



TEXAS STATE BOARD OF PHARMACY

Texas State Board of Pharmacy

333 Guadalupe Street, Suite 2-225
Austin, Texas

Board Business Meeting

Tuesday, August 4, 2015
9:00 a.m. – Conclusion

A G E N D A

A. JW Announcements

- Meeting Procedures
- Board Members
- Staff
- Continuing Education

B. JW Discussion and Approval of Minutes (Tab 01)

- TSBP Board Business Meeting
Held May 5, 2015
- Temporary Suspension Hearings
- Show Cause Order Hearing

C. AB Discussion of and Possible Action Regarding Rules

C.1 Final Adoption of Rules

C.1.1 Amendments Concerning License Fees (Tab 02)

C.1.1.1 §291.6 Concerning Pharmacies

C.1.1.2 §295.5 Concerning Pharmacists

- C.1.2 Amendments to §283.9 Concerning Pharmacist Examination Fee (Tab 03)
- C.1.3 Amendments to §297.8 Concerning Pharmacy Technician Continuing Education Requirements (Tab 04)
- C.1.4 Amendments to §§291.51-291.54, and §291.133 Concerning Sterile Compounding by Nuclear Pharmacies (Tab 05)
- C.2 Proposal of Rules
 - C.2.1 Amendments to §§281.7 and 281.9 Concerning Grounds for Discipline (Tab 06)
 - C.2.2 Amendments to §283.2 Concerning Graduates from the Canadian Council for Accreditation of Pharmacy Programs (Tab 07)
 - C.2.3 Amendments to §291.3 Concerning Notification Requirements of Senate Bill 460 (Tab 08)
 - C.2.4 Amendments to §291.17 Concerning Inventory Requirements (Tab 09)
 - C.2.5 Amendments to §291.32, 291.53 and 291.73 Concerning Pharmacist-in-Charge (Tab 10)
 - C.2.6 Amendment to §291.34 Concerning Prescription Transfer Requirements (Tab 11)
 - C.2.7 Amendments to §§283.12 and 297.10 Concerning Military Services Members, Military Veterans, and Military Spouses (Tab 12)
 - C.2.8 Amendments to §295.15 Concerning Procedures Relating to Immunizations and Hand Sanitizing (Tab 13)
 - C.2.9 New Rule §295.16 Concerning Administration of Epinephrine by a Pharmacist (Tab 14)
 - C.2.10 New Rule §309.5 and Amendments to §§291.33, 291.34, 291.104, 309.1-309.4, and 309.6-309.8 Concerning House Bill 751 Interchangeable Biological Products (Tab 15)

C.3 Rule Reviews in Accordance with Government Code,
Section §2001.039 (Tab 16)

C.3.1 For Adoption:

C.3.1.1 Chapter 291 Concerning Pharmacies
(Non-Resident Pharmacy (Class E))
(§§291.101-291.106) (Tab 17)

C.3.1.2 Chapter 295 Concerning Pharmacists
(§§295.1-295.9, 295.11-295.13, 295.15)
(Tab 18)

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

D.1 Task Force on Class C Pharmacies Located in Freestanding
Ambulatory Surgical Centers and Class F Pharmacies Located in
Freestanding Emergency Medical Care Centers and Possible
Proposal of Amendments to §291.76 Concerning Class C
Pharmacies Located in Freestanding Ambulatory Surgical Centers
and §291.151 Concerning Class F Pharmacies Located in
Freestanding Emergency Medical Care Centers (Tab 19)

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

CS E.1 Financial Update

E.1.1 Review of FY2015 Expenditures (Tab 20)

E.1.2 Review of Board Member Travel Budget (Tab 21)

E.1.3 Consideration of Material Changes to Contracts for
Goods and Services Awarded Under Chapter 2155
of Texas Government Code (Tab 22)

E.1.4 Review and Approval of FY2016 Operating Budget
(Tab 23)

E.1.5 Consideration for Approval of the Executive Director's
Salary Increase Noted in the Appropriations Act and the
Across-the-Board Salary Increase (Tab 24)

- CF** E.2 Update Concerning Program to Aid Impaired Pharmacists and Pharmacy Students
 - E.2.1 Update on Number of Participating Individuals (Tab 25)
 - E.2.2 Professional Recovery Network (PRN)
 - E.2.2.1 Presentation and Discussion Concerning PRN Expenditures and Activities by PRN Director Courtney Hulbert (Tab 26)
 - E.2.2.2 Review and Approval of Professional Recovery Network Financial Audit (Tab 27)
- GD** E.3 Review and Approval of *TSBP FY2014 Annual Report* (Tab 28)
- GD** E.4 Review and Approval of *TSBP FY2016 Goals and Objectives* (Tab 29)
- CS** E.5 Review and Approval of Accreditation Council for Pharmacy Education (ACPE) Accredited Professional Programs of Colleges and Schools of Pharmacy (Tab 30)
- AB** E.6 Discussion Concerning Requirements for Prescription Vials (Tab 31)
- BF** E.7 Discussion Concerning Nasal Sprays and Whether They Should be Compounded in a Sterile Environment (Tab 32)
- DW** E.8 Presentation Concerning the Pharmacy Technician Certification Board's Certification Requirements in 2020 (Tab 33)
- DW** E.9 Discussion Concerning Pharmacist Disciplinary Process and Professional Judgment (Tab 34)
- AB** E.10 Discussion Concerning Request From the Texas Consortium on Experiential Programs (Tab 35)
 - E.10.1 Request to Expand the Definition of Healthcare Professional Preceptor
 - E.10.2 Request to Expand the Duties of an Intern-trainee
- GD** E.11 Discussion Concerning the Draft FDA Memorandum of Understanding (Tab 36)

