

OPEN MINUTES
Missouri Board of Pharmacy

July 14-15, 2015
Holiday Inn Express & Suites
1402 Cinnamon Hill Lane
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 Janine Burkett at approximately 8:08 a.m. on July 14, 2015, at Holiday Inn Express & Suites, Columbia, Missouri.

Board Members Present

Janine Burkett, R.Ph., President
Pamela Marshall, R.Ph., Vice President
Barbara Bilek, PharmD., Member
Christina Lindsay, PharmD., Member
Christian Tadrus, R.Ph., Member

Staff Present

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

Board Members/Staff Absent

Anita Parran, Public Member

Others Present

Curtis Thompson, Legal Counsel

MOTION TO CLOSE 8:09 A.M.

At 8:09 a.m., Barbara Bilek made a motion, seconded by Pamela Marshall, 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

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610.021(1), (3), (5), (7), (13), (14), (17) and (20), RSMo, and under Section 324.001.8, and .9, RSMo. Motion passed 4:0:0:1 with roll call vote as follows:

Barbara Bilek – yes Pamela Marshall – yes Anita Parran – absent
Christina Lindsay – yes Christian Tadrus- yes

MEMBERS OF THE PUBLIC LEFT THE MEETING ROOM AT 8:09 AM

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 A.M

PRESIDENT BURKETT CALLED THE OPEN SESSION MEETING TO ORDER AT APPROXIMATELY 9:12 A.M.

General Discussion: President Burkett introduced Christian Tadrus as the newest Board member.

#A1 Agenda Additions/Corrections

Kimberly Grinston reported items D10A, D11A, D12A, D13H and E6 were added to the open session agenda.

#A2 Board Member Report

DISCUSSION: Pamela Marshall reported that she attended the NABP annual meeting in New Orleans in May along with Christina Lindsay. Ms. Marshall reported presentations were made regarding prescription drug abuse, the federal DQSA, and the recent North Carolina Dental Board case. Ms. Marshall also reported that a proposed national prescription monitoring program was discussed that NABP is opposed to. Ms. Marshall indicated Bahamas was voted into NABP as a new member and reported record attendance during this year's meeting.

#A3 General Administration Report

DISCUSSION: Kimberly Grinston provided the following updates:

- Licensing System/Renewals: Pharmacy and drug distributor renewals will be mailed in early August and the new licensing system has been delayed until approximately Thanksgiving.
- Staff Changes: Kelly Bowers, Pharmacist Coordinator, resigned her position with the Board and Lori Coleman has been hired as the new Technician Coordinator. A postcard was mailed to pharmacist licensees to advertise the new inspector position because of significant newspaper classified costs. Interviews have been conducted for the new Senior Office Support Assistant position. Two (2) employment offers have been rejected, however, the search is still ongoing.

- Inspection Survey: The survey will be announced in the August newsletter. Only fourteen (14) responses have been received. Survey cards will be provided at the end of an inspection. Survey Gizmo is being used to compile results.
- Financial Update: The end of the fiscal year is approaching and the Board fund continues to increase. A representative from the Governor’s office will meet with the Board on July 15, 2015, to discuss ways to reduce the fund by contributing to a pharmacy related proposal similar to the Nursing “Caring4Missourians” program.
- Rule Update: The medication therapy services rule is still waiting for Governor approval. The emergency fee reduction rule has been approved to decrease pharmacy and drug distributor renewal fees to \$150. The Governor’s Office is holding approval of the permanent fee decrease until the meeting with the Board on July 15th. The proposed compounding for office use discussion draft is still under review at the Governor’s Office. The Board of Healing Arts has circulated draft assistant physician rules for public comment.
- Joint Patient Safety Meeting: The conference is scheduled for 8/28/15 at Capitol Plaza Hotel in Jefferson City, Missouri. Attendees are limited to 300 participants and the Board is paying for the hotel meeting space which may be approximately \$800.
- UMKC: The Board impairment/professional practice student seminar at UMKC is scheduled for October; STLCOP has not responded as of the meeting date. Pamela Marshall suggested also reaching out to Southern Illinois University-Edwardsville.

