

WYOMING STATE BOARD OF PHARMACY

Board Meeting September 16-17, 2009

6920 Yellowtail Drive, Suite 100

Cheyenne, Wyoming

Minutes

Wednesday, September 16, 2009

Present/Absent	Board Member	Title
<i>Present</i>	Alison Kay McManus, R.Ph.	Board President
<i>Present</i>	Terry L. Carr, R.Ph.	Board Vice President
<i>Present</i>	Jennifer S. Nevins, R.Ph.	Board Secretary/Treasurer
<i>Absent</i>	Robert J. (Rick) Davis, M.D.	Board Member
<i>Absent</i>	John R. McPherson, D.D.S.	Board Member
<i>Present</i>	Randolph A. (Randy) Harrop, R.Ph.	Board Member
<i>Absent</i>	Gary W. Norwood, D.V.M.	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
David N. Wills	Data Management Specialist, Wyoming State Board of Pharmacy
Henry A. "Hank" York, R.Ph.	Inspector/Compliance Officer, Wyoming State Board of Pharmacy
H. Richard Burton, R.Ph.	Inspector/Compliance Officer, Wyoming State Board of Pharmacy
George A. Vandel, NCAC II, CAP	Executive Director, Wyoming Professional Assistance Program
Timothy S. Seeley, R.Ph.	Powell Valley Healthcare/Chair, USP 797 Work Group
Perri P. Schnieder, R.Ph.	Walgreens Company-Denver, Colorado
Raven Callas	PharmD Candidate
Jerry Patton	Walgreens
Dean Winsch, R.Ph.	Wyoming Pharmacy Association
Christine Redfield	Cheyenne Regional Medical Center, Pharmacy Resident
Antoinette Brown, R.Ph.	Wyoming Department of Health
Dan Perdue	Wyoming Hospital Association
Gordon Hardy	Wyoming Pharmacy Association
Christina Andrade, AS, CPhT.	Wyoming Pharmacy Association
Kem Krueger, PharmD., Ph.D.	University of Wyoming, School of Pharmacy Associate Professor
Christi Swaby	University of Wyoming, School of Pharmacy student
Bill Malik	University of Wyoming, School of Pharmacy student
Joshua Pecorano	University of Wyoming, School of Pharmacy student
Tate Berger	University of Wyoming, School of Pharmacy student
Ashley Colyer	University of Wyoming, School of Pharmacy student
Kelsey Gilmour	University of Wyoming, School of Pharmacy student
Jonathan Beattie	University of Wyoming, School of Pharmacy student

Tynisa Pearson	University of Wyoming, School of Pharmacy student
Alan Bartolucci	University of Wyoming, School of Pharmacy student
Cody Plaisted	University of Wyoming, School of Pharmacy student
Jordan Autrey	University of Wyoming, School of Pharmacy student
Carla Burnette	University of Wyoming, School of Pharmacy student
Shelley House	University of Wyoming, School of Pharmacy student
Steve Landon	University of Wyoming, School of Pharmacy student
Stephanie Stieb	University of Wyoming, School of Pharmacy student
Ashley Stromberg	University of Wyoming, School of Pharmacy student
Jessica Swaney	University of Wyoming, School of Pharmacy student
McKay Robinson	University of Wyoming, School of Pharmacy student
James Fox	University of Wyoming, School of Pharmacy student
Tara Lange	University of Wyoming, School of Pharmacy student
Kellie Nevins	University of Wyoming, School of Pharmacy student
Lindsay Hueckstaed	University of Wyoming, School of Pharmacy student
Crystal Huntrods	University of Wyoming, School of Pharmacy student
Derek Barsness	University of Wyoming, School of Pharmacy student
Trent Jebens	University of Wyoming, School of Pharmacy student
Teshia Sorensen	University of Wyoming, School of Pharmacy student
Judson Gilbert	University of Wyoming, School of Pharmacy student
Jessica Williams	University of Wyoming, School of Pharmacy student
John Darnell	University of Wyoming, School of Pharmacy student
Mattie Wyatt	University of Wyoming, School of Pharmacy student
Jennifer Wolfe	University of Wyoming, School of Pharmacy student
Jackie Maris	University of Wyoming, School of Pharmacy student
Neal Hurst	University of Wyoming, School of Pharmacy student
Matt Martineau	University of Wyoming, School of Pharmacy student
Lanae Salveson	University of Wyoming, School of Pharmacy student
Yuan Hua McDermott	University of Wyoming, School of Pharmacy student
Bonnie Walno	University of Wyoming, School of Pharmacy student

