

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

NEBRASKA BOARD OF PHARMACY
MEETING MINUTES
March 7, 2022

ROLL CALL

Charles Tomlinson, R.P., Chair, called the meeting of the Board of Pharmacy to order at 9:00 a.m. in the Husker Room at the Hampton Inn & Suites, located at 7343 Husker Circle, Lincoln, Nebraska. The agenda and a revised 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:

Charles Tomlinson, R.P., Chair
Sabrina Beck, R.P., Vice-Chair
Kenneth Kester, R.P., Secretary
Todd Larimer, R.P.
Darrell Klein, J.D.

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; Suzanna Glover-Etrich, Department Attorney (via WebEx); Anna Harrison, B.S.N., Compliance Monitor (WebEx); and Jeff Newman, Investigator.

Larimer 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

Kester 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, Kester, Klein, Larimer, Tomlinson. Voting nay: none. Motion carried.

Additions, Modification, Reordering

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

Amanda Whitman, R.P. – Pharmacist Application
Heriberto Martinez, Jr., R.P. – Pharmacist Application
Antoinette Wallace, R.P. – Pharmacist Application
Felicia Redick – Pharmacy Technician Application
Heather Howell – Pharmacy Technician Application
Julie Cordova – Pharmacy Technician Application
Leigha Roberts – Pharmacy Technician Application

Adoption of Consent Agenda

Larimer moved, seconded by Kester, to approve the consent agenda as amended. Voting aye: Beck, Kester, Klein, Larimer, Tomlinson. Voting nay: none. Motion carried.

PALLIATIVE CARE ADVISORY COUNCIL – MARCIA CEDERDAHL, RN, BS, CHPN & STACIE SINCLAIR, MPP, CSW

Name: Marcia Cederdahl, RN, BS, CHPN
Business: Nebraska Palliative Care and Quality of Life Advisory Council

Name: Stacie Sinclair, MPP, CSW
Business: Nebraska Palliative Care and Quality of Life Advisory Council

Marcia Cederdahl, RN, BSs, CHPN and Stacie Sinclair, MPP, CSW, presented to the Board information from the Nebraska Palliative Care and Quality of Life Advisory Council. They presented slides that explained what palliative care is, who benefits, who is involved, where it occurs, and who pays. They explained that is an extra level of care and how it improves quality of life. They mentioned that palliative care has reduced 66% of symptoms and a 93% increase in quality of life and it can also reduce avoidable costs for the

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patient. They provide an explanation of the role pharmacists provide with the palliative care setting. Darrel Klein asked how reimbursement is covered. Ms. Cederdahl and Ms. Sinclair explained that reimbursement is limited. Mr. Klein offered his assistance. Staff will provide Mr. Klein's contact information via email. The Board thanked Ms. Cederdahl and Ms. Sinclair for their presentation.

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

Larimer moved, seconded by Beck, to go into closed session at 9:414 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, Kester, Klein, Larimer, Tomlinson. Voting nay: none. Motion carried.

The Board return to open the session at 11:50 a.m.

APPROVAL OF MINUTES

January 10, 2022

Page 1: No changes.

Page 2: No changes.

Page 3: No changes.

Page 4: No changes.

Larimer moved, seconded by Klein, to approve the January 10, 2022 minutes as presented. Voting aye: Beck, Kester, Klein, Larimer, Tomlinson. Voting nay: none. Motion carried.

BOARD RECOMMENDATIONS ON APPLICATIONS FOR LICENSURE AND REGISTRATION

Pharmacist Application(s) (4)

Larimer moved, seconded by Klein, to recommend issuing a pharmacist license to Amanda Whitman assessing a censure and \$1,000 civil penalty. The basis for the action is disciplinary action in another state and failure to cooperate with a State investigator. Voting aye: Beck, Kester, Klein, Larimer, and Tomlinson. Voting nay: none. Motion carried.

Larimer moved, seconded by Beck, to postpone review of the pharmacist application of Antoinette Wallace, R.P. for additional information. Voting aye: Beck, Kester, Klein, Larimer, and Tomlinson. Voting nay: none. Motion carried.

Klein moved, seconded by Larimer, to recommend issuing a pharmacist license to Heriberto Martinez, Jr. on probation until 10/31/2023. The basis of this disciplinary action in another state. Probationary terms and conditions should in Nebraska's standard language, standard language regarding body fluid screening, and the requirement to remain in compliance with the Tennessee order. Voting aye: Beck, Kester, Klein, Larimer, and Tomlinson. Voting nay: none. Motion carried.

Pharmacy Technician Application(s) (4)

Larimer moved, seconded by Beck, to recommend denying a pharmacy technician registration to Felicia Redick. The basis for this denial is her recent criminal conviction. Voting aye: Beck, Kester, Klein, Larimer, and Tomlinson. Voting nay: none. Motion carried.

Beck moved, seconded by Larimer, to postpone the review of the pharmacy technician registration application of Heather Howell for additional information. Voting aye: Beck, Kester, Klein, Larimer, and Tomlinson. Voting nay: none. Motion carried.

