

**Maryland Board of Pharmacy
Public Board Meeting**

Minutes

Date: March 19, 2014

Name	Title	Present	Absent	Present	Absent
Board Committee					
Daniel Ashby	Commissioner	X			
Bradley-Baker, L.	Commissioner	X			
Finke, H.	Commissioner/Secretary	X			
Gavgani, M. Z.	Commissioner/Treasurer	X			
Israbian-Jamgochian, L.	Commissioner/President		X		
Jones, David H.	Commissioner	X			
Robinson, T.	Commissioner	X			
Rochester, C.	Commissioner	X			
Roy, S.	Commissioner	X			
Smith, J.	Commissioner	X			
St. Cyr, II, Z. W.	Commissioner	X			
Zagnit, B.	Commissioner	X			
Board Counsel					
Bethman, L.	Board Counsel				
Felter, B.	Staff Attorney				
Board Staff					
Gaither, P.	Administration and Public Support Manager				
Jeffers, A.	Legislation/Regulations Manager				
Johnson, John	MIS Manager		X (Board Business)		
Naesea, L.	Executive Director				
Wu, Y.	Compliance Manager				
Waddell, L.	Licensing Manager				

Subject	Responsible Party	Discussion	Action Due Date (Assigned To)	Results
I. Executive Committee Report(s)	<p>A.) L. Israbian-Jamgochian, Board President</p> <p>B.) H. Finke, Secretary</p>	<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. Call to Order 2. Sign-in Introduction and of meeting attendees – <i>(Please indicate on sign-in sheet if you are requesting CE Units for attendance)</i> 3. Distribution of Agenda and packet materials 4. Review and approve February 19, 2014 Minutes <u>Draft Public Minutes 1/15//2014</u> 	<p>1) Motion by H. Finke to approve the February 2014 public board meeting minutes as presented. Motion was seconded by D. Jones.</p> <p>2) Motion made and seconded to approve the minutes.</p>	<p>1) Motion was approved.</p> <p>2) Motion was approved.</p>
II. A. Executive Director Report	L. Naesea, Executive Director	<ol style="list-style-type: none"> 1. Operations Updates The Board had anticipated an FBI audit of the CJIS criminal background check processes, but received notice that the Board will be by-passed this audit period. Pharmacy Students Sam Turkson and Kalee Olson were acknowledged for the work performed during their rotations at the Board. 2. Meetings Update The House Appropriations and Senate Budget hearings were held during the end of February and no questions related to Board's budget request were raised. On Wednesday, April 9, 2014, from 11:30 a.m. – 4:00 p.m., an orientation will be provided by the Board's President, 		

Subject	Responsible Party	Discussion	Action Due Date (Assigned To)	Results
		<p>Executive Director, Managers and Board Counsel for recently appointed members who have not received orientation using the revised orientation format. Lunch will be served. (Room 105) Wednesday, April 30, 2014 11:30 a.m. – 4:00 p.m. all Board members are encouraged to attend to receive some background and more comprehensive updates about all of the Board's current initiatives. (ROOM 100/107)</p> <p>NABP National Meeting – Phoenix Arizona, May 17 -21, 2014</p>		
B. Administration and Public Support (APS)	B. P. Gaither, APS Manager	<p>1. Personnel Updates - Vacancies and Recruits Interviewing for new Executive Director Assistant</p> <p>2. Contracts and Procurement - See MIS Report</p>		
C. MIS	J. Johnson, MIS Manager	<p>1. MIS Update J. Johnson attended a meeting at the MHCC on Healthcare Workforce Study (data migration licensee demographics) on behalf of L. Naesea, so she also presented his report.</p> <p>Scanning Project – The contract underway (estimated completion 10/2014)</p> <p>2014 Pharmacy renewal configuration – System configuration contract scope is underway. Testing is scheduled to begin 3/18 through 3/24. The system is planned to be ready for production (usage by licensees) by 4/1/2014. The Licensing Unit prepared a renewal letter for renewing pharmacy permit holders that the MIS will generate in the MLO (Board's internal) system so it can be</p>		

