

OPEN MINUTES
April 19-21, 2006
Missouri Board of Pharmacy
Courtyard by Marriott
3301 LeMone Industrial Blvd.
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 8:45 a.m. on April 19, 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
Tammy Siebert, Executive Assistant

Others Present

Curtis Thompson, Legal Counsel
Susan McCann, BNDD

#A6 Board of Pharmacy Transition Issues – No enclosures

- Director Transition Issues

The Board reviewed and discussed the delegation of authority of the Executive Director's duties to office and field staff upon the retirement of Kevin Kinkade, as well as possible reclassification of the Executive Director position.

MOTION TO CLOSE 11:00 AM

Gary Sobocinski 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 11:12 AM

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

#A6 Board of Pharmacy Transition Issues – No enclosures

- Director Transition Issues

Discussion continued.

TAMMY SIEBERT LEFT THE MEETING.

MOTION TO CLOSE 11:21 AM

Gary Sobocinski 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 Melissa Graham. 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 1:42 PM

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

DOUG LANG AND GARY SOBOCINSKI RETURNED TO THE MEETING ROOM.
DOUG LANG RESUMED THE CHAIR OF THE MEETING

#B1 John S. Vogel, #030074, #2005-003682-V2 – The following items were available for Board review:

- Notice Of Hearing On Violation Of Disciplinary Order
- Complaint

A violation of discipline hearing was scheduled for 2:00 p.m. as first case on the docket. A court reporter was present and the hearing began at 2:00 p.m. The hearing concluded at 2:30 p.m. and a copy of the transcript of this hearing is on file with the Board of Pharmacy.

#B2 Richard H. Mullen #027080, #2005-005591-V1 – The following items were available for Board review:

- Notice Of Hearing On Violation Of Disciplinary Order
- Complaint

Mr. Mullen surrendered his pharmacist license prior to meeting time and this violation of discipline hearing was cancelled.

#B3 Shawn P. Reidy, #041667, #2006-003684-V1 – The following items were available for Board review:

- Notice Of Hearing On Violation Of Disciplinary Order
- Complaint

This violation of discipline hearing was continued to the next meeting.

MOTION TO CLOSE 2:32 p.m.

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**

**THURSDAY, APRIL 20, 2006
RETURN TO OPEN 12:36 PM**

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

Recess and Reconvene

The Board recessed for lunch at 12:36 p.m. in open session.

MOTION TO CLOSE 12:56 p.m.

Gary Sobocinski 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

FRIDAY, APRIL 21, 2006 - RETURN TO OPEN 8:42 AM

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

#A1 Approval of Minutes: NO ITEMS WERE ENCLOSED FOR THIS SECTION

#A2 Agenda Additions/Corrections

Kevin Kinkade reported on various additions and corrections to open session agenda items.

#A3 Board Member Report

Gary Sobocinski presented a report on the continuing education program presented at Dave and Buster's.

Gary Sobocinski presented a verbal report on his attendance at the NABP Annual Meeting.

Elaina Wolzak presented a verbal report on her attendance at the MPA Legislative Day.

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

The Board members had no changes to report.

#A5 General Administration Report

Kevin Kinkade reported on the following:

- **The Pharmacist Email Program**
- **Inpatient Testing of Compounded Drugs**
- **Legislation**
- **NABP District 6 Update** - Discussion was held.

Motion was made by Elaina Wolzak and seconded by Tim Koch to authorize Tammy Siebert to continue to assist Kevin Kinkade following his retirement in finishing his District 6 Secretary/Treasurer responsibilities for the balance of his term. Motion passed 4:0:0:0 with roll call vote as follows:

Gary Sobocinski – yes
Pam Marshall – yes

Melissa Graham – absent
Elaina Wolzak – yes

Tim Koch - yes
Anita Parran – absent

#D1 Automated Dispensing and Storage Systems - The Board reviewed the following documents:

- Memo from Susan McCann, BNDD received 3/17/06
- Draft from Bert McClary, BNDD dated 3/27/06
- Memo from Susan McCann, BNDD received 4/3/06
- Drafts from Bert McClary dated 4/4/06

Discussion was held regarding possible amendments to the language of 4 CSR 220-2.900 Automated Dispensing and Storage Systems. **Motion was made by Gary Sobocinski and seconded by Tim Koch to accept the following changes to the proposed language:**

- Insert “patient” before all instances of “self-service” throughout the proposal.
- Change the word “business” to “pharmacy” in (1)
- Add to end of subsection (J) the words “unless the device has the capability to provide storage conditions in compliance with FDA requirements”.

Motion passed 4:0:0:2 with roll call vote as follows:

Gary Sobocinski – yes
Pam Marshall – yes

Melissa Graham – absent
Elaina Wolzak – yes

Tim Koch - yes
Anita Parran – absent

It was the consensus of the Board to form a committee of experts to research definitions of facilities, devices in hospices, and standard operation procedures in these facilities.

#DH4 UMKC AND STLCOP INTERN TRAINING SITES/PRECEPTORS – The following documents were available for Board review:

- UMKC Listings of Pharmacies and Pharmacists
- STLCOP Listings of Pharmacies and Pharmacists

University of Missouri-Kansas City College of Pharmacy representatives Mary Euler and Dean Robert Piepho presented a verbal report on their intern training program.

Representatives from St. Louis College of Pharmacy were not present and their presentation will be rescheduled for the next Board meeting.

#D2 Facts and Comparisons- Wolters Kluwer Health, 77 West Port Plaza, Suite 450, St. Louis, Missouri 63146 - The Board reviewed the following:

- Intern Training Pharmacy Application – Special Site

Discussion was held. **Motion was made by Tim Koch and seconded by Elaina Wolzak to approve the special site application for 500 hours. Motion passed 4:0:0:2 with roll call vote as follows:**

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

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

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

#D3 4CSR 220-5.030 – Definitions and Standards for Drug Wholesale and Pharmacy Distributors – The following documents were available for Board review:

- Memo from Inspector Glenski date 4/5/06

Discussion was held. **Motion was made by Gary Sobocinski and seconded by Tim Koch to amend the proposed rule amendment to include the language “...any location, regardless of zoning, that is a residence or that shares an address and/or physical space with a business not licensed and regulated by the State of Missouri”. Motion passed 4:0:0:2 with roll call vote as follows:**

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

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

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

#E1 Motion Language for New Rules/Amendments

EMPLOYEE RECOGNITION

The Board awarded recognition to retiring Executive Director Kevin Kinkade for his years of dedicated service to the Board and the profession of pharmacy.

MOTION TO ADJOURN OPEN MEETING 11:02 AM

At approximately 11:02 a.m., motion was made by Elaina Wolzak and seconded by Pam Marshall to adjourn the April 2006 meeting. Motion passed 4:0:0:2.

Gary Sobocinski – yes
Pam Marshall – yes

Melissa Graham – absent
Elaina Wolzak – yes

Tim Koch - yes
Anita Parran – absent

TAMMY L. SIEBERT
EXECUTIVE ASSISTANT

DATE APPROVED _____