

**Maryland Board of Pharmacy
Public Meeting
Minutes**

Date: November 17, 2010

Name	Title	Present	Absent	Present	Absent
Bradley-Baker, L.	Commissioner	X		4	1
Chason, D.	Commissioner	X		4	1
Finke, H.	Commissioner	X		5	0
Gavani, M. Z.	Commissioner		X	2	1
Handelman, M.	Commissioner	X		5	0
Israbian-Jamgochian, L.	Commissioner/Treasurer	X		5	0
Matens, R.	Commissioner	X		5	0
Souranis, M.	Commissioner//President	X		5	0
St. Cyr, II, Z. W.	Commissioner	X		4	1
Taylor, D.	Commissioner	X		5	0
Taylor, R.	Commissioner/Secretary	X		4	1
Zimmer, R.	Commissioner	X		4	1
Bethman, L.	Board Counsel	X		5	0
Gibbs, F.	Board Counsel	X		5	0
Banks, T.	MIS Manager	X		5	0
Gaither, P.	Administration and Public Support Manager	X		5	0
Jeffers, A.	Legislation/Regulations Manager	X		4	1
Naesea, L.	Executive Director	X		5	0

Subject	Responsible Party	Discussion	Action Due Date (Assigned To)	Board Action
I. Executive Committee Report(s)	A. M. Souranis, Board President	<p><i>Members of the Board with a conflict of interest relating to any item on the agenda are advised to notify the Board at this time or when the issue is addressed in the agenda.</i></p> <ol style="list-style-type: none"> 1. M. Souranis called the Public Meeting to order at <u>9:36</u> A.M. 2. M. Souranis requested all meeting attendees to introduce themselves and to remember to sign the guest list before leaving the meeting. M. Souranis asked guests to indicate on sign-in sheet if requesting CE credits for attendance. 3. M. Souranis reported that guest will be given packets of materials so that they can follow meeting discussions. He requested that all guest return their draft packets before they leave the meeting 4. M. Souranis asked 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. 5. Review & Approval of Minutes of October 20,2010 	5. Motion: D. Taylor moved to approve the October, 2010 minutes as amended, R. Zimmer seconded	5. Board Action: The Board voted to approve the minutes as amended.

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			the motion.	
II. Staff Operations Report (s)	A. L. Naesea, Executive Director	<p>1. L. Naesea reported on the following Operations Updates</p> <p>The Board is actively recruiting for 4 vacancies. The State audit is on-going. Auditors appear to have completed the fiscal review and will soon begin reviewing licensing processes. The preliminary Sunset Review exposure report recommends a full evaluation. The Board will be responding to the report before it is finalized.</p> <p>2. Meeting Updates since last Public Board meeting:</p> <ul style="list-style-type: none"> a. L. Naesea and other key staff members met with Legislative Auditors in early November 2010. b. The MIS Unit will establish its first team meeting for the database project on _____ c. Two candidates have been interviewed for the Pharmacist Compliance Officer position. One additional candidate is scheduled for an interview. 		
	B. P. Gaither, APS Manager	<p>P. Gaither reported the following:</p> <p>1. <u>Staffing Updates</u></p> <ul style="list-style-type: none"> a. Licensing Secretary - vacancy was filled 11/3 by Lisa Woods (formerly a contractual employee) b. Licensing Manager - in recruitment. Recruitment closes 12/4/10. Interviews will be scheduled. c. Technician Inspector - 5 candidates selected for interview. Interviews to begin in December 2010. d. Compliance Investigator – recruitment began October 18, 2010 with a closing date of December 20, 2010. e. A contractual employee was recruited to support the Licensing Unit with the Wholesale Distributor application renewal process. <p>2. <u>Contracts</u></p> <ul style="list-style-type: none"> a. NABP contract for out-of-state inspections of virtual manufacturers and distributors of medical gases is being developed. b. Systems Automation/GANTECH (Database Contract) and Lexis Nexis (Law Book) contracts – awaiting hard copy of purchase orders from the State Contracts office. 		

