

**Board of Pharmacy
Tripartite Committee
Minutes
Monday, January 29, 2007
9:30 A.M.
Conference Call Number: 1-888-808-6959
Conference Code: 5642037**

Committee Members:

Art Wharton, R.Ph., Group A
Carmen Aceves Blumenthal, Group A
Jim Powers, R.Ph., Group B
Leonard Inge, R.Ph./Otis Kirksey, R.Ph., Group B
Michele S. Weizer, R.Ph., Group B
Albert Garcia, R.Ph., M.H.L., Group C
David L. Laven, NPh, CRPh, FASHP, FAPhA, Group C
Carsten Evans, R.Ph., Group C
Gail A. Merrell, Pharm. D., Group D
Michael Jackson, R.Ph., Group D
Day Marice Scott, Pharm.D., BPCS, Group D

Staff Members:

Rebecca Poston, R.Ph.
Maxine Wenzinger
Ma'Lasha Norton

Absent:

Brigitte Goersch, Group A

Michele Weizer, Pharm.D. Chairman, called the meeting to order and roll was taken.

Dr. Inge reported that he was retiring January 31, 2007, and that Otis Kirksey would take his place on the committee.

A plaque will be prepared and presented to Dr. Inge from the committee.

Dr. Salem, Board of Pharmacy Chairman, reported that Dr. Merrell will take any action from the Tripartite Committee and present it to the full board.

TAB 1 Outstanding Service Recognition

Mechelle Akers, Pharm.D.
Shari Hopwood, Pharm D.

Mrs. Poston reported that both of these individuals were presented plaques at the August board meeting in Orlando.

TAB 2 Rule Status Update

- 1. 64B16-26.103 - Continuing Education Credits; License Renewal**

The Tripartite Committee reviewed 64B16-26.103 and recommended the following changes:

- Mrs. Poston asked Reginald Dixon to check on the status of Rule 64B16-26.6011. This rule was referenced on line 6, 7, and 16 of the agenda materials.
- Line 13 and 14 strike approved and insert accredited.
- Line 26 strike the word approved and insert accredited.
- Line 34 and 35, Rule 64B16-26.303 will be changed to 64B16-26.304, F.A.C.
- Line 36 and 37 strike approved and insert accredited.

The language as amended by the Tripartite Committee:

64B16-26.103 Continuing Education Credits; License Renewal; Consultant Pharmacist License Renewal; Nuclear Pharmacist License Renewal.

(1) (a) – (b) No change

(c) Prior to renewal a licensee must complete, within the 24 month period prior to the expiration date of the license, a two-hour continuing education course approved in advance by an Accreditation Council for Pharmacy Education (ACPE) approved provider ~~the Board or the Accreditation Council for Pharmacy Education (ACPE)~~ on medication errors that covers the topics set forth in Rule 64B16-26.6011(2), F.A.C. Hours obtained pursuant to this section may be applied by the licensee to the requirements of subsection (1).

(d) No change

(e) No change

(f) No change

(g) No change

(h) No change

(i) No change

(j) No change

(k) All programs ~~approved~~ accredited by the an ACPE provider for continuing education for pharmacists are deemed ~~approved~~ accredited by the Board for general continuing education hours for pharmacists. ~~Any course necessary to meet the continuing education requirement for HIV/AIDS, consultant pharmacist license renewal or nuclear pharmacist license renewal shall be Board approved.~~

(l) No change

(2)(a) - (c) No change

(3)(a) Prior to renewal a nuclear pharmacist shall complete no less than 24 hours of Board approved continuing education in the course work specified in Rule ~~64B16-26.303~~, 64B16-26.304, F.A.C., within the 24 month period prior to the expiration date of the nuclear pharmacist license. A nuclear program or course accredited by an ACPE approved provider shall be

deemed approved by the Board for nuclear pharmacist continuing education hours. The hours earned to satisfy this requirement cannot be used to apply toward the 30 hours required in subsection (1) above. However, if nuclear pharmacist license renewal hours are earned and not used to meet the requirements of this paragraph, they may be applied by the licensee to the 30 hours required in subsection (1).

(b) No Change

(c) No Change

Specific Authority 456.033, 465.009 F.S. Law Implemented 456.013(7), (9), 456.033, 465.009 FS. History–New 3-19-79, Formerly 21S-6.07, Amended 1-7-87, Formerly 21S-6.007, Amended 7-31-91, 10-14-91, Formerly 21S-26.103, 61F10-26.103, Amended 7-1-97, Formerly 59X-26.103, Amended 7-11-00, 10-15-01, 1-2-02, 1-12-03, 4-12-05.

