

DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT
DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING

BOARD OF PHARMACY

CONDENSED MINUTES OF THE SPECIAL MEETING HELD MAY 24, 2023

Date: May 24, 2023
Time: 4:00pm – 6:00pm
Location: Zoom Teleconference

Attending: Board Members: Ashley Schaber, James Henderson, Carla Hebert, Ramsey Bell
Staff: Michael Bowles, Lisa Sherrell, Stefanie Davis

Absent: Sara Rasmussen

Agenda Item #1. Roll Call/Call to Order

On the record at 4:09pm.

Roll Call:

Ashley Schaber - Present
Sara Rasmussen -
James Henderson - Present
Carla Hebert - Present
Ramsey Bell – Present

Quorum was met.

Agenda Item #2 Review/Approve Agenda

Motion: Carla Hebert moved to approve the agenda for Special Board Meeting; Ramsey Bell seconded the motion.

Recorded Votes:

Ashley Schaber - Yes
Sara Rasmussen -
James Henderson - Yes
Carla Hebert - Yes
Ramsey Bell - Yes

It was resolved to approve the agenda for the Special Board Meeting by a unanimous vote.

Agenda Item #3 Ethics Disclosures

Brief Discussion: Ashley Schaber disclosed she is a member of the AKPhA Legislative Committee.

Agenda Item #4 Review and Discuss Public Comments for Proposed Regulations Changes 12 AAC 52.010 - 12 AAC 52.995

Discussion:

- The board:
 - addressed the CVS public comment. The intent would include the use of email for reporting, but facilities still need to use the Change of Facility Manager form provided by the department. No change to form process, just changing the days from 10 to 30 days. Reviewed FAQs attached to the public notice to verify the intent of the change.
 - noted a minor correction needed in 12 AAC 52.595; should reference 12 AAC 52.585, not 12 AAC 52.230 in section (a)(2).
 - addressed Telepharm's public comment in support of the regulations' changes.
 - addressed Walgreens public comment in support of remote pharmacy regulation's change.
 - addressed the public comment from Elano US Inc. stating that adding the word self in the language clarifying inspections would clarify self-inspections are required rather than third party inspections for facilities. This would not need a substantial change. Self-inspections rather than simply inspections will be changed before moving the regulations changes forward.

Motion: Ashley Schaber motioned to move forward with the adoption of regulations changes to 12 AAC 52.010, 12 AAC 52.020, 12 AAC 52.120, 12 AAC 52.200, 12 AAC 52.220, 12 AAC 52.250, 12 AAC 52.300, 12 AAC 52.420, 12 AAC 52.423, 12 AAC 52.530, 12 AAC 52.595, 12 AAC 52.596, 12 AAC 52.610, 12 AAC 52.625, 12 AAC 52.635, 12 AAC 52.640, 12 AAC 52.670, 12 AAC 52.696, 12 AAC 52.697, 12 AAC 52.698, 12 AAC 52.800, 12 AAC 52.855, 12 AAC 52.860, and 12 AAC 52.995 after considering public comments received and considering costs to private persons as proposed and publicly noticed, seconded by Carla Hebert.

Recorded Votes:

Ashley Schaber - Yes

Sara Rasmussen -

James Henderson - Yes

Carla Hebert - Yes

Ramsey Bell - Yes

It was resolved to move forward with the adoption of regulations changes to 12 AAC 52.010, 12 AAC 52.020, 12 AAC 52.120, 12 AAC 52.200, 12 AAC 52.220, 12 AAC 52.250, 12 AAC 52.300, 12 AAC 52.420, 12 AAC 52.423, 12 AAC 52.530, 12 AAC 52.595, 12 AAC 52.596, 12 AAC 52.610, 12 AAC 52.625, 12 AAC 52.635, 12 AAC 52.640, 12 AAC 52.670, 12 AAC 52.696, 12 AAC 52.697, 12 AAC 52.698, 12 AAC 52.800, 12 AAC 52.855, 12 AAC 52.860, and 12 AAC 52.995 after considering public comments received and considering costs to private persons as proposed and publicly noticed by a unanimous vote.

Agenda Item #5 Review and Discuss FY2023 Annual Report and Strategic Plan Drafts

Discussion by the board addressing edits to the FY2023 Annual Report:

- Change language in first paragraph addressing "finalized desired statute changes prior to legislative session, allowing for quick identification of a legislative sponsor."
- Make minor grammatical changes to the narrative section.
- Change language of, "With the passage of HB/SB in FY2023 that overlap with changes the Board of Pharmacy previously identified in its FY2022 legislative recommendations and FY22 Board meetings, a number of intended statutory changes will be resolved" on page 11.

- Task created – Michael Bowles will check to see if board members are covered in the budget to attend the Alaska Pharmacists Association (AKPhA) annual conference.
- Spell out acronyms throughout the report.
- Discussed SWOT Analysis, added Board Member Vacancies to section “Opportunities”.

Motion: Carla Hebert moved to approve the FY 2023 Annual Report with the changes listed in the minutes above; seconded by James Henderson.

Recorded Votes:

Ashley Schaber - Yes
Sara Rasmussen -
James Henderson - Yes
Carla Hebert - Yes
Ramsey Bell - Yes

It was resolved to approve the FY 2023 Annual Report with the changes listed in the minutes above, by a unanimous vote.

