

NEBRASKA BOARD OF PHARMACY
MEETING MINUTES
November 4, 2019

ROLL CALL

Charlene Dunbar, Chair, called the meeting of the Board of Pharmacy to order at 9:02 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; Lisa Anderson, Assistant Attorney General; Anna Harrison, R.N., B.S.N, Compliance Monitor; and Jeff Newman, Investigator.

Dunbar 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

Gollner 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:

Scott Brierton – Pharmacist
Complete Pharmacy and Medical Solutions, LLC – Mail Service Pharmacy reinstatement application
Bert's Pharmacy – Pharmaceutical Care Agreement
Bryan Health – Pharmaceutical Care Agreement
KexRx Pharmacy and Home Care – Pharmaceutical Care Agreement
Nebraska Medicine (2) – Pharmaceutical Care Agreement

Adoption of Consent Agenda

Svoboda moved, seconded by Saunders, 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

Svoboda moved, seconded by Saunders, to go into closed session at 9:07 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.

Gollner moved, seconded by Svoboda, to open the session at 11:22 a.m. Voting aye: Beck, Dunbar, Gollner, Saunders, and Svoboda. Voting nay: none. Motion carried.

APPROVAL OF MINUTES

September 23, 2019

Page 1: No changes

Page 2: Under BOARD RECOMMENDATIONS ON APPLICATIONS FOR LICENSURE AND REGISTRATION, Pharmacy Technician Application(s), fourth paragraph, line 1, the motion was seconded by "Dunbar" not "Gollner".

Page 3: No changes.

Beck moved, seconded by Svoboda, to approve the September 23, 2019 minutes as corrected. Voting aye: Beck, Dunbar, Gollner, Saunders, and Svoboda. Voting nay: None. Motion carried.

BOARD RECOMMENDATIONS ON APPLICATIONS FOR LICENSURE AND REGISTRATION

Pharmacist Application(s) (1)

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

Pharmacist Intern Application(s) (2) - CONSENT

Pharmacy Technician Application(s) (3) - CONSENT

Mail Service Pharmacy Reinstatement Application(s) (1)

Svoboda moved, seconded by Gollner, to table the mail service pharmacy reinstatement application of Complete Pharmacy and Medical Solutions, LLC for additional information. Voting aye: Beck, Dunbar, Gollner, Saunders, and Svoboda. Voting nay: None. Motion carried.

Reinstatement After Discipline Application(s) (1)

Gollner moved, seconded by Saunders, to reinstate Richard Shoopman's pharmacist license on probation for 1 year and 149 days with the same probationary conditions required under the Agreed Settlement and Order on Agreed Settlement dated May 2, 2017 and with acknowledgement that Mr. Shoopman has complied with the conditions 7a which required Mr. Shoopman to successfully complete a ProBe Ethics Course and an anger management course and 7b which required Mr. Shoopman to complete a psychological evaluation. Voting aye: Beck, Dunbar, Gollner, Saunders, and Svoboda. Voting nay: None. Motion carried.

E-Mail Ballot(s) Since the Last Meeting

Staff read into the record that the Board of Pharmacy voted via e-mail ballot to issue a pharmacy technician registration to Shannon Moore. Ms. Morre was issued pharmacy technician registration #10655 on October 1, 2019.

REVIEW OF PHARMACEUTICAL CARE AGREEMENT(S) (13) – CONSENT

Beck commented that the following pharmaceutical care agreements need additional information:

- Bert's Pharmacy – need signatures of all pharmacists that will be providing the pharmaceutical care under the agreement;
- Bryan Health – need to submit information and signature of a medical provider and their protocols;
- KexRx Pharmacy and Home Care – need all required signatures and copy of their protocols; and
- Nebraska Medicine – medical providers have to be independent prescribers (no physician assistants) and need a copy of their protocols.

Staff will request additional information from these entities.

REGULATIONS UPDATE

175 NAC 8

Cushman thanked everyone that participated in correcting the draft regulations at a meeting conducted at the Nebraska Pharmacists Association (NPA). Suggested changing the word "pharmacist" in section 003 to "staff" since these regulations apply to both a community pharmacy and a dispensing practitioner license.

PHARMACIST WELL-BEING AND PROFESSIONAL BURNOUT

Joni Cover, Executive Director of the NPA addressed the Board regarding a survey that the NPA took regarding pharmacist well-being and professional burnout.

OPEN TOPICS

Practice Question – Can a Pharmacist Supervise Nursing Students?

Kathy Hoebelheinrich, DHHS Nurse Consultant and Jaci Reznicek, DHHS Nursing Education Consultant provided the following answer to the following question:

The question: Can pharmacists supervise nursing students in a clinical setting for clinical activities, specifically administering vaccine injections?

The answer: Based on information we have received from the Nursing area, pharmacists are not able to supervise nursing students. Nursing students could only be offered an observational experience by a pharmacist. A pharmacist would not meet qualifications for a nursing student clinical preceptor.

https://sos.nebraska.gov/rules-and-regs/regsearch/Rules/Health_and_Human_Services_System/Title-172/Chapter-097.pdf
Observational experience means an assignment to a facility or unit where students observe the role of the facility and the role of nursing within the facility, but where students do not participate in direct patient/client care. Direct faculty or preceptor supervision is not required for an observational experience outside the clinical facility. Observational experiences may be used to supplement, but not replace direct patient care experiences.

97-008.05 Qualifications for a clinical preceptor include:

- 1. Completion of an approved registered nursing education program with a BSN preferred*

Staff will provided the response to the interested parties list.

Letter to Department of Agriculture and the Attorney General's Office Regarding CBD

The Board has chosen not to draft this letter.

POSSIBLE MEETING DATES FOR 2020

The Board agreed with the following meeting dates for 2020 and January 2021:

- January 13, 2020
- March 16, 2020
- May 4, 2020
- July 20, 2020
- September 21, 2020
- November 16, 2020
- January 11, 2021

Staff has reserved the Staybridge Room here at Staybridge Inn & Suites for the dates listed above.

The Department and the Board thanked and presented awards to Gollner for her service to the citizens of Nebraska as a member of the Board of Pharmacy for serving 10 years.

ADJOURNMENT

Svoboda moved, seconded by Saunders, to adjourn the meeting at 12:28 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