



# TEXAS STATE BOARD OF PHARMACY

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**TEXAS STATE BOARD OF PHARMACY  
Health Professions Council Board Room  
333 Guadalupe Street, Tower II, Suite 225  
Austin, Texas**

**February 9 - 10, 2010**

## **MINUTES**<sup>1</sup>

### **Tuesday, February 9, 2010**

The Board was advised that on Wednesday, January 6, 2010, Governor Perry appointed Jeanne D. Waggener as presiding officer of TSBP, for a term to expire at the pleasure of the governor.

President Jeanne D. Waggener, R.Ph., called the meeting to order at 9:00 a.m. Other Board Members present were W. Buford T. Abeldt, Sr., R.Ph.; L. Suzan Kedron; Alice Mendoza, R.Ph.; Dennis F. Wiesner, R.Ph.; and W. Benjamin Fry, R.Ph.

Board Member Rosemary Forester Combs was not present.

Staff present were Gay Dodson, R.Ph., Executive Director/Secretary; Carol Fisher, R.Ph., M.P.A., Director of Enforcement; Paul Holder, R.Ph., Pharm.D., Assistant Director of Enforcement; Cathy Stella, Director of Licensing and Administrative Services; Kerstin Arnold, General Counsel; Julie Hildebrand, Litigation Counsel; Mitra Woody, Staff Attorney; Caroline Hotchkiss, Staff Attorney; Allison Benz, R.Ph., M.S., Director of Professional Services; and Becky Damon, Executive Assistant.

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<sup>1</sup>See agenda and corresponding attachments for supporting materials.

Ms. Dodson introduced TSBP's recently-appointed new Board Members: Joyce A. Tipton, R.Ph., and Charles F. Wetherbee. She also recognized W. Benjamin Fry, R.Ph., who was re-appointed to a second term on the Board. The terms for Ms. Tipton, Mr. Wetherbee, and Mr. Fry are for six years and end on August 31, 2015.

Also present were Pharmacist Interns Jake Daggett and Tammy Lee.

**A. Announcements**

- President Waggener made general announcements.
- Announcements were made concerning Board Members and staff.
- Ms. Benz made an announcement concerning continuing education credit for attending the Board Meeting.

**B. Discussion and Approval of Minutes of Previous Meetings (Tab 1)**

Following discussion, the motion was made by Mr. Fry to approve the minutes of the TSBP Public Hearing held on November 9, 2009, and the minutes of the TSBP Board Business Meeting, held November 9-10, 2009, as presented. The motion was seconded by Mr. Wiesner and passed unanimously.

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

Final Adoption of Rules

- Rules Concerning Requirements for Electronic Prescriptions (§291.34) (Tab 02)

Ms. Benz explained that the Board voted to propose the amendments to §291.34 during its November 9-10, 2009, meeting. The proposed amendments were published in the December 25, 2009, issue of the *Texas Register*, and no comments were received.

Ms. Benz explained that the proposed amendments clarify the requirements for faxed prescriptions.

Following discussion and review of the Preambles and Orders Adopting Rules, the motion was made by Ms. Mendoza to approve for adoption, by Board Order, amendments to §291.34. The motion was seconded by Ms. Kedron and passed unanimously.

- Rules Concerning Class C Rules to Implement the Tech-Check-Tech Provisions of H.B. 1924, Passed by the 81<sup>st</sup> Session of the Texas Legislature (§§291.72 - 291.75) (Tab 03)

Ms. Benz explained that the Board voted to propose the amendments to §§291.72 - 291.75 during its November 9-10, 2009, meeting. The proposed amendments were published in the December 25, 2009, issue of the *Texas Register*. Comments were received from the Texas Society of Health-System Pharmacists.

Ms. Benz explained that the proposed amendments implement provision of H.B. 1924 as passed by the 81<sup>st</sup> Session of the Texas Legislature which allows hospitals that have ongoing “clinical pharmacy programs” to allow pharmacy technicians to verify the accuracy of work performed by another pharmacy technician relating to the filling of floor stock and unit dose distribution systems if the patient’s orders have previously been reviewed and approved by a pharmacist. (Tech-Check-Tech).

Following discussion, the Board delayed action on the proposed amendments to §§291.72 - 291.75 until later in the meeting.

- Rules Concerning Free-Standing Emergency Medical Care Centers (§291.151) (Tab 04)

Ms. Benz explained that the Board voted to propose the amendments during its November 9-10, 2009, meeting. The amendments were published in the December 25, 2009, issue of the *Texas Register*. Comments were received from the Texas Hospital Association and the Texas Society of Health-System Pharmacists.

Ms. Benz explained that the proposed amendments establish a new class of pharmacy, Class F Pharmacies, located in freestanding emergency medical care facilities.

Following discussion, the Board delayed action on the proposed amendments to §291.151 until later in the meeting.

Proposal of Rules

- Rules Concerning Use of Sterile Gloves and Sterile Alcohol in Pharmacies Compounding Sterile Preparations (§291.133) (Tab 05)

Ms. Benz explained that the amendments require pharmacies compounding sterile preparations to use sterile alcohol and sterile gloves to be consistent with USP 797 guidelines.

The Board reviewed comments received from the Texas Society of Health-System Pharmacists.

Following discussion, the motion was made by Mr. Fry to accept the recommendations of the Task Force on Class C Pharmacies and not require sterile gloves and sterile alcohol when compounding sterile preparations. The motion was seconded by Mr. Abeldt and passed 6-1-0. Ms. Kedron opposed.

- Rules Concerning Centralized Prescription Processing Pharmacy (§291.153) (Tab 06)

Ms. Benz explained that a pilot project was conducted by H.E.B. Pharmacy in a pharmacy performing central prescription processing with a 1:5 ratio of pharmacist to pharmacy technicians. H.E.B. presented the results of the pilot project at the November 2009 Board meeting. At that meeting the Board directed staff to bring draft rules to allow all central processing pharmacies to operate with an increased pharmacist to pharmacy technician ratio. The proposed rules would create a new class of pharmacy and allow for an increased ratio of pharmacist to pharmacy technicians/trainees of 1:5.

Following discussion, the motion was made by Ms. Mendoza to approve for proposal amendments to §291.153, with changes recommended by Board, including increasing the ratio to 1:6. The motion was seconded by Mr. Wetherbee and passed unanimously.

