

**PHARMACY EXAMINING BOARD
MEETING MINUTES
DECEMBER 12, 2012**

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

STAFF: Dan Williams, Executive Director; Yolanda McGowan, Legal Counsel; David Carlson, Communications Specialist; Sharon Henes, Paralegal; and other Department Staff

CALL TO ORDER

Greg Weber, Chair, called the meeting to order at 9:04 a.m. A quorum of six (6) members was present.

ADOPTION OF AGENDA

Amendments to the Agenda

- Item “E” (open session) **ADD** the PDMP document that was placed in red folder to Item “E 3”
- Delete Item H
- Item “G, (open session) **ADD** the agenda item titled “ PSW 4th Draft 7.01(1)(e)”
- Item L 13, **ADD** travel agenda item (red folder)
- Item Q2, **ADD** response from the complainant to the Proposed Stipulation, Final Decision and Order in case 12 PHM 038.

MOTION: Jason Walker-Crawford moved, seconded by Jeanne Severson, to adopt the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF OCTOBER 31, 2012

Amendments to the Minutes

- Page 4 of the Minutes: Under the topic titled “Delora Pufall” Replace:
 - “Pharm 2.04” with “PHAR 2.04”

MOTION: Charlotte Rasmussen moved, seconded by Tim, to approve the minutes of October 31, 2012 as amended. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Liaison Authority and Signature Process

MOTION: Tim Boehmer moved, seconded by Jeanne Severson, to acknowledge the appointment of Jason Walker-Crawford as the credentialing liaison until the February 2013 meeting. Motion carried unanimously.

MOTION: Tim Boehmer moved, seconded by Charlotte Rasmussen, to acknowledge the appointment of Thad Schumacher to the Screening Panel, effective December 13, 2012, replacing Tim Boehmer. Motion carried unanimously.

Staff Changes

MOTION: Jeanne Severson moved, seconded by Jason Walker-Crawford, to acknowledge Yolanda McGowan as the Board's legal counsel. Motion carried unanimously.

VARIANCE RELATED ITEMS

Agnesian Pharmacy

MOTION: Jason Walker-Crawford moved, seconded by Tim Boehmer, to accept Agnesian Pharmacy's request to withdraw their variance request. Motion carried unanimously.

Amery Regional Medical Center Pharmacy

MOTION: Jason Walker-Crawford moved, seconded by Charlotte Rasmussen, to approve the variance request of Amery Regional Medical Center, a critical access hospital, for Tech-Check-Tech with standard reporting in January and July. Motion carried.

Froedtert Health Community Memorial Hospital

MOTION: Jason Walker-Crawford moved, seconded by Thad Schumacher, to approve the Tech-Check-Tech variance request for Froedtert Health Community Memorial Hospital with standard reporting in January and July. Motion carried unanimously.

St. Mary's Hospital Pharmacy

MOTION: Jason Walker-Crawford moved, seconded by Jeanne Severson, to approve the Tech-Check-Tech variance request of St Mary's Hospital, as amended, with standard reporting in January and July. Motion carried unanimously.

LEGISLATIVE/ADMINISTRATIVE RULE MATTERS

Discussion and Consideration as to a Rule Making Order Amending Phar 7.01(1)(e) Relating to Delivery of Prescription Drugs

MOTION: Jason Walker-Crawford moved, seconded by Tim Boehmer, to approve the text of the rule as proposed and to designate the Chair to approve the proposed order and analysis. Motion carried unanimously.

Action related to other pending Scope Statements

MOTION: Jason Walker-Crawford moved, seconded by Tim Boehmer, to authorize the Chair to approve the Scope for PHAR 7 and 8 relating to electronic prescriptions for schedule 2 controlled substances for implementation no sooner than 10 days after publication . Motion carried unanimously.

MOTION: Tim Boehmer moved, seconded by Charlotte Rasmussen, to authorize the Chair to approve the Scope for PHAR 7.04 (1) (e) 2, relating to the return or exchange of health items, no sooner than 10 days after publication. Motion carried unanimously.

MOTION: Thad Schumacher moved, seconded by Charlotte Rasmussen, to authorize the Chair to approve the scope for PHAR 7.015, relating to pharmacy technicians, no sooner than 10 days after publication. Motion carried unanimously.

TRAVEL AUTHORIZATION

MOTION: Jason Walker-Crawford moved, seconded by Tim Boehmer, to name Jeanne Severson as the Board's representative and authorize her to attend the FDA intergovernmental working meeting on the regulation of compounding pharmacies on December 19, 2012. Motion carried unanimously.

CLOSED SESSION

MOTION: Greg Weber moved, seconded by Tim Boehmer, 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 Greg Weber-yes. Motion carried unanimously.

The Board convened into Closed Session at 12:46 p.m.

RECONVENE TO OPEN SESSION

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

The Board reconvened into Open Session at 2:31 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS

MOTION: Thad Schumacher moved, seconded by Jeanne Severson, to reject the Findings of Fact, Conclusions of Law, Final Decisions and Orders in the disciplinary proceedings against Scott A. Vondra, R.Ph. (12 PHM 025.) Greg Weber recused himself from deliberations and voting. Motion carried.

MOTION: Jason Walker-Crawford moved, seconded by Charlotte Rasmussen, to adopt the Findings of Fact, Conclusions of Law, Final Decisions and Orders in the disciplinary proceedings against Restore Health Pharmacy, LLC. (12 PHM 038.) Motion carried.

REVIEW OF ADMINISTRATIVE WARNING(S)

MOTION: Jason Walker-Crawford moved, seconded by Thad Schumacher, to issue an administrative warning in the matter of case number 12 PHM 045. Motion carried unanimously.

CASE CLOSINGS

MOTION: Jason Walker-Crawford moved, seconded by Thad Schumacher, to close the case # 12 PHM 045 for No Violation (NV). Motion carried unanimously.

MOTION: Tim Boehmer moved, seconded by Charlotte Rasmussen, to close the case # 12 PHM 050 for Prosecutorial Discretion (P5) with flag. Greg Weber recused himself from deliberations and voting. Motion carried.

MOTION: Tim Boehmer moved, seconded by Thad Schumacher, to close the case # 12 PHM 054 for Prosecutorial Discretion (P7). Greg Weber recused himself from deliberations and voting. Motion carried unanimously.

ADJOURNMENT

MOTION: Tim Boehmer moved, seconded by Jeanne Severson, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 2:35 p.m.