

WYOMING STATE BOARD OF PHARMACY

Board Meeting June 20-21, 2012

Best Western Sheridan Inn

Sheridan, Wyoming

Minutes

Wednesday, June 20, 2012

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>Absent</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>Absent</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
Kara Beech	Executive Director, Wyoming Pharmacy Association
John H. Vandel, R.Ph.	Dean, University of Wyoming, School of Pharmacy
Jonathan Beattie, PharmD, R.Ph.	Wal-Mart Pharmacy
Perry Schnieder R.Ph.	Walgreens Company, Denver, Colorado
Christina Hubble, BS, CPhT	President, Wyoming Pharmacy Association
Bruce McGirr, R.Ph.	Casper, Wyoming
Sherry Roumell, AS, CphT	Casper College
Melinda Swan	Cheyenne, Wyoming
Lynn Birleffi	Wyoming Retail Association
Kirsi Ludwig, PharmD, R.Ph.	Memorial Hospital of Sheridan County Pharmacy
Ann Bourquin, R.P.T.	Powell, Wyoming
Dan Luce	Walgreens Company, Deerfield, Illinois
Anastasia Sarbach, MS, LPC	Clinical Director, Wyoming Professional Assistance Program
Chris Brown	Wyoming Retail Association

Call to Order: President Carr called the meeting to order at 10:00 a.m.

Review of the March 20-21, 2012 meeting minutes: Stephanie McAntee pointed out two typos on page 2 of the minutes under the University of Wyoming, School of Pharmacy report. **Randy Harrop moved to accept the minutes with the indicated corrections and Kay McManus seconded the motion which passed with a vote of 4-0.**

Wyoming Professional Assistance Program: Anastasia Sarbach, MS, LPC, gave her report for the program. Currently there are a total of 34 professionals in the program. As of this quarterly report there are eight (8) pharmacists and Technicians in the program. Four (4) of these are known to the Board and four (4) are unknown. There was a conversation about the testing process and the fees involved with the program. A complete list of these fees is filed with this board meeting packet. Ms. Sarbach complemented Ms. Walker on doing such a good job for the board office and disciplinary actions. It was also noted that if an individual is unknown to the board and they have a relapse then the board is notified as to who the individual is. Two pharmacy technicians have recently left the monitoring program.

Executive Directors Report: Mary Walker gave her report beginning with follow-up items from the March board meeting. This consisted of a letter to the board of Nursing and the Board of Medicine regarding drug shortages. The other was a letter of approval for the experiential program for 2012 to Janelle and Dean Vandel at UW. Mary gave a presentation at reflective week to the P4 students in May and will present at the WPHA convention following this board meeting. Mary also continues to meet with Eric Easton, Richard Burton and Hank York on a monthly basis to go over disciplinary matters. Mary attended MPJE in Chicago and attended the UW awards banquet in Laramie. Currently Mary has 69 applications for pharmacists in process. When asked what types of applications are pending, Mary stated there were 49 graduates of which 34 chose to become licensed in Wyoming. There are also 35 pharmacists on varying stages of reciprocity or new graduates from other states.

Collaborative Practice: Dr. Jane Robinett, DO, resigned from the WY Board of Medicine so at the April meeting they appointed David Skolnick, DO as the Board of Medicine representative. Dr. Skolnick is an anesthesiologist in Cheyenne. Rick Davis and Mary Walker did an on-site inspection of the collaborative practice of three pharmacists. Dean Wunsch, Les Silvey and Tim McInerney are with six cardiologists in Cheyenne for Anti-Coagulation Management Service at Cheyenne Regional Medical Center. Dr. Davis stated it was an impressive set up. Mary and Rick observed a patient being treated. It was a ten (10) to fifteen(15) minute meeting with the patient which ensured the patient was well educated on their medications before leaving. Inspections of the other two collaborative practices will be completed later this summer. The committee members are as follows: Bessie McGirr, R.Ph., David Skolnick, DO., Anna Wilkins, MD., Dean Wunsch, R.Ph., and Mary Walker, R.Ph.

Licensing Report: Phyllis Chapman reported the following entities that as of June 18, 2012 still need to renew by June 30, 2012: 2 institutional pharmacies, 13 resident pharmacies, 66 non –resident pharmacies, 1149 controlled substance registrants, 5 emergency drug permits 1 telepharmacies and 113 wholesale distributors.

PDMP Report: Mary Walker reported that the contract for the online access had to be started over. Stephanie McAntee passed around an energy drink that uses the WORx name.

Compliance Report: Richard Burton reported that investigations were up to 25 since the last meeting. Most of the actions are pretty much the same, just different names. Once a month Mary, Richard and Hank all meet with Eric Easton in Casper and go over each action in depth. Mary Walker and Richard both spoke about how complaints are started. Generally a person will not file a complaint unless the allegations are true. As for inspections the same things are happening again. Licenses are not being posted and technicians seem to think that because they pass the PTCB, they are a licensed technician. We started inspections earlier this year because the USP 797 inspections take a lot more time to complete. At this time there is only one pharmacy inspected that is USP 797 compliant and that includes the paperwork too. Some of them were compliant with devices but not the paperwork portion. There are quite a few newly remodeled pharmacies and three more that I still need to be inspected.

