

**OPEN MINUTES  
Missouri Board of Pharmacy**

**July 15-16, 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 8:10 a.m. on July 15, 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  
Tammy Siebert, Administrative Coordinator

**Staff Absent**

Frank VanFleet, R.Ph., Inspector  
Barbara Wood, R.Ph., Inspector

**Others Present**

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

**MOTION TO CLOSE 8:10 AM**

**At 8:10 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 3:0:0:0 with roll call vote as follows:**

**Barbara Bilek – yes**

**Janine Burkett – yes**

**Anita Parran – yes**

Missouri Board of Pharmacy  
Open Minutes  
July 15-16, 2014  
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## **RETURN TO OPEN**

By motion duly made, seconded, passed and recorded in closed session minutes, the Board returned to open session at approximately 9:10 a.m.

MEMBERS OF THE PUBLIC ENTERED THE MEETING ROOM AT 9:10 AM

PRESIDENT MARSHALL CALLED THE OPEN SESSION MEETING TO ORDER AT 9:11 AM

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

Kimberly Grinston reported regarding new Items #A4A, #A5A, #D13A and #D14A.

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

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

- **Financial Report** - Kimberly Grinston reported.
- **NABP Meeting Update** - Kimberly Grinston reported she, Janine Burkett and Pam Marshall attended the NABP Annual meeting in May. Ms. Grinston commented the Drug Quality & Security Act was discussed; all states are handling it differently.
  - **District 6, 7 & 8 Meeting** - Kimberly Grinston announced the District 6, 7, & Meeting is scheduled for September 21-24 at Whitefish, Montana. Barbara Bilek requested to attend.
  - **Sterile Compounding Training** - Tom Glenski reported seven inspectors attended a sterile compounding training at Campbell University in North Carolina. Discussion was held.
  - **MO State Board of Pharmacy Training Agenda** - Nothing reported.
  - **Rule Update** - Kimberly Grinston reported the status of rules pending review by the Governor's office. The Governor's staff has changed and processes have slowed due to those changes. The Board's emergency fee decrease rule was approved and is effective 7/18/14 for pharmacist and intern renewal fees. The permanent fee rule change will include a technician renewal fee decrease.
  - **Patient Safety Conference** - Kimberly Grinston reported a Joint Regulatory Patient Safety Conference is scheduled for August 7<sup>th</sup> in Columbia, Missouri. The Board's portion of the cost for the conference is approximately \$1,000; the conference is free for attendees.
  - **Update on Patient Safety Survey** - Kimberly Grinston reported the Office of Administration was not comfortable with the Board conducting the survey without going through the bid process, and OA won't allow the cost to be split over two fiscal years. Ms. Grinston suggested the survey sample size be lowered. Discussion was held. It was Board consensus to survey as many licensees as possible for no more than \$3,000.

### **#D10 ASPL: Developments in Pharmacy Law Seminar**

- <http://www.aspl.org/annual-conference>

Kimberly Grinston reported she plans to attend this meeting in California on November 6-9, 2014.

#### **#A4A Approval of Minutes**

• February 19, 2014 Conference Call - **Motion was made by Barbara Bilek, seconded by Anita Parran, to approve the minutes of the February 19, 2014, open session conference call meeting as printed. Motion passed 3:0:0:0 with roll call vote as follows:**

**Barbara Bilek – yes**

**Janine Burkett – yes**

**Anita Parran – yes**

• June 5, 2014 Email Ballot - **Motion was made by Barbara Bilek, seconded by Janine Burkett, to approve the minutes of the June 5, 2014, open session email ballot meeting as printed. Motion passed 3:0:0:0 with roll call vote as follows:**

**Barbara Bilek – yes**

**Janine Burkett – yes**

**Anita Parran – yes**

#### **#A5A 2015 Proposed Meeting Dates**

President Marshall reported the NABP Annual Meeting is scheduled for May 16-19 and May 20<sup>th</sup> would be a travel day; it was consensus that the May conference call be scheduled for May 14<sup>th</sup>. Janine Burkett commented she has a conflict with March 18<sup>th</sup>; it was consensus to change the March conference call to March 25<sup>th</sup>. Discussion was held about the July meeting dates; no change was made. Columbia is preferred location due to its central location. Kimberly Grinston suggested a regular strategic planning meeting be held in April and March 25<sup>th</sup> be a separate “goal setting” meeting for the Board at a different location. The April meeting will only need to be a two-day meeting. It was Board consensus to schedule conference calls to begin at 3:00 pm.

