

April 16, 2008

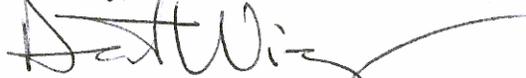
Allison Benz, R.Ph, M.S.
Director of Professional Services
Texas State Board of Pharmacy
William P. Hobby Building
Suite 3-600
333 Guadalupe Street
Austin, Texas 78701

Dear Ms. Benz:

Enclosed is a Petition for Approval to conduct a pilot program in accordance with Section 554.011 of the Texas Pharmacy Act and 291.23 of the Texas Pharmacy Rules. The request is to grant an exemption to Class A Community Pharmacy requirement of a 1:3 ratio of pharmacists to pharmacy technicians in the H.E.B. Central Processing Center environment.

If additional information or clarification is needed, please contact me.

Sincerely,



Dennis Wiesner, R.Ph. (CIPP)
Senior Director
H.E.B.
3481 Fredericksburg Road, Suite 2
San Antonio, Texas 78201

210-938-4874

Wiesner.dennis@heb.com

PETITION FOR APPROVAL

CENTRAL PROCESSING PRACTICE MODEL – TECHNICIAN SUPERVISION
RATIOS

Pharmacist Responsible

Sheryll Ann Brown, R.Ph.
Texas License # 24569

6520 Fratt Road
San Antonio, Texas 78218
Ph. (210) 938-9707

Location

H.E.B. Fulfillment Center
Texas License # 21062

6520 Fratt Road
San Antonio, Texas 78218
Ph. (210) 938-4542

Background

H.E.B. has developed a proprietary Pharmacy Operating System that addresses regulatory requirements and quality assurance in addition to creating more effective work processes to serve our patients' needs. All pharmacies are connected to a central database with the prescription dispensing process consisting of individual work stations with access to each of the activities based upon the individual's role as a pharmacist, technician, or clerk. All critical activities in the prescription dispensing process including prescription order data entry, drug regimen review, product assembly and labeling, and final check of the dispensed prescription requires a biometric finger image verification creating accountability end to end throughout the dispensing process. We have incorporated additional automation technology in the form of in-store robotics and a central fulfillment facility. Our Enterprise System allows us the ability to redirect and organize various aspects of the prescription dispensing process with the intention of improving patient care at the point of service in our pharmacies.

Texas Pharmacy Rules (291.123) allows for the outsourcing of central prescription drug or medication order processing between two Class A Community Pharmacies under the

same ownership. H.E.B. has established a “central processing/ contact center” pilot that includes a number of the activities defined in 291.123(b). Our center includes pharmacists and registered technicians and adheres to provisions applicable to Class A Community Pharmacies. We have incorporated additional “call center” technology to route store phone calls seamlessly to the contact center.

Texas Pharmacy Rules for Class A Community Pharmacies only permit a ratio of pharmacists to pharmacy technicians of 1:3 (291.32(d) (3)). Ratio requirements for other pharmacy environments and practice settings differ:

- Class C Institutional Pharmacies – no ratio requirements
- Class D Clinic Pharmacies – no ratio nor a requirement for the supportive personnel to be registered technicians
- Class E Non-Resident Pharmacies (mail order) – does not address the issue of supportive personnel thus no ration requirements

Goals and Objectives

Demonstrate improved pharmaceutical care for patients and create an improved store work environment through the utilization of a central processing / contact center practice setting to off load and redirect current store based pharmacy activities into a focused controlled environment in which the Pharmacist’s primary role is the supervision of support personnel that perform non-judgmental activity. The ability to achieve these goals and objectives across an enterprise system offering the benefits to a larger number of patients is dependent upon increasing the number of supportive personnel working in a practice setting involving limited job functions and activities.

- Improve quality of pharmacy care and service for patients
- Improve patient satisfaction and communications
- Improve patient care at the point of service in the store pharmacy
- Create positive patient outcomes
- Improve quality of pharmacy work environment for the store pharmacy
- Reduce store pharmacy interruptions
- Improve and create store pharmacist availability for the delivery of additional professional and cognitive services
- Create a controlled central processing environment focused on quality assurance with limited interruptions and distractions
- Create capacity to meet the ever increasing prescription volume and service demands through off-loading of target prescription dispensing activities
- Establish a practice model that allows for scalability in order to expand central processing/contact center activities to serve a broader number of stores and patients

Project

The central processing / contact center team will be located in a closed environment creating a practice setting that performs limited dispensing activities in which there is no drug inventory and activities will exclude many of the normal store associated dispensing activities:

- No face to face patient interaction
- No assembly function
- No counseling function
- No delivery of prescription orders to the patient
- No point of sale (cash register) activity
- No activities involving pharmacy inventory
- No store based administrative activity

The team will consist of pharmacists and technicians who will work out of the same central database as our store pharmacies, under the same role permissions and safeguards, and biometrically verify any activity involving the prescription transaction such as new order data entry or a subsequent prescription modification.

All store based phone calls in which a patient or prescriber opts to speak with a pharmacy employee will be rerouted to the contact center. The center will have the ability to transfer the call back to the store as needed.