#C1A Applications for Intern Training Pharmacy Special Site

- CVS District Office
- Four Corners Regional Health Center
- McConnell AFB Pharmacy, 22nd Medical Group
- Perniciaro Senior Care Consultants, Inc.
- Pharmacy Quality Alliance (PQA)
- Winslow Indian Health Care Center, Pharmacy Dept.

DISCUSSION: Tom Glenski recommended approval of special sites/non-pharmacist preceptors. **A motion was made by Pamela Marshall, seconded by Barbara Bilek, to approve all Intern Training Special Site/Non-Pharmacist Applications for 500 hours. Motion passed 4:0:0:1 with roll call vote as follows:**

Barbara Bilek – yes	Pamela Marshall – yes	Anita Parran – absent
Christian Tadrus – yes	Christina Lindsay- yes	

#C2A STLCOP and UMKC College of Pharmacy

- UMKC Site List
- UMKC Preceptor List
- STLCOP Site List
- STLCOP Preceptor List

DISCUSSION: Tom Glenski reported STLCOP wants to remove TLC Express Pharmacy from the list and add preceptor Susanne Klueg. **A motion was made by Christian Tadrus, seconded by Barbara Bilek, to approve the site/preceptor lists with the changes identified by Tom Glenski. Motion passed 4:0:0:1 with roll call vote as follows:**

Barbara Bilek – yes

Pamela Marshall – yes

Anita Parran – absent

Christian Tadrus – yes

Christina Lindsay- yes

#D1 & #D1A 2016 Legislative Proposals

- Biosimilars
 - Federal Law
 - NCSL 2014 Report
 - GPhA Compromise
 - Utah Language
 - North Dakota Language
 - Oregon Language
 - Virginia Language
 - California Language
- Board membership
- Charitable Pharmacy
- Compliance Agreement
- Discipline (New Grounds)
- Immunization/Administration Adverse Reactions
- Immunization, CDC Compliance
- Pharmacist Continuing Education/License Renewal
- Regulation of 3PLs/Drug Outsourcers
- Non-Resident Pharmacy Renewals
- Reporting Disciplinary Action

DISCUSSION: Kimberly Grinston reported August 6, 2015, is the deadline for submitting proposals to the Governor's office for 2016 legislation. Discussion was held as follows:

- Biosimilars: The proposal was added to the agenda on the morning of July 13, 2015. Ms. Grinston suggested that the Board review the current draft but table a final vote on the proposal until the August conference call to allow for full Board review. Ms. Grinston reported the office has received a few non-urgent inquiries. Christian Tadrus suggested keeping the proposal as broad as possible and noted the prescriber notification requirement may be burdensome. Public attendee Bert McClary commented the FDA is discouraging states from finalizing legislative action until its rules are finalized.

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Discussion was held. Pamela Marshall and Janine Burkett suggested that the Board hold the proposal pending further development by the FDA. Barbara Bilek expressed an interest in promulgating a rule at some point but suggested not filing an official legislative proposal at this time. Board consensus to hold the proposal for further discussion and to not pursue during the 2016 session.

- Board Membership: Kimberly Grinston introduced the proposal. Christian Tadrus asked if the Board was ready to add a technician to the Board given that “technician” and technician duties are not well defined in Missouri law. Public attendees suggested the statute should clarify that a hospital pharmacist is a required Board member and should clearly designate that only pharmacists can serve as preceptors. Public attendees also suggested requiring a Board member with a background in specialty pharmacy. **A motion was made by Pamela Marshall to approve the draft as printed with the deletion of the “for compensation” language and the addition of the term “pharmacist” in line 4 to clarify that only pharmacists can serve as preceptors.** Discussion was held. **The motion died for lack of a second.**

Barbara Bilek suggested deleting “for compensation” because some preceptors are compensated. Board discussion was held regarding allowing technicians to vote on pharmacist related actions or on technical matters. Further discussion was held regarding establishing minimum qualifications for a potential technician member. Public attendee Tim Koch reported he attended a joint meeting with PTCB and NABP in Chicago and indicated there may be changes in certification requirements and cautioned the Board regarding the potential impact if certification is required. Board consensus to revise the proposal as discussed and return to the Board for additional review.

