC Seminar entitled, "Ethical Perspectives in Addiction Intervention and Pharmacy Practice," will be held on September 26, 2009 at the Maritime Institute.</p>		
		<p>G. D. Taylor reported that there will be a presentation at the Shady Grove Campus on October 3, 2009, entitled "Pandemic Flu and You"</p>		<p>G. Action Item; D. Taylor will be participating as a panel member on the role of State and local government</p>
		<p>H. D. Taylor reported that the Board of Pharmacy's National Pharmacy Month appreciation CE program will be held on October 4, 2009 at The Radisson at Cross Keys.</p>		
		<p>I. D. Taylor reported that the Home Infusion Task Force met on September 2, 2009. The next meeting will be held on October 7, 2009. The Home Infusion Task Force will meet every first Wednesday until the session begins in January.</p>		
<p>III. Executive Director</p>	<p>LaVerne Naesea, Executive Director</p>	<p>A. L. Naesea reported on the new requirements for Task Forces and Workgroups beginning October 1, 2009.</p> <p>1. All minutes need to be recorded for all taskforces. If there are two or more members that are not State representatives or Board members, then minutes must be recorded. 2. A public notice must be posted for the taskforces and workgroups. 3. If members of the public or non-Board members are attending the meetings, the meetings must be open.</p>		
		<p>B. L. Naesea reported that the NABP District II Meeting will be held on September 25, 2009 in Rhode Island. L. Israbian-Jamgochian will be running for NABP District II Representative</p>		<p>B. Action Item: D. Taylor, L. Naesea, and L. Israbian-Jamgochian will be attending the meeting.</p>
		<p>C. L. Naesea reported that she, R. Taylor and H. Finke attended a meeting with DHMH/MBP on Prescription Dispensing. The meeting is in a "to be continued" status. H. Finke provided a completed DDC inspection form from our Board in support of the Board argument that there is a need for greater oversight of licensee dispensing. Wendy Kronmiller, DHMH Chief of Staff directed the Board and Division of Drug Control to review the DDC inspection form to ensure that it covers the Board's dispensing safety concerns.</p>		
		<p>D. L. Naesea introduced Joe Dratter, student intern from the University of</p>		

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		Maryland, School of Pharmacy, who is on rotation at the Board.		
		E. L. Naesea reported that Ashley Dargan has been recruited as a temporary employee working in the Licensing Unit primarily with Pharmacy Technician application processing.		
		F. L. Naesea reported that F. Gibbs, Staff Attorney, is currently working with Board staff to process the backlog in Wholesale Distributor applications and to ensure that required inspections are completed.		
		G. L. Naesea reported that Secretary Colmers has assigned temporary staff help to support the Board with the processing of Influenza Vaccine applications.		
		H. L. Naesea reported that she, R. Taylor, and M. Souranis interviewed two current Board staff members for the Licensing Unit Manager position. S. Goodman was selected for the Licensing Manager position.		
		I. L. Naesea reported that P. Gaither interviewed two other current staff members for the Administrative Assistant position located in the Administration and Public Support Unit at the Board. Anasha Page was selected for the position.		
		J. L. Naesea reported that the Board has applied to the Baltimore City Senior Aides Program for two candidates that will be trained in Secretarial/Receptionist duties. If approved, the Senior Aides should provide some relief for the Board staff in answering the telephones and assisting with front desk coverage.		
		K. L. Naesea reported that there were no eligible applications submitted for the Pharmacist Compliance Manager position at the Board. The Board will review eligible candidates who previously applied for the Compliance Manager position and encourage them to reapply when the position is reposted.		
		L. P. Gaither stated that DHMH suggested that the Pharmacist Compliance Manager position should be advertised as open and remain open until the position is filled. The position had a closing date when it was last advertised.		
