



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF COMMUNITY HEALTH
LANSING

OLGA DAZZO
DIRECTOR

MICHIGAN BOARD OF PHARMACY FEBRUARY 9, 2011 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 February 9, 2011, at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center (UL), Conference Room 4, Lansing, Michigan.

CALL TO ORDER

Gwenesia Collins, Chairperson, called the meeting to order at 9:06 a.m.

Members Present: Gwenesia Collins, PharmD, Chairperson
Sue Farida, RPh, Vice Chairperson
Ilene Abramson, PhD, Public Member
Dhafer Almaklani, RPh
David Bach, PharmD
Pamela Bufe-Wyett, Public Member
Dale Carlson, Public Member (left at 9:47 a.m.)
Mark Cousens, Public Member
Sara Fakhoury, RPh
Harvey Schmidt, RPh
Devin Senneker, Public Member

Members Absent: None

Staff Present: Laurie VanBeelen, Board Secretary, Health Regulatory Division
Rae Ramsdell, Director, Health Regulatory Division
Danielle Burk, Analyst, Health Regulatory Division
Liz Arasim, Policy Analyst, Health Regulatory Division (left at 10:13 a.m.)
Mike Wissel, Pharmacy Manager, Health Investigation Division
Dan Burns, Program Operations, Health Licensing Division (left at 10:12 a.m.)
Debbie Taylor, Assistant Attorney General
Kelley McLean, Assistant Attorney General
Michele Wagner-Gutkowski, Assistant Attorney General
Bridget Smith, Assistant Attorney General
Eric St. Onge, Assistant Attorney General

Others Present: Rose Baran - FSU/COP
Jim Horton - Aspire RX
Mohsen Baidoun
Natalie Sommorman
Irvin Tevlo, RPh
Phil Burgess - Asteres (left at 9:56 a.m.)
Jim Hudson - Asteres (left at 9:56 a.m.)
Nick Norcross - MPA
Brenda Ruhlman – Meijer
Hadeel Stephen – Meijer
Nichole Penny – Walgreen Company
Gwendolyn Smith
Tom Sparks, JD (arrived at 9:53 a.m.)

APPROVAL OF MINUTES

MOTION by Schmidt, seconded by Bach, to approve the December 8, 2010 meeting minutes as presented.

MOTION PREVAILED

APPROVAL OF AGENDA

MOTION by Cousens, seconded by Fakhoury, to approve the agenda with the following addition:

Under New Business, Controlled Substance Advisory Commission Update
will be added as item B.

MOTION PREVAILED

SCRIPTCENTER PRESENTATION

Phil Burgess of Asteres, Inc., introduced himself and led the group through a PowerPoint presentation describing the medication pick-up machine Asteres has developed which provides the public with an alternate mechanism to obtain their filled prescriptions. He explained that individuals utilizing this alternate method of picking up prescriptions would have the opportunity to speak directly with a pharmacist if necessary. Burgess highlighted the security features of the machine and explained how the medications would be loaded into the machine and tracked. Jim Hudson, independent Michigan pharmacy owner, spoke of his support to allow pharmacies to obtain this alternate method of prescription pick-up and shared his belief that this would

provide additional access to small communities and college campuses. Burgess answered various questions from Board members. Bach stated that he believes the technology has merit and possible value, but reminded everyone that the rules would need to be reviewed and possibly amended if this were to be utilized in Michigan. After discussion, Ramsdell stated that additional review and consideration will need to be performed before the Board would be in a position to consider approving Asteres' request. Additionally, she indicated that the definition of dispensing would need to be clarified. Collins advised that the Policy Committee would be asked to review this matter and bring additional information back to the Board.

COMMITTEE REPORTS

Rules Committee

Liz Arasim, Policy Analyst, directed the Board to the final draft of the administrative rules and proposed changes and additions were reviewed. Discussion of additional changes were discussed.

MOTION by Bach, seconded by Bufe, to approve the draft administrative rules with the minor changes discussed.

MOTION PREVAILED

Policy Committee

Bufe indicated that the Policy Committee will be meeting in the near future. She stated that she will be meeting with Department staff to review the committee's future plans and goals. Bufe indicated that she will provide additional information as to the committee's work at the April meeting.

Disciplinary Subcommittee

Senneker reported that at the December meeting 13 consent order and stipulations were decided, totaling \$15,000 in fines.

CE Approval

Fakhoury directed the Board to the list of CE programs that had been reviewed and were being presented for the Board's approval.

MOTION by Schmidt, seconded by Almaklani, to approve the Continuing Education Programs as presented.

MOTION PREVAILED

See Addendum #1 attached hereto.

OLD BUSINESS

None

NEW BUSINESS

DEPARTMENT UPDATE

Exchange of Information Between States from MAPS

Mike Wissel, Manager of the Bureau's Pharmacy Division, introduced himself and indicated that Michigan is currently in the process of establishing the ability to share the information contained in MAPS with other states. He stated that legislation is presently being created by the federal government to prepare a compact which would mandate all states to share a certain amount of information. Wissel shared that it is possible that this will be in place by early 2012. He stated that approximately 30% of practitioners in Michigan currently utilize MAPS. Wissel answered various questions.

Michigan Provider Credential Center (MiPCC)

Ramsdell indicated that this will be presented at the April meeting.

Ramsdell highlighted the recent issue of individuals using "bath salts" to obtain a high. She indicated this has become a problem especially in the Marquette and Houghton areas. She stated that since this is an analog drug, that local community health agencies have the authority to mandate that this not be sold at specific locations. She is asking if "white rush" should be specifically added as a scheduled drug in the rules. Discussion was held.

