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# TEXAS STATE BOARD OF PHARMACY

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Texas State Board of Pharmacy

333 Guadalupe Street, Suite 2-225  
Austin, Texas

## Board Business Meeting

Tuesday, November 5, 2019  
9:00 a.m. – Conclusion

### A G E N D A

#### A. Announcements

- Meeting Procedures
- Board Members
- Staff
- Continuing Education

#### B. Discussion and Approval of Minutes

- TSBP Board Business Meeting Held August 6, 2019
- Temporary Suspension Hearing Held August 7, 2019
- Temporary Suspension Hearing Held August 28, 2019

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

##### C.1 Final Adoption of Rules

##### C.1.1 Amendments Concerning Military Spouses Licensed/Registered in Similar Jurisdictions

##### C.1.1.1 Amendments to §283.12 Concerning Pharmacists

- C.1.1.2** Amendments to §297.10 Concerning Pharmacy Technicians and Pharmacy Technicians Trainees
  - C.1.2** Amendments to §291.121 Concerning Telepharmacy System in a Federally Qualified Health Center
  - C.1.3 Amendments Concerning Continuing Education
    - C.1.3.1** Amendments to §295.8 Concerning Pharmacists
    - C.1.3.2** Amendments to §297.8 Concerning Pharmacy Technicians and Pharmacy Technicians Trainees
  - C.1.4** Amendments to §295.13 Concerning Physician Delegation in Federally Qualified Health Center
  - C.1.5** Amendments to §309.5 Concerning Communication with Prescriber
  - C.1.6** Amendments to §315.3 Concerning Opioid Prescriptions for Acute Pain
  - C.1.7** Amendments to §315.6 Concerning Zero Reporting to the Prescription Monitoring Program
  - C.1.8** Amendments to §315.11 Concerning Delegate Access to Prescription Monitoring Program Data
  - C.1.9** Amendments to §315.15 Concerning Prescription Monitoring Program Access Requirements
- C.2 Proposal of Rules
  - C.2.1 Amendments Concerning Removal of Student Loan Default as Ground for Discipline
    - C.2.1.1** Amendments to §281.7 Concerning Pharmacist
    - C.2.1.2** Amendments to §281.9 Concerning Pharmacy Technician or Pharmacy Technician Trainee
  - C.2.2** Amendments to §281.66 Concerning Removal of Arrests as Consideration for Licensure or Registration
  - C.2.3** Amendments to §281.69 Concerning Automatic Denial or Revocation for Certain Criminal Offenses

- C.2.4** Amendments to §281.70 Concerning Surety Bonds for Certain Investigations
- C.2.5 Amendments Concerning Sworn Disclosure Statement
  - C.2.5.1** Amendments to §291.4 Concerning Requirements
  - C.2.5.2** Amendments to §291.1 Concerning Pharmacy License Application
  - C.2.5.3** Amendments to §291.3 Concerning Required Notifications
  - C.2.5.4** Amendments to §291.14 Concerning Pharmacy License Renewal
- C.2.6** Amendments to §291.34 Concerning Electronic Controlled Substance Prescriptions
- C.2.7** Amendments to §295.9 Concerning Reactivation of Pharmacist License Continuing Education Requirements
- C.2.8** Amendments to §295.13 Concerning Physician Delegation to Pharmacist under Written Protocol
- C.2.9** Amendments to §315.3 Concerning Controlled Substance Safe Disposal Notice
- C.2.10** Amendments to §315.16 Concerning Patient Access to Prescription Monitoring Program Information
- 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 (Community Pharmacy (Class A)) (§§291.31 – 291.36)
    - C.3.1.2** Chapter 283 Concerning Licensing Requirements for Pharmacists (§§283.1 – 283.12)
    - C.3.1.3** Chapter 315 Concerning Controlled Substances (§§315.1 – 315.14)

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

- D.1 Financial Report

- D.1.1** Review of FY2019 Expenditures
  - D.1.2** Review of Board Member Travel Budget
  - D.1.3** Consideration of Material Changes to Contracts for Goods and Services Awarded Under Chapter 2155 of Texas Government Code
- D.2 Report on Program to Aid Impaired Pharmacists and Pharmacy Students
  - D.2.1** Number of Participating Individuals
  - D.2.2** Professional Recovery Network (PRN) Presentation and Discussion Concerning PRN Expenditures and Activities by PRN
- D.3** FY2021-2025 Strategic Plan
- D.4 Expanding the Role of Pharmacy Technicians
  - D.4.1** Amendments Concerning Pharmacy Technician and Pharmacist-Intern Ratios
    - D.4.1.1** Amendments to §283.5 Concerning Pharmacist-Intern Duties
    - D.4.1.2** Amendments to §291.32 Concerning Class A (Community) Pharmacy
    - D.4.1.3** Amendments to §291.53 Concerning Class B (Nuclear) Pharmacy
    - D.4.1.4** Amendments to §291.129 Concerning Satellite Pharmacy
    - D.4.1.5** Amendments to §291.153 Concerning Class G (Central Prescription Drug or Medication Order Processing) Pharmacy
- D.5** Request from Texas Consortium on Experiential Programs for Consideration of Changes to Internship Rules
- D.6** Request from Genoa Healthcare Concerning Consideration of Changes to Telepharmacy Rules
- D.7** Request Concerning Continuing Education Credit for Mental Health Awareness

**D.8** Update Concerning Implementation of USP <795>, <797>, and <825> Postponement

**D.9** Report on the Prescription Monitoring Program

D.10 Report on Appeals From the State Office of Administrative Hearings Cases and Other Court Actions

**D.11** Report on Implementation of Legislation Passed During the 86<sup>th</sup> Texas Legislative Session That Have an Impact on TSBP and/or the Practice of Pharmacy

D.11.1 Revocation of Pharmacy Licenses for Failure to Operate from S.B. 683

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

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

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

**F. Consideration of and Possible Action Concerning Disciplinary Orders**

F.1 Report on Agreed Board Orders Entered by Executive Director

F.2 Discussion of and Action on Proposed Agreed Board Orders and Default Orders

F.3 Discussion of and Action on Confidential Agreed Board Orders

F.4 Discussion of and Action on Proposed Remedial Plans

**G. Election of Board Officers**

G.1 Election of Vice President and Treasurer

**H. Miscellaneous**

H.1 Items to be Placed on Agenda for February 4, 2020 Board Meeting

H.2 Discussion of and Possible Action on Upcoming Events

- Technician Informal Conference, Austin, November 6, 2019
- Informal Conferences, Austin, December 10 – 12, 2019
- Informal Conference, Austin, January 7 – 9, 2020

- TSBP Board Business Meeting, Austin, February 5, 2020

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 **Annette Graves** 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.