

**MINUTES**  
**WYOMING STATE BOARD OF PHARMACY MEETING**  
**February 16-17, 2005**  
**Cheyenne, WY**

| <b>SUBJECT</b>                              | <b>DISCUSSION</b>  | <b>ACTION TAKEN</b>   |
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| September 22-23 board minutes               | Minutes reviewed. No changes noted   | Minutes approved, 3/0   |
| Education Requirements-Pharmacy Technicians | Kim Mammon, PharmD with Casper College provided information regarding Casper College pharmacy technician program as well as accredited programs in Montana, South Dakota, Colorado, & Utah. Discussed accreditation.   | Board will consider education requirements when rule-making considerations are discussed later in the meeting.  |
| Prescription Drug Monitoring Program        | Statistics presented on data collected through December and number of profiles requested. Discussed threshold for unsolicited reports. The current threshold is any patient who sees 5 pharmacies/5 practitioners in one month. Discuss lowering threshold as well as pharmacist responsibility to conduct prospective drug use reviews as well as obtain an ID on any patient not known to the staff. | Threshold for unsolicited profiles lowered to 3 pharmacies/3 practitioners in one month. Vote to lower threshold was 3/0. The staff to place an article in the June newsletter addressing that the prospective drug use review must still be performed by the pharmacist and the need to check for identification of patients not known to the pharmacy staff when medication is picked up at the pharmacy. |
| Web page changes                            | Enhancements to the board's web page are just about done. Enhancements include database searches including retail pharmacies (resident/nonresident), institutional pharmacies, and manufacturers/wholesalers for both prescription drugs and controlled substances. Discussed placing a date when the web page was last updated.   | Enhancements to be on the board's web page by Spring. The board's home page will have a statement indicating the last time the web site was updated and a general statement as to frequency of updates.   |
| 2005 Legislature                            | Bills affecting the board either directly or indirectly during this current session were discussed and include Senate Files 92, 123, 124, 133 & 166// House Bills 38, 61, 100, 114, 194, 249, 258, 293, 308 & 326. HB 114 was drafted by the board   | Board will follow each bill and testify where needed at committee.  |
| Drug Free Workplace                         | Discussed the drug-free workplace addendum to the board's Safety and Health Program. This program allows the board to receive a discount on workmen's comp rate.   | No further action required  |

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| WPAP quarterly report                            | George Vandel presented the quarterly report for the time period 10/1/04 to 12/31/04. He indicated the hospital in Rock Springs has joined WPAP as a sponsor, informed the board of a new email/webpage address for WPAP.  | Mr. Vandel was asked to submit an updated article for the June newsletter.  |
| DEA's position on schedule II prescriptions      | Discussed letter sent by Bill Winsley, Executive Director, Ohio Board of Pharmacy to DEA regarding the writing of schedule II prescriptions. In particular, the previously approved DEA policy of allowing practitioners to write multiple schedule II prescriptions for the same drug, dated and signed on the same date, with instructions in the sig. designating the date when the prescription may be dispensed. Also discussed the Federal Register/volume 69, number 220 regarding DEA's request for public comments regarding this matter. | Board will submit a response to the notice in the Federal Register.   |
| Palladone Action Plan                            | Bill Reinig briefly discussed activities related to the release of Palladone. Palladone (Hydromorphone extended release) will be available in 12, 16, 24, & a 32 mg capsule, dosed q24h, and was released to the market in January. Concerns about diversion were discussed.   | Article to be placed in the June newsletter.  |
| Recognition of pharmacists licensed for 50 years | Four pharmacists have met the 50 year licensure with their 2005 license renewal and include William Fraser, Claude Gibler, Richard Quarve & Edwin Small. Discussed recognition at the annual Wyoming Pharmacy Association meeting in Cheyenne, which will be held June 23-25.  | The board will have time at the awards banquet on June 25 to recognize these pharmacists. A board member and the executive director will make the presentation. |
| District 6,7 & 8 Fall Conference                 | Discussed tentative agenda for the Fall conference. The dates are October 5-8 and will be held at the Teton Mountain Lodge in Teton Village  | Tentative agenda agreed to. Kay McManus and Jim Carder will confirm participants and plan to have registration packets mailed by July.                          |
| Hank York's position                             | Mr. York has been called to active duty with the US Army Reserves. He was called to active duty in January and may be deployed up to 18 months. He is assured of his job upon discharge. At the present, no plans are being made to hire a temporary.  | Re-evaluate whether to hire a temporary inspector at the June board meeting.  |

Rule-making considerations for 2005

Discussed proposed changes in board rules.

