

**OPEN MINUTES
Missouri Board of Pharmacy**

**April 17-19, 2013
Courtyard By Marriott
3301 LeMone Industrial Blvd.
Columbia, MO**

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 Pamela Marshall at 8:07 a.m. on April 17, 2013, at Courtyard By Marriott, Columbia, Missouri.

Board Members Present

Pamela Marshall, R.Ph., President
Janine Burkett, R.Ph., Vice President
Barbara Bilek, PharmD., Member
James Riddle, R.Ph., Member
Anita Parran, Public Member

Staff Present

Kimberly Grinston, Executive Director
Tom Glenski, R.Ph., Chief Inspector
George McConnell, R.Ph., Inspector
Andi Miller, PharmD, Inspector
Steve Smith, R.Ph., Inspector
Dan Vandersand, R.Ph., Inspector
Sid Werges, R.Ph., Inspector
Barbara Wood, R.Ph., Inspector
Tammy Siebert, Executive I

Staff Absent

Frank VanFleet, R.Ph., Inspector

Others Present

Curtis Thompson, Legal Counsel
Visitors as recorded in the visitor register

MOTION TO CLOSE 8:08 AM

At 8:08 a.m. Barbara Bilek made a motion, seconded by Janine Burkett, 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 324.001.8, RSMo. Motion passed, all in favor, none opposed.

MEMBERS OF THE PUBLIC LEFT THE MEETING ROOM AT 8:08 AM.

RECONVENE OPEN 9:22 AM

By motion duly made, seconded, passed and recorded in closed session minutes, the Board returned to open session at approximately 9:22 a.m.

MEMBERS OF THE PUBLIC ENTERED THE MEETING ROOM AT 9:22 AM

#A1 Agenda Additions/Corrections

Kimberly Grinston reported regarding additional information for Items #B2, #B3, #D6, and #D7, and new Item #D10A.

#A2 Board Member Report

President Marshall reported she and Kimberly Grinston attended the Missouri Pharmacy Association's Legislative Day last week. Ron Fitzwater thanked all that participated.

Barbara Bilek reported she attended the ICHP-MSHP meeting, and thanked Tom Glenski for his Missouri Law Update presentation.

#A3 General Administration Report

- **Financial Report** - Kimberly Grinston reported about the financial status of the Board's fund, and that it may need to reduce fees to avoid a sweep of funds.
- **Pharmacy Renewal Fee** – Kimberly Grinston reported she plans to wait another year to see how the reduction of pharmacist renewal fees affects the Board's funds. Ms. Grinston reported the Board's travel budget may be cut by half, but she will work to maintain it.
- **Car/Equipment Replacement** – Kimberly Grinston reported the Board is purchasing two new Ford Fusions to replace Andi Miller and Barbara Wood's state vehicles. Computers and laptops are also being replaced this year for inspectors and some office staff.
- **Rule Updates** – Kimberly Grinston reported the Board's licensing rules are in the final stages of completion; no comments were received from the public. The automated filling systems and medication therapy services rules are waiting for approval from the Governor's office before filing. Discussion was held concerning the delay.
- **NABP Annual Meeting** – Kimberly Grinston reported about the upcoming NABP Annual Meeting in May to be held in St. Louis; the Board will host a table presentation.
- **NABP Resolutions** – Kimberly Grinston reported and requested Board member concerns about the resolutions; none provided.
- **Update on Hospital Working Group** – Kimberly Grinston reported the Board's Hospital Working Group is making good progress; they are looking at a possible legislative proposal for the Board to review in July.
- **Update on Patient Safety Working Group** – Kimberly Grinston reported preliminary suggestions are to be provided to the Board by the end of this year.
- **Upcoming Webinars**

- **BNDD Regulatory Update (1.25 hours)**
- **Board Regulatory Update (1.50 hours)**
- **Inspector Roundtable (1.50 hours)**

Kimberly Grinston reported and requested Board approval for pharmacist continuing education for the listed upcoming webinars. It was Board consensus to approve the BNDD webinar for 1.25 CE hours, the Board Regulatory Update for 1.5 CE hours, and the Inspector Roundtable webinar for 1.50 CE hours.

- **CE Audit** – Kimberly Grinston reported the Board office has hired a temporary employee to review the CE audit submissions.

