

# MISSOURI BOARD OF PHARMACY

**2008 ANNUAL REPORT**  
July 1, 2007 through June 30, 2008



**JEREMIAH W. (JAY) NIXON, GOVERNOR**  
**STATE OF MISSOURI**

**JOHN M. HUFF, DIRECTOR**  
**DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND**  
**PROFESSIONAL REGISTRATION**

**JANE A. RACKERS, DIRECTOR**  
**DIVISION OF PROFESSIONAL REGISTRATION**

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**DEPARTMENT OF INSURANCE, FINANCIAL  
INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
DIVISION OF PROFESSIONAL REGISTRATION  
BOARD OF PHARMACY MEMBERS AND STAFF**

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3605 MISSOURI BOULEVARD  
JEFFERSON CITY, MISSOURI  
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FAX (573) 526-3464  
Web Site <http://www.pr.mo.gov/pharmacists.asp>  
Email: [pharmacy@pr.mo.gov](mailto:pharmacy@pr.mo.gov)

**BOARD MEMBERS**

Gary F. Sobocinski, R.Ph., President  
Elaina M. Wolzak, R.Ph., Vice President  
Pamela L. Marshall, R.Ph., Member  
Melissa A. Graham, R.Ph., Member  
James D. Riddle, R.Ph., Member  
Anita K. Parran, Public Member  
Barbara A. Bilek, R.Ph., Member

**BOARD INSPECTORS**

Thomas Glenski, R.Ph., Chief Inspector  
Michael Kidd, R.Ph., Inspector  
Steven Smith, R.Ph., Inspector  
Frank VanFleet, R.Ph., Inspector  
Barbara A. Wood, R.Ph., Inspector  
Sidney "Sid" Werges, R.Ph., Inspector  
George McConnell, R.Ph., Inspector  
Shawn Marshall, R.Ph., Inspector

  
**EXECUTIVE DIRECTOR**

Kimberly A. Grinston, JD

**OFFICE STAFF**

Tammy Siebert  
Regina Divine  
Don Walker  
Laura Payton  
Kelly Bray

Executive Assistant  
Pharmacist and Intern Coordinator  
Compliance Coordinator  
Pharmacy Technician Coordinator  
Pharmacy and Drug Distributor Coordinator

**NOTE:** During fiscal year 2008, Matt Blunt served as Governor of the State of Missouri; Douglas M. Ommen was Director of the Department of Insurance, Financial Institutions, and Professional Registration; David T. Broeker was Director of the Division of Professional Registration; and Debra C. Ringgenberg was Executive Director of the Board.

# ORGANIZATION AND DESCRIPTION OF THE BOARD OF PHARMACY

## MISSION

The Board's mission is to promote, preserve and protect the public health, safety and welfare by assuring the provision of quality pharmaceutical care to the citizens of Missouri, through the regulation of the practice of pharmacy.

## ORGANIZATION

The Missouri Board of Pharmacy is an agency within the Division of Professional Registration, Department of Insurance, Financial Institutions and Professional Registration. The Board was created by House Bill No. 87 of the General Assembly of 1909. The Board consists of seven (7) persons, one who is a public member and six (6) who are licensed pharmacists actively engaged in the practice of pharmacy. At least one of these members must be a person who provides, on a full-time basis, pharmaceutical services to a hospital, skilled nursing facility or an intermediate care facility. Board Members are appointed by the Governor and hold office for (5) years from the date of their appointment and until their successors have been appointed and qualified. Board Members appointed by the Governor are subject to approval of the Senate. Annually, the Board shall organize by the election of a president, and a vice president, each of whom serves for one year. The Board maintains a record of all of its proceedings through the maintenance of minutes for both its open and closed session meetings, pursuant to provisions in Chapters 610 and 324.

The Board appoints five members to an Advisory Committee for Drug Distributors. This committee advises and makes recommendations to the Board concerning any rule changes proposed involving the drug distributor licensing program. A list of the current members of the committee is available at the Board of Pharmacy office.

The Board is an active member of the National Association of Boards of Pharmacy, and a member of District 6 in NABP.

