

**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 2, 2016, 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, 2014, through August 31, 2015 (Fiscal Year 2015)
DATE OF REVIEW: August 2, 2016

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: The following was accomplished regarding this objective.

LEGISLATION

A. A total of 6,476 pieces of legislation were introduced in the 84th Regular Legislative Session. I reviewed or assigned a staff member to review each of these bills. A total of 294 bills that affected the agency or the practice of pharmacy were tracked and monitored as follows.

84 th Texas Legislature, Regular Session				
	Session		TSBP Monitored	
	Filed	Passed	Filed	Passed
House				
Bills	4,207	818	199	38
Joint Resolutions	133	2	0	0
House Total	4,340	820	199	38
Senate				
Bills	2,069	504	95	38
Joint Resolutions	67	5	0	0
Senate Total	2,136	509	95	38
Regular Session Total	6,476	1,329	294	76

B. I met or had telephone conversations with Legislators or others or testified before Legislative committees a total of 40 times as follows.

Date	Subject, Legislator, or Committee
9/24/2014	Telephone Call from Cheryl in Senator Eltife's office regarding pharmacy technician registration.
10/2/2014	Telephone Call from Brandon Batch in Congressman Michael McCall's office regarding hydrocodone.

Date	Subject, Legislator, or Committee
10/21/2014	Telephone Call from Robert in Senator Uresti's office regarding prescription dispensing.
10/30/2014	Meeting with Jordon Dixon of the Senate Health and Human Services Committee regarding pharmacy compounding.
11/2/2014	Telephone Call from Shawn Dunn in Representative James White's office regarding pharmacy license application.
11/5/2014	Conference call with the General Accounting office regarding veterinary compounding.
11/17/2014	Meeting with Jordon Dixon, Senate Health and Human Services Committee regarding pharmacy "clean-up bill."
1/6/2015	Telephone Call from Luis Moreno in Senator Hinojosa's office regarding disciplinary action.
1/16/2015	Telephone Call from Kristen in Senator Taylor's office regarding new pharmacy license.
1/25/2015	Meeting with Carrie Davidson, General Accounting Office regarding veterinary compounding.
1/28/2015	Telephone Call from Matt Sims in Representative Spitzer's office regarding H.B. 628.
2/4/2015	Meeting with Liz Doerr, Governor's Appointments office.
2/4/2015	Meeting with Representative Stuart Spitzer regarding S.B. 628.
2/4/2015	Meeting with Amanda Tollett, legislative Director for Representative Sheffield regarding Prescription Drug Donation Programs.
2/2/2015	Telephone Call from Brian Law in Representative Susan King's office regarding sterile compounding.
2/5/2015	Meeting with Josh from the Senate Health and Human Services Committee regarding funding for the prescription monitoring program
2/10/2015	Taylor in Representative Sheffield's office regarding recycling of medications.
2/11/2015	Meeting with Representative Vo's office regarding prescription dispensing.
2/17/2015	Telephone call with Maureen Milligan regarding H.B. 1008.
2/18/2015	Conference call regarding H.B. 1008.
3/4/2015	Telephone Call from Isabel in Senator Zaffarini's office regarding compounding.
3/4/2015	Senate Health and Human Services Committee Hearing on S.B. 460.
3/17/2015	House Public Health Committee Hearing on H.B. 751.
3/25/2015	Senate Health and Human Services Committee Hearing on S.B. 195.
4/1/2015	Senate Health and Human Services Committee Hearing on S.B. 542.
4/6/2015	Senate Health and Human Services Committee Hearing on S.B. 1243.
4/7/2015	House Public Health Committee Hearing on H.B. 1483 and H.B. 1550.
4/14/2015	House Public Health Committee Hearing on H.B. 2271.
4/16/2015	Meeting with Senator Schwertner's, Representative Crownover's staff and the Department of Public Safety regarding SB 195.
4/28/2015	House Public Health Committee Hearing on H.B. 3066.
5/12/2015	House Public Health Committee Hearing on S.B. 195 and S.B. 460.
5/12/2015	Senate Health and Human Services Committee Hearing on H.B. 1550.
5/28/2015	Telephone Call from Taylor in Representative Sheffield's office regarding S.B. 1243.
6/25/2015	Telephone Call from Matt in Senator Charles Perry's office regarding Oregon law that will allow pharmacists to dispense birth control medications.
6/25/2015	Telephone Call from Jacob in Representative Collier's office regarding medications for attention deficit disorder.
6/30/2015	Telephone Call from Sherisa in Representative Dawnna Dukes' office regarding a new pharmacy license.
7/14/2015	Telephone Call from Morgan Stewart in the Governor's appointments office regarding Pharmacy Board appointments.
8/5/2015	Meeting with the Comptroller's Office, Governor's Office and the Department of Public Safety regarding funding for S.B. 195
8/19/2015	Telephone Call from J.W. in Senator Eltife's office regarding new pharmacy license.
8/25/2015	Telephone Call from Kara Crawford in Governor Abbot's office regarding prescription monitoring program.

