

STATE OF FLORIDA
BOARD OF PHARMACY

FILED
DEPARTMENT OF HEALTH
DEPUTY CLERK
CLERK: *Angela Barton*
DATE 11/3/09

IN RE: PETITION FOR VARIANCE
 AND WAIVER ON BEHALF
 OF AMY LARISSA DEDEA, PHARM.D

NOTICE OF INTENT TO DENY PETITION FOR VARIANCE AND WAIVER

Petitioner, Amy Larissa DeDea, filed a petition for a variance or waiver, on August 7, 2009. The petition was published in the Florida Administrative Weekly on August 21, 2009. No comments by interested persons were received. The petition was heard at a duly-noticed public meeting of the Board of Pharmacy on October 14, 2009, in Tallahassee, Florida. Petitioner was not present at the hearing. The Board was represented by Diane L. Guillemette, Senior Assistant Attorney General.

Statement of Relevant Facts

1. Petitioner requests that the renewal requirement of 30 hours of continuing education be waived.

2. Section 465.009, F.S. states, in part:

(1) No license renewal shall be issued by the department until the licensee submits proof satisfactory to the board during the 2 years prior to her or his application for renewal the licensee has participated in not less than 30 hours continuing professional pharmaceutical education in courses approved by the Board.

The 30 hours of continuing education is required by Statute. Statutes cannot be waived.

Grounds for Denial

After discussion, the Board determined that the petition for waiver should be denied on the following ground:

The 30 hours of continuing education is required by Statute. Statutes cannot be waived.

THEREFORE, the Petition for waiver or variance is **DENIED**.

The Board encourages Petitioner to closely review Rule 64B16-26.103, F.A.C. to consider whether Respondent may be entitled to additional continuing education credits for her current studies and experience.

This notice shall be placed in and become a part of the Applicant's official records and shall become effective upon filing with the Clerk of the Department of Business and Professional Regulation.

DONE AND ORDERED this 2 day of November, 2009.

BOARD OF PHARMACY



Rebecca Poston, RPh, Executive Director
On behalf of Ronald Salem, PharmD, Chair

NOTICE TO APPLICANT

You may seek review of this Notice, pursuant to Sections 120.569 and 120.57, Florida Statutes, by filing a petition with the Executive Director of the Board Pharmacy, 4052 Bald Cypress Way, Bin C-04, Tallahassee, FL 32399-3254 within 21 days of

receipt of this Notice. If you dispute any material fact upon which the Board's decision is based, you may request a hearing before an Administrative Law Judge pursuant to Section 120.57(1), Florida Statutes; your petition must contain the information required by Rule 28-106.201, Florida Administrative Code, including a statement of the material facts which are in dispute. If you do not dispute any material fact, you may request a hearing pursuant to Section 120.57(2), Florida Statutes; your petition must include the information required by Rule 28-106.301, Florida Administrative Code. If you request a hearing, you have the right to be represented by an attorney or other qualified representative, to take testimony, to call or cross-examine witnesses, to have subpoena and subpoena duces tecum issued, and to present written evidence or argument.

Pursuant to Section 120.573, Florida Statutes, you are hereby notified that mediation pursuant to that section is not available.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by Certified mail to: **AMY LARISSA DEDEA, PharmD**, 59 Rabbit Rock Rd., East Haven, CT 36513; and by interoffice mail to: **Diane L. Guillemette**, Senior Assistant Attorney General, PL-01 The Capitol, Tallahassee, FL 32399-1050, this 3 day of November, 2009.

Angela Barton
Deputy Agency Clerk

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Sent To <u>Amy Larissa Dedea Pharm D</u>	
Street, Apt. No., or PO Box No. <u>59 Rabbit Rock Rd</u>	
City, State, ZIP+4 <u>East Haven, CT 36513</u>	

Variance from Rule 465.009

FILED
DEPARTMENT OF HEALTH
DEPUTY CLERK
CLERK *Angela Barton*
DATE 8-7-09

To Whom It May Concern:

I am writing to request a variance, or waiver, from the 30 hours of continuing education credits that is required to maintain an active pharmacy license in the state of Florida. I will attempt to include all of the required information as stated by the Florida Statute 120.542 "Variances and waivers." According to that statute:

(5) A person who is subject to regulation by an agency rule may file a petition with that agency, with a copy to the committee, requesting a variance or waiver from the agency's rule. In addition to any requirements mandated by the uniform rules, each petition shall specify:

- (a) The rule from which a variance or waiver is requested.
- (b) The type of action requested.
- (c) The specific facts that would justify a waiver or variance for the petitioner.
- (d) The reason why the variance or the waiver requested would serve the purposes of the underlying statute.

In attempt to make this easier for all parties involved, I will try to answer the questions simply & in order:

(a) I am requesting a variance from the following:

No license renewal shall be issued by the department until the licensee submits proof satisfactory to the board that during the 2 years prior to her or his application for renewal the licensee has participated in not less than 30 hours of continuing professional pharmaceutical education in courses approved by the board.

