

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

NEBRASKA BOARD OF PHARMACY
MEETING MINUTES
July 26, 2021

ROLL CALL

Sabrina Beck, Vice-Chair, called the meeting of the Board of Pharmacy to order at 9:02 a.m. in the Staybridge Room at 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:

Sabrina Beck, R.P., Vice-Chair
Charles Tomlinson, R.P., Secretary
Kevin Borchert, R.P.
Charlene Dunbar

Absent: Todd Larimer, R.P., Chair

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; Abby Hoy Nissen, Law Clerk from Creighton; Teresa Hampton, Department Attorney; and Jeff Newman, Investigator.

Beck 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

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

Additions, Modification, Reordering

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

Kisha Criss – Pharmacy Technician Application
Logan Howery – Pharmacy Technician Renewal Application
Valor Compounding Pharmacy – Mail Service Pharmacy Application
Diabetes Corp of America (#716) – Mail Service Pharmacy Renewal Application
BET Pharm LLC (#550) – Mail Service Pharmacy Renewal Application
Coram CVS Specialty Infusion Services (#74) – Mail Service Pharmacy Renewal Application
Drug Depot LLC dba APS Pharmacy (#1003) – Mail Service Pharmacy Renewal Application
Florida Discount Drugs Inc (#752) – Mail Service Pharmacy Renewal Application
Marley Drug Inc (#1131) – Mail Service Pharmacy Renewal Application
Medical Home Pharmacy (#1247) – Mail Service Pharmacy Renewal Application
Dr. Bowman – Pharmaceutical Care Agreement

Adoption of Consent Agenda

Borchert moved, seconded by Tomlinson, to approve the consent agenda as amended. Voting aye: Beck, Borchert, Dunbar, and Tomlinson. Voting nay: none. Absent: Larimer. Motion carried.

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

Borchert moved, seconded by Tomlinson, to go into closed session at 9:08 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, Borchert, Dunbar, and Tomlinson. Voting nay: none. Absent: Larimer. Motion carried.

Hampton left the meeting at 9:09 a.m.

Pollard recused herself from the meeting at 9:15 a.m.

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Lester and Hoy Nissen left the meeting at 9:42 a.m.

Hampton and Pollard rejoined the meeting at 9:43 p.m.

Pollard recused herself from the meeting at 9:57 a.m.
Pollard rejoined the meeting at 10:27 a.m.

Lester and Hoy Nissen returned to the meeting at 10:50 a.m.

The Board return to open the session at 12:00 p.m.

APPROVAL OF MINUTES

May 24, 2021

Page 1: No change

Page 2: No change.

Page 3: Under DISCUSSION REGARDING WHITE BAGGING, line 3, needs to read “companies which own”; line 4, delete the duplicate words “administered by”; line 5, insert the word “that” after the second word “benefit”; and line 7, add “s” to the word “receive”; under DISCUSSION ON COVID – 19 ISSUES; line 1, the word “technicians” should read “technicians’ ”.

Borcher moved, seconded by Tomlinson, to approve the May 24, 2021 minutes as corrected. Voting aye: Beck, Borcher, Dunbar, and Tomlinson. Voting nay: none. Absent: Larimer. Motion carried.

BOARD RECOMMENDATIONS ON APPLICATIONS FOR LICENSURE AND REGISTRATION

Pharmacist Application(s) (3) – Consent

Pharmacist Reinstatement Application (1) - Consent

Pharmacy Technician Application(s) (5)

Beck moved, seconded by Tomlinson, to recommend issuing a pharmacy technician registration to Kisha Criss. Voting aye: Beck, Borcher, Dunbar, and Tomlinson. Voting nay: none. Absent: Larimer. Motion carried.

Pharmacy Technician Renewal Application(s) (1)

Borcher moved, seconded by Tomlinson, to recommend renewing Logan Hower’s pharmacy technician registration on probation for 12 months with standard terms and conditions along with proof of completion of his criminal probation. Voting aye: Beck, Borcher, Dunbar, and Tomlinson. Voting nay: none. Absent: Larimer. Motion carried.

Pharmacist Reinstatement After Discipline Application

Beck moved, seconded by Borcher, to recommend denying the pharmacist reinstatement after discipline application of Milton Munson. The basis for this denial is there was insufficient evidence to justify reinstatement. Voting aye: Beck, Borcher, Dunbar, and Tomlinson. Voting nay: none. Absent: Larimer. Motion carried.

Mail Service Pharmacy Application(s) (2)

Beck moved, seconded by Tomlinson, to table for additional information. Voting aye: Beck, Borcher, Dunbar, and Tomlinson. Voting nay: none. Absent: Larimer. Motion carried.

Mail Service Pharmacy Renewal Application(s) (10)

Beck moved, seconded by Tomlinson, to recommend renewing the mail service pharmacy license of Diabetes Corporation of America (Mail Service Permit #716). Voting aye: Beck, Borcher, Dunbar, and Tomlinson. Voting nay: none. Absent: Larimer. Motion carried.

