

**Maryland Board of Pharmacy
Public Board Meeting**

Minutes

Date: December 18, 2013

Name	Title	Present	Absent	Present	Absent
Board Committee					
Bradley-Baker, L.	Commissioner	X		5	1
Finke, H.	Commissioner/Secretary	X		6	0
Gavgani, M. Z.	Commissioner/Treasurer	X		6	0
Israbian-Jamgochian, L.	Commissioner/President	X		5	1
Jones, David H.	Commissioner	X		5	1
Robinson, T.	Commissioner	X		2	0
Rochester, C.	Commissioner		X	4	1
Roy, S.	Commissioner	X		5	0
Smith, J.	Commissioner	X		4	2
St. Cyr, II, Z. W.	Commissioner	X		6	0
Zagnit, B.	Commissioner	X		1	0
Board Counsel					
Bethman, L.	Board Counsel	X		6	
Felter, B.	Staff Attorney	X		6	
Board Staff					
Naesea, L.	Executive Director	X		5	1
Wu, Y.	Compliance Manager	X		4	2
Waddell, L.	Licensing Manager	X		5	1
Gaither, P.	Administration and Public Support Manager		X	5	1
Jeffers, A.	Legislation/Regulations Manager	X		6	0
Johnson, John	MIS Manager	X		6	0

Subject	Responsible Party	Discussion	Action Due Date (Assigned To)
I. Executive Committee Report(s)	A.) L. Israbian-Jamgochian, Board President B.) H. Finke, Secretary	<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. L. Israbian-Jamgochian called meeting to order at 9:35am. 2. L. Israbian-Jamgochian reminded all guests to sign the guest log and to indicate whether they would like continuing education credits. 3. Members of the Board with any conflict of interests relating to any item on the agenda were advised to notify the Board. 4. L. Israbian-Jamgochian reported that all handouts were to be returned by attendees when they leave the meeting. 5. Review and approval of November 20, 2013 public board meeting minutes. November 20, 2013 public board meeting minutes were approved as submitted. 	<p>Motion by J. Smith to approve the November 20, 2013, public board meeting minutes as presented. Motion was seconded by S. Roy. Board approved minutes.</p>
II. A. Executive Director Report	L. Naesea, Executive Director	<ol style="list-style-type: none"> 1. Operations Updates – Board is fully staffed but in process of recruiting 4 temporary contractual staff members for sterile compounding and 3 contractual employees for Compliance. 2. Meetings Update – L. Naesea informed Members that NABP had contacted her to request the Board to consider using its joint portal for reporting multi-state inspections and entering inspection information. L. Bethman noted that a formal MOU or other legal document would need to be developed to recognize NABP as the individual state’s agents in order to receive MD Board of Pharmacy 	<p>D. Jones motioned to use NABP joint portal for multi-state inspections. Motion was seconded by S. Roy. Motioned was approved.</p>

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		inspection information.	
B. Administration and Public Support (APS)	B. P. Gaither, APS Manager	<ol style="list-style-type: none"> 1. Personnel Updates – Information provided by L. Naesea under “Operation Updates.” 2. Contracts and Procurement 	
C. MIS	J. Johnson, MIS Manager	<ol style="list-style-type: none"> 1. MIS Update 	
D. Licensing	L. Waddell, Licensing Manager	<p>Monthly Statistics for November 2013:</p> <p>Pharmacists:</p> <ul style="list-style-type: none"> • New Applications – 49 • Renewals – 373 • Total Licensed – 9822 <p>Pharmacists Administer Vaccinations:</p> <ul style="list-style-type: none"> • New Applications – 60 • Renewals – 25 • Total Certified – 3499 <p>Technicians:</p> <ul style="list-style-type: none"> • New Applications – 85 • Renewals – 259 • Total Registered – 8691 <p>Student Technicians</p> <ul style="list-style-type: none"> • New Applications – 16 • Renewals – 61 • Total Registered – 939 <p>Pharmacies:</p> <ul style="list-style-type: none"> • New Applications – 12 • Renewals – 0 	