- **Inspection of Sterile Compounding Pharmacies** – Kimberly Grinston reported Board inspectors have stepped up inspection of sterile compounding pharmacies, have completed training, and Missouri received credit in national news about our licensing of sterile compounding pharmacies.

#A3 Approval of Minutes

- February 13, 2013 Conference Call - **Motion was made by Barbara Bilek, seconded by Janine Burkett, to approve the minutes of the February 13, 2013, open session conference call meeting as printed. Motion passed, all in favor, none opposed.**

- March 20, 2013 Conference Call - **Motion was made by Barbara Bilek, seconded by Anita Parran, to approve the minutes of the March 20, 2013, open session conference call meeting as printed. Motion passed, all in favor, none opposed.**

- March 25, 2013 Email - **Motion was made by Barbara Bilek, seconded by James Riddle, to approve the minutes of the March 25, 2013, open session email ballot meeting as printed. Motion passed, all in favor, none opposed.**

#D1 2013 Legislative Update

Kimberly Grinston reported as follows:

- SB302 Emergency Dispensing – The legislation is moving forward; hearing scheduled for today at the Capitol.

- SB303 Pharmacy Classifications – The Board was given authority to proceed with specific classes rather than its option that contained general language. Kimberly Grinston reported about her contact from Senator Schaaf about this bill; it does not relate to physician dispensing, and we may need to pull back on SB303 if it poses a problem for our legislative proposals.

- SB306 Drug Testing – Kimberly Grinston reported the Missouri Pharmacy Association has requested a sunset provision on this bill; she has concerns about what happens at the end of five years if the law sunsets.

- Prescription Monitoring Program – Ms. Grinston reported that due to the information in the news about the Department of Revenue’s database, the legislature is not pursuing anything that deals with databases.

- Right of Refusal – Ms. Grinston reported this bill is not currently moving.

- Medicaid Expansion – Ms. Grinston and Ron Fitzwater reported this bill is moving forward.

#D3 Compounding for Office Use

- Memo from NABP
- FDA Letter to PharMEDium
- 20 CSR 2220-2.400 (Proposed, with changes)

Kimberly Grinston reported; discussion was held. Sam Leveritt of Cardinal Health reported nuclear pharmacy is all for office use. Ms. Grinston requested Board guidance concerning time limits. Discussion was held. It was Board consensus that a limit should be included, but it was unsure of the appropriate time limit. It was also discussed that sterile vs. non-sterile should be considered when establishing timeframes.

#D4 Joint Health Board Meeting

Kimberly Grinston reported she attended a meeting of the executive directors for all the healthcare boards, and the presidents of all of those boards are invited to attend a Joint Health Board Meeting in May. It is anticipated that telemedicine will be discussed at the meeting.

#D6 Class B Hospital Outpatient Pharmacy Rule

Kimberly Grinston reported the Board had asked for a revision regarding hospital clinics that are not part of the licensed premise of a hospital. Discussion was held. Barbara Bilek commented the Hospital Working Group had discussions and the rule proposal reflects the Group's discussions. Bert McClary reported the rule should address access limits to the pharmacy area, the additional issue that a Class B licensed pharmacy is within the premises of a licensed hospital, and reported the main issue has to do with who really needs access to the pharmacy. Barbara Bilek commented that only "Missouri licensed practitioner authorized to administer the medication" should have access to the pharmacy area, and suggested to remove the definition in (1)(E). George Oestreich suggested removing "psychologist" and inserting "pharmacist" to (1)(E) would demonstrate that someone with medication knowledge could have access. James Gray suggested it be used as an exception--only if after-hours access is necessary; it is the pharmacist-in-charge's responsibility to ensure policy is in place for pharmacy access; and supported Barbara Bilek's suggested language.

Discussion was held regarding (4) and how it does not fit the reason for this rule. Tom Glenski suggested the Department of Health and Senior Services address this issue instead of the Board. **Motion was made by Barbara Bilek to remove (4), delete (1)(E), and make change to (3)(D) to previously discussed.** Further discussion was held. Motion failed for lack of a second. Doug Lang suggested a change be made to (3)(B) to address what needs to be document and to reference the Board's general recordkeeping rules. Kimberly Grinston suggested she make the revisions discussed today and return the rule to the Board for approval.

KIMBERLY GRINSTON LEFT THE MEETING ROOM AT 11:03 AM TO ATTEND A LEGISLATIVE HEARING IN JEFFERSON CITY.

