

**Maryland Board of Pharmacy
Public Board Meeting
Minutes**

Date: April 16, 2014

Name	Title	Present	Absent	Present	Absent
Board Committee					
Ashby, D.	Commissioner	✓		2	0
Bradley-Baker, L.	Commissioner	✓		8	1
Finke, H.	Commissioner/Secretary	✓		9	0
Gavgani, M.	Commissioner/Treasurer		✓	8	1
Israbian-Jamgochian, L.	Commissioner/President	✓		8	1
Jones, D.	Commissioner	✓		8	1
Robinson, T.	Commissioner	✓		5	0
Rochester, C.	Commissioner	✓		7	0
Roy, S.	Commissioner		✓	7	1
Smith, J.	Commissioner	✓		7	2
St. Cyr, II, Z. W.	Commissioner	✓		7	0
Zagnit, B.	Commissioner	✓		4	0
Board Counsel					
Bethman, L.	Board Counsel	✓		9	0
Felter, B.	Staff Attorney	✓		9	0
Board Staff					
Naesea, L.	Executive Director	✓		8	1(excused)
Wu, Y.	Compliance Manager	✓		7	2 (excused)
Waddell, L.	Licensing Manager	✓		8	1 (excused)
Gaither, P.	Administration and Public Support Manager	✓		8	1 (excused)
Jeffers, A.	Legislation/Regulations Manager	✓		9	0
Johnson, J	MIS Manager	✓		9	0

Subject	Responsible Party	Discussion	Action Due Date (Assigned To)	Results
III. A. Executive Director's Report	L. Naesea, Executive Director	<ol style="list-style-type: none"> 1. Operations Updates: L. Naesea again thanked Dean Eddington for use of the facilities and explained the Board's new initiative to hold Board Meetings in different areas of the state. 2. Meeting Updates: <ol style="list-style-type: none"> a. An orientation was held for new Board Members. Board Officers and managers provided information about Board operations and summarized member responsibilities. b. Board members M. Gavgani, B. Zignat, staff members L. Naesea, A. Jeffers and L. Bethman (AG), and DHMH Medical Officer, M. Ghahunia attended an FDA meeting regarding sterile compounding and possible solutions to unresolved issues. c. A. Jeffers and M. Gavgani participated in an MPJE writing workshop hosted by NABP. 3. Nominations for Board Officers and NABP Delegates took place during the meeting. Incumbents for Board President, L. Israbian-Jamgochian and Treasurer, M. Gavgani were not challenged and L. Bradley-Baker was nominated for Secretary. L. Israbian-Jamgochian was unchallenged as Delegate and nominations taken from the floor for NABP Alternate included J. Smith and D. Jones. 	3. Motion to close nominations and vote by Z. St. Cyr, II, seconded by J. Smith	3. L. Bradley-Baker was elected Board Secretary, J. Smith was elected Alternate NABP delegate.
B. Administration & Public Support	P. Gaither, Admin.& Public Support	Personnel Updates – P. Gaither reported 2 current vacancies: Inspector for the Compliance Unit (currently recruiting) and Officer Secretary II for the APS Unit (recruitment to begin soon). The Board		

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	Manager	<p>was recently awarded 5 contractual positions. Four will be assigned to the Compliance Unit (2 investigators, 1 Lab scientist and 1 administrative staff), 1 administrative staff will be assigned to the APS Unit. The Board also requested six permanent positions and is awaiting approval from the Department of Budget and Management.</p> <p>Contracts and Procurement – The PEAC practitioner rehabilitation contract has been approved by the contracts office and forwarded to PEAC for final signature</p>		
C. Management Information Systems	John Johnson, MIS Manager	<p>1. MIS Update- John Johnson shared provided updates related to MIS projects.. The online system for pharmacies only has been taken off line in order to resolve issues experienced by permit holders. He projected that the system will be up and running in approximately 3 days, the document scanning project is progressing well, with a little concern about some of the documents scanned.</p>	J. Johnson will report on how the concerns were resolved to the MIS steering committee in about 2 weeks.	
D. Licensing	L. Waddell, Licensing Manager	<p>Monthly Statistics for March 2013.</p> <p>Pharmacists:</p> <ul style="list-style-type: none"> • New Applications – 27 • Renewals – 332 • Total Licensed – 9938 <p>Pharmacists Administer Vaccinations:</p> <ul style="list-style-type: none"> • New Applications – 19 • Renewals – 8 • Total Certified - 3559 <p>Technicians:</p> <ul style="list-style-type: none"> • New Applications – 148 • Renewals – 319 • Total Registered –8777 <p>Student Technicians:</p> <ul style="list-style-type: none"> • New Applications – 56 • Renewals – 0 • Total Registered – 725 		

