

NEWFOUNDALND & LABRADOR PHARMACY BOARD
MINUTES OF MEETING 07 June 2009
BOARDROOM, APOTHECARY HALL
488 WATER STREET, ST. JOHN'S

Item	Discussion	Action By		
1.0	<u>Call to Order & Adoption of Agenda</u>			
1.0	The meeting was called to order at 9:00 by Chairman John Rideout, with the following in attendance: <table border="0"><tr><td><u>Board</u> John Rideout, Chair D. Mifflin E. Toope D. Jenkins K. Bailey L. Hensman J. Howlett B. Healy M. Priddle (arrived late)</td><td><u>Staff</u> Don Rowe, Secretary/Registrar Veronica Harvey, Executive Assistant <u>Observers</u> Dr. D. Kelly, Incoming Board Member Christina Tulk, Incoming Board Member <u>Regrets</u></td></tr></table>	<u>Board</u> John Rideout, Chair D. Mifflin E. Toope D. Jenkins K. Bailey L. Hensman J. Howlett B. Healy M. Priddle (arrived late)	<u>Staff</u> Don Rowe, Secretary/Registrar Veronica Harvey, Executive Assistant <u>Observers</u> Dr. D. Kelly, Incoming Board Member Christina Tulk, Incoming Board Member <u>Regrets</u>	
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1.1	<u>Conflict of Interest</u> - None declared. (signed forms passed in)			
1.2	<u>Adoption of Agenda:</u> Items added: 7.2 Amendment to Policy on Liability Insurance 7.3 Update on School of Pharmacy Expansion MOVED by Brian Healy, seconded L. Hensman by to adopt the Agenda with additions. CARRIED			
2.0	<u>Minutes of Previous Meetings</u>			
2.1	<u>Board Meeting – 21 February 2009</u> MOVED by D. Mifflin, seconded D. Jenkins to adopt the Minutes as presented. CARRIED			
3.0	<u>Finance Update</u>			
3.1.	<u>Year to Date Financials, Income Statement and Balance Sheet</u> Secretary-Registrar advised that the year-to-date financial statements were only received on Friday past and there were some clarifications and reallocations required on postings to a number of Board accounts for 2009. Additionally, upgrades to the accounting package were required to have both the Board office and the outside bookkeeper using the same program version. However, his review of the overall figures shows that the Board office is operating on budget. He further reported that approximately \$36,400 had been received by the Board as discipline recoveries in 2009. From the ensuing discussion of the reports, outstanding issues which require clarification and which will be referred to the Finance Committee include:			

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	<ul style="list-style-type: none"> • Audit Charges – to determine if bookkeeping fees were included in the stated amount • Review by accounting/IT consultant of Simply Accounting and AmSoft database to determine compatibility of programs and how we can get the most effective use of both programs. the accounting package versions used by the Board and bookkeeper • Timely submission of year end Financial Statements to the Board Office. 	D.Rowe/ Finance Committee
3.2	<p><u>Current Bank Balances – Bank of Nova Scotia</u></p> <p>Secretary-Registrar reported that the balance on deposit with the Bank of Nova Scotia in the current account is \$597,000. As most of the Board funds had been in an interest bearing Current Account, and the interest was linked to the prime rate, there was no interest being earned on the funds. He did advise that the Account Manager for the Board at Bank of Scotia is scheduled to meet with him in the next week and he will discuss the matter with him at that time.</p> <p>It was suggested that the Board should consider putting money back in cashable GIC's and/or GIC's with term dates.</p>	D. Rowe/ Finance Committee
3.3	<p><u>Summary of Cheques Issued Since Last Meeting</u></p> <p>The summary of cheques issued since the date of the last Board Meeting was presented for the information of Board Members.</p> <p>MOVED by B. Healy, seconded by D. Mifflin to adopt the financial report. CARRIED</p>	D. Rowe
4.0	<p><u>Strategic Plan Review</u></p>	D. Rowe
4.1	<p><u>Adoption of Strategic Plan for 2009 – 2011</u></p> <p>In presenting the Strategic Plan, the Secretary-Registrar reported that while Medication Management had been listed as a 1-3 year item for priority, it appears the issue is gaining momentum and he had received a call from DHCS legislative division requesting an update on the Board's progress. His response to DHCS was that there has been no further action by the Board, pending response to our earlier submission to the department of the legal opinion we received regarding regulation of continuation of care prescriptions. The Board was in agreement that Medication Management would be placed as a high priority issue on the Strategic Plan.</p>	D. Rowe
4.2	<p><u>Review of Office Operations</u></p> <p>Ms. Priddle had submitted a written memo to the Board advising that she is in receipt of the Interim Report from Ms. Lynn Morrissey, the consultant on the operations review, and a full report was expected in the next few weeks. It was reported that the Sub-Committee dealing with the Review of Office Operations (Priddle/Healy/Hensman/Bailey) have not met to</p>	Sub- Committee on Review of