- Rules Concerning Operational Standards in Class A and Class E Pharmacies to implement the provisions of H.B. 19 that require the Board to adopt rules requiring pharmacies to add the statement “Do not flush unused medications or pour down a sink or drain” to the prescription label or to the written information accompanying the prescription (§§291.33 and 291.104) (Tab 07)

Ms. Benz explained that H.B. 19 passed during the 81<sup>st</sup> Session of the Texas Legislature, amended the Texas Pharmacy Act requiring the Board to adopt rules regarding prescription labels and written information provided to the consumer.

Ms. Benz directed the Board's attention to suggested amendments, that require pharmacists to add the statement "Do not flush unused medications or pour down a sink or drain" to either the prescription label or to the written information accompanying the prescription in Class A and Class E pharmacies.

The Board reviewed comments received from the Texas Federation of Drug Stores.

Following discussion, the Board directed staff to revise the proposed amendments to include a delayed effective date of on or before January 1, 2011, to add the statement "Do not flush unused medications or pour down a sink or drain" to either the prescription label or to the written information accompanying the prescription in Class A and Class E pharmacies.

Following discussion, the motion was made by Mr. Fry to approve for proposal amendments to §§291.33 and 291.104, with the changes recommended by Board. The motion was seconded by Mr. Abeldt and passed unanimously.

- Rules Concerning Personnel and Operational Standards in a Class A Pharmacy Regarding Remote Verification of Prescription Data Entry (§§291.32 - 291.33) (Tab 08)

Ms. Benz directed the Board's attention to the suggested amendments and explained that at the November 2009 Board meeting, the Board discussed various scenarios occurring in pharmacy practice that use new electronic technology. The Board directed staff to draft rules to clarify electronic verification of prescriptions and drug regimen review by a pharmacist.

Following discussion, the motion was made by Ms. Mendoza to approve for proposal amendments to §§291.32 - 291.33, as presented. The motion was seconded by Ms. Tipton and passed unanimously.

- Rules Concerning Prescription Drug Recalls and Their Handling and Follow-up by Pharmacies (§291.7) (Tab 09)

Ms. Benz directed the Board's attention to suggested amendments to §291.7 and explained that the amendments provide requirements for pharmacies with regard to manufacturer's recalls of prescription drugs.

Following discussion, the motion was made by Ms. Mendoza to approve for proposal amendments to §291.7, as presented. The motion was seconded by Mr. Abeltdt and passed unanimously.

- Rules Concerning Professional Responsibility of Pharmacists (§291.29) (Tab 10)

Ms. Benz directed the Board's attention to suggested amendments to clarify the pharmacist's corresponding responsibility in verifying the validity of prescriptions via the internet or without a valid patient-practitioner relationship.

The Board reviewed comments received from the Texas Federation of Drug Stores.

Following discussion, the motion was made by Mr. Fry to approve for proposal amendments to §291.29, with the changes to §291.29(c)(5) recommended by the Texas Federation of Drug Stores. The motion was seconded by Mr. Wiesner and passed unanimously.

President Waggener recessed the meeting at 10:30 a.m.

President Waggener reconvened the meeting at 10:47 a.m.

- Rules Implementing S.B. 1853 Concerning Disciplinary Action for Pharmacy Technicians and Pharmacy Technician Trainees (§281.9) (Tab 11)

Ms. Benz directed the Board's attention to amendments to §281.9 and explained that the amendments would implement provisions of S.B. 1853, which was passed by the 81<sup>st</sup> Session of the Texas Legislature.

Ms. Benz explained that S.B. 1853 amended the Texas Pharmacy Act to:

- a. Specify that the Board may discipline a pharmacy technician if the technician has:
  - Performed a duty only a pharmacist may perform;
  - Used alcohol or drugs in an "intemperate" manner;

- Engaged in negligent, unreasonable, or inappropriate conduct when working in a pharmacy;
  - Violated a disciplinary order;
  - Been convicted of a criminal offense that requires registration as a sex offender; or
  - Been disciplined by pharmacy or other health regulatory board.
- b. Specify that a disciplinary action affecting the registration of a pharmacy technician trainee remains in effect if the trainee obtains registration as a pharmacy technician; and
- c. Give the Board the authority on probable cause, to order a pharmacy technician to submit to a mental or physical evaluation.

Following discussion, the motion was made by Mr. Abelt to approve for proposal amendments to §281.9, as presented. The motion was seconded by Ms. Tipton and passed unanimously.

- Rules concerning Changes to Sanctions for Criminal Offenses (§281.64) (Tab 12)

Ms. Benz directed the Board's attention to suggested amendments to §281.64 and explained that these amendments clarify sanctions for offenses involving impairment.

Following discussion, the motion was made by Mr. Fry to approve for proposal amendments to §281.64, as presented. The motion was seconded by Mr. Abelt and passed unanimously.

### Rule Reviews

- For Final Adoption

Ms. Benz directed the Board's attention to the TSBP Rule Review Plan for FY2010-2013. (Tab 13)

Ms. Benz directed the Board's attention to the suggested review of:

- Chapter 291 (§§291.51 - 291.55) Concerning Class B (Nuclear) Pharmacies (Tab 14)
- Chapter 305 (§§305.1 - 305.2) Concerning Educational Requirements (Tab 15)
- Chapter 309 (§§309.1 - 309.8) Concerning Generic Substitution of Drug Products (Tab 16)

Following discussion, in accordance with Government Code §2001.039, the motion was made by Ms. Kedron to approve for adoption, as presented, the review of Chapter 291 (§§291.51 - 291.55); Chapter 305 (§§305.1 - 305.2), and Chapter 309 (§§309.1 - 309.8). The motion was seconded by Mr. Wetherbee and passed unanimously.

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

- Task Force on Class B (Nuclear) Pharmacies (Tab 17)

Ms. Benz reported that the Task Force on Nuclear Pharmacies was in the process of developing recommendations. A final report and suggested rule language will be presented to the Board at the May Board meeting.

- Final Report of Task Force on Pharmacies in Rural Hospitals (Tab 18)

Ms. Benz advised the Board that a meeting of the Task Force on Pharmacies in Rural Hospitals was held December 7, 2009, to address implementation of the Rural Hospital Provision of H.B. 1924, which was passed by the 81<sup>st</sup> Session of the Texas Legislature. She directed the Board's attention to suggested amendments to §§291.72 - 291.75 that reflect the recommendations of the Task Force.

