

**Maryland Board of Pharmacy
Public Board Meeting**

**Agenda
Date: September 21, 2016**

Name	Title	Present	Absent	Present	Absent
Board Committee					
Ashby, D.	Commissioner				
Bouyoukas, E	Commissioner				
Gavgani, M. Z.	Commissioner/President				
Jones, David H.	Commissioner/Secretary				
Morgan, K.	Commissioner				
Peters, Roderick	Commissioner				
Robinson, T.	Commissioner				
Rochester, C.	Commissioner				
Roy, S.	Commissioner				
St. Cyr, II, Z. W.	Commissioner				
Yankellow, E.	Commissioner				
Zagnit, B.	Commissioner				
Board Counsel					
Bethman, L.	Board Counsel				
Felter, B.	Staff Attorney				
Board Staff					
Speights-Napata, D.	Executive Director				
	Deputy Director of Operations				
Wu, Y.	Compliance Manager				
Page, A.	Executive Administrative Associate				
Waddell, L.	Administration and Public Support Manager				
Logan, B.	Legislation/Regulations Manager				
Johnson, J.	MIS Manager				

Subject	Responsible Party	Discussion	Action Due Date (Assigned To)										
I. Executive Committee Report(s)	<p>A.) M. Gavgani, Board President</p> <p>B.) D. Jones, Secretary</p>	<p><i>Members of the Board with a conflict of interest relating to any item on the agenda are advised to notify the Board at this time or when the issue is addressed in the agenda.</i></p> <ol style="list-style-type: none"> 1. Call to Order 2. Sign-in Introduction and of meeting attendees – <i>(Please indicate on sign-in sheet if you are requesting CE Units for attendance)</i> 3. Distribution of Agenda and packet materials 4. Review and approve Previous Month's Minutes 											
II. A. Executive Director Report	D. Speights-Napata, Executive Director	<ol style="list-style-type: none"> 1. Operations Updates <ul style="list-style-type: none"> New Board Member Orientation Orientation Presentation Board Information Form 2. Meetings Update 											
B. Operations	J. Johnson, MIS Manager	<ol style="list-style-type: none"> 1. APS Unit Updates 2. Data Integrity Unit Updates 3. MIS Unit Updates 											
C. Licensing	Y. Wu, Compliance Manager	<ol style="list-style-type: none"> 1. Unit Updates 2. Monthly Statistics <table border="1" data-bbox="709 1287 1472 1370"> <thead> <tr> <th>License Type</th> <th>New</th> <th>Renewed</th> <th>Reinstated</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	License Type	New	Renewed	Reinstated	Total						
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D. Compliance	Y. Wu, Compliance Manager	<p>1. Unit Updates</p> <p>2. Monthly Statistics</p> <p>Complaints & Investigations:</p> <p>New Complaints - 51 Resolved (Including Carryover) – 35 Final disciplinary actions taken – 8 Actions within Goal – 25/35 Summary Actions Taken – 1 Average days to complete -184</p> <p>Inspections:</p> <p>Total - 143</p>																																				

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		Annual Inspections - 127 Opening Inspections - 9 Closing Inspections - 0 Relocation Inspections - 0 Board Special Investigation Inspections –7 Division of Drug Control Closing Inspections – 1	
E. Legislation & Regulations	B. Logan, Legislation and Regulations Manager	<p><u>Regulatory Review and Evaluation Act</u> 10.34.02, .04, .16, .24, .26, .27, and .31</p> <p><u>Heroin Overdose Emergency Task Force</u> Sara Cherico, Senior Policy Analyst, Office of the Secretary, DHMH: Recommendation #4- . Requiring Continuing Professional Education on Opioid Prescribing for the Board of Podiatric Medical Examiners and Board of Nursing and on Opioid Dispensing for the Board of Pharmacy The Task Force recommends that the Board of Podiatric Medical Examiners and the Board of Nursing require the completion of one credit hour of continuing education related to opioid prescribing similar to that required by the Board of Physicians and the Board of Dental Examiners. In addition, the Board of Pharmacy should require the completion of one credit hour of continuing education related to opioid dispensing.</p> <p>Refer to the full Board to vote on one of options:</p> <ol style="list-style-type: none"> 1. Amend regulation 10.34.26 Patient Safety Improve 2. Amend Regulation 10.34.18 Continuing Education for Pharmacist 3. Continue to have topic for discussion at CE breakfast <p><u>North Carolina Dental Workgroup</u> Meeting held September 13th at the Judicial Education and Conference Center, Annapolis, MD. Discussion on the</p>	

