

**Maryland Board of Pharmacy
Public Meeting Minutes
Date: March 18, 2009**

Name	Title	Today's Attendance		Year-to-Date Attendance	
		Present	Absent	Present	Absent
Anderson, C.	Commissioner	x		8	1
Bradley-Baker, L.	Commissioner	x		8	1
Chason, D.	Commissioner/Secretary	x		9	0
Finke, H.	Commissioner	x		8	1
Handelman, M.	Commissioner	x		8	1
Israbian-Jamgochian, L.	Commissioner	x		9	0
Leandre, A.	Commissioner	x		9	0
Matens, R.	Commissioner	x		8	1
Souranis, M.	Commissioner/Treasurer	x		8	1
Taylor, D.	Commissioner/President	x		9	0
Taylor, R.	Commissioner	x		8	1
Zimmer, R.	Commissioner	x		8	1
Bethman, L.	Board Counsel	x		8	1
Gibbs, F.	Board Counsel	x		2	0
Banks, T.	MIS Manager		x	7	2
Costley, S.	Licensing Manager	x		7	2
Gaither, P.	Administration and Public Support Manager	x		8	1
Goodman, S.	Public Information Officer		x	6	3
Jeffers, A.	Legislation/Regulations Manager	x		9	0
Naesea, L.	Executive Director	x		9	0
Simmons, L.	Executive Secretary	x		7	2
Taylor, A.	Compliance Officer	x		9	0

Subject	Responsible Party	Discussion	Motion	Action/Results
I. Call to Order	Donald Taylor, Board President	<p>1.D. Taylor brought the Public Meeting to order at 9:00 A.M. Members of the Board with a conflict of interest relating to any item on the agenda were advised to notify the Board at this time or when the issue is addressed in the agenda.</p> <p>2. D. Taylor asked that all guests introduce themselves and sign in on the attendance list.</p> <p>3. D. Taylor reported that the National Association of Boards of Pharmacy (NABP) has released the work of the Taskforce on Uniform Prescription Labeling Requirements. The report proposed a standardized format for prescription labels that will reduce the risk of error and enhance the readability for patients.</p> <p>4. D. Taylor reported that the NABP Taskforce on Medication Collection Programs addresses the need for safe disposal of unused medications. The four (4) proposals discussed included community drop boxes, pharmacy drop boxes, mail in services and the Smart RX program.</p> <p>5. D. Taylor reported that the NABP Taskforce to Review TOEFL iBT Score Requirements has determined that a TOEFL score of 26 is adequate for accreditation standards for community pharmacies.</p> <p>6. D. Taylor reported that the NABP Taskforce to Review Accreditation Standards</p>		

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		<p>for Community Pharmacy recommended that NABP explore the development of a pharmacy accreditation program.</p> <p>7. D. Taylor relayed the Board's NABP representative's request that if any Board members have issues or concerns that could be addressed by an NABP taskforce that they may submit recommendations to Scottie Russell who serves as the Region II representative to NABP.</p>		
<p>II. Approval of the Minutes</p>	<p>Donald Taylor, Board President</p>	<p>D. Taylor requested additions or corrections to the Minutes for February 18, 2009.</p> <ol style="list-style-type: none"> 1. Page 2, Section II, Discussion, Item 3, add "fourth." 2. Page 3, Section III B.1. Discussion, remove "the proposals for ratification of" and add "for Board ratification." 3. Page 3, Section III, Motion, Item 1b, Remove "Letter of information" and add "Position Paper." 4. Page 3, Section III, Discussion, remove "Amendments were presented by Del. Montgomery and lobbyists from the Maryland Hospital Association and NACDS." And add "Position Paper supported the legislation, with amendments <u>that</u> included all entities that dispense in MD must comply with the sign or written notification. Additional amendments from the Maryland Hospital Association and NACDS were discussed." 5. Page 4, Section III, Action/Results change to "Board members were asked to submit revisions to these amendments to A. Jeffers by February 23, 2009." 6. Page 4, Section III, Discussion, item c, remove "The Letter supported the legislation." And add "A Letter of Support was submitted to the Legislature." 7. Page 4, Section III Action/Results, remove "Letter of Information" and add "a Letter of Support." 8. Page 4, Section III, Discussion, Item e, remove "The Letter supported the legislation." And add "The Board submitted two identical Position Papers in Support with Amendments to clarify when the renewal notice should be sent to permit holders." 9. Page 4, Section III Discussion, Item e., "The Board had no objection to this amendment. " 10. Page 5, Section III, Discussion, 2.b. remove "The joint recommendation of the Boards was to oppose the bill in 2008." and add "Last year the Health Occupations Boards did a Joint Position Paper to Oppose." 11. Page 6, Section III, Discussion, 2.g, remove recommended not taking a position as the bill was vague and did not include the names of products affected by the legislation " and add "mentioned that bill should include the names of products." 12. Page 6, Section III, Discussion, Item 2.h., remove "recommends" and add "recommended" and add "The Board voted to submit a Letter of Support with Amendments, instead of a Position Paper in Support with Amendments, because it would be difficult to get a Board Member to testify due to Board Committee meetings the day of the hearing." 13. Page 7, Section III, Item 2, I, Discussion, remove "A. Jeffers provided options for an amendment to allow bonded licensees who meet the requirements for the lower surety bond amount to demonstrate eligibility to rescind an existing surety bond and submit evidence of a surety bond at the lower eligible amount." and add "A. Jeffers asked if the Board would like to offer an amendment to cover those already bonded, but who also meet the requirements for the lower surety 	<p>Motion: C. Anderson made a motion to approve the February 18, 2009 Minutes, as amended.</p> <p>M. Souranis seconded the motion.</p>	<p>Board Action: The Board voted to approve the Minutes, as amended.</p>

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		<p>bond amount. The suggested amendment language follows: “After demonstrating eligibility for a lower bond amount, the permit holder may rescind an existing surety bond and submit evidence of a surety bond at the current eligible amount. The Board voted that is was not necessary to add an amendment which would allow permit holders to rescind an existing bond and resubmit another bond at the current eligible amount.” 14. Page 7, Section III, Discussion, Item k.1., remove “consumer” and add “subpoena.” 15. Page 7, Section III, Motion, Item K, remove “to send a Letter of Support with an amendments addressing the five (5) concerns and to seek the support of the others Boards” and add” the Board voted to join the other Health Occupations Boards with a Position Paper in Support with Amendments.” 16. Page 8, Section V, Discussion, Item 7, remove “C. Anderson and M. Handelman were recused.” 17. Page 9, Section VI, Item 4d., remove “certification” and add “accreditation”. 18. Page 9, Section VI, Item 4g., remove “remove”. 19. Page 9, Section VI, Item 7, change “Gibb” to “Gibbs” and remove “Assistant Attorney General” and add “staff attorney.” 20. Page10, Section X, Item 2, remove “the.” 21. Page 10, Section X, Item 3, remove “I’m not sure if this was the statement made.” 22. Page 11, Section XII, Item 3, change “Gibb” to “Gibbs.” 23. Page 11, Section XII, Item 4, remove “D. Taylor recommended that a program be reviewed twice and that the Committee notify applicants that they may not resubmit after two applications.” and add “D. Taylor recommended that a program be reviewed twice and then notify the applicants of any problems.”</p>		
III. Executive Director	LaVerne Naesea, Executive Director	<ol style="list-style-type: none"> 1. L. Naesea thanked all managers, staff and Commissioners for their help with Board operations during this difficult period caused by the heavy workload associated with wholesale distributor licensing and technician registration. 2. L. Naesea reported that the Licensing Committee has prepared a list of Frequently Asked Questions (FAQ’s) regarding pharmacy technician registration. The list has been posted on the Board’s website. 3. L. Naesea reported that the processing of a pharmacy technician application may currently take between six (6) and eight (8) weeks because of the large number of applications submitted close to the submission deadline date. 4. L. Naesea reported that there were also a large number of walk-in applicants for technician registrations during the week prior to the deadline. 5. L. Naesea reported that there are two (2) links on the Board’s website that contain information regarding Pharmacy Technician registration. The first link is listed as “Technician Applicants” and provides a list of technicians that submitted their application before the February 28, 2009 deadline. The second link is “Verify Technicians” and it provides a list of technicians that are registered and have been issued a registration number. 6. S. Costley reported that there are many incomplete pharmacy technician 		

