

Summer 2012

# 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.

Maryland Board of Pharmacy  
4201 Patterson Avenue  
Baltimore, MD 21215  
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## From The Executive Director's Desk *LaVerne Naesea, Executive Director*

The Board celebrated its 110th anniversary this past April. Ten years ago (my second year as Executive Director) I wrote about the unpredictable impact that automation and technology would have on the Board's operations. At that point the Board had been keeping pace with technology in the 21st century, but with each subsequent year, the Board fell further behind. The existing ACCESS databases (more than 50 separate ones!) began to fail the Board as the number of licensees began to double in size. Board and staff began actions to replace its database system in 2006 and it seemed that there were as many challenges as there were months that followed. Fortunately, the subject of my article this summer is not a repeat discussion of those challenges for most of them have been overcome.

This summer I am pleased to announce that Phase I of the Board's new SQL-based system will "go-live" in September 2012!! The new SQL-based system will interlink information collected by all of its business units and allow the entire staff to view data, as well as discussion threads related to individual client's records. It will retain all license, registration and permit records in a primary system (MLO); allow payments, fees and fines to be associated with issued licenses, registrations and permits -- to the pleasure of state auditors (ADMIN); enable the entry of disciplinary information directly into MLO records, and remotely transfer estab-

lishment inspection reports to individual permit, pharmacist or technician records (Compliance); and most important to our readers, it will allow on-line renewals and certain other interactive services to all classes of licensees (EGov). Wholesale Distributors and Pharmacy Technicians to this point have had to submit paper renewal applications. The new system will also eliminate the need for storing and retrieving most hardcopies of documents received at the Board because they will be scanned and associated with individual records. Before jumping for joy, let me warn you....there *will* be unanticipated *kinks* after the system is activated. The Board's vendor will, however, continue to provide support during the start-up period and most issues should be resolved fairly quickly.

So --- the Board requests that before you call the office with an issue, consider sending an e-mail. Before sending an e-mail, check the instructions that appear on the EGov screens and ensure that you have correctly followed them. Finally, before losing all faith (as well as your tempers), remember it took six years to get to this point and that Rome wasn't built in a day.

Phase II of this project will begin in the fall. When completed sometime next spring, it will allow new applicants to enjoy on-line services similar to those offered to renewing applicants. Additionally, it will provide

*Continued on page 2*

Visit the Board online at <http://dhmh.maryland.gov/pharmacy>  
or email to [dhmh.mdbop@maryland.gov](mailto:dhmh.mdbop@maryland.gov)

**From The Executive Director's Desk**  
*continued from page 1*

interactive enhancements. Please join the Board as it revels in its 110 year long history of ensuring safe dispensing of prescription drugs, continues to strive for quality service delivery, and continuously upgrades its technology and data systems to serve you better.

**VACCINATION UPDATE**

**Pharmacy Students Administering Vaccinations and Point of Care Testing**  
*Anna Jeffers, Legislation/Regulations Unit*

The Maryland Board of Pharmacy recently considered the following questions:

**1) May a trained pharmacy student administer vaccinations outside of an experiential learning program?**

In the Code of Maryland Regulations (COMAR) 10.34.32.03E it states:

E. A pharmacy student in a Pharmacy Experiential Program, who has successfully completed a Board-approved certification course, may administer vaccinations under direct supervision of a licensed pharmacist who meets requirements in §A of this regulation.

The regulations clearly indicate that a pharmacy student may not administer vaccinations outside of an experiential learning program under the direct super-

vision of a licensed pharmacist. Indeed, outside of an experiential learning program, pharmacy students may only perform pharmacy technician tasks in a pharmacy. They are exempt, however; from full pharmacy technician registration requirements. The Board; however, will be considering possible changes to the current regulations.

**2) Would pharmacists performing point of care testing be liable for errors in the testing?**

Point of care testing is within the pharmacist scope of practice, however; the Board does not determine liability issues. Please refer to the point of care testing regulations, effective April 16, 2012:

COMAR 10.10.01.03 - <http://www.dsd.state.md.us/comar/getfile.aspx?file=10.10.01.03.htm>

COMAR 10.10.02.01 - <http://www.dsd.state.md.us/comar/getfile.aspx?file=10.10.02.01.htm>

COMAR 10.10.03.02 - <http://www.dsd.state.md.us/comar/getfile.aspx?file=10.10.03.02.htm>

COMAR 10.10.06.02, .04, and .12 - <http://www.dsd.state.md.us/comar/getfile.aspx?file=10.10.06.02.htm>