- Charitable Pharmacy: Kimberly Grinston reported; Discussion was held. Christian Tadrus suggested deleting the mandatory fee language and adding a geographic prescriber limit with an exception for disaster situations. Kimberly Grinston reported she will return a final draft to the Board for review. **A motion was made by Christian Tadrus, seconded by Christina Lindsay, to amend the proposal by removing the application fee language. Motion passed 4:0:0:1 with roll call vote as follows:**
Barbara Bilek – yes Pamela Marshall – yes Anita Parran – absent
Christian Tadrus – yes Christina Lindsay- yes
- Compliance Agreements: Kimberly Grinston reported adding statutory authority to issue a compliance agreement may be a way to strengthen the current Letter of Warning. Discussion was held. Board consensus to research further and not to pursue at this time.
- Discipline Grounds: Kimberly Grinston reported section (23) regarding state/federal registries should not be deleted but asked if the Board wanted to

remove section (22). Discussion was held. **A motion was made by Pamela Marshall, seconded by Barbara Bilek, to remove section (22). Motion passed 4:0:0:1 with roll call vote as follows:**

**Barbara Bilek – yes Pamela Marshall – yes Anita Parran – absent
Christian Tadrus – yes Christina Lindsay- yes**

- Immunization Adverse Reactions: Kimberly Grinston reported the language was previously challenged as an attempt to grant pharmacists prescriptive authority. Christian Tadrus suggested deleting specific references to epinephrine and diphenhydramine. Public attendee Samuel Leveritt suggested referencing “allergic reactions.” Board consensus to have staff revise proposal and return to the Board in August.
- Immunization/CDC Compliance: Kimberly Grinston reported language is similar to previous years; Discussion was held. **A motion was made by Christina Lindsay, seconded by Christian Tadrus, to approve proposal as presented. Motion passed 4:0:0:1 with roll call vote as follows:**
**Barbara Bilek – yes Pamela Marshall – yes Anita Parran – absent
Christian Tadrus – yes Christina Lindsay- yes**
- Pharmacist Continuing Education (CE): Kimberly Grinston reported proposal was the result of the CE issue identified in the recent Board audit. Discussion was held. Christian Tadrus asked if “biennial” was appropriate. Kimberly Grinston indicated “biennial” could be deleted to provide clarity. **A motion was made by Barbara Bilek, seconded by Christina Lindsay, to approve the proposal with the deletion of “biennial”. Motion passed 4:0:0:1 with roll call vote as follows:**
**Barbara Bilek – yes Pamela Marshall – yes Anita Parran – absent
Christian Tadrus – yes Christina Lindsay- yes**
- Third Party Logistic Providers/Outsourcers: Kimberly Grinston reported and discussion was held. Pamela Marshall suggested not pursuing the proposal at this time. Board consensus not to pursue the proposal at this time.
- Non-Resident Pharmacy Renewals/Reporting Disciplinary Action: Kimberly Grinston reported and discussion was held. **A motion was made by Pamela Marshall, seconded by Barbara Bilek, to approve both proposals as printed. Motion passed 4:0:0:1 with roll call vote as follows:**
**Barbara Bilek – yes Pamela Marshall – yes Anita Parran – absent
Christian Tadrus – yes Christina Lindsay- yes**

#D2 Adult Immunization Collaboration

- Hudanick E-mail
- CDC FOA

DISCUSSION: Kimberly Grinston reported the Missouri Department of Health has asked if the Board would be interested in participating in an immunization grant program. Ms. Grinston reported no cost is anticipated to the Board and indicated the Department of Health has only requested assistance in notifying licensees regarding educational tools/programs. Discussion was held. Board consensus to support the grant proposal.

#D3 Compounding MOU

- DHSS Response to the Compounding MOU
- Draft FDA MOU
- Draft MOU Response

DISCUSSION: Kimberly Grinston reported the agenda materials are for informational purposes only. The proposed MOU response is pending final approval by the Governor's Office. The draft will be returned to the Board for additional review if substantive changes are made.