#C1 Applications for Intern Training Pharmacy Special Site

- Charles King, PharmD – Dept of Veteran Affairs – VA Northern CA Health Care System
- CVS Pharmacy District Office
- Fort Leonard Wood Hospital
- Harrison County Community Hospital
- Ken Kester, PharmD, JD, Pharmacy Team Leader, Nebraska Heart Hospital
- MedAssets
- Regence Rx

Motion was made by Janine Burkett, seconded by Barbara Bilek, to approve the Intern Training Special Sites listed for 500 hours each. Motion passed, all in favor, none opposed.

#C2 STLCOP and UMKC College of Pharmacy

- STLCOP Site Listing
- STLCOP Preceptor Listing
- UMKC Site Listing
- UMKC Preceptor Listing

Tom Glenski reported Quentin N. Burdick Memorial was not submitted to the Board, so must be removed from STLCOP's site list, and Grove Pharmacy on UMKC's site list has the wrong permit number listed--should be #2008014865. **Motion was made by James Riddle, seconded by Janine Burkett, to approve the STLCOP and UMKC site and preceptor lists as presented, except for the changes noted. Motion passed, all in favor, none opposed.**

MOTION TO CLOSE 11:08 AM

At 11:08 a.m. Barbara Bilek made a motion, seconded by James Riddle, 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 324.001.8, RSMo. Motion passed, all in favor, none opposed.**

MEMBERS OF THE PUBLIC LEFT THE MEETING ROOM AT 11:08 AM.

RECONVENE OPEN 1:39 PM

By motion duly made, seconded, passed and recorded in closed session minutes, the Board returned to open session at approximately 1:39 p.m.

MEMBERS OF THE PUBLIC ENTERED THE MEETING ROOM AT 1:39 PM

KIMBERLY GRINSTON RETURNED TO THE MEETING AT 1:55 PM

Kimberly Grinston reported regarding the Emergency Dispensing bill hearing she attended today; liability was a concern.

#D2 Legal Contract Review

- Curt Thompson
- Newman, Comley, & Ruth
- Loretta Schouten

Kimberly Grinston reported; discussion was held. **Motion was made by Barbara Bilek, seconded by Janine Burkett, to approve the three legal contracts as printed. Motion passed, all in favor, none opposed.**

#D5 Patient Safety

- Approval of Patient Safety Definition
- President's Safety Message
 - <http://www.youtube.com/watch?v=2RZD5LlmrCE>
- Patient Safety Newsletter
- Patient Safety Survey
- Patient Safety Webinars
 - Creating a Culture of Safety - Part II (1.5 hours)
 - Effective Patient Counseling (1-1.5 hours)
 - Preventing Medication Errors - ISMP possible vendor (2.0 hours)
- Patient Safety Partnership Letter

Kimberly Grinston reported she's asked the Patient Safety Working Group to establish a definition of "patient safety." The definition will be included in the next Board newsletter. Discussion was held. Barbara Bilek suggested "empowering" in 3) be changed to "encouraging patients to become more engaged in their own healthcare" and to delete "other" in 4). Sam Leveritt suggested adding "fostering inter-professional education relationships..." in 4). **Motion was made by Barbara Bilek, seconded by Anita Parran, to approve as printed with the changes noted above. Motion passed, all in favor, none opposed.**

Kimberly Grinston reported about the Patient Safety Newsletter and a Patient Safety Survey. The Missouri Patient Safety Organization (PSO) is an option to conduct the Board's survey. Janine Burkett commented the Survey does not include a way to "grade" the pharmacy; Kimberly Grinston reported the PSO could add that function.

Kimberly Grinston reported she has asked ISMP to do a presentation to our licensees in the fall regarding preventing medication errors. The cost to the Board will be approximately \$850, and she'd like licensees to be able to earn continuing education. Discussion was held. It was Board consensus to pursue a proposal for an ISMP webinar and return it to the Board for further review.

INSPECTORS ANDI MILLER AND DAN VANDERSAND LEFT THE MEETING ROOM AT 2:25 PM.

A COURT REPORTER ENTERED THE MEETING ROOM AT 2:25 PM, ALONG WITH LORETTA SCHOUTEN, THOMAS VAUGHN, STEVEN DRYDEN AND WITNESSES FOR MR. DRYDEN.

