



TEXAS STATE BOARD OF PHARMACY

Held via Videoconference

Tuesday, February 2, 2021

MINUTES¹

BOARD BUSINESS MEETING

Tuesday, February 2, 2021

President Julie Spier, R.Ph., called the meeting to order at 9:00 a.m. via videoconference in accordance with the Office of the Texas Governor's suspension of applicable sections of Chapter 551 of the Tex. Gov't Code, effective March 16, 2020, in response to the disaster declaration issued March 13, 2020, for the State of Texas. Other Board Members present via videoconference were Vice President Donnie Lewis, R.Ph.; Treasurer Jenny Downing Yoakum, R.Ph.; Rick Fernandez, R.Ph.; Lori Henke, Pharm.D.; Bradley A. Miller, Ph.T.R.; Donna Montemayor, R.Ph.; Suzette Tijerina, R.Ph.; and Rick Tisch.

Board Members Daniel Guerrero and Chip Thornsburg were not present.

Staff present via videoconference were Allison Vordenbaumen Benz, R.Ph., M.S., Executive Director/Secretary; Kerstin Arnold, General Counsel; Megan Holloway, Deputy General Counsel; Caroline Hotchkiss, Director of Enforcement; Ann Du, Financial Services Manager; Ann Driscoll, Ph.T.R., Team Manager; and Shayda Bakhshi, Outreach Coordinator.

A. Announcements

- Ms. Benz made general announcements and reviewed the meeting procedures.

B. Discussion and Approval of Minutes of Previous Meetings (Item B)

Following discussion, the motion was made by Mr. Lewis to approve the minutes of the Board Member Training Session held November 2, 2020, the Public

¹See agenda and corresponding attachments for supporting materials.

Hearing held November 3, 2020, and the Board Business Meeting held November 3, 2020. The motion was seconded by Mr. Miller and passed unanimously by roll call vote.

C. Public Comments

The Board heard public comments from Sarah Lake-Wallace, M.S., Pharm. D., President, Texas Society of Health-System Pharmacists, concerning Method of Delivery by Which Physician-Administered Drugs Are Dispensed (Item G.8).

D. Discussion of and Possible Action Regarding Rules

Final Adoption of Rules

- Rules Concerning Non-Pharmacist Pharmacy Ownership Training Course (§§291.1, 291.3, and 291.14) (Item D.1.1)

Ms. Holloway directed the Board's attention to a letter from the Office of the Governor, Regulatory Compliance Division. She explained that the proposed amendments to §§291.1, 291.3, and 291.14 were disapproved by the Office of the Governor, Regulatory Compliance Division and that the Board cannot move forward on adopting the rules.

- Rules Concerning Drug Therapy Management Protocol (§295.13) (Item D.1.2)

Ms. Holloway explained that the Board voted to propose the amendments to §295.13 during its November 3, 2020 meeting. The proposed amendments were published in the December 11, 2020 issue of the *Texas Register*. Comments were received from Jeenu Philip, R.Ph., Director, Pharmacy Affairs, Walgreen Co., expressing concern regarding the proposed requirements for a pharmacy to submit a copy of the initial written protocol and any updates to the Board, and suggesting that these requirements be removed, or alternatively, changed to require a copy of the initial written protocol and any updates to be retained by the pharmacy and made available to the Board upon request.

Ms. Holloway directed the Board's attention to the amendments to §295.13 and explained that the amendments update the notification requirements for a pharmacist who signs a prescription for a dangerous drug pursuant to a written protocol and corrects grammatical errors. Ms. Holloway explained that §157.101(b-1)(2)(E) of the Texas Occupations Code requires that the pharmacist submit a copy of the protocol to the Board, and, therefore, Mr. Philip's suggestion cannot be taken.

Ms. Benz clarified that the protocol is only required to be submitted to the Board when the pharmacist is involved in signing the prescriptions.

