

MISSOURI BOARD OF PHARMACY

2010 ANNUAL REPORT
July 1, 2009 through June 30, 2010



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**

**P.O. BOX 625
3605 MISSOURI BOULEVARD
JEFFERSON CITY, MISSOURI
PHONE (573) 751-0091
FAX (573) 526-3464
Web Site <http://www.pr.mo.gov/pharmacists.asp>
Email: pharmacy@pr.mo.gov**

BOARD MEMBERS

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

BOARD INSPECTORS

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

EXECUTIVE DIRECTOR

Kimberly A. Grinston, JD

OFFICE STAFF

**Tammy Siebert
Regina Divine
Jason Menken
Jami Kallenbach
Kelly Bray**

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

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.

\$\$ FINANCIAL INFORMATION \$\$

The Missouri Board of Pharmacy's appropriation for fiscal year ending June 30, 2010, was as follows:

Personal Service	\$ 940,068
Expense and Equipment	\$ 673,948
Criminal History Fund	\$ 5,000 E
Transfers*	\$ 899,123

*Transfers include:

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

BOARD MEETING INFORMATION

During the fiscal year ending June 30, 2010, the Board met in regular session a total of 10 days and held seven conference calls and two email ballot meetings.



INSPECTION INFORMATION

During the fiscal year ending June 30, 2010, the board inspectors conducted a total of 1,370 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

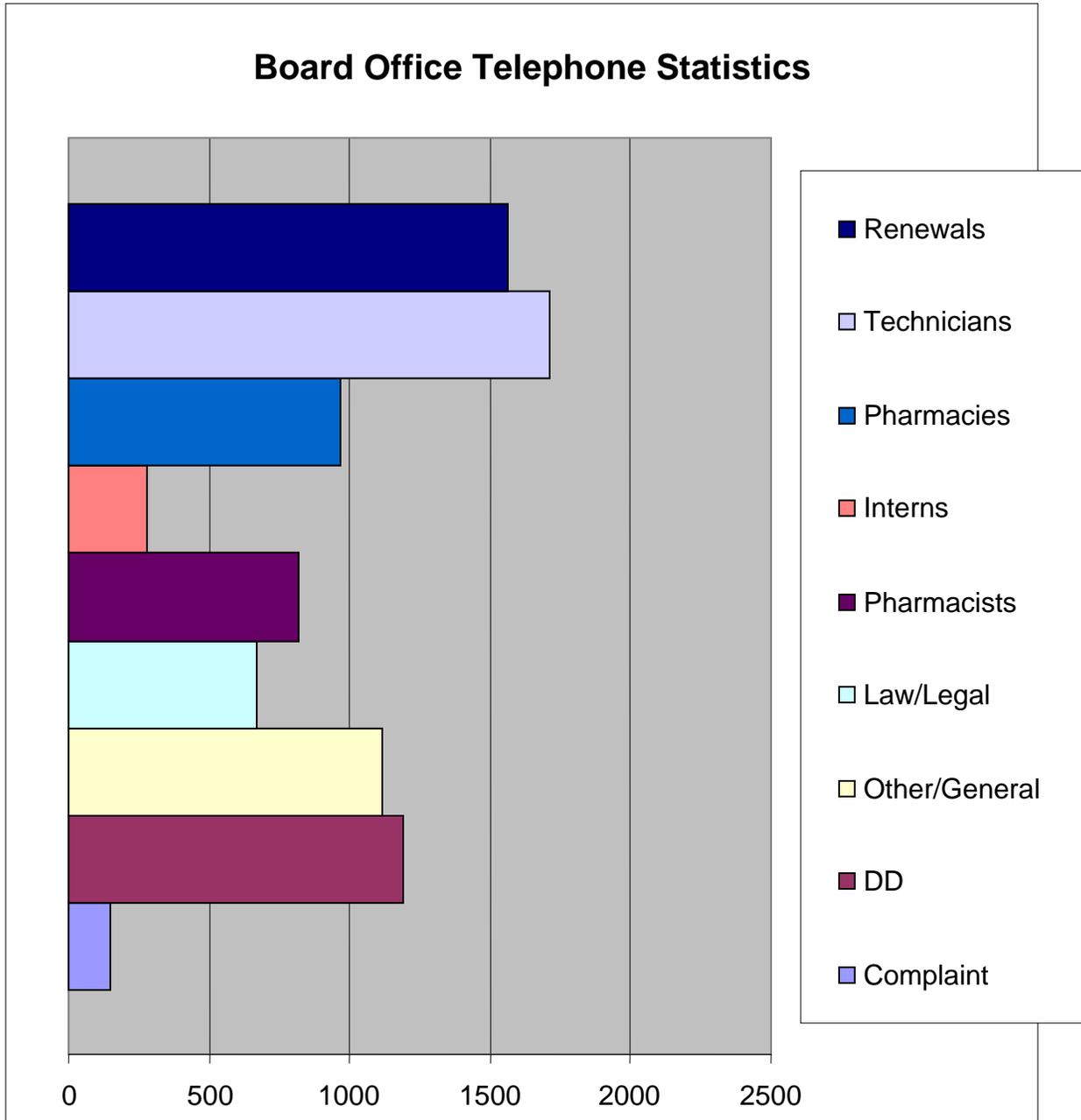
The following individuals received Gold Certificates during 2010, which are signed by the Board of Pharmacy Members and the Executive Director. The certificate represents fifty (50) years of active service as a Missouri pharmacist.

