

**OPEN MINUTES**  
**Missouri Board of Pharmacy**  
**February 3-5, 2004**  
**Holiday Inn Select**  
**Columbia, MO**

The Missouri Board of Pharmacy met in open session during the times and dates stated in the following minutes. To better track the order in which items were taken up on the agenda, each item in the minutes will be listed in the order it was discussed at the meeting. The regular meeting was called to order by President Wolzak at 12:45 p.m. on February 3, 2004.

**Board Members Present**

Elaina Wolzak, R. Ph., President  
Doug Lang, R. Ph., Vice-President  
Tim Koch, R.Ph., Member  
Pamela Marshall, R. Ph., Member  
Anita Parran, Public Member

**Board Members Absent**

Gary Sobocinski, R.Ph., Member  
Barbara Dunning, R.Ph., Member

**Staff Present**

Kevin Kinkade, R. Ph., Executive Director  
Tom Glenski, R. Ph., Chief Inspector  
Kim Kaufman, R. Ph., Inspector  
Mike Kidd, R. Ph., Inspector  
Robert Alexander, R. Ph., Inspector

**Others Present**

Ron Smith, Assistant Attorney General  
Susan McCann, BNDD

**MOTION TO CLOSE 12:46 p.m.**

Doug Lang made a motion that the Board go into closed session and that all votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under Section 610.021.14 (1), (3), (5), (7), (13) and (14) and under Section 620.010.14 (7). Seconded by Anita Parran. Motion passed 4:0:0:2 with roll call vote as follows:

Gary Sobocinski – absent  
Pam Marshall – yes

Barbara Dunning – absent  
Doug Lang – yes

Tim Koch - yes  
Anita Parran – yes

**RETURN TO OPEN 3:05 PM**

By motion duly made, seconded, passed and recorded in closed session minutes, the Board went into open session.

#1 **Approval of Minutes:**

a) December 31, 2003 Conference Call

Doug Lang made a motion to accept the December 31, 2003 conference call minutes as printed. Seconded by Tim Koch. Motion passed 4:0:2:0 with roll call vote as follows:

Gary Sobocinski – abstain  
Pam Marshall – yes

Barbara Dunning – yes  
Doug Lang – yes

Tim Koch - abstain  
Anita Parran – yes

#2 **Agenda Additions/Corrections** – Kevin Kinkade reported on additional/corrections to the printed agenda.

#3 **Board Member Report** – Doug Lang and Elaina Wolzak reported on meetings they attended.

#4 **Board Member Update to phone, address, e-mail, fax #** - There were no updates to report.

#5 **General Administration Report:**

a) Legislative report – Kevin Kinkade presented a review of the Board's letter to Legislatures concerning pending legislation. It was the Board's consensus that if there is no support from the Legislators, Kevin Kinkade is to stop efforts concerning this legislature.

b) Retreat planning – Due to department travel policy, because Kevin lives less than 50 miles from the site of the retreat, he is not able to stay overnight during the retreat. It was the Board's consensus to personally cover Kevin Kinkade's overnight expenses.

- c) 2005 proposed meeting dates. It was the Board's consensus to accept the proposed meeting dates as presented.
- d) Presentation of Award – Kevin Kinkade presented Elaina Wolzak a plaque in honor of her five years of service to the Missouri Board of Pharmacy.

#9 **Proposal for Rule Change:**

a) 4CSR 220-5.020: Drug Distributor Licensing Requirements – Proposed amendment establishes a deadline for drug distributor applicants to complete the application process.

**Motion was made by Gary Sobocinski that the Missouri Board of Pharmacy, based upon reasonably available empirical data including an assessment of the effectiveness and costs both to the state and to any private or public person or entity affected, hereby finds that the proposed amendment to 4 CSR 220-5.020 Drug Distributor Licensing Requirements is necessary to carry out the purposes of Section 338.010, 338.140, 338.210, 338.240, and 338.280, RSMo, authorizing the subject matter of the rule. Seconded by Doug Lang. Motion passed 6:0:0:0 with roll call vote as follows:**

**Gary Sobocinski – yes  
Pam Marshall – yes**

**Barbara Dunning – yes  
Doug Lang – yes**

**Tim Koch - yes  
Anita Parran – yes**

**RETURN TO CLOSED 4:05 P.M.**

**Doug Lang made a motion that the Board go into closed session and that all votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under Section 610.021.14 (1), (3), (5), (7), (13) and (14) and under Section 620.010.14 (7). Seconded by Pam Marshall. Motion passed 5:0:0:1 with roll call vote as follows:**

**Gary Sobocinski – yes  
Pam Marshall – yes**

**Barbara Dunning – yes  
Doug Lang – yes**

**Tim Koch - absent  
Anita Parran – yes**

**RETURN TO OPEN 4:40 PM**

By motion duly made, seconded, passed and recorded in closed session minutes, the Board returned to open session at 4:40 p.m.

NOTE: BERT MCCLARY JOINED THE MEETING

#12 **Sterile Product Standards/Enforcement, State Rules vs. USP Chapter 797 -**  
The Board reviewed the following:

- a) Bert McClary's email dated 1/22/04
- b) Article from American Journal of Health System Pharmacists, Sept 15, 2003.

Bert McClary provided a summary for the Board of his concerns involving this matter.

THE FOLLOWING ITEMS WERE REVIEWED IN SECTION E WITH NO PARTICULAR ACTION OR DISCUSSION.

#10 **Revised 2003 Strategic Plan**

#11 **Motion Language for Rules/Amendments**

NOTE: ALL AGENDA ITEMS HAVING BEEN REVIEWED, IT WAS THE CONSENSUS OF THE BOARD TO NOT MEET ON FEBRUARY 5, 2004.

**MOTION TO ADJOURN 5:00 PM**

At approximately 5:00 p.m., Doug Lang made a motion to adjourn the February 2004 meeting, seconded by Pam Marshall. Motion passed 6:0:0:0.

**Gary Sobocinski – yes  
Pam Marshall – yes**

**Barbara Dunning – yes  
Doug Lang – yes**

**Tim Koch - yes  
Anita Parran – yes**

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KEVIN E. KINKADE, R. PH.  
EXECUTIVE DIRECTOR

DATE APPROVED \_\_\_\_\_