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## An Innovative Approach to Pharmacy Law Education Utilizing a Mock Board of Pharmacy Meeting

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### Abstract

*A thorough understanding of pharmacy law by students is important in the molding of future pharmacy practitioners, but a standardized template for the best way to educate students in this area has not been created. A mock Board of Pharmacy meeting was designed and incorporated into the Pharmacy Law course at the University of Tennessee College of Pharmacy. Students acted as Board of Pharmacy members and utilized technology to decide outcomes of cases and requests addressed in a typical 2 day Tennessee Board of Pharmacy meeting. The actual responses to those cases, as well as similar cases and requests addressed over a 5 year period, were revealed to students after they made motions on mock scenarios. The mock Board of Pharmacy meeting engages the students in a way that lectures alone often fail to achieve with some initial evidence of successful student learning. Utilizing this teaching format as a law education tool challenges the status quo of pharmacy education and may serve as an impetus and catalyst for future innovations.*

### Introduction

A thorough understanding of pharmacy law by students is important in the molding of future pharmacy practitioners. Standards 2016 from the Accreditation Council for Pharmacy Education (ACPE) require a pharmacy curriculum to prepare students to adhere to the rules and regulations of the practice of pharmacy.<sup>1</sup> The Standards also expect the curriculum to create an environment that allows the modeling and practicing of professional judgment as pharmacists.<sup>1</sup> The importance of incorporating pharmacy law into the pharmacy school program to meet this need is significant. However, a standardized template for the best way to educate students in this area has not been created.

The primary challenge of teaching pharmacy law is to create an interesting and engaging method of educating students about a subject that is potentially considered less clinically relevant. Law related to pharmacy practice involves numerous rules and statutes that can be difficult for students to fully comprehend. However, law education in pharmacy

often relies on lectures, yet lectures alone often lack the ability to engage all students, especially with materials students considered as unexciting.

According to educational psychology, making course materials stimulating to students may lead to greater focus on the material presented.<sup>2</sup> Literature in pharmacy education has some examples of endeavors to increase student interests in course content. For example, Spies found that breaking a large class into smaller groups and conducting mock trials using actual legal cases improved student participation and their understanding of the didactic portion of the course content.<sup>3</sup> Gallagher reported a paradigm/module that used a variety of teaching and learning styles when teaching pharmacy law and ethics instead of simply teaching course materials didactically.<sup>4</sup> To assess student understanding and application of pharmacy laws, Stewart and colleagues used a series of community pharmacy simulations that engaged students in role-plays as interns, technicians, and pharmacists.<sup>5</sup> They found that such experience helped students to evaluate their knowledge and understanding of legal concepts and afforded them an opportunity to address weak areas of understanding before starting pharmacy practice.

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The goal of this paper is to share an innovative approach in pharmacy law education utilizing a mock board of pharmacy meeting. This approach is innovative in helping students to gain an enhanced understanding of the duties the pharmacy board possesses and the laws that guide their responses to violations, waivers, and other requests.

### Mock Trials

Literature from other medical programs, such as medicine, nursing, and dentistry, promotes the use of interactive learning to teach health policy and law. By keeping students' attention and allowing them to become part of the learning environment instead of a bystander to it, the hope is that the information of the course will be better retained. Specifically, a growing number of medical programs have begun to use case-based discussions, over lectures alone, to teach law to professional students.<sup>6-8</sup> One example of such a program was the University of Connecticut's Health Center, which offered a law and ethics course for medical and dentistry students utilizing small group sessions and case-based discussions.<sup>7</sup> In these sessions and discussions, important legal and ethical principles were summarized by students and reinforced by educators. These sessions and discussions enabled students to acquire experience in using these basic principles in solving actual problems in real practice.