<http://www.dsd.state.md.us/comar/getfile.aspx?file=10.10.06.04.htm>

<http://www.dsd.state.md.us/comar/getfile.aspx?file=10.10.06.12.htm>

DISCIPLINARY ACTIONS			
PHARMACISTS	LIC. #	SANCTION	DATE
Heyward Glisson	12475	Probation	6/26/12
Sohail Mosaaddegh	15601	Surrendered	6/26/12
Ganiyu Mumuney	11046	Probation	7/18/12
Mohammed Elberry	14144	Probation	7/30/12
Daniel McTaggart	14584	Suspended	8/15/12
PHARMACY TECHNICIANS	REG. #	STATUS	DATE
Christina Hamilton	T07563	Revoked	6/05/12
Marcia Landis-Grimm	T05497	Revoked	6/05/12
Brittany Livers	T07898	Suspended	6/28/12
Rosalind Stewart	T04347	Revoked	7/18/12
Femi Ajimatanrareje, Jr.	T07966	Surrendered	7/18/12
Tekia Marcus	T02794	Suspended	7/18/12
ESTABLISHMENTS	PERMIT #	STATUS	DATE
Mid-Atlantic Medical Supply	D01638	\$2,500 Fine	7/20/12

## COMPLIANCE UPDATE

### Sanction Guidelines

*YuZon Wu, Compliance Unit Manager*

The Maryland Board of Pharmacy has developed and approved Sanctioning Guidelines as required by Senate Bill 291 and House Bill 114 of the Health Occupation Boards-Revisions, 2010, Chapter 534. These can be found on the Board's website. These Guidelines apply to all licensees (i.e., pharmacists, pharmacy technicians, and establishments) that come under this Board. The Board may sanction licensees as result of findings from inspections and/or investigations. Listed below are a few common types of violations seen during inspections.

#### Opening Inspections:

- No alarm monitoring and/or no alarm activity report available during the inspection. The alarm system must be tested and there must be an alarm system activity report from the alarm company in order to pass an opening inspection. The alarm system activity report must contain the pharmacy's name and address.

#### Distributor Inspections:

- No designated representative present for the inspection or the presence of another designated representative acting on the behalf of the designated representative.
- No personnel training files available on site for inspection purposes.
- No clearly separated quarantine area.

#### Community/Retail Inspections:

- Scheduled drug audits discrepancies.

- Missing required information on Schedule II prescriptions (i.e. date, doctor's signature, patient address).
- Inappropriate temperatures for medication refrigerator, no thermometer in the medication freezer or refrigerator, and food in medication refrigerator/freezer.
- Return vials with patient information exposed.
- Technicians who have been in training program for longer than 6 months or not in a Board approved training program, or working with expired registration.
- No ongoing training for preventing medication errors for each staff member.
- No posted licenses/registrations for staff members.

#### Hospital Inspections:

- No Licenses/Registrations posted conspicuously for staff members.
- Not practicing in compliance with USP 797 standards.
- No annual competency training.
- No record of cleaning schedules, no evidence/logs of completed media samples or finger tip touch testing (quality assurance verification).

#### Comprehensive Care:

- Missing written policies and procedures
- No lot numbers on re-packaged medications.

## MANAGEMENT INFORMATION SERVICES (MIS) UNIT

### Next Level Business Transformation

*Pawan Kolipalli, MIS Program Manager/Consultant*

#### NEW WEB SITE

The Board of Pharmacy (BOP), through the Department of Health and Mental Hygiene (DHMH), initiated the usage of a new Enterprise Microsoft SharePoint portal. The Board's new homepage web address was changed as a consequence to: <http://dhmh.maryland.gov/pharmacy/SitePages/Home.aspx>. The new SharePoint Portal will enhance web-services to the public. Taking advantage of the new state-of-the-art technology, the BOP is in the process of customizing the new SharePoint portal to maximize services to Board constituents. The Board has a new web site. By the end of fall 2012, the transition to the new portal will be complete and more changes are planned to add significant value and benefit to licensees and the public.

#### NEW eGOV ON-LINE PUBLIC INTERACTIVE SYSTEM

The Maryland Board of Pharmacy (BoP) is implementing a web-based COTS MyLicense Office® Enterprise Licensing and Enforcement automation system in September 2012. BoP licensees may use an interactive component of the new system, called eGov, to access information, update certain information and renew licenses, permits and pharmacy technician registrations on-line. Once the system is activated (i.e. has a "Go-Live" status), instructions will be posted on the Board's web-site and also on the systems' homepage. However, the following general guidelines are provided to support licensees understanding of the new eGov public site.

