



TEXAS STATE BOARD OF PHARMACY

1601 Congress Ave, Room 2.013
Austin, Texas

Tuesday, February 6, 2024

MINUTES¹

BOARD BUSINESS MEETING

Tuesday, February 6, 2024

President Julie Spier, R.Ph., called the meeting to order at 9:04 a.m. Other Board Members present were Vice President Donnie Lewis, R.Ph.; Treasurer Rick Fernandez, R.Ph.; Garrett Marquis; Randy Martin, Pharm.D., 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 Daniel Carroll, Pharm.D., R.Ph., Executive Director/Secretary; Megan Holloway, General Counsel; Caroline Hotchkiss, Director of Enforcement; John Griffith, Litigation Counsel; Ann Driscoll, Ph.T.R., Director of Operations; Ruben Leal, Budget Analyst; Eamon Briggs, Deputy General Counsel; Sean Leeper, Government Relations Specialist; Shayda Bakhshi, Outreach Coordinator; and Lily Moreno, Executive Assistant.

A. Announcements

President Spier introduced and welcomed new Board Members Garrett Marquis and Randy Martin, Pharm.D., R.Ph., and Dr. Carroll provided their background information.

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

¹See agenda and corresponding attachments for supporting materials.

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 6, 2023, and the minutes of the Board Business Meeting held November 7, 2023. The motion was seconded by Ms. Montemayor and passed unanimously.

C. Discussion of and Possible Action Regarding Rules

Final Adoption of Rules

- Rules Concerning Fee Requirements for Licensure by Examination, Score Transfer and Reciprocity (§283.9) (Item C.1.1)

Mr. Griffith explained that the Board voted to propose the amendments to §283.9 during its November 7, 2023, meeting. The proposed amendments were published in the December 15, 2023, issue of the *Texas Register* and no comments were received.

Mr. Griffith directed the Board's attention to amendments to §283.9 and explained that the amendments clarify how the board calculates the fee for failing to timely submit the initial renewal application and license fee for a license to practice pharmacy and correct grammatical errors.

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 §283.9, as presented. The motion was seconded by Mr. Miller and passed unanimously.

- Rules Concerning Licenses and Registrations for Military Service Members, Military Veterans, and Military Spouses (§§283.12 and 297.10) (Items C.1.2.1 and C.1.2.2)

Mr. Griffith explained that the Board voted to propose the amendments to §§283.12 and 297.10 during its November 7, 2023, meeting. The proposed amendments were published in the December 22, 2023, issue of the *Texas Register*.

Mr. Griffith directed the Board's attention to amendments to §§283.12 and 297.10. He explained that the amendments to §283.12 clarify that the requirements for obtaining an interim license for a military service member or military spouse do not affect rights that may be provided under federal law, and the proposed amendments to §297.10 clarify that the requirements for obtaining an interim registration for a military service member or military spouse do not affect rights that may be provided under federal law.

Written comments were received from the Texas Medical Association,

suggesting the phrase “federal law” be replaced with the more specific phrase “Sec. 705A of the Servicemembers Civil Relief Act (50 U.S.C. §4025A).”

Following discussion and review of the Preamble and Order Adopting Rules, the motion was made by Mr. Shaw to approve for adoption, by Board Order, the amendments to §§283.12 and 297.10, as presented. The motion was seconded by Mr. Lewis and passed unanimously.

- Rules Concerning Institutional Pharmacy (Class C) Operational Standards (§291.74) (Item C.1.3)

Mr. Griffith explained that the Board voted to propose the amendments to §291.74 during its November 7, 2023, meeting. The proposed amendments were published in the December 22, 2023, issue of the *Texas Register*.

Mr. Griffith directed the Board’s attention to amendments to §291.74 and explained that the amendments specify prepackaging and labeling requirements for a participating provider to dispense donated prescription drugs under Chapter 442, Health and Safety Code, in accordance with House Bill 4332. He also explained that a revised version had been prepared by Board staff addressing the below-listed comments received.

Written comments were received from George Wang, Ph.D., with SIRUM, in support of the amendments and suggesting the addition of an omitted word for consistency with statutory language.

Following discussion and review of the Preamble and Order Adopting Rules, the motion was made by Mr. Shaw to approve for adoption, by Board Order, the amendments to §291.74, as revised. The motion was seconded by Mr. Lewis and passed unanimously.