Mock trials have also been used to help aid in the comprehension of law by students. A mock trial setting used by medical students was described by Gilbert and colleagues.<sup>9</sup> This setting provided medical students, along with practicing physicians, the opportunity to act as jurors in a malpractice case presented to them. Questionnaires, using a Likert scale, were given to participating students following the mock trial. Participants' mean summated rating for the value of the exercise as an educational model was 23.5 out of 25. Evaluative data indicated that the experience was seen as informative, applicable to future medical practice, and was generally well received.<sup>9</sup> A second example of using a mock trial to educate students was conducted at Samford University.<sup>10</sup> Both pharmacy and law students participated in the trial, the aim of which was to show the importance of confidentiality in the healthcare setting. An equal percentage of both pharmacy and law students were chosen as jurors in the mock trial, with the rest of the students acting as an audience. A written assignment was given to students to assess understanding of the confidentiality and legal issues discussed in the mock trial. Students enjoyed this alternative educational model and reported that it was an effective way to begin ethics discussions in the curriculum.<sup>10</sup>

### Mock Board of Pharmacy Meeting: An Example

The University of Tennessee College of Pharmacy has taken the format of case-based discussions and mock trials a step further and incorporated a mock Board of Pharmacy meeting

into the Pharmacy Law course. In Tennessee, the format of a typical board of pharmacy meeting is 2 days every other month and includes a diverse meeting agenda.<sup>11</sup> In the meeting, board members review the regulations and process, discuss, vote and take action on any regulation change, and address complaints, violations, waivers, and other requests. Through a simulated Board of Pharmacy meeting, students acted as voting members of the Board of Pharmacy to decide the outcomes of various cases presented during the session. The mock Board of Pharmacy meeting augmented lectures with small group discussions of case studies, interactive questions using TurningPoint® technology (Turning Technologies, LLC., Youngstown, Ohio), and competition in answering questions between student groups. The use of various technologies has been integrated into the course to overcome the barrier of low student participation, which is often encountered with large class sizes.<sup>7,12</sup>

From 2009 through 2014, during a regular 2 hour class period of the required fall Pharmacy Law course, third year pharmacy students participated in the mock Board of Pharmacy exercise from the main campus in Memphis with other campuses participating live via videoconferencing. In 2014, the experience was conducted from Nashville with both the Memphis and Knoxville campuses participating live. The use of videoconferencing technology allowed the students from the distant campuses to interact with one another and participate in real time learning activities. Each campus had the ability to see the other through multiple large screens located in the front of the lecture hall. Videoconferencing made scheduling and arranging the exercise easier due to the ability to include all of the third year class in just one session. The use of TurningPoint® feedback creates an environment so that every student has a "voice." The short, 2 hour class period in which the mock meeting took place provided students an abbreviated version of the actual meeting schedule. Table 1 provides an agenda for the mock Board of Pharmacy exercise with a description of the method for covering each item.

The class began with an explanation of Board of Pharmacy member selection. All students in the class were then "appointed" as mock members of the board by the faculty member with an explanation of the duties they were expected to perform during the session.

Case scenarios and requests were presented one at a time to students. Potential ruling outcomes or motions were presented in multiple choice format and displayed on the main screen in the front of the classroom. Students cast their vote as a board member to decide an appropriate result to the request or offense using TurningPoint®. The faculty member then revealed to students the actual decision the Board of Pharmacy made in regards to each scenario. Table 2

provides a description of an example case from the legal report and the waiver section of the agenda. A class discussion on the case outcome, both real and mock, was encouraged to compare or contrast the decision. The faculty member also shared Board responses to similar cases or requests in the past. It was important to disclose the outcomes of each situation to demonstrate the relevance of the material in the course. If students are able to understand the significance of the material they are being taught they may be more likely to retain the information and apply it to clinical practice.

Participants in the mock Board of Pharmacy meeting completed a 5 question pre- and post-test (Table 3) to aid the instructors in understanding knowledge acquisition as a result of the exercise. Instructors were satisfied with the knowledge acquisition demonstrated by the testing. In addition, instructors observed that students were more attentive and focused during the mock Board of Pharmacy meeting than during a regular lecture. Combined, this initial experience suggests value in the mock board of pharmacy activity, which should be further explored in future research.