Call to Order. President McManus called the Board meeting to order at 1:01 p.m.

Review and approval of the June 24-25 Board meeting minutes. Ms. Nevins moved to approve the minutes as drafted. Mr. Harrop seconded the motion. The minutes were approved with no correction necessary.

Introductions. Jennifer Nevins introduced the newest Board member, Ms. Stephanie McAntee, R.P.T. Mary Walker introduced Raven Callas, PharmD candidate from the University of Wyoming. Ms. Walker also introduced the newest member of the State Board of Pharmacy staff, Phyllis Chapman, Senior Office Support Specialist. Ms. Chapman will take the minutes of the Board meetings on a go forward basis.

Wyoming Professional Assistance Program (WPAP) Quarterly Report. George Vandel reviewed his annual report which was included in the Board packet with information from inception of the program to present. At the end of the third quarter of 2009 the WPAP was monitoring 85 Wyoming Professionals. All of the pharmacists and pharmacy technicians are in full compliance with the monitoring agreement. Mr.

Vandel also produced and described four different profiles they can use for testing. Each profile comes at a different cost and detects different drug levels.

Wyoming Prescription Drug Monitoring Program (PDMP). David Wills provided an in-depth presentation of the program for all the guests in attendance. Mr. Wills presentation included the history of the program nationally, Wyoming's program and the future of the program. Also included in the presentation were the goals and current users of the program. The number of profiles being requested is constantly going up in numbers.

Budget Draft 2011-2012 Report. Mary Walker went over the budget draft with the Board by each budget code. Ms. Walker also explained the 2007 budget was used minus the ten percent (10%) for a two year budget provided by the legislative HB294. She explained there is an account with eighty thousand dollars (\$80,000.00) in it that cannot be touched but is good for three (3) years. Ms. Walker stated she did not foresee the need to raise fees at this time.

Licensing Update. David Wills explained the licensing for the pharmacy technicians on-line renewals was looking real good and would be ready to test October 1, 2009. Pharmacists are ready to renew on-line again and five hundred thirty (530) controlled substance licenses renewed on-line this year.

Inspectors Report. Richard Burton and Hank York explained how they divide the state by north and south territories with Richard having the north portion and Hank having the south. They spend a lot of time on the road providing inspections for pharmacy closings, remodeling, building or changing the pharmacist-in-charge. They explained the problems they are noticing on an on-going basis, which are as follows: Technician licenses not being displayed, technicians not wearing name badges, expired drugs on the active drug shelf, schedule II are not being reconciled, controlled substance invoices are not signed and dated, DEA 222's are not being completed, incomplete labels on prescriptions and perpetual inventories are not current. The remedy for these problems is a letter of remedy which is used for the next inspection. Both inspectors proceeded to report on new or newly remodeled pharmacies either completed or near completion in their territories.

Discussion/Action Issues.

NABP MPJE State-Specific Review: Terry Carr and Mary Walker are attending this Internet interaction review in Casper. Kay McManus and Jennifer Nevins will also attend.

Prescription Drug Abuse Conference, Buffalo, WY. This web streaming conference will be held in many locations on October 6-9, 2009 at the TA Guest Ranch. People will be interviewed and aired on the radio around the state. The question is, "What can be done about prescription drug abuse"?

NABP 2009 Symposium. This December 3-4, 2009 symposium in Tucson, Arizona will be offering continuing pharmacy education (CPE) on information that explores the legalization of medical marijuana.

