

OPEN MINUTES
Missouri Board of Pharmacy
July 11-13, 2007
Courtyard by Marriott
3301 LeMone Industrial Boulevard
Columbia, MO 65203

The Missouri Board of Pharmacy met in open session during the times and dates stated in the following minutes. Each item in the minutes is listed in the order it was discussed at the meeting. The regular meeting was called to order by President Gary Sobocinski at 11:00 a.m. on July 11, 2007.

Board Members Present

Gary Sobocinski, R.Ph., President
Elaina Wolzak, R.Ph., Vice President
Barbara Bilek, R.Ph., Member
Melissa Graham, R.Ph., Member
James Riddle, R.Ph., Member
Anita Parran, Public Member

Board Members Absent

Pamela Marshall, R.Ph., Member

Staff Present

Debra Ringgenberg, Executive Director
Tom Glenski, R.Ph., Chief Inspector
Shawn Marshall, R.Ph., Inspector
George McConnell, R.Ph., Inspector

Others Present

Curtis Thompson, Atty.
Susan McCann, BNDD

MOTION TO CLOSE 11:00 AM

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 (1), (3), (5), (7), (13) and (14), RSMo, and under Section 620.010.14 (7), RSMo. Seconded by James Riddle to go into closed session at 11:00 a.m. Motion passed 5:0:0:1 with roll call vote as follows:

Elaina Wolzak – yes	Barbara Bilek – yes	Melissa Graham – yes
James Riddle – yes	Anita Parran – yes	Pam Marshall - absent

RETURN TO OPEN 11:45 AM

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

RECESS FOR LUNCH 11:45 A.M. – 1:07 P.M.

MOTION TO CLOSE 1:07 PM

Elaina Wolzak 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 (1), (3), (5), (7), (13) and (14), RSMo, and under Section 620.010.14 (7), RSMo. Seconded by Anita Parran to go into closed session at 1:07 p.m. Motion passed 5:0:0:1 with roll call vote as follows:

Elaina Wolzak – yes	Barbara Bilek – yes	Melissa Graham – yes
James Riddle – yes	Anita Parran – yes	Pam Marshall - absent

RETURN TO OPEN 1:53 PM

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

COURT REPORTER ENTERED THE MEETING ROOM.

#B1 Michael T. Peters, #2002030800, #2005-003671 - The Board reviewed the following:

- Notice Of Disciplinary Hearing
- Complaint
- AHC Decision

A disciplinary hearing was scheduled for July 11, 2007, 2:00 p.m., 1st case on the docket. A court reporter was present and the hearing began at approximately 2:03 p.m. The hearing recessed at 2:12 p.m., reconvened at 3:02 p.m., and concluded at 3:05 p.m. A copy of the transcript is on file with the Board of Pharmacy.

#B2 Gary R. Rucker, #027057 (expired 10/31/2004), #2003-004232 – The Board reviewed the following:

- Notice Of Disciplinary Hearing
- Complaint
- AHC Decision

A disciplinary hearing was scheduled for July 11, 2007, 2:00 p.m., 2nd case on the docket. A court reporter was present and the hearing began at 2:54 p.m., and concluded at approximately 3:00 p.m. A copy of the transcript is on file with the Board of Pharmacy.

#B3 Lawrence E. Schreiber, Jr., #028591, #2006-006508 – The Board reviewed the following:

- Notice Of Violation of Discipline Hearing

- Complaint

A violation of discipline hearing was scheduled for July 11, 2007, 3:00 p.m., 1st case on the docket. A court reporter was present and the hearing began at approximately 3:06 p.m. The hearing concluded at approximately 3:31 p.m., and a copy of the transcript is on file with the Board of Pharmacy.

#B4 Luke R. Kampschmidt, #2006001411, #2006-005391 – The Board reviewed the following:

- Notice Of Felony Disciplinary Hearing
- Felony Conviction Complaint

A felony disciplinary hearing was scheduled for July 11, 2007, 3:00 p.m., 2nd case on the docket. A court reporter was present and the hearing began at approximately 3:35 p.m. The hearing concluded at approximately 4:09 p.m., and a copy of the transcript is on file with the Board of Pharmacy.

#B5 Bio Med Plus, Inc., #901534, 6855 SW 81 Street, Miami, Florida, 33143, #2006-006449 – The Board reviewed the following:

- Notice Of Felony Disciplinary Hearing
- Felony Conviction Complaint

A felony disciplinary hearing was scheduled for July 11, 2007, 3:00 p.m., 3rd case on the docket. A court reporter was present and the hearing began at approximately 4:12 p.m. The hearing concluded at approximately 4:18 p.m., and a copy of the transcript is on file with the Board of Pharmacy.