### Considerations

Location of the Pharmacy Law course during the fall semester of the third year ensured that the mock meeting took place after most students had some clinical experience as interns or in other capacities in community pharmacy, institutional pharmacy, or other practice setting. Literature has suggested that students will ideally have the greatest retention when information is presented in relatable case form and placed after they have had clinical experiences in their academic careers.<sup>6,13,14</sup>

The meeting was placed at the end of lecture material on federal law and before the start of state law. The location in the course was chosen to make sure that students had a solid foundation of federal law to make case rulings. The mock session was intended to open the students' minds to the relevance of state laws and rules in relation to federal law. This placement also acted as a bridge to introduce to students to state regulation of the practice of pharmacy. Inserting the mock meeting at that transition point in the course from federal to state law was done to purposely raise legal questions in the minds of students that would be answered in future lectures. The goal was to establish an interest in the upcoming lecture discussions over state rules and regulations by leaving some inquiries unanswered. To prepare, a 5-year period of Tennessee Board of Pharmacy meeting minutes was reviewed, and cases were selected to represent the most common and relevant complaints, violations, waiver requests, and application requests, such as patient counseling, pharmacist licensure, pharmacist discipline, continuing education, and pharmacy technician

registration. The utilization of actual cases and requests allowed students to evaluate and assess realistic pharmacy regulatory challenges impacting pharmacy practice.

A common challenge with interactive exercises is a lack of participation from all students. This challenge was overcome with the use of TurningPoint® technology. The benefit of this system is the immediate receipt of responses, as well as the ability to keep all answers anonymous. Response anonymity provided an environment in which students were free to submit responses honestly and without worry of criticism. The TurningPoint® feedback from each case allowed for a comparison between the class responses and the actual response from the Tennessee Board of Pharmacy decision.

Another obstacle to designing an interactive teaching model is ensuring that appropriate time, faculty, and space can be dedicated to the unique structure of the class. Interactive classroom activities with such a large group of students can cause difficulty due to the need for space to separate students into small groups. Students were not required to break into small groups for the activity and remained in normal classroom seating arrangements in the lecture halls. Eliminating the need for additional space and the time for group selection/formation made the transition of the activity into the curriculum easier.

### Moving Forward

Using a mock board meeting as a teaching tool, students can gain an enhanced understanding of the duties the pharmacy board possesses and the laws that guide their responses to violations, waivers, and other requests. This exercise at the University of Tennessee College of Pharmacy gave students a unique opportunity to act as members of the mock Tennessee Board of Pharmacy and use the foundation of federal law they had learned to make appropriate judgments in accordance with the laws on issues presented to them. This education model can also generate awareness of the potential consequences associated with not complying with the rules and regulations. This mock board meeting created an environment for students that challenged them to appreciate the human dimension of the law that lectures alone struggle to create.

Regulatory issues are a subject students can find tedious. Reasons for pursuing a career in the health professions often include reasons such as ability to earn a high salary, flexibility, job security, and respect.<sup>15</sup> Pharmacy law and policy are rarely mentioned as a reason for people to seek out a career in pharmacy, but the understanding of them is critical.<sup>15</sup> In addition, the impact of regulations on the career of pharmacists is broad and constantly changing. Therefore, creation of novel educational models is an important building block in the molding of future pharmacists. An attempt to

foster an understanding, and hopefully a passion for legislation should be an aim of pharmacy education. Furthermore, ACPE also encourages pharmacy educators to employ new educational technologies and explore alternative mode of instruction.<sup>1</sup> It is therefore imperative for pharmacy educators to design and implement innovative approaches for delivering quality education.

Utilizing a mock board of pharmacy meeting as a law education tool challenges the status quo of pharmacy education and may serve as an impetus and catalyst for future innovations. In the future, this teaching method should be assessed and developed in various ways. For example, student learning should be formally assessed. This might include pre-post testing or assignments and might include comparator groups. Student response should also be evaluated. In particular, repeated uses of the mock Board technique with the same students may or may not produce the same results. Alternatives for conducting the mock meeting could also be explored. For instance, students could watch a mock board of pharmacy meeting as part of the class session. In addition, to foster discussion on more substantive or controversial issues, instructors might use small groups and group voting.

### Summary

Colleges of pharmacy are given the important task of educating future pharmacists on the policies that will one day govern their day-to-day practice. The mock Board of Pharmacy meeting described here appears to be a positive start at addressing this need. This teaching format engages the students in a way that lectures alone often fail to achieve with some initial evidence of successful student learning. Considerations for others implementing this technique include preparation time and resources for the simulated cases, placement within the curriculum and methods to encourage active participation, when used in a large group. In the future, more work is needed to confirm the effectiveness of this teaching method and to improve such teaching methods in various ways.