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		<ul style="list-style-type: none"> Discharged Clients/Closed Cases – 0 		
F. Legislation & Regulations	A. Jeffers, Legislation & Regulations Manager	<p><u>REGULATIONS:</u></p> <p><u>FYI-10.34.03 Institutional Pharmacy Effective May 31, 2014-decentralized pharmacies at hospital complexes</u></p> <p><u>10.34.09 Fees and 10.34.19 Sterile Compounding Preparations and Sterile Drug Product</u></p> <p>Published January 24, 2014. Board responses to comments sent March 25, 2014. On HOLD by AELR. Anna Jeffers has contacted Senator Pinsky’s office regarding lifting the HOLD.</p> <p>Implementation delayed until January 1, 2015.</p> <p>General Chapter <800> <i>Hazardous Drugs – Handling in Healthcare Settings</i> Proposal into Pharmacopeial Forum 40(3) May/June 2014; Comments due July 31st, 2014.</p> <p>A subcommittee of the Sterile Compounding Committee will discuss USP 800 separately.</p> <p><u>10.34.22 Licensing of Wholesale Prescription Drug or Device Distributors</u></p> <p>Published January 24, 2014. No comments received.</p> <p>Board approval requested for delayed implementation date as recommended by Licensing (July 1, 2014) and Disciplinary.</p>	10.34.22 - Motion for effective date of July 1 by D. Jones, Second by J. Smith	The Board voted to approve the motion.

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		<p><u>10.34.32 Pharmacist Administration of Vaccinations.</u></p> <p>Published December 27, 2013. Board approved response to comments at the February Board Meeting.</p> <p>Notice of Final Action <i>anticipated</i> to be published April 18th with an effective date of April 28th.</p> <p><u>10.13.01 Dispensing of Prescription Drugs by a Licensee</u></p> <p>Submitted to DHMH for sign-off December 23, 2013. Board response to internal comments sent March 21, 2014.</p> <p>Status update: DHMH internal sign-off is complete. On the Secretary's desk for sign-off before submitting to the Maryland Register for publication.</p> <p><u>LEGISLATION:</u></p> <p><u>BOARD RATIFICATION REQUESTED FOR THE FOLLOWING LEGISLATIVE POSITIONS IN THE OPPOSITE HOUSE:</u></p> <p>SB 257 Task Force to Study Access to Pharmacy Services in Maryland</p> <p><u>SB 257 CROSS Task Force-Pharmacy services LoS</u></p> <p>HB 301/SB 413 Health Occupations - Dentists With Permits to Dispense Dental Products - Exclusion From Maryland Pharmacy Act</p> <p><u>HB 301 CROSS-Hlth Occ - Dentists Dental Products - SWA</u></p> <p>HB 303/SB 412 Health Occupations - Licensed Dentists Who Prepare and</p>	<p>Legislation - Motion to ratify by L. Israbian-Jamgochian, Second by B. Zagnit</p>	<p>The Board voted to approve the motion.</p>

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		<p>Dispense Antibiotics - Exclusion From Maryland Pharmacy Act</p> <p><u>HB 303 CROSS Hlth Occ - Dentists Antibiotics – SWA</u></p> <p>SB 607 Child Abuse and Neglect – Failure to Report and Training</p> <p><u>SB 607 - mandated child abuse training - oppose - House</u></p> <p>HB 596 State Board of Pharmacy – Wholesale Distributors – Notification to Pharmacy</p> <p><u>HB 596 CROSS Wholesale Dist - Notification of Pharm – LoSAA</u></p> <p>HB 761/SB 874 Health Insurance – Specialty Drugs</p> <p><u>HB 761 CROSS - Hlth Ins - Specialty drugs SWA</u></p> <p>SB 852/HB 1029 Health Occupations – Dispensers of Devices and Equipment – Exclusion From the Maryland Pharmacy Act</p> <p><u>HB 1029 CROSS Device Bill – SAA</u></p> <p>SB 854/HB 1218 State Board of Pharmacy – Registered Pharmacy Interns</p> <p><u>SB 854 CROSS Pharmacy Interns – SUPPORT</u></p> <p>SB 884/HB 1127 Health Insurance – Incentives for Health Care Practitioners</p> <p><u>SB 884 - CROSS Hlth Ins - Incentives for Htlh Care Prac – LoSAA</u></p> <p>HB 1088 Health Occupations – Compound Drugs – Provision to Ophthalmologists for Office Use</p> <p><u>HB 1088 CROSS Ophthalmologists - Letter of Concern</u></p>		