#### **#B1 Michael L. Walker, #028605, 225 Covered Wagon Rd, Jefferson City, MO 65109, #2013-004642**

- Notice of Violation of Discipline Hearing
- Violation Complaint

The violation of discipline hearing scheduled for 1:30pm has been cancelled due to settlement.

#### **#B2 Joshua Horsman, #2004034762, 8133 Briarhaven Trail #101, St. Louis, MO 63123, #2010-007303**

- Notice of Disciplinary Hearing
- Stipulation of Cause to Discipline
- Consent Order

The disciplinary hearing scheduled for 1:30pm has been cancelled due to settlement.

#### **#C3 Applications for Special Site or Non-Pharmacist Preceptor**

- Ascension Health Corporate office
- Astellas Way
- Ayder Referral Hospital- Mekelle University, College of Health Sciences
- Clement J Zablocki VA Medical Center
- Common Ground International

- FDB. Inc.
- Hope Family Care Center
- Kansas City VA Medical Center
- Little Hills Healthcare LLC D/b/a Center Pointe Hospital
- Mineral Area Regional Medical Center
- PI ARM
- Rite Aid District Office
- Samuel U. Rodgers Health Center
- Trinity College Dublin, The School of Pharmacy and Pharmaceutical Sciences
- US DHHS, Centers for Medicare & Medicaid Services, Division of Medicare Health Plans Operations.

President Marshall inquired if there's a preceptor present at out-of-country sites; Tom Glenski reported there is. Tom Glenski reported the Board needs additional information for the Common Ground International application. **Motion was made by Janine Burkett, seconded by Barbara Bilek, to approve the special sites/non-pharmacist preceptor applications listed for 500 hours each, except for Common Ground International. Motion passed 3:0:0:0 with roll call vote as follows:**

**Barbara Bilek – yes                      Janine Burkett – yes                      Anita Parran – yes**

**#C1 STLCOP Site/Preceptor lists**

- STLCOP Site list
- STLCOP preceptor list

**Motion was made by Barbara Bilek, seconded by Janine Burkett, to approve the STLCOP site and preceptor lists as presented. Motion passed 3:0:0:0 with roll call vote as follows:**

**Barbara Bilek – yes                      Janine Burkett – yes                      Anita Parran – yes**

**#C2 UMKC Site/Preceptor List**

- Site List
- Preceptor List

**Motion was made by Barbara Bilek, seconded by Janine Burkett, to approve the UMKC site and preceptor lists as presented. Motion passed 3:0:0:0 with roll call vote as follows:**

**Barbara Bilek – yes                      Janine Burkett – yes                      Anita Parran – yes**

**#D1 Election of Officers**

- <http://www.moga.mo.gov/statutes/C300-399/3380000120.HTM>

President - **Motion was made by Anita Parran, seconded by Barbara Bilek, to nominate and elect Janine Burkett for President. Motion passed 4:0:0:0 with roll call vote as follows:**

**Barbara Bilek – yes                      Janine Burkett – yes                      Anita Parran – yes**  
**Pam Marshall - yes**

Vice President - **Motion was made by Barbara Bilek, seconded by Anita Parran, to nominate and elect Pam Marshall for Vice President. Motion passed 4:0:0:0 with roll call vote as follows:**

**Barbara Bilek – yes  
Pam Marshall - yes**

**Janine Burkett – yes**

**Anita Parran – yes**

#### **#D2 Webinar Updates**

Kimberly Grinston reported the next Lunch With The Chief webinar is scheduled for Thursday this week; approximately 200 individuals have registered. A BNDD Update webinar is scheduled for 8/21/14. Barbara Bilek commented a lot of positive feedback has been received about the Board's webinars.