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		<p>applications. The applicants are being notified of identified issues by mail, telephone call, and/or e-mail.</p> <p>7. P. Gaither reported that the staff has entered receipt of all incoming mail containing pharmacy technician applications.</p> <p>8. A. Taylor reported that the Board is trying to establish relationships with other states and Federal agencies to perform inspections, under contract, to comply with the wholesale distributor regulations. A. Taylor indicated that the process has been slow because of the difficulty in obtaining existing inspection programs that meet Maryland requirements.</p> <p>9. L. Naesea stated that the enforcement of the registration of Wholesale Distributors was deferred until March 31, 2009 to allow time for the Legislature to approve and the Governor to sign the two-tiered surety bond legislation.</p> <p>10. L. Naesea reported that the House Appropriations Committee did not have any questions related to the Board's 2010 budget submission. The budget hearing is being held in Annapolis on March 18th.</p> <p>11. R. Matens asked for additional information regarding the status of the 4th inspector position. L. Naesea reported that the 4th Inspector position has not been abolished in relation to the anticipated DHMH employee position cuts and is currently in recruitment status.</p>		
IV. Legislation and Regulations	Anna Jeffers, Legislation and Regulation Manager Report	<p><u>A. Maryland Regulations</u></p> <p>1 .A. Jeffers reported on the status of COMAR 10.34.17, Waiver of Full Service Requirements for Recognized Pharmaceutical Specialties. The proposal will be published in the Maryland Register on March 27, 2009.</p>		
		<p>2. A. Jeffers presented revisions to COMAR 10.34.20, Format of Prescription Transmission, for Board approval. A. Jeffers thanked David Sharp, Ph.D. from the Maryland Health Care Commission for assisting with the development of the regulations and being available to answer questions at the meetings. The final draft of COMAR 10.34.20 was revised to clarify that the pharmacist must "promptly" commit an oral prescription to writing after listening to the telephone message. Additionally, A. Jeffers will work with Linda Bethman to revise the language in .02B (2) to take into consideration faxed prescriptions.</p> <p>A. Jeffers will release the proposal for informal comments.</p>	<p>2. Motion: R. Matens made a motion to approve the draft regulations, as amended.</p> <p>A. Leandre seconded the motion.</p>	<p>2. Board Action: The Board voted to approve the final draft as amended.</p>
		<p>3. A. Jeffers presented revisions to COMAR 10.34.23, Pharmaceutical Services to Residents in Comprehensive Care Facilities for discussion. D. Taylor recommended that the draft revisions to COMAR 10.34.23 be returned to the Practice Committee for further review and then to the Long Term Care Workgroup for review to assure that the regulations are consistent with COMAR 10.34.28, the Automated Medication Systems regulations.</p>		<p>3. Action Item: Practice Committee to reconsider COMAR 10.34.23 and confirm compatibility with COMAR 10.34.28.</p>
		<p>4. A. Jeffers reported on the status of COMAR 10.34.25, Delivery of Prescriptions. Solicitation of stakeholder's comments will be forthcoming.</p>		
		<p>5. A. Jeffers reported on the status of COMAR 10.34.32, Pharmacist</p>		

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		Administration of Vaccinations. The re-proposal was submitted to OHCQ for sign-off on March 10, 2009. The Board of Nurses and Board of Physicians voted in February and approved the regulation without revisions. The proposal is moving through the regulatory process at the Department.		
		<p>6. A. Jeffers reported that the COMAR 10.13.01, Dispensing of Prescription Drugs by a Licensee, was submitted to DHMH November 20, 2008. The Joint Response to Comments for COMAR 10.13.01 was submitted on February 5, 2009.</p> <p>A meeting has been scheduled with DDC to discuss the inspection process and how the Board and DDC can conduct joint inspections for the safety of patients and pharmacists. COMAR 10.13.01 was added to the agenda for this meeting to discuss the impact of the revised COMAR 10.13.01 on DDC. Discussion ensued that this meeting was never intended discuss or to focus on COMAR 10.13.01.</p>		
V. Adjournment		<p>1. On advice of Board counsel, D. Taylor asked for a motion to close the Public Meeting and convene a Closed Public Session for the purpose of attorney–client privileged communication in accordance with State Government, Sect. 10-508(a) (7).</p> <p>The Public Meeting was adjourned at 10:02 A.M.</p> <p>2. At 10:03 A.M. D. Taylor convened a Closed Public Session for advice of Counsel.</p> <p>3. The Closed Public Session was adjourned at 10:06 A.M. Immediately thereafter, D. Taylor re-convened the Public Meeting with the exception of cases requiring recusals, the Board members present at the initial Public Meeting continued to participate in the reopened Public Meeting.</p>	<p>1. Motion: A. Leandre made a motion to close the Public Meeting and open a Closed Public Session.</p> <p>H. Finke seconded the motion.</p> <p>3. Motion: R. Zimmer made a motion to adjourn the Closed Public Session and re-open the Public Meeting.</p> <p>L. Israbian-Jamgochian seconded the motion.</p>	<p>1. Board Action: The Board voted to approve closing the Public Meeting and opening a Closed Public Session.</p> <p>3. Board Action: The Board voted unanimously to adjourn the Closed Public Session and re-open the Public meeting.</p>
VI. Legislation and Regulations	Anna Jeffers, Legislation and Regulation Manager Report	<p>B. Legislation</p> <p>1. <u>A. Jeffers presented the following Letters and Position Papers for ratification by the Board.</u></p> <p>a. SB 700 Pharmacists – Administration of Vaccinations Expanded Authority.</p> <p>The Board initially voted at the February 2009 Board Meeting to submit a Letter of Support. Once the Board learned of the Board of Nursing’s amendment to require a nurse practitioner to train the pharmacist to administer vaccines, the Legislative Committee decided to submit a Position Paper in Support that included a paragraph opposing the Board of Nursing amendment. L. Israbian-Jamgochian testified in Annapolis on behalf of the Board.</p>	<p>a. Motion: The Legislative Committee made a motion to ratify the Position Paper in Support that is in opposition to the position proposed by the Board of Nursing.</p>	<p>a. Board Action: The Board voted to approve the Position Paper in Support.</p> <p>One Commissioner opposed the</p>

