

**Maryland Board of Pharmacy
Public Board Meeting**

**Meeting Minutes
December 20, 2017**

Name		Title	Present	Absent
Ashby, D.	Commissioner		X	
Bouyoukas, S.	Commissioner		X	
Evans, K.	Commissioner		X	
Gavgani, M.	Commissioner/President		X	
Hardesty, J.	Commissioner		X	
Leikach, N.	Commissioner		X	
Morgan, K.	Commissioner/Treasurer		X	
Oliver, B.	Commissioner		X	
Peters, R.	Commissioner		X	
St. Cyr, II, Z. W.	Commissioner/Secretary		X	
Toney, R.	Commissioner		X	
Yankellow, E.	Commissioner		X	
Bethman, L.	Board Counsel		X	
Felter, B.	Staff Attorney		X	
Speights-Napata, D.	Executive Director		X	
Fields, E.	Deputy Director of Operations		X	
Sanderoff, L.	Investigation/Supervisor		X	
Logan, B.	Legislation/Regulations Manager		X	
Brand, E.	Licensing Manager		X	
Evans, T.	Compliance Director		X	
Chew, C	Management Associate		X	
Pasay, J	Laboratory Scientist		X	

Subject	Responsible Party	Discussion	Action Due Date (Assigned to)	Results
I. Executive Committee Report(s)	A.) M. Gavgani, 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. Gavgani called the meeting to order at 9:35 A.M. 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 November 15, 2017 Public Meeting Minutes. 	Motion by K. Morgan to approve the November 2017 Public Meeting minutes; 2 nd by D. Ashby.	4. The Board voted to approve this motion.
II. A. Executive Director Report	D. Speights-Napata, Executive Director	<ol style="list-style-type: none"> 1. Operations Updates 2. Meetings Update 	<p>1a. Maryland Pharmacy school internship program will begin in January for one rotation starting with a UMES student.</p> <p>2a. Check-Tech-Check pilot program proposal is currently being revised by the Practice Committee to be presented to the Board and submitted for public comment in the upcoming months for consideration.</p>	

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		<p>3. National Federation of the Blind concern</p>	<p>2b. PTCB held a National Consensus Conference in February for technician training and certification. Commissioner D. Ashby suggested forming a small planning committee to discuss hosting a conference in Maryland. This will be a one day Consensus Conference in June 2018 to discuss advance credentialing, education, and licensure for technicians.</p> <p>33. The National Federation of the Blind submitted correspondence to Secretary Schrader to mandate pharmacy compliance with its 2013 resolution concerning prescription medication labels for the visually impaired. A brief discussion ensued on how to accommodate diverse communities within Maryland Pharmacies.</p>	
B. Operations Report	E. Fields, Deputy Director/ Operations	<p>1. Administration and Public Support (APS) Unit Updates</p> <p>a) Financial Status September 2017</p>	<p>1a. A report on Board revenue and expenses through the month of November was provided. Board expenses are slightly more than revenue at this point, as anticipated.</p> <p>1b. An FBI audit of the Board's use of CJIS information is underway. Licensing staff is</p>	

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		<p>b) Criminal Justice Information Services</p> <p>2. Management Information Systems (MIS) Unit Updates</p> <p>a) None</p>	required to have criminal background screenings completed on all Pharmacy Technician applicants. Board staff is working on addressing audit compliance issues for the handling of CJIS reports.																										
C. Licensing	E. Brand/ Licensing Manager	<p>1. Unit Updates</p> <p>2. Monthly Statistics</p> <table border="1"> <thead> <tr> <th>License Type</th><th>New</th><th>Renewed</th><th>Reinstated</th><th>Total</th></tr> </thead> <tbody> <tr> <td>Distributor</td><td>17</td><td>18</td><td>0</td><td>1,186</td></tr> <tr> <td>Pharmacy</td><td>18</td><td>0</td><td>0</td><td>2,145</td></tr> <tr> <td>Pharmacist</td><td>49</td><td>403</td><td>0</td><td>11,679</td></tr> <tr> <td>Vaccination</td><td>34</td><td>5</td><td>0</td><td>4,608</td></tr> </tbody> </table>	License Type	New	Renewed	Reinstated	Total	Distributor	17	18	0	1,186	Pharmacy	18	0	0	2,145	Pharmacist	49	403	0	11,679	Vaccination	34	5	0	4,608		
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			Pharmacy Intern - Graduates	0	0	0	43		
			Pharmacy Intern - Students	11	17	0	812		
			Pharmacy Technician	124	293	4	9,792		
			TOTAL	253	736	4	29,265		
D. Compliance	T. Evans Pharmacist Inspector	1. Unit Updates 2. Monthly Statistics Complaints & Investigations: New Complaints - 407 Resolved (Including Carryover) – 26 Actions within Goal – 20/26 Final disciplinary actions taken – 6 Summary Actions Taken – 0 Average days to complete - 0 Inspections: Total – 127 Annual Inspections - 117 Opening Inspections - 6 Closing Inspections – 2 Relocation/Change of Ownership Inspections - 2 Board Special Investigation Inspections – 0							
E. Legislation & Regulations	B. Logan, Legislation and	<u>1. COMAR 10.34.34.05 Pharmacy Students</u>						1. This regulation would allow first year pharmacy students to	

