

OPEN MINUTES
Missouri Board of Pharmacy
Telephone Conference Call
July 26, 2015

The Missouri Board of Pharmacy met via telephone conference call 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 meeting was called to order by President Christina Lindsay at 10:00 a.m. on July 26, 2015.

Board Members Present

Christina Lindsay, President
Christian Tadrus, PharmD, Vice-President
Barbara Bilek, PharmD, Member
Douglas Lang, R.Ph., Member
Pamela Marshall, R.Ph., Member

Staff Present

Kimberly Grinston, Executive Director
Tom Glenski, Chief Inspector
Tammy Siebert, Administrative Coordinator

Staff/Board Members Absent

Anita Parran, Public Member

Other Attendees

Curtis Thompson, Legal Counsel
Bill Caviness, Public Attendee

President Christina Lindsay welcomed new Board member Douglas Lang and congratulated him on his appointment.

#D1 2016 Legislative Proposals

- Board Membership 338.110.1
- Charitable Pharmacy 338.225.1
- Discipline (New Grounds) 338.055.1
- Immunization/Administration Adverse Reactions 338.010.1
- Immunization CDC Compliance 338.010.1
- Pharmacist Continuing Education/ License Renewals 338.060
- Regulation of 3PLs/Drug Outsourcers 338.315.1

DISCUSSION: Kimberly Grinston reported final legislative proposals must be submitted to the Governor's Office by August 6, 2015. The following discussion was held on the individual proposals:

- Board Membership: Barbara Bilek asked if the current language would prohibit an adjunct voluntary professor from serving as a Board member and questioned if a hospital representative should be mandatory on the Board. Barbara Bilek also asked if a board member representing small business should be required. Christian Tadrus indicated that it may be difficult to adopt a definition of “small business” or an “independent pharmacist” that would be sufficient. Barbara Bilek further asked about adding a technician to the Board. Douglas Lang commented that adding a technician representative may be premature since Missouri does not have mandatory education or training requirements. Curtis Thompson indicated the Dental Board has a dental hygienist that is treated as a public member. Kimberly Grinston indicated dental hygienists currently have mandatory education/training requirements. Pamela Marshall expressed support for having a technician on the Board and also pursuing technician training/education requirements. **A motion was made by Pamela Marshall to pursue the legislative proposal as written in 2016 with the removal of the technician Board member and further motioned to reconsider adding a technician to the Board during the 2017 legislative session after discussions with the Board’s Technician Working Group.** Kimberly Grinston reported the legislative preference has been to make substantive changes at once. **Motion died for lack of a second.** Board consensus to hold the legislative proposal and to discuss reconvening the pharmacy technician working group at a future board meeting.
- Charitable Pharmacy: Kimberly Grinston reported a for-profit pharmacy would not be eligible for a charitable pharmacy permit. Pamela Marshall indicated for-profit entities should not be restricted from hosting a charitable event and suggested allowing a charitable permit for “any organization providing a non-profitable event.” Barbara Bilek suggested alternatively amending the language to allow a permit if medication is dispensed for “no cost” or a “nominal fee” and suggested referencing “underserved populations.” Kimberly Grinston suggested general language that would simply allow the Board to establish rules for charitable pharmacies in lieu of a detailed legislative proposal. **A motion was made by Christian Tadrus, seconded by Barbara Bilek, to pursue the legislative proposal as presented with the exception of amending proposed section 338.225.1. to provide: “The Board may issue a temporary charitable pharmacy permit to authorize a pharmacist to dispense medication for charitable purposes at no cost or for or on behalf of a charitable not-for-profit organization under the following requirements:” and to further amend proposed section .1(4) to restrict authorized prescribers to Missouri licensed prescribers. Motion passed 4:0:0:1 with roll call vote as follows:**

Barbara Bilek – yes	Douglas Lang- yes	Pamela Marshall – yes
Anita Parran – absent	Christian Tadrus – yes	
- Disciplinary Grounds: Kimberly Grinston reported the proposal is substantially similar to the 2015 proposal with the removal of the provisions that referenced

Medicaid. Discussion was held. Barbara Bilek questioned (19) and Curtis Thompson indicated the language would include the provision of false statements at a Board meeting. Christian Tadrus commented section (19) is subjected to interpretation and suggested adding “knowingly.” **A motion was made by Barbara Bilek to proceed with the proposal but to amend (19) to add “or in writing to the Board.”** Motion died for lack of a second. **A motion was made by Christian Tadrus, seconded by Pamela Marshall, to table the proposal for discussion with legal counsel in closed session. Motion passed 4:0:0:1 with roll call vote as follows:**