C. During the 8th Legislative Session, the following significant legislation that affected the agency or the practice of pharmacy was passed.

H.B. 751 by Rep. Zerwas/Sen. Kolkhorst (Effective Date: 9/1/2015)

- (1) H.B. 751 amends Pharmacy Act to allow pharmacists to substitute “biological products” if:
 - The physician authorizes substitution;
 - The patient doesn’t refuse the substitution; and
 - The “biological product” is designated as “therapeutically equivalent” to another product by FDA.
 - (2) The bill specifies that, not later than the third business day after dispensing the pharmacist must “communicate” to the prescribing practitioner the name of the product provided and the manufacturer or NDC number. The communication must be conveyed by:
 - entering the information into an interoperable electronic medical record system; or
 - through the use of electronic prescribing technology, PBM system, or a pharmacy record that the pharmacist reasonable concludes is electronically accessible by the prescribing practitioner; or
 - by faxing, phoning, electronic transmission to the physician.
 - (3) Notification is not required if:
 - there is no interchangeable biological product approved by FDA; or
 - a refill prescription is not changed from the product dispensed on the prior dispensing.
- The notification section of the bill expires on 9/1/2019.
- (4) Rules must be adopted by 12/1/2015.

H.B. 1550 by Rep. Zerwas (Effective Date: 1/1/2016)

H.B. 1550 amends the Pharmacy Act by adding a new Section 562.057 that:

- (1) Allows pharmacists, in an emergency, to administer epinephrine to a patient using an auto-injector device;
- (2) Requires the pharmacist to report the administration to the patient’s primary care physician;
- (3) Specifies that a pharmacist may not receive remuneration for the administration; and
- (4) Provides that the pharmacist is not liable for civil damages if the pharmacist acts in good faith and complies with Board rules.

S.B. 195 by Sen. Schwertner/Rep. Crownover (Effective Dates: Several – see below)

S.B. 195 amends the Texas Controlled Substances Act to:

- (1) Effective 9/1/2016:
 - Transfer the prescription monitoring program (PMP) from the DPS to TSBP;
 - Establish a program to fund the Prescription Monitoring Program (PMP) though a surcharge on the license fees of persons authorized to access the PMP; and
 - The Controlled Substance Registration program is abolished.
- (2) Allow the Board, on or after 6/20/2015:
 - Allow the Board the authority to adopt rules to implement the PMP and certain other provisions related to prescriptions in the Controlled Substances Act (Sections 481.003(a), 481.075, 481.076(c), 481.0761(a) and (g) ,Sections 481.073 (Communication of Prescriptions by Agent), 481.074 (Prescriptions) and 481.352;
 - Sign a contract with a vendor to operate the PMP; and
 - Call a meeting of the Prescription Monitoring Work Group.

S.B. 460 by Sen. Schwertner/Rep. Crownover (Effective Date: 9/1/2015)

- (1) S.B. 460 amends the Pharmacy Act to:
 - Allow a pharmacy to notify consumers how to file a complaint using an electronic messaging system.
 - Allow the Board to inspect financial records relating to the operation of a pharmacy only in the course of an investigation of a specific complaint;
 - Allow the Board to inspect the records of a pharmacist if the pharmacist practices outside a licensed pharmacy.
 - Specify that a person cannot own a Class E Pharmacy license if the person has held a RPh license in this or another state that has been restricted, suspended, revoked, or surrendered for any reason;
 - Specify that a pharmacy license may not be renewed if the license has expired for 91 days or more;
 - Requires a pharmacy to report to the Board in writing, no later than 30-days before the date of a change of location;

