

BOARD MEETING MINUTES

**Oregon Board of Pharmacy
800 NE Oregon Street
Portland, OR 97232
February 4-6, 2014**

The mission of the Oregon State Board of Pharmacy is to promote, preserve and protect the public health, safety and welfare by ensuring high standards in the practice of pharmacy and by regulating the quality, manufacture, sale and distribution of drugs.

TUESDAY, FEBRUARY 4, 2014

Penny Reher, R.Ph. Board President, called the meeting to order at 8:30AM.

The following Board Members were present:

Penny Reher, President
Christine Chute
Roberto Linares
Brad Fujisaki

Dianna Pimlott, Vice President
Ken Wells
Heather Anderson

The following staff members will be present for all or part of this session:

Marc Watt, Executive Director
Karen MacLean, Administrative Director
Courtney Wilson, Project Manager
Fiona Karbowicz, Pharmacist Consultant
Michele Cale, Inspector
Laura Elvers, Inspector
Kim Oster, Compliance Assistant

Gary Miner, Compliance Director
Chrisy Hennigan, Office Manager
Joe Ball, Chief Investigator
Gregg Hyman, Inspector
Katie Baldwin, Inspector
Annette Gearhart, Compliance Secretary

Thomas Cowan Sr. AAG Board Counsel

Introduction of new Executive Director Marcus Watt

The Board welcomed incoming Executive Director Marc Watt to his new position. Executive Director Marc Watt expressed his enthusiasm for serving as the Board's new Executive Director. He indicated that he believes he is well set up with staff that is equipped to do their jobs well.

Agenda Review and Approval

MOTION

Motion to approve the agenda was made and unanimously carried (Motion by Anderson, second by Fujisaki).

EXECUTIVE SESSION - PUBLIC MAY NOT ATTEND, pursuant to ORS 676.175, ORS 192.660 (1) (2) (f) (k).

A. Items for Consideration and Discussion:

1. Deliberation on Disciplinary Cases and Investigations
2. Personal Appearances
3. Warning Notices
4. Case Review

MOTION

Motion to enter Executive Session at 8:39 AM was made and unanimously carried (Motion by Wells, second by Anderson).

MOTION

Motion to resume Open Session at 1:14 PM was made and unanimously carried (Motion by Anderson, second by Pimlott).

OPEN SESSION

ISSUES/ACTIVITIES

Reports:

Board President Penny Reher reported that she attended the NABP Legislative Committee meeting in Chicago, Illinois. Some of the topics discussed include suggested changes to the Model Pharmacy Practice Act. Recommendations will go out for comment in May at the NABP Annual Meeting.

Board Member Ken Wells reported that he attended two legislative hearings. One of the hearings was for practitioner dispensing and the other was for e-prescribing for Schedule II Controlled Substances. Ken also indicated that he had attended the Professional Practice Roundtable in the capacity of a pharmacist not a Board Member.

Board Member Roberto Linares reported that he is now a member of the Benton Hospice Board.

Vice President Dianna Pimlott and Board Members Christine Chute, Brad Fujisaki and Heather Anderson had nothing to report.

Board Counsel Tom Cowan had nothing to report.

Compliance Director Gary Miner reported that 872 pharmacies were inspected in 2013 and that for the last three years the Compliance Department has met its target goal of 100% for completed inspections. Gary shared that he attended the Professional Practice Roundtable and that they discussed providing medication guides in an electronic format. Gary stated that pharmacist Larry Cartier is doing some outreach with the Food and Drug Administration related to this topic.

Administrative Director Karen MacLean reported that the Licensing Department has just finished the Non Prescription Drug Outlet Renewal Cycle and that they are currently completing audits for technicians and pharmacists. Karen indicated that the Department of Administrative Services (DAS) is hoping to finalize the procurement process for Live Scan for fingerprinting by March or April. Karen also shared that there is a renewed expectation that pharmacists may be included in

the credentialing database that will be created as a result of 2013 Legislation. However, at this point there is an informational RFP out until mid-February and the Oregon Health Authority will evaluate how they will approach satisfying the legislative requirements.