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	Regulations Manager	<p data-bbox="583 927 1188 959"><u>2. COMAR 10.34.05.05 Security Responsibilities</u></p> <p data-bbox="583 1162 1115 1227"><u>3. COMAR 10.34.32.03 D Requirements to Administer Vaccinations</u></p> <p data-bbox="583 1333 1140 1398"><u>4. COMAR 10.34.40 Pharmacist Prescribing Contraceptives</u></p>	<p data-bbox="1339 224 1644 724">perform certain pharmacy duties under certain conditions. The regulation was published in the October 27th Maryland Register with a comment period ending November 27th. One comment was received in support of the regulation. The final regulation will be published in the February register pending approval by the Board.</p> <p data-bbox="1245 760 1623 824">Motion by R. Toney to approve final draft; 2nd by K. Evans</p> <p data-bbox="1293 927 1644 1130">2. This proposed regulation will not advance until the moratorium is lifted. Staff anticipates possibly posting the regulation in March 2018.</p> <p data-bbox="1293 1162 1633 1292">3. The proposed regulation has a target posting date of March 2018, after the moratorium is lifted.</p> <p data-bbox="1293 1333 1633 1463">4. The proposed action was approved by the Governor's office. The regulation was expected</p>	<p data-bbox="1665 760 2001 824">The Board voted to approve the motion.</p>

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		<p><u>5. COMMENTS REQUESTED: COMAR 10.47.07.02,.03,.05,.06,.08,.09 Prescription Drug Monitoring Program</u></p>	<p>to be posted in the January 5th Maryland Registry, but may be delayed due to a recent question raised by a commenter. It is currently being reviewed by the Governor's office.</p> <p>5. This proposed regulation amends obsolete language of PDMP HB437/Chapter 147, 2016. The new regulation will allow unlicensed employees with proper training to pull data under the supervision of a licensed healthcare practitioner and registered user of the PDMP, in accordance with the PDMP statute.</p>	
<p>III. Committee Reports</p> <p>A. Practice Committee</p>	<p>R. Peters, Chair</p>	<p><u>1. Interstate shipping of compounded medications</u></p> <p><u>2. Concerns regarding implementation of the Drug Quality and Security Act (DQSA)</u></p> <p><u>3. PIVO and the topic of saline flush syringes</u></p>	<p>1. This item was tabled until the January Board meeting.</p> <p>2. This item was tabled until the January Board meeting.</p> <p>3. Motion by Committee to approve draft response; 2nd by D. Ashby.</p>	<p>3. Board voted to approve this motion.</p>

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		<u>4. Continuing Education in Ethics</u>	4. Motion by Committee to approve draft response; 2 nd by K. Evans.	4. Board voted to approve this motion.
B. Licensing Committee	D. Ashby, Chair	<p>1. Review of Pharmacist Applications:</p> <p>a) #114978-The applicant is requesting approval of a late score transfer of her NAPLEX exam. NABP's policy limits score transfers to no more than 90 days from the exam date. She passed the exam in April 2017 and had no intention of moving to Maryland, at the time. <u>Licensing Committee's Recommendation:</u> Approve waiver of fee after the CEs get approved.</p> <p>b) #113427- The applicant's MDBOP application will expire on June 27, 2018. The NABP approval for taking exam (s) expired on November 20, 2017. The applicant is requesting Board approval of an extension of the NABP expiration date until February 28, 2018. As an alternative, the applicant wants the Board to extend the NABP exam approval</p>	<p>a) Motion by Committee to approve transfer score; 2nd by S. Bouyoukas.</p> <p>b) Motion by Committee to approve extension; 2nd by N. Leikach.</p>	<p>Licensing Manager Etzion Brand noted that 95% of applications are processed in one day.</p> <p>a) The Board voted to approve this motion.</p> <p>b) The Board voted to approve the motion.</p>

