

MINUTES

**UTAH
UTAH BOARD OF PHARMACY
MEETING**

**MARCH 27, 2007
Room 474– 9:00 A.M.
Heber Wells Building
Salt Lake City, UT 84111**

CONVENED: 9:05.a.m.

ADJOURNED: 2:45 p.m.

**Bureau Manager:
Board Secretary:**

Diana Baker
Penny Vogeler

Board Members Present:

Roger Fitzpatrick, RPh, Chairman
Betty Yamashita, RPh
Dominic DeRose, RPh
Shawna Hanson, RPh
Edgar Cortes, Technician Member
Dr. Mark Munger, University of Utah

Board Members Excused

Marty Vall Hill, Public Member

DOPL Staff Present:

F. David Stanley, Division Director
Diana Baker, Bureau Manager
Penny Vogeler, Board Secretary
Connie Call, Probation Coordinator
Jared Memmot, DOPL Investigator

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

**ADMINISTRATIVE BUSINESS:
MINUTES: Jan 23, 2007**

A motion was made by Mr. DeRose to approve the minutes with corrections. Dr. Munger abstained. He did not attend the January meeting. Motion carried.

CHANGE OF MEETING DATE:

After some discussion it was the decision of the Board to change the July 24, 2007 meeting to July 31, 2007 due to July 24 being a holiday.

WHOLESALE DISTRIBUTORS

Ms. Baker introduced the wholesaler distributors invited to the meeting today. She explained the Board had invited the following wholesaler distributors to attend today's meeting to utilize their expertise in the writing of the wholesaler distributor rules for DOPL. Mr. Brett Harper from McKesson, Brent Jones from MD Returns, Martha Russell from Cardinal Health and Rosanne Bruegmann and Brenda Patterson from AmerisourceBergen.

NPI NUMBER:

The National Provider Identification number was discussed by the Board. This number is going to be assigned to every healthcare provider that bills for professional services. It was stated by the Board that this number should be required at the time of their next renewal.

DISCUSSION ITEMS:

FMLA

In a previous meeting Ms. Baker was asked to research the policy of FMLA. Ms. Baker stated she had spoken to the Attorney General's office and the information as indicated in the Family Medical Leave Act stated the time someone is on this type of leave can **not** be counted as time worked for someone on probation.

STEVENS- HENAGER COLLEGE

Chad Reeve and Mario Meridan from Stevens- Henager College attended the meeting to discuss the submission of a new program. This new program will back load the pharmacy technician courses. With the previous program students were not able to complete the program within one year as stated in law. The Board was in acceptance of this change in the program.

PRESCRIPTION FILE

The Board proposed a new definition of the term "prescription file". The proposed rule is 58-17b-611.

“Prescription files” means all hard- copy and electronic Prescriptions that include pharmacists notes, or technician notes, clarifications or information written or attached that is pertinent to the prescription.

PROBATION REPORT:

Ms. Call presented the probation report for the month of March. Kasey Koeven is surrendering his license and Dan Bowlin will be called in next month due to non compliance. Ms. Call had heard from Rich Wright, a probationer, stating he was struggling with his addiction at this time. Dr. Munger expressed his concern in regards to the amount of probationers out of compliance this month. He was concerned for the probationers that are only being seen annually are perhaps not staying in compliance as well as they might if they were being seen quarterly.

**PROBATION INTERVIEWS:
DIANN MILLIKAN**

Ms. Yamashita conducted the interview with Ms. Millikan. She stated she had recently interviewed with Ogden Regional Hospital Pharmacy and will be starting in mid April. She is still seeing her therapist. The Board reminded her she needs to submit a practice plan to the Board for approval, also a letter from her supervisor that they have read and understands the stipulation. She is also required to submit a quarterly inventory audit report. Ms. Millikan is **in compliance** with the terms of her order.

**PROBATION INTERVIEW
KASEY KOEVEN**

No Show.

**PROBATION INTERVIEW
SHERYL LEDET**

Dr. Munger conducted the interview with Ms. Ledet. She was asked about her missed urine test and she explained that she was ill and missed the test but took it the next morning. Dr. Munger also asked if she had an explanation for the dilution of her screens. She stated she had no explanation and was not aware that they had

been diluted. Ms. Millikan is actively seeking employment and is **in compliance** with the terms of her order. The Board would like to see her in the month of August.

PROBATION INTERVIEW:
TIMOTHY BOWCUTT

Mr. DeRose conducted the interview with Mr. Bowcutt. He was accompanied by his wife. He stated he is currently working at Smiths in Magna. His probation will be extended by two months to compensate for the length of time he was on the OIG exclusion list. Mr. Bowcutt is **in compliance** with the term of his order at this time.

PROBATION INTERVIEW:
TERRANCE FRANK

Ms. Hanson conducted the interview with Mr. Frank. Terrance is before the Board today to be released from probation. Mr. Frank has completed the terms of his probation. The probation on the license to practice as a pharmacist and to dispense control substances will be terminated and **reinstated with full privileges**.

NEW APPLICATION:
NATALIE BROADHEAD:

Mr. Cortes conducted the interview with Ms. Broadhead. No new information has been received by the Board at this time. Natalie needs to pay her fine. A motion was made by Dr. Munger to approve the application as long as the ETG test results are negative.

NEW APPLICATION:
ISSAC WHITE

After reviewing the application for Mr. White the Boards decision was to have Mr. White attend next months meeting.

EDUCATIONAL INTERVIEW
HARMON'S APOTHECARY

A stipulation was issued to Harmon's Apothecary Shop for employing an unlicensed technician three different

times. Greg Jones, Harmon's District Manager and Tuong Hoang, pharmacist in charge, and Justin Mc Fadden, Grocery Manager, were invited to address the Board. They were also issued a \$5,000 fine. The Board discussed the fact that once a technician fails the exam they must work as support personnel only, until they pass the examination. Mr. Fitzpatrick sent over the stipulation with them. Mr. Jones stated that Harmon's has a new policy. They will allow technicians to do their 180 hours and will not hire them until they have become licensed.

PHARMACY TECHNICIAN PROGRAMS:

The following Pharmacy Technician programs were submitted for approval during the month of March.

1. Boyd's Family Pharmacy taken by Ms. Yamashita.
2. Delta Drug and Gift taken by Edgar Cortes
3. Market Pharmacy taken by Roger Fitzpatrick

NEXT MEETING:

April 24, 2007

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

5/22/2007
Date Approved

(ss) Roger Fitzpatrick, RPh
Chairman of the Utah Board of Pharmacy

5/23/2007
Date Approved

(ss) Diana Baker
Bureau Manager, Division of Occupational & Professional
Licensing