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# TEXAS STATE BOARD OF PHARMACY

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Texas State Board of Pharmacy

333 Guadalupe Street, Suite 2-225  
Austin, Texas

## Board Business Meeting

Tuesday, May 6, 2014  
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 Business Meeting, Held February 11, 2014
- Temporary Suspension Hearings

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

C.1 Final Adoption of Rules

- C.1.1 Amendments to §281.64 Concerning Sanctions for Criminal Offenses (Tab 02)

C.2 Proposal of Rules

- C.2.1 Amendments to §291.133 Concerning Pharmacies Compounding Sterile Preparations (Tab 03)

- C.2.2 Amendments to §§291.31 and 291.34 Concerning Advanced Practice Registered Nurses (Tab 04)
- C.2.3 Amendments to §291.32 Concerning Personnel (Tab 05)
- C.2.4 Amendments to §291.33 Concerning Substitution of Dosage Form (Tab 06)
- C.2.5 Amendments to §§291.76 and 291.151 Concerning Labeling and Compounding of Sterile Preparations (Tab 07)
- C.2.6 Amendments Concerning License Fees (Tab 08)
  - C.2.6.1 §291.6 Concerning Pharmacies
  - C.2.6.2 §295.5 Concerning Pharmacists
  - C.2.6.3 §297.4 Concerning Pharmacy Technicians and Pharmacy Technician Trainees
- C.3 Rule Reviews in Accordance with Government Code, Section §2001.039 (Tab 09)
  - C.3.1 For Proposal
    - 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 - 281.67) (Tab 10)
    - C.3.1.2 Chapter 311 Concerning Code of Conduct (§§311.1 – 311.2) (Tab 11)
- D. AB **Discussion of and Possible Action Concerning Reports of Committees/Task Forces**
  - D.1 Task Force to Review Pharmacy Technician Practice (Tab 12)
- E. **Discussion of and Possible Action Concerning the Following Reports and Discussions**
  - CS E.1 Financial Update
    - E.1.1 Review of FY2014 Expenditures (Tab 13)
    - E.1.2 Review of Board Member Travel Budget (Tab 14)
    - E.1.3 Approval of Executive Director's Across-the-Board Salary Increase (Tab 15)

- CS** E.2 Review TSBP Revenue Projections and Fee Recommendations (Tab 16)
- CS** E.3 Review and Approval of Exceptional Item Request for FY2016-2017 (Tab 17)
- CS** E.4 Report on Internal Risk Assessment (Tab 18)
- CS** E.5 Board Decision on Recommendations for the Pharmacy Technician Certification Testing Request for Qualifications (Tab 19)
- PH** E.6 Update Concerning Program to Aid Impaired Pharmacists and Pharmacy Students
  - E.6.1 Update on Number of Participating Individuals (Tab 20)
  - E.6.2 Professional Recovery Network (PRN)
    - E.6.2.1 Presentation and Discussion Concerning PRN Expenditures and Activities by PRN Director Courtney Hulbert (Tab 21)
- GD** E.7 Review and Approval of *TSBP FY2015-2019 Strategic Plan* (Tab 22)
- GD** E.8 Report on Customer Service Survey (Tab 23)
- GD** E.9 Review and Approval of *FY2015 Calendar of Events* (Tab 24)
- GD** E.10 Update on Federal Compounding Legislation and Implementation and Report on Testimony Presented at the House Public Health Committee Hearings Held April 7, 2014, and April 14, 2014 (Tab 25)
- KA** E.11 Report on Appeals from State Office of Administrative Hearings Cases and Other Court Actions (Tab 26)
- GD** E.12 Report on Shared Regulatory Data Base Project and Update on TSBP Website (Tab 27)
- AB** E.13 Discussion and Possible Rule Amendments to §291.72 Concerning Electronic Supervision of Pharmacy Technicians in a Class C Pharmacy in a Facility With 101 Beds or More (Tab 28)
- GD** E.14 Presentation and Discussion Concerning a New Class of Pharmacy Located in a Physician's Office with Limited Dispensing (Tab 29)

- DW/** E.15 Discussion Concerning Patient Counseling (Tab 30)
- GD**
- KA** E.16 Discussion Concerning the Increasing Numbers of Telemedicine and Telehealth Services Available to Patients (Tab 31)
- DW** E.17 Discussion Concerning Federal Prescription Transfer Rules (Tab 32)
- BF** E.18 Discussion Concerning Pharmacies Operating Without a Pharmacist-in-Charge (Tab 33)
- GD** E.19 Update on Legislation Filed During the 83<sup>rd</sup> Texas Legislative Session that has an Impact on TSBP and/or the Practice of Pharmacy (Tab 34)
- GD** E.20 Discussion of Possible Statutory Changes for Consideration During the 84<sup>th</sup> Session of the Texas Legislature (Tab 35)
- F. KA Disciplinary Orders**
  - F.1 Consideration of Proposals for Decision
    - F.1.1 In the Matter of Isaac Simeon Achobe, Pharmacist License #27139 (Tab 36)
      - F.1.1.1 Executive Session Concerning the Proposal For Decision in the Matter of Isaac Simeon Achobe, Pharmacist License #27139
  - F.2 Report on Agreed Board Orders Entered by Executive Director (Tab 37)
  - F.3 Discussion of and Action on Proposed Agreed Board Orders and Default Orders (Tab 38)
  - F.4 Executive Session to Consider Confidential Agreed Board Orders (Tab 39)
- G. CF Consideration of and Possible Action Concerning the Following Enforcement Reports**
  - G.1 Report on Complaints Closed and Dismissed During the Previous Quarter (Tab 40)
  - G.2 Report on Status of Active/Pending Complaints (Tab 41)

**H. JW Miscellaneous**

H.1 Items to be Placed on Agenda for August 2014 Board Meeting  
(Tab 42)

H.2 Discussion of and Possible Action on Recent Conferences and Events

- American Pharmacists Association (APhA)  
Annual Meeting, Orlando, FL  
March 28-31, 2014
- Academy of Managed Care Pharmacy (AMCP)  
Annual Meeting, Tampa, FL  
April 1-4, 2014
- Texas Pharmacy Association (TPA)  
Spring Leadership Symposium, Austin, TX  
April 3-5, 2014
- Texas Society of Health System Pharmacists (TSHP)  
Annual Seminar, Houston, TX  
April 11-13, 2014
- West Texas Pharmacy Association (WTPA)  
Convention and Seminar, Lubbock, TX  
April 24-27, 2014

H.3 Discussion of and Possible Action on Upcoming Conferences and Events

- National Association of Boards of Pharmacy (NABP)  
Annual Meeting, Phoenix, AZ  
May 17-20, 2014
- Technician Informal Conference, Austin, May 22, 2014  
(Stine)
- Informal Conference, Austin, June 3-4, 2014  
(Mendoza)
- Technician Informal Conference, Austin, June 19, 2014  
(Mendoza)
- Informal Conference, Austin, July 8-10, 2014  
(Abeltdt)

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- Technician Informal Conference, Austin, July 17, 2014  
(Kedron)
- National Pharmaceutical Association (NPhA)  
Annual Meeting, Arlington, VA  
July 18-21, 2014
- Texas Pharmacy Association (TPA)  
Conference & Expo, San Marcos, TX  
July 30 – August 2, 2014
- TSBP Board Business Meeting, Austin, TX  
August 5, 2014

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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 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.