



TEXAS STATE BOARD OF PHARMACY

333 Guadalupe Street, Tower III, Suite 100
Austin, Texas

Tuesday, August 2, 2022

MINUTES¹

BOARD BUSINESS MEETING

Tuesday, August 2, 2022

President Julie Spier, R.Ph., called the meeting to order at 9:01 a.m. Other Board Members present were Vice President Lori Henke, Pharm.D.; Treasurer Rick Fernandez, R.Ph.; Daniel Guerrero; Donnie Lewis, R.Ph.; Bradley A. Miller, Ph.T.R.; Donna Montemayor, R.Ph.; Ian Shaw; Suzette Tijerina, R.Ph.; Rick Tisch; and Jenny Downing Yoakum, R.Ph.

Staff present were Timothy L. Tucker, Pharm.D., Executive Director/Secretary; Megan Holloway, General Counsel; Caroline Hotchkiss, Director of Enforcement; Ann Du, Financial Services Director; John Griffith, Litigation Counsel; Ann Driscoll, Ph.T.R., Operations Director; Eamon Briggs, Assistant General Counsel; Shayda Bakhshi, Outreach Coordinator; Linda Yazdanshenas, Prescription Monitoring Program Manager; and Lily Moreno, Executive Assistant.

A. Announcements

President Spier made general announcements, including concerning continuing education credit for attending the Board Meeting, and reviewed the meeting procedures.

Dr. Tucker introduced new staff member, Orane Douglas, Director of Information Technology.

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

Following discussion, the motion was made by Ms. Henke to approve the

¹See agenda and corresponding attachments for supporting materials.

minutes of the Executive Committee Meeting held April 29, 2022, and the minutes of the Board Business Meeting held May 3, 2022. The motion was seconded by Mr. Lewis and passed unanimously.

C. Discussion of and Possible Action Regarding Rules

Final Adoption of Rules

- Rules Concerning Internship Requirements (§283.4) (Item C.1.1)

Mr. Griffith explained that the Board voted to propose the amendments to §283.4 during its May 3, 2022, meeting. The proposed amendments were published in the June 24, 2022, issue of the Texas Register, and no comments were received.

Mr. Griffith directed the Board's attention to amendments to §283.4 and explained the amendments clarify that a person graduating from a college/school of pharmacy shall only be credited the number of hours obtained and reported by the program.

Following discussion and review of the Preamble and Order Adopting Rules, the motion was made by Mr. Tisch to approve for adoption, by Board Order, the amendments to §283.4, as presented. The motion was seconded by Ms. Henke and passed unanimously.

- Rules Concerning Operational Standards (§291.33) (Item C.1.2)

Mr. Griffith explained that the Board voted to propose the amendments to §291.33 during its May 3, 2022, meeting. The proposed amendments were published in the June 24, 2022, issue of the Texas Register.

Mr. Griffith directed the Board's attention to amendments to §291.33 and explained the amendments update a term, correct a citation reference, and remove the requirement for oral patient counseling on a new prescription to be provided in person, a requirement which was suspended temporarily by the Office of the Governor until September 30, 2022.

Written comments were received from the following:

- Texas Pharmacy Association, in support of the proposed amendments;
- Lauren Paul, Pharm.D., Executive Director, Pharmacy Regulatory Affairs, CVS Health, in support of the proposed amendments; and
- National Association of Chain Drug Stores, in support of the proposed amendments and suggesting additional language to require in person counseling if requested by a patient or patient's agent.

Oral comments were received from the following:

- Debbie Garza, R.Ph., CEO, Texas Pharmacy Association, in support of the proposed amendments;
- Jeff Loesch, Pharm.D., R.Ph., President, Texas Federation of Drug Stores, in support of the proposed amendments; and
- Nicole Kralj, Consultant for the National Association of Chain Drug Stores, in support of the proposed amendments.

Following discussion and review of the Preamble and Order Adopting Rules, the motion was made by Mr. Guerrero to approve for adoption, by Board Order, the amendments to §291.33, as presented. The motion was seconded by Mr. Fernandez and passed unanimously.

- Rules Concerning Centralized Prescription Dispensing (§§291.104 and 291.125) (Items C.1.3.1 and C.1.3.2)

Mr. Griffith explained that the Board voted to propose the amendments to §§291.104 and 291.125 during its May 3, 2022, meeting. The proposed amendments were published in the June 24, 2022, issue of the Texas Register.