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		<p>Supreme Court 2015 decision in <i>N.C. Board of Dental Examiners v. Federal Trade Commission</i>.</p> <p>SB0469 / CH0476 <u>Licensure Requirements for Pharmacists - Proof of Proficiency in English</u> Effective 10/1/2016</p> <p>SB0614 / CH0687 (HB1462 / CH0688) <u>Veterinarians, Pharmacies, and Pharmacists - Dispensing Compounded Preparations for Use by Nonfarm Animals</u> Effective 10/1/2016</p> <p>HB0437 / CH0147 (SB0537) - <u>Prescription Drug Monitoring Program – Modifications</u> Effective 10/1/2016</p>	
<p>III. Committee Reports A. Practice Committee</p>	<p>D. Jones, Chair</p>	<p><u>EpiPen answer proposal</u> Dr. Arthur Millholland- Prefilled epinephrine</p> <p><u>Expedited Partner Therapy</u></p> <p><u>Draft Board Response PBM-driven Contract</u></p> <p><u>Draft Board Response Methadone and Suboxone</u></p>	

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B. Licensing Committee	D. Ashby, Chair	<p>1. Review of Pharmacist Applications:</p> <p>a. K. Agboifo - Applicant failed NAPLEX on 08/08/2016, and is requesting to retake the test without waiting the full 91 days, because doing so would greatly enhance his ability to keep his job. <i>Licensing Committee's recommendations:</i> Approve request, can reapply to NABP on 46th day.</p> <p>STEVEN BOUYOUKAS RECUSED</p> <p>b. R. Hartwell- Applicant failed NAPLEX on 08/09/2016 and is requesting a waiver to reduce the wait time from 90 days to 45 days to retake the exam and to be allowed to retake this exam by Mid-October before the number of examination items increase from 185 to 250 questions in November 2016. <i>Licensing Committee's recommendations:</i> Approve request, can reapply to NABP on the 46th day.</p> <p>STEVEN BOUYOUKAS RECUSED</p> <p>c. A. Kamdem – Applicant failed NAPLEX on 07/22/2016 and needs to retake the test before 10/21/2016 in order to keep her job. She is seeking approval from the board to retake the exam early. <i>Licensing Committee's recommendations:</i> No recommendations at this time</p> <p>d. N. Stephen - Applicant is appealing Board's August 2016 decision about denying his request to accept his 2014 NAPLEX score. <i>Licensing Committee's recommendations:</i> Deny his appeal and must take NAPLEX exam.</p> <p>2. Review of Pharmacy Intern Applications: NONE</p>	

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		<p>3. Review of Pharmacy Technician Applications: NONE</p> <p>4. Review of Distributor Applications:</p> <p style="padding-left: 20px;">a. HF Acquisition Co LLC - Distributor is relocating and requests approval to ship from new facility while waiting for VAWD accreditation for new location. (Note: Application pending background results for DR, Supervisor, & updated Surety Bond.) <i>Licensing Committee's recommendations:</i> Approve pending Board review to see if WA State could be deemed as a reciprocal state.</p> <p>5. Review of Pharmacy Applications:</p> <p style="padding-left: 20px;">a. Citizens Pharmacy Services –The following questions have arisen in regards to Citizen’s Pharmacy:</p> <ol style="list-style-type: none"> 1. This business is licensed both as a distributor and pharmacy, but operates out of the same location. Is the lack of segregation here problematic? 2. Furthermore, may a single individual simultaneously perform the duties of resident pharmacist and that of designated representative? The pharmacist(s) in this location are in a position to do so if permissible. <p><i>Licensing Committee's recommendations:</i></p> <ol style="list-style-type: none"> 1. Has to have separate records for the pharmacy and distributor. 2. Simultaneous presence of pharmacists and designated representatives (or immediate supervisor) is not required. <p>6. Review of Pharmacy Technicians Training Programs: NONE</p> <p>7. New Business:</p>	
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		<p>a. RAS Enterprises LLC (A. High) – RAS does not take ownership of any of the product. The product is directly supplied by our subcontractor (Air Gas or Linde Gas) to the VA. Airgas will deliver any product directly to the VA and RAS will perform all the administrative and logistical operations. <i>Licensing Committee's recommendations:</i> Maryland does not license 3PL as distributors, so no license is needed in Maryland.</p> <p>b. ALLIEDRX Technician Training Program - Requested that their website be included on Approved Technician Training Programs listed on the Board's website. <i>Licensing Committee's recommendations:</i> Deny Request.</p>	
C. Public Relations Committee	B. Zagnit, Chair	Public Relations Committee Update: <ul style="list-style-type: none"> • MDASCP Annual Meeting follow up. • Board CE Breakfast Update: • Next Newsletter: Call for articles 	
D. Disciplinary	T. Robinson, Chair	Disciplinary Committee Update: <ul style="list-style-type: none"> • Adverse Event Reporting Forms 	
E. Emergency Preparedness Task Force	S. Roy, Chair	Emergency Preparedness Task Force Update	
IV. Other Business & FYI	M. Gavvani, President		
V. Adjournment	M. Gavvani, President	<p>The Public Meeting was adjourned.</p> <p>M. Gavvani convened a Closed Public Session to conduct a medical review of technician applications.</p> <p>C. The Closed Public Session was adjourned. Immediately thereafter, M. Gavvani convened an Administrative Session</p>	

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		<p>for purposes of discussing confidential disciplinary cases. With the exception of cases requiring recusals, the Board members present at the Public Meeting continued to participate in the Administrative Session.</p>	