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		<p><u>Licensing Committee's Recommendation:</u> Deny</p> <p>4. Review of Distributor Applications: NONE</p> <p>5. Review of Pharmacy Applications: NONE</p> <p>6. Review of Pharmacy Technicians Training Program: NONE</p> <p>7. New Business:</p> <p>a) J.A.A. - Applicant's application expired September 22, 2017. He states that he had personal issues that prevented him from pursuing his application. He is requesting an extension of the application expiration date. Additionally, he is requesting an extension for transfer of his NAPLEX exam score, which he passed in November 2015. <u>Licensing Committee's Recommendation:</u> Deny the application extension and inform the applicant of his option to file for reciprocity.</p> <p>b) Pharmacy Student Technician Exemption Form- Revised draft exemption form. <u>Licensing Committee's Recommendation:</u> None. The form was redrafted and approved via email.</p>	<p>a) Motion by Committee to approve the recommendation; 2nd by K. Morgan.</p> <p>b) Motion by Committee to approve exemption form; 2nd by S. Bouyoukas.</p>	<p>a) The Board voted to approve the motion.</p> <p>b) The Board voted to approve the motion.</p>

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C. Public Relations Committee	E. Yankellow, Chair	Public Relations Committee Update: <ul style="list-style-type: none"> • The Committee met December 13th and recapped the successful October CE Breakfast. The first year pilot project with ACPE yielded all, but eight attendees receiving continuing education credit certifications. • Next year's venue and attendees' statistics to be researched by J. Seeds. • Former Commissioner Mel Ruben complimented Executive Director D. Speights-Napata and staff member J. Seeds for the quality of written content in the newsletters. • A timeframe for the submission of articles for the next newsletter is currently being discussed. The newsletter will feature articles surrounding the Opioid crisis as well as awareness of Marijuana prescribing and dispensing. • The committee evaluated 2018 association mid-year meetings and determined Commissioner D. Ashby and E. Yankellow will be in attendance for the MPhA mid-year meeting in February. • As a follow-up to Board's tasking to the PR Committee at its November Board meeting, subsequent newsletters will offer links to other agencies and Boards for insight on the dilemma of drug shortages throughout the Country. 		
D. Disciplinary	K. Morgan, Chair	Disciplinary Committee Update:		

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		<ul style="list-style-type: none"> • The Committee met on December 6, 2017, and includes Commissioners J. Hardesty, R. Peters, and S. Bouyoukas. • A confidential discussion will be held in the Board's Closed Public Session. 		
E. Emergency Preparedness Task Force	N. Leikach, Chair	Emergency Preparedness Update: None		
IV. Other Business & FYI	M. Gavgani, President	<ul style="list-style-type: none"> • Aliyah Horton, Executive Director, MPhA announced the MPhA meeting will be held February 18th in Annapolis with topics on Opioid abuse, the new Contraceptive regulations, and Medicinal Marijuana. The agenda can be obtained on MPhA's website. • In response to a question, Board Counsel Linda Bethman clarified that the DEA rule on drug take-back programs supersedes the Maryland rule. • Commissioner E. Yankellow mentioned along with MPhA; ASCP and ASHP are also hosting mid-year meetings; attendance for those meetings has not yet been determined. 		
V. Adjournment	M. Gavgani, President	<p>A. The Public Meeting was adjourned at 10:48 A.M.</p> <p>B. M. Gavgani convened a Closed Public Session to conduct a medical review committee evaluation of confidential applications.</p> <p>C. The Closed Public Session was adjourned. Immediately thereafter, M. Gavgani,</p>	Motion to close the Public Board Meeting by D. Ashby; 2 nd by K. Evans.	The Board voted to approve this motion.

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		<p>convened an Administrative Session for purposes of discussing confidential disciplinary cases.</p> <p>D. With the exception of cases requiring recusals, the Board members present at the Public Meeting continued to participate in the Closed Public Session and the Administrative Session.</p>		