

These minutes have not been reviewed or approved by the Board of Pharmacy.

**NEBRASKA BOARD OF PHARMACY
CONFERENCE CALL MEETING MINUTES
July 20, 2020**

ROLL CALL

Kenneth Saunders, Chair, called the meeting of the Board of Pharmacy to order at 9:07 a.m. in the Licensure Unit Conference Room 1 of the State Office Building, located at 301 Centennial Mall South, Lincoln, Nebraska. The agenda was provided to Board members, posted on a public bulletin board in the Nebraska State Office Building, posted on the Department's website, and e-mailed to the "interested parties" list prior to the meeting. The following Board members answered roll call:

Kenneth Saunders, R.P., Chair
Charlene Dunbar, Secretary – via telephone
Angie Svoboda, R.P. – via telephone
Sabrina Beck, R.P. – via telephone

Absent: Todd Larimer, R.P., Vice-Chair

A quorum was present and the meeting convened.

Also present were: Michael Rueb, R.P., Pharmacy Inspector (via telephone); and Dean Willson, R.P., Pharmacy Inspector (via telephone); Melissa Pollard, R.P., Pharmacy Inspector (via telephone); Jesse Cushman, Program Manager (via telephone); Vonda Apking, Health Licensing Coordinator; Mindy Lester, Assistant Attorney General (via telephone); Anna Harrison, RN, Compliance Monitor; Jeff Newman, Investigator; and Larry Wiehn, Investigator.

Saunders announced that there is a copy of all the public documents being reviewed at this meeting available in the meeting room pursuant to the Open Meetings Act.

REVIEW OF AGENDA

Adoption of Agenda

Svoboda moved, seconded by Larimer, to approve the agenda as presented with the Chair having the authority to rearrange agenda items as needed. Voting aye: Beck, Dunbar, Larimer, Saunders, and Svoboda. Voting nay: none. Motion carried.

Additions, Modification, Reordering

The Board requested that the following applications be removed from the consent agenda:

BET Pharm LLC – Mail Service Pharmacy #550 Renewal Application
Steven Levin – Pharmacist Reinstatement Application
Mandi Sather – Pharmacy Technician Application
Kohll's Pharmacy – Pharmaceutical Care Agreement

Adoption of Consent Agenda

Larimer moved, seconded by Dunbar, to approve the consent agenda as amended. Voting aye: Beck, Dunbar, Larimer, Saunders, and Svoboda. Voting nay: none. Motion carried.

INVESTIGATIONAL REPORTS, DISCIPLINARY REPORTS, CONTROLLED SUBSTANCES AUDIT REPORTS & APPLICATION REVIEW – CLOSED SESSION

Svoboda moved, seconded by Beck, to go into closed session at 9:12 a.m. for the purpose of review and discussion of investigative reports, licensure applications, and other confidential information, and for the prevention of needless injury to the reputation of the individuals. Voting aye: Beck, Dunbar, Larimer, Saunders, and Svoboda. Voting nay: none. Motion carried.

Larimer recused himself from the meeting at 9:15 a.m.
Larimer returned to the meeting at 9:28 a.m.

Larimer moved, seconded by Svoboda, to open the session at 11:41 a.m. Voting aye: Beck, Dunbar, Larimer, Saunders, and Svoboda. Voting nay: none. Motion carried.

These minutes have not been reviewed or approved by the Board of Pharmacy.

Meeting started at 12:02 p.m.

APPROVAL OF MINUTES

May 4, 2020 – Conference Call

Page 1: No changes.

Page 2: No changes.

Page 3: No changes.

Beck moved, seconded by Svoboda, to approve the May 4, 2020 conference call minutes as presented. Voting aye: Beck, Dunbar, Larimer, Saunders, and Svoboda. Voting nay: none. Motion carried.

BOARD RECOMMENDATIONS ON APPLICATIONS FOR LICENSURE AND REGISTRATION

Pharmacist Application(s) (1) - CONSENT

Pharmacist Reinstatement Application(s) (1)

Larimer moved, seconded by Svoboda, to recommend reinstating the pharmacist license of Steven Levin on probation running concurrent with California's probation and under the same probationary terms and conditions as his California pharmacist license. The basis for this recommendation is that Mr. Levin's California pharmacist license is currently on probation. Voting aye: Beck, Dunbar, Larimer, Saunders, and Svoboda. Voting nay: none. Motion carried.

Pharmacy Technician Application(s) (3)

Larimer moved, seconded by Svoboda, to recommend issuing a pharmacy technician registration to Madi Sather on probation for one (1) year under the following probationary conditions, (1) Body fluid screens, (2) follow all treatment recommendations, (3) abstain from alcohol, and (4) other standard language used for someone with a substance use disorder. Voting aye: Beck, Dunbar, Saunders, and Svoboda. Voting nay: none. Absent: Larimer. Motion carried.

