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# TEXAS STATE BOARD OF PHARMACY

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Texas State Board of Pharmacy

333 Guadalupe Street, Suite 2-225  
Austin, Texas

Board Business Meeting

Tuesday, August 2, 2016  
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 3, 2016
- Temporary Suspension Hearings

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

C.1 Final Adoption of Rules

- C.1.1 Amendments to §281.8 Concerning Grounds for Discipline  
for a Pharmacy License (Tab 02)
- C.1.2 Amendments to §281.31 Concerning Burden of Proof  
(Tab 03)

- C.1.3 Amendments to §281.66 Concerning Application for Reissuance or Removal of Restrictions of a License or Registration (Tab 04)
- C.1.4 Amendments to §283.12 Concerning Licensing Requirements (Tab 05)
- C.1.5 Amendments to §291.1 Concerning Licensing Requirements (Tab 06)
- C.1.6 Amendments to §291.17 Concerning Perpetual Inventory in Class A and Class A-S Pharmacies (Tab 07)
- C.1.7 Amendments to §291.33 Concerning Shipping of Prescription Medications (Tab 08)
- C.1.8 Amendments to §291.76 Concerning Floor Stock Documentation in Ambulatory Surgical Centers (Tab 09)
- C.1.9 Amendments to §291.104 Concerning Notification Requirements for Class E Pharmacies Dispensing Controlled Substances to Texas Residents (Tab 10)
- C.1.10 Amendments to §291.133 Concerning Sterile Compounding (Tab 11)
- C.1.11 Amendments to §291.151 Concerning Floor Stock Documentation in Class F Pharmacies (Tab 12)
- C.2 Proposal of Rules
  - C.2.1 Amendments to §281.65 Concerning Administrative Penalty for Failing to Operate a Pharmacy (Tab 13)
  - C.2.2 Amendments to §291.34 Concerning Schedule II Prescriptions from Out-of-State Practitioners (Tab 14)
  - C.2.3 Amendments to §291.74 Concerning Class C Pharmacies Operated by Management Companies (Tab 15)
  - C.2.4 Amendments to §291.155 Concerning Class H Pharmacies (Tab 16)
  - C.2.5 New Rule §295.14 Concerning Pharmacists Dispensing Opioid Antagonists (Tab 17)
  - C.2.6 Amendments to §295.16 Concerning the Definition of an Epinephrine Auto-Injector (Tab 18)

C.3 Rule Reviews in Accordance with Government Code,  
Section §2001.039 (Tab 19)

C.3.1 For Adoption:

C.3.1.1 Chapter 291 Concerning Pharmacies  
(Institutional Pharmacy (Class C))  
(§§291.71 – 291.76) (Tab 20)

C.3.1.2 Chapter 303 Concerning Destruction of  
Dangerous Drugs and Controlled Substances  
(§§303.1 – 303.3) (Tab 21)

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

**GD** D.1 Pilot Projects

D.1.1 Recommendation Regarding Petition for a Pilot Project  
from Baylor Scott & White Pharmacy #201 (The Scott &  
White Round Rock Pharmacy) Pharmacy License #29834,  
and Baylor Scott & White Pharmacy #104 (Baylor Medical  
Plaza Pharmacy at Carrollton) Pharmacy License #27871  
(Tab 22)

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

**CS** E.1 Financial Update

E.1.1 Review of FY2016 Expenditures (Tab 23)

E.1.2 Review of Board Member Travel Budget (Tab 24)

E.1.3 Consideration of Material Changes to Contracts for  
Goods and Services Awarded Under Chapter 2155  
of Texas Government Code (Tab 25)

E.1.4 Review and Approval of FY2017 Operating Budget  
(Tab 26)

E.1.5 Update on Legislative Appropriations Request (Tab 27)

