



PHARMACY EXAMINING BOARD
Room N206, 4822 Madison Yards Way, 2nd Floor, Madison
Contact: Debra Sybell (608) 266-2112
July 17, 2019

The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a description of the actions of the Board.

AGENDA

10:00 A.M.

OR IMMEDIATELY FOLLOWING THE RULES COMMITTEE MEETING

OPEN SESSION – CALL TO ORDER – ROLL CALL

A. Adoption of Agenda (1-3)

B. Approval of Minutes of May 22, 2019 (4-8)

C. Administrative Matters – Discussion and Consideration

- 1) Board, Staff, and Department Updates

D. APPEARANCE – David Mott, University of Wisconsin School of Pharmacy: Update on Project to Change Consumer Prescription Labels – Discussion and Consideration (9)

E. Legislative and Administrative Rule Matters – Discussion and Consideration (10)

- 1) Scope for Emergency Rule Phar 7, Relating to Delegate Check Delegate
- 2) Scope for Emergency Rule Phar 7, Relating to Pharmacist to Delegate Ratio
- 3) Scope for Emergency Rule Phar 7, Relating to Automated Technology Product Verification
- 4) Phar 7, Relating to Practice of Pharmacy
- 5) Legislation and Pending or Possible Rulemaking Projects

F. Speaking Engagements, Travel, or Public Relation Requests, and Reports

- 1) Speaking Engagement Report: 2019 Medical College of Wisconsin Pharmacy School Law Course – Franklin LaDien
- 2) Consideration of Attendance at the 2019 NABP/AACP District IV Meeting on October 16-18, 2019 in Indianapolis, IA **(11-13)**

G. Pilot Program Matters – Discussion and Consideration

H. Discussion and Consideration on Items Added After Preparation of Agenda

- 1) Introductions, Announcements and Recognition
- 2) Nominations, Elections, and Appointments
- 3) Administrative Matters
- 4) Election of Officers
- 5) Appointment of Liaisons and Alternates

- 6) Delegation of Authorities
- 7) Education and Examination Matters
- 8) Credentialing Matters
- 9) Practice Matters
- 10) Legislative and Administrative Rule Matters
- 11) Liaison Reports
- 12) Board Liaison Training and Appointment of Mentors
- 13) Informational Items
- 14) Division of Legal Services and Compliance (DLSC) Matters
- 15) Presentations of Petitions for Summary Suspension
- 16) Petitions for Designation of Hearing Examiner
- 17) Presentation of Stipulations, Final Decisions and Orders
- 18) Presentation of Proposed Final Decisions and Orders
- 19) Presentation of Interim Orders
- 20) Pilot Program Matters
- 21) Petitions for Re-Hearing
- 22) Petitions for Assessments
- 23) Petitions to Vacate Orders
- 24) Requests for Disciplinary Proceeding Presentations
- 25) Motions
- 26) Petitions
- 27) Appearances from Requests Received or Renewed
- 28) Speaking Engagements, Travel, or Public Relation Requests, and Reports

I. Public Comments

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.).

J. Division of Legal Services and Compliance Matters

1) Administrative Warnings

- a. 18 PHM 033 – J.A.S. **(14-15)**

2) Proposed Stipulations, Final Decisions, and Orders

- a. 17 PHM 089 – Thomas W.F. Bull, R.Ph. **(16-21)**

3) Case Closings

- a. 17 PHM 089 – A.P. and K.K.N. **(22-27)**
- b. 17 PHM 106 – A.K.S. & M.P. **(28-34)**
- c. 17 PHM 141 – S.G.H.P. **(35-38)**
- d. 17 PHM 150 – B. C.L. **(39-45)**
- e. 17 PHM 188 – S.J.R., A.R.H., and H.H.C.P. **(46-51)**
- f. 18 PHM 033 – W. **(52-55)**
- g. 19 PHM 003 – H.P.1, H.P.2, and C.D.S. **(56-61)**