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	<p>review the Interim report but it is hoped a meeting can be held in the near future. It was further noted that Ms. Priddle will discuss the Interim Report with Board Staff before the final report is completed.</p>	Office Operations
	<p>Some discussion took place on the impact of the road construction on Water Street on the operations of the Board Office, with the suggestion coming forward that the Secretary-Registrar should pursue any potential compensation for damages to the building as a result of the construction and heavy equipment operations in the immediate vicinity of Apothecary Hall.</p>	D. Rowe
5.0	<p><u>Business Arising From Minutes</u></p>	
5.1	<p><u>Role of Pharmacist Assistants Report</u></p>	
	<p>The Standard of Practice "The Role of the Pharmacy Assistant in Community Pharmacies" was presented by K. Bailey, with an explanation that the document was being presented as a work in progress, as additional work has to be done regarding pharmacy students, interns and regulated technicians and the Pharmacy Network.</p>	
	<p>It was clarified by the Secretary Registrar that the Standard being considered, is really an update of the current Standard, and would be beneficial to the community pharmacists for clarification of delegation of pharmacists' functions to other people, as provided in the Act. He further clarified that the intent would be, if possible, to make reference to Standards of Practice rather than include specific functions/details in the Regulations.</p>	
	<p>MOVED by L Hensman, seconded by K. Bailey, to adopt the Standard of Pharmacy Practice "The Role of the Pharmacy Assistant in Community Pharmacies". CARRIED</p>	
5.1.a	<p><u>Delegation to Pharmacy Assistants and Technician Regulation – Communication Strategy</u></p>	
	<p>K. Bailey presented the proposed Communication Strategy for Board consideration. He highlighted the plan of action yet to be completed as follows:</p> <ul style="list-style-type: none"> • Send to all pharmacists in The Apothecary • Create an ongoing section of The Apothecary and the website regarding Technician Regulation • Prepare face to face communication across the island using the Board Members as a front-line resource • Create presentation template (PowerPoint) to ensure consistent communication • Use fall 2009 PANL and other conferences to spread the word and engage in stakeholder consultations. 	K. Bailey/ M. Healey
	<p>MOVED by K. Bailey seconded by D. Mifflin to adopt t the Communication Strategy. CARRIED</p>	

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5.1.b	<p><u>Delegation to Pharmacy Assistants and Technician Regulation” – Background & Frequently Asked Questions</u></p> <p>During the discussion on the document it was identified that the Board needs to have discussions with educational institutions offering pharmacy assistant programs to get input from them on these issues and consult with them on the future direction of the Board regarding regulation of Pharmacy Assistants in NL.</p> <p>On review of the document, L. Hensman suggested that Page 3, be amended to read “There are three national initiatives underway <u>with respect to pharmacy technician regulation</u>”</p> <p>Board Members were asked to review the document in detail and provide feedback to K. Bailey/M. Healey, prior to the inclusion of the document in The Apothecary. An electronic copy of the document will be provided to Board Members for their responses.</p>	D. Rowe
5.2	<p><u>Legislative & Regulatory Discussion with NLCHI</u></p>	Board
5.2.a	<p>In reporting on the legislative and regulatory discussions with NLCHI, the Secretary-Registrar advised they centered mainly on implementation of the Pharmacy Network and the need for legislation to be in place prior to live testing at the selected pilot sites, particularly sections of PHIA itself, and its Regulations.</p> <p>Secretary/Registrar also expressed his concern about the Board adopting a Standard of Pharmacy Practice for the Pharmacy Network which would require NL pharmacies to comply with Pharmacy Network requirements, without having on going input into those requirements.</p> <p>Secretary-Registrar advised that the Board has been asked to name a representative to the Pharmacy Network Governance Advisory Committee, and in the interim he is currently assuming the role. He advised the Board that it would be prudent if he were not named to the Committee, to prevent a potential conflict of interest in the event a discipline issue arises. Following a short discussion, it was agreed to ask pharmacists for Expressions of Interest in serving on this Committee and a list of names put to the Executive for a decision.</p>	D. Rowe /Executive
5.3	<p><u>Standards of Pharmacy Practice for the Newfoundland & Labrador Pharmacy Network</u></p> <p>Discussion arose on the proposed Standards of Pharmacy Practice for the Newfoundland & Labrador Pharmacy Network, with Ms. Priddle advising the Board that if the Standard was adopted by the Board, without an effective date, it could be amended or updated as a result of any issues which come to light in the Network pilot sites.</p> <p>MOVED by L. Hensman, seconded by K. Bailey to adopt the draft Standards of Pharmacy Practice for the Newfoundland & Labrador Pharmacy Network, with an effective date to be determined later. CARRIED</p>	D. Rowe/ Board