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**NEW eGOV ON-LINE** *continued*

- All existing pharmacists, pharmacy technicians, an establishment permit holder may renew on-line by going to the Board's new web address, [www.dhmf.maryland.gov/pharmacy](http://www.dhmf.maryland.gov/pharmacy) and clicking the *On-line Renewal* link on the homepage;
- To ensure system security and integrity, all users planning to renew or update information on-line must register in the new eGov system using a user ID and password. Instructions for obtaining a user ID and password will be provided on the first page of *On-line Renewal* link;
- Renewing applicants may access the system **SIXTY** (60) days before their existing license, registration or permit expires (the BOP recommends completing the renewal process at least two (2) weeks in-advance of the expira-

tion date to avoid any practice interruptions.);

- Renewing candidates may not access the on-line system after their existing license, registration or permit expires;
- Visa/Master Credit cards are the only payment options available for use with the on-line renewal system.
- Renewing applicants for September, October and November should begin the on-line renewal process early to assure that any difficulties experienced when using the system for the first time do not interfere with successfully renewing.

The Board is committed to optimizing program efficiencies. Look for more new features that will continuously enhance your experiences when communicating and interacting with the Board.

**LICENSING CORNER****Announcements & Reminders****Demetrius Daniels, Licensing Unit Manager**

- **NEW PERMIT RENEWAL DATES** - Legislation passed during the 2012 session authorized the Maryland Board of Pharmacy to permanently change the expiration dates of wholesale distributor and pharmacy permits from December 31 to May 31 biennially. The legislation also extended the expiration of current distributor permits from December 31, 2012 to May 31, 2013 and extended the expiration of pharmacy permits from December 31, 2013 to May 31, 2014 for the upcoming renewal periods. Maryland-licensed wholesale distributors and pharmacies will receive renewal reminder notices from the Board on or before April 1st of the extended expiration years.
- **KNOW YOUR EXPIRATION DATE** - To assure there is no lapse in your ability to practice AND avoid paying a reinstatement or late fee in addition to the renewal fee, know your expiration date and submit a complete renewal application in a timely manner. Renewing pharmacists and pharmacy technicians may continue practicing if their current license expires before a new one is issued, only if they submit a complete renewal application to the Board at least two weeks before the current license or registration expires. Renewing permit holders may continue to operate if their current permit expires before a new one is issued, only if they submit a complete permit application at least two weeks before the current pharmacy or wholesale distributor permit expires. Occasionally, a

licensee may not receive a renewal reminder from the Board for several reasons, (e.g., mailing/postal errors, address changes, etc.). The licensee/registrant/ permit holder is still ultimately responsible for submitting a timely renewal application if the reminder notice is not received.

- **KEEP YOUR MAILING ADDRESS CURRENT** - The Board sends all licensing information to the mailing or e-mail addresses provided by licensees. To assure you receive important communications from the Board, including your license, registration or permit, please submit changes to your addresses or other personal information (name changes with supporting documentation, etc.) within thirty (30) days of the change.

## LEGISLATION/REGULATIONS UNIT

### 2012 Maryland Legislative Session Summary

*Anna Jeffers, Legislation/Regulations Unit Manager*

Below is a summary of the 2012 Legislative Session Bills tracked by Maryland Board of Pharmacy. Cross-filed bills are listed together. For further information on specific legislation go to: <http://www.mlis.state.md.us/#bill> or contact Anna Jeffers, Legislation and Regulations Manager.

