

April 2002



North Carolina Board of Pharmacy

PO Box 459, Carrboro, NC 27510-0459
Carrboro Plaza Shopping Center, Hwy 54 Bypass
Suite 104-C, Carrboro, NC 27510-1597
Tel: 919/942-4454 Fax: 919/967-5757
Web site: www.ncbop.org

Published to promote voluntary compliance of pharmacy and drug law.

Item 1152 Disciplinary Actions

The format for "Disciplinary Actions" will change with this *Newsletter*. In this and all future *Newsletters* there will be information listing a general summary of actions taken by the North Carolina Board of Pharmacy. For your information, a "Stay Order" is the probationary period of the license or permit in question. More information regarding cases can be found on the Board's Web site at www.ncbop.org under "Disciplinary Matters."

(The numbers listed include pharmacist or pharmacy.)

July 2001

Voluntary Surrender of License: 1
No August 2001 Meeting

September 2001 – January 2002

Reinstatement: 1; Revocation: 2; Suspension: 4; Suspension with Stay Order: 9; Suspension with Stay Order that included an Active Suspension of License or Permit: 5; Letter of Reprimand: 5; Letter of Warning: 22; Letter of Caution: 4; Letter of Concern: 4; CE Hearings: 6.

The actions listed above were taken regarding:

Dispensing Error: 22; Label Error: 6; Substance Abuse/Diversion: 9 (two of these were diversions by a technician); Failure to Perform Duties of Pharmacist-Manager: 1; Transferring of Prescriptions and Substituting Prescription Drugs: 1; Absence of a Pharmacist-Manager: 5; Failure to Maintain Proper Security of Prescription Drugs: 1; Failure to Obtain Sufficient Hours of Continuing Education for Renewal: 6; Dispensing and Delivery of Prescription Medications with no Pharmacist Check and no Patient Counseling: 1; Competence Issue: 1; Voluntary Surrender of License: 1.

Two members are rotating off the Board, and they express their opinions about their service on the Board in Items 1153 and 1154.

Item 1153 Words from Jack Watts

During the 608th meeting of the North Carolina Board of Pharmacy, June 20, 1989, I took office as a Board member and signed the Minute Book page for that meeting. Then I was official. I could talk and vote on issues, which I did at my first meeting. How do I know I did this? Because I went back and read the minutes for that meeting.

As I sat there in my chair, I began to wonder if your first name had to be William. I was looking at William H. Randall, Jr, William Whitaker Moose, William T. Biggers, and William R. Adams, Jr. Then up pops an odd name plate – Harold Vann Day. It was a pleasure to be serving with these men.

So what do I have to say about my 13 years serving on the Board? It was and has been an experience. I think it would be good if each practicing pharmacist could serve a term on the Board.

I am asked how did I get 13 years on the Board when the statute states you can serve only two, complete consecutive terms of five years each? Well, when I was first elected to the Board a member could serve unlimited three-year terms. Then, the legislature changed the statute to two five-year terms. The attorney general ruled that I could run for the five-year terms. So that is the way I got to serve 13 years.

Some people may think 13 is unlucky but I do not. It has been my pleasure to serve with some fine people.

Let me say I was elected to insure minimum standards of competency and to protect the public from those who might otherwise present a danger to the public health, safety, and welfare. As part of my tenure, I was glad to be a part of getting significant laws and rules passed including patient counseling, technician registration, and clinical pharmacist practitioners.

I wish to thank the pharmacists of North Carolina for letting me serve them as a Board member for 13 years. In closing I will say that in those years I made some people happy and some unhappy. But I think I was fair in all my decisions. Thank you, Sincerely, Jack G. Watts.

Item 1154 – Words from Michael Overman

I think that the nature and tone of this Board has undergone some subtle but significant changes during my term. I believe this Board has enabled and empowered the pharmacists of North Carolina as no other board in this country has done for the pharmacists in any other state. Specifically, our rules regarding work place conditions are unique to this state. The rules we passed that allow pharmacists to fill prescriptions under various emergency scenarios prove that we are truly there to ensure that the public has access to its medications. Even under the most extreme circumstances, whether it be hurricanes or the closing of large group practices with tens of thousands of North Carolinians left without physicians and therefore access to their medications, we have always responded with the welfare of the people as the focus of our efforts.