		M. L. Naesea reported on the monthly Board Directors' meeting that was held on September 14, 2009. Meeting facilitator Paula Hollinger encouraged the Directors to revisit the Task Force legislation that failed during the last legislative session, and provide legislators with a summary of actions the Boards had voluntarily taken to address concerns outlined in last year's failed legislation.		M. Laverne will reply
		<p>N. L. Naesea presented the following Fee Increase comments:</p> <p>1. MPhA-Howard Schiff- We appreciate the efforts of the Board of Pharmacy and consider the Commissioners to be conscientious in their efforts to protect the public and</p>	<p>N. 1. Motion: C. Anderson made a motion to accept the letter as amended. L. Bradley-Baker seconded the</p>	<p>N. 1. Board Action: The Board voted to approve the motion.</p>

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		<p>regulate the industry. However, the proposed fee increases are quite dramatic and should require the Board to answer to the public, the administration, and the industry... Inspection of Pharmacies had been the province of the Division of Drug Control (DDC) under the Department of Health and Mental Hygiene...</p> <p>Board Response ...The Board of Pharmacy is mandated to perform annual inspections of Maryland pharmacies. The Division of Drug Control had been designated by the Secretary of the Department of Health and Mental Hygiene (the Secretary) as the Board's agent to perform annual inspections of pharmacies. Unfortunately, the Division of Drug Control (DDC) did not have sufficient inspection resources to meet the Board's annual inspection mandate; so after several years of the DDC inspecting less than half of the pharmacies that were required to be inspected annually, the Secretary designated the Board to act on its own behalf in performing inspections....</p>	motion	
		<p>2. MACDS – Stanton Ades ...We find it difficult to understand how <i>raising</i> the fee to continue to practice one's trade, operate one's business, or to reciprocate one's license into the state to practice could be construed as an incentive to renew one's license or permit on time, especially given the size of the proposed increases (50% increase to renew, 133% increase for an initial pharmacy permit; 140% increase to renew a pharmacy permit, and 150% increase to reciprocate). We believe this significant increase, conversely, will create a barrier as opposed to encouraging licensees and permit holders to renew on time....</p> <p>Board Response In determining the proposed fee changes, the Board considered the impact that proposed increases would have on each classification of licensee. In addition, it considered the cost for administering recent additional mandates. Although the proposed increases are partially related to new mandates, they are also necessary because of inherent changes made at the Board over time. The Board of Pharmacy is mandated to perform annual inspections of Maryland pharmacies. The Division of Drug Control had been designated by the Secretary of the Department of Health and Mental Hygiene (the Secretary) as the Board's agent to perform annual inspections of pharmacies ... The fees in other states that you have mentioned in your letter, do not take into consideration the number of licensees or the areas of responsibility that the Boards are required to meet. For example, in 2007, Washington, DC regulated a little over 1300 pharmacists while the Maryland Board regulates more than 8,000. They also do not regulate pharmacy technicians...</p>	<p>N. 2 Motion: R. Zimmer made a motion to accept the letter as amended.</p> <p>D. Chason seconded the motion.</p>	<p>N. 2. Board Action: The Board voted to approve the motion.</p>
		<p>O. L. Naesea reported that the Board received a request from Clear Channel Radio to support a campaign to provide a greater awareness and to partner with schools, and pharmacies, recommending that we volunteer as a representative to attend meetings. A primary purpose of the campaign is to stop kids from using drugs.</p>	<p>O. Motion: H. Finke made a motion to provide other than financial support to the group.</p> <p>M. Handelman seconded the</p>	<p>O. Board Action: The Board voted to approve the motion.</p>

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IV. Legislation and Regulations	Anna Jeffers, Legislation and Regulation Manager	<p>A. A. Jeffers provided the status report on the following Maryland Regulations.</p> <p>1. COMAR 10.34.03 Inpatient Institutional Pharmacy. A workgroup has been established pursuant to the RR&E – First meeting September 22, 2009. The workgroup members from the Board are D. Chason, H. Finke, R. Zimmer, and A. Jeffers.</p>	motion	
