



TEXAS STATE BOARD OF PHARMACY

Held via Videoconference

Tuesday, May 11, 2021

MINUTES¹

BOARD BUSINESS MEETING

Tuesday, May 11, 2021

President Julie Spier, R.Ph., called the meeting to order at 9:03 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.; Daniel Guerrero; Lori Henke, Pharm.D.; Bradley A. Miller, Ph.T.R.; Donna Montemayor, R.Ph.; Suzette Tijerina, R.Ph.; Chip Thornsburg; and Rick Tisch.

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; Shayda Bakhshi, Outreach Coordinator; and Lily Moreno, Executive Assistant.

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. Tisch to approve the minutes of the Board Business Meeting held February 2, 2021. The motion was seconded by Mr. Miller and passed unanimously by roll-call vote. Due to technical issues, Mr. Lewis was not able to vote.

¹See agenda and corresponding attachments for supporting materials.

Following discussion, the motion was made by Mr. Guerrero to approve the minutes of the Show Cause Hearing held April 28, 2021. The motion was seconded by Ms. Yoakum and passed unanimously by roll-call vote. Due to technical issues, Mr. Lewis was not able to vote.

C. Public Comments

The Board heard public comments from Randy Martin, Pharm.D., BCCCP, President-Elect, Texas Society of Health-System Pharmacists (TSHP), regarding Amendments Concerning Pharmacies in Freestanding Facilities (Item D.2.3), in support of the proposed amendments and requesting that nurses require the same supervision from a pharmacist that is required for technicians, and regarding Patient Name of Record (Item G.9) in support of requiring the patient's legal name be used in patient records.

D. Discussion of and Possible Action Regarding Rules

Final Adoption of Rules

- Rules Concerning Operation of a Pharmacy (§291.11) (Item D.1.1)

Ms. Holloway explained that the Board voted to propose the amendments to §291.11 during its February 2, 2021 meeting. The proposed amendments were published in the April 2, 2021 issue of the *Texas Register*, and no comments were received.

Ms. Holloway directed the Board's attention to the amendments to §291.11 and explained that the amendments correct citation references.

Following discussion and review of the Preamble and Order Adopting Rules, the motion was made by Mr. Miller to approve for adoption, by Board Order, the amendments to §291.11, as presented. The motion was seconded by Mr. Fernandez and passed unanimously by roll-call vote.

- Rules Concerning DEA 222 Form Requirements (§§291.34, 291.75, and 291.76) (Items D.1.2.1, D.1.2.2, and D.1.2.3)

Ms. Holloway explained that the Board voted to propose the amendments to §§291.34, 291.75, and 291.76 during its February 2, 2021 meeting. The proposed amendments were published in the April 2, 2021 issue of the *Texas Register*, and no comments were received.

Ms. Holloway directed the Board's attention to the amendments to §§291.34, 291.75, and 291.76 and explained that the 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 and review of the Preamble and Order Adopting Rules, the motion was made by Mr. Thornsburg to approve for adoption, by Board Order, amendments to §§291.34, 291.75, and 291.76, as presented. The motion was seconded by Mr. Guerrero and passed unanimously by roll-call vote.

- Rules Concerning Schedule II Controlled Substance Prescriptions (§§315.3 and 315.5) (Items D.1.3.1 and D.1.3.2)

Ms. Holloway explained that the Board voted to propose the amendments to §§315.3 and 315.5 during its February 2, 2021 meeting. The proposed amendments were published in the April 2, 2021 issue of the *Texas Register*, and no comments were received.

Ms. Holloway directed the Board's attention to the amendments to §§315.3 and 315.5 and explained the 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 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.

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 §§315.3 and 315.5, as presented. The motion was seconded by Ms. Henke and passed unanimously by roll-call vote.

Proposal of Rules

- Rules Concerning Internship Hours Requirement (§283.4) (Item D.2.1)

Ms. Holloway directed the Board's attention to suggested amendments to rule language concerning the internship hours requirement. She explained the proposed amendments to §283.4 update the internship hours requirement to reflect that the Board requires the number of intern hours required by the Accreditation Council for Pharmacy Education (ACPE).

