

Maryland Board of Pharmacy news

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The Mission of the Maryland Board of Pharmacy is to protect Maryland consumers and to promote quality healthcare in the field of pharmacy through licensing pharmacists and registering pharmacy technicians, issuing permits to pharmacies and distributors, setting pharmacy practice standards and through developing and enforcing regulations and legislation, resolving complaints, and educating the public.

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An Introduction To Board And Staff Members

The names and faces at the Board are ever changing. From time to time the Board has introduced (or re-introduced) members and staff so that constituents and licensees are familiar with whom they are communicating. With this edition of the newsletter, we are featuring two key movers and shakers in the Maryland Board of Pharmacy family, Rodney Taylor and Anna Jeffers.

Rodney H. Taylor, PharmD, Board Commissioner

Rodney Taylor completed his Doctor of Pharmacy degree from the University of Maryland, School of Pharmacy in 1997 and is currently licensed in the state of Maryland. He has worked in the



following diverse aspects of pharmacy: Giant Food retail pharmacy, Kaiser Permanente specializing in anti-coagulation management and Advance PCS specializing in pharmacy benefit management. Most recently he has worked in the pharmaceutical industry specializing in the following therapeutic areas: anti-infectives, hypertension, diabetes, dyslipidemia, heart failure, anti-coagulation, and osteoporosis. Currently, he is a Regional Scientific Director with Novartis Pharmaceuticals.

Rodney has served for the last 4 years as a commissioner on the Maryland Board of Pharmacy. He is currently the Secretary of the Maryland Board of Pharmacy. He also serves on the compliance committee, licensing committee, nurse dispensing committee, and the drug therapy management committee. He was reappointed this past June for an additional four more years of service to the State of Maryland. Rodney is a member of the American Society of Consultant

Pharmacists, American Pharmacists Association and treasurer for the Maryland Pharmaceutical Society.

Rodney is married and his wife Nadine is also a pharmacist. They have two daughters Lauryn, 5 and Lexi, 2. Rodney enjoys golf and vacations to the beach. Helping people manage their medications is a passion for Rodney and Nadine.

Anna D. Jeffers, Legislation and Regulations Manager

Anna Jeffers began State service in February 1999, as the Regulations/Legislation Specialist for 14 Health Occupation Boards at the Department of Health and Mental Hygiene. She transitioned to working solely for the Maryland Board of Pharmacy in January 2005. She has become an expert in promulgating regulations, introducing and tracking legislation in Annapolis, and working with other Health Occupation Boards, licensees, Maryland constituents and State and federal representatives for over 10 years in State service .

Possessing a J.D. from the University of Baltimore, as a member of the Maryland Bar, Ms. Jeffers's State classification is Staff Attorney. She should not, however, be confused with Assistant Attorney General Linda Bethman, who acts as the Board's attorney providing legal counsel. Rather, Anna's legal expertise is required to assist the Board in keeping the Maryland Pharmacy Act and Pharmacy regulations current, preparing and submitting legislative proposals on behalf of the Board for submission to the General

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From The Executive Director's Desk

LaVerne Naesea

HAPPY NEW YEAR!!! And what a year it was! I commented on most of the Board's *challenges* in the Fall 2009 newsletter. However, there were quite a few accomplishments that warrant being mentioned. The Maryland Board of Pharmacy was extremely productive and the outcomes of their labor benefitted many licensees — but most importantly — Maryland's pharmacy patients were the true winners.

Looking at Board statistics for 2009, at least 300 more pharmacists are licensed to practice in Maryland than were licensed in 2008 — growing through November 2009 to a total of 8,554. Among that number, those pharmacists certified to administer vaccines at the end of 2008 increased from 472 to over 900 by early December 2009. With the 2009 H1N1 pandemic across the country and threat of a pandemic in Maryland, Department of Health and Mental Hygiene (Department) Secretary, John Colmers signed a 30-day emergency order in early December 2009 which allowed Maryland certified pharmacists to also administer vaccines to patients ages 13 to 17. The Board was very instrumental in advocating for this initiative.

The number of registered pharmacy technicians doubled over the past year from a little over 3,500 to nearly 7,000. Also, there were 1149 pharmacies operating in Maryland at the end of November 2009; representing an increase of 10 new pharmacies (This number represents the total number of pharmacies after taking into account all the pharmacies which closed and opened in Maryland through November 2009). Board legislation passed that allowed the issuance of two-year pharmacy permits, rather than one year permits. This initiative now allows Board staff greater resources to process establishment applications in a timely fashion as pharmacy applications will be accepted on odd years and wholesale distributor permit applications will be accepted on even years.

