

**Drug Wholesale Distributor Advisory Council Meeting
December 3, 2015
Draft Meeting Minutes**

9:30 a.m. Call to Order by Gary Cacciatore, Chair

The meeting was called to order by the Chair, Mr. Cacciatore. All members were present except Mr. Philpot.

TAB 1: Approval of Minutes –August 6, 2015

There were suggested corrections for the Transcript from the August 6, 2015 meeting.

Mr. Mahoney gave the following corrections to the transcript
Page 26, line 13 correct the word gain to game.
Page 30, line 12 correct the word elicit to illicit
Page 38, line 12 change must to what.

Mr. Russell of Nephron suggested corrections to Heather Zink's presentation on transaction information and history.

Mr. Dixon stated he was fine with making minor corrections to the transcript but did not want to change someone else's testimony that was recorded by a court reporter.

After discussion the council and director decided to leave the transcript as it had been recorded by the court reporter.

Motion by Mr. Barnes: to leave the transcript as it was presented and provide a summary of meeting minutes for the next meeting.
Seconded by Dr. Mendez. Motion Carried

There will be a court reporter for all future meetings and any suggested changes or corrections will be noted in the next transcript.

TAB 2: Chair's Report – Gary Cacciatore, PharmD, JD

a. 499.0121 Section 15 - Due Diligence of Purchasers

Mr. Cacciatore gave a briefing on the Board of Pharmacy, Controlled Substances Standards Committee that has been addressing issues with legitimate patient access to controlled substances. Mr. Cacciatore reported that testimony from some pharmacists indicated they believed that the language in Chapter 499 regarding assessing orders of greater than 5,000 dosage units per months of a controlled substance is being treated as a strict limit and there may be legislation introduced to eliminate that language.

Mr. Phillip stated if a bill is proposed that the council would show support for this bill to remove the 5000 units.

Mr. Barnes asked if this would conflict with the federal regulations.

Mr. Cacciatore stated that wholesalers are required to review all orders so this would not conflict.

Mr. Mays stated that he thinks this is just a trigger number that if orders go over this than there could be a problem.

Mr. Barnes suggested the best approach would be to remove the language from statute and mirror the federal language.

Dr. Mendez stated there is some confusion at the patient level that there is a 5000 limit and not a 5000 trigger. If we don't support removing this language than there needs to be some clarification to the end user on the 5000 limit.

Mr. Ayotte stated this language was put in to set a bar for Florida and wholesalers. By taking out the 5000 limit would achieve what you're trying to do.

Motion made by Mr. Barnes: that the council recommends that the department support legislation that removes the 5000 dosage language from the statute and uses language that mirrors federal requirements. Motion seconded by Dr. Mendez. Motion carried

Mr. Dixon stated he has no issues with taking the recommendation from the council to the legislative affairs office that the council is on record for supporting the change to the language.

Mr. Phillips stated he would go back to the Board of Pharmacy, Controlled Substance Committee that the council would be in favor of any proposed legislation.

TAB 3: Division Director's Report – Reginald Dixon

Mr. Dixon provided a rules update to the council.

Mr. Dixon stated the proposed rules for the DQSA are being routed through the department. As soon as the rules are published we can route them to the council for review.

Mr. Ellis asked if the council will have the opportunity to comment on the rules.

Mr. Dixon stated everyone will have the opportunity to comment or to request a workshop.

Mr. Dixon informed the council that legislative session will begin January 11, 2015 and ends March 11. If there are any bills filed in regards to Chapter 499, the Division will forward those to the council for review.

Mr. Cacciatore stated if there was any further business to be discussed from the council or the audience.

Motion made by Mr. Mahoney seconded by Patrick Barnes to adjourn the meeting. Motion Carried