

**PHARMACY EXAMINING BOARD
MEETING MINUTES
OCTOBER 26, 2011**

- Present:** Tim Boehmer, Charlotte Rasmussen, Thad Schumacher, Jeanne Severson, Jason Walker-Crawford and Gregory Weber
- Staff:** Thomas Ryan, Bureau Director; Lydia Thompson, Legal Counsel; Michelle Solem, Bureau Assistant; and other Department staff
- Guests:** Teresa Geier, Walmart; Mike Flint, Mallatt Homecare Pharmacy; Gina Besteman, Women's International Pharmacy; Tom Engels, Pharmacy Society of Wisconsin; Naomi DeWitt and Eric Knox, WI Department of Corrections; Jamie Statz-Paynter and Holly Lange, Dean Clinic Pharmacy; Donna Naundorf, Cardinal Health; Scott Coller, St. Mary's Janesville Hospital; and Matt Mabie, Hometown Pharmacy

Jason Walker-Crawford, Board Chair, called the meeting to order at 9:00 a.m. A quorum of 6 members was confirmed.

ADOPTION OF AGENDA

Amendments

- Change Screening Committee to remove Amy Mattila and include Tim Boehmer
- Note that there will be an appearance by Kelli Ka'alele during the PDMP update
- Include SB-45 under F(5)
- Remove Item E(3) and include on next agenda
- Remove Aurora Health Care Variance Request that was included in the red folder and include on next agenda

MOTION: Jeanne Severson moved, seconded by Greg Weber, to adopt the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES

Corrections

- Remove (DCC) from Guests
- Review spelling of "Tla" in third row of Guests to determine if it should be "Tia"
- Insert a comma after Tom Engels name in the Guest Section
- Correct the spelling of "Mallatt" in the variance motion and title
- Include the word "the" between "for" and "ACPE" in the "Review of Continuing Education FAQ's" section
- Change "indication" to "indicating" in the Prescription Solutions Motion
- Remove "Health and" from "Wisconsin Health and Hospital Association" in the Guest section
- Insert a period after "SCAODA" in the Board Appointments Section
- Insert a space after the case number in the motion related to the administrative warning
- Bold "Motion" in the Approval of Minutes Motion and revise motion to change "correcting" to "to correct"
- Greg Weber asked that the record reflect that the "or" referenced in the motion for Prescription Solution refers to the first "or" relative to the consultation requirement

MOTION: Charlotte Rasmussen moved, seconded by Jeanne Severson, to approve the minutes of September 14, 2011, published in the red folder as corrected. Motion carried unanimously.

BUREAU DIRECTOR MATTERS

Kelli Ka'alele provided an update related to the PDMP grant and told the Board that she will be the Principal Investigator. She told the Board that the Department did receive the Harold Rogers Grant and has officially accepted the grant and with that, the Department will be moving forward with the development of administrative rules. She also introduced Chad Zadrazil as the Prescription Drug Monitoring Program (PDMP) project manager and noted that he would be assisting with the grant implementation. He provided the Board with a brief autobiography. The funding for this grant expires in January 2013. There may be an opportunity for a grant enhancement when the initial funding expires. It was noted that Mr. Zadrazil will be working with the PDMP workgroup to determine other interested partners.

Jason Walker-Crawford re-appointed Tim Boehmer and Jeanne Severson to the PDMP workgroup and also appointed Thad Schumacher as an alternate.

Tim Boehmer, Jeanne Severson and Greg Weber indicated that they disagree with the use of the title "Executive Director" as the title for the position formerly titled "Bureau Director." They noted that the title "Executive Director" (when used by the medical, nursing and pharmacy boards in other states) is referring to either licensed or retired professionals in the field in which they govern that serve in the leadership role of the governing board.

Elections

NOMINATION: Charlotte Rasmussen nominated Greg Weber as chairperson. Tim Boehmer nominated Jason Walker-Crawford as chairperson. Tom Ryan called for additional nominations three times before calling the vote. Greg Weber was elected chairperson for the 2012 calendar year by paper ballot.

NOMINATION: Greg Weber nominated Jason Walker-Crawford as vice-chairperson. Tom Ryan called for additional nominations three times before calling the vote. Jason Walker-Crawford was elected vice-chairperson for the 2012 calendar year.

NOMINATION: Jeanne Severson nominated Charlotte Rasmussen as secretary. Tom Ryan called for additional nominations three times before calling the vote. Charlotte Rasmussen was elected secretary for the 2012 calendar year.

MOTION: Tim Boehmer moved to delegate authority to the highest ranking professional Board officer or in the event that no professional officer is available the most senior professional member of the Board to appoint liaisons to the Department where knowledge or experience in the profession is required to carry out the duties of the Board in accordance with the law. Motion failed due to lack of a second.

MOTION: Charlotte Rasmussen moved, seconded by Greg Weber, to delegate authority to the highest ranking Board officer or in the event that no officer is available the most senior member of the Board to appoint liaisons to the Department where knowledge or experience in the profession is required to carry out the duties of the Board in accordance with the law. Motion carried unanimously.

