

**OPEN MINUTES**  
**Missouri Board of Pharmacy**

**January 16-17, 2014**  
**Courtyard by Marriott**  
**3301 Lemone Industrial Boulevard**  
**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 8:02 a.m. on January 16, 2014, at Courtyard by Marriott, Columbia, Missouri.

**Board Members Present**

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

**Staff Present**

Kimberly Grinston, Executive Director  
Tom Glenski, R.Ph., Chief Inspector  
Joe Dino, R.Ph., Inspector  
Bennie Dean, R.Ph., Inspector  
Andi Miller, PharmD, Inspector  
Lisa Thompson, R.Ph., Inspector  
Dan Vandersand, R.Ph., Inspector  
Frank VanFleet, R.Ph., Inspector  
Barbara Wood, R.Ph., Inspector  
Tammy Siebert, Administrative Coordinator

**Others Present**

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

**MOTION TO CLOSE 8:03 AM**

**At 8:03 a.m. Barbara Bilek made a motion, seconded by Anita Parran, 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 8:03 AM.

## **RECONVENE OPEN 9:01 AM**

By motion duly made, seconded, passed and recorded in closed session minutes, the Board returned to open session at approximately 9:01 a.m.

MEMBERS OF THE PUBLIC ENTERED THE MEETING ROOM AT 9:01AM

### **#A1 Agenda Additions/Corrections**

Kimberly Grinston reported regarding additional information for Items #A3, #C1, #C2, #D1, #D3 and new Item #D4A.

**#A2 Board Member Report** - Nothing reported.

### **#A3 General Administration Report**

- **DEA Pharmacy Diversion Awareness Conference** - Kimberly Grinston reported and commented Mike Boeger of BNDD also attended the DEA Conference.

- **Fund Sweep** - Kimberly Grinston reported; discussion was held. The Board office was approached by the Governor's office asking if the Board would be interested in designating Board funds to support the pharmacy profession to keep the Board under sweep level. Discussion was held regarding fee decreases. The pharmacist renewal fee will need to be filed as an emergency rule in order to be effective in 2014 prior to renewals. Discussion was held about how reduction of the pharmacist renewal fee will affect the fund. Further discussion to be held after the statistics are provided later in the meeting.

- **General Office Update** - Kimberly Grinston introduced Nikkie Spratt and Sylvia Ferguson as new Board staff members.

- **November Financial Report** - Kimberly Grinston reported.

- **AMA Resolution** - Kimberly Grinston reported.

- **Current Inspection Upon Renewal** - Kimberly Grinston reported.

- **Virginia Board of Pharmacy Letter to Nonresident Pharmacies**

- **2014 Legislation** - Kimberly Grinston reported the Board has received permission to proceed with its renewal and military language, as well as the hospital language. A sponsor has been identified for the renewal/military language, and is still being sought for the hospital language. Ms. Grinston reported it's important that the hospital language go through without revision; Missouri Hospital Association also wants it to go through without revision. Ms. Grinston also reminded the Board it will soon be time to discuss 2015 legislative proposals.

- **Webinar Updates** - Kimberly Grinston reported 458 signed up for and 331 actually participated in the Lunch with the Chief webinar yesterday. Tom Glenski reported smartphones and tablets do not allow the survey at the end of the Board's webinars.

- **Patient Safety Working Group Update** - Kimberly Grinston reported the health-care boards are working with the Missouri Center for Patient Safety to hold a joint Patient Safety conference in March. The Board of Pharmacy has allocated \$600 to help cover meeting expenses.

- **2014 Strategic Planning Meeting** - Kimberly Grinston reported the Board's strategic planning meeting is usually held in conjunction with its April Board meeting. Ms. Grinston reported she is searching for a speaker and a different location for the meeting, which will be held in FY15 as a "goal setting" meeting. Specific proposals will be returned to the Board at a future meeting. It was Board consensus to hold a one day meeting. President Marshall commented that MPA's Legislative Day is Wednesday, April 9<sup>th</sup>, which is the first day of our meeting. Bert McClary commented the Missouri Society of Hospital Pharmacists' meeting is April 11-13 (Friday-Sunday) and asked if the Board could move the strategic planning portion of its meeting to Thursday.

**MPJE Law Question Review** - Kimberly Grinston reported and requested Board member volunteers to assist with the MPJE Question Review.

