

WYOMING STATE BOARD OF PHARMACY

Board Meeting December 7, 2011
Casper East McMurry Park Holiday Inn
721 Granite Peak Drive
Casper, Wyoming
Minutes

Wednesday, December 7, 2011

Present/Absent	Board Member	Title
<i>Present</i>	Terry L. Carr, R.Ph.	Board President
<i>Present</i>	Randolph A. (Randy) Harrop, R.Ph.	Board Vice President
<i>Present</i>	John R. McPherson, D.D.S.	Board Secretary/Treasurer
<i>Present</i>	Robert J. (Rick) Davis, M.D.	Board Member
<i>Present</i>	Alison Kay McManus, R.Ph.	Board Member
<i>Present</i>	Bessie McGirr, R.Ph.	Board Member
<i>Present</i>	Charles W. Smith	Board Member
<i>Present</i>	Stephanie McAntee, R.P.T.	Board Member, <i>ex-officio</i>

Guests/Observers:

Ken F. Nelson, J.D.	Senior Assistant Attorney General
Mary K. Walker, R.Ph.	Executive Director, Wyoming State Board of Pharmacy
Phyllis A. Chapman	Senior Office Support Specialist, Wyoming State Board of Pharmacy
H. Richard Burton, R.Ph.	Inspector/Compliance Officer, Wyoming State Board of Pharmacy
Henry A. "Hank" York, R.Ph.	Inspector/Compliance Officer, Wyoming State Board of Pharmacy
Eric Easton	Senior Assistant Attorney General
Deborah Baumer	Director, Office of administrative Hearings
Kathy Kendrick	Registered Professional Reporter, Wyoming Reporting Service, Inc.
James Ammon	

Contested Case Hearing for Docket 11-13 OAH Docket Number 12-039-059 James Vaughn Ammon.

Introductions began at 1:04 p.m. The complete court document for the hearing is in the office packet for this meeting.

Adjournment to Executive Session: Charlie Smith moved to go into executive session to discuss disciplinary matters at 3:45 p.m. Kay McManus seconded the motion which passed with a 6-0 vote.

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Kara Beech	Executive Director, Wyoming Pharmacy Association
Perry Schneider, R.Ph.	Walgreens Company, Denver, Colorado
Tim Seeley	Powell Valley Healthcare
Eric Saul	Creighton University, School of Pharmacy student
Jonathan Beattie, PharmD, R.Ph.	Wal-Mart Pharmacy, Casper, Wyoming
Bree Bertz	University of Wyoming, School of Pharmacy student
Anastasia Sarbach, MS, LPC	Clinical Director, Wyoming Professional Assistance Program
Berton Toews, M.D.	Medical Director, Wyoming Professional Assistance Program
Stephanie Soler	Creighton University, School of Pharmacy student
Donna Artery, PharmD, R.Ph.	Wyoming Department of Health
Jaime Hornecker, PharmD, R.Ph.	President, Wyoming Pharmacy Association

Call to Order: President Carr called the meeting to order at 8:02 a.m. Rick Davis moved to go into executive session to discuss disciplinary matters at 8:03. Kay McManus seconded the motion, which passed with a 6-0 vote.

Public Meeting called to order: President Carr called the public meeting to order at 8:29 a.m.

Review and approval of the September 7-8, 2011 minutes: Randy Harrop moved to accept the minutes as presented. Bessie McGirr seconded the motion which passed with a 6-0 vote.

Wyoming Professional Assistance Program quarterly report: Clinical Director, Anastasia Sarbach, introduced herself to the board members. She has replaced George Vandel. Ms. Sarbach's quarterly report found 5 pharmacists/technicians, 2 pharmacy students and 1 former pharmacist active in the program. Three of these were issued level 1 non-compliance letters, one received a level 3 non-compliant letter and one has discontinued reporting to the board office because this individual does not hold a Wyoming license at this time.

Board Website: Eric Saul, Creighton University, School of Pharmacy student and webmaster for the board office gave a presentation on online renewals for pharmacists through our website. He explained how daily renewals sync to our website each night. Individuals with disciplinary actions or name changes are directed to do a paper renewal. A copy of Mr. Saul's power point presentation is on file with this board meeting packet.

Telepharmacy Presentation: Bree Bertz, P4 PharmD candidate at the University of Wyoming, school of pharmacy gave an in depth presentation about telepharmacies. Her presentation included structural requirements, record keeping, how the operation is run with the parent pharmacy and the impact a telepharmacy can have on an outlying community. The complete power point presentation is included with the meeting packet in the board office.

