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# TEXAS STATE BOARD OF PHARMACY

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Texas State Board of Pharmacy

333 Guadalupe Street, Suite 2-225  
Austin, Texas

## Board Business Meeting

Tuesday, August 6, 2013  
9:00 a.m. – Conclusion

### A G E N D A

**A. JW Announcements**

- Meeting Procedures
- Board Members
- Staff
- Continuing Education

**B. JW Discussion and Approval of Minutes (Tab 01)**

- TSBP Board Business Meeting, Held May 7, 2013
- Temporary Suspension Hearing, Held June 27, 2013, Concerning Nathan John Hellums, R.Ph.

**C. AB Discussion of and Possible Action Regarding Rules**

C.1 Final Adoption of Rules

C.1.1 Amendments to §281.6 Concerning Mental or Physical Examination (Tab 02)

C.1.2 Amendments to §281.22 Concerning Informal Disposition of a Contested Case (Tab 03)

- C.1.3 Amendments to §281.63 Concerning Criminal Offenses (Tab 04)
- C.1.4 Amendments to §281.66 Concerning Reinstatement (Tab 05)
- C.1.5 Amendments to §281.67 Concerning Sanctions for Out-of-State Disciplinary Actions (Tab 06)
- C.1.6 Amendments to §291.34 Concerning Records (Tab 07)
- C.2 Proposal of Rules
  - C.2.1 Amendments to §281.22 Concerning Informal Disposition of a Contested Case (Tab 08)
  - C.2.2 New Rule §281.68 Concerning Remedial Plan (Tab 09)
  - C.2.3 Amendments to §291.17 Concerning Inventory Requirements (Tab 10)
  - C.2.4 Amendments Concerning License Fees (Tab 11)
    - C.2.4.1 §291.6 Concerning Pharmacies
    - C.2.4.2 §295.5 Concerning Pharmacists
    - C.2.4.3 §297.4 Concerning Pharmacy Technicians and Pharmacy Technician Trainees
  - C.2.5 Amendments Concerning Pharmacist to Technician Ratio (Tab 12)
    - C.2.5.1 §291.32 Concerning Class A Pharmacies
    - C.2.5.2 §291.53 Concerning Class B Pharmacies
    - C.2.5.3 §291.153 Concerning Glass G Pharmacies
  - C.2.6 Amendments to §291.105 Concerning Auto Refill in Class E Pharmacies (Tab 13)
  - C.2.7 Amendments to §§283.12 and 297.10 Concerning Military Spouses (Tab 14)

**D. AB Discussion of and Possible Action Concerning Reports of Committees/Task Forces**

D.1 Task Force

D1.1 Final Report of Task Force on Compounding of Sterile Preparations and Possible Proposal of New Rules and Amendments to Implement the Recommendations of the Task Force (§§291.33 and 291.36 Concerning Class A Pharmacies; §§291.54 and 291.56 Concerning Class B Pharmacies; §§291.74, 291.76, and 291.77 Concerning Class C Pharmacies; §§291.104 and 291.106 Concerning Class E Pharmacies; and §291.133 Concerning Pharmacies Compounding Sterile Preparations) (Tab 15)

D.2 Pilot Project

D.2.1 Recommendation Concerning a Waste Identification and Disposal System Pilot Project (Tab 16)

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

**CS** E.1 Financial Update

E.1.1 Review of FY2013 Expenditures (Tab 17)

E.1.2 Review of Board Member Travel Budget (Tab 18)

E.1.3 Review and Approval of FY2014 Operating Budget and Revenue Projections (Tab 19)

**PH** E.2 Update Concerning Program to Aid Impaired Pharmacists and Pharmacy Students

E.2.1 Update on Number of Participating Individuals (Tab 20)

E.2.2 Professional Recovery Network (PRN)

E.2.2.1 Presentation and Discussion Concerning PRN Expenditures and Activities by PRN Director Courtney Hulbert (Tab 21)