#D4 DQSA Track & Trace

- Checklist for Pharmacies

DISCUSSION: Kimberly Grinston reported this agenda item is for informational purposes only.

#D5 Draft Assistant Physician Rules

- AP Rules E-mail
- Draft Assistant Physician Rules (redacted)

DISCUSSION: Kimberly Grinston reported the Board of Healing Arts has released the preliminary language for comment prior to officially filing the rule. Discussion was held regarding the difference between an assistant physician and a physician's assistant. Public attendee Ron Fitzwater indicated the language is being reviewed as a possible model for future language related to pharmacists. Barbara Bilek asked if assistant physicians are eligible for a BNDD registration. Kimberly Grinston reported BNDD has indicated assistant physicians would be eligible and would be treated as APRNs and physician assistants. Christian Tadrus commented assistant physicians may have an issue with prescribing C-II hydrocodone products. Board consensus not to submit any formal comments at this time but to send correspondence noting concerns that expanding C-II prescriptive authority could result in increased prescription drug abuse.

#D6 20 CSR 2220-2.090 Pharmacist-in-Charge

- Proposed Amendment

DISCUSSION: Kimberly Grinston reported the Board does not have a filing deadline and suggested reviewing the rule at a later time because of the number of rules/items in the current agenda. Board consensus to review the draft at the October meeting.

MOTION TO CLOSE 11:38 A.M.

At 11:38 a.m., Barbara Bilek made a motion, seconded by Christian Tadrus, 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), (14), (17) and (20), RSMo, and under Section 324.001.8, and .9, RSMo. Motion passed 4:0:0:1 with roll call vote as follows:

Barbara Bilek – yes Pamela Marshall – yes Anita Parran – absent
Christina Lindsay – yes Christian Tadrus- yes

MEMBERS OF THE PUBLIC LEFT THE MEETING ROOM AT APPROXIMATELY 11:38 A.M.

RETURN TO OPEN

By motion duly made, seconded, passed and recorded in closed session minutes, the Board returned to open session at approximately 11:42 a.m.

MEMBERS OF THE PUBLIC ENTERED THE MEETING ROOM AT APPROXIMATELY 11:42 A.M.

#D7 Prescription Requirements for Telehealth/Telemedicine

- Jones' e-mail

#D11A 20 CSR 2220-2.020 (Prescription Physical Examination Requirements)

- Amended Rule (Draft)
- Emergency Rule

DISCUSSION: Items # D7 and #D11A were discussed jointly. Barbara Bilek voiced concern that pharmacists should not be held accountable for determining when a sufficient examination has been conducted and suggested that the Board of Healing Arts provide guidance on what is appropriate. Christian Tadrus also commented the burden of proving a valid examination should be changed. Kimberly Grinston commented that guidance from the Board of Healing Arts would be helpful but would not assist with out of state prescribers. Barbara Bilek suggested adding prescribers must “virtually or physically” see the patient. Kimberly Grinston recommended retaining the prohibition on internet questionnaires absent a valid pre-existing patient relationship.

Public attendee Phil Wickizer commented the current language may create an insurance audit standard. Douglas Lang asked if the Board of Healing Arts would require doctors participating in telehealth/telemedicine consultations for Missouri patients to be licensed in Missouri. Kimberly Grinston indicated the Board of Healing Arts has informally suggested the prescriber does not have to be licensed in Missouri, however, the Board of Healing Arts has expressed concerns with HIPAA compliance when using tool such as Skype. Christian Tadrus suggested revising section (11) to emphasize pharmacists cannot fill if they have knowledge of an improper telehealth examination. Kimberly suggested providing a “pharmacist shall not dispense a drug

unless there is a valid preexisting prescriber-patient relationship” with nothing further. Kimberly Grinston suggested going into closed session to discuss the Board’s legal jurisdiction with general counsel.

MOTION TO CLOSE 12:23 P.M.

At 12:23 p.m., Barbara Bilek made a motion, seconded by Pamela Marshall, 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), (14), (17) and (20), RSMo, and under Section 324.001.8, and .9, RSMo. Motion passed 4:0:0:1 with roll call vote as follows:

Barbara Bilek – yes	Pamela Marshall – yes	Anita Parran – absent
Christina Lindsay – yes	Christian Tadrus- yes	

MEMBERS OF THE PUBLIC LEFT THE MEETING ROOM AT APPROXIMATELY 12:23 P.M.

