

**Texas State Board of Pharmacy
Public Hearing and Board Business Meeting
333 Guadalupe Street, Suite 2-225
Austin, Texas**

**Tuesday, August 5, 2008
Public Hearing - 9:00 a.m. - Conclusion**

A G E N D A

The Board will commence in open session to hear testimony concerning:

Amendments to Chapter 309 Concerning Generic Substitution. (Tab 07)

The proposed amendments were published in the June 20, 2008, issue of the *Texas Register*.

Opening Statement: W. Benjamin Fry, R.Ph., President

Public Testimony

**Texas State Board of Pharmacy
Public Hearing and Board Business Meeting
333 Guadalupe Street, Suite 2-225
Austin, Texas**

Tuesday, August 5, 2008
9:00 a.m. – 5:00 p.m.

Wednesday, August 6, 2008
8:00 a.m. – Conclusion

A G E N D A

- A. **BF** **Announcements**
- B. **BF** **Discussion and Approval of Minutes of Previous Meetings**
(Tab 1)
- C. **AB** **Discussion of and Possible Action Regarding Rules and Rule Reviews**
 - C.1 Final Adoption of Rules
 - C.1.1 Amendments to Chapter 281, Subchapter C,
Concerning Disciplinary Guidelines
(§§281.62-281.65) (Tab 02)
 - C.1.2 New §291.15 and Amendments to §291.133
Concerning Storage of Drugs (Tab 03)

C.1.3 Amendments to Chapter 291, Subchapter B (§§291.31-291.34) (Tab 04):

- Amendments to §§291.31-291.34 to Implement the Recommendations of the Task Force on Security in Class A Pharmacies
- Amendments to §291.32 Concerning Responsibility for Errors
- Amendments to §§291.33-291.34 Concerning Counseling
- Amendments to §291.34 Concerning Emergency Dispensing of a 30-Day Supply of Drugs in the Event of a Disaster

C.1.4 Amendments §§291.72-291.73 Concerning Personnel, Based on Envision Telepharmacy Pilot Project, and Amendments to §291.74 Concerning Operational Standards in Class C Pharmacies (Formularies) (Tab 05)

C.1.5 Amendments to §305.2 Concerning Pharmacy Technician Training Programs (Tab 06)

C.1.6 Amendments to Chapter 309 Concerning Generic Substitution (Tab 07)

C.1.7 Amendments to Implement the Recommendations of the Task Force on Class D Pharmacies (§§291.91-291.94) (Tab 08)

C.2 Proposal of Rules

C.2.1 Amendments to §281.66 Concerning Applications for Reissuance or Removal of Restrictions of a License (Tab 09)

C.2.2 Amendments to §291.33 Concerning Storage of Drugs (Tab 10)

C.2.3 Amendments to §295.8 Concerning Continuing Education Requirements for Pharmacists (Tab 11)

C.2.4 Amendments to §297.3 Concerning Registration Requirements for Pharmacy Technicians (Tab 12)

C.2.5 Amendments to §§283.7-283.8 Concerning Examination and Reciprocity Requirements for Criminal Background Checks (Tab 13)

C.3 Rule Reviews in Accordance with Government Code, §2001.039 (Tab 14)

C.3.1 Chapter 291 Concerning Class C (Institutional) Pharmacies (§§291.71-291.76) (Tab 15)

C.3.2 Chapter 303 Concerning Destruction of Dangerous Drugs and Controlled Substances (§§303.1-303.3) (Tab 16)

D. Updates and Reports of Committees/Task Forces

PH D.1 Task Force on Class C Pharmacies (Tab 17)

AB D.2 Task Force on Pilot Project Request by HEB Concerning Pharmacist to Pharmacy Technician Ratios in Class A Pharmacies with Central Processing Facilities (Tab 18)

E. Discussion of and Possible Action Concerning the Following Reports and Discussions

CS E.1 Financial Update

E.1.1 Review of FY2008 Operating Budget (Tab 19)

E.1.2 Review of Board Member Travel Budget (Tab 20)

E.1.3 Review and Approval of FY2009 Operating Budget (Tab 21)

E.1.4 Update on Submission of Legislative Appropriations Request (Tab 22)