- Rules Concerning Pharmacy Responsibility – Out-of-State Practitioner (§315.9) (Item C.1.4)

Mr. Griffith explained that the Board voted to propose the amendments to §315.9 during its November 7, 2023, meeting. The proposed amendments were published in the December 15, 2023, issue of the *Texas Register* and no comments were received.

Mr. Griffith directed the Board’s attention to amendments to §315.9 and explained that the amendments clarify that the requirements for dispensing a Schedule II controlled substance prescription issued by a practitioner in another state apply to an electronic prescription and remove the effective date from the short title.

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 amendments to §315.9, as presented. The motion was seconded by Mr. Tisch and passed unanimously.

Proposal of Rules

- Rules Concerning Delivery of Prescription Drugs (§291.12) (Item C.2.1)

Mr. Griffith directed the Board's attention to suggested new rule language concerning delivery of prescription drugs and explained that the new rule would specify requirements for the delivery of prescription drugs to a patient or patient's agent.

Oral comments were received from the following:

- Debbie Garza, R.Ph., CEO, Texas Pharmacy Association, with suggested changes; and
- Jeenu Philip, R.Ph., Director, Pharmacy Affairs, Walgreen Co., with suggested changes.

Following discussion, the motion was made by Mr. Shaw to approve for proposal amendments to §291.12, with the modifications set forth in the discussion. The motion was seconded by Mr. Lewis and passed unanimously.

D. Discussion of and Possible Action Concerning Pilot Projects

- Report on Pilot Project Concerning Residential Delivery of Prescription Drugs by Means of Drone Delivery Service (D.1)

President Spier directed the Board's attention to a report from Amazon Pharmacy regarding the pilot project concerning residential delivery of prescription drugs by means of drone delivery service.

President Spier recognized Robert Lamontagne, R.Ph.; Ehihimen Okogbo, R.Ph., Pharmacist-in-Charge of Amazon Pharmacy #008; and Sean Baird, Senior Corporate Counsel, Amazon Legal, who reviewed the report and answered questions from the Board concerning the pilot project.

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

- Professional Recovery Network
 - Ms. Hotchkiss discussed performance measures regarding the number of individuals participating in the peer assistance program for the first quarter of FY2024 (September 1, 2023 –

November 30, 2023). (Item F.2.1)

- President Spier recognized PRN Program Director Raquel Leal, LPC. Ms. Leal directed the Board's attention to the PRN expense report for the first quarter of FY2024 (September 1, 2023 – November 30, 2023) and reviewed PRN activities for the Board. (Item F.2.2)

President Spier recessed the meeting at 10:52 a.m.
President Spier reconvened the meeting at 11:15 a.m.

C. Discussion of and Possible Action Regarding Rules, continued

Proposal of Rules, continued

- Rules Concerning Pharmacies Compounding Non-Sterile Preparations (§291.131) (Item C.2.2)

Mr. Griffith directed the Board's attention to suggested amendments to rule language concerning pharmacies compounding non-sterile preparations. He explained that the proposed amendments to §291.131 update the personnel, environment, labeling, compounding process, quality assurance, and recordkeeping requirements for pharmacies compounding nonsterile preparations.

Oral comments were received from the following:

- Ms. Garza, asking for clarification concerning reconstitution and in support of the updates to beyond-use-dating;
- Mr. Philip, suggesting the Board to take no action to allow more review time by the public; and
- A.J. Day, Vice President of Clinical Services, PCCA, with suggested changes.

Following discussion, the motion was made by Mr. Shaw to approve for proposal amendments to §291.131, with the modifications set forth in discussion. The motion was seconded by Mr. Lewis and passed unanimously.

President Spier recessed the meeting at 12:18 p.m.
President Spier reconvened the meeting at 1:06 p.m.

Rule Review

- For Adoption

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

- Chapter 291 Concerning Pharmacies (Community Pharmacy (Class A)) (§§291.31 – 291.36) (Item C.3.1.1)
- Chapter 283 Concerning Licensing Requirements for Pharmacists (§§283.1 – 283.12) (Item C.3.1.2)
- Chapter 315 Concerning Controlled Substances (§§315.1 – 315.16) (Item C.3.1.3)

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 291 Concerning Pharmacies (Community Pharmacy (Class A)) (§§291.31 – 291.36), Chapter 283 Concerning Licensing Requirements for Pharmacists (§§283.1 – 283.12), and Chapter 315 Concerning Controlled Substances (§§315.1 – 315.16). The motion was seconded by Mr. Martin and passed unanimously.

