

**WYOMING STATE BOARD OF PHARMACY MEETING  
January 26 and 27, 2000, Cheyenne, Wyoming**

<b>ITEM</b>	<b>DISCUSSION</b>	<b>ACTION TAKEN</b>
<b>OLD BUSINESS</b>		
September 29 & 30 Minutes	No corrections noted	September 29, 30 minutes approved as written
Pharmacy Web Page	Board of Pharmacy web page has been operational since October 1999. Comments solicited for enhancement of the web page. Web page may be viewed at the following address. <a href="http://www.state.wy.us/~pharmacy">www.state.wy.us/~pharmacy</a> .	Comments welcomed from the Board or public on ideas to enhance Board of Pharmacy web page.
BFY 2001-2002 budget	Governor Geringer has approved and submitted our proposed budget to the legislature. The proposed budget Totals \$582,610.00.	None required.
Healthcare Integrity & Protection Data Bank (HIPDB)	The Board is required by federal law to provide all disciplinary action taken by the Board against any pharmacist licensed by the Board. There is a requirement to provide Board action back to 1996.	The Board has registered with HIPDB and will designate the National Association of Boards Of Pharmacy (NABP) as the Board's designated agent. A Letter of Agreement will be executed between the Board and NABP. Reporting will begin with action taken at this meeting and previous actions taken from 1996 to date will be submitted prior to the next Board meeting.
Investigations by the Staff	Don Deyo presented a statistical summary of investigations for 1999. There were 19 investigations conducted in 1999. This included 10 pharmacists, 2 resident pharmacies, 1 non-resident pharmacy, 3 physicians, 1 technician, 1 physician assistant, and 1 respiratory aide. Outcomes were 2 letters of admonition and administrative penalty, 4 letters of admonition, 7 dismissed, 3 referred to Board of Medicine, and 3 pending.	Statistical summary provided as requested from the September meeting. Summaries will be presented annually at the January Board meeting.
Emergency drug permit for a home health care program	Mark A. Crosby, R.Ph, with IHC Home Care had requested an emergency drug permit for their home health care program. Joe Scott, Board attorney, reviewed if a permit could be issued under existing law.	Existing law does not allow issuing an emergency drug permit for a home health care program. The Board will consider requesting enabling legislation with the 2001 Legislature. Mr. Crosby will be notified.
Rule-Making Order issued by the Board on September 30, 1999	Governor Geringer approved the rules and they were filed with the Secretary of	

**ITEM**

**DISCUSSION**

**ACTION TAKEN**

State on November 24, 1999

All pharmacies licensed by the Board were mailed a letter in December. With this letter updated chapters of the Board's Rules were included.

**New Business:**

Proposed Rules

The Staff presented draft language for the following:

- Chapter 10, section 5
- Chapter 2, section 7
- Chapter 2, section 21
- Chapter 2, section 15
- Chapter 2, section 8
- Chapter 4
- Chapter 2, section 6

Changes were suggested and will be presented at the next meeting. Chapter 2, section 21, generic substitution will not be changed, but rather the Staff will initiate a campaign to educate the pharmacists in Wyoming of the clinical importance of utilizing the "Orange Book" in selecting products for generic substitution. The Board will not take action against a pharmacy or pharmacist for failure to select an "A" rated product until the Staff has had an opportunity to educate pharmacists in Wyoming. The Staff will utilize this year for education. Appendix "A" presents the proposed changes in Board regulations, which were discussed at this meeting.

Scheduling Actions

Gay Dodson, Wyoming Attorney General, in her capacity as the Commissioner of Drugs and Substances Control has rescheduled Marinol® from Schedule II to Schedule III and has added Ketamine to Schedule III of the Wyoming Controlled Substance Act pursuant to W.S. §35-7-1011(d). This action was in response to action taken by the Drug Enforcement Agency (DEA)

The Staff included an article in the March issue of the State Newsletter

Pharmacy Issues

The Staff and Lis Merten (NACDS) presented issues, which the Board will, have to consider in the future. Topics included: technology issues (robotics, imaging, electronic prescriptions), Internet pharmacies, central fill stations, and NABP's initiative to streamline license/registration activities for participating Boards.

NABP's annual meeting in May should include sessions on most of these issues. The Staff will research other states' electronic prescription regulations and propose language for a regulation to be presented at the next meeting.

"Drug" vs. "Dietary Supplement"

Discussed use of ephedrine in dietary supplements.