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			R. Zimmer seconded the motion.	motion.
		<p>b. SB 881/HB 1186, Maryland Health Systems Act of 2009.</p> <p>The Board submitted two identical Position Papers in Support with amendments.</p> <p>L. Israbian-Jamgochian and Anna Jeffers will testify on March 19, 2009 on HB 1186.</p>	<p>b. Motion: L. Israbian-Jamgochian made a motion to ratify the Position Paper in Support with Amendments.</p> <p>R. Matens seconded the motion</p>	b. Board Action: The Board voted to approve the Position Paper in Support with Amendments.
		<p>c. SB 791/HB 725, Group Model Health Maintenance Organizations-Drug Therapy Management.</p> <p>The Board submitted two identical Letters of Support for both houses.</p>	<p>c. Motion: R. Zimmer made a motion to ratify the two identical Letters of Support.</p> <p>R. Taylor seconded the motion.</p>	c. Board Action: The Board voted to approve the two identical letters of support with three Commissioners opposed.
		<p>d. HB 1195 Prescription Drugs-Wholesale Drug Distribution Surety Bond Requirements.</p> <p><u>d.1. The Board submitted a Position Paper in Support of the revised Surety Bond requirements.</u></p> <p>d.2. Delegate Montgomery asked whether the Board would support using the annual gross receipts of prescriptions drugs and devices sold in Maryland as the criteria for determining the amount of the surety bond.</p> <p>d.3. A. Jeffers asked the Board to consider another extension for the approval of incomplete applications received for renewal permits under the Maryland Wholesale Distribution Permitting and Prescription Drug Integrity Act until June 30, 2009 to accommodate HB 1195.</p>	<p>d.1. Motion: D. Chason made a motion to ratify the Position Paper in Support.</p> <p>M. Souranis seconded the motion.</p> <p>d.2. Motion: R. Matens made a motion to not endorse use of annual gross receipts of prescription drugs and devices sold in Maryland.</p> <p>H. Finke seconded the motion.</p> <p>d.3. Motion: M. Souranis made a motion to extend the delay in enforcement of the distributor regulations until June</p>	<p>d.1. Board Action: The Board voted to ratify the Position Paper in Support.</p> <p>d.2. Board Action: The Board voted to approve the motion.</p> <p>d.3. Board Action: The Board voted to approve the motion.</p>

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			<p>30, 2009 to coincide with the revisions to the surety bond requirements.</p> <p>D. Chason seconded the motion.</p>	
		<p>e. HB1275, Health Occupation Boards. The Position Paper was submitted as a joint Position Paper in Support with Amendments from the Health Care Boards.</p> <p>A. Jeffers will attend the hearing this afternoon (March 18, 2009).</p>	<p>e. Motion: D. Chason made a motion to approve the Position Paper in Support.</p> <p>R. Zimmer seconded the motion.</p>	<p>e. Board Action: The Board voted to approve the motion.</p> <p>Action Item: A. Jeffers will notify the Board of any issues concerning the bill after the hearing.</p>
		<p><u>2. A. Jeffers presented for discussion and approval proposed Board positions on upcoming Legislation.</u></p> <p>a. HB 1310 State Government -Access to Records-Photos</p> <p>This legislation would allow individuals to photograph public documents upon request. The Board currently allows access. This legislation would save the individual the price of copies. The Practice and Legislative Committees recommended that the Board take No Position.</p>	<p>a. Motion L. Israbian-Jamgochian made a motion to take No Position.</p> <p>R. Matens seconded the motion.</p>	<p>a. Board Action: The Board voted to approve the motion.</p>
		<p>b. HB 1389 State Government-Access to Public Records- Electronic Documents.</p> <p>This legislation required that public documents be conveyed to the public in the original electronic format. The Board is not allowed to do this because public orders must be in a format that cannot be altered. The Practice and Legislative Committees recommended a Letter of Information.</p>	<p>b. Motion: R. Matens made a motion to send a Letter of Information.</p> <p>H. Finke seconded the motion.</p>	<p>b. Board Action: The Board voted to approve the motion.</p>
		<p>c. HB 1431 Professional Boards – Transfer of Funds – Repayment.</p> <p>This legislation prohibits the Governor or General Assembly from transferring funds from professional funds (Professional Licensing Boards) to the general fund. This legislation allows for a transfer of funds if the funds are used solely for a purpose related to the profession. If during any fiscal year the Governor transfers money from a professional fund to the general fund, the Governor shall repay the money in the annual budget for the following year. Legislative Committee recommended a Letter of Support.</p>	<p>c. Motion: R. Matens made a motion to send a Letter of Support.</p> <p>R. Zimmer seconded the motion.</p>	<p>c. Board Action: The Board voted to approve the motion.</p>
		<p>d. HB 1476 Health Program Integrity and Recovery Act of 2009.</p>	<p>d. Motion:</p>	<p>d. Board Action:</p>

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		<p>This legislation authorizes the Inspector General to provide training and assistance to providers. It also requires a surety bond from a provider to assure that sufficient funds are available to satisfy the recovery amounts due to the Department. It also authorizes the Inspector General to assist in implementing regulations and imposing administrative sanctions. The bill also provides for administrative sanctions and penalties for engaging in the prohibited actions. It requires the Department to pay civil money penalties into the General Fund. D. Taylor recommended a Letter of Information stating the Board's concerns.</p>	<p>H. Finke made a motion to send a Letter of Information.</p> <p>R. Zimmer seconded the motion.</p>	<p>The Board voted to approve the motion.</p>
		<p>e. HB 1477 Health-Pharmaceutical Manufacturer Advertising and Gifts to Health Care Providers-Reports.</p> <p>This legislation requires pharmaceutical manufacturers to report to the Secretary on the costs of marketing and advertising prescription drugs in the State. It also requires pharmaceutical manufacturers to report to the Secretary on gifts or other economic benefits provided to health care providers in the State. D. Taylor recommended that the Board take no position on the bill because it does not impact the Board of Pharmacy.</p>	<p>e. Motion: R. Zimmer made a motion to take No Position.</p> <p>D. Chason seconded the motion.</p>	<p>e. Board Action: The Board voted to approve the motion.</p> <p>M. Handelman opposed.</p>
		<p>f. SB 1052 Health Occupations Boards-Exemption from Hiring Freeze.</p> <p>The bill allows a health occupation board to fill a vacant contractual or permanent staff position without regard to any hiring freeze. There would be a major operational effect on the Board of Pharmacy because the Board would be able to fully staff all units to meet the statutory and regulatory mandates to protect the public. The Board of Pharmacy has the funding to support the hiring of additional staff and therefore the fiscal impact would not affect the General Fund.</p> <p>D. Taylor recommended that the Board submit a Position Paper in Support.</p>	<p>f. Motion: R. Matens made a motion to send a Position Paper in Support.</p> <p>R. Taylor seconded the motion.</p>	<p>f. Board Action: The Board voted to approve the motion.</p>
		<p>D. Taylor recommended that the Board send Letters of Support for the proposed Federal Legislation in Senate Bill 511 which would allow pharmacies and pharmacists to be exempted from accreditation from the Medicaid Durable Medical Equipment (DME) Act requirements . The recommendation was to contact Maryland's Senators and to ask for their support of the legislation.</p>	<p>1. Motion H. Finke made a motion to send a letter to Maryland's Senators asking them to Co-sponsor S. 511.</p> <p>M. Souranis seconded the motion.</p>	<p>1. Board Action: The Board voted to approve the motion.</p>
<p>VII. Inspection Program Report</p>	<p>Ann Taylor, Compliance Officer</p>	<p>1. A. Taylor presented the February Compliance monthly statistics for the Board. See Attachment 1, Section C.</p>		
<p>VIII. PEAC Report</p>	<p>Anthony Tommasello, PEAC</p>	<p>1. A. Tommasello presented the February PEAC monthly statistics for the Board. See Attachment 1, Section D.</p> <p>2. A. Tommasello reported that students enrolled in the PEAC program will have their contract renewed when they are licensed.</p>		