- For Proposal

Mr. Griffith explained that the following sections were previously presented to the Board and approved for adoption, however, due to an issue with submission to the *Texas Register*, the sections need to go through the proposal and adoption process again.

- Chapter 281 Concerning Administrative Practices and Procedures (§§281.1 – 281.23, 281.30 – 281.35, 281.60 – 281.70) (Item C.3.2.1)
- Chapter 311 Concerning Code of Conduct (§§311.1 – 311.2) (Item C.3.2.2)
- Chapter 291 Concerning Pharmacies (All Classes of Pharmacies) (§§291.1 – 291.11, 291.14 – 291.19, 291.22 – 291.23, 291.27 – 291.29) (Item C.3.2.3)
- Chapter 291 Concerning Pharmacies (Clinic Pharmacy (Class D)) (§§291.91 – 291.94) (Item C.3.2.4)
- Chapter 291 Concerning Pharmacies (Non-Resident Pharmacy (Class E)) (§§291.101 – 291.106) (Item C.3.2.5)

- Chapter 295 Concerning Pharmacists (§§295.1 – 295.9, 295.11 – 295.16) (Item C.3.2.6)

Following discussion, in accordance with Government Code §2001.039, the motion was made by Mr. Miller to approve for proposal, as presented, the review of Chapter 281 Concerning Administrative Practices and Procedures (§§281.1 – 281.23, 281.30 – 281.35, 281.60 – 281.70), Chapter 311 Concerning Code of Conduct (§§311.1 – 311.2), Chapter 291 Concerning Pharmacies (All Classes of Pharmacies) (§§291.1 – 291.11, 291.14 – 291.19, 291.22 – 291.23, 291.27 – 291.29), Chapter 291 Concerning Pharmacies (Clinic Pharmacy (Class D)) (§§291.91 – 291.94), Chapter 291 Concerning Pharmacies (Non-Resident Pharmacy (Class E)) (§§291.101 – 291.106), Chapter 295 Concerning Pharmacists (§§295.1 – 295.9, 295.11 – 295.16). The motion was seconded by Mr. Tisch and passed unanimously.

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

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

Dr. Carroll reported that the PMP Advisory Committee met on December 14, 2023, and introduced new members and elected a new presiding officer. Mr. Meryman reviewed the new committee members and reported that there is still a vacancy for a physician that performs surgery. Mr. Meryman also reported that the meeting included presentations from Bamboo Health and UT Center for Health Communication, and that the next meeting is scheduled for March 28, 2024.

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

Dr. Carroll reported that the Interagency Prescription Monitoring Program Workgroup Meeting had not met since the previous Board meeting, and the next meeting had not yet been scheduled.

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

- Financial Report
 - Review of FY2024 First Quarter Expenditures (Item F.1.1)

Mr. Leal reviewed the expenditures for the first quarter of FY2024 (September 1, 2023 – November 30, 2023) for the Board.

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

Mr. Leal reviewed the Board Member Travel Budget for the first quarter of FY2024 (September 1, 2023 – November 30, 2023).

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

Mr. Leal reported that there were no material changes to contracts for goods and services for the first quarter of FY2024 (September 1, 2023 – November 30, 2023).

H. Disciplinary Orders

- Consideration of Proposals for Decision in the Matter of Tory Michelle Taylor, Pharmacist License #40638 (Item H.1)

Mr. Griffith directed the Board's attention to the Proposal for Decision and the corresponding proposed Board Order. He advised the Board that following a hearing held before an Administrative Law Judge (ALJ) with the State Office of Administrative Hearings, a Proposal for Decision was issued on October 16, 2023, in the matter of Tory Michelle Taylor. Mr. Griffith reviewed the background in the case for the Board. He explained that in the proposal for decision, the ALJ misinterpreted the law and dismissed one of the allegations. On October 24, 2024, Board staff filed written exceptions to the proposal for decision, which alerted the ALJ to the misinterpretation and provided examples of multiple prior proposals for decision supporting Board staff's interpretation of the law. On November 2, 2024, the ALJ denied the request for exceptions and refused to amend the decision. Mr. Griffith directed the Board's attention to two options for Board Order #2022-07235, one with recommendations from the ALJ, which would impose an administrative penalty of \$1,000, and the other with Board staff's recommendations, which would impose an administrative penalty of \$2,000.

