ORDER GRANTING PETITION FOR APPROVAL
OF CONTINUING EDUCATION COURSE

THIS MATTER came before the Board of Pharmacy (hereinafter “the Board”), at a duly noticed public meeting held on October 16, 2007, in Tallahassee, Florida, on the petition of University of New Mexico, College of Pharmacy (hereinafter “Petitioner”), for approval of continuing education course. (A copy of the Petition is attached hereto and incorporated as Exhibit A).

The Petitioner was not present or represented. The Board was represented by Reginald D. Dixon, Assistant Attorney General.

After a complete review of the record in this matter, including consideration of the Petitioner's written evidence, the Board makes the following findings and conclusions:

FINDINGS OF FACT

1. Petitioner, an ACPE accredited continuing education provider, offers a continuing education program for nuclear pharmacists, via correspondence.

2. The program has been available for, and taken by Florida licensed nuclear pharmacists since March 2007.

3. Although the course was being taken by Florida licensed nuclear pharmacists, the course had not been approved by the Board.

4. This was brought to the Petitioner's attention and the Petitioner immediately sought Board approval. The Board approved the program in August 2007.
5. Those licensed Florida nuclear pharmacists that took the Petitioner's program beginning in March 2007, would be harmed as a result of the lack of Board approval of the program prior to August 2007.

6. Approval of the program effective March 1, 2007, would prevent Florida nuclear pharmacists from suffering harm.

Based on the foregoing, the Board voted to approve the Petitioner’s program effective March 1, 2007.

Therefore it is

ORDERED AND ADJUDGED that:

The Petition for approval of the continuing education program is GRANTED.

This order shall become effective upon filing with the Clerk of the Department of Health.

DONE AND ORDERED, this 19 day of December, 2007

BOARD OF PHARMACY

Rebecca R. Poston, R. Ph.
Executive Director
Florida Board of Pharmacy
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by certified mail to: UNM - College of Pharmacy c/o: Kristina M. Wittstrom, Pharmacy CE Director, College of Pharmacy, The University of New Mexico, MSC 09 5360, 1 University of New Mexico, Albuquerque, New Mexico 87131-0001; and by interoffice mail to: Deborah B. Loucks, Assistant Attorney General, Office of the Attorney General, The Capitol, PL-01, Tallahassee, FL 32399-1050, this 31 day of December 2007.

[Signature]

Deputy Agency Clerk
MEMORANDUM

DATE: September 19, 2007
TO: Board of Pharmacy
FROM: Rebecca R. Poston, R.Ph., Executive Director
SUBJECT: Petition for Continuing Education Approval Date Change

ACTION REQUIRED: Review Correspondence
DATE DUE: October 16-17, 2007

Through correspondence, The University of New Mexico, College of Pharmacy is petitioning the Board to release Florida Nuclear Pharmacists from a requirement to repeat UNM CE monographs completed between March 1, 2006, and the present.

Please review the correspondence provided. Thank you for your consideration of this matter.

RRP/mw
Atch.
September 14, 2007

Board of Pharmacy
Florida Department of Health
Bin # C04
4052 Bald Cypress Way
Tallahassee, Florida 32399-3254

Attention: Rebecca Poston, RPh, Executive Director
Ron Salem, PharmD, Chairman of the Board

Re: Petition for Continuing Education Approval Date Change

Dear Ms. Poston and Dr. Salem;

Petition:
We request that the Board grant approval of the University of New Mexico Continuing Education Program for Nuclear Pharmacists effective March 1, 2006 or publication date and release Florida nuclear pharmacists from a requirement to repeat UNM CE monographs completed between March 1, 2006 and the present.

Background: University of New Mexico Continuing Education Program for Radiopharmacists

1. The University of New Mexico is an ACPE accredited continuing education provider.
2. The program has offered correspondence type continuing education courses specific to nuclear pharmacy since 1993.
3. The program was designated by the Board of Pharmaceutical Specialties (BPS) as a professional development program for use as recertification for Board Certified Nuclear Pharmacists as of 1996. This designation was last renewed by BPS in October 2006.
4. BPS requirements for recertification CE require:
   a. Peer review by two BCNP editors
   b. Guest editor review for specific topics
c. Additional review by ten member advisory board of BCNPs for content applicability and contact hour value.
d. Topics must be applicable and traceable to the knowledge statements contained in the Content Outline for the Nuclear Pharmacy Specialty Certification Examination.
e. Annual review and annual designation as an approved recertification program.

