

South Carolina Board of Pharmacy

MINUTES

Board Meeting
8:30 a.m., May 11, 2007
Synergy Business Park
110 Centerview Drive, Kingstree Building, Room 111
Columbia, South Carolina

Friday, May 11, 2007

Meeting Called to Order

Marvin Hyatt, R.Ph., Chairman, of Rock Hill, called the meeting to order at 8:34 a.m. Other Board members participating in the meeting included: Dock Henry Rose, R.Ph., Vice Chairman, of Greenville; David Banks, R.Ph., of Simpsonville; Bobby Bradham, R.Ph., of Charleston; Dan Bushardt, R.Ph., of Lake City; Davis Hook, R.Ph., of West Columbia; and Leo Richardson, Ph.D., of Columbia.

Staff members participating in the meeting included: Lee Ann Bundrick, R.Ph., Administrator; Marilyn Crouch, Program Assistant; Diana Harder, Administrative Assistant; Linda Moore, R.Ph., Temporary Inspector; Thomas Porter, R.Ph., Inspector; and Clelia Sanders, R.Ph., Inspector. LLR employees participating in the meeting included: Sharon Dantzler, Deputy General Counsel and Sandra Dickert, Administrative Assistant.

Members of the public attending the meeting included: Jennifer Baker, Jessica Puckett Beasley, Deborah Bowers, Carmelo Cinqueonce, Ivy Coleman, George Dzurino, Kevin Floyd, Roy Flynn, Latisha Ford, Katrina Freeman, Steve Green, Janelle Hicks, Colin Hurchison, Dale Masten, Hugh Mobley, Tom Phillips, Jim Quackenbush, Hope Rivers, Robert Spires, Lori Steppe, Susie Strickland, Debbie Tapley, Tim Walker, and Dennis Yoncey.

Mr. Hyatt announced that this meeting is being held in accordance with Section 30-4-80 of the S. C. Freedom of Information Act by notice mailed to The State Newspaper, Associated Press, WIS-TV and all other requesting persons, organizations, or news media. In addition, notice was posted on the bulletin boards at the two main entrances of the Kingstree Building.

Invocation

Mr. Hyatt delivered the invocation.

Pledge of Allegiance

All present recited the Pledge of Allegiance.

Introduction of Board Members and all other persons attending

The Board members, staff and persons attending the meeting introduced themselves.

Chairman's Remarks – Marvin Hyatt, R.Ph.

Mr. Hyatt made no remarks at this time.

Mr. Hyatt turned the meeting over to Mr. Bradham at this time.

Mr. Bradham reminded those speaking of the five minute time requirement. He asked the Board members to hold their questions until after the speaker has finished speaking.

Request to Speak on Pharmacy Technician Issues:

1. Yorkville Pharmacy, Deborah Bowers, PharmD

Deborah Bowers, PharmD, of Yorkville Pharmacy appeared before the Board at this time.

Ms. Bowers stated the National Association of Boards of Pharmacy Task Force on Pharmacy Man Power Shortage Committee Report from 1999-2000 had recommended the elimination of pharmacy technician ratios. She further stated most states recognize the growing number of prescriptions and pharmacist shortages drastically affect the pharmacist's ability to interact with the patient and to provide pharmacy services. She continued by saying nine states have a 4:1 ratios or higher 17 states have no ratio. She noted that a study performed in 1999 indicated that 68% of a pharmacist's time was spent in administrative, operational and non-judgmental functions that could be safely performed by pharmacy technicians. She said a significant opportunity exists for eliminating pharmacist to technician ratios. She continued by saying her pharmacy handles a large amount of long term care facility prescriptions, which takes longer to package. She noted her pharmacy fills 300 prescriptions, which is not a lot for one pharmacist to check as long as that individual can solely concentrate on the prescriptions filled as long as there is a sufficient amount of technicians to handle other duties, such as answering the phone.

Ms. Bowers stated she supports the proposed changes of 300 hours of experience, a continuing education refresher course and PTCB certification. She further stated she has an exception report to ask to ask for, on an individual basis, an increase on a pharmacist to technician ratio if the Board does not address the shortage of pharmacy technician.

2. Waccamaw Community Hospital Pharmacy, Susie Strickland, CPhT

Susie Strickland, of the Waccamaw Community Hospital Pharmacy, spoke in regard to the following topics:

1. What are the requirements for pharmacy technicians coming from another state?
2. What are the requirements for pharmacy technicians not working as pharmacy technicians at the time of grandfathering and have since gone back?