#B1 Steven Dryden, #041231, 1519 Horseshoe Dr, Raymore, Missouri 64083

- Notice of Disciplinary Hearing
- Complaint
- Corrected Settlement Order
- Settlement Agreement

A disciplinary hearing was scheduled for April 17, 2013, at 2:30 p.m. A court reporter was present and the hearing began at approximately 2:40 p.m. Steven Dryden was present and was represented by Thomas Vaughn; the Board was represented by Loretta Schouten. The hearing was recessed at 5:30 pm due to a tornado warning and evacuation of the meeting room. The hearing resumed at 5:37 pm, and the hearing concluded at approximately 5:41 p.m. A copy of the transcript is on file with the Board of Pharmacy.

#B2 Angela Campanella, #043404, 3599 Linhorst Road, Hillsboro, Missouri 63050, #2012-007336-V1

- Notice of Hearing on Violation of Disciplinary Order
- Probation Violation Complaint

A violation of discipline hearing was scheduled for April 17, 2013, at 2:30 p.m. A court reporter was present and the hearing began at approximately 5:46 p.m. Angela Campanella was not present and was not represented by counsel; the Board was represented by Loretta Schouten. The hearing concluded at approximately 5:55 p.m. A copy of the transcript is on file with the Board of Pharmacy.

#B3 John Peer, #028198, 7021 N. Broadway, Kansas City, Missouri 64118, #2012-005460-V2

- Notice of Hearing on Violation of Disciplinary Order
- Complaint

Kimberly Grinston reported the violation of discipline hearing for John Peer scheduled for today at 3:30 p.m. has been continued.

MOTION TO CLOSE 6:06 PM

At 6:06 p.m. James Riddle made a motion, seconded by Barbara Bilek, 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 324.001.8, RSMo. Motion passed, all in favor, none opposed.

MEMBERS OF THE PUBLIC LEFT THE MEETING ROOM AT 6:07 PM.

RECONVENE OPEN 6:51 PM

By motion duly made, seconded, passed and recorded in closed session minutes, the Board returned to open session at approximately 6:51 p.m.

MEMBERS OF THE PUBLIC ENTERED THE MEETING ROOM AT 6:51 PM.

#D7 Electronic Recordkeeping Proposed Rules

- 20 CSR 2220-2.017 (Proposed)
- 20 CSR 2220-2.018 (Proposed)
- 20 CSR 2220-2.080 (Proposed)
- 20 CSR 2220-2.083 (Proposed)
- Letter from NACDS
- Comments from Express Scripts

Kimberly Grinston reported the Board received comments from National Association of Chain Drug Stores (NACDS) and Express Scripts.

20 CSR 2220-2.017 – Discussion was held. Sam Leveritt asked if dosage form should be required in (1)(F); Doug Lang commented dosage form is addressed in Express Scripts' comments. Tom Glenski clarified this rule explains what is required to be in the pharmacy's prescription record for what was dispensed.

20 CSR 2220-2.018 – Kimberly Grinston reported; discussion was held. Doug Lang commented (1)(D) "continued therapy" should be tied to previous history to determine the dosage form. Mr. Lang suggested to change it to "name, strength and dosage of drug", delete "form".

20 CSR 2220-2.080 – Kimberly Grinston reported; discussion was held concerning the comment NACDS made regarding (2)(P). It was Board consensus to make no change to the proposed rule. Discussion was held regarding comment on (7). It was Board consensus to make no change to (7). Discussion was held regarding comment received on (8); it was Board consensus to maintain the requirement for a manual logbook. President Marshall suggested to delete "and each refill" in (2)(L). Discussion was held regarding the comment received on (9). It was Board consensus to require two (2) hours in both 2.080 and 2.083. Tom Glenski reported the current rule requires two hours and have not received complaints about it.

20 CSR 2220-2.083 – Kimberly Grinston reported and discussion was held regarding (3) "reasonable request". It was Board consensus to make no change. Discussion was held regarding the timeframe for review of policies/procedures. It was consensus to require an annual review.

#D8 Consolidation of Refills

- Kansas Senate Bill No 211
- Quantity Limits
- HB 1563
- 20 CSR 2220-5.020 Proposed Amendment
- 21 CFR Section 203.1

- Frequently Asked Questions about Accrediting Hospitals in Accordance with their CMS' Certification Number (CCN)

President Marshall reported; discussion was held concerning statutory language is needed to change a prescription up or down from what is prescribed. Janine Burkett suggested to include an "opt out" option for patients to request only a 30-day supply.