## AUTHORITY AND FUNCTION

Sections 338.035, 338.140, 338.280 and 338.350 RSMo 2000 provide the Board authority to adopt rules and regulations for the application and enforcement of Chapter 338, RSMo. The Board has superintending control over the practice of pharmacy in the State of Missouri and its primary duties consist of:

1. Examining and licensing of applicants;
2. Renewing biennially, the licenses of qualified pharmacists, pharmacies, drug distributors, and renewing annually, the licenses of intern pharmacists;
3. Registering and renewing pharmacy technicians annually.
4. Investigation of complaints involving any licensee or registrant received including public complaints, information from other state and/or federal agencies, or violations discovered during routine inspections of pharmacy and drug distributor operations;
5. Suspending, revoking, or placing on probation the license of any pharmacist, pharmacy, drug distributor, or intern pharmacist found to be in violation of Chapter 338, RSMo;
6. Placing on conditional registration and maintaining the Technician Employment Disqualification List for pharmacy technicians found to be in violation of Chapter 338, RSMo;
7. Inspection of pharmacies and drug distributors; and
8. Approval of preceptors and intern training facilities.

Publications are available through the Board of Pharmacy, including the Annual Report and the Board of Pharmacy quarterly Newsletter.

## BOARD INITIATIVES

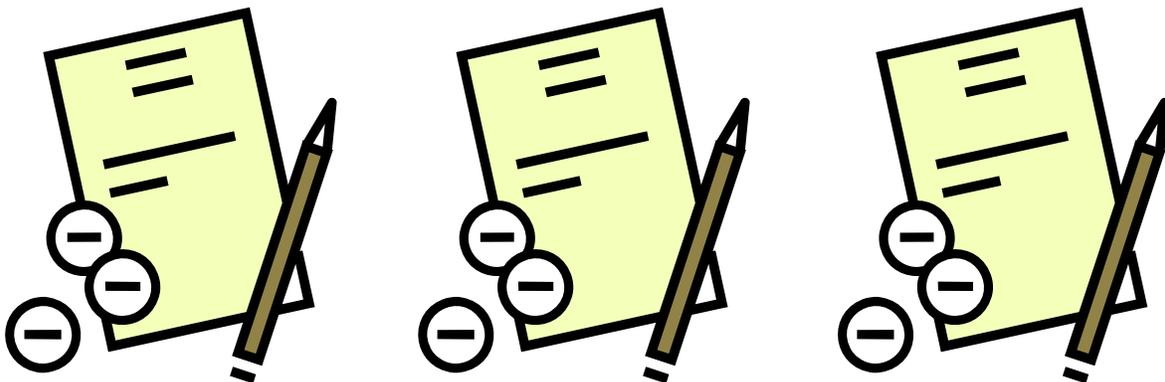
At an annual strategic planning meeting in March, the Board identified and discussed the following administrative and strategic plan issues.

### Administrative Issues:

- FY07 Annual Report
- Proposed 2009 Meeting Schedule
- Conference Call Schedule
- Succession of Board Members
- Fact-finding Meetings
- Agenda format
- Technology/Automation
- Attendance of Inspectors at Board Meetings
- Additions to STLCOP Preceptor/Site List

### FY09 Strategic Plan Issues:

- Improve Salaries for Executive Director and Board Staff
- Statute Change for Drug Distributor Manufacturer Registration Fee
- Alternative Standards of Care for Disaster Situations
- Decrease Drug Diversion from Pharmacies
- Better Educate Pharmacists to Promote Compliance with Regulations
- Improve Handling of Legal Cases
- Define Technician Duties and Responsibilities of Supervising Pharmacist
- Expedite Implementation of the Well-Being Committee



## \$\$ FINANCIAL INFORMATION \$\$

The Missouri Board of Pharmacy's appropriation for fiscal year ending June 30, 2008 was as follows:

Personal Service	\$ 912,687
Expense and Equipment	\$ 507,348
Criminal History Fund	\$ 150,000 E
Transfers*	\$ 582,544

\*Transfers include:

- Rent
- Professional Registration
- PR IT
- Licensee Refunds
- Attorney General
- Administrative Hearing Commission
- DIFP Allocated Expenses

## BOARD MEETING INFORMATION

During the fiscal year ending June 30, 2008, the Board met in regular session a total of 15 days and held nine conference call meetings.



## INSPECTION INFORMATION

During the fiscal year ending June 30, 2008, the board inspectors conducted a total of 1,099 regular inspections of pharmacies and drug distributors throughout the state. This total does not include additional trips to a pharmacy or drug distributor for follow-up inspections or investigations.

