



TEXAS STATE BOARD OF PHARMACY

**Texas State Board of Pharmacy
Health Professions Council Board Room
333 Guadalupe Street, Tower II, Suite 225
Austin, Texas**

Board Business Meeting

Tuesday, February 6, 2018
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 Member Training Session
Held November 6, 2017
- TSBP Board Business Meeting
Held November 7, 2017
- Temporary Suspension Hearings

C. MH Discussion of and Possible Action Regarding Rules

C.1 Final Adoption of Rules

- C.1.1 Amendments to §283.3 Concerning Licensing
Requirements (Tab 02)

- C.1.2 Amendments to §291.153 Concerning Duties of a Pharmacist in Charge of a Class G Pharmacy (Tab 03)
- C.1.3 Amendments to §295.2 Concerning the Definition of Employment (Tab 04)
- C.1.4 Amendments to §295.8 Concerning Continuing Education Requirements for Pharmacists (Tab 05)
- C.1.5 Amendments to §297.3 Concerning Renewal Fees for Expired Pharmacy Technician Registrations (§297.3) (Tab 06)
- C.2 Proposal of Rules
 - C.2.1 Amendments to §291.9 Concerning Prescription Pick Up Locations (Tab 07)
 - C.2.2 Amendments to §291.33 Concerning Automated Check Devices (Tab 08)
 - C.2.3 Amendments to §291.33 Concerning Automated Storage and Distribution Devices (Tab 09)
 - C.2.4 Amendments to §§291.75 and 291.76 Concerning Dispensing Pharmacist Initial Log (Tab 10)
 - C.2.5 Amendments to §291.121 Concerning Drugs Dispensed Through a Telepharmacy System (Tab 11)
 - C.2.6 Amendments to §291.125 Concerning Prescription Drug Order Clarification (Tab 12)
 - C.2.7 Amendments to §291.151 Concerning Pharmacies Located in a Freestanding Emergency Medical Care Facility (Class F) Emergency Room (Tab 13)
- C.3 Rule Reviews in Accordance with Government Code, Section §2001.039 (Tab 14)
 - C.3.1 For Adoption:
 - C.3.1.1 Chapter 291 Concerning Pharmacies (Nuclear Pharmacy (Class B) (§§291.51-291.55) (Tab 15)

C.3.1.2 Chapter 305 Concerning Educational Requirements (§§305.1-305.2) (Tab 16)

C.3.1.3 Chapter 309 Concerning Generic Substitution (§§309.1-309.8) (Tab 17)

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

CS D.1 Financial Update

D.1.1 Consideration of Material Changes to Contracts for Goods and Services Awarded Under Chapter 2155 of Texas Government Code (Tab 18)

D.1.2 Review of FY2017 Expenditures (Tab 19)

D.1.3 Review of Board Member Travel Budget (Tab 20)

D.1.4 Review and Approval of Internal Audit Plan (Tab 21)

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

D.2.1 Update on Number of Participating Individuals (Tab 22)

D.2.2 Professional Recovery Network (PRN)

D.2.2.1 Presentation and Discussion Concerning PRN Expenditures and Activities (Tab 23)

AB D.3 Review and Approval of *TSBP FY2017 Annual Report* (Tab 24)

AB D.4 Discussion Concerning *TSBP FY2019-2023 Strategic Plan* (Tab 25)

AB D.5 Discussion Concerning Board Investigative/Disciplinary Priorities (Tab 26)

AB D.6 Discussion and Possible Action Concerning Prospective Review in Rural Hospitals (Tab 27)

DW D.7 Discussion Concerning Class D Pharmacy Rules (Tab 28)

AB D.8 Discussion Concerning Finger Tip Testing in Pharmacies Under Common Ownership (Tab 29)

- AB** D.9 Discussion Concerning New License Required When Class AS, Class CS, and Class ES Pharmacies Change Location **(Tab 30)**
- AB** D.10 Discussion Concerning Disciplinary Aggravating and Mitigating Factors **(Tab 31)**
- AB** D.11 Discussion Concerning Goals and Competency Objectives of Internship Programs **(Tab 32)**
- AB** D.12 Report on Customer Service Survey Report **(Tab 33)**
- KA** D.13 Discussion Concerning Rule Change Relating to Costs of Hearings at the State Office of Administrative Hearings **(Tab 34)**
- KA** D.14 Report on Appeals from State Office of Administrative Hearings Cases and Other Court Actions **(Tab 35)**
- AB** D.15 Report on Prescription Monitoring Program **(Tab 36)**
- AB** D.16 Update on Legislation Passed During the 85th Texas Legislative Session that have an Impact on TSBP and/or the Practice of Pharmacy **(Tab 37)**
- E. KA Disciplinary Orders**
 - E.1 Consideration of Proposal for Decision
 - E.1.1 In the Matter of ACP Pharmacy at St. Luke's Pharmacy License #29595 **(Tab 38)**
 - E.1.1.1 Executive Session Concerning the Proposal for Decision in the Matter of ACP Pharmacy at St. Luke's, Pharmacy License #29595
 - E.1.2 In the Matter of Markou Gabir, R.Ph. Pharmacist License #56246 **(Tab 39)**
 - E.1.2.1 Executive Session Concerning the Proposal for Decision in the Matter of Markou Gabir, R.Ph. Pharmacist License #56246
 - E.2 Report on Agreed Board Orders Entered by Executive Director **(Tab 40)**
 - E.3 Discussion of and Action on Proposed Agreed Board Orders and Proposed Default Board Orders **(Tab 41)**

E.4 Executive Session to Consider Confidential Agreed Board Orders
(Tab 42)

E.5 Discussion of and Action on Proposed Remedial Plans (Tab 43)

F. CF Consideration of and Possible Action Concerning the Following Enforcement Reports

F.1 Report on Complaints Closed and Dismissed During the Previous Quarter (Tab 44)

F.2 Report on Status of Active/Pending Complaints (Tab 45)

G. JW Miscellaneous

G.1 Items to be Placed on Agenda for May 2018 Board Meeting
(Tab 46)

G.2 Discussion of and Possible Action on Upcoming Meetings

- Technician Informal Conference, Austin, February 22, 2018 (Tijerina)
- Informal Conference, Austin, March 6-8, 2018 (Miller and Wiesner)
- Technician Informal Conference, Austin, March 22, 2018 (Wiesner)
- Informal Conference, Austin, April 3-5, 2018 (Yoakum and Wiesner)
- Technician Informal Conference, Austin, April 19, 2018 (Yoakum)
- TSBP Board Business Meeting, Austin
May 1, 2018

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.