#### **#D3 Revision of 20 CSR 2220-2.650 and Documentation of Patient Counseling Requirements**

- Copy of 20 CSR 2220-2.650
- See D10-Closed for more information

Kimberly Grinston and Tom Glenski reported; discussion was held. Tom Glenski commented various revisions are needed to this regulation when it is opened for amendment. It was Board consensus for staff to draft changes and return it to a future meeting.

#### **#D4 Sterile Compounding Rule Update**

Kimberly Grinston reported results for the Board's Sterile Compounding Survey are in the Board member folders. All permit classes were surveyed for non-resident pharmacies and only Class H permits were surveyed for instate pharmacies. Ms. Grinston reported approximately 21% are doing risk level 3 compounding.

#### **#D5 2014 Legislative Actions**

- Senate Bill NO. 808 <http://www.senate.mo.gov/14info/pdf-bill/tat/SB808.pdf>
- 2014 "TAFP" Legislative Summary
- Bills that didn't pass

Kimberly Grinston reported updated lists are in Board member folders; nearly all bills have now been signed. SB808 and SB716 passed. Ms. Grinston thanked the Hospital Working Group and everyone involved for their work on this legislation. Changes include that hepatitis A and B, and tetanus, diphtheria and pertussis have been added to vaccines that can be administered by protocol. Ms. Grinston reported a pharmacist's Notification of Intent is good for all vaccines, protocols must be updated to include the additional vaccines, and primary care physician 14-day notification for any vaccine is now mandatory because it's in statute. President Marshall also thanked the Missouri Pharmacy Association for its work on SB808.

Kimberly Grinston reported the Board's August newsletter will include information about the statutory changes to be effective 8/28/14. SB808 clarifies that vaccines shall be administered with treatment guidelines established by the Centers for Disease Control and Prevention (CDC). Discussion was held about what's a "safe amount of time" to

keep the patient in the pharmacy following administration. It was Board consensus to allow a pharmacist to use his/her professional judgment in this situation. Ms. Grinston reported the law now requires a “certificate for immunization,” and the pharmacist’s Notification of Intent submission should be posted in the pharmacy as proof of authorization to immunize. It was Board consensus to allow a list to be maintained at the pharmacy; electronically is also acceptable.

The Board’s hospital language proposal was also approved. Ms. Grinston reported and suggested the Department of Health and Senior Service’s proposed rules be used as a starting point for the Board’s rulemaking process. It was suggested DHSS’s rules be included on the August conference call.

#### **#D11 Gov Delivery-Presentation by Chris Cline**

Chris Cline, Director of Communications for the Department of Insurance, Financial Institutions and Professional Registration, and his assistant Yara Klimchak were present at approximately 10:40am and presented to the Board about the state’s GovDelivery system. Gov-Delivery allows for analysis of received/opened/read emails, for sending alerts when updates are made to the Board’s website, offers a mechanism for posting to Facebook, and is provided at no cost. Curt Thompson inquired if email addresses are shared; Mr. Cline stated they are not sold and that Gov-Delivery is a third party vendor. Mr. Thompson voiced concern that email addresses are not considered public information and are being shared with a third-party vendor. Chris Cline reported about the possibility of the Board establishing a Facebook page; confidentiality and archiving are still being researched. Discussion was held about public education concerning the use of Gov-Delivery if the Board were to decide to implement it. NABP’s e-alerts could be used to initially notify the approximately 4,000 individuals registered to receive the Board’s e-alerts.

Mr. Cline reported text messages can be sent to notify when Gov-Delivery alerts are sent. Curt Thompson asked what information is under the control of the third-party vendor. Mr. Cline reported distribution lists as well as alert content are possessed by Gov-Delivery. Inquiry was also made about what information is retained on servers and whether there is a backup system. It was clarified that the social media portion of the presentation is completely separate from Gov-Delivery.

#### **#D12 BNDD Update with Mike Boeger**

Mike Boeger presented to the Board at approximately 11:05am and reported BNDD is in the process of renewing the pseudoephedrine tracking database contract which expires December 2014. He also reported that Bert McClary plans to retire after 48 years; DHSS is in the process of seeking a replacement. Governor Nixon signed legislation that allows for “assistant physician” level of prescriber. Funding is required and unless a funding source is identified, it won’t be implemented.

