

Illinois Department of Financial and Professional Regulation

Division of Professional Regulation

Open Minutes

Date: July 14, 2009
Call to Order: 9:30 a.m.
Location: Division of Professional Regulation
James R. Thompson Center
Room 171 b& c
100 West Randolph
Chicago, Illinois

Adjournment: 12:30 p.m.

Board Members Present: Philip Burgess, R.Ph., Chairperson
Sudhir C. Manek, R.Ph., Vice-Chairperson
Robert Anselmo, R.Ph., Member
Joe Conover, Member
Mahendar Khatau, R.Ph., Member
Ned Milenkovich, J.D., R.Ph., Member

Board Members Absent: Yatin Shah, M.D., Member
Gordon John Mazzotti, R.Ph., Member
Olen Maleckyj, R.Ph., Member

Staff Members Present: Daniel Kelber, Senior Legal Counsel
Scott Golden, Health Related Prosecutions
Dr. Amin, Director Drug Compliance
Monica Gamble, Law Clerk
Kim Scott, Board Liaison

Guests: Danielle Jin, Pharmacy Student
Bill Powers, Walgreens
Mike Patton, Illinois Pharmacist Association
Trish Wagner, I.C.H.P.
Mark Rauman, Target
Courtney Krueger, U.I.C.
John Sibto, MEDCO
Brian Daly, I.P.L.A.
Catanya Norwood, Cook County Hospital System
Emad Habast, CVS
Hank Gould, I.P.H.A.
Ingrid Samuelson, CVS/Caremark
David Slatkin, Chicago State University

TOPIC	DISCUSSION	ACTION
Chairman Time	<p>Mr. Burgess welcomed everyone to the meeting of the Illinois Board of Pharmacy.</p> <p>Mr. Burgess asked everyone to introduce themselves and who they represented.</p>	<p>Board Members, Staff and Guests all introduced themselves.</p>
M.J.P.E. Questions	<p>Mr. Burgess discussed the fact that the MJPE test questions had been reviewed and all should study the new Act when studying for the test.</p> <p>Mr. Anselmo reported that questions relative to the new Act had been written, but no new questions regarding the Rules had been done at this time due to the fact the Rules have not been approved.</p> <p>Mr. Anselmo reported that Mr. Milenkovich and Mr. Golden had been a very big help in reviewing and writing questions as this is a very time consuming job.</p>	<p>Mr. Burgess thanked Mr. Anselmo, Mr. Milenkovich and Mr. Golden on behalf of the Board and the profession for all the time and effort that they had put forth to update the MJPE.</p>
Next Board Meeting	<p>Mr. Burgess reminded everyone that the September meeting will in Springfield on September 8, 2009 and as in previous years the meeting will convene at 10:30 a.m. instead of the usual 9:30 a.m. meeting time.</p>	
Minutes Approval	<p>Mr. Burgess asked if the Board had reviewed the minutes of the May 12, 2009 meeting and if there were any amendments or corrections to the minutes.</p>	<p>Mr. Anselmo made a motion to approve the minutes as presented. Mr. Conover seconded the motion. Motion carried.</p>
Application Review	<p>Daiva Puriene Course of Clinical Instruction.</p>	<p>Mr. Anselmo made a motion that the Board recommend to the Director</p>