The Board reviewed comments received from Texas Representative Joe Heflin, the Texas Hospital Association, Johns Community Hospital, the Texas Organization of Rural and Community Hospitals, and the Texas Society of Health-System Pharmacists.

Following discussion, the motion was made by Ms. Tipton to approve for proposal amendments to §§291.72 - 291.75, with the deletion of the language on line 79 - 81 regarding extending the time between pharmacist visits. The motion was seconded by Ms. Mendoza and passed unanimously.

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

- Financial Update

- Review of FY2010 Operating Budget (Tab 28)

Ms. Stella reviewed the expenditures for the first quarter of FY2010 (September 1, 2009 - through November 30, 2010) for the Board.

- Review of Board Member Travel Budget (Tab 29)

Ms. Stella reviewed the Board Member FY2010 Travel Budget.

- Ms. Stella reported that the governor requested TSBP submit a plan to reduce by five percent expenses for the FY2010-11 biennium. She reported that a revised budget would be presented at the May Board meeting.

- Update on Request for Qualifications Process for Pharmacy Technician Certification Examination (Tab 30)

Ms. Stella reported TSBP had received three proposals in response to the Request for Qualifications that was posted on the Electronic State Business Daily. She reported that one of the proposals received did not meet the qualifications and that the other two proposals were being reviewed. She reported that results should be presented at the May Board meeting.

- Discussion Concerning TSBP FY2011-2015 *Strategic Plan* (Tab 34)

Ms. Dodson explained that at the November 9-10, 2009, Board Meeting, Board Members volunteered to work with staff in developing the *Strategic Policy Issues* for TSBP's *Strategic Plan for FY2011-2015*. The issues were developed by the following individuals

- Policy Issue #1 - The Changing Focus of Pharmacy Practice - Ms. Kedron, Mr. Abeldt, and Ms. Dodson;
- Policy Issue #2 - Increased Use of Technology in the Practice of Pharmacy - Ms. Mendoza and Ms. Benz;
- Policy Issue #3 - Pharmacy Personnel and Working Conditions - Ms. Waggener and Dr. Holder; and

- Policy Issue #4 - To Maintain the Agency's Leadership Position in Pharmacy Practice Regulation and Establish a Key Leadership Position for Addressing Public Needs - Mr. Wiesner and Ms. Stella.

The issues were summarized for the Board by the following individuals:

- Policy Issue #1 - Ms. Dodson;
- Policy Issue #2 - Ms. Benz;
- Policy Issue #3 - Dr. Holder; and
- Policy Issue #4 - Ms. Stella.

Following discussion, the motion was made by Mr. Fry to approve Policy Issues 1-4 of the TSBP *Strategic Plan for FY2011-2015*, as presented. The motion was seconded by Mr. Abeldt and passed unanimously.

President Waggener recessed the meeting at 11:48 a.m.

President Waggener reconvened the meeting at 1:35 p.m.

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

Pilot Projects

- Task Force on Pilot Project by Montgomery County Hospital District (Tab 19)

Ms. Benz directed the Board's attention to a proposal for a pilot project submitted by the Montgomery County Hospital District at the November 9-10, 2009, Board Meeting. She reported that President Fry appointed Mr. Abeldt, Ms. Benz and Ms. Arnold to serve on a task force to evaluate the pilot project request. Ms. Benz reviewed the request for the Board and explained that the goal of the pilot project would be to demonstrate improved pharmaceutical care for patients by eliminating barriers for indigent population in receiving their prescriptions by allowing patients to pickup prescription medications at an administrative office building operated by the hospital district. Ms. Benz advised the Board that it was the recommendation of the task force that the proposal be approved with modifications under the terms

and conditions set forth in the task force report. However, Ms. Benz reported that the Montgomery County Hospital District has requested to have the pilot project placed on hold. The Board took no action on this item.

- Task Force on Pilot Project by Big Bend Regional Hospital District (Tab 20)

Ms. Benz directed the Board's attention to a proposal for a pilot project submitted by the Big Bend Regional Hospital District at the November 9-10, 2009, Board Meeting. She reported that President Fry appointed Mr. Abeldt, Ms. Benz and Ms. Arnold to serve on a task force to evaluate the pilot project request. Ms. Benz reviewed the request for the Board and explained that the goal of the pilot project would be to demonstrate improved pharmaceutical care for patients by eliminating barriers for indigent population in receiving their prescriptions by allowing patients to pickup prescription medications at an administrative office building operated by the hospital district. Ms. Benz advised the Board that it was the recommendation of the task force that the proposal be approved with modifications under the terms and conditions set forth in the task force report.

Following discussion, the motion was made by Mr. Abeldt to approve for implementation the pilot project by Big Bend Regional Hospital District, under the terms and conditions set forth in the task force report. The motion was seconded by Ms. Mendoza and passed unanimously. The Board directed staff to develop suggested rule language that will establish a new class of pharmacy for the pick-up of prescriptions in a remote location for consideration at the May 2010 Board Meeting.

**C. Discussion of and Possible Action Regarding Rules (cont.)**

Final Adoption of Rules

- Rules Concerning Class C Rules to Implement the Tech-Check-Tech Provisions of H.B. 1924, Passed by the 81<sup>st</sup> Session of the Texas Legislature (§§291.72 - 291.75) (Tab 03) (cont.)

Ms. Benz explained that the Board reviewed these proposed amendments earlier in the meeting. She explained the preamble was revised to indicate that comments were received from the Texas Society of Health-System Pharmacists.

Following discussion and review of the Preambles and Orders Adopting Rules, the motion was made by Mr. Fry to approve for adoption, by Board Order, amendments to §§291.72 - 291.75 with the change in the preamble noted above. The motion was seconded by Mr. Wetherbee and passed unanimously.

- Rules Concerning Free-Standing Emergency Medical Care Centers (§291.151) (Tab 04) (cont.)

Ms. Benz explained that the Board reviewed these proposed amendments earlier in the meeting. She explained the preamble was revised to indicate that comments were received from the Texas Hospital Association and the Texas Society of Health-System Pharmacists.

Following discussion and review of the Preambles and Orders Adopting Rules, the motion was made by Ms. Kedron to approve for adoption, by Board Order, amendments to §291.151 with the change in the preamble noted above. The motion was seconded by Ms. Mendoza and passed unanimously.