Mr. Griffith directed the Board's attention to amendments to §§291.104 and 291.125 and explained that the amendments clarify that a Class E pharmacy may outsource prescription drug order dispensing to a central fill pharmacy.

Written comments were received from the following:

- Lauren Paul, Pharm.D., Executive Director, Pharmacy Regulatory Affairs, CVS Health, in support of the proposed amendments to §§291.104 and 291.125;
- Jessica Adams, Pharm.D., Director, Regulatory Affairs, Cardinal Health, in support of the proposed amendments to §291.125; and
- Susana Braga, Regional Director, Pharmacy Operations and Licensing, Fresenius Medical Care, in support of the proposed amendments to §291.125.

Oral comments were received from Diana Tow, R.Ph., Fresenius Medical Care, in support of the proposed amendments to §§291.104 and 291.125.

Following discussion and review of the Preamble and Order Adopting Rules, the motion was made by Mr. Guerrero to approve for adoption, by Board Order, the amendments to §§291.104 and 291.125, as presented. The motion was seconded by Ms. Montemayor and passed unanimously.

- Rules Concerning Non-Sterile Compounding (§291.131) (Item C.1.4)

Mr. Griffith explained that the Board voted to propose the amendments to §291.131 during its May 3, 2022, meeting. The proposed amendments were published in the June 24, 2022, issue of the Texas Register, and no comments were received.

Mr. Griffith directed the Board's attention to amendments to §291.131 and explained that the amendments add definitions of "cleaning" and "sanitizing", clarify the training requirements for all personnel involved in non-sterile compounding, and update environmental, equipment, and compounding process requirements for non-sterile compounding.

Written comments were received from the Texas Pharmacy Association in support of the proposed amendments.

Oral comments were received from the following:

- Debbie Garza, R.Ph., CEO, Texas Pharmacy Association, in support of the proposed amendments; and
- Jeff Loesch, Pharm.D., R.Ph., President, Texas Federation of Drug Stores, in support of the proposed amendments.

Ms. Yoakum requested that the definition of sanitizing be updated to remove "agent such as isopropyl alcohol" and replace it with "appropriate agent." A motion was made by Mr. Guerrero to table the discussion until updated language was available for review by the Board. The motion was seconded by Mr. Lewis and passed unanimously.

- Rules Concerning Education Requirements (§305.1) (Item C.1.5)

Mr. Griffith explained that the Board voted to repeal §305.1 during its May 3, 2022, meeting. The proposed repeal was published in the June 24, 2022, issue of the Texas Register, and no comments were received. He further explained that the Board previously voted to repeal §305.1 as part of Rule Review during the November 2, 2021, and February 1, 2022, meetings.

Mr. Griffith directed the Board's attention to the repeal of §305.1 and explained the repeal removes professional practice degree program standards that are redundant with standards specified elsewhere in Board rules.

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, the repeal of §305.1, as presented. The motion was seconded by Mr. Miller and passed unanimously.

- Rules Concerning Pharmacy Technician Training Programs (§305.2) (Item C.1.6)

Mr. Griffith explained that the Board voted to repeal §305.2 during its May 3, 2022, meeting. The proposed repeal was published in the June 24, 2022, issue of the Texas Register. He further explained that the Board previously voted to repeal §305.2 as part of Rule Review during the November 2, 2021, and February 1, 2022, meetings.

Mr. Griffith directed the Board's attention to the repeal of §305.2 and explained the repeal removes standards for pharmacy technician training programs that are not required to be specified in Board rule and other requirements that are outside the resources of the Board to perform.

Written comments were received from Lisa McCartney, Ph.T.R., opposing the repeal and suggesting the Board convene a task force to determine current best practices, receive input from the public and stakeholders, and make recommendations to the Board.

Following discussion and review of the Preamble and Order Adopting Rules, the motion was made by Ms. Montemayor to approve for adoption, by Board Order, the repeal of §305.2, as presented. The motion was seconded by Mr. Miller and passed unanimously.

