

**Pharmacy Examining Board  
MEETING MINUTES  
OCTOBER 31, 2012**

**PRESENT:** Tim Boehmer, Charlotte Rasmussen, Thad Schumacher, Jeanne Severson, Jason Walker-Crawford, and Greg Weber

**STAFF:** Dan Williams, Executive Director; Pamela Stach, Legal Counsel; Matthew Niehaus, Bureau Assistant; Sharon Henes, Paralegal; and other Department Staff

**CALL TO ORDER**

Greg Weber, Chair, called the meeting to order at 9:01 a.m. A quorum of six (6) members was present.

**ADOPTION OF AGENDA**

**Amendments to the Agenda**

- Item “I” (open session) **MOVE** the agenda item titled “I. Division of Legal Services and Compliance Matters” to “R.1) Division of Legal Services and Compliance”

**MOTION:** Jeanne Severson moved, seconded by Charlotte Rasmussen, to adopt the agenda as amended. Motion carried unanimously.

**APPROVAL OF MINUTES OF SEPTEMBER 12, 2012**

**Amendments to the Minutes**

- Page 8 of the Minutes: Under the topic titled “Closed Session” Replace:
  - “seconded by Jason Walker-Crawford” with “seconded by Charlotte Rasmussen”

**MOTION:** Timothy Boehner moved, seconded by Jeanne Severson, to approve the minutes of September 12, 2012 as amended. Motion carried unanimously.

**EXECUTIVE DIRECTOR MATTERS**

**Staff Changes**

**MOTION:** Jeanne Severson moved, seconded by Thaddeus Schumacher, to have legal counsel present for Pharmacy Examining Board meetings for the full duration of the meeting. Motion carried unanimously.

## **PRESCRIPTION DRUG MONITORING PROGRAM UPDATE**

*Appearance 9:10 A.M. – Chad Zadrazil & Russell King*

### **Development and Communication Teams**

**MOTION:** Jeanne Severson moved, seconded by Jason Walker-Crawford, to have all agendas and minutes from all PDMP steering team and any subcommittee meetings included in all subsequent Pharmacy Examining Board packets beginning with the October 19 steering committee meeting. Motion carried unanimously.

### **Exemption and Paper Waiver Forms**

**MOTION:** Jeanne Severson moved, seconded by Jason Walker-Crawford, to update both forms to include a box asking for the DEA number (if applicable) and to change the terminology of PIC to the name of managing pharmacist. Motion carried unanimously.

**MOTION:** Thaddeus Schumacher moved, seconded by Jeanne Severson, to modify the application for waiver of electronic reporting requirements to strike the use of universal claim form and UCF as it pertains to the form and replace it with claim form identified. Motion carried unanimously.

**MOTION:** Thaddeus Schumacher moved, seconded by Charlotte Rasmussen, that all participants and affected licensees will complete required forms and sign as appropriate. Motion carried unanimously.

## **VARIANCE RELATED ITEMS**

### **Discussion and Consideration of the proposed Technician to Pharmacist Ratio Form**

**MOTION:** Jason Walker-Crawford moved, seconded by Thaddeus Schumacher, to approve the pharmacy variance report form for Technician to Pharmacist Ratio. Motion carried unanimously.

## **LEGISLATIVE/ADMINISTRATIVE RULE MATTERS**

### **DSPS Pending Rules Report**

**MOTION:** Timothy Boehner moved, seconded by Charlotte Rasmussen, to designate Greg Weber to sign the Scope Statement for PHAR 15 after the 10 day waiting period. Motion carried unanimously.

## **Discussion and Consideration of Current and Future Rulemaking Initiatives**

- MOTION:** Jason Walker-Crawford moved, seconded by Jeanne Severson, to recommend changes to the following statutes in any Department Clean-up Bill as follows:
- 450.035(1)(r): Replace American Council on Pharmaceutical Education with Accreditation Council on Pharmaceutical Education
  - 450.05: Replace “shall not” with “may”
  - 450.08 (2)(a): Replace “terminates” with “may terminate” and “such right can only” with “such right may”
- Motion carried unanimously.

### **CLOSED SESSION**

- MOTION:** Thaddeus Schumacher moved, seconded by Jason Walker-Crawford, to convene to closed session pursuant to Wisconsin State statutes 19.85(1)(a)(b)(f) and (g) for the purpose of conducting appearances, reviewing monitoring requests, requests for licensure, deliberate on stipulations, administrative warnings, proposed decisions and orders, consulting with Legal Counsel and Division of Legal Services and Compliance case status reports. Roll Call Vote: Tim Boehmer-yes; Charlotte Rasmussen-yes; Thad Schumacher-yes; Jeanne Severson-yes; Jason Walker-Crawford-yes; and Greg Weber-yes. Motion carried unanimously.

The Board convened into Closed Session at 12:41 p.m.

### **RECONVENE TO OPEN SESSION**

- MOTION:** Jason Walker-Crawford moved, seconded by Thaddeus Schumacher, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 3:03 p.m.

### **VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION**

- MOTION:** Thaddeus Schumacher moved, seconded by Jeanne Severson, to reaffirm all motions made in closed session. Motion carried unanimously.

## **DISCUSSION AND CONSIDERATION OF NEW ENGLAND COMPOUNDING CENTER'S CONTAMINATED PRODUCT**

- MOTION:** Jeanne Severson moved, seconded by Charlotte Rasmussen, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against New England Compounding Pharmacy, Inc. (12 PHM 059). Motion carried unanimously.

## REVIEW OF APPLICATIONS

### Patterson Dental Supply

**MOTION:** Jason Walker-Crawford moved, seconded by Timothy Boehner, to deny licensure for Patterson Dental Supply. **Reason for Denial:** Applicant is not distributing prescription drugs and does not meet the requirements for a license. Motion carried unanimously.

### Delora Pufall

**MOTION:** Timothy Boehner moved, seconded by Thaddeus Schumacher, to deny licensure for Delora Pufall. **Reason for Denial:** Applicant has not graduated from a College of Pharmacy approved by the Board nor has Applicant taken the foreign examination pursuant to PHAR 2.04. Motion carried unanimously.

## MONITORING

### Erin K. Orth, R.Ph. – Requesting an Increase in PIC Hours and a Reduction in Drug Screens

**MOTION:** Thaddeus Schumacher moved, seconded by Charlotte Rasmussen, to deny the request of Erin K. Orth, R.Ph., for an increase in PIC hours. **Reason for Denial:** Applicant's petition did not include a written request by the managing pharmacist.  
Erin K. Orth, R.Ph will be granted a reduction in the frequency of drug screens to fourteen (14) per year with one (1) annual hair test, until employment as a pharmacist has been obtained, at which time drug screens will be increased to forty-eight (48) per year with one (1) annual hair test.. Motion carried unanimously.

*Greg Weber recused himself from deliberation. Jason Walker-Crawford resided as Chair.*

## DIVISION OF LEGAL SERVICES AND COMPLIANCE

### CASE CLOSINGS

**MOTION:** Thaddeus Schumacher moved, seconded by Charlotte Rasmussen, to close the case # 12 PHM 029 for Prosecutorial Discretion (P7). Motion carried unanimously.

*Greg Weber recused himself from deliberation. Jason Walker-Crawford resided as Chair.*

### ADJOURNMENT

**MOTION:** Jeanne Severson moved, seconded by Thaddeus Schumacher, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 3:06 p.m.