



TEXAS STATE BOARD OF PHARMACY

Texas State Board of Pharmacy

Board Business Meeting

Held via Videoconference

<https://us02web.zoom.us/j/81441315096?pwd=U21oM2FKUFERyZGd1haT2cvUGtTdz09>

Webinar ID: 814 4131 5096

Password: TSBP

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

Tuesday, February 2, 2021
9:00 a.m. – Conclusion

A G E N D A

Mission Statement

To promote, preserve, and protect the public health, safety, and welfare by fostering the provision of quality pharmaceutical care to the citizens of Texas through the regulation of the practice of pharmacy, the operation of pharmacies, and the distribution of prescription drugs in the public interest.

A. Announcements

- Meeting Procedures
- Board Members

B. Discussion and Approval of Minutes

- Board Member Training Session Held November 2, 2020
- TSBP Public Hearing Held November 3, 2020
- TSBP Board Business Meeting Held November 3, 2020

C. Public Comment Regarding Agenda Items

Any person wishing to address the Board must submit a Public Comment Request form at <https://www.pharmacy.texas.gov/about/board-meetings/public-comment-form/> by 5:00 p.m., January 29, 2021. *Any requests for public comment received after the deadline will not be granted.* Comments will be limited to Board Meeting Agenda Items. TSBP offices will not be open for in-person public comment. Prior to the meeting, you will receive an email with a link and instructions for joining the meeting. Ensure that you have a reliable connection and are clearly audible during your call. You will be given no more than three (3) minutes to speak. The meeting chairperson may reduce the time provided for public comments based on the number of requests received. For assistance with accessing or submitting the Public Comment Request form, please email execassist@pharmacy.texas.gov.

D. Discussion of and Possible Action Regarding Rules

D.1 Final Adoption of Rules

D.1.1 Amendments Concerning Non-Pharmacist Pharmacy Ownership Training Course

D.1.1.1 Amendments to §291.1 Concerning Pharmacy License Application

D.1.1.2 Amendments to §291.3 Concerning Change of Managing Officers

D.1.1.3 Amendments to §291.14 Concerning Pharmacy License Renewal

D.1.2 Amendments to §295.13 Concerning Drug Therapy Management Protocol

D.1.3 Amendments to §315.15 Concerning Prescription Monitoring Program Access Requirements

D.2 Proposal of Rules

D.2.1 Amendments to §291.11 Concerning Operation of a Pharmacy

D.2.2 Amendments Concerning DEA 222 Form Requirements

D.2.2.1 Amendments to §291.34

D.2.2.2 Amendments to §291.75

D.2.2.3 Amendments to §291.76

D.2.3 Amendments Concerning Schedule II Controlled Substance Prescriptions

D.2.3.1 Amendments to §315.3

D.2.3.2 Amendments to §315.5

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

D.3.1 For Adoption

D.3.1.1 Chapter 297 Concerning Pharmacy Technicians (§§297.1 – 297.11)

D.3.1.2 Chapter 291 Concerning Pharmacies (Services Provided by Pharmacies) (§§291.120-291.121, 291.123, 291.125, 291.127, 291.129, 291.131, and 291.133)

D.3.1.3 Chapter 291 Concerning Pharmacies (Other Classes of Pharmacy) (§§291.151, 291.153, and 291.155)

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 Items

G.1 Financial Update

G.1.1 Review of FY2021 First 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 Annual Internal Audit Plan

G.4 Review and Approval of TSBP FY2020 Annual Report

G.5 Report on the Prescription Monitoring Program

G.6 Report on Appeals from State Office of Administrative Hearings Cases and Other Court Actions

G.7 Discussion Concerning FDA Memorandum of Understanding Addressing Certain Distributions of Compounded Human Drug Products

G.8 Discussion Concerning Method of Delivery by Which Physician-Administered Drugs Are Dispensed

G.9 Discussion Concerning Virtual Training for Individuals Performing Sterile Compounding

G.10 Review of Board Mission Statement

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 #7816, Pharmacy License #24526

I.1.1.1 Executive Session Concerning the Proposal for Decision in the Matter of CVS/pharmacy #7816, Pharmacy License #24526

I.1.2 In the Matter of CVS/pharmacy #11067, Pharmacy License #31295

I.1.2.1 Executive Session Concerning the Proposal for Decision in the Matter of CVS/pharmacy #11067, Pharmacy License #31295

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 May 11, 2021 Board Meeting

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

- Informal Conferences, February 3, 2021
- Informal Conferences, March 2-3, 2021
- Informal Conferences, April 6-8, 2021
- TSBP Board Business Meeting, May 11, 2021

K. Consideration of Personnel Matters

K.1 Executive Session to Conduct Evaluation of Executive Director

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.