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# TEXAS STATE BOARD OF PHARMACY

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**Board Business Meeting**  
**333 Guadalupe Street, Suite 2-225**  
**Austin, Texas**

Tuesday, May 5, 2009  
9:00 a.m. – Conclusion

## A G E N D A

- A. BF Announcements**
- Meeting Procedures
  - Board Members
  - Staff
  - Continuing Education
- B. BF Discussion and Approval of Minutes of TSBP Board Business Meeting, Held February 10, 2009 (Tab 01)**
- C. AB Discussion of and Possible Action Regarding Rules and Rule Reviews**
- C.1 Final Adoption of Rules
- C.1.1 Amendments to §281.65 Concerning Fines for Pharmacists and Pharmacies Who Allow Pharmacy Technicians and Pharmacy Technician Trainees to Work Without Current Registrations or Delinquent Registrations (Tab 02)

- C.1.2 Amendments to §283.4 and §283.6 Concerning Internship and Preceptor Requirements; and Amendments to 283.6 Concerning Ratio of Preceptors to Pharmacist Interns (Tab 03)
- C.1.3 Amendments to §291.1, §291.3, and §291.129 Concerning Lease Agreements; and Amendments to §291.3 Concerning Notification of Pharmacies Changing Locations and Forged Prescriptions (Tab 04)
- C.1.4 Amendments to §291.33 Concerning Operational Standards in a Class A Pharmacy; and Amendments to §291.34 Concerning Prescriber's Authorization on Original Prescriptions (Tab 05)

**AB** C.2 Proposal of Rules

- C.2.1 Amendments to §295.8 Concerning Continuing Education Requirements (Tab 06)
- C.2.2 Amendments to §303.1-303.2 Concerning Destruction of Drugs (Tab 07)
- C.2.3 Amendments Concerning License Fees (Tab 08)
  - C.2.3.1 §291.6 Concerning Pharmacies
  - C.2.3.2 §295.5 Concerning Pharmacists
  - C.2.3.3 §297.4 Concerning Pharmacy Technicians and Pharmacy Technician Trainees

**AB** C.3 Rule Reviews

- C.3.1 Review and Approval of Rule Review Plan for FY2010 – FY2013 (Tab 09)

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

**PH** D.1 Task Force on Class C Pharmacies (Tab 10)

D.1.1 Final Report  
Donna Burkett, R.Ph., Chair

D.1.2 Amendments to §291.72-291.76 to Implement the  
Recommendations of the Task Force

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

**CS** E.1 Financial Update

E.1.1 Review of FY2009 Operating Budget  
(Tab 11)

E.1.2 Review of Board Member Travel Budget (Tab 12)

E.1.3 Update on Legislative Appropriations Request for  
FY2010-2011 (Tab 13)

E.1.4 Discussion Concerning Licensure/Registration Fees  
(Tab 14)

**CS** E.2 Administrative Services

E.2.1 Report on Internal Risk Assessment (Tab 15)

E.2.2 Update on Bid Process for Pharmacy Technician  
Certification Examination (Tab 16)

**PH** E.3 Update Concerning Program to Aid Impaired Pharmacists  
and Pharmacy Students

E.3.1 Professional Recovery Network (PRN)

E.3.1.1 Update on Number of Individuals  
Participating in Program (Tab 17)

E.3.1.2 Presentation and Discussion Concerning  
PRN Expenditures and Activities by PRN  
Director Donna Chamberlain (Tab 18)

- GD** E.4 Review and Approval of *TSBP FY2008 Annual Report*  
(Tab 19)
- GD** E.5 Review and Approval of *FY2010 Calendar of Events*  
(Tab 20)
- BF** E.6 Discussion Concerning Penalties for Pharmacies Who Report Thefts or Losses of Controlled Substances (Tab 21)
- DW** E.7 Discussion Concerning §291.28 Regarding Fees Charged for Providing Copies of Patient's Confidential Records  
(Tab 22)
- GD** E.8 Discussion Concerning §291.9 Regarding Prescription Pick-up Locations (Tab 23)
- AB** E.9 Discussion Concerning Request from Medtronic Regarding the Ratio of Pharmacists to Pharmacy Technicians in a Call Center Pharmacy (Tab 24)
- CS** E.10 Discussion Concerning *TSBP FY2011-2015 Strategic Plan*  
(Tab 25)
- GD** E.11 Update on Legislation Filed During the 81<sup>st</sup> Texas Legislative Session that Would Have an Impact on TSBP and/or the Practice of Pharmacy (Tab 26)
- GD** E.12 Discussion of Possible Statutory Changes for Consideration During the 82<sup>nd</sup> Session of the Texas Legislature (Tab 27)
- F. CF** **Consideration of and Possible Action Concerning the Following Enforcement Reports**
  - F.1 Consideration of Petition(s) to Serve as a Preceptor
    - F.1.1 Petition from Sean Patrick Reilly, R.Ph., Pharm.D.  
(Tab 28)
  - F.2 Report on Complaints Closed and Dismissed During the Previous Quarter (Tab 29)
  - F.3 Report on Status of Active/Pending Complaints (Tab 30)

**G.            Disciplinary Orders**

- KA**    G.1    Consideration of Proposal for Decision in the Matter of Samuel Carevich, Jr., R.Ph. (Tab 31)
- G.1.1 Executive Session Concerning the Proposal for Decision in the Matter of Samuel Carevich, Jr., R.Ph.
- KA**    G.2    Discussion and Approval of Minutes of Temporary Suspension Hearings, Held April 3, 2009, and April 17, 2009, Concerning Raven's Corner Pharmacy and Vikas Patel, R.Ph. (Tab 32)
- KA**    G.3    Report on Agreed Board Orders Entered by Executive Director
- KA**    G.4    Discussion of and Action on Proposed Agreed Board Orders and Default Orders
- G.5    Executive Session to Consider Confidential Agreed Board Orders

**H.            Miscellaneous**

- BF**    H.1    Items to be Placed on Agenda for August 2009 Board Meeting (Tab 33)
- H.2    Discussion of and Possible Action on Recent Conferences and Events
- APhA Annual Meeting, San Antonio, April 3-7, 2009 (Fry)
  - AMCP Annual Meeting, Orlando, FL, April 15-18, 2009
  - TSHP Annual Seminar, Austin, April 15-21, 2009 (Mendoza, Dodson)
  - NACDS Annual Meeting, Palm Beach, FL, April 18-22, 2009

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

- NABP Annual Meeting, Miami, FL, May 16-19, 2009 (Fry, Caldwell, Mendoza, Waggener, Dodson)
- Technician Informal Conferences, Austin, May 21, 2009 (Weisner)
- Informal Conferences, Austin, June 9-11, 2009 (Combs)
- ASHP Summer Meeting, Chicago, IL, June 14-17, 2009
- Technician Informal Conferences, Austin, June 25, 2009 (Kedron)
- NACDS Marketplace Conference, Boston, MA, June 28-July 1, 2009
- Informal Conferences, Austin, July 14-16, 2009 (Wiesner)
- Technician Informal Conferences, July 21, 2009 (Mendoza)
- TPA Annual Meeting, San Antonio, July 22-26, 2009 (Abeldt, Fry, Mendoza, Waggener, Dodson)
- Technician Informal Conferences, Austin, August 27, 2009 (Mendoza)

H.4 Consideration of Personnel Matters

H.4.1 Election of Officers

H.4.2 Executive Session to Conduct Evaluation of Executive Director (Tab 34)

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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) 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.