- Prohibit waiving, discounting, or reducing, or offering to waive, discount, or reduce a payment copayment or deductible for a compounded drug in the absence of:
 - A legitimate, documented patient financial hardship; or
 - Evidence of a good faith effort to collect; and
 - Eliminate the requirement to post the "Generic Sign."
- (2) S.B. 460 also amends the Dangerous Drug Act to add a provision currently in the Pharmacy Act that in the event of a natural or manmade disaster allows R.Ph.s to dispense up to a 30-day supply of a dangerous drug on a refill, without authorization of the practitioner, if:
- Failure to refill the Rx might result in interruption of a therapeutic regimen or create patient suffering;
 - The nature of the disaster prohibits the RPh from contacting the practitioner;
 - The Governor has declared a state of disaster; and
 - The Board, through the Executive Director, has notified pharmacies they may dispense up to a 30-day supply of a dangerous drug.

S.B. 807 by Sen. Campbell/Rep. Sheets (Effective Date: 9/1/2015)

S.B. 807 specifies that the Board must waive the license application and examination fees for an applicant who is a military service member or military veteran:

- (1) Whose military service, training, or education substantially meets all of the requirements for the license; or
- (2) Who holds a current license issued by another jurisdiction that has licensing requirements that are equivalent those in Texas.

SB 1243 by Sen. Burton/Rep. Sheffield (Effective Date: 9/1/2015)

S.B. 1243 establishes a Prescription Drug Donation Pilot Program (Program) in the Department of State Health Services (DSHS). The Program must be established in one or more cities with a population of more than 500,000 but less than one million.

- (1) A Charitable Drug Donor (pharmacy, nursing home, manufacturer, hospital, etc.) may donate non-controlled Rx drugs to DSHS for use in the Program.
- (2) The donated drugs may be accepted and provided or administered to patients only by a:
 - Charitable medical clinic;
 - Physician's office for patients who receive assistance from an indigent health care program; or
 - Licensed health care professional in a penal institution.
- (3) DSHS must establish and maintain an electronic database which:
 - Lists the name and quantity of each drug donated to DSHS under the program; and
 - Allows a charitable medical clinic, physician, or other licensed health care professional to search for and request drugs.
- (4) The entity providing or administering the drug may charge a nominal handling fee in an amount prescribed by DSHS rule.
- (5) DSHS must adopt rules for by 12/1/2015.

S.B. 1307 by Sen. Mendez/Rep. Susan King (Effective Date: (1/1/2016)

S.B. 1307 specifies that all occupational licensing agencies must adopt rules to:

- (1) Give military service members, veterans, or spouses an exemption from paying a penalty for failing to renew;
- (2) Allow military service members, veterans, or spouses an additional two years to complete any CE requirements or any other requirement related to the renewal of the license.
- (3) Allow agencies to adopt rules that establish alternate methods for a military service member, veteran, or spouse to demonstrate competency to meet the requirements for obtaining the license;
- (4) Requires agencies to post a notice on the home page of the agency's website describing the licensing provisions available to military service members, veterans, and spouses.

SB 1462 by Senator West/Rep. Johnson (Effective Date: 9/1/2015)

S.B. 1462 adds a new Subchapter E. Opioid Antagonist to the Dangerous Drug Act that:

- (1) Allows Drs to prescribe/issue a standing order for an opioid antagonist, without risk of discipline, to a:
 - Person at risk of an opioid-related drug overdose; or

- Family member, friend, or other person in a position to assist a person at risk of experiencing an opioid-related drug overdose.
- (2) Specifies a R.Ph. who dispenses or does not dispense an opioid antagonist under a valid Rx is not subject to criminal/civil liability or disciplinary action for:
 - Dispensing or failing to dispense the opioid antagonist; or
 - If the R.Ph. dispenses an opioid antagonist, any outcome resulting from the administration of the opioid antagonist.

S.B. 1697 by Sen. Huffman/Rep. Smithee (Effective Date 9/1/2015)

S.B. 1695 makes confidential identifying information of:

- Any person who participates in an execution procedure; and
- Any person or entity that manufactures, compounds, prescribes, dispenses, or provides a substance or supplies used in an execution.