ORS Chapters 475 and 689 Review

Karen indicates that the ORS 475 and 689 statute review should be ready in about a week. Any housekeeping changes determined will need to be turned in by the end of by April for DAS consideration.

Financial/Budget Report

Administrative Director Karen MacLean provided a financial update. She indicates that the agency is on target with its expenditures for this biennium. Budget development for the 2015-17 biennium will begin in the next month.

Strategic Planning 2014

Administrative Director Karen MacLean indicated that the contract for the facilitator is being finalized and that each Board Member will be contacted by the facilitator to identify their individual priorities for the meeting. The Board would like to establish a time limit for all topics and have staff prepare background information for each topic. Ideally this information will identify what is known, why we are looking at the topic, and any necessary reference materials to facilitate the Board's discussion. The potential topics are identified below:

- Vision update w/facilitator for 2014-2024
- Legislative Concepts for 2015 – ORS 475 and 689 (Housekeeping)
- Licensure requirements for Pharmacy Technicians
- Pharmacy Technician duties/functions
- 2015-17 Budget development
- Communication plan re: Practitioner Dispensing
- Compounding update
- Licensing Out of State PIC's
- Drug Shortages
- Best Practices for Retail Settings
- Workflow in the Pharmacy Environment
- Expunged records
- Pharmacy related organizations and how they fit in OAR 855
 - Surgery Centers
 - Hospice
 - Medical Homes
 - Urgent Care

The Board added drug shortages to the list. They would like Board Counsel Tom Cowan to conduct a legal opinion of what authority we have regarding drug shortages. They would also like Tom to provide an opinion on what information can be utilized if an applicant or licensee provides the Board with "expunged" records. Other potential topics that they would like to discuss include: workflow in the pharmacy environment, pharmacy related organizations and how they fit in Oregon Administrative Rules Chapter 855, as well as automation and technology oversight as it relates to pharmacy information. Board Member Brad Fujisaki stated that it may be helpful to look at NAPB's Model Practice Act for automation and technology oversight information. Board staff will prepare an updated Strategic Plan from 2013 to review the last years progress and present at the meeting.

Open Forum –

Pharmacist Blake Rice discussed the responsibility of the Pharmacist-in-Charge (PIC). He indicated that the PIC is responsible for safety, security, and staff education. He shared that in large retail settings this isn't happening and that staffing at every pharmacy in the state is not what it should be. He would like the Board to address this in future rule making. Blake also indicates that the Board's newsletter isn't being read at pharmacies. He believes that the pharmacy schools need to educate students of the responsibilities they will have should they become a PIC. Blake would also like the Board to consider rules that provide protection for the PIC.

Adjourn

MOTION

Motion to adjourn at 2:31 PM was made and unanimously carried (Motion by Anderson, second by Chute).

WEDNESDAY, FEBRUARY 5, 2014

Penny Reher, R.Ph. Board President, called the meeting to order at 8:30AM.

The following Board Members were present:

Marc Watt, Executive Director	Gary Miner, Compliance Director
Karen MacLean, Administrative Director	Chrisy Hennigan, Office Manager
Courtney Wilson, Project Manager	Joe Ball, Chief Investigator
Fiona Karbowicz, Pharmacist Consultant	Gregg Hyman, Inspector
Michele Cale, Inspector	Katie Baldwin, Inspector
Laura Elvers, Inspector	Annette Gearhart, Compliance Secretary
Kim Oster, Compliance Assistant	

Thomas Cowan Sr. AAG Board Counsel

Motions for Disciplinary Action - Please see Motions for Disciplinary Cases at the end of this document.

Board President Penny Reher welcomed the pharmacy interns and asked them to introduce themselves. Three interns were in attendance.

Approve Consent Agenda*

*Items listed under the consent agenda are considered to be routine agency matters and will be approved by a single motion of the Board without separate discussion. If separate discussion is desired, that item will be removed from the consent agenda and placed on the regular business agenda.