In 2009, the Board focused on its defined short and longer-term objectives. Communication and public awareness were two significant objectives identified. The Board attempted to communicate more with licensees and constituents in 2009 through its web site and newsletter. In addition to again participating and winning first place (for the Health Pavilion) at the Baltimore City Annual Flower Mart, the Board initiated the Maryland Acetaminophen Coalition during 2009. The Coalition, comprised of representatives from the Board and pharmacy industry, private citizens and patient safety groups, is dedicated to promoting the safe use of acetaminophen to health care providers and the general public.

Compliance is another area where the Board has placed much emphasis following its retreat. As many are aware, the Board began performing annual inspections of pharmacies and distributors in July 2008. Many permit holders may not be aware that the Board's Lead Inspector, Joseph Taylor suffered a stroke and died at the end of November 2009. Joseph took his responsibilities Lead Inspector very seriously gaining the respect of his fellow inspectors as well as members of the pharmacy community. To say that Joseph loved his job is an understatement. He strived to be the best Lead Inspector possible and helped define the pharmacy technician inspector model currently followed by Board inspectors. He will be sorely missed by Board and staff members alike.

The Pharmacy Technician Inspectors had averaged about

100 monthly inspections beginning last September. This number dropped in November due to the holidays and the passing of Inspector Taylor. However, once a fourth inspector is hired, it is anticipated that the average number of inspections in 2010 will increase to 120 per month.

In terms of the Board's staffing objective, two key Managers left the Board—one due to retirement (Licensing Manager Shirley Costly) and the other to a new job (Pharmacist Compliance Officer Ann Taylor). Nonetheless, in 2009, the Board experienced extensive growth in staff membership with five new inspector positions. To address the shortage of staff in answering phones and processing mail, the Board applied for and was approved to receive two Senior Aides through the Baltimore City Health Department, in exchange for Board training and experience which will eventually assist the assigned Aides in obtaining paid positions.

One final objective to which the Board was committed in 2009 was strengthening political relationships. The Board met with key representative in the Department, the State Legislature, and on the national level to achieve several goals in 2009. Special acknowledgement to Senator Joan Carter-Conway and Delegates Peter Hammen, Karen Montgomery and David Rudolph, for providing guidance and insight on several issues in which the Board had interest during 2009. These included Drug Therapy Management, Dispensing Prescribers, Prescription Drug Repositories, Pharmacist Vaccination and Wholesale Distributors. By the way, the Board reviewed eight regulatory chapters for possible revision pursuant to the State Regulatory Review and Evaluation Act. It's anticipated that revisions to at least six of the eight will be approved after January 2010.

Newly appointed Chief of Staff for the Department, Wendy Kronmiller, was also instrumental in helping the Board define its objectives more concisely and in working with interested groups to resolve conflicting interests. Deputy Secretary for Public Health, Frances Phillips worked jointly with the Board in bringing the H1N1 vaccine to Maryland distributors and outlets and also in convening an expert panel that led to the executive order signed for vaccinating patients ages 13 to 17 years old. The Board also cultivated relationships with the Dean of the University of Maryland School of Pharmacy, Dr. Natalie Eddington and the Dean for the new Notre Dame School of Pharmacy, Dr. Anne Lin.

I will not lie and claim that 2009 was the Board's best or easiest year, but it was indeed the Board's most ambitious and full year since I have been its Executive Director. It has been a pleasure to work with so many committed pharmacists, not only those on the Board, but also those working in the field to create a more efficient and safe pharmacy patient delivery system. I would be remiss at this time if I did not also applaud and thank my wonderful Board staff for "hanging in there" through some great challenges and grave losses during 2009. Their commitment was phenomenal!

The Board and staff are a team that is dedicated to continuing a 107-year legacy of patient safety for Marylanders. It will strive to serve all of its constituents even better in 2010. Have a great New Year!

PRACTICE CORNER

Reid Zimmer, Practice Committee Chair
and Board Commissioner

The Duty to Report is Everyone's Duty

Most professional groups have a code of conduct or ethics that govern the behavior of their members. This is especially true of those groups entrusted with the medical care of others. Governing bodies in pharmacy that regulate, license and register members to practice must enforce these rules and standards of conduct. Following these established rules is paramount to ensure the patient's right of confidentiality as well as the provision of safe pharmaceutical services. The Maryland Pharmacy Law, Pharmacist and Pharmacy Technician Code of Conduct (10.34.10), addresses the Duty to Report (10.34.10.05).

