

**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, 2012, through August 31, 2013 (Fiscal Year 2013)
DATE OF REVIEW: August 5, 2014

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:

2013 Legislative Session.

- A. A total of 6,317 pieces of legislation were introduced in the 2013nd Regular Legislative Session. The Executive Director reviewed or assigned a staff member to review each of these bills. A total of 319 bills that affected the agency or the practice of pharmacy were tracked and monitored as follows.

83 rd Texas Legislature, Regular Session				
	Session		TSBP Monitored	
	Filed	Passed	Filed	Passed
House				
Bills	3,950	732	200	39
Joint Resolutions	130	6	0	0
Concurrent Resolutions	207	153	0	0
House Total	4,287	891	200	39
Senate				
Bills	1,918	705	119	44
Joint Resolutions	63	4	2	0
Concurrent Resolutions	49	36	0	0
Senate Total	2,030	745	119	44
Regular Session Total	6,317	1,636	319	83

B. I met or had telephone conversations with Legislators or others or testified before Legislative committees a total of 20 times as follows.

Date	Subject, Legislator, or Committee
9/12/2012	Phone conversation with Shelly in Senator Corona's office regarding theft of controlled substance prescription drugs
10/30/2012	Senate Criminal Justice Hearing on Charge 6, Abuse of Prescription Drugs
1/29/2013	Phone conversation with Cody in Representative Hughes' office regarding status of prescriptions after the death of a physician
1/30/2013	Meeting with Sarah Clemmons in Senator Van de Putte's office regarding Compounding
2/12/2012	Meeting with Senator Schwertner regarding SB 404
2/12/2013	Meeting with Senator Van de Putte regarding SB 500, SB 869, and SB 1100
2/13/2013	Phone conversation with Audry in Representative Schaefer's office regarding colleges of pharmacy
2/19/2013	Phone conversation with staff of the Senate Health and Human Services Committee meeting on SB 190 (Biosimilars)
2/21/2013	Meeting with Sam Carlson in Senator Joan Huffman's office regarding SB 190 (Biosimilars)
3/6/2013	Phone conversation with Lavonda in Senator Uresti's office regarding substitution
3/8/2013	Phone conversation with Steven Kummins of the House Public Health committee regarding SB500 and SB 869
3/7/2013	Senate Health and Human Services Committee Hearing on SB 404 and SB 500
3/13/2013	Phone conversation with Cathy in Representative Simpson's office regarding dispensing errors and adverse effects of drugs
3/20/2013	House Public Health Committee Hearing on SB 2087 (SB 500)
3/26/2013	Senate Health and Human Services Committee Hearing on SB 869 and SB 1013
4/16/2013	Senate Health and Human Services Committee Hearing on SB 1100 and SB 1643
6/12/2013	Phone conversation with Robin in Representative Frullo's office regarding a delay in obtaining a pharmacy license
7/23/23	Phone conversation with Taylor in Senator Schwertner's office regarding a patient's difficulty in obtaining a controlled substance prescription
7/29/2013	Phone conversation with Laura Holland in US Senator Cornyn's office regarding proposed federal compounding legislation
8/8/2013	Phone conversation with Tony Gray in Rep Rene Oliveria's office regarding pharmacy license application

C. During the 83rd Legislative Session, the following significant legislation that affected the agency or the practice of pharmacy was passed.

(1) S.B. 227 by Tommy Williams (VETOED BY THE GOVERNOR ON 6/14/2013) – The bill would have allowed physicians to dispense the following *“aesthetic pharmaceuticals:”*

- Bimatoprost (Latisse);
- Hydroquinone (Lustra, Claripel);and
- Tretinoin (Retin A).

The Veto Proclamation stated:

“SB 227 would circumvent existing safeguards for the dispensing of certain prescription cosmetic drugs by allowing physicians and optometrist to sell these medications directly. It is the role of the pharmacists – who are trained specifically in drug interactions, side effects and allergies – to dispense the medications. Additionally, the State Board of Pharmacy has the authority to inspect pharmacies to ensure drugs are stored securely and at safe temperatures.”