- PH** E.2 Professional Recovery Network (PRN) Update
 - E.2.1 Update on Number of Individuals Participating in PRN (Tab 23)
 - E.2.2 Review of PRN Expenditures (Tab 24)
 - GD** E.3 Report on Audit Conducted by State Auditor's Office (Tab 25)
 - DW** E.4 Discussion Concerning the Initials of the Dispensing Pharmacist on the Container Label at the Time of Delivery of the Drug in a Class A Pharmacy (Tab 26)
 - GD/PH** E.5 Update on Sampling of Compounded Products (Tab 27)
 - GD** E.6 Review and Approval of *TSBP FY2007 Annual Report* (Tab 28)
 - GD** E.7 Review and Approval of *TSBP 2009 Goals and Objectives* (Tab 29)
 - CS** E.8 Review and Approval of Accreditation Council for Pharmaceutical Education (ACPE) Accredited Professional Programs of Colleges and Schools of Pharmacy (Tab 30)
 - GD** E.9 Update Concerning Health Professions Council (HPC) (Tab 31)
 - GD** E.10 Report on House and Senate Interim Committees (Tab 32)
 - GD** E.11 Update on TSBP Action on Legislation Passed by the 80th Texas Legislature that has an Impact on TSBP and/or the Practice of Pharmacy (Tab 33)
 - GD** E.12 Discussion of Possible Statutory Changes (Tab 34)
- F.** **CF** **Consideration of and Possible Action Concerning the Following Enforcement Reports**
 - F.1 Consideration of Petition(s) to Serve as a Preceptor
 - F.2 Report on Dismissed Complaints (Tab 35)
 - F.3 Report on Status of Active/Pending Complaints (Tab 36)

G. Disciplinary Orders

KA G.1 Consideration of Proposal for Decision in the Matter of Victor Mireles Valadez, Pharmacy Technician (Tab 37)

 G.1.1 Executive Session Concerning the Proposal for Decision in the Matter of Victor Mireles Valadez, Pharmacy Technician

KA G.2 Report on Agreed Board Orders Entered by Executive Director

KA G.3 Discussion of and Action on Proposed Agreed Board Orders and Default Orders

 G.4 Executive Session to Consider Confidential Agreed Board Orders

H. Miscellaneous

BF H.1 Items to be Placed on Agenda for November 2008 Board Meeting (Tab 38)

 H.2 Discussion of and Possible Action on Recent Conferences and Events

- NABP Annual Meeting, Baltimore, MD, May 17-20, 2008 (Fry, Caldwell, Mendoza, Waggener, Dodson)
- ASHP Summer Meeting, Seattle, WA, June 8-11, 2008 (Fry)
- TPA Annual Meeting, Galveston, July 15-19, 2008 (Fry, Abeldt, Mendoza, Waggener, Wiesner, Dodson)

 H.3 Discussion of and Possible Action on Upcoming Conferences and Events (Tab 39)

- Technician Informal Conferences, Austin, August 21, 2008 (Fry)
- NACDS Pharmacy Conference, San Diego, CA, August 23-27, 2008 (Caldwell)

- Informal Conferences, Austin, September 9-11, 2008 (Combs)
- NABP/AACP District VI, VII, and VIII Annual Meeting, Park City, UT, September 17-20, 2008 (Fry, Mendoza, Waggener, Dodson)
- Technician Informal Conferences, Austin, September 18, 2008 (Fry)
- NCPA Annual Meeting, Tampa, FL, October 11-15, 2008
- Informal Conferences, Austin, October 14-16, 2008 (Fry)
- AMCP Educational Conference, Kansas City, MO, October 15-18, 2008
- TFDS Annual Meeting, Austin, October 16-17, 2008
- Technician Informal Conferences, Austin, October 23, 2008 (Waggener)
- TSBP Board Business Meeting, Austin, November 18-19, 2008
- ASCP Annual Meeting, New Orleans, LA, November 19-22, 2008
- ASHP Mid-Year Clinical Meeting, Orlando, FL, December 7-11, 2008
- Informal Conferences, Austin, December 9-11, 2008 (Combs)
- Technician Informal Conferences, Austin, December 18, 2008
- Informal Conferences, Austin, January 13-15, 2008
- Technician Informal Conferences, January 22, 2008

BF H.4 Consideration of Personnel Matters

H.4.1 Executive Session to Conduct Evaluation of Executive Director (Tab 40)

THE TEXAS STATE BOARD OF PHARMACY MAY ENTER EXECUTIVE SESSION TO CONSIDER ANY AGENDA ITEM WHEN PERMITTED BY TEXAS LAW.

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, large print or Braille, are requested to contact Cathy Stella at (Voice) 512/305-8000, (FAX) 305-8075, or TDD 1-800/735-2989. Requests for reasonable accommodations should be made five working days prior to the meeting so that appropriate arrangements can be made.