Mr. Boeger reported Governor Nixon signed the hemp oil bill and explained that it authorizes only two growers that will be licensed by the Department of Agriculture. The

Department of Health will oversee hemp oil dispensing and patients must qualify to receive it.

Mr. Boeger reported he attended a FDA compounding meeting in Washington, DC, will attend the Joint Regulatory Patient Safety Conference, and he will present a BNDD Update webinar on 8/21/14. He reported various rules are being processed and the Criminal Code has been rewritten with an effective date of 1/1/17. He indicated he will make a third trip since March to Washington to address Missouri's controlled drug abuse problem. DHSS has applied for a health department grant available from CDC. \$500,000 will be available for three years and will require the Board of Healing Arts to publish a guideline for prescribing opiates for pain, requires regulation for management of pain clinics, and requires an educational brochure for proper patient handling of prescription drugs.

MOHealthNet's Opiate Intervention Project is a mechanism for MoHealthNet to monitor data for prescription fraud, doctor shopping, patients enrolled in drug court and receiving new opiate prescriptions, no pain diagnosis, and alerts prescribers about patients seeing more than one prescriber for controlled substances.

Mr. Boeger also reported it has been published in the Federal Register for Tramadol to move to a Class 4 controlled substances effective 8/18/14.

Mr. Boeger reported a federal grant is available to four states. Discussion was held about the grant.

Lastly, Mr. Boeger responded to questions by the Board.

#### **#D6 2015 Legislative Actions**

- Renewal Proposal
- Mandatory Reporting
- Revised Disciplinary Language
- Administration of Emergency Meds After Immunization
- Corrective Action Plans

Kimberly Grinston reported the time to submit 2015 legislative proposals is approaching; some items in the agenda have been previously reviewed and others are new.

**Mandatory Discipline Reporting** - Ms. Grinston reported this proposal would be a new statute and is for governmental actions only; discussion was held. Ms. Grinston suggested to add "any final adverse action." It was Board consensus to define the reporting deadline in regulation rather than statute, and to pursue it as a separate statute rather than including it in Section 338.055. President Marshall suggested other licenses such as Medicaid/Medicare, employment disqualification, etc., be added to this language. Pharmacy and drug outsourcing facility should be added to (2).

**Renewal Proposal** - It was Board consensus to pursue as printed.

**Revised Disciplinary Language** - Kimberly Grinston reported she reviewed the Board of Nursing's and the Board of Healing Arts' disciplinary statutes and determined our Board's reasons for discipline need to be expanded. Discussion was held. Ms. Grinston reported that if the Board does a stand alone statute, (21) and (22) will be deleted. Mike Boeger commented controlled substance statutes have been deleted so specifically naming Chapter 195 is not appropriate, and "state/federal controlled substance drug law/rule" language is suggested instead.

**Administration of Emergency Meds After Immunization** - Kimberly Grinston asked if the Board would like to resubmit legislative proposal from 2013-2014 allowing pharmacists to administer emergency medication after immunization. It was Board consensus to submit proposal allowing administration of epinephrine and diphenhydramine.

**Corrective Action Plans** - Kimberly Grinston reported; discussion was held about whether 30 days is calendar or business days. Curt Thompson stated that 30 days is 30 consecutive days. Discussion was held that if the Board's current process is working, is this necessary? It was Board consensus to monitor for statistics and not pursue at this time.

**Section 338.100** - Tom Glenski suggested Section 338.100 be amended so that hard copy prescriptions are not required for electronic prescriptions. It was Board consensus to draft legislative proposal for submission.

**MOTION TO CLOSE 12:04 PM**

**At 12:04 p.m. Anita Parran 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 3:0:0:0 with roll call vote as follows:**

**Barbara Bilek – yes                      Janine Burkett – yes                      Anita Parran – yes**

MEMBERS OF THE PUBLIC LEFT THE MEETING ROOM AT 12:04 PM

**RETURN TO OPEN**

By motion duly made, seconded, passed and recorded in closed session minutes, the Board returned to open session at approximately 1:29 p.m.