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		<p>3. <u>Public Relations Committee Report: L. Bradley-Baker</u></p> <p>a. The fall 2010 newsletter should be printed and mailed by the end of November. b. Public Relations and Information is trying to collect emails for all pharmacists. The fall newsletter will request licensees/registrants and permit holders to forward e-mail addresses to the Board. c. A summary of the Board's continuing education program in October 2010 was provided. The program evaluations were overall very positive. d. Staff is working with PR on completing the Fiscal Year 2009 Annual Report.</p> <p>4. <u>Emergency Preparedness Task Force Update/Report: D. Taylor</u></p> <p>D. Taylor reminded the Board and attendees about the Continuing Education program scheduled on November 21, 2010 at the BWI-Westin from 8:30 am to 12:30 pm.</p>		
	C. T. Banks, MIS Manager	<p>T. Banks reported the following:</p> <p>a. The new database project is still in process. b. The Board's website and email were not available during the weekend of November 5, 2010. c. All the state agencies websites were tested in one format so in case of emergencies, messages could be sent to all agencies at one time. As a result, the Board's site may perform slower or access to some state websites may not be available during the weekend of November 19, 2010. d. Maintenance for state issued laptops and PCs will begin soon. MIS Unit staff may be contacting some Board Members.</p>		
	D. L. Naesea, Acting Compliance Manager	<p>1. PEAC Update - C. Putz reported a total of 14 individuals served by the program: 11 Pharmacists, 2 Pharmacy Technicians, and 1 Pharmacy Student. There were a total of 42 drug tests conducted with no positive results. PEAC is arranging a meeting between the Board liaisons and PEAC to discuss better communications.</p> <p>2. Inspection Program Report – L. Naesea reported the following inspections for the month of October 2010: 67 retail pharmacies, 2 long term care pharmacies, 4 retail pharmacy openings, and 3 in state distributors inspections, for a total of 76. Ten out-of-state distributor</p>		

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		inspections were also performed by NABP on the Board's behalf.		
	E. A. Jeffers, Rgs/Lgs. Manager	<p>1. Status of Proposed Regulations – A. Jeffers reported on the status of the following regulations and future regulations.</p> <p>a. <u>10.34.03 Inpatient Institutional Pharmacy</u> Submitted for publication on October 4, 2010.</p> <p>b. <u>10.34.23 Pharmaceutical Services to Patients in Comprehensive Care Facilities</u> Re-proposal submitted for publication November 3, 2010.</p> <p>c. <u>10.34.25 Delivery of Prescriptions</u> Submitted for publication on August 4, 2010.</p> <p>d. <u>10.34.28 Automated Medication Systems</u> Re-proposal submitted for publication on September 24, 2010.</p> <p>e. <u>10.34.35 Home Infusion Pharmacy Services</u> Proposal released for informal comment October 26 through November 17th</p> <p>f. <u>10.13.01 Dispensing of Prescription Drugs by a Licensee</u> A meeting was held with representatives from the stakeholder Boards per direction from Wendy Kronmiller on September 30, 2010. Wendy will schedule another meeting in the future.</p> <p>DDC PIA request for Inspection Reports – The Board asked Anna Jeffers to contact DDC to clarify if DDC would like an extension of the PIA request and when the Board may expect the PIA request to be answered.</p> <p>2. Status of Proposed Legislation Meeting with Senator Carter Conway scheduled for December</p>		

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III. Committee Reports	A. H. Finke, Chair, Practice Committee	<p>Anna Jeffers reported on this section.</p> <p>1. Review of Draft Regulations</p> <p>1. 10.13.02 Purchase and Distribution of Prescription Drugs and Devices for Public Health Purposes</p> <p>These regulations were drafted pursuant to 2010 legislation which amended the Wholesale Distributor Act to require VAWD when state laws are not substantially equivalent. The Department amended in language in the legislation to allow them to purchase and distribute prescription drugs for public health purposes.</p> <p><u>10.13.02 v10 110410</u></p> <p><u>Summary of Comments – 10.13.02</u></p> <p><u>The Board approved Anna Jeffers relaying to the Department the Board's concerns with the draft proposed regulations.</u></p> <p>2. Annual Reports</p> <p>A. Prescription Drug Repository Program</p> <p><u>FINAL Draft RxDrugRepReport to GenAssembly</u></p> <p>The Board approved an effective date of October 1, 2011 for this draft legislation.</p> <p>The Board approved the Annual Report for the Prescription Drug Repository Program.</p> <p>B. Wholesale Distributor Permitting and Prescription Drug Integrity Act</p> <p><u>FINAL DRAFT Report WholesaleDist Program</u></p> <p>The Board approved the Annual Report for the Implementation of the Wholesale Distribution Permitting and Prescription Drug Integrity Act.</p>		