2. 64B16-26.600 - Tripartite Continuing Education Committee

Mr. Powers requested that on line 12, (2)b. the words “course or program” be inserted after continuing education. Mr. Powers suggested strike ~~and~~ then insert or on line 3.

On line 23, (2) add c. Penalties can be from probation to termination of provider status and the Board will be advised of such action.

The language as amended by the Tripartite Committee:

64B16-26.600 Tripartite Continuing Education Committee.

(1) The Tripartite Continuing Education Committee will be composed of equal representation from the Board of Pharmacy, each College ~~and~~or School of Pharmacy in the State, and practicing pharmacists within the State. The members of the Committee shall be selected by the Board of Pharmacy and serve for a period of two years. The chairman of the Committee shall be selected by the Chair of the Board.

(2) The Board delegates to the Tripartite Continuing Education Committee the authority to perform the following duties pursuant to Rule 64B16-26.601, F.A.C.:

- a. Approve continuing education providers
- b. Approve continuing education ~~course or program~~ for organizations or individuals that are non-approved providers for the following:
 1. General
 2. Initial Consultant Pharmacist Certification
 3. Consultant Recertification;
 4. Nuclear Recertification;

5. Medication Errors
6. HIV/AIDS
7. Laboratory Tests
8. Laws and Rules
9. Misfill Course

c. Penalties can be from probation to termination of provider status and the Board will be advised of such action.

(3) The Board delegates to the Tripartite Continuing Education Committee the authority to perform auditing and monitoring activities pursuant to Rule 64B16-26.601, F.A.C. The Tripartite Committee shall perform an audit on each approved continuing education provider 90 days prior to the end of the renewal period. The approved provider shall submit the following information for one program:

- a. Title, date and location of the program
- b. Program Number
- c. Any Co-sponsors
- d. Total number of pharmacists attending
- e. Rosters of attendees with addresses
- f. Brochures or program announcement
- g. CV's of each speaker
- h. Handouts, Copy of CE Credit statement, educational materials distributed as part of the program
- i. Summary report of program evaluations

(4) The Committee shall hold meetings as may be convened at the call of the Chairman of the Committee.

Specific Authority 465.005, 465.009(5) F.S. Law Implemented 465.009 FS. History—New 10-18-79, Amended 7-29-81, Formerly 21S-13.01, 21S-13.001, 21S-26.600, 61F10-26.600, 59X-26.600, Amended 10-15-01, 3-10-05.

3. 64B16-26.601 - Standards of Approval of Continuing Education Courses and Providers.

The Tripartite Committee reviewed the language and had the following recommendation:

- On line 86 (g)3., add the words “from the actual approval date of program” after four (4) years.

The language as amended by the Tripartite Committee:

64B16-26.601 Standards for Approval of Continuing Education Courses and Providers.

(1) Providers seeking board approval shall meet each of the following:

- (a) Complete the application (DOH/MQA/PH109) and submit a fee of \$150.00
- (b) There shall be a visible, continuous, and identifiable authority charged with the administration of continuing education programs. The person or persons in whom the administrative function is vested shall be qualified by virtue of background, education, training and/or experience.
- (c) All continuing education offerings conducted by the provider shall meet the standards outlined in (3).
- (d) Submit licensee continuing education course completion credits in the electronic continuing education tracking system in accordance with Florida Statute 456.025(7).

(2) Organizations or individuals seeking approval of a single course or program shall meet each of the following:

- (a) Complete the application (DOH/MQA/PH 111) and submit a fee of \$50.00.
- (b) All continuing education offerings under this section shall meet the standards outlined in (3).
- (c) All continuing education offerings shall be submitted to the Tripartite Committee for review and approval at least 45 days in advance of the program or course.

(3) Each continuing education offering shall contain a detailed outline of the content and shall build upon Standards of Practice and a basic course or courses offered in the curricula of accredited colleges or schools of pharmacy. Continuing education may consist of post-baccalaureate degree programs offered by accredited colleges or schools of pharmacy, post-graduate studies, institutes, seminars, lectures, conferences, workshops, correspondence courses, or other such committee-approved educational methods. All offerings shall meet the following standards:

(a) Education Content Development.

- 1. Continuing education offerings shall involve advance planning that includes a statement of measurable educational goals and behavioral objectives.

2. Continuing education offerings shall be designed to reflect the educational needs of the pharmacist and build on the standards of practice and courses in the curricula of accredited colleges or schools of pharmacy.

3. Each continuing education offering shall be designed to explore one subject or a group of closely related subjects or standards.

(b) Methods of Delivery.

1. The method of delivery of a course shall be determined by giving appropriate consideration to such factors as educational content, objectives, and composition of the audience.

2. The method of delivery shall encourage active participation and involvement on the part of the pharmacist.

(c) Program Faculty Qualifications.