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

- Professional Recovery Network
  - Dr. Holder discussed the charts which reflect the performance measures regarding the number of individuals participating in the peer assistance program, including the number of pharmacists participating in the program during the first quarter of FY2010. (Tab 31)
  - President Waggener recognized Donna Chamberlain, Director of the Pharmacy Recovery Network (PRN). Ms. Chamberlain directed the Board's attention to the PRN budget for September 1, 2009, through August 31, 2010, and reviewed current PRN activities for the Board. (Tab 32)
  - Ms. Chamberlain directed the Board's attention to an audit of PRN outcome and output performance measures for FY2009 (September 1, 2008 – August 31, 2009) (Tab 33)

Following discussion, the motion was made by Ms. Tipton to approve the PRN reports as presented. The motion was seconded by Mr. Abeldt and passed unanimously

- Pharmacy Internship Programs (Tab 21-27)

Ms. Benz directed the Board's attention to a summary of the 2010 review of internship records for the four Texas colleges/schools of pharmacy with graduates within the review period. (Tab 21) Ms. Benz pointed out that records were made available by each of the colleges/schools and that all of the students met requirements for the review period, which was June 1, 2008, through May 31, 2009.

Ms. Benz then directed the Board's attention to questionnaires received from Texas' six colleges/schools of pharmacy concerning their internship programs, which were reviewed by the following individuals for the colleges/schools:

- Texas A&M Health Science Center Irma Lerma Rangle College of Pharmacy - Beverly Talluto, Pharm.D, M.H.S., Associate Dean for Clinical Programs; and Gary Frech, M.A., M.S., R.Ph., Director of Experiential Programs (Tab 22);
- University of the Incarnate Word, Feik School of Pharmacy - Arcelia Johnson-Fannin, Pharm.D., R.Ph., Dean; and Jeffrey Copeland, BS, ThM, Pharm.D, Assistant Dean, Experiential Programs (Tab 23);
- Ms. Benz summarized the questionnaire submitted by Raymond W. Hammond, R.Ph., Pharm.D, BCPS, Associate Dean for Practice Programs, for University of Houston College of Pharmacy (Tab 24);
- Ms. Benz summarized the questionnaire submitted by Texas Southern University College of Pharmacy and Health Sciences (Tab 25);
- Ms. Benz summarized the questionnaire submitted by Jennifer L. Ridings-Myhra, R.Ph., Assistant Dean for Experiential and Professional Affairs, for The University of Texas at Austin College of Pharmacy (Tab 26); and.
- Ms. Benz summarized the questionnaire submitted by C. Jean Haynes, M.Ed., Assistant Director of Experiential Programs, for Texas Tech University Health Science Center School of Pharmacy (Tab 27).

Following discussion, the motion was made by Ms. Mendoza to approve the internship programs of Texas A&M Health Science Center Irma Lerma Rangel College of Pharmacy; University of the Incarnate Word, Feik School of Pharmacy; University of Houston College of Pharmacy; Texas Southern University College of Pharmacy and Health Sciences; The University of Texas at Austin College of Pharmacy; and Texas Tech University Health Science Center School of Pharmacy.

The motion was seconded by Mr. Fry and passed unanimously.

- Discussion Concerning Application Fee for Pharmacist and Pharmacy Technician Reinstatement Applicants (§283.9) (Tab 35)

Ms. Dodson advised the Board that there is currently no fee for a technician applying for reinstatement of registration and that a pharmacist only pays a fee when the reinstatement of the license is approved.

Ms. Dodson advised the Board that staff was recommending a \$100.00 application fee for pharmacist and technician reinstatement applicants who had their registration/license revoked due to disciplinary orders.

Following discussion, the Board directed staff to develop suggested rule language to establish an application fee of \$100.00 for pharmacist and technician reinstatement applicants.

- Discussion Concerning Emergency Medication Kits (§291.121)(b)(3)(C) (Tab 36)

Ms. Dodson directed the Board's attention to a request from Omnicare of Fort Worth, for a TSBP rule change to allow for more than one emergency medication kit at remote sites. Ms. Dodson explained that Omnicare's request stated that in certain circumstances a nursing facility's primary pharmacy may not be able to provide all the facility's emergency medication needs and a second emergency kit is needed to contain intravenous medications and supplies. These items will not duplicate any of the contents of the primary emergency medication kit.

Following discussion, the Board directed staff to develop suggested rule language to allow for more than one emergency medication kit at remote sites.

- Discussion Concerning FDA's Enforcement Policy Regarding Pharmacy Compounding Following Decision in *Medical Center Pharmacy v. Mukasey* (Tab 37)

Ms. Arnold advised the Board of the history of compounding rules, legal actions, court decisions and the FDA's warning letter.

This information was presented for informational purposes only.

President Waggener recessed the meeting at 2:50 p.m.

President Waggener reconvened the meeting at 3:05 p.m.

- Update on TSBP Action on Legislation Passed During the 81<sup>st</sup> Session of the Texas Legislature that has an Impact on TSBP and/or the Practice of Pharmacy (Tab 38)

Ms. Dodson directed the Board's attention to an action chart concerning legislation that was passed during the 81<sup>st</sup> Session of the Texas Legislature that had an impact on TSBP and/or the practice of pharmacy. The chart contained the bill number, action required of TSBP, effective date of the bill, TSBP's internal deadline, and the current status of TSBP's implementation of the bill.

- Discussion of Possible Statutory Changes for Consideration During the 82<sup>nd</sup> Session of the Texas Legislature (Tab 39)

Ms. Dodson directed the Board's attention to a list of items previously approved by the Board for recommendation for action during the 81<sup>st</sup> Session of the Texas Legislature on which no action was taken.

#### **F. Consideration of and Possible Action Concerning Enforcement Reports**

- Petition(s) to Serve as a Preceptor

Ms. Fisher directed the Board's attention to petitions from General Cruz Peay, R.Ph. (Tab 40), Shalondria Renee Simpson, Pharm.D (Tab 41), and Aida Leticia Palacios, R.Ph. (Tab 42), who are currently under Board orders, to serve as preceptors. Under Board Rule §283.6, no pharmacist who has been the subject of an order of the Board may serve as a preceptor during the period he or she is serving as a preceptor or within the three-year period immediately preceding application for approval as a preceptor. However, a pharmacist who is or has been the subject of an order may petition the Board to act as a preceptor. Ms. Fisher reviewed the petitions and supporting documentation for the Board.

The motion was made by Mr. Fry that the Board not approve the petition of General Cruz Peay, R.Ph., to serve as a preceptor. The motion was seconded by Mr. Wiesner and passed unanimously.