The Duty to Report law states in 10.34.10.05 B that a pharmacist or pharmacy technician shall report to the pharmacist rehabilitation committee conduct by a pharmacist or pharmacy technician that involves drug or alcohol abuse or dependency. The pharmacist rehabilitation committee is defined in Health Occupations Article § 12-317, Annotated Code of Maryland.

In Maryland, the pharmacist rehabilitation committee recognized by the Board is the Pharmacists Education and Advocacy Council (PEAC). PEAC offers a contract for recovery to those pharmacists and pharmacy technicians who are challenged with substance abuse. Those individuals who are impaired may self-refer or be referred by others. This is confidential and non-punitive action that does not come to the attention of the Board of Pharmacy unless the impaired individual violates their PEAC contract.

To make a referral or to learn how PEAC provides confidential help to an impaired pharmacist or pharmacy technician, contact the Pharmacists' Education and Advocacy Council at (410) 983 0302 or (410) 808-0748. Information can also be found on the PEAC website (www.peacmaryland.org) or by emailing the organization at PEAC@hughes.net.

An Introduction To Board and Staff Members

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Assembly. During the legislative session, she tracks bills that impact the regulatory functions of the Board of Pharmacy. In addition, she prepares position papers and testimony and often testifies at hearings. She also arranges and attends meetings in Annapolis with key legislators as required.

Ms. Jeffers assists the Board in promulgating regulatory revisions from inception to the final effective date as published in the Maryland Register. During the long and complex promulgation period, the Board often releases draft regulations informally to obtain comments and possible content ideas from stakeholders. Although not required by law, Ms. Jeffers coordinates the informal release of regulations, tracks comments received and prepares responses under direction of the Board. She then follows a similar process when proposed regulations are formally submitted. The latter process often includes negotiating with other State agencies prior to receipt of agreement with Board regulatory proposals. Ms. Jeffers effectively coordinates each of these processes while insuring Board adherence to legislatively mandated timeframes.

Standing committees at the Board, including the Practice and Long Term Care, are staffed by Ms. Jeffers. As required, she also staffs a variety of subcommittees, task forces and workgroups at the Board of Pharmacy; some legislatively mandated, and others convened to address specific issues of public safety and changing pharmacy practice. The Wholesale Distributor SB 759 workgroup and Prescription Drug Repository taskforce are two recent specially assigned groups for which Ms. Jeffers was a key player. She also prepares numerous annual reports mandated by legislation. Equally as important is her role in fielding daily phone calls and e-mail inquiries related to Maryland pharmacy laws or regulations.

Anna performs her many tasks both responsibly and professionally. She balances her fast paced, high pressure job at the Board by spending time with her husband and three children, (now in their early twenties) and attempting to find time to clean the house and exercise. When she can get out of town, she enjoys "section hiking" the Appalachian Trail (over 300 miles completed so far) and cross country skiing (wherever there is snow).

ACETAMINOPHEN COALITION UPDATE:

The Maryland Acetaminophen Coalition Facebook Fan Page

Lynette Bradley-Baker, Chair, Acetaminophen Coalition and Board Commissioner

The Maryland Acetaminophen Coalition is pleased to announce a Fanpage on Facebook!

The Maryland Acetaminophen Coalition is dedicated to promoting to safe use of acetaminophen to health care providers and the general public. The launch of this fan page on the social network media of Facebook will allow us to provide this information to the general public.

If you are on Facebook, please consider becoming a fan of the Maryland Acetaminophen Coalition and suggest this fan page to your Facebook friends. Feel free to forward the link to your other colleagues as well. The link to the Facebook Fanpage is:

<http://www.facebook.com/pages/Safe-Acetaminophen-Use/211829601997?v=photos#/pages/Safe-Acetaminophen-Use/211829601997?v=info>

The link can also be found under "What's New" on the Maryland Board of Pharmacy website (www.mdbop.org).

We welcome any suggestions for our fan page! Please contact the Chair of the Maryland Acetaminophen Coalition, Lynette Bradley-Baker, at lbradley@rx.umaryland.edu with any suggestions or questions.

