

OPEN MINUTES
February 8-10, 2006
Missouri Board of Pharmacy
Courtyard By Marriott
3301 LeMone Industrial Drive
Columbia, MO 65201

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 Doug Lang at 8:30 a.m. on February 8, 2006.

Board Members Present

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

Staff Present

Kevin Kinkade, R. Ph., Executive Director
Tom Glenski, R. Ph., Chief Inspector
John Heavin, R. Ph., Inspector
Sid Werges, R. Ph., Inspector

Others Present

Curtis Thompson, Atty.

Motion was made by Gary Sobocinski and seconded by Anita Parran to go into closed session at 8:31 a.m. Motion passed 6:0:0:0 with roll call vote as follows:

Gary Sobocinski – yes
Pam Marshall – yes

Melissa Graham – yes
Elaina Wolzak – yes

Tim Koch - yes
Anita Parran – yes

RETURN TO OPEN 10:16 AM

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

#B1 John S. Vogel, #030074, #2005-003682-V2 – Case continued to next meeting

#B2 Jeffrey Kettelhut, #2002030459, #2004-006405-V1 - The Board reviewed the following documents:

- Notice Of Hearing On Violation Of Disciplinary Order
- Complaint

A violation of discipline hearing was scheduled for 10:30 a.m., 1st case on the docket. A court reporter was present and the hearing began at 10:31 a.m. The hearing concluded at 11:12 a.m. and a copy of the transcript of this hearing is on file with the Board of Pharmacy.

#B3 Michael Hefley #029099, #2005-003681 - The Board reviewed the following documents:

- Notice Of Hearing On Violation Of Disciplinary Order
- Complaint

A violation of discipline hearing was scheduled for 10:30 a.m., 2nd case on the docket. A court reporter was present and the hearing began at 11:16 a.m. The hearing concluded at 11:35 a.m. and a copy of the transcript of this hearing is on file with the Board of Pharmacy.

MOTION TO CLOSE 11:38 AM

Tim Koch 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 6:0:0:0 with roll call vote as follows:

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

**Melissa Graham – yes
Elaina Wolzak – yes**

**Tim Koch - yes
Anita Parran – yes**

RETURN TO OPEN 2:05 PM

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

#B4 Healthcare Supplies & Equipment #901208, #2005-003685-V1 - The Board reviewed the following documents:

- Notice Of Hearing On Violation Of Disciplinary Order

- Complaint

A violation of discipline hearing was scheduled for 2:00 p.m. A court reporter was present and the hearing began at 2:14 p.m. The hearing concluded at 2:18 p.m. and a copy of the transcript of this hearing is on file with the Board of Pharmacy.

MOTION TO CLOSE 2:19 p.m.

Anita Parran 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 Gary Sobocinski. Motion passed 6:0:0:0 with roll call vote as follows:

Gary Sobocinski – yes
Pam Marshall – yes

Melissa Graham – yes
Elaina Wolzak – yes

Tim Koch - yes
Anita Parran – yes

FEBRUARY 10, 2006

RETURN TO OPEN 11:05 AM

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

PAM MARSHALL RETURNED TO THE MEETING ROOM

#A1 Approval of Minutes:

1. September 2005 Board Meeting
2. November 2005 Conference Call Meeting
3. January 2006 Mail Ballot Meeting

Motion was made by Anita Parran and seconded by Elaina Wolzak to approve the minutes of the September 2005 Board Meeting Open Session as printed. Motion passed 6:0:0:0 with roll call vote as follows:

Gary Sobocinski – yes
Pam Marshall – yes

Melissa Graham – yes
Elaina Wolzak – yes

Tim Koch - yes
Anita Parran – yes

Motion was made by Melissa Graham and seconded by Tim Koch to approve the minutes of the November 2005 Board Meeting Conference Call Open Session as printed. Motion passed 5:0:1:0 with roll call vote as follows:

Gary Sobocinski – yes
Pam Marshall – yes

Melissa Graham – yes
Elaina Wolzak – yes

Tim Koch - yes
Anita Parran – abstain

Motion was made by Gary Sobocinski and seconded by Tim Koch to approve the minutes of the January 2006 Board Meeting Mail Ballot as printed. Motion passed 6:0:0:0 with roll call vote as follows:

Gary Sobocinski – yes
Pam Marshall – yes

Melissa Graham – yes
Elaina Wolzak – yes

Tim Koch - yes
Anita Parran – yes

#A2 Agenda Additions/Corrections

#A3 Board Member Report - Doug Lang presented a verbal report on his presentation at the white coat function at St. Louis College of Pharmacy.

Elaina Wolzak and Tom Glenski presented a report on their attendance at the NABP law review meeting.

#A4 Board Member Update to phone, address, e-mail, fax #

Doug Lang reported his change of employment to Express Scripts, Inc.

#A5 General Administration Report:

Kevin Kinkade reported on the following:

- a) Legislation
- b) Department Reorganization

#D1 Anti-Counterfeit Drug Initiative Workshop and Vendor Display – The following items were available for Board review:

- Federal Register notice of public workshop and vendor display with agenda dated January 5, 2006

Kevin Kinkade presented a verbal report. Discussion was held.

#D2 New Initiative for the Federal Licensure of Prescription Drug Distributors –

The following items were available for Board review:

- Letter from Healthcare Distribution Management Association with attachments received 12/28/05

Kevin Kinkade presented a verbal report. Discussion was held. **Motion was made by Tim Koch and seconded by Gary Sobocinski to accept suggestions in the letter and forward it to corresponding national organizations. Motion passed 6:0:0:0 with roll call vote as follows:**

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

**Melissa Graham – yes
Elaina Wolzak – yes**

**Tim Koch - yes
Anita Parran – yes**

#D3 Automated Refill Self-Service Devices: Proposed Rule Changes – The following items were available for Board review:

- 4CSR 220-2.900 Automated Dispensing and Storage Systems
- 4CSR 220-2.190 Patient Counseling

Discussion was held. **Motion was made by Tim Koch and seconded by Pam Marshall to move forward as proposed with the rule changes. Motion passed 5:1:0:0 with roll call vote as follows:**

**Gary Sobocinski – no
Pam Marshall – yes**

**Melissa Graham – yes
Elaina Wolzak – yes**

**Tim Koch - yes
Anita Parran – yes**

THE BOARD REVIEWED THE FOLLOWING ITEM FROM SECTION E THAT DID NOT REQUIRE INDIVIDUAL DISCUSSION OR ACTION.

#E1 Motion Language for Rules/Amendments

MOTION TO ADJOURN OPEN MEETING 12:54 PM

At approximately 12:54 p.m., motion was made by Pam Marshall and seconded by Melissa Graham to adjourn the February 2006 meeting. Motion passed 6:0:0:0 with roll call vote as follows:

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

**Melissa Graham – yes
Elaina Wolzak – yes**

**Tim Koch - yes
Anita Parran – yes**

TAMMY L. SIEBERT
EXECUTIVE ASSISTANT

DATE APPROVED _____