RECESS OPEN FOR THE EVENING AT 8:09 PM

THURSDAY, APRIL 18, 2013

RECONVENE OPEN 8:15 AM

The Board reconvened in open session on Thursday, April 18, 2013, at 8:15 AM. All Board members were present, inspectors Sid Werges, George McConnell, Barbara Wood and Tom Glenski, plus Kimberly Grinston, Tammy Siebert, Jason Menken and Curt Thompson.

President Marshall called the meeting to order at 8:15 a.m.

MOTION TO CLOSE 8:16 AM

At 8:16 a.m. Barbara Bilek made a motion, seconded by James Riddle, 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 324.001.8, RSMo. Motion passed, all in favor, none opposed.

MEMBERS OF THE PUBLIC LEFT THE MEETING ROOM AT 8:16 AM.

RECONVENE OPEN 9:26 AM

By motion duly made, seconded, passed and recorded in closed session minutes, the Board returned to open session at approximately 9:26 p.m.

MEMBERS OF THE PUBLIC ENTERED THE MEETING ROOM AT 9:26 AM

#D9 20 CSR 2220-2.013 Prescription Delivery Requirements & Delivery By Common Carrier>Returns

Note: See materials in D: Closed

Kimberly Grinston reported; discussion was held. It was Board consensus to pursue a rule amendment. Tim Koch asked the Board to clarify third-party carrier vs. a pharmacy-owned delivery truck. Ms. Grinston reported it was not the Board's intent to require a policy/procedure for after the prescription leaves the pharmacy (given to a third-party transporter). Ms. Grinston will draft an amendment to the first sentence of (1).

Discussion was held regarding return of drugs that have been drop-site delivered. Tom Koch presented to the Board; discussion was held. Tom Glenski reported the Board's current policy for drugs that have been mailed. Mr. Glenski verified the Board will need

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to revise its return/reuse regulation. Steve Calloway asked about FedEx return of the drug to the pharmacy and the pharmacy sends it out again for a second attempt delivery. Discussion was held concerning timeframe for allowing return of medications to stock; temperature and non-temperature sensitive should be addressed in the rule change, as well as prescriptions that never leave the custody of the common carrier vs. items that are delivered and not picked up by the patient. Sam Leveritt suggested the rule require packaging for round trip delivery. It was Board consensus to maintain the current Board interpretation until 20 CSR 2220-3.040 is amended.

#D10A Implementation of HB1563

Kimberly Grinston reported; discussion was held regarding the new (1)(B)4. Bert McClary suggested to remove use of the Medicaid CCN, and he suggested using "...among hospitals and healthcare facilities under common control and ownership..." Mr. McClary also suggested to add language to prohibit repackaging operations that would not fall within this allowance. Tom Glenski reported and suggested "...from hospital pharmacy to healthcare entity and not clinic to clinic..." Discussion was held. Mr. McClary further commented the PDMA is not concerned about hospitals and healthcare facilities; Kimberly Grinston stated PDMA leaves it to the states, and the states are split as to interpretation. Barbara Bilek commented the pharmacy is responsible for the hospital clinics. It was suggested 4. be referred back to the Hospital Working Group. **Motion was made by Barbara Bilek, seconded by James Riddle, to proceed with the original 4. language, delete the new blue 4. language, and process to file it as an emergency regulation. Motion passed, all in favor, none opposed.**

MOTION TO CLOSE 11:04 AM

At 11:04 a.m. James Riddle made a motion, seconded by Barbara Bilek, 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 324.001.8, RSMo. Motion passed, all in favor, none opposed.

MEMBERS OF THE PUBLIC LEFT THE MEETING ROOM AT 11:04 AM.

RECONVENE OPEN 1:35 PM

By motion duly made, seconded, passed and recorded in closed session minutes, the Board returned to open session at approximately 1:35 p.m. Members of the public entered the meeting room.

#D6 Class B Hospital Outpatient Pharmacy Rule

Kimberly Grinston reported she made revisions last night and distributed a revised version this a.m. Ms. Grinston further reported the Board may be able to process this regulation as an emergency rule; discussion was held. **Motion was made by Barbara Bilek, seconded by Janine Burkett, to process the proposed rule as an emergency regulation. Motion passed, all in favor, none opposed.**

#D7 Electronic Recordkeeping Proposed Rules

Kimberly Grinston reported revised versions of these regulations were provided to Board members earlier today.