LEGISLATIVE/REGULATIONS UPDATE: New Pharmacy Fees—Effective February 1, 2010

Anna Jeffers, Manager of Legislative and Regulatory Unit

Beginning February 1, 2010, new Board of Pharmacy fees and certain increases to existing fees will become effective. The Board was approved to increase fees related to pharmacists, pharmacies, and distributors in order to address expansion of Board responsibilities. Other new and existing fees were approved to limit the amount of the fee increases paid by each licensed group and to discourage delinquent submissions, respectively. This is the first fee increase requested by the Board since 2002.

Category	Old Fees	New Fees	Notes
Pharmacist Fees			
Pharmacist examination fee	\$100	\$150	
Pharmacist reciprocity fee	\$120	\$300	
Pharmacist renewal fee	\$150	\$225	Total cost = \$251 (\$225 plus \$26 MHCC fee)
Pharmacist reinstatement fee for up to 2 years after license expiration, payable in addition to renewal fee	\$65	\$300	
Pharmacist reinstatement fee for more than 2 years after license expiration, payable in addition to renewal fee	\$80	\$315	
Pharmacy Fees			
Pharmacy initial fee	\$300	\$700	2 years
Pharmacy renewal fee	\$250	\$600	2 years
Pharmacy late fee (payable if renewal fee is received between December 2 and January 31)	\$150	\$200	
Pharmacy reinstatement fee ... (payable if renewal fee is received after January 31)	\$150	\$550	
Distributor Fees			
Distributor initial fee	\$500	\$1,750	2 years
Distributor renewal fee	\$500	\$1,750	2 years
Distributor reinstatement fee after December 31		\$1,500	New
Pharmacy Technician Fees			
Have not changed except for:			
Review of pharmacy technician training programs submitted to the Board for approval		\$200	New
Miscellaneous Fees			
Duplicate license or duplicate permit fee	\$10	\$30	
Written verification of good standing fee		\$25	New
Returned check fee		\$35	New
Roster printed on labels fee		\$150	New
Failure to maintain current address fee		\$25	New

LICENSING CORNER

State Temporary Authorization to Administer Vaccines to Patients Age 13 to 17 Extended

Pursuant to Governor Martin O'Malley's H1N1 Executive Order, the Secretary of the Department of Health and Mental Hygiene, John Colmers, authorized pharmacists to immunize patients between the ages of 13 and 17 for thirty days, effective December 11, 2009. Secretary Colmers signed another emergency order to continue the authorization for at least an additional 30 days, effective January 14, 2010.

Pharmacy Technician News

Pharmacy Technician trainees, please be aware that it takes approximately two to six weeks for a complete pharmacy technician application to be processed by the Board of Pharmacy and CJIS. In order to insure registration as a pharmacy technician as soon as possible upon the conclusion of a pharmacy technician training program, pharmacy technician trainees should consider submitting pharmacy technician applications and criminal background registration forms when they begin their Board-approved pharmacy technician training program. The *National Certification or Education Information* sections on the application can be submitted under separate cover once the trainee completes the training program.

At the time that pharmacy technician trainees enroll in a pharmacy technician training program they are encouraged to: 1) make a copy of page 1 of the application for

the permit holder or national certification program to be signed after the training is completed; 2) prepare the Board application, indicating in the *National Certification or Education Information* sections "to be submitted upon completion of training program"; 3) complete the Criminal Justice Information System (CJIS) Criminal Background Check form; and 4) mail each form (board application and CJIS form), including required fees, to the respective State units. Taking these steps will help avoid an extended delay between the time that trainees complete training or a national certification program and the time they are registered with the Board to practice in Maryland.

Are you a Board-registered pharmacy technician enrolled in an accredited school of pharmacy? Simply by submitting a student application and advising the Board that they are changing their status, pharmacy technicians may change their status from *Technician* to *Student*. An affidavit from the pharmacy school that verifies enrollment must be submitted with a student application, but a new criminal background check is not required. The transition from a Technician to Student will allow the pharmacy student to work in a pharmacy performing delegated pharmacy acts under the supervision of a pharmacist and also be exempt from the requirement to earn continuing education credits or paying the renewal fee while enrolled in pharmacy school.

COMPLIANCE CORNER

Mayer Handelman, Board Commissioner

Assisted Living and Pharmacy Consultant Billing

Maryland has a new regulation that requires residents in assisted living facilities with orders for nine or more medications to have an onsite chart review every six months by a Maryland licensed pharmacist. Currently, data is being compiled from this requirement to reaffirm the positive impact of pharmacist interventions to improve patient care and save health care dollars.