Following discussion and review of the Preamble and Order Adopting Rules, the motion was made by Mr. Lewis to approve for adoption, by Board Order, amendments to §295.13, as presented. The motion was seconded by Mr. Tisch and passed unanimously by roll call vote.

- Rules Concerning Prescription Monitoring Program Access Requirements (§315.15) (Item D.1.3)

Ms. Holloway explained that the Board voted to propose the amendments to §315.15 during its November 3, 2020 meeting. The proposed amendments were published in the December 11, 2020 issue of the *Texas Register*, and no comments were received.

Ms. Holloway directed the Board's attention to the amendments to §315.15 and explained the amendments clarify that the duty to consult the Prescription Monitoring Program database before dispensing an opioid, benzodiazepine, barbiturate, or carisoprodol is limited to outpatient prescriptions.

Following discussion and review of the Preamble and Order Adopting Rules, the motion was made by Ms. Henke to approve for adoption, by Board Order, amendments to §315.15, as presented. The motion was seconded by Mr. Lewis and passed unanimously by roll call vote.

Proposal of Rules

- Rules Concerning Operation of a Pharmacy (§291.11) (Item D.2.1)

Ms. Holloway directed the Board's attention to suggested amendments to rule language concerning operation of a pharmacy. She explained the proposed amendments to §291.11 correct citation references and a short title reference.

Following discussion, the motion was made by Mr. Tisch to approve for proposal amendments to §291.11, as presented. The motion was seconded by Mr. Lewis and passed unanimously by roll call vote.

- Rules Concerning DEA 222 Form Requirements (§§291.34, 291.75, and 291.76) (Items D.2.2.1, D.2.2.2, and D.2.2.3)

Ms. Holloway directed the Board's attention to suggested amendments to rule language concerning DEA 222 form requirements. She explained the proposed amendments to §291.34 clarify that a pharmacist may electronically sign the data entry attestation statement and update references to DEA 222 form requirements to be consistent with federal regulations, and the proposed amendments to §§291.75 and 291.76 update references to DEA 222 form requirements to be consistent with

federal regulations.

Following discussion, the motion was made by Mr. Miller to approve for proposal amendments to §§291.34, 291.75, and 291.76, as presented. The motion was seconded by Ms. Henke and passed unanimously by roll call vote.

- Rules Concerning Schedule II Controlled Substance Prescriptions (§§315.3 and 315.5) (Items D.2.3.1 and D.2.3.2)

Ms. Holloway directed the Board's attention to suggested amendments to rule language concerning Schedule II controlled substance prescriptions. She explained the proposed amendments to §315.3 extend the time period for Schedule II prescriptions to be valid to no longer than 30 days to be consistent with federal law and the proposed amendments to §315.5 update the section title and extend the time period for Schedule II prescriptions to be valid to no longer than 30 days to be consistent with federal law. Ms. Holloway indicated that Board staff had reached out to staff of the Texas Medical Board, who were in agreement with this change.

Following discussion, the motion was made by Mr. Lewis to approve for proposal amendments to §§315.3 and 315.5, as presented. The motion was seconded by Mr. Fernandez and passed unanimously by roll call vote.

Rule Review

- For Adoption

Ms. Holloway directed the Board's attention to the Board Rule Review Plan for FY 2018-2021 (Item D.3)

- Chapter 297 Concerning Pharmacy Technicians (§§297.1 – 297.11) (Item D.3.1.1)
- Chapter 291 Concerning Pharmacies (Services Provided by Pharmacies) (§§291.120-291.121, 291.123, 291.125, 291.127, 291.129, 291.131, and 291.133) (Item D.3.1.2)
- Chapter 291 Concerning Pharmacies (Other Classes of Pharmacy) (§§291.151, 291.153, and 291.155) (Item D.3.1.3)

Comments were received from Paula Grahmann, Pharm.D., R.Ph., Owner, Main Street Pharmacy, in support of the continuing need for §291.129 concerning Satellite Pharmacies.

