



# TEXAS STATE BOARD OF PHARMACY

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**Texas State Board of Pharmacy**

**Board Business Meeting**

**Held via Videoconference**

<https://us02web.zoom.us/j/85318303814?pwd=aG5wUjMwbTBOL1IGb3ZmMXNCQ2FCUT09>

**Webinar ID: 853 1830 3814**

**Password: TSBP**

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

Tuesday, May 11, 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**

- TSBP Board Business Meeting Held February 2, 2021
- Show Cause Hearing Held April 28, 2021

**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., Friday, May 7, 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](mailto:execassist@pharmacy.texas.gov).

**D. Discussion of and Possible Action Regarding Rules**

D.1 Final Adoption of Rules

**D.1.1** Amendments to §291.11 Concerning Operation of a Pharmacy

D.1.2 Amendments Concerning DEA 222 Form Requirements

**D.1.2.1** Amendments to §291.34

**D.1.2.2** Amendments to §291.75

**D.1.2.3** Amendments to §291.76

D.1.3 Amendments Concerning Schedule II Controlled Substance Prescriptions

**D.1.3.1** Amendments to §315.3

**D.1.3.2** Amendments to §315.5

D.2 Proposal of Rules

**D.2.1** Amendments to §283.4 Concerning Internship Hours Requirement

D.2.2 Amendments Concerning Fees

**D.2.2.1** Amendments to §291.6 Concerning Pharmacy License Fees

**D.2.2.2** Amendments to §295.5 Concerning Pharmacist License or Renewal Fees

**D.2.2.3** Amendments to §297.4 Concerning Technician Registration Fees

**D.2.3** Amendments Concerning Pharmacies in Freestanding Facilities

**D.2.3.1** Amendments to §291.76 Concerning Class C Pharmacies Located in a Freestanding Ambulatory Surgical Center

**D.2.3.2** Amendments to §291.151 Concerning Pharmacies Located in a Freestanding Emergency Medical Care Facility (Class F)

**D.3** Review and Approval of FY2022-FY2025 Rule Review Plan in Accordance with Government Code, Section §2001.039

**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 FY2021 Second 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** Review of TSBP Revenue Projections and Fee Recommendations

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** Report on State Office of Risk Management Program Review

G.4 Discussion Concerning National Association of Boards of Pharmacy Proposed Resolutions

**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** Update on Legislation Being Considered During the 87th Texas Legislative Session that has an Impact on TSBP and/or the Practice of Pharmacy

G.8 Review of Board Mission Statement

**G.9** Discussion Concerning Patient Name of Record

**G.10** Discussion of Schedule of Administrative Penalties

G.11 Report on Accreditation Council for Pharmacy Education Evaluation of Accredited Status for University of Texas at El Paso College of Pharmacy

**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 #8336, Pharmacy License #24881

I.1.1.1 Executive Session Concerning the Proposal for  
Decision in the Matter of CVS/pharmacy #8336,  
Pharmacy License #24881

- I.2 Report on Agreed Board Orders Entered by Executive Director
- I.3 Proposed Agreed Board Orders and Default Orders
- I.4 Proposed Remedial Plans
- I.5 Executive Session to Consider Discussion of and Action on Disciplinary Orders

**J. Miscellaneous**

- J.1 Items to be Placed on Agenda for August 3, 2021, Board Meeting
- J.2 Discussion of and Possible Action on Upcoming Conferences and Events
  - Informal Conferences, May 12, 2021
  - Informal Conferences, June 8-10, 2021
  - Informal Conferences, July 6-8, 2021
  - TSBP Board Business Meeting, August 3, 2021

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](mailto: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.