LEGISLATIVE APPROPRIATION REQUEST

- A. H.B. 1 Appropriations Act – The base appropriation for TSBP for FY2016-2017 is approximately \$234,000 more than the base appropriation the previous biennium. The majority of this additional appropriation is targeted to give TSBP staff a merit raise.

In addition to the base, the agency received a Contingent Revenue rider for implementation of SB 195 that would appropriate \$1,311,007 in FY2016 and \$800,913 in FY2017 and give the agency 7 additional FTEs. This rider also outlines a schedule of payments to TSBP from all of the agencies that license individuals authorized to access information in the prescription monitoring system to fund S.B. 195. (Note: The Comptroller's Office has determined that the provision that allows agencies to transfer funds to TSBP to fund implementation of S.B. 195 does not become effective until 9/1/2016. Therefore, under their interpretation the agency cannot collect fees from the other agencies until 9/1/16).

- B. Agency personnel including I participated in the following meetings regarding the TSBP Legislative Appropriation Request.

Date	Subject, Legislator, or Committee
8/11/2014	Budget Presentation to the Staff of the Governor's Office and the Legislative Budget Board.
2/19/2015	House Appropriations Committee Hearing on TSBP budget request.
2/20/2015	House Appropriations Subcommittee on Articles VI, VII, and VIII regarding TSBP budget request.
2/25/2015	Senate Finance Committee hearing on the TSBP budget request.
2/27/2015	House Appropriations Committee Hearing on TSBP budget request.

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 of the 82 objectives. In addition, the agency met or exceeded 9 (90%) of the 10 key performance measures listed in the Appropriations Act and reported on an annual basis to the Legislative Budget Board (LBB) as indicated below.

Performance Measure		FY15 Projected Performance	FY15 Performance Attained	Projected Target Met?*
A. GOAL: MAINTAIN STANDARDS				
Outcome (Results/Impact)				
	Percent of Licensees with No Recent Violations	96.0%	96.4 %	Met
	Percent of Licensees Who Renew Online	93%	97.17%	Exceeded
A.1.1 STRATEGY: LICENSING				
Output (Volume)				
	Number of New Licenses Issued to Individuals	1,450	1,734	Exceeded
	Number of Licenses Renewed (Individuals)	15,329	16,131	Exceeded
Explanatory				
	Total Number of Business Facilities Licensed	7,200	7,914	Exceeded
B. GOAL: ENFORCE REGULATIONS				
Outcome (Results/Impact)				
	Percent of Jurisdictional Complaints Resulting in Disciplinary Action	15.0%	11.38%	Met
B.1.1 STRATEGY: ENFORCEMENT				
Output (Volume)				
	Number of Jurisdictional Complaints Resolved	5,420	5,922	Exceeded
Efficiencies				
	Average Time for Jurisdictional Complaint Resolution	180	170	Exceeded
Explanatory				
	Number of Jurisdictional Complaints Received	5,620	5,536	Met
B.1.2. STRATEGY: PEER ASSISTANT				
Output (Volume)				
	Number of Licensed Individuals Participating in a Peer Assistant Program	180	160	Not Met

**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. Presentations. Agency Staff gave 62 presentations to approximately 6,226 individuals during FY2015. (See Executive Director Ongoing Objective #6, Professional Services Ongoing Objective #4, Enforcement Ongoing Objectives #7, and Executive Director Ongoing Objective #6 for more details).

B. Liaison and Representation of the Agency

(1) Participated in 16 interviews with the press as indicated below:

Date	Interview With
6/10/2014	Telephone interview with Ed Silverman of the Wall Street Journal regarding compounding pharmacy.
10/2/2014	Telephone call with David Raziq regarding open records request.
10/14/2014	Telephone call with David Raziq regarding technician ratios and dispensing errors.
10/17/2014	On camera interview with David Raziq of KHOU TV Houston regarding dispensing errors.
10/22/2014	Telephone interview with Maggie Kerkman of CBS in Dallas regarding increase in price for generic drugs.
10/24/2014	Telephone interview with Mary Ann Roser of the Austin American Statesman regarding dispensing errors.
11/7/2014	Telephone interview with James Linden of American Pharmacists regarding TSBP
1/6/2015	Telephone interview with Amy Sorrell of Texas Medicine Magazine regarding the Health and Human Services Committee recommendation that the Texas Prescription Monitoring Program be moved from the Department of Public Safety to TSBP.
2/3/2015	Telephone interview with Mary Ann Roser of the Austin American Statesman regarding compounding pharmacies.
2/4/2015	Telephone interview with Emily Rand of CBS News, New York, regarding pharmacy board's regulation of compounding pharmacies.
3/3/2015	Telephone interview with Kevin Krause of the Dallas Morning News regarding compounding pharmacies.
5/26/2015	Telephone interview with Lisa Olsen of the Houston Chronicle regarding the prescription monitoring program.
6/23/2015	Telephone interview with Brianna of Hartley Medical regarding the FDA draft MOU.
7/15/2015	Telephone interview from Louise Nunez with Telemundo in Dallas regarding dispensing errors

Date	Interview With
8/4/2015	Telephone interview with Mary Ann Roser of the Austin American Statesman regarding disciplinary actions posted on the TSBP website.
8/17/2015	Telephone interview with Paul Stinson of Bloomberg Bureau, National Affairs regarding the State Auditor's report on our implementation of SB 1100.

Attended 56 meetings, conferences, or participated in telephone calls representing the agency as indicated below:

Date	Name of Association/Location of Meeting
9/21-24/2014	National Association of Boards of Pharmacy District 6, 7, and 8 Meeting, Whitefish, MT
9/23/2014	TPEA Legislative Update, Austin
10/9/2014	Pew Commission Advisory Committee Meeting on Best Practices for State Oversight of Compounding, Washington DC
10/17/2014	Meeting with Cathy DeWitt and Karen Regan regarding legislative session, Austin
10/21/2014	Conference Call with NABP and FDA Regarding Information Disclosure
10/23/2014	Conference call regarding the North Texas Ebola Treatment Biocontainment Facility and Pharmacy Services.
10/23/2014	Capitol Area Pharmacy Association Meeting, Austin.
10/14-15/2014	NABP Executive Officer Forum, Chicago IL.
10/26-29/2014	MALTAGON Annual Meeting, Tampa FL.
11/17/2014	Meeting with Cheri Huddleston regarding legislative session, Austin.
12/15/2014	Conference Call with representatives of Memorial Herman Hospital in Houston regarding Centralized Sterile Compounding, Austin.
1/8/2015	Meeting with TPA, TFDS, and NACDS regarding Tech-Check-Tech Pilot Project, Austin.
1/13-15/2015	NABP Working Group on Verified Pharmacy Program /Uniform Inspection Process and Form Workshop, Chicago.
1/20/2015	Meeting with Todd Smith and Donna Irwin regarding pharmacy licensing.
1/20/2015	Meeting with DSHS representatives regarding Class D Pharmacies, Austin.
1/26/2015	Meeting with Cheri Huddleston and Audra Connell (AIP) regarding legislative session.
1/28/2015	Entrance Meeting with the State Auditor's Office regarding an Audit of our implementation of SB 1100.
1/29/2015	Meeting with Trevor Whitney, TSBP analyst with the Legislative Budget Board.
1/29/2015	Nuclear Pharmacy Task Force meeting, Austin.
1/30/2015	Meeting with representatives of AIP, Austin.
2/2/2015	Meeting with Jeff Mesaros of CVS, Austin.
2/4/2015	Meeting with Liz Doer, Governor's Appointment Office, Austin.
2/4/2015	Meeting with Amy Cheesman, State Auditor's Office, Austin.
2/6/2015	Conference Call with NABP regarding VPP Outsourcing Facilities, Austin.
2/10/2015	TALKCOM2 Meeting, Fort Worth.
2/18/2015	Meeting with Gary Luker regarding elimination of management company ownership rules, Austin.
3/4/2015	Call with Shiri A. Hickman, Texas Federation of Medical Boards.
3/16/2015	Conference call with the Teaching Hospitals of Texas regarding Outpatient Blanket Authorization
3/26/2015	Capitol Area Pharmacy Association Meeting, Austin.
3/31/2015	Meeting with Chris Brooks of Rx Waste Systems.
4/1/2015	Meeting with Jose Camacho regarding Texas Rural Health Care Centers.
4/2/2015	Meeting with Katherine Curtsinger, State Auditor's Office to discuss succession planning.
4/14/2015	Telephone call from Bruce Buckley regarding executions in Texas.

