

NEBRASKA BOARD OF PHARMACY
MEETING MINUTES
July 22, 2019

ROLL CALL

Charlene Dunbar, Chair, called the meeting of the Board of Pharmacy to order at 9:04 a.m. in the Staybridge Room of the Staybridge Suites, located at 2701 Fletcher Avenue, 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:

Charlene Dunbar, Chair
Angela Svoboda, R.P., Vice-Chair
Kenneth Saunders, R.P., Secretary
Patricia Gollner, R.P.
Sabrina Beck, R.P.

A quorum was present and the meeting convened.

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

Svoboda 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

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

Additions, Modification, Reordering

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

Vanessa Dunn – Pharmacist
Angela Netzel – Pharmacy Technician application
Sarah Lohse – Pharmacy Technician application
Carmen Renya – Pharmacy Technician application
Omnicare of Fort Worth – Initial Mail Service Pharmacy application
VFC Pharmacy #101, LLC dba Covetrus Maine – Initial Mail Service Pharmacy application
Partell Specialty Pharmacy – Mail Service Pharmacy Reinstatement application
Costco Pharmacy #570 (license #629) – Mail Service Pharmacy Renewal application
Avella of Deer Valley (license #666) – Mail service Pharmacy Renewal application
Stokes Pharmacy (license #702) – Mail Service Pharmacy Renewal application

Adoption of Consent Agenda

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

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

Saunders moved, seconded by Beck, to go into closed session at 9:10 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, Gollner, Saunders, and Svoboda. Voting nay: none. Motion carried.

Beck moved, seconded by Gollner, to open the session at 11:08 a.m. Voting aye: Beck, Dunbar, Gollner, Saunders, and Svoboda. Voting nay: none. Motion carried.

APPROVAL OF MINUTES

May 13, 2019

Page 1: No changes
Page 2: No changes.
Page 3: No changes.

Svoboda moved, seconded by Beck, to approve the May 13, 2019 minutes as presented. Voting aye: Beck, Dunbar, Gollner, Saunders, and Svoboda. Voting nay: None. Motion carried.

BOARD RECOMMENDATIONS ON APPLICATIONS FOR LICENSURE AND REGISTRATION

Pharmacist Application(s) (2) - CONSENT

Beck moved, seconded by Gollner, to recommend issuing a pharmacist license to Vanessa Duran. Voting aye: Beck, Dunbar, Gollner, Saunders, and Svoboda. Voting nay: None. Motion carried.

Pharmacist Intern Application(s) (1) - CONSENT

Pharmacy Technician Application(s) (3)

Gollner moved, seconded by Saunders, to table the pharmacy technician registration application of Angela Netzel for additional information. Voting aye: Beck, Dunbar, Gollner, Saunders, and Svoboda. Voting nay: None. Motion carried.

Beck moved, seconded by Gollner, to recommend issuing a pharmacy technician registration to Carmen Renya. Voting aye: Beck, Dunbar, Gollner, Saunders, and Svoboda. Voting nay: None. Motion carried.

Svoboda moved, seconded by Saunders, to recommend a three (3) year probationary pharmacy technician registration to Sarah Lohse. The basis for the probationary registration is a recent diagnosis and treatment. The probationary term and condition should be that Sarah Lohse shall abstain from alcohol and controlled substances unless prescribed, follow all treatment recommendations and other standard probationary terms and conditions for dependency issues. Voting aye: Beck, Dunbar, Gollner, Saunders, and Svoboda. Voting nay: None. Motion carried.

Mail Service Pharmacy Application(s) (2)

Svoboda moved, seconded by Gollner, to recommend issuing the mail service pharmacy license to Omnicare of Fort Worth. Voting aye: Beck, Dunbar, Gollner, Saunders, and Svoboda. Voting nay: None. Motion carried.

Svoboda moved, seconded by Gollner, to recommend issuing the mail service pharmacy license to VFC Pharmacy #101, LLC dba Covetrus Maine. Voting aye: Beck, Dunbar, Gollner, Saunders, and Svoboda. Voting nay: None. Motion carried.

Mail Service Pharmacy Renewal Application(s) (4)

Svoboda moved, seconded by Gollner, to renewing the mail service pharmacy license (#666) of Avella of Deer Valley, Inc. located in Phoenix, AZ. Voting aye: Beck, Dunbar, Gollner, Saunders, and Svoboda. Voting nay: None. Motion carried.

Beck moved, seconded by Svoboda, to recommend renewing the mail service pharmacy license (#629) of Costco Pharmacy #570 located in Corona, CA. Voting aye: Beck, Dunbar, Gollner, Saunders, and Svoboda. Voting nay: None. Motion carried.

