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# TEXAS STATE BOARD OF PHARMACY

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Texas State Board of Pharmacy  
Health Professions Council Board Room

333 Guadalupe Street, Tower II, Suite 225  
Austin, Texas

## Board Business Meeting

Tuesday, August 7, 2018  
9:00 a.m. – Conclusion

### A G E N D A

**A. DW Announcements**

- Meeting Procedures
- Board Members
- Staff
- Continuing Education

**B. DW Discussion and Approval of Minutes (Tab 01)**

- TSBP Board Business Meeting  
Held May 1, 2018
- Temporary Suspension Hearings

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

C.1 Final Adoption of Rules

- C.1.1 Amendments to §291.1 Concerning Pharmacy License Applications (Tab 02)

- C.1.2 Amendments to §291.3 Concerning Change of Location By Sterile Compounding Pharmacies (Tab 03)
- C.1.3 Amendments to §291.19 Concerning Pharmacy Inspection Warning Notices (Tab 04)
- C.1.4 Amendments to §291.29 Concerning the Red Flag Checklist (Tab 05)
- C.1.5 Amendments to §§291.31, 291.32 and 291.33 Concerning Automation Rules (Tab 06)
- C.1.6 Amendments to §291.34 Concerning Professional Responsibility (Tab 07)
- C.1.7 Amendments to §291.74 Concerning Prospective Review in Rural Hospitals (Tab 08)
- C.1.8 Amendments to §291.133 Concerning Fingertip and Media Fill Testing in Pharmacies Under Common Ownership (Tab 09)
- C.1.9 Amendments to §295.9 Concerning Education Requirements for Pharmacists (Tab 10)
- C.1.10 Amendments to §295.11 Concerning Notification to Consumers (Tab 11)
- C.1.11 Amendments to §305.2 Concerning Pharmacy Technician Training Programs (Tab 12)
- C.2 Proposal of Rules
  - C.2.1 Amendments to §281.62 Concerning Disciplinary Aggravating and Mitigating Factors (Tab 13)
  - C.2.2 Amendments to §281.65 Concerning Administrative Penalties (Tab 14)
  - C.2.3 Amendments to §291.17 Concerning Inventory Requirements (Tab 15)
  - C.2.4 Amendments to §291.28 Concerning Access to Confidential Records (Tab 16)
  - C.2.5 Amendments to §291.33 Concerning Patient Counseling Requirements (Tab 17)

- C.2.6 Amendments to §291.34 Concerning Prescription Drug Orders for Patients in Licensed Health Care Institutions (Tab 18)
- C.2.7 Amendments to §291.34 Concerning a Pharmacist Decreasing the Quantity Prescribed (Tab 19)
- C.2.8 Amendments to §291.34 Concerning Reproduced Signatures (Tab 20)
- C.2.9 Amendments to §291.104 Concerning Reporting to the Prescription Monitoring Program (Tab 21)
- C.2.10 Amendments to §291.129 Concerning Satellite Pharmacy Application Requirements (Tab 22)
- C.2.11 Amendments to §315.6 Concerning Pharmacy Electronic Reporting Responsibility (Tab 23)
- C.2.12 New Rule §315.15 Concerning Access Requirements (Tab 24)

C.3 Rule Reviews in Accordance with Government Code, Section §2001.039 (Tab 25)

C.3.1 For Adoption:

C.3.1.1 Chapter 281 Concerning Administrative Practices and Procedures (§§281.1-281.13, 281.15, 281.17-281.23, 281.30-281.34, 281.60-281.68) (Tab 26)

C.3.1.2 Chapter 311 Concerning Code of Conduct (§§311.1-311.2) (Tab 27)

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

- D.1 Update on Task Force on the Operation of Rural Hospital Pharmacies (Tab 28)

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

- HM/  
CB** E.1 Financial Update
  - E.1.1 Consideration of Material Changes to Contracts for Goods and Services Awarded Under Chapter 2155 of Texas Government Code **(Tab 29)**
  - E.1.2 Review of FY2018 Expenditures **(Tab 30)**
  - E.1.3 Review of Board Member Travel Budget **(Tab 31)**
  - E.1.4 Review and Approval of FY2019 Operating Budget **(Tab 32)**
  - E.1.5 Update on Legislative Appropriations Request **(Tab 33)**
- HM** E.2 Review and Approval of FY2018 Annual Internal Audit Report **(Tab 34)**
- CH** E.3 Update Concerning Program to Aid Impaired Pharmacists and Pharmacy Students
  - E.3.1 Update on Number of Participating Individuals **(Tab 35)**
  - E.3.2 Professional Recovery Network (PRN)
    - E.3.2.1 Presentation and Discussion Concerning PRN Expenditures and Activities **(Tab 36)**
- MA** E.4 Review and Approval of Accreditation Council for Pharmacy Education (ACPE) Accredited Professional Programs of Colleges and Schools of Pharmacy **(Tab 37)**
- AB** E.5 Review and Approval of TSBP FY2019 Goals and Objectives **(Tab 38)**
- AB** E.6 Update on Mobile Inspection Project **(Tab 39)**
- AB** E.7 Presentation on Update on Development of Educational Program Concerning Audit Shortages **(Tab 40)**
- KA** E.8 Report on Appeals from State Office of Administrative Hearings Cases and Other Court Actions **(Tab 41)**
- AB** E.9 Report on Prescription Monitoring Program **(Tab 42)**

- AB** E.10 Discussion of Possible Statutory Changes for Consideration During the 86<sup>th</sup> Session of the Texas Legislature (Tab 43)

**F. KA Disciplinary Orders**

- F.1 Consideration of Proposal for Decision (Tab 44)
- F.2 Report on Agreed Board Orders Entered by Executive Director (Tab 45)
- F.3 Discussion of and Action on Proposed Agreed Board Orders and Proposed Default Board Orders (Tab 46)
- F.4 Executive Session to Consider Confidential Agreed Board Orders (Tab 47)
- F.5 Discussion of and Action on Proposed Remedial Plans (Tab 48)

**G. CH Consideration of and Possible Action Concerning the Following Enforcement Reports**

- G.1 Report on Complaints Closed and Dismissed During the Previous Quarter (Tab 49)
- G.2 Report on Status of Active/Pending Complaints (Tab 50)

**H. DW Miscellaneous**

- H.1 Items to be Placed on Agenda for November 2018 Board Meeting (Tab 51)
- H.2 Discussion of and Possible Action on Upcoming Meetings
- Technician Informal Conference, Austin, August 30, 2018 (Wiesner)
  - Informal Conference, Austin, September 11-13, 2018 (Wiesner and Yoakum)
  - Technician Informal Conference, Austin, September 27, 2018
  - Informal Conference, Austin, October 9-11, 2018
  - Technician Informal Conference, Austin, October 25, 2018
  - TSBP Board Business Meeting, Austin November 6, 2018

H.3 Election of Vice President and Treasurer (Tab 52)

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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 Hemant Makan 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.