The motion was made by Mr. Abeldt that the Board not approve the petition of Shalondria Renee Simpson, Pharm.D., to serve as a preceptor. The motion was seconded by Ms. Mendoza and passed unanimously.

The motion was made by Ms. Tipton that the Board approve the petition of Aida Leticia Palacios, R.Ph., to serve as a preceptor. The motion was seconded by Mr. Fry and passed unanimously.

#### **H. Miscellaneous**

- Items to be Placed on Agenda for May 2010 Board Meeting (Tab 45)

Board Members and/or Ms. Dodson requested that the following items be placed on the agenda for the May 2010 Board Meeting.

- Suggested rule language concerning application fee for pharmacist and technician reinstatement applicants;
  - Suggested rule language concerning Emergency Medication Kits;
  - Suggested rule language concerning creation of a new class of pharmacy to allow patients to pickup prescription medications at a remote site operated by a hospital district;
  - Review and approval of the *TSBP Strategic Plan for FY2011-2015; and*
  - Discussion of Possible Statutory Changes for Consideration During the 82<sup>nd</sup> Session of the Texas Legislature.
- Discussion of and Possible Action on Recent Conferences and Events

The Board discussed Board Member and Executive Director attendance at recent conferences and events.

- Discussion of and Possible Action on Upcoming Conferences and Events

The Board discussed Board Member and Executive Director attendance at upcoming conferences and events.

President Waggener recessed the meeting at 4:05 p.m.

### **Tuesday, February 10, 2010**

President Jeanne D. Waggener, R.Ph., called the meeting to order at 8:05 a.m. Other Board Members present were W. Buford T. Abeldt, Sr., R.Ph.; L. Suzan Kedron; Alice Mendoza, R.Ph.; Dennis F. Wiesner, R.Ph.; W. Benjamin Fry, R.Ph.; Joyce A. Tipton, R.Ph.; and Charles F. Wetherbee.

Board Member Rosemary Forester Combs was not present.

Staff present were Gay Dodson, R.Ph., Executive Director/Secretary; Carol Fisher, R.Ph., M.P.A., Director of Enforcement; Paul Holder, R.Ph., Pharm.D., Assistant Director of Enforcement; Kerstin Arnold, General Counsel; Julie Hildebrand, Litigation Counsel; Mitra Woody, Staff Attorney; Caroline Hotchkiss, Staff Attorney; Allison Benz, R.Ph., M.S., Director of Professional Services; Ann Driscoll, Legal Assistant; Sharanya Rao, Legal Program Specialist; and Becky Damon, Executive Assistant.

Also present were Pharmacist Interns Jake Daggett and Tammy Lee.

### **G. Disciplinary Orders**

Ms. Arnold advised the Board that rather than receiving paper notebooks Disciplinary Orders are now being reviewed electronically. Ms. Arnold directed the Board's attention to the Disciplinary Hearings section of the Review Program and explained how to access the information on Disciplinary Orders.

- The Board reviewed 16 Agreed Board Orders for pharmacy technicians and pharmacy technician trainees following informal conferences, which were held on:
  - September 24, 2009 (one Order);
  - November 17, 2009 (four Orders);
  - December 17, 2009 (six Orders);
  - January 21, 2010 (five Orders);

The Board also reviewed 28 Default Orders for pharmacy technicians and pharmacy technician trainees who did not appear for informal conferences.

The motion was made by Ms. Mendoza to approve the 26 Agreed Board Orders for pharmacy technicians and pharmacy technician trainees following informal conference and the 28 Default Board Orders for pharmacy technicians and pharmacy technician trainees. The motion was seconded by Mr. Fry and passed 7-0-0. (See attachment #1)

- Report on Technician Agreed Board Orders Entered by Executive Director
  - The Board reviewed 68 Technician Agreed Board Orders that had been entered by the Executive Director on behalf of the Board, in accordance with the Board's directives during the period December 1, 2009, through February 5, 2010.
- Report on Agreed Board Orders Entered by Executive Director
  - The Board reviewed 29 Agreed Board Orders concerning pharmacy technicians, pharmacists, and pharmacies that had been entered by the Executive Director on behalf of the Board in accordance with the Board's directive, during the period November 11, 2009, through February 9, 2010.

**F. Consideration of and Possible Action Concerning Enforcement Reports**  
(cont.)

- Report on Complaints Closed and Dismissed During the Previous Quarter (Tab 43)

The Board received a report on complaints dismissed and closed during the first quarter of FY2010 (September 1, 2009 - November 30, 2009). The report also included quarterly averages for FY2009 as compared to FY2010, as well as percentage change from FY2009 to FY2010. Ms. Fisher reviewed the report for the Board.

- Report on Status of Active/Pending Complaints (Tab 44)

The Board received a Report on *Status of Active/Pending Complaints*. Ms. Fisher reviewed the report for the Board.

**Miscellaneous** (cont.)

- Election of Officers.

President Waggener called for nominations for the office of Vice President for FY2010. Mr. Fry nominated Ms. Mendoza. The motion was seconded by Mr. Wiesner and passed unanimously.

President Waggener called for nominations for the office of Treasurer for FY2010. Ms. Kedron nominated Mr. Wiesner. The motion was seconded by Ms. Mendoza and passed unanimously.

**G. Disciplinary Orders** (cont.)

The Board reviewed 40 Agreed Board Orders for pharmacists, pharmacies, student pharmacist-interns, and pharmacy technicians, 10 of which were Confidential Agreed Board Orders.

The Board also reviewed one Confidential Default Board Order for a pharmacist who did not appear for informal conference.

Ms. Hotchkiss reviewed the alleged violations, as well as the recommended sanctions for each of the following Board Orders (Alternative Resolution) concerning pharmacists, pharmacies, student pharmacist-interns, and pharmacy technicians.

1. Zemonette Casingal Chin ABO #L-09-021

The motion was made by Mr. Fry to approve the Order as presented. The motion was seconded by Ms. Mendoza and passed 7-0-0.

2. Kenna Rachelle Harrison ABO #K-09-036-A

The motion was made by Ms. Kedron to approve the Order as presented. The motion was seconded by Mr. Abeldt and passed 7-0-0.

3. Shawandra Faye Robinson ABO #K-09-023-A

The motion was made by Mr. Fry to approve the Order as presented. The motion was seconded by Ms. Mendoza and passed 7-0-0.

