

## MINUTES

### DEPARTMENT OF HEALTH BOARD OF PHARMACY RULES COMMITTEE MEETING

February 9, 2010

9:00 A.M.

Embassy Suites  
9300 Baymeadows Road  
Jacksonville, Florida 32256  
(904) 731-3555

#### **Board Members Present:**

Steve Melvin, PharmD, Chair  
Amy Jones, JD, Consumer Member  
Albert Garcia, BPharm, MHL  
Cynthia Griffin, PharmD  
Fritz Hayes, BPharm  
Jim Powers, BPharm  
Lorena Risch, Consumer Member  
Michele Weizer, PharmD  
Ron Salem, PharmD

#### **Board Staff Present:**

Rebecca Poston, BPharm., Executive Director  
Ronda Bryan, Program Operations Administrator  
Erica Milam, Administrative Assistant II

#### **Board Counsel:**

Allison Dudley, Assistant Attorney General  
Diane Guillemette, Assistant Attorney General

#### **Tuesday, February 9, 2010**

#### **Call to Order –Steve Melvin, PharmD, Chair**

Dr. Melvin called the meeting to order at 9:00 a.m.

#### **TAB 1 Approval of Minutes from December 8, 2009, Meeting**

**Motion:** by Dr. Griffin, seconded by Ms. Jones to approve the minutes as submitted.  
Motion carried unanimously.

#### **TAB 2 Rules Report - Diane Guillemette, Attorney General**

- **Rule 64B16-26.351 – Standards for Approval of Registered Pharmacy Technician Training Programs.**

After much discussion, the following language was drafted:

(1) The following programs are approved Registered Pharmacy Technician Training programs:

(a) Pharmacy technician training programs accredited, approved or licensed on or before January 1, 2011 by the American Society of Health-System Pharmacists, or the Accreditation Council of Pharmaceutical Education,

(b) Pharmacy technician training programs accredited, approved or licensed on or before January 1, 2011 by the Southern Association of Colleges and Schools,

(c) Pharmacy technician training programs accredited, approved or licensed on or before January 1, 2011 by the Florida Department of Education, or Florida Commission for Independent Education,

(d) Pharmacy technician training programs provided by a branch of the federal armed services for which the applicant possesses a certificate of completion.

(2) All other training programs must be employer based. Any pharmacy technician training program sponsored by a Florida permitted pharmacy or affiliated group of pharmacies under common ownership, must contain a minimum of 160 hours of training, that extends over a period not to exceed 6 months; is provided solely to employees of said pharmacy or affiliated group; and has been approved by the Board. An application for approval of a Registered Pharmacy Technician Training Program shall be made on Board of Pharmacy approved form DH-MQA 1232 "Board of Pharmacy Registered Pharmacy Technician Training Program Provider Application", effective February 2010, which is hereby incorporated by reference. To obtain an application, contact the Board of Pharmacy at 4052 Bald Cypress Way, Bin #C04, Tallahassee, FL 32399-3254, or (850) 488-0595, or download the application form the board's website at <http://www.doh.state.fl.us/mga/pharmacy>. The application must be accompanied with a non-refundable application fee. The following objectives must be met:

(a) Program content:

1. Introduction to pharmacy and health care systems:

a. Confidentiality,

b. Patient rights and Health Insurance Portability and Accountability Act (HIPAA),

2. Pharmacy law:

a. Federal law,

b. State law,

c. State rules,

d. Pharmacy technician rules and law,

3. Pharmaceutical- medical terminology, abbreviations, and symbols:

a. Medication safety and error prevention,

b. Prescriptions and medication orders,

4. Records management and inventory control:

a. Pharmaceutical supplies,

b. Medication labeling,

d. Medication packaging and storage,

e. Controlled substances,

f. Adjudication and billing, .

5. Interpersonal relations, communications, and ethics:

a. Diversity of communications,

b. Empathetic communications,

c. Ethics governing pharmacy practice,

d. Patient and caregiver communication,

6. Pharmaceutical calculations.

(b) Materials and Methods. Evidence satisfactory to the Board shall be presented that:

1. Learning experiences and teaching methods are appropriate to meet the content stated above.

2. Time allotted for each activity shall be sufficient for the participant to meet the objectives.

3. Principles of adult education are utilized in determining teaching strategies and learning activities.

(c) Faculty Qualifications.

1. The faculty shall provide evidence of academic preparation or experience in the subject matter.

2. When the subject matter of an offering includes pharmacy technician practice, a licensed pharmacist or registered pharmacy technician with expertise in the content area must be involved in the planning and instruction.

3. Pharmacy technician faculty supervising learning experiences in a clinical area in this State shall be currently registered.