The Board will follow the existing language of Chapter 11 of the Board's regulation. Any product

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Medication Dispensing Errors	Discussed if the Board should require pharmacies to submit dispensing errors to the Board's office. NABP was contacted to see if other states are collecting this data. A letter was received after the meeting from NABP and it appears three states collect data on dispensing errors in some form.	containing ephedrine, which is not exempted by the regulation from prescription status, may only be dispensed as a prescription product. Inspectors will be checking retail outlets and products being sold as an OTC will be removed from stock. Dietary supplements will not be exempted from the regulation.  The Board is not interested in collecting this data at this time.
Professional Liability Insurance	NABP is considering offering liability insurance for Board members. Joe Scott, Esq. discussed how the State Of Wyoming provides legal defense and provides payment of any judgements awarded. Legal defense and payment of any judgement is limited to those acts performed within the scope of duties as a Board member of the Board of Pharmacy. Acts outside of the scope of duties are not covered by the State of Wyoming.	The Board is not interested in professional liability insurance offered by NABP at this time. If their coverage is broader than that which is offered by the State of Wyoming, then this will be reconsidered.
Medication administered by Unlicensed Personnel	Mike Stadick attended the Board of Nursing meeting, which was held at the same time as the Board's meeting. The Board of Nursing is trying to decide if any action by their Board is required to deal with medication administration by unlicensed personnel. It appears this is a widespread practice in the state, and is not limited to nursing homes or assisted living centers. After this meeting, the Board's office was contacted by the Board of Nursing. They plan to form a subcommittee to review this issue and make recommendations to the Board of Nursing. They asked if Mike Stadick could serve on this committee.	The Staff will draft a response to the Board of Nursing, and will participate in the subcommittee being formed by the Board of Nursing. To the extent possible, Mike Stadick will represent the Board of Pharmacy at these meeting, otherwise Jim Carder will attend.
Multistate Pharmacy Jurisprudence Exam (MPJE)	The annual review of MPJE questions for Wyoming has been completed and submitted to NABP by January 31 as required.	No action required

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WPAP update	Bev Stadler will be resign effective February 29, 2000. The WPAP Board of Directors plan to not hire an executive director until finances can be solidified. They are developing a business plan and plan to seek funding support from the Wyoming Hospital Association and/or member hospitals. They currently have contracts with Boards of Medicine, Nursing, Dental, and Pharmacy.	The Board of pharmacy's contract is due for renewal at the end of February. The contract was set up with annual renewals for no more than three years. Payments are made quarterly. Plan to renew contract in February.
Prescription writing concerns	Multiple prescriptions on the same prescription was discussed as well as prescriptions from Colorado (usually on hospital prescription pads) which lack phone numbers, DEA numbers, and printed name of practitioner were discussed. The Board has forwarded Colorado issues to the Colorado Board of Pharmacy.	The multiple prescriptions on one Rx involves a Wyoming physician. Jim Carder will be meeting with the Wyoming Board of Medicine on February 4. He will inquire as to the possibility of issuing a joint letter from both Boards discouraging this practice.
NABP Annual Meeting May 6-10, 2000	Discussed attendees for this meeting as well as the Boards voting delegate and alternate.	Jennifer Nevins will the Board's voting delegate and Jim Carder will serve as the alternate. The Board will provide funding for five attendees. At this time, this will include: Jennifer Nevins, Tom Broumley, Jerry Palmer, Don Deyo, and Jim Carder.
University of Wisconsin, School of Pharmacy	The Board was asked to review and approve a double-blind randomized trial of methylphenidate for alleviation of fatigue and lethargy associated with Interferon Alpha 2b. The approval requested relates only to how this study may be affected by existing Wyoming pharmacy laws.	The Board approved the exemptions requested, but will require a listing of practitioners in Wyoming who participate in this study.
Renewal Statistics	As of January 21, 2000, 69 pharmacists and 21 technicians have not renewed. This represents 6.8% and 9.8% respectively who have not renewed.	For Board information.
Collaborative Practice Public Hearing	The public hearing was opened by Tom Broumley at 9am. Fourteen individuals were present for the hearing. Comments were taken and Board's response provided at the end of public comment.	Board adopted the rule with minor changes. Order to be dated January 27, 2000. Copy of the Order to be provided to those who provided oral/written comments, were in attendance at the public hearing, and those who request a copy.

January 26 & 27, 2000 Board Meeting Minutes Continued

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Spring Board Meeting Date	Dates discussed	The next meeting will be held in Casper on Wednesday, May 17. This will be a one-day meeting devoted to reviewing proposed rules and regulations.

Respectively Submitted:

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James T. Carder, R.Ph., Executive Director

Approved: June 20, 2000\_\_\_\_\_

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Tom C. Broumley, R.Ph.  
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