Motion: Carla Hebert moved to approve the FY 2024 Strategic Plan; seconded by James Henderson.

Recorded Votes:

Ashley Schaber - Yes
Sara Rasmussen -
James Henderson - Yes
Carla Hebert - Yes
Ramsey Bell - Yes

It was resolved to approve the FY 2024 Strategic Plan, by a unanimous vote.

Agenda Item #6 Statutes and Regulations Committee

Discussion:

- 12 AAC 52.140. Pharmacy Technician License. - Discussion on allowing those in apprenticeship programs to become licensed as pharmacy technicians before the age of eighteen and high school graduation.
 - Keep section with the requirement of diploma or equivalent.
 - Add a new section with language for 16 years old and enrolled in an apprenticeship program.
 - Michael Bowles presented Washington’s regulations for training programs for technicians as an example.
 - Task created - Michael Bowles will contact boards from other states to find regulations addressing this proposed change and provide this to the board at the August 2023 quarterly board meeting.
 - Tabled the discussion until August 2023 quarterly board meeting.
- 12 AAC 52.110. Emergency Permit to Practice as A Pharmacist, Pharmacy Intern, or Pharmacy Technician. - Discussion on “Health Crisis”.
 - James Henderson – The language does not need to change. The board can decide what passes as an urgent situation when needed. Changing the language could result in tying the board’s hands. Consider adding a section to the application allowing for the applicant to specify the urgent situation.

- Ramsey Bell – agreed with James Henderson stating no emergency situation is the same. The board needs specific details from applicants on what their urgent situation is and why an emergency permit is necessary.
- Task Item created - Michael Bowles will amend the application providing applicants with directions and space for justifying the urgent situation. Present to the board at the August 2023 quarterly board meeting.
- Tabled the discussion until August 2023 board meeting.
- 12 AAC 52.635. Facility Manager. - Discussion on Designated Representative notification change from 10 days to 30 days.
 - Ashley Schaber - stated this would align with Pharmacist-in-Charge, alleviate excessive case work for the Investigations Unit.
 - James Henderson agreed with changing the requirement to 30 days.
 - Carla Hebert agreed with changing the requirement to 30 days.
 - Task created - Michael Bowles will see if other areas in the regulations need to change concerning this issue.
 - Tabled the discussion until August 2023 quarterly board meeting.
- 12 AAC 52.240. Pharmacist Collaborative Practice Authority. – Discussion on section (b)(9) focusing on access to medication assisted treatment (MAT).
 - Ashley Schaber - addressed pharmacists currently not able to prescribe controlled substances for MAT under this regulation even with a collaborative practice agreement. The board will need to work with the Medical Board if regulation changes are pursued.
 - James Henderson - asked if there is a call/demand for this. Stated the board should be cautious about the type of medications prescribed.
 - Carla Hebert - asked if other states allow pharmacists to prescribe controlled substances through collaborative agreements.
 - Ashley Schaber - confirmed other states do allow pharmacists to prescribe controlled substances through collaborative agreements. This was brought forward to the board by the Alaska Pharmacists Association (AKPhA) after the February 2023 board meeting. There is a need in the rural areas for access to MAT. Having more providers able to prescribe increases access to care. Right now, it's not even an option for Pharmacists.
 - James Henderson - would be open to considering this if the list of drugs is limited.
 - Carla Hebert – stated concerns that this may present a need for a lot more regulations and considerations, not opposed to it with guidelines.
 - Ramsey Bell - agreed with Carla Hebert that the board needs very specific guidelines.
 - Ashley Schaber - proposed having speakers from other states where pharmacists have prescriptive authority for controlled substances through cooperative agreements address the board on their guidelines. Proposed a one-hour special meeting on June 19 or 20, 2023 to address this topic.
 - Task created – Ashley Schaber will connect with experts from other states and invite them to address the board.
 - Tabled the discussion until June 2023 special board meeting.

Agenda Item #7 NABP Regional Conference October 22-25, 2023

Discussion:

- Ashley Schaber asked if any board members would like to volunteer to attend the conference.
 - This conference would be a good opportunity to network and discuss the MPJE workshop with members in other states in district 7 MPJE workshop date September 06-08 online.

- Ashley Schaber requested a member of the board volunteer to take over attending the MPJE workshop and reviewing MPJE questions for the examination.
- Task created - Michael Bowles will send an email to the board members concerning the MPJE workshop and question review tasking.

Agenda Item #8 Decide Date for June Special Meeting

Discussion:

- The board discussed their personal schedules for June. Members will reach out individually to Ashley Schaber to confirm preferred date of either June 19 or 20, 2023.
 - Intent is to invite guests to provide information to the Alaska Board of Pharmacy regarding pharmacist prescriptive authority in general and to also discuss prescribing of controlled substances with a collaborative practice agreement for MAT.

Agenda Item #9 Chair Final Comments

Discussion:

- Ashley Schaber addressed the board:
 - Many of the issues Alaska is addressing are the same as other states. Alaska's board is making great progress. Ashley Schaber thanked the board members for their hard work.
 - August 10, 2023, is the next quarterly board meeting.

Agenda Item #9 Adjourn

Motion: James Henderson motioned to adjourn, seconded by Carla Hebert.

Ashley Schaber - Yes

Sara Rasmussen -

James Henderson - Yes

Carla Hebert - Yes

Ramsey Bell - Yes

It was resolved to adjourn at 6:12pm.