(2) S.B. 316 by Uresti – Effective Date: 6/14/2013. This bill amends the Texas Pharmacy Act to:

- require the Board to develop a continuing education (CE) program regarding opioid drug abuse and the delivery, dispensing, and provision of tamper-resistant opioid drugs after considering input from interested persons; and
- allow the Board to adopt a rule that will require a license holder to take this CE program as a part of their CE requirement for renewal.

The bill also directs the Senate Health and Human Services committee to conduct an interim study regarding opioid abuse and the provision of tamper-resistant opioids. The study must include an examination of:

- matters relating to prescription opioid abuse; and
- the use and effectiveness of tamper-resistant opioids. (Note: The committee report is due December 1, 2014).

(3) S.B. 404 Schwertner – Effective Date: 9/1/2013. This bill amends the Texas Pharmacy Act to:

- prohibit the Board from considering or acting on a complaint if the violation occurred more than 7-years before the date of the complaint;
- allow the Board to:
 - issue a remedial plan to resolve certain complaint; and
 - assess a fee against a license holder participating in a remedial plan in an amount necessary to recover the cost of administering the plan.

The bill specifies that a remedial plan may not be imposed to resolve a complaint concerning:

- a death;
- a hospitalization;
- the commission of a felony;
- a matter designated by board rule; or
- a matter in which the appropriate resolution may involve a restriction on the manner in which a license holder practices pharmacy.

If a license holder complies with and successfully completes the terms of a remedial plan, the board is required to remove all records of the remedial plan on the 5th anniversary of the date the license holder successfully completes the remedial plan.

(4) S.B. 406 by Nelson – Effective Date: 11/1/2013. The Texas Medical Practices Act (ACT) is amended to allow advanced practice registered nurses (APRN) and physician assistants (PA) to “prescribe or order a drug or device” and delete the term “carry-out a prescription drug order.” The Act is also amended to allow APRNs and PAs to:

- prescribe Schedule II controlled substances:
 - in a hospital facility-based practice in accordance with policies approved by the facility's medical staff; and
 - as part of the plan of care for the treatment of a person that:
 - has executed a written certification of a terminal illness;
 - has elected to receive hospice care; and
 - is receiving hospice treatment from a qualified hospice provider.
- increase the combined number of APRNs and PAs with whom a physician may enter into a prescriptive authority agreement may not exceed:
 - seven APRNs and PAs; or
 - the full-time equivalent of 7 APRNs and PAs.

Note: This limit does not apply to a:

- practice serving medically underserved populations; or
- hospital facility-based practice in a hospital.

The bill also gives the Texas Medical Board (TMB) the authority to inspect and audit any records at a site where a party to a prescriptive authority agreement practices, if TMB is notified of a complaint filed against a APRN or PA by their respective board.

(5) S.B. 500 by Van de Putte – Effective Date: 9/1/2013. This bill increases the size of the Board of Pharmacy to 11-members by adding 1-pharmacist and 1-pharmacy technician. The composition of the Board will be:

- 7-Pharmacists;
- 1-Pharmacy Technician; and
- 3-Public Members.

The pharmacy technician board member must, at the time of appointment:

- be a resident of Texas;
- have been registered as a pharmacy technician for the five years preceding appointment;
- be in good standing to act as a pharmacy technician in Texas; and
- be practicing as a pharmacy technician in Texas.

(6) S.B. 566 by Eltife – Effective Date: 6/14/2013. This bill authorizes the University of Texas at Tyler to establish a school of pharmacy.

