

MINUTES
DEPARTMENT OF HEALTH
BOARD OF PHARMACY
RULES COMMITTEE MEETING

August 12, 2013

Rosen Plaza Hotel
9700 International Drive
Orlando, FL 32819
(407) 996-9700

Committee Members:

Jeffrey J. Mesaros, PharmD, Tampa

Board Staff:

Mark Whitten, Executive Director

Tammy Collins, Program Operations Administrator

Jay Cumbie, Regulatory Specialist II

Board Counsel:

David Flynn, Assistant Attorney General

Lynette Norr, Assistant Attorney General

August 12, 2013 – 10:00a.m.

10:00 a.m. Call to Order by Jeff Mesaros, PharmD

Dr. Mesaros requested all participants introduce themselves for the record.

Ms. Norr introduced Rule 64B16-30.001 and highlighted the changes made to the Rule.

Dr. Mesaros stated he believes the changes reflect the concerns from last meeting and that the changes are ready to be brought to the Board for a vote.

Ms. Norr introduced Rule 64B16-28.450 and discussed the changes made including the language proposed by Mr. Martin Dix.

Members of the Committee and audience discussed and clarified details of the rule.

Mike McQuone approached the Board to express his opinion that changes need to be made in the chain of custody regarding central fill pharmacies and automated dispensing.

Dr. Mesaros stated that the rule is ready to be brought to the full Board for discussion.

Ms. Norr introduced the Rule 28.141, 605, 607, and 608 regarding Automated Filling Systems.

Michael Jackson (Florida Pharmacy Association) commented that the information was not available on the Board of Pharmacy website and requested it be made available for future meetings.

Dr. Mesaros and Dr. Weizer discussed Automated Filling Systems and how human verification fit into the systems being used.

Fritz Hayes commented about certain concerns regarding automation including who would be responsible for all the different technological aspects of the machines.

Dr. Mesaros stated that this rule needs to be brought to the full Board meeting on August 13, 2013 for discussion and refining.

Ms. Norr introduced Rule 64B16-28.900, 901, and 902 regarding Nuclear Pharmacies and introduced proposed language for discussion.

Gary Cacciatore approached the committee to request opening up Rule 64B16-28.901 for some minor modifications and proceeded to present the changes he would like to see happen to the rule.

Dr. Weizer and Dr. Mesaros stated that the proposed Rule language will be brought to the full Board tomorrow for a vote.

Dr. Mesaros introduced "Validity of Prescriptions" as the final agenda item and opened the floor to discussion.

Michael Jackson (Florida Pharmacy Association) approached the committee to present the views of the FPA regarding the electronic prescribing and electronic signatures.

Dr. Weizer described issues with NPI numbers and stated that her organization does not accept electronic signatures.

Mr. Flynn and Ms. Norr discussed the legal definition of what would be consider the "face" of a prescription in regards to location of required information.

LuGina Mendez-Harper (New Mexico Board of Pharmacy) approached the committee to share the New Mexico Board of Pharmacy's language regarding electronic prescribing and electronic signatures.

Mr. Flynn provided an overview of the Florida Statutes regarding electronic prescribing and electronic prescriptions.

Gary Cacciatore approached the committee to point out Federal regulations specifically stating that electronically generated prescription must be manually signed.

Dr. Weizer requested that Rule 64B16-28.303 Rule 64B16-28.301 regarding destruction of controlled substances be reviewed and provided an introduction that included her rationale for why these rules need to reviewed.

Dr. Weizer proposed removal of the language requiring DEA approval before destroying of controlled substances.

Rich Montgomery approached the committee to discuss some confusion regarding 64B16-27.1001.

Ms. Norr stated she will research the rule and provide a packet for the next meeting.

John Ford approached the committee to request clarification regarding 64B16-27.797 regarding low risk and medium risk compounding.

Mr. Whitten stated that issue would be better suited to be discussed at the Compounding Rules Committee.

Dr. Mesaros adjourned the meeting at 11:35a.m.