Hank York agreed with everything Richard said as far as inspections go. He found that one of the USP797 problems is the policy and procedures manual and the size of it. He encourages them to compile procedures that fit that particular location instead. All of the Smith's Pharmacies have remodeled and they all look great, especially Evanston. All the counseling areas are getting better all the time.

NABP Annual Meeting, May 2012: Bessie McGirr and Hank York attended this meeting in Philadelphia. Hank explained how the meeting started out with a fireman that was the last survivor out of the towers in New York in 2001. Bessie McGirr said the PDMP session was very good and they are all pressing for interstate usage. Wyoming is a head of most states with the PDMP. There was a discussion on drug shortages and how this is causing a shortage around the world. There was one manufacturer making an injectable and they stopped making it. They were the only manufacturer in the world producing that product. Another conversation was the need to ensure the patient is being counseled when there is a substitution of drugs either by product or strength. Bessie told us about a website you can go to for verification of online pharmacies. The website is legitscript.com. Hank also attended a seminar, "How to Conduct an Investigation" he announced that Richard was spot on with his investigations and how they are handled. They both enjoyed the conference and the city too.

MPJE Item Writing Workshop, MABP March 22-23, 2012: Terry Carr and Mary Walker attended the workshop in Chicago. Terry explained that was quite the experience. Writing the questions is easy but it is the false answers that is the hard part. There were 23 questions we had to come up with and sometimes just changing the wording worked. For the most part it was grueling work.

Pharmacy Practice, Wyoming Retail Association: Dean John Vandell, read a report titled, "Pharmacy Today and Tomorrow", a complete copy of that report is filed with the Board packet. Dan Luce continued with how the pharmacist should be allowed time to complete these requested tasks at hand and be more one-on-one with the patient. Larry Wolfe, attorney for Safeway talked about patient safety and delivery of

services. A power point, which was not shown at the meeting is filed with this Board packet. Lynn Birleffi was in attendance representing the Wyoming Retail Association along with Chris Brown. An hour long discussion between the presenters and the Board members ensued. After five o'clock, a video of how the suggested pharmacy is to run was played for all those interested. WPhA president, Christina Hubble gave comments about mixed feelings between pharmacist burn out and the need to advance pharmacist care. Additional research is needed to ensure this can be done with the public safety in mind. Letters from NACDS were reviewed.

Budget B11: Mary Walker explained to the Board how the budget may possibly receive an 8% reduction on July 1, 2013. The B11 was accepted by the governor. Kay McManus moved to accept the B11 and Randy Harrop seconded the motion. This passed with a vote of 4-0.

Legislative Update, Licensing-military members: Mary Walker spoke about a bill that was proposed for professional and occupational licensing. The bill has been amended to reflect the definitions of "Military service members" and "Military spouse", and will most likely be re-introduced in 2013.

PIC Certificate of Responsibility: There was a discussion regarding pharmacists and their responsibilities and not having control of their pharmacy in chain stores. Walgreens representatives stated they do not put quotas on their employees, rather they watch the pharmacist and work with them. Pharmacists are told to use their professional judgment on issues that arise. Kara Beech disagreed with this because she hears from pharmacists about what is truly going on in the chain pharmacies. WPhA is very concerned about burn out.

Continuing education audit: Mary Walker talked about the audit and how it was performed. The number four (4) was the number drawn so every pharmacist and technician with the last digit of 4 in their license was audited. Mary Walker stated that this is a very time consuming process for the staff but hopefully the CPE monitor process through NAPB will streamline the process.

Facebook: Our facebook page is up. However, we have been asked by the state IT department what the board's goals are regarding facebook.

Archiving of Disciplinary Actions: Mary Walker gave everyone a copy of our retention schedule and requested some guidelines for disciplinary actions. Ken Nelson said to keep them for three (3) years if their was an action taken. Those with no action should be kept for one (1) year. The final Settlement Agreement, Stipulation, and Order should be kept forever. The investigation portion should be kept for two (2) years from the date of the order or the appeal.

West Park Hospital Instymed in Meeteetse: Mary Walker explained a letter she received from the Board of Medicine regarding a doctor at West Park Hospital requesting to install an Istymed machine either in the Town Hall Building or the museum in Meeteetse. There was a discussion as to who would oversee the machine. Mary explained how the machine is loaded and cannot be loaded incorrectly. The doctor prints a page with the patients identifying information on it. They in turn go to the machine and enter the required

information from that printout. The medication is dispensed and there is a phone there that rings directly to a pharmacist if the patient has questions or needs counseling. There was a long conversation regarding regulations of the machines. At the time of this meeting it was determined that if the machine is licensed under the facility then we will treat it the same as if it were in the pharmacy, providing it has a DEA and CSR license for the location. **Rick Davis moved to have the staff look into regulations and rules regarding devices and write some rules. Randy Harrop seconded the motion. Mr. Harrop amended the motion to include a letter to the board of Medicine requesting their help with the regulations. Rick Davis moved to accept the amended motion and Randy Harrop seconded the amended motion. The amended motion passed with a 4-0 vote.**

NABP Newsletter Printing: Mary Walker announced that the contract was redone with NABP and they will continue to do our newsletter.

