

These minutes have not been reviewed or approved by the Board of Pharmacy

NEBRASKA BOARD OF PHARMACY
MEETING MINUTES
January 8, 2024

ROLL CALL

Charles Tomlinson, R.P., Chairperson, called the meeting of the Board of Pharmacy to order at 9:00 a.m. in the Husker Room at the Hampton Inn & Suites, located at 7343 Husker Circle, Lincoln, Nebraska. The meeting was conducted In-Person and by WebEx. The following Board members answered the roll call:

Charles Tomlinson, R.P., Chairperson – via WebEx
Sabrina Beck, R.P., Vice-Chairperson – via WebEx
Todd Larimer, R.P., Secretary – via WebEx
Kenneth Kester, R.P., J.D.
Darrell Klein, J.D. – via WebEx

A quorum was present, and the meeting convened.

Also present were: Dean Willson, R.P., Pharmacy Inspector, via WebEx; Melissa Pollard, R.P., Pharmacy Inspector; Vonda Apking, Program Manager; Jan Gadenken-Harris, Health Licensing Coordinator; T.J. O'Neill, Assistant Attorney General; Christopher Roberts, Department Attorney; Anna Harrison, RN, BSN, Compliance Monitor (via WebEx); Larry Wiehn, Investigator and Brittany Bigham, Investigator.

Tomlinson announced that there is a copy of all the public documents being reviewed at this meeting available in the meeting room pursuant to the Open Meetings Act.

In accordance with Neb. Rev. Stat. § 84-1411 of the Nebraska Open Meetings Act, copies of the agenda were e-mailed to the Board members and other interested parties, posted on the DHHS web site: <https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx> and posted on the Bulletin Board at the main entrance of the NSOB (Nebraska State Office Building) 14th & M Streets on December 22, 2023 and revised on December 27, 2023 and second revision of January 3, 2024.

REVIEW OF AGENDA

Adoption of Agenda

Larimer moved, seconded by Klein, to approve the agenda as presented with the Chair having the authority to rearrange agenda items as needed. Voting aye: Beck, Kester, Klein, Larimer, Tomlinson. Voting nay: None. Absent: None. Abstain: None. Motion carried.

Additions, Modification, Reordering

Adoption of Consent Agenda(s)

The Board requested that the following applications be removed from the Consent Agenda:

Ellis, Lovelymystique – Pharmacy Technician Application
Wynne, Kimberly – Pharmacy Technician Application

Larimer moved, seconded by Kester, to approve the adoption of the Consent Agenda as amended. Voting aye: Beck, Kester, Klein, Larimer, Tomlinson. Voting nay: None. Absent: None. Abstain: None. Motion carried.

The Board requested that the following applications be removed from the Pharmaceutical Care Agreements Consent Agenda:

CAPWN Health Center - Pharmaceutical Care Agreement

Larimer moved, seconded by Kester, to approve the Pharmaceutical Care Agreement Consent Agenda as amended. Voting aye: Beck, Kester, Klein, Larimer, Tomlinson. Voting nay: None. Absent: None. Abstain: None. Motion carried.

INVESTIGATIONAL REPORTS, DISCIPLINARY REPORTS, CONTROLLED SUBSTANCES AUDIT REPORTS & APPLICATION REVIEW – CLOSED SESSION

Larimer moved, seconded by Klein, to go into closed session at 9:05 a.m. for the purpose of review and discussion of investigative reports, licensure applications, and other confidential information, and for the prevention of needless injury to the reputation of the individuals. Voting aye: Beck, Kester, Klein, Larimer, Tomlinson. Voting nay: None. Absent: None. Abstain: None. Motion carried.

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The Board returned to open the session at 10:40 a.m.

APPROVAL OF MINUTES – OPEN SESSION

Klein moved, seconded by Kester, to approve the November 6, 2023, minutes as presented. Voting aye: Beck, Kester, Klein, Larimer, Tomlinson. Voting nay: None. Absent: None. Abstain: None. Motion carried.

BOARD RECOMMENDATIONS ON APPLICATIONS FOR LICENSURE AND REGISTRATION

Pharmacy Technician Registration Application(s) (2)

ELLIS, LOVELYMYSTIQUE - Application to practice as a Pharmacy Technician - Klein moved, seconded by Beck to approve the issuance of the Pharmacy Technician Registration. Voting aye: Beck, Kester, Klein, Larimer, Tomlinson. Voting nay: None. Absent: None. Abstain: None. Motion carried.