Svoboda moved, seconded by Gollner, to renewing the mail service pharmacy license (#702) of Stokes Pharmacy located in Mount Laurel, NJ. Voting aye: Beck, Dunbar, Gollner, Saunders, and Svoboda. Voting nay: None. Motion carried.

Mail Service Pharmacy Reinstatement Application(s) (1)

Gollner moved, seconded by Saunders, to recommend reinstating the mail service pharmacy license (#857) of Partell Specialty Pharmacy located in Las Vegas, NV. Voting aye: Beck, Dunbar, Gollner, Saunders, and Svoboda. Voting nay: None. Motion carried.

E-Mail Ballot(s) Since the Last Meeting

Since the last meeting of the Board of Pharmacy, the Board voted via e-mail ballot to issue the pharmacy technician registration of Sarah Helicker on May 22, 2019 and renew the mail service pharmacy permit (#752) of Florida Discount Drugs of Winter Park, FL.

REVIEW OF PHARMACEUTICAL CARE AGREEMENT(S) (7) – CONSENT

Beck commented that the pharmaceutical care agreement for Rx Express did not submit their written protocols. Staff will request a copy of Rx Express' written protocols.

REGULATIONS UPDATE

172 NAC 134

Board members reviewed the regulations page by page. Cushman will make the suggested changes. Beck moved, seconded by Svoboda, to approve 172 NAC 134 with the suggested changes. Voting aye: Beck, Dunbar, Gollner, Saunders, and Svoboda. Voting nay: None. Motion carried.

172 NAC 128

Board members reviewed the regulations page by page. Cushman will make the suggested changes. Gollner moved, seconded by Saunders, to approve 172 NAC 128 with the suggested changes. Voting aye: Beck, Dunbar, Gollner, Saunders, and Svoboda. Voting nay: None. Motion carried.

175 NAC 8

Board members reviewed the regulations page by page. Cushman will make the suggested changes. Joni Cover, Nebraska Pharmacists Association (NPA) mentioned that the NPA and its members have concerns with 172 NAC 1 and suggested not including this chapter of regulations as a reference within 175 NAC 8. Ms. Cover also suggested reviewing regulations every 2 years. The Board discussed revising 175 NAC 8 and forwarding the changes to the Board to review and approve via an e-mail ballot and then mailing the approved draft of regulations to the interested parties list.

HEMP BASED CBD – LB 657

Cushman explained that LB 657 is not a Department of Health and Human Services bill. Cushman has reached out to the Nebraska Department of Agriculture for an explanation of the bill but has not heard back from them. Gollner asked how others are able to sell CBD products but pharmacies cannot. Gollner moved, seconded by Svoboda, to request that a letter be written to the Nebraska Department of Agriculture for an explanation of the bill. Voting aye: Beck, Dunbar, Gollner, Saunders, and Svoboda. Voting nay: None. Motion carried.

Gollner moved, seconded by Svoboda, to request that a letter be written to Doug Petersen, Nebraska Attorney General an explanation of the bill. Voting aye: Beck, Dunbar, Gollner, Saunders, and Svoboda. Voting nay: None. Motion carried.

NATIONAL ASSOCIATION BOARDS OF PHARMACY (NABP) ANNUAL MEETING – MAY 16-18, 2019 IN MINNEAPOLIS, MN – BOARD MEMBER COMMENTS

Beck explained some of the topics of interest from NABP's Annual Meeting which included that Iowa is using virtual reality therapies and lengthy discussions about the opioid epidemic. The next annual meeting is scheduled to be held in Baltimore, MD – May 14-16, 2020.

APPROVE THE PHARMACY INSPECTORS PURSUANT TO NEB. REV. STAT. §38-28,101

Gollner moved, seconded by Saunders, to approve the pharmacy inspectors which includes Michael Rueb, R.P., Dean Willson, Jr., R.P., and Melissa Pollard, R.P. pursuant to Neb. Rev. Stat. §38-28,101. Voting aye: Beck, Dunbar, Gollner, Saunders, and Svoboda. Voting nay: None. Motion carried.

REVIEW EXPENSE REIMBURSEMENT POLICIES AND PROCEDURES

Cushman explained that expense reimbursement documents (ERDs) from approved travel should be submitted to the Department within 30 days from the last date of travel. This will allow the Department to make it through the accounting process within the require 60 days after the last date of travel.

Saunders suggested adding a practice question to the next agenda. The practice question is whether pharmacy technicians need a Medication Aid credential to put medications in medisets for nursing home patients.

The next Board of Pharmacy meeting is scheduled for September 23, 2019.

ADJOURNMENT

Beck moved, seconded by Svoboda, to adjourn the meeting at 2:36 p.m. Voting aye: Beck, Dunbar, Gollner, Saunders, and Svoboda. Voting nay: none. Motion carried.

Respectfully submitted,

(signature on file with the Department)

Kenneth Saunders, R.P., Secretary
Board of Pharmacy