MOTION by Schmidt, seconded by Bufe, to support the addition of "white rush" and "bath salts" as a scheduled drug in the state of Michigan.

MOTION PREVAILED

Controlled Substance Advisory Commission Update

Farida indicated that she recently attended this Commission meeting. She advised that the law pertaining to "doctor shopping" was passed, however the pharmacy technician certification did not. Ramsdell indicated that the Department is in support of the certification, but the new administration has not yet indicated their position.

REGULATORY CONSIDERATIONS

Schmidt recused himself from the matter.

Derek Edward Duckworth, RPh – Petition for Reinstatement

MOTION by Farida, seconded by Bach, to grant the Petition for Reinstatement in the matter of Derek Edward Duckworth, RPh.

Discussion was held. The motion was withdrawn.

MOTION by Cousens, seconded by Bach, to grant the Petition for Reinstatement in the matter of Derek Edward Duckworth, RPh. Prior to Petitioner being issued a limited license, he shall provide the Department with:

- A. Proof that he has passed the NAPLEX and the MPJE;
- B. Proof that he has successfully completed his criminal probation with the state of Ohio;
- C. Proof that he has been endorsed as safe to practice by the Health Professional Recovery Committee.

Petitioner shall be placed on probation for a period of one (1) year commencing on the date the limited license is issued and shall practice under the following terms and conditions:

- A. 1,000 hours under the direct, on-site supervision by a Board-approved supervisor;
- B. Followed by 1,000 hours under general supervision by a Board-approved supervisor;
- C. Petitioner shall provide quarterly employer reports to the Department;
- D. Petitioner shall comply with an HPRP monitoring agreement, if applicable.

Petitioner's license shall be automatically reclassified to a full and unencumbered status upon the successful completion of the terms of his probation.

Additional discussion was held.

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

MOTION PREVAILED

William Boyce Taylor, RPh – Petition for Reinstatement

MOTION by Bach, seconded by Cousens, to deny the Petition for Reinstatement in the matter of William Boyce Taylor, RPh.

Discussion was held.

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

MOTION PREVAILED

Gerald John Rubley, RPh, RN, CNP – Request for Reconsideration

MOTION by Cousens, seconded by Bach, to deny the Petition for Reinstatement in the matter of Gerald John Rubley, RPh, RN, CNP.

Discussion was held.

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

MOTION PREVAILED

Ziad Nagia, RPh – Proposal for Decision

MOTION by Farida, seconded by Bach, to accept the Proposal for Decision and grant reinstatement in the matter of Ziad Nagia, RPh. Prior to Petitioner being issued a limited license, he shall provide the Department with proof that he has passed the MPJE.

Petitioner shall be placed on probation for a period of one (1) year commencing on the date the limited license is issued to run concurrent with the period of limitation and shall practice under the following terms and conditions:

- A. Six (6) months under the general supervision by a Board-approved supervisor;
- B. Petitioner shall provide quarterly employer reports to the Department;

- C. Petitioner shall have no ownership of a pharmacy during the period of limitation;
- D. Petitioner shall also complete 30 hours of general pharmacy continuing education, which shall not count towards regular licensure requirements.

Petitioner's license shall be automatically reclassified to a full and unencumbered status upon the successful completion of the terms of his probation.

Discussion was held.

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

MOTION PREVAILED

PUBLIC COMMENT

None


ANNOUNCEMENTS

The next regularly scheduled meeting will be held April 13, 2011, immediately following the full board meeting scheduled to begin at 9:00 a.m. at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center (UL), Conference Room 3, Lansing, Michigan.

ADJOURNMENT

MOTION by Cousens, seconded by Fakhoury, to adjourn at 10:59 a.m.

MOTION PREVAILED


Gwenesia Collins, PharmD, Chairperson

4/13/11
Date Minutes Approved


Laurie A. VanBeelen, Board Secretary

February 16, 2011
Date Minutes Prepared

Addendum #1

**PHARMACY CONTINUING EDUCATION REVIEW
February 9, 2011**

APPROVED PROGRAMS

ST MARY'S HEALTH CARE-INPATIENT PHARMACY – New Drug Update held January 27, 2011 in Grand Rapids MI for 1 hour.

RECOMMENDATION: 1 HOUR

ST MARY'S HEALTH CARE-INPATIENT PHARMACY – Colistin Update held February 28, 2011 in Grand Rapids MI for 1 hour.

RECOMMENDATION: 1 HOUR

HENRY FORD HOSPITAL-DEPT OF PHARMACY SERVICES – Advanced Cardiac Life Support Provider Course held various dates in 2011 in Detroit MI for 14 hours.

RECOMMENDATION: 14 HOURS

HENRY FORD HOSPITAL-DEPT OF PHARMACY SERVICES – Advanced Cardiac Life Support Renewal Course held various dates in 2011 in Detroit MI for 6 hours.

RECOMMENDATION: 6 HOURS

HENRY FORD HOSPITAL-DEPT OF PHARMACY SERVICES – Advanced Cardiac Life Support Experienced Provider Recertification Course held various dates in 2011 in Detroit MI for 6 hours.

RECOMMENDATION: 6 HOURS

PROMEDICA HEALTH SYSTEM – 14th Annual Infectious Disease Update held March 23, 2011 in Perrysburg OH for 5 hours.

RECOMMENDATION: 5 HOURS