RETURN TO OPEN

By motion duly made, seconded, passed and recorded in closed session minutes, the Board returned to open session at approximately 2:02 p.m.

MEMBERS OF THE PUBLIC ENTERED THE MEETING ROOM AT APPROXIMATELY 2:02 P.M.

#D7 Prescription Requirements for Telehealth/Telemedicine

- Jones’ e-mail

#D11A 20 CSR 2220-2.020 (Prescription Physical Examination Requirements)

- Amended Rule (Draft)
- Emergency Rule

DISCUSSION: Further discussion was held after consultation with general counsel. **A motion was made by Barbara Bilek, seconded by Pamela Marshall, to file an emergency rule with the following changes to section (9)(K) and section (11) of the rule:**

(9)(K) Class K: Internet. A pharmacy that provides services as defined in section 338.010, RSMo, and is involved in the receipt, review, preparation, compounding, dispensing or offering for sale any drugs, chemicals, medicines or poisons for any new prescriptions originating from the Internet for greater than ninety percent (90%) of the total new prescription volume on any day. A prescription must be provided by a practitioner licensed in the United States authorized by law to prescribe drugs and who has performed a sufficient **physical** examination and clinical assessment of the patient **as required by law;**

(11) Prescriptions processed by any classification of licensed pharmacy must be provided by a practitioner licensed in the United States authorized by law to prescribe drugs and who has performed a sufficient physical examination and clinical assessment of the patient. **Except as otherwise provided by the board by rule of by Missouri law, a[A] pharmacist shall not dispense a prescription drug if the pharmacist has knowledge, or reasonably should know under the circumstances, that the prescription order for such drug was issued on the basis of an Internet-based questionnaire[, an Internet-based consultation, or a telephonic consultation, all] or without a valid [preexisting] patient-practitioner relationship.**

Motion passed 4:0:0:1 with roll call vote as follows:

Barbara Bilek – yes Pamela Marshall – yes Anita Parran – absent
Christian Tadrus – yes Christina Lindsay- yes

#D10A 2015 Legislation

- 2015 Legislation (Did not Pass)
- 2015 Legislation (Passed)
- HB 709

DISCUSSION: Kimberly Grinston reported on the provided list of legislation that passed/did not pass. Discussion was held regarding HB 709 that officially gives the Board the authority to issue non-binding opinions. Kimberly Grinston reported on the Department of Insurance's former process for handling similar opinion requests and suggested that the Board develop an official process for handling requests prior to issuing an opinion. Douglas Lang asked if mid-level practitioners are authorized to prescribe hydrocodone combination products in light of the language in HB 709. Kimberly Grinston indicated she would verify mid-level practitioner authority with BNDD.

MOTION TO CLOSE 2:27 P.M.

At 2:27 p.m., Barbara Bilek made a motion, seconded by Pamela Marshall, 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), (14), (17), and (20), RSMo, and under Section 324.001.8, and .9, RSMo. Motion passed 4:0:0:1 with roll call vote as follows:

Barbara Bilek – yes Pamela Marshall – yes Anita Parran – absent
Christina Lindsay – yes Christian Tadrus- yes

MEMBERS OF THE PUBLIC LEFT THE MEETING ROOM AT APPROXIMATELY 2:28 P.M.

RETURN TO OPEN

By motion duly made, seconded, passed and recorded in closed session minutes, the Board returned to open session at approximately 2:35 p.m.

MEMBERS OF THE PUBLIC ENTERED THE MEETING ROOM AT APPROXIMATELY 2:36 P.M.

