

# Draft Minutes

**March 19, 2020  
Teleconference Call  
1-888-585-9008  
Public Code: 599196982(#)  
1:00 p.m. ET**



**Richard Montgomery, BPharm,  
MBA  
Chair**

**Jonathan Hickman, PharmD  
Vice-Chair**

**Jessica Sapp,  
Executive Director**

**BOARD OF PHARMACY  
EMERGENCY RULE HEARING  
March 19, 2020  
Teleconference Call  
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Public Code: 599196982(#)  
1:00 p.m. ET**

Participants in this public meeting should be aware that these proceedings are being recorded  
and that an audio file of the meeting will be posted to the board's website.

**I. CALL TO ORDER/ROLL CALL**

Call to Order - The meeting was called to order by Board Chair, Mr. Montgomery, at 1:00 p.m. ET.

Those present during the meeting included the following:

**MEMBERS PRESENT:**

Richard Montgomery, BPharm, MBA, Chair  
Jonathan Hickman, PharmD, Vice – Chair  
David Wright, BPharm  
Mark Mikhael, PharmD  
Jeffrey J. Mesaros, PharmD, JD  
Jeenu Philip, BPharm  
Gavin Meshad, Consumer Member

**STAFF PRESENT:**

Jessica Sapp, Executive Director  
Traci Zeh, Program Administrator

**BOARD COUNSEL:**

Christopher Dierlam, Assistant Attorney  
General

**ABSENT MEMBERS:**

Blanca R. Rivera, PharmD, MBA

**COURT REPORTER:**

For the Record  
150 Mahan Drive, Suite 140  
Tallahassee, FL 32308  
(850) 222-5491  
(850) 224-5316 (Fax)

**II. DISCUSSION ITEMS**

**A. Emergency Rule Addressing Consultant Pharmacist Obligations Under  
64B16-28, F.A.C.**

Pursuant to Rules 64B16-28.501, F.A.C.; Rules 64B16-28.702(2)(b), (c), and (d) F.A.C.; Rule 64B16-28.850(16), F.A.C., and Rules 64B16-28.870(3)(c) and (d), F.A.C., a consultant pharmacist of record for a Class I, Class II, Modified Class II, or Class III Institutional permit shall inspect the facility and prepare a written report to be filed at the permitted facility at least monthly.

Due to the concerns surrounding the spread of COVID-19, The Board proposed the emergency rule that waived the requirement that off-site consultant pharmacists conduct in-person inspections and on-site consultations.

Mr. Dierlam confirmed that the rule would be in effect for ninety days from the date it was filed.

64B16ER20-21 (64B16-28.501) Consultant Pharmacist of Record; Initial Designation; Change.

(1) through (4) No change.

(5) Off-site consultant pharmacists of record shall not be required to perform inspections and on-site consultations at permitted institutional pharmacies as referenced in Rules 64B16-28.501, F.A.C.; Rules 64B16-28.702(2)(b), (c), and (d) F.A.C.; Rule 64B16-28.850(16), F.A.C., and Rules 64B16-28.870(3)(c) and (d), F.A.C., when the consultant pharmacist of record is not regularly present at the location. This rule shall in no way modify any obligations stemming from State or Federal laws requiring drug regimen reviews.

At this time the Board allowed for public comment.

Motion: by Dr. Hickman to approve the proposed rule language

Second: by Mr. Wright

Vote: Unanimous

Motion: by Dr. Mikhael that no part of this rule or a violation of this rule should be designated as a minor violation.

Second: by Dr. Hickman

Vote: Unanimous

### **III. ADJOURNMENT**

There being no further business, the meeting adjourned at 1:35 p.m.