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		3. A. Tommasello reported that students who relocate to others states will be referred to the appropriate agency in that state. He will research how other states license pharmacists in similar circumstances.		3. Action Item: T. Tommasello to provide information regarding programs in other states.
IX. Management Information Services	LaVerne Naesea, Executive Director	1. L. Naesea presented the February MIS monthly statistics for the Board. See Attachment 1, Section F.		
		2. L. Naesea reported that Rajesh Katragadda's sub-contract with Towson RESI, the Board contractor for the new database project, ended on February 27, 2009. R. Katragadda returned to the Board on March 4, 2009 to meet with Tamarra Banks, Michele Hsu and Resmi George to discuss the outstanding programming and task issues.		2. Action item: M. Hsu, with T. Banks, to take lead programming role to finish database project.
		3. L. Naesea reported that Resmi George, a RESI graduate student, has been working with the Board as R. Katragadda's replacement since January 26, 2009 to complete and support the final stages of the database project.		
		4. L. Naesea reported that Matthew Smith, the Board's Help Desk Consultant, broke his leg. M. Smith was responsible for providing the necessary security access for the new systems and the servers. The Department was contacted and recommended the Board solicit a new contractor to perform the task in M. Smith's absence. However, T. Banks, after speaking with M. Smith, believed that he would be able to complete the projects in a timely manner.		4. Action item: M. Smith to complete security access for new system
		5. L. Naesea reported that T. Banks had a meeting with A. Taylor, R. Katragadda, and herself, to complete the process of transferring HIPDB data directly with the Federal Government instead of through NABP. The new process will continue to provide HIPDB data to NABP.		
		6. L. Naesea reported that the Pharmacist Online Renewal Database/System will allow pharmacists to renew online and also allow them to change their address and employer information at any time.		
		7. L. Naesea reported that the Board of Pharmacy electronic inspection system was tested on March 13, 2009. The system will require some revisions. The projected installation date will be a week after feedback has been received.		7. Action item: MIS to make revisions to electronic inspection system.
		8. L. Naesea reported that she is encouraging the Towson contractors to retain Resmi George after May 2009. A new fee less contract with Towson University would need to be created so that the project may be fully completed and allow for the 90 day warranty period.		8. Action item: L. Naesea to research new contract with Towson/RESI and retaining R. George
		9. L. Naesea reported that the Disaster Recovery meeting was scheduled for February 26, 2009 to setup the Disaster Recovery system server. The test was postponed due to M. Smith's injury. T. Banks has requested that a meeting be scheduled to perform the tasks and move forward with the project while the location is still available.		9. Action item: MIS to complete Disaster Recovery installation on server.

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		10. L. Naesea reported that APS submitted graphics to MIS for review for compatibility with the Board's web system and that MIS provided not concerns with what had been provided.																																						
		11. L. Naesea reported that DHMH is testing Group Wise 8 for implementation after the legislative session. All DHMH units will be required to install the upgrade.																																						
X. Administration & Public Support	Patricia Gaither, Administration and Public Support Manager	1. P. Gaither reported that the Office of Human Resources (OHR) is reviewing applications for the 4 th Inspector position. The recruitment period closed on February 23, 2009.		1. Action item: APS to continue to recruit and hire 4 th inspector.																																				
		2. P. Gaither reported that the Board's temporary employee, B. Richardson, has left and her replacement is J. Babiker. She with be working in the Licensing unit until June 30, 2009.																																						
		3. P. Gaither reported that the contract for M. Smith will end on March 30, 2009. The Board will request an extension until June 30, 2009 to provide Help Desk and Network support for the Board.		3. Action item: Board to request extension of M. Smith's contract.																																				
		4. P. Gaither reported that the Board requested two (2) vehicles in the 2009 budget, but were only approved for one (1). E. Lin will receive the vehicle.																																						
		5. P. Gaither reported that a request for four additional vehicles needs to be approved by the State Office of Budget and Management in the Board's budget if the Board can provide sufficient documentation to demonstrate the need.		5. APS to request 4 additional vehicles for Board use.																																				
XI. Budget Report	Michael Souranis, Treasurer	<p>M. Souranis reported on the budget, and presented the recommendation to amend fees in COMAR 10.34.09.02</p> <p>The following fees are recommended based on the budgeted needs of the Board.</p> <table border="1"> <thead> <tr> <th>Pharmacist</th> <th>Existing Fee</th> <th>Proposed Fee</th> <th>Biennial Fee</th> </tr> </thead> <tbody> <tr> <td>Pharmacist examination fee</td> <td>\$100</td> <td>\$150</td> <td></td> </tr> <tr> <td>Pharmacist reciprocity fee</td> <td>120</td> <td>300</td> <td></td> </tr> <tr> <td>Pharmacist renewal fee</td> <td>150</td> <td>250</td> <td>\$250</td> </tr> <tr> <td>Pharmacist reinstatement fee for up to 2 years after license expiration where pharmacist has voluntarily suspended practice, payable in addition to renewal.</td> <td>165</td> <td>300</td> <td></td> </tr> <tr> <td>Pharmacist reinstatement fee for more than 2 years after license expiration, payable in addition to renewal fee and late fee.</td> <td>180</td> <td>315</td> <td></td> </tr> </tbody> </table> <p>Pharmacy</p> <table border="1"> <tbody> <tr> <td>Pharmacy initial fee</td> <td>300</td> <td>350</td> <td>700</td> </tr> <tr> <td>Pharmacy renewal fee</td> <td>250</td> <td>325</td> <td>650</td> </tr> <tr> <td>Pharmacy late fee (payable if</td> <td>150</td> <td>200</td> <td></td> </tr> </tbody> </table>	Pharmacist	Existing Fee	Proposed Fee	Biennial Fee	Pharmacist examination fee	\$100	\$150		Pharmacist reciprocity fee	120	300		Pharmacist renewal fee	150	250	\$250	Pharmacist reinstatement fee for up to 2 years after license expiration where pharmacist has voluntarily suspended practice, payable in addition to renewal.	165	300		Pharmacist reinstatement fee for more than 2 years after license expiration, payable in addition to renewal fee and late fee.	180	315		Pharmacy initial fee	300	350	700	Pharmacy renewal fee	250	325	650	Pharmacy late fee (payable if	150	200		<p>Motion: M. Souranis made a motion to approve the fee increases proposed in the revisions to COMAR 10.24.09.02.</p> <p>D. Chason seconded the motion.</p>	<p>Board Action: The Board voted to approve revisions to COMAR 10.24.09.02.</p>
Pharmacist	Existing Fee	Proposed Fee	Biennial Fee																																					
Pharmacist examination fee	\$100	\$150																																						
Pharmacist reciprocity fee	120	300																																						
Pharmacist renewal fee	150	250	\$250																																					
Pharmacist reinstatement fee for up to 2 years after license expiration where pharmacist has voluntarily suspended practice, payable in addition to renewal.	165	300																																						
Pharmacist reinstatement fee for more than 2 years after license expiration, payable in addition to renewal fee and late fee.	180	315																																						
Pharmacy initial fee	300	350	700																																					
Pharmacy renewal fee	250	325	650																																					
Pharmacy late fee (payable if	150	200																																						

