



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, November 7, 2017
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 August 1, 2017
- Temporary Suspension Hearings

C. AB Discussion of and Possible Action Regarding Rules

C.1 Final Adoption of Rules

- C.1.1 Amendments to §291.3 Concerning Notification for Fires
and Disasters (Tab 02)

- C.1.2 Amendments to §291.5 Concerning Notification When Closing a Pharmacy (Tab 03)
- C.1.3 Amendments to §291.9 Concerning Pick Up Locations (Tab 04)
- C.1.4 Amendments to §291.74 Concerning Drug Use Review in Certain Rural Hospitals (Tab 05)
- C.1.5 Amendments to §291.121 Concerning Telepharmacies (Tab 06)
- C.1.6 Amendments to §§291.131 and 291.133 Concerning Information Required In Written Agreements with Practitioners (Tab 07)
- C.1.7 Amendments to §297.7 Concerning Technician Examinations (Tab 08)
- C.1.8 Amendments to §297.8 Concerning Continuing Education Requirements for Technicians (Tab 09)
- C.1.9 Amendments to §297.10 Concerning Registration for Military Service Members, Military Veterans, and Military Spouses (Tab 10)
- C.1.10 Amendments to §309.6 Concerning Documentation of Generic Substitution (Tab 11)
- C.1.11 Amendments Concerning License Fees (Tab 12)
 - C.1.11.1 §291.6 Concerning Pharmacies
 - C.1.11.2 §295.5 Concerning Pharmacists
 - C.1.11.3 §297.4 Concerning Pharmacy Technicians and Pharmacy Technician Trainees
- C.2 Proposal of Rules
 - C.2.1 Amendments to §283.3 Concerning Licensing Requirements (Tab 13)
 - C.2.2 Amendments to §291.133 Concerning Fingertip Testing in Pharmacies Under Common Ownership, End Product Testing, and Certification of Primary Engineering Control Devices (Tab 14)

- C.2.3 Amendments to §291.153 Concerning Duties of a Pharmacist in Charge of a Class G Pharmacy (Tab 15)
- C.2.4 Amendments to §295.2 Concerning the Definition of Employment (Tab 16)
- C.2.5 Amendments to §295.8 Concerning Continuing Education Requirements for Pharmacists (Tab 17)
- C.2.6 Amendments to §297.3 Concerning Renewal Fees for Expired Pharmacy Technician Registrations (Tab 18)

C.3 Rule Reviews in Accordance with Government Code, Section §2001.039 (Tab 19)

C.3.1 For Proposal:

- C.3.1.1 Chapter 291 Concerning Pharmacies (Nuclear Pharmacy (Class B)) (§§291.51-291.55) (Tab 20)
- C.3.1.2 Chapter 305 Concerning Educational Requirements (§§305.1-305.2) (Tab 21)
- C.3.1.3 Chapter 309 Concerning Generic Substitution (§§309.1-309.8) (Tab 22)

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

AB D.1 Pilot Project

- D.1.1 Final Report by Baylor Scott & White Pharmacy on Pilot Project Concerning Automated Storage and Distribution Devices (Tab 23)

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 24)
- E.1.2 Update on Internal Audit and Comptroller of Public Accounts Post-Payment Audit (Tab 25)

- CF** E.2 Update Concerning Program to Aid Impaired Pharmacists and Pharmacy Students
 - E.2.1 Update on Number of Participating Individuals (Tab 26)
 - E.2.2 Professional Recovery Network (PRN)
 - E.2.2.1 Presentation and Discussion Concerning PRN Expenditures and Activities (Tab 27)
 - E.2.2.2 Review and Approval of Professional Recovery Network Program Audit (Tab 28)
- AB** E.3 Discussion Concerning *TSBP FY2019-2023 Strategic Plan* (Tab 29)
- AB** E.4 Discussion Concerning Dispensing Dangerous Drugs to Patients in Long Term Care Facilities (Tab 30)
- DW** E.5 Discussion Concerning the Use of Automated Checking Devices (Tab 31)
- CS** E.6 Report on Implementation of ExCPT Exam (Tab 32)
- AB** E.7 Report on Agency Activities in Response to Hurricane Harvey (Tab 33)
- KA** E.8 Report on Appeals from State Office of Administrative Hearings Cases and Other Court Actions (Tab 34)
- AB** E.9 Report on Prescription Monitoring Program (Tab 35)
- GD** E.10 Update on Legislation Passed During the 85th Texas Legislative Session that have an Impact on TSBP and/or the Practice of Pharmacy (Tab 36)
- F.** **KA** **Disciplinary Orders**
 - F.1 Consideration of Proposal for Decision (Tab 37)
 - F.2 Report on Agreed Board Orders Entered by Executive Director (Tab 38)
 - F.3 Discussion of and Action on Proposed Agreed Board Orders and Proposed Default Board Orders (Tab 39)
 - F.4 Executive Session to Consider Confidential Agreed Board Orders (Tab 40)
 - F.5 Discussion of and Action on Proposed Remedial Plans (Tab 41)

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 42)

G.2 Report on Status of Active/Pending Complaints (Tab 43)

H. JW Miscellaneous

H.1 Items to be Placed on Agenda for February 2018 Board Meeting (Tab 44)

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

- National Association of Board of Pharmacy/American Association of Colleges of Pharmacy (NABP/AACP) Districts VI, VII and VIII, Annual Meeting, San Antonio, TX October 8-11, 2017
- National Community Pharmacists Association (NPA) Annual Convention, Orlando, FL October 14-18, 2017
- MALTA-GON Annual Conference, Charleston, SC October 22-25, 2017

H.3 Discussion of and Possible Action on Upcoming Meetings

- Technician Informal Conference, Austin, November 16, 2017 (Dembny)
- Technician Informal Conference, Austin, December 5, 2017 (Thornsburg)
- Informal Conference, Austin, December 12-14, 2017 (Wiesner)
- Informal Conference, Austin, January 9-11, 2018 (Yoakum)
- Technician Informal Conference, Austin, January 18, 2018 (Thornsburg)
- TSBP Board Business Meeting, Austin February 6, 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.