#### **#A4 Approval of Minutes**

- April 17-19, 2013 - **Motion was made by Barbara Bilek, seconded by Anita Parran, to approve the minutes of the April 17-19, 2013, open session meeting as printed. Motion passed, all in favor, none opposed.**

- July 17, 2013 - **Motion was made by Anita Parran, seconded by Barbara Bilek, to approve the minutes of the July 17, 2013, open session meeting as printed. Motion passed, all in favor, none opposed.**

- July 21, 2013 Conference Call - **Motion was made by Janine Burkett, seconded by Barbara Bilek, to approve the minutes of the July 21, 2013, open session conference call meeting as printed. Motion passed, all in favor, none opposed.**

- July 26, 2013 Conference Call - **Motion was made by Barbara Bilek, seconded by Janine Burkett, to approve the minutes of the July 26, 2013, open session conference call meeting as printed. Motion passed, all in favor, none opposed.**

- August 15, 2013 Conference Call - **Motion was made by Barbara Bilek, seconded by Anita Parran, to approve the minutes of the August 15, 2013, open session conference call meeting as printed. Motion passed, all in favor, none opposed.**

- August 29, 2013 Conference Call - **Motion was made by Janine Burkett, seconded by Anita Parran, to approve the minutes of the August 29, 2013, open session conference call meeting as printed. Motion passed, all in favor, none opposed.**

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

#### **#D1 Drug Quality and Security Act**

- Drug Quality and Security Act - HR 3204

#### **DISCUSSION:**

Board discussion requested.

## **#D2 FDA Compounding Quality Act**

- Compounding Quality Act
- FDA Implementation of the Compounding Quality Act

### **DISCUSSION:**

Board discussion requested.

Kimberly Grinston reported concerning Items #D1 and #D2. Ms. Grinston inquired if the Board wants to regulate third-party logistics carriers. Discussion was held. It was Board consensus to table pending receipt of further direction from FDA.

Discussion was held concerning whether the Board should include a newsletter article about DQSA. It was Board consensus to hold pending further guidance from FDA.

Doug Lang questioned if compounding for office use as addressed in DQSA had been discussed by the Board.

## **#D3 Survey of Sterile Compounding Pharmacies**

- Florida Survey
- Draft of Missouri BOP Sterile Compounding Survey

### **DISCUSSION:**

Would the Board like to survey pharmacies to determine who is sterile compounding?

Kimberly Grinston reported; discussion was held. Doug Lang commented there are good and bad surveys, and inquired if the Board will request supporting documentation with the survey. Discussion was held concerning whether to send the survey to the pharmacy address or to corporate offices. Ms. Grinston stated they could be sent to both, and corporate pharmacies could be screened to determine where to send. Ms. Grinston reported the survey will also be used to determine the fiscal note for our rule amendments. **Motion was made by Barbara Bilek, seconded by Janine Burkett, to approve the survey as printed and to send to both corporate and physical pharmacy addresses. Motion passed, all in favor, none opposed.** President Marshall suggested an e-alert be sent to notify pharmacies of the upcoming survey.

Tom Glenski reported the possibility of implementing subclasses on our pharmacy permit to delineate the risk level of sterile compounding performed. It was Board consensus to pursue subclasses on our pharmacy permits.

Doug Lang inquired about out-of-state distribution sites sending compounding products into Missouri. Missouri-licensed drug distributors do not have classes, so it does not apply.

Kimberly Grinston reported the survey will assist the Board to determine the need for subcontracting a sterile compounding expert to assist with our sterile compounding inspections. Doug Lang commended he served on the NABP task force.

Sam Leveritt commented nuclear pharmacy is exempted from DQSA sterile inspections.

Ms. Grinston commented she plans to pursue additional Board staff to implement sterile inspections.

**#D4A Unlicensed Activity Complaint**

- Uniform Complaint Report from Joseph W. Luby

**DISCUSSION:**

Board discussion necessary.

Tom Glenski reported the complaint received did not list the name of a pharmacy and a court order prohibits release of the pharmacy name. Janine Burkett commented the Board cannot investigate without a specific licensee identified. **Motion was made by Janine Burkett, seconded by Anita Parran, to close the complaint because there is no licensee and/or address identified. Motion passed, all in favor, none opposed.**

**#C1 Applications for Intern Training Pharmacy Special Site**

- Alaska Native Medical Center
- Cerner Corporation
- Coast Guard Regional Practice Portsmouth Ambulatory Care Center
- Elmendorf Air Force Base
- Excelsior Springs Outpatient VA Clinic
- Federal Medical Center Carswell – Naval Air Station
- HbL Pharma Consulting
- Humana
- Illinois Dept of Human Services-Bureau of Pharmacy & Clinical Support Services
- MedLogix Communications
- Missouri Poison Center
- Northern Navajo Medical Center
- Schnuck Markets, Inc. Corporate Office
- Senior RxAccess
- South County Department of Health
- St. Louis College of Pharmacy
- St. Louis County Justice Center
- The Procter & Gamble Company
- The Rehabilitation Institute of St. Louis
- VA Medical Center, Marion, IL
- Walgreens District Office (District 306)
- Washington University Infectious Disease Clinic
- Wolters Kluwer Health
- Dept of Veterans Affairs Medical Center – John Cochran
- Essence Healthcare, Inc.