The University of New Mexico (UNM) has had continuous Florida Board of Pharmacy program approval from inception in 1993 through 2004. The change which required nuclear pharmacy continuing education programs to register with CE Broker was not effectively processed by UNM. In this case we believe that the lack of compliance was a result of oversight brought about by several circumstances.

Contributors to this oversight include:
1. Program Director located in Australia
2. June 2002: Retirement of the Dean who initiated & held administrative authority for the program.
3. November 2002: Appointment of new Dean (unaware of program oversight)
4. December 2003: Relocation of CE Administrator (and all records) to Australia with no notice
5. June 2005: Termination of Program Director & CE Administrator
6. October 2005: Appointment of new Director and CE Administrator
   a. Queries about Florida CE requirements resulted in misinformation.
      i. ACPE accredited programs (no exceptions mentioned) were longer required Florida Board of Pharmacy approval.
      ii. Pharmacists could self-report earned CE hours for any programs not listed by CE Broker.
7. July 8th 2007: Notified by Florida nuclear pharmacist of issues with the UNM CE program.

The July 8th phone call prompted an immediate investigation into the situation. Calls were made to CE Broker and to the Board of Pharmacy for directions and clarification. On July 19, 2007, three volumes representing 45 contact hours of CE for nuclear pharmacists were submitted for approval to the Florida Board. These were approved on August 9th. Since then, requests have been submitted for approval of 30 contact hours on August 10th and 7.5 hours on September 5th.

UNM Took prompt corrective action and sought approval from the Board as soon as the miscommunications were clarified. It is our intent to closely monitor compliance with CE provider requirements within the State of Florida from this time forward.
The issue of concern is the requirement for nuclear pharmacists to retake any continuing education lessons completed prior to the Board approval date. For example, if a nuclear pharmacist completed UNM CE lessons, say in March of 2007, for a program Board approved in August, 2007, he/she must retake the assessment for those hours to be credited against the nuclear pharmacist license renewal on February 28, 2008. Back-dating the program approval dates would more strongly support the philosophy of continuous professional development than a requirement to make dates match. Suggested back-dates are listed in the table in Appendix A.

We ask that the Board consider back dating the listed nuclear pharmacy continuing education approval dates to not penalize those pharmacists who choose to complete their CE over the renewal period. We are prepared to make a personal appearance before the Board at the October meeting to formally present this petition if necessary.

Thank you for your consideration of this request as it is uniquely important to nuclear pharmacists licensed in Florida. If there should be any questions, please feel free to contact me.

Sincerely,

Kristina M. Wittstrom, MEd, RPh, BCNP, FAPhA
Pharmacy CE Director, Radioharmacy
College of Pharmacy
The University of New Mexico
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1 University of New Mexico
Albuquerque, New Mexico 87131-0001
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CC: John Pieper, Dean, College of Pharmacy, University of New Mexico
Wayne Bourdreaux, Cardinal Health Nuclear Pharmacy Services
Brigette Nelson, Triad Isotopes
Fred Gattas, Covidien
Michael Mosley, PetNet Solutions
David Barnes, GE Health Systems
Rich Nickels, Chair, Nuclear Pharmacy Section, APPM, APhA
Appendix A:

The UNM Correspondence Continuing Education Courses for Nuclear Pharmacists

The University of New Mexico has offered correspondence type continuing education courses specific to nuclear pharmacy since 1993. In 1996, the program was designated by the Board of Pharmaceutical Specialties (BPS) as a professional development program for use as recertification for Board Certified Nuclear Pharmacists. This designation was last renewed by BPS in October 2006.

The current program consists of electronic subscription volumes, each representing fifteen contact hours of continuing education. The lesson materials are available online for subscribers. Upon completing a lesson, the subscriber completes an electronic quiz which, if successful, auto-generates a certificate of completion. Volumes currently available for subscription are summarized below.

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<tr>
<th>UNM ID</th>
<th>Contact Hrs</th>
<th>ACPE PIN</th>
<th>Exp Date</th>
<th>CE Tracking No</th>
<th>Submitted</th>
<th>Approval</th>
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