The Missouri Board of Pharmacy met in open session during the times and dates stated in the following minutes. The regular meeting was called to order by President Christian Tadrus at approximately 3:33 p.m. on March 21, 2018. Each item in the minutes is listed in the order discussed.

**Board Members Present**
Christian Tadrus, PharmD, President
Douglas R. Lang, R.Ph., Vice-President
Barbara Bilek, PharmD, Member
Pamela Marshall, R.Ph., Member
Anita Parran, Public Member

**Board Members Absent**
Christina Lindsay, PharmD, Member

**Staff Present**
Kimberly Grinston, Executive Director
Tom Glenski, R.Ph., Chief Inspector
Sarah Decker, Compliance Coordinator
Jennifer Luebert, Administrative Coordinator

**Others Present**
Curtis Thompson, Legal Counsel
Adam Chessler
Ron Fitzwater
James Gray
Bert McClary
Martha Russel
Greg Teale
David Wolfrath

**PRESIDENT CHRISTIAN TADRUS CALLED THE MEETING TO ORDER AT APPROXIMATELY 3:33 P.M. AND ROLL CALL WAS TAKEN.**

#A4. **Review of SB 1068/Proposed Pharmacy Technician Activity Language**

**DISCUSSION:** Kimberly Grinston reported SB 1068 has been filed which incorporates language drafted/supported by the Missouri Hospital Association (MHA) and the Missouri Society for Health-System Pharmacists (MSHP). The proposed language would expand pharmacy
technician activities in hospital settings by: (1) allowing remote supervision/technician practice and (2) allowing technician verification of the final medication product (tech-check-tech) with restrictions. Mrs. Grinston further reported MHA asked the Missouri Department of Health and Senior Services (DHSS) to promulgate similar language by rule; DHSS has requested Board input. The following Board discussion was held:

- **SB 1068-**
  - Douglas Lang asked why MHA is proposing both statutory and rule language; Kimberly Grinston stated MHA may be using a “belt and suspenders” approach to ensure regulatory language is in place if the legislation does not pass. Douglas Lang and Christian Tadrus expressed concerns with the drafting process and suggested a collaborative approach between DHSS, the Board and the industry would better protect patients. Mr. Lang and Mr. Tadrus also expressed concerns that several of the statutory terms are undefined, ambiguous and overly broad.
  - Douglas Lang and Pamela Marshall expressed concerns with establishing different standards of practice for technicians based on practice setting. Mrs. Marshall indicated the Board’s focus should be on increasing patient safety across all practice settings which should start with minimum technician training/education requirements.
  - Barbara Bilek recognized the importance of technician training/education but noted Missouri law already establishes different practice requirements/allowances for hospital pharmacy. Ms. Bilek further noted Missouri hospitals currently have mandatory technician training requirements that are imposed by CMS and/or the Joint Commission.
  - Board discussion held on adding the Board’s pharmacy technician training/education legislation that has not been approved for filing in previous years to SB 1068; Kimberly Grinston stated the Governor’s office would need to approve any legislative language from the Board and suggested the technician training/education proposal may not be consistent with the Governor’s deregulation approach. Board members said they would be less inclined to oppose the legislation if the Board’s technician training/education proposal was included.

- **DHSS Rule Language (19 CSR 30-20.100):**
  - Board members expressed concerns with bifurcating technician practice. Ms. Bilek reiterated that hospitals are required to show proof of competency that complies with CMS’ Conditions of Participation (COPs) during a hospital survey, including, proof of initial orientation/training and proof of continued/annual competency.
  - Board members asked Gregory Teale (Hospital Advisory Committee Member) for background information. Mr. Teale indicated recent changes to USP Chapter 800 and proposed changes to USP Chapter 797 will result in more cameras being used to supervise technicians to prevent unnecessary movement in and out of the clean room/IV room. Mr. Teale suggested the language would allow hospitals to accommodate these changes and noted the rule language was revised to clarify that remote supervision would be authorized for pharmacists practicing at the same location or at a physically different site. Mr. Teale
reported MSHP members deleted the term “electronic” supervision because it was unclear, however, Bert McClary noted that visual or auditory supervision would necessarily include the use of technology. Mr. Lang suggested the rule only allow “technology assisted” remote technician activities/final verification. Greg Teale indicated MSHP and the HAC may not object to Mr. Lang’s approach, however, both groups would need to review final language.

- Douglas Lang expressed concerns that the draft rule does not address key elements such as documentation of pharmacist/technician remote activities or technician training/experience requirements. Mr. Lang asked if one (1) year of technician work experience should be required; Barbara Bilek stated the COPs already address experience requirements and suggested that appropriate work experience should be determined by the pharmacy director. Mr. Lang and Mr. Tadrus suggested doing a crosswalk of COP requirements to ensure training/education language is adequate; Kimberly Grinston reported staff may not have time to complete a crosswalk if the legislation moves. Public attendee James Gray reminded Board members that recently enacted Missouri law prohibits DHSS rule language from being more stringent than CMS COPs.