WYNNE, KIMBERLY - Application to practice as a Pharmacy Technician - Larimer moved, seconded by Klein to approve the issuance of the Pharmacy Technician Registration. Voting aye: Beck, Kester, Klein, Larimer, Tomlinson. Voting nay: None. Absent: None. Abstain: None. Motion carried.

Ratification of E-Mail Ballots Since the Last Meeting

Nothing to report currently.

REVIEW OF PHARMACEUTICAL CARE AGREEMENT(S) (24)

- The CAPWN Health Center - pharmaceutical care agreements cannot contain physician assistants.

LEGISLATION UPDATE

Apking mentioned that she is currently reviewing several bills that have been introduced.

Rich Otto and Lorri Walmsley, RPh, FAzPA, representing Walgreens were present to discuss with the Board changing Neb. Rev. Stat. §38-2847 and addressing verification of prescriptions by pharmacists outside the dispensing pharmacy. They provided draft language for a statutory changes to the Board members.

Marcia Mueting, PharmD, NE Pharmacist Association (NPA) was present to discuss the 108th Legislature, 2nd Regular Session with the Board. She indicated that there are several carryover Bills from the previous session:

LB204 - Provide for reimbursement for pharmacy dispensing fees under the medical assistance program

LB448 - Prohibit certain provisions in a health plan in relation to clinician-administered drugs

LB595 - Change supervision requirements under the Pharmacy Practice Act

LB680 - Change provisions of the Parkinson's Disease Registry Act

LB778 - Change the Pharmacy Benefit Manager Licensure and Regulation Act

NPA has new draft legislation to be proposed to hopefully decrease administrative burdens.

The Board discussed having an extra meeting to discuss introduced legislation affecting the practice of pharmacy to determine whether the Board would support or oppose the legislation by sending a letter. Apking will send an email regarding available dates and times to the Board members.

MPJE (MULTISTATE PHARMACY JURISPRUDENCE EXAMINATION) COMMITTEE

The Committee has nothing to report currently.

NATIONAL ASSOCIATION OF BOARDS OF PHARMACY (NABP) – ANNUAL MEETING (MAY 2024)

The Meeting Will Be Held May 14-17, 2024, in Fort Worth, TX. Larimer, Beck, and Kester expressed interest in attending.

NATIONAL ASSOCIATION OF BOARDS OF PHARMACY (NABP) – DISTRICT V MEETING (AUGUST 2024) - PLANNING

Beck informed the Board that lodging for the meeting will be at the Kimpton Cottonwood Hotel in Omaha.

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DESIGNATION OF THE METHOD BY WHICH THIS BODY GIVES PUBLIC NOTICE OF ITS MEETINGS

Apking explained that the Board needs to inform the public each year the method by which the Board will provide notice of their meetings. In the past, the Board had chosen to post meeting agendas at the Nebraska State Office Building, to e-mail agendas to the interested parties list, and to post agendas on the Department's website. Kester moved, seconded by Klein, to continue the same method that the Department has been using to provide public notice of this Board's meetings by posting meeting agendas at the Nebraska State Office Building, by e-mailing agendas to the interested parties list, and by posting agendas on the Department's website. Voting aye: Beck, Kester, Klein, Larimer, Tomlinson. Voting nay: None. Absent: None. Abstain: None. Motion carried.

ELECTION OF OFFICERS

Beck moved, Klein seconded to elect officers for 2024 as follows: Larimar as Chair, Beck as Vice-Chair, and Tomlinson as Secretary. Voting aye: Beck, Kester, Klein, Larimer, Tomlinson. Voting nay: None. Absent: None. Abstain: None. Motion carried.

FUTURE MEETING DATES

The next Board of Pharmacy meeting is scheduled for March 4, 2024. To view the projected schedule for 2024, go to: <https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx>

ADJOURNMENT

The Board adjourned the meeting at 11:50 a.m.

Respectfully submitted,

(signature on file with the Department)

Charles Tomlinson, R.P., Secretary
Board of Pharmacy