- 4. David Lee Markham ABO #H-08-002-A
- 5. Next Rx, Inc. ABO #H-08-002-B

The motion was made by Ms. Mendoza to approve the Orders as presented. The motion was seconded by Mr. Wiesner and passed 7-0-0.

- 6. Bichtran Thi Nguyen ABO #H-09-032-A
- 7. CVS/pharmacy #5907 ABO #H-09-032-B

The motion was made by Ms. Mendoza to approve the Orders as presented. The motion was seconded by Mr. Fry and passed 7-0-0.

- 8. David Thomas Galindo ABO #H-09-004-A
- 9. Sam's Pharmacy #10-8280 ABO #H-09-004-B

The motion was made by Mr. Fry to approve the Orders as presented. The motion was seconded by Mr. Wiesner and passed 7-0-0.

- 10. Tasha Taresha Hines ABO #H-09-043-A
- 11. Walgreen Co. #6584 ABO #H-09-043-B

The motion was made by Ms. Mendoza to approve the Orders as presented. The motion was seconded by Mr. Abeldt and passed 7-0-0.

- 12. Ramon Kidder Acosta ABO #M-10-004

The motion was made by Mr. Wetherbee to approve the Order as presented. The motion was seconded by Ms. Mendoza and passed 6-0-1. Mr. Fry abstained.

Ms. Woody and Ms. Hotchkiss reviewed the alleged violations, as well as the recommended sanctions for each of the following Agreed Board Orders (following an Informal Conference) concerning pharmacist, pharmacies, students, pharmacist-interns, and pharmacy technicians.

- 13. Richard Bruce Matthews II ABO #H-08-049-A
- 14. Capsule, Inc. ABO #H-08-049-B

The motion was made by Mr. Fry to approve the Orders as presented. The motion was seconded by Ms. Mendoza and passed 6-0-1. Mr. Wiesner abstained.

15. Scott and White Sante Fe Hospital Pharmacy ABO #L-09-023

The motion was made by Mr. Abeldt to approve the Order as presented. The motion was seconded by Ms. Kedron and passed 6-0-1. Mr. Wiesner abstained.

16. CVS/pharmacy #2979 ABO #J-09-018  
17. CVS/pharmacy #6776 ABO #K-09-027  
18. CVS/pharmacy #6945 ABO #J-08-007  
19. CVS/pharmacy #6970 ABO #K-09-026

The motion was made by Mr. Fry to approve the Orders as presented. The motion was seconded by Mr. Wiesner and passed 6-0-1. Ms. Mendoza abstained.

20. Michael A. Buchmeier ABO #K-09-029-A  
21. Netcare Pharmacy ABO #K-09-029-B  
22. Leticia Castano ABO #T-09-349

The motion was made by Ms. Mendoza to approve the Orders as presented. The motion was seconded by Mr. Fry and passed 6-0-1. Mr. Fry abstained.

23. John White Rudder ABO #K-08-031-A  
24. Savon-Pharmacy #932 ABO #K-08-031-B

The motion was made by Ms. Kedron to approve the Orders as presented. The motion was seconded by Mr. Fry and passed 6-0-1. Ms. Mendoza abstained.

25. Devine Pharmacy #1004-05 ABO #B-08-055

The motion was made by Ms. Mendoza to approve the Order as presented. The motion was seconded by Mr. Abeldt and passed 6-0-1. Mr. Wiesner abstained.

26. Walker Pharmacy ABO #A-07-011

The motion was made by Ms. Tipton to approve the Order as presented. The motion was seconded by Mr. Albedt and passed 6-0-1. Mr. Fry abstained.

27. Melanie Simmons ABO #J-06-001-A  
28. Wal-Mart Pharmacy #10-3287 ABO #J-06-001-B

The motion was made by Mr. Fry to approve the Orders as presented. The motion was seconded by Mr. Wiesner and passed 6-0-1. Mr. Fry abstained.

29. Kevin Thomas Paruszewski ABO #A-09-004

The motion was made by Mr. Fry to approve the Order as presented. The motion was seconded by Ms. Mendoza and passed 6-0-1. Mr. Wiesner abstained.

30. Khady Keita ABO #E-08-011

The motion was made by Mr. Abeldt to approve the Order as presented. The motion was seconded by Mr. Fry and passed 7-0-0.

President Waggener recessed the meeting at 9:05 a.m.

President Waggener reconvened the meeting at 9:23 a.m.

- Executive Session to Consider Confidential Agreed Board Order

Mr. Fry made a motion that the Board go into Executive Session to consider Agreed Board Orders involving impaired pharmacists, pharmacist applicants, and pharmacist interns, under the authority of the Texas Pharmacy Act, §564.002. The motion was seconded by Mr. Abeldt and passed 7-0-0.

President Waggener declared the Board in Executive Session at 9:25 a.m.

At 9:36 a.m., President Waggener announced that the Board would resume the meeting in Open Session. President Waggener announced that no action was taken and no decisions were made during Executive Session.

Mr. Fry made motions to approve the following confidential Orders:

1. ABO #M-10-003
2. ABO #N-09-020
3. ABO #N-09-021
4. ABO #M-10-001
5. ABO #S-09-010
6. ABO #G-08-043
7. ABO #G-08-018
8. ABO #S-09-018
9. ABO #G-09-023
10. ABO #G-09-005
11. BO #N-10-005

The motions were seconded by Ms. Mendoza and passed as follows:

1. 6-0-1 Mr. Wiesner abstained
2. 6-0-1 Mr. Wiesner abstained
3. 6-0-1 Mr. Fry abstained.
4. 6-0-1 Mr. Wiesner abstained.
5. 6-0-1 Mr. Fry abstained.
6. 6-0-1 Mr. Wiesner abstained
7. 7-0-0
8. 5-0-2 Mr. Wiesner and Mr. Fry abstained
9. 5-0-2 Mr. Wiesner and Mr. Abeldt abstained
10. 6-0-1 Mr. Fry abstained.
11. 6-0-1 Mr. Wiesner abstained.

President Waggener adjourned the meeting at 9:48 a.m.

