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 8:01 a.m. on July 11, 2012, at Courtyard By Marriott, Columbia, Missouri.

**Board Members Present**
Pamela Marshall, R.Ph., President
Janine Burkett, R.Ph., Vice President
Barbara Bilek, R.Ph., Member
James Riddle, R.Ph., Member
Anita Parran, Public Member

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

**Staff Absent**
Frank VanFleet, R.Ph., Inspector

**Others Present**
Visitors as recorded in the visitor register

**Others Absent**
Curtis Thompson, Legal Counsel

**MOTION TO CLOSE 8:02 AM**
At 8:02 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 8:02 AM.

RECONVENE OPEN 8:40 AM
By motion duly made, seconded, passed and recorded in closed session minutes, the Board returned to open session at approximately 8:40 a.m.

JASON MENKEN AND JULIE VERHULST (SUMMER INTERN AT THE BOARD OFFICE) AND MEMBERS OF THE PUBLIC ENTERED THE MEETING ROOM AT 8:41 AM

#A1 Agenda Additions/Corrections
Kim Grinston reported there is additional information for Items #A3, #A4, and #E2 and it is likely all four hearings scheduled for the afternoon will be continued.

#A2 Board Member Report – President Marshall reported that she, Janine Burkett and Kimberly Grinston attended the NABP Annual meeting in Philadelphia in May. Ms. Burkett commented it was her first NABP meeting.

#A3A General Administration Report:
- NABP Updates (Community Pharmacy Accreditation, 2012 NABP Meeting, MPJE Review) – Kimberly Grinston reported and asked for a Board member volunteer to assist with the annual MPJE Question Writing Review project. Ms. Grinston also reported that any Board member questions/comments should be received by August 7, 2012, about the Standards for Community Pharmacy Practice Accreditation.
- Rules Update – Kimberly Grinston reported the emergency amendment to the fee rule has been filed to change the pharmacist renewal fee from $225 to $200; the prescription delivery rule has been filed and we are in the comment period; and the med pack rule became effective June 30, 2012. Ms. Grinston further reported that the nuclear pharmacy rules are being reviewed and revised by a Nuclear Pharmacy Committee established by Sam Leveritt. Lastly, Ms. Grinston reported she has had recent meetings with Missouri Hospital Association and Department of Health representatives concerning jurisdiction over hospital pharmacies being returned to the Board.
- Update on Licensing Rules/Licensing of interns pending rule promulgation – Kimberly Grinston reported the licensing rules are still being reviewed at the Division level
- Upcoming CE webinar dates – Kimberly Grinston reported two security webinars were held in June, and a regulatory update webinar is scheduled for August 23, 2012.
- House Bill 1188 – Kimberly Grinston reported this legislation has been signed by Governor Nixon and will become effective August 28, 2012.

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- **House Bill 1563** – Kimberly Grinston reported this legislation is anticipated to be signed in the near future.

- **May 2012 Financial Report** – Kimberly Grinston advised that a report that reflects the end of the fiscal year numbers will be available at the next meeting.

- **FY11 Annual Report** – Kimberly Grinston reported the overall format of the Board’s Annual Report has been changed, and that the county pharmacy map should be changed to indicate that Davies County has one pharmacy. **Motion was made by Barbara Bilek, seconded by James Riddle, to approve the FY11 Annual Report with necessary revisions. Motion passed, all in favor, none opposed.**

- **Utah School of Alcoholism** – Kimberly Grinston reported she attended a week-long conference in Salt Lake City, Utah, in June concerning impaired practitioners and programs. Ms. Grinston reported she learned a lot about addiction vs. abuse.

- **2013 Proposed Board Meeting Dates** – Tammy Siebert reported and asked the Board for schedule conflicts for the proposed 2013 meeting dates. Barbara Bilek commented ASHP’s Leadership Conference may conflict with the proposed October date.

Kimberly Grinston introduced Julie Verhulst as a summer intern working in the Board office.

**#A4 Approval of Minutes**

- **April 20-21, 2011**
  Motion was made by Barbara Bilek, seconded by Janine Burkett, to approve the April 20-21, 2011, open session minutes as printed. Motion passed, all in favor, none opposed.

- **April 20-21, 2011 Strategic Planning**
  Motion was made by Anita Parran, seconded by Barbara Bilek, to approve the April 20-21, 2011 Strategic Planning open session minutes as printed. Motion passed, all in favor, none opposed.

- **July 13-14, 2011**
  Motion was made by Janine Burkett, seconded by Barbara Bilek, to approve the July 13-14, 2011, open session minutes as printed. Motion passed, all in favor, none opposed.

- **September 21, 2011**
  Motion was made by Anita Parran, seconded by Janine Burkett, to approve the September 21, 2011, open session minutes as printed. Motion passed, all in favor, none opposed.