Subject	Responsible Party	Discussion	Action Due Date (Assigned To)	Results
		<p>issued to pharmacy permit holders.</p> <p>Mobile Inspection Software – MIS prepared and submitted the project’s required scope of work for processing by the Board’s Administration and Public Support unit. Once processed it will be sent to DHMH’s contracts division in for review and issuance of a formal Request for Proposals.</p> <p>Unit Operational Updates – The MIS team created a "request form" that the units should use if they want a change or addition to the MLO system. An email with instructions was recently sent to all unit managers. Also the Board’s secured site now has a tab on the home page to view IT Steering Committee activities and a MIS tab at the top on the home page where updates from the MIS unit and the committee will be posted.</p>		
D. Licensing	L. Waddell, Licensing Manager	<p>1. Monthly Statistics</p> <p>The Pharmacy renewal letter will be posted on the website today. Individual pharmacies can go onto the website and renew on. The process for chain renewals is in final preparation and should be available by April 1st. Check website for instructions and payment information.</p> <p>Monthly Statistics for February, 2013.</p> <p>Pharmacists:</p> <ul style="list-style-type: none"> • New Applications – 45 • Renewals – 307 • Total Licensed – 9906 <p>Pharmacists Administer Vaccinations:</p> <ul style="list-style-type: none"> • New Applications – 10 		

Subject	Responsible Party	Discussion	Action Due Date (Assigned To)	Results
		<ul style="list-style-type: none"> • Renewals – 5 • Total Certified - 3539 <p>Technicians:</p> <ul style="list-style-type: none"> • New Applications – 128 • Renewals – 250 • Total Registered –8713 <p>Student Technicians</p> <ul style="list-style-type: none"> • New Applications – 32 • Renewals – 0 • Total Registered – 660 <p>Pharmacies</p> <ul style="list-style-type: none"> • New Applications – 24 • Renewals – 0 • Total Registered – 2043 <p>Distributors</p> <ul style="list-style-type: none"> • New Applications – 0 • Renewals – 2 • Total Registered – 1003 		
E. Compliance	Y. Wu, Compliance Manager	<ol style="list-style-type: none"> 1. Monthly Statistics 2. Monthly Statistics for February, 2014 <p><u>Complaints & Investigations:</u> New Complaints- 6 Resolved (Including Carryover) –28 Final disciplinary actions taken – 10 Reversal – 0 Summary Actions Taken –2</p>		

Subject	Responsible Party	Discussion	Action Due Date (Assigned To)	Results
		<p><u>Inspections:</u></p> <ul style="list-style-type: none"> • Annual Inspections- 116 • Opening Inspections- 11 • Closing Inspections - 0 • Relocation Inspections- 0 • Board Special Investigation Inspections – 5 • Division of Drug Control Closing Inspections: 7 • Total Monthly Inspections: 132 • Total Pharmacist Rehabilitation Committee Clients – 18 • Pharmacist Clients – 16 • Technician Clients – 1 • Pharmacy Student Clients – 1 • Clients Monitored by Board Req. PEAC Assistance – 1 • Drug Testing Results – 21 • Unique Clients (July 1, 2013 to July 31, 2014) - 18 <p>3. PEAC Update</p> <p>Gil Cohen voiced concerns related to submitted contract invoices. P. Gaither will follow-up.</p>		
<p>F. Legislation & Regulations</p>	<p>A. Jeffers, Legislation & Regulations Manager</p>	<p><u>REGULATIONS:</u></p> <p>1) <u>10.34.09 Fees and 10.34.19 Sterile Compounding Preparations and Sterile Drug Product</u></p> <p>Published January 24, 2014.</p> <p><u>Md. R. 10.34.09 and 10.34.19 012414</u></p> <p><u>Three Comments received:</u></p> <p><u>DHMH Letter from ASCO</u></p>		