- * 1. NAPLEX Scores - none
- 2. MPJE Scores - none
- 3. Executive Director Report - none
- 4. Project Manager Report
- 5. License/Registration Ratification (December 14, 2013-January 31, 2014)
- 6. Extension Requests
- 7. Approval of Board Meeting Minutes (December 17-18, 2013, January 8, 2014)

MOTION

Motion to approve Consent Agenda was made and unanimously carried (Motion by Fujisaki, second by Wells).

Board Meeting Dates

- March 11 -12, 2014 Silverton - Strategic Planning
- April 8 - 9, 2014 Portland
- June 10 - 11, 2014 Portland
- August 12 - 14, 2014 Portland
- October 7 - 8, 2014 Portland
- December 2-3, 2014 Portland
- February 10-12, 2015 Portland
- March 17-18, 2015 TBA
- April 7-8, 2015 Portland
- June 9-10, 2015 Portland
- August 11-13, 2015 Portland
- October 6-7, 2015 Portland
- December 15-16, 2015 Portland

Rulemaking Hearing Dates

- May 22, 2014
- November 25, 2014
- May 28, 2015
- November 24, 2015

Board Member/Staff Presentations

Pharmacist Consultant Fiona Karbowicz and Compliance Director Gary Miner attended the January 14th Pharmacy Coalition Meeting. Fiona stated that practitioner dispensing, marijuana facility licensing and lab testing were among some of the items discussed. Additionally, Advanced Pharmacist Practice was discussed. Pharmacists are currently the only practitioner that has a qualifier attached. Other states are now modeling similar language as California in hopes to adopt Advanced Pharmacist Practice in their state.

Fiona and Gary attended the Professional Practice Roundtable Meeting. They indicated that there was a lot of good discussion at the meeting.

Gary shared that the Compliance Department will be preparing for the 2014 Oregon State Pharmacist Association Lane County Mid-Winter Continuing Education Seminar later in the month. This year they will not be participating in the lecture part of the event. However, they will continue to be available for questions at the Board's booth.

Committees/Meetings

The National Association of Board of Pharmacy (NABP) 2014 Annual Meeting is to be held in Phoenix, Arizona May 17th-20th.

MOTION

Motion to send Ken Wells as the Board's Voting Delegate for 2014 NABP Annual Meeting was made and unanimously carried (Motion by Chute, second by Anderson).

The Board agreed to send one Board Member to NABP's District VI-VIII Meeting in Whitefish, Montana. They did not decide who to send at this meeting.

Pacific University's ACPE On-site Evaluation will be held October 21st-23rd. Pacific has requested to have one Board Member or one staff person participate. Compliance Director Gary Miner attended the initial ACPE evaluation and offered to participate this year. The Board agreed Gary's experience would be valuable.

Research Councils – None

VI. GENERAL ADMINISTRATION Rules & Policy Discussion

Division 019 Foreign Pharmacy Graduates, TOEFL Score

Administrative Director Karen MacLean shared that last December, NABP increased its accepted TOEFL score for Foreign Pharmacy Graduates. As a result staff is recommending that OAR 855-019-0270 be amended.

MOTION

Motion to amend & adopt a temporary rule in OAR 855-019-0150 as revised was made and unanimously carried (Motion by Chute, second by Fujisaki).

Division 080 Controlled Substances

Compliance Director Gary Miner presented a temporary rule in Division 080 to add gamma-butyrolactone as a Schedule I Controlled Substance. This rule is being requested by the Oregon State Police. It appears that there was an administrative filing error in 2006 that took out gamma-butyrolactone from the list of Schedule I Controlled Substances.

MOTION

Motion to amend & adopt as a temporary rule Controlled Substance rules in OAR 855-080-0021 was made and unanimously carried (Motion by Chute, second by Fujisaki).