APPROVED:

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Jeanne D. Waggener, R.Ph.  
President

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Gay Dodson, R.Ph.  
Executive Director/Secretary

May 4, 2010

**CONSIDERATION OF TECHNICIAN AND TECHNICIAN TRAINEE  
AGREED BOARD ORDERS AND DEFAULT ORDERS  
FEBRUARY 9-10, 2010**

**AGREED BOARD ORDERS AFTER INFORMAL CONFERENCE**

NO.	BOARD MEMBER/IC DATE	NAME	VIOLATION	VIOLATION DATE	FALSE APP	SANCTION
1	BF 09/2009	Denice Dominguez (R)	Request for termination of ABO #T-05-225	N/A	N/A	Request granted; ABO #T-05-225 terminated
2	BA 11/2009	Sabrina L. Chen (R)	Motion for rehearing  Misdemeanor Tampering with Governmental Records (deferred)	N/A  10/01/2003	N/A	Supercede order for one year probation
3	BA 11/2009	Krista Rhea Crowder (N)	Misdemeanor Public Intoxication (deferred)  Misdemeanor Driving While Intoxicated (convicted)  Diagnosed with high probability of substance dependence disorder	06/19/2008  04/05/2009  05/16/2009	No	MHP + 5 year probation
4	BA 11/2009	Richard Allan Kirkner (A)	Diagnosed with drug dependency in remission	08/13/2009	No	MHP + 1 year probation

*A= Technician Applicant, N= Trainee Applicant, R= Registered Technician, T= Registered Trainee  
MHP = Mental Health Professional*

NO.	BOARD MEMBER/ IC DATE	NAME	VIOLATION	VIOLATION DATE	FALSE APP	SANCTION
5	BA 11/2009	Nkangoh Fon Peterkinsley (N)	-	-	Yes	\$500 penalty
6	BF 12/2009	Christina Cordova (A)	Reinstatement application for technician registration	-	Yes	\$500 penalty
7	BF 12/2009	Rex Ivan Harper, III (N)	Misdemeanor Burglary of Coin-Operated Machine (convicted)	07/10/2003	Yes	MHP + 3 year probation
		Misdemeanor Theft Check (convicted)	07/18/2003			
		Misdemeanor Burglary of Coin-Operated Machine (convicted)	02/02/2004			
		Misdemeanor Burglary of Coin-Operated Machine (convicted)	02/02/2004			
		Misdemeanor Burglary of Coin-Operated Machine (convicted)	02/02/2004			
		Misdemeanor Burglary of Coin-Operated Machine (convicted)	04/29/2004			
		Misdemeanor Burglary of Coin-Operated Machine (convicted)	04/29/2004			
		Misdemeanor Burglary of Coin-Operated Machine (convicted)	09/22/2004			

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NO.	BOARD MEMBER/ IC DATE	NAME	VIOLATION	VIOLATION DATE	FALSE APP	SANCTION
			Misdemeanor Evade Arrest/ Detention (convicted)	09/22/2004		
			Admitted to abuse of drugs, including Cocaine, and subsequent treatment	12/17/2009		
8	BF 12/2009	Erica Monic' Johnson (T)	Misdemeanor Endangering a Child (deferred)	02/02/2009	Yes	Reprimand + \$500 penalty
9	BF 12/2009	Carlos Luis Marquez (R)	Worked as technician trainee with an expired registration	02/24/2009 – 03/24/2009	N/A	\$500 penalty
10	BF 12/2009	David Alan Lopez (N)	Felony Fail-Stop and Render Aid – Moving (convicted)	05/09/2008	No	Suspension concurrent with criminal probation + 5 year probation
11	BF 12/2009	Lorenzo Tabhan Zamora (A)	Misdemeanor Possession of Marihuana (convicted)	02/27/2008	No	MHP + 5 year probation
			Violated terms of criminal probation by:			
			• committing offense of Possession of Marihuana	04/18/2007		
			• using controlled substances including Cocaine, Marihuana and Amphetamines	02/13/2008		
			Failed to fully disclose violations of probation to MHP	04/23/2009		

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NO.	BOARD MEMBER/ IC DATE	NAME	VIOLATION	VIOLATION DATE	FALSE APP	SANCTION
12	DW 01/2010	Deborah Ann Keen (R)	Misdemeanor False Report to a Police Officer (deferred)	03/03/2009	N/A	Reprimand
13	DW 01/2010	Yana Mokeyeva (R)	Misdemeanor Theft (deferred)  Misdemeanor Failure to Identify (deferred)  Felony Possession of Controlled Substance (deferred)  Completed two inpatient treatment programs for drug dependency	02/26/2009  08/25/2009  10/06/2009  07/2009 – 10/2009	N/A	Suspension concurrent with criminal probation + MHP + 5 year probation
14	DW 01/2010	A'nita Rechelle' Moorehead (T)	Missed drug screens (6 counts)	06/03/2009 07/16/2009 08/31/2009 09/30/2009 10/23/2009 11/18/2009	N/A	2-week suspension
15	DW 01/2010	Cynthia Vanessa Salas (T)	Felony Theft (deferred) (Early termination of probation)	01/24/2007	Yes	5-year probation + \$500 penalty
16	DW 01/2010	Amanda Nichole Wolf (T)	Misdemeanor Theft (convicted)	04/28/2008	N/A	Reprimand

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**CONSIDERATION OF TECHNICIAN AND TECHNICIAN TRAINEE  
 AGREED BOARD ORDERS AND DEFAULT ORDERS  
 FEBRUARY 9-10, 2010**

**DEFAULT BOARD ORDERS**

NO.	BOARD MEMBER/ IC DATE	NAME	VIOLATION	VIOLATION DATE	FALSE APP	SANCTION
17	BA 11/2009	Rhonda Arviso (T)	Felony Forgery of a Government Financial Instrument (deferred)	11/26/2008	N/A	Revocation
18	BA 11/2009	Jesus Balderas (T)	Felony Harassment of a Public Servant (deferred)	11/06/2008	N/A	Suspension concurrent with criminal probation and until request received within two years to lift suspension
19	BA 11/2009	Crystal Mae Beltran (R)	Misdemeanor Failure to Identify Oneself to a Peace Officer (convicted)	01/29/2009	N/A	\$500 penalty
20	BA 11/2009	Sergio Delgado (T)	Felony Possession of Cocaine (deferred)	08/29/2008	Yes	Suspension concurrent with criminal probation and until request received within two years to lift suspension
21	BA 11/2009	Lamonica Deshawn Garner (R)	Terminated from employment due to diverting drugs from pharmacy	11/07/2009	N/A	Revocation