Bishop, Jack R	Des Peres	MO
Brueggemann, Frederick C	Eureka	MO
Buchanan, Billy C	Kennett	MO
Callaway, David E	Topeka	KS
Davidson, Robert E	Loma Linda	MO
Dudley, Jerry K	Caruthersville	MO
Felkel, Richard A	ST. LOUIS	MO
George, Harry K	Jackson	MO
Hanson, Darrel M	Saint Joseph	MO
Hart, Anthony E	Independence	MO
Houston, Freddie B	Aurora	MO
Huesgen, Joyce A	Blue Springs	MO
Kalkbrenner, Thomas E	Florissant	MO
Mazanec, Richard B	Rolla	MO
Mcperson, Charles L	Du Quoin	IL
Mendelson, Perry J	Saint Louis	MO
Mosley, Joe W	Malden	MO
Myers, Jerry K	Omaha	NE
O'Brien, Patrick L	Fredericktown	MO
Pagacz, Raymond F	Raymore	MO
Pound, Gary D	Hutchinson	KS
Ray, James R	Las Vegas	NV
Schmidt, James F	Saint Louis	MO
Showers, Donald K	Aurora	MO
Taylor, John P, Jr	West Plains	MO
Tharenos, Nicholas	Chesterfield	MO
Todd, Thomas N, Jr	Versailles	MO
Wade, Richard K	Fontana	KS
Wahlbrink, David A	Florissant	MO
Wahlbrink, Diane H	Florissant	MO
Wand, Thomas E	Edina	MO
Young, David E	Jackson	MO



OTHER BOARD INFORMATION

During fiscal year 2010, Board of Pharmacy office staff received and responded to 8,565 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, 2010.

Dosage Form	Tests Performed
Capsule	41
Injection	6
I.V. solution	10
Lollipop	1
Oral solution	1
Oral suspension	145
Powder	4
Spray	1
Suppository	3
Tablet	1
Transdermal	7
Troche	5

Test Results	Tests Performed	Percentage
Satisfactory	191	84.9%
Unsatisfactory	34	15.1%
Total	225	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 28.0% to 197.2%. 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	
Amlodipine oral suspension	Lisinopril oral suspension
Atenolol oral suspension	Metronidazole oral suspension
Azathioprine oral suspension	Omeprazole oral suspension
Biest/Progesterone capsules	Prochlorperazine/Indomethacin suppositories
Carvedilol oral suspension	Rifamin oral suspension
Cefazolin/Normal Saline IV solution	Spironolactone/Hydrochlorothiazide oral suspension
Diphenhydramine/Metoclopramide/Dexamethasone suppositories	T-3 capsules
Hydralazine/Hydrochlorothiazide/Reserpine capsules	T-4 aliquot powder
Hydrocortosone/Neomycin suppositories	Tetracaine lollipops
	Triest/Progesterone capsules