(7) S.B. 869 by Van de Putte – Effective Date: 9/1/2013. This bill makes numerous “clean-up” amendments to the Texas Pharmacy Act. The amendments:

- add a definition of a pharmacy technician trainee;
- clarify the provisions of the Act that are applicable to pharmacy technician trainees;
- clarify that the Board may impose any of the sanctions listed in the Act on a “pharmacist-intern;”
- allow the Board to receive/spend gifts and grants;
- prohibit a pharmacist or pharmacy from renewing a license if the licensee holds a license in another state that has been suspended or revoked;
- delete the requirement for pharmacists to notify a practitioner when they substitute a dosage form;
- allow the Board to disclose information about an investigation to an “entity that administers a board-approved pharmacy technician certification examination;” and
- replace the requirement for a pharmacy to post the licenses and renewals of pharmacists working at the pharmacy with a requirement for the pharmacy to:
 - post the license and renewal of the PIC; and
 - maintain proof and make such proof available to the public on request that each pharmacist, pharmacy technician/trainee and pharmacist intern has a current license/registration.

(8) S.B. 1100 by Van de Putte – Effective Date: 9/1/2013. This bill amends the Texas Pharmacy Act to:

- give the Board the authority to inspect out-of-state sterile compounding pharmacy;
- require the out-of-state sterile compounding pharmacy to reimburse the Board for travel expenses related to the inspection of Board personnel;
- require an inspection prior to opening a sterile compounding pharmacy; and

- specify that a pharmacy that compounds sterile preparations may not renew a pharmacy license unless the pharmacy:
 - has been inspected as provided by Board rule; and
 - if the pharmacy is located in another state, has reimbursed the Board for all expenses, including travel, incurred by the Board in inspecting the pharmacy during the term of the expiring license.

The bill also specifies that a pharmacy that compounds a sterile preparation must notify the Board:

- immediately of any adverse effects reported to the pharmacy or that are known by the pharmacy to be potentially attributable to a sterile preparation compounded by the pharmacy; and
- not later than 24 hours after the pharmacy issues a recall for a sterile preparation compounded by the pharmacy.

(9) S.B. 1643 by Williams – Effective Date: 9/1/2013. This bill amends the Texas Controlled Substances Act to:

- add a freestanding emergency medical care facility licensed under Chapter 254 to the definition of a hospital. (Note: this will allow these facilities to obtain a “hospital” registration from DPS);
- allow pharmacy technician wording under the supervision of a pharmacist to query the Prescription Access in Texas (PAT) Program for the recent Schedule II-V prescription history of a particular patient;
- allow a person authorized to receive information from the PAT to access it through a health information exchange (HIE), subject to proper security measures to ensure against disclosure to unauthorized persons;
- allow a person authorized to receive information from PAT to include that information in any form in the medical or pharmacy record of the patient who is the subject of the information. (e.g. a physician may print-out the report and place it in a patient’s file);
- increase the time DPS can maintain the information in PAT from 12-months to 36-months; and
- establish an Interagency Prescription Monitoring Work Group to:
 - evaluate the effectiveness of PAT program; and
 - offer recommendations to improve the effectiveness and efficiency of recordkeeping and other functions related to the regulation of dispensing controlled substances by prescription.

The Interagency Prescription Monitoring Work Group:

- is composed of the following individuals or their designee:
 - Director of DPS;
 - Commissioner of State Health Services;
 - Executive Director of the Board of Pharmacy;
 - Executive Director of the Medical Board;
 - Executive Director of the Board of Nursing; and
 - Executive Director of the Physician Assistant Board.
- must:
 - meet at least quarterly;
 - proactively engage stakeholders and solicit and take into account input from the public; and
 - submit to the legislature its recommendations relating to prescription monitoring not later than December 1 of each even-numbered year.

(10) H.B. 1675 by Bonnen – Effective Date: 6/14/2013. This bill requires the Sunset Advisory Commission to:

- conduct a study concerning the self-directed semi-independent (SDSI) status of state agencies; and
- send a report of the findings and recommendations of the study to the Governor, Lt. Governor, and each member of the Legislature by December 31, 2014.