		<p>2.COMAR 10.34.05 Pharmacy Security; COMAR 10.34.07 Pharmacy Equipment; COMAR 10.34.12 Removal of Expired Prescription Drugs; COMAR 10.34.13 Reinstatement of Expired Licenses For Pharmacists; and COMAR 10.34.15 Licensure By Reciprocity - combined in one proposal. Revisions pursuant to the RR&E Act Report.</p> <p>BOARD APPROVAL sought for definition of Material Data Safety Sheets.</p> <p><u>10.34.05,10.34.07,10.34.12,10.34.13,10.34.15 draft mp com</u></p> <p><u>Cindy's email 090109 OSHA - Material Safety Data Sheets</u></p>	<p>2. Motion: D. Chason made a motion to approve the definition of “material data safety sheets” as amended and to approve the proposal for submission to the Department for publication.</p> <p>R. Zimmer seconded the motion.</p>	<p>2.. Board Action: The Board voted to approve the motion.</p>
		<p>3. COMAR 10.34.09 Fees. Traditional proposal published August 14, 2009. Comment period ended September 14, 2009. Emergency proposal not approved by AELR. The Board approved responses to comments received were addressed in the Executive Director’s report.</p>		
		<p>4. COMAR 10.34.17 Waiver of Full Service Requirements for Recognized Pharmaceutical Specialties. Proposal published March 27, 2009. Responses to comments sent 6/24/2009. Re-proposal published August 14, 2009. Comment period ended September 14, 2009. No comments were received. A Notice of Final Action will be submitted.</p>		
		<p>5. COMAR 10.34.18 Continuing Education for Pharmacists. Revisions pursuant to the RR&E Act Report.</p> <p>BOARD APPROVAL sought for revisions recommended by Practice. Revisions to the proposal made at the Board Meeting include: .03C(1)(a) – add a colon; .03C(1)(a)(ii) – delete “in-person” and substitute “live;” .03C(2)(a) – add in that the 4 CE credits related to vaccinations are part of the overall 30 CE credits that are required.</p> <p><u>Pharmacist Renewal Emails – California</u></p> <p><u>Proposal 10.34.18 Continuing Ed</u></p>	<p>5A. Motion: D. Chason made a motion approve the regulations, as amended, for submission to the Department for publication.</p> <p>H. Finke seconded the motion.</p> <p>5B. L. Israbian-Jamgochian made a motion to leave the regs as written (based on CA questions) Seconded by L. Bradley-Baker</p>	<p>5A. Board Action: The Board voted to approve the motion.</p> <p>5B. The Board voted to accept as amended D. Taylor and M. Handelman disagreed</p>
		<p>6. COMAR 10.34.20 Format of Prescription Transmission. Approved on July 15, 2009 with revisions. Released for Informal Comment until September 11, 2009. Six informal comments were received and will be considered at the</p>		<p>6. Comments to be considerate at Sept. Practice Meeting</p>

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		September Practice Committee Meeting.		
		7. COMAR 10.34.22 Licensing of Wholesale Prescription Drug or Device Distributors. Traditional proposal published on June 19, 2009. AELR approved an emergency effective date of June 18, 2009. Notice of Emergency Action published on July 17, 2009. One comment received and answered after August Board Meeting. Notice of Final Action anticipated to be published September 25, 2009.		
		8. COMAR 10.34.23 Pharmaceutical Services to Residents in Long-Term Care Facilities. Revisions occurred at the Long Term Care Workgroup meeting on June 29, 2009. Reviewed at August 26, 2009 Practice Committee. Reviewed again by the Long Term Care Workgroup on September 14, 2009. To be reviewed at the September Practice Committee Meeting.		8. COMAR 10.34.23 to be reviewed at Sept. Practice Meeting
		<p>9. COMAR 10.34.25 Delivery of Prescriptions. Released for informal comment. Eight (8) informal comments received. Comments, draft responses and revised regulations to be considered at the September, 2009 Practice Committee Meeting. Two versions to be considered at today's Board Meeting.</p> <p><u>10.34.25to 6582 Michele's version 111808 (with temperature sensing device required)</u></p> <p><u>PROPOSED DRAFT for 10.34.25 for 082609 Practice (without temperature sensing device required)</u></p>	9. Motion: R. Zimmer made a motion to return the draft proposed regulations to the Practice Committee for them to consolidate the two versions of the proposed regulations, M. Souranis seconded the motion	9. Board Action: The Board voted to approve the motion.