4) Monitoring Matters

- a. Kathryn Lindemann, R.Ph. – Review of Evaluation Results **(62-85)**

K. Deliberation of Items Added After Preparation of the Agenda

- 1) Education and Examination Matters

- 2) Credentialing Matters
- 3) Application Reviews
- 4) DLSC Matters
- 5) Monitoring Matters
- 6) Professional Assistance Procedure (PAP) Matters
- 7) Petitions for Summary Suspensions
- 8) Petitions for Designation of Hearing Examiner
- 9) Proposed Stipulations, Final Decisions and Orders
- 10) Proposed Interim Orders
- 11) Administrative Warnings
- 12) Review of Administrative Warnings
- 13) Proposed Final Decisions and Orders
- 14) Matters Relating to Costs/Orders Fixing Costs
- 15) Case Closings
- 16) Board Liaison Training
- 17) Petitions for Assessments and Evaluations
- 18) Petitions to Vacate Orders
- 19) Remedial Education Cases
- 20) Motions
- 21) Petitions for Re-Hearing
- 22) Appearances from Requests Received or Renewed

L. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

M. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

N. Open Session Items Noticed Above Not Completed in the Initial Open Session

O. Board Meeting Process (Time Allocation, Agenda Items) – Discussion and Consideration

P. Board Strategic Planning and its Mission, Vision, and Values – Discussion and Consideration

ADJOURNMENT

NEXT SCHEDULED MEETING: SEPTEMBER 25, 2019

 MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held at 4822 Madison Yards Way, Madison, Wisconsin, unless otherwise noted. In order to confirm a meeting or to request a complete copy of the board's agenda, please call the listed contact person. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Interpreters for the hearing impaired provided upon request by contacting the Affirmative Action Officer, 608-266-2112.

**PHARMACY EXAMINING BOARD
MEETING MINUTES
MAY 22, 2019**

PRESENT: Franklin LaDien, Thaddeus Schumacher, Philip Trapskin, John Weitekamp, Cathy Winters

STAFF: Debra Sybell, Executive Director; Jameson Whitney, Legal Counsel; Kimberly Wood, Program Assistant Supervisor-Adv.; Sharon Henes, Administrative Rules Coordinator, and other Department staff

CALL TO ORDER

Philip Trapskin, Chairperson, called the meeting to order at 10:12 a.m. A quorum of five (5) members was confirmed.

ADOPTION OF AGENDA

MOTION: Thaddeus Schumacher moved, seconded by Cathy Winters, to adopt the agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF APRIL 12, 2019

MOTION: Franklin LaDien moved, seconded by Cathy Winters, to approve the Minutes of April 12, 2019 as published. Motion carried unanimously.

**APPEARANCE – GRETCHEN MROZINSKI, ATTORNEY SUPERVISOR – DIVISION
OF LEGAL SERVICES AND COMPLIANCE AND BRIAN BELL, BUDGET AND
POLICY MANAGER – DIVISION OF MANAGEMENT SERVICES: PHARMACY
INSPECTION OPTIONS**

MOTION: Franklin LaDien moved, seconded by Thaddeus Schumacher, to request DSPS staff draft a Scope Statement, relating to inspections of entities licensed by the Board, and establishment of fees. Motion carried unanimously.

MOTION: Cathy Winters moved, seconded by John Weitekamp, to request DSPS staff draft a Scope Statement, relating to licensees and applicants for license providing notice to the Board of practice activities. Motion carried unanimously.

MOTION: Cathy Winters moved, seconded by Thaddeus Schumacher, to request DSPS staff draft a Scope Statement, relating to inspections of entities applying for licensure to the Board, and establishment of fees. Motion carried unanimously.

MOTION: Thaddeus Schumacher moved, seconded by Franklin LaDien, that the Board supports DSPS requesting position authority to hire a project or permanent pharmacy consultant position in order to support the Board's mission to protect the public. Furthermore, the Board feels that this approach is the most fiscally responsible option. Motion carried unanimously.

