

**TEXAS STATE BOARD OF PHARMACY
PERFORMANCE EVALUATION
EXECUTIVE DIRECTOR**

EVALUATION GUIDELINES

- The evaluation process will provide a mechanism for all Board Members and staff to evaluate the Executive Director's performance in a confidential and anonymous manner.
- The Executive Director's performance will be formally evaluated on an annual basis.
- The Executive Director will be given an opportunity to provide input into the evaluation criteria, forms, and process before they are finalized.
- The Executive Director will complete a self-evaluation and copies will be provided to all Board Members with the evaluation forms.
- All Board Members and agency staff will be queried about the Executive Director's performance.
 - A summary of the staff ratings will be provided to Board Members and the Executive Director.
 - A summary of Board Member ratings will be provided to each Board Member.
- Anonymity of individual ratings and comments will be assured.
- The Board's President will oversee the evaluation process. Board Member and staff evaluation results will be reviewed and discussed by the Board during a posted, closed, executive session, pursuant to Section 551.074 of the Texas Open Meetings Act. The Board Members will create a consensus evaluation during this executive session. Once a consensus is reached, the Executive Director will join the Board Members in executive session for discussion. Any action will be announced in open session.
- The Executive Director will be given an opportunity to respond to the evaluation with written comments that will be attached to the evaluation and filed in the Executive Director's personnel file.
- Eligibility for a merit salary increase is the same as for other staff employed by the agency and requires that job performance and productivity be consistently above what is normally expected or required. However, since the Executive Director's salary is currently set at the amount listed in the current Appropriation's Act, no merit salary increase may be awarded.

**TEXAS STATE BOARD OF PHARMACY
EVALUATION OF THE EXECUTIVE DIRECTOR GAY DODSON**

BOARD MEMBER INSTRUCTIONS

- The evaluation form contains the key elements of the Executive Director's job description, with descriptive standards for each Key Result Area.
- On the evaluation form, please check the appropriate rating for each standard/objective. If appropriate, you may check "don't know".
- If you believe that performance fluctuates on sub-components of the standard for a specific duty, select the score that best represents overall performance on the duty and standard listed.
- Include any pertinent comments.
- **Do NOT** write your name on the evaluation form.
- Bring your **COMPLETED** evaluation form to the August 6, 2013, Board meeting.
- The President will distribute the following documents for review:
 - a summary of the staff ratings; and
 - a summary of Board Member's ratings and comments.
- The Board will meet in an executive session during the June meeting. During this meeting, Board Member and staff evaluation results will be reviewed and discussed by the Board. The Board Members will create a consensus evaluation document during this executive session. Once a consensus is reached, the Executive Director will join the Board Members in executive session for discussion.

TEXAS STATE BOARD OF PHARMACY SELF-EVALUATION

NAME: Gay Dodson, R.Ph.
POSITION: Executive Director/Secretary
PERIOD COVERED: September 1, 2011, through August 31, 2012 (Fiscal Year 2012)
DATE OF REVIEW: August 6, 2013

| RATING VALUES | KEY RESULT AREAS |
|-----------------------|----------------------------|
| 5 – Excellent | 1. Agency Performance |
| 4 – Good | 2. Individual Performance |
| 3 – Adequate | 3. Subordinate Performance |
| 2 – Needs Improvement | 4. Anticipation |
| 1 – Unacceptable | 5. Self-Development |

KEY RESULT AREA 1. AGENCY PERFORMANCE

Objective 1: Provides a leadership role in the regulation of the practice of pharmacy and in implementing the Board's policies, mission, strategic plan, and legislative appropriations request.

Standards

- Demonstrates leadership, strategic planning skills, and considerable analytical abilities in assessing needed programs, priorities, and policies.
- Facilitates consensus, collaboration, and participation of Board Members, staff, and appropriate professional and governmental agencies.
- Ensures quality and timely submission of agency plans and legislative appropriations request and implementation of Board directives.
- Informs Board Members of issues that should be considered during their deliberations.

Comments:

1. Implementation of Legislation Passed during the 2011 Legislative Session

A. A chart containing the action steps to implement provisions of bills passed during the 2011 Legislative Session was developed with timelines for action. An updated chart was presented to the Board at each meeting showing progress of the implementation. The following was accomplished in implementing legislation

- (1) H.B. 1 (Appropriations Act) – The base appropriation for TSBP for FY2012-2013 is approximately 17.5% less than the base appropriation for FY2010-2011. In addition to the base, the agency received a Contingent Revenue rider that appropriated an additional \$810,002 and 6 additional FTEs provided the agency increases fees sufficient to generate an additional \$810,002 in revenue. In implementing the provisions of the bill the following activities occurred.
 - (a) The Board voted to propose a fee increase sufficient to generate the additional revenue at the June 7, 2011, Board meeting and voted to adopt the proposed rules at the August 9-10, 2011, Board meeting. The Rules became effective on September 12, 2011.