Division 080 Medical Marijuana Dispensaries

Compliance Director Gary Miner discussed Medical Marijuana Dispensaries. He indicates that a gap in the statute for Medical Marijuana Dispensaries has been identified. The statute does not cover or allow the Board to issue a certificate to register these facilities. Staff will work with the Oregon Health Authority to develop a joint statement which indicates that a registration from the Oregon Board of Pharmacy is not necessary. The statement will be posted on both agencies' websites.

Send Rules to Rulemaking Hearing – None

Policy Decisions

Hydrocodone / Tramadol – Federal Update

Compliance Director Gary Miner presented the article entitled "The Hydrocodone Question" published on Drug Topics. The article has a variety of questions about how difficult it should be to get drugs such as hydrocodone. It also discusses New York's change to make hydrocodone a Schedule II drug in April of 2013. Since hydrocodone has been rescheduled in New York, hydrocodone prescriptions for pain have diminished; codeine prescription for pain and cough products have remained the same, and prescriptions for oxycodone IR have increased. The Board indicated that they still would like to wait to make any decisions to reschedule hydrocodone and tramadol in Oregon and monitor any actions that the federal government makes. The federal government's progression will be discussed at the April Board Meeting.

Executive Director Marc Watt inquired about alternative therapy. If hydrocodone is rescheduled what will be the unintended consequences. The Board indicated that unintended consequences have not yet been discussed. Board President Penny Reher indicates that the Coordinated Care Organizations (CCOs) at Samaritan Health Services are currently looking into other pain therapy options.

Appearance

Cory Huot, RPh, MBA, Manager of Pharmacy Services, Legacy Meridian Park Medical Center, Chairman of the Oregon Pharmacy Coalition and Nicole O'Kane, PharmD, Consultant Pharmacist for Acumentra Health, Clinical Pharmacist for Walgreens Specialty Pharmacy provided a presentation on Clinical Pharmacy Services (CPS) in Oregon. Last July the Oregon Pharmacy Coalition asked the Board to email a questionnaire to pharmacists to collect data that would inform healthcare leaders on responses from clinicians who were currently providing clinical pharmacy services.

The goal of the questionnaire was to establish a baseline understanding of current clinical services available in Oregon and to establish a database with names and organizational contacts for future collaboration on the promotion and expansion of CPS in Oregon. Out of 5,926 licensed pharmacists, 614 or 10% of pharmacists completed the questionnaire. 579 of the respondents reported that they provide some form of clinical services in Oregon. 460 respondents reported the specific CPS they provide. The locations where clinical pharmacists provide these services include: community pharmacies 37%, hospitals 34% and 21% clinics. 243 respondents practice under at least one Collaborative Practice Agreement. 160 respondents provide Comprehensive Medication Management to patients. 259 respondents provide Medication Therapy Management to patients. 209 respondents use the Prescription Drug Monitoring Program (PDMP) to provide

CPS, but only 77 respondents (12%) report their practice has a standard protocol to guide use of the PDMP. 152 respondents are affiliated with a Coordinated Care Organization (CCO); only one CCO was not affiliated with any of the respondents. 79 respondents are affiliated with a commercial payer, and 98 reported their organization receives financial reimbursement for CPS.

The Oregon Clinical Pharmacy Services Steering Committee hopes that a state pharmacist association or other state leader will oversee the management of the questionnaire results and utilize them to maximize the promotion of CPS. This organization will coordinate the use of the information to connect healthcare leaders to the clinical pharmacists in their area; conduct outreach to pharmacists who included contact information on the questionnaire; support development of a learning collaborative to share current best practices and protocols for comprehensive pharmacy services and to further evaluate the questionnaire results for publication.

The Board thanked Cory Huot and Nicole O'Kane for their informational presentation and asked that they keep the Board updated on future progress.

Discussion Items

Waiver/Exception Requests - None

Drug Quality and Security Act (DQSA) Update

Compliance Director Gary Miner and Pharmacist Consultant Fiona Karbowicz provided an update on DQSA. Title II of the Act, which was recently signed into law. This law preempts states from recognizing or requiring NABPs Verified Accredited Wholesale Distributors (VAWD) program. However, according to NABP, after performing an initial legal analysis of the Act this is not the case and that the Act specifically requires NABP to assist the Food and Drug Administration (FDA) in developing the implementing regulations. NABP is performing a more detailed legal analysis in discussion with FDA and will be releasing that analysis to the states upon completion.