		<p>10. COMAR 10.34.28 Automated Medication Systems. Approved by the Board at the May 20, 2009 Board meeting and released for informal comment on May 21, 2009. One comment received and Board approved response was sent July 28, 2009. Released again for informal comment on June 29, 2009 at the request of the LTC Workgroup with responses due July 17th. Received one response from Board of Nursing which we responded that we would not remove the Nurses. Board of Nursing voted at their "August Board Meeting that it is imperative that we take them out. Practice recommends taking the nurses out of 10.34.28.07.</p> <p><u>DRAFT – Response to Board of Nursing – 10.34.28.07</u></p> <p><u>DRAFT COMAR 10.34.28 with deletion of Nurses 091609</u></p>	<p>10A. Motion: L. Israbian-Jamgochian made a motion to approve the letter as proposed by the Practice Committee and to approve the proposal for submission to the Department for publication</p> <p>R. Zimmer seconded the motion.</p> <p>10B. M. Handelman made another motion to revise letter with changes in 3rd paragraph Seconded by C. Anderson</p>	<p>10A. Board Action: The Board voted to approve the motion.</p> <p>10B. The Board voted to accept letter as amended</p>

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		<p>11. COMAR 10.34.32 Pharmacist Administration of Vaccinations. Board ratification requested for the Emergency Proposal voted on at the Emergency Meeting on September 2, 2009.</p> <p><u>emerg 10.34.32.03 FINAL</u></p> <p><u>Letter from Deputy Secretary Fran Phillips</u></p>	<p>11. Motion: 11. Motion by M. Souranis to ratify previous Board vote to change age to 13 for influenza vaccination Seconded by D. Chason</p>	<p>The Board voted to ratify previous unanimous vote by a quorum of the Board</p>
		<p>12. COMAR 10.13.01 Dispensing of Prescription Drugs by a Licensee.</p> <ul style="list-style-type: none"> • Submitted to DHMH 11/20/08 • Comments received from Physicians, Dentists, and Podiatrists. JOINT Response sent 02/05/09 and ratified at 02/18/09 Board Mtg. <p>Met with DDC 03/26/09. Hold until mid-May for DDC to complete inspections. Anna Jeffers sent follow-up e-mail to DDC on May 26, 2009. DDC responded that they were working with appropriate Boards.</p> <ul style="list-style-type: none"> • Board of Physicians response 03/09/09. • Board of Pharm response 04/07/09. • Board of Physicians response 4/28/09. • Board of Pharm response 07/16/09. • Board of Physicians response 07/27/09. • Board of Pharm response 08/12/09 <p>Joint Meeting was held on September 10, 2009. Update was provided by LaVerne Naesea above in her report.</p>		
		<p>B. Board of Physician Regulations</p> <p><u>10.32.05 Telemedicine, Bd of Physicians, 082809</u></p>	<p>B. Motion: R. Zimmer made a motion to send the proposed regulations to NABP for comment, M. Souranis seconded the motion.</p>	<p>B. Board Action: The Board voted to approve the motion.</p>
		<p>C. A. Jeffers provided the status report on Legislation:</p> <p>1. Continuation of the Drug Therapy Management Program. Packet submitted July 2, 2009.</p>		
		<p>2. Requiring out-of-state wholesale drug distributors to be currently accredited by an accreditation organization. Packet submitted July 10, 2009.</p> <p>Board APPROVAL requested for a revision to the proposed legislation allowing either accreditation or reciprocity.</p> <p><u>WHD bill 2010 - rev LB</u></p>	<p>C.2. Motion: C. Anderson made a motion to approve amending the wholesale distributor legislation to allow either accreditation or reciprocity. D. Chason seconded the motion.</p>	<p>C.2. Board Action: The Board voted to approve the motion.</p>

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		D. A. Jeffers reported that Delegate Montgomery has requested a meeting with the Board regarding Legislation that she would like to introduce this session – deals with restricting data mining.		D. Legislative Committee to meet with Delegate Montgomery
V. Disciplinary Committee	Lenna Israbian-Jamgochian, Disciplinary Committee Chair	A. L. Israbian-Jamgochian presented the Compliance Committee monthly statistics for the month of, 2009. See Attachment 1, Section A and C. B. New Community Inspection Form	B. Motion: R. Zimmer made a motion to approve the New Community Inspection Form as amended. M. Souranis seconded the motion.	C. Board Action: The Board voted to approved the motion.
VI. PEAC Report	Anthony Tommasello, PEAC	Kathy Putz presented the PEAC monthly statistics-to the Board. See Attachment 1, Section D.		
VII. Management Information Services	Tamarra Banks, MIS Manager	A. T. Banks presented the MIS monthly statistics for the Board. See Attachment 1, Section F.		
		B. T. Banks reported that the Database for Pharmacist renewals is being checked to make sure that the system is updated and that it includes the new regulations. Instead of printing an individual certificate for vaccinations each year, the renewal of vaccines should be included with the pharmacist's license renewal. A database for tracking administration of vaccination certificates issued was developed and integrated with the pharmacist renewal database last week.		B. Action Items: D. Taylor requested that the Board MIS staff move forward with creating and processing on-line payments for renewing Pharmacy Technicians.
		C. T. Banks requested that MIS be allowed to create a system that informs applicants when the Board is in receipt of their application. The list would be available on the website.	C. Motion: C. Anderson made a motion to approve the posting of applicants on the website. D. Chason seconded the motion.	C. Board Action: The Board voted to approve the motion.
		D. T. Banks reported that Disaster Recovery site at Maryland Public Televisions is going to change their IXP.		
		E. T. Banks reported that the Inspection forms were downloaded to the Pharmacy Inspectors laptops.		
		F. T. Banks reported that the Patterson Avenue building had a power outage on Sunday, September 13, 2009 from 1:00 p.m. to 6:00 a.m. The Board's email was down until Monday, September 14, 2009 3:00 p.m.		