Following discussion, the motion was made by Mr. Guerrero to approve for proposal amendments to §283.4, as presented. The motion was seconded by Mr. Lewis and passed unanimously by roll-call vote.

- Rules Concerning Pharmacies in Freestanding Facilities (§§291.76 and 291.151) (Items D.2.3.1 and D.2.3.2)

Ms. Holloway directed the Board's attention to suggested amendments to

rule language concerning pharmacies located in freestanding facilities. She explained the proposed amendments to §§291.76 and 291.151 allow a licensed nurse who is authorized by the pharmacist to perform the loading of an automated medication supply system; update the time interval in which a pharmacist must verify a drug withdrawal; update the requirements for using a floor stock method of drug distribution; update records requirements; and correct grammatical errors. She explained the proposed amendments to §291.151 also update references to DEA 222 form requirements to be consistent with federal regulations.

Comments were received from the following, in support of the proposed amendments to allow licensed nurses to load the automated medication supply system:

- Kimberly Persley, M.D., President, Texas Ambulatory Surgery Center Society;
- Stacie Merrill, MSN, RN, Clinical Quality Director, Enterprise, Surgical Care Affiliates, Inc.;
- Jerry Jackson, R.Ph.;
- Libby Gibbs, R.Ph., KIW Pharmacy Consultants, PLLC; and
- Joseph B. Staller, R.Ph.

Following discussion, the motion was made by Mr. Thornsburg to approve for proposal amendments to §§291.76 and 291.151, as presented. The motion was seconded by Mr. Lewis and passed unanimously by roll-call vote.

Rule Review

- Review and Approval of FY2022-FY2025 Rule Review Plan in Accordance with Government Code, Section §2001.039 (Item D.3)

Ms. Holloway directed the Board's attention to the proposed Rule Review Plan for FY2022-FY2025 and explained that state law requires the Board to review the rules on a four-year cycle and the previous plan for rule review was completed at the February 2, 2021 Board meeting.

Following discussion, the motion was made by Mr. Lewis to approve the Rule Review Plan for FY2022-FY2025, as presented. The motion was seconded by Mr. Miller and passed unanimously by roll-call vote.

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 had not met since the January 13, 2021 meeting, which was reported at the February 2,

2021 Board meeting. She stated that comments will be accepted from stakeholders concerning the FDA Memorandum of Understanding at the next meeting, which 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 has not met since the January 19, 2021 meeting, which was reported at the February 2, 2021 Board meeting. She stated that the committee requested to meet after the legislative session to address any changes to the Prescription Monitoring Program and are planning to meet in June 2021.

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

- Financial Report
 - Review of FY2021 Expenditures (Item G.1.1)

Ms. Du reviewed the expenditures for the second quarter of FY2021 (December 1, 2020 – February 28, 2021) for the Board.
 - Review of Board Member Travel Budget (Item G.1.2)

Ms. Du reviewed the second quarter FY2021 Board Member Travel Budget (December 1, 2020 – February 28, 2021) and 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 reported that there were no material changes to contracts for goods and services.
 - Review of TSBP Revenue Projections and Fee Recommendations (Item G.1.4)

Ms. Du reviewed the revenue projections for FY2022 and FY2023. She also reviewed three fee increase options to account for the legislative appropriations requests: Option #1, in which the increase was a weighted average between pharmacists and pharmacies based on revenue collections; Option #2, in which the increase was a weighted average amongst pharmacists, pharmacies and technicians based on revenue collections; and Option #3, in which the increase was a weighted average amongst pharmacists, pharmacies and technicians based on licenses issued.

D. Discussion of and Possible Action Regarding Rules, continued

- Rules Concerning Fees (§291.6, 295.5, and 297.4) (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 fees. She explained the proposed amendments to §§291.6, 295.5, and 297.4 will increase license fees based on expected expenses. She clarified that the fee amounts were left blank so that the Board Members could choose the fee increase either from the options provided by Ms. Du or any other suggestion for increase.