#B1 Brian Mitchell, #042307, #2012-007516

- Notice of Disciplinary Hearing
- Felony Conviction Complaint
- Answer to Felony Conviction Complaint

#B2 Mitchell Pharmacy, #2005035753, #2012-006118

- Notice of Disciplinary Hearing
- Felony Conviction Complaint
- Answer to Felony Conviction Complaint

DISCUSSION: The Board convened a joint felony disciplinary hearing at 2:45 p.m. for Brian Mitchell and Mitchell Pharmacy, pursuant to a joint request and stipulation of the parties. Thomas Vaughn was present on behalf of Brian Mitchell and Mitchell Pharmacy; Daryl Hylton was present for the Board. Mr. Mitchell was not in attendance. Mr. Hylton and Mr. Vaughn provided opening statements. Exhibits 1-6 were entered by joint stipulation; additional exhibits and witnesses were presented. Mr. Hylton and Mr. Vaughn provided closing statements. The hearing adjourned at 3:49 p.m. A transcript of the hearing is available in the Board's records.

#B4 Clinton Z. Ross, #2001028180, #2013-002254

- Notice of Felony Disciplinary Hearing
- Complaint

DISCUSSION: The Board convened a felony/disciplinary hearing at 3:58 p.m. Joshua Hill was present as counsel for the Board. Mark Obermeyer and Laura Spencer-Garth were present on behalf of Mr. Ross who was also in attendance. Pamela Marshall recused herself from the discussion and vote in this case. Mr. Hill and Mr. Obermeyer provided opening statements. Exhibits and witnesses were presented. Mr. Hill and Mr. Obermeyer provided closing statements. The hearing adjourned at 5:24 p.m. A transcript of the hearing is available in the Board's records.

MOTION TO CLOSE 5:25 P.M.

At 5:25 p.m., Barbara Bilek made a motion, seconded by Christina Lindsay, 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), (14), (17), and (20), RSMo, and under Section 324.001.8, and .9, RSMo. Motion passed 4:0:0:1 with roll call vote as follows:

Barbara Bilek – yes	Pamela Marshall – yes	Anita Parran – absent
Christina Lindsay – yes	Christian Tadrus- yes	

MEMBERS OF THE PUBLIC LEFT THE MEETING ROOM AT APPROXIMATELY 5:25 P.M.

RETURN TO OPEN

By motion duly made, seconded, passed and recorded in closed session minutes, the Board returned to open session at approximately 6:04 p.m.

MEMBERS OF THE PUBLIC RETURNED TO THE MEETING ROOM.

#D8 20 CSR 2220-2.100 Collection of Medication for Destruction (Return Rule)

- Proposed Rule with Comments
- Proposed Rule without Comments

DISCUSSION: Kimberly Grinston reported the Board has been asked to expedite this rule. Discussion was held. Barbara Bilek commented that pharmacies choosing to accept medication should accept both controlled and non-controlled medication for simplicity and commented that returned medication should be treated as black hazardous waste. Janine Burkett asked if the Board has to address destruction methods and questioned if additional regulation is necessary if destruction methods are regulated by the Environmental Protection Agency. Inspector Dan Vandersand suggested that the Board clarify that the rule applies to collections from the public and not to in-house destruction of a pharmacy's inventory. Barbara Bilek commented the rule should clearly provide that participation in a return program is voluntary. Questions were raised regarding drugs returned in an unapproved package and what measures should be required if another pharmacy does not agree to accept mail-back packages after a return program is terminated. A suggestion was also made to require notification by all pharmacies when a return program is terminated. Board consensus to limit the rule to non-controlled medications and to table the rule pending additional revisions consistent with the discussion.

MOTION TO CLOSE 6:42 P.M.

At 6:42 p.m., Barbara Bilek made a motion, seconded by Christina Lindsay, 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), (14), (17), and (20), RSMo, and under Section 324.001.8, and .9, RSMo. Motion passed 4:0:0:1 with roll call vote as follows:

Barbara Bilek – yes	Pamela Marshall – yes	Anita Parran – absent
Christina Lindsay – yes	Christian Tadrus- yes	

MEMBERS OF THE PUBLIC LEFT THE MEETING ROOM AT APPROXIMATELY 6:42 P.M.

RECONVENE OPEN 8:59 A.M.
WEDNESDAY, JULY 15, 2015

By motion duly made, seconded, passed and recorded in closed session minutes, the Board returned to open session at approximately 8:59 a.m. on July 15, 2015.