Proposal of Rules

- Rules Concerning Return of Prescription Drugs (§§291.8 and 291.33) (Items C.2.1.1 and C.2.1.2)

Mr. Griffith directed the Board's attention to suggested amendments to rule language concerning return of prescription drugs. He explained the proposed amendments to §§291.8 and 291.33, which were recommended by and drafted in coordination with the Governor's office, clarify that a pharmacist may redispense a prescription drug as authorized by exceptions in Chapters 431 and 442 of the Health and Safety Code and correct grammatical errors.

Following discussion, the motion was made by Mr. Tisch to approve for proposal amendments to §§291.8 and 291.33, as presented. The motion was seconded by Ms. Yoakum and passed unanimously.

- Rules Concerning Class C Pharmacy Personnel (§291.73) (Item C.2.2)

Mr. Griffith directed the Board's attention to suggested amendments to rule language concerning Class C pharmacy personnel. He explained the proposed amendments to §291.73 correct a citation reference and a grammatical error.

Following discussion, the motion was made by Mr. Miller to approve for proposal amendments to §291.73, as presented. The motion was seconded by Mr. Guerrero and passed unanimously.

- Rules Concerning Continuing Education Requirements (§§295.8 and 297.8) (Items C.2.3.1 and C.2.3.2)

Mr. Griffith directed the Board's attention to suggested amendments to rule language concerning continuing education requirements. He explained the proposed amendments to §§295.8 and 297.8 clarify that the requirement to complete a human trafficking prevention course does not expire on September 1, 2022, for renewal of a pharmacist license and technician registration, respectively.

Following discussion, the motion was made by Ms. Yoakum to approve for proposal amendments to §§295.8 and 297.8, as presented. The motion was seconded by Mr. Lewis and passed unanimously.

Rule Review

- For Adoption

Mr. Griffith directed the Board's attention to the Board Review Plan for FY2022-FY2025 (Item C.3).

- Chapter 281 Concerning Administrative Practices and Procedures (§§281.1 – 281.23, 281.30-281.35, 281.60-281.70) (Item C.3.1.1)
- Chapter 311 Concerning Code of Conduct (§§311.1 – 311.2) (Item C.3.1.2)

Following discussion, in accordance with Government Code §2001.039, the motion was made by Ms. Yoakum to approve for adoption as presented, the review of Chapter 281 (§§281.1 – 281.23, 281.30-281.35, 281.60-281.70) and Chapter 311 (§§311.1 – 311.2). The motion was seconded by Mr. Tisch and passed unanimously.

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

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

Dr. Tucker reported that the Compounding Advisory Group had not met since the previous Board meeting.

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

Ms. Yazdanshenas reported that the PMP Advisory Committee meeting was held via videoconference on June 29, 2022, and included a presentation by Bamboo Health and a discussion concerning funding for statewide PMP integration and NarxCare.

- Report on Interagency Prescription Monitoring Program Work Group (Item D.3)

Ms. Yazdanshenas reported that an Interagency Prescription Monitoring Program Workgroup Meeting was held on July 25, 2022, and included an update concerning funding for statewide PMP integration and NarxCare.

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

- Financial Report
 - Review of FY2022 Second Quarter Expenditures (Item E.1.1)

Ms. Du reviewed the expenditures for the third quarter of FY2022 (March 1, 2022 – May 31, 2022) for the Board.
 - Review of Board Member Travel Budget (Item E.1.2)

Ms. Du reviewed the third quarter FY2022 Board Member Travel Budget (March 1, 2022 – May 31, 2022).
 - Consideration of Material Changes to Contracts for Goods and Services Awarded Under Chapter 2155 of Texas Government Code (Item F.1.3)

Ms. Du reported that there were no material changes to contracts for goods and services for the third quarter of FY2022 (March 1, 2022 – May 31, 2022).
 - Review and Approval of FY2023 Operating Budget

Ms. Du directed the Board's attention to the proposed operating budget for FY2023 (September 1, 2022 – August 31, 2023).

Following review and discussion, the motion was made by Mr. Tisch to approve the FY2023 Operating Budget, as presented. The motion was seconded by Mr. Guerrero and passed unanimously.

- Update on Legislative Appropriations Request for FY2024-2025

Ms. Du reported that the Legislative Appropriations Request for FY2024-2025 was submitted to the Legislative Budget Board and other oversight agencies on July 29, 2022. She reviewed updates to the Legislative Appropriations Request.