In the meantime, it has come to the Board's attention that some permit holders may be waiving or discounting fees associated with the required chart reviews in exchange for the opportunity to contract with facilities for pharmacy services. Giving away or discounting services to obtain prescription business can potentially be considered a violation of the Medicare and Medicaid Anti-Kickback Act, 42 U.S.C. § 1320a-7b (b).

All contract and business relationships should be examined carefully so violations of the Anti-Kickback Act do not occur, which could have severe professional and financial consequences.

DISCIPLINARY ACTIONS

Pharmacists

Jay Sherr, License #11168,
Revoked 1/13/10

Pharmacy Technicians

Andrew Wilson, Registration #T06730,
Probation 12/3/09

Establishments

None



Maryland Board of Pharmacy
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Maryland Board of Pharmacy

STAFF ROSTER CONTACT INFORMATION	
EXECUTIVE • 410-764-4794	
LaVerne Naesea, Executive Director; LaToya Simmons, Executive Secretary	Responds to inquiries regarding Board Operations, Board Members and Board Minutes
ADMINISTRATION • 410-764-5929	
Patricia Gaither, Administration & Public Support Manager; Vacant, Public Information Officer; Anasha Page, Office Secretary; Vacant, Secretary/Receptionist	Responds to inquiries regarding Fiscal, Budget, Procurement, Travel, Personnel and Public Information
LEGISLATION AND REGULATIONS • 410-764-4794	
Anna Jeffers, Legislation and Regulations Manager	Responds to inquiries regarding Legislation and Regulations and Pharmacy Practice Committee
COMPLIANCE • 410-764-5988	
Vacant, Pharmacist Compliance Officer; Emory Lin, Pharmacist Inspector; Joseph Taylor, Lead Inspector; Nancy Richard, Inspector; Jeannelle McKnight, Inspector; Shanelle Young, Inspector; Steven Kreindler, Compliance Coordinator; Colin Eversley, Compliance Investigator; Vanessa Thomas Gray, Compliance Secretary	Responds to inquiries regarding Complaints, Pharmacy Practice, Disciplinary, Inspections, Investigations and Pharmacists Rehabilitation
LICENSING • 410-764-4756	
Summer Goodman, Licensing Manager; Doris James, Licensing Specialist; Fannie Yorkman, Licensing Specialist; Laurie Cohen, Licensing Secretary; Keisha Wise, Licensing Clerk	Responds to inquiries regarding Licensing, Permits, and Registration, Reciprocity, and Scores
MANAGEMENT INFORMATION SERVICES • 410-764-5929	
Tamarra Banks, MIS Manager; Michelle Xu, Database Officer	Responds to inquiries regarding Computer, Database and Website and On-line Renewals

BOARD COMMISSIONERS

President: Donald Taylor	Lenna Israbian-Jamgochian
Secretary: Rodney Taylor	Alland Leandre
Treasurer: Michael Souranis	Richard Matens
Cynthia Anderson	Reid Zimmer
Lynette Bradley-Baker	
David Chason	BOARD COUNSEL
Harry Finke, Jr.	Linda Bethman
Mayer Handelman	Francesca Gibbs

BOARD MEETINGS

The Pharmacy Board meetings are held the third Wednesday of each month and are open to the public from 9:00 a.m. – 12 noon at 4201 Patterson Avenue, Baltimore Maryland 21215.

The Board encourages all interested parties to attend the monthly Board Meetings.

2009 PUBLIC BOARD MEETINGS DATES

Third Wednesday of each month 9:00 am – 5:00 pm	October 21, 2009 November 18, 2009	December 16, 2009
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COMMITTEE MEETING DATES

Executive Committee Meetings First Wednesday of each month 10:00 am-12:00 pm	Licensing Committee Meetings Fourth Wednesday of each month 9:30 am-12:00 pm
Disciplinary Committee Meetings First Wednesday of each month 1:00 pm-4:30 pm	Practice Committee Meetings Fourth Wednesday of each month 1:00 pm-4:30 pm
Emergency Preparedness Committee Meetings* Second Wednesday of each month 9:00 am-12:00 pm	Long Term Care Workgroup Meetings* Monthly Meetings (except during the Legislative Session) Meeting Dates and Times TBD
Public Relations Committee Second Wednesday of each month 3:00 pm-5:00 pm	Acetaminophen Coalition Task Force Meeting* Second Wednesday every other month 1:00 pm to 2:45 pm
*open to the public	