Rexam Request to discuss prescription drug containers: A letter was provided to everyone in the Board packet from Ned Milenkovich, PharmD, JD of McDonald Hopkins, Attorneys at Law, requesting to address the Board in a future meeting. It was determined they need to be more specific in their request before they present to the Board.

At Will Positions: Per a letter from Administrator, Dean Fausset with the A&I Human Resources Division, the Governor has stated that our at-will position will stay at-will at this time.

NABP guidance for disciplinary sanctions: The staff is looking at these sanctions to see if we match their criteria. Ken Nelson reviewed the types of actions: letter of warning, letter of admonition, fine, suspension stayed, suspension imposed, license revocation or conditional license.

Rules Revisions:

Chapter 4 WPA, Code of Ethics: The new section (n) was not approved in the Chapter. **Randy Harrop moved to not approve the changes. Kay McManus seconded the motion which passed with a 4-0 vote.**

Chapter 7 WPA, Computer Regulations: Section 3(b)(iii). The new (A) (B) and (C) items were discussed and deemed outdated and unnecessary so Chapter 7 remains repealed.

Chapter 15WPA, Long Term Care: The Chapter was approved with a few changes.

Kay McManus moved to adjourn the meeting and Randy Harrop seconded the motion. Terry Carr adjourned the meeting at 5:00.

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<i>Present</i>	Randolph A. (Randy) Harrop, R.Ph.	Board Vice President
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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
Kara Beech	Executive Director, Wyoming Pharmacy Association
Kyla Newland, PharmD, R.Ph.	Mountain-Pacific Quality Health
Belinda Wilson, BA, BS, MST	Mountain-Pacific Quality Health
Perry Schnieder R.Ph.	Walgreens Company, Denver, Colorado
Christina Hubble, BS, CPhT	President, Wyoming Pharmacy Association
Chris Brown	Wyoming Retail Association
Sherry Roumell, AS, CphT	Casper College
Melinda Swan	Cheyenne, Wyoming
Lynn Birleffi	Wyoming Retail Association
Kirsi Ludwig, PharmD, R.Ph.	Memorial Hospital of Sheridan County Pharmacy
Ann Bourquin, R.P.T.	Powell, Wyoming

Call to Order: Terry Carr called the public meeting to order at 8:00 a.m.

Kay McManus moved to go into executive session to discuss disciplinary actions. Randy Harrop seconded the motion. This passed with a 4-0 vote. Terry Carr declared executive session at 8:03 a.m.

President Terry Carr called the public meeting back to order at 8:33.

Docket No. 11-15 Karen Medow: President Carr requested a motion in this matter. Rick Davis moved to accept the Settlement Agreement. Bessie McGirr seconded the motion which passed with a 4-0 vote.

Docket No. 11-21 Edward Gifford: President Carr requested a motion in this matter. Randy Harrop moved to accept the Settlement Agreement. Rick Davis seconded the motion which passed with a 4-0 vote.

Docket No. 12-05 Christopher Bartek: President Carr requested a motion in this matter. Rick Davis moved to accept the Settlement Agreement. Kay McManus seconded the motion which passed with a 3-1 vote.

Docket No. 12-09 Kimberly Knutson: President Carr requested a motion in this matter. Rick Davis moved to accept the Settlement Agreement. Kay McManus seconded the motion which passed with a 4-0 vote.

Docket No. 12-25 Anne Sager: President Carr requested a motion in this matter. Kay McManus moved to accept the Settlement Agreement. Bessie McGirr seconded the motion which passed with a 4-0 vote.

Adverse Drug Events: Kyla Newland and Belenda Wilson of Mountain-Pacific Quality Health gave a power point presentation on their organization. The presentation outlined the organization, what it does and how it is continuing to grow. A complete copy of the presentation is filed with the Board meeting packet.

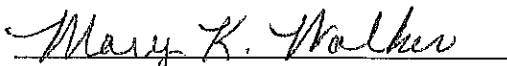
Chapter 10 WPA, Technicians: This Chapter was the highlight of the meeting. Many people in attendance were here for these proposed changes to this chapter. Many conversations went back and forth from Board members and the audience. This chapter while not yet complete with requested changes and updates took up the remainder of the meeting.

Bessie McGirr moved to adjourn the meeting and Rick Davis seconded the motion. President Carr adjourned the meeting at 11:58 a.m.

Respectfully submitted on July 19, 2012

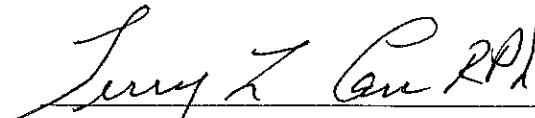
Notes by Phyllis Chapman, Senior Office Support Specialist

Respectfully submitted and reviewed:



Mary Walker, R.Ph.
Executive Director

Minutes approved and entered into record:



Terry Carr, R.Ph.
Board President