President Spier recessed the meeting at 9:55 a.m.

President Spier reconvened the meeting at 10:14 a.m.

Mr. Tisch left the meeting during the break.

- Professional Recovery Network
 - Ms. Hotchkiss discussed performance measures regarding the number of individuals participating in the peer assistance program for the third quarter of FY2022 (March 1, 2022 – May 31, 2022) and noted an update to previously reported numbers. (Item E.2.1)
 - President Spier recognized PRN Program Director Raquel Leal, LPC. Ms. Leal directed the Board's attention to the PRN expense report through the third quarter of FY2022 (March 1, 2022 – May 31, 2022) and reviewed PRN activities for the Board. (Item E.2.2)

- Review and Approval of FY2022 Annual Internal Audit Report (Item E.3)

President Spier recognized Daniel Graves and Jeff Jones, Weaver and Tidwell, LLP. Mr. Graves presented the FY2022 Annual Internal Audit Report and the FY2023 Annual Internal Audit Plan.

Following review, a motion was made by Mr. Lewis to approve the FY2022 Annual Internal Audit Report and the FY2023 Annual Internal Audit Plan, as presented. The motion was seconded by Ms. Montemayor and passed unanimously.

- Review and Approval of TSBP FY2023 Goals and Objectives (Item E.4)

Dr. Tucker directed the Board's attention to the Goals and Objectives for FY2023.

Following review, the motion was made by Mr. Guerrero to approve the TSBP FY2023 Goals and Objectives, as presented. The motion was seconded by Mr. Shaw and passed unanimously.

- Review and Approval of Accreditation Council for Pharmacy Education (ACPE) Accredited Professional Programs of Colleges and Schools of Pharmacy (Item E.5)

President Spier directed the Board's attention to a list of ACPE accredited programs of colleges and schools of pharmacy.

Following review, a motion was made by Mr. Guerrero to approve the list of ACPE accredited programs of colleges and schools of pharmacy, as presented. The motion was seconded by Mr. Miller and passed unanimously.

- Review and Approval of Pharmacy Technician Testing (Item E.6)

Dr. Tucker provided background on the process for approval of pharmacy technician certification exams. He explained that Board staff's recommendation was to continue accepting the Pharmacy Technician Certification Exam (PTCE) from the Pharmacy Technician Certification Board (PTCB) and the Exam for the Certification of Pharmacy Technicians (ExCPT) from the National Healthcareer Association (NHA), and that the Board can delegate to Board staff the ability to approve these exams going forward.

Following discussion, the motion was made by Ms. Henke to approve the PTCE and ExCPT technician certification exams, as recommended by Board staff. The motion was seconded by Mr. Lewis and passed unanimously. In addition, the Board directed Board staff to continue approving the technician certification exams unless there are material changes to the recommendations.

- Review of FY2023 Calendar of Events (Item E.7)

President Spier reviewed the FY2023 Calendar of Events (September 1, 2022 – August 31, 2023) for the Board.

C. Discussion of and Possible Action Regarding Rules, continued

- Rules Concerning Non-Sterile Compounding (§291.131) (Item C.1.4), continued

The motion was made by Mr. Guerrero to remove from the table the discussion of rules concerning non-sterile compounding. The motion was seconded by Mr. Lewis and passed unanimously.

Ms. Holloway directed the Board's attention to revised language concerning non-sterile compounding and explained that the revision updates the definition of sanitizing.

Following discussion and review of the revised Preamble and Order Adopting Rules, the motion was made by Mr. Lewis to approve for adoption, by Board Order, the amendments to §291.131, as revised. The motion was seconded by Ms. Yoakum and passed unanimously.

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

- Update on Agency Move (Item E.8)

Ms. Driscoll provided an update concerning the agency move, which included a review of the updated move schedule for September 2022 and information about parking, badging, and security.

- Report on Prescription Monitoring Program (Item E.9)

Ms. Yazdanshenas reviewed the Prescription Monitoring Program (PMP) data for the third quarter of FY2022 (March 1, 2022 – May 31, 2022) and reported that Board staff is working with Texas Health and Human Services and the University of Texas to make updates to the quarterly one-page report regarding PMP data to include trend data.