SPEAKING ENGAGEMENTS, TRAVEL, OR PUBLIC RELATION REQUESTS, AND REPORTS

Speaking Engagement Request: Medical College of Wisconsin Pharmacy School Law Course – June 11, 2019 – 10:00 a.m.

MOTION: Thaddeus Schumacher moved, seconded by Cathy Winters, to authorize Franklin LaDien, or designee of the Chair, to speak on the Board's behalf, and to participate in the 2019 Medical College of Wisconsin Pharmacy School Law Course. Motion carried unanimously.

DISCUSSION AND CONSIDERATION ON ITEMS ADDED AFTER PREPARATION OF AGENDA

Appointment of Liaisons and Alternates

2019 LIAISON APPOINTMENTS	
Digest Liaison(s)	Philip Trapskin, Cathy Winters
2019 COMMITTEE MEMBER APPOINTMENTS	
Pharmacy Rules Committee	Philip Trapskin, Franklin LaDien, John Weitekamp

CLOSED SESSION

MOTION: Franklin LaDien moved, seconded by Cathy Winters, 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.). Philip Trapskin, Chairperson, read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Franklin LaDien-yes; Thaddeus Schumacher-yes; Philip Trapskin-yes; John Weitekamp-yes; and Cathy Winters-yes. Motion carried unanimously.

The Board convened into Closed Session at 2:42 p.m.

CREDENTIALING MATTERS

Application Reviews

St. Clare Health Mission Pharmacy – Change of Ownership Application

MOTION: Franklin LaDien moved, seconded by Cathy Winters, to approve the Change of Ownership application of St. Clare Health Mission Pharmacy, and to approve a limited license as requested, once all requirements are met. Motion carried unanimously.

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

Administrative Warnings

MOTION: Thaddeus Schumacher moved, seconded by Cathy Winters, to issue Administrative Warnings in the matter of:

1. 17 PHM 019 – P.G.P.
2. 17 PHM 090 – S.E.N.

Motion carried unanimously.

Stipulations, Final Decisions and Orders

MOTION: Cathy Winters moved, seconded by Thaddeus Schumacher, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against:

1. 16 PHM 190 – Angela M. Lane, R.Ph.
2. 16 PHM 190 – HSHS Pharmacy #102
3. 17 PHM 036 – Melissa A. Ebberts, R.Ph.
4. 17 PHM 076 – Amy M. Rahilly, R.Ph.
5. 17 PHM 141 – Jennifer A. Hansen, R.Ph.
6. 18 PHM 032 – Jeffrey D. Hines, R.Ph.

Motion carried unanimously.

Case Closings

MOTION: Cathy Winters moved, seconded by John Weitekamp, to close the DLSC cases for the reasons outlined below:

1. 17 PHM 014 – M.D.C.I., M.C.C., M.D.C.W. – Insufficient Evidence
2. 17 PHM 019 – J.A.H. & M.P. – Insufficient Evidence
3. 17 PHM 036 – P.T.C.P., D.A.B., T.C.P., R.B.K., & W.E.M. – No Violation
4. 17 PHM 076 – C.V.S. – Insufficient Evidence
5. 17 PHM 083 – T.P.S.I. – No Violation
6. 17 PHM 090 – S.P. – Prosecutorial Discretion (P2)
7. 17 PHM 093 – H.M.H. & W. – No Violation
8. 17 PHM 096 – L.P. – No Violation
9. 17 PHM 096 – W.C.S. – Prosecutorial Discretion (P2)
10. 17 PHM 096 – P.C. – Insufficient Evidence
11. 17 PHM 101 – K.J.M. – Prosecutorial Discretion (P5)
12. 17 PHM 142 – W.P. – Prosecutorial Discretion (P5)
13. 17 PHM 143 – A.H.S. – Prosecutorial Discretion (P5)
14. 17 PHM 145 – O.H.P. – Prosecutorial Discretion (P5)
15. 17 PHM 146 – K.C.P. – Prosecutorial Discretion (P2)
16. 18 PHM 028 – U.S.P. – Lack of Jurisdiction (L3)
17. 18 PHM 048 – P.B. & B.P. – Prosecutorial Discretion (P2)
18. 18 PHM 050 – D.J.J. – Prosecutorial Discretion (P5)
19. 19 PHM 005 – W.P.N. – No Violation

Motion carried unanimously.

