



STATE OF MICHIGAN

DEPARTMENT OF COMMUNITY HEALTH  
LANSING

JENNIFER M. GRANHOLM  
GOVERNOR

JANET OLSZEWSKI  
DIRECTOR

## MICHIGAN BOARD OF PHARMACY JUNE 9, 2010 MEETING

### APPROVED MINUTES

In accordance with the Open Meetings Act, 1976, PA 267, as amended, the Michigan Board of Pharmacy met in regular session on June 9, 2010, at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center (UL), Conference Room 3, Lansing, Michigan.

#### **CALL TO ORDER**

Harvey Schmidt, R.Ph., Chairperson, called the meeting to order at 9:08 a.m.

#### **ROLL CALL**

**Members Present:** Harvey Schmidt, R.Ph., Chairperson  
Sue Farida, R.Ph., Vice Chairperson  
Ilene Abramson, Ph.D., Public Member  
Dhafer Almaklani, R.Ph.  
David Bach, R.Ph.  
Pamela Bufe-Wyett, Public Member  
Dale Carlson, Public Member  
Gwenesia Collins, R.Ph.  
Sara Fakhoury, R.Ph.  
Pamela Gnodtke, Public Member  
Devin Senneker, Public Member

**Members Absent:** None

**Staff Present:** Laurie VanBeelen, Board Secretary, Health Regulatory Division  
Rae Ramsdell, Director, Health Regulatory Division  
Dan Burns, Program Operations Division (left at 9:14 a.m.)  
Stephanie Rosenthal, Analyst, Health Regulatory Division  
Mike Wissel, Pharmacy Manager, Health Investigation Division  
Tom Scallen, Assistant Attorney General

**Others Present:** Ione Walker  
Jincy Eapen  
Jeff Kauffman, Wal Mart  
Rose Baran, - FSU/COP  
Karen Jonas - MPA  
Robert Mast, R.Ph.  
Katri Abraham  
Max Hoffman, J.D.

## **APPROVAL OF MINUTES**

*MOTION* by Farida, seconded by Collins, to approve the April 14, 2010 meeting minutes as presented.

*MOTION PREVAILED*

## **APPROVAL OF AGENDA**

*MOTION* by Carlson, seconded by Gnodtke, to approve the agenda with the following correction and addition:

Under NEW BUSINESS, A. should reflect the deletion of Farida; add C. DEA Guidelines for Electronic Prescribing of Controlled Substances.

*MOTION PREVAILED*

## **COMMITTEE REPORTS**

### **Rules Committee**

Collins advised that a conference call was held last week to discuss the remainder of the changes suggested by the NABP. She reported that draft 14 of the rules will be reviewed at today's meeting.

### **Policy Committee**

No report.

### **Disciplinary Subcommittee**

Gnodtke reported that last month the committee decided 16 regulatory matters, of which 6 were relating to internet prescribing. She indicated that fines from 7 matters totaled \$51,750. She indicated that 13 cases will be decided at today's meeting.

## **CE Approval**

Fakhoury directed the Board to the list of CE courses that she has reviewed and approved.

*MOTION* by Bach, seconded by Collins, to approve the Continuing Education Review Programs as presented.

*MOTION PREVAILED*

See Addendum #1 attached hereto.

## **OLD BUSINESS**

None

## **NEW BUSINESS**

### **NABP Annual Meeting Update**

Bufe reported that she attended the NABP Annual Meeting which was held May 22-25 in Anaheim, California. She provided the Board with a written and verbal synopsis, and indicated that the meeting was very beneficial. The report is attached as Addendum #2.

### **Department Update**

No report.

### **DEA Guidelines for Electronic Prescribing of Controlled Substances**

Schmidt advised that the DEA has issued guidelines for the electronic prescribing of controlled substances. He is requesting that the rules committee review the DEA guidelines to determine if the administrative rules for the Board of Pharmacy will need to be amended to conform to these changes. VanBeelen stated that the Board of Medicine is also reviewing these new guidelines and indicated that she would provide the Board with information the Board of Medicine reviewed at their recent meeting.

## ***REGULATORY CONSIDERATIONS***

### **Gerald John Rubley, R.Ph. – Proposal for Decision**

*MOTION* by Farida, seconded by Almaklani, to accept the Proposal for Decision in the matter of Gerald John Rubley, R.Ph.

Discussion was held.

