

WYOMING STATE BOARD OF PHARMACY

Board Meeting Minutes

September 9, 2015

Board of Professional Geologists, 500 S Third St, Laramie, WY

Mission: The Board of Pharmacy is that State agency charged with the responsibility of protecting the health and welfare of the residents of Wyoming regarding pharmaceutical services.

Present/Absent	Board Member	Title
Present (by phone)	Bessie McGirr, RPh	Board President
Present	Kerri Kilgore, RPh	Board Vice-President
Present	John R. McPherson, DDS	Board Secretary/Treasurer
Present	Sigsbee Duck, MD RPh	Board Member
Present	Jim Massengill, RPh	Board Member
Present	Charles W Smith	Board Member
Present	Ronald (Ronnie) LeBlanc, RPh	Board Member
Present	Brenda Upton, RPh	Board Member
Present	Jan Shatto, RPT	Board Member

Guests/Observers:

Mary K. Walker, RPh	Executive Director, Wyoming State Board of Pharmacy
Donna Murray	Senior Assistant Attorney General
Henry "Hank" York, RPh	Inspector/Compliance Officer, Wyoming State Board of Pharmacy
Lisa Hunt, RPh	Inspector/Compliance Officer, Wyoming State Board of Pharmacy
Beverly Fontaine	Office Assistant, Wyoming State Board of Pharmacy
Matthew Robison	Pharmacy Intern, University of Wyoming
Mollie Jay	President Wyoming Pharmacy Association
Don Porter	Omnicare
Kem Krueger, Professor	UW School of Pharmacy
Jenna Scozzafava, RPh	Quality IC Care/Zoopharm
Eric S Willcox, RPh	Pharmacy Solutions, Casper
Jonathan George	Smith's
Katrina Roberts, Intern	UW School of Pharmacy
Heather Dickson, Intern	UW School of Pharmacy
Eric Gerhard, Intern	UW School of Pharmacy
Brandon Tritle, Intern	UW School of Pharmacy
Ross Davidson, Intern	UW School of Pharmacy
Taler Steir, Intern	UW School of Pharmacy
Luke Aust, Intern	UW School of Pharmacy
Erica Turechek, Intern	UW School of Pharmacy
Christy Mortimer, Intern	UW School of Pharmacy
Jordan Calmes, Intern	UW School of Pharmacy
Tim Hunzie, Intern	UW School of Pharmacy
Alec Richards, Intern	UW School of Pharmacy
Becky Boschee, Intern	UW School of Pharmacy
Kendra Siebigeroth, Intern	UW School of Pharmacy
Jessica Martin, Intern	UW School of Pharmacy

Chelsea Monroe, Intern	UW School of Pharmacy
Julia Min, Intern	UW School of Pharmacy
Lauren Pulley, Intern	UW School of Pharmacy
Lyndie Gore, Intern	UW School of Pharmacy
Lindsey Snyder, Intern	UW School of Pharmacy
Kailey McGrail, Intern	UW School of Pharmacy
Keith Bennett, Intern	UW School of Pharmacy
Aitor Andikoetxea, Intern	UW School of Pharmacy
Sean Baker, Intern	UW School of Pharmacy
Nic Cadman, Intern	UW School of Pharmacy
Holly Green, Intern	UW School of Pharmacy
Jonah McCarthy, Intern	UW School of Pharmacy
Samantha Holmes, Intern	UW School of Pharmacy
Austin Baker, Intern	UW School of Pharmacy
Kaylyn Bahnson, Intern	UW School of Pharmacy
Paige Nelson, Intern	UW School of Pharmacy
Taylor Gardner, Intern	UW School of Pharmacy
Amber Hughes, Intern	UW School of Pharmacy
Linzi Barton, Intern	UW School of Pharmacy

Public Meeting Call to Order at 1:10 PM September 9, 2015 by Vice-President Kerri Kilgore

Introductions and welcome to Lisa Hunt, new Board Compliance Officer and Pharmacy Law Class Students from UW School of Pharmacy.