- (b) In late August 2011, documentation was sent to the Comptroller showing that TSBP will generate sufficient revenue to generate the additional revenue and ask for certification of the funds. The Comptroller's office released the funds for FY2012 on March 7, 2012.
- (2) H.B. 1137 (Real-time electronic logging system for the sale of ephedrine, pseudoephedrine, and norpseudoephedrine.) – Under the provisions of this bill TSBP is required to provide the name, address, and phone number of every pharmacy that may sell pseudoephedrine products to the administrator of the real-time network. Pharmacies are required to submit data to the network beginning January 1, 2012. In implementing the provisions of the bill TSBP performed the following activities.
- (a) In early September TSBP provided pharmacy information to the administrator of the system.
- (b) Information about the provisions of this legislation was published in the fall 2011 issue of the Newsletter.
- (3) H.B. 2069 (Authority to accelerate refills) – The bill allows pharmacists to accelerate refills up to a 90-day supply under certain conditions. To implement the provisions of the bill by the Board voted to propose the amendments to rules at the August 9, 2011, Board meeting and to adopt the proposed rules at the November 9, 2011, Board meeting. The rules became effective on November 24, 2011.
- (4) S.B. 158 (Licensing of Freestanding Emergency Clinics) – This bill amended the Controlled Substances Act to make it a felony for a person who has access to controlled substances because of their profession to divert the drugs for their own use or diverts the drug; and obtains controlled substances without a legitimate medical purpose. TSBP published information about this change in the law in the Fall 2011 issue of the TSBP Newsletter.
- (5) S.B. 594 (Electronic Transmission of Prescriptions for Schedule II Controlled Substances) – This bill amended the Texas Controlled Substances Act to allow the electronic transmission of Schedule II prescriptions. The primary responsibility for implementing the provisions of this bill rests with the Texas Department of Public Safety. The Board voted to propose the rules to include the electronic transmission of prescriptions for Schedule II controlled substances at the November 9, 2011, Board meeting and voted to adopt the proposed rules at the February 14, 2012, Board Meeting. The rules became effective on March 13, 2012.
- (6) S.B. 867 (Testing accommodations for persons with dyslexia) – This bill requires all licensing agencies to make testing accommodations for persons with dyslexia. To implement the provisions of the bill, The Board voted to propose the rules at the August 9, 2011, Board meeting and voted to adopt the proposed rules at the November 9, 2011, Board meeting. The rules became effective on November 24, 2011.
- (7) S.B. 1273 (Amendments to the Controlled Substances Act) – This bill amends the Controlled Substances Act to eliminate the requirement that a physician's DPS number be on a prescription for a controlled substance and require pharmacies to submit information on controlled substance prescriptions to DPS at least every 7-days. TSBP took the following actions regarding this bill.

- (a) Information about the provisions of this legislation was published in the Fall 2011 issue of the Newsletter.
- (b) The Board voted to propose amendments to the Class A rules at the August 7-8, 2012, Board meeting and the Board will consider the rules for final adoption at the November 5-6, 2012, meeting.

(8) S.B. 1438 (Pharmacy Act Clean-up Bill) – This bill amends the Texas Pharmacy Act to clarify:

- (a) the confidentiality provisions of records regarding impaired pharmacists;
- (b) when the TSBP can release investigative files;
- (c) the temporary suspension provisions of the Act; and
- (d) the procedures for ordering a licensee to submit to a mental or physical examination.

The agency amended internal procedures to incorporate the provisions of the legislation

(9) S.B. 1743 (Alternative Licensing Procedures for Military Spouses) – This bill required all agencies that issue an occupational license are required to adopt rules for the issuance of a license to an applicant who is the spouse of a person serving on active duty as a member of the armed forces of the United States; and

- (a) holds a current license issued by another state that has licensing requirements that are substantially equivalent to the requirements for the license; or
- (b) within the five years preceding the application date held the license in this state that expired while the applicant lived in another state for at least six months.

To implement the bill, the Board voted to propose the amendments to the rules at the November 9, 2011, Board meeting and voted to adopt the amendments at the February 14, 2012, Board meeting. The rules became effective on March 13, 2012.

B. FY2012-2013 Legislative Appropriations Request – The 82nd Legislature passed the FY2012-2013 Appropriations Act that provided TSBP with a budget that includes funding for six new FTE's, including:

- (1) a Network Specialist
- (2) a Legal Assistant
- (3) an Attorney
- (4) two Field Investigator
- (5) an Administrative Assistant in Professional Services

However, the FY2012-2013 appropriations also continued reductions in the TSBP budget including the 5% and 2.5% reductions that occurred in FY2010-11, as well as an additional 10% reduction for FY2012-2013. These reductions resulted in the agency eliminating the increases to appropriations received in FY2010-2011 in the areas of the Pharmacy Recovery Network, the testing of compounded products, and merit increases to eligible employees. In addition, the FY2012-2013 did not include funding for replacement of agency vehicles and technology.

2. Strategic Plan

The agency researched the trends and resulting issues expected to have the most significant impact on the profession and the agency over the next five years. Legal Program Specialist, Sharyana Rao, served as a facilitator in the review, discussion, and identification of the issues. Several non-Board members participated with the Board in these discussion sessions held during the August and November Board meetings. Once the issues were identified, the Board Members worked with staff to develop issue statements and the final *Strategic Plan was approved* at the May 2012 Board Business Meeting. The TSBP Strategic Plan was published and delivered to the Governor's Office and other applicable agencies by the due date.

3. Presentations by Agency Personnel

Agency Staff gave 48 presentations to approximately 3,803 individuals during FY2012 as indicated below. (Note: This number does not include presentations made by licensing personnel regarding internship and procedures for registering for a pharmacist's license at the college/schools of pharmacy at Texas Southern University, University of Houston, Texas Tech Health Science Center, University of Texas, A&M Health Science Center, and University of the Incarnate Word.