VIII. Administration and Public Support	Patricia Gaither, Administration and Public Support Manager	A. P. Gaither presented the Administration and Public Support monthly statistics for the Board. See Attachment 1, Section G.		
		B. P. Gaither reported that the PEAC contract has to be extended for six		B. Board

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		months to allow time for new terms to be considered and negotiated between the Board and PEAC representatives.		representatives to meet with PEAC to negotiate a new contract
IX. Public Relations Committee Report	Lynette Bradley-Baker, Chair	<p>A. L. Bradley-Baker reported on the status of the Public Relations Committee:</p> <p>1. L. Bradley-Baker reported that the Summer newsletter has been imailed this week. The Board had a conference call with the publisher who had failed to publish the Summer magazine because of personal reasons. The Public Relations Committee recommended accepting the publisher's request to redeem herself and work on developing the Fall issue of the magazine.</p>	<p>A. 1. Motion:</p> <p>Public Relations Committee made a motion to allow the same publisher to develop the Fall magazine.</p> <p>M. Souranis seconded the motion.</p>	<p>A. 1. Board Action:</p> <p>The Board voted to approve the motion.</p>
		2. L. Bradley-Baker reported that Acetaminophen Task Force will have a newsletter and a FaceBook fan page. The FaceBook fan page will be used for educational purposes ONLY. McNeil, the maker of Tylenol, requested to come to the next APAP Task Force meeting in November. Rebecca Drake, a member of the Task Force, appeared on the Dr. Oz Show telling her story about how her sister died from misuse of acetaminophen.		
		3. L. Bradley-Baker reported that the Board's Fall Training CE Breakfast will be held on Sunday, October 04, 2009.		
		4. L. Bradley-Baker reported that the Maryland Pharmacy Coalition Meeting was held on September 10, 2009. The meeting was held to discuss the DTM Legislation.		
		<p>B. D. Taylor reported on the Emergency Preparedness Task Force update:</p> <p>1. D. Taylor reported that DHMH is currently concentrating on the H1N1 vaccine. The Board has assigned a Committee to review the DHMH proposed Protocols. The Committee members are Cindy Anderson, Dave Chason, Lenna Israbian-Jamgochian, Don Taylor and Reid Zimmer. The Committee will be staffed by Anna Jeffers and Francesca Gibbs. The Board's intent is to get the Protocols returned to DHMH legal department asap.</p>		
		2. D. Taylor reported on the new immunization course training procedure with the Univ. Md. School of Pharmacy. The process involves the school sending a letter directly to the Board to certify which pharmacists have completed and passed the immunization course. This will by-pass the delays experienced previously when the Board had to wait for the RPh to receive a certificate of completion from APhA and then mail a copy of that certificate to the Board. The RPh still has to provide proof of completion of the CPR live training. The procedure was accepted by Executive Committee in light of the urgent need to quickly certify trained pharmacist immunizers.		
		3. D. Taylor reported that DHMH has a new inventory system for RSS and State medications/supplies – IRMS (Inventory Resource Management System).		

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		Training on the new system will begin September 30, 2009.		
		4. D. Taylor reported that Montgomery County developed a brochure – “Seniors: Are You Prepared?” The E.P. Taskforce provided input in the development of the brochure & Montgomery County has donated some of the brochures to the Board so that we may hand them out at public events such as the Flower Mart.		4. Action Item: D. Taylor requested that a copy of the brochure be placed on the Board’s website.
