



TEXAS STATE BOARD OF PHARMACY

Texas State Board of Pharmacy

**333 Guadalupe Street, Suite 2-225
Austin, Texas**

Board Business Meeting

Tuesday, August 6, 2019
9:00 a.m. – Conclusion

A G E N D A

A. Announcements

- Meeting Procedures
- Board Members
- Staff
- Continuing Education

B. Discussion and Approval of Minutes (Tab 01)

- TSBP Board Business Meeting
Held May 7, 2019

C. Discussion of and Possible Action Regarding Rules

- C.1 Final Adoption of Rules
 - C.1.1 New Rule §281.14 Concerning Vendor Protest Procedures (Tab 02)
 - C.1.2 Amendments to §281.19 Concerning Vehicles (Tab 03)
 - C.1.3 Amendments to §281.15 Concerning Negotiated Rulemaking (Tab 04)
 - C.1.4 Amendments to §281.16 Concerning Alternative Dispute

Resolution (Tab 05)

C.1.5 Amendments to §283.11 Concerning Examination Retake Requirements (Tab 06)

C.1.6 Amendments to §295.8 Concerning Education Requirements (Tab 07)

C.1.7 Amendments Concerning Fees (Tab 08)

C. 1.7.1 Amendments to §291.6 Concerning Pharmacies (Tab 09)

C. 1.7.2 Amendments to §295.5 Concerning Pharmacists (Tab 10)

C.2 Proposal of Rules

C.2.1 Amendments Concerning Military Spouses Licensed/Registered in Similar Jurisdictions

C.2.1.1 Amendments to §283.12 Concerning Pharmacists (Tab 11)

C.2.1.2 Amendments to §297.10 Concerning Pharmacy Technicians and Pharmacy Technician Trainees (Tab 12)

C.2.2 Amendments to §291.121 Concerning Telepharmacy System in a Federally Qualified Health Center (Tab 13)

C.2.3 Amendments Concerning Continuing Education

C.2.3.1 Amendments to §295.8 Concerning Pharmacists (Tab 14)

C.2.3.2 Amendments to §297.8 Concerning Pharmacy Technicians and Pharmacy Technician Trainees (Tab 15)

C.2.4 Amendments to §295.13 Concerning Physician Delegation in Federally Qualified Health Center (Tab 16)

C.2.5 Amendments to §309.5 Concerning Communication with Prescriber (Tab 17)

C.2.6 Amendments to §315.3 Concerning Opioid Prescriptions for Acute Pain (Tab 18)

- C.2.7 Amendments to §315.6 Concerning Zero Reporting to PMP (Tab 19)
- C.2.8 Amendments to §315.11 Concerning Delegate Access to Prescription Monitoring Program Data (Tab 20)
- C.2.9 Amendments to §315.15 Concerning Prescription Monitoring Program Access Requirements (Tab 21)
- C.3 Rule Reviews in Accordance with Government Code, Section §2001.039 (Tab 22)
 - C.3.1 For Adoption:
 - C.3.1.1 Chapter 291 Concerning Pharmacies (All Classes of Pharmacies) (§§291.1 – 291.3, 291.5 – 291.11, 291.14- 291.19, 291.22 – 291.24, 291.27 – 291.29) (Tab 23)
 - C.3.1.2 Chapter 291 Concerning Pharmacies (Clinic Pharmacy (Class D)) (§§291.91 – 291.94) (Tab 24)
 - C.3.1.3 Chapter 291 Concerning Pharmacies (Non-Resident Pharmacy (Class E)) (§§291.101 – 291.106) (Tab 25)
 - C.3.1.4 Chapter 295 Concerning Pharmacists (§§295.1 – 295.9, §§295.11-295.16) (Tab 26)

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

- D.1 Financial Update
 - D.1.1 Review of FY2019 Expenditures (Tab 27)
 - D.1.2 Review of Board Member Travel Budget (Tab 28)
 - D.1.3 Consideration of Material Changes to Contracts for Goods and Services Awarded Under Chapter 2155 of Texas Government Code (Tab 29)
 - D.1.4 Review and Approval of FY2020 Operating Budget and Revenue Projections (Tab 30)

- D.2 Update Concerning Program to Aid Impaired Pharmacists and Pharmacy Students
 - D.2.1 Update on Number of Participating Individuals (Tab 31)
 - D.2.2 Professional Recovery Network (PRN)
 - D.2.2.1 Presentation and Discussion Concerning PRN Expenditures and Activities by PRN (Tab 32)
- D.3 Review and Approval of TSBP FY2020 Goals and Objectives (Tab 33)
- D.4 Review and Approval of Timeline for TSBP FY2021-2025 Strategic Plan (Tab 34)
- D.5 Review and Approval of *Accreditation Council for Pharmacy Education (ACPE) Accredited Professional Programs of Colleges and Schools of Pharmacy* (Tab 35)
- D.6 Discussion Concerning Pharmacy Practices in other States, Including Rules Regarding Expanded Pharmacy Technician Roles, and Prior Board Task Force Suggestions Regarding Technicians and Working Conditions (Tab 36)
- D.7 Discussion Concerning Proposed Automated Dispensing and Delivery Systems Pilot Program (Tab 37)
- D.8 Report on the Prescription Monitoring Program (Tab 38)
- D.9 Update on Audit Shortages Video (Tab 39)
- D.10 Report on Appeals from State Office of Administrative Hearings Cases and Other Court Actions (Tab 40)
- D.11 Update on Legislation Passed During the 86th Texas Legislative Session that has an Impact on TSBP and/or the Practice of Pharmacy (Tab 41)

E. Consideration of and Possible Action Concerning the Following Enforcement Reports

- E.1 Report on Complaints Closed and Dismissed During the Previous Quarter (Tab 42)
- E.2 Report on Status of Active/Pending Complaints (Tab 43)

F. Disciplinary Orders

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

G. Miscellaneous

- G.1 Items to be Placed on Agenda for November 5, 2019 Board Meeting
- G.2 Discussion of and Possible Action on Upcoming Conferences
 - Informal Conferences, Austin September 10 - 12, 2019 (Yoakum and Wiesner)
 - Informal Conferences, Austin, October 8 - 10, 2019 (Lewis and Wiesner)
 - TSBP Board Business Meeting, Austin November 5, 2019
 - Technician Informal Conference, Austin, November 6, 2019 (Fernandez and Tijerina)

H. Consideration of Personnel Matters

- H.1 Consideration of Increase in Salary of Executive Director (Tab 48)

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 Robbi Dana 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.