	<p>Action Sheet #092216</p> <p>Veronica Reyes Rodriguez Course of Clinical Instruction. Action Sheet #092220</p> <p>Opeyemi Oyelahan Course of Clinical Instruction. Action Sheet #092221</p> <p>Bhargavkumar M. Patel Course of Clinical Instruction. Action Sheet #092222</p> <p>Anthony Eti-Ukwu Course of Clinical Instruction. Action Sheet #092223</p> <p>Bharatkumar K. Patel Course of Clinical</p>	<p>that the submitted Course of Clinical Instruction be approved. Mr. Manek seconded the motion. Motion carried.</p> <p>Mr. Anselmo made a motion that the Board recommend to the Director that the Course of Clinical Instruction be approved. Mr. Manek seconded the motion. Motion carried.</p> <p>Mr. Khatau made a motion that the Board recommend to the Director that the Course of Clinical Instruction be approved. Mr. Milenkovich seconded the motion. Motion carried.</p> <p>Mr. Khatau made a motion that the Board recommend to the Director that the Course of Clinical Instruction be approved. Mr. Milenkovich seconded the motion. Mr. Manek recused himself. Motion carried.</p> <p>Mr. Manek made a motion that the Board recommend to the Director that the Course of Clinical Instruction be approved. Mr. Conover seconded the motion. Motion carried.</p> <p>Mr. Manek made a motion that the Board recommend</p>
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	<p>Instruction. Action Sheet #092224</p>	<p>to the Director the Course of Clinical Instruction be deferred for additional information regarding the actual course content and the subjects to be covered during the course. Mr. Khatau seconded the motion. Motion carried.</p>
	<p>Narumon Hongrattanavorakit Course of Clinical Instruction. Action Sheet #092225</p>	<p>Mr. Anselmo made a motion that the Board recommend to the Director that the Course of Clinical Instruction be approved. Mr. Manek seconded the motion. Motion carried.</p>
	<p>Jesefina Ticzon Reyes Remedial Training Action Sheet #092217</p>	<p>Mr. Anselmo made a motion that the Board recommend to the Director that the submitted Remedial Education be approved. Mr. Manek seconded the motion. Motion carried.</p>
	<p>Aney Mathew Geevarghese Remedial Training Action Sheet #092218</p>	<p>Mr. Manek made a motion that the Board recommend to the Director that the submitted Remedial Training be approved. Mr. Khatau seconded the motion. Motion carried.</p>
	<p>Taofik Brown Remedial Training Action Sheet #092219</p>	<p>Mr. Manek made a motion that the Board recommend to the Director that the submitted Remedial Education be approved. Mr. Anselmo seconded the motion. Motion carried.</p>

<p>Variance Request</p>	<p>Better Health Pharmacy Inc. Request variance to Section 1330.92(d)(2). Action Sheet #092226</p>	<p>Mr. Manek made a motion that the request be deferred pending a report from Dr. Amin regarding the pharmacy's current operational status. Mr. Anselmo seconded the motion. Motion carried and Dr. Amin advised.</p>
<p>Findings of Fact, Conclusions of Law, and Recommendation to the Director</p>	<p>The Board reviewed and signed the following Findings of Fact, Conclusions of Law, and Recommendation to the Director.</p> <p>Rikki Nicole Elledge 049 – 179923 Case #2008-06526 Revoke</p> <p>Erica L. Yahnke 049 – 172622 Case #2008-05093 Revoke</p> <p>Jamal Marcel Adams 049 – 141519 Case #2008-08434</p>	
<p>Health Related Prosecutions Report</p>	<p>Mr. Golden distributed to the Board the current statistics that he had compiled for the Board's information.</p> <p>Mr. Golden stated that diversion was the largest percentage of the cases that he is currently seeing.</p> <p>In answer to a question from the Board, Mr. Golden stated that he could not at this time break down the Diversion Cases into those that were for profit and those that were a result of</p>	<p>Mr. Burgess thanked Mr. Golden for his report on behalf of the Board.</p>