In the interim NABP urges states to delay making any decisions on VAWD in their state until they have an opportunity to review the analysis. Gary provided the history of how the Board has used VAWD as a requirement for wholesalers. The Board currently requires all Wholesalers with Prescription Drugs to either be VAWD accredited or to have an accepted state inspection report that has been conducted within the last three years along with a \$100,000 surety bond. The new federal legislation changes the bond amount to \$25,000. The Board has already been receiving requests to reduce the bond amount from \$100,000 to \$25,000. However, staff is waiting for NABP guidance.

Board Members also would like Board Counsel Tom Cowan to review the DQSA and see how it will impact us. Board Member Heather Anderson indicates that she has read the Bill and she believes that we are okay to leave our rules as is until national standards are established.

Compounding Update

Compliance Director Gary Miner and Pharmacist Consultant Fiona Karbowicz indicate that the FDA has a list of outsourced facilities on their website. Staff will be getting the Compounding Work-Group back together soon.

Oregon Modified High School Diploma Update

Board Counsel Tom Cowan provided a memo to staff on the Oregon Revised Statute (ORS) framework for the equivalency of Oregon high school diplomas and Oregon “modified” diplomas for purposes of licensing. Tom indicates that although “modified” diplomas serve as a valuable option for Oregon’s education structure, they are not synonymous or equivalent to a high diploma as referred to in ORS 329.451. Staff will forward this information on to NHA, PTCB and the location pharmacy technician schools.

CPT Licensing and CE

Compliance Director Gary Miner provided some historical information on the CPT licensing and CE requirements. He indicates that the concept to remove the renewal requirement for maintaining national certification and eliminate CE was introduced in December. There was also discussion regarding that the technician be would responsible for documenting their own continuing education and that their continuing education and ongoing training remain relevant to the technicians practice. The Board concurred to convene the technician work-group for additional discussion, recommendations and rule development.

Legislative Update

Staff provided an update on the 2014 Legislative Session. Current Bills affecting the Board include House Bill 4013 which authorizes practitioners to electronically transmit prescriptions for Schedule II controlled substances in nonemergency situations. This Bill is declared an emergency and is effective on passage.

Senate Bill 1561 exempts establishment where practitioner dispenses drugs from laws and rules related to regulation of drug outlets, if establishment and practitioner meet certain criteria. This Bill is declared an emergency and is effective on passage. The Board agreed that they would like to see this bill slow down and stop, if possible to intervene. The Board wants to take its time and do it correctly. The Board wants to make sure that the other Boards understand that the Pharmacy Board is not interested in the regulation of administering drugs. They are interested in the dispensing of the drug supply. Board Counsel Tom Cowan indicates that there could be unintended consequences as to who is exempt under this law and unintended consequences of the language as it is being proposed. There should be no intent to go through this quickly. The Boards should work together to sort this out to get the best possible product.

Topics for Future Discussion

Board President Penny Reher reviewed the list of future topics:

- Responsibilities of the PIC
- Counseling on all Controlled Substance dispensing
- Workgroup for Working Conditions
- CCO’s / Medical Home
- Temporary Pharmacies
- Long Term Care
- How Final Orders are published on the BOP website+
- Medguides – Paperless

OPEN FORUM – Board President Penny Reher invited guests to comment during Open Forum.
No one responded.

Adjourn

MOTION

**Motion to adjourn at 11:53 AM was made and unanimously carried (Motion by Wells,
second by Fujisaki).**

Accepted by:



**Marcus Watt
Executive Director**

Oregon Board of Pharmacy
800 NE Oregon Street
Portland, OR 97232
Penny Reher, R.Ph. Presiding

Tuesday, Feb. 4, 2014 @ 8:30 AM, Conference Room 1B
Wednesday, Feb. 5, 2014 @ 8:30 AM, Conference Room 1B
Thursday, Feb. 6, 2014 @ 8:30 AM, Conference Room 1B
800 NE Oregon Street in Portland, Oregon

Executive Session of the Board was held on Tuesday, Feb. 4, 2014 to discuss Compliance cases, followed by motions on Wednesday, Feb. 5, 2014.