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5.4 Mutual Recognition Agreement and Agreement on Internal Trade

Secretary-Registrar outlined the history of the Mutual Recognition Agreement (MRA) and the Agreement on Internal Trade (AIT), and requested authorization from the Board to sign the revised Mutual Recognition Agreement as presented. Drs. Hensman noted that the signature block should be corrected to read "Chair" for NLPB as we longer use the term President.

D. Rowe

MOVED by B. Healy, seconded by Hensman, NLPB will sign the revised Mutual Recognition Agreement (after change is made from "President" to "Chair"). **CARRIED**

Secretary-Registrar to circulate information to pharmacists on the sign off of the MRA with an explanation of the relevance of the AIT and MRA on interprovincial mobility of pharmacists.

6.0 Updates

6.1 Joint Issues Between Pharmacy and Medicine

6.1.1 Out of Province Prescriptions

Secretary-Registrar reported on the proclamation of Bill 12, An Act to Amend the Pharmacy Act, to expand the definition of "prescription" to include out of province prescriptions. He presented a proposed "Notice to Pharmacists – Filling Prescriptions from Out of Province Prescribers" and requested their review and feedback prior to circulation to pharmacists.

In presenting the FAQ's, the Secretary-Registrar drew the Board's attention to the following areas of concern which would have to be clarified:

- # 3 – Pharmacy Network – issues surrounding who the Pharmacy Network will identify out of province prescribers will be the responsibility of NLCHI.
- # 6 – Tamper Resistant Prescription Pad Program – issues surrounding the TRPP program will be the responsibility of the Pharmaceutical Services Division of the Dept. of Health & Community Services.
- # 7 - Payment by third party payers – payment or contract issues will be a matter for PANL to deal with.
- Determination of what would be considered "reasonable steps" that a pharmacist should take to identify the validity of an out of province prescription will be the responsibility of NLPB.

The following revisions to the draft Notice were made:

- # 2 – move "only" to after "physician's"
- # 6 – reword to read "Can a pharmacist accept a prescription for a drug covered by the Tamper Resistant Prescription Drug Program"
- # 6, second paragraph reword to read "...the federal Controlled Drugs and Substances Act (CDSA) permits only physicians, dentists and
- # 8 – Delete "now"

D. Rowe

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	<p>During the foregoing discussion it was clarified that the list of licensed veterinarians posted on our website is provided to the Board as an update, therefore a disclaimer should be posted that NLPB does not accept responsibility for the correctness of the information.</p>	M. Healey
6.1.2	<p><u>Continuation of Care Prescriptions and Medication Management</u></p> <p>Secretary-Registrar provided a verbal update on the issue of Continuation of Care noting that it is our position that this could be accomplished by a process of agreements with CPSNL, supported by regulatory changes. He also outlined some of the background documentation from BC that we might use as a model for NL.</p> <p>Some discussion arose concerning Continuation of Care and Medication Management issues in specialty areas, with Dr. Kelly advising that she and Dr. Scott Edwards have been discussing the issue in some detail and Dr. Edwards indicates full support from a prescriber he practises with. Dr. Kelly also advised that they have been looking at developing a proposal for implementing a pilot project in a specific practice area, with a built in evaluation and feedback to physicians, etc.</p> <p>It was agreed that it would be advisable to place a higher priority on Continuation of Care Prescriptions and Medication Management, particularly since several items in the Strategic Plan have been now been completed</p> <p>Any issues surrounding financial compensation to pharmacists for providing Continuation of Care Prescriptions and Medication Management were identified as a PANL issue.</p>	
6.2	<p><u>CP Development Audit Results</u></p> <p>Dr. Kelly outlined the challenges faced by the R & L Committee during the audit process, as identified in the "Continuing Professional Development Audit Results" report and recommendations as presented.</p> <p>Following some discussion it was agreed that phrase "<i>A pharmacist, who has been non compliant in the previous audit year, may be automatically audited again in the next audit year</i>" should be reworded to "<i>A pharmacist, who has been non compliant in the previous audit year, will be audited again in the next year, in most circumstances.</i>"</p> <p>MOVED by L. Hensman, seconded by K. Bailey, to adopt the Continuing Professional Development Audit Results and Recommendations, with the addition that fax or e-mail submissions of Professional Development submissions would no longer be acceptable. CARRIED.</p>	R & L Committee
6.3	<p><u>100th Anniversary Committee</u></p> <p>B. Healy, Chair of the 100th Anniversary Committee, reported that Holiday Inn in St. John's has been booked for 3 nights and that the NLPB Meetings would take place in conjunction with the PANL Conference. Additionally, work is ongoing on financial contributions from</p>	