Review and approval of June 10-11, 2015 minutes– Beverly Fontaine mentioned that the heading on the minutes needed to be amended to say "Minutes" instead of "Agenda." Brenda moved to accept the minutes as amended, Jan seconded. Votes were 8 aye, zero no, zero absent and zero abstaining.

CLIA Waived Testing Training by NACDS (Matthew Robison, P4) Presentation hard copy is attached to these minutes. Matthew Robison attended a 20 hour course on this subject in August 2015. He explained the definition and purpose of this type of testing. There were several questions from the Board and audience which Matt was able to answer. Considerable discussion ensued among Board members and Board staff. Dr Kem Krueger from the UW School of Pharmacy discussed the difference between screening and diagnosis and how these apply in Wyoming now.

Old Business

MPJE meeting at NABP August 2015 (Kerri Kilgore) Kerri reported that the meeting was interesting. About every 5 years NABP brings together a group of practitioners to evaluate the questions on NAPLEX. They took a sample of the exam and evaluated questions on several levels to make a standard for future exams.

Licensing Board Training August 12, 2015 (L.Hunt, R. LeBlanc, B. Upton, J. Massengill) Brenda reported that the training was excellent and so intense that she would like to attend again. Donna said that next year they're thinking about changing the training to be two days: a basic one and one for people who've been on Boards for a while to get more advanced instruction. Ronnie said it was an eye opener for him, especially about how to keep actions outside of a meeting appropriate and legal. Lisa said that she has worked for several governmental entities and this is the best training she has ever been to.

Executive Session Policy Action (Donna Murray) – Donna directed members to the draft policy in their packets. All Boards are supposed to adopt Executive Session policies for their respective Board. She suggested one change to the draft policy and asked the members to go over the policy and vote on it tomorrow.

Executive Session Minutes Template/Public Meetings – Donna said this template is from the Attorney General's office and is not mandatory, but can be tailored to the Board's needs.

Follow-Up regarding PTCB Passing Rate – Mary said there had been some questions from the Board regarding pass rates. She questioned PTCB regarding pass rates and the Wyoming pass rate is 65%. That means 65% of the pharmacy technician applicants who take the test pass it.

Teton County Request for Disposal Rules – Mary has had several conversations with the officials who are requesting rules changes, but they are not happy with her answer. Bessie came up with an idea that Mary sent on to Teton County. The next DEA Takeback day is Sept 22.

Board of Nursing Meeting July 2015 (M. Walker) Agenda Item Request – Mary attended the July Board of Nursing meeting to discuss the changes to the WORx program, including delegates. BON has a very strong definition of delegation in their rules and don't feel anything needs to change.

WY Letter to FDA regarding MOU – Mary said this is included as old business. We've been invited to several meetings to talk about compounding. The letter she shared was sent to the FDA and a copy is attached to the hard copy of these minutes.

Wyoming Management Council meeting (L. Hunt, M. Walker) – Mary and Lisa attended this meeting because a rule had been proposed that all agencies would have to have outside auditing. She doesn't know what the final decision will be. There was discussion about financial implications to Boards. Lisa and Mary said that the State Auditor's office sent a representative who explained that the Auditors Office could be doing this instead of hiring outside auditors. Mary said that the CPA board made the point that there are not enough auditors in WY to audit all the Boards.

Naloxone for First Responders (Nate Holcomb, P4) – Mary said that this student got very excited about the topic and is preparing a poster for the fall ASHP national meeting. Mary said that there may be a bill (prepared by DCI) in the next legislative session and they are basing it on South Dakota's law. Bessie offered to work with Mary on this topic.

Feedback on Medication Safety Class from OR, Ethics course from CO – Mary received feedback from two different people regarding these courses required by other states in disciplinary actions. Both felt that the courses were excellent and helpful.