| Date | Name of Association/Location of Meeting | Attendance (Approx) | Name of Staff Member |
|-------------|--|---------------------|--------------------------|
| 9/10/2011 | Update on Laws and Rules, West Texas Pharmacy Association – Lubbock | 100 | Paul Holder |
| 9/15/2011 | Westlake High School Pharmacy Technician Program – Austin | 15 | Allison Benz |
| 9/18/2011 | University of Texas Pharmacy Practice Seminar – Austin | 500 | Gay Dodson |
| 10/1/2011 | Central Texas Society of Health-System Pharmacists – San Antonio | 40 | Gay Dodson |
| 10/1/2011 | Update on Laws and Rules, Austin Area of Health System Pharmacies – Austin | 50 | Paul Holder |
| 10/1/2011 | Fall Preceptor's Conference – Texas Southern University – Houston | 100 | Iona Grant & Ben Santana |
| 10/5/2011 | State Supported Living Centers Pharmacy Directors' – Austin | 20 | Allison Benz |
| 10/6/2011 | Drug Diversion Presentation A&M Kingsville College of Pharmacy – Kingsville | 250 | Robert Ebrom |
| 10/7/2011 | DSHS Vendor Drug Pharmacists – Austin | 15 | Gay Dodson |
| 10/11/2011 | University of Texas College of Pharmacy, 1st Semester Students | 126 | Allison Benz |
| 10/20/2011 | Texas Federation of Drug Stores' Annual Meeting – San Antonio | 30 | Gay Dodson |
| 10/20/2011 | Pharmacy Technician Regulation and Registration – Webinar | 10 | Allison Benz |
| 10/20/2011 | National Pharmacy Week – Sanford Brown College – Houston, TX | | |
| 10/22/2011 | Texas Association of Independent Pharmacy Owners – Houston | 50 | Gay Dodson & Iona Grant |
| 11/16/2011 | Pharmacist-in-Charge Training – Webinar | 25 | Allison Benz |
| 11/18/2011 | UT College of Pharmacy Professional Development Seminar – Austin | 40 | Gay Dodson |
| 12/1-2/2011 | Challenges Encountered by TSBP when Implementing USP 797, 2011 NABP Interactive Compliance Officer Forum and Surveyor Training Program – Chicago, IL | 75 | Paul Holder |
| 1/11/2012 | Bexar County Pharmaceutical Association Meeting – San Antonio | 40 | Allison Benz |
| 1/19/2012 | El Paso Pharmacy Association Meeting, El Paso | 50 | Allison Benz |
| 1/19/2012 | Drug Diversion Presentation – Liberty County Law Enforcement Association – Liberty | 20 | Shawn Clark |
| 1/20/2012 | TSBP and PRN, University of Houston Student PRN Alcohol, Drugs, and You Seminar – Houston | 110 | Paul Holder |
| 1/24/2012 | Lake Houston Pharmacy Association – Humble | 75 | Iona Grant |
| 2/24/2012 | Texas State Board of Pharmacy Technician Seminar – Austin | 15 | Allison Benz |
| 3/3/2012 | El Paso Area Society of Health-System Pharmacists – El Paso | 75 | Gay Dodson |
| 3/24/2012 | Rxperts Leadership Conference – Austin | 100 | Gay Dodson |
| 3/27/2012 | Lone Star Association of Charitable Clinics: Class D Pharmacy – Webinar | 20 | Allison Benz |

| Date | Name of Association/Location of Meeting | Attendance (Approx) | Name of Staff Member |
|--------------|--|---------------------|------------------------------|
| 3/31/2012 | Texas Southern University Spring Preceptor Conference – Houston | 98 | Iona Grant |
| 4/14/2012 | Texas Society of Health-System Pharmacists Annual Meeting – Dallas | 90 | Gay Dodson |
| 4/14/2012 | Regulating Pharmacy Technicians, TSHP Annual Meeting, Dallas | 50 | Allison Benz |
| 4/18/2012 | Bexar County Pharmaceutical Association Meeting – San Antonio | 35 | Allison Benz |
| 4/20/2012 | San Jacinto College Pharmacy Technicians – Austin | 20 | Allison Benz |
| 4/21/2012 | West Texas Pharmacy Association Meeting – Midland | 40 | Allison Benz |
| 4/23/2012 | DPS Presentation – Houston | 40 | Iona Grant |
| 5/2/2012 | Pharmacist-in-Charge Training – Webinar | 5 | Allison Benz |
| 5/4/2012 | Licensing, Compliance, and Investigations, P2 students at Texas A&M Health Science Center – Kingsville | 120 | Paul Holder |
| 5/10/2012 | Kroger Pharmacists Meeting – Houston | 95 | Allison Benz |
| 5/10/2012 | Hoffman Middle School Presentation – Houston | 73 | Iona Grant |
| 5/12/2012 | Rangel College of Pharmacy Commencement Address – Kingsville | 300 | Gay Dodson |
| 5/16/2012 | Kroger Pharmacists Meeting, Plano | 95 | Allison Benz |
| 6/2/2012 | Prescribing Opioids for Chronic Pain Balancing Safety and Efficacy – Understanding the Regulatory Environment (CME program) – Austin | 95 | Allison Benz |
| 6/5/2012 | TSBP Patient Counseling Video Taping – Austin | unknown | Gay Dodson & Jeanne Waggener |
| 7/13/2012 | Drug Diversion Presentation – Walgreen’s Pharmacy Interns – Houston | 10 | Shawn Clark |
| 7/20/2012 | Walgreens Presentation – Houston | 25 | Iona Grant |
| 7/27/2012 | Texas Pharmacy Association’s Annual Meeting – The Woodlands | 400 | Gay Dodson |
| 7/28/2012 | Update on TSBP’s Compounded Preparation Sampling & Testing Program, Academy of Compounding Pharmacists Meeting at the Texas Pharmacists Association Conference – The Woodlands | 30 | Paul Holder |
| 8/30/2013 | 2012 TSBP Update, Rio Grande Valley Pharmacy Association/Independent Pharmacy Association – Edinburg | 150 | Paul Holder |
| Total | | 3,803 | |

Objective 2: Ensures agency accomplishes 95% of the agency goals and adheres to Board policies, state laws, and government regulations.

Standards:

- Ensures agency staff and Board Members comply with Board policies, state laws, and government regulations in the performance of their official duties.
- Intervenes, as necessary, to correct identified problems.
- Notifies Board Members of serious breaches.