Monitoring Matters

Christopher Kachel, R.Ph. – Requesting Full Licensure

MOTION: Cathy Winters moved, seconded by Thaddeus Schumacher, to grant the request of Christopher Kachel, R.Ph. for full licensure. Motion carried unanimously.

Martha Truettner, R. Ph. – Review Evaluation Results

MOTION: Thaddeus Schumacher moved, seconded by Franklin LaDien, to grant Martha Truettner full licensure. Motion carried unanimously.

RECONVENE TO OPEN SESSION

MOTION: Franklin LaDien moved, seconded by Thaddeus Schumacher, to reconvene into Open Session. Motion carried unanimously.

The Board reconvened into Open Session at 3:53 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

MOTION: Thaddeus Schumacher moved, seconded by Cathy Winters, to affirm all motions made and votes taken 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.)

ADJOURNMENT

MOTION: Cathy Winters moved, seconded by John Weitekamp, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 3:55 p.m.



PUBLIC AGENDA REQUEST FORM

Instructions:

1. Fill out this form, and then save to your device.
2. Return to the “[Suggest an Agenda Item](#)” page and select the appropriate Board or Council from the Board/Council list.
3. Attach your completed “Public Agenda Request” form and send.

First Name: David

Last Name: Mott

Association/Organization: University of Wisconsin School of Pharmacy

Address Line 1: 777 Highland Ave

Address Line 2:

City: Madison

State: WI

Zip: 53705-222

Phone Number: (608) 265-9268

Email: david.mott@wisc.edu

Subject: Update on Project to Change Consumer Prescription Labels

Issue to Address: I have been involved with a project that is collaborating with various pharmacies and pharmacy and health systems organizations in Wisconsin to change prescription labels that are affixed to prescription vials when dispensed to patients. The project team includes Wisconsin Health Literacy, the Medical College of Wisconsin, and UW School of Pharmacy. The project is in Phase 3. The purpose of meeting with the PEB is to update the PEB on the status of the project, the impacts of the project, and to answer any questions about the project and issues related to pharmacies changing prescription labels. Findings suggest that the label changes have improved patient understanding of label contents and have improve patient medication adherence, particularly for more vulnerable patients. Our group meet with the PEB about three years ago as Phase 2 was starting, to provide a similar update to the PEB.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Sharon Henes Administrative Rules Coordinator		2) Date When Request Submitted: 5 July 2019 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Pharmacy Examining Board			
4) Meeting Date: 17 July 2019	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Legislative and Administrative Rule Matters <ol style="list-style-type: none"> 1. Scope for Emergency Rule Phar 7 Relating to Delegate Check Delegate 2. Scope for Emergency Rule Phar 7 Relating to Pharmacist to Delegate Ratio 3. Scope for Emergency Rule Phar 7 Relating to Automated Technology Product Verification 4. Phar 7 Relating to Practice of Pharmacy 5. Legislation and Pending or Possible Rulemaking Projects 	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session		8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:
10) Describe the issue and action that should be addressed:			
<div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> 11) Authorization <div style="border-bottom: 1px solid black; margin-top: 10px; padding-bottom: 5px;"> <i>Sharon Henes</i> </div> </div> <div style="width: 35%; text-align: right;"> <div style="border-bottom: 1px solid black; margin-top: 10px; padding-bottom: 5px;"> 7/5/19 </div> </div> </div> <div style="margin-top: 10px;"> <div style="display: flex; justify-content: space-between; border-bottom: 1px solid black; padding-bottom: 5px;"> Signature of person making this request Date </div> <div style="display: flex; justify-content: space-between; border-bottom: 1px solid black; padding-bottom: 5px; margin-top: 10px;"> Supervisor (if required) Date </div> <div style="display: flex; justify-content: space-between; border-bottom: 1px solid black; padding-bottom: 5px; margin-top: 10px;"> Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date </div> </div>			
Directions for including supporting documents: <ol style="list-style-type: none"> 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting. 			