Notice for renewals RPT, RPh in November re: public address – Mary said that we need to have public addresses for individual licensees available in our licensing system. Mary asked Board members to go over the renewal notice for language and any suggestions about changes. There was discussion about what is public information or not and how to handle requests for information.

Reports

Annual Report of WY Board of Pharmacy – Mary directed members to the copy in their packet (hard copy attached to these minutes) of the report that is required by the State Budget Dept on an annual basis.

Executive Director (Mary Walker) – Mary gave a report on her activities since the last Board meeting (hard copy attached to these minutes). Bessie expressed her appreciation to Mary for the way she and the staff run the office.

Licensing (Mary Walker) – Mary reported on licensing numbers. She had graphs to show what has been happening with licensing numbers, attached to the hard copy of these minutes. Non-resident pharmacy new licenses have increased in each of the last two years from 100/yr to over 200/yr.

Compliance Officers (Hank York, Lisa Hunt) – Hank complimented Lisa on her jumping into the job with both feet. Hank reported on which inspections are left to do this year. He said we are well on schedule to finish this year. Lisa reported that she's done more than 16 inspections so far. She has really enjoyed getting to know the pharmacists and technicians. She mentioned a few issues she has seen during inspections. A hard copy of her report is attached to these minutes. Mary mentioned that the inspectors

are putting the results of inspections into the licensing software so that records are complete. Hank mentioned that ZooPharm in Laramie has had their first inspection by NABP and it is very intense with great amounts of information. Jenna Scozzafava from ZooPharm gave a report on how that inspection went. She feels very comfortable with having this inspection because Zoopharm is licensed in so many states. She said it is worth the money, even though it is expensive. Mary asked Jenna about the inspection by California. Jenna said it was very thorough and comprehensive, but pleasant.

Survey of the WORx program (Eric Gerhart, P1) – Eric Gerhart presented the results of a survey he had conducted regarding awareness, utilization and effectiveness of the WORx database. (Copy attached to the hard copy of these minutes.) Mary answered some Board questions about how the program works. There was considerable discussion about e-prescribing of controlled substances and why it is not being used by practitioners in Wyoming.

New Business

Budget – Action – Mary said it is time for the 2017-18 budget process to begin. She went over the Exception Request that was included in the packet. She explained that the new budget is based on the 2003-04 budget, so the numbers are not realistic. That is why the Exception Request is necessary.

B-11 Movement of Earmarked Funds – Action – Mary explained that these funds are in our agency account and are just sitting out there unused. Moving money into the current budget will allow us to work within what is necessary to implement more pieces of GL Solutions and cover expenses. Mary showed the proposed budget for the next biennium, including the Exception Request and B-11. It was decided that members will look over the papers and have more discussion at tomorrow's session.

Resolution Regarding Regular Meetings – Donna said that the statute requires that there be a regular meeting set. This resolution will meet the requirement. Kerri asked if we could make a policy of doing this resolution each year in September. Donna said that would be a good idea.

Proposed Meeting Dates and Places 2016 – Mary shared a proposed schedule, but said that changes can be made.

Plan for Rules Revisions 2015 – Mary explained that after discussion with Bessie, they decided that tomorrow will be a rules meeting with discussion and not be ready to vote. A Board Meeting by teleconference on September 30 at 7:00 AM (for rules and possibly discipline) would give the appropriate timing to have the public hearing the second day of the December meeting.

Rules CSA Chapter 7 Administrative Inspections – Donna presented proposed changes to this chapter to the Board. She explained "Incorporation by Reference." This reduced the length of the chapter considerably, helping to meet the goal set by the Governor to reduce length of rules.

Rules CSA Chapter 6 Prescriptions – Mary said that there are just a couple of small changes regarding prescriptions. She pointed out each change and asked for input. Most of these changes are to bring our rule into matching the federal law. There was considerable discussion.