- Forest Pharmaceuticals, Inc.
- Genzyme, A Sanofi Company
- Harry S. Truman Memorial Veterans Hospital
- Kansas City Visiting Nurse Association
- Mercy Family Medicine
- North Central Community Health Center/St. Louis County Dept of Health
- St. Louis University Family Medicine/Medical Home Clinic

Tom Glenski reported additional information is in the Board member folders; i.e., the VA Medical Center added a preceptor, MedLogic changed their address, and Kansas City Visiting Nurse Association provided the CV of a nurse. Mr. Glenski reported Senior Rx Access is a licensed pharmacy and does not need to file a special site application. **Motion was made by Barbara Bilek, seconded by Anita Parran, to approve the special sites listed, except Senior Rx Access, for 500 hours each. Motion passed, all in favor, none opposed.**

**#C2 STLCOP and UMKC College of Pharmacy Annual Meeting with Board**

- STLCOP Site List
- STLCOP Preceptor List
- STLCOP Preceptor Approval – Official Approval Needed
  - a. Emails regarding emergency approval of preceptor for STLCOP, with attached resume for Dennis P. Raftery
- STLCOP Addendum Site List
- UMKC Site List
- UMKC Preceptor List

Discussion was held. **Motion was made by Barbara Bilek, seconded by Janine Burkett, to approve the STLCOP Site and Preceptor Lists. Motion passed, all in favor, none opposed.**

**Motion was made by Barbara Bilek, seconded by Janine Burkett, to approve the UMKC Site and Preceptor Lists. Motion passed, all in favor, none opposed.**

Tricia Berry and Gloria Grice were present on behalf of St. Louis College of Pharmacy and reported to the Board. It was reported STLCOP is planning their 150<sup>th</sup> anniversary in November. The school is currently interviewing for a new dean of pharmacy. Kim Holstead is currently serving as the interim dean, and Tricia Berry is serving as her assistant. It was reported a new 0-7 pharmacy school curriculum is being implemented, and includes a bachelor's degree in health sciences or health humanities after four years. An integrated model will be taught; i.e., therapeutics along with medicinal chemistry, and physical assessments are being added, which is a 2 ½ year assessment portion of the curriculum. The curriculum changes will result in a new building project--the new building will be the academic building and the existing building will be changed to the arts and sciences building. A class of 235-240 students is anticipated; no increase or decrease is expected. They have approximately 200 students that will go into rotations this year. STLCOP is increasing their research activity and one of the floors of the new building will be designated to research. Gloria Grice commented the

experiential program will remain mostly the same while the other changes around school are taking place.

Questions by Board members; discussion was held. President Marshall inquired about student feedback. It was reported the integrated bachelor's program received a lot of good feedback.

Ms. Berry commented STLCOP's accreditation visit is scheduled for February 18-20, 2013, and she asked for a Board member to participate in the process.

Angela Brownfield presented to the Board on behalf of UMKC. Ms. Brownfield reported Kathy Snella will be leaving UMKC. They have hired Dr. Paul Govens as associate dean to run the Springfield location where 30 students will attend. Interviews are currently underway for the class of 2018--95 students will be placed in Kansas City, 30 in Springfield, and 30 in Columbia for a total of 155 students. Technology is being updated on all of the UMKC campuses, and classroom restructuring is taking place.

Tom Glenski inquired about the type of license verification they do on the lists they provide to the Board for approval. STLCOP stated they use the states' websites to verify status/discipline, and continually monitor for expirations. Ms. Brownfield reported she believes they too use the states' websites, but can't say for sure since someone else handles it. Mr. Glenski suggested sites/preceptors be required to notify the schools when discipline occurs.

Tom Glenski reported the Board's new rule simply requires students to be enrolled in pharmacy school to get an intern license. STLCOP reported they require an intern license after completion of the third year, with transfer students treated the same. UMKC requires intern licenses by the end of the first month of the first year of pharmacy school.

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**

**MOTION TO CLOSE 11:30AM**

At 11:30 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 11:30PM.

### **RECONVENE OPEN 1:32PM**

By motion duly made, seconded, passed and recorded in closed session minutes, the Board returned to open session at approximately 1:32 p.m.

