

MINUTES

UTAH BOARD OF PHARMACY

December 20, 2016 8:30 A.M.

Room 474-Fourth Floor
Heber M. Wells Building
160 E. 300 S. Salt Lake City, Utah

CONVENED: 8:33 A.M.

ADJOURNED: 10:54 A.M.

Bureau Manager
Board Secretary:

Dane Ishihara
Lee Avery

Board Members Present:

Greg Jones, RPh., Chairperson
Carl "Trip" Hoffman, PharmD, Vice-Chairperson
Paige Patterick, RPh.
Andrea Kemper, PharmD
Roger Fitzpatrick, RPh.
Jan Bird, CPhT
Kumar Shah

DOPL Staff Present:

David Furlong, Chief Investigator
Sharon Bennett, Compliance Specialist
Dan Briggs, Investigation Supervisor
Lynn Hooper, Lead Investigator
Camille Farley, Pharm. Investigator
Jennifer Healey Pharm. Investigator
Travis Drebing, Pharm. Inspector

Guests:

Mike Jensen, Rhett Butler, Donelle Perece, Billing
Stilling, Matt Hugley. Adam Jones, LaFaye Bergman,
Gary Hale, Logan Olivieri, Brian Niasen, David Nay,
Abdulla Abdulameer, James Ruble, Dave Davis

ADMINISTRATIVE BUSINESS:

Convened: 8:30 A.M.

Adjourned: 12:00 P.M.

1. The Board reviewed the minutes dated November 15, 2016. Mr. Hoffman made a motion to approve the minutes with changes. Mr. Fitzpatrick seconded the motion. The motion carried unanimously.

2. Mr. Furlong reviewed the investigation report with the Board. He encouraged Board members to contact him with questions.

3. Ms. Bennett reviewed the compliance report with the Board. Stone Drug/Mike Stone submitted a written request for early termination of probation. The Board noted that Stone Drug has continually been in compliance and the letter from his supervisor is positive. Mr. Hoffman made a motion to approve the request for early termination. Ms. Bird seconded the motion. The motion carried unanimously.

APPOINTMENTS: 9:00 A.M.**9:00 A.M. – Dennis Beasley, probation interview**

Mr. Jones conducted the interview via telephone. Mr. Beasley is requesting the Board approve him to reschedule the PARE exam for February, 2017. Mr. Beasley stated he continues looking for employment in the field. Ms. Bird made a motion to approve Mr. Beasley to reschedule the PARE exam. Mr. Shah seconded the motion. The motion carried unanimously. The Board requested to meet with Mr. Beasley in March, 2017.

9:05 A.M. – Fourth Street Pharmacy/Lafaye Bergman, PIC, public reprimand

Mr. Patterick conducted the interview. Ms. Bergman reviewed the violations that led to the public reprimand. They will now check physicians DEA numbers with the DOPL website every six months. They keep a preputial inventory of controlled substances. The Board advised Ms. Bergman that a physician's DEA number and DOPL license and controlled substance numbers are different and encouraged Ms. Bergman to develop a written policy and procedure regarding the violations and provide this information to employees. Mr. Patterick made a motion to accept the corrective action plan as given. Mr. Hoffman seconded the motion. The motion carried unanimously.

9:30 A.M. – Nancy Ajwani, request for another extension.

Ms. Ajwani withdrew her request for another extension.

9:25 A.M. – Logan Olivieri, request to extend Pharmacy Technician Trainee license

Mr. Olivieri met with the Board. Mr. Jones conducted the interview. Mr. Olivieri advised the Board that his Pharmacy Technician Trainee license expired in November. His license expired in November, 2016. He failed the PTCB exam three times and is requesting the Board extend his Pharmacy Technician Trainee license for two years. He completed all classes with Walgreens, working as an assistant store manager. Occasionally he works in the pharmacy and needs a Pharmacy Technician Trainee. Mr. Ishihara reviewed the relevant Administrative Rule with the Board. After talking with Mr. Olivieri, the Board feels Mr. Olivieri's circumstances are not exceptional. Mr. Olivieri stated he has all three books and plans to spend more time working in the pharmacy to help him better study for the next exam. Mr. Fitzpatrick made a motion to deny Mr. Oliveri's request to extend his Pharmacy Technician Trainee license and encouraged him to reapply for licensure. Mr. Patterick seconded the motion. The motion carried unanimously.

10:10 A.M. – Abdulla S Abdulameer, pharmacy intern license expired

Mr. Abdulameer met with the Board. Mr. Abdulameer advised the Board that he took a break after completing his hours. He is a foreign trained pharmacist and failed the NAPLEX. He has plans to take it again in February, 2017. His pharmacy intern license expired November, 2016 and he is requesting the Board approve an extension of this license to allow him to obtain the 1500 hours required and pass the NAPLEX exam. He passed the FPEG and TOFEL exams. The Board advised Mr. Abdulameer that he needs to reapply for the pharmacy intern license and as long as he was appropriately licensed in Utah, the Board will accept the hours he completed under his first intern license.