Ms. Yazdanshenas also reported that educational audits concerning access requirements on review of controlled substance history were being conducted by Board staff. Ms. Henke requested that the results of the audit be presented to the Board.

Mr. Tisch rejoined the meeting at 11:00 a.m.

- Report on Appeals from State Office of Administrative Hearing Cases and Other Court Actions (Item E.10)

Ms. Holloway explained that there have been no updates since the last meeting concerning the appeal status of the *Garrett* lawsuit that was filed in district court in Travis County and sought to invalidate the restriction that licensed Texas physicians cannot dispense prescriptions to patients at their offices without a pharmacy license.

Ms. Holloway provided an update on the *Whole Woman's Health* lawsuit, concerning Senate Bill 8 of the 87th Legislative Session (SB 8). She explained that the plaintiffs are suing the Executive Directors of the Texas Medical Board, the Texas Board of Nursing, and the Texas State Board of Pharmacy; the Executive Commissioner of the Texas Public Health and Human Services Commission; and the Texas Attorney General. Ms. Holloway explained that on June 24, 2022, the District Court issued an order dismissing the claims.

Ms. Holloway reported on a second *Whole Woman's Health* lawsuit,

concerning the Pre-Roe Ban on abortion, in which an application for a temporary restraining order and temporary injunction were filed against the Texas Attorney General; the Executive Directors of the Texas Medical Board, Texas Board of Nursing, and the Texas State Board of Pharmacy; the Executive Commissioner of the Texas Public Health and Human Services Commission; and several district attorneys. Ms. Holloway explained that attorneys from the Office of the Attorney General and Office of the Solicitor General have been appointed to handle the case. She explained that the District Court issued a temporary restraining order lasting until July 12, 2022, the Texas Supreme Court granted a stay of the temporary restraining order in July 2022, and subsequently, the District Court granted a request to extend the temporary restraining order.

Ms. Holloway provided an update on an appeal filed by CVS/pharmacy #8336 (Texas Pharmacy License #24881), following the entry of the Board order at the May 11, 2021, Board meeting that was entered after a hearing held by the State Office of Administrative Hearings. Ms. Holloway explained that the case has been set for hearing on September 12, 2022.

Ms. Holloway provided an update concerning a lawsuit filed in federal district court by Blue Mint Pharmco, LLC, owner of Blue Mint Pharmacy (Texas Pharmacy License #28639), and Jona Rushin, Pharmacist-in-Charge. She explained that Board staff filed and served notice of a hearing at the State Office of Administrative Hearings (SOAH), following an informal conference held in March 2021 regarding alleged non-therapeutic dispensing. She explained that the lawsuit alleges that the red flag factors rule is discriminatory and the unlawful administration of disciplinary proceedings. Ms. Holloway explained that on June 16, 2022, the Office of the Attorney General filed a motion to dismiss and in July 2022 briefs were filed by both parties.

Ms. Holloway provided an update concerning a lawsuit filed by Lightcare Rx, LLC (Texas Pharmacy License #32609) in federal district court. She explained that Board staff filed and served notice of a hearing at SOAH, following an informal conference held in March 2021 regarding the alleged failure of the pharmacy to operate. She explained that the lawsuit alleges that the Board's failure to operate rule is unconstitutional and discriminates against pharmacies in HEAT zones. Ms. Holloway explained that following the Administrative Law Judge's decision in the SOAH case, the parties had one month to move to reopen the case. Ms. Holloway reported that the Administrative Law Judge proposed a decision in January 2022, the Board entered Orders against the pharmacy and pharmacist-in-charge, Leila Elahianboroujeni (Pharmacist License #64241), at the May Board meeting, and neither party moved to reopen the case, therefore the case is closed.

Ms. Holloway reported on an appeal filed by Lightcare Rx, LLC (Texas Pharmacy License #32609) and the pharmacist-in-charge, in the Travis

County District Court, appealing the entry of the Board Orders entered in May 2022. She explained that an attorney with the Office of the Attorney General has been appointed to handle the case and Board staff is preparing the agency's administrative record.

- Discussion of Possible Statutory Changes for Consideration During the 88th Session of the Texas Legislature (Item E.11)

Ms. Holloway reviewed suggestions from Board staff of potential law changes for the 88th Legislative Session.