MEMBERS OF THE PUBLIC ENTERED THE MEETING ROOM AT 1:32 PM

### **#A3 General Administration Report**

- **Fund Sweep** - Kimberly Grinston provided reports to Board members concerning the reduction of fees. Discussion was held. **Motion was made by Barbara Bilek, seconded by Janine Burkett, to reduce fees as outlined in scenario 1a. Motion passed, all in favor, none opposed.** It was Board consensus to process it as an emergency rule amendment due to upcoming pharmacist renewals.

### **#D1 Drug Quality and Security Act**

Tom Glenski responded to Doug Lang's earlier question about allowing Missouri pharmacies to receive compounds from outsourcing facilities. Mr. Glenski commented it is currently allowed if the outsourcing facility holds a Missouri drug distributor license.

### **MOTION TO CLOSE 1:45PM**

At 1:45 p.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 1:45PM.

### **RECONVENE OPEN 2:14PM**

By motion duly made, seconded, passed and recorded in closed session minutes, the Board returned to open session at approximately 2:14 p.m.

MEMBERS OF THE PUBLIC AND A COURT REPORTER ENTERED THE MEETING ROOM AT 2:14 PM

### **#B1 Uldis V. Pironis, #040806, Jefferson City, MO 65101, #2010-007949**

- Notice of Disciplinary Hearing

- Decision on Reconsideration

The disciplinary hearing scheduled to begin at 2:30p.m. was convened at 2:41pm. President Marshall read the opening statement. Uldis Pironis and his counsel Johnny Richardson were present; Daryl Hylton represented the Board. Daryl Hylton and Johnny Richardson provided opening statements. Johnny Richardson called Uldis Pironis as a witness. Mr. Richardson requested the Board incorporate pages 104-131 and page 134 of the Administrative Hearing Commission's transcript into the record. Questions by Board members. Daryl Hylton and Johnny Richardson provided closing statements. The hearing was adjourned at 3:46pm. A transcript of the proceedings is on file with the Board.

**#B2 Jefferson City Apothecary, #2013010139, 1739 Elm Court, Ste 108, Jefferson City, MO 65101, #2010-005303**

- Notice of Disciplinary Hearing
- Decision on Reconsideration

The disciplinary hearing scheduled to begin at 2:30p.m., second case, was convened at 3:58pm. President Marshall read the opening statement. Uldis Pironis and his counsel Johnny Richardson were present; Daryl Hylton represented the Board. Daryl Hylton requested and the Board accepted into evidence the testimony and exhibits from Uldis Pironis' hearing. The parties waived closing statements. The hearing was adjourned at 4:06pm. A transcript of the proceedings is on file with the Board.

**MOTION TO CLOSE 4:12PM**

At 4:12 p.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 4:12PM.

**FRIDAY, JANUARY 17, 2014**

**RECONVENE OPEN 10:25AM**

By motion duly made, seconded, passed and recorded in closed session minutes, the Board returned to open session at approximately 10:25 a.m. on Friday, January 17, 2014.

TINA CROW HALCOMB AND A COURT REPORTER ENTERED THE MEETING ROOM AT 10:25 AM

**#B3 Mary R. Richardson, #029924, Kansas City, MO 64155, #2013-004480**

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

The probation violation hearing scheduled to begin at 10:30 a.m. was convened at 10:40 a.m. President Marshall read the opening statement. Mary Richardson nor her counsel was present; Tina Crow Halcomb was present for the Board. The hearing was adjourned at 10:48 a.m. A transcript of the proceedings is on file with the Board.

**MOTION TO CLOSE 10:50AM**

**At 10:50 a.m. Barbara Bilek made a motion, seconded by Anita Parran, 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.**

THE COURT REPORTER LEFT THE MEETING ROOM AT 10:50AM

**RECONVENE OPEN 12:42PM**

By motion duly made, seconded, passed and recorded in closed session minutes, the Board returned to open session at approximately 12:42 p.m.

**2014 Scheduled Conference Calls**

Janine Burkett stated she has a conflict with the February 13th conference call and requested that it be rescheduled to February 19, 2014, at 4:00pm. Discussion was held regarding start times for future conference calls. It was Board consensus as follows:

March 12 - 4:30 pm

May 7 - 4:00 pm

June 11 - 6:00 pm

August 19 - 4:00 pm

September 17 - 4:00 pm

November 12 - 4:00 pm

December 17 - 4:00 pm

**MOTION TO ADJOURN 12:55 PM**

**At approximately 12:55 p.m., motion was made by Barbara Bilek, seconded by Anita Parran, to adjourn the January 16-17, 2014, meeting. Motion passed, all in favor, none opposed.**

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KIMBERLY A. GRINSTON  
EXECUTIVE DIRECTOR

DATE APPROVED: 10/16/14