<b>Bill #</b>	<b>Bill Name</b>	<b>Result</b>
HB 15	Maryland Medical Marijuana Act	Failed
HB 23	Dedicated State Funds Protection Act	Failed
SB 63	Child Abuse and Neglect - Failure to Provide Notice or Report - Civil Liability and Criminal Penalty	Failed
SB 132	Health Occupations - State Board of Pharmacy - Jurisdiction Over Nonresident Pharmacies	<b>PASSED</b>
HB 334	Health Occupations - State Board of Pharmacy - Jurisdiction Over Nonresident Pharmacies	<b>PASSED</b>
SB 133	State Board of Pharmacy - Wholesale Distributor Permits - Application Requirements	<b>PASSED</b>
HB 316	State Board of Pharmacy - Wholesale Distributor Permits - Application Requirements	<b>PASSED</b>
SB 180	Health Occupations - State Board of Naturopathic Medicine	Failed
HB 620	Health Occupations - State Board of Naturopathic Medicine	Failed
SB 214	Criminal Law - Possession of Marijuana - De Minimus Quantity	<b>PASSED</b>
HB 350	Criminal Law - Possession of Marijuana - De Minimus Quantity	<b>PASSED</b>
SB 253	State Government - Administrative Procedure Act - Proposed Regulations	<b>PASSED</b>
SB 274	State Board of Pharmacy - Sunset Extension and Revisions	<b>PASSED</b>
HB 283	State Board of Pharmacy - Sunset Extension and Revisions	<b>PASSED</b>
SB 408	Pharmacists - Administration of Vaccinations - Expanded Authority	Failed
HB 561	Pharmacists - Administration of Vaccinations - Expanded Authority	Failed
SB 603	Health Care Practitioners - Licensed Dentists, Physicians, and Podiatrists - Personally Preparing and Dispensing Prescription Drugs and Devices	<b>PASSED</b>
HB 589	Criminal Law - Controlled Dangerous Substances - Mephedrone	<b>PASSED</b>
SB 903	Health Insurance - Pharmacy Benefits Managers - Audits and Reimbursement of Pharmacies or Pharmacists	<b>PASSED</b>
HB 838	Health Insurance - Pharmacy Benefits Managers - Audits and Reimbursement of Pharmacies or Pharmacists	<b>PASSED</b>
HB 1024	Medical Mariuuana Commission	Failed
SB 995	Medical Marijuana Oversight Commission	Failed
HB 1158	Medical Marijuana Oversight Commission	Failed

## PRACTICE CORNER

### Changes to the Wholesale Distributor Law in Maryland

*Anna Jeffers, Legislation/Regulations Unit Manager*

On October 1, 2012, significant changes to the Wholesale Distributor Permitting and Prescription Drug Integrity Act will go into effect. Some of these changes are due to stakeholder input and other changes are the result of a desire to streamline Board operations. Changes to the Act include:

- **Manufacturers that distribute their own prescription devices that are approved or authorized by the U.S. Food and Drug Administration (FDA) are allowed to meet the same requirements as those manufacturers that distribute their own prescription drugs that are approved by the FDA.** This will allow for a uniform application process for manufacturers who may now utilize a shorter application form and may submit a FDA Inspection form. No surety bond would be required;
- **Wholesale distributors who do not hold product are no longer required to be inspected.** The Board found that inspecting entities that did not hold product was costly and yielded limited results since inspectors were limited to examining office space and paper files. Additionally, few states require inspections of wholesale distributors who do not hold product and many states do not even consider these entities “wholesale distributors” requiring licensure;
- **Wholesale distributors applicants that complete the customary long-form application are required to submit the designated representative’s and the supervising designated representative’s fingerprints directly to the Criminal Justice Information System Central Repository of the Department of**

**Public Safety and Correctional Services.** This has eliminated a time consuming step of sending information to the Board first. See “News Updates” on the Board’s website for more information; and

- **Designate representatives and supervising designated representatives are required to obtain a state criminal history records check for the applicant’s state of residence, instead of a criminal history records check from Maryland.** The Board found that requiring a criminal background check in Maryland for an out of state designated representative and the supervisor of the designated representative served little purpose for individuals who live and work in other states and therefore were not likely have a criminal record in Maryland. A national criminal history records check is still required.

Final changes to the Wholesale Distributor Act were included in the Board’s Sunset Legislation that became effective July 1, 2012. **The legislation changed the renewal dates for wholesale distributors from the end of December to the end of May and extended the current wholesale distributor permits to May 31, 2013 for the first renewal period after the passage of this legislation.** Renewal applications submitted after May 31, 2013 will be subject to a reinstatement fee. This change was suggested by the Board to alleviate the workload and staffing issues that often occur over the December holidays for the Board, pharmacies and wholesale distributors. Notification to permit holders about all of the above changes will be forthcoming this fall.

The Board’s new General Email Address is:

[dhmh.mdbop@maryland.gov](mailto:dhmh.mdbop@maryland.gov)

Email addresses for staff have also changed.

For a complete listing of staff emails, please refer to the Board’s website.