- Discussion Concerning Salary Schedule C (Item E.12)

Ms. Hotchkiss directed the Board's attention to charts concerning Salary Schedule C and reviewed information concerning the Position Classification Act and Salary Schedule C.

- Discussion Concerning Pharmacy Technician Training Programs (Item E.13)

Ms. Holloway presented the information concerning approved training programs for pharmacy technicians to be listed on the website, which would indicate that the Board approves pharmacy technician programs accredited by the American Society of Health-System Pharmacists/ Accreditation Council for Pharmacy Education (ASHP/ACPE).

- Discussion Concerning Patient Counseling Delegation (Item E.14)

Ms. Holloway explained that there was a question at the May Board meeting concerning delegating the offer of counseling to pharmacy technicians. She explained that by Board rule, since January 1, 1993, counseling on new prescriptions is mandatory and there should not be an offer of counseling, however, any refusal should be documented. She explained that delegating a pharmacy technician to offer counseling with the pharmacist or asking if a patient has questions for the pharmacist is considered screening and is a violation of Board rules.

- Discussion Concerning Class A Pharmacy Operating Hours and Delivery (Item E.15)

President Spier explained that Senator Charles Perry had requested the Board review operating hours and delivery of Class A pharmacies.

Dr. Tucker reported that he testified before the Senate Health Committee on June 26, 2022, concerning the Board's pandemic response. He indicated that following his report he answered questions from the

committee which included concerns regarding pharmacy operating hours and delivery of prescriptions.

Oral comments were received from Jeff Loesch, Pharm.D., R.Ph., President, Texas Federation of Drug Stores, describing challenges faced by pharmacies and the role pharmacists have played during the pandemic, including provision of prescriptions and administration of vaccinations.

- Update Concerning Pharmacy Owner Course (Item E.16)

President Spier recognized Ms. Bakhshi, who reported that with Synthia Hill, Pharm.D., R.Ph., Pharmacy Outreach Officer, the Pharmacy Owner Course was being developed to provide a comprehensive look at the major regulations related to operating a pharmacy in Texas. She explained that part one of the course is completed and that part two was being finalized. Ms. Bakhshi indicated that a vendor voucher code was available for Board members to preview part one of the course.

President Spier recessed the meeting at 11:50 a.m.
President Spier reconvened the meeting at 12:34 p.m.

F. Consideration of and Possible Action Concerning Enforcement Reports

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

Ms. Hotchkiss reported on complaints dismissed and closed during the third quarter of FY2022 (March 1, 2022 – May 31, 2022). The report also included a comparison of complaints closed with disciplinary orders to those closed without disciplinary orders and a comparison of quarterly averages for FY2022 to the quarterly averages for FY2021, as well as percentage change from FY2021 to FY2022.

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

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

G. Disciplinary Orders

- Report on Agreed Board Orders and Board Orders Entered by Executive Director (Item G.1)
 - The Board reviewed 13 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

May 16, 2022, through July 25, 2022.

- The Board reviewed 14 Agreed Board Orders concerning pharmacies, pharmacists, and interns that had been entered by the Executive Director on behalf of the Board, in accordance with the Board's directives, during the period from May 5, 2022, through July 28, 2022.
- The Board reviewed 1 Confidential Agreed Board Order concerning a pharmacist that had been entered by the Executive Director on behalf of the Board, in accordance with the Board's directives, on July 28, 2022.
- Discussion of and Action on Proposed Agreed Board Orders, Proposed Default Board Orders, and Proposed Remedial Plans (Items G3 and G4)