	<p>the licensee having an addiction problem.</p> <p>The Board asked several questions regarding the report which Mr. Golden answered for the Board.</p> <p>Mr. Burgess brought up the fact that the proposed new Pharmacy Rules include much tighter requirements for the closing of a pharmacy and all pharmacists should make themselves aware of these changes.</p>	
<p>Rules Report</p>	<p>Mr. Kelber explained that the Rules process has been a very long and hard process with so many people involved. This being such a major rewrite of the Illinois Pharmacy Practice Act that the entire Rules had to be reviewed and most of them rewritten, but the final draft is ready to introduced to J.C.A.R.</p> <p>Mr. Kelber explained the J.C.A.R. process of approval for the Board and guests.</p> <p>Mr. Kelber stated that he believes that we have a very solid set of Rules and regulations for pharmacy. If everything goes smoothly the Rules should be approved in approximately three months.</p> <p>Mr. Manek stated that he was somewhat disturbed that the majority of the Board had only received the draft last week.</p> <p>Mr. Kelber explained that the Mr. Burgess and Mr.</p>	<p>Mr. Anselmo made a motion that the Board approve the Pharmacy Rules draft and recommend that the Director introduce them at the next session of J.C.A.R.</p> <p>Mr. Conover seconded the motion.</p> <p>Motion carried.</p>

Anselmo had been fully involved as appointed members of the Board throughout the process and the final draft was not ready until last week.

Mr. Burgess inquired about the language contained in Section 1330.330 (b)(1).

Mr. Kelber stated that the last sentence within that Section would be removed as he thought it had already.

Mr. Burgess inquired about the Pharmacy Technician training language contained within the Rules.

Mr. Kelber explained the language that both the PTCB and ICPT examination can be used per the current language in the Act.

Mr. Burgess explained and apologized that some Board members may have been left out of the process, but current Illinois Open Meetings Act requirements limited the participation of members to just two or there would be a possible violation of the Act.

Mr. Anselmo expressed that this had been an extremely long process simply due to the amount of Rules that had to be updated and the number of vested interests involved, but that the proposed draft was in the best interest of pharmacy.

Mr. Kelber reminded everyone that once the Rules are introduced that any comments or questions

	<p>should be directed to the Division's Rules Coordinator to avoid any Ex-Parte communications with the Board or Division Staff as this could cause problems and lot of extra work for staff.</p> <p>Mr. Burgess stated that he has seen a lot of other state's Rules and the Illinois Rules are on the cutting edge of pharmacy.</p> <p>Mr. Milenkovich stated that in reviewing the draft he could see how good they were and really appreciated all the hard work everyone had done to get them to this point.</p> <p>The Board discussed different options on getting the word out to the public and profession about the many changes that will come into effect once the Rules have been approved.</p> <p>Mr. Kelber stated the Division will look at the different options that are available to them in getting the information out.</p>	
<p>Legislative Update</p>	<p>Mr. Patton distributed a review of Bills that are currently being reviewed by the Governor that affect pharmacy.</p> <p>Mr. Patton gave a brief overview of each Bill and the possible effect on pharmacy if the Governor signs them into law.</p> <p>Mr. Manek inquired about laws affecting the return of unused drugs.</p> <p>Mr. Kelber explained what</p>	<p>Mr. Burgess on behalf of the Board thanked Mr. Patton for his update.</p>

	<p>the current law is.</p> <p>The Board and staff discussed the issue of return of unused drugs and the issues it raises for any pharmacist who may be involved.</p>	
District IV Meeting	<p>Mr. Burgess discussed the District IV meeting which will be held in July and they were asking for a couple of members of the Illinois Board to participate as speakers and to participate in a panel discussion.</p> <p>Mr. Anselmo stated that he would like to volunteer as panel member.</p> <p>Mr. Kelber reminded that any Board member who participates as speaker as member of the Board needs to be approved by the Director prior to their appearance and their remarks need to be reviewed by Legal Counsel.</p>	<p>Mr. Burgess stated he did not need the names at this time, but will contact the Board members in the future.</p>
Miami Meeting	<p>Mr. Manek stated that the Miami meeting was very informative for him and he wished that the Department would pay for more involvement by Board and staff in these types of meetings.</p> <p>Mr. Manek reviewed several of the topics that were discussed during the meeting and their possible effect on Illinois.</p>	
Adjournment		<p>Mr. Manek made a motion to adjourn the meeting.</p> <p>Mr. Anselmo seconded the motion.</p> <p>Motion carried.</p>