MEMBERS OF THE PUBLIC ENTERED THE MEETING ROOM AT 1:29 PM

**#D6 2015 Legislative Actions**

**Section 338.100 - Motion was made by Barbara Bilek, seconded by Janine Burkett, to propose an amendment to Section 338.100 that does not require**

hardcopy prescriptions on electronically submitted prescriptions. Motion passed 3:0:0:0 with roll call vote as follows:

Barbara Bilek – yes                      Janine Burkett – yes                      Anita Parran – yes

**#D7 Reporting of Pharmacist Discipline**

- Missouri Revised Statutes 383.130
- Missouri Revised Statutes 383.133
- Mandatory Reporting of Pharmacist Discipline
- Pharmacist Disciplinary Action Reporting

Kimberly Grinston reported; discussion was held. **Motion was made by Janine Burkett, seconded by Barbara Bilek, to proceed with finalizing. Motion passed 3:0:0:0 with roll call vote as follows:**

Barbara Bilek – yes                      Janine Burkett – yes                      Anita Parran – yes

Further discussion will be held in closed session concerning education about this requirement.

**#D8 Pharmacy Technician Revisions**

- Technician Duties

Kimberly Grinston reported; discussion was held concerning technicians accepting/receiving verbal controlled substance prescriptions. Comments were provided by John O’Dwyer, Sam Leveritt, Doug Lang, Christian Tadrus and Bert McClary. It was Board consensus to not allow technicians to accept/receive a controlled substance prescription (new or renewal). **Motion was made by Barbara Bilek, seconded by Anita Parran, to approve the amendments to Missouri regulation 20 CSR 2220-2.700 as printed with the revision as previously discussed. Motion passed 3:0:0:0 with roll call vote as follows:**

Barbara Bilek – yes                      Janine Burkett – yes                      Anita Parran – yes

**#D9 Red Flags Video**

Kimberly Grinston reported. It was Board consensus to post the Red Flags video to the Board’s website. Doug Lang inquired if the Board had considered offering pharmacist continuing education for reviewing the video. It was suggested the video be noted in the next Board newsletter.

**#D13A BNDD Employment Waivers**

- BNDD Waiver For Employment Application  
<http://health.mo.gov/safety/bnnd/pdf/BNDDWaiver.pdf>

**DISCUSSION:**

Would the Board like to give applicants the opportunity to withdraw their applications if a waiver may be required?

Kimberly Grinston reported; discussion was held. It was Board consensus to maintain the Board’s current process, and research language about what can be released to employers about pending applications.

**#D14A Do correctional facilities (state/local) qualify as “licensed” health care Facilities under 20 CSR 2220-2.900?**

- 20 CSR 2220-2.140
- 20 CSR 2220-2.900

**DISCUSSION REQUESTED:**

Tom Glenski reported the Board’s rules require that the facility be licensed; discussion was held. Bert McClary commented automated dispensing machines should be utilized as opposed to floor stock, etc. It was Board consensus to amend the regulation.

**STRATEGIC PLANNING AGENDA:**

**1. Hospital Working Group** - Does the Board want to continue active meetings of the Hospital Pharmacy Working Group?

President Marshall and Kimberly Grinston reported; discussion was held. SB808 authorized an advisory committee. Bert McClary commented. It was Board consensus to maintain the Board’s Hospital Working Group and to schedule a meeting prior to the August conference call.

**2. Automatic Refills** - Should the Board require additional safeguards prior to shipping automatic refills (i.e.- patient consent, patient notification)?

President Marshall and Kimberly Grinston reported; discussion was held. James Gray commented about a specific incident of duplication of medication therapies. Doug Lang and Phil Wickizer commented patient consent must be obtained before CMS will pay for automatic refills, patients must opt in and again opt out to discontinue automatic refills. Christian Tadrus commented follow up should be required to ensure patient is taking medication appropriately. Steve Calloway commented pharmacists share the risk for proper patient care and this is an opportunity for patient counseling. Board discussion was held about the complexity of writing regulations to accommodate automatic refills. It was Board consensus to make no change to current Board interpretation.