Employee Comments:

The agency accomplished or partially accomplished 100 % of its 105 objectives [(99% accomplished and 1 partially accomplished (1%)]. In addition, the agency also met or exceeded 90% of the 10 key performance measures listed in the Appropriations Act and required to be reported on an annual basis to the Legislative Budget Board (LBB) as indicated below.

| Performance Measure | FY12 Projected Performance | FY12 Performance Attained | Projected Target Met?* |
|--|----------------------------|---------------------------|------------------------|
| A. GOAL: MAINTIAN STANDARDS | | | |
| Outcome (Results/Impact) | | | |
| Percent of Licensees with No Recent Violations | 95% | 95.5% | Met |
| Percent of Licensees Who Renew Online | 89% | 95.19% | Exceeded |
| A.1.1 STRATEGY: LICENSING | | | |
| Output (Volume) | | | |

| | | | | |
|--|--|--------|--------|----------|
| | Number of New Licenses Issued to Individuals | 1,300 | 1,407 | Exceeded |
| | Number of Licenses Renewed (Individuals) | 13,857 | 15,621 | Exceeded |
| Explanatory | | | | |
| | Total Number of Business Facilities Licensed | 6,842 | 7,185 | Exceeded |
| B. GOAL: ENFORCE REGULATIONS | | | | |
| Outcome (Results/Impact) | | | | |
| | Percent of Complaints Resulting in Disciplinary Action | 15% | 14.82% | Met |
| B.1.1 STRATEGY: ENFORCEMENT | | | | |
| Output (Volume) | | | | |
| | Number of Jurisdictional Complaints Resolved | 4,980 | 5,728 | Exceeded |
| Efficiencies | | | | |
| | Average Time for Jurisdictional Complaint Resolution | 180 | 205 | Not Met |
| Explanatory | | | | |
| | Number of Jurisdictional Complaints Received | 5,000 | 5,792 | Exceeded |
| B.1.2. STRATEGY: PEER ASSISTANT | | | | |
| Output (Volume) | | | | |
| | Number of Licensed Individuals Participating in a Peer Assistant Program | 160 | 194 | Exceeded |

* Within a 5% variance, TSBP's actual performance was either: equivalent to projected performance ("Met"); better than projected performance ("Exceeded"); or below projected performance ("Not Met").

**KEY RESULT AREA 2.
 INDIVIDUAL PERFORMANCE**

Objective 3: Maintains productive relationships with Board Members, staff, projects, government officials, other agencies, and the media. Represents the Board at functions, legislative hearings, and interviews.

Standards:

- Maintains courteous, respectful relationships and a climate of collaboration.
- Portrays a professional image at meetings, functions, legislative hearings, and interviews.
- Uses discretion in committing Board resources and in presenting Board positions.
- Provides accurate and appropriate information.
- Consults with Board Members and other appropriate individuals before responding to inquiries for which answers appear to be unclear or possibly controversial.
- Is open-minded and tactful, and represents the agency in a positive manner.
- Provides assistance promptly and courteously.
- Provides effective counsel to the Board on potential and actual effects of Board policies, activities, and decisions.

Employee Comments: During this evaluation period, the following was accomplished in regard to this objective.

A. Press Contacts – I gave 9 interviews to the press as indicated below.

| Date | Interview With |
|------------|---|
| 9/27/2011 | Telephone Interview with Cinday Horswell of the Houston Chronicle regarding pill mill pharmacies |
| 10/10/2011 | Telephone Interview with Valarie Redell of the Polk county Enterprise regarding the arrest of a pharmacist |
| 10/20/2011 | Telephone Interview with Brooks Edgerton of the Dallas Morning News regarding use of Droperidol |
| 11/14/2011 | Telephone Interview with Kevin Quint of KTRK TV Houston regarding dispensing errors |
| 12/16/2011 | Telephone Interview with Joe Augustine of KRGV TV regarding pseudoephedrine monitoring program |
| 2/16/2012 | Telephone Interview with Cinday Horswell of the Houston Chronicle regarding steroid abuse |
| 4/6/2012 | Telephone Interview with Chris Weaver of the Wall Street Journal regarding counterfeit drugs |
| 8/9/2012 | Telephone Interview with Kimberly Wyatt of Action 4 News regarding procedures for obtaining information on investigations |
| 8/16/2012 | Telephone Interview with Christine Blake from Drug Topics regarding prescription monitoring programs |

B. Liaison –

- (1) I attended 37 meetings, conferences, or phone calls representing the agency as indicated below.

| Date | Name of Association/Location of Meeting |
|---------------|--|
| 9/4-6/2011 | NABP District 6, 7 & 8 Meeting – Seattle |
| 9/21-22/2011 | NABP Interactive Executive Officer Forum – Chicago |
| 10/19/2011 | Texas Federation of Drug Stores Annual Meeting – San Antonio |
| 10/20-21/2011 | UT College of Pharmacy Advisory Council Meeting – Austin |
| 11/3/2011 | Meeting with Kamila K. Piekos, PharmD. Medical Liaison-Purdue Pharma |