Following discussion, in accordance with Government Code §2001.039, the motion was made by Mr. Lewis to approve for adoption as presented, the review of Chapter 297 (§§297.1 – 297.11), Chapter 291 concerning services provided by pharmacies (§§291.120-291.121, 291.123, 291.125, 291.127, 291.129, 291.131, and 291.133) and Chapter 291 concerning other classes of pharmacy (§§291.151, 291.153, and 291.155). The motion was seconded by Ms. Henke.

Mr. Guerrero joined the meeting at 9:32 a.m.

A roll call vote was taken and passed 8-0-1 with Mr. Guerrero abstained.

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

- Report on Compounding Advisory Group (Item F.1)

Ms. Benz reported that Compounding Advisory Group meetings were held November 18, 2020, and January 13, 2021, and directed the Board's attention to the November meeting minutes. She reported that the group has been reviewing and recommending updates to the non-sterile compounding rules, with a goal to present their recommendations to the Board at the May Board meeting. The next meeting will be held in June 2021.

- Report on Prescription Monitoring Program (PMP) Advisory Committee (Item F.2)

Ms. Benz reported that the PMP Advisory Committee meeting was held virtually on January 19, 2021, and the committee is continuing to focus on the AWARxE system and making recommendations to improve the system. The next meeting will be held in June or July 2021.

Following a request from President Spier, Ms. Benz stated that Board staff will present data and trends from the PMP to the Board at the next meeting.

G. Discussion of and Possible Action Concerning the Following Items

- Professional Recovery Network
 - Ms. Hotchkiss discussed performance measures regarding the number of individuals participating in the peer assistance program for the first quarter of FY2021 (September 1, 2020 – November 30, 2020). (Item G.2.1)
 - President Spier recognized Debbie B. Garza, R.Ph., Chief Executive Officer, Texas Pharmacy Association, who introduced

new PRN Program Director Patricia Dodson, LCSW. Ms. Dodson directed the Board's attention to the PRN expense report for the first quarter of FY2021 (September 1, 2020 – November 30, 2020) and reviewed PRN activities for the Board. (Item G.2.2)

- Financial Report

- Review of FY2020 Expenditures (Item G.1.1)

Ms. Du reviewed the expenditures for the first quarter of FY2021 (September 1, 2020 – November 30, 2020) for the Board.

- Review of Board Member Travel Budget (Item G.1.2)

Ms. Du reviewed the first quarter FY2021 Board Member Travel Budget (September 1, 2020 – November 30, 2020). She explained that the travel budget remains unspent due to COVID-19.

- Consideration of Material Changes to Contracts for Goods and Services Awarded Under Chapter 2155 of Texas Government Code (Item G.1.3)

Ms. Du reviewed the list of updated contracts for goods and services for the first quarter of FY2021 (September 1, 2020 – November 30, 2020) for the Board.

- Update on Legislative Appropriations Request for FY2022-2023 (Item G.1.4)

Ms. Benz gave a report concerning the Legislative Appropriations Request. Ms. Benz reported that the Senate Finance Committee Hearing is scheduled for February 18, 2021, and information has been submitted to the House Appropriations Committee, whose hearing is not yet scheduled. Board staff is monitoring pharmacy-related bills and will present updated information concerning these bills at the May meeting. Ms. Benz also provided an update concerning the agency move.

President Spier recessed the meeting at 9:56 a.m.

President Spier reconvened the meeting at 10:10 a.m. Ms. Henke did not rejoin the meeting due to technical difficulties.

- Report on the Prescription Monitoring Program (Item G.5)

Ms. Benz presented a report on the Prescription Monitoring Program regarding data for the first quarter of FY2021 (September 1, 2020 – November 30, 2020). Following questions from Mr. Miller and Mr. Lewis concerning the controlled substances dispensed, Ms. Benz explained that

the PMP Advisory Committee would like to see a comparison of prescription dispensing history before and after the e-prescribing requirement effective January 1, 2021, per §481.0755 of the Texas Controlled Substances Act, Tex. Health & Safety Code Ann. Board staff will also prepare this information to present to the Board.