**3. Compounding for Office Use** - Kimberly Grinston reported; discussion was held. Comments were offered by Steve Calloway, Doug Lang, John O’Dwyer about writing the rule for topical, non-sterile products only, and about adding a proposed geographic restriction. Christine Tadrus commented some of the Missouri Pharmacy Association’s membership is interested in compounding for office use. It was Board consensus to communicate with the Governor’s office to request feedback about the subject matter and to pursue a proposed regulation with certain restrictions if the Governor’s office provides positive feedback. Ms. Grinston suggested comments could be requested in the Board’s newsletter.

**4. Prescription Labeling** - Should the Board amend Missouri law to clarify which pharmacy should be designated on the prescription label? For example, which pharmacy’s name should be included if an Rx is filled under a Class-J arrangement (i.e.- data verification pharmacy, shipping pharmacy)?

President Marshall reported; discussion was held. Janine Burkett commented the telephone number of the responsible pharmacy should be on the prescription label. Discussion was held about who is responsible for dispensing and patient counseling. Doug Lang inquired if the Board's shared services rule could be amended to address the labeling question or if it must be addressed by statute.

**5. Charitable Services** - Should the Board amend Missouri law to allow pharmacists to dispense prescriptions on the premises of a public health office or other charitable organization?

President Marshall reported; discussion was held. James Gray commented that if a pharmacist is not involved, an unqualified person may do it. Barbara Bilek commented that a pharmacist can voluntarily agree to offer their services as an individual, not as a licensed pharmacist. John O'Dwyer asked if the Board would overlook a pharmacist volunteering in an unlicensed facility. Curt Thompson commented pharmacist liability muddies the situation. Kimberly Grinston reported other professions have allowances for temporary facilities to provide pharmacy services. Phil Wickizer commented Arizona has language that could be researched.

**6. Automated Prescription Self-Service Devices** - Would the Board like to address automated prescription self-service devices?

Kimberly Grinston reported such machines would allow prescriptions to be dispensed from a facility not licensed as a pharmacy and/or not a licensed healthcare facility. Doug Lang commented. It was Board consensus technology is moving fast and the Board should begin looking at these types of devices.

**7. Patient Safety Working Group** - Review of Patient Safety Working Group recommendations.

President Marshall thanked members of the Patient Safety Working Group, and she read a letter from Becky Miller of the Center for Patient Safety. The Patient Safety Working Group's recommendations were emailed to Board members July 11, 2014. Discussion was held. Barbara Bilek commented about adopting national patient safety goals. It was commented that the Joint Regulatory Patient Safety meeting to be held in August is a step in the right direction for collaboration with other regulatory agencies for the good of the patient. President Marshall suggested the Board's patient safety survey be sent and then review the Group's recommendations. Steve Calloway suggested a meeting be held by the regulatory boards following the 8/7/14 meeting to discuss what can be pursued.

**8. Revenue Sharing Agreements** - Should the Board amend Missouri law to address prescription revenue sharing agreements between pharmacists and prescribers [D-13/October 2013]?

Kimberly Grinston reported this somewhat relates to coupons offered by pharmacies; discussion was held. It was Board consensus to not pursue this matter.

**10. Sharing Pharmacy Space** - Should the Board address sharing of pharmacy space with other healthcare providers? Can a pharmacy store drugs for other healthcare providers?

Discussion was held about storage issues, nurses accessing the pharmacy, and the second question of sharing the same confined area with another healthcare provider such as a nurse. Tom Glenski commented the nurse would be required to be a drug distributor if the pharmacy is receiving drugs from the nurse. It was Board consensus to research collaborative care options/issues.

**9. Drug Quality and Security Act** - Implementation of DQSA:

- How does the Board want to license outsourcers?
- How does the Board want to license 3PLs?
- Should we establish different inspection standards for outsourcers?
- Can an outsourcer/pharmacy share the same space?
- Discipline for compliance with federal requirements?