- **November 16, 2011**
  Motion was made by James Riddle, seconded by Barbara Bilek, to approve the November 16, 2011, open session minutes as printed. Motion passed, all in favor, none opposed.

- **January 18-19, 2012**
  Motion was made by Barbara Bilek, seconded by Anita Parran, to approve the January 18-19, 2012, open session minutes as printed. Motion passed, all in favor, none opposed.
• April 17-19, 2012
Motion was made by Anita Parran, seconded by James Riddle, to approve the April 17-19, 2012, open session minutes as printed. Motion passed, all in favor, none opposed.

• April 17-18, 2012 Strategic Planning
Motion was made by Barbara Bilek, seconded by James Riddle, to approve the April 17-19, 2012, Strategic Planning open session minutes as printed. Motion passed, all in favor, none opposed.

• June 13, 2012 Conference Call
Motion was made by Barbara Bilek, seconded by James Riddle, to approve the June 13, 2012, open session conference call minutes as printed. Motion passed, all in favor, none opposed, Anita Parran abstained.

• May 7, 2012 Conference Call
Motion was made by Barbara Bilek, seconded by Janine Burkett, to approve the May 7, 2012, open session conference call minutes as printed. Motion passed, all in favor, none opposed.

Kimberly Grinston reported the four hearings scheduled for today have been cancelled.

#B1 Brad Conley, #2008029245, PIC, Wal-Mart Pharmacy 10-51, #2002008581, 1701 North Bluff Street, Fulton, MO, 65251, #2011-002327 (Sidney Werges)
• Notice of Hearing on Violation of Disciplinary Order
• Probation Violation Complaint

#B2 Colton Hall, #2011020064, Staff, Gerbes Pharmacy #119, #005047, 1159 E. US Hwy 54 PO Box 79, Camdenton, MO, 65020, #2011-006148 (Andi Miller)
• Notice of Hearing on Violation of Disciplinary Order
• Probation Violation Complaint

#B3 Steven Dryden, #041231, Dryden Drug Co, #000792, 401 Main St, Belton, MO, 64012, #2009-001542 (Frank VanFleet)
• Notice of Disciplinary Hearing
• Complaint
• Settlement Agreement
• Corrected Settlement Order

#B4 Daniel J. Hollaway, #040431, PIC/St. Charles Rexall Drug Co., #005065, 550 First Capitol Drive, Saint Charles, Missouri, 63301, #2008-002040 (Barbara Wood)
• Notice of Disciplinary Hearing
• Complaint
• Waiver of AHC Hearing and Request for Consent Order w/ Settlement Agreement
• AHC Settlement Order

#C1 Applications for Intern Training Pharmacy Special Site
• Illinois Pharmacists Association
Motion was made by James Riddle, seconded by Janine Burkett, to approve the Illinois Pharmacists Association Intern Training Pharmacy Special Site application for 500 hours. Motion passed, all in favor, none opposed.

#C2 STLCOP and UMKC College of Pharmacy

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

Tom Glenski reported STLCOP’s site list includes Consumer Health Information Corporation and STLCOP’s preceptor list includes Dorothy Smith (licensed in Canada) and should not be approved because not licensed in the United States. **Motion was made by Barbara Bilek, seconded by Janine Burkett, to approve the UMKC site and preceptor lists as presented and the STLCOP site and preceptor lists, except as previously noted, all in favor, none opposed.**

#D1 Legal Contract Review

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

Kimberly Grinston reported Curt Thompson’s and Newman, Comley & Ruth’s contracts are the same; Loretta Schouten’s has changed to reflect a fee increase from $75 to $115 per hour. **Motion was made by Barbara Bilek, seconded by Janine Burkett, to approve the three legal contracts for fiscal year 2013, all in favor, none opposed.**

#D2 2013 Legislation

- Expansion of Immunization Authority
- Pharmacy Technician Training/Qualifications
- Emergency Prescription Refills

Kimberly Grinston reported. James Riddle questioned line 20, page 235, only listing viral influenza. Ms. Grinston reported that by statute, the Board is only required to jointly promulgate rules with the Board of Healing Arts for medication therapy services and administration of viral influenza vaccines. At Ms. Grinston’s suggestion, it was Board consensus to handle the MTS portion of this revision separate from the flu vaccine.

- **Pharmacy Technician Training/Qualifications**
  Kimberly Grinston reported the Board was not able to find a legislative sponsor for this proposed language in 2012 and asked if the Board wishes to pursue it again in 2013. It was Board consensus to proceed with this language in 2013.

