



---

# TEXAS STATE BOARD OF PHARMACY

---

Texas State Board of Pharmacy

333 Guadalupe Street, Tower II, Suite  
225 Austin, Texas

Board Business Meeting

Tuesday, November 6, 2018  
9:00 a.m. – Conclusion

## A G E N D A

**A. DW Announcements**

- Meeting Procedures
- Staff
- Continuing Education

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

- TSBP Board Business Meeting  
Held August 7, 2018
- Temporary Suspension Hearings

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

C.1 Final Adoption of Rules

- C.1.1 Amendments to §281.62 Concerning Disciplinary  
Aggravating and Mitigating Factors (Tab 02)
- C.1.2 Amendments to §281.65 Concerning Administrative  
Penalties (Tab 03)

- C.1.3 Amendments to §291.17 Concerning Inventory Requirements (Tab 04)
- C.1.4 Amendments to §291.28 Concerning Access to Confidential Records (Tab 05)
- C.1.5 Amendments to §291.34 Concerning Prescription Drug Orders for Patients in Licensed Health Care Institutions, and a Pharmacist Decreasing the Quantity Prescribed (Tab 06)
- C.1.6 Amendments to §291.74 Concerning Drug Regimen Review (Tab 07)
- C.1.7 Amendments to §291.104 Concerning Reporting to the Prescription Monitoring Program (Tab 08)
- C.1.8 Amendments to §291.129 Concerning Satellite Pharmacy Application Requirements (Tab 09)
- C.1.9 Amendments to §315.6 Concerning Pharmacy Electronic Reporting Responsibility (Tab 10)
- C.1.10 New Rule §315.15 Concerning Access Requirements (Tab 11)
- C.2 Proposal of Rules
  - C.2.1 Amendments to §281.68 Concerning Removal of a Remedial Plan from Board Records (Tab 12)
  - C.2.2 Amendments to §283.12 Concerning Waiver of Inactive Status Fees for Military Service Members, Military Veterans, Military Spouses (Tab 13)
  - C.2.3 Amendments to §291.31 Concerning Automated Devices and Systems in Class A Pharmacies (Tab 14)
  - C.2.4 Amendments to §291.33 Concerning Automated Devices and Systems in Class A Pharmacies (Tab 15)
  - C.2.5 Amendments to §291.35 Concerning Official Prescription Requirements in Class A Pharmacies (Tab 16)
  - C.2.6 Amendments to §291.75 Concerning Outpatient Records in Class C Pharmacies (Tab 17)

C.2.7 Amendments to §291.121 Concerning Remote Services through an Automated Storage and Delivery System (Tab 18)

C.2.8 Amendments to §291.131 Concerning Compounding Essentially Copies of Commercially Available Products (Tab 19)

C.2.9 Amendments to §291.133 Concerning Compounding Essentially Copies of Commercially Available Products (Tab 20)

C.2.10 Amendments to §291.153 Concerning Medication Therapy Management Services (Tab 21)

C.2.11 Amendments to §315.12 Concerning Controlled Substances Prescription Forms (Tab 22)

C.3 Rule Reviews in Accordance with Government Code, Section §2001.039 (Tab 23)

C.3.1 For Proposal:

C.3.1.1 Chapter 291 Concerning Pharmacies (All Classes of Pharmacies) (§§291.1-291.3, 291.5-291.11, 291.14-291.19, 291.22-291.24, 291.27-291.29) (Tab 24)

C.3.1.2 Chapter 311 Concerning Code of Conduct (§§311.1-311.2) (Tab 25)

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

D.1 Task Force to Review and Update *Guidelines for Establishing Pharmacist Peer Review Committees* (Tab 26)

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

**HM** 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 27)

E.1.2 Review of FY2018 Expenditures (Tab 28)

- E.1.3 Review of Board Member Travel Budget (Tab 29)
  
- HM** E.2 Review and Approval of Internal Audit Charter and FY2019 Annual Internal Audit Plan (Tab 30)
  
- CH** E.3 Update Concerning Program to Aid Impaired Pharmacists and Pharmacy Students
  - E.3.1 Update on Number of Participating Individuals (Tab 31)
  - E.3.2 Professional Recovery Network (PRN)
    - E.3.2.1 Presentation and Discussion Concerning PRN Expenditures and Activities (Tab 32)
  
- AB** E.4 Update on Development of Educational Program Concerning Audit Shortages (Tab 33)
  
- AB** E.5 Report on Prescription Monitoring Program (Tab 34)
  
- AB** E.6 Discussion of Possible Statutory Changes for Consideration During the 86th Session of the Texas Legislature (Tab 35)
  
- F. KA Disciplinary Orders**
  - F.1 Report on Agreed Board Orders Entered by Executive Director (Tab 36)
  - F.2 Discussion of and Action on Proposed Agreed Board Orders and Proposed Default Board Orders (Tab 37)
  - F.3 Executive Session to Consider Confidential Agreed Board Orders (Tab 38)
  - F.4 Discussion of and Action on Proposed Remedial Plans (Tab 39)
  
- 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 40)
  - G.2 Report on Status of Active/Pending Complaints (Tab 41)

**H. DW Miscellaneous**

H.1 Items to be Placed on Agenda for February 2019 Board Meeting  
(Tab 42)

H.2 Discussion of and Possible Action on Upcoming Meetings

- Informal Conference, Austin, December 11 & 12, 2018  
(Miller and Fernandez)
- Technician Informal Conference, Austin, December 13, 2018  
(Yoakum)
- Informal Conference, Austin, January 8-10, 2019  
(Wiesner and Guerrero)
- Technician Informal Conference, Austin, January 24, 2019  
(Thornsburg)
- TSBP Board Business Meeting, Austin  
February 5, 2019

**I. DW Consideration of Personnel Matters**

I.1 Executive Session to Conduct Evaluation of Executive  
Director (Tab 43)

---

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 Hemant Makan 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.