Subject	Responsible Party	Discussion	Motion	Action/Results																																																																								
		<p>renewal fee is received between December 2 and January 31</p> <table border="1" data-bbox="646 337 1444 993"> <thead> <tr> <th data-bbox="646 337 1045 381">Pharmacy</th> <th data-bbox="1045 337 1171 381">Existing Fee</th> <th data-bbox="1171 337 1297 381">Proposed Fee</th> <th data-bbox="1297 337 1444 381">Biennial Fee</th> </tr> </thead> <tbody> <tr> <td data-bbox="646 381 1045 435">Pharmacy reinstatement fee January 31</td> <td data-bbox="1045 381 1171 435">550</td> <td data-bbox="1171 381 1297 435"></td> <td data-bbox="1297 381 1444 435"></td> </tr> <tr> <td colspan="4" data-bbox="646 435 1444 459" style="text-align: center;">Distributors</td> </tr> <tr> <td data-bbox="646 459 1045 483">Distributor initial fee</td> <td data-bbox="1045 459 1171 483">1,000</td> <td data-bbox="1171 459 1297 483"></td> <td data-bbox="1297 459 1444 483">1,750</td> </tr> <tr> <td data-bbox="646 483 1045 508">Distributor renewal fee</td> <td data-bbox="1045 483 1171 508">1,000</td> <td data-bbox="1171 483 1297 508"></td> <td data-bbox="1297 483 1444 508">1,750</td> </tr> <tr> <td data-bbox="646 508 1045 561">Distributor reinstatement fee after December 31</td> <td data-bbox="1045 508 1171 561">1,500</td> <td data-bbox="1171 508 1297 561"></td> <td data-bbox="1297 508 1444 561"></td> </tr> <tr> <td colspan="4" data-bbox="646 561 1444 586" style="text-align: center;">Pharmacy Technicians</td> </tr> <tr> <td data-bbox="646 586 1045 630">Pharmacy technician registration fee</td> <td data-bbox="1045 586 1171 630">45</td> <td data-bbox="1171 586 1297 630"></td> <td data-bbox="1297 586 1444 630"></td> </tr> <tr> <td data-bbox="646 630 1045 654">Pharmacy technician renewal fee</td> <td data-bbox="1045 630 1171 654">45</td> <td data-bbox="1171 630 1297 654"></td> <td data-bbox="1297 630 1444 654"></td> </tr> <tr> <td data-bbox="646 654 1045 698">Pharmacy technician reinstatement fee</td> <td data-bbox="1045 654 1171 698">45</td> <td data-bbox="1171 654 1297 698"></td> <td data-bbox="1297 654 1444 698"></td> </tr> <tr> <td data-bbox="646 698 1045 776">Pharmacy student—pharmacy technician administration fee for exemption</td> <td data-bbox="1045 698 1171 776">45</td> <td data-bbox="1171 698 1297 776"></td> <td data-bbox="1297 698 1444 776"></td> </tr> <tr> <td colspan="4" data-bbox="646 776 1444 800" style="text-align: center;">Miscellaneous</td> </tr> <tr> <td data-bbox="646 800 1045 824">Duplicate registration fee</td> <td data-bbox="1045 800 1171 824">new</td> <td data-bbox="1171 800 1297 824">10</td> <td data-bbox="1297 800 1444 824"></td> </tr> <tr> <td data-bbox="646 824 1045 868">Duplicate license or duplicate permit fee</td> <td data-bbox="1045 824 1171 868">new</td> <td data-bbox="1171 824 1297 868">30</td> <td data-bbox="1297 824 1444 868"></td> </tr> <tr> <td data-bbox="646 868 1045 912">Written verification of good standing fee</td> <td data-bbox="1045 868 1171 912">new</td> <td data-bbox="1171 868 1297 912">25</td> <td data-bbox="1297 868 1444 912"></td> </tr> <tr> <td data-bbox="646 912 1045 937">Returned check fee</td> <td data-bbox="1045 912 1171 937">new</td> <td data-bbox="1171 912 1297 937">35</td> <td data-bbox="1297 912 1444 937"></td> </tr> <tr> <td data-bbox="646 937 1045 961">Rosters printed on labels fee</td> <td data-bbox="1045 937 1171 961">new</td> <td data-bbox="1171 937 1297 961">150</td> <td data-bbox="1297 937 1444 961"></td> </tr> <tr> <td data-bbox="646 961 1045 993">Failure to maintain address</td> <td data-bbox="1045 961 1171 993">new</td> <td data-bbox="1171 961 1297 993">25</td> <td data-bbox="1297 961 1444 993"></td> </tr> </tbody> </table>	Pharmacy	Existing Fee	Proposed Fee	Biennial Fee	Pharmacy reinstatement fee January 31	550			Distributors				Distributor initial fee	1,000		1,750	Distributor renewal fee	1,000		1,750	Distributor reinstatement fee after December 31	1,500			Pharmacy Technicians				Pharmacy technician registration fee	45			Pharmacy technician renewal fee	45			Pharmacy technician reinstatement fee	45			Pharmacy student—pharmacy technician administration fee for exemption	45			Miscellaneous				Duplicate registration fee	new	10		Duplicate license or duplicate permit fee	new	30		Written verification of good standing fee	new	25		Returned check fee	new	35		Rosters printed on labels fee	new	150		Failure to maintain address	new	25			
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XIII. Licensing Committee	Cynthia Anderson, Chair	1. C. Anderson presented the February 2009 Licensing Committee statistics for the Board. See Attachment 1, Section A and E.																																																																										
		2. C. Anderson reported that there are 1585 technician applications that are currently either incomplete or awaiting review prior to final processing.																																																																										
		3. C. Anderson recommended that an application fee be charged for reviewing pharmacy technician training programs that require multiple resubmissions because they are incorrect or incomplete requiring a significant amount of extra processing. The suggested fee should be \$200 per submission, after the first two submissions of a training program.	3. Motion: C. Anderson made a motion to approve a charge of \$2000 for review of all training programs submitted to the Board. L. Israbian-Jamgochian seconded the motion.	3. Board Action: The Board voted to approve the revised fee of \$200 for review of training programs.																																																																								
		4. C. Anderson reported that the Licensing Committee has not received any training programs from colleges or trade schools that have technician training programs. The Licensing Committee recommended that the Board send letters to the Maryland Higher Education Council (MHEC) and Department of Education		4. Action item: Board to send letter to the Maryland																																																																								

Subject	Responsible Party	Discussion	Motion	Action/Results
		(DOE) as reminders that all programs must be approved by the Board of Pharmacy.		Department of Education and MHEC as a reminder.
		<p>5. C. Anderson reported that the Licensing Committee has reviewed and approved three training programs.</p> <p>a. The Licensing Committee made a recommendation to ratify the pharmacy technician training program submitted by MedStar Health.</p> <p>C. Anderson and D. Chason were recused.</p>	<p>5.a. Motion: Motion by the Licensing Committee to ratify the pharmacy technician training program submitted by MedStar Health.</p> <p>R. Zimmer seconded the motion.</p> <p>Anderson and D. Chason were recused.</p>	<p>5.a. Board Action: The Board voted to approve the training program.</p>
		<p>b. The Licensing Committee made a recommendation to ratify the pharmacy technician training program submitted by Stein Academy.</p>	<p>5.b. Motion: Motion by the Licensing Committee to ratify the pharmacy technician training program submitted by The Stein Academy R. Taylor seconded the motion.</p>	<p>5.b. Board Action: The Board voted to approve the training program.</p>
		<p>c. The Licensing Committee made a recommendation to ratify the pharmacy technician training program submitted by The Technician Trainer Program.</p>	<p>5.c. Motion: Motion by the Licensing Committee to ratify the pharmacy technician training program submitted by The Technician Trainer Program.</p> <p>R. Zimmer seconded the motion.</p>	<p>5.c. Board Action: The Board voted to approve the training program.</p>
<p>XII. Public Relations Committee</p>	<p>Lynette Bradley-Baker, Chair</p>	<p>1. L. Bradley-Baker reported on the status of negotiations for printing of the Board's Newsletter. The contract will be available for review by the April 2009 or May 2009 Board meeting.</p> <p>2. L. Bradley-Baker reported that the final board of pharmacy informational brochure will be presented at the April 2009 Board meeting.</p> <p>3. L. Bradley-Baker provided Commissioners and visitors with a copy of the proposed template for the Board's revised website Homepage.</p> <p>4. L. Naesea reported that the "What's New" link on the Board's website will be</p>		<p>3. Action Item: Commissioners to submit revisions to the template to S. Goodman.</p>

