



TEXAS STATE BOARD OF PHARMACY

Texas State Board of Pharmacy

Board Business Meeting

Held via Videoconference

<https://zoom.us/j/98387716411?pwd=MHITakNEL0V4V2FTOGpmcVJCKzBTUT09>

Webinar ID: 983 8771 6411

Password: TSBP

Toll Free Number (to listen only): 1-877-336-1828.
When prompted, enter the access code 4330312

Tuesday, August 4, 2020
9:00 a.m. – Conclusion

A G E N D A

A. Announcements

- Meeting Procedures
- Board Members

B. Discussion and Approval of Minutes

- TSBP Board Business Meeting Held May 5, 2020

C. Public Comment Regarding Agenda Items

Comments regarding an agenda item will be limited to no more than 3 minutes. Any person wishing to address the Board must submit an e-mail request following the Public Comment Instructions found on the last page of this agenda. E-mail requests must be submitted to execassist@pharmacy.texas.gov by 11:59 p.m., August 2, 2020. Any requests for public comment received after the deadline will not be granted. TSBP offices will not be open for in-person public comment.

D. Discussion of and Possible Action Regarding Rules

D.1 Final Adoption of Rules

- D.1.1** Amendments to §281.65 Concerning Penalty for Failure to Access Prescription Monitoring Program
- D.1.2** Amendments to §291.9 Concerning Prescription Pick Up Locations
- D.1.3** Amendments to §291.121 Concerning Requirements for Using an Automated Pharmacy System
- D.1.4** Amendments to §291.153 Concerning Requirement for Sink

D.2 Proposal of Rules

- D.2.1** Amendments to §283.2 Concerning Healthcare Professional Preceptor Definition
- D.2.2** Amendments to §283.4 Concerning Pharmacist-Intern Change of Name Requirements
- D.2.3** Amendments Concerning Pharmacy Technician and Pharmacist-Intern Ratios and Duties
 - D.2.3.1** Amendments to §283.5 Concerning Pharmacist-Intern Duties
 - D.2.3.2** Amendments to §291.31, §291.32, §291.33, and §291.34 Concerning Class A (Community) Pharmacy
 - D.2.3.3** Amendments to §291.52, §291.53, and §291.55 Concerning Class B (Nuclear) Pharmacy
 - D.2.3.4** Amendments to §291.73, §291.74, and §291.76 Concerning Class C (Institutional) Pharmacy
 - D.2.3.5** Amendments to §291.121 Concerning Remote Pharmacy Services
 - D.2.3.6** Amendments to §291.129 Concerning Satellite Pharmacy
 - D.2.3.7** Amendments to §291.151 Concerning Class F (Located in a Freestanding Emergency Medical Care Facility) Pharmacy

D.2.3.8 Amendments to §291.153 Concerning Class G (Central Prescription Drug or Medication Order Processing) Pharmacy

D.2.3.9 Amendments to §309.2 and §309.3 Concerning Other Classes of Pharmacy

D.2.4 Amendments to §283.11 Concerning Examination Retake Requirements

D.2.5 Amendments Concerning Non-Pharmacist Pharmacy Ownership Training Course

D.2.5.1 Amendments to §291.1 Concerning Pharmacy License Application

D.2.5.2 Amendments to §291.3 Concerning Change of Managing Officers

D.2.6 Amendments Concerning Definition of Class E Pharmacy License

D.2.6.1 Amendments to §291.101

D.2.6.2 Amendments to §291.102

D.2.7 Amendments to §315.3 Concerning Electronic Prescribing Waivers

D.3 Rule Reviews in Accordance with Government Code, Section §2001.039

D.3.1 For Adoption

D.3.1.1 Chapter 291 Concerning Pharmacies (Institutional Pharmacy (Class C)) (§§291.71 – 291.77)

D.3.1.2 Chapter 303 Concerning Destruction of Dangerous Drugs & Controlled Substances (§§303.1 – 303.3)

E. Discussion of and Possible Action Concerning Pilot Projects

E.1 Report on Pilot Project Concerning Automated Dispensing and Delivery Systems

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

F.1 Report on Compounding Advisory Group

- F.2** Report on Prescription Monitoring Program Advisory Committee (as required by Health and Safety Code §481.0767)