The Rule Making Checklist. Ken Nelson gave an overview of the process of rule making. The rule making process can take months to finalize. The process has 32 steps involved which can ultimately involve the Board members, Attorney General, the Governor, a public hearing, Wyoming Legislative Service Office and the Secretary of State. The steps have timelines and must be specifically adhered to.

Proposed Wyoming Pharmacy Act, Rules and Regulations changes for 2009. Ken Nelson opened this portion of the meeting noting there were no indications of verbal comments on the sign in sheets and no one stepped forward to indicate a desire to make comments when the question was reiterated.

Chapter 2.

The following comments were received by the Board office prior to the meeting for Chapter 2.

Chapter 2, Section 4(x) Requesting to add the word “improve” or “positive” before the word outcome to indicate a good outcome.

Chapter 2, Section 10(a) Requesting to add the words “or pharmacy intern” in all places where it says “pharmacist for transferring prescriptions” as it reads only a pharmacists can transfer and receive prescriptions between parties.

Chapter 2, Section 10(a) Requesting pharmacists not be required to transfer prescriptions due to the inability of some pharmacists to do this without mistakes or misfills.

Chapter 2, Section 10(c)(ii) remove the small “t” at the beginning of the sentence that reads “Tthe”.

With a motion by Mr. Harrop and seconded by Ms. Nevins and a vote of 4-0 the Board accepted Chapter 2 as presented.

Chapter 3.

With a motion by Mr. Harrop and seconded by Mr. Carr and a vote of 4-0 the Board accepted Chapter 3 as presented.

Chapter 8.

The following comments were received by the Board office prior to the meeting for Chapter 8.

Chapter 8, Section 13(c) Requesting to remove the word “outdated”

As this word already had a strike through in the rules presented at the meeting, Ms. Nevins motioned to accept the rules as presented. Mr. Harrop seconded the motion and a vote of 4-0 the Board accepted Chapter 8 as presented.

Chapter 12.

The following comments were received by the Board office prior to the meeting for Chapter 12.

Chapter 12, Section 13(a)(i) and (c) Requesting to add sublingual nitroglycerin tabs in a 25 count bottle to the exception list of 72 hour dispensing rule for take home prescriptions because they cannot be repackaged into smaller quantities.

Chapter 12, Section 21 The last sentence reads “only after advice is provided regarding continuing the current medication”, does this mean advice from the physician?

A request by Board President McManus to remove the ISBN numbers from the chapter, as these numbers change frequently. All other requests will be looked into at a later time. A motion was made by Ms. Nevins to remove the ISBN numbers and accept the rules as presented. Mr. Carr, seconded the motion and a vote of 4-0 the Board accepted Chapter 12.

Chapter 16.

The following comments were received by the Board office prior to the meeting for Chapter 16.

Chapter 16, A lengthy letter was received requesting the Board to allow all pharmacists who have registered with the CDC to administer yellow fever vaccines.

Chapter 16 (c)(iii) Place a "V" in front of the word "aricella".

A motion was made by Mr. Harrop and seconded by Ms. Nevins to add the letter V where indicated and accept the rules as presented. This was passed with a vote of 4-0.

Chapter 17.

The following comments were received by the Board office prior to the meeting for Chapter 17.

Chapter 17, A pharmacy student is concerned students will not gain the knowledge they need for sterile compounding unless all compounders have been thoroughly trained and educated in aseptic techniques as well as have passed written and Media-Fill Testing during their rotation period.

A motion was made by Mr. Carr to accept the rules as presented. Ms. Nevins seconded the motion which passed with a 4-0 vote.

Pharmacists Address List. Mary Walker explained the problems the staff was having with the address lists for the pharmacists which are sold to the public for a fee of two hundred fifty dollars (\$250.00). The question put to the Board was, "Would the Board approve to have the pharmacists home address on the list"? An overwhelming "no" put the discussion to rest.