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		<p>HB 1137/SB 1048 Crimes – Robbery or Theft of Property – CDS</p> <p><u>HB 1137 -CROSS Crimes-Robbery, Burgl, Theft-CDS-LoSAA</u></p> <p>SB 1108 Sterile Compounding Permits – Definition of “Compounding”</p> <p><u>SB 1108 CROSS - Sterile Comp - oncologists SWA FINAL</u></p> <p><u>LEGISLATIVE WRAP-UP</u></p> <p><u>2014 Leg Session Power Point 041014</u></p> <p>D. Jones thanked A. Jeffers on behalf of the entire Board of Pharmacy for her hard work during the 2014 legislative session.</p>		

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III. Committee Reports A. Practice Committee	H. Finke, Chair	<p><u>Inquiries:</u></p> <p>1) Nathan Thompson, Director, JH outpatient pharmacies</p> <p><u>Waiver Applications</u></p> <p><u>Johns Hopkins Outpatient Pharmacy Policies -part1</u></p> <p><u>Johns Hopkins Outpatient Pharmacy Policies -part2</u></p> <p><u>Draft Board Response – Prescription pick up drop off location</u></p> <p>Below is the approved response:</p> <p>Dear Mr. Thompson:</p> <p>Thank you for contacting the Maryland Board of Pharmacy requesting approval for a waiver pharmacy to operate a prescription pick-up/drop-off location in a building on the campus of a hospital. The primary responsibilities of this location would include:</p> <ul style="list-style-type: none"> • Gathering patient demographic and insurance information; • Receiving patient prescriptions and subsequent transmittal of the prescriptions to the hospital pharmacy; • Providing medications dispensed from the hospital pharmacy to patients and/or caregivers; • Providing pharmacist consultation services to patients; and • Collecting any payments from patients due from prescription copayments or purchase of retail products. <p>The activities at the location described above do not fall within the definition of a pharmacy as no inventory is stored or dispensed from this location. This location also does not fall within a permissible “Depot” under COMAR 10.34.25.02 Delivery of Prescriptions, since it is not located in a healthcare facility.</p> <p>If the hospital pharmacy were to send the prescriptions directly to the patient’s home, then a pharmacist may be located, at a location that is not a pharmacy, to provide the services above, except for providing medications.</p>	<p>1) Motion to approve response by L. Israbian-Jamgochian, Second by C. Rochester</p>	<p>The Board voted to approve the motion.</p>

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		<p>Please be advised that this response was prepared with the knowledge of only the facts presented. Any person who wishes to republish or reproduce, in whole or in part, any material issued by the Board should contact the Board for prior consent. This response is not intended to be legal advice. Although references to current laws and regulations may be included in this response, keep in mind that laws may change annually and regulations may be changed at any time. Further, the information provided is based on state pharmacy laws and regulations. Federal rules and state requirements that are not included under the Maryland Pharmacy Practice Act, however, may also apply. To insure that all current applicable laws have been considered, you may want to consult with your own legal counsel.</p> <p><u>OTHER MATTERS:</u></p> <p>1) Pharmacist Working Conditions – Would the Board like to pursue exploring pharmacists’ working conditions and how that impacts public safety?</p> <p>2) Practice committee recommends endorsing through a newsletter article, the recent decision by CVS to remove all tobacco products from their stores and strongly all pharmacists and healthcare professionals throughout the state to do it as well.</p> <p>3) Telepharmacy Discussion</p>	<p>1) Motion for sub-committee by the practice committee, Second by B. Zagnit</p> <p>2) Practice recommends to commending CVS for their recent decision, Second by L. Bradley-Baker</p> <p>3) Motion by Z. St. Cyr II, Second by D. Jones for the Practice Committee to review the issue of telepharmacy .</p>	<p>1) Volunteers for sub-committee: B. Zagnit, D. Jones, Z. St. Cyr, II., C. Rochester</p> <p>2) The board voted to approve the recommendation .</p> <p>3) The board voted to approve the motion.</p>