- **Emergency Prescription Refills**
  Kimberly Grinston reported and discussion was held. Barbara Bilek commented a 15-day supply limit in b) is not enough when a physician dies and the patient is required to find a new doctor. Discussion was held. Doug Lang commented the Board should also consider the situation of when a doctor is suspended or revoked. Kristol Chism asked about the “reason for emergency dispensing” in 1.(f). Kimberly Grinston reported it was intended to limit pharmacists from routinely dispensing without a valid reason. Sam Leveritt suggested including language for specific situations for which the 72-hour
notification is required. Ms. Grinston suggested 72 hours be deleted and replaced with “as prescribed by rules of the Board.” President Marshall suggested that instead of 15 days in 1b. include “as needed to treat only the emergency up to a 30-day supply.” Christian Tadrus commented the need for the emergency supply may actually be a 12th or 13th refill, and suggested clearer language in 3. about the pharmacist having “knowledge that the prescriber prohibited or restricted emergency dispensing.” Kimberly Grinston commented other states use language “The medication is essential to the maintenance of life or the continuation of therapy in a chronic condition.” James Riddle suggested the need to define the 30-day supply to be restricted to a “total of a 30-day supply.” Discussion was held about the “one-time emergency supply” in 1. Ms. Grinston reported she will make revisions and the proposed language will be returned to the Board for further review.

- Additional Pharmacy Classes
Kimberly Grinston reported the Board member folders contain an email from Tom Glenski that lists specific class names that can be used instead of “other classes” in (13). Ms. Grinston commented the specific class names could be proposed to the Governor’s office as a second option. It was Board consensus to pursue the generic “other classes” language, but approve the specific class names if the Governor’s office rejects the generic language.

#D6A HB552 Dispensing Blood Clotting Products – Jason Menken distributed copies of proposed regulation 20 CSR 2220-6.100 Pharmacy Standards for Dispensing Blood Clotting Products. Kimberly Grinston reported and discussion was held, specifically regarding the 24-hour notification requirement. It was Board consensus to finalize the proposed regulation and return it to the Board for approval of the rule and fiscal note(s).

#D3 Review of Administration by Prescription Order
- Letter from the Missouri Pharmacy Coalition
- 20 CSR 2220-6.040 Proposed Language Changes
Jeremy Hampton, faculty member at UMKC, provided a lengthy presentation to the Board regarding the Missouri Pharmacy Coalition’s proposed changes to 20 CSR 2220-6.040. Bert McClary also reported to the Board and suggested the definition of “health care entity” be expanded to allow for pharmacists administering in a patient’s home under the authority of an employer, i.e., hospice, clinic, etc. Kimberly Grinston commented regarding removal of (5)(G); Mr. Hampton and Barbara Bilek suggested it shouldn’t matter who administers it. Tom Glenski clarified that it was the Coalition’s proposal for it to apply to non-hospital and retail pharmacy settings. Kimberly Grinston questioned the new language in (3)(D), and discussion was held. It was pointed out that (6)(A)5. should not be deleted. Bert McClary commented that (4)(A) will allow a drug to be prescribed that is not in compliance with the manufacturer’s guidelines. Kathy Snella of UMKC presented to the Board and pointed out that the Board should also consider this regulation is for normal day-to-day administrations. It was Board consensus for office staff and Coalition representatives to review today’s comments and provide proposed revisions to the Board for consideration.

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#D4 Implementation of 20 CSR 2220-6.060, 6.070 and 6.080
Kimberly Grinston reported the Medication Therapy Services (MTS) rules are anticipated to be effective August 30, 2012. A Q & A fact sheet has been posted to the Board’s website and the application form is being drafted. The Board will begin accepting MTS applications August 1st, but cannot be processed until after the rules become effective. For the pharmacists that apply, their pharmacist license will be re-issued with a MTS classification printed on the license. UMKC and STLCOP are in the process of developing training courses for MTS. Barbara Bilek commented about the difference between MTS and MTM (medication therapy management) and a possible problem with federal reimbursements.

#D5 Updated FDA Statement on Compounded Versions of Hydroxyprogesterone Caproate – Kimberly Grinston reported and discussion was held. James Riddle suggested and it was Board consensus that the Board educate the public on the FDA’s position, including to publish information in the quarterly newsletter.

THE FOLLOWING ITEM WAS 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 11:26 AM
At 11:26 a.m. Barbara Bilek made a motion, seconded by James Riddle, that the Board go into closed session and that all votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under Section 610.021(1), (3), (5), (7), (13) and (14), RSMo, and under Section 324.001.8, RSMo. Motion passed, all in favor, none opposed.

MEMBERS OF THE PUBLIC LEFT THE MEETING ROOM AT 11:26 AM.

RECONVENE OPEN 6:14 PM
By motion duly made, seconded, passed and recorded in closed session minutes, the Board returned to open session at approximately 6:14 p.m.

MOTION TO ADJOURN 6:15 PM
At approximately 6:15 p.m., motion was made by Anita Parran, seconded by Janine Burkett, to adjourn the July 11, 2012, open session meeting. Motion passed, all in favor, none opposed.

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KIMBERLY A. GRINSTON
EXECUTIVE DIRECTOR

DATE APPROVED: 10/24/12