E. Discussion of and Possible Action Concerning Pilot Projects

- Report on Pilot Project Concerning Automated Dispensing and Delivery (Item E.1)

President Spier recognized Edward Rickert, Quarles & Brady LLP, Counsel representing Sam's Club and MedAvail; Cherie Mallett, Sam's Club; and Seema Siddiqui, MedAvail. Ms. Mallett reviewed the report from Sam's Club and MedAvail regarding the pilot project concerning Automated Dispensing and Delivery Systems. Ms. Mallett answered questions from the Board and explained that there are several technology system integrations pending which will make it easier for the patients to select the kiosk pick-up location and reduce printing issues.

Ms. Henke joined the meeting at 10:29 a.m.

Mr. Rickert reported that Sam's Club plans on entering the next phase of the pilot project in February 2021, by installing a kiosk in a Sam's Club location in Dallas, Texas that does not have a pharmacist on site.

Ms. Benz explained that under the emergency declarations by the Governor, other pharmacies are currently allowed to use a similar automated dispensing and delivery systems as part of the pilot project. She also explained that the pilot project can continue for 18 months and can recommend that rules be adopted to allow the automated dispensing and delivery systems. Mr. Rickert suggested hearing from representatives that are using the system under the emergency declarations at the next meeting.

G. Discussion of and Possible Action Concerning the Following Items, continued

- Review and Approval of Annual Internal Audit Plan (Item G.3)

President Spier recognized Kimberly Lopez-Gonzales and Chika Cherry, Garza/Gonzalez & Associates, Certified Public Accountants. Ms. Lopez-Gonzales presented the risk assessment process for the FY2021 Annual Internal Audit Plan.

Following review of the FY2021 Annual Internal Audit Plan, the motion was made by Mr. Lewis to approve the FY2021 Annual Internal Audit Plan. The motion was seconded by Mr. Guerrero and passed unanimously

by roll call vote. Due to technical issues, Ms. Henke was not able to vote.

- Report on Appeals from State Office of Administrative Hearing Cases and Other Court Actions (Item G.6)

Ms. Arnold provided an update concerning a lawsuit filed in district court in Travis County that seeks to invalidate the restriction that licensed Texas physicians cannot dispense prescriptions to patients at their offices without a pharmacy license. Ms. Arnold advised the Board that at the hearing on December 9, 2020, the judge dismissed the case and ruled in favor of the Board; however, the plaintiffs are appealing the ruling. Additionally, Ms. Arnold explained that there is a proposed legislative change, which staff will be monitoring, that would potentially moot the lawsuit.

- Discussion Concerning FDA Memorandum of Understanding Addressing Certain Distributions of Compounded Human Drug Products (Item G.7)

President Spier recognized Melissa Madigan, Pharm.D., J.D., Associate Executive Director, Professional Affairs, and Neal Watson, Member Relations and Government Affairs Liaison, from the National Association of Boards of Pharmacy (NABP). Ms. Madigan presented information concerning the FDA Memorandum of Understanding (MOU) and the pilot project system NABP is implementing to collect data required to be reported to FDA under the MOU.

Ms. Benz directed the Board's attention to a copy of the MOU, comments the Board submitted to FDA, and a comment received from Scott Brunner, CAE, Chief Executive Officer, Alliance for Pharmacy Compounding. Ms. Arnold discussed some of the issues that may arise for the Board in terms of entering into the MOU.

Following discussion, the Board agreed to direct the Compounding Advisory Group to review the MOU and hold a stakeholders meeting accepting public comments concerning the MOU during its June meeting.

- Review and Approval of TSBP FY2020 Annual Report (Item G.4)

Ms. Benz reviewed the TSBP FY2020 Annual Report with the Board.