Board Appointments

DOE Inspection Liaison	Thad Schumacher
Monitoring Liaison Alternate	Thad Schumacher
NABP Exam Question Review Workshop	Jeanne Severson
CE Liaison	Thad Schumacher

**PRESENTATION OF PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS
BY THE DIVISION OF ENFORCEMENT**

An attorney from the Division of Enforcement provided a presentation related to the following Stipulation, Final Decision and Order:

1. 11 PHM 012 – Mark E. Gilberts

BOARD DISCUSSION**VARIANCE REQUESTS/REPORTS****1. Variance Request – Delivery**

a. Mallatt Homecare

Mike Flint appeared on behalf of Mallatt Homecare. The Board provided comments outlining their concerns regarding the variance as submitted. Mallatt Homecare withdrew the request and will resubmit at a future meeting.

2. Variance Request – Security

a. St. Mary's – Janesville

Scott Collier appeared on behalf of St. Mary's – Janesville. The Board indicated that any pharmacy that is not staffed 24 hours per day is required to have a centrally monitored alarm system regardless of the location of the pharmacy and other security measures already in place.

MOTION: Greg Weber moved, seconded by Tim Boehmer, to deny the variance request submitted by St. Mary's - Janesville. Motion carried unanimously.

PRACTICE QUESTION MATTERS

The Board noted that the supervision for remote dispensing sites is adequate for also dispensing pseudoephedrine. There are no restrictions as to when the pharmacist must sign the dispensing log only that the log must be signed by the pharmacist. They specifically noted that a pharmacist could sign the log during the monthly site visit.

Lydia Thompson and Jason Walker-Crawford have been working on a FAQ detailing the types of questions that can be answered by the Board and/or Department staff.

LEGISLATIVE/ADMINISTRATIVE RULE MATTERS

Jason Walker-Crawford reviewed SB-45 and the changes it would make relative to the recently enacted 2009 Wisconsin Act 160. He expressed concern over labeling requirements that appear to be stricken in the current draft. He also noted the passage of AB-245.

SPEAKING ENGAGEMENT, TRAVEL, PUBLIC RELATIONS REQUESTS

The Board received a request from ACPE to appoint an observer to work with the ACPE Evaluation Team for purposes of Accreditation of Colleges or Schools of Pharmacy.

MOTION: Greg Weber moved, seconded by Thad Schumacher, to appoint Tim Boehmer as the delegate to represent the Board as an observer at the UW-Madison School of Pharmacy ACPE site visit in Madison on November 14-16, 2011. Motion carried unanimously.

LIAISON/COMMITTEE REPORTS

Reports were received from the following liaisons.

- a. SCAODA
- b. Practice Questions
- c. CSB Representative

INFORMATIONAL ITEMS

The Board received a Memorandum from the American Council on Pharmaceutical Education indicating that the Doctor of Pharmacy program of the South College School of Pharmacy was reviewed by ACPE and as a result, the pre-candidate accreditation status of South College School of Pharmacy has been denied

NEW BUSINESS

Jason Walker-Crawford asked that we include compounding and technician credentialing and requirements on the agenda for the next meeting. Tim Boehmer asked that Tom Ryan follow up with finding a public member to fill the vacancy created with the resignation of Suzette Renwick.

CLOSED SESSION

MOTION: Jason Walker-Crawford moved, seconded by Charlotte Rasmussen, to convene to closed session to deliberate on cases following hearing (s. 19.85(1) (a), Stats.; consider closing disciplinary investigation with administrative warning (s. 19.85(1)(b), Stats. and 440.205, Stats., to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.; and, to confer with legal counsel (s. 19.85(1)(g), Stats.). Roll Call Vote: Tim Boehmer - yes; Charlotte Rasmussen - yes; Thad Schumacher - yes; Jeanne Severson - yes; Jason Walker-Crawford - yes; and Gregory Weber – yes. Motion carried unanimously. Open session recessed at 11:40 a.m.

RECONVENE TO OPEN SESSION

MOTION: Jeanne Severson moved, seconded by Charlotte Rasmussen, to reconvene in open session at 12:31 p.m. Motion carried unanimously.

VOTING ON ITEMS CONSIDERED/DELIBERATED IN CLOSED SESSION**PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS**

MOTION: Tim Boehmer moved, seconded by Charlotte Rasmussen, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order, in the matter of 11 PHM 012 – Mark E. Gilberts, R.Ph. Motion carried unanimously.

CASE CLOSINGS

MOTION: Tim Boehmer moved, seconded by Jeanne Severson, to close case 10 PHM 012 according to the recommendations by the Division of Enforcement. Motion carried unanimously.

MOTION: Jeanne Severson moved, seconded by Charlotte Rasmussen, to close case 11 PHM 034 according to the recommendations by the Division of Enforcement. Motion carried unanimously.

MONITORING

MOTION: Jeanne Severson moved, seconded by Charlotte Rasmussen, to grant the stay of suspension in the matter of Ryan Nelson. Motion carried unanimously.

MOTION: Tim Boehmer moved, seconded by Jeanne Severson, to grant the stay of suspension in the matter of Roger Iverson. Motion carried unanimously.

MOTION: Jeanne Severson moved, seconded by Thad Schumacher, to remove limitation and grant full licensure in the matter of Sheldon A. Bernstein. Greg Weber abstained from the deliberations and the vote. Motion carried.

MOTION: Jeanne Severson moved, seconded by Tim Boehmer, to refer the Dalton Holmen matter to DOE for further investigation. Motion carried unanimously.

ADJOURNMENT

MOTION: Thad Schumacher moved, seconded by Charlotte Rasmussen, to adjourn the meeting at 12:40 p.m. Motion carried unanimously.