

**PHARMACY EXAMINING BOARD  
MEETING MINUTES  
APRIL 7, 2016**

**PRESENT:** Franklin LaDien, Terry Maves, Thaddeus Schumacher, Kristi Sullivan, Philip Trapskin, Cathy Winters

**STAFF:** Dan Williams – Executive Director, Nilajah Hardin – Bureau Assistant, Sharon Henes – Administrative Rules Coordinator, and other Department staff

**CALL TO ORDER**

Thaddeus Schumacher, Chair, called the meeting to order at 11:05 a.m. A quorum of six (6) members was confirmed.

**ADOPTION OF AGENDA**

**MOTION:** Philip Trapskin moved, seconded by Kristi Sullivan, to adopt the agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES OF FEBRUARY 24, 2016**

**MOTION:** Philip Trapskin moved, seconded by Kristi Sullivan, to approve the minutes of February 24, 2016 as published. Motion carried unanimously.

**LEGISLATIVE AND ADMINISTRATIVE RULE MATTERS**

**Act 290 Relating to Administration by Injection of Prescribed Drugs by Pharmacists**

**MOTION:** Philip Trapskin moved, seconded by Terry Maves, to approve the Scope Statement on Phar 7.10 relating to Administration of Drug Products and Devices Other Than Vaccines for submission to the Governor's Office and publication, and to authorize the Chair to approve the scope for implementation no less than 10 days after publication. Motion carried unanimously.

**Update on Legislation and Pending or Possible Rulemaking Projects**

**MOTION:** Philip Trapskin moved, seconded by Kristi Sullivan, to request DSPS Staff compile a list of all current and potential Board rulemaking projects based upon historical Board discussion and current state and federal legislative activity that could impact the Board's rules for prioritization at a future meeting. Motion carried unanimously.

**DISCUSSION AND CONSIDERATION OF PILOT PROGRAM RELATED TO ACT 313**

**MOTION:** Franklin LaDien moved, seconded by Kristi Sullivan, to request DSPS Staff to work with Cathy Winters and Philip Trapskin to develop a proposed Pilot Program for Tech-Check-Tech including any necessary forms and report back at a future Board meeting. Motion carried unanimously.

**MOTION:** Franklin LaDien moved, seconded by Terry Maves, to request DSPS Staff to work with Cathy Winters and Thaddeus Schumacher to develop a proposed Pilot Program for Technician Ratios including any necessary forms and report back at a future Board meeting. Motion carried unanimously.

**MOTION:** Franklin LaDien moved, seconded by Terry Maves, to request DSPS Staff to work with Philip Trapskin and Franklin LaDien to develop a proposed Pilot Program for Automation and Robotics including any necessary forms and report back at a future Board meeting. Motion carried unanimously.

### **CLOSED SESSION**

**MOTION:** Kristi Sullivan moved, seconded by Terry Maves, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), 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.). Thaddeus Schumacher, Chair, read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Franklin LaDien –yes; Terry Maves-yes; Thaddeus Schumacher-yes; Kristi Sullivan- yes; Philip Trapskin-yes; Cathy Winters-yes. Motion carried unanimously.

The Board convened into Closed Session at 3:07 p.m.

### **RECONVENE TO OPEN SESSION**

**MOTION:** Philip Trapskin moved, seconded by Kristi Sullivan, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 4:16 p.m.

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

**MOTION:** Philip Trapskin moved, seconded by Kristi Sullivan, to affirm all motions made in closed session. Motion carried unanimously.

### **DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS**

#### **Administrative Warning(s)**

**MOTION:** Terry Maves moved, seconded by Cathy Winters, to issue an Administrative Warning following matters:

1. 15 PHM 019 (R.J.D.)
2. 15 PHM 140 (L.P.)
3. 15 PHM 188 (T.H.E.)

Motion carried unanimously.

***15 PHM 198 (B.P.)***

**MOTION:** Terry Maves moved, seconded by Cathy Winters, to issue an Administrative Warning in the matter of 15 PHM 198 (B.P.). Motion carried.

**Proposed Stipulations, Final Decisions and Orders**

**MOTION:** Franklin LaDien moved, seconded by Philip Trapskin, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against:

1. 14 PHM 093 (B.P.I.)
2. 15 PHM 010 (M.C.H.S.)
3. 15 PHM 069 (C.M.I.)

Motion carried unanimously.

**Case Closings**

**MOTION:** Philip Trapskin moved, seconded by Kristi Sullivan, to close the DLSC cases for the reasons outlined below:

1. 14 PHM 146 (J.A.Z.) – No Violation
2. 15 PHM 118 (Z.P.) – Prosecutorial Discretion (P2)
3. 15 PHM 151 (P.H.) - **Prosecutorial Discretion (P2)**
4. 15 PHM 186 (B.T., LLC.) - Prosecutorial Discretion (P2)
5. 15 PHM 188 (H.P.) - Prosecutorial Discretion (P2)
6. 15 PHM 197 (M.S.) - Prosecutorial Discretion (P2)

Motion carried unanimously.

***15 PHM 001***

**MOTION:** Franklin LaDien moved, seconded by Terry Maves, to **table** 15 PHM 001 (M.H.) for more information. Motion carried unanimously.

***15 PHM 010***

**MOTION:** Kristi Sullivan moved, seconded by Philip Trapskin, to close DLSC case number 15 PHM 010 (T.W.G.) for Prosecutorial Discretion (P3). Motion carried. Recused: Terry Maves

*(Terry Maves recused himself and left the room for deliberation and voting in the matter of 15 PHM 010 (T.W.G.))*

***15 PHM 162***

**MOTION:** Philip Trapskin moved, seconded by Kristi Sullivan, to **not close** DLSC case number 15 PHM 162 (R.K. and S.D., Inc.). Motion carried unanimously.

***16 PHM 005***

**MOTION:** Philip Trapskin moved, seconded by Terry Maves, to **not close** DLSC case number 15 PHM 005 (C.P.). Motion carried unanimously.

**ADJOURNMENT**

**MOTION:** Philip Trapskin moved, seconded by Kristi Sullivan, to adjourn the meeting.  
Motion carried unanimously.

The meeting adjourned at 4:16 p.m.