

NEWFOUNDLAND & LABRADOR PHARMACY BOARD
 MINUTES OF SPECIAL MEETING – 27 JULY 2011
 BOARDROOM, APOTHECARY HALL
 488 WATER STREET, ST. JOHN'S

Item Discussion Action by:

1.0 Call to Order & Adoption of Agenda

Board

Christina Tulk (Chair)
 Debbie Kelly
 Linda Hensman
 Keith Bailey
 Brian Healy
 Ray Gulliver
 Don Mifflin

Staff

Donald Rowe
 Arlene Crane
 Melanie Healey
 Aileen O'Keefe
 Meghan Handrigan

Sandra Carey

Regrets

Eugene Toope

1.0 Adoption of Agenda

The meeting was called to order at 1:05 p.m. It was duly moved and seconded that the Agenda be adopted as presented. It was also noted that there was no quorum during the first part of the meeting.

1.1 Conflict of Interest

R. Gulliver declared a conflict of interest for item 3.3; he works for an independent pharmacy whose owner is a member of CICPO.

3.3 Letter to pharmacists from the Minister of Health

This item was moved to the beginning of the meeting while three Board Members were asked to leave the room; Don Mifflin, Brian Healy and Linda Hensman, to prevent a conflict of interest for a possible complaints authorization committee meeting on this issue at a later date. It also should be noted that Mr. Gulliver did not participate in these discussions, except to the extent of responding to any questions about the situation that the other Board members wanted clarified.

The Secretary-Registrar indicated that the Board office had received correspondence from the Minister of Health, Jerome Kennedy. One was a copy of a letter addressed to the members of CICPO and stated that the 30 day notice to withdraw from the NLPDP participation agreement is not a reasonable amount of time. A second letter was a copy of a follow-up letter indicating that a pharmacy that wished to discontinue providing service to NLPDP clients would have to give 120 days written notice to each patient for whom that pharmacy had billed services to the NLPDP over the past year. This second letter also asked what the Board's position was if these pharmacists refused to give the 120 day notice.

There was broad ranging discussion surrounding these letters. The Secretary-Registrar explained that there was no authority under the Pharmacy Act for the Board to obligate a pharmacy to take any drug insurance card, whether it be a Blue Cross, Johnsons

Insurance, NLPDP, or any other insurance card. Similarly the Board has no authority to obligate a pharmacy to accept Visa, MasterCard or other credit cards. The Board agreed that there was a potential risk of limitation of access to needed medications for NLPDP clients if significant number of pharmacies, or pharmacies in certain areas of the province, refused to accept the NLPDP drug card. It was also agreed that reasonable notice of intention to discontinue acceptance of an insurance card previously accepted was necessary. A Board member suggested that the Board might need to develop guidelines or standards for all pharmacists regarding discontinuation of service to patients or changes in policies with respect to acceptance of insurance plans or methods of payment for services. A question also arose about potential privacy issues that might arise if letters containing personal information were sent to "last known addresses". A member also asked if NLPDP patients were aware that some pharmacies were threatening to stop accepting the NLPDP cards. The Secretary-Registrar explained that some patients have been made aware by the pharmacists themselves, and CICPO has produced commercials that were broadcasted on July 26, 2011 to this affect. The Minister had explained in the second letter that if a CICPO member refuses to take the NLPDP card that the Government will file a complaint with the Board. The Board would treat these complaints just as any others. Since these letters have been received, CICPO has backed down and said they would still take the NLPDP card on and past July 28, 2011. They are still in negotiations with the government.

2.0 Strategic Plan for 2011-2013

2.1 Priorities and Resources for 2011-2013

M. Healey reported that the Board staff held a meeting to decide upon their recommendations to the Board with respect to the priorities, resources and timelines of the Strategic Plan for 2011-2013.

M. Healey presented these recommendations regarding the Strategic Plan in a PowerPoint presentation. After discussion, the various items on the Strategic Plan were categorized in terms of priority as: Immediate, 1 Year, 2 Year and 3 Year. It was also agreed that a number of responsibilities of the Board and its staff are continuous and should be categorized as "On Going". The Strategic Plan Report will be adapted to include with each item a priority categorization and an indication of who will be primarily responsible for activity on that item.

3.0 Other Business:

3.1 Proposed By-Law changes

There was a long discussion regarding the registration fees for 2012. The Board felt that they did not want to raise the fees just because all of the other Provinces had in the last year, but it was recognized that 2011 will be an extraordinary year for costs and that the initiatives set out in the Strategic Plan will require the provision of extra resources. After discussion, and clarification of the intent being received from members of the Finance Committee, the Board agreed with the fee changes proposed by the Finance Committee and that all pharmacists should be informed about why a fee increase is necessary.

It was agreed that:

- the Annual Registration fee for practising pharmacists would be increased by \$50.00 per year (to \$600.00 per year), effective January 1, 2012;
- in 2012 a one time fee of \$50.00 be charged to each practising pharmacist;

- the Annual Business Licence for a pharmacy be increased by \$75.00 per year (to \$995.00 per year), effective January 1, 2012.

It was also agreed that reference to the one time fee for 2012 would be added to the By-laws as footnote #4 to section 104 of the By-laws, describing it as: "A one time annual fee for the capital cost of the new database."

MOVED by K. Bailey, seconded by R. Gulliver to adopt the proposed amendments to the Pharmacy Board By-Laws with changes. **CARRIED**

3.2 Board Elections

The Secretary-Registrar reported that the following nominations had been received for election of representatives to the Board:

- a) Central

The nominations for Zone 3 are Theresa Hill and David Cramm

- b) At Large

The nominations for At Large are Linda Hensman, Keith Bailey, Jeremy Reid, Shawn Vallis and Sheldon Baines.

The Board was pleased that sufficient nominations were received to require that elections take place. Elections show interest from pharmacists in the activities of the Board.

3.3 Meeting with Department of Health and Community Services

It was agreed that the Strategic Plan includes a number of significant initiatives that will require the approval and cooperation of the Department on Health and Community Services. For this reason it is important that Board representatives meet directly with Department official to discuss these issues and convince government of the necessity of legislative and regulatory amendments to enable those initiatives.

MOVED by K. Bailey, seconded by Christina Tulk to approach the Deputy-Minister to discuss the current issues and seek meetings with the Minister and Department officials. **CARRIED**

4.0 Adjournment

The motion for adjournment was called at 4:50 pm. by K. Bailey.