| Date | Name of Association/Location of Meeting |
|--------------|--|
| 11/5/2011 | Meeting with Dennis McAlister of Medco Health -- Austin |
| 2/10/2012 | Conference Call with FDA -- Austin |
| 2/15/2012 | Presentation by Walgreen regarding new pharmacy layout concept – Austin |
| 2/16/2012 | Conference Call regarding NPLEX Implementation – Austin |
| 2/21/2012 | Meeting with Omnicare regarding their New Initiatives and Focus – Austin |
| 2/23/2012 | Rxexperts Leadership Conference – Austin |
| 2/24/2012 | Meeting with Krista Crockett of the Texas Pain Society – Austin |
| 2/28-29/2012 | NAPB Committee on Law Enforcement and Legislation – Chicago |
| 3/8/2012 | Meeting with representatives from Seton Health Care – Austin |
| 3/9/2012 | Conference Call with Medvantix regarding Internet pharmacies – Austin |
| 3/21/2012 | TSBP Long Term Care Task Force Meeting – Austin |
| 3/22/2012 | Texas Association of Business meeting regarding Responsible Prescription Drug Use – Austin |
| 3/22/2012 | Capitol Area Pharmacy Association Meeting – Austin |
| 3/26/2012 | Meeting with representatives of DPS regarding regulation of Controlled Substance Act and rules -- Austin |
| 3/29-30/2012 | UT College of Pharmacy Advisory Council Meeting – Austin |
| 4/10/2012 | TSBP Executive Committee Budget Committee Meeting – Austin |
| 4/13/2012 | Texas Society of Health-System Pharmacists Annual Meeting – Dallas |
| 4/17/2012 | Orientation for new Legislative Budget Board Analyst – Austin |
| 5/19-22/2012 | NABP Annual Meeting – Philadelphia |
| 6/8/2012 | Meeting with DEA Taskforce on Pill Mills – Austin |
| 6/11/12 | Meeting with Helix – Austin |
| 6/15/2013 | Meeting with Central Admixture Pharmacy – Austin |
| 6/20/2012 | Meeting with Everett McAlister, new PTCP Executive Director – Austin |
| 6/22/2012 | Meeting with Joel Adamson regarding veterinary pharmacy – Austin |
| 6/29/2012 | Meeting with Paul Davis, Executive Director of TSHP – Austin |
| 7/5/2012 | Meeting with Joe DaSilva, Executive Director of TPA – Austin |
| 7/6/2012 | Meeting with Stacey Williams, State Auditor's Office – Austin |
| 7/9/2012 | Joint meeting with TFDS, TPA, DEA, and DPS – Austin |
| 7/20/2012 | Entrance Interview with State Auditor's Office – Austin |
| 7/26-28/2012 | Texas Pharmacy Association's Annual Meeting – The Woodlands |
| 8/15/2012 | Meeting with Richard Beck |
| 8/23/2012 | Meeting with the TPA Board of Directors regarding 2013 Legislative Session – Austin |

(2) Health Professions Council – I was elected as Chair of the Health Professions Council at a meeting on November 9, 2011, meeting. I attended 11 meetings of the Council or Council Committees and meetings of the Regulatory Database Committees as follows:

| Date | Activity |
|------------|---|
| 9/14/2011 | Regulatory Database Steering Committee Meeting |
| 9/19/2011 | Regulatory Database Steering Committee Meeting |
| 10/14/2011 | Regulatory Database Steering Committee Meeting |
| 11/8/2011 | Regulatory Database Steering Committee Meeting |
| 11/9/2011 | Regulatory Database Executive Committee Meeting |
| 12/5/2011 | Regulatory Database Steering Committee Meeting |

| Date | Activity |
|------------|---|
| 12/12/2011 | Health Professions Council Meeting |
| 3/5/2012 | Health Professions Council Meeting |
| 3/12/2012 | Regulatory Database Steering Committee Meeting |
| 3/19/2012 | Regulatory Database Steering Committee Meeting |
| 4/3/2012 | Regulatory Database Steering Committee Meeting |
| 6/18/12 | Regulatory Database Executive Committee Meeting |

(3) Texas Pharmacy Congress – I attended four meetings of the Texas Pharmacy Congress as follows.

| Date | Activity |
|--------------|---|
| 2/7-8/2012 | Texas Pharmacy Congress Meeting – Houston |
| 5/14-15/2012 | Texas Pharmacy Congress Meeting – Amarillo |
| 8/21/2011 | Texas Pharmacy Practice Coalition Meeting – San Antonio |
| 8/21-22/2012 | Texas Pharmacy Congress Meeting – San Antonio |

C. Evaluation of the Executive Director – I provided a self-evaluation to the Board at its August 2012 meeting. The Board conducted the performance evaluation at this meeting.

D. Orientation of New Board Member. On September 27, 2011, I along with the Division Directors and other agency staff participated in the orientation of new public Board Member Phyllis Stine. Board members, Jeanne Waggener and Alice Mendoza, were reappointed for another 6-year term and did not attend the orientation since they were re-appointments.

Objective 4: Demonstrates effective management and leadership skills. Uses considerable independent judgment and self-sufficiency in conducting work duties.

Standards:

- Requires minimal supervision or oversight by Board Members.
- Maintains an agency climate that attracts, retains, and positively motivates staff and Board Members.
- Ensures prompt and thorough follow-through on Board directives.
- Continuously assesses the effectiveness of agency operations, seeking ways to increase productivity and quality of agency activities.
- Able to handle multiple work assignments simultaneously and to structure time appropriately to each assignment.
- Provides sufficient notice and explanation to Board Members if assignments cannot be completed as required.

Employee Comments: During this evaluation period, the following was accomplished in regard to this objective:

A. New Regulatory Database (Versa)

- (1) The project to replace the TSBP database system (originally written in the 1970's and converted to a DEC VAX platform in 1989) with a Shared Regulatory Database System (RDB), entitled, the Versa Regulatory System, became operational in May 2011 with the Versa Online System beginning operation on June 3, 2011. Although the conversion of the majority of the data from the prior system was successful, the

implementation and ongoing use of the System has left the agency struggling with a number of issues. The increasing amount of manual processes required, non-working interfaces with other agencies and poor project management/responsiveness from Versa, are major problem issues. Most importantly, the Versa Online System's lack of integration with the back office system creates duplicate data, is not user friendly, and continues to result in major problems in the issuance of licenses and many customer complaints. Although an updated online system is available, it has not yet been tested or implemented.

- (2) I attended nine meetings of the Shared Regulatory Database Project Executive/Steering Committee. These committees were charged with working with Versa management and directing the project. See the dates for the meetings under Objective #3, item C

B. Efficiencies

- (1) Increase in number of disciplinary orders – When comparing FY2011 with FY2012, the agency entered 12% more disciplinary orders in FY2012 than in the previous year and entered the second highest total of orders in the history of the agency, as reflected in the chart below.

| Number of Disciplinary FY2008-2012 | | | | |
|--|-------------|------------|----------------------|--------------|
| Year | Pharmacists | Pharmacies | Pharmacy Technicians | Total |
| FY2008 | 171 | 821 | 310 | 563 |
| FY2009 | 207 | 127 | 403 | 737 |
| FY2010 | 217 | 127 | 464 | 808 |
| FY2011 | 213 | 129 | 364 | 706 |
| FY2012 | 217 | 169 | 406 | 792 |
| % 5-year Increase (FY2006 – FY2010) | | | | 40.7% |

- (2) Closing of Complaints through Agreed Board Orders – Approximately 94.5% of the disciplinary cases against pharmacists and pharmacies and 98.7% of the cases against pharmacy technicians were settled through the entry of Agreed Board Orders or default Board Orders, which resulted in significant efficiencies, both in terms of complaint resolution time and agency expenditures.
- (3) High level of IT system – The agency maintained a high level of information technologies system availability and security (nearly 100%) in a highly volatile environment.