President Spier recessed the meeting at 1:22 p.m.

President Spier reconvened the meeting at 1:44 p.m.

Following discussion, the motion was made by Mr. Shaw to accept the Findings of Fact and Conclusions of Law in the Proposal for Decision, with the amended and additional Conclusions of Law recommended by Board staff, and to approve the entry of Board Order #2022-07235, as recommended by Board staff, in the matter of Tory Michelle Taylor. The

motion was seconded by Mr. Miller and passed 9-0-1, with Mr. Marquis abstained.

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

- Review and Approval of FY2025-FY2029 Strategic Plan Issue Statements (Item F.3)

President Spier directed the Board's attention to the FY2025-FY2029 Strategic Plan Timeline. She thanked the entities that responded to the questionnaire and reviewed the issue statements from the internal/external assessment.

Following discussion, a motion was made by Mr. Shaw to approve the issue statements for the FY2025-FY2029 Strategic Plan, as presented. The motion was seconded by Mr. Lewis and passed unanimously.

- Review and Approval of TSBP FY2023 Annual Report (Item F.4)

President Spier directed the Board's attention to a draft of the TSBP FY2023 Annual Report.

Following review, a motion was made by Mr. Fernandez to approve the TSBP FY2023 Annual Report, as presented. The motion was seconded by Mr. Shaw and passed 9-0-1, with Mr. Marquis abstained.

- Report on Prescription Monitoring Program (Item F.5)

Mr. Meryman reviewed the Prescription Monitoring Program (PMP) data for the first quarter of FY2024 (September 1, 2023 – November 30, 2023). He also reported on the progress of PMP staffing.

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

Ms. Holloway reported that there have been no updates since the last meeting concerning the lawsuit filed by Lightcare Rx, LLC (Texas Pharmacy License #32609) and the pharmacist-in-charge, Leila Elahianboroujeni (Pharmacist License #64241), in the Travis County District Court, appealing the entry of the Board Orders entered in May 2022.

- Report Concerning Hospital System Cyberattack and Response (Item F.7)

Mr. Lewis provided a report concerning the recent hospital system cyberattack, which disrupted the electronic transmission of prescriptions and impacted the ability to issue Schedule II controlled substance

prescriptions. He reviewed the Board's response and statements of appreciation from the public.

- Discussion Concerning National Association of Boards of Pharmacy Annual Meeting (Item F.8)

President Spier reported that the National Association of Boards of Pharmacy (NABP) Annual Meeting will be held May 14-17, 2024, in Fort Worth, Texas, and explained that the Board would be acting as hosts. She opened a discussion concerning the preparation needed for the NABP Annual Meeting. She also explained that the Board would cover the registration cost for any of the Board members that would like to attend.

G. Consideration of and Possible Action Concerning Enforcement Reports

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

Ms. Hotchkiss reported on complaints dismissed and closed during the first quarter of FY2024 (September 1, 2023 – November 30, 2023). 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 FY2024 to the quarterly averages for FY2023, as well as percentage change from FY2023 to FY2024.

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

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

H. Disciplinary Orders, continued

- Report on Agreed Board Orders and Board Orders Entered by Executive Director (Item H.2)
 - The Board reviewed 5 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 15, 2023, through January 10, 2024.
 - 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 15, 2023, through January 31, 2024.

- The Board reviewed 1 Board Order concerning a pharmacy that had been entered by the Executive Director on behalf of the Board, in accordance with the Board's directives, on January 18, 2024.
- 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 January 18, 2024.
- Discussion of and Action on Proposed Agreed Board Orders, Proposed Default Board Orders, and Proposed Remedial Plans (Items H.3 and H.4)

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

- 23 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;
- 30 proposed Agreed Board Orders concerning pharmacies and pharmacists (Alternative Resolutions);
- 22 proposed Agreed Board Orders concerning pharmacies, pharmacists, and interns who appeared for an Informal Conference;
- 9 proposed Confidential Agreed Board Orders concerning pharmacists who appeared for an Informal Conference;
- 2 proposed Confidential Defaults Board Orders concerning pharmacists who did not appear for an Informal Conference;
- 9 proposed Remedial Plans concerning pharmacies and pharmacists (Alternative Resolutions); and
- 7 proposed Remedial Plans concerning pharmacies and pharmacists who attended an Informal Conference.