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**Table 1. Agenda: Mock Tennessee Board of Pharmacy Meeting**

| Tennessee Board of Pharmacy Meeting Agenda |                      | Activity by Agenda Item              |
|--|----------------------|--------------------------------------|
| 1.   | Legal Report         | Cases*                               |
| 2.   | Contested Cases      | Description of process               |
| 3.   | Request to Reinstate | Cases*                               |
| 4.   | Consent Orders       | Description of process               |
| 5.   | Waivers              | Cases*                               |
| 6.   | Application Review   | Cases*                               |
| 7.   | Rule Making Hearings | History of hearings for last 5 years |
| 8.   | Director's Report    | Review of recent regulatory changes  |

\*Examples of case topics included patient counseling, pharmacist licensure, pharmacist discipline, continuing education, and pharmacy technician registration.

**Table 2. Case Examples for the Mock Board of Pharmacy Meeting****Sample Case from Legal Report**

Complaint Alleges Pharmacy Board investigator observed 10 patients leaving pharmacy without any offer for counseling  
Response = Respondent admits to the failure to offer counseling

*Prior complaints:* None

What is your motion?

- a. Authorize a formal hearing
- b. \$1,000 civil penalty to the dispensing DPH
- c. \$10,000 penalty to the pharmacy with \$9,000 stayed upon acceptable plan of corrective action from the PIC
- d. Letter of Instruction to the PIC
- e. All of the above

*Actual Board Action:* Answer e

Discussion on Board of Pharmacy Rules related to required counseling followed the case.

**Sample Case from Waiver Request**

Pharmacist is requesting a waiver for completing all continuing education requirements; Pharmacist is currently enrolled in a College of Pharmacy Master's Degree Program

What is your motion?

- a. Deny
- b. Approve CE waiver for all required hours
- c. Approve only 1 required CE hour for each semester hour completed

*Actual Board Action:* Answer b

- Grant the waiver request
- Submit copies of the transcripts while enrolled at the College of Pharmacy Master of Pharmaceutical Sciences

Discussion on Board of Pharmacy Rules related to pharmacist not required to complete any continuing pharmaceutical education during a 2 year cycle if proof presented that the pharmacist is enrolled in advanced or graduate degree in a health-related science or participating in a pharmacy residency or fellowship program

**Table 3. Pre- and Post- Assessment for the Mock Board Meeting**

| Question  | Possible Responses  |
|---|---|
| 1. What is the current discipline for failure to counsel patients on a prescription as required by the Tennessee Board of Pharmacy Rules?   | A. \$1,000 civil penalty to the dispensing pharmacist;<br>B. \$1,000 times number of prescriptions without counseling penalty to the pharmacy with amount over \$1,000 stayed upon acceptable plan of corrective action;<br>C. Letter of Instruction to the pharmacist in charge;<br>D. All of the above.   |
| 2. Who is at greatest risk of receiving a civil penalty for failure to have pharmacy technicians registered by the Tennessee Board of Pharmacy?   | A. Pharmacist on duty<br>B. Pharmacist in charge<br>C. Technician<br>D. Pharmacy  |
| 3. A pharmacist has received discipline in another state, maintained active license and now has to move to TN to take care of a family member. The TN BOP can deny their application for a TN License | A. True<br>B. False   |
| 4. TN BOP Rule requires a pharmacist enrolled in a graduate degree in a health-related science program to receive the following continuing education hours during a 2yr cycle.                        | A. 30 hours<br>B. 15 hours<br>C. 0 hours<br>D. Subtract number of College credit hours from 30 hours.   |
| 5. What is the purpose of the board of pharmacy?  | A. Represent the profession of pharmacy, develop standards and, insure the economic and professional success of pharmacists in all practice settings<br>B. Enforce all laws that pertain to the practice of pharmacy, and cooperate with other state and federal agencies regarding any violations of any pharmacy drug or drug-related laws<br>C. Protect pharmacists from agreeing to practice under conditions which interfere with the proper exercise of professional judgment and skill, which tend to cause a deterioration of the quality of patient care<br>D. All of the above. |

Correct answers: 1. D; 2. B; 3. A; 4. C; 5. D