Subject	Responsible Party	Discussion	Motion	Action/Results
		<p>updated continuously.</p> <p>5. S. Costley recommended that all professional programs be listed under the "What's New" section.</p> <p>6. L. Bradley-Baker reported that an article regarding the Drug Repository program, Drug Therapy Management and Immunization program will be placed on the board of pharmacy website and in the next board of pharmacy Newsletter.</p>		
XIII. Practice Committee	Reid Zimmer, Chair	<p>A. Regulations currently undergoing revisions:</p> <p>R. Zimmer reported that COMAR 10.34.28, Automated Medication Systems, is still in the revision process and will be submitted to the Board at the April 2009 meeting.</p>		
		<p>B. Public Inquiries:</p> <p>R. Zimmer presented the public inquiries reviewed by the Practice Committee in March.</p> <p>1. Alice Dunham - what changes may be made to Schedule II prescriptions when the physician is not available to verify. In February, the question was referred back to the Practice Committee for revision.</p> <p>PRACTICE COMMITTEE RESPONSE: As noted in my email to you of January 12, 2009, after consultation with the prescribing practitioner, the pharmacist is permitted to add or change the drug strength, drug quantity, directions for use, and issue date. The pharmacist is permitted to make information additions that are provided by the patient or bearer, such as the patient's address, and such additions should be verified. The pharmacist is never permitted to make changes to the patient's name, controlled substance prescribed (except for generic substitution permitted by state law) or the prescriber's signature. http://www.deadiversion.usdoj.gov/faq/general.htm#rx_change</p> <p>In the situation you described, however; the pharmacist should use their professional judgment to avoid denying necessary pain medication to a patient. The pharmacist may dispense the entire prescription so long as it is the same milligrams as indicated on the prescription. The pharmacist must inform the patient of the change and follow up with the prescriber as soon as possible or within 72 hours. Keep in mind that the pharmacist must document on the prescription how it was filled and the subsequent physician notification.</p>	<p>1. Motion: Motion by C. Anderson to approve the proposed letter with the revision to add "same number of milligrams."</p> <p>M. Handelman seconded the motion.</p>	<p>1. Board Action: The Board voted to approve motion.</p>
		<p>2. Michelle Andol asked if COMAR 10.34.33.02 only refers to manufacturers' packaging,</p> <p>PRACTICE COMMITTEE RESPONSE: Upon review of the above regulation, the Board has determined that this section does not refer exclusively to manufacturer packaging. Prescription drugs or devices are eligible for acceptance by a Drug Repository if they are packaged by a pharmacy, manufacturer or repackager in single unit doses when the outside packaging is opened if the single unit dose packaging is undisturbed.</p>	<p>2. Motion: Motion by Practice Committee to approve the proposed letter.</p> <p>D. Chason seconded the motion.</p>	<p>2. Board Action: The Board voted to approve the motion with one Commissioner opposed.</p>

Subject	Responsible Party	Discussion	Motion	Action/Results
		<p>3. Cynthia Koenecker asked whether Google is a qualified drug reference.</p> <p>PRACTICE COMMITTEE RESPONSE An internet search engine or Google does satisfy the drug reference requirements for general pharmacy practice. Keep in mind that COMAR 10.34.07.03 Pharmacy Equipment, Reference Libraries, requires that you maintain an adequate reference library to enable you to prepare and dispense prescriptions properly, consistent with your scope of practice. You should have a combination of internet resources and hard copy resources so that if the internet is not accessible, you would have the appropriate reference materials at your disposal.</p>	<p>3. Motion: Motion by the Practice Committee to approve the proposed letter.</p> <p>R. Matens seconded the motion.</p>	<p>3. Board Action: The Board voted to defeat the motion.</p> <p>Action Item: D. Taylor returned the issue to the Practice Committee.</p>
		<p>4. Alan Friedman representing Kaiser Permanente asked two questions.</p> <p>1. Are there requirements that indicate whether patient educational materials need to be supplied each time a patient receives their prescription?</p> <p>PRACTICE COMMITTEE RESPONSE: Please be advised that the Maryland Pharmacy Act and Maryland Pharmacy Regulations do not address whether a patient monograph, which includes side effects, must be given to the patient each time the patient receives their prescription. Federal law addresses this requirement. Information regarding the patient's role and responsibility in preventing medication errors, however; is required to be provided to the patient before or at the time the drug or device is presented to the patient. See the Code of Maryland Regulations (COMAR) 10.34.26.02B.</p> <p>2. What sort of packing and labeling would need to be in place to provide two (2) OTC tablets to a patient pursuant to a protocol? We are contemplating a way that patients, rather than having to purchase a whole bottle of tablets, can be provided those 2 tablets necessary for certain radiology procedures. We are wondering what sort of packing and labeling would need to be in place for us to give this to a Kaiser Permanente member. And, would it matter if we covered the order under the drug benefit or not (i.e., Rx Vs OTC)?</p> <p>Assuming one can dispense 2 tablets of an OTC product on prescription - with proper labeling, how is it best to package a kit with more than one drug. For example, if we were to develop a particular prep kit from OTC products (called "Prep Kit" for example), and received a prescription from a doctor asking us to dispense one "Prep Kit" (e.g., 2 Dulcolax® tablets and 2 simethicone tablets), could we label each child-proofed vial with the name, strength and lot number of the drug, place in a sealed plastic bag, and put a prescription label on the outside calling it "Prep Kit " and include the SIG, doctors name, etc (all the elements required on a prescription)?</p> <p>PRACTICE COMMITTEE RESPONSE: You may prepare and dispense the "Prep Kit" pursuant to a prescription, so long as you label and identify the items inside properly. The outer package should include the patient specific information including the directions. It may be more appropriate to label the product specifically with and identification such as "Colonoscopy Prep Kit" since this packaging method may serve as a model for development of other kits.</p>	<p>4. Motion: Motion by C. Anderson to approve the proposed letter.</p> <p>R. Matens seconded the motion.</p>	<p>4. Board Action: The Board voted to approve the motion.</p>

Subject	Responsible Party	Discussion	Motion	Action/Results
		<p>C. R. Zimmer, Practice Committee - Public Notice of Board Meetings:</p> <p>The Practice Committee recommended monthly Board Meetings no longer be advertised in the Maryland Register. The notification in the Maryland Register for the April 15, 2009 meeting will announce that further Board Public Meeting notifications will appear only on the Board's website.</p>	<p>C. Motion: Motion by H. Finke to approve advertising the Public Board Meetings on the Board's website.</p> <p>R. Matens seconded the motion.</p>	<p>C. Board Action: The Board voted to approve the motion.</p>
XIV. Disciplinary Committee	Rodney Taylor, Chair	<p>1. R. Taylor presented the Compliance Committee monthly statistics for February 2009 for the Board. See Attachment 1, Section A and C.</p>		
XV. Long Term Care	Mayer Handelman, Chair	<p>1. M. Handelman reported that the training sessions for the revised Assisted Living regulations that have been scheduled for providers have had high numbers of participants at each session.</p> <p>2. M. Handelman reported that he has asked the Office of Health Care Quality to permit involvement of the Board of Pharmacy in the development of regulations for Residential Care facilities.</p> <p>3. M. Handelman reported that the FDA is reviewing procedures for repackaging and providing interim boxes in nursing home pharmacies which may have a significant effect on services.</p>		
XVI. Informational	Donald Taylor, Board President	<p>D. Taylor reported that efforts have begun to standardize the credentialing process for pharmacists throughout the country to streamline emergency preparedness efforts. D. Taylor recommended that the Maryland Board send a resolution to NABP asking that uniform standards be developed for credentialing of pharmacists and pharmacy technicians for emergency preparedness.</p>	<p>Motion: Motion by D. Chason to send a resolution to NABP to requesting that NABP develop standardized credentialing process for pharmacists and pharmacy technicians in anticipation of pharmacists serving in emergency situations.</p> <p>R. Matens seconded the motion.</p>	<p>Board Action: The Board voted to approve the motion.</p>
XVII. New Business	Donald Taylor, Board President	<p>1. H. Finke recommended that the Board take a position in opposition to free antibiotic programs being offered by pharmacies in Maryland due to the nationally documented risk of antibiotic resistance that is occurring in hospitals and community settings.</p>	<p>Motion: Motion by H. Finke to notify pharmacies that the Board is opposed to programs that provide free antibiotics to patients because of the risk of developing antibiotic resistance. The recommendation should be sent to the Board of Physicians.</p>	<p>Board Action: The Board voted to approve the motion.</p>