COMPLAINTS FILED DISCIPLINE INFORMATION

STATISTICS BELOW REFLECT TOTAL COMPLAINTS
FOR THE FISCAL YEAR ENDING JUNE 30, 2010

Total Number of Complaints Received by the Board.....527

Breakdown of Complaint Allegations

Alcohol and Alcohol-Impaired Behavior	3
Civil – Drug Possession	1
Compounding	17
Confidentiality	6
Counseling	3
Department of Revenue Tax Compliance	76
Disciplinary Action in Another State	13
Dispensing Error	42
Diversion – Prescription Meds	2
Drug Distribution Violations	9
Drugs	16
Ethical	13
Expired Drugs in Inventory	1
Felony	1
Fraud – Unspecified	2
Fraudulent Prescription	6
Improper Controls	3
Improper Dispensing	32
Incompetence	1
Late Renewal Application	12
Licensure Applicant	25
Loss of Drugs	25
Malpractice	1
Mental Reason	1
Misbranding	1
Misconduct	1
Mislabeling	1
No Jurisdiction	12
Pharmacy Permit Violations	29
Practicing without a License	71
Previous Disciplinary Action	1
Recordkeeping	10
Repackaging/Prepackaging	1
Samples	1
Security	2
Sexual Misconduct	1
Theft of Drugs	44
Theft of Drugs – Sale to Others	3
Theft of Drugs – Self-Administration	2
Theft of Money	1
Unauthorized Dispensing	20
Unauthorized Refills	3
Unsanitary Facility	1
Unsupervised Dispensing	2
Vaccine Administration	1
Violation of Disciplinary Order	8

SOURCE OF COMPLAINTS

Complaints Received From Public	190
Complaints Received from Other Agencies	98
Complaints Received from Board or Inspectors	202
Complaints Received from Other State Boards	5
Complaints Regarding Licensing Issues	32

DISPOSITION

Cases Referred to Legal Counsel	64
Cease and Desist Letters Sent	0
Disposition Complete – Other	16
Individuals Requested to Meet with the Board	4
Investigations Requested/Not Complete	47
Letters of Concern Sent	55
Letters of Warning – Serious Violations Sent	75
License Approved	1
License Denied	1
Miscellaneous Non-Administrative Board Letters Sent	3
No Action/Insufficient Evidence	58
Referred to Other Board/Agency	0
Technician Disqualification Letters Sent	44
Technician Conditional Employment Letters Sent	22

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	
Complaints Filed with Administrative Hearing Commission	16
Disciplinary Hearings Held	7
Felony Hearings Held	2
Violation of Discipline Hearings Held	3
Settlement Agreements Entered	29
Restricted Licenses Issued Pursuant to Section 620.149	9

DISCIPLINE RESULTS	
Technician Registrations Suspended 324.010	60
Pharmacist Licenses Suspended 324.010	3
Pharmacist Licenses Censured	6
Pharmacist Licenses on Probation	10
Pharmacist Licenses Suspended Followed by Probation	7
Pharmacist Licenses Revoked	3
Pharmacy Permits Censured	4
Pharmacy Permits on Probation	5
Drug Distributor Licenses on Probation	6
Restricted Pharmacist Licenses Issued Pursuant to Section 324.038	2
Restricted Pharmacy Permits Issued Pursuant to Section 324.038	1
Restricted Drug Distributor Licenses Issued Pursuant to Section 324.038	6
Intern Licenses Voluntary Surrender	1
Pharmacist Licenses Voluntary Surrender	1
Drug Distributor Licenses Voluntary Surrender	1

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, 2010

TOTAL PHARMACISTS INSTATE AND OUT OF STATE

Total Licensed Pharmacists	8,367
Active license	8,367
Male	4,240
Female	4,127
Inactive license	274
Male	149
Female	125

TOTAL NUMBER OF PHARMACISTS RESIDING IN MISSOURI

Active License – Practicing Pharmacy	5,474
Male	2,839
Female	2,635
Inactive License – Not Practicing Pharmacy	67
Male	37
Female	30

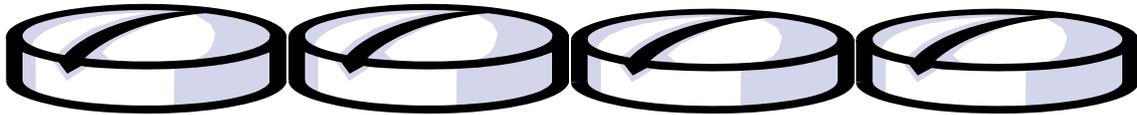
AGE GROUP BREAKDOWN OF INSTATE AND OUT-OF-STATE ACTIVE PHARMACISTS (AS OF JUNE 30, 2010)

Under the age of 30	968
Ages 30-39	2,083
Ages 40-49	1,829
Ages 50-59	2,019
Ages 60-69	1,078
Ages 70-79	328
Ages 80-89	58
Ages 90+	4