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	various corporate sponsors.	
7.0	<u>New Business</u>	
7.1	<u>Standards of Pharmacy Practice for Community Pharmacy – Draft 1 For Discussion Only</u>	
	Secretary-Registrar in submitting the Standard of Pharmacy Practice for Community Pharmacy explained that it was being presented “For Information Purposes” at this time, but he requested Board Members to review the document in its entirety and provide feedback on any areas of concern.	
	Some Board Members identified specific sections of concern to them individually, but it was agreed that an electronic version of the draft Standards would be sent to Board Members for e-mail response to M. Healey by no later than 30 June.	D. Rowe/ Board Members
7.2	<u>Policy on Professional Liability Insurance</u>	
	The Secretary-Registrar presented the Board’s Policy on Professional Liability Insurance and suggested to the Board that it may be time to increase the mandatory liability insurance minimum coverage from \$1 Million to \$2 Million.	
	It was decided that the Secretary-Registrar seek information from insurance companies on claims and settlement amounts in preparation for the full review of Board’s liability insurance policy and report back to the Board at its next meeting. It was also agreed that pharmacists, and PANL should be made aware that, based on their area of practice, pharmacists may wish to look at increasing their liability insurance coverage.	D. Rowe
7.3	<u>School of Pharmacy Update</u>	
	L. Hensman updated the Board on the recent announcement by the Provincial Government of their financial commitment to the School of Pharmacy for \$1.5 Million per year for three years in order to:	
	<ul style="list-style-type: none"> • increase enrollment by 20 seats per year, • recruit of 10 faculty members • recruit 6 new staff members, and • work with the Pharmacists’ Association for professional development programs 	
	L. Hensman will keep the Board updated on progress in implementing the changes required at the School of Pharmacy in order to facilitate increased enrollment, accommodating additional faculty and staff members and development of professional development programs.	L. Hensman

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7.4.1	<u>Joint Committee on Structured Practice Experience</u> Secretary-Registrar questioned the necessity of having both Ms. Crane and himself on the JCSPE and the time constraints that it places on them. It was agreed that a call for expressions of interest will be sent to registered pharmacists across the province. Once received the Executive Committee will make the final selection.	D. Rowe/ JCSPE
7.4.2	Registration and Licensing Committee At the request of the Board, the Committee reviewed the list of candidates interested in appointment to the Committee and submitted the following names, in order of preference, for appointment: Scott Dawe Christina Tulk Patricia Clark Jody Pomeroy Jeremy Parsons Jeremy Reid MOVED by L. Hensman, seconded by D. Mifflin that the above be appointed to the Registration & Licensing Committee. CARRIED.	D. Rowe
7.4.2	<u>Registration & Licensing Committee - Chair:</u> Secretary-Registrar advised that the former Chair, Don Hillier, has tendered his resignation as Chair of the Committee and a replacement needs to be appointed. MOVED by L. Hensman that Barbara Thomas be appointed as Chair of the Registration & Licensing Committee, seconded by J. Howlett. CARRIED	D. Rowe
7.4.3	<u>NAPRA Representative</u> Secretary-Registrar advised that Sandra Carey, the Board's current representative on the NAPRA Board, will be serving as NAPRA's Immediate Past Chair until April 2010. However, her appointment by our Board is due to expire in October of 2009. MOVED by D. Mifflin, seconded by K. Bailey, that Sandra Carey's term as NLPB's representative on the NAPRA Board be extended until expiry of her term as Immediate Past Chair in April, 2010. CARRIED	

