

President Gene Minton called the meeting to order at 1:10pm with Board Members Carol Yates Day, Parker Chesson, Joey McLaughlin, and Bill Mixon present. Lazelle Marks was absent from the meeting. Also present were Executive Director Jay Campbell and Board Counsel Clint Pinyan.

Ethics Statement & Welcome

President Minton read the Ethics Statement regarding any conflicts of interest and/or appearances of conflicts of interest of any Board member. No conflicts were noted by any Board member.

The Board recessed at 1:10pm and resumed open session at 1:25pm.

2013 North Carolina General Assembly Legislative Session

Mr. Campbell stated that a large regulatory reform bill was passed the by the North Carolina Legislature, which, among other things, authorized the Program Evaluation Division to conduct a study of occupational licensing boards to determine whether they should be eliminated or consolidated under an umbrella board.

The Program Evaluation Division is also conducting a study on prescription drug abuse prevention in North Carolina. The NC Board of Pharmacy is a stakeholder in the study and Board staff and/or Board members may be interviewed for the study. Mr. Campbell reminded Board members of the steps staff has taken to encourage pharmacists to access the Controlled Substance Reporting System (CSRS) including creating a portal on the Board's website for pharmacists to have easier access to CSRS registration. Mr. Mixon suggested that staff send out a reminder to pharmacists at renewal time to register on the CSRS. Mr. McLaughlin inquired whether a rule specifically to require pharmacy permits to provide access to CSRS would be appropriate. It was the consensus of the Board that Mr. Campbell discusses the possible rule change with the Director of the Department of Health and Human Services (DHHS) which regulates CSRS.

The regulatory reform bill also requires periodic review and expiration of rules by regulatory agencies. It may exempt any rule or amended rule within the last 10 years. Board counsel is currently gathering more information from the Rules Review Commission (RRC) about the requirement.

Discussion of Report from the State Auditor and Staff Implementation of Database and Procedural Changes to Address Identified Weakness

Mr. Campbell stated that the audit conducted by the State Auditors' office has been completed. The Audit office conducted a financial audit and a Chapter 93B compliance audit of the Board. Staff received a draft report from the State Audit on September 6, 2013. The report did point out some weaknesses in the Board's inspection process. Staff has already implemented some changes to the process by adding an inspection database page for pharmacies and DME's that will improve tracking of inspections. Staff has also developed an updated online inspection form to assist inspectors. Mr. Campbell stated that Board staff is working on updating its risk based

inspection policy to improve pharmacy inspections rotation. Board staff will meet with the State Auditors staff on September 23, 2013 for an audit exit interview.

Discussion of PARE as an Assessment Tool for Pharmacist Seeking Licensure Reinstatement

Board members discussed the Pharmacist Assessment for Remediation Evaluation (“PARE”), a tool developed by the National Association of Boards of Pharmacy. PARE can provide multidimensional assessments that boards of pharmacy may use when a pharmacist is returning to practice. PARE evaluates a pharmacist’s skills in medication safety, ethics, and clinical pharmacy practice.

After discussion, it was the consensus of the Board that Mr. Mixon would attend a PARE Item Development Workshop on November 7th & 8th and to take the matter under advisement.

Discussion of Any Open Rulemaking Topics

S.L 2013-152 revises the Controlled Substance Reporting System (CSRS) by requiring, along with other provisions, that the CSRS/Drug Control Unit notify licensing boards when they identify a licensee who has committed an infraction. The statute directs licensing boards to set rules for criteria to submit these reports. After discussion, it was the consensus of the Board that Mr. Campbell and Mr. Pinyan draft a criteria rule for the Drug Control Unit to submit these reports.

S.L 2013-79 placed an expiration date on all CII prescriptions for six (6) months after the date written. This rule will take effect October 1, 2013. The bill also allows certified technicians to register with the Board of Pharmacy independent of specific technician employment and makes clear that PTCB certification satisfies statutory training requirements. Certified technicians would still need to report employment changes to the Board within ten (10) days of changing employment. Staff is already making changes to the technician registration/renewal procedure to accommodate the new rule.

The Compounding Working Group is still hard at work on proposed changes to the sterile compounding rules to include USB 797 and 795 standards. Ken Latta is working with investigative staff on compounding inspections and redesigning the compounding inspection form.

Mr. Campbell went over the procedure for rule amendment changes with Board members. It was suggested that Board staff make a more prominent link on the website for proposed rule amendments. There were also some suggestions made to improve the Board website to make it more user friendly.

Board Elections – Spring 2014

The next Board election will be conducted in the spring of 2014 for District Four and District Three Board seats. Mr. Campbell proposed to Board members that staff host an open forum in the Districts up for election for any pharmacist interested in running for Board office. The forum would explain to a potential candidate the purpose of the Board, expectations of Board members,

and answer any questions a potential candidate would have concerning Board office. After discussion, it was the consensus of the Board for staff to host a Board Office Open Forum.

Mrs. Day proposed moving public hearings on potential rule changes from the day before a Board meeting to the day of the meeting. It was also suggested that staff send out a mass email to pharmacists reminding them of any upcoming public hearing. After discussion, it was the consensus to move public hearings to the afternoon session of the Board meetings. The staff will also start sending email reminders for public hearing to North Carolina pharmacists.

Mr. McLaughlin suggested the Board encourage more pharmacy students to attend Board meetings. It would benefit many pharmacy students to understand the purpose of the Board and the Board proceedings. Mr. Campbell stated that staff was looking into how to live-stream the Board meeting through a URL. After discussion, it was the consensus of the Board to have staff proceed with developing a URL to live-stream the Board meetings.

Mr. McLaughlin also spoke to the members about the possibility of fee penalties for disciplinary actions against a pharmacy permit. After discussion, it was the consensus of the Board to table the matter for a later date.

Mrs. Day questioned why Board members could not receive more information regarding an investigative case before the prehearing conferences. After discussion, Mr. Pinyan stated that he would send the Board member residing over prehearing conference the Notice of Hearing for the cases to be heard.

Mr. Campbell reminded Board members that if they use their personal email account for Board business they could be subject to a public request act request that would encompass all of their personal emails. It was suggested that members only use their Board email address for Board business.

Discussion of Pharmacy Leaders Forum Format Going Forward

The Board member discussed the Pharmacy Leaders' Forum format. After discussion, it was the consensus of the Board that the forum invitation list remain the same, as in recent years, where the Board would invite fifteen (15) attendees, NCAP would invite fifteen (15) attendees, and each of the schools of pharmacy would invite five (5) attendees along with two (2) students.

There being no further business, the meeting adjourned at 4:10pm.

Gene Minton, President

E. Lazelle Marks, Vice-President

J. Parker Chesson, Jr.

Robert J. McLaughlin, Jr

Carol Yates Day

William A. Mixon