



# **Board of Pharmacy**

**Office of Professional Regulation, Vermont Secretary of State**

89 Main Street, 3<sup>rd</sup> Floor • Montpelier, VT 05620-3402  
Tel. (802) 828-2373 • [www.sec.state.vt.us/professional-regulation.aspx](http://www.sec.state.vt.us/professional-regulation.aspx)

## **Agenda**

**Wednesday, March 27, 2019, 9:00 a.m.**  
**OPR Large Conference Room**

- 1. Call to Order**
- 2. Review and approve minutes of February 27, 2019**
- 3. Discipline**
  - a. 9:30 am – Stipulation and Consent Order In Re: Clyde Miller, Docket No: 2019-20 and 2019-21**
- 4. Topics for Discussion**
  - a. Explanation of Preliminary Denial Process:** (approx.. 15m) Chief Prosecutor, Elizabeth St. James will provide clarification of this process
  - b. Executive Officer Report** (approx. 10m): Overview of developments in the past month and those upcoming.
  - c. CII Policy Proposed Draft** (approx.10m): review of policy re allowable changes to CII prescriptions by pharmacists, until DEA finishes rulemaking, desire to create a BOP statement was agreed to at February's meeting.
  - d. Manufacturer and Wholesaler Application Content** (approx. 15m): Determine the scope of collection appropriate at application.
    - i. Review for adoption of the draft revision of Manufacturer and Wholesaler application instructions document
    - ii. Survey questions submitted to NABP District 1 & 2 member boards to gauge prevailing practices in other jurisdictions.
    - iii. Consider 24-month timeframe for acceptable inspections.
  - e. NABP Resolutions** (approx. 20m): Review and instruct delegate on resolutions applicable to the 115<sup>th</sup> Annual meeting, May 16-18, 2019
  - f. Inspection Issues** (approx. 20m): Inspector Everett seeks clarification and guidance relative to Rule 10.26, concerning collection of allergy and health information, and Rule 10.15, concerning restricting access to pharmacy records. Inspector to be available for discussion of other common issues and potential to address those in rule.
  - g. Correspondence** (approx. 30m):
    - i. Duteau, C: forwarded request from client concerning use of ePill dispenser.

- ii. CMS IPI Model – forced “whitebagging”
  - iii. Change of Stock Ownership at Grandparent Level – Wholesaler/Distributor
  - iv. Automated Medication Distribution Systems
- h. **Legislative Update** (approx. 15m):
- i. As passed by the House, H.104, Sec. 15, instructs OPR to evaluate the costs and benefits of incorporating prescribing authority into the scope of practice of licensed pharmacists.
  - ii. Other pharmacy-related legislation:
    - 1. S.44, relating to administration of influenza immunizations by pharmacists to minors;
    - 2. S.62, relating to administration of immunizations by pharmacists to minors;
    - 3. H.128, relating to an unused drug repository.
- i. **Effective Governance and Board-Agency Communication** (time at Chair’s discretion): OPR General Counsel to discuss memorandum for Board addressing questions raised at meeting of February 27, including application processing practices, degree of desirable delegation, legal constraints on *ex parte* collection of information where a contested case is reasonably anticipated, unique characteristics of Vermont law of professional regulation, options for maximizing efficient oversight of State pharmacy practices, effective agenda development, and options for Board retreat and further discussion.

**5. Other Business**

**6. Public Comment**

**7. Adjournment**

Next Scheduled Meeting – Wednesday, April 24, 2019  
Please check the office [website](#) for updates