Kimberly Grinston reported the Governor's office is asking how the Board plans to handle outsourcers. Discussion was held. President Marshall suggested the Board establish classifications for drug distributor outsourcers. Tom Glenski reported SB808 exempted hospitals from being a drug distributor outsourcer--if within the hospital, the Department of Health and Senior Services would have inspection jurisdiction over the facility, but if away from the hospital site, DHSS would not have jurisdiction. Tom Glenski further reported third-party logistic service providers can no longer be licensed as a drug distributor. Janine Burkett commented to license them as 3PLs instead of as a drug distributor. Discussion was held about an entity being licensed as both a 3PL and a drug distributor. Further discussion was held about Board staffing needs to implement SB808 and the DQSA. The last three questions listed were held pending discussions with the Governor's office.

**MOTION TO CLOSE 5:47 PM**

**At 5:47 p.m. Anita Parran 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, 3:0:0:0 with roll call vote as follows:**

**Barbara Bilek – yes**

**Janine Burkett – yes**

**Anita Parran – yes**

**MEMBERS OF THE PUBLIC LEFT THE MEETING ROOM AT 5:48 PM.**

**RECONVENE OPEN 11:33AM**  
**WEDNESDAY, JULY 16, 2014**

By motion duly made, seconded, passed and recorded in closed session minutes, the Board returned to open session at approximately 11:33 a.m. on Wednesday, July 16, 2014.

MEMBERS OF THE PUBLIC ENTERED THE MEETING ROOM AT 11:33AM

**#D6 2015 Legislative Actions**

- Renewal Proposal
- Mandatory Reporting
- Revised Disciplinary Language
- Administration of Emergency Meds After Immunization
- Corrective Action Plans

Kimberly Grinston reported she revised several of the 2015 legislative proposals, and distributed printed copies of the revisions.

**Mandatory Discipline Reporting - Motion was made by Barbara Bilek, seconded by Anita Parran, to approve this proposal with the addition of “including, but not limited to,” in (3). Motion passed 3:0:0:0 with roll call vote as follows:**

**Barbara Bilek – yes                      Janine Burkett – yes                      Anita Parran – yes**

**Revised Disciplinary Language - Discussion was held. Sam Leveritt reminded the Board of Mike Boeger’s comment about Chapter 195. Motion was made by Barbara Bilek, seconded by Janine Burkett, to approve the amendments to Section 338.055, RSMo, as printed. Motion passed 3:0:0:0 with roll call vote as follows:**

**Barbara Bilek – yes                      Janine Burkett – yes                      Anita Parran – yes**

**Section 338.100 - Kimberly Grinston reported; discussion was held. Motion was made by Barbara Bilek, seconded by Janine Burkett, to approve as printed, with addition of “must maintain records for five years” in subsection 4. Motion passed 3:0:0:0 with roll call vote as follows:**

**Barbara Bilek – yes                      Janine Burkett – yes                      Anita Parran – yes**

**Outsourcers - Kimberly Grinston reported; discussion was held. It was Board consensus to file a placeholder and the language will be reviewed during the next conference call meeting.**

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

**#E1 What Other Professional Medical Associations Say about Participation in Executions?**

**#E2 Board Licensee Statistics**

- Licensee Counts

- Inspections/Investigations

**#E3 Licensees Currently Under Discipline**

- Pharmacists
- Interns
- Pharmacies
- Drug Distributors
- Employment Disqualification List
- Conditional Registration List

**MOTION TO CLOSE 11:51AM**

At 11:51 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 3:0:0:0 with roll call vote as follows:

Barbara Bilek – yes                      Janine Burkett – yes                      Anita Parran – yes

MEMBERS OF THE PUBLIC LEFT THE MEETING ROOM AT 11:51 AM.

**RECONVENE OPEN 2:37PM**

By motion duly made, seconded, passed and recorded in closed session minutes, the Board returned to open session at approximately 2:37 p.m.

**MOTION TO ADJOURN 2:38 PM**

At approximately 2:38 p.m., motion was made by Janine Burkett, seconded by Barbara Bilek, to adjourn the July 15-16, 2014, meeting. Motion passed 3:0:0:0 with roll call vote as follows:

Barbara Bilek – yes                      Janine Burkett – yes                      Anita Parran – yes

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KIMBERLY A. GRINSTON  
EXECUTIVE DIRECTOR

DATE APPROVED: 1/14/2015