***Proposal for District IV NABP Annual Meeting: October 16-18, 2019
Indianapolis, IN
Embassy Suites by Hilton - Downtown***

Preliminary Agenda

Wednesday, October 16, 2019

10:30 a.m. Registration

11:30 a.m. *AACP Luncheon for Pharmacy Faculty & Deans*

Welcome
AACP Officer

1:15 p.m. *Greetings*

Eric Barker, Ph.D., Dean, Purdue University College of Pharmacy
Darren Covington, JD, Director, Indiana Board of Pharmacy

**1:30 p.m. *Medication Assisted Therapy (MAT) for Pharmacists
and Pharmacy Students***

- a. What is the role of MAT therapy in substance use disorder (30 minute overview)*
- b. Legal implications for recovery networks-point/counterpoint (45 minute debate; 15 minutes Q&A)*

3:00 p.m. Break

3:15 p.m. *Challenges for Refusal to Fill*

Ethics, Responsibilities, Regulations

4:30 p.m. *Naloxone Training for Attendees*

- a. Students from member schools*

6:00 p.m. Reception

Thursday, October 17, 2019

7:00 a.m. Breakfast

7:30 a.m. Registration

8:30 a.m. *District Business Meeting*

NABP Report to District, NABP Officer

AACP Report to District, AACP Officer

District IV NABP/AACP Annual Report – Curtis D. Black, R.Ph., Ph.D., Executive Secretary

10:00 a.m. Break

10:15 a.m. *Individual Business Meetings*

District Boards of Pharmacy Meeting, Presiding- NABP District Officer

District Colleges of Pharmacy Meeting, Presiding – Eric Barker

12:00 p.m. Awards Luncheon

District IV Student Public Service Project Award Presentation

Rowe Award Presentation

1:15 p.m. Advances in Pharmacy Practice

- a. Telehealth and Advocating for Change-What is the model? What is regulatory impact?
- b. Future Practice Models are Here Now
- c. Provider Status – Ohio
- d. State Report on Progressive Pharmacy Practice Changes- Speakers: 1 person from each state (45 min)
- e. Evolution of Community Practice

4:45 p.m.

Roundtable session consisting of the boards and faculty from each state

Friday, October 18, 2019

7:00 a.m. *Breakfast*

8:30 a.m. *Update on e-Prescribing*

9:30 a.m. *Break*

9:45 a.m. *The Future of Compounding*

- a. Implications of USP 795,797,800
- b. Expectations for Compounding in PharmD curricula-What are NABP (ie NABPLEX) and State Board expectations in this area?
- c. Emerging Technologies in 3D Printing – The Future of Compounding?

11:00 a.m. *Adjournment*

Intended Audience

This continuing education program was designed specifically for pharmacists.

PCE Credit Statement

These activities are structured to meet knowledge- and application-based educational needs. A knowledge-based activity acquires factual knowledge. An application-based activity applies to information learned in the timeframe allotted. Information in knowledge- and application-type activities is based on evidence as accepted in the literature by the healthcare professions. Pharmacy continuing education (PCE) credit will be earned based on participation in this activity. Any individual who is more than 10 minutes late to an activity or leaves an activity early will not be granted PCE credit. This procedure will be strictly enforced, so please plan accordingly.

**PLAN TO ATTEND THE 2020 DISTRICT IV NABP/AACP MEETING
COLUMBUS, OH**

**HOSTS: THE OHIO STATE UNIVERSITY COLLEGE OF PHARMACY
THE STATE OF OHIO BOARD OF PHARMACY**