## GOLD CERTIFICATES ISSUED

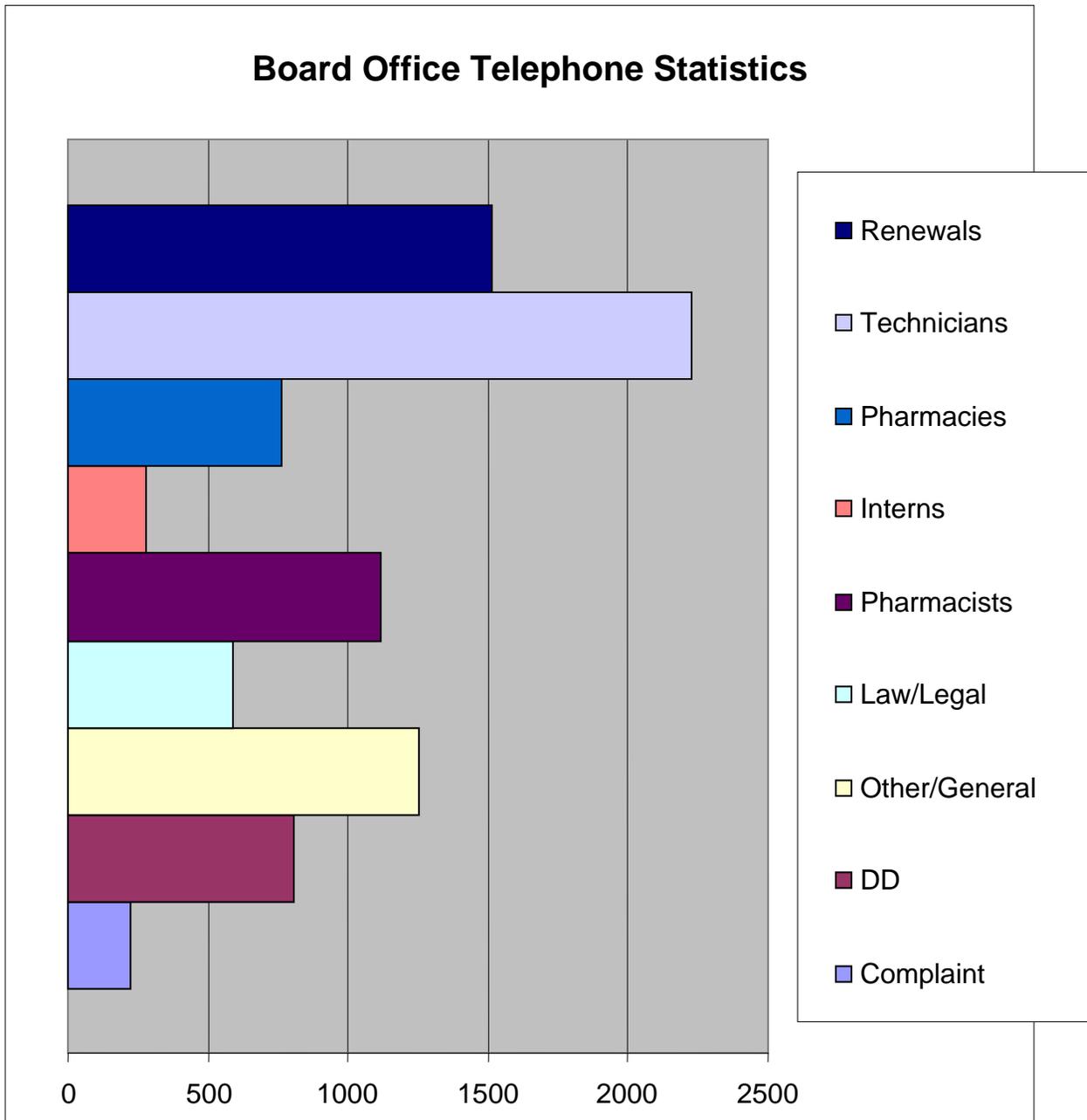
**The following individuals received Gold Certificates during 2008, which are signed by the Governor of the State of Missouri, as well as by the Board Members and the Executive Director. The certificate represents fifty (50) years of active service as a Missouri pharmacist.**