		5 .D. Taylor reported that the CDC has issued guidance on use of Tamiflu/Relenza and it is currently ONLY recommended for patients requiring hospitalization, children under 5, pregnant women, or persons with co-existing conditions (asthma, COPD, etc)		
		6. D. Taylor reported that Roche has indicated that there may be spot shortages of some forms/strengths of Tamiflu		
X. Practice Committee	Reid Zimmer, Chair	<p>R. Zimmer presented the following public inquiries:</p> <p>1. 1. Physician owning pharmacy - Balto Medical SystemCVS – Fink</p> <p>As an independent pharmacy owner, I am concerned by the recent developments in pharmacy, physician, corporation and insurance (PBM) relationships in the state of Maryland.</p> <p>As per our conversation, Baltimore Medical System (specifically the Middlesex Health Center in Essex) has a recorded message to use their \$4.00 prescription and delivery service when you call there for a doctor. I understand from my conversation with the person taking my call they now provide prescriptions as well as physician care. I don’t know any specifics but when a center provides the medical care and the pharmacy care there is a conflict of interest. This appears to be an attempt to fly under the radar and circumvent the spirit of the law in Maryland where a physician cannot own a pharmacy. This may be a corporation with multiple entities assuming they are just too clever for the Maryland Board and will simply own both physician and pharmacy operations.</p> <p>RESPONSE:</p> <p>A physician may dispense in Maryland if the physician obtains a dispensing permit from the Maryland Board of Physicians and complies with all appropriate laws and regulations. See Health Occupations Article, 12-102(c), Annotated Code of Maryland and the Board of Physicians website: http://www.mbp.state.md.us/</p> <p>A licensee of the Board of Pharmacy may not provide remuneration to an authorized prescriber for referring an individual to a pharmacist or pharmacy for a product or service to be provided by that pharmacist or pharmacy. See Health Occupations Article, 12-313(b)(12), Annotated Code of Maryland.</p> <p>Therefore, a pharmacy permit holder may not pay a physician to have a</p>	<p>Motion:</p> <p>M. Handelman made a motion to accept the letter as amended.</p> <p>D. Chason seconded the motion.</p>	<p>Board Action:</p> <p>The Board voted to approve the motion.</p>

3Subject	Responsible Party	Discussion	Motion	Action/Results
		pharmacy advertized on the physician's voice mail.		
XI. Licensing Committee	Mike Souranis, Chair	<p>M. Souranis presented the Licensing Committee statistics for the Board.</p> <p>See Attachment 1, Section A and E.</p> <p>C. Anderson noted that questions have come up regarding "technician" vs "student exemption" status and expirations dates of student exemptions. On the face of the certificate and in the website verification system, there is no distinction between exempt students and registered technicians. Although student exemptions do not "expire", their certificates indicate expiration dates. By law the students must annually provide a letter from their school showing enrollment and good standing. Certificates will need to be reissued without an expiration date for the students, as their employers will not accept continued employment under an expired certificate.</p>	<p>C. Anderson made a motion to</p> <p>1.) Going forward, precede the certificate number with "ST" for exempt registrants, 2.) Reissue these certificates to all students without expiration dates.</p> <p>Seconded by R. Matens</p>	
XII. Disciplinary Committee	Lenna Israbian-Jamgochian, Chair	<p>L. Israbian-Jamgochian presented the Compliance Committee monthly statistics for the Board.</p> <p>See Attachment 1, Section A and C.</p>		
XIII. Long Term Care	Mayer Handelman, Chair	<p>A. Committee Report</p> <p>Discussions continue on how best to handle medications when a resident takes a leave of absence with family as well as accounting for and destroying expired medications including CDS.</p>		
XIV. Informational	Donald Taylor, Board President	<p>D. Taylor reported on the following Informational updates:</p> <p>1.) DEPARTMENT OF HEALTH AND MENTAL HYGIENE/MARYLAND DRUG UTILIZATION REVIEW (DUR) BOARD Subject: Call for Pharmacist and Physician Nominations</p> <p>2) DEPARTMENT OF HEALTH AND MENTAL HYGIENE/MEDICAID PHARMACY AND THERAPEUTICS COMMITTEE Subject: Call for Physician, Pharmacist, and Consumer Nominations</p> <p>3. Pfizer to pay 2.3 billion for advertising medications for off-label uses (Bextra, Geodon, Zyvox, Lyrica)</p> <p>4. CMA has approved the Texas State plan to increase dispensing fees from \$5.14 to \$7.50 (only applies to Medicaid patients)</p>		
XV. Adjournment	Donald Taylor, Board President	<p>A. D. Taylor asked 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 in technician applications in accordance with State Government, Sect. 10-508(a)(13).</p> <p>The Public Meeting was adjourned at 1:49 pm_.</p>	<p>R. Matens made motion to close public meeting</p> <p>Seconded by D.Chason</p>	<p>The Board voted to close the Public Meeting and open a Closed Public Session.</p>

3Subject	Responsible Party	Discussion	Motion	Action/Results
		<p>B. At 2:00pm, D. Taylor convened a Closed Public Session to conduct a medical review of technician applications.</p> <p>C. The Closed Public Session was adjourned at 2:39 pm. Immediately thereafter, D. Taylor convened an Administrative Session for purposes of discussing confidential disciplinary cases. With the exception of cases requiring recusals, the Board members present at the Public Meeting continued to participate in the Administrative Session.</p>		