1. The program faculty for a particular continuing education offering shall be competent in the subject matter and qualified by experience.

2. An appropriate number of program faculty for each activity shall be utilized.

3. There shall be adequate personnel to assist with administrative matters and personnel with competencies outside content areas in cases where the method of delivery requires technical or other special expertise.

(d) Facilities.

1. The facilities to be utilized shall be appropriate and adequate to the content, method of delivery, size of the audience and promote the attainment of the objectives of the offering.

(e) Evaluation.

1. The provider shall make provision for evaluation of the participants' attainment of the stated learner objectives through in-process activities that provide a measurable demonstration of the learner's achievement(s).

2. The provider shall develop and employ an evaluation mechanism for the purpose of allowing the participant to assess his/her achievement of personal objectives.

3. The provider shall develop and employ an evaluation mechanism that shall assess the effectiveness of the learning experiences, instructional methods, facilities, and resources used for the offering.

(f) Contact Hour Criteria.

1. The number of contact hours or Continuing Education Units (CEU) shall be determined by the provider in advance of the offering subject to approval by the committee and awarded upon the successful completion of the entire planned education experience.

2. Providers shall adhere to a uniform quantitative system of measurement for continuing education credit based on the contact hour which is defined as 50-60 minutes of participation or its equivalent and the CEU which is defined as 10 contact hours in an organized continuing pharmacy education activity under responsible sponsorship, capable direction and qualified instruction.

(g) Record Keeping.

1. Records of single course offerings shall be maintained by the provider for inspection by the Board. The records shall be adequate to serve the needs of the participants and to permit the Board to monitor for adherence to the standards for continuing education offerings as outlined in the rules.

2. An individual certificate of attendance specifying title of offering, provider number, date of offering, and number of contact hours earned shall be furnished to each participant by the provider.

3. Records shall be maintained by the provider for a minimum of four (4) years from the date of approval of the program.

(4) All programs issued an Accreditation Council for Pharmacy Education (ACPE) Universal Program number from an ACPE approved provider may be deemed approved by this Board for general continuing education hours for pharmacists.

(5) Approved providers shall pay a renewal fee of \$150 which shall run concurrent with the pharmacist licensure renewal period.

Specific Authority 465.005, 465.009 F.S. Law Implemented 456.025(7), 465.009 FS. History—New 10-17-79, Amended 7-29-81, Formerly 21S-13.02, 21S-13.002, Amended 1-10-93, Formerly 21S-26.601, 61F10-26.601, 59X-26.601, Amended 1-29-03.

4. 64B16-26.6011 - Standards of Approval of HIV/AIDS and Medication Error Courses

The Tripartite Committee reviewed the following language and recommended the following changes:

- Reginald Dixon will check on the status of the rule.
- On line (3), remove the words “for initial or” and insert “prior to first” renewal.

64B16-26.6011 Standards for Approval of HIV/AIDS; Medication Errors Courses; Law and Rules; and Misfills.

(1) An HIV/AIDS course completed to meet the requirements for initial or prior to the first renewal licensure must be board approved and include the following:

- Education of the modes of transmission.
- Infection control procedures.
- Clinical management.
- Prevention of HIV and AIDS.
- Information on current Florida law on AIDS and its impact on testing, confidentiality of test results and treatment of patients.
- Protocols and procedures applicable to HIV counseling and testing, reporting, the offering of HIV testing to pregnant women, and partner notification issues pursuant to Sections 381.004 and 384.25, Florida Statutes.

(2) A medication errors course completed as a condition of initial licensure or licensure renewal ~~must be not~~ shall not be less than two (2) hours and cover the following subject matter:

- Root cause analysis.
- Error reduction and prevention.
- Patient safety.

~~(3) A continuing education provider approved by the board pursuant to Rule 64B16-26.601, F.A.C., shall submit the proposed course on HIV/AIDS or medication errors for board approval on Form DOH/MQA/PH111 (Rev. 4/26/02), entitled Florida Board of Pharmacy Continuing Education Single Program Questionnaire, incorporated herein by reference, and which can be obtained from the Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254.~~

~~(4)~~ (3) A continuing education provider, not previously approved by the board pursuant to Rule 64B16-26.601, F.A.C., shall submit the proposed course for board approval on Form DOH/MQA/PH111 (Rev. 1/10/05), entitled Provider Application for Single Continuing Education Provider, incorporated herein by reference, and submit the ~~individual~~ single course approval application fee specified in rule 64B16-26.1001, F.A.C., for each course submitted for approval.

TAB 3 Continuing Education Applications

1. Non-Approved Provider
2. Approved Provider

Ms. Poston will review applications with Mr. Powers after the meeting for additional changes.