Following discussion, the motion was made by Mr. Thornsburg to approve for proposal amendments to §§291.6, 295.5, and 297.4, with Fee Increase Option #2, as presented by Ms. Du, with the Prescription Monitoring Program fee assessed to both pharmacies and pharmacists based on the weighted average of revenue collections. The motion was seconded by Ms. Henke and passed unanimously by roll-call vote.

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; Matthew Broome, Sam's Club; Cherie Mallett, Sam's Club; Caroline Riogi, Walmart; and Seema Siddiqui, MedAvail. Mr. Rickert indicated that they would like to request that the Board consider proceeding with rulemaking. Ms. Mallett reviewed the report from Sam's Club and MedAvail regarding the pilot project concerning Automated Dispensing and Delivery Systems.

President Spier recognized Max Iantorno, CEO, MedifriendRx, who reported that the first MedifriendRx automated dispensing and delivery kiosk in Texas would be going live on May 12, 2021. He provided a walkthrough of the kiosk's location and functionality and answered questions from the Board.

Mr. Guerrero left the meeting at 10:31 a.m.

President Spier recognized Randy Ball, Vice President-Professional Services Officer, Texas Health Resources, who reported on the implementation of the MedAvail automated dispensing and delivery kiosks and answered questions from the Board.

Ms. Holloway directed the Board's attention to suggested amendments to rule language concerning automated dispensing and delivery systems. She explained that the suggested amendments to §291.121 authorize a

Class A or Class C pharmacy to provide remote pharmacy services using an automated dispensing and delivery system in a facility that is not at the same location as the pharmacy and correct grammatical errors.

Following discussion, the motion was made by Mr. Fernandez to approve for proposal amendments to §291.121, as presented. The motion was seconded by Ms. Henke and passed unanimously by roll-call vote.

President Spier recessed the meeting at 10:47 a.m.

President Spier reconvened the meeting at 11:02 a.m.

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

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

Ms. Benz reviewed the Prescription Monitoring Program data for the second quarter of FY2021 (December 1, 2020 – February 28, 2021).

Ms. Benz introduced Erin Doyle, M.S., TSBP Epidemiologist, who presented a comparison of dispensation before and after the e-prescribing mandate for controlled substances went into effect; gateway maps showing utilization of the Prescription Monitoring Program by county; and data concerning opioid overdose deaths in Texas.

- Report on State Office of Risk Management Program Review (Item G.3)

Ms. Benz directed the Board's attention to the report on the Risk Management Program Review conducted by the State Office of Risk Management on October 12, 2020, and reviewed the report for the Board.

- Discussion Concerning National Association of Boards of Pharmacy Proposed Resolutions (Item G.4)

Ms. Benz explained that the Board had received a copy of the National Association of Boards of Pharmacy (NABP) proposed resolutions. She reported that President Spier and Mr. Lewis would be the delegate and alternate delegate at the upcoming NABP Annual Meeting and would have the opportunity to vote on the proposed resolutions. Ms. Henke and Mr. Fernandez both expressed their agreement with the proposed resolutions.

- Professional Recovery Network

- Ms. Hotchkiss discussed performance measures regarding the number of individuals participating in the peer assistance program for the second quarter of FY2021 (December 1, 2020 – February 28, 2021). (Item G.2.1)

- President Spier recognized Debbie B. Garza, R.Ph., Chief Executive Officer, Texas Pharmacy Association, who introduced new PRN Program Director Raquel Leal, LPC. Ms. Leal directed the Board's attention to the PRN expense report for the second quarter of FY2021 (December 1, 2020 – February 28, 2021) and reviewed PRN activities for the Board. (Item G.2.2)
- Report on Appeals from State Office of Administrative Hearing Cases and Other Court Actions (Item G.6)

Ms. Arnold reported that CVS/pharmacy #7816 (Pharmacy License #24526) appealed the Board Order entered at the February 2, 2021 Board meeting and that an attorney from the Office of the Attorney General has been appointed to handle the case. Ms. Arnold also 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 the appeal process is moving forward after the plaintiffs appealed the December 9, 2020 ruling in favor of the Board.