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B. Licensing Committee	L. Bradley-Baker, Chair,	<p>1. Review of Pharmacist Applications: None</p> <p>2. Review of Pharmacy Technician Applications: None</p> <p>3. Review of Distributor Applications: None</p> <p>4. Review of Pharmacy Applications: None</p> <p>5. Review of Pharmacy Technicians Training Programs:</p> <p>YOUR Community Pharmacy Technician Training Program - Licensing Committee recommendation is to approve</p> <p>6. New Business:</p> <p>1. Deborah Smith - Would like the Board to accept her expired MPJE score as she states that she applied to numerous states at once and was delayed in getting all required documentation to the Board. Licensing Committee recommendation is to inform her that her request was denied.</p> <p>2. Dean Kendall w/MHEC - Would like to know if the Board is able to provide them with whether MDBOP considers the number of registered technician in MD to be insufficient, sufficient or exceeding job employment demand? Licensing Committee recommendation is to inform them that the Board does not have a position and therefore do not know the stats that they are requesting.</p>	<p>Motion to approve by the Licensing Committee, , Second by J. Smith</p> <p>Motion to deny by the Licensing Committee, , Second by D. Jones</p> <p>Motion to send written letter response with the requested statistics by the Licensing Committee, , Second</p>	<p>The board voted to approve the motion.</p> <p>The board voted to approve the motion.</p> <p>The board voted to approve the motion.</p>

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		<p>The Board has not studied this issue. Therefore, the Board takes no position and cannot provide the requested statistics.</p> <p>*Item that was not on the meeting agenda Reciprocity candidate requested an extension of his application because for a variety of reasons he doesn't think he will meet the requirements of licensure by the expiration date of May 10, 2014.</p> <p>3. NABP Meeting - Discussion of NABP VAWD conference call. For informational purposes only.</p> <p>As a result of a discussion with NABP, the Board has requested quarterly updates from NABP on the progress/status of VAWD applications and a process with recommendations to respond to the reports received.</p> <p>The Board will not be sending a letter discussed during the March 2014 Board Meeting to NABP regarding issues with VAWD.</p>	<p>by D. Jones</p> <p>Motion to deny the request by the Licensing Committee, , Second by D. Ashby</p>	<p>The board voted to approve the motion.</p>
C. Public Relations Committee	D. Jones, Chair	<p>Public Relations Committee Update:</p> <p>D. Jones asked Board members and staff to try to attend two upcoming PR events :</p> <ul style="list-style-type: none"> -Flower Mart: Friday, May 2, 2015 -Baby Boomers Expo: Thursday, October 9, 2014 <p>The Board will also have representation at the MPhA Annual meeting in June 2014 and MD-ASCP Annual meeting in August 2014.</p>		

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		<p>The Board's Annual CE Breakfast will be held in October 2014 and is tentatively planned to be held at the Maritime Institute to be able to accommodate more guests. The PR committee would like Board and staff input on topics and activities.</p> <p>The Citizen Advocacy Council (CAC) conference will also be in October 2014. DHMH will be a co-sponsor of the CAC conference. Dr. Sharfstein will likely be a keynote speaker, Board Commissioners and staff are encouraged to participate by attending the conference. There may be opportunities for board members to be panelists at the conference. Interested board members should contact Z. St. Cyr, II for more information.</p> <p>The PR Committee is working on FAQs to be asked in the form of a survey to be available at outreach events to help answer and information about the board to become more easily accessible and to evaluate interaction with the Board. There is a future plan to develop outreach videos.</p> <p>The next off-site Board Meeting will be held September 17, 2014 in Cumberland.</p> <p>The PR Committee is planning an informal luncheon to celebrate the Board Members that will be leaving the Board. More information will be available regarding this in the future.</p>		
D. Disciplinary		Disciplinary Committee Update –No update.		
E. Emergency Preparedness Task Force	J. Smith in the absence of S. Roy, Chair	<p>Emergency Preparedness Task Force Update:</p> <p>Maryland pharmacists' involvement in the Strategic National Stockpile (SNS) exercises has been praised nationally. The Task Force has been</p>		

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		requested to prepare an article for submission to a national newsletter. A draft has been prepared by Don Taylor and currently under review by S. Roy.		
IV. Other Business & FYI	L. Israbian-Jamgochian, President	None		
V. Adjournment	L. Israbian-Jamgochian, President	<p>The Public Meeting was adjourned at <u>11:52 A.M.</u></p> <p>At <u>1:35 P.M.</u> L. Israbian-Jamgochian convened a Closed Public Session to conduct a medical review of technician applications.</p> <p>The Closed Public Session was adjourned at 2:00 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, the Board members present at the Public Meeting continued to participate in the Administrative Session.</p>	Motion by D. Jones to adjourn the Public Board meeting pursuant to State Government Article 10-508a)(13) and (7) for the purpose of engaging in medical review committee review deliberation regarding confidential matters in applications Meeting. The motion was seconded by Z. St. Cyr II.	The board voted to approve the motion.