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

- 13 proposed Agreed Board Orders concerning pharmacy technicians and pharmacy technician trainees who appeared for an Informal Conference;
- 8 proposed Default Board Orders concerning pharmacy technicians and pharmacy technician trainees who did not appear for an Informal Conference;
- 14 proposed Agreed Board Orders concerning pharmacies and pharmacists (Alternative Resolutions);
- 21 proposed Agreed Board Orders concerning pharmacies and pharmacists who appeared for an Informal Conference;
- 5 proposed Confidential Agreed Board Orders concerning pharmacists who appeared for an Informal Conference;
- 7 proposed Remedial Plans concerning pharmacists (Alternative Resolutions); and
- 6 proposed Remedial Plans concerning pharmacists who attended 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. Tisch, and 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	Andrew Castaneda	T	ABO	2022-01848	9-0-1	Henke
2	Nancy Elizabeth De La Rosa	T	ABO	2021-04033	8-0-2	Miller, Tijerina
3	Latwanda Renee Mann	T	ABO	2022-03423	8-0-2	Miller, Tijerina
4	Stephanie Mills	T	ABO	2021-01819	8-0-2	Miller, Tijerina
5	Najwa Alyatim	T	ABO	2022-01208	9-0-1	Montemayor
6	Roland Garrick	T	ABO	2022-02725	9-0-1	Montemayor
7	April Nicole Johns	T	ABO	2022-01654	9-0-1	Montemayor
8	Julia Jeanette Villarreal	T	ABO	2022-00672	9-0-1	Montemayor
9	Christie Marsh	T	ABO	2022-03104	8-0-2	Miller, Tijerina
10	Briena Deshawn Risper	T	ABO	2022-02689	8-0-2	Miller, Tijerina
11	Amanda Renee Ritchie	T	ABO	2022-02020	8-0-2	Miller, Tijerina
12	Tailor Sanchez	T	ABO	2022-04434	8-0-2	Miller, Tijerina
13	Michelle Underwood	T	ABO	2022-03813	8-0-2	Miller, Tijerina
14	Courtney Lyn Cantu	T	DBO	2022-01034	8-0-2	Miller, Tijerina
15	Whitney B. Hardin	T	DBO	2021-01177	8-0-2	Miller, Tijerina
16	Aaliyah Moore	T	DBO	2022-03055	8-0-2	Miller, Tijerina
17	Keiyassha W. Rogers	T	DBO	2022-01718	8-0-2	Miller, Tijerina
18	Leticia Carlos	T	DBO	2022-03618	9-0-1	Montemayor
19	Joshua Pereira	T	DBO	2022-03830	9-0-1	Montemayor
20	Valerie Christine Imbriaco	T	DBO	2022-01889	8-0-2	Miller, Tijerina
21	Steven Larrasquitu	T	DBO	2022-04377	8-0-2	Miller, Tijerina
22	Arthur Nathaniel Billings	R	ABO	2022-01928	10-0-0	-
23	CVS/pharmacy #1037	P	ABO	2021-04765	9-0-1	Tijerina
24	CVS/pharmacy #17438	P	ABO	2021-04495	9-0-1	Tijerina
25	CVS/pharmacy #7237	P	ABO	2022-00914	9-0-1	Tijerina
26	CVS/pharmacy #7293	P	ABO	2022-01933	9-0-1	Tijerina
27	CVS/pharmacy #7487	P	ABO	2022-01141	9-0-1	Tijerina
28	Eminent Rx	P	ABO	2022-00355	10-0-0	-
29	Akbar Hossain	R	ABO	2022-03578	10-0-0	-
30	Evelyn Ngozi-Emeka	R	ABO	2021-05544	10-0-0	-
31	Pharmacy Savings	P	ABO	2021-05540	10-0-0	-
32	Swyft Scripts	P	ABO	2022-00840	10-0-0	-
33	Valu-Rite Pharmacy	P	ABO	2022-00827	10-0-0	-
34	Chandra Renee Vancacter	R	ABO	2022-03088	10-0-0	-
35	Walgreens #6847	P	ABO	2021-02045	9-0-1	Fernandez
36	Humble Family Pharmacy	P	ABO	2020-03628	9-0-1	Henke
37	Mary Bell McKinney	R	ABO	2021-03961	9-0-1	Henke
38	Health Rx Specialty Pharmacy	P	ABO	2021-06039	9-0-1	Henke
39	Signature Health Pharmacy LLC	P	ABO	2022-00878	9-0-1	Henke
40	Kashetu Usman	R	ABO	2021-03565	9-0-1	Henke
41	William Allen Boerger	R	ABO	2022-01624	8-0-2	Lewis, Tisch
42	Hunt's Pharma Rx	P	ABO	2021-03970	8-0-2	Lewis, Tisch