Don Porter of Omnicare asked for clarification on Chapter 2, Section 25 and Chapter 15 Section 6. This is regarding automatic dispensing devices on long term care facilities. Don explained the type of dispensing device they are proposing to use. The question is "who can stock the device?" He said that our rules say that the machine must be stocked by trained personnel under the direction of a pharmacist. He believes that our rules place an undue burden on the facility and the pharmacy who serves them. Omnicare's practice is to have specially trained RNs to be able to stock the machine. He went over in detail what their practice is, so the Board would understand what Omnicare is asking for. Considerable discussion ensued. Jim said that he believes we need to have a committee begun to review the issue of automated dispensing machines.

Recess to Day 2 at 5:20 PM

WYOMING STATE BOARD OF PHARMACY
Board Meeting Minutes
September 10, 2015
Laramie, WY

Present/Absent	Board Member	Title
Present (by phone)	Bessie McGirr, RPh	Board President
Present	Kerri Kilgore, RPh	Board Vice-President
Present	John R. McPherson, DDS	Board Secretary/Treasurer
Present	Sigsbee Duck, MD RPh	Board Member
Present	Jim Massengill, RPh	Board Member
Present	Charles W Smith	Board Member
Present	Ronald (Ronnie) LeBlanc, RPh	Board Member
Present	Brenda Upton, RPh	Board Member
Present	Jan Shatto, RPT	Board Member

Guests/Observers:

Mary K. Walker, RPh	Executive Director, Wyoming State Board of Pharmacy
Donna Murray	Senior Assistant Attorney General
Henry "Hank" York, RPh	Inspector/Compliance Officer, Wyoming State Board of Pharmacy
Lisa Hunt, RPh	Inspector/Compliance Officer, Wyoming State Board of Pharmacy
Beverly Fontaine	Office Assistant, Wyoming State Board of Pharmacy
Matthew Robison	Pharmacy Intern, University of Wyoming
Gary Norwood, DVM	WPAP
Jenna Scozzafava, RPh	Quality IV Care/Zoopharm
Mollie Jay, RPh	WPhA
Jim Stephens, RPh	Vilas Pharmacy

Second Day – Continue with New Business: 8:00 AM

John McPherson moved that the Board go into executive session to consider the right to practice of professional persons and personnel matters. Jim Massengill seconded. Votes were 8 aye, zero no, zero absent and zero abstaining.

Return to Public Meeting – 8:25 AM Jim Massengill moved that the meeting come out of executive session into public session. John McPherson seconded. Motion passed unanimously.

WPAP Report, Gary Norwood, DVM – Dr Norwood (President of Wyoming Professional Assistance Program Board) introduced himself and gave some background information prior to the WPAP report. WPAP now handles mental and behavioral issues in addition to substance abuse. 24 professionals are enrolled in WPAP at this time, several of whom are in the pharmacy profession. Charlie Smith asked which professions are included in WPAP. Dr Norwood replied that professionals enrolled are pharmacists, MDs, dentists, veterinarians, state bar, and the Wyoming judiciary. The Board of Nursing is not currently involved. They are working in an attempt to enroll other ancillary healthcare organizations (hospitals, mental health professionals, etc). Mary commented that the rebirth of WPAP is largely due to Dr Norwood's work on the WPAP Board. She said that they have done a good job in hiring the new Executive Director and Medical Director. Dr Norwood said that they have a new Board member who is

an addiction specialist. Her input has been very interesting so far. The Board members thanked Dr Norwood for his report. Dr. Norwood is the Board of Pharmacy representative to the WPAP board.

Rules CSA Chapter 8 WORx (delegates and 24 hr reporting) – Mary said there are not many changes since the Board looked at this chapter in June. She said that the new version of the statute shows the change allowing delegates to access reports under the direction of a practitioner. She went over the proposed changes. She gave a brief explanation of the rules for delegates and what are some of the questions we have heard so far.

Rules WPA Chapter 1 Administrative Hearings – Mary explained that many of the changes are due to changes in the Wyoming Administrative Procedures Act. Donna explained that these changes give more structure and formality to the process.