Executive Director's report: Mary Walker reported to the Board regarding a presentation she gave to WPHA in October and also to Casper College Law Day in November and The University of Wyoming also in November. She currently has 58 pharmacist applications in process. Mary met with our attorney Eric Easton in October, November and December to discuss disciplinary issues. She attended the NABP meeting in September in Chicago and the District 7 meeting in Seattle in October. Mary also touched on the subject of the GL Suite system and how the Boards of Medicine and Geology and Cosmetology were already using it and they were very happy with the program for licensing. Our 2013-2014 budget has the governor's recommendations. There are a significant number of institutional and retail pharmacies undergoing remodeling right now. Mary also informed the Board the online PDMP should be ready for the pilot in March. Mary and Dave Wills have made two long trips to prescribers and pharmacies. We are currently working on educational materials with the grant money. Ms. Walker ended her report stating she had not used any vacation during September, October or November, but intended to go to the UW bowl game in New Mexico.

Executive Directors at NABP, September 21-23, 2011: Mary Walker attended this meeting along with about thirty other executive directors. There was talk about pill mills, prescriber issues and robberies. Mary stated it was a very good meeting and NABP wants a meeting every year for the executive directors.

License Renewal update: Phyllis Chapman reported that 217 controlled substance registrants were cancelled for failure to renew. 165 technicians have already renewed but 446 still need to renew. Eric Saul will report on the pharmacists during his presentation.

Pills/Potions/Profits, October 2011 in Laramie: Phyllis Chapman attended day one of the conference and was very impressed with the turn out. There were students, professionals and the general public in attendance. The breakout sessions that were provided were nice so you could attend what you wanted to. David Wills attended this on day 2.

Compliance Officers Report: Richard Burton reported all his inspections were completed. He is still finding some of the same issues as far as record keeping and technicians not posting their licenses. He also stated that perpetual inventories are not being documented and there is trouble with reconciliations. CII inventories are being done on the computer, some are successful and others are not. Richard suggested we need better rules on reconciling the perpetual inventory. He said the chain stores keep hard copies which is

easier to do random checks on. He found in some instances clutter was an issue and not having designated areas for expired or recalled meds and this may cause.

Hank York reported there was a lot of remodeling going on and a new pharmacy in southern Wyoming. The inspections went very well. Reconciliations in the hospitals are a problem on the pyxis machine. President Carr asked if we can look at the institutional rules. Mary Walker indicated that chapter was on the list to be reviewed. Randy Harrop asked if we could have one of our students do a comparison of the percentage of controlled prescriptions to that of 20 or 30 years ago.

NABP Compliance Officers, December 1-2, 2011: Richard Burton and Hank York attended this meeting in Chicago. There were about 40 to 50 other compliance officers in attendance. Many states are now doing the self-inspections which help them with the laws. Other inspectors told stories about their areas and they are having the same problems we have. Fentanyl is the number one drug of diversion. NABP took ideas into consideration and they will maybe do this conference every other year.

NABP/AACP District 6, 7, & 8, October 4-6, 2011, Seattle, WA: Terry Carr and Kay McManus and Mary Walker attended this meeting. President Carr stated there was a lot of good information given. Terry explained how this meeting makes him feel not so isolated. There was a discussion regarding dispensing from doctors offices. Lynn Birleffi asked if the doctors are reporting to the PDMP and Mary indicated we were not sure. Dr. Davis said the Board of Medicine was having the same issues and concerns with this subject too.

WPha Technician C E, Casper, October 1, 2011: Stephanie McAntee gave her first powerpoint presentation to technicians. There was a discussion on technician levels, which had mixed opinions by age. The technicians 30 years old and younger were excited about the idea, the older technicians were not. Kay McManus stated that since interns were allowed to immunize now maybe the technicians should be allowed to do more. The interns that are immunizing are taking a lot of stress off of the pharmacist. Bree Bertz commented that if the technician makes an error, the pharmacist gets disciplined also. It was agreed that technicians need more accountability.

NASCSA in Portland, ME, October 17-21, 2011: David Wills attended this meeting and provided a report. A copy of this report is in the board meeting packet.

National Take Back Initiative, October 29, 2011: Mary Walker announced that this was a huge success with 188 tons of meds received. Because it was such a success another one is scheduled for April 2012.