Date	Name of Association/Location of Meeting
4/17/2015	Meeting with State Auditor's Office regarding implementation of SB 1100.
4/29/2015	TSBP ASC/Class F Task Force Meeting.
4/30/2015	University of Texas College of Pharmacy Advisory Committee Meeting.
5/16-20/2015	NABP Annual Meeting, New Orleans, LA.
6/1/2015	Meeting with Bob Eisler regarding the Prescription Monitoring Program.
6/3/2015	Sunset Orientation Meeting.
6/11/2015	Meeting with SAO to discuss Audit Findings.
6/23/2015	Meeting with DSHS regarding licensing of Class D Pharmacies.
6/23/2015	Call with Kevin Plant of Greer Pharmacy in Lenoir NC to discuss allergy extracts.
7/10/2015	Meet with UT Students in for interview at TPA Annual Meeting.
7/9-12/2015	Texas Pharmacy Association's Annual Meeting, Houston.
7/12/2015	Interagency Council Meeting on the Prescription Monitoring Program.
7/15/2015	Meeting regarding naloxone auto-injector.
7/28/2015	Meeting with Ray Solano, Specialty Compounding and Dan Volney, Unique Pharmacy.
7/29/2015	Conference Call with Healix.
7/29/2015	Meeting with Texas Facility Commission regarding plans for remodel of the 5 th Floor for the TSBP move.
7/30/2015	Meeting with George Gooch, HIE Texas regarding the Prescription Monitoring Program.
8/3/2015	Meeting with Justin Hudman, Joe DaSilva, and Kim Roberson of TPA.
8/5/2015	Meeting with the Governor's office, Comptroller's office and DPS regarding implementation of SB 195.
8/19/2015	Meeting with State Auditor's Office regarding transfer to the Texas Facility Commission.
8/25/2015	Phone call with Kara Crawford, Governor's office regarding SB 195.
8/27/2015	Telephone call regarding implementation of HIE Texas and the Prescription Monitoring Program.
8/31/2015	Meeting with Sunset Staff regarding the TSBP review.

I attended 5 meetings of the Health Professions Council or HPC committees as follows:

Date	Activity
9/8/2014	Health Professions Council Meeting
10/21/2014	HPC Budget Committee Meeting
12/1/2014	Health Professions Council Meeting
6/15/2015	Health Professions Council Meeting

I attended 2 meetings of the Texas Pharmacy Congress as follows.

Date	Activity
11/19-20/2014	Texas Pharmacy Congress Meeting, San Antonio
5/12-13/2015	Texas Pharmacy Congress Meeting, Dallas

C. Evaluation of the Executive Director

I provided a self-evaluation to the Board at its August 2015 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. Efficiencies

- (1) The agency was successful in obtaining a base appropriation for TSBP for FY2016-2017 that is approximately \$234,000 more than the base appropriation the previous biennium. This additional appropriation is targeted to give TSBP staff a merit raise, an increase to the Executive Director's salary, and increases to technology.

In addition to the base, the agency received a Contingent Revenue rider for implementation of S.B. 195 that would appropriate \$1,311,007 in FY2016 and \$800,913 in FY2017 and give the agency 7 additional FTEs. This rider also outlines a schedule of payments to TSBP from all of the agencies that license individuals authorized to access information in the prescription monitoring system to fund S.B. 195. (Note: The Comptroller's Office has determined that the provision that allows agencies to transfer funds to TSBP to fund implementation of S.B. 195 does not become effective until 9/1/2016. Therefore, under their interpretation the agency cannot collect fees from the other agencies until 9/1/16).