COURT REPORTER LEFT THE MEETING ROOM AT APPROXIMATELY 4:29 P.M.

MOTION TO CLOSE 4:29 PM

Melissa Graham 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 (1), (3), (5), (7), (13) and (14), RSMo, and under Section 620.010.14 (7), RSMo. Seconded by Elaina Wolzak to go into closed session at 4:29 p.m. Motion passed 5:0:0:1 with roll call vote as follows:

Elaina Wolzak – yes	Barbara Bilek – yes	Melissa Graham – yes
James Riddle – yes	Anita Parran – yes	Pam Marshall - absent

THURSDAY, JULY 12, 2007

RETURN TO OPEN 4:07 PM

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

RECESS FOR EVENING AT 4:07 P.M.

FRIDAY, JULY 13, 2007 8:38 A.M.

RECONVENED OPEN

All parties were present as previously recorded in open session minutes, except Curtis Thompson and Robert Alexander, plus visitors as recorded in the visitor register.

#A1 Approval of Minutes:

1. September 13-15, 2006 Board Meeting

Discussion was held. **Motion was made by Elaina Wolzak and seconded by Melissa Graham to approve the minutes of the September 13-15, 2006 open session meeting as printed. Motion passed 3:0:3:1 with roll call vote as follows:**

Elaina Wolzak – yes	Barbara Bilek – abstain	Melissa Graham – yes
James Riddle – abstain	Anita Parran – abstain	Pam Marshall - absent
Gary Sobocinski – yes		

#A2 Agenda Additions/Corrections

Debra Ringgenberg reported on various additions and corrections to the open session agenda, including correction regarding Item #D6.

#A3 Board Member Report

Barbara Bilek reported on her attendance at the Missouri Hospital Pharmacists Association meeting.

Tom Glenski reported on his attendance and presentation at the Annual Missouri Pharmacy Association Convention in June at Lake of the Ozarks.

Debra Ringgenberg and Susan McCann reported on the DEA Conference in Ft. Lauderdale, Florida in June; Inspector Sid Werges attended for the Board.

#A4 Board Member Update to Phone, Address, E-mail, Fax # - There were no updates reported.

#A5 General Administration Report:

a) FY2007 Financial Projections

Debra Ringgenberg reported. It was consensus of the Board for staff to start the process for proposing a fee increase.

b) Travel Plans 2008

Debra Ringgenberg reported.

#D1 20 CSR 2220-4.010 General Fees – – The Board reviewed the following:

- Draft of proposed language amendment.

Discussion was held. **Motion was made by Barbara Bilek 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, with revisions as discussed, to 20 CSR 2220-4.010 General Fees 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 James Riddle. Motion passed, all in favor, none opposed, Pam Marshall absent.**

#D2 RSMo Section 338.013 – The Board reviewed the following:

- Draft of proposed language changes

Discussion was held concerning proposed changes to Section 338.013 to be presented in the 2008 legislative session. It was consensus of the Board to change “form” to “following”; in 3. delete “...for a period of up to ninety days prior to the issuance of certificate of registration”; change “when” to “should”, and delete “s” from the word “refuse”. **Motion was made by Barbara Bilek, seconded by Anita Parran, to approve the proposed changes to Section 338.013, with revisions as discussed. Motion passed, all in favor, none opposed, Pam Marshall absent.**

#DH12 Prescription Drug Disposal Program – The Board reviewed the following:

- St. Louis Post-Dispatch brief regarding a proposed drug disposal program

Sterling Hayden of ARCHS and Nicole Gattas of Schnucks Pharmacy presented information to the Board at approximately 10:00 a.m. concerning a proposed drug disposal program. Discussion was held. It was consensus of the Board to allow them to move forward.???DID THEY NEED OUR AUTHORIZATION??? OR SHOULD IT SAY “TO SUPPORT THE PROGRAM”???? The Board was requested to provide written confirmation of this determination.