Board Members present for all or part of compliance session:

Penny Reher, RPh, President
Dianna Pimlott, R.Ph., Vice President
Kenneth Wells, R.Ph.
Brad Fujisaki, R.Ph.

Roberto Linares, R.Ph.
Christine Chute, Public Member
Heather Anderson, Public Member

Staff present for all or part of compliance session:

Gary Miner, R.Ph., Compliance Director
Joe Ball, R.Ph., Chief Investigator
Katie Baldwin, R.Ph., Board Inspector
Michele Cale, R.Ph., Board Inspector
Gregg Hyman, R.Ph., Board Inspector
Laura Elvers, R.Ph., Board Inspector

Marcus Watt, R.Ph., Executive Director
Karen MacLean, Administrative Director
Courtney Wilson, Project Manager
Fiona Karbowicz, R.Ph., Pharmacist Consultant
Annette Gearhart, Compliance Secretary
Kim Oster, Compliance Assistant
Thomas Cowan, Senior AAG

Case 2013-0033 Motion to accept ALJ's Summary Determination and Proposed Order.

Motion by: Heather Anderson; Seconded by: Kenneth Wells. Motion unanimously carried.

Case 2013-0120 Motion to accept signed proposed Consent Order.

Motion by: Kenneth Wells; Seconded by: Heather Anderson. Motion unanimously carried.

Case 2009-0071 Motion to deny pharmacist's request.

Motion by: Brad Fujisaki; Seconded by: Roberto Linares. Motion unanimously carried.

Case 2012-0494 Motion to grant technician's request, reduce to 12 UAs annually.

Motion by: Kenneth Wells; Seconded by: Heather Anderson. Motion unanimously carried.

Case 2013-0532 Motion for Board staff to negotiate a Stipulated Agreement with pharmacist.

Motion by: Heather Anderson; Seconded by: Kenneth Wells. Motion carried with Penny Reher abstaining.

Case 2014-0003 Motion to revoke technician license and impose \$1,000 civil penalty per violation.

Motion by: Kenneth Wells; Seconded by: Heather Anderson. Motion unanimously carried.

Case 2013-0452 Motion to revoke technician license and impose \$1,000 civil penalty per violation.

Motion by: Christine Chute; Seconded by: Heather Anderson. Motion unanimously carried.

Case 2012-0571 Motion to revoke pharmacist license and impose \$1,000 civil penalty per violation.

Motion by: Kenneth Wells; Seconded by: Brad Fujisaki. Motion unanimously carried.

Case 2013-0473 Motion to revoke technician license and impose \$1,000 civil penalty per violation.
Motion by: Dianna Pimlott; Seconded by: Roberto Linares. Motion unanimously carried.

Case 2013-0517 Motion to revoke technician license and impose \$1,000 civil penalty per violation.
Motion by: Christine Chute; Seconded by: Heather Anderson. Motion carried with Kenneth Wells opposed.

Case 2014-0006 Motion to deny technician license and impose \$1,000 civil penalty per violation.
Motion by: Kenneth Wells; Seconded by: Roberto Linares. Motion unanimously carried.

Case 2013-0507 Motion to deny technician license.
Motion by: Heather Anderson; Seconded by: Roberto Linares. Motion carried with Kenneth Wells opposed.

Case 2014-0038 Motion to grant intern license.
Motion by: Roberto Linares; Seconded by: Heather Anderson. Motion unanimously carried.

Case 2013-0499 Motion to deny technician license.
Motion by: Kenneth Wells; Seconded by: Roberto Linares. Motion unanimously carried.

Case 2013-0513 Motion to grant pharmacist license.
Motion by: Roberto Linares; Seconded by: Kenneth Wells. Motion carried with Brad Fujisaki opposed.

