

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

# BOARD OF PHARMACY

CONDENSED MINUTES OF THE SPECIAL MEETING HELD MARCH 20, 2023  
(APPROVED AND FINALIZED ON APRIL 21, 2023)

Date: March 20, 2023

Time: 12:00pm – 02:00pm

Location: Zoom

Attending: Board Members: Ashley Schaber, James Henderson, Carla Hebert, Ramsey Bell  
Staff: Michael Bowles, Sarah Jones, Glenn Saviers

Absent: Sara Rasmussen

## **Agenda Item #1. Roll Call/Call to Order**

On the record at 12:01pm

Roll Call:

Ashley Schaber - Present

Sara Rasmussen - Absent

James Henderson – Present

Carla Hebert - Present

Ramsey Bell – Present

## **Agenda Item #2 Review/Approve Agenda**

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

Recorded Votes:

Ashley Schaber - Yes

Sara Rasmussen - Absent

James Henderson - Yes

Carla Hebert - Yes

Ramsey Bell – Yes

It is 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 SB 94/HB 112 Profession of Pharmacy**

Discussion:

- The Board discussed any changes to language in the bills that may occur will be submitted as amendments as the bills go through the committees. Section 10 was discussed concerning clarification for the term “Apothecary”.

Motion: Ashley Schaber moved to support SB 94 Profession of Pharmacy and HB 112 Profession of Pharmacy for reasons listed below, seconded by Ramsey Bell.

1. Streamlines the licensure process while improving public safety.
2. Aligns pharmacy statutes with other Alaska boards and other states’ statutes by replacing one of the two public member seats with a pharmacy technician seat, recognizing retired pharmacists, and allowing flexibility for a pharmacist to serve in the Board’s executive administrator role.
3. Increases access to epinephrine auto-injectors, medication delivery devices for anaphylaxis emergencies.
4. Ensures the Board’s powers and duties support the federal Drug Supply Chain and Security Act (DSCSA) to ensure Alaskans receive safe medications.

Recorded Votes:

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

It is resolved that the Board of Pharmacy supports to support SB 94 Profession of Pharmacy and HB 112 Profession of Pharmacy by a unanimous vote.

**Agenda Item #5 HB 96 Licensing: Drugs/Devices for Home Dialysis**

Discussion:

- The Board discussed concerns with the language of this bill. There were concerns that the language was too broad and that this bill could lead to patient injury. Points made:
  - Currently a pharmacist is required to check the fluids.
  - Approximately thirty other states are in alignment. There are models where this has worked in other states, but this is broad. Possibly open the door for “carveouts”.
  - The pharmacist will work remotely. The product would be delivered to the patient from the wholesaler in the sealed original packaging. An employee will be final check, not a pharmacist.
  - There were serious concerns with the possibility of errors and patient harm.
  - Wording is broad, not specific to the types of medications that will be dispensed.

Motion: Carla Hebert moved to support HB 96 Drugs/Devices for Home Dialysis; seconded by James Henderson.

Recorded Votes:

Ashley Schaber - No  
Sara Rasmussen - Absent  
James Henderson - No

Carla Hebert – No  
Ramsey Bell – No

The motion that the Board of Pharmacy supports HB 96 Drugs/Devices for Home Dialysis failed by a unanimous vote.

Motion: Carla Hebert moved to oppose HB 96 Drugs/Devices for Home Dialysis for reasons listed below; seconded by James Henderson.

1. The guidance provided in the proposed changes to AS 08.08.3157(h)(7)(A) is too broad.
2. Elimination of the physical pharmacist check that would happen as a result of this legislation opens up opportunities for medication errors and adverse events that could severely harm patients.

Recorded Votes:

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

It is resolved that the Board of Pharmacy opposes HB 96 Drugs/Devices for Home Dialysis by a unanimous vote.