(b) Action requested: I am requesting that you waive the 30 hours of continuing professional pharmaceutical education in courses approved by the board and allow me to pay the \$250 to renew my license for the next two years (until Sep 2011). I am requesting a temporary waiver valid only for the 30 CE credits required for renewal of my license that expires 9/30/2009.

(c) The specific facts that would justify a waiver are enclosed but include:

- Completing over 60 hours of pharmacology coursework in the past 2 years
- Enrollment at the Yale University Physician Associate School with completion of over one year of clinical rotations (most at Yale New Haven Hospital, a renowned teaching institution) as well as one year of didactic coursework.
- During clinical rotations, I am in a continuous learning environment that includes giving multiple presentations, extensive student lectures, grand rounds, and patient rounds. These always include an emphasis on pharmacology and treatment of disease.
- During the didactic phase of the program I was in medicine lectures daily (all live), and one cannot teach medicine without mention of pharmacology - both old medicines and new ones in the pipeline. However, as required by Connecticut law, there were at least 60 hours of specific class devoted solely to the teaching of pharmacology.

(d) The reason why this waiver would serve the purposes of the statute is because the statute states that "variances and waivers shall be granted when the person subject to the rule demonstrates that the purpose of the underlying statute will be or has been achieved by other means by the person and when application of a rule would create a substantial hardship or would violate principles of fairness."

The definition of substantial hardship includes "economic" or "other type of hardship to the person." I hope that you are able to find that 30 hours of continuous education, of which 10 are to be live over the course of two years does create an economical hardship, as well as educational hardship. I am currently living on student loans, of which there are barely enough to get by with the cost of living in Connecticut. Additionally, the loan distribution came so late given all problems with Sallie Mae (and others) this year, that Yale University actually volunteered to loan students money on a monthly basis until the official loans came through.

Additionally, I often spend up to 80 hours a week on clinical rotations, the maximum required by law. Some months I am "on call" every 4th day and only get 4 days off a month, which severely limits my time off. When I am not sleeping or studying for a required presentation or test, I am doing the much needed laundry and household chores that have fallen significantly behind. I am exhausted. Yale policy states that I am only allowed by miss a total of 10 days over the 15 months that I am on rotations, with a maximum of 2 days missed on a single 4-week rotation. This also limits my ability to take any time off to attend live lectures and the amount of time I spend on clinical rotations & call nights limits my ability to watch CE hours over the internet at most times.

As required, this letter will be sent to the Division of Medical Quality Assurance with a copy to the Joint Administrators Procedure Committee & Department of Health's Agency Clerk's Office.

Thank you,

Amy Larissa DeDea, PharmD, BCPS
59 Rabbit Rock Rd
East Haven, CT 06513

(License # PS38830)
Home phone: (203) 691 6160
Cell phone: (352) 494 0887

Yale University

School of Medicine
Physician Associate Program
Harkness Office Building, 2nd Floor
367 Cedar Street
New Haven, Connecticut 06510-3222

Telephone: 203 785-2860
Fax: 203 785-3601

February 24, 2009

To: Florida Board of Pharmacy

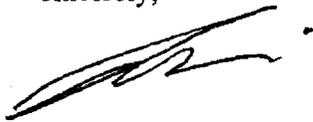
Re: Amy Larissa DeDea

To whom it may concern,

I am writing to verify that the above-mentioned individual has been enrolled as a student in good standing in the Yale University School of Medicine Physician Associate Program since September, 2007, with an anticipated graduation date of December, 2009. Ms. DeDea has successfully completed over sixty hours of pharmacological coursework during the didactic phase of the program.

If you are in need of any further information, please do not hesitate to contact me at (203) 737-1003.

Sincerely,



Susan de Guardiola
Registrar
Yale School of Medicine Physician Associate Program

This is a copy of the original document. Original was mailed to the Division of Medical Quality Assurance & has a water mark.

Amy Larissa DeDea
DeDea

Connecticut Department of Public Health

Physician Assistant License Requirements

Before applying for licensure, please familiarize yourself with the general licensing policies.

In order to qualify for licensure, an applicant must meet the following eligibility requirements:

Hold a baccalaureate or higher degree in any field from a regionally accredited institution of higher education;

Graduated from a physician assistant program accredited, at the time of graduation, by the Accreditation Review Commission on Education for the Physician Assistant (ARC-PA);

Please note that recent graduates of an accredited physician assistant program are eligible for a temporary permit. Please note that a temporary permit is not available to licensees applying from other states or for applicants applying for reinstatement of a lapsed Connecticut license.

Passed the certification examination of the National Commission on Certification of Physician Assistants, Inc. (NCCPA);

Holds current certification by the NCCPA;

Has completed not less than sixty (60) hours of didactic instruction in pharmacology for physician assistant practice in an accredited physician assistant education program or a post-graduate program for physician assistant practice.