*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
43	Laura Langley Lauterbach	R	ABO	2022-00506	8-0-2	Lewis, Montemayor
44	M&D Pharmacy	P	ABO	2021-04336	8-0-2	Lewis, Montemayor
45	Rosh Pharmacy	P	ABO	2022-00496	8-0-2	Lewis, Tisch
46	Darryl Wayne Bowers	R	ABO	2022-04056	9-0-1	Montemayor
47	Leonel Guerrero	R	ABO	2022-04057	9-0-1	Montemayor
48	Lopez Pharmacy	P	ABO	2022-03256	9-0-1	Montemayor
49	Ramachandran Raju	R	ABO	2022-04256	9-0-1	Montemayor
50	West Church Rx	P	ABO	2022-02069	9-0-1	Montemayor
51	Mosaab Jassar	R	ABO	2022-03083	9-0-1	Montemayor
52	Steven E. Whitfield	R	ABO	2021-05470	9-0-1	Montemayor
53	Woodlawn Pharmacy	P	ABO	2022-03643	9-0-1	Montemayor
54	Mosudi Muhammed Adegbindin	R	ABO	2022-03644	9-0-1	Montemayor
55	Harbor Compounding and Home Health Care Pharmacy	P	ABO	2022-05236	8-0-2	Lewis, Montemayor
56	Thuy T. Ngo	R	ABO	2022-05305	8-0-2	Lewis, Montemayor
57	<i>Confidential</i>	R	ABO	2021-01411	9-0-1	Henke
58	<i>Confidential</i>	R	ABO	2022-02149	8-0-2	Lewis, Montemayor
59	<i>Confidential</i>	R	ABO	2022-02879	9-0-1	Montemayor
60	<i>Confidential</i>	R	ABO	2022-04432	8-0-2	Lewis, Montemayor
61	<i>Confidential</i>	R	ABO	2022-04865	8-0-2	Lewis, Montemayor
62	Raymond Chinedu Amaechi	R	RP	2021-05300	10-0-0	-
63	Standly Ngwa Asanga	R	RP	2022-03291	10-0-0	-
64	Annie Johnson	R	RP	2022-03346	10-0-0	-
65	Linda Lam	R	RP	2022-03860	10-0-0	-
66	Andrew Loyd Morrow	R	RP	2022-03838	10-0-0	-
67	Omoyemen Olutoyin Ochu	R	RP	2022-04310	10-0-0	-
68	Tamra Lynn Saam	R	RP	2022-02357	10-0-0	-
69	Nilima Rajen Patel	R	RP	2022-00021	9-0-1	Henke
70	Amy Acosta	R	RP	2022-00269	8-0-2	Lewis, Tisch
71	Randy Kwaku Boakye	R	RP	2021-03971	8-0-2	Lewis, Tisch
72	Julian Henderson	R	RP	2021-05169	9-0-1	Montemayor
73	Alexander Tran	R	RP	2022-04621	9-0-1	Montemayor
74	Christopher Vard Tyrone, II	R	RP	2022-02717	9-0-1	Montemayor

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

H. Election of Board Officers

- Election of Vice President and Treasurer (Item H.1)

President Spier called for nominations for the office of Treasurer. Ms. Henke motioned to nominate Ms. Montemayor as Treasurer. The motion was seconded by Mr. Lewis and passed unanimously.

President Spier called for nominations for the office of Vice President. A motion was made by Mr. Lewis to nominate Ms. Tijerina as Vice President and passed unanimously.

I. Miscellaneous

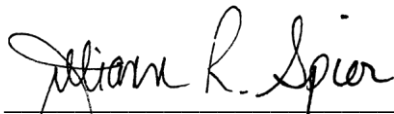
- Items to be Placed on Agenda for November 1, 2022, Board Meeting:
 - Presentation Concerning Drone Delivery Technology
 - Discussion Concerning *Dobbs* Decision and Related Legal Changes
- Discussion of and Possible Action on Upcoming Meetings

President Spier reviewed upcoming meetings and conferences.

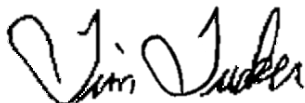
Mr. Lewis made a motion to adjourn the meeting. The motion was seconded by Mr. Guerrero.

President Spier adjourned the meeting at 12:50 p.m.

APPROVED:



Julie Spier, R.Ph.
President



Timothy L. Tucker, Pharm.D.
Executive Director/Secretary

November 1, 2022