Barrett, Raymond H.	Springfield	MO
Coffler, Ronald S	Rockford	IL
Daschka, Donald V	Chester	IL
Dunehew, Glenn D	Covington	GA
Ferguson, Frances A	Loveland	CO
Ferguson, Harlan	Loveland	CO
Greer, Melvin R	Shelbyville	IL
Hall, Justus C	Shawnee Mission	KS
Justus, Ann H	Smithville	MO
Kimler, James W	Warrenton	MO
Langhans, Ronald A	Columbia	IL
Logan, Lloyd	Saint Louis	MO
Miller, Ted F	Gallatin	MO
Peckham, Jay E	Frankfort	KS
Robinson, Howard F	Aptos	CA
Rosen, Irwin B	Chesterfield	MO
Schneiderman, Milford	Boca Raton	FL
Seal, Robert C	Ballwin	MO
Siegel, Donald	Olivette	MO
Stark, Howard L	Overland Park	KS
Stone, Maurice	Fenton	MO
Sturges, Sidney J	Independence	MO
Welling, James	Bonita Springs	FL
Willis, Ralph J, Jr	Chillicothe	MO
Winkelmann, Daniel P, Jr	Saint Louis	MO
Young, Curtis	Saint Louis	MO



## OTHER BOARD INFORMATION

During the fiscal year 2008 Board of Pharmacy office staff received and responded to 8,781 incoming telephone calls, covering a variety of subjects. The major topics are indicated in the chart shown below.



## COMPOUNDED DRUG TESTING REPORT

In 2003 the Board initiated a program to test drug preparations compounded by pharmacies. All preparations are tested for potency and, if applicable, sterility and endotoxins. The tables listed below are for the fiscal year ending June 30, 2008.

Dosage Form	Tests Performed
Capsule	56
Inhalation solution	1
Injection	2
I.V. solution	12
Ophthalmic solution	1
Oral solution	1
Oral suspension	87
Powder	7
Suppository	14
Transdermal	1
Troche	4

Test Results	Tests Performed	Percentage
Satisfactory	140	75.3%
Unsatisfactory	46	24.7%
<b>Total</b>	186	100%

All unsatisfactory results were related to potency failures. An acceptable potency range is considered +/- 10% of the expected potency, unless a U.S.P. monograph states a different range for a specific preparation. Failing potency results ranged from 21.3% to 373.7%. Pharmacies are notified of unsatisfactory results and asked to complete a quality assurance review of their compounding practices and provide a corrective action plan.

Drugs with Unsatisfactory Results	
A-B-H-R suppositories	Lansoprazole oral suspension
Amlodipine capsules	Levothyroxine capsules
Amoxicillin capsules	Methyltestosterone capsules
Baclofen suppositories	Metronidazole oral suspension
Biest/Progesterone capsules	Omeprazole oral suspension
Biest/Testosterone capsules	Piroxicam capsules
Biest/Progesterone/DHEA capsules	Progesterone suppositories
Captopril oral suspension	Rifampin oral suspension
DES capsules	Sulfapyridine capsules
DHEA capsules	T-4 Aliquot powder
D-M-D suppositories	Tetracaine lollipops
Enalapril oral suspension	Triest/Progesterone capsules
Estradiol capsules	Triest/Progesterone troches
Gentamicin in D-5-W IV solution	Triest/Progesterone/Testosterone/DHEA capsules
HHR capsules	Ursodiol oral suspension





**COMPLAINTS FILED  
DISCIPLINE INFORMATION**

STATISTICS BELOW REFLECT TOTAL COMPLAINTS  
FOR THE FISCAL YEAR ENDING JUNE 30, 2008

Total Number of Complaints Received by the Board..... 529

<b>Breakdown of Complaint Allegations</b>	
<b>Alcohol and Alcohol-Impaired Behavior</b>	<b>1</b>
<b>Allowing Unlicensed Person to Practice</b>	<b>5</b>
<b>Compounding</b>	<b>10</b>
<b>Confidentiality</b>	<b>13</b>
<b>Counseling</b>	<b>1</b>
<b>Disciplinary Action in Another State</b>	<b>3</b>
<b>Dishonesty</b>	<b>1</b>
<b>Department of Revenue Tax Compliance</b>	<b>159</b>
<b>Dispensing Errors</b>	<b>31</b>
<b>Diversions</b>	<b>4</b>
<b>Drug Distribution Violations</b>	<b>4</b>
<b>Drugs and Drugs-Impaired Behavior</b>	<b>18</b>
<b>Ethical</b>	<b>9</b>
<b>Expired Drugs in Inventory</b>	<b>2</b>
<b>False/Misleading Advertising or Marketing</b>	<b>2</b>
<b>Felony</b>	<b>2</b>
<b>Fraud</b>	<b>1</b>
<b>Fraudulent Prescriptions</b>	<b>3</b>
<b>Improper Dispensing</b>	<b>12</b>
<b>Incompetence</b>	<b>2</b>
<b>Insurance Fraud</b>	<b>2</b>
<b>Licensure Applicant</b>	<b>42</b>
<b>Loss of Drugs</b>	<b>12</b>
<b>No Jurisdiction</b>	<b>3</b>
<b>Misconduct</b>	<b>1</b>
<b>Patient Endangerment</b>	<b>2</b>
<b>Pharmacy Permit Violations</b>	<b>64</b>
<b>Practicing Beyond the Scope of Practice</b>	<b>5</b>
<b>Practicing without a License</b>	<b>33</b>
<b>Samples</b>	<b>2</b>
<b>Security</b>	<b>4</b>
<b>Substitution</b>	<b>2</b>
<b>Theft of Drugs</b>	<b>45</b>
<b>Theft of Drugs – Self-Administration</b>	<b>1</b>
<b>Theft of Money</b>	<b>13</b>
<b>Unauthorized Dispensing</b>	<b>4</b>
<b>Unauthorized Refills</b>	<b>1</b>
<b>Unprofessional Conduct</b>	<b>3</b>
<b>Violation of Disciplinary Order</b>	<b>7</b>