#D12A Board Fund Growth and Potential Reduction/Reallocation Options

- Mike Nietzel-Governor's Office

DISCUSSION: Mike Nietzel from the Governor's Office joined the Board in open session via conference call and discussed ways to reduce the pharmacy fund balance. Division Director Katie Steele-Danner also participated by conference call. Background information was provided by Mr. Nietzel regarding a funding program sponsored by the Board of Nursing that provided educational grants to increase nursing availability. Mr. Nietzel asked if the Board would be willing to consider a similar proposal that would benefit pharmacy and reduce the current fund balance. Mr. Nietzel indicated the program/initiative would require Governor and possibly legislative approval but asked the Board to consider a program that would beneficially impact Missouri citizens that could be limited in duration with a maximum fund amount established by the Board. Katie Steele-Danner suggested establishing a Board subcommittee to discuss options. The conference call concluded at approximately 9:19 a.m.

Board discussion was held. Kimberly Grinston reported the Division Director discussed several novel approaches that may be helpful in selecting a project. Pamela Marshall suggested patient safety as a potential focus. Christian Tadrus asked if public/private partnerships would be a possibility and also suggested funding an impairment program/education. Barbara Bilek suggested funding a drug return/destruction program or an immunization program or funding a prescription drug monitoring program. Discussion was held that funding a prescription drug monitoring program would be a prime opportunity. Janine Burkett suggested establishing a Board subcommittee to review potential funding options for full Board consideration and commented that establishing lower licensing fees should be considered. Barbara Bilek suggested that an inspector should be included in the subcommittee. Board consensus to establish a subcommittee as suggested. Pamela Marshall, Christian Tadrus and Dan Vandersand volunteered to serve on the subcommittee.

MOTION TO CLOSE 9:32 A.M.

At 9:32 a.m., Barbara Bilek made a motion, seconded by Christina Lindsay, 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), (14), (17), and (20), RSMo, and under Section 324.001.8, and .9, RSMo. Motion passed 4:0:0:1 with roll call vote as follows:

Barbara Bilek – yes	Pamela Marshall – yes	Anita Parran – absent
Christina Lindsay – yes	Christian Tadrus- yes	

RETURN TO OPEN

By motion duly made, seconded, passed and recorded in closed session minutes, the Board returned to open session at approximately 1:45 p.m.

#D13H Election of Officers

DISCUSSION: Kimberly Grinston reported the current Board officer terms have expired. Barbara Bilek nominated Christina Lindsay for President; all agreed by unanimous roll call vote. Barbara Bilek nominated Christian Tadrus for Vice-President; all agreed by roll call vote as follows:

Barbara Bilek – yes

Pamela Marshall – yes

Anita Parran – absent

Christina Lindsay – yes

Christian Tadrus- abstain

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 Department of Health and Human Services Office of Inspector General

- FDA Has Made Progress on Oversight and Inspections of Manufacturers of Generic Drugs

#E4 United States Government Accountability Office

- Drug Shortages: Better Management of the Quota Process for Controlled Substances Needed; Coordination between DEA and FDA Should be Improved

#E5 FDA Guidance on Animal Drug Compounding from Bulk Drug Substances

- Grote E-mail
- Draft Guidance Compounding Animal Drugs from Bulk Drug Substances
- Federal Register Notice of Availability; Draft Guidance: Compounding Animal Drugs from Bulk Drug Substances
- Federal Register Notice Request for Nominations: List of Bulk Drug Substances That May be Used by an Outsourcing Facility to Compound Drugs for Use in Animals
- Outsourcing Facilities
- Compounding of Human Drugs

MOTION TO ADJOURN 1:56 P.M.

At approximately 1:56 p.m., a motion was made by Barbara Bilek, seconded by Christina Lindsay, to adjourn the July 14-15, 2015 meeting. Motion passed 4:0:0:1 with roll call vote as follows:

Barbara Bilek – yes

Pamela Marshall – yes

Anita Parran – absent

Christina Lindsay – yes

Christian Tadrus- yes

KIMBERLY A. GRINSTON
EXECUTIVE DIRECTOR

DATE APPROVED: 1/13/2016