Documentation Requirements

Applicants must arrange for submission of the following documents directly to the Department from the source:

A completed, notarized application with photograph and fee of \$150.00 in the form of a bank check or money order, made payable to "Treasurer, State of Connecticut;"

An official transcript, sent directly from the educational institution to this Department, verifying the award of a baccalaureate or higher degree;

An official transcript sent directly from the educational institution to this Department verifying graduation from an accredited physician assistant program;

Official verification sent directly from the NCCPA of successful completion of the examination and of current certification status;

Official verification, sent directly from the educational institution, post-graduate program provider, NCCPA or American Academy of Physician Assistants to this Department, of completion of not less than sixty (60) hours of didactic instruction in pharmacology for physician assistant practice. Please select this link for the required form; and

If applicable, official verification form sent directly from each state licensing authority where a license or certification is or has ever been held. Please note that some jurisdictions charge a fee for this service. Please contact the jurisdiction directly for fee information.

Please arrange for all supporting documentation to be sent directly from the source to:

Connecticut Department of Public Health
PA Licensure
410 Capitol Ave., MS #12 APP
P.O. Box 340308
Hartford, CT 06134

To Whom It May Concern:

Below is a sample of the Yale School of Medicine Physician Associate Program Curriculum, with pharmacology information highlighted in red. As you can see, the pharmacology course is an 11-month course. Although it is not assigned *traditional* credit hours, the state of Connecticut requires no less than 60 hours of didactic instruction in pharmacology in an accredited PA Program to apply for licensure, a requirement that Yale University – located in New Haven, Connecticut – upholds. All of this information is also available online at <http://info.med.yale.edu/phyassoc/index.html>.

Thank you,
Amy “Larissa” DeDea, PharmD, BCPS

Curriculum Overview

The curriculum comprises three major components:

- Didactic
- Clinical
- Research

As is true with most of the professional schools at Yale, we do not divide our curriculum in traditional academic credit hours.

The Didactic Phase

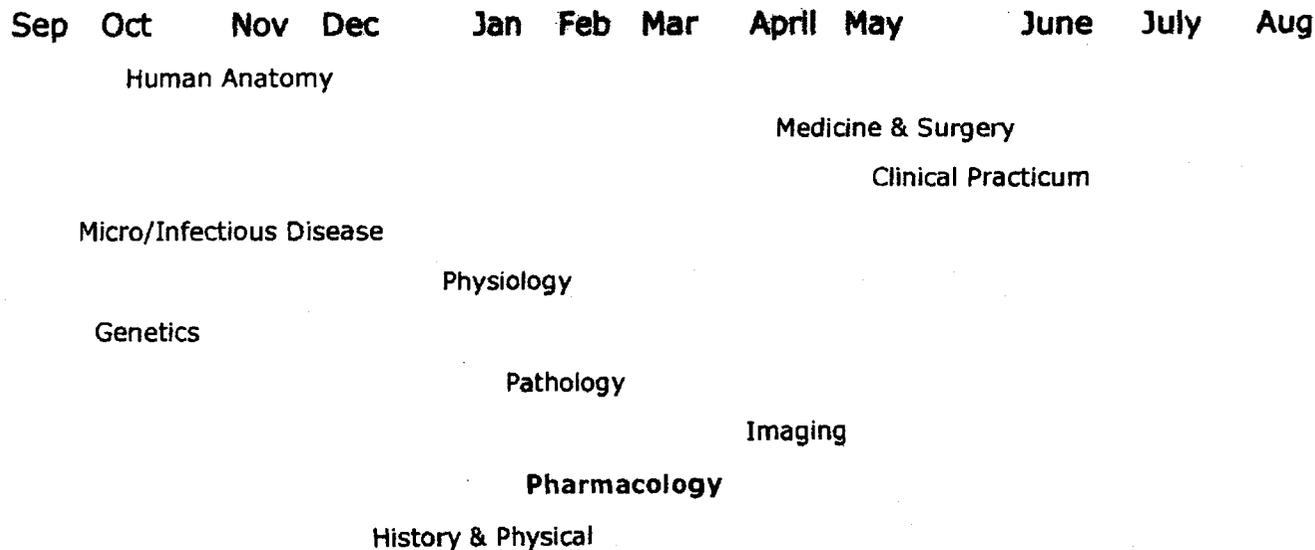
The Physician Associate training begins with a twelve-month didactic phase with lectures and small-group instruction taught by the faculty of the Yale School of Medicine.

The Clinical Phase

Upon successful completion of the didactic phase, students move on to the sixteen-month clinical phase, consisting of both clinical clerkships and thesis work.

Course Schedule

Sample student schedule in graphical layout



Sample student schedule in list format

First Semester

- Human Anatomy and Development with Dissection Laboratory
- Physiology I
- Microbiology and Infectious Disease
- **Pharmacology I**
- History Taking and Physical Exam
- Dermatology
- Introduction to Research
- Clinical Genetics

Second Semester

- Pathology
- Diagnostic Imaging
- Physiology II
- Neuroanatomy
- **Pharmacology II**
- Nephrology
- Clinical Psychiatry
- Gastroenterology
- Endocrinology
- Rheumatology
- Hematology and Clinical Lab Medicine
- Cardiology

Course Descriptions

Pharmacology

Pharmacology focuses on the principles of pharmacologic action, and the therapeutic indications for pharmaceutical preparations used in clinical medicine. Drug side effects and contraindications are discussed in detail.