Technician Activity:

- Receive all incoming external phone calls
- Access patient information. Update patient information.
- Data entry – new and refill prescription orders (note: all new prescriptions will be imaged)
- Transmit e-faxes and e-prescription refill requests
- “Work” faxes received from prescribers
- Respond to routine patient requests and inquiries such as store information and prescription costs.
- Administrative activities such as prescription filing (record management)
- Potential future administrative activity may include outbound call to prescribers, patients, and insurers to address issues such as insurance formulary problems, prior authorization needs, medication out of stock issues, and other issues that affect the timely completion of a prescription order

Pharmacist Activity:

- Technician supervision
- Receive and transcribe new telephonic prescription orders and refill order changes
- Answer patient drug medication and drug therapy questions
- Communicate with prescribers
- Handle prescription transfers with non-HEB pharmacies
- Prescription order interpretation
- Depending upon need, may perform designated technician activities such as data entry

Procedures To Ensure Public Health and Safety

- Expand current Contact Center Continuous Quality Improvement / Peer Review program
- Review and measure quality related events involving the Contact Center
- Review and measure quality related events at the store pharmacy
- Monitor data entry quality through a random review of processed prescriptions
- Monitor support personnel patient phone call conversations
- Monitor and measure reduction in store based activities removed from the store
- Quantitatively measure reduction in store activity by measuring the number of calls, fax, and new prescription activity performed at the Contact Center
- Review and quantify improved reduction in patient phone call answer and hold time
- Monitor patient satisfaction
- Review, evaluate, and update as needed, Contact Center policies and procedures

Timeline

- Start date – within thirty days of Board approval
- End date – to be determined based upon Board discussion

Waiver Request

Texas Pharmacy Rules
Subchapter B. Community Pharmacy (Class A)

291.32 Personnel

(d) Pharmacy Technician and Pharmacy Technician Trainees

(3) Ratio of pharmacist to pharmacy technicians and pharmacy technician trainees

(A)the ratio of pharmacists to pharmacy technicians and pharmacy technician trainees may be 1:3, provided at least one of the three is a pharmacy technician.....

The request is to waive the Pharmacist to Technician ratio in this central processing practice setting.

Comments

The quality level of the prescription dispensing process is considerably improved by having individuals focus on individual components of the dispensing process including order receipt, order entry, drug utilization review and order interpretation, assembly verification, counseling, and delivery. The quality increases further when the activity can be organized and segmented through the use of technology and best practices and occur in an environment that allows for focused attention with minimal interruptions.

The activities in our central processing / contact center are limited with almost 90% of the activity involving technicians and not the pharmacist. The limitations of activity performed in the center allows for increased direct supervision of technicians with a subsequent focus on adherence to best practices that promote improved quality of work. In this practice setting, a pharmacist has the ability to oversee and direct the activities of multiple technicians effectively.

**RECOMMENDATION
PETITION FOR A PILOT PROJECT FROM
H.E.B. CENTRAL PROCESSING CENTER**

**PRESENTED FOR BOARD CONSIDERATION
August 5, 2008**

Report of the Task Force appointed to review a petition for a pilot project presented by H.E.B. to eliminate the ratio of pharmacists to pharmacy technicians in a central processing environment. The pilot project proposes to demonstrate improved pharmaceutical care for patient by increasing the number of pharmacy technicians working in a central processing environment with limited job functions and activities.

SUMMARY OF DELIBERATIONS

Members of the Task Force

Board President Ben Fry appointed the following to serve on this Task Force:

Jeanne Waggener, R.Ph., Board Member

Allison Benz, R.Ph., M.S., Staff Liaison
Kerstin Arnold, Staff Liaison

History of the Pilot Project Proposal

April 18, 2008	The proposal for a pilot project was received by the Board.
April 2008	The proposal was reviewed by Allison Benz and found to be appropriate and complete.
April 2008	Board President Fry appointed the Task Force.
June 4, 2008	The Task Force discussed the proposal and developed the following recommendation.

Recommendation

It is the recommendation of the Task Force that the proposal for the pilot project be approved with modifications under the terms and conditions set forth as follows.

PILOT PROJECT

Goal for the Pilot Project

To improve pharmaceutical care for patients and create positive patient outcomes by redirecting store based pharmacy activities to a central processing environment utilizing an increased number of pharmacy technicians.

Person Responsible for the Project

Sheryll Ann Brown, R.Ph.
Pharmacist-in-Charge
H.E.B. Fulfillment Center
6520 Fratt Road
San Antonio, TX 78218

Location for the Project

H.E.B. Fulfillment Center
6520 Fratt Road
San Antonio, TX 78218

Rules to be Waived During the Pilot Project

§291.32. Personnel

XXX

(d) Pharmacy Technicians and Pharmacy Technician Trainees.

XXX

(3) Ratio of pharmacist to pharmacy technicians and pharmacy technician trainees.

(A) Except as provided in subparagraph (B) of this paragraph, the ratio of pharmacists to pharmacy technicians and pharmacy technician trainees may be 1:3, provided at least one of the three is a pharmacy technician. The ratio of pharmacists to pharmacy technician trainees may not exceed 1:2.

XXX

Summary of the Pilot Project

- (1) H.E.B. Central Processing Center pharmacy technicians will perform such duties as receiving all incoming phone calls, updating patient information, entering new and prescription refill information, transmitting refill requests, and prescription filing.
- (2) Pharmacists will supervise technician activities and perform any duties required to be performed by a pharmacist.

Conditions

- (1) Unless otherwise stated in this document, the pilot project will operate in accordance with the conditions outlined in the proposed pilot project.
- (2) The pilot project will be conducted from a licensed pharmacy location.
- (3) The time frame for the project will be no more than 18 months from the start of the project, which must occur within 30 days of the Board's approval. The Texas State Board of Pharmacy shall be notified in writing within 10 days of the start of the project.
- (4) The ratio of pharmacists to pharmacy technicians at the Central Processing Center may not exceed 1:6. Pharmacists must be physically present to supervise the pharmacy technicians.