- Update on Legislation Being Considered During the 87th Texas Legislative Session that has an Impact on TSBP and/or the Practice of Pharmacy (Item G.7)

Ms. Benz directed the Board's attention to a chart showing legislation Board staff is tracking that has an impact on TSBP and/or the practice of pharmacy. Ms. Benz also provided an update concerning the agency move and the construction progress of the new George H.W. Bush Building. She reported that the building is on target for completion in May 2022 and for the agency to move in the summer of 2022.

- Review of Board Mission Statement (Item G.8)

President Spier reported that Mr. Guerrero had requested to postpone the review of the Board mission statement.

- Discussion Concerning Patient Name of Record (Item G.9)

Ms. Benz explained that a letter was received from an administrator with the Pain Rehabilitation Group of Wichita Falls, P.A., requesting the Board consider making requirements regarding the patient's name of record for pharmacies and prescribers due to the problems posed by inconsistent names within the Prescription Monitoring Program. Ms. Benz explained that the Board cannot impose rules for physicians, but could consider rules for pharmacies, however, the pharmacies may then refuse to fill prescriptions if the name does not meet the requirements.

Following discussion, no action was taken with regards to this matter.

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

President Spier reconvened the meeting at 1:05 p.m. with Mr. Guerrero in attendance.

I. Disciplinary Orders

- Consideration of Proposal for Decision in the Matter of CVS/pharmacy #8336, Pharmacy License #24881 (Item I.1.1)

President Spier recognized John Griffith, Litigation Counsel, who 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 State Office of Administrative Hearings (SOAH) Administrative Law Judge Robert H. Pemberton, a Proposal for Decision was issued on January 12, 2021, in the matter of CVS/pharmacy #8336.

Mr. Griffith reviewed the background in the case for the Board and reviewed two proposed options for Board Order #2018-03032, Option #1, which would impose a \$3,000 administrative penalty and require the implementation of a Continuous Quality Improvement Plan (CQIP), as recommended by Judge Pemberton; and Option #2, which would impose a three-year probation period and require implementation of a CQIP, as recommended by the informal conference panel and Board staff.

The Board recognized Ethan Ranis, Legal Counsel representing CVS/pharmacy #8336, who requested that the Board adopt the Proposal for Decision and approve Option #1 for Board Order #2018-03032.

Mr. Lewis made a motion that the Board enter Executive Session to consider the Proposal for Decision in the Matter of CVS/pharmacy #8336. The motion was seconded by Ms. Yoakum and passed unanimously by roll-call vote.

President Spier declared the Board in Executive Session at 1:18 p.m.

At 1:43 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.

Following discussion, the motion was made by Mr. Thornsburg to accept the Findings of Fact and Conclusions of Law in the Proposal for Decision, and approve the entry of Option #1 for proposed Board Order #2018-03032 in the matter of CVS Pharmacy #8336. The motion was seconded by Mr. Guerrero. A roll-call vote was taken with Mr. Lewis, Ms. Yoakum, Ms. Henke, Mr. Miller, and Ms. Montemayor opposed. President Spier cast the deciding vote in opposition and the motion failed.

The motion was made by Mr. Lewis to accept the Findings of Fact and Conclusions of Law in the Proposal for Decision, and approve the entry of Option #2 for proposed Board Order #2018-03032 in the matter of CVS Pharmacy #8336. The motion was seconded by Ms. Montemayor. A roll-call vote was taken and the motion passed 6-4-0 with Mr. Fernandez, Mr. Guerrero, Mr. Thornsburg, and Ms. Tijerina opposed.

