



---

# 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, May 1, 2018  
9:00 a.m. – Conclusion

### A G E N D A

**A. JY Announcements**

- Meeting Procedures
- Board Members
- Staff
- Continuing Education

**B. JY Discussion and Approval of Minutes (Tab 01)**

- TSBP Board Business Meeting  
Held February 6, 2018
- TSBP Executive Committee Meeting
- Temporary Suspension Hearings

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

C.1 Final Adoption of Rules

C.1.1 Amendments to §291.9 Concerning Prescription Pick Up Locations (Tab 02)

C.1.2 Amendments to §291.33 Concerning Automated Check Devices, and Automated Storage and Distribution Devices (Tab 03)

C.1.3 Amendments to §§291.75 and 291.76 Concerning Dispensing Pharmacist Initial Log (Tab 04)

C.1.4 Amendments to §291.121 Concerning Drugs Dispensed Through a Telepharmacy System (Tab 05)

C.1.5 Amendments to §291.125 Concerning Prescription Drug Order Clarification (Tab 06)

C.1.6 Amendments to §291.151 Concerning Pharmacies Located in a Freestanding Emergency Medical Care Facility (Class F) Emergency Room (Tab 07)

C.2 Proposal of Rules

C.2.1 Amendments to §281.62 Concerning Disciplinary Aggravating and Mitigating Factors (Tab 08)

C.2.2 Amendments to §291.1 Concerning Pharmacy License Applications (Tab 09)

C.2.3 Amendments to §291.3 Concerning Change of Location By Sterile Compounding Pharmacies (Tab 10)

C.2.4 Amendments to §291.19 Concerning Pharmacy Inspection Warning Notices (Tab 11)

C.2.5 Amendments to §291.133 Concerning Fingertip and Media Fill Testing in Pharmacies Under Common Ownership (Tab 12)

C.2.6 Amendments to §295.9 Concerning Education Requirements for Pharmacists (Tab 13)

C.2.7 Amendments to §295.11 Concerning Notification to Consumers (Tab 14)

C.2.8 Amendments to §305.2 Concerning Pharmacy Technician Training Programs (Tab 15)

C.3 Rule Reviews in Accordance with Government Code, Section §2001.039 (Tab 16)

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, 281.60-281.68) (Tab 17)

C.3.1.2 Chapter 311 Concerning Code of Conduct (§§311.1-311.2) (Tab 18)

**D. AB Discussion of and Possible Action Concerning Reports of Committees/Task Forces**

D.1 Update on Task Force on the Operation of Rural Hospital Pharmacies (Tab 19)

**E. Discussion of and Possible Action Concerning the Following Reports and Discussions**

**CS** E.1 Financial Update

E.1.1 Consideration of Material Changes to Contracts for Goods and Services Awarded Under Chapter 2155 of Texas Government Code (Tab 20)

E.1.2 Review of FY2018 Expenditures (Tab 21)

E.1.3 Review of Board Member Travel Budget (Tab 22)

**CS** E.2 Review and Approval of Exceptional Item Request for FY2020-2021 (Tab 23)

**CS** E.3 Review TSBP Revenue Projections and Fee Recommendations (Tab 24)

**CS** E.4 Decision on Recommendations for the Pharmacy Technician Certification Testing Request for Qualifications (Tab 25)

- CH** E.5 Update Concerning Program to Aid Impaired Pharmacists and Pharmacy Students
  - E.5.1 Update on Number of Participating Individuals (Tab 26)
  - E.5.2 Professional Recovery Network (PRN)
    - E.5.2.1 Presentation and Discussion Concerning PRN Expenditures and Activities (Tab 27)
    - E.5.2.2 Review and Approval of PRN Proposed Budget for FY2020-2021 (Tab 28)
  
- AB** E.6 Review and Approval of *TSBP FY2019-2023 Strategic Plan* (Tab 29)
  
- AB** E.7 Review and Approval of *FY2019 Calendar of Events* (Tab 30)
  
- AB** E.8 Discussion and Possible Action Concerning a Pharmacist Decreasing the Quantity Prescribed (Tab 31)
  
- AB** E.9 Discussion and Possible Action Concerning Automation Rules (§291.32 & §291.33) (Tab 32)
  
- AB** E.10 Discussion and Possible Action Concerning Incorporating the Red Flag Checklist into Rule §291.29 (Tab 33)
  
- AB** E.11 Discussion and Possible Action Concerning Professional Responsibility (§291.34) (Tab 34)
  
- KA** E.12 Report on Appeals from State Office of Administrative Hearings Cases and Other Court Actions (Tab 35)
  
- AB** E.13 Report on Prescription Monitoring Program (Tab 36)
  
- AB** E.14 Discussion of Possible Statutory Changes for Consideration During the 86<sup>th</sup> Session of the Texas Legislature (Tab 37)
  
- AB** E.15 Update on Legislation Passed During the 85<sup>th</sup> Texas Legislative Session that have an Impact on TSBP and/or the Practice of Pharmacy (Tab 38)

**F. KA Disciplinary Orders**

- F.1 Consideration of Proposal for Decision (Tab 39)
- F.2 Report on Agreed Board Orders Entered by Executive Director (Tab 40)
- F.3 Discussion of and Action on Proposed Agreed Board Orders and Proposed Default Board Orders (Tab 41)
- F.4 Executive Session to Consider Confidential Agreed Board Orders (Tab 42)
- F.5 Discussion of and Action on Proposed Remedial Plans (Tab 43)

**G. CH Consideration of and Possible Action Concerning the Following Enforcement Reports**

- G.1 Report on Complaints Closed and Dismissed During the Previous Quarter (Tab 44)
- G.2 Report on Status of Active/Pending Complaints (Tab 45)

**H. JY Miscellaneous**

- H.1 Items to be Placed on Agenda for August 2018 Board Meeting (Tab 46)
- H.2 Discussion of and Possible Action on Upcoming Meetings
  - Informal Conference, Austin, June 5-7, 2018 (Wiesner and Tijerina)
  - Technician Informal Conference, Austin, June 21, 2018 (Kedron)
  - Informal Conference, Austin, July 10-12, 2018 (Wiesner)
  - Technician Informal Conference, Austin, July 19, 2018 (Kedron)
  - TSBP Board Business Meeting, Austin August 7, 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.