- GD** E.3 Review and Approval of *TSBP FY2012 Annual Report* (Tab 22)
- GD** E.4 Review and Approval of *TSBP FY2014 Goals and Objectives* (Tab 23)
- CS** E.5 Discussion Concerning *TSBP FY2015-2019 Strategic Plan* (Tab 24)
- CS** E.6 Review and Approval of Accreditation Council for Pharmacy Education (ACPE) Accredited Professional Programs of Colleges and Schools of Pharmacy (Tab 25)
- DW** E.7 Discussion Concerning the Status of a Prescription After a Physician Dies (Tab 26)
- DW** E.8 Discussion Concerning Prescription Labeling Requirements for Central Fill Pharmacies (Tab 27)
- DW** E.9 Discussion Concerning Electronic Delivery of Drug Information to Patients (Tab 28)
- AB** E.10 Discussion Concerning Certification Programs and Possible Proposal of Amendments to §295.12 (Pharmacist Certification Programs) (Tab 29)
- GD** E.11 Discussion Concerning USP Prescription Container Labeling Standards (Tab 30)
- SR** E.12 Report on Shared Regulatory Data Base Project (Tab 31)
- KA** E.13 Report on Appeals from State Office of Administrative Hearings Cases and Other Court Actions (Tab 32)
- GD** E.14 Update on Legislation Passed During the 83<sup>rd</sup> Texas Legislative Session that has an Impact on TSBP and/or the Practice of Pharmacy (Tab 33)
- GD** E.15 Discussion of Possible Statutory Changes for Consideration During the 84<sup>th</sup> Session of the Texas Legislature (Tab 34)

**F. KA Disciplinary Orders**

- F.1 Consideration of Proposals for Decision (Tab 35)
- F.2 Report on Agreed Board Orders Entered by Executive Director (Tab 36)
- F.3 Discussion of and Action on Proposed Agreed Board Orders and Default Orders (Tab 37)
- F.4 Executive Session to Consider Confidential Agreed Board Orders (Tab 38)

**G. CF Consideration of and Possible Action Concerning the Following Enforcement Reports**

- G.1 Report on Complaints Closed and Dismissed During the Previous Quarter (Tab 39)
- G.2 Report on Status of Active/Pending Complaints (Tab 40)

**H. JW Miscellaneous**

- H.1 Items to be Placed on Agenda for November 2013 Board Meeting (Tab 41)
- H.2 Discussion of and Possible Action on Recent Conferences and Events
  - National Association of Boards of Pharmacy (NABP)  
Annual Meeting, St. Louis, MO  
May 18-21, 2013
  - American Society of Health-System Pharmacists (ASHP)  
Summer Meeting, Minneapolis, MN  
June 1-5, 2013
  - Texas Pharmacy Association (TPA)  
Conference & Expo, Frisco, TX  
July 25-27, 2013
  - National Pharmaceutical Association (NPhA)  
Annual Convention, New Orleans, LA  
July 26-29, 2013

H.3 Discussion of and Possible Action on Upcoming Conferences and Events

- National Association of Chain Drug Stores (NACDS)  
Total Store Expo, Las Vegas, NV  
August 10-13, 2013
- National Association of Boards of Pharmacy/American Association of Colleges of Pharmacy (NABP/AACP)  
District VI, VII, and VIII Annual Meeting, Boulder, CO  
September 8-11, 2013
- Informal Conferences, Austin, September 10, 2013  
(Wetherbee)
- MALTA-GON  
Annual Conference, Asheville, NC  
September 29-October 2, 2013
- Informal Conferences, Austin, October 1-3, 2013  
(Wiesner/Fry)
- National Community Pharmacists Association (NCPA)  
Annual Convention, Orlando, FL  
October 12-16, 2013
- Technician Informal Conferences, Austin, October 17, 2013  
(Mendoza)
- Academy of Managed Care Pharmacy (AMCP)  
Educational Conference, San Antonio, TX  
October 16-18, 2013

H.4 Consideration of Personnel Matters

H.4.1 Executive Session to Conduct Evaluation of Executive Director (Tab 42)

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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) 512/305-8075, 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.