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 second quarter of FY2021 (December 1, 2020 – February 28, 2021). The report also included a comparison of complaints closed with disciplinary orders to those closed without disciplinary orders and a comparison of the second 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 11 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 February 26, 2021, through May 3, 2021.
 - The Board reviewed 14 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 February 8, 2021, through May 3, 2021.
- Discussion of and Action on Proposed Agreed Board Orders and Proposed Default Board Orders (Item I.3)

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

- 15 proposed Agreed Board Orders concerning pharmacy technicians and pharmacy technician trainees who appeared for an Informal Conference;
- 7 proposed Default Board Orders concerning pharmacy technicians and pharmacy technician trainees who did not appear for an Informal Conference;
- 7 proposed Agreed Board Orders concerning pharmacies and pharmacists (Alternative Resolutions);
- 11 proposed Agreed Board Orders concerning pharmacies and pharmacists who appeared for an Informal Conference; and
- 5 proposed Confidential Agreed Board Orders concerning pharmacists and interns who appeared for 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. Lewis. A roll-call vote was taken, and the motion passed as follows:

No.	Name	T, I, R, or P*	ABO or DBO**	Order # or Plan #	Board Vote (Yes-No- Recuse)	Recused Board Members
1	Cydney Jolyn Jackson	T	ABO	2021-01532	10-0-0	-
2	Yana Mokeyeva	T	ABO	2020-01832	9-0-1	Montemayor
3	Stephanie Lynn Gest	T	ABO	2020-00760	8-0-2	Guerrero, Thornsborg
4	Priscilla Abbey	T	ABO	2021-00622	9-0-1	Miller
5	Artesian Elizabeth Lewis	T	ABO	2021-00246	9-0-1	Miller
6	Vanessa L. Halsey	T	ABO	2021-01080	8-0-2	Guerrero, Miller
7	Tangelia Monique Broussard	T	ABO	2021-00359	8-0-2	Guerrero, Miller
8	Hasina Robinson	T	ABO	2020-04080	8-0-2	Guerrero, Miller
9	Mario Padilla	T	ABO	2020-04133	8-0-2	Montemayor, Tijerina
10	Tammie Dixon	T	ABO	2020-04228	9-0-1	Henke
11	Mary Alice Hopkins	T	ABO	2020-04834	9-0-1	Henke
12	Tiffany Denise Leftridge	T	ABO	2020-05277	9-0-1	Henke
13	Jonathan Rick Macias	T	ABO	2020-04505	9-0-1	Henke
14	Romanda M. McGowan	T	ABO	2020-04277	9-0-1	Henke
15	Roxanne Felicia Sam	T	ABO	2020-05015	9-0-1	Henke
16	Alan Estock	T	DBO	2019-05078	8-0-2	Guerrero, Miller
17	Mariela Deniz Lopez	T	DBO	2019-04931	9-0-1	Miller
18	Erendira Reyes	T	DBO	2020-01428	9-0-1	Miller
19	Lizbet Valdez	T	DBO	2021-00692	8-0-2	Guerrero, Miller