10:20 A.M. – Julie Fisher, review Pharmacy Technician Trainee application/CH

Ms. Fisher met with the Board. At 10:21 A.M. Mr. Fitzpatrick made a motion to close the Board meeting to discuss the character, professional competence or physical or mental health of an individual. Mr. Shah seconded the motion. The motion carried unanimously. A recording was not made. Written notes were not taken. The Board meeting opened at 10:30 A.M. Ms. Bird made a motion to approve Ms. Fisher's application. Mr. Shah seconded the motion. The motion carried unanimously.

10:30 A.M. – Eman Biltaji, Pharmacy Tech, Intern hours earned out of country

Ms. Biltaji met with the Board. Ms. Biltaji reviewed her circumstances with the Board. The Board felt her circumstances were extenuating and requested additional information from Ms. Biltaji. Once this is received the Division and Board Chairperson and Vice Chairperson will review it and recommend her intern license be extended.

10:40 A.M. – Presentation regarding pharmacy labeling - Carrie Dunford

Ms. Dunford met with the Board and reviewed proposed statutory changes regarding 58-17b-602 Prescription orders – labeling requirements. The proposed changes will clarify the labeling requirements in the statute. Mr. Hoffman made a motion to support the changes. Mr. Fitzpatrick seconded the motion. The motion carried unanimously. Mr. Shaw made a motion to defer the discussion of a deadline date in the statute. Ms. Bird seconded the motion. The motion carried unanimously.

11:00 A.M. – Hyrum Nichols, approval to retake the NAPLEX exam

Mr. Nichols failed to keep his appointment with the Board.

NEW ITEMS:**11:35 A.M. Require Compounding Permits**

Mr. Ishihara advised the Board that issuing pharmacies that do compounding a permit would require statutory change because this would be considered a new license. The Board discussed recommending this go before the OPLAR Committee for review.

Mr. Hoffman made a motion to recommend a new compound permit be created and refer the issue to the OPLAR Committee for review. Ms. Bird seconded the motion. The motion carried unanimously. Mr. Hoffman made a motion to look at the training requirement and refer

11:19 A.M. USP <800> possible extension

Mr. Hoffman reviewed the letter regarding an extension on the implementation date for USP <800>. The task force would like to see this date extended for two years. This would make the new date July 2020. The task force expressed concerns about doing this right now, as it will be costly to pharmacies and will change how they operate. The pharmacies will need transitional time to meet the requirements. After a brief discussion, Mr. Hoffman made a motion to delay enforcement until July 1, 2020. Mr. Patterick seconded the motion. The motion carried unanimously. The Board discussed changing the language in the Pharmacy Practice Act Rule to reflect the Boards decision.

11:46 A.M. CPE Monitor Services

Mr. Jones reviewed the CPE Monitor Services with the Board. He noted that this tracks the ACPE approved courses only. Mr. Ishihara will send out the report to Board members to review.

11:55 A.M. General directions for 2017 meetings

Mr. Jones advised the Board that the plan to update rule and statutes changes is to keep the list manageable, by working on one or two rules at a time at the end of each Board meeting. The Board felt having Representative Vickers attend a Board meeting has been very helpful in the past and would like him invited to another Board meeting.

UNFINISHED ITEMS:**8:40 AM Review Rules Effective December 22, 2016 (out of order on the agenda)**

Mr. Ishihara reviewed the rules that become effective December 22, 2016. Mr. Ishihara stated this information will be updated on the Division website this same date.

8:45 A.M. Naloxone Training Update

Mr. Ishihara reviewed naloxone training information with the Board. The training that was provided in November received a lot of positive comments. The Board discussed updating the continuing education requirement to include Naloxone training. Mr. Walker noted that the umbrella statutes require professionals to obtain continuing education hours in the areas where they hold specialties.

9:46 A.M. Language for PTCB exam and education

The Board will need to review the exam requirement for pharmacy technicians, however, tabled this discussion pending changes with PTCB.

9:53 A.M. Pass rate for NABP exam

The Board reviewed information by NABP regarding the pass/fail rate from 2012 to October, 2016. After discussion, the Board recommended supporting language change in the Pharmacy Practice Act Rule to mirror NABP guidelines. Mr. Ishihara will draft proposed language for the Board to review.

11:15 A.M. Partial fill dispensing of CII prescriptions (out of order on the agenda)

After a review of the Utah statutes and rules it was determined that there is nothing that prohibits this practice in Utah. The Board may want to define how this will be done.

NEXT SCHEDULED MEETING:

January 24, 2017

2016 Board Meetings:

2017 Board Meetings Tentatively Scheduled

January 24, February 28, March 28, April 25, May 16, June 27, July 18, August 22, September 26, October 24, November 28, December 19

The Board moved the May 2017 Board meeting to May 16, 2017 and the November Board meeting to November 28, 2017. No change in the start time.

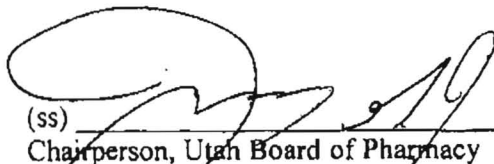
ADJOURN:


Motion to adjourn at 12:00 P.M.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

1/24/2017
Date Approved

1-24-2017
Date Approved

(ss) 
Chairperson, Utah Board of Pharmacy

(ss) 
Bureau Manager, Division of Occupational & Professional Licensing