**SOURCE OF COMPLAINTS**

<b>Complaints Received From Public</b>	<b>104</b>
<b>Complaints Received from Other Agencies</b>	<b>170</b>
<b>Complaints Received from Board or Inspectors</b>	<b>200</b>
<b>Complaints Received from Other State Boards</b>	<b>2</b>
<b>Complaints Regarding Licensing Issues</b>	<b>53</b>

**DISPOSITION**

<b>Cases Referred to Legal Counsel</b>	<b>75</b>
<b>Cease and Desist Letters Sent</b>	<b>1</b>
<b>Disposition Complete – Other</b>	<b>34</b>
<b>Individuals Requested to Meet with the Board</b>	<b>17</b>
<b>Investigations Requested/Not Complete</b>	<b>42</b>
<b>Letters of Concern Sent</b>	<b>35</b>
<b>Letters of Warning – Serious Violations Sent</b>	<b>46</b>
<b>License Approved</b>	<b>6</b>
<b>License Denied Letters</b>	<b>2</b>
<b>Miscellaneous Non-Administrative Board Letters Sent</b>	<b>0</b>
<b>No Action/Insufficient Evidence</b>	<b>58</b>
<b>Referred to Other Board/Agency</b>	<b>14</b>
<b>Technician Disqualification Letters Sent</b>	<b>39</b>
<b>Technician Conditional Employment Letters Sent</b>	<b>8</b>

**NOTE**

Disposition numbers will not equal the number of complaints received and processed since some cases resulted in dual action; i.e., the pharmacist met with the Board and then received an administrative letter, or was referred to legal counsel for filing, etc.

## DISCIPLINE

ACTIONS	
<b>Complaints Filed with Administrative Hearing Commission</b>	<b>13</b>
<b>Disciplinary Hearings Held</b>	<b>3</b>
<b>Felony Hearings Held</b>	<b>3</b>
<b>Violation of Discipline Hearings Held</b>	<b>0</b>
<b>Settlement Agreements Entered</b>	<b>32</b>
<b>Restricted Licenses Issued Pursuant to Section 620.149</b>	<b>2</b>

DISCIPLINE RESULTS	
<b>Technician Registrations Suspended 324.010</b>	<b>159</b>
<b>Intern Licenses on Probation</b>	<b>2</b>
<b>Intern Licenses Suspended Followed by Probation</b>	<b>2</b>
<b>Intern Licenses Surrendered</b>	<b>1</b>
<b>Pharmacist Licenses Censured</b>	<b>3</b>
<b>Pharmacist Licenses on Probation</b>	<b>18</b>
<b>Pharmacist Licenses Suspended Followed by Probation</b>	<b>5</b>
<b>Pharmacist Licenses Revoked</b>	<b>7</b>
<b>Pharmacy Permits on Probation</b>	<b>9</b>
<b>Drug Distributor Licenses on Probation</b>	<b>6</b>
<b>Drug Distributor Licenses Revoked</b>	<b>1</b>
<b>Restricted Intern Licenses Issued Pursuant to Section 324.038</b>	<b>2</b>
<b>Restricted Pharmacist Licenses Issued Pursuant to Section 324.038</b>	<b>3</b>
<b>Restricted Pharmacy Permits Issued Pursuant to Section 324.038</b>	<b>1</b>
<b>Restricted Drug Distributor Licenses Issued Pursuant to Section 324.038</b>	<b>2</b>
<b>Pharmacist Licenses Voluntary Surrender</b>	<b>1</b>
<b>Pharmacy Permits Voluntary Surrender</b>	<b>3</b>

### NOTE

Since the time frame of cases from point of first review to the final disposition may be lengthy, the totals shown above will not necessarily balance. A case may be reviewed by the Board, referred to legal counsel, filed with the Administrative Hearing Commission and be decided by disciplinary hearing, consent order or otherwise, all in separate fiscal years.