- Discussion Concerning Method of Delivery by Which Physician-Administered Drugs Are Dispensed (Item G.8)

President Spier recognized Ryan Roux, Pharm.D., MS, FASHP, VP of Pharmacy Services, and Jeff McClusky, R.Ph., Director of Pharmacy-Outpatient Operations, from UT MD Anderson Cancer Center. Mr. Roux gave a presentation regarding the method of delivery by which physician-administered drugs are dispensed and their concerns regarding these

delivery methods and patient safety. Mr. Roux and Mr. McClusky both answered questions from the Board.

President Spier recessed the meeting at 11:55 a.m.

President Spier reconvened the meeting at 12:34 p.m.

- Review of Board Mission Statement (Item G.10)

Mr. Guerrero presented key themes compiled from the November 2020 Board meeting review of the mission statement. After providing suggestions for a new mission statement incorporating the themes, Mr. Guerrero opened discussion for feedback from the other Board members.

Following discussion, Mr. Guerrero agreed to prepare additional suggestions incorporating the feedback and provide to the Board members for approval.

- Discussion Concerning Virtual Training for Individuals Performing Sterile Compounding (Item G.9)

President Spier recognized Liz Wilroy, Houston Community College. Ms. Wilroy presented her concerns regarding virtual training for individuals performing sterile compounding.

I. Disciplinary Orders

- Consideration of Proposal for Decision in the Matter of CVS/pharmacy #7816, Pharmacy License #24526 (Item I.1.1)

Ms. Arnold directed the Board's attention to the Proposal for Decision and the corresponding proposed Board Order. Ms. Arnold recognized John Griffith, Litigation Counsel, who advised the Board that following a hearing held before State Office of Administrative Hearings (SOAH) Administrative Law Judge Robert H. Pemberton, a Proposal for Decision was issued on November 13, 2020, in the matter of CVS/pharmacy #7816.

Mr. Griffith reviewed the background in the case for the Board and reviewed proposed Board Order #2018-03116, which would impose a two-year probation period.

The Board recognized Ethan Ranis, Legal Counsel representing CVS/pharmacy #7816, who requested that the Board not adopt the Proposal for Decision and presented his reasoning for the request.

President Spier requested that implementation of a Continuous Quality Improvement Plan (CQIP) be added to the sanctions for the proposed

disciplinary order. Ms. Yoakum also agreed that the CQIP sanction be added.

Following discussion, the motion was made by Mr. Guerrero to accept the Findings of Fact and Conclusions of Law in the Proposal for Decision, and approve the entry of proposed Board Order #2018-03116, with the additional sanction for a CQIP, in the matter of CVS Pharmacy #7816. The motion was seconded by Mr. Tisch and passed unanimously by roll call vote. Due to technical issues, Ms. Henke was not able to vote.

- Consideration of Proposal for Decision in the Matter of CVS/pharmacy #11067, Pharmacy License #31295 (Item I.1.2)

Mr. Griffith directed the Board's attention to the Proposal for Decision and the corresponding proposed Board Order. Mr. Griffith advised the Board that following a hearing held before State Office of Administrative Hearings (SOAH) Administrative Law Judge Srinivas Behara, a Proposal for Decision was issued on November 10, 2020, in the matter of CVS/pharmacy #11067.

Mr. Griffith reviewed the background in the case for the Board. Mr. Griffith reviewed two options for proposed Board Order #2018-02279, one of which would impose a reprimand only, as recommended by Judge Behara, and the other which would impose a reprimand, a \$1,500 administrative penalty, and a CQIP, as recommended by the informal conference panel.

President Spier recognized Harold Hilborn, Legal Counsel representing CVS/pharmacy #11067, who requested that the Board impose the reprimand discipline only, as recommended by Judge Behara, and presented his reasoning.

Following discussion, the motion was made by Mr. Lewis to accept the Findings of Fact and Conclusions of Law in the Proposal for Decision, as presented, and approve the entry of proposed Board Order #2018-02279, with the reprimand, administrative penalty, and CQIP, in the matter of CVS/pharmacy #11067. The motion was seconded by Mr. Guerrero. A roll call vote was taken and the motion passed 6-1-1, with Mr. Fernandez against and Mr. Miller abstained. Due to technical issues, Ms. Henke was not able to vote.