C. Budget Request for FY2014-2015 – The Executive Committee reviewed staff's recommendations for the exceptional items contained in the *Legislative Appropriation Request (LAR)* in April 2012. The full Board met in May 2012 to review and approve the agency's LAR for FY2014-2015. The approved exceptional items requested in the LAR, included:

- restoration of partial funding from reductions in fiscal years 2010-2012;
- general revenue for agency contribution to the Employees Retirement System Group Benefits Program;
- funding for 10 additional employees;
- funding for a portion of a web administrator employee for the Health Professions Council;
- Executive Director salary increase; and
- increased funding for the Pharmacist Recovery Network.

The *Legislative Appropriation Request* was submitted to the Legislative Budget Board (LBB) and the Governor's Office of Budget, Planning, and Policy (GBO) by the August 17, 2012. The LAR included the items approved by the Board in May 2012.

Objective 5: Keeps abreast of government policies, programs, and procedures affecting the practice of pharmacy and Board activities.

Standards:

- Seeks appropriate and reliable sources of accurate information.
- Stays up-to-date on matters of concern to the Board, such as activities and pertinent reports of the Legislature, Governor, and other government agencies.
- Identifies when Board Members and other appropriate entities should be notified of issues, and takes appropriate follow-up action in a timely manner.

Employee Comments: During this evaluation period, the following was accomplished relative to this objective:

- A. **Communication with Board President** – I communicated almost weekly or more often if necessary with the Board President regarding current issues and consulted with her regularly regarding legislative inquiries and press contacts.
- B. **Provision of Information** – I have routinely routed both electronically and in written form information about current pharmacy issues to Board Members.

**KEY RESULT AREA 3
SUBORDINATE PERFORMANCE**

Objective 6: Responsible for agency administration. Provides leadership to agency staff and ensures staff conducts duties in a manner that is ethical, respectful, courteous, and quality oriented.

Standards:

- Ensures effective hiring and management of agency staff, fiscal accountability, accuracy of agency documents, and adherence to state laws and regulations.
- Facilitates a work environment that is conducive to open communication, group problem-solving, and team-building.
- Ensures timely, objective, and fair performance evaluations of staff are conducted.
- Ensures staff activities are conducted in a clear, professional, and timely manner.
- Gives careful attention to content and tone of agency reports, speeches, correspondence, and policies.
- Notifies Board Members when technical assistance and expertise are needed that are not available through existing Board resources.

Employee Comments: During this evaluation period, the following was accomplished in regard to this objective:

- A. Agency Award** –The staff of the Texas State Board of Pharmacy was selected by the Texas Public Employees Association to be a recipient of the 2012 Unsung Hero Award, in recognition of outstanding volunteer outreach.
- B. Annual Report** – The final draft of the TSBP Annual Report for FY2011 was presented to and approved by the Board at the August 2012 meeting.
- C. Use of Social Media for Education of Licensees** – The Director of Professional services continued to use Facebook, Twitter, and now You Tube to provide information to licensees. In addition, she has increased the number of Webinars the agency is hosting to allow pharmacists to receive CE directly from the agency.
- D. FY2012 Budget and Goals and Objectives** – A proposed budget, including revenue projections, and Goals and Objectives for FY2013, were presented to the Board and approved at the August 7, 2012, Board Business Meeting.
- E. Performance Evaluations** – Evaluations for the Executive Assistant the four division directors were completed in August 2012. In addition, I continued to provide feedback on the performance of all employees throughout the year.
- F. Efficiencies in Notifying Interested Parties about Board Activities** – In FY2012, the Director of Professional Services implemented the use of Mail Chimp, an online email system used to manage email addresses and send email notices. The use of Mail Chimp improved agency efficiency by using less paper and postage. The number of subscriptions to the account steadily increased with just over 600 subscribers at the end of the FY2012.
- G. Compliance Inspections** – Agency Field Compliance staff conducted 2,135 pharmacy inspections, thereby exceeding the inspection goal for FY2012. This number of inspections included 166 pre-inspections of new pharmacies, a process to ensure that TSBP is issuing licenses to valid facilities.

H. SOAH Hearings – The Legal Division resolved 17 respondent cases that were set for administrative hearings at the State Office of Administrative Hearings (SOAH) prior to proceeding to hearing. The cases were resolved through resulting in 17 Agreed Board Orders (ABO) through negotiations with the licensees or their attorneys or through the SOAH Mediation process. These resolutions saved the agency considerable resources both in time and expenditures.

I. Increase in Number of Licensees – As seen in the chart below, in FY2012 the agency continued to have a significant increase (5.9%) in the number of licensees as compared to FY2011.

| Fiscal Year | # Licensed Pharmacists | # Licensed Pharmacies | # Registered Pharmacy Technicians | # Registered Pharmacy Technician Trainees | # Registered Interns | Total | % Increase from Previous Year |
|-------------------------|-------------------------------|------------------------------|--|--|-----------------------------|--------------|--------------------------------------|
| FY2008 | 24,586 | 6,424 | 32,914 | 18,093 | 925 | 82,942 | - |
| FY2009 | 25,507 | 6,516 | 33,927 | 17,657 | 1,052 | 84,659 | 2.1% |
| FY2010 | 26,551 | 6,762 | 36,134 | 13,829 | 2,451 | 85,727 | 1.3% |
| FY2011 | 27,329 | 6,964 | 37,507 | 11,839 | 2,806 | 86,445 | 0.8% |
| FY2012 | 28,417 | 7,185 | 39,973 | 13,195 | 2,805 | 91,575 | 5.9% |
| % Increase Since FY2008 | 15.6% | 11.8% | 21.4% | -27.1% | 203.2% | 10.4% | - |

KEY RESULT AREA 4 ANTICIPATION

Objective 7: Keeps abreast of state and international trends and developments in health-care and government policies, programs, and procedures affecting the practice of pharmacy and/or Board activities.

