

**BOARD OF PHARMACY
WHITE AND BROWN BAGGING WORKGROUP
February 9, 2022
1:00 p.m. ET
DoubleTree by Hilton Hotel Deerfield Beach – Boca Raton
100 Fairway Dr.
Deerfield Beach, FL 33441
(954) 427-7700**

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

Dr. Hickman called the meeting to order at 1:00 p.m. ET.

MEMBERS PRESENT

Jonathan Hickman, PharmD
Patty Ghazvini, PharmD, BCGP
Dorinda Segovia, PharmD, MBA

STAFF PRESENT

Jessica Sapp, Executive Director
Traci Zeh, Program Administrator

WORKGROUP MEMBERS PRESENT

Ken Komorny, PharmD, BCPS
Michael Diaz, MD
Richard Palombo, RPh, DPh
Mark Percifield, PharmD
Jorge Garcia, PharmD, MS, MHA,
MBA, FACHE

BOARD COUNSEL

David Flynn, Esq.
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II. NEW BUSINESS

a. White and Brown Bagging Emerging Practices

The Board of Pharmacy received correspondence from the Florida Society of Health System Pharmacists, Inc (FSHP) regarding White and Brown Bagging Practices. Subsequent to their request for discussion the Board formed a workgroup made up of three Board of Pharmacy members and health care professionals from the public. The Workgroup discussed White and Brown Practices during the August 25, 2021. At the conclusion of that meeting Dr. Hickman tasks the workgroup members with identifying what changes they would make to the practices and asked for data to be collected from other states.

The Workgroup met on October 13, 2021 to continue the discussion. At the conclusion of the meeting Mr. Flynn suggested the Workgroup review any proposed language in consultation with additional administrative law judges from other professions from the panel to ensure compliance with regulations among the medical professions.

This was placed on the agenda to continue the discussion.

Dr. Hickman opened the meeting with allowing the Workgroup members to provide opening remarks regarding white and brown bagging, patient access and patient safety.

Dr. Hickman addressed the Workgroup regarding the statutory authority and rulemaking ability that is within the Boards purview.

Mr. Flynn addressed the Workgroup and confirmed that he communicated with attorneys and colleagues, reviewed the statutes, and came to the conclusion that legislative changes would need to occur in order for the Board to have rule making authority.

Dr. Hickman addressed the Workgroup regarding SB 748, Clinician – Administered Drugs. He also reiterated that when shipping drugs, the pharmacy must acknowledge they are shipping, the patient must acknowledge they are receiving the drug and the facility must acknowledge/agree to accept the drug on behalf of the patient.

Dr. Levin addressed the Workgroup and suggested the need for a consent/acceptance process with the delivery of the medication.

Dr. Komorny addressed the Workgroup agreeing with Dr. Levin. If there was a consent process in place the clinicians would have knowledge of who the medication is for.

Dr. Diaz addressed the Workgroup and echoed the previous comments with the caveat that the entity shipping the medication should not automatically assume the physician is the agent of the drug. He suggested the physician should be required to consent/agree to being the agent.

Dr. Palombo addressed the Workgroup and agreed with the comments provided.

Mr. Wright addressed the Workgroup and reiterated that a pharmacy cannot accept medication from another pharmacy without a central fill consent agreement.

Dr. Garcia conveyed he would like to ensure a process regarding brown bagging and that any measures put in place must cover both white and brown bagging to protect the patient's medication.

Mr. Wright stated the Board is not able to be prescriptive; however, can reiterate what is already in our Florida Statutes.

Dr. Hickman addressed the Workgroup and suggested the adjournment of the discussion at this time; however, reconvene, if necessary, in a few months. He reiterated that the pharmacy practice act is clear. The responsibility lies between the organization receiving the medication and the specialty pharmacy shipping the medication.

Dr. Hickman also expressed that the Board would highlight 465.003, Florida Statutes in order to make the public aware of the requirements. He stated that should anyone be aware of actions taking place outside the scope of practice, they should notify the Department via the Florida Health Care Complaint Portal or by notifying the Board Office.

III. ADJOURNMENT

There being no further business the meeting adjourned at 3:20 p.m.