G. Discussion of and Possible Action Concerning the Following Items, continued

- Discussion Concerning Virtual Training for Individuals Performing Sterile Compounding (Item G.9), continued

Ms. Benz explained that she had reviewed prior versions of the sterile

compounding training rules and they have not previously required that the experiential training be “hands-on,” however at the time these rules were initially adopted, virtual options were not available.

President Spier recognized Ms. Wilroy again, who requested that a “hands-on” requirement be added to the rules. Ms. Wilroy described the interface of the virtual training option and expressed her concerns that the virtual aspect was inadequate for proper training.

Following discussion, after a suggestion from Ms. Yoakum, the Board decided to send the virtual training matter to the Compounding Advisory Group for review and recommendations.

H. Consideration of and Possible Action Concerning Enforcement Reports

- Report on Complaints Closed and Dismissed During the Previous Quarter (Item H.1)

Ms. Hotchkiss reported on complaints dismissed and closed during the first quarter of FY2021 (September 1, 2020 – November 30, 2020). The report also included a comparison of complaints closed with disciplinary orders to those closed without disciplinary orders and a comparison of the first quarter of FY2021 to the quarterly averages for FY2020, as well as percentage change from FY2020 to FY2021.

- Report on Status of Active/Pending Complaints (Item H.2)

Ms. Hotchkiss reviewed the *Report on Status of Active/Pending Complaints* for the Board.

I. Disciplinary Orders, continued

- Report on Agreed Board Orders Entered by Executive Director (Item I.2)
 - The Board reviewed 7 Agreed Board Orders concerning pharmacy technicians and pharmacy technician trainees that had been entered by the Executive Director on behalf of the Board, in accordance with the Board’s directives, during the period from November 18, 2020, through January 26, 2021.
 - The Board reviewed 12 Agreed Board Orders concerning pharmacies and pharmacists that had been entered by the Executive Director on behalf of the Board, in accordance with the Board’s directives, during the period from November 18, 2020, through January 25, 2021.

- Discussion of and Action on Proposed Agreed Board Orders and Proposed Default Board Orders, Executive Session to Consider Discussion of and Action on Disciplinary Orders and Discussion of and Action on Proposed Remedial Plans (Items I.3, I.4, and I.5)

The Board reviewed the alleged violations, as well as the recommended sanctions for each of the following:

- 10 proposed Agreed Board Orders concerning pharmacy technicians and pharmacy technician trainees who appeared for an Informal Conference;
- 5 proposed Default Board Orders concerning pharmacy technicians and pharmacy technician trainees who did not appear for an Informal Conference;
- 16 proposed Agreed Board Orders concerning pharmacies and pharmacists (Alternative Resolutions);
- 10 proposed Agreed Board Orders concerning pharmacies and pharmacists who appeared for an Informal Conference;
- 3 proposed Default Board Orders concerning pharmacies and pharmacists who did not appear for an Informal Conference;
- 2 proposed Confidential Agreed Board Orders concerning pharmacists who appeared for an Informal Conference;
- 5 proposed Remedial Plans concerning pharmacies and pharmacists (Alternative Resolutions); and
- 7 proposed Remedial Plans concerning pharmacies and pharmacists following an Informal Conference.