Legislative Appropriation Request

- A. The 83rd Legislature passed the FY2014-2015 Appropriations Act, SB 500 and SB 1100 provided TSBP with a budget that includes funding for:
- (1) Computer and Software Replacement;
 - (2) Vehicle Replacement;
 - (3) Full funding for the Testing of Compounded Products;
 - (4) Funding for 14 new FTE's, including:
 - 4 – Pharmacist Compliance Officers (2 – Field and 2 in the Austin office);
 - 3 – Pharmacy Technician Inspectors (Field);
 - 1 – Field Investigator;
 - 1 – Administrative Assistant;
 - 2 – Licensing Specialists;
 - 1 – Education Specialist
 - 1 – Litigation Analyst; and
 - 1 – Accounting Clerk.
 - (5) Remodeling to new space in the William P. Hobby State Office Building to allow for the addition of the new in-house FTE's;
 - (6) Health Professions Council; and
 - (7) Pharmacist Recovery Network.
- B. Agency personnel including the Executive Director participated in the following meetings regarding the TSBP Legislative Appropriation Request.

Date	Subject, Legislator, or Committee
2/11/2013	Senate Finance Committee Hearing
2/13/2013	House Appropriations Committee Article VII Work Group meeting
2/14/2013	House Appropriations Subcommittee Meeting
2/14/2013	Senate Finance Committee Compensation Workgroup Meeting
2/18/2013	House Appropriations Subcommittee Meeting on Article VIII
2/25/2013	House Appropriations Committee Hearing
2/27/2013	Senate Finance Committee Hearing

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 all (100%) of its 105 objectives (99% accomplished and one partially accomplished (1%). In addition, the agency also met or exceeded all 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	FY13 Projected Performance	FY13 Performance Attained	Projected Target Met?*
A. GOAL: MAINTAIN STANDARDS			
Outcome (Results/Impact)			
Percent of Licensees with No Recent Violations	95%	95.6%	Exceeded
Percent of Licensees Who Renew Online	89%	94.9%	Exceeded
A.1.1 STRATEGY: LICENSING			
Output (Volume)			
Number of New Licenses Issued to Individuals	1,300	1,625	Exceeded
Number of Licenses Renewed (Individuals)	13,857	15,877	Exceeded
Explanatory			
Total Number of Business Facilities Licensed	6,910	7,350	Exceeded
B. GOAL: ENFORCE REGULATIONS			
Outcome (Results/Impact)			
Percent of Complaints Resulting in Disciplinary Action	11.0%	11.32%	Met
B.1.1 STRATEGY: ENFORCEMENT			
Output (Volume)			
Number of Jurisdictional Complaints Resolved	4,980	6,504	Exceeded
Efficiencies			
Average Time for Jurisdictional Complaint Resolution	180	187	Met
Explanatory			
Number of Jurisdictional Complaints Received	5,000	5,891	Exceeded
B.1.2. STRATEGY: PEER ASSISTANCE			
Output (Volume)			
Number of Licensed Individuals Participating in a Peer Assistant Program	160	189	Exceeded

**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 concerning this objective.

A. Liaison and Representation of the Agency

(1) I attended 29 meetings, conferences, or phone calls representing the agency as indicated below.

Date	Name of Association/Location of Meeting
9/5/2012	Meeting with pharmacy management of Seton Hospital to discuss several issues – Austin
9/11/2012	Conference Call with representatives of MedVantax regarding internet pharmacies – Austin
10/3/2012	Meeting with representatives of Texas Department of State Health Services, Food and Drug Division to discuss pharmacy issues – Austin
10/4/2012	Meeting with representative of the Texas Society of Health-System Pharmacists to discuss pharmacy issues – Austin
10/16/2012	8 th Biennial Legislative Communication Conference – Austin
10/17/2012	Meeting with representatives of the State Auditor's Office regarding audit – Austin
10/21-24/2012	NABP District VI, VII, and VIII Meeting – Little Rock
11/7/2012	Conference Call with representative of MedVantax – Austin
11/29/2012	NABP Compounding Webinar – Austin
2/20/2013	Task Force on Compounding meeting – Austin
1/2/2013	Telephone call with NABP regarding TSBP Compounding Rules – Austin
1/3/2013	Meeting with Joe DaSilva and TPA staff regarding issues – Austin
1/7/2013	Meeting with Texas Department of State Health Services commissioner regarding pharmacy compounding – Austin
1/15/2013	Task Force on Pharmacy Compounding Meeting – Austin
1/22-23/2013	NABP Committee on Law Enforcement and Legislation – Chicago
2/22/2013	Phone call from Laura Long of the Arizona Office of the Auditor General
3/15/2013	Meeting with Eddie Solis of Hillco regarding electronic prescriptions – Austin
3/22/2013	Conference Call with FDA regarding Federal Compounding Legislation – Austin
4/9/2013	Pharmacy Compounding Task Force Meeting – Austin