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		<ul style="list-style-type: none"> • Total Pharmacies- 2021 Distributors: <ul style="list-style-type: none"> • New Applications – 3 • Renewals – 0 Total – 962 	
E. Compliance	Y. Wu, Compliance Manager	1. Monthly Statistics for November 2013 <u>Complaints & Investigations:</u> New Complaints- 43 Resolved (Including Carryover) - 13 Final disciplinary actions taken – 12 Reversal – 0 Summary Actions Taken –0 <u>Inspections:</u> 114 Annual Inspections- 100 Opening Inspections- 13 Closing Inspections - 0 Relocation Inspections- 1 Board Special Investigation Inspections – 0 Division of Drug Control Closing Inspections: 1 <ul style="list-style-type: none"> • Total Pharmacist Rehabilitation Committee Clients – 17 • Pharmacist Clients – • Technician Clients – • Pharmacy Student Clients – 0 • Clients Monitored by Board Req. PEAC Assistance – 	
F. Legislation & Regulations	A. Jeffers, Legislation &	<u>REGULATIONS:</u> <u>10.34.09 Fees and 10.34.19 Sterile Pharmaceutical Compounding</u>	

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	<p>Regulations Manager</p>	<p>Submitted to DHMH for sign-off and publication in the Maryland Register 11/21/13.</p> <p><u>10.34.22 Licensing of Wholesale Prescription Drug or Device Distributors</u></p> <p>Submitted to DHMH for sign-off and publication in the Maryland Register 11/20/13.</p> <p><u>10.34.32 Pharmacist Administration of Vaccinations</u></p> <p>Anticipated to be published in the Md. R. 122713 for public comment.</p> <p><u>10.13.01 Dispensing of Prescription Drugs by a Licensee</u></p> <p>Board approval requested for the following revisions:</p> <p><u>Draft Proposal 10.13.01 Revisions from 121813 Bd Mtg</u></p> <p><u>MEETINGS:</u></p> <p>1) November 22, 2013 – Senator Karen Montgomery LaVerne Naesea and Anna Jeffers met with Senator Montgomery to discuss 2014 Legislative initiatives and budgetary concerns.</p> <p>2) December 12, 2013 – Senator Bryan Simonaire Lenna Israbian-Jamgochian, Anna Jeffers and Ethel Fomundam, intern, met with the Senator’s aid – Kara Shawyer to discuss 2014 Legislative initiatives and budgetary concerns.</p> <p><u>OTHER MATTERS:</u></p> <p>Board ratification of letter sent to the Laboratory Administration</p>	<p>10.13.01 Motion to approve was made by D. Jones. Motion was seconded by M. Gavgani. Board approved proposal.</p>
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		<p>concerning courses that would satisfy the mandated CE in 2012 SB 603.</p> <p><u>Letter to Labs on ACPE Course Availability</u></p>	<p>ACPE - Motion to approve was made by D. Jones. Motion was seconded by L. Bradley-Baker. Board approved letter.</p>
<p>III. Committee Reports A. Practice Committee</p>	<p>H. Finke, Chair,</p>	<p><u>Inquiries:</u></p> <p>1) Kathleen Reilly, Consumer</p> <p><u>Kathleen Reilly Controlled Corr Expiration of Rx's</u></p> <p><u>Draft Bd Response – Expiration of Rx</u></p> <p>2) Al Carter, Walgreens</p> <p><u>Walgreens additional info</u></p> <p><u>Draft Bd Response – Pharm Tech - Walgreens</u></p> <p>3) Branko Milosevic, Dir. Of Operations, Omniplus healthcare</p> <p><u>Inquiry RE Physician Ownership in Out</u></p> <p><u>Draft Bd Response – Physician ownership in non resident pharm</u></p> <p>4) Bruce Zagnit</p> <p><u>Pharmacist teaching injections by giving injections</u></p> <p><u>Draft Bd Response – pharm teaching injections to patients</u></p> <p>5) Jessica Forster, Wachler & Associates</p>	<p>1) Practice Committee moved to approve draft response. Motion was seconded by B. Zagnit Response was approved.</p> <p>2) Practice Committee moved to approve draft response. Motion was seconded by M. Gavvani Response was approved.</p> <p>3) Practice Committee moved to approve draft response. Motion was seconded by M. Gavvani Response was approved.</p> <p>4) B. Zagnit is recused. Practice Committee moved to approve draft response. Motion was seconded by S. Roy Response was approved.</p> <p>5) Practice Committee moved to approve</p>