The motion was made by Mr. Guerrero to approve the proposed Disciplinary Orders and Remedial Plans, as presented. The motion was seconded by Mr. Miller. A roll-call vote was taken, and Ms. Henke was not able to vote due to technical issues. The motion passed as follows:

No.	Name	T, R, or P*	ABO, DBO or RP**	Order # or Plan #	Board Vote (Yes-No-Recuse)	Recused Board Members
1	Joel Espinoza	T	ABO	2020-04155	7-0-1	Miller
2	Bianca Sanchez	T	ABO	2020-04470	7-0-1	Miller
3	Brijje Ashton	T	ABO	2020-03375	7-0-1	Guerrero
4	Michelle Cheatham	T	ABO	2020-04286	7-0-1	Guerrero
5	Antoinette Lashon Irvin	T	ABO	2020-05062	7-0-1	Guerrero

*Technician or Technician Trainee (T), Pharmacist (R), and Pharmacy (P)
 **Agreed Board Order (ABO), Default Board Order (DBO), and Remedial Plan (RP)

No.	Name	T, R, or P*	ABO, DBO, or RP**	Order # or Plan #	Board Vote (Yes-No- Recuse)	Recused Board Members
6	Ladetric Johnson	T	ABO	2020-05023	7-0-1	Guerrero
7	Regina Darlene Nzeh	T	ABO	2020-04285	7-0-1	Guerrero
8	Andre Pendergraft	T	ABO	2020-02554	7-0-1	Guerrero
9	Tredena Marcelle Reynolds	T	ABO	2020-04493	7-0-1	Montemayor
10	Taz Jordan Watson	T	ABO	2021-00171	7-0-1	Guerrero
11	Wendy Eddleman	T	DBO	2019-01998	7-0-1	Miller
12	Mary Inger Hooker	T	DBO	2020-02595	7-0-1	Miller
13	Scott Andrew Sibley	T	DBO	2019-02084	7-0-1	Miller
14	Lindsey T. Solis	T	DBO	2020-02149	7-0-1	Miller
15	Sandra Centeno	T	DBO	2021-00879	7-0-1	Guerrero
16	A-Class Park Place Pharmacy	P	ABO	2020-00628	8-0-0	-
17	Elvis Esemu Mboya	R	ABO	2020-04804	8-0-0	-
18	Community of Houston Pharmacy LLC	P	ABO	2020-02418	8-0-0	-
19	CVS/pharmacy #6248	P	ABO	2020-01470	7-0-1	Tijerina
20	Charles Thomas Ross	R	ABO	2020-03912	8-0-0	-
21	Doughertys LTC Pharmacy	P	ABO	2019-06186	8-0-0	-
22	H.E.B. Pharmacy #411	P	ABO	2020-01984	7-0-1	Montemayor
23	H.E.B. Pharmacy #709	P	ABO	2019-02886	7-0-1	Montemayor
24	Hallandale Pharmacy	P	ABO	2020-01919	8-0-0	-
25	Olufunke Oluwatoyin Jaiyeola	R	ABO	2020-04175	8-0-0	-
26	Eun Ji Lee	R	ABO	2020-02439	8-0-0	-
27	Veritas Pharmacy	P	ABO	2020-02763	8-0-0	-
28	Walgreens #7542	P	ABO	2019-03693	7-0-1	Fernandez
29	Walgreens #11465	P	ABO	2020-01269	7-0-1	Fernandez
30	Alma Zaarour	R	ABO	2020-03624	8-0-0	-
31	Douglas Chan	R	ABO	2020-04310	7-0-1	Lewis
32	College Pharmacy	P	ABO	2020-02696	7-0-1	Yoakum
33	CVS/pharmacy #7467	P	ABO	2019-03282	5-0-3	Fernandez, Lewis, Tijerina
34	Rose Bassey Essien	R	ABO	2021-00943	7-0-1	Lewis
35	Lee Giah Freeman Jr.	R	ABO	2021-00478	7-0-1	Lewis
36	Yinghui Li	R	ABO	2020-04809	7-0-1	Fernandez
37	Ramachandran Raju	R	ABO	2020-03654	7-0-1	Lewis
38	Walgreens #03881	P	ABO	2019-05186	6-0-2	Fernandez, Lewis
39	Walgreens #7937	P	ABO	2019-05706	5-0-3	Fernandez, Tijerina, Tisch
40	Bright Omemgboji Wokocha	R	ABO	2020-03800	6-0-2	Fernandez, Yoakum
41	Jay's City Pharmacy	P	DBO	2019-04267	7-0-1	Montemayor
42	John James Kotzur	R	DBO	2021-00019	7-0-1	Montemayor
43	Omni Pharmacy	P	DBO	2019-05146	6-0-2	Fernandez, Yoakum
44	<i>Confidential</i>	R	ABO	2021-00253	7-0-1	Lewis
45	<i>Confidential</i>	R	ABO	2021-01080	7-0-1	Guerrero