# CENSUS OF LICENSED PHARMACISTS AS OF JUNE 30, 2008

## TOTAL PHARMACISTS INSTATE AND OUT OF STATE

<b>Total Licensed Pharmacists</b>	<b>8,226</b>
<b>Active license</b>	<b>7,978</b>
<b>Male</b>	<b>4,191</b>
<b>Female</b>	<b>3,787</b>
<b>Inactive license</b>	<b>248</b>
<b>Male</b>	<b>143</b>
<b>Female</b>	<b>105</b>

## TOTAL NUMBER OF PHARMACISTS RESIDING IN MISSOURI

<b>Active License – Practicing Pharmacy</b>	<b>5,130</b>
<b>Male</b>	<b>2,749</b>
<b>Female</b>	<b>2,381</b>
<b>Inactive License – Not Practicing Pharmacy</b>	<b>69</b>
<b>Male</b>	<b>47</b>
<b>Female</b>	<b>22</b>

## AGE GROUP BREAKDOWN OF INSTATE AND OUT-OF-STATE ACTIVE PHARMACISTS (AS OF JUNE 30, 2008)

<b>Under the age of 30</b>	<b>825</b>
<b>Ages 30-39</b>	<b>2,090</b>
<b>Ages 40-49</b>	<b>1,818</b>
<b>Ages 50-59</b>	<b>1,960</b>
<b>Ages 60-69</b>	<b>908</b>
<b>Ages 70-79</b>	<b>323</b>
<b>Ages 80-89</b>	<b>52</b>
<b>Ages 90+</b>	<b>2</b>



**CENSUS OF LICENSED PHARMACIES AS OF JUNE 30, 2008**

<b>Total Licensed Pharmacies as of June 30, 2008 .....</b>	<b>1,864</b>
<b>Instate Pharmacies.....</b>	<b>1,404</b>
<b>Non-Resident Pharmacies.....</b>	<b>460</b>
<b>Temporary Pharmacies .....</b>	<b>3</b>



**BREAKDOWN OF INSTATE PHARMACIES BY CLASSIFICATION**

<b>Class A - Retail Pharmacies .....</b>	<b>468</b>
<b>Class B - Hospital Pharmacies.....</b>	<b>105</b>
<b>Class C - LTC Pharmacies.....</b>	<b>11</b>
<b>Class D - Non-Sterile Compounding .....</b>	<b>1</b>
<b>Class E - Radiopharmaceutical .....</b>	<b>12</b>
<b>Class F - Renal Dialysis Pharmacies .....</b>	<b>1</b>
<b>Class G - Medical Gas Pharmacies .....</b>	<b>0</b>
<b>Class H - Sterile Products .....</b>	<b>2</b>
<b>Class I - Consultant Pharmacy.....</b>	<b>4</b>
<b>Class J - Shared Services Pharmacy .....</b>	<b>2</b>
<b>Class K - Internet .....</b>	<b>0</b>
<b>Pharmacies with Multiple Classifications.....</b>	<b>798</b>

**CENSUS OF  
DRUG DISTRIBUTORS/MANUFACTURERS  
LICENSED AS OF JUNE 30, 2008**

Drug Distributors Licensed with a Permanent License .....	1,178
Drug Distributors Licensed with a Temporary License.....	24
Out-of-State Manufacturers Registered .....	92



**NOTE**

Any out-of-state drug company or manufacturer that ships/transfers legend drugs or devices into this state is required to obtain an out-of-state drug distributor license with this office.

Upon receipt of a license application, the company is issued a temporary license. This temporary license is valid for a period of one (1) year or until the application has been completely processed by this office, at which time, a permanent license is issued or the application is denied by the Board.

All in-state drug companies that ship/transfer legend pharmaceuticals are also required to obtain licensure with this office.

Any pharmacy that distributes legend drugs to any entity other than the consumer (the patient), such as other pharmacies, physicians, etc., must obtain a drug distributor's license if that type of distribution exceeds 5% of the pharmacy's total gross sales of legend products.

**CENSUS OF OTHER LICENSEES AS OF JUNE 30, 2008**

Licensed Interns .....	1,479
Registered Pharmacy Technicians .....	16,321