Date	Name of Association/Location of Meeting
4/9/2013	Senate Health and Human Services Committee Hearing
4/10/2013	House Public Health Committee Hearing
4/19/2013	Meeting with David C. Nelson and Rafi Baddour regarding drug disposal proposal
6/3/2013	Meeting with QVL Pharmacies -- Austin
6/4/2013	Meeting with Joe DaSilva and Kim Roberson of TPA – Austin
6/4/2013	Conference call with FDA regarding compounding pharmacy – Austin
5/12/2013	Meeting with Matthew Lyon regarding OTC Hearing Aids – Austin
7/15/2013	Meeting with Krista Crocket, Texas Pain Society – Austin
7/17-20/2013	Kappa Epsilon National Meeting – Richmond, VA
7/25-27/2013	Texas Pharmacy Association's Annual Meeting – Frisco

- (2) Health Professions Council – I continued to serve as Chair of the Health Professions Council and attended eight meetings of the Council or Council Committees and meetings of the Regulatory Database Committees as follows:

Date	Activity
10/9/2012	Regulatory Database Steering Committee Meeting
10/11/2012	Legal Committee Meeting
11/15/2012	Legal Committee Meeting
11/16/2012	HPC Meeting regarding SOAH
12/10/2012	Health Professions Council Meeting
1/28/2013	Regulatory Database Executive Committee Meeting
3/18/2013	Health Professions Council Meeting
6/10/2013	Health Professions Council Meeting

- (3) Texas Pharmacy Congress – I attended three meetings of the Texas Pharmacy Congress as follows. (Note: I missed one meeting because of surgery in April 2013.)

Date	Activity
11/13/2012	Texas Pharmacy Practice Coalition Meeting – Austin
11/13-14/2012	Texas Pharmacy Congress Meeting – Austin
2/18/2013	Texas Pharmacy Congress Meeting – Austin

B. Evaluation of the Executive Director

I provided a self-evaluation to the Board at its August 2013 meeting. The Board conducted the performance evaluation at this meeting.

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 concerning this objective:

A. 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. 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 two meetings of the Shared Regulatory Database Project Executive/Steering Committee. These committees were charged with working with Versa management and directing the project.

B. Efficiencies

- (1) Closing of Complaints through Agreed Board Orders – Approximately 99% of the disciplinary cases against pharmacists and pharmacies and 100% 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.
- (2) In order to effectively deal with continuing threat to the public health and safety, the Legal Division continued to evaluate cases, and if such a threat could be established, a panel was convened to hear the cases for potential temporary suspension. Petitions for Temporary Suspension were filed, and Temporary Suspension Hearings were conducted before a Board panel against seven respondents in FY2013. Six respondents were suspended, and one respondent's petitions were denied.
- (3) IT Efficiencies — The agency maintained a high level of information technologies system availability and security (nearly 100%) in a highly volatile environment. In addition, IT personnel implemented the following efficiencies for the evolving

computing needs of the agency. Major accomplishments include:

- A. The implementation of a redundant backup system.
- B. The installation of an advanced Firewall system that includes enhanced web filtering and VPN solutions
- C. Streamlined Board notebook solution eliminating costly software
- D. Provided a stable infrastructure for existing systems – Scheduled, and timely, replacement of hardware/software nearing end of life status was accomplished throughout the year.
- E. Increased the efficiency and productivity of Board operations – Training opportunities on various software programs were offered to agency staff. In addition, the agency expanded use of the imaging system.
- F. Secured the agencies system against internal and external threats – Penetration tests and internal security assessments are performed annually to identify gaps and vulnerabilities. These Gaps and vulnerabilities are then remedied by the agency security team. Security training is also provided regularly to agency staff.