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

**Agreed Board Order (ABO) and Default Board Order (DBO)

No.	Name	T, I, R, or P*	ABO or DBO**	Order # or Plan #	Board Vote (Yes-No- Recuse)	Recused Board Members
20	Karina Berrospez	T	DBO	2019-05289	8-0-2	Montemayor, Tijerina
21	Amy Beth Walker	T	DBO	2019-04952	8-0-2	Montemayor, Tijerina
22	Jessica Leigh Williams	T	DBO	2019-04571	8-0-2	Montemayor, Tijerina
23	CVS/pharmacy #7278	P	ABO	2020-03783	9-0-1	Tijerina
24	The Medicine Stop	P	ABO	2019-03986	10-0-0	-
25	H.E.B. Pharmacy #205	P	ABO	2020-03224	9-0-1	Montemayor
26	Christabel Ogechukwu Orabile	R	ABO	2020-04313	10-0-0	-
27	Jared Smith Schaeffer	R	ABO	2021-01244	10-0-0	-
28	Super Saver Pharmacy	P	ABO	2020-01412	10-0-0	-
29	Walgreens #3824	P	ABO	2019-06149	9-0-1	Fernandez
30	Pius Ayodele Aboloye	R	ABO	2020-05265	9-0-1	Henke
31	BET Pharm, LLC	P	ABO	2021-00864	8-0-2	Henke, Tijerina
32	CVS/Pharmacy #5269	P	ABO	2019-04682	8-0-2	Lewis, Tijerina
33	CVS/Pharmacy #7441	P	ABO	2020-01687	8-0-2	Henke, Tijerina
34	Beverly Maria Namulundu	R	ABO	2021-00115	8-0-2	Henke, Tijerina
35	Paul Allen Henry	R	ABO	2021-02668	9-0-1	Henke
36	Agnes H. Lee	R	ABO	2021-01950	9-0-1	Henke
37	Peach Pharmacy	P	ABO	2020-02287	8-0-2	Montemayor, Tijerina
38	Brandon Nnamdi Ogbodu	R	ABO	2021-00482	8-0-2	Montemayor, Tijerina
39	RX Pharmacy	P	ABO	2020-02293	8-0-2	Lewis, Thornsburg
40	Village Compounding Pharmacy	P	ABO	2020-05304	9-0-1	Henke
41	<i>Confidential</i>	R	ABO	2021-00832	9-0-1	Henke
42	<i>Confidential</i>	R	ABO	2021-02526	9-0-1	Henke
43	<i>Confidential</i>	I	ABO	2021-02540	8-0-2	Montemayor, Tijerina
44	<i>Confidential</i>	R	ABO	2021-02142	9-0-1	Henke
45	<i>Confidential</i>	R	ABO	2021-01402	8-0-2	Montemayor, Tijerina

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

**Agreed Board Order (ABO) and Default Board Order (DBO)

- Proposed Remedial Plans (Item I.4)

The Board reviewed the alleged violations, as well as the recommended sanctions for 5 proposed Remedial Plans concerning pharmacies and pharmacists (Alternative Resolutions).

The motion was made by Mr. Lewis to approve the proposed Remedial Plans, as presented. The motion was seconded by Mr. Guerrero. A roll-call vote was taken, and the motion passed as follows:

No.	Name	R or P*	Remedial Plan #	Board Vote (Yes-No-Recuse)
1	Richard Perry Sanford	R	2020-04717	10-0-0
2	Striker Pharmacy	P	2020-02951	10-0-0
3	Vandita Shah	R	2020-02952	10-0-0
4	The Apothecary	P	2020-02661	10-0-0
5	Damonica L. Gorrell	R	2020-02662	10-0-0

*Pharmacist (R) and Pharmacy (P)

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

- Discussion of Schedule of Administrative Penalties (Item G.10)

Mr. Fernandez led a discussion regarding administrative penalties sanctioned against pharmacies when the pharmacist employee violates the laws and/or rules.

- Report on Accreditation Council for Pharmacy Education Evaluation of Accredited Status for University of Texas at El Paso College of Pharmacy (Item G.11)

Mr. Fernandez reported on his participation with the Accreditation Council for Pharmacy Education Evaluation of Accredited Status for the University of Texas at El Paso College of Pharmacy and encouraged other Board Members to participate if given the opportunity.

J. Miscellaneous

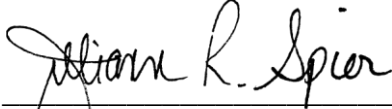
- Items to be Placed on Agenda for August 3, 2021 Board Meeting:
 - Review of Board Mission Statement
- Discussion of and Possible Action on Upcoming Meetings

Ms. Benz reminded Board Members about upcoming informal conferences and indicated the next Board meeting is scheduled for August 3, 2021, and is planned to be held virtually.

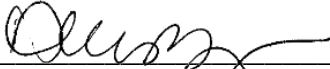
Mr. Lewis made a motion to adjourn the meeting. The motion was seconded by Ms. Henke.

President Spier adjourned the meeting at 2:37 p.m.

APPROVED:



Julie Spier, R.Ph.
President



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

August 3, 2021