#### **Agenda Item #6 SB 51/HB 56 Controlled Sub. Data: Exempt Veterinarians**

Discussion:

- Ashley Schaber read the letter from the February 2022 Board of Pharmacy meeting addressing SB 132. Points of discussion:
  - The Board discussed the likelihood of pet owners diverting their pets' medications.
  - Having a veterinarian look at a person's controlled substance history is complicated, doesn't really make sense. It makes sense to exempt veterinarians.
  - PDMP analysis conducted by McKinley Group has come out since February 2022 Board meeting letter was published. The PDMP analysis addresses broader issues with PDMP such as forming a workgroup.
  - If the Board supports these bills it needs to be made clear more work needs to be done with PDMP.
  - If these bills pass someone would have to enact legislation to add them back in.
  - The Board acknowledged the Board of Veterinarian Examiners continues to support efforts to address the opioid crisis.
  - The Board acknowledged the Prescription Drug Monitoring Program (PDMP) analysis and looks forward to the next steps of the PDMP workgroup to review analysis findings and prioritize changes.

Motion: Ashley Schaber moved to support SB 51 Controlled Sub. Data: Exempt Veterinarians and HB 56 Controlled Sub. Data: Exempt Veterinarians for reasons listed below; seconded by Ramsey Bell.

1. Drug diversion from pets has not been an issue in Alaska.
2. Requirements are burdensome in an already understaffed field.
3. Excusing veterinarians aligns better with the intent of PDMP to function properly.

Recorded Votes:

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

It is resolved that the Board of Pharmacy supports SB 51 Controlled Sub. Data: Exempt Veterinarians and HB 56 Controlled Sub. Data: Exempt Veterinarians by a unanimous vote.

**Agenda Item #7 SB 55 Extend State Medical Board**

Discussion:

- There's been a good working relationship for the past 20 years.
- Collaborative practice agreements are through the Medical Board.

Motion: James Henderson moved to support SB 55 Extend State Medical Board for the reason listed below; seconded by Carla Hebert.

1. The Board of Pharmacy supports this legislation and will continue to be a collaborative resource with the state Medical Board to optimize and expand access to safe care for Alaskans.

Recorded Votes:

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

It is resolved that the Board of Pharmacy supports SB 55 Extend State Medical Board by a unanimous vote.

**Agenda Item #8 1:05 PM SB 83/HB 85 Professional Licensing; Temp Permits**

Discussion:

- Ashley Schaber summarized the language of the bills and how it will affect the Board of pharmacy is these bills pass. Points of discussion:
  - Licensing steps involved for the division would be streamlined by the division, not the Board.
  - Section 11 discussed.
  - Deputy Director Glenn Saviers clarified the language of bill addressing other boards and not the Board of Pharmacy.
  - Deputy Director Saviers explained the change in process going from temporary licensure to full licensure.
  - Medical Board has already adopted regulations similar to the language in these bills.
  - Not an expedited licenses but it allows people to get to work while waiting on additional requirements.
  - Will not apply to facilities, just licensees.
  - The division has put in the fiscal note that a paralegal would be needed to review applications.

- Priority for the governor to get people working in the state faster
- Ramsey Bell discussed concern of where the money to fund this would come from. Deputy Director Saviers explained more applications means more revenue which covers additional positions. The Board discussed fees and how temp licenses would add revenue.

Motion 1: Ashley Schaber moved to support SB 83 Professional Licensing; Temp Permits and HB 85 Professional Licensing; Temp Permits for reasons listed below; seconded by Carla Hebert.

1. Expands the temporary license period the Board currently has in place from 90 days to 180 days.
2. Provides an efficient pathway for pharmacists and pharmacy technicians to not only work under a temporary license but also to obtain permanent licensure in Alaska.

Motion 1 Recorded Votes:

Ashley Schaber - Yes

Sara Rasmussen - Absent

James Henderson - Yes

Carla Hebert - Yes

Ramsey Bell - No

It is resolved that the Board of Pharmacy supports SB 83 Professional Licensing; Temp Permits and HB 85 Professional Licensing; Temp Permits by majority of the vote.

#### **Agenda Item #9 Adjourn**

Motion: Ashley Schaber motioned to adjourn, seconded by James Henderson.

Recorded Votes:

Ashley Schaber - Yes

Sara Rasmussen - Absent

James Henderson - Yes

Carla Hebert - Yes

Ramsey Bell – Yes

It is resolved to adjourn at 1:26pm.