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

G.1 Financial Update

- G.1.1** Review of FY2020 Third Quarter Expenditures

- G.1.2** Review of Board Member Travel Budget

- G.1.3 Consideration of Material Changes to Contracts for Goods and Services Awarded Under Chapter 2155 of Texas Government Code

- G.1.4 Update on Legislative Appropriations Request for FY2022-2023

G.2 Update Concerning Program to Aid Impaired Pharmacists and Pharmacy Students

- G.2.1** Update on Number of Participating Individuals

- G.2.2** Professional Recovery Network (PRN) Presentation and Discussion Concerning PRN Expenditures and Activities by PRN

- G.3** Review and Approval of TSBP FY2020 Annual Internal Audit Report

- G.4** Review and Approval of TSBP FY2021 Goals and Objectives

- G.5** Review and Approval of *Accreditation Council for Pharmacy Education (ACPE) Accredited Professional Programs of Colleges and Schools of Pharmacy*

- G.6** Report on the Prescription Monitoring Program

- G.7 Report on Agency Activities in Response to COVID-19 (Coronavirus)

- G.8 Report on Appeals from State Office of Administrative Hearings Cases and Other Court Actions

- G.9 Discussion of Possible Statutory Changes for Consideration During the 87th Session of the Texas Legislature

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

H.1 Report on Complaints Closed and Dismissed During the Previous Quarter

H.2 Report on Status of Active/Pending Complaints

I. Disciplinary Orders

I.1 Consideration of Proposals for Decision

I.1.1 In the Matter of CVS Pharmacy #5799, Pharmacy License #24888

I.1.1.1 Executive Session Concerning the Proposal for Decision in the Matter of CVS Pharmacy #5799, Pharmacy License #24888

I.1.2 In the Matter of Gerald Edward Zimmerman, Pharmacist License #30404

I.1.2.1 Executive Session Concerning the Proposal for Decision in the Matter of Gerald Edward Zimmerman, Pharmacist License #30404

I.2 Report on Agreed Board Orders Entered by Executive Director

I.3 Proposed Agreed Board Orders and Default Orders

I.4 Executive Session to Consider Discussion of and Action on Disciplinary Orders

I.5 Proposed Remedial Plans

J. Miscellaneous

J.1 Items to be Placed on Agenda for November 3, 2020 Board Meeting

J.2 Discussion of and Possible Action on Upcoming Conferences and Events

- Informal Conferences, September 8-10, 2020
- Informal Conferences, October 6-8, 2020
- TSBP Board Business Meeting, November 3, 2020

AGENDA, Board Business Meeting

Tuesday, August 4, 2020

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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 Human Resources at (Voice) 512/305-8000, (FAX) 512/305-8075, (TDD) 1-800/735-2989 or (email) Human.Resources@pharmacy.texas.gov. Requests for reasonable accommodations should be made five working days prior to the meeting so that appropriate arrangements can be made.



TEXAS STATE BOARD OF PHARMACY

Online Public Comment Instructions

The Texas State Board of Pharmacy will accept public comments at the August 4, 2020, Board Meeting.

Written comments must be submitted to execassist@pharmacy.texas.gov no later than 11:59 p.m., August 2, 2020. Comments will be provided to Board members for review prior to the meeting but will not be read aloud during the public meeting.

If you wish to address the Board during the public meeting, please submit a request to execassist@pharmacy.texas.gov by 11:59 p.m., August 2, 2020. Prior to the meeting, you will receive an email with a link and instructions for joining the meeting. You will be given no more than three (3) minutes to speak. Ensure that you have a reliable connection and are clearly audible during your call. The meeting chairperson may reduce the time provided for public comments based on the number of requests received.

Please email your public comment request to execassist@pharmacy.texas.gov

DEADLINE FOR PUBLIC COMMENT REQUEST IS 11:59 p.m., August 2, 2020.

Email request for Public Comment must include:

- Agenda Item;
- First and Last Name;
- Telephone Number;
- Email Address; and
- Whom you are representing (i.e., business, attorney, yourself or other)

Incomplete requests for Public Comment or requests submitted after the deadline will not be granted.