*Technician or Technician Trainee (T), Pharmacist (R), and Pharmacy (P)
 **Agreed Board Order (ABO), Default Board Order (DBO), and Remedial Plan (RP)

No.	Name	T, R, or P*	ABO, DBO or RP**	Order # or Plan #	Board Vote (Yes-No- Recuse)	Recused Board Members
46	CareOne Pharmacy	P	RP	2020-02697	8-0-0	-
47	Morgan Taylor Klein	R	RP	2021-00116	8-0-0	-
48	M&D Pharmacy	P	RP	2020-01402	8-0-0	-
49	Belay Bogale Adam	R	RP	2020-03599	8-0-0	-
50	Baffour Osei-Akoto	R	RP	2020-03552	8-0-0	-
51	APEX Pharmacy	P	RP	2020-02273	6-0-2	Fernandez, Yoakum
52	Roselyne Odhiambo	R	RP	2020-02404	6-0-2	Fernandez, Yoakum
53	Rosiland Ann Burton	R	RP	2020-01002	7-0-1	Yoakum
54	Ibraheem Pedro	R	RP	2020-03629	6-0-2	Fernandez, Yoakum
55	Heather Lyn Taylor	R	RP	2020-01089	6-0-2	Tijerina, Tisch
56	Shivana Toolsie Sanchez	R	RP	2020-02562	6-0-2	Fernandez, Yoakum
57	Chand Shekhar Yadav	R	RP	2019-03828	7-0-1	Guerrero

*Technician or Technician Trainee (T), Pharmacist (R), and Pharmacy (P)
 **Agreed Board Order (ABO), Default Board Order (DBO), and Remedial Plan (RP)

J. Miscellaneous

- Items to be Placed on Agenda for May 11, 2021 Board Meeting:
 - Legislative update
 - Data from Prescription Monitoring Program
 - Comments from pharmacies using automated dispensing systems under the emergency declaration
 - Discussion regarding policies and procedures for ownership of pharmacies
 - Review of Board Mission Statement
- Discussion of and Possible Action on Upcoming Meetings

President Spier reminded Board Members about upcoming informal conferences.

Ms. Benz reviewed the items to be included on the agenda for the next Compounding Advisory Group meeting:

- Review of FDA MOU with input from stakeholders
- Review of virtual sterile compounding training issues

K. Consideration of Personnel Matters

- Executive Session to Conduct Evaluation of Executive Director

Mr. Lewis made a motion that the Board go into Executive Session to consider personnel matters under the authority of the Texas Government Code, §551.074. The motion was seconded by Mr. Guerrero and passed unanimously.

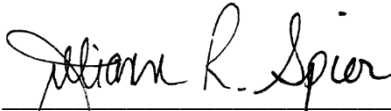
President Spier declared the Board in Executive Session at 2:03 p.m.

At 2:37 p.m., President Spier announced that the Board would resume the meeting in Open Session and that no action was taken and no decisions were made during Executive Session.

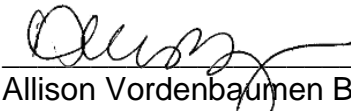
Mr. Lewis made a motion to adjourn the meeting. The motion was seconded by Mr. Tisch.

President Spier adjourned the meeting at 2:38 p.m.

APPROVED:



Julie Spier, R.Ph.
President



Allison Vordenbaumen Benz, R.Ph., M.S.
Executive Director/Secretary

May 11, 2021