

**PHARMACY EXAMINING BOARD
MEETING MINUTES
February 23, 2017**

PRESENT: Grace Degner, Franklin LaDien, Terry Maves (*via GoToMeeting*), Thaddeus Schumacher, Kristi Sullivan, Philip Trapskin, Cathy Winters

STAFF: Dan Williams, Executive Director; Laura Smith, Bureau Assistant; Sharon Henes, Administrative Rules Coordinator, and other Department staff

CALL TO ORDER

Thaddeus Schumacher, Chair, called the meeting to order at 8:35 a.m. A quorum of seven (7) members was confirmed.

ADOPTION OF AGENDA

Amendments to the Agenda:

- *Remove Item E: Credentialing Matters – Discussion and Consideration – Examination Matters*

MOTION: Thaddeus Schumacher moved, seconded by Franklin LaDien, to adopt the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF JANUARY 17, 2017

MOTION: Philip Trapskin moved, seconded by Kristi Sullivan, to approve the minutes of January 17, 2017 as published. Motion carried unanimously.

ADMINISTRATIVE UPDATES

Liaison Appointments

2017 LIAISON APPOINTMENTS	
Continuing Education (CE) Liaison and Office of Education and Examinations Liaison(s)	Terry Maves
Credentialing Liaison(s)	Terry Maves, Cathy Winters
Digest Liaison(s)	Philip Trapskin
Legislative Liaison(s)	Terry Maves, Thaddeus Schumacher, Philip Trapskin
DLSC Liaison(s)	Thaddeus Schumacher, Cathy Winters
Professional Assistance	Franklin LaDien

Procedure (PAP) Liaison(s)	
Monitoring Liaison(s)	Franklin LaDien, Cathy Winters
Appointed to Controlled Substances Board as per Wis. Stats. §15.405(5g)	Philip Trapskin
Pilot Program Liaison(s)	Philip Trapskin, Cathy Winters
PHARM Rep to SCAODA	Kristi Sullivan

2017-2018 SCREENING PANEL APPOINTMENTS	
March 2017 - January 2018	Cathy Winters, Kristi Sullivan, Franklin LaDien

2017 COMMITTEE MEMBER APPOINTMENTS	
Pharmacy Rules Committee	Franklin LaDien, Thaddeus Schumacher, Philip Trapskin

MOTION: Cathy Winters moved, seconded by Kristi Sullivan, to affirm the Chair’s appointment of liaisons for 2017. Motion carried unanimously.

Delegation to DSPS Staff for Screening Purposes

Screening Delegation

MOTION: Cathy Winters moved, seconded by Kristi Sullivan, to delegate to DSPS staff to not open complaints that the screening panel or the Board has already reviewed and acted upon that are the result of multiple-state disciplines based on original violations. Motion carried unanimously.

MOTION: Philip Trapskin moved, seconded by Kristi Sullivan, to delegate to DSPS staff to not bring complaints to the screening panel or the Board that are a result of NABP-VPP cases until such time as the final pharmacy response to the complaint is available from NABP. Motion carried unanimously.

LEGISLATIVE/ADMINISTRATIVE RULE MATTERS

CR 16-079 Relating to Administration of Drug Products and Devices Other than Vaccines

MOTION: Philip Trapskin moved, seconded by Franklin LaDien, to authorize the Chair to approve the Legislative Report and Draft for Clearinghouse Rule 16-079 for submission to the Governor's Office and Legislature. Motion carried unanimously.

(Franklin LaDien left the meeting at 10:46 a.m.)

(Franklin LaDien returned to the meeting at 11:27 a.m.)

CR 16-085 Relating to Compounding Pharmaceuticals

MOTION: Kristi Sullivan moved, seconded by Franklin LaDien, to authorize the Chair to approve the Legislative Report and Draft for Clearinghouse Rule 16-085 for submission to the Governor's Office and Legislature. Motion carried unanimously.

Rules Project List

MOTION: Cathy Winters moved, seconded by Franklin LaDien, to request DSPS staff draft a Scope Statement changing the authority of definitions in Phar 1, and a revision to Phar 17 relating to interns. Motion carried unanimously.

SPEAKING ENGAGEMENTS, TRAVEL, OR PUBLIC RELATIONS REQUESTS

MOTION: Franklin LaDien moved, seconded by Kristi Sullivan, to authorize Philip Trapskin to speak on SSAB 4 and SSSB 4 on behalf of the Board. Motion carried unanimously.

MOTION: Philip Trapskin moved, seconded by Kristi Sullivan, to delegate Cathy Winters to attend the NABP Annual Meeting on May 20-23, 2017, and to authorize travel, provided the department gets funding from the NABP to send one representative. Motion carried unanimously.

CLOSED SESSION

MOTION: Cathy Winters moved, seconded by Grace Degner, 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.). The Chair read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Grace Degner-yes; 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 12:33 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 2:25 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

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

(Be advised that any recusals or abstentions reflected in the closed session motions stand for the purposes of the affirmation vote.)

APPEARANCE: DSPS ATTORNEY SANDY NOWACK, AND ATTORNEY MICHAEL JOHNSON ON BEHALF OF PETITIONER, REVIEW OF ADMINISTRATIVE WARNING WARN00000575/DLSC CASE NO. 15 PHM 035

MOTION: Grace Degner moved, seconded by Terry Maves, to table the decision in the Administrative Warning Review of case 15 PHM 035 (T.J.L.). Motion carried unanimously.

(Franklin LaDien and Cathy Winters recused themselves and left for the room for deliberation and voting in the matter of the Review of Administrative Warning in case 15 PHM 035.)

DELIBERATION ON DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

Proposed Stipulations, Final Decisions, and Orders

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

1. 16 PHM 133 (M.S.J.)
2. 16 PHM 049 (P.P.W.)
3. 16 PHM 104 (H.A.Z.)
4. 16 PHM 107 (H.P.7.)

Motion carried unanimously.

Case Closings

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

1. 16 PHM 005 (C.P.) – Lack of Jurisdiction (L2)
2. 16 PHM 105 (C.D.) – Prosecutorial Discretion (P2)
3. 16 PHM 187 (H.B.I.) – Prosecutorial Discretion (P2)
4. 16 PHM 207 (O.P.C.) – Prosecutorial Discretion (P2)

Motion carried unanimously.

ADJOURNMENT

MOTION: Kristi Sullivan moved, seconded by Grace Degner, to adjourn the meeting.
Motion carried unanimously.

The meeting adjourned at 2:45 p.m.