Standards:

- Seeks appropriate and reliable sources of accurate information.
- Stays up-to-date on matters of concern to the Board, such as trends and developments in healthcare and activities and pertinent reports of the Legislature, Governor, and other government agencies.
- Identifies when Board Members and other appropriate entities should be notified of issues, and takes appropriate follow-up action in a timely manner.

Employee Comments: During this evaluation period, the following was accomplished relative to this objective:

- A. Monitoring Activity** – I, with the assistance of agency staff, monitored the activities of the federal Drug Enforcement Administration regarding “pill mills” and the federal Food, Drug, and Cosmetic Administration regarding counterfeit prescription drugs and compounding pharmacies. Notices of these activities were forwarded to the Board Members as appropriate.
- B. Trends & New Initiatives** – I spent a great deal of time reviewing pharmacy, health-care publications, and government publications, watching for trends and new initiatives that may affect the agency or the practice of pharmacy. In addition, I met often with individuals who had innovative ideas regarding the delivery of pharmaceutical care services and were trying to determine how these initiatives fit in the regulatory scheme. When appropriate, a presentation was scheduled before the Board.
- C. Suggestions for Changes to the Pharmacy Act** – The agenda for each meeting of the Board included discussion of possible suggestions for changes to the Pharmacy Act. I met with representatives of the Texas Pharmacy Association, Texas Society of Health-System Pharmacists, and the Texas Federation of Drug Stores regarding the prioritized list of suggested amendments to the Pharmacy Act to obtain an agreement on the amendments they would support during the 2013 Texas Legislative Session.
- D. Lead Agency** – The agency’s Enforcement, Compliance, Investigations, and Legal staffs continued to work extensively with federal, state, and local regulatory agencies on cases involving pharmacies, pharmacists, and pharmacy technicians. In October 2011, the agency entered into a contract with the Drug Enforcement Administration to assign Investigator Shawn Clark to work for 2-years with a Houston based DEA Task Force on Pill Mill Pharmacies.

**KEY RESULT AREA 5
SELF-DEVELOPMENT**

Objective 8: Enhances knowledge and skills in such critical areas as management, budget development, human resources, consensus building, etc. by attending at least one seminar each year that covers one or more of these areas.

Employee Comments:

In addition, I attended the following educational seminars.

| Date | Name of Seminar |
|--------------|--|
| 9/4-6/2011 | NABP District 6, 7 & 8 Meeting – Seattle |
| 9/21-22/2011 | NABP Interactive Executive Officer Forum – Chicago |
| 10/19/2011 | Texas Federation of Drug Stores Annual Meeting – San Antonio |
| 2/28-29/2012 | NAPB Committee on Law Enforcement and Legislation – Chicago |
| 4/13/2012 | Texas Society of Health-System Pharmacists Annual Meeting – Dallas |
| 5/19-22/2012 | NABP Annual Meeting – Philadelphia |
| 7/26-28/2012 | Texas Pharmacy Association's Annual Meeting – The Woodlands |

GENERAL COMMENTS

As I say every year, FY2012 was again an extremely busy year. I keep thinking things will slow down at some point, but that hasn't happen yet and I'm beginning to believe it will never happen.

I'm lucky to be surrounded by an excellent management team composed of the four Division Directors. They assist me every day in providing leadership to the agency. In addition, the leadership team is surrounded with the best staff in the nation. I could not get my job done without all of the agency employees.

In addition, all of you make my job easier because you take your appointment very seriously and you do a wonderful job as Board members. Thank you for all of your help and support.

This was an unusual year in that I was out-of-the office from January 3rd through January 30th for hip replacement surgery. In addition, I worked approximately half-days for approximately 2-additional weeks while I completed physical therapy.

Lastly, during this year, I was honored to:

- (1) be appointed to serve as a member of the National Association of Boards of Pharmacy's Committee on Law Enforcement/Legislation; and
- (2) receive the Outstanding Women in Texas Government for Professional Development from the State Agency Council to the Governor's Commission for Women.

**TEXAS STATE BOARD OF PHARMACY
PERFORMANCE EVALUATION**

NAME: Gay Dodson, R.Ph.

POSITION: Executive Director/Secretary

PERIOD COVERED: September 1, 2011, through August 31, 2012 (Fiscal Year 2012)

DATE OF REVIEW: August 6, 2013

RATING VALUES

- 5 – Excellent
- 4 – Good
- 3 – Adequate
- 2 – Needs Improvement
- 1 – Unacceptable

KEY RESULT AREAS

- 1. Agency Performance
- 2. Individual Performance
- 3. Subordinate Performance
- 4. Anticipation
- 5. Self-Development

Based on the above rating values, please check the box to the right of the appropriate rating for each standard/objective. If you do not have enough information or do not feel comfortable selecting a rating, you may check the box to the right of “don’t know.”

**KEY RESULT AREA 1
AGENCY PERFORMANCE**

Objective 1: Provides a leadership role in the regulation of the practice of pharmacy and in implementing the Board's policies, mission, strategic plan, and legislative appropriations request.

Standards

- a. Demonstrates leadership, strategic planning skills, and considerable analytical abilities in assessing needed programs, priorities, and policies.

Rating: 1 2 3 4 5 don't know

- b. Facilitates consensus, collaboration, and participation of Board Members, staff, and appropriate professional and governmental agencies.