Beck moved, seconded by Kester, to postpone the review of the pharmacy technician registration application of Julie Cordova for additional information. Voting aye: Beck, Kester, Klein, Larimer, and Tomlinson. Voting nay: none. Motion carried.

Beck moved, seconded by Larimer, to recommend issuing a pharmacy technician registration to Leigha Roberts. Voting aye: Beck, Kester, Klein, Larimer, and Tomlinson. Voting nay: none. Motion carried.

Ratification of E-Mail Ballots Since the Last Meeting

Staff read the e-mail ballots since the last meeting on January 10, 2022 into the record as follows:

- Issued a pharmacy technician registration to ShawnTae Brown. Pharmacy Technician Registration #12695 was issued on 1/25/2022.
- Issued a pharmacy technician registration to Sarah Lierman. Pharmacy Technician Registration #12696 was issued on 1/25/2022.

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- Issued a pharmacy technician registration to Kieara Winters. Pharmacy Technician Registration #12697 was issued on 1/25/2022.
- Issued a pharmacy technician registration to Jackson Nicholas. Pharmacy Technician Registration #12719 was issued on 1/31/2022.
- Issued a pharmacy technician registration to Dawn Wheatley. Pharmacy Technician Registration #12757 was issued on 2/10/2022.
- Issued a pharmacy technician registration to John Quinn. Pharmacy Technician Registration #12758 was issued on 2/10/2022.

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

LEGISLATION UPDATE

Tomlinson asked Marcia Mueeting, Nebraska Pharmacists Association (NPA) to update the Board members on legislative bills that the NPA is keeping an eye on.

Name: Marcia Mueeting, R.P.
Address: 6221 S 58th Street, Suite A, Lincoln, Nebraska 68516
Business: Nebraska Pharmacists Association (NPA)

The following legislative bills are being watched:

- LB 767 – Pharmacy Benefit Managers
- LB 943 – white bagging
- LB 808 – controlled substances clean-up bill
- LB 812 – ability for pharmacy technicians to administer immunizations

Ms. Mueeting mentioned that the Health and Human Services Committee suggested that a 407 Credentialing Review be pursued.

REGULATIONS UPDATE

Review 175 NAC 8 and 172 NAC 128

Jesse Cushman, Program Manager, explained he is still working on the changes in 175 NAC 8 and will bring them back to the Board. Mr. Cushman explained that the only change to 172 NAC 128 the language from LB 390 regarding reciprocity licensure.

APPROVAL OF 172 NAC 128 REGULATIONS

Larimer moved, seconded by Klein, to approval 172 NAC 128 changes. Voting aye: Beck, Kester, Klein, Larimer, and Tomlinson. Voting nay: none. Motion carried.

DISCUSSION REGARDING THE FOOD AND DRUG ADMINISTRATION (FDA) MEMORANDUM OF UNDERSTANDING (MOU) - COMPOUNDING

This agenda item can be removed from the agenda as it opening through an official review process.

PHARMACY WORKFORCE SURVEY – NEBRASKA PHARMACISTS ASSOCIATION and UNMC COLLEGE OF PHARMACY

Marcia Mueeting, R.P, NPA and Donald Klesper, Ph.D., M.B.A., University of Nebraska Medical Center (UNMC), College of Pharmacy, presented a pharmacy workforce survey that they are requesting assistance in distributing to active Nebraska pharmacists.

Name: Marcia Mueeting, R.P.
Address: 6221 S 58th Street, Suite A, Lincoln, Nebraska 68516
Business: Nebraska Pharmacists Association (NPA)

Name: Donald Klesper, Ph.D., M.B.A.
Address: 986120 Nebraska Medical Center PDD 2017, Omaha, Nebraska 68198-6120
Business: UNMC, College of Pharmacy

The Pharmacy Workforce Survey will ask questions adequate staffing and how to define, do they feel overworked, any disparities, and the decrease in enrollment in educational programs and how they could engage with local communities. The reason behind the survey is that national enrollment and licensing numbers are declining. Ms. Mueeting and Dr. Donald Klesper are requesting the Board and the

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Departments assistance in getting the survey to pharmacist in Nebraska. The Board thanked them for the discussion of this agenda item.

NATIONAL ASSOCIATION OF BOARDS OF PHARMACY (NABP) ANNUAL MEETING

Larimer explained that topics at the NABP Interactive Board forum discussed how to help the states for the next emergency which included discussion on suggestions of items that states need to address during an emergency, exempting the use of pharmacy tech ratios, digital healthcare, and continuation of care if pharmacy close.

Klein moved, seconded by Kester, to nominate Todd Larimer, R.P., as Nebraska voting delegate and Sabrina Beck, R.P., as Nebraska alternate voting delegate at the NABP Annual meeting for 2022. Voting aye: Beck, Kester, Klein, Larimer, and Tomlinson. Voting nay: none. Motion carried.

DISCUSSION ON COVID-19 ISSUES

Nothing discussed at this time.

The next scheduled Board meeting will be held on May 9, 2022.

ADJOURNMENT

The Board adjourned the meeting at 12:53 p.m.

Respectfully submitted,

(signature on file with the Department)

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