Ms. Strickland stated she became a pharmacy technician in 1979 and became nationally certified in the early 1990s. She left her position in 2005 and went in the consulting business assisting hospitals with automation. It was during this time the transition took place allowing technicians to become certified by grandfathering. She asked the Board if the technicians would have to quit their jobs to become state certified or will be classes offered on-line. She also asked how out of state technicians would become state certified.

Ms. Strickland stated she currently works in the hospital 's pharmacy technology department and her job does not require state certification, however, she would like the state certification for the recognition.

3. Georgetown Hospital Pharmacy, Latisha Ford, PhT

Latisha Ford stated she is a nationally certified technician and has been nationally certified since November 2002. She further stated she appeared before the Board today to see how she

could become state certified without going to school. She is unsure how she missed the opportunity of becoming state certified since she was registered as a technician and was working during the time of transition.

Ms. Ford questioned the Board in regard to the following topics:

1. Lost time from work while returning to classes and loss of income.
2. The possibility of paying a fine for last state certificate.

4. ASHP and SCSHP, Robert Spires, R.Ph.

Robert Spires, R.Ph., President of the SC Society of Health Care Professionals (SCSHP), stated he supports the Board in their efforts. He presented the members with several articles and highlighted some of the information contained in the articles. He further stated he believes the Board protects the public not the work place. He also presented the members with the ASHP Regulations on Accreditation Pharmacy Technician Training Programs. He noted South Carolina was the first state to require the registration of pharmacy technicians. He continued by saying the Society and ASHP want to work with the Board to ensure pharmacy technician competency. He said the Society supports the Board in improving technician training programs.

5. SC Technical College Association, Hope Rivers

Ms. Rivers stated she is the Senior Manager for Curriculum and Instruction at the SC Technical College System. She further stated the SC Technical College System consists of the system office and 16 technical colleges across the state. She noted the system is a state agency and all of the state supported technical college systems report to the system office. She went on to say at this time the technical college system has eleven pharmacy technician certificate, diploma and degree programs operating in eight colleges throughout the state; however, these numbers do not represent the additional, successful programs offered through the system's continuing education department. She went on to say each year all of the academic programs are subject to a program evaluation review process with strict productivity standards. She noted all of the pharmacy technician programs are currently in good standing according to the latest evaluation data. She said the system developed their programs as to their interpretation of the pharmacy practice act, in particular 40-43-82(D). She stated the technical schools are providing academic training according to the law. She continued by saying the minimum number of graduates for the diploma program is six students. She is unsure of the minimum number of graduates for the certificate and degree programs.

6. South Carolina Pharmacy Association, Carmelo Cinqueonce

Carmelo Cinqueonce, Executive Vice President of the South Carolina Pharmacy Association, stated he supports the Board and extends the association's assistance in resolving this matter. He further stated the association has taking the initial steps in drafting a syllabus that would meet what the Board had discussed during the January meeting. He said it would be a 40-hour training program that would be an alternative method of becoming state certified, however, the association's reluctance of moving beyond the draft exists because they want a definitive resolution to the matter before expend additional resources and effort. He noted the association is ready and willing to move forward with the training program once the issue has been resolved. He said the program would be ACPE approved and would require an exam once the program has been completed. He said the pharmacy technician must have 3,000 hours of experience and be PTCB certified.

During discussion Lori Steppe noted she did a mass mailing in regard to night classes for the pharmacy technician program and only four individuals expressed interest.

7. Tri-County Technical College, Janelle Hicks

Janelle Hicks, of Tri-County Technical College, stated she had asked to be removed from the agenda as she did not realize the state office would be present..

8. MRxl Corporation, Mayur Shah, PharmD (unable to appear, documentation provided for Board's review)

Mayur Shah, of MRxl Corporation, has submitted documentation titled "Narrative Responses for Course Proposal Guidelines, Professional Pharmacy Technician Course", for the Board's review. Dr. Shah was unable to appear at this meeting.

Mr. Hook stated he is unsure why the Board would need an additional accrediting agency.

Mr. Bradham stated he noted the course is 72 hour course, which would be equivalent to taking one course one semester and one course for one-half of a semester.

9. American Society of Health System Pharmacists, Maria Spencer (unable to appear, documentation provided for Board's review)

Maria Spencer, of the American Society of Health System Pharmacists, submitted a letter for the Board's review in regard to pharmacy technicians. Ms. Spencer was unable to attend this meeting; however, Mr. Spires spoke on her behalf. He briefed the Board in regard to the highlights of Ms. Spencer's letter. He noted six technical colleges and Walgreen's Pharmacy are accredited by ASHP. He is hopeful that CVS will be accredited by ASHP by September 2007. He recommended the Board speak all technical colleges to research different alternatives in training pharmacy technicians.

