

Resolution #1-01-09

WHEREAS; It is written in the **Bylaws Article V: Affiliated Associations** Section 6 All PSSNY members residing or working in a region in which there is an approved affiliated association in good standing must be a member of the affiliate. PSSNY members from a region without such an affiliate are designated a members-at-large. (Adopted June 1989) and **Constitution Article IV: Officers, Executive Board and House of Delegates, Section 2**

- d) Regional Members of the Executive Board: Nominees for election as regional members of the Executive Board must have been active members of the Society for at least two consecutive years prior to taking office and must reside or be employed within the region to be represented.

WHEREAS; The Constitution and By-Laws of PSSNY presently require members to join the affiliate where they reside or work; and

WHEREAS; The words reside or working are not specific in that their interpretation is left up to what is implied by those trying to define them; and

WHEREAS; PAWNY has interpreted the word working as to mean full or part time; and

WHEREAS: We at PAWNY have members who reside in another affiliates district but work full or part time in the PAWNY district.

THEREFORE, BE IT RESOLVED; that the By-Laws Committee to the Constitution of PSSNY clarify the words working and residing in regards to membership of an affiliate and determine specific language that our House of Delegates can vote as soon as possible on these changes.

Submitted by: PAWNY

Recommendation of the Resolutions Committee: **REJECT**

Resolution Amended on the floor

Motion to ACCEPT - **ACCEPTED**

Resolution #2-01-09

WHEREAS; The Bureau of Narcotic Enforcement (BNE) considers it legal for interns, residents and foreign physicians to write for controlled substances using the DEA number of an institution with a suffix representing the intern, resident or foreign physician; and

WHEREAS; The Office of Medicaid Inspector General (OMIG), has fined pharmacists for using the MMIS number of an institution instead of the license number of the prescribing physician when billing Medicaid; and

WHEREAS; This indicates that one agency allows the use of institutional numbers to be valid where another agency may not; and

WHEREAS; Most, if not all, insurance Pharmacy Benefit Managers (PBM's) and Medicaid now require the use of NPI numbers when billing; and

WHEREAS; Most interns, residents and foreign physicians do not have NPI numbers or their own DEA numbers, and

WHEREAS; The New York State Board of Pharmacy has indicated that pharmacies use the attending physician's license number in lieu of the institution's intern, residents or foreign physician information (data bank) when filling prescriptions that are billed to PBM agencies and or Medicaid; therefore making the intern or residents name appear on the label while another doctor's license number is in his or her data bank; and

WHEREAS; This would corrupt the data bank having the wrong license number attributed to interns, residents or foreign physicians who later would obtain their own corresponding numbers after licensure in New York State; and

WHEREAS; This could be, as is the case of MMIS numbers, interpreted to be inaccurate and considered fraud for some pharmacy benefit managers or public agencies.

THEREFORE, BE IT RESOLVED; That PSSNY seek a unified response from the New York State Board of Pharmacy, New York State Department of Health, Bureau of Narcotic Enforcement and the Office of the Medicaid Inspector General concerning the use of attending/prescribing physician license numbers, prescribing practitioner numbers, DEA numbers, NPI numbers and or the use of MMIS numbers when filling controlled and legend drugs from interns, residents or foreign physicians.

Submitted by: PAWNY

Recommendation of the Resolutions Committee: **APPROVE**

Motion: APPROVED

Resolution # 3-01-09

WHEREAS; The profession of pharmacy has expanded its professional duties to include initiatives such as Medication Therapy Management (MTM) and Collaborative Drug Therapy Management (CDTM); and

WHEREAS; the rapidly changing pace and availability of new technology and information about drug therapies and the treatment of various disease states makes continuing education vital to the pharmacist engaged in MTM or CDTM; and

WHEREAS; PSSNY is the largest professional organization for pharmacists in New York State and has successfully facilitated and provided continuing education programs for pharmacists for several years;

THEREFORE, BE IT RESOLVED; that PSSNY consider networking with an interested School of Pharmacy for the purpose of beginning the creation of an ongoing Internet-based continuing education program that will assist pharmacists in New York State in obtaining the latest drug and disease state information that can be practicably applied to the pharmacists practice in providing MTM and eventually CDTM. The program can be set up as a joint venture between PSSNY and any School(s) of Pharmacy.

The program should utilize technology to provide information to the pharmacist in such a way that the information is delivered via the Internet and can be accessed by the pharmacist at anytime at the convenience of the pharmacist's schedule.

The program should support pharmacists in all areas of pharmacy practice.

The program should strive to build and enhance the pharmacist's level of practice and build new business opportunities for the pharmacist.

The program shall support pharmacists in a busy dispensing environment and enhance opportunities for the pharmacist to add MTM/CDTM to their existing practice in a safe, efficient and economic manner.