- **20 CSR 2220-2.017** – Discussion was held. **Motion was made by James Riddle, seconded by Janine Burkett, to approve the revised rule. Motion passed, all in favor, none opposed.**

- **20 CSR 2220-2.018** – Kimberly Grinston reported; discussion was held. **Motion was made by Barbara Bilek, seconded by Anita Parran, to approve the revised rule. Motion passed, all in favor, none opposed.**

- **20 CSR 2220-2.080** – Kimberly Grinston reported and requested Board direction on whether to identify both the input pharmacist and the pharmacist that verified the data. It was Board consensus to include only the pharmacist that verified the information. Sam Leveritt commented regarding comment #7 in that CMS requirements do not apply to all pharmacy practices. He suggested to add “if applicable” or “if required”. Discussion was held regarding comment #9 concerning whether to keep the pharmacist manual logbook requirement. Tom Glenski researched controlled substance laws/regulations to determine if a logbook or printout is required. Further discussion as held. **Motion was made by Janine Burkett, seconded by James Riddle, to delete “logbook” and instead add “including any daily printout our logbook required by state or federal law.” Motion passed, all in favor, none opposed.**

- **20 CSR 2220-2.083** – Kimberly Grinston reported; discussion was held. **Motion was made by Barbara Bilek, seconded by James Riddle, to accept the revisions as provided. Motion passed, all in favor, none opposed.**

STRATEGIC PLANNING MEETING BEGAN AT 2:10 PM

#1SP Pharmacy Technician Duties/Supervision

Kimberly Grinston reported; discussion was held. President Marshall commented (H) would be very difficult to verify pharmacist review, and suggested it be deleted. Discussion was held about tech-check-tech process. It was Board consensus for staff to revise and return to a future meeting for review.

#2SP Pharmacy Technician Certification/Training

Kimberly Grinston reported; discussion was held. Anita Parran suggested a survey be conducted, and to involve the Missouri Pharmacy Association and Missouri Society of Health-System Pharmacists. Ms. Grinston suggested “PIC shall provide training” and to remove “as established by rules of the Board.” Sam Leveritt commented nuclear technicians go through 160 hours of training. Ron Fitzwater suggested rules be “pre-drafted” in order to indicate the Board’s intent. Janine Burkett commented about

making training a responsibility of the pharmacist-in-charge. It was Board consensus for office staff to pursue drafting revisions to existing regulations, to include technician do and don't duty lists, technician training.

#3SP Pharmacist-in-Charge Timeframe for Changing PICs; Notification to Board

President Marshall reported; discussion was held. It was Board consensus to pursue a regulation change to allow PIC change notifications to the Board within 15 calendar days of the change. Kimberly Grinston reported this could be applicable for drug distributor manager-in-charge changes as well.

#4SP Pharmacist-in-Charge Mandatory Continuing Education

Kimberly Grinston reported; discussion was held. It was general consensus to not require continuing education for pharmacists-in-charge. Tom Glenski suggested PICs be required to complete the Board's Pharmacy Self-Assessment within 30 days of becoming PIC, must keep the self-assessment checklist in the pharmacy, the PIC can get continuing education from the Board if they return the back page of the assessment to the Board office, and if PIC for less than 30 days, the self-assessment would not be required. It was Board consensus to pursue a rule revision.

#5SP Pharmacist-in-Charge Responsibilities – Lack of authority to change pharmacy procedure or address compliance issues

James Riddle reported about corporate pharmacies often do not allow PICs to handle what is required within the pharmacy; discussion was held. Barbara Bilek suggested changing "must" to "shall" in 20 CSR 2220-2.090(2)(B), and also suggested adding something like "duties managed at the corporate level..." Tom Glenski suggested the Board continue to handle investigations on a case-by-case basis. Barbara Bilek suggested that in (2)(P) and (R) "insure" should be "ensure." Kimberly Grinston will review to determine if the revisions are best to be included in PIC rule or the permit rule.

#6SP Prescription Label Revisions – Should the Board change the required format?

Kimberly Grinston reported the Patient Safety Working Group may provide suggestions on this topic; no further discussion necessary at this time.

#7SP Compounding – Should the Board adopt 795 or otherwise revise 20 CSR 2220-2.400 Compounding Standards of Practice?

#8SP Compounding – Should the Board adopt 797 or otherwise revise 20 CSR 2220-2.200 Sterile Pharmaceuticals?