The motion was made by Mr. Lewis to approve the proposed Disciplinary Orders and Remedial Plans, as presented. The motion was seconded by Mr. Miller, and the motion passed as follows:

No.	Name	T, I, R, or P*	ABO, DBO, or RP**	Order # or Plan #	Board Vote (Yes- No- Abstain)	Abstained Board Members
1	Bryan Yadiel Nieves	T	ABO	2023-03877	8-0-2	Marquis, Martin
2	Marleny Martinez	T	ABO	2022-07369	6-0-4	Marquis, Martin, Miller, Tijerina
3	Justin Ndubuisi Onyeugwor	T	ABO	2023-02961	6-0-4	Marquis, Martin, Miller, Tijerina
4	Andrea D. Deason	T	ABO	2023-06183	6-0-4	Marquis, Martin, Miller, Tijerina
5	Lanita Titilola Dozier	T	ABO	2022-06766	6-0-4	Marquis, Martin, Miller, Montemayor
6	Mershaa Farmer	T	ABO	2023-03888	6-0-4	Marquis, Martin, Miller, Montemayor
7	Valentina Phung	T	ABO	2023-05819	6-0-4	Marquis, Martin, Miller, Montemayor
8	Eric Sandoval	T	ABO	2023-05971	6-0-4	Marquis, Martin, Miller, Montemayor
9	Shaniqua Stanley	T	ABO	2023-05744	6-0-4	Marquis, Martin, Miller, Montemayor
10	Domonique Antoinette Taylor	T	ABO	2022-07501	6-0-4	Marquis, Martin, Miller, Montemayor
11	Natalia Chalmers	T	ABO	2023-05436	6-0-4	Fernandez, Marquis, Martin, Montemayor
12	Garold Gibson	T	ABO	2023-06198	6-0-4	Fernandez, Marquis, Martin, Montemayor
13	Charles King	T	ABO	2023-05968	6-0-4	Fernandez, Marquis, Martin, Montemayor
14	Rosa Martha Navarro	T	ABO	2023-04928	6-0-4	Fernandez, Marquis, Martin, Montemayor
15	Ivette Orozco	T	ABO	2023-07047	6-0-4	Fernandez, Marquis, Martin, Montemayor
16	Kristen Prather	T	ABO	2023-06624	6-0-4	Fernandez, Marquis, Martin, Montemayor
17	Adrianna Rivas	T	ABO	2023-05227	6-0-4	Fernandez, Marquis, Martin, Montemayor
18	Michael Kevin Wood	T	ABO	2023-06189	6-0-4	Fernandez, Marquis, Martin, Montemayor

*Technician or Technician Trainee (T), Pharmacist Intern (I), Pharmacist (R), and Pharmacy (P)