#D3 RSMo Section 338.057 – The Board reviewed the following:

- Draft of proposed language changes

Discussion was held. **Motion was made by Barbara Bilek, seconded by Melissa Graham, to approve the proposed changes to Section 338.057 as printed. Motion passed, all in favor, none opposed, Pam Marshall absent.**

#D4 RSMo Section 338.145 – The Board reviewed the following:

- Draft of proposed language changes

Discussion was held and it was suggested to change the quotation marks. **Motion was made by Elaina Wolzak, seconded by Anita Parran, to approve the proposed changes to Section 338.145 as printed, with revisions as discussed. Motion passed, all in favor, none opposed, Pam Marshall absent.**

#D5 RSMo Section 338.220 – The Board reviewed the following:

- Draft of proposed language changes

Discussion was held. It was consensus of the Board to strike all references to Class L. **Motion was made by Elaina Wolzak, seconded by Melissa Graham, to approve the proposed changes to Section 338.220 as printed, with revisions as discussed. Motion passed, all in favor, none opposed, Pam Marshall absent.**

#D6 RSMo Section 338.370 – The Board reviewed the following:

- Draft of proposed language changes

Based on Debra Ringgenberg’s report concerning Item #A2 Agenda Additions/Corrections, this item was not discussed.

#D7 Pharmacy Buying Association dba TrueCare Pharmacy, 1575 N Universal Avenue, Suite 100, Kansas City, Missouri 64120 – The Board reviewed the following:

- Intern Training Pharmacy Application – Special Site

Discussion was held. **Motion was made by Anita Parran, seconded by Elaina Wolzak, to approve Pharmacy Buying Association dba TrueCare Pharmacy for 500 hours. Motion passed, all in favor, none opposed, Pam Marshall absent.**

#D8 Harry S. Truman Memorial Veterans Hospital, 800 Hospital Drive, Columbia, Missouri 65201 – The Board reviewed the following:

- Intern Training Pharmacy Application – Special Site

Discussion was held. **Motion was made by Elaina Wolzak, seconded by Anita Parran, to approve Harry S Truman Memorial Veterans Hospital for 500 hours. Motion passed, all in favor, none opposed, Pam Marshall absent.**

#D9 Veterans Affairs Medical Center, #2 Jefferson Barracks Drive, Saint Louis, Missouri – The Board reviewed the following:

- Intern Training Pharmacy Application – Special Site

Discussion was held. **Motion was made by James Riddle, seconded by Anita Parran, to approve Veterans Affairs Medical Center for 500 hours. Motion passed, all in favor, none opposed, Pam Marshall absent.**

#D10 Walgreens District Office, 13897 Corporate Woods Trail, Bridgeton, Missouri 63044 – The Board reviewed the following:

- Intern Training Pharmacy Application – Special Site

Discussion was held. **Motion was made by Elaina Wolzak, seconded by James Riddle, to approve Walgreens District Office for 500 hours. Motion passed, all in favor, none opposed, Pam Marshall absent.**

#D11 Mallinckrodt Inc., 1827 Belt Way Drive, Saint Louis, Missouri 63114 – The Board reviewed the following:

- Intern Training Pharmacy Application – Special Site

Discussion was held. **Motion was made by Anita Parran, seconded by Elaina Wolzak, to approve Mallinckrodt, Inc. for 500 hours. Motion passed, all in favor, none opposed, Pam Marshall absent.**

#DH14 Drug Distribution to Physical Therapy Clinic – The Board reviewed the following:

- Memorandum from Susan McCann dated April 10, 2007
- Email memo from Bert McClary dated April 16, 2007

Discussion was held. It was the consensus of the Board to agree with the Department of Health and Senior Services' position that a prescription is required.

THE FOLLOWING ITEMS WERE REVIEWED IN SECTION E, WHICH REQUIRED NO ACTION OR DISCUSSION.

#E1 Motion Language for New Rules/Amendments

#EH2 Drug Distributor Advisory Committee – The Board reviewed the following:

- Memo from Debra Ringgenberg dated 7/6/07

RECESS FOR LUNCH 11:22 AM – 1:02 PM

#DH13 Remote Pharmacy Services – Open Forum – There were no agenda materials for this item. Discussion topics included:

- Off-site prescription verification
- Off-site medication therapy management
- Off-site automated dispensing machines

At approximately 1:02 p.m. Gary Sobocinski convened the open forum by providing an introduction and the Board's purpose for holding this open forum regarding remote pharmacy services. Approximately 50 visitors attended the meeting and several spoke on the topic.

MOTION TO ADJOURN 2:19 PM

At approximately 2:19 p.m., motion was made by Elaina Wolzak and seconded by Anita Parran to adjourn the July 11-13, 2007 meeting. Motion passed, all in favor, none opposed, Pam Marshall absent.

DEBRA C. RINGGENBERG, R.PH.
EXECUTIVE DIRECTOR

DATE APPROVED: 12/12/07