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# TEXAS STATE BOARD OF PHARMACY

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**Texas State Board of Pharmacy**

**Board Business Meeting**

**1601 Congress Avenue, Room 2.013  
Austin, Texas**

Tuesday, May 2, 2023  
9:00 a.m. – Conclusion

## A G E N D A

Any person wishing to address the Board regarding an agenda item during the public meeting must submit a Public Comment Request form at <https://www.pharmacy.texas.gov/about/board-meetings/public-comment-form/> by 5:00 p.m., April 28, 2023. *Any requests for oral public comment received after the deadline will not be granted.* Oral comments will be limited to Board Meeting Agenda Items and must be given in-person at the meeting location. For assistance with accessing or submitting the Public Comment Request form, please email [execassist@pharmacy.texas.gov](mailto:execassist@pharmacy.texas.gov).

### **Mission Statement**

*The Texas State Board of Pharmacy, as a leader in protecting the public health of the citizens of Texas, shall uphold quality standards for licensing and facilitate regulation that promotes innovative, multidisciplinary, and collaborative practices and education which produce quality care and positive patient outcomes.*

### **A. Announcements**

- Meeting Procedures
- Board Members
- Continuing Education

**B. Discussion and Approval of Minutes**

- TSBP Board Business Meeting Held February 7, 2023
- TSBP Board Business Meeting Held March 1, 2023
- TSBP Board Business Meeting Held March 28, 2023

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

C.1 Final Adoption of Rules

C.1.1 Amendments Concerning Internship Requirements

**C.1.1.1** Amendments to §283.2

**C.1.1.2** Amendments to §283.4

**C.1.2** Amendments to §291.121 Concerning Remote Pharmacy Services

**C.1.3** Amendments to §295.8 Concerning Pharmacist Continuing Education Requirements

C.2 Proposal of Rules

**C.2.1** Amendments to §283.6 Concerning Preceptor Requirements and Ratio of Preceptors to Pharmacist-Interns

**C.2.2** Repeal of §291.24 Concerning Pharmacy Residency Programs

**C.2.3** Amendments to §291.27 Concerning Confidentiality

**C.2.4** Amendments to §291.151 Concerning Pharmacies Located in a Freestanding Emergency Medical Care Facility (Class F)

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

C.3.1 For Proposal

**C.3.1.1** Chapter 291 Concerning Pharmacies (Non-Resident Pharmacy (Class E)) (§§291.101-291.106)

**C.3.1.2** Chapter 295 Concerning Pharmacists (§§295.1-295.9, §§295.11-295.16)

**D. Discussion of and Possible Action Concerning Pilot Projects**

- D.1** Pilot Project on Residential Delivery of Prescription Drugs by Means of Drone Delivery Service

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

- E.1 Report on Compounding Advisory Group
- E.2 Report on Prescription Monitoring Program Advisory Committee (as required by Health and Safety Code §481.0767)
- E.3 Report on Interagency Prescription Monitoring Program Work Group

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

- F.1 Financial Update
  - F.1.1** Review of FY2023 Second Quarter Expenditures
  - F.1.2** Review of Board Member Travel Budget
  - F.1.3 Consideration of Material Changes to Contracts for Goods and Services Awarded Under Chapter 2155 of Texas Government Code
  - F.1.4 Update on Legislative Appropriations Request for FY2024-2025
- F.2 Update Concerning Program to Aid Impaired Pharmacists and Pharmacy Students
  - F.2.1** Update on Number of Participating Individuals
  - F.2.2** Professional Recovery Network (PRN) Presentation and Discussion Concerning PRN Expenditures and Activities by PRN
- F.3** Review and Approval of FY2023 Annual Internal Audit Report
- F.4** Report on the Prescription Monitoring Program
- F.5 Report on Appeals from State Office of Administrative Hearings Cases and Other Court Actions

**F.6** Update on Legislation Being Considered During the 88th Texas Legislative Session that has an Impact on TSBP and/or the Practice of Pharmacy

F.7 Discussion Concerning National Association of Boards of Pharmacy Proposed Resolutions

**F.8** Discussion Concerning Prescription Delivery and Shipping Conditions

F.9 Discussion Concerning Compounding and Revised USP 795 and 797 Guidelines

**F.10** Discussion Concerning Documentation of Supervising Physicians for Mid-level Practitioners in Central Processing

**F.11** Discussion Concerning Expiration Dates for Pharmacist Interns

F.12 Discussion Concerning Central Fill Pharmacy Ratios

F.13 Discussion Concerning Printing of Pharmacy License Certificates

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

**G.1** Report on Complaints Closed and Dismissed During the Previous Quarter

**G.2** Report on Status of Active/Pending Complaints

**H. Disciplinary Orders**

H.1 Consideration of Proposals for Decision

H.1.1 In the Matter of Blue Mint Pharmacy, Pharmacy License #28639, and Jona Rushin, Pharmacist License #43390

H.1.1.1 Executive Session Concerning the Proposal for Decision in the Matter of Blue Mint Pharmacy, Pharmacy License #28639, and Jona Rushin, Pharmacist License #43390

H.2 Report on Agreed Board Orders and Board Orders Entered by Executive Director

H.3 Discussion of and Action on Proposed Agreed Board Orders and Default Orders

H.4 Discussion of and Action on Proposed Remedial Plans

H.5 Executive Session to Consider Discussion of and Action on Disciplinary Orders

**I. Consideration of Personnel Matters**

I.1 Discussion and Possible Action on the Position of Executive Director

**J. Miscellaneous**

J.1 Items to be Placed on Agenda for August 1, 2023 Board Meeting

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

- National Association of Boards of Pharmacy (NABP)  
Annual Meeting, Nashville, TN  
May 10-12, 2023
- Informal Conferences, May 16, 2023
- Informal Conferences, June 6-8, 2023
- Informal Conferences, July 11-13, 2023
- Texas Pharmacy Association (TPA)  
Conference & Expo, Houston, TX  
July 28-30, 2023
- TSBP Board Business Meeting, August 1, 2023

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.