- (2) TSBP received and resolved more complaints in FY2015 when compared to FY2014. In addition, the agency's average complaint resolution time decreased by 6 days (3% decrease). See Enforcement's Ongoing Objective #3 for additional details regarding complaint data. Data regarding the past five fiscal years is reflected in the chart below:

Year	Complaints Received	% Change Complaints Received Previous Year	Complaints Closed	% Change Complaints Closed Previous Year	% Complaints Closed	Resolution Time (Agency Average)	% Change Time
FY11	5,698	-<1%	5,840	+6%	102%	195 Days	+7%
FY12	5,830	+2%	5,766	-1%	99%	204 Days	+5%
FY13	5,927	+2%	6,552	+14%	111%	187 Days	-8%
FY14	5,561	-6%	5,606	-14%	101%	176 Days	-6%
FY15	5,925	+7%	5,955	+6%	101%	170 Days	-3%

- (3) During FY2015, despite turnover and training requirements for new hires, TSBP Compliance Field Staff conducted 2,991 inspections of pharmacies located in Texas, as compared to 1,698 inspections conducted in FY14 (an increase of 76%). This dramatic increase is the direct result of a 71% increase in the number of inspection staff (from 7 to 12 inspectors) that was funded by the 83rd Texas Legislature. In addition, Enforcement staff implemented the Class E-S (Non-Resident Sterile Compounding Pharmacy) Inspection program. See Enforcement's Ongoing Objective #2 for further details regarding inspections.

- (4) Between January 2015 and August 2015, auditors from the State Auditor's Office (SAO) conducted an audit of the agency's policies and procedures relating to the inspections of compounding pharmacies. The final report recognized that TSBP had designed and implemented inspection processes "to help ensure that it conducts inspections of compounding pharmacies in accordance with applicable statutes and administrative rules," including processes to help ensure that inspections of out-of-state pharmacies that compound sterile preparations are completed within the required time frames.

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 during the legislative session sometimes daily 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 FY2014 was presented to and approved by the Board at the August 2015 meeting.

B. Use of Social Media for Education of Licensees – The Director of Professional services continues 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. FY2015 Budget and Goals and Objectives – A proposed budget, including revenue projections, and Goals and Objectives for FY2015, were presented to the Board and approved at the August 2014, Board Business Meeting.

D. Performance Evaluations – Evaluations for the Executive Assistant the four Division Directors and the Director of Information Technology were completed in August 2014. 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 FY2015 the agency continued to have an increase (5.52%) in the number of licensees as compared to FY2014.

Fiscal Year	# Licensed Pharmacists	# Licensed Pharmacies	# Registered Pharmacy Technicians	# Registered Pharmacy Technician Trainees	# Registered Interns	Total	% Increase from Previous Year
FY2011	27,329	6,964	37,507	11,839	2,806	86,445	--
FY2012	28,417	7,185	39,973	13,195	2,805	91,575	5.9%
FY2013	29,498	7,350	41,497	15,187	2,938	96,470	5.3%
FY2014	30,707	7,656	41,700	15,751	2,949	98,763	2.4%
FY2015	31,807	7,914	41,990	18,777	3,725	104,213	5.52%
% Increase Since FY2011	16.38%	13.64%	11.95%	58.60%	32.75%	20.55%	-

**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
9/21-24/2014	National Association of Boards of Pharmacy District 6, 7, and 8 Meeting, Whitefish, MT.
9/23/2014	TPEA Legislative Update, Austin.
10/14-15/2014	NABP Executive Officer Forum, Chicago IL.
10/26-29/2014	MALTAGON Annual Meeting, Tampa FL.
2/10/2015	TALKCOM2 Meeting, Fort Worth.
5/16-20/2015	NABP Annual Meeting, New Orleans, LA.
7/9-12/2015	Texas Pharmacy Association's Annual Meeting, Houston.

GENERAL COMMENTS

As I say every year, FY2015 was again an extremely busy year. I've given up thinking it will slow down at some point. The idea of having a Deputy Executive Director is sounding better and better since it appears being very busy seems to be the new norm

As I say every year, I am blessed to have an excellent management team composed of the four Division Directors and a Director of Information Technology. This team is the reason this agency keeps getting good reviews. They 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.

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.

TEXAS STATE BOARD OF PHARMACY PERFORMANCE EVALUATION

NAME: Gay Dodson, R.Ph.
POSITION: Executive Director/Secretary
PERIOD COVERED: September 1, 2014 through August 31, 2015(Fiscal Year 2015)
DATE OF REVIEW: August 2, 2016

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