Subject	Responsible Party	Discussion	Action Due Date (Assigned To)	Results
		<p><u>Letter to DHMH re proposed Compounding regulations</u></p> <p><u>MSEPS Comments 10.34.19</u></p> <p><u>Board approval requested for the following responses:</u></p> <p><u>Bd Response – COMAR 10.34.19 – ASCO</u></p> <p><u>Bd Response – COMAR 10.34.19 - MDCSCO</u></p> <p><u>Bd Response – COMAR 10.34.19 – MSEPS</u></p> <p>2) Committee Chair recommended Board approve request for delayed implementation date to January 1, 2015</p> <p><u>10.34.22 Licensing of Wholesale Prescription Drug or Device Distributors</u></p> <p>Published January 24, 2014. No comments received.</p> <p>Units Affected: Licensing, Compliance, MIS</p> <p><u>10.34.32 Pharmacist Administration of Vaccinations.</u></p> <p>Published December 27, 2013. Board approved response to comments at the February Board Meeting.</p> <p>Update</p> <p>3) <u>10.13.01 Dispensing of Prescription Drugs by a Licensee</u></p> <p>Submitted to DHMH for sign-off December 23, 2013.</p>	<p>1) Motion to approve responses for ASCO, MDCSCO, and MSEPS by S. Roy. Seconded by C. Rochester.</p> <p>2) Motion to implement sterile compounding 10.34.19 on the date Jan 1, 2015.</p>	<p>1) Motion was approved.</p> <p>2) Motion was approved.</p>

Subject	Responsible Party	Discussion	Action Due Date (Assigned To)	Results
		<p><u>10.13.01 P to 17111 1 010214</u></p> <p><u>Interdepartmental comments received:</u></p> <p><u>10.13.01 P to 17111 1 - revised economic impact</u></p> <p>Economic impact revised by Jennifer Newman Barnhardt and John Newman.</p> <p><u>Comments re COMAR 10.13.01 Dental & Podiatric Medical Examiners</u></p> <p>4) <u>DRAFT Bd Response to Dental and Podiatric Examiners 10.13.01</u></p> <p><u>LEGISLATION:</u></p> <p><u>1- BOARD RATIFICATION REQUESTED FOR THE FOLLOWING LEGISLATION</u></p> <p><u>1) HB 754 – Dedicated State Funds Protection Act hb0754F</u></p> <p><u>HB 754 - Dedicated State Funds Prot Act - Letter of Support</u></p> <p><u>2) SB 825/HB 875 PBM – Specialty Drugs sb0825F</u></p> <p><u>HB 875 PBM - Specialty Drugs SWA</u></p> <p><u>3) SB 884/HB 1127 Health Insurance – Incentives for Health Care Practitioners sb0884F</u></p> <p><u>HB 1127 - Hlth Ins - Incentives for Htlh Care Prac - Letter of</u></p>	<p>3) Motion by David Jones to ratify letters and position papers listed and seconded by Jermaine Smith.</p> <p>4) Motion to approve response to the board of dental examiners and the change that was included made by David Jones. Seconded by C. Rochester.</p>	<p>3) Motion was approved.</p> <p>4) Motion was approved.</p>

Subject	Responsible Party	Discussion	Action Due Date (Assigned To)	Results
---------	-------------------	------------	-------------------------------	---------

		<p><u>Support</u></p> <p><u>4) SB 915/HB 1333 – Public Health – Emergency Use Auto-Injectable Epinephrine Program</u> <u>sb0915F</u></p> <p><u>HB 1333 Public Hlth - Emergency Use Auto-Injectables LoS</u></p> <p><u>5) HB 1088 Health Occupations – Ophthalmologists Who Store and Administer Drugs – Exclusion From the Maryland Pharmacy Act</u> <u>hb1088f</u></p> <p><u>AG letter to Chair Hammen 031014</u></p> <p><u>6) SB 969/HB 1343 Department of Veterans Affairs – Opioid Time Lock Dispenser Pilot Program</u> <u>sb0969F</u></p> <p><u>HB 1343-Dep of Vet Affairs-Opioid Time Lock Dispe Piot Prog-OPPOSE</u></p> <p><u>7) HB 1166 Maryland Second Chance Act of 2014</u> <u>hb1166F sb1056F</u></p> <p><u>HB 1166 - SWA – testimony</u></p> <p><u>SB 1056 - SWA - testimony</u></p> <p><u>8) HB 1137/SB 1048 Crimes – Robbery, Burglary, or Theft of Property – CDS</u> <u>hb1137F</u></p> <p><u>HB 1137 - Crimes - Robbery, Burgl, Theft - CDS - LoS</u></p>		
--	--	--	--	--