However many challenges await the new Board of Pharmacy. The nearly \$1 billion state budget deficit is going to place enormous pressure on health care providers in North Carolina, especially pharmacists. We must find a way to continue to provide the best pharmaceutical care in the face of further cuts in pharmacy reimbursements. The public expects the North Carolina Board of Pharmacy to ensure the quality of pharmaceutical goods and services with little or no appreciation of economic pressures placed on our profession. Pharmacists expect the Board to help provide relief

Continued on page 4

Continued from page 1

from dangerous and intolerable working conditions while working under inadequate reimbursement schedules from the state and other third-party payers.

With the wisdom and experience of four current members and the enthusiasm of two new members I believe the new Board will rise to and above these and other issues that they will face during the next five years.

I hope the pharmacists of North Carolina appreciate that this Board is the only Board of Pharmacy left in this country that is elected by pharmacists. There may be attempts to change the way our Board is selected. If so, we must all work together to protect our selection process. I hope our pharmacists realize that this keeps the North Carolina Board free from political pressures from Raleigh and is the primary reason we have been able to be bold and innovative in our rule-making process.

I am grateful and profoundly honored for having had the opportunity to serve pharmacies and pharmacists on this Board. Michael Overman

Item 1155 – Pharmacy Technicians

The grace period for registering technicians ended with the renewal season so all technicians employed should be registered now. It is the pharmacist-manager's responsibility to inform the Board office when a technician leaves his/her position. The new statute provides for an increase in the technician to pharmacist ratio, but it is necessary to get approval for specific cases. A form entitled "Request for Increase" is now available from the Board office and online. It is important to recognize that part-time technicians do need to register with the Board. Pharmacy students and students in a community college, if not employed by the pharmacy, are exempt from technician registration.

After July 1, 2002, all new technician registrants need to have training in specific areas. The pharmacist-manager must provide a training program for pharmacy technicians that includes pharmacy terminology, pharmacy calculations, dispensing systems and labeling requirements, pharmacy laws and regulations, record-keeping and documentation, and the proper handling and storage of medications. Please note that this is the responsibility of the pharmacist-manager.

If further questions remain, you may wish to consult the statute, which can be found on the Board's Web site at www.ncbop.org under "Drug Law," G.S. 90-85.15A.

Item 1156 – May 2002 Board Meeting

The regularly scheduled Board meeting for May has been changed to occur May 14 in the Board office in Carrboro. The reciprocity session has also changed to May 13.

Item 1157 – DME Subcommittee Update

Submitted by Teresa Gregory, DME Subcommittee Chairperson

There are currently 429 Devices in Medical Equipment (DME) Permits and 17 out-of-state providers that were issued permits in 2001. Providers are encouraged to contact Steve Hudson with information regarding any out-of-state providers that service North Carolina residents, but are not currently aware of the requirement or do not have a DME Permit.

Elected members of the DME Subcommittee currently serve five-year terms, with the next seat being up for election in 2003. The committee consists of three elected members and two appointed members. The subcommittee is currently working on increasing the number of routine inspections being performed by investigators.

DME suppliers are reminded that it is a violation to dispense prescription drugs, including nebulizer medications, unless the person doing the dispensing is a pharmacist, and the site holds a pharmacy permit issued by this Board. The DME permit does not satisfy the registration requirements for dispensing these products. An exception to this would be a physician registered with the Board as a "Dispensing Physician." The next Subcommittee Meeting will be Tuesday, June 4 at 10:00 AM.

Item 1158 – E-News

Tom Buedel, North Carolina Board of Pharmacy IT Manager

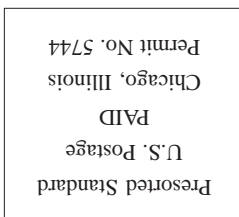
The first year of online renewals was a success with 30% of eligible pharmacists taking advantage. You can still access the site for change of residential and e-mail addresses. Sorry, you must still e-mail, fax, or mail in a change of work address. Contact us if you have any comments, suggestions, or issues with the Board's Web site at tbuedel@ncbop.org.

Page 4 – April 2002

The *North Carolina Board of Pharmacy News* is published by the North Carolina Board of Pharmacy and the National Association of Boards of Pharmacy Foundation, Inc, to promote voluntary compliance of pharmacy and drug law. The opinions and views expressed in this publication do not necessarily reflect the official views, opinions, or policies of the Foundation or the Board unless expressly so stated.

David R. Work, JD, RPh – State News Editor
Carmen A. Catizone, MS, RPh - National News Editor
& Executive Editor
Courtney M. Karzen - Editorial Manager

This Newsletter is printed at a cost of \$.10 per copy.



NORTH CAROLINA BOARD OF PHARMACY
National Association of Boards of Pharmacy Foundation, Inc.
700 Busse Highway
Park Ridge, Illinois 60068