



TEXAS STATE BOARD OF PHARMACY

Jeanne D. Waggener, R.Ph.
President
Waco

June 28, 2016

Buford T. Abeldt, Sr., R.Ph.
Treasurer
Lufkin

The Honorable Larry Gonzales, Chair
Sunset Commission
P.O. Box 13066
Austin, Texas 78711

Christopher M. Dembny, R.Ph.
Richardson

L. Suzan Kedron
Dallas

Delivered by E-Mail to: Larry.Gonzales@house.state.tx.us
Sunset@sunset.texas.gov

Alice G. Mendoza, R.Ph.
Kingsville

Bradley A. Miller, Ph.T.R.
Austin

Dear Chair Gonzales:

Phyllis A. Stine
Abilene

Thank you for the opportunity to present information to the members of the Commission at the public hearing on June 23, 2016. I need to clarify just one issue discussed at the hearing; specifically the date the Texas State Board of Pharmacy officially begins operating the Texas Prescription Monitoring Program.

Suzette Tijerina, R.Ph.
Castle Hills

Senator Schwertner introduced and passed S.B. 195 during the 2015 Texas Legislative Session. This bill moves the Texas Prescription Monitoring Program (Texas PMP) from the Texas Department of Public Safety to the Texas State Board of Pharmacy (TSBP) and specifies that TSBP will begin operating the Texas PMP on September 1, 2016. Until September 1, 2016, the Texas Department of Public Safety will continue operating the Texas PMP.

Dennis F. Wiesner, R.Ph.
Austin

Jenny Downing Yoakum, R.Ph.
Kilgore

Gay Dodson, R.Ph.
Executive Director/Secretary
Austin

As authorized by SB 195, TSBP has entered into a contract with a vendor (Appriss) to operate the program in January 2016. For the past six months, TSBP has been working with Appriss on the design and functionality of the system. I may have confused the issue when I reported on some of the new functions that will be available when TSBP begins operating the Texas PMP on September 1, 2016.

I hope this has clarified the issue. Again, thank you for opportunity to provide information to the Commission. If you or any of the members has questions, please contact me by telephone at 512/305-8025 or by e-mail at gay.dodson@pharmacy.texas.gov.

Sincerely,

Gay Dodson, R.Ph.
Executive Director/Secretary

c: Board Members



TEXAS STATE BOARD OF PHARMACY

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April 22, 2016

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Lufkin

Sunset Advisory Commission
P.O. Box 13066
Austin, Texas 78711-3066

L. Suzan Kedron
Dallas

Alice G. Mendoza, R.Ph.
Kingsville

Dear Mr. Levine:

Bradley A. Miller, Ph.T.R.
Austin

I have reviewed the Sunset Staff Report (Report) of the Texas State Board of Pharmacy (TSBP) and the issues presented in this Report. Overall, the agency is in agreement with the great majority of recommendations; however, the agency and Board members have a response on *Recommendation #1 in Issue 1* of the Report as described below:

Phyllis A. Stine
Abilene

Chip Thornsburg
San Antonio

Suzette Tijerina, R.Ph.
Castle Hills

Issue 1

Dennis F. Wiesner, R.Ph.
Austin

Recommendation #1 - *Beginning in 2018, require pharmacists to search the Prescription Monitoring Program database before dispensing certain controlled substances.*

Jenny Downing Yoakum, R.Ph.
Kilgore

Comments:

Gay Dodson, R.Ph.
Executive Director/Secretary
Austin

- The number of pharmacists that routinely review dispensing data in the current prescription monitoring program (PMP) is low, primarily because the current system does not present the data in a manner that allows timely review. The system that TSBP will offer beginning September 1, 2016, should allow pharmacists to access and review data in a much more user friendly manner. We believe this improvement will dramatically increase voluntary use of the system by both pharmacists and physicians.
- Mandatory review for every prescription is not necessary when dispensing certain types of prescriptions, i.e., patients who are regular customers of the pharmacy and who have a legitimate reason to be taking the controlled substance and the pharmacist has communicated with the physician regarding the use of the drug for this patient.
- Mandatory review would appear to be an important step in addressing the current prescription abuse epidemic in our country. However, a mandated "manual" review that is not integrated with current pharmacy systems lends itself to multiple unintended consequences such as delays in serving patients and/or creating access issues for legitimate patients.

- Having pharmacists review the database without having prescribers review the database, in advance, places the pharmacist in the precarious position of second guessing the patient's physician or healthcare provider. The Report indicated that the review of the PMP database by prescribers would not be addressed until the upcoming Sunset review of the Texas Medical Board.
- Pharmacists currently have an obligation to review all prescription orders to determine their validity and that the order is for a legitimate medication purpose. Pharmacists use their professional judgment along with other tools to identify potential Red Flag alerts on controlled substance prescriptions. The PMP database provides an additional resource after the initial review.
- Since the PMP information regarding dispensing information for a patient may come from multiple pharmacies, the integrity of the data available as it relates to identifying individuals accurately is suspect.
- Potentially, audits by payers for prescriptions, both government and commercial, might result in paid claims being disallowed retrospectively if a pharmacy was unable to document compliance with the requirement to review the PMP database.

Suggestions:

- Require all pharmacists to register/create an account to access information in the PMP database.
- Do not mandate pharmacists to access the PMP database, even if that might be only for limited medications.
- Allow pharmacists to use their professional judgment in determining when to access the PMP database.
- Allow current access to occur based upon professional judgment until current pharmacy database systems have the capability of interfacing electronically with PMP databases.

Thank you for allowing us to comment on the Report. In addition, I would like to thank the members of our Review Team (Steven Ogle, Project Director, Katharine Teleki, and Tamara Schiff) for the thoroughness of their review and the professional manner in which they handled the review. If you have any questions regarding the information in this letter, please contact me.

Sincerely,



Gay Dodson, R.Ph.
Executive Director/Secretary

cc: Board Members