Mail Service Pharmacy Renewal Application(s) (1)

Larimer moved, seconded by Dunbar, to recommend renewing the mail service pharmacy license #550 of BET Pharma, LLC. Voting aye: Beck, Dunbar, Larimer, Saunders, and Svoboda. Voting nay: none. Motion carried.

REVIEW OF PHARMACEUTICAL CARE AGREEMENT(S) (1) – CONSENT

The Board questioned whether Kohll's Pharmacy was reporting any positive CONVID-19 tests to their local health department.

DISCUSSION ON COVID-19 ISSUES

The Board members discussed that all pharmacies/pharmacists should be following the Center of Disease Control (CDC) guidelines on COVID-19. There should also be reporting of positive tests to their county/state health departments. The Board members wondered what the costs were for testing.

PRACTICE QUESTION

MedsOnCue Paperless Drug Information

Rueb had received clarification from MedsOnCue and shared with the Board. MedsOnCue explained that they were referring to the medication guidelines. Nebraska doesn't specify the form in which medication guidelines are provided to the patient. The Board like the idea of paperless medication guidelines. MedsOnCue also explained that the Food & Drug Administration gave verbal approval and that the patient has an option to opt in or out.

Mixing Chemotherapy Infusion Drugs Pursuant to Physician's Order

The board discussed the question from a Cancer Center regarding who is allowed to mix the chemotherapy drugs and under what supervision. The Board understands the difficulty behind their questions however, the pharmacy statutes do not allow a pharmacy technician to be supervised by a registered nurse.

These minutes have not been reviewed or approved by the Board of Pharmacy.

WHOLESALE DRUG DISTRIBUTOR INSPECTION APPROVAL REQUEST

The Board reviewed the request from the National Coalition for Drug Quality & Security (NCDQS) Wholesaler Inspection and the NCDQS Quality and Security (QAS) Accreditation Program. Larimer moved, seconded by Saunders, to recognize NCDQS QAS as a nationally recognized accreditation program for the purpose of meeting the inspection requirement for wholesale drug distributor initial and renewal licensure. Voting aye: Beck, Dunbar, Larimer, Saunders, and Svoboda. Voting nay: none. Motion carried.

Marcia Mueing, RP, Nebraska Pharmacists Association (NPA) researched the cost of COVID-19 testing. The test cost is \$0 and lab costs could be \$155 and reporting is required to the local health department. There is an antigen point of care test available.

LEGISLATION UPDATE

The current Nebraska legislative session resumed today. Department will be following legislative bills closely.

REGULATIONS UPDATE

The Board reviewed the hearing summary for 181 NAC 6, 181 NAC 7.

Saunders moved, seconded by Beck, to approve and adopt the 181 NAC 6 regulations. Voting aye: Beck, Dunbar, Larimer, Saunders, and Svoboda. Voting nay: none. Motion carried.

Larimer moved, seconded by Saunders, to approve and adopt the 181 NAC 7 regulations. Voting aye: Beck, Dunbar, Larimer, Saunders, and Svoboda. Voting nay: none. Motion carried.

Jesse Cushman commented that the regulations 172 NAC 128, 172 NAC 130 and 175 NAC 8 have been set for public hearing on August 5, 2020.

The Board scheduled a short conference call on August 10, 2020 at 9:00 a.m. to address the regulations. Cushman will gather the comments from the public hearing and forward to the Board members.

CRITERIA FOR APPLICATION REVIEW OF CONVICTIONS/DISCIPLINARY ACTION

The Board reviewed the criteria document. Larimer moved, seconded by Dunbar, to approve the Board criteria for application review of convictions/disciplinary action as presented. Voting aye: Beck, Dunbar, Larimer, Saunders, and Svoboda. Voting nay: none. Motion carried.

NATIONAL ASSOCIATION OF BOARDS OF PHARMACY (NABP)

Saunders attended the business portion of the NABP Annual meeting. Nothing to report at this time.

DISTRICT FIVE ANNUAL MEETING – AUGUST 5-7, 2020 IN WINNIPEG, MANITOBA, CANADA

Nothing to report at this time.

The next regular Board of Pharmacy meeting is scheduled for September 21, 2020.

ADJOURNMENT

Beck moved, seconded by Dunbar, to adjourn the meeting at 1:16 p.m. Voting aye: Beck, Dunbar, Larimer, Saunders, and Svoboda. Voting nay: none. Motion carried.

Respectfully submitted,

(signature on file with the Department)

Charlene Dunbar, Secretary
Board of Pharmacy