Kimberly Grinston reported; discussion was held. Tom Glenski provided an overview of new and removed items in USP 797 vs. 20 CSR 2220- 2.200. Ms. Grinston commented a wholesale adoption of USP 797 would be a problem, and commented it's been requested to have sterile compounding pharmacists involved in the formulation of our regulations. Bert McClary commented 797 was used as the standard of practice in hospital regulations. It was Board consensus to pursue revision of 20 CSR 2220-2.200 by merging USP 797 with our 2.200, and to revise 20 CSR 2220-2.400 after 2.200 has been completed. Kim Grinston and Tom Glenski will begin initial drafting.

Sam Leveritt inquired if the Board has completed its sterile compounding pharmacy review. Kimberly Grinston reported no alarming violations have been observed. Mr. Leveritt suggested some of those results be incorporated while revising the regulation.

#10SP 2014 Legislation – Are there any legislative proposals the Board should consider for 2014?

- 1) Barbara Bilek suggested the Medication Therapy Services statute be revised to include PharmD. She also suggested for the Hospital Working Group to look at “physician delegation to pharmacist via medical order, prescription or protocol.”
- 2) Pam Marshall suggested immunization authority be expanded to pursue adding TDAP, Gardasil and Hepatitis A and B rather than all immunizations.
- 3) Tom Glenski suggested if the legislature does not approve the Board’s pharmacy classifications request this year, the Board should request the ability to request its own classifications.
- 4) It was suggested to add epinephrine by protocol to 338.010.
- 5) Bert McClary suggested the Hospital Working Group’s recommendations be submitted.
- 6) Ron Fitzwater commented the Missouri Pharmacy Association may revise the age limit in Section 338.010 from 12 to 9 or 7 years of age. It was Board consensus to work with MPA if they pursue such a change.

#10SP 2014 Legislation - Reporting of pharmacist terminations/disciplines

Kimberly Grinston reported; discussion was held. Tom Glenski reported the Board already has the mandatory reporting rule, so a revision could be made to it. It was Board consensus to pursue an amendment to 20 CSR 2220-2.150 based on Section 383.133.

#11SP Board Newsletter – Is the Board interested in printing its own newsletter?

Kimberly Grinston reported; discussion was held. It was Board consensus to pursue the Division to prepare the Board’s quarterly newsletter.

Nuclear Pharmacy Regulations – Sam Leveritt provided an update regarding his work on proposed revisions to the Board’s nuclear pharmacy regulation.

DAN VANDERSAND ENTERED THE MEETING ROOM AT 5:05 PM

#D5 Patient Safety

- Patient Safety Partnership Letter

Kimberly Grinston reported. It was Board consensus to approve the Patient Safety Partnership letter as printed.

Well-Being Committee – Kimberly Grinston reported regarding her efforts to locate a drug abuse counselor—she has met with two individuals from Jefferson City, and has also met with two counseling groups.

#A3 General Administration Report

• Staff Updates

President Marshall presented Steve Smith with a 5-year service award.
President Marshall presented Barbara Wood with a 10-year service award.
President Marshall presented Sid Werges with a 10-year service award.

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

#E1 Licensees Presently Under Discipline

- Pharmacists
- Pharmacy Interns
- Pharmacies
- Drug Distributors
- Pharmacy Technicians – Conditional Registration
- Pharmacy Technicians – Employment Disqualification List

#E2 Board Licensee Statistics

#E3 NABP Internet Drug Outlet Report January 2013

#E4 CMS Article

MOTION TO CLOSE 5:20PM

At 5:20 p.m. James Riddle made a motion, seconded by Barbara Bilek, 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 324.001.8, RSMo. Motion passed, all in favor, none opposed.

MEMBERS OF THE PUBLIC LEFT THE MEETING ROOM AT 5:20 PM.

FRIDAY, APRIL 19, 2013

RETURN TO OPEN

By motion duly made, seconded, passed and recorded in closed session minutes, the Board returned to open session at approximately 11:38 a.m.

MOTION TO ADJOURN 11:39 AM

At approximately 11:39 a.m., motion was made by James Riddle, seconded by Barbara Bilek, to adjourn the April 17-19, 2013, meeting. Motion passed, all in favor, none opposed.

KIMBERLY A. GRINSTON
EXECUTIVE DIRECTOR

DATE APPROVED: 1/16/14