The following rule-making changes will be pursued in 2005:

- Any rule-making required by legislation approved during the 2005 WY Legislature.
- Chapter 2, Section 14, Pharmacy Act R&R- termination of practitioner/patient relationship.
- Chapter 4, Code of Ethics to be revised including a provision addressing a pharmacist right to refuse to dispense based on personal or therapeutic reasons.
- Chapter 2, Pharmacy Act R&R- new language dealing with packaging used by a pharmacy when dispensing medications to patients in long-term care facilities.
- Chapter 2, Pharmacy Act R&R- new language dealing with responsibility of a pharmacist providing nursing home consultant activities.
- Chapter 6, section 4(a) CSA R&R-rewrite and address tamper evident paper, signatures & manner of issuance of CS prescriptions.
- Chapter 8, Section 3, CSA R&R- change the word "practitioner" to "licensee".
- Chapter 6, section 11(a) CSA R&R- new language to allow a schedule II prescription to remain valid for up to 6 months from date written and require a pharmacist to cancel any schedule II RX when dispensed by signing and dating across the face of the prescription.
- Chapter 5, section 3, CSA R&R- modify language to allow the use of electronic 222's.
- Chapter 2, Pharmacy Act R&R- new language requiring pharmacies to remove from active stock expired drugs and require a program where stock is routinely checked for dating.
- Chapter 4, CSA R&R- new language requiring invoices for CS must be signed, dated when received/maintain invoices for 2 years.
- Chapter 2, Section 20(b), Pharmacy Act R&T- delete

requirement to maintain a fax log for faxed prescriptions.

- Chapter 2, section 10, Pharmacy Act R&R-modify requirements to document information regarding the transfer of a prescription between pharmacies.
- Chapter 10, Pharmacy Technicians-new language addressing education requirements for licensure as a pharmacy technician as well requirements for issuance of a pharmacy technician-in-training permit.
- Chapter 6, Pharmacy Act R&R-modify documentation of pharmacist CE to allow honor system with random audits of CE certificates.

The board postponed rule-making considerations for the following subjects until 2006:

- USP 797 guidelines
- Revision of Chapter 8 concerning manufacturers and wholesalers
- Chapter 2, section 29 regarding the use of an electronic signature for transmission of electronic prescriptions from practitioner's computer to pharmacy computer.

Documentation of counseling by pharmacists

This was discussed as a possible change in rule.

No change in rules but the board's staff to develop a "secret shopper" program, educate the pharmacists regarding this program (newsletter/annual WPA meeting). More information on proposed program to be discussed at next board meeting.

HHS Task Force on Drug Importation

Document is available for review at board's office. A summary sheet was available for board as prepared by Molly McColley, P4 pharmacy intern, UW

This topic is included in the tentative agenda for the district meeting.

NABP-Clearinghouse for Pedigree Data

Reviewed letter from NABP regarding their plan for a clearinghouse for pedigree data

This topic is included in the tentative agenda for the district meeting.

Sale of Federal and Wyoming Pharmacy laws

Reviewed letter from Philip Torf from Institute for Pharmacy Law. Mr. Torf was requesting the board consider his firm as the supplier of law manuals for Wyoming. Currently, the board sells copies of Wyoming law for \$25.00 per set, which

Board voted 3/0 to retain current method of providing law manuals.

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|   | represents approximately the cost to have published/mailed. New pharmacies/applicants for licensure as a pharmacist receive a free copy with their application and updates are provided free of charge to all licensed pharmacies (resident and non-resident). |  |
| Free clinics/providing pharmacist's services to rural Wyoming hospitals | Dr. Anderson from Sheridan had written the board and was planning on attending this meeting. Due to an illness he was unable to attend.  | Topic tabled to the next board meeting.  |
| Generic substitution after FDA approval of bio-equivalency              | A letter from Jason Reiser, Wal-Mart Pharmacy Department was discussed.  | Based on current language of the statute, a pharmacy could substitute a product that is rated bio-equivalent once the firm manufacturing the product has been notified by the FDA that the product is bio-equivalent to the rated product. |
| CE requirements for pharmacy technicians                                | Discussed the letter from Heather Beesely regarding carry-over of CE for pharmacy technicians. Current law does not allow a carry-over of excess CE.   | Board voted 3/0 to not change the law. Carry-over of pharmacy technician CE will not be allowed at this time.  |
| NAPLEX/MPJE fee increase  | Reviewed letter dated 1-7-05 from NABP indicating a fee increase effective 1-1-06 as follows:<br>NAPLEX: \$430.00 to \$465.00<br>MPJE: \$170.00 to \$185.00  | No action required.  |
| CE requirements for pharmacists   | Reviewed letter from Neil Reed dated November 8, 2004 regarding how the board accepts CE. Topic discussed.   | Board through rule-making will change how CE is reported with renewals.  |
| <b>Next Board Meeting</b>   | Dates discussed  | <b>April 27-28, 2005 in Casper at the board's office. Meeting will begin at 1pm on the 27th.</b>   |

Respectively Submitted:

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James T. Carder, R.Ph. Executive Director

Approved: \_\_\_\_\_

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Jennifer S. Nevins, R.Ph.  
President

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Randolph A. Harrop, R.Ph.  
Vice President

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Alison K. McManus, R.Ph.  
Secretary-Treasurer

*not present*

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Sean F. Ellis, DDS  
Ex-Officio Member

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Donald B. Hunton, MD  
Ex-Officio Member

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Gary Norwood, DVM  
Ex-Officio Member