4. When an offering includes clinical practice training in Florida, a Florida licensed pharmacist competent in the practice area shall provide supervision.

(d) Evaluation. Evidence satisfactory to the Board shall be presented that participants are given an opportunity to evaluate learning experiences, instructional methods, facilities and resources used for the offering. Self-directed learning experiences, including but not limited to home study, computer programs, internet or web-based courses, are required to evaluate participant knowledge at the completion of the learning experience. The evaluation must include a minimum of 100 questions. The participant must achieve a minimum score of 70% on the evaluation to receive the certificate of completion. The evaluation must be graded by the provider.

(e) There shall be a designated person assuming responsibility for registered pharmacy technician training program. If the contact person is not a licensed pharmacist or registered pharmacy technician, provision should be made for insuring licensed pharmacist or registered pharmacy technician input in overall program planning and evaluation.

(f) Required documentation.

1. Providers shall establish written policies and procedures for implementation of the registered pharmacy technician training program.

2. Providers shall maintain a system of record-keeping which provides for storage of program information.

3. Records of programs shall be maintained for three years and be available for inspection by the board or department.

4. Providers shall furnish each participant with an authenticated individual Certificate of Completion.

5. Providers shall securely maintain all participant records and copies of certificates issued for a period of 3 years and said records shall be available for inspection by the board or department.

**Motion:** by Ms. Jones, seconded by Dr. Griffin to approve the drafted language and move to the February 9, 2010 full board meeting. Motion carried unanimously.

**Motion:** by Ms. Jones, seconded by Mr. Hayes to allow Board counsel to make technical changes to this rule. Motion carried unanimously.

- **Rule 64B16-26.1001 – Examination and Application Fees.**

**Motion:** by Ms. Jones, seconded by Mr. Garcia to approve. Motion carried unanimously.

**Motion:** by Ms. Jones, seconded by Mr. Powers to open rule for rule development with the correction of deleting “program” on line 4 and place on the February 9, 2010 full board meeting for review. Motion carried unanimously.

- **Rule 64B16-26.1031 – Influenza Immunization Certification Program**

Ms. Poston advised that language needed to be added stating that the application can be down loaded from the Boards website.

**Motion:** by Mr. Powers seconded by Dr. Griffin to open the rule for rule development to include an influenza immunization certificate application.

**Motion:** by Ms. Jones seconded by Mr. Powers to approve the application. Motion carried unanimously.

- **Rule 64B16-28.607 – Automated Pharmacy System – Long Term Care, Hospice, and Prison**

**Motion:** by Mr. Powers, seconded by Ms. Jones to table until the April 2010 Rules Committee meeting. Motion carried unanimously.

**Motion:** by Ms. Jones, seconded by Dr. Griffin to open rule for rule development. Motion carried unanimously.

- **Rule 64B16-28.1081 – Regulation of Daily Operating Hours**

**Motion:** by Mr. Powers, seconded by Dr. Griffin to table until the April 2010 Rules Committee Meeting.

- **Rules Report:**

Mr. Powers volunteered to meet with Ms. Guillemette and Board staff to go over the re-write of Chapter 28 to identify where subject areas should be placed.

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

Ms. Guillemette advised that a letter was sent to Joint Administrative Procedures Committee on 2/8/10 stating that the rule would be adopted in seven days.

Dr. Weizer informed Ms. Guillemette of the following:

1(c): take out “or the Accreditation Council for Pharmacy Education (ACPE).  
4(e): take out “or the Accreditation Council for Pharmacy Education (ACPE).  
1(k): include “medication errors” and take out “or nuclear pharmacist license”.

- **64B16-26.1003 - Active License Renewal Fees**

Mr. Guillemette advised this rule was adopted on February 4, 2010 and should be effective on February 24, 2010.

- **64B16-26.203 - Licensure by Examination; Application**

Ms. Guillemette advised she had received a letter from JAPC on January 15, 2010 regarding problems with the application which are basically technical changes that need to be made in order to get through JAPC. Ms. Guillemette responded on January 26, 2010 informing JAPC that these changes are being worked on.

Ms. Guillemette advised that if there is something that is required to get a license such as an application or form it must be available on the internet and suggested to include a note stating “If you are not a registered intern you will not receive the credit necessary to become eligible for the pharmacists examination.”

- **64B16-30.001 - Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances**

**Motion:** by Dr. Salem, seconded by Mr. Powers for Ms. Jones to work with Ms. Dudley to review rules that need to be included in 30.001(k)(1). Motion carried unanimously.

**Adjourn:** Dr. Griffin moved to adjourn the meeting at 12:00 p.m. Dr. Weizer seconded the motion which carried unanimously.