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 and 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. Annual Report** – The final draft of the TSBP Annual Report for FY2012 was presented to and approved by the Board at the August 2013 meeting.
- B. Use of Social Media for Education of Licensees** – The Director of Professional services continued to use Facebook, Twitter, and 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.
- C. Presentations to Licensees** – Agency Staff gave 72 presentations to approximately 8,286 individuals during FY2013. Included in this number are 13 on-line presentations to 895 individuals. (See Professional Services Significant Accomplishment #4, Enforcement Ongoing Objective #7, Licensing and Administrative Services Ongoing Objective #17, and Executive Director Ongoing Objective #6 for more details).
- D. FY2013 Budget and Goals and Objectives** – A proposed budget, including revenue projections, and Goals and Objectives for FY2014, were presented to the Board and approved at the August 6, 2013, Board Business Meeting.
- E. Performance Evaluations** – Evaluations for the Executive Assistant the four division directors were completed in August 2013. In addition, I continued to provide feedback on the performance of all employees throughout the year.
- F. Increase in Number of Licensees** – As seen in the chart below, in FY2013 the agency continued to have a significant increase (5.35%) in the number of licensees as compared to FY2012.

Fiscal Year	Number Licensed Pharmacists	Number Licensed Pharmacies	Number Registered Pharmacy Technicians	Number Registered Pharmacy Technician Trainees	Number Registered Interns	Total	% Change from Previous Year
FY2009	25,507	6,516	33,927	17,657	1,052	84,659	-
FY2010	26,551	6,762	36,134	13,829	2,451	85,727	1.26%
FY2011	27,329	6,964	37,507	11,839	2,806	86,445	0.84%
FY2012	28,417	7,185	39,973	13,195	2,805	91,575	5.93%
FY2013	29,498	7,350	41,497	15,187	2,938	96,470	5.35%
% Change Since FY2009	15.65%	12.8%	22.31%	-13.99%	179.28%	13.95%	-

**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 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. 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.

**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:

I attended the following educational seminars.

Date	Name of Association/Location of Meeting
10/16/2012	8 th Biennial Legislative Communication Conference – Austin
10/21-24/2012	NABP District VI, VII, and VIII Meeting – Little Rock
1/22-23/2013	NABP Committee on Law Enforcement and Legislation Meeting – Chicago
7/17-20/2013	Kappa Epsilon National Meeting – Richmond, VA
7/25-27/2013	Texas Pharmacy Association's Annual Meeting – Frisco

GENERAL COMMENTS

As I say every year, FY2013 was again an extremely busy year. I keep thinking things will slow down at some point, but that hasn't happen yet and I don't think it will ever happen.

Unfortunately, I was out of the office due to surgery for breast cancer in mid-April. This required me to miss the TSHP Annual meeting and the NABP Annual meeting. I'm blessed to be surrounded by an excellent management team composed of the four Division Directors and they ran the agency in my absence with consultation with me by telephone. They not only assist me in crisis times for assist me every day in providing leadership to the agency. Of course, 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. They kept the agency running in my absence and consulted with me when necessary.

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.

Finally, during this year, I was honored to:

- (1) receive the 2013 Kappa Epsilon Career Achievement Award; and
- (2) be appointed to serve as a member of the NABP Committee on Law Enforcement/Legislation.

**TEXAS STATE BOARD OF PHARMACY
PERFORMANCE EVALUATION**

NAME: Gay Dodson, R.Ph.

POSITION: Executive Director/Secretary

PERIOD COVERED: September 1, 2012 through August 31, 2013 (Fiscal Year 2013)

DATE OF REVIEW: August 5, 2014

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