A roll call vote followed: Nays: Bach, Collins, Farida, Fakhoury, Carlson, Gnodtke, Bufe, Abramson, Senneker, Almaklani, Schmidt

*MOTION FAILED*

*MOTION* by Bach, seconded by Farida, to accept in part and reject in part the Proposal for Decision in the matter of Gerald John Rubley, R.Ph. Additionally, this matter will be tabled for re-write.

Discussion was held.

A roll call vote followed: Yeas: Fakhoury, Bach, Gnodtke, Almaklani, Farida, Bufe, Carlson, Abramson, Senneker, Collins, Schmidt

*MOTION PREVAILED*

## ***PUBLIC COMMENT***

Karen Jonas of the MPA indicated that there is a belief that copies of the Public Health Code and Administrative Rules are no longer being provided to the public. She asked if the Board would deem an internet reference as an acceptable alternative to the hard copy of the rules. Jonas also addressed the issue that according to the DEA, long-term care nurses are not considered agents of the prescriber and therefore do not have prescribing authority. She indicated that it is her understanding that the DEA wants each state board to make that determination and reflect same in the administrative rules. Jonas stated that if the boards do not issue a determination the DEA will enforce their guidelines currently in place. She asked that the Board address this issue.

## ***ANNOUNCEMENTS***

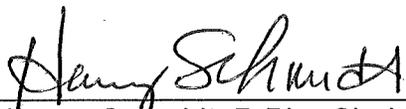
Schmidt advised that this would be Gnodtke's last meeting as her term is ending effective June 30<sup>th</sup>. On behalf of the Board, Schmidt expressed gratitude for her service on the full board and DSC and stated that she has been a great voice for the public. Bach indicated that Gnodtke was a strong advocate for the public and stood up for what she believed in, even when it may not have been the same as the professional opinions.

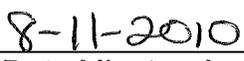
Gnodtke stated that she enjoyed her service and appreciated the opportunity to serve. She further indicated that she has been appointed to serve on the Task Force for Physicians Assistants and is looking forward to continuing to serve as an advocate for the public.

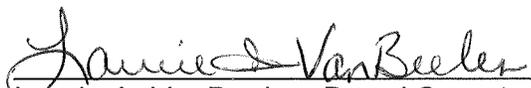
The next regularly scheduled meeting will be held August 11, 2010 at 9:00 a.m. at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center (UL), Conference Room 4, Lansing, Michigan.

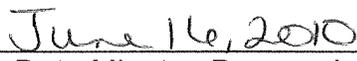
## **ADJOURNMENT**

*MOTION* by Carlson, seconded by Fakhoury, to adjourn the meeting at 9:39 a.m.

  
\_\_\_\_\_  
Harvey Schmidt, R.Ph., Chairperson

  
\_\_\_\_\_  
Date Minutes Approved

  
\_\_\_\_\_  
Laurie A. VanBeelen, Board Secretary

  
\_\_\_\_\_  
Date Minutes Prepared

**PHARMACY CONTINUING EDUCATION REVIEW**  
**June 9, 2010**

**APPROVED PROGRAMS**

**CHELSEA COMMUNITY HOSPITAL** – Crucial Conversations being held during May, 2010 in Chelsea, MI for eight (8) hours

**RECOMMENDATION: EIGHT HOURS**

**ST. JOHN RETAIL PHARMACY** – Drug Therapy and Women’s Health being held on May 18, 2010 in Detroit, MI for one (1) hour

**RECOMMENDATION: ONE HOUR**

**MICHIGAN DEPT OF COMMUNITY HEALTH** – 2<sup>nd</sup> Annual Michigan Volunteer Conference being held on June 25, 2010 in East Lansing, MI for six (6) hours

**RECOMMENDATION: SIX HOURS**

**ST. JOHN HOSPITAL AND MEDICAL CENTER** – Cancer Pain and Treatment being held on June 29, 2010 in Detroit, MI for one (1) hour

**RECOMMENDATION: ONE HOUR**

**MARQUETTE GENERAL HEALTH SYSTEM** – Insulin and Other Injectable Medications being held on August 24, 2010 in Marquette, MI for one (1) hour

**RECOMMENDATION: ONE HOUR**

**ST. JOHN HOSPITAL AND MEDICAL CENTER** – Aseptic Techniques and Calculations being held on July 20, 2010 in Detroit, MI for one (1) hour

**RECOMMENDATION: ONE HOUR**

**MARQUETTE GENERAL HEALTH SYSTEM** – A Glance at Drugs for Hyperlipidemia being held on June 16, 2010 in Marquette, MI for one (1) hour