Case 2013-0465 Motion to impose \$5,000 Civil Penalty per violation against outlet;
Case 2014-0001 Motion to impose \$1,000 Civil Penalty per violation against Pharmacist-in-Charge;
and
Case 2014-0002 Motion to impose \$1,000 Civil Penalty per violation against technician
Motion by: Kenneth Wells; Seconded by: Roberto Linares. Motion unanimously carried.

Case 2013-0377 Motion to impose \$10,000 civil penalty per violation against outlet.
Motion by: Heather Anderson; Seconded by: Dianna Pimlott. Motion unanimously carried.

Case 2013-0493 Motion to issue letter of concern to technician;
Case 2013-0495 Motion to impose \$1,000 civil penalty per violation against technician; and
Case 2013-0496 Motion to impose \$1,000 civil penalty per violation against technician.
Motion by: Christine Chute; Seconded by: Dianna Pimlott. Motion unanimously carried.

Case 2013-0516 Motion to impose \$1,000 civil penalty per violation against pharmacist.
Motion by: Brad Fujisaki; Seconded by: Dianna Pimlott. Motion unanimously carried.

Case 2013-0497 Motion to issue letter of concern to pharmacist and the outlet.
Motion by: Heather Anderson; Seconded by: Kenneth Wells. Motion unanimously carried.

Case 2014-0004 Motion to grant technician license.
Motion by: Heather Anderson; Seconded by: Kenneth Wells. Motion unanimously carried.

Case 2013-0419 Motion to issue letter of concern to drug outlet and in
Case 2013-0447 CC: letter to Pharmacist-in-Charge.
Motion by: Kenneth Wells; Seconded by: Dianna Pimlott. Motion unanimously carried.

Case 2013-0314 Motion to issue unable to substantiate letter to pharmacist.
Motion by: Kenneth Wells; Seconded by: Roberto Linares. Motion carried with Christine Chute opposed.

Motion to accept the items on the consent agenda with cases 2013-0419, 2013-0447, 2013-0314 and 2013-0343 pulled for discussion.
Motion by: Heather Anderson; Seconded by: Kenneth Wells. Motion unanimously carried.

LETTERS OF CONCERN CASES:

- Case: 2013-0446** Issue Letter of Concern to drug outlet and Letter of Concern regarding Power of Attorney to pharmacist.
- Case: 2013-0514** Issue Letter of concern to pharmacist and technician suggesting CE in veterinary medication; CC: outlet and PIC.
- Case: 2013-0421** Issue Letter of Concern to Pharmacist-in-Charge; Letter of Concern recommending 3 hours CE in Medication Error Prevention to pharmacist and technician; and CC: letters to outlet.
- Case: 2013-0360** Issue letter of concern to outlet.

DEFICIENCY NOTICES:

Cases: 2013-0243, 2013-0260, 2013-0294, 2013-0295, 2013-0341, 2013-0370, 2013-0371, 2013-0373, 2013-0505, 2013-0510, 2013-0511, 2013-0512, 2013-0518, 2013-0519, 2013-0520, 2013-0526, 2013-0527, 2013-0482, 2013-0533, 2013-0536, 2013-0537 and 2013-0539.

UNABLE TO SUBSTANTIATE:

Cases: 2013-0379, 2013-0383, 2013-0409, 2013-0489 and 2013-0522.

NO VIOLATION:

Cases: 2013-0380, 2013-0435, 2013-0448, 2013-0464 and 2013-0494

NO JURISDICTION:

Cases: 2013-0445, 2013-0521 and 2014-0008.

C.E. AUDIT CASES:

Authority delegated to the Compliance Director by the Board [grant staff authority to issue LOC if CE completed in June or to take and pass MPJE (in lieu of discipline) within 120 days if CE not completed by end of June]. Staff authorized to issue NPDA to suspend pharmacist license if MPJE not taken and passed within 120 days.

Cases: 2013-0503 MPJE audit letter and 2013-0547 withdrew renewal application.