Effective October 1, 2012 the Board’s website address will be:

[www.egovpharmacy.dhmh.maryland.gov](http://www.egovpharmacy.dhmh.maryland.gov)

# Continuing Education Breakfast

## *“Drug Shortages: What Pharmacy Professionals Should Know”*

Sunday, October 21, 2012  
Radisson Hotel at Cross Keys  
5100 Falls Road, Baltimore, MD 21210  
8:00 AM—11:30 AM

FREE (registration is required)!!  
Go to: [dhmh.bopevent@maryland.gov](mailto:dhmh.bopevent@maryland.gov)  
Include name, contact number  
and license or registration number.

All registrations will be confirmed  
by the Board through e-mail.  
Printed confirmation must be presented when  
attending the continuing education breakfast.

\*\*\*Seating limited to the first 150 registrants\*\*\*



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**4201 Patterson Avenue**  
**Baltimore, MD 21215-2299**

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# Maryland Board of Pharmacy

<b>STAFF ROSTER CONTACT INFORMATION</b>	
<b>EXECUTIVE • 410-764-4794</b>	
LaVerne Naesea, Executive Director; Stephen Holmes, Executive Assistant	Responds to inquiries regarding General Board Operations, Board Issues and Information
<b>ADMINISTRATION • 410-764-4756</b>	
Patricia Gaither, Administration & Public Support Manager; Janet Seeds, Public Information Officer; Anasha Page, APS Secretary; Rhonda Goodman, Receptionist	Responds to inquiries regarding Fiscal, Budget, Procurement, Travel, Personnel and Public Information
<b>LEGISLATION AND REGULATIONS • 410-764-4794</b>	
Anna Jeffers, Legislation and Regulations Manager	Responds to inquiries regarding Legislation and Regulations and Pharmacy Practice Issues
<b>COMPLIANCE • 410-764-5988</b>	
YuZon Wu, Compliance Manager; Emory Lin, Pharmacist Inspector; Cheryl Johnson, Pharmacist Inspector; Nancy Richard, Lead Inspector; Yin Chan, Inspector; Jeannelle McKnight, Inspector; Shanelle Young, Inspector; Steven Kreindler, Compliance Coordinator; Vanessa Thomas-Gray, Compliance Investigator; Courtney Jackson, Compliance Secretary	Responds to inquiries regarding Practice/Patient Complaints, Disciplinary Actions, Inspections, Compliant Investigations and Pharmacists Rehabilitation
<b>LICENSING • 410-764-4756</b>	
Demetrius Daniels, Licensing Manager; Doris James, Licensing Specialist; Keisha Wise, Licensing Specialist; LaToya Waddell, Licensing Specialist; Tiffany Duncan, Licensing Secretary	Responds to inquiries regarding Licensing, Permits, Registrations, Reciprocity, Certifications, Scores and Verifications
<b>MANAGEMENT INFORMATION SERVICES • 410-764-4685</b>	
Michelle Hsu, Database Officer	Responds to inquiries regarding Computer, Database and Website and On-line Renewals

## BOARD COMMISSIONERS

President: Michael Souranis  
 Secretary: Rodney Taylor  
 Treasurer: Lynette Bradley-Baker  
 David Chason  
 Harry Finke, Jr.  
 Mitra Gavgani  
 Stephanie Hammonds

Lenna Israbian-Jamgochian  
 Richard W. Matens  
 Zeno St. Cyr, II

## BOARD COUNSEL

Linda Bethman, AAG  
 Brett Felter, Staff Attorney

## BOARD MEETINGS

Public Pharmacy Board meetings begin at 9:30 a.m. on the third Wednesday of each month and are open to the public. The Board encourages all interested parties to attend the monthly Board Meetings.

## 2011 PUBLIC BOARD MEETINGS DATES

Third Wednesday of each month 9:30 am - 12:30 pm	September 19, 2012 October 17, 2012	November 21, 2012 December 19, 2012
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**Location:** 4201 Patterson Avenue, Baltimore, MD 21215

**Toll Free: 1-800-542-4964 • General Office Phone: 410-764-4755 • Website: <http://dhmh.maryland.gov/pharmacy>**

## COMMITTEE MEETING DATES

<b>Executive Committee Meetings</b> First Wednesday of each month	<b>Licensing Committee Meetings</b> Second Wednesday of each month
<b>Disciplinary Committee Meetings</b> First Wednesday of each month	<b>Practice Committee Meetings</b> Fourth Wednesday of each month
<b>Emergency Preparedness Task Force Meetings</b> Second Wednesday of each month	<b>Public Relations Committee</b> Fourth Wednesday of each month