**Agreed Board Order (ABO), Default Board Order (DBO), and Remedial Plan (RP)

No.	Name	T, I, R, or P*	ABO, DBO, or RP**	Order # or Plan #	Board Vote (Yes- No- Abstain)	Abstained Board Members
19	Faizan UI Haq	T	ABO	2024-00078	6-0-4	Lewis, Marquis, Martin, Yoakum
20	Allison Joy Craft	T	ABO	2023-05993	6-0-4	Marquis, Martin, Tisch, Yoakum
21	Tawakoni Glover	T	ABO	2024-00010	7-0-3	Marquis, Martin, Yoakum
22	Magaly S. Pedraza	T	ABO	2023-07221	6-0-4	Marquis, Martin, Tisch, Yoakum
23	Chavela Alexis Tatum	T	ABO	2024-00479	6-0-4	Marquis, Martin, Tisch, Yoakum
24	Brandy Ladawn Fears	T	DBO	2023-06968	6-0-4	Fernandez, Marquis, Martin, Montemayor
25	Michael John Villarreal	T	DBO	2023-06532	6-0-4	Fernandez, Marquis, Martin, Montemayor
26	Eric Lopez	T	DBO	2023-00907	6-0-4	Marquis, Martin, Yoakum, Tisch
27	Erin Morgan Richardson	T	DBO	2023-03906	6-0-4	Marquis, Martin, Yoakum, Tisch
28	Adonis Francisco Vasquez	T	DBO	2024-00353	6-0-4	Marquis, Martin, Yoakum, Tisch
29	Advant-Edge Pharmacy, Inc.	P	ABO	2023-00801	8-0-2	Marquis, Martin
30	Alejandro Arias	R	ABO	2023-03288	8-0-2	Marquis, Martin
31	Brookshire Brothers Pharmacy #9	P	ABO	2023-03042	8-0-2	Marquis, Martin
32	Victor F. Butschek Jr.	R	ABO	2023-06185	8-0-2	Marquis, Martin
33	Campbell's Compounding, Inc.	P	ABO	2023-01729	8-0-2	Marquis, Martin
34	Danny Thai	R	ABO	2023-05614	8-0-2	Marquis, Martin
35	Jacob Boneventure Chennat	R	ABO	2023-06774	8-0-2	Marquis, Martin
36	CVS/pharmacy #3505	P	ABO	2023-03248	7-0-3	Marquis, Martin, Tijerina
37	Bijan Moghadam	R	ABO	2023-05442	8-0-2	Marquis, Martin
38	CVS/pharmacy #3894	P	ABO	2023-03877	7-0-3	Marquis, Martin, Tijerina
39	CVS/pharmacy #7092	P	ABO	2023-02295	7-0-3	Marquis, Martin, Tijerina
40	ER 24/7 Rockport a Department of Corpus Christi Medical Center	P	ABO	2023-03709	8-0-2	Marquis, Martin

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**Agreed Board Order (ABO), Default Board Order (DBO), and Remedial Plan (RP)

No.	Name	T, I, R, or P*	ABO, DBO, or RP**	Order # or Plan #	Board Vote (Yes- No- Abstain)	Abstained Board Members
41	Health Wise Affordable Pharmacy	P	ABO	2023-01205	8-0-2	Marquis, Martin
42	Jill Darnell	R	ABO	2023-03952	8-0-2	Marquis, Martin
43	H.E.B. Pharmacy #672	P	ABO	2023-03183	7-0-3	Marquis, Martin, Montemayor
44	Sylvia Ike	R	ABO	2023-02826	8-0-2	Marquis, Martin
45	Med-Care Pharmacy	P	ABO	2023-03354	8-0-2	Marquis, Martin
46	Rose Iruoma Ogwo	R	ABO	2023-05483	8-0-2	Marquis, Martin
47	Pecan Discount Drug	P	ABO	2023-04867	8-0-2	Marquis, Martin
48	Pecan Pharmacy	P	ABO	2023-06518	8-0-2	Marquis, Martin
49	Nisha Ashwini Rajasekaran	R	ABO	2023-04824	8-0-2	Marquis, Martin
50	Texan Pharmacy	P	ABO	2023-03328	8-0-2	Marquis, Martin
51	United Pharmacy #547	P	ABO	2023-03549	8-0-2	Marquis, Martin
52	Ventana Pharmacy	P	ABO	2023-01104	8-0-2	Marquis, Martin
53	Gurbhej S. Cheema	R	ABO	2023-06060	8-0-2	Marquis, Martin
54	Walgreens #04315	P	ABO	2023-03877	7-0-3	Fernandez, Marquis, Martin
55	Walgreens #5213	P	ABO	2023-03106	7-0-3	Fernandez, Marquis, Martin
56	Walgreens #11233	P	ABO	2023-02878	7-0-3	Fernandez, Marquis, Martin
57	Walgreens #13062	P	ABO	2023-01056	7-0-3	Fernandez, Marquis, Martin
58	Walgreens #21238	P	ABO	2023-03741	7-0-3	Fernandez, Marquis, Martin
59	Khyati Undavia	R	ABO	2023-00664	6-0-4	Lewis, Marquis, Martin, Miller
60	Carepharm Pharmacy LTC	P	ABO	2023-04121	6-0-4	Marquis, Martin, Miller, Tijerina
61	Discount Rx	P	ABO	2022-05052	6-0-4	Marquis, Martin, Miller, Tijerina
62	Gerald Lee Duhon	R	ABO	2023-00450	6-0-4	Marquis, Martin, Miller, Tijerina
63	Mona El-Dardiry	R	ABO	2023-03664	6-0-4	Marquis, Martin, Miller, Tijerina
64	Justin Ndubuisi Onyeugwor	I	ABO	2023-02960	6-0-4	Marquis, Martin, Miller, Tijerina
65	Advanced Pharmacy Services	P	ABO	2022-06679	6-0-4	Marquis, Martin, Miller, Montemayor
66	Broadway Pharmacy	P	ABO	2023-00476	6-0-4	Marquis, Martin, Miller, Montemayor