The goal of the program will be to give pharmacists the latest information so that they may practice MTM/CDTM with absolute confidence and the program should not detract from any efforts to increase the dispensing rates on prescriptions to pharmacies. Rather, the program shall provide an opportunity for pharmacists to add additional revenue to their practice and improve patient care outcomes.

Submitted by: PSR

Recommendation of Resolution Committee: **APPROVE**

Motion: APPROVED

ACCEPTED

Resolution #4-01-09

WHEREAS; the Professional Assistance Program (PAP) has been available to licensed Pharmacists in New York State; and

WHEREAS; the current system for pharmacists differs than the program for nurses; and

WHEREAS; in many cases the pharmacists must hit “rock bottom” before than can seek this assistance

THEREFORE, BE IT RESOLVED; that PSSNY support an expansion of the Professional Assistance Program (PAP) to conform to the model that works well for nurses and allows the Education Department to assist professionals before they hit “rock bottom”

Submitted by Resolution Committee.

Recommendation of Resolutions Committee: **APPROVE**

Motion: APPROVED

Resolution #5-01-09

WHEREAS; the six year entry level all Pharm.D degree has not demonstrated and change in the level or competence of practice in Pharmacy; and

WHEREAS; there is an alarming trend in Pharmacy schools of requiring a bachelors degree as a pre-requisite to Pharmacy school admission, thereby increasing the length of pharmacy education to eight years; and

WHEREAS; the trend of bachelors degree holders pursuing pharmacy education is an indication of the economic climate both within and outside the profession; and

WHEREAS; extending Pharmacy education by two years created undue economic burden on pharmacy students and exacerbates existing Pharmacist shortages

THEREFORE BE IT RESOLVED; that the Pharmacists Society of the State of New York strongly oppose any initiative or requirement by Pharmacy schools to require a bachelors degree as a pre-requisite for Pharmacy school admission.

Submitted by: Resolutions Committee

Recommendation of Resolutions Committee: **APPROVE**

Motion: **APPROVED**

ACCEPTED

Resolution #6-01-09

WHEREAS; there have been several bills introduced in the New York State Legislature requiring the certification of Pharmacy Technicians; and

WHEREAS; The Pharmacists Society of the State of New York has supported the Pharmacists responsibility to assure that unlicensed assistants are appropriately trained for their specific practice site; and

WHEREAS; the NYS Board of Pharmacy, under existing law, may have the authority to establish regulations to register/certify Pharmacy staff,

THEREFORE BE IT RESOLVED; that PSSNY support the efforts of the NYS Board of Pharmacy to establish regulations covering Pharmacy Department personnel under existing law, rather than waiting for additional legislation, and,

BE IT FURTHER RESOLVED; that multiple certification/registration options be explored, implemented and allowed under the supervision and responsibility of the supervising Pharmacist and that site specific training and experience be taken into consideration.

Submitted by: Resolution Committee

Resolution Committee Recommendation: **APPROVE**
MOTION: **APPROVED**

Resolution #7-01-09

WHEREAS, the "antibiotic for free" program is being promoted by certain community pharmacies; and

Whereas these programs encourage the overuse of antibiotic prescription medications; and

WHEREAS; this practice can result in the increase in future bacterial infections caused by antibiotic resistance; and

WHEREAS, the "waiving" of co pays may constitute a violation of certain third party agreements such as NY EPIC; and

WHEREAS, if a pharmacy does not bill insurance, it must also not bill NY Medicaid.

THEREFORE; BE IT RESOLVED, that PSSNY adopt an official position against DRUG DISTRIBUTION PLANS THAT PROMOTE IRRESIPONSIBLE DRUG USE OR QUESTIONABLE BILLING PRACTICES SUCH AS "antibiotics for free."

Submitted by: Resolutions Committee

Recommendation of the Resolution Committee: **APPROVE**

Motion: **APPROVED**

Resolution #8 -01-09

WHEREAS; membership organizations live and die on the participation and payment of dues by their volunteer members; and

WHEREAS; PSSNY has regional and ethnic affiliated organizations who, after being duly certified and seated by the PSSNY House of delegates and who have voting representation in the policy making body of this organization; and

WHEREAS, PSSNY's "regional affiliates" MUST have 100% of their members belong to PSSNY; and

WHEREAS; it is the sense of the PSSNY House of Delegates that several of the ethnic pharmacy organizations have not been encouraging their members to become members of PSSNY; and

WHEREAS; the lack of membership among several of our ethnic affiliates has caused a strain on PSSNY's operations while still providing services to these same organizations;

THEREFORE; BE IT RESOLVED, that PSSNY send a letter to those ethnic affiliates requiring submission of their annual membership lists and that they require all of their PSSNY eligible members, who are registered pharmacists in New York State to join PSSNY.

Submitted by: Executive Board

Recommendation of the Resolutions Committee: **Sent directly to the HOD's.**

Motion: **TABLE**

Sent to Membership Committee