Rating: 1 2 3 4 5 don't know

- c. Ensures quality and timely submission of agency plans and legislative appropriations request and implementation of Board directives.

Rating: 1 2 3 4 5 don't know

- d. Informs Board Members of issues that should be considered during their deliberations.

Rating: 1 2 3 4 5 don't know

Comments:

Objective 2: Ensures agency accomplishes 95% of the agency goals and adheres to Board policies, state laws, and government regulations.

Standards:

- a. Ensures agency staff and Board Members comply with Board policies, state laws, and government regulations in the performance of their official duties.

Rating: 1 2 3 4 5 don't know

- b. Intervenes, as necessary, to correct identified problems.

Rating: 1 2 3 4 5 don't know

- c. Notifies Board Members of serious breaches.

Rating: 1 2 3 4 5 don't know

Comments:

**KEY RESULT AREA 2
INDIVIDUAL PERFORMANCE**

Objective 3: Maintains productive relationships with Board Members, staff, government officials, other agencies, and the media. Represents the Board at functions, legislative hearings, and interviews.

Standards:

- a. Maintains courteous, respectful relationships and a climate of collaboration.

Rating: 1 2 3 4 5 don't know

- b. Portrays a professional image at meetings, functions, legislative hearings, and interviews.

Rating: 1 2 3 4 5 don't know

- c. Uses discretion in committing Board resources and in presenting Board positions.

Rating: 1 2 3 4 5 don't know

- d. Provides accurate and appropriate information.

Rating: 1 2 3 4 5 don't know

- e. Consults with Board Members and other appropriate individuals before responding to inquiries for which answers appear to be unclear or possibly controversial.

Rating: 1 2 3 4 5 don't know

- f. Is open-minded and tactful, and represents the agency in a positive manner.

Rating: 1 2 3 4 5 don't know

- g. Provides assistance promptly and courteously.

Rating: 1 2 3 4 5 don't know

- h. Provides effective counsel to the Board on potential and actual effects of Board policies, activities, and decisions.

Rating: 1 2 3 4 5 don't know

Comments:

Objective 4: Demonstrates effective management and leadership skills. Uses considerable independent judgement and self-sufficiency in conducting work duties.

Standards:

- a. Requires minimal supervision or oversight by Board Members.

Rating: 1 2 3 4 5 don't know

- b. Maintains an agency climate that attracts, retains, and positively motivates staff and Board Members.

Rating: 1 2 3 4 5 don't know

- c. Ensures prompt and thorough follow-through on Board directives.

Rating: 1 2 3 4 5 don't know

- d. Continuously assesses the effectiveness of agency operations, seeking ways to increase productivity and quality of agency activities.

Rating: 1 2 3 4 5 don't know

- e. Able to handle multiple work assignments simultaneously and to structure time appropriately to each assignment.

Rating: 1 2 3 4 5 don't know

- f. Provides sufficient notice and explanation to Board Members if assignments cannot be completed as required.

Rating: 1 2 3 4 5 don't know

Comments:

Objective 5: Keeps abreast of government policies, programs, and procedures affecting the practice of pharmacy and Board activities.

Standards:

- a. Seeks appropriate and reliable sources of accurate information.

Rating: 1 2 3 4 5 don't know

- b. Stays up-to-date on matters of concern to the Board, such as activities and pertinent reports of the Legislature, Governor, and other government agencies.

Rating: 1 2 3 4 5 don't know

- c. Identifies when Board Members and other appropriate entities should be notified of issues, and takes appropriate follow-up action in a timely manner.

Rating: 1 2 3 4 5 don't know

Comments:

**KEY RESULT AREA 3
SUBORDINATE PERFORMANCE**

Objective 6: Responsible for agency administration. Provides leadership to agency staff and ensures staff conduct duties in a manner that is ethical, respectful, courteous, and quality oriented.

Standards:

- a. Ensures effective hiring and management of agency staff, fiscal accountability, accuracy of agency documents, and adherence to state laws and regulations.

Rating: 1 2 3 4 5 don't know

- b. Facilitates a work environment that is conducive to open communication, group problem-solving, and team-building.

Rating: 1 2 3 4 5 don't know

- c. Ensures timely, objective, and fair performance evaluations of staff are conducted.

Rating: 1 2 3 4 5 don't know

- d. Ensures staff activities are conducted in a clear, professional, and timely manner.

Rating: 1 2 3 4 5 don't know

- e. Gives careful attention to content and tone of agency reports, speeches, correspondence, and policies.

Rating: 1 2 3 4 5 don't know

- f. Notifies Board Members when technical assistance and expertise are needed that are not available through existing Board resources.

Rating: 1 2 3 4 5 don't know

Comments:

**KEY RESULT AREA 4
ANTICIPATION**

Objective 7: Keeps abreast of state and international trends and developments in healthcare and government policies, programs, and procedures affecting the practice of pharmacy and/or Board activities.

Standards:

- a. Seeks appropriate and reliable sources of accurate information.

Rating: 1 2 3 4 5 don't know

- b. Stays up-to-date on matters of concern to the Board, such as trends and developments in healthcare and activities and pertinent reports of the Legislature, Governor, and other government agencies.

Rating: 1 2 3 4 5 don't know

- c. Identifies when Board Members and other appropriate entities should be notified of issues, and takes appropriate follow-up action in a timely manner.

Rating: 1 2 3 4 5 don't know

Comments:

**KEY RESULT AREA 5
SELF-DEVELOPMENT**

Objective 8: Enhances knowledge and skills in such critical areas as management, budget development, human resources, consensus building, etc. by attending at least one seminar each year that covers one or more of these areas.

Rating: 1 2 3 4 5 don't know

Comments:

GENERAL COMMENTS

I acknowledge receipt of a copy of this performance evaluation on this date and that this evaluation has been explained and discussed with me.

Gay Dodson, R.Ph.
Executive Director/Secretary

Jeanne D. Waggener, R.Ph.
President

Date

Date