Subject	Responsible Party	Discussion	Action Due Date (Assigned To)	Results
		<p>9) SB 1108 Sterile Compounding Permits – Exemptions – Sterile compounding Facilities That Only Compound for Immediate Use sb1108F</p> <p>hb1410F</p> <p>SB 1108 Sterile Cpdg Permits - Exemptions - LoC</p> <p><u>OTHER MATTERS:</u></p> <p>1) FDA – Webinar regarding wholesale distribution.</p> <p>DSCSA Webinar Mar 12 2014 Bernstein FINAL with notes ver 2</p> <p>April 21, 2014 deadline for any comments or questions.</p> <p>2) March 20th FDA meeting regarding Sterile Compounding Mitra, Bruce, Linda Bethman attending.</p>		
III. Commette Reports A. Practice Committee	H. Finke, Chair,	Practice Committee recommends endorsing, through a newsletter article, the recent decision by one of the chain drug stores to remove all tobacco products from their stores and strongly encourage all pharmacies and health care professionals throughout the state, to do so as well.		
B. Licensing Committee	L. Bradley-Baker, Chair	<ol style="list-style-type: none"> 1. Review of Pharmacist Applications: None 2. Review of Pharmacy Technician Applications: None 3. Review of Distributor Applications: None 		

Subject	Responsible Party	Discussion	Action Due Date (Assigned To)	Results
		<p>4. Review of Pharmacy Applications: None</p> <p>5. Review of Pharmacy Technicians Training Programs: None</p> <p>6. New Business:</p> <p>1. DME Refund Request - Discussion on how to handle refund request from DME companies if they are no longer required to be licensed. Recommendation is to send a letter to DME only pharmacies informing them of pending legislative changes and possibly change expiration date to reflect changes. The Board will not charge fee to do so and will post letter on the website for public awareness.</p> <p>2. VAWD accreditation Issues - Discussion of the delay of VAWD accreditation. Recommendation is to send a letter to NABP asking for guidance on the significant delays of accreditation process as it is a safety issue for patients not able to obtain medications.</p> <p>3. Can a pharmacy open if they have not yet obtained the actual certificate from the Board?</p>	<p>1) Motion by L. Bradley-Baker to handle DME refund request as stated, seconded by David Jones.</p> <p>2) Motion by L. Bradley-Baker to send letter to NABP asking for guidance, seconded by Harry Finke.</p> <p>3) Motion made by L. Bradley-Baker to allow a pharmacy to open once the pharmacy permit information is available online by the MD BoP online verification system. Seconded by David Jones</p>	<p>1) Motion was approved.</p> <p>2) Motion was approved.</p> <p>3) Motion was approved.</p>
C. Public Relations Committee	D. Jones, Chair	<p>Public Relations Committee Update: A revised Calendar has been provided on public web site and should continue to be used.</p> <p>The next Public Board will be meeting at Shady Grove Campus on April 16th at 10am. The location will be posted on the web site.</p> <p>On September 19th the Board will meet in Cumberland. Pending outreach events – Flower Mart is on the first Friday in</p>		

Subject	Responsible Party	Discussion	Action Due Date (Assigned To)	Results
		<p>May, at Mt. Vernon Place in Baltimore. The MPhA annual meeting is scheduled in June in Ocean City. The ASCP meeting is planned in August in Gettysburg. H PR Committee would like to encourage more pharmacists to attend Board all events.</p> <p>The Public relations committee is on target for their budget.</p>		
D. Disciplinary	M, Gavvani, Chair	<p>Disciplinary Committee Update</p> <p>NABP Verified <u>Pharmacy</u> Program Facility Inspection Alert. Several reports are being received from NABP.</p>	The Board delegated the Disciplinary to develop review process.	
E. Emergency Preparedness Task Force	S. Roy, Chair	<p>Emergency Preparedness Task Force Update provided.</p> <p>Task Force met last week to do some practice exercises.</p>		
IV. Other Business & FYI	L. Israbian-Jamgochian, Board President	L. Israbian thanked the students that were on rotation at the Board of Pharmacy.		
V. Adjournment	L. Israbian-Jamgochian, Board President	<p>The Public Meeting was adjourned at 12 pm.</p> <p>L. Israbian-Jamgochian convened a Closed Public Session to conduct a medical review of technician applications.</p> <p>C. The Closed Public Session was adjourned. Immediately thereafter, L. Israbian-Jamgochian 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>	1) Motion to adjourn was made and seconded.	1) Motion was approved.