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**Agreed Board Order (ABO), Default Board Order (DBO), and Remedial Plan (RP)

No.	Name	T, I, R, or P*	ABO, DBO, or RP**	Order # or Plan #	Board Vote (Yes- No- Abstain)	Abstained Board Members
67	Corrie Worsham Washburn	R	ABO	2023-04791	6-0-4	Marquis, Martin, Miller, Montemayor
68	Tin Thanh Luong	R	ABO	2023-01888	6-0-4	Marquis, Martin, Miller, Montemayor
69	Yucabeth Mochi Kumenda	R	ABO	2023-06284	6-0-4	Marquis, Martin, Miller, Montemayor
70	Yvonne Denise Navarro	R	ABO	2022-07052	6-0-4	Marquis, Martin, Miller, Montemayor
71	Brice Ray Coffman	R	ABO	2022-07773	6-0-4	Fernandez, Marquis, Martin, Yoakum
72	Ernest Ezue	R	ABO	2023-03562	6-0-4	Fernandez, Marquis, Martin, Yoakum
73	H.E.B. Pharmacy #558	P	ABO	2022-07041	5-0-5	Lewis, Marquis, Martin, Montemayor, Yoakum
74	Plusmed Rx Pharmacy Inc	P	ABO	2023-06772	6-0-4	Lewis, Marquis, Martin, Yoakum
75	Sitlausdeo Pharmacy LLC	P	ABO	2023-06990	6-0-4	Lewis, Marquis, Martin, Yoakum
76	Christine Folake Obasi- Coon	R	ABO	2024-00077	6-0-4	Lewis, Marquis, Martin, Yoakum
77	Walgreens #02445	P	ABO	2023-06373	5-0-5	Fernandez, Lewis, Marquis, Martin, Yoakum
78	Walgreens #06907	P	ABO	2022-06744	5-0-5	Fernandez, Lewis, Marquis, Martin, Yoakum
79	Walgreens #7310	P	ABO	2023-04572	5-0-5	Fernandez, Lewis, Marquis, Martin, Yoakum
80	Walgreens #12601	P	ABO	2023-05019	5-0-5	Fernandez, Lewis, Marquis, Martin, Yoakum
81	<i>Confidential</i>	R	ABO	2022-06692	7-0-3	Marquis, Martin, Montemayor
82	<i>Confidential</i>	R	ABO	2023-04171	6-0-4	Marquis, Martin, Miller, Tijerina
83	<i>Confidential</i>	R	ABO	2023-05147	6-0-4	Marquis, Martin, Miller, Montemayor
84	<i>Confidential</i>	R	ABO	2023-02864	6-0-4	Marquis, Martin, Miller, Montemayor

*Technician or Technician Trainee (T), Pharmacist Intern (I), Pharmacist (R), and Pharmacy (P)