Borcher moved, seconded by Tomlinson, to recommend renewing the mail service pharmacy license of Coram CVS Specialty Infusion Services (Mail Service Permit #74). Voting aye: Beck, Borcher, Dunbar, and Tomlinson. Voting nay: none. Absent: Larimer. Motion carried.

Beck moved, seconded by Borcher, to recommend renewing the mail service pharmacy license of Florida Discount Drugs Inc (Mail Service Permit #752). Voting aye: Beck, Borcher, Dunbar, and Tomlinson. Voting nay: none. Absent: Larimer. Motion carried.

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Tomlinson moved, seconded by Beck, to recommend renewing the mail service pharmacy license of Marley Drug Inc (Mail Service Permit #1131). Voting aye: Beck, Borchner, Dunbar, and Tomlinson. Voting nay: none. Absent: Larimer. Motion carried.

Dunbar moved, seconded by Borchner, to recommend renewing the mail service pharmacy license of Medical Home Pharmacy (Mail Service Permit #1247). Voting aye: Beck, Borchner, Dunbar, and Tomlinson. Voting nay: none. Absent: Larimer. Motion carried.

Beck moved, seconded by Dunbar, to recommend renewing the mail service pharmacy license of Drug Depot LLC dba APS Pharmacy (Mail Service Permit #1003). Voting aye: Beck, Borchner, Dunbar, and Tomlinson. Voting nay: none. Absent: Larimer. Motion carried.

Borchner moved, seconded by Tomlinson, to recommend renewing the mail service pharmacy license of BET Pharm LLC (Mail Service Permit #550). Voting aye: Beck, Borchner, Dunbar, and Tomlinson. Voting nay: none. Absent: Larimer. Motion carried.

Ratification of E-Mail Ballots Since the Last Meeting

Staff read the e-mail ballots into the record as follows:

- Issued a pharmacy technician registration to Cecilia Schneider. Pharmacy Technician Registration #11985 was issued on 5/25/2021.
- Renewed the Mail Service Pharmacy license #741 for Accredo Health Group on 6/9/2021.
- Renewed the Mail Service Pharmacy license #1215 for Revival Animal Health on 6/9/2021.
- Issued a pharmacist license to Bhavesh Patel. Pharmacist license #17122 was issued on 6/9/2021.
- Renewed the Mail Service Pharmacy license #1135 for Pharmcore, Inc dba Hallandale Pharmacy on 7/1/2021.
- Issued a pharmacist license to James Homan. Pharmacist license #17151 was issued on 7/6/2021.
- Renewed the Mail Service Pharmacy license #921 for Millers of Wyckoff on 7/6/2021.
- Renewed the Mail Service Pharmacy license #1328 for Catalent Pharmacy Services (PHL) on 7/6/2021.
- Renewed the Mail Service Pharmacy license #198 for DEGC Enterprises US Inc on 7/13/2021.

REVIEW OF PHARMACEUTICAL CARE AGREEMENT(S) (6) – CONSENT

The Board reviewed the pharmaceutical care agreements that were submitted. The Board discussed the pharmaceutical care agreement submitted by Dr. Bowman. Staff will inform Dr. Bowman that the regulations cited in the agreement are incorrect, that there are no pharmacist signatures which are required, and the Board needs a copy of the written protocols.

REGULATIONS UPDATE

Review 172 NAC 134

Jesse Cushman, Program Manager, provide an explanation of the changes that were made to 172 NAC 134 regarding public health worker training requirement videos and the number of hours required for the training.

Approve Prior to Public Hearing

Beck moved, seconded by Tomlinson, to recommend approving 172 NAC 134 with discussed changes in the kind of training required and not specifying the required number of training hours required. Voting aye: Beck and Tomlinson. Voting nay: Borchner and Dunbar. Absent: Larimer. Motion not carried because there was not a majority.

Jesse Cushman, Program Manager will make changes and present to the Board at a later date.

CE APPROVAL QUESTION BASED ON 172 NAC 128-005.01(D)

The Board reviewed the request and decided to table for additional information. The requested to see the course content and to know how often the course will be offered. The Board will review this request with the requested additional information via email ballot with majority approval.

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

Jesse Cushman, Program Manager, mentioned that he continues to forward information onto Department leadership regarding this request and will do so again. He has not received an update from Department leadership.

DISCUSSION ON COVID-19 ISSUES

Jesse Cushman, Program Manager, informed the Board that the Executive Orders have expired. This means that pharmacy technicians will have until October 31, 2021 to submit their renewal.

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MOVING THE NOVEMBER 2021 BOARD MEETING DATE

The Board discussed moving the November meeting date to November 8, 2021 and then decided to move the September meeting date to September 13, 2021. Therefore, the next scheduled Board meeting will be held on September 13, 2021.

ADJOURNMENT

The Board adjourned the meeting at 1:06 p.m.

Respectfully submitted,

(signature on file with the Department)

Charles Tomlinson, R.P., Secretary
Board of Pharmacy