

**Minutes
DEPARTMENT OF HEALTH
BOARD OF PHARMACY
RULES COMMITTEE MEETING
DECEMBER 8, 2009
9:00 A.M.**

**Hilton University of Florida Conference Center
1714 S.W. 34th Street
Gainesville, FL 32607
352-371-3600**

Board Members Present:

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

Board Staff Present:

Rebecca Poston, R.Ph., C.Ph., Executive Director
Kelli Ferrell, RPh, MSc, Senior Pharmacist
Ronda Bryan, Program Operations Administrator
Dinah Skrnich, Cancer Drug Donations Program Manager

Board Counsel Present:

Lee Ann Gustafson, Attorney General
Diane Guillemette, Attorney General

Department of Health Staff Present:

Billie Jo Owens, Assistant General Counsel

Tuesday, December 8, 2009

Call to Order – Amy Jones, JD, Chair
Ms. Jones called the meeting to order at 9:00 a.m.

Tab 1 - Approval of Minutes from November 10, 2009, Meeting

Action Taken: Dr. Weizer moved to approve the minutes as submitted. Dr. Salem seconded the motion, which carried unanimously.

Tab 2 – Rules Report, Diane Guillemette, Attorney General

▪ **Chapter 2009-202, Section 3, Laws of Florida**

Ms. Guillemette received a letter from the Joint Administrative Procedures Committee (JAPC) regarding the rules for Chapter 2009-202, Section 3, Laws of Florida, the practice of Orthotics and Pedorthics by a Pharmacist. Ms. Guillemette suggested the Committee start working on drafting proposed rule language.

▪ **Rule 64B16-26.302 – Subject Matter for Consultant Pharmacist Licensure Renewal Continuing Education**

Dr. Weizer suggested the following changes:

Delete "JACAHO" and replace with The Joint Commission
Delete "HIPAA" and replace with Health Insurance Portability and Accountability

Action Taken: After discussion, Dr. Salem moved to motion rule for development. Dr. Weizer seconded the motion, which carried unanimously.

Ms. Jones requested counsel to ask for a technical change to the rule.

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

After discussion, the committee suggested the following corrections:

Add "registered" before pharmacy technicians through out the rule and reference registration instead of license.

Under section (1)(j) delete "1" after "shall"

Delete paragraph (2)(c)

Under section (4)(b) delete "registration" and add "registered before pharmacy technician"

Action Taken: Dr. Weizer moved that there is no impact on small business. Dr. Melvin seconded the motion, which carried unanimously.

Action Taken: After discussion, Dr. Weizer moved to approve changes to the language as submitted. Dr. Griffin seconded the motion, which carried unanimously.

- **Rule 64B-16-26.352 – Process for Approval of Registered Pharmacy Technician Training Programs**

No action

- **Rule 64B16-26.355 – Subject Matter for Registered Pharmacy Technician Renewal Continuing Education**

No changes

Action Taken: After discussion, Dr. Weizer moved to approve the language as submitted. Dr. Melvin seconded the motion, which carried unanimously.

Action Taken: Dr. Weizer moved that there is no impact on small business. Dr. Salem seconded the motion, which carried unanimously.

- **Rule 64B16-26.2033 – Pharmacy Intern Registration and Internship Requirements**

After discussion, the committee suggested the following corrections:

After (6)(e) change the number system from (7) to (f), (a) to (1), (b) to (2) (c) to (3), (d) to (4), (e) to (5)

Under (7) change “(2)” to “(5)”

Under (15) delete first sentence and replace with the following:
“During the internship period, all foreign pharmacy graduates must complete 500 hours of supervised work activity within the state of Florida as provided by Section 465.007(b)2, F.S. in order to become eligible for pharmacist license.”

Action Taken: After discussion, Dr. Weizer moved to approve and forward language to Board. Dr. Melvin seconded the motion, which carried unanimously.

Action Taken: Dr. Weizer moved that there is no impact on small business. Dr. Griffin seconded the motion, which carried unanimously.

- **Rule 64B16-28.108 – All Permits – Labeling of Medicinal Drugs**

Action Taken: After discussion, Dr. Salem moved replace proposed language under (2)(e) with “Expiration date”. Mr. Powers seconded the motion, which carried unanimously.

- **Rule 64B16-28.120 - All Permits – Storage of Legend Drugs; Repackaging**

Language withdrawn

- **Rule 64B16-28.140 – Record Maintenance**

Action Taken: After discussion, Dr. Melvin moved to approved language, respond to JAPC and forward to Board. Dr. Weizer seconded the motion, which carried unanimously.

- **Rule 64B16-28.502 – Class I Institutional Permit and Class II Institutional Permit Labels & Labeling of Medicinal Drugs**

Rewrite and bring back to the committee.

- **Rule 64B16-28.602 – Class II Institutional Dispensing**

Rewrite and bring back to the committee.

- **Rule 64B16-28.6021 – Class II Institutional Pharmacy – Emergency Department Dispensing**

Rewrite and bring back to the committee.

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

No action

- **Rule 64B16-30.003 – Citations**

No action

Adjourn: Dr. Weizer moved to adjourn the meeting at 10:20 a.m. Dr. Melvin seconded the motion, which carried unanimously.