Subject	Responsible Party	Discussion	Motion	Action/Results
			R. Zimmer seconded the motion.	
XVIII. Adjournment	Donald Taylor, Board President	<p>1. 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 contained in technician applications in accordance with State Government, Sect. 10-508(a)(7).</p> <p>The Public Meeting was adjourned at 1:00 P.M.</p> <p>2. At 1:30 PM, D. Taylor convened a Closed Public Session to conduct a medical review of technician applications.</p> <p>3. The Closed Public Session was adjourned at 1:45 P.M. 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>	<p>1. Motion: R. Matens made a motion to close the Public Meeting and open a Closed Public Session.</p> <p>L. Israbian-Jamgochian seconded the motion.</p> <p>3. Motion: D. Chason made a motion to adjourn the Closed Public Session.</p> <p>M. Souranis seconded the motion.</p>	<p>1. Board Action: The Board voted to approve closing the Public Meeting and opening a Closed Public Session.</p> <p>3. Board Action: The Board voted unanimously to adjourn the Closed Public Session.</p>

Subject	Responsible Party	Discussion	Recommendation	Action/Results
VI. New Business	Donald Taylor, Board President	<p>D. Taylor asked for a motion to close the Administrative Session and to reopen the Public Meeting. The Administrative Session was adjourned at 3:08 P.M.</p> <p>D. Taylor convened a Public Meeting to conduct a review of pharmacist applications.</p>	<p>Motion: R. Matens made a motion to close the Administrative Session and open a Public Meeting.</p> <p>L. Israbian-Jamgochian seconded the motion.</p>	Board Action: The Board voted to approve closing the Administrative Session and opening a Public Meeting.
Pharmacist Licensure Application	Audrey Bascom	C. Anderson presented the request from A. Bascom for the Maryland Board of Pharmacy to approve the reinstatement of her license so that she might reciprocate to Oregon where she now resides. The applicant has not practiced pharmacy for 18 years; she practiced in California for a short time approximately 18 years ago. The discussion focused on whether the pharmacist could be considered in good standing in California after 18 years without practicing in any other state.	<p>Motion: L. Israbian-Jamgochian made a motion to inform A. Bascom that her license cannot be considered to be in good standing. The Letter should inform the applicant that the recommendation of the Maryland Board is that she apply to take the NABPLEX and law examination in Oregon.</p> <p>H. Finke seconded the motion.</p>	Board Action: The Board voted to approve the motion.

VII. Adjournment	Donald Taylor, Board President	The Public Meeting was adjourned at 3:15 PM.	Motion: R. Matens made a motion to adjourn the Public Meeting. A. Leandre seconded the motion.	Board Action: The Board voted to adjourn the Public Meeting.
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Attachment 1

SECTION A - STATE STAT	Jul-08	Aug-08	Sep-08	Oct-08	Nov-08	Dec-08	Jan-09	Feb-09	Total 2009
SECTION A -LICENSING COMMITTEE									
Number of Current Licensees	21219	21984	22896	22953	23075	23120	14529	14876	N/A
Number of Active Licensees	12426	12491	14112	14267	14367	12574	14472	14820	N/A
Number of Inactive Licensees	520	551	493	356	364	56	57	56	N/A
Number of Pharmacist Licensees	14138	14159	14102	14251	14278	8232	8349	8336	N/A
Number of Pharmacy Establishment Licenses	3175	3179	3208	3222	3241	2536	1563	1592	N/A
Number of Distributor Licenses	2062	2077	2094	2109	2120	2129	771	734	N/A
Number of Pharmacy Technician Licensees	1844	2569	3452	3371	3436	3607	3789	4214	N/A
Number of Non-renewed Licensees	8273	8312	8237	8330	8344	9193	8768	8313	N/A
Number of New Applications Received	982	895	228	152	101	135	452	1374	N/A
Number Out-of-State Applications Received	112	71	0	55	58	50	63	63	472
Number of Out-of-State Applicants Approved	84	35	0	80	38	35	37	33	342
Number of Foreign Applications Received	13	14	0	15	8	7	10	5	72
Number of Foreign Applicants Approved	94	6	8	5	1	11	3	1	129
Number of License Renewals Current	339	333	344	352	1155	1858	319	334	5034
Number of Formerly Inactive or Reinstated Licenses	17	17	18	10	11	13	12	11	109
SECTION B - Complaints--Summary									
Number of Complaints Received	7	14	5	11	13	13	4	20	87
Boundaries (Harassment)	0	0	0	0	0	0	0	0	0
Drugs/Alcohol	1	0	1	0	1	0	0	0	3

Fraud	1	2	0	0	0	0	0	0	3
Standard of Care	3	6	1	6	5	8	1	4	34
Other	2	6	1	5	7	4	3	7	35
Number of Complaints Closed Administratively	0	0	0	0	0	0	0	0	0
Number of Investigations Initiated	7	14	5	11	13	13	4	20	87
# of Investigations Closed	3	7	2	1	5	0	9	18	45
Number of Investigations Pending	23	17	9	7	15	0	10	15	96
Number of Complaints Adjudicated by the Board	10	7	13	13	5	11	9	13	81
Number of Complaints where Board investigated complaint and took no formal or informal action	0	0	0	0	0	1	3	3	7
Number of Complaints where Board referred the case for prosecution	6	2	3	0	0	0	3	1	15
Number of Complaints Adjudicated within Goal	10	7	7	9	5	11	8	12	69
Number of Complaints Pending Action by the Board (unresolved)	0	2	2	2	1	0	1	1	9
Number of Complaints Referred by Board to another agency	1	0	0	0	0	1	2	0	4
Attorney General's Office									
Number of Complaints Awaiting Action from Board Counsel	0	0	0	0	0	0	0	0	0
Number of Complaints Awaiting Action for more than 30 days	0	0	0	0	0	0	0	0	0
Number of Complaints Awaiting Action for more than 60 days	0	0	0	0	0	0	0	0	0
Number of Complaints Awaiting Action for more than 90 days	0	0	0	0	0	0	0	0	0
Number of Complaints Awaiting Action for more than 120 days	0	0	0	0	0	0	0	0	0
Number of Complaints Awaiting Action from Board Prosecutor	1	8	5	4	1	1	4	4	31
Number of Complaints Awaiting Action for more than 30 days	0	0	0	0	0	0	0	0	0
Number of Complaints Awaiting Action for more than 60 days	0	0	0	0	0	0	0	0	0
Number of Complaints Awaiting Action for more than 90 days	0	0	0	0	0	0	0	0	0

Number of Complaints Awaiting Action for more than 120 days	1	1	1	1	1	1	1	0	8
Audit/Quality Assurance									
Number of Licensees Reviewed	38	37	35	37	35	0	0	37	219
Number of Patient Records Reviewed	0	0	0	0	0	0	0	0	0
Number of Inspections/surveys conducted	79	70	83	85	60	67	86	125	655
Disciplinary Action--Summary									
Formal Actions Taken by Board	5	5	2	3	5	3	1	5	29
Number of Fines	2	2	2	1	2	0	1	2	12
\$ Amount of Fines	\$3,000	\$1,000	\$10,000	\$3,000	\$7,500	\$0	\$5,000	\$41,000	\$70,500
Number of Probations	0	0	0	0	1	1	0	2	4
Number of Suspensions	3	3	1	1	0	0	0	0	8
Number of Licenses Revoked	1	0	0	0	0	0	0	0	1
Number of Letters of Reprimand	0	0	0	0	1	0	0	0	1
Informal Actions Taken by Board	0	3	10	7	3	9	2	10	44
Number of Cease and Desist Letters	0	1	2	0	0	0	0	0	3
Number of Letters of Admonishment	2	0	3	1	0	0	2	3	11
Number of Letters of Education	2	2	2	2	2	0	0	4	14
Other	0	2	3	4	0	8	0	3	20
Post Adjudicatory Compliance									
Number of Cases under Supervision	12	12	12	12	12	12	11	12	N/A
End of State Stats Sections									
SECTION C-COMPLIANCE									
Board Statistics									
Inspection Report									
Regular Inspections									
Retail/Community	0	0	67	51	52	51	47	61	329