**Agreed Board Order (ABO), Default Board Order (DBO), and Remedial Plan (RP)

No.	Name	T, I, R, or P*	ABO, DBO, or RP**	Order # or Plan #	Board Vote (Yes- No- Abstain)	Abstained Board Members
85	<i>Confidential</i>	R	ABO	2023-02984	6-0-4	Marquis, Martin, Miller, Montemayor
86	<i>Confidential</i>	R	ABO	2024-00797	6-0-4	Lewis, Marquis, Martin, Yoakum
87	<i>Confidential</i>	R	ABO	2023-05585	6-0-4	Fernandez, Marquis, Martin, Yoakum
88	<i>Confidential</i>	R	ABO	2024-00046	6-0-4	Fernandez, Marquis, Martin, Yoakum
89	<i>Confidential</i>	I	ABO	2024-00292	6-0-4	Marquis, Martin, Tisch, Yoakum
90	<i>Confidential</i>	R	DBO	2024-00718	6-0-4	Marquis, Martin, Tisch, Yoakum
91	<i>Confidential</i>	R	DBO	2023-07059	6-0-4	Marquis, Martin, Tisch, Yoakum
92	Sufyan Abunada	R	RP	2023-06840	8-0-2	Marquis, Martin
93	Ruben David Fonesca	R	RP	2023-06837	8-0-2	Marquis, Martin
94	Justin Jasper Lovoi	R	RP	2023-05126	8-0-2	Marquis, Martin
95	Yameen Ashok Mandania	R	RP	2023-06506	8-0-2	Marquis, Martin
96	Monica Marie McCubbin	R	RP	2023-05835	8-0-2	Marquis, Martin
97	Nwamaka Georgina Ossai	R	RP	2023-05380	8-0-2	Marquis, Martin
98	Smart Pharmacy LLC	P	RP	2023-04059	8-0-2	Marquis, Martin
99	Siva Rama Krishna Kaza	R	RP	2023-05127	8-0-2	Marquis, Martin
100	Vivi Truong	R	RP	2022-06773	8-0-2	Marquis, Martin
101	Tarun Verma	R	RP	2023-04130	6-0-4	Marquis, Martin, Miller, Tijerina
102	Adeyemi Adesola	R	RP	2023-04698	6-0-4	Marquis, Martin, Miller, Montemayor
103	A & M Drug Store	P	RP	2023-04117	7-0-3	Fernandez, Marquis, Martin
104	Mohammad Aghassibake	R	RP	2023-05834	7-0-3	Fernandez, Marquis, Martin
105	Carlos Heath	R	RP	2023-03675	6-0-4	Lewis, Marquis, Martin, Yoakum
106	Chinye Louise Nalls- Ahaiwe	R	RP	2023-02565	6-0-4	Fernandez, Marquis, Martin, Yoakum
107	Becky J. Ortega	R	RP	2023-05381	6-0-4	Fernandez, Marquis, Martin, Yoakum

*Technician or Technician Trainee (T), Pharmacist Intern (I), Pharmacist (R), and Pharmacy (P)

**Agreed Board Order (ABO), Default Board Order (DBO), and Remedial Plan (RP)

**E. Discussion of and Possible Action Concerning Reports of Committees/
Task Forces, continued**

- Report on Compounding Rules Advisory Group (Item E.1)

Mr. Miller thanked the members of the sterile subcommittee for their participation in the Compounding Rules Advisory Group and reviewed the meeting process in developing their recommendations.

Ms. Holloway directed the Board to a chart prepared by Board staff indicating the changes to §291.133 recommended by the sterile subcommittee in consideration of USP 797 revisions. She briefly reviewed the recommendations and explained that there were instances where the subcommittee members were unable to come to a consensus, as indicated on the chart.

Following discussion, the Board decided to continue the discussion at the next meeting in May, with a goal to have rule language for proposal available at the August meeting.

I. Miscellaneous

- Items to be Placed on Agenda for May 7, 2024, Board Meeting (Item I.1)
 - Discussion regarding rules concerning pharmacies compounding sterile preparations
 - Discussion concerning NABP proposed resolutions

President Spier requested Board members to submit any additional items for the May 7, 2024, Board meeting to staff.

- Discussion of and Possible Action on Upcoming Meetings (Item I.2)

President Spier reviewed upcoming meetings and conferences.

Mr. Shaw left the meeting at 3:01 p.m.

J. Consideration of Personnel Matters

- Executive Session to Conduct Evaluation of Executive Director (Item J.1)

President Spier announced that the Board go into Executive Session to consider personnel matters under the authority of the Texas Government Code, §551.074.

President Spier declared the Board in Executive Session at 3:02 p.m.

At 3:31 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.

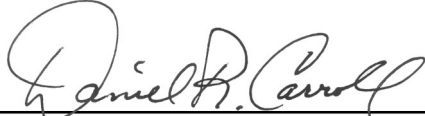
Mr. Tisch made a motion to adjourn the meeting. The motion was seconded by Mr. Martin and passed unanimously.

President Spier adjourned the meeting at 3:32 p.m.

APPROVED:



Julie Spier, R.Ph.
President



Daniel Carroll, Pharm.D., R.Ph.
Executive Director/Secretary

May 7, 2024