Rules WPA Chapter 2 General Practice – Kerri said that she believes that there is some duplication of information that can be changed/removed. Also, she and Bessie believe that some of the wording should be changed. There was discussion about how the chapter could be shortened to make it easier to find information. There was considerable discussion about which changes are necessary to be done at this time and which can be put off to provide time for more research.

Rules WPA Chapter 10 Technicians – Technician checking Technician (Kendra Siegibteroth, P3) – Mary explained the article from Pharmacy Intern Kendra Siegibteroth. There was discussion among Board members regarding the issue.

Rules WPA Chapter 16 Immunizations – This chapter has only one word changed.

Rules WPA Chapter 17 Sterile Compounding – Mary said this will involve a philosophical discussion among the Board. As USP 797 is the standard of care, should we not incorporate by reference instead of updating our entire chapter?

Rules WPA Chapter 8 Distributors – Mary reported that Lisa and three students did a crosswalk between our rules and the NABP model rules and that is where this version came from.

10:40 AM – Telepharmacy in WY Rural Communities, Jim Stephens – Chapter 14, Letter – Jim Stephens introduced himself and explained his proposals. He said that he is asking for help in bringing pharmacy services to two underserved communities: Moorcroft and Wright. He is asking for a variance from the rules which state that a Telepharmacy must be located in a medical clinic or community health center. He would like to put them in what he calls a "Healthcare Store." Both communities have full service clinics who he says have asked them to open a pharmacy in their community. Jim Massengill made a number of comments about the telepharmacy rules. He recommended that we form a committee to write a new set of rules to bring back to the Board. Donna commented that this would need a statute change. Jim Massengill said he understands that and will be willing to be the Board's representative in this initiative. Mary asked if this will be a Board sponsored bill. Kerri said this is a question of access to care and is important to our rural state. Mollie Jay said that WPhA would be very supportive of such a bill.

Vote on Executive Agenda Items – Motions were as follows:

John McPherson moved the acceptance of the Executive Session Policy as presented. Charlie Smith seconded. Votes were 7 aye, zero no, 1 absent and zero abstaining.

Vote on other business – Motions were as follows:

Brenda Upton moved the acceptance of the Budget for 2017-2018 as presented. John McPherson seconded. Votes were 8 aye, zero no, zero absent and zero abstaining.

Ronnie LeBlanc moved the movement of earmarked funds into the 2015-2016 budget using the B-11 process as presented. Brenda Upton seconded. Votes were 8 aye, zero no, zero absent and zero abstaining.

John McPherson moved the acceptance of the Resolution Regarding Regular Meetings as presented. Jim Massengill seconded. Votes were 8 aye, zero no, zero absent and zero abstaining.

Charlie Smith moved the acceptance of Docket 14-25a. Brenda Upton seconded. Votes were 8 aye, zero no, zero absent and zero abstaining.

John McPherson moved the acceptance of Docket 14-65. Jim Massengill seconded. Votes were 8 aye, zero no, zero absent and zero abstaining.

Sigsbee Duck moved the acceptance of Summary Suspension M.M. Charlie Smith seconded. Votes were 8 aye, zero no, zero absent and zero abstaining.

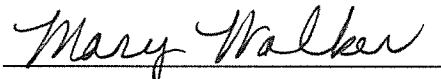
Jim Massengill moved the acceptance of Docket 14-68. Brenda Upton seconded. Votes were 8 aye, zero no, zero absent and zero abstaining.

Kerri Kilgore adjourned the meeting at 12:30 PM.

Respectfully submitted

Beverly Fontaine, Office Assistant

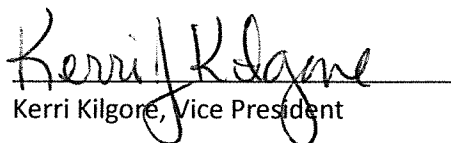
Respectfully submitted and reviewed:



Mary K. Walker, R.Ph.

Executive Director

Minutes approved and entered into record


Kerri Kilgore, Vice President

1-7-15 (2016) uw
Date