Discussion ensued in regard to getting the pharmacy technicians into the training programs currently being offered by the technical colleges.

10. NACDS, Dale Masten

Mr. Masten, Regional Director of State Governmental Affairs of NACDS, stated he is asking the Board to delay their enforcement of state certified pharmacy technicians that begins on June 1, 2007. He further stated last year the Board informed pharmacies that only ASHP-accredited pharmacy technician training programs would be approved for state certification of pharmacy technicians. The National Association of Chain Drug Stores (NACDS) objected to that single option "because it would be burdensome to comply with, and because the Board failed to comply with proper rulemaking procedures." NACDS appreciated the Board's response to their concerns and its proposal of the alternative option for state certification. However, the Board was informed by counsel that the alternative option was unlawful and the Board voted to rescind it. This turn of events poses extreme hardship, which is why NACDS is requesting the delay in enforcement of state certification requirements.

Mr. Bradham stated the Board took action five years ago that only ASHP-accredited training programs would be approved. He went on to say that the ASHP approval of the entity's training

program was five months, not one year. He went on to say the Board did take action in January 2007, however, 42 days later had to rescind its decision.

11. Automated Dispensing Machines – Wilbur Harling, R.Ph.

Mrs. Bundrick stated Mr. Harling regrets he is unable to attend today's meeting. She noted he has questions regarding the automated dispensing machines in hospice settings. She further stated Mr. Harling said the federal government considers hospice settings as long term health care facilities according to policy. She went on to say Mr. Harling is asking the Board to develop a policy, guideline, opinion or statement in regard to an all medication dispensing system.

Mrs. Bundrick reminded the members that the practice act states that any automation of dispensing system needs to be under the control of the pharmacy. She went on to say Hospice is considered long term care. She said Mr. Harling reflected that the automated dispensing system is a better system as it allows the facility to see who goes into the machine.

Mr. Bradham suggested the Board meet with Mr. Harling and the long term care industry to make a viable recommendation. He referred this matter to the Methadone Committee.

Mr. Bradham stated the Board would be going into executive session; however the Board would be discussing legal and personnel issues and would not be discussing the pharmacy technician issue.

Mr. Bradham stated he had spoken with some members of the Board and has suggested a three tier pharmacy technicians. He further stated he had also suggested a 4:1 ratio, with three of the technicians being certified. Following a lengthy discussion Mrs. Dantzler suggested the Board authorize staff to draft a recommendation for the June Board meeting. She further stated the Board could formally introduce the recommendation during the conferences to be held during the summer months. She suggested the three tiers be registered basic, registered examined, and state certified.

Mr. Toole stated he is comfortable with the 3:1 ratio with three being state certified and if the Board moves to the 4:1 ratio he would like to see all four technicians be registered examined. Mr. Hyatt stated he would like to see the 3:1 ratio remain the same but that should the Board moved toward the 4:1 ratio that all four technicians be registered examined. Mr. Bradham stated he would like to see all four technicians be state certified with the 4:1 ratio and with the 3:1 ratio, all three must be state examined. Mr. Rose stated the pharmacies will always want to change ratios until a tragedy strikes. He said the best thing the Board does to have better qualified individuals working in pharmacies. He does not think the Board needs to do anything, but he would vote with what the other Board members. Mr. Bushardt, Mr. Hook and Mr. Banks stated they would like the recommendation to include a 3:1 ratio with two state certified technicians and one registered examination or registered basic, or all three registered examined. Mr. Bushardt and Mr. Hook feel all four technicians must be registered examined with the 4:1 ratio. Mr. Banks feels three technicians should be registered examined in the 4:1 ratio, but he would be willing to discuss the matter. Dr. Richardson asked that the Board not lower the standards already set by the Board.

Executive Session
MOTION

Mr. Hook moved the Board enter executive session. Mr. Bushardt seconded the motion, which carried unanimously.

Return to Public Session

Mr. Banks made a motion, seconded by Mr. Rose and unanimously carried, that the Board return to public session.

Mr. Bradham noted for the record that no motions were offered or made during executive session.

Adjournment

MOTION

There being no further business to be discussed at this time, Mr. Bushardt moved the meeting be adjourned. Mr. Banks seconded the motion, which carried unanimously.

The May 11, 2007 meeting adjourned at 1:40 p.m.