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		<p><u>Physician ownership of a pharmacy</u></p> <p><u>Draft Bd Response – Physician ownership of Pharmacy</u></p> <p>6) Holly Thai, Meritus Medical Center</p> <p><u>Anticoagulant Clinic Questions</u></p> <p><u>Draft Bd Response – Anticoagulant Clinic</u></p> <p>7) Cheryl DePinto, Medical Director, Office of School Health Health Systems and Infrastructure Administration, DHMH</p> <p><u>Pharmacy labels for mail order meds - dispensing vs. expiration date</u></p> <p>Board ratification requested:</p> <p><u>Labels - expiration date between mail order and manufact III</u></p>	<p>draft response. Motion was seconded by M. Gavvani Response was approved.</p> <p>6) Practice Committee moved to approve draft response. Motion was seconded by D. Jones Response was approved with amendments.</p> <p>7) Practice Committee moved to ratify the response. Motion was seconded by M. Gavvani Response was approved.</p>
B. Licensing Committee	L. Bradley-Baker, Chair	<p>1. Review of Pharmacist Applications:</p> <p>a. Sheetal Dixit - Would like waiver of social security number. Licensing Committee recommendation is to deny request.</p> <p>b. Vu Nguyen - Would like waiver of reactivation fee as he states he was given the wrong application expiration date. Licensing Committee recommendation to deny request and inform him that he has to pay reactivation fees.</p> <p>2. New Business:</p> <ul style="list-style-type: none"> Cap Pharmacy - Nonresident pharmacy requesting to become a waiver pharmacy because the specialty drugs qualify them to be exempt from PDMP. Licensing Committee recommendation is to allow them to obtain 	<p>Licensing Committee moved to deny request. Motion was seconded by D. Jones Response was approved. Licensing Committee moved to deny request and inform him that he has to pay reactivation fees. Motion was seconded by M. Gavvani Response was approved.</p> <p>Licensing Committee moved to allow them to obtain waiver permit for nonresident</p>

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		waiver permit for nonresident pharmacy.	pharmacy. Motion was seconded by D. Jones Response was approved.
C. Public Relations Committee	L. Bradley-Baker, Chair	<p>Public Relations Committee Update: The Board will recognize Commissioners Michael Souranis, Richard Matens, Rodney Taylor, Stephanie Hammonds and Dave Chason, who left over the past year at a luncheon following the Board meeting on December 18, 2013</p> <p>. MPhA Annual meeting coming up on February 9, 2014 at 7am – 4:45pm.</p>	
D. Disciplinary	M, Gavvani, Chair	No Disciplinary Committee updates.	
E. Emergency Preparedness Task Force	L. Bradley-Baker, Acting Chair	No Emergency Preparedness updates.	
IV. Other Business & FYI	L. Israbian-Jamgochian, Board President	None	
V. Adjournment	L. Israbian-Jamgochian, Board President	<p>The Public Meeting was adjourned at 10:31 am.</p> <p>At 11:05 A.M. L. Israbian-Jamgochian convened a Closed Public Session to conduct a medical review of technician applications.</p> <p>C. The Closed Public Session was adjourned at 11:16 P.M. Immediately thereafter, L. Israbian-Jamgochian convened an Administrative Session for purposes of discussing confidential disciplinary cases. With the exception of cases requiring recusals,</p>	

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		the Board members present at the Public Meeting continued to participate in the Administrative Session.	