

Tennessee Board of Pharmacy
Board Meeting
April 2, 2020

TENNESSEE BOARD OF PHARMACY
TELEPHONIC MEETING
665 Mainstream Dr.
Nashville, TN 37243

BOARD MEMBER PRESENT

Rissa Pryse, D.Ph President
Katy Wright, D.Ph., Vice President
Adam Rodgers, D.Ph.
Melissa McCall, D.Ph.
Richard Breeden, D.Ph.
Debra Wilson, D.Ph

STAFF PRESENT

Reginald Dilliard, Executive Director
Matthew Gibbs, Associate General Counsel
Larry Hill, Pharmacy Investigator
Rebecca Moak, Pharmacy Investigator
Robert Shutt, Pharmacy Investigator
Terry Grinder, Pharmacy Investigator
Andrea Miller, Pharmacy Investigator
Richard Hadden, Pharmacy Investigator
Derek Johnston, Pharmacy Investigator
Scott Denaburg, Pharmacy Investigator
Rita Golden, Pharmacy Investigator
Patricia Beckham, Pharmacy Investigator
Sheila Bush, Administrator Director

The Tennessee Board of Pharmacy convened on Thursday April 2, 2020, in the Iris Room, 665 Mainstream Drive, Nashville, TN. A quorum of the members being present by telephone, the meeting was called to order at 1:00 p.m. Dr. Dilliard asked that public comments be sent via email.

Minutes

Dr. Rodgers made the motion to accept the minutes as amended. Dr. Breeden seconded the motion. The motion carried. A roll call vote was taken.

Waiver

Board rule 1140-03-.14 (12)

Dr. Wilson made the motion to approve Courtney Mallon, Pharm.D. to be PIC of UTMC Main Campus Oncology Pharmacy and Lenoir city Oncology Pharmacy until mid-June. Dr. Wright seconded the motion. The motion carried. A roll call vote was taken.

Consent Orders

Dr. Wright made the motion to accept the consent orders as presented. Dr. Breeden seconded the motion. The motion carried. A roll call vote was taken.

Violated T.C.A. 63-10-306 (a)

Donald R. Battles. D.Ph

Volunteer Surrender (same as revocation)

Collis Campbell, D.Ph.

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Charles Culberth, D.Ph.

Violated board rule 1140-03.11

Medicine Shoppe #1536, Lic #3283-\$110.00 civil penalty

Probation

Pinney Prescription Shop

Reprimand

Gina Pinney, D.Ph.

Violated T.C.A. § 63-10-305

Donita Presnell, D.Ph.

Violated board rule 1140-02-.02 (1)

Mary Render, RT-\$100.00 civil penalty

Violated board rule 1140-01-.09 (1)

Kiara Williams, RT-\$100.00 civil penalty

Shafer & Shafer Welding-\$1650.00 civil penalty

Violated board rule 1140-02-.02 (3)

Benjamin Veksler, D.Ph. -\$200.00 civil penalty

Review and discuss Coronavirus (COVID 19)

Dr. Dilliard informed the Board that Executive Order #20 allowed pharmacy technicians to work from home and waived the pharmacist to technician ratio. .

Dr. Pryse discuss with the board about allowing face to face counseling by alternative means (technology or telephone) and allowing unlicensed practice under direct supervision. Dr. Dilliard stated the board rule 1140-02-.02 (2) (a) is already in place to allow unlicensed practice under direct supervision. Dr. Dilliard stated that with this rule and Executive Order #20 which waives the pharmacist to technician ration, it should cover this issue. Dr. Pryse also asked that the board grant the executive director the authority to waive any applicable board rule which may impeded or delay access to a pharmacist providing care and services to the best interest of public health and safety of the patient. Dr. Breeden made the motion to grant the executive director the authority to waive any applicable board rule which may impeded or delay access to a pharmacist providing care and services to the best interest of public health and safety of the patient. Dr. McCall seconded. The motion carried. Roll call vote taken.

Dr. Pryse offered recommendations to the Department of Commerce & Insurance; Suspend routine audits of pharmacies by insurance companies and/or PBM; signature requirements; refill to soon and other software edits; extends or remove prior authorization to prevent disruptions in access to medication; remove DIR's as pharmacies increase inventories to help patients care and need. Dr. Micah Cost, Executive Director, Tennessee Pharmacy Association, stated that he would like to add the lack of timely

payment. Dr. Dilliard stated that the governor may add these items to the next Executive Order and suggested that the board send the recommendations directly to his office.

Dr. Pryse also gave recommendations that wholesalers work with pharmacies on deferred payments through a ten day period; asking/insuring that they maintain adequate supplies for central medications; provide PPE to pharmacies in order to protect staff and patients; allow hospitals and pharmacies that are compounding to implement policies & procedures to preserve personal protective equipment based on best practices of compounding. Dr. Pryse stated that she has spoken to Dr. Dilliard about this issue and the decision was made that if you are an independent pharmacy that they are to work with the company to establish their own policy and procedures. Dr. Denaburg stated that information has been placed on the board's website concerning USP and Critical Point policy and procedures. Dr. Denaburg also stated that the investigators that routinely inspect compounding pharmacies have reached out to the pharmacies to give guidance. Dr. Wright asked if the board can legally ask wholesalers to defer payments. Dr. Pryse stated that it was just a suggestion and that she didn't see that it would be a problem. Dr. Dilliard stated that under the current circumstances the board can make a recommendation to the Governor.

Dr. Dilliard informed the board that pharmacy inspections have been suspended. Inspections will take place if there is an issue of health, safety and welfare of the public. Dr. Dilliard also informed the board that the administrative office is working with limited staff and the he has weekly conference call with NABP and all Boards of Pharmacy Executive Directors.

Dr. Wilson made the motion to adjourn at 2:00 p.m. Dr. Rodgers seconded the motion. The motion carried.

The minutes were ratified and approved as amended at the May 5, 2020 board meeting