Intern to Intern Transfers of Prescriptions. Raven Callas presented laws and Rules from three adjacent states, Idaho, Utah and Colorado regarding intern to intern transfers. Although some of the laws and rules require pharmacists to be involved in the process, others allow the intern to intern transfer. Mr. Harrop informed the Board he believed transfers should be pharmacist to pharmacist and suggested this subject be revisited at a later rule making meeting.

Record Retention Schedules. Mary Walker presented the Board with a draft of the record retention schedule for the office and staff for archiving purposes. With the Board members input it was decided to standardize the retention schedules to three (3) and ten (10) years. It was also noted that both paper and electronic sources must be destroyed at the same time. Mary will make the necessary changes to the archiving retention forms and forward them to Lisa Hastings in the archiving department. Once these forms are standardized, training will begin with the staff. **Mr. Harrop moved to accept the new retention schedules. Mr. Carr seconded the motion which passed with a 4-0 vote.**

Mr. Harrop moved to go into Executive Session. The motion was seconded by Ms. Nevins and passed with a 4-0 vote. The Public Meeting adjourned at 4:10 pm.

The Public Meeting was called back to order by President McManus at 4:35 pm.

Disciplinary Actions.

Docket 09-19. Motion by Mr. Smith and Seconded by Mr. Harrop to accept the Settlement Agreement. The motion was passed with a 4-0 vote.

Docket 06-13. Ken Nelson asked the Board to advise Respondent to accept the petition after February 2010. A motion by Mr. Harrop to accept Mr. Nelson's suggestion was seconded by Ms. Nevins. The motion passed with a 4-0 vote.

Future Board Meetings. A discussion began on the best place to have future meetings. It was decided Casper was the most economical location when all aspects of travel, rooms and food were taken into consideration due to budget constrictions. Actual dollar amounts will be looked into. Board members to give Mary Walker dates they will absolutely not be available for the next few months so a meeting can be scheduled. Ken Nelson told Mary Walker about a website program for inputting these dates and it is all figured for her.

Meeting recessed at 4:55 pm. Public meeting will resume at 8:30 on September 17, 2009.

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<i>Absent</i>	John R. McPherson, D.D.S.	Board Member
<i>Present</i>	Randolph A. (Randy) Harrop, R.Ph.	Board Member
<i>Absent</i>	Gary W. Norwood, D.V.M.	Board Member
<i>Present</i>	Charles W. Smith	Board Member
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H. Richard Burton, R.Ph.	Inspector/Compliance Officer, Wyoming State Board of Pharmacy
Raven Callas	PharmD Candidate
Timothy S. Seeley, R.Ph.	Powell Valley Healthcare/Chair, USP 797 Work Group
Kara Beech, BS, CHC	Executive Director, Wyoming Pharmacy Association
Bryon Hopper	Strategic National Stockpile Coordinator, WY Dept. of Health/PHEPP
Joan Anderson, R.Ph.	University of Wyoming
Dean Winsch, R.Ph.	Wyoming Pharmacy Association
Sarah Blakely, R.Ph.	WSHP/WPhA/CRMC
Dale Brentlinger, MD	Cheyenne Health and Wellness Center
Michael Christ	Clinic Operations Manager, Cheyenne Health and Wellness Center
Gordon Hardy	Wyoming Pharmacy Association
Craig Frederick, R.Ph.	President Elect, Wyoming Pharmacy Association

The Public Meeting was called to order on Thursday, September 17, 2009 by President McManus at 8:32 am.

Prescription Drug Abuse in Wyoming. Kerri Powell, PharmD, presented a power point show regarding the alarming use of prescription drug abuse in Wyoming by all ages. The most commonly used are stimulants, opioids and over the counter cough medicines. 16.2 million Americans have taken prescription drugs for non-medical reasons and 6.9 million in the last month. The highest abusers are young adults ages 18 to 25. Marijuana ranks highest in adolescents ages 12-17 with prescriptions ranking second. Seventy (70%) percent of parents believe the over the counter drugs are not as harmful as street drugs. In 2005, Wyoming had fifty (50) deaths which rose to one hundred three (103) in 2008. The presentation ended with a question and answer session.