TAB 4 Course Content

1. 64B16-26.6012 - Guidelines for Board Ordered Disciplinary Courses

Tripartite Committee Reviewed the language and recommended the following changes:

- Move (1) d.e.f to optional hours section
- (2) the hours should be at least an 8 hour program.
- Mr. Jackson and Mr. Powers will work together on section (1) and bring back to the next committee meeting.
- Dr. Evans was asked to forward proposed language for section (2) to Mrs. Poston.

64B16-26.6012 Guidelines for Board Ordered Disciplinary Courses

(1) Laws and Rules

A board ordered laws and rule program must be of at least twelve (12) hours. Subject matter shall include at least 9 hours of the subject categories listed in a. through f. below. Optional components in g. may be added to the program. Duplicated courses are not acceptable.

- a. Review and analysis of Florida Statutes 465** – Pharmacists participating in this educational program should be able to understand the recent changes to statutes that define and govern the practice of the profession of pharmacy in Florida. This program may also include a review and discussion on existing laws within Chapter 465, F.S. as it relates to the practice of pharmacy and public safety.
- b. Review and analysis of Florida Administrative Code 64B16** – Pharmacists participating in this educational program should be able to understand the recent changes to Board of Pharmacy rules related to the practice of the profession of pharmacy in Florida. This program may also include a review and discussion on existing rules within 64B16, F.A.C., as it relates to the practice of pharmacy and public safety.
- c. Review and analysis of Florida Statutes 893** – Pharmacists participating in this educational program should be able to understand the recent changes to

statutes that define and govern Drug Abuse Prevention and Control Act (Chapter 893) in Florida. The program may also include a review and discussion on existing laws within Chapter 893, F.S. as it relates to the practice of pharmacy and public safety.

- d. Review and analysis to Federal laws** - Pharmacists participating in this educational program should be able to understand the recent changes to Federal regulations governing the practice of the profession of pharmacy as related to handling, management and dispensing of controlled substance. The program may also include a review and discussion on existing Federal regulations as related to the practice of pharmacy, public safety, including Health Information Portability and Accountability Act..
- e. Review and analysis to Florida Statutes 456** – Pharmacists participating in this educational program should be able to understand the recent changes to statutes governing the health professions and occupations related to the practice of pharmacy. The program may also include a review and discussion on existing laws within Chapter 456, F.S. as it relates to the practice of pharmacy and public safety.
- f. Review and analysis to Florida Statutes 499** – Pharmacists participating in this educational program should be able to understand the recent changes to statutes governing the Florida Drug and Cosmetic Act as related to the practice of the profession of pharmacy. The program may also include a review and discussion on existing laws within Chapter 499, F.S. as related to the practice of pharmacy and public safety.
- g. Optional 3 hour educational programming material for consultant regulatory and law programs may include**
1. Review and analysis of Florida Medicaid program policy as related to the practice of pharmacy
 2. Review and analysis of Federal Medicare laws and regulations affecting the practice of pharmacy
 3. Review and analysis of Nursing home and Assisted Living Facility regulations as related to pharmacy practice
 4. Review and analysis of insurance regulations and auditing guidelines as related to the pharmacy of practice

5. Review and analysis of prescriber laws and regulations that affect the practice of pharmacy
6. Review and analysis of pharmacy ethics
7. Review and analysis of Joint Commission on Accreditation of Healthcare Organizations guidelines
8. Review and analysis of FDA policy and procedures that affect the practice of pharmacy.
9. Review and analysis of quality improvement programs related to the practice of pharmacy
10. Implementation of disaster preparedness and plans for Florida pharmacist and pharmacy providers
11. OSHA guidelines and requirements for pharmacy employers
12. General employment law for Florida pharmacy providers

(2) Misfill Course shall be at least 8 hours, either live or by self study with a substantial quiz as a part of the course. Subject material shall contain the following:

(a) Prescription Order Processing

1. Define prescription misfill
2. Error as a normal occurrence in health care
3. Types and places for errors
4. System and human factors
5. Legal consequences
6. Possible responses to errors in pharmacy
7. Continuous quality improvement

(b) Patient Education Errors

1. Pharmacist's ethical responsibility
2. Prescription labeling
3. Counseling- OBRA standard
4. Litigation-duty to warn

TAB 5. Training Manual

The Tripartite Committee recommended training be extended to the Florida Society of Health Systems Pharmacists Annual Meeting. Mr. Jackson extended an invitation to the Department to provide an education program at their annual meeting.

TAB 6: Nuclear Pharmacist Continuing Education

The Tripartite Committee had no recommendations

Meeting adjourned at 11:30 a.m.

DRAFT