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8.0	<u>New Business</u>	
8.1	<u>By-Law Amendments & Consistency of Wording of Board Documents</u> Secretary-Registrar advised that Agenda Items 8.1 and 8.2 were presented in the same tabular document. During discussion of the document (8.1) it was agreed that wherever the term "language fluency" appears it should be amended to read "language proficiency". MOVED by B. Healy, seconded E. Toope to adopt the by-law changes as noted. CARRIED	M. Healey
8.2	<u>Comparison of Documents</u> MOVED by D. Mifflin, seconded by L. Hensman, that the Comparison of Documents proposals presented by adopted, with the following changes. - Pg 3 It was noted that most provinces have a Pharmacy Faculty or Pharmacy College and it was suggested the wording be changed to "proof of graduation from an accredited university level pharmacy program" - The word "step" should be changed to "steps" throughout the document. - Item 6 (g) –in the proposed Registration as a Pharmacist - for Applicants Currently or Formerly Registered in Another Province of Canada policy the language proficiency requirements should be clarified. CARRIED	
8.3	<u>Updated Board Documents</u>	
8.3.a	<u>Practice Experience Requirements</u>	
i)	Canadian Graduates MOVED by L. Hensman, seconded E. Toope to adopt the updated Practice Experience Requirements for Registration as a Pharmacist – Canadian Graduates policy, with the following correction. - Pg 4, Item 3 - add the word studentship CARRIED	
ii)	International Pharmacy Graduates MOVED by D. Mifflin, seconded by L. Hensman to adopt the updated Practice Experience Requirements for Registration as a Pharmacist – IPG policy. CARRIED	
8.3.b	<u>Registration Requirements</u>	
i)	Canadian Graduates MOVED by L. Hensman, seconded J. Howlett to adopt the updated Requirements for Registration as a Pharmacist – Canadian Graduates policy, with the following amendments:	

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	<ul style="list-style-type: none">- 3rd line – replace “step” with “steps”- “Fluency” should be changed to “proficiency” where ever it occurs in the document. <p>CARRIED</p>	
ii)	Transferring Pharmacists MOVED by L. Hensman seconded D. Jenkins to adopt the updated Requirements for Registration as a Pharmacist –Canadian Graduates policy, with the following amendment: <ul style="list-style-type: none">- Under Item 3 (d) – reword to “continuing professional development and/or competency requirements.” <p>CARRIED</p>	
iii)	International Pharmacy Graduates MOVED by K. Bailey seconded B. Healy to adopt the updated Requirements for Registration as a Pharmacist – International Pharmacy Graduates policy with the following amendments: <ul style="list-style-type: none">- Replace “step” with “steps”- “Fluency” should be changed to “proficiency” where ever it occurs in the document. <p>CARRIED</p>	
8.3.c	<u>Program of Examinations</u> MOVED by D. Mifflin, seconded by Joanne Howlett to adopt the updated NLPB Program of Registration Examinations policy, with the following amendment: <ul style="list-style-type: none">- Add to the document: “In extenuating circumstances, special sittings may also be arranged.” <p>CARRIED</p>	
8.3.d	<u>Policy on Re-Registration</u> MOVED by J. Howlett, seconded by D. Mifflin to adopt the updated NLPB Policy on Re-Registration of Pharmacists. <p>CARRIED</p>	
8.3.e	<u>Schedule of Fees</u> L. Hensman reiterated earlier comments by MUPS rep, Megan Dawe, that students were questioning what value they received for their student registration and Ms. Dawe’s initiative in responding to the students with an outline of the benefits they receive for their registration fee, a copy of which had been forwarded to the Secretary-Registrar. The issue of a one time fee, covering the Atlantic Provinces, was still an item that many students wished the Board to pursue. MOVED by J. Howlett, seconded by D. Mifflin to adopt the updated NLPB Schedule of Fees. <p>CARRIED</p>	

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8.4	<u>Next Meeting</u> The next meeting of the Board will take place in conjunction with the Annual PANL Conference. A schedule of meetings for the Board for the coming year will be developed at the Fall Meeting.	
8.5	<u>Complaints & Discipline – In Camera</u> MOVED by L. Hensman, seconded by D. Mifflin that the licenses of Mr. Lloyd Bennett and Mr. Gerald Whalen be suspended immediately in the interest of public safety and pending confirmation from legal counsel. CARRIED	
9.0	<u>Adjournment</u> – Motion for adjournment by L. Hensman at 2:40 p.m.	