- GD** E.12 Discussion Concerning Section 7. 560.052(b) of Senate Bill 460 Regarding the Pharmacist-in-Charge of Class E Pharmacies and Possible Amendments to §291.03 **(Tab 37)**
- GD** E.13 Discussion Concerning the Upcoming Sunset Commission's Review of the Texas State Board of Pharmacy **(Tab 38)**
- KA** E.14 Discussion Concerning Medical Board Rules Regarding Telemedicine **(Tab 39)**
- KA** E.15 Report on Appeals from State Office of Administrative Hearings Cases and Other Court Actions **(Tab 40)**
- SR** E.16 Report on Gartner Security Assessment **(Tab 41)**
- GD** E.17 Update on TSBP Office Move **(Tab 42)**
- GD** E.18 Report on the Interagency Prescription Monitoring Workgroup Meeting and Plans for Implementation of Senate Bill 195 **(Tab 43)**
- GD** E.19 Update on Legislation Filed During the 84th Texas Legislative Session that has an Impact on TSBP and/or the Practice of Pharmacy **(Tab 44)**
- F. KA Disciplinary Orders**
 - F.1 Consideration of Proposals for Decision **(Tab 45)**
 - F.2 Report on Agreed Board Orders Entered by Executive Director **(Tab 46)**
 - F.3 Discussion of and Action on Proposed Agreed Board Orders and Default Orders **(Tab 47)**
 - F.4 Executive Session to Consider Confidential Agreed Board Orders **(Tab 48)**
 - F.5 Discussion of and Action on Proposed Remedial Plans **(Tab 49)**
- G. CF Consideration of and Possible Action Concerning the Following Enforcement Reports**
 - G.1 Report on Complaints Closed and Dismissed During the Previous Quarter **(Tab 50)**
 - G.2 Report on Status of Active/Pending Complaints **(Tab 51)**

H. JW Miscellaneous

H.1 Items to be Placed on Agenda for November 2015 Board Meeting
(Tab 52)

H.2 Discussion of and Possible Action on Recent Conferences and Events

- National Association of Boards of Pharmacy (NABP)
Annual Meeting, New Orleans, LA
May 16-19, 2015
- American Society of Health System Pharmacists (ASHP)
Summer Meeting, Denver, CO
June 6-10, 2015
- Texas Pharmacy Association (TPA)
RXperts Conference & Expo, The Woodlands, TX
July 10-12, 2015
- National Pharmaceutical Association (NPhA)
Annual Meeting, Orlando FL
July 24-27, 2015

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

- Technician Informal Conference, Austin, August 26, 2015
(Fry)
- Informal Conference, Austin, September 1-3, 2015
(Waggener)
- National Association of Boards of Pharmacy/American
Association of Colleges of Pharmacy (NABP/AACP)
District VI, VII, and VIII Annual Meeting, Incline Village, NV
September 14-17, 2015
- Technician Informal Conference, Austin, September 24, 2015
(Waggener)
- Informal Conference, Austin, October 6-8, 2015
(Stine)
- National Community Pharmacists Association (NCPA)
Annual Convention, Washington, DC
October 10-14, 2015

- Technician Informal Conference, Austin, October 22, 2015
(Wiesner)
- MALTA-GON
Louisville, KY
October 25-28, 2015
- Academy of Managed Care Pharmacy (AMCP) – Nexus
Orlando, FL
October 26-29, 2015
- American Society of Consultant Pharmacist (ASCP)
Annual Meeting, Las Vegas, NV
October 30 – November 1, 2015
- TSBP Board Business Meeting, Austin
November 3, 2015

H.4 Election of Vice President and Treasurer (Tab 53)

H.5 Consideration of Personnel Matters

H.5.1 Executive Session to Conduct Evaluation of Executive
Director (Tab 54)

THE TEXAS STATE BOARD OF PHARMACY MAY ENTER EXECUTIVE SESSION TO
CONSIDER ANY AGENDA ITEM WHEN PERMITTED BY TEXAS LAW.

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, large print or Braille, are requested to contact Cathy Stella at (Voice) 512/305-8000, (FAX) 512/305-8075, or TDD 1-800/735-2989. Requests for reasonable accommodations should be made five working days prior to the meeting so that appropriate arrangements can be made.