- CF** E.2 Update Concerning Program to Aid Impaired Pharmacists and Pharmacy Students
  - E.2.1 Update on Number of Participating Individuals (Tab 28)
  - 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 29)
    - E.2.2.2 Review and Approval of Professional Recovery Network Financial Audit (Tab 30)
- GD** E.3 Review and Approval of *TSBP FY2017 Goals and Objectives* (Tab 31)
- CF** E.4 Discussion Concerning the Verification of Compounded Prescriptions (Tab 32)
- GD** E.5 Discussion Concerning Pharmacy Technicians
  - E.5.1 Review of the 2014 TSBP Task Force to Review Pharmacy Technician Practice Final Report (Tab 33)
  - E.5.2 Discussion of Pharmacy Technician Certification Exams (Tab 34)
- AB** E.6 Report on the Prescription Monitoring Program Implementation (Tab 35)
- KA** E.7 Report on Appeals from State Office of Administrative Hearings Cases and Other Court Actions (Tab 36)
- GD** E.8 Report on Sunset Review (Tab 37)
- GD** E.9 Update on TSBP Office Move (Tab 38)
- GD** E.10 Discussion of Possible Statutory Changes for Consideration During the 85<sup>th</sup> Session of the Texas Legislature (Tab 39)

**F. KA Disciplinary Orders**

F.1 Consideration of Proposals for Decision

F.1.1 In the Matter of Cedric Martin Washington, Pharmacy Technician Registration #112624 (Tab 40)

F.1.1.1 Executive Session Concerning the Proposal for Decision in the Matter of Cedric Martin Washington, Pharmacy Technician Registration #112624

F.1.2 In the Matter of Mastery Pharmacy South, Pharmacy License #23660 (Tab 41)

F.1.2.1 Executive Session Concerning the Proposal for Decision in the Matter of Mastery Pharmacy South, Pharmacy License #23660

F.1.3 In the Matter of Shayna Kelly, Pharmacy Technician Registration #199025 (Tab 42)

F.1.3.1 Executive Session Concerning the Proposal for Decision in the Matter of Shayna Kelly, Pharmacy Technician Registration #199025

F.2 Report on Agreed Board Orders Entered by Executive Director (Tab 43)

F.3 Discussion of and Action on Proposed Agreed Board Orders and Default Orders (Tab 44)

F.4 Executive Session to Consider Confidential Agreed Board Orders (Tab 45)

F.5 Discussion of and Action on Proposed Remedial Plans (Tab 46)

**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 47)

G.2 Report on Status of Active/Pending Complaints (Tab 48)

**H. JW Miscellaneous**

- H.1 Items to be Placed on Agenda for November 2016 Board Meeting  
(Tab 49)
- H.2 Discussion of and Possible Action on Recent Conferences and Events
- National Association of Board of Pharmacy (NABP)  
Annual Meeting, San Diego, CA  
May 14-17, 2016
  - Texas Pharmacy Association (TPA)  
Conference & Expo, Austin, TX  
July 15-17, 2016
- H.3 Discussion of and Possible Action on Upcoming Conferences and Events
- Technician Informal Conference, Austin, August 30, 2016  
(Dembny)
  - Informal Conference, Austin, September 6-8, 2016  
(Waggener)
  - National Association of Board of Pharmacy/  
American Association of Colleges of Pharmacy (NABP/AACP)  
District VI, VII, and VIII Annual Meeting - Portland, OR  
September 11-14, 2016
  - Technician Informal Conference, Austin, September 22, 2016  
(Stine)
  - Academy of Managed Care Pharmacy (AMCP) Nexus  
National Harbor, MD  
October 3-6, 2016
  - Informal Conference, Austin, October 4-6, 2016  
(Yoakum)
  - National Community Pharmacists Association (NCPA)  
Annual Convention - New Orleans, LA  
October 15-19, 2016
  - Technician Informal Conference, Austin, October 20, 2016  
(Dembny)
  - TSBP Board Business Meeting, Austin  
November 1-2, 2016

H.4 Election of Vice President and Treasurer (Tab 50)

H.5 Consideration of Personnel Matters

H.5.1 Executive Session to Conduct Evaluation of Executive Director (Tab 51)

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

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, large print or Braille, are requested to contact Cathy Stella at (Voice) 512/305-8000, (FAX) 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.