Long Term Care	0	0	1	0	1	0	0	0	2
Hospital	0	0	2	0	0	0	1	0	3
Waivered	0	0	1	0	1	1	0	1	4
Distributor	0	0	0	0	0	3	35	50	88
Opening Inspections	0	0	8	12	4	0	1	5	30
Retail/Community	0	0	6	5	2	6	1	5	25
Long Term Care	0	0	0	0	0	0	0	0	0
Hospital	0	0	0	1	1	0	0	0	2
Waivered	0	0	2	6	1	0	0	0	9
Distributor	0	0	0	0	0	0	0	0	0
Closing Inspections	0	0			0	0			0
Retail/Community	0	0	0	4	0	0			4
Long Term Care	0	0	0	0	0	0			0
Hospital	0	0	0	0	0	0			0
Waivered	0	0	0	0	0	0			0
Distributor	0	0	0	0	0	0			0
Special Investigations	0	0	0	3	1	0	2	8	14
SECTION D-P.E.A.C. REPORT									
Pharmacists' Education and Advisory Council (PEAC)									
Self Referred Pharmacists	13	14	15	15	15	15	15	12	N/A
Self Referred technicians	0	2	2	2	2	3	3	3	N/A
Referred Pharmacy Students	2	2	2	2	1	2	2	2	N/A
Self Referred transferred to Board of Pharmacy	0	0	0	0	0	0	0	1	N/A
Board Cases Requesting PEAC Assistance	6	6	6	6	6	6	0	5	N/A
New Cases This Month									
Pharmacist	1	2	1	1	2	1	0	0	9
Student	0	0	0	0	0	0	0	0	0
Technician	0	0	0	0	0	0	0	0	0
Client Discharges	0	0	0	0	0	0	0	2	2
Drug Tests Ordered	42	46	42	44	46	48	52	50	414
Number of Positive Results	0	0	1	0	1	1	0	2	5

Total Combined Cases Being Monitored by PEAC	21	24	25	24	26	26	26	23	N/A
Cases under Board Monitoring	12	12	12	12	12	12	11	12	N/A
Drug Tests Ordered	30	30	30	27	22	22	29	17	237
Number of Positive Results	0	0	1	0	0	0	0	0	1
SECTION E LICENSING COMMITTEE REPORT(CONTINUED)									
Licensed Active Pharmacists									
New Licensed this Month	93	45	33	36	20	27	19	17	
In State	5575	5607	5620	5633	5629		5640	5639	
Out of State	2633	2618	2613	2651	2637		2646	2652	
Total Active Pharmacists	8208	8225	8233	8284	8266	0	8286	8291	
Due to Renew	378	348	376	381	317	338	319	334	
Paper Renewals	65	61	65	51	54	65	81	80	
On-Line Renewals	272	263	279	301	243	238	215	228	
Non-Renewed To-Date	41	24	32	29	20	35	23	26	
Reinstatements									
Less then 2 Years	8	17	17	10	11	13	10	8	110
2 to 5 Years	0	0	1		0	0	2	2	6
5 + Years	0	0	0		0	0	0	0	0
Vaccine Certifications									
Applications Received To Date	278	334	385	461	481	494	494	497	N/A
Renewed This Month	13	13	13	8	15	12	17	19	123
Certified This Month	7	26	77	47	36	20	4	0	224
Pending This Month	12	42	16	45	25	20	16	19	207
Total Certified To Date	266	292	369	416	462	474	478	478	N/A
Pharmacy Technicians									

Applications for Grandfathered Status	1409	1489	1527	1548	1567	1572	1613	1769	N/A
Applications for Nationally Certified	2028	2088	2216	2286	2338	2652	2825	3912	N/A
Applications for Student Exemption	196	241	251	256	258	260	267	321	N/A
Applications received	3633	3818	3994	4090	4163	4484	4705	6002	N/A
Registered To Date	2080	2569	3122	3371	3512	3651	3923	4417	N/A
Registrations Pending	1553	1249	872	719	651	833	782	1585	N/A
Technician Training Programs									
Total Programs Submitted	0	21	0	23	23	24	27	32	N/A
Total Programs Approved	0	8	0	12	14	15	16	17	N/A
Total Under Review								5	
Total Under Re-work					8	8	8	3	N/A
Approval Not Needed - Using an Approved Program								3	
Not Eligible for Approval								1	
Total Pending Review	0	4	0	11	0	1	3	3	
New Pharmacies									
New In State	4	3	2	2	6	2	2	2	25
New Out of State	4	8	5	9	4	7	6	9	54
New Waiver	1	1	1	0	0	0	1	0	4
Total New Pharmacies	9	12	8	11	10	9	9	11	83
Closed Pharmacies									
Closed In State	0	4	2	1	0	0	1	2	11
Closed Out of State	1	2	1	1	2	3	1	1	12
Closed Waiver	2	1	0	0	0	0	0	0	3
Total Closed Pharmacies	3	7	3	2	2	3	2	3	26
Total In State Pharmacies	1134	1133	1132	1133	1139	1141	1132	1132	N/A
Total Out of State Pharmacies	367	373	377	385	387	391	329	337	N/A

Total Waivered Pharmacies	103	102	104	104	104	104	102	102	N/A
Total Pharmacy permits	1604	1608	1613	1622	1630	1636	1563	1571	N/A
Distributors									
New in State	0	0	6	1	3	0	2	2	15
New Out of State	3	15	7	12	6	2	13	6	72
Total New Distributors	3	15	13	13	9	2	15	8	87
Closed Distributors									
Closed In State	0	0	1	0	0	0	0	1	2
Closed Out of State	0	0	0	0	2	1	5	1	9
Total In State Distributors	187	187	192	193	196	196	198	199	N/A
Total Out of State Distributors	726	741	748	760	764	765	773	778	N/A
Total Distributors	913	928	940	953	960	961	971	977	N/A
Rx Repository Program									
Applications received To date	3	3	3	3	3	3	3	3	N/A
Applications Approved To date	0	0	0	0	1	1	1	1	N/A
Applications Pending	0	2	2	2	1	1	1	1	N/A
Applications Withdrawn	0	1	1	1	1	1	1	1	N/A
									N/A
Drop Off Sites									
Applications received To Date	0	0	0	4	4	4	4	4	N/A
Applications pending	0	0	0	2	1	1	1	1	N/A
Applications Approved To Date	0	0	0	0	1	1	1	1	N/A
Applications Withdrawn	0	0	0	2	2	2	2	2	N/A
Total drop Off Sites									
Drug Therapy Management Protocols									

Total Applications Received	0	8	8	8	8	8	9	9	N/A
Applications Approved	0	4	4	4	4	5	5	5	N/A
Applications Not Approved	0	3	3	3	3	3	3	3	N/A
Applications pending	0	1	1	1	1	0	1	1	N/A
SECTION F-MANAGEMENT INFORMATION SYSTEMS REPORT									
Number of e-mails received	494	333	285	398	437	468	570	531	4021
Number of website visitors	15281	12832	12707	13688	6628	11798	11724	11725	114563
Roster Requests								15	15
APS REPORT									
Cash Mail Log Total (Misc. correspondence not included)							827	1,040	1867
Expense Report							22	22	44
Number of e-mails received							559	522	1081
PIA Requests/Inquiries (beginning Feb 09 Roster Request not included)							58	37	95
Fiscal Notes							5	12	17