CENSUS OF LICENSED PHARMACIES AS OF JUNE 30, 2010

Total Licensed Pharmacies as of June 30, 2010	1,900
Instate Pharmacies.....	1,400
Non-Resident Pharmacies.....	500
Temporary Pharmacies	4



BREAKDOWN OF INSTATE PHARMACIES BY CLASSIFICATION

Class A - Retail Pharmacies	354
Class B - Hospital Pharmacies.....	104
Class C - LTC Pharmacies.....	10
Class D - Non-Sterile Compounding	0
Class E - Radiopharmaceutical	11
Class F - Renal Dialysis Pharmacies	1
Class G - Medical Gas Pharmacies.....	0
Class H - Sterile Products	4
Class I - Consultant Pharmacy.....	4
Class J - Shared Services Pharmacy	1
Class K - Internet	0
Pharmacies with Multiple Classifications.....	911

**CENSUS OF
DRUG DISTRIBUTORS/MANUFACTURERS
LICENSED AS OF JUNE 30, 2010**

Drug Distributors Licensed with a Permanent License	1,236
Drug Distributors Licensed with a Temporary License	145
Out-of-State Manufacturers Registered.....	128



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 INTERNS AND TECHNICIANS AS OF JUNE 30, 2010

Licensed Interns	2,020
Registered Pharmacy Technicians.....	16,974

**MISSOURI BOARD OF PHARMACY
INSPECTOR COUNTY ASSIGNMENTS**

Frank VanFleet	George McConnell	Tom Glenski	Mike Kidd	Barbara Wood	Steve Smith	Sid Werges	Shawn Newton		
Barton	Barry	Adair	Butler	Bollinger	Clark	Audrain	Benton		
Bates	Christian	Andrew	Carter	Cape Girardeau	Knox	Boone	Buchanan		
Cass	Douglas	Atchison	Iron	Dunklin	Lewis	Callaway	Caldwell		
Cedar	Greene	Davies	Jefferson	Mississippi	Lincoln	Cole	Camden		
Dade	Howell	DeKalb	Madison	New Madrid	Marion	Cooper	Carroll		
Jackson	Jasper	Gentry	Reynolds	Pemiscot	Pike	Crawford	Chariton		
St. Clair	Lawrence	Grundy	Ripley	Perry	Ralls	Dallas	Clay		
Vernon	McDonald	Harrison	Shannon	Scott	Scotland	Dent	Clinton		
	Newton	Holt	St. Francois	St. Charles	Shelby	Franklin	Henry		
	Oregon	Linn	St. Louis City 63101, 63102, 63103, 63104, 63106, 63107, 63109, 63111, 63116, 63117, 63118, 63119, 63123, 63128, 63139	St. Genevieve	St. Louis City 63044, 63108, 63110, 63112, 63113, 63114, 63115, 63120, 63130, 63138, 63141, 63147	Gasconade	Hickory		
	Ozark	Livingston		St. Louis City 63131		Howard	Johnson		
	Stone	Mercer		St. Louis County 63005, 63011, 63017, 63021, 63040, 63088, 63131		Laclede	Lafayette		
	Taney	Nodaway		St. Louis County 63005, 63011, 63017, 63021, 63040, 63088, 63131		Maries	Macon		
	Texas	Putnam		St. Louis County 63005, 63011, 63017, 63021, 63040, 63088, 63131		Miller	Pettis		
	Webster	Schuyler		St. Louis County 63005, 63011, 63017, 63021, 63040, 63088, 63131		Moniteau	Platte		
	Wright	Sullivan		St. Louis County 63005, 63011, 63017, 63021, 63040, 63088, 63131		Monroe	Polk		
		Worth		St. Louis County 63005, 63011, 63017, 63021, 63040, 63088, 63131		St. Louis County 63031, 63033, 63042, 63043, 63044, 63045, 63074, 63110, 63114, 63115, 63121, 63124, 63130, 63132, 63133, 63134, 63135, 63136, 63137, 63138, 63141, 63146	Montgomery	Randolph	
				St Louis County 63025, 63026, 63105, 63117, 63118, 63119, 63122, 63123, 63125, 63126, 63127, 63128, 63129, 63143, 63144		Stoddard	St. Louis County 63031, 63033, 63042, 63043, 63044, 63045, 63074, 63110, 63114, 63115, 63121, 63124, 63130, 63132, 63133, 63134, 63135, 63136, 63137, 63138, 63141, 63146	Morgan	Ray
				Washington		Wayne	St. Louis County 63069	Osage	Saline
					Phelps				
					Pulaski				
					Warren				