**RECOMMENDATION: ONE HOUR**

**PRINCIPAL HEALTH PHO** – Anemia being held on May 14, 2010 in Holland, MI for one (1) hour

**RECOMMENDATION: ONE HOUR**

**NABP Annual Meeting  
May 22-24, 2010  
Anaheim, California**

All but four states were represented at the annual conference (absent were Arkansas, Georgia, Maine and Wisconsin). There were proposed amendments to the NABP Constitution and Bylaws, however they will not be voted on until the 107<sup>th</sup> annual meeting to be held in Austin, Texas in May, 2011. This was due to overlapping subject matter within the proposed amendments. Normally Constitution revisions are presented one year and voted on the next year. Bylaws are generally presented, discussed and voted on in the same year.

**Proposed Amendments are:**

- a. Amendment to define the term "administrative officer"
- b. Amendments to modernize and improve the NABP Constitution and Bylaws. The Executive committee found that certain language in the Constitution and Bylaws was ambiguous and inconsistent, and thus potentially confusing and has recommended edits to remedy such.

**All Resolutions Passed and are:**

1. Support of multistate licensure concept study
2. Standardization of definitions, requirements and registration of pharmacy interns
3. Expansion of pharmacist immunization services
4. National practice standards
5. Uniform disciplinary guidelines
6. Task force to review and recommend revisions to the Controlled Substances Act
7. Continued efforts to standardize pharmacy technician education and training programs
8. Development and utilization of technology to assure complete patient profile data
9. Labeling of patient assistance program medications

**Executive officers elected for the 2010-2011 term are:**

- President: Malcolm Broussard, Louisiana  
Treasurer: Michael Burleson, Kentucky  
District 1: James Devita, Massachusetts/CVS  
District 2: Edward McGinley, New Jersey  
District 3: Mark Conradi, Alabama  
District 5: Lloyd Jessen, Iowa

**President's Address discussed:**

1. Future Vision of Pharmacy Practice 2015 – the impact of health care reform on pharmacy
2. Community Pharmacy Accreditation Program – will be in pilot phase this summer. The NABP national steering committee will evaluate the pilot and report to all states.

ADDENDUM #2, Continued

Partnership for Success – developed by Minnesota BOP and adopted by NABP. **AWARxE is a public awareness campaign.** The mission is to provide individuals with the information they need to enable them to make the right decisions about prescription and over-the-counter (OTC) medications. Inspired by the Justin Pearson story in 2009, the AWARxE campaign's media focus will be on raising awareness of the risks related to illicit on-line pharmacies and counterfeit medications.

Read more about the program at <http://awarerx.org/main.php>.

**Continuing Education Highlights:**

1. State and Federal Agencies Protecting the Public-The National Practitioner Data Bank. Each state must subscribe to HIPDB and NPDB – government agencies that are not in compliance with the reporting requirements of the Health Care Integrity and Protection Data Bank (HIPDB) will be listed in a report on the Health Resources and Services Administration (HRSA) and Data Bank websites by July 1, 2010. Government agencies that license or certify health care practitioners, providers or suppliers must report final adverse actions to the HIPDB generally within 30 days of the date the action becomes final as mandated by Section 1128E of the Social Security Act as added by Section 221(a) of the Health Insurance Portability and Accountability Act of 1996. NABP will become a reporting agent and be designated as each state's reporting agent. Currently 25 boards use these DB's. If Michigan is not registered we can do so at <http://www.npdb-hipdb.hrsa.gov/register.html>. If we want to give NABP the authority to report on our behalf, the link is <http://www.nabp.net/programs/member-services/hipdb/authorizing-nabp-as-the-reporting-agent>.
2. Overview of Healthcare Reform and Increased Transparency Requirements
3. State Accreditation Program – in pilot this summer. The focus is on improved patient care. NABP national steering committee will evaluate.
4. An overview of the Controlled Substances Act provided a current status and the possible changes to the Act and how it will benefit patients and affect the practices of all health care professionals.

\*\*All presentations, amendments and resolutions from the meeting will be available at [www.nabp.org](http://www.nabp.org) the week of June 14, 2010\*\*

- Upcoming Events:**
- Interactive Member Forum – September 22 and 23, 2010  
Held in District IV (our region)  
Mt. Prospect, Illinois
  - NABP/AACP District IV Meeting  
November 10-12, 2010  
Cincinnati, Ohio
  - NABP 107<sup>th</sup> Annual meeting  
May 21-24, 2011  
Austin, Texas