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NO.	BOARD MEMBER/ IC DATE	NAME	VIOLATION	VIOLATION DATE	FALSE APP	SANCTION
22	BA 11/2009	Christopher Elliot Manley (T)	Felony Theft (deferred)  Felony Burglary of a Habitation with Intent to Commit Theft (deferred)	12/15/2000  12/15/2000	Yes	3 year probation + \$500 penalty
23	BA 11/2009	Matthew Martinez (R)	Misdemeanor Possession of Marijuana (deferred)	11/20/2008	N/A	MHP + 5 years probation
24	BA 11/2009	Shawna G. Rollen (T)	Misdemeanor Possession of Marijuana (deferred)	10/07/2008	N/A	MHP + 5 year probation
25	BA 11/2009	Deana Danielle Taylor (R)	Felony Obtain Drugs by Fraud – Schedule III/IV	08/20/2008	N/A	Revocation
26	BA 11/2009	Shawna Rene Thompson (R)	Misdemeanor Possession of Marihuana (convicted)	03/02/2009	N/A	MHP + 5 year probation
27	BF 12/2009	Jason Banuelos (R)	Misdemeanor Assault – Family Member (deferred)	10/01/2008	N/A	\$500 penalty
28	BF 12/2009	Alexandro Vallesteros Gallegos (R)	Misdemeanor Burglary Vehicle (deferred)	11/06/2008	N/A	\$500 penalty
29	BF 12/2009	Linwood Tyree Goldsmith (R)	Felony Injury Child/Elderly/Disable/Reckless Serious Bodily/Mental Injury (deferred)	02/26/2009	N/A	Revocation

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NO.	BOARD MEMBER/ IC DATE	NAME	VIOLATION	VIOLATION DATE	FALSE APP	SANCTION
30	BF 12/2009	Brittany Renee' Nolen (R)	Misdemeanor Possession of Marijuana (deferred)	03/11/2009	N/A	MHP + 5 year probation
31	BF 12/2009	Olivia Anita Rodriguez (R)	Took without authorization controlled substances over two-month period to sell for financial gain  Felony Delivery of a Controlled Substance (deferred)	05/14/2008  03/05/2009	N/A	Revocation
32	BF 12/2009	Leitha Michelle Thomas (T)	Misdemeanor Fail to Identify Fugitive Intent to Give False Information (convicted)  Misdemeanor Theft by Check (convicted)	07/06/2006  07/11/2006	Yes	Reprimand + \$500 penalty
33	BF 12/2009	Margaret Carolyn Ward (T)	Misdemeanor Theft (deferred)	10/07/2008	N/A	\$500 penalty
34	BF 12/2009	Calebe Hassim White (R)	Felony Forgery of a Government Financial Instrument (deferred) – took currency from pharmacy	06/19/2008	N/A	Revocation
35	DW 01/2010	Sonia Lizette Alvarez (R)	Misdemeanor Possession of Marijuana (deferred)	01/28/2009	N/A	MHP + 5 year probation

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NO.	BOARD MEMBER/ IC DATE	NAME	VIOLATION	VIOLATION DATE	FALSE APP	SANCTION
36	DW 01/2010	Tammy Ann Clark (R)	Misdemeanor Theft (deferred)	02/12/2009	N/A	\$500 penalty
37	DW 01/2010	Nicole Renee Dawson (T)	Misdemeanor Theft Property (deferred)	04/29/2009	N/A	\$500 penalty
38	DW 01/2010	Sandra Lynn Hallock (R)	Misdemeanor Forging/Altering a Prescription (convicted)	01/16/2009	N/A	Revocation
39	DW 01/2010	Vanitee Elaine Kearse (T)	Felony Aggravated Assault with Deadly Weapon (deferred)	03/09/2009	N/A	Revocation
40	DW 01/2010	Elishia Dawn Lytle (T)	Misdemeanor Theft (deferred)	04/22/2009	N/A	\$500 penalty
41	DW 01/2010	Courtney R. McNealy (T)	Felony Aggravated Assault with a Deadly Weapon (deferred)	12/03/2008	N/A	Revocation
42	DW 01/2010	Delester Ray Porter (R)	Misdemeanor Possession of Marijuana Drug Free Zone (deferred)	11/15/2008	N/A	MHP + 5 year probation
43	DW 01/2010	Brenda Rodriguez (T)	Misdemeanor Theft (deferred)	06/29/2009	N/A	\$500 penalty
44	DW 01/2010	Shakirat Adenike Sanusi (R)	Felony Burglary of a Habitation with the Intent to Commit Theft (deferred)	06/30/2009	N/A	Revocation

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# TEXAS STATE BOARD OF PHARMACY

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TEXAS STATE BOARD OF PHARMACY  
Executive Committee Meeting  
333 Guadalupe Street, Tower II, Suite 500  
Austin, Texas

March 19, 2010

## MINUTES

President Jeanne Waggener, R.Ph. called the meeting to order at 1:00 p.m. Treasurer Board Member Dennis F. Wiesner, R.Ph. was also present.

Staff present were Gay Dodson, R.Ph., Executive Director/Secretary; Carol Fisher, R.Ph., M.P.A., Director of Enforcement; Cathy Stella, Director of Licensing and Administrative Services; and Jane Bennett, Chief Accountant.

Ms. Stella explained that the purpose of the meeting was for the Executive Committee to review a draft of the agency's proposed FY2012-13 Legislative Appropriations Request and provide input. She explained that the draft, with the Executive Committee suggestions, would be presented to the Board for consideration at its May 4-5, 2010 meeting.

Ms. Stella reviewed the following items for the Board:

- 1) TSBP 5% Reduction Budget for FY2010-2011
- 2) Review of exceptional items for FY2012-13 which included the restoration of the 5% reduction, and increases to the following items:
  - capital budget for technology and vehicle replacement
  - reclassification of chief investigator
  - maintaining services for an increasing licensee population to include 3 new staff positions
  - increase to the executive director salary, and
  - increase to the ongoing cost of the regulatory data base

Ms Stella provided the Executive Committee with a revenue estimate and proposed fee structure, based on a baseline budget in FY2012-2013. This proposed fee reduction would be presented to the board in May 2010 as a proposed rule. The members requested that a reduction scenario be presented which more accurately reflected a more equitable percentage reduction.

President Waggener adjourned the meeting at 2:00 p.m.

APPROVED:

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Jeanne Waggener, R.Ph.  
President

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Gay Dodson, R.Ph.  
Executive Director/Secretary

May 4, 2010