Emergency Preparedness . Bryon Hopper, Wyoming Department of Health spoke regarding emergency preparedness in Wyoming in case of a terrorist attack. The state would need large amounts of medicine dropped in the state to help people exposed to the event. Pharmacists would be extremely busy helping to re-package the medicines to distribute state wide. A process to have students from the University of Wyoming, School of Pharmacy help to re-package and dispense the drugs would be helpful. Students could also be used to determine what medications individuals use when evacuated in a state of emergency. A discussion commenced as to whether the Board could lift the rules if the Governor did not call a state of emergency. It was determined it would be looked into; however, the Board does not have the power to suspend the rules by statute.

340B Drug Pricing Program. Michael Christ and Dale Brentlinger of Cheyenne Health and Wellness Center spoke about the drug pricing program. The non-profit organization is an in-house medication dispensing program which can be used for prescriptions prescribed by outside providers. Medications are dispensed using the bar code system which will not print a label if the wrong medication is selected. The

staff consists of three (3) full-time and one (1) part-time physicians. On the average, each physician sees twelve (12) patients a day or the clinic averages about forty (40) patients a day. The clinic is hoping to double in size by using stimulus dollars for new construction.

Continuing Education. Tripartite Committee spoke of the differences in the costs between their continuing education and that of the University of Wyoming. The conversation between the two providers was near a standstill so the Board suggested the Tripartite Committee meet and work out the situation themselves as it was not up to the Board. **Mr. Harrop moved to have committee meet again. Mr. Carr seconded the motion which passed with a 4-0 vote.**

Hoys Pharmacy and Northstar Infussion. Scot Schmidt, Pharmacist-in-Charge for Hoys Pharmacy submitted a letter requesting to be the Pharmacist-in-Charge for both Hoys Pharmacy and Northstar Infussion. A discussion between the Board members resulted in an approval for Scot Schmidt's request as long as both entities remained in the same location in the hospital. Mary Walker was instructed to send a letter to Mr. Schmidt indicating this information. If both entities no longer remain in this location, the matter would need to be revisited. At the time these minutes were typed the letter had been written and mailed to Mr. Schmidt. **Ms. Nevins moved to approve Mr. Schmidt's request to be the Pharmacist-in-Charge for both locations. Mr. Harrop seconded the motion which was approved with a 4-0 vote.**

Emissary Long Term Care Pharmacy. Scott Soulek, pharmacist and owner of the Emissary Pharmacy in Casper wrote a letter indicating he was interested in using a company called Critical Entry Data Systems to help his pharmacy with data entry. He is questioning if this falls within the state rules and laws. The Board had a discussion regarding the request. It was determined by the Board the data entry would need to be done by a Wyoming licensed technician who was overseen by a pharmacist. Mary Walker was instructed to send a letter to Mr. Soulek indicating this information. At the time these minutes were typed the letter had been written and mailed. **Mr. Harrop moved that the data entry individual must be a Wyoming licensed technician overseen by a pharmacist. Mr. Carr seconded the motion which was passed with a 4-0 vote.**

Controlled Medication Destruction. Timothy Seeley, Powell Valley Healthcare, spoke of a proposed method of destruction of medications in the household in order to standardize the process. He suggested using discreet non-marked boxes while using solvents and kitty litter to destroy left over medications in a patients home. This would alleviate anyone having to physically remove the drugs in tact from the home. After a discussion by the Board it was determined Mr. Seeley's proposal was an ideal way to destroy the drugs for everyone involved.

This meeting was adjourned by President McManus at 11:20 am.

Respectfully submitted

Notes by Phyllis Chapman, Senior Office Support Specialist

Respectfully submitted and reviewed:

Mary K. Walker, R.Ph.
Executive Director

Minutes approved and entered into record:

Alison Kay McManus
Board President