Collaborative Practice Report: Bessie McGirr announced that one agreement in Rock Springs had pulled out and another one in Wheatland was reviewed and returned. It was returned with revisions and approved by the committee. There was one collaborative practice in Cheyenne that closed down. Two were up for renewal and they were approved. Dr. Davis asked what the committee does to renew them. Bessie explained that Mary audits and does site checks.

Randy Harrop moved to accept the report. Charlie Smith seconded the motion which passed with a 6-0 vote.

Acronym and Logo for WORx: There was a discussion regarding the new acronym and logo for the prescription drug monitoring program. Mary Walker announced she had talked to doctors and they do want signs for their offices. It was suggested that perhaps posting in each examination room would be a good idea too. Kay McManus suggested a few changes to the wording. The signs will read as follows: We participate in the on-line Prescription Drug Monitoring Program known as WORx (Wyoming Online Prescription Database). The system collects prescription data on controlled substances dispensed in or into the state of Wyoming. This program is authorized pursuant to Wyoming Statute 35-7-1060.

Fees: A listing of current fees was compiled by a pharmacy student and reviewed. Mary Walker explained there was no need to increase any fees for the next 2 years.

Pharmacist-in-Charge Mailing: Mary Walker explained that staff had mailed a letter to the pharmacist-in-charge regarding self inspections and a summary of PIC responsibilities. This mailing also included a disc with revised rules for 9 chapters and statute revisions to the controlled substance act. This mailing also included information regarding compliance for chapter 17 (USP 797) for sterile compounding. A letter was also sent to the CEO's of Wyoming institutions so they would be aware discuss sterile compounding with the pharmacist.

Interns as Immunizers: Mary Walker announced that the first class was held for interns to immunize. The course could only hold 40 students although many more wanted to attend. A conversation ensued regarding the shingle (Zoster) immunization. Due to conflicting information from the CDC and the manufacturer the Board decided to follow the CDC guidelines unless presented with a prescription.

John McPherson moved that those under 60 years of age cannot get the shingle vaccination unless prescribed by a physician. Rick Davis seconded the motion which passed with a 6-0 vote.

GL Suite: There was a brief conversation about the prospect of a new database. It was decided we would hold off on this project until the new PDMP program was up and running smoothly.

Budget (B-11 request): Mary Walker explained the budget in detail and the need for a B11 for \$64,138 dollars.

Kay McManus moved to accept the B11 in the amount of \$64,138. Bessie McGirr seconded the motion which passed with a 6-0 vote.

Docket No. 10-47 Anne Sager: Ken Nelson moved to approve the Settlement Agreement, Stipulation and Order with corrections in this matter and authorized President Carr to sign. Randy Harrop moved to accept the Settlement Agreement with the corrections. Kay McManus seconded the motion which passed with a 6-0 vote.

Docket No. 11-19 Ridley's Pharmacy: Ken Nelson moved to approve the Settlement Agreement, Stipulation and Order in this matter and authorized President Carr to sign. Rick Davis moved to accept the Settlement Agreement. Kay McManus seconded the motion which passed with a 6-0 vote.

Docket No. 11-03 Michael Roeber: Ken Nelson moved to approve the Settlement Agreement, Stipulation and Order in this matter and authorized President Carr to sign. Bessie McGirr moved to accept the Settlement Agreement. Randy Harrop seconded the motion which passed with a 6-0 vote.

Request for waiver of Pharmacist-in-Charge presence: Kay McManus moved to reject this request. Charlie Smith seconded the motion which passed with a 6-0 vote.

Rules Revisions for 2012: Board members and staff are to send via email to Mary Walker which rules they would like revised by January 15, 2012. She will compile the list by January 31, 2012. Under the public meeting guidelines, Mary can send information to everyone via email and replies should go back to only Mary, not "reply all". Ken Nelson reminded we are not required to have a public hearing about rules revisions unless 25 or more people request it. Comments can be submitted by mail or email and proposed changes are to be posted in the newsletter.

Charlie Smith moved to adjourn the meeting at 1:46 pm. Randy Harrop seconded the motion.

Respectfully submitted on February 3, 2012

Notes by Phyllis Chapman, Senior Office Support Specialist

Respectfully submitted and reviewed:

Mary Walker, R.Ph.
Executive Director

Minutes approved and entered into record:

Terry Carr, R.Ph.
Board President