Additional Board discussion held; Board consensus to:

1) Request permission from the Governor’s Office to add the Board’s pharmacy technician training/education proposal to SB 1068 in lieu of providing comments/revisions at this time, and
2) Recommend that the DHSS rule reference “technology assisted final product verification” and “technology assisted visual and auditory supervision of a pharmacist.”

Further Board consensus to reconvene before the regularly scheduled April meeting if future rule/legislative developments occur that may need Board attention; Mr. Lang asked to talk with legal counsel during the April meeting regarding related technology/jurisdiction issues.

**MOTION TO ADJOURN**

At approximately 6:25 p.m., a motion was made by Pamela Marshall, seconded by Barbara Bilek, to adjourn the March 21, 2018 conference call. Motion passed 4:0:0:1 by roll call vote as follows:

Barbara Bilek – Yes  Douglas Lang- Yes  Pamela Marshall – Yes
Anita Parran – Yes  Christina Lindsay – Absent

KIMBERLY A. GRINSTON
EXECUTIVE DIRECTOR

DATE APPROVED: 10/25/18
The Missouri Board of Pharmacy met in open session during the times and dates stated in the following minutes. The regular meeting was called to order by President Christian Tadrus at approximately 8:07 a.m. on April 4, 2018. Each item in the minutes is listed in the order discussed.

**Board Members Present**
Christian Tadrus, R.Ph., President
Douglas R. Lang, R.Ph., Vice-President
Barbara Bilek, PharmD., Member
Pamela Marshall, R.Ph., Member
Anita Parran, Public Member

**Board Members Absent**
Christina Lindsay, PharmD., Member

**Staff Present**
Kimberly Grinston, Executive Director
Tom Glenski, R.Ph., Chief Inspector
Bennie Dean, R.Ph., Inspector
Katie DeBold, R.Ph., Inspector
Sarah Decker, Compliance Coordinator
Scott Spencer, R.Ph., Inspector
Jennifer Luebbert, Administrative Coordinator
Andi Miller, PharmD, Inspector
Lisa Thompson, R.Ph., Inspector
Dan Vandersand, R.Ph., Inspector
Elaina Wolzak, R.Ph., Inspector
Barbara Wood, R.Ph., Inspector

**Others Present**
Curtis Thompson, Legal Counsel

President Christian Tadrus opened the meeting at 8:07 a.m.; Roll call was taken. Kimberly Grinston advised Barbara Bilek would join the meeting at approximately 1:00 p.m.
MOTION TO CLOSE 8:08 A.M.
At 8:08 a.m., Pamela Marshall 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), (14) and (17). Motion passed 3:0:0:2 by roll call vote as follows:

   Barbara Bilek – Absent    Douglas Lang – Yes    Pamela Marshall – Yes
   Anita Parran – Yes        Christina Lindsay – Absent

RETURN TO OPEN
By motion duly made, seconded, passed and recorded in closed session minutes, the Board returned to open session at approximately 8:46 A.M.

OPEN SESSION

#A3. Agenda Additions/Corrections: Kimberly Grinston reported no new items were added, however, additional 2019 legislation has been included in the agenda.

#A6. 2018 Legislation
   • Primary Watch Bills
   • Watch Bills

DISCUSSION: Ms. Grinston reported the following:
   • Multiple pieces of legislation are pending that will impact pharmacy, including, the pharmacy technician bill introduced by the Missouri Hospital Association that would expand the scope of technicians in hospital settings. Senator Sater is the bill sponsor and indicated his goal was to encourage stakeholder discussion. MHA and Greg Teale from the Hospital Advisory Committee spoke in favor of the bill. Staff will continue to monitor developments.
   • Additional data was submitted to support the Board’s budget request which has not been amended in the House or Senate.
   • A non-resident third-party logistic provider (3PL) has asked to be exempted from the Board’s drug outsourcer licensing bill. Discussions are ongoing.

Douglas Lang asked if legislation was pending to allow partial fills of C-II medication as now authorized by federal law or if BNDD intended to address this issue by rule; Kimberly Grinston will consult with BNDD.

#A7. Board Member Meetings Report
   • Nuclear Sub-Committee
   • Sterile Compounding Sub-Committee

DISCUSSION: The following reports were provided by Board members:
   • Douglas Lang reported the Sterile Compounding Working Group met on February 23rd and March 16th to discuss requirements for remediation of environmental monitoring results; Public comments were received. The Nuclear Sub-Committee met on
February 28th to discuss the nuclear rules and in-use dating for nuclear compounding ingredients. Final rule language from both the Sterile Compounding Working Group and the Nuclear Sub-Committee should be available by May.

- Pamela Marshall attended MPA’s annual legislative day; The meeting was well attended with a lot of student participation and interesting legislative/practice topics.