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		<p>2. Draft Response Letters Denise Chodnicki, Memorial Hospital Easton</p> <p><u>Pixis Machines-bar codes-MemorialHospitalEaston 100110</u></p> <p>DRAFT – Pixis machines – bar codes – pharmacist check</p> <p>The Board approved the following response:</p> <p>Thank you for contacting the Maryland Board of Pharmacy concerning whether a pharmacist is required to check medication when a pyxis machine has a bar code scanner.</p> <p>The Board's proposed regulations would require that the pharmacist check the medication before it leaves the pharmacy even if the pyxis machine has a bar code scanner.</p> <p>For your information the proposed regulations, initially published December 4, 2009, have been re-proposed this fall. Publication in the Maryland Register is forthcoming.</p> <p>3. Letters for Board Approval</p> <p>A. Laura Lees, Johns Hopkins</p> <p><u>Local pharmacy compounding domperidone-Laura Lees</u></p> <p>DRAFT – Compounding – domperidone</p> <p>The Board approved the following response:</p> <p>Thank you for contacting the Maryland Board of Pharmacy requesting guidance for the possibility of a gastrointestinal service prescribing Domperidone for an inpatient to be filled at a hospital pharmacy.</p> <p>Please be advised that a pharmacist in Maryland may compound only medications that have been approved by the FDA.</p> <p>B. Michael Grajewskin 3SI Security Systems - Exton, PA</p> <p><u>Unmarked bottle for theft detection</u></p>		

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		<u>DRAFT – unmarked bottle for theft detection</u> <u>This response was discussed in the closed session.</u>		
	B.D. Chason, Chair, Licensing Committee	1. D. Chason reported the Committee's recommendations for the following Technician Training Programs: a. SuperValu Pharmacy Technician Training Program – Recommend Deny b. Nuclear Education On-line Training Program – Recommend Deny c. Global Technical Institute – Recommend approval d. Allegany College – Recommend Approval e. Forrest Career & Technology Center –	1a. Motion: Licensing Committee Seconded R. Matens 1b. Motion: Licensing Committee Seconded R. Zimmer 1c. Motion: Licensing Committee Seconded R. Maten 1d. Motion: Licensing Committee Seconded L. Israbian-Jamgochian 1e. Approval pending Licensing Committee review and acceptance of the program text book	Board Action: The Board voted to approve the motion The Board voted to approve the motion The Board voted to approve the motion The Board voted to approve the motion
	C. Bradley-Baker, Chair, Public Relations Committee	No additional report		
	D. L. Israbian-Jamgochian, Chair	1. L. Israbian-Jamgochian presented the following documents for Board approval:	1. Motion: H.Finke moved to amend question #8 to state: proper	1. The Board voted to approve the motion

Comment [LB1]: Is this a valid one? I don't remember this

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	Disciplinary Committee	<p>a. Draft Inspection Form(s)</p> <p>Repository Inspection Form</p> <p>b. New/Updated Procedures</p>	<p>procedures to dispose of returned medications and supplies. Seconded R. Matens</p> <p>2. Motion: D. Taylor moved to add a new number one to ask question of only doing dispose only yes/no Seconded D. Chason</p>	<p>2. The Board voted to approve the motion</p>
IV. Other Business	A. M. Souranis	<p>1. The Board was requested to ratify the letter sent to Tesst College and approving 136 questions for their Pharmacy Technician Program examination, and requiring TESST College to replace or correct fourteen additional questions by January 31, 2011. 2. The Board was asked to ratify the letter provided to TESST Graduate Pharmacy Technicians that required that they submit evidence of having passed a Board approved pharmacy technician examination by March 31, 2011.</p>	<p>Motion: Licensing Committee Seconded L. Israbian-Jamgochian</p>	<p>1. The Board voted to approved the motion</p> <p>2. The Board voted to approve the motion</p>
	B. Board Member Updates	<p>Drug Therapy Management Letter- Lynette Bradley-Baker summarized a letter received from the Board of Physicians, described concerns held by the Pharmacy Board's representatives on the Joint Committee and recommended that the Board submit a letter expressing those concerns in response to the letter received from the Board of Physicians.</p>	<p>Motion: L. Bradley-Baker Seconded by R. Matens</p>	<p>The Board voted to approve motion</p>
V. Adjournment	M. Souranis, Board President	<p>The Public Meeting was adjourned at <u>11:09</u> A.M.</p> <p>B. At <u>11:30</u> A.M. Souranis convened a Closed Public Session to conduct a medical review of technician applications.</p> <p>C. The Closed Public Session was adjourned at <u>12:00</u> P.M. Immediately thereafter, M. Souranis 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>Motion: R. Zimmer made a motion to close the Public Meeting and open a Closed Public Meeting.</p> <p>L. Israbian-Jamgochian seconded the motion.</p>	<p>Board Action: The Board voted to approve the motion.</p>