**Barbara Bilek – yes Douglas Lang- yes Pamela Marshall – yes
Anita Parran – absent Christian Tadrus – yes**

- Immunization- Adverse Reactions: Kimberly Grinston reported general authorization to administer “medication” was questioned by legislators as a grant of prescriptive authority. Discussion was held. **A motion was made by Barbara Bilek, seconded by Douglas Lang, to pursue the proposal but to amend the language to authorize administration of “medications to treat an anaphylactic reaction to a vaccine administered by a pharmacist if a delay in medical care will cause harm to the patient.”** Motion passed 4:0:0:1 with roll call vote as follows:

**Barbara Bilek – yes Douglas Lang- yes Pamela Marshall – yes
Anita Parran – absent Christian Tadrus – yes**

- Immunization- CDC Compliance: Kimberly Grinston reported. **A motion was made by Christian Tadrus, seconded by Douglas Lang, to pursue the proposal as written. Motion passed 4:0:0:1 with roll call vote as follows:**

**Barbara Bilek – yes Douglas Lang- yes Pamela Marshall – yes
Anita Parran – absent Christian Tadrus – yes**

- Pharmacist Continuing Education. Kimberly Grinston reported and recommended including the term “biennial.” **A motion was made by Christian Tadrus, seconded by Barbara Bilek, to pursue the proposal as written. Motion passed 4:0:0:1 with roll call vote as follows:**

**Barbara Bilek – yes Douglas Lang- yes Pamela Marshall – yes
Anita Parran – absent Christian Tadrus - yes**

#D2 MPJE Review

- Maria Incrocci Memo

DISCUSSION: Kimberly Grinston asked if board members would like to participate in the MPJE review. Discussion held; board members will confirm availability at a later date.

MOTION TO CLOSE 11:55 A.M.

At 11:55 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 to be closed under Section 620.021(1), (5), (7), and (14), RSMo, and under Section 324.001.8, RSMo. Motion passed 4:0:0:1 with roll call vote as follows:

Barbara Bilek – yes Douglas Lang- yes Pamela Marshall – yes
Anita Parran – absent Christian Tadrus - yes

THE PUBLIC ATTENDEE LEFT THE MEETING AT APPROXIMATELY 11:55 AM

By motion duly made, seconded, passed and recorded in closed session minutes, the Board returned to open session at approximately 1:05 p.m.

D1 2016 Legislative Proposals

DISCUSSION: The Board continued discussion as follows:

- Discipline New Grounds: A motion was made by Barbara Bilek, seconded by Christian Tadrus, to pursue the proposal as written with the deletion of section (20) and amending section (19) to only provide: “Knowingly making a false statement orally or in writing to the board”. Motion passed 4:0:0:1 with roll call vote as follows:

Barbara Bilek – yes Douglas Lang- yes Pamela Marshall – yes
Anita Parran – absent Christian Tadrus – yes

- 3PLs/Drug Outsourcers: Kimberly Grinston reported the Board decided not to pursue the legislation in July and asked if that was the Board’s intent. Discussion was held. A motion was made by Douglas Lang, seconded by Christian Tadrus, to pursue the changes in Section 338.135, RSMo. Motion passed 4:0:0:1 with roll call vote as follows:

Barbara Bilek – yes Douglas Lang- yes Pamela Marshall – yes
Anita Parran – absent Christian Tadrus – yes

MOTION TO CLOSE 1:08 P.M.

At 1:08 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 to be closed under Section 620.021(1), (5), (7), and (14), RSMo, and under Section 324.001.8, RSMo. Motion passed 4:0:0:1 with roll call vote as follows:

Barbara Bilek – yes Douglas Lang- yes Pamela Marshall – yes
Anita Parran – absent Christian Tadrus - yes

By motion duly made, seconded, passed and recorded in closed session minutes, the Board returned to open session at approximately 1:11 p.m.

VICE-PRESIDENT CHRISTIAN TADRUS CHAIRED THE REMAINDER OF THE OPEN SESSION.

MOTION TO ADJOURN

At approximately 1:12 p.m., upon motion made by Barbara Bilek, seconded by Douglas Lang, the July 26, 2015, open session conference call meeting was adjourned. Motion passed 3:0:0:2 with roll call vote as follows:

Barbara Bilek – yes Douglas Lang- yes Pamela Marshall – yes
Anita Parran – absent Christina Lindsay - absent

KIMBERLY A. GRINSTON
EXECUTIVE DIRECTOR

Date Approved: 1/13/2016