Department of Commerce, Community and Economic Development

Division of Corporations, Business and Professional Licensing

Alaska Board of Pharmacy Annual Report

Fiscal Year 2022



Department of Commerce, Community and Economic Development Division of Corporations, Business and Professional Licensing P.O. Box 110806

> Juneau, Alaska 99811-0806 Email: *License@Alaska.Gov*

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Identification of the Board

| Board Member | Duty Station | Date Appointed | Term Expires |
|--|--------------|----------------|--------------|
| Justin Ruffridge, PharmD Chair | Soldotna | Mar 1, 2020 | Mar 1, 2023 |
| Ashley Schaber, PharmD Vice Chair | Anchorage | Jul 1, 2021 | Mar 1, 2024 |
| James Henderson, RPh Secretary | Soldotna | Mar 1, 2017 | Mar 1, 2025 |
| Leif Holm, PharmD | North Pole | Mar 1, 2015 | Mar 1, 2023 |
| Ramsey Bell, RPh | Eagle River | Mar 1, 2022 | Mar 1, 2026 |
| Lana Bell, RPh Secretary (previous) | Anchorage | Mar 1, 2018 | Mar 1, 2022 |
| Tammy Lindemuth Public Member (vacant) | Anchorage | Jan 24, 2018 | May 23, 2022 |
| Vacant Public Member | | | |

Identification of Staff

Laura Carrillo, MPH - Executive Administrator

Department of Commerce, Community & Economic Development Division of Corporations, Business and Professional Licensing P.O. Box 110806 Juneau, Alaska 99811-0806 (907) 465-2550

Bradley Johnson - Occupational Licensing Examiner (since March 2022)

Department of Commerce, Community & Economic Development Division of Corporations, Business and Professional Licensing P.O. Box 110806 Juneau, Alaska 99811-0806 (907) 465-2550

Michael Bowles - Investigator II

Department of Commerce, Community & Economic Development Division of Corporations, Business and Professional Licensing 550 West 7th Avenue, Suite 1500 Anchorage, Alaska 99501-3567 (907) 269-8124

Narrative Statement

The Board of Pharmacy "the board" optimistically submits this narrative statement highlighting its endeavors to promote the welfare and safety of the public through the effective regulation of the pharmacy profession and pharmaceutical supply chain in Alaska. As the ongoing COVID-19 pandemic continued affecting the operations, priorities, and goals of agencies providing critical care services to the public across the nation and the state, the Board of Pharmacy remained zealous in its efforts to safeguard the integrity of its profession while keeping patient safety at the forefront of its pursuits. In FY22, the Board of Pharmacy: published guidance to its licensees on scope of practice expansion authority to provide services related to the testing and treatment of COVID-19; expanded patient access to medications by extending supply-day thresholds for initial and refill prescriptions; and relaxed license qualification requirements using a barrier-reduction regulatory framework to scale-up pharmacy services and support the growth of the Alaskan economy.

FY21-22 marked the beginning of the board's first sunset audit since 2017, which both acknowledged the proliferation of regulatory projects drafted and implemented by the board and provided areas where improved regulatory oversight can be concentrated to further advance its profession and improve patient care. House Bill 306, sponsored by Representative Andi Story, which passed the legislature at the final hour of the FY22 session, extends the Board of Pharmacy through June 30, 2028. While not the full eight (8)-year period that would have extend the board through 2030, the six (6)-year extension is necessitated by the need to reassess the administration and oversight of the Prescription Drug Monitoring Program (PDMP), the state's controlled substance prescription database and interactive technological tool to assist providers in combating the opioid epidemic. As the PDMP affects a total of six (6) professions regulated by the State Medical Board, Board of Nursing, Board of Examiners in Optometry, Board of Veterinary Examiners, and Board of Dental Examiners, and the Board of Pharmacy, the legislature expects to see continued collaboration among these boards and their constituents.

The sunset audit also illuminated inherent statutory limitations that impose challenges on the board's ability to satisfy reporting requirements to the legislature and its ability to comply with federal grant deliverables. Driven by collaborative ownership of the program, the board chair of each PDMP-affected profession continued to convene its PDMP Chairs Group on a bi-weekly basis in FY21, which began in FY20 as a unified approach to discuss and identify barriers and challenges of the system and to strategize best approaches to, practices for, and priorities for PDMP data usage and dissemination. At the request of the legislature, DCCED - CBPL is procuring a consultant in FY23 to analyze the structure of the PDMP, assess effectiveness of program administration and regulation, and to provide recommendations on how the system can more aptly align with its legislative intent to support judicious prescribing and reduce diversion and abuse of federally-scheduled controlled substances.

Other relevant legislation that passed in FY22 include House Bill 145, an effort lead by the Alaska Pharmacist Association (AKPhA) with support from and collaboration with the board. HB 145 will update language to recognize pharmacists' existing ability to prescribe certain medications, such as vaccines and opioid overdose drugs--a bill that welcomes Alaska to a group of only five (5) states that recognize pharmacists' ability to independently prescribe. This law also acknowledges pharmacists as providers who are trained, qualified, and competent to render certain independent general health and wellness, disease prevention, and medication therapy services without entering into a cooperative practice agreement with a prescriber, and without facing insurance discrimination under Title 21. HB 145 further supports the effective regulation and expansion of pharmacy services by permitting pharmacy technicians to administer vaccinations under pharmacist supervision. Additionally, the board supported the Alaska State Veterinary Medical Association (AKVMA) and the Alaska Board of Veterinary Examiner's PDMP exemption bills, HB 91 and its companion bill, SB 132; however, these bills did not pass in FY22.

In tangential efforts, the Controlled Substances Advisory Subcommittee (CSAC) continues to be led by the Board of Pharmacy's chair or chair's delegate. In FY22, the CSAC continued discussing recently emerging substances of abuse, including kratom and gabapentin. This year, the CSAC decided to put forward a recommendation that Governor Dunleavy schedule kratom as a state-controlled substance to enable prosecution authority and to reduce the diversion and misuse of this substance.

On the regulatory front, the board held timely quarterly and special teleconference meetings to push forward a compilation of regulatory proposals, a bulk of which were crafted in FY2020 but forced into abeyance due to the pandemic, including language related to the license renewal of non-resident wholesale drug distributors, outsourcing facilities, and third-party logistics providers. These license categories were brought under the purview of the board to regulate in FY19, though proposed renewal language will likely be codified in FY23.

Narrative Statement (continued)

Additionally, the board implemented regulations in FY22 related to:

- Clarifying requirements for registration with and reporting to the PDMP, including delegate access.
- Establishing a time frame for which pharmacists and pharmacies are to report to the board its status of dispensing/ distributing federally-scheduled II IV controlled substances within 10 days.
- Clarifying duties for pharmacy technicians with national certification.
- Support and facilitate expedited licensure for active duty military members and spouses of military members pursuing licensure as a technician, intern, or pharmacist.
- Broaden qualifications for emergency permit issuance to quickly deploy adequate personnel for pharmacies and patients in need.

In FY23, the board also intends to implement regulations to:

- Reduce barriers to initial licensure for individuals, including eliminating transcript and notary requirements for individuals and expanding acceptable formats of license verifications.
- Reduce barriers to initial licensure for pharmacies and facilities, including eliminating inspection-report, fingerprint/ background report requirements, and certified true copy requirements.
- Remove onerous requirements to licensure renewal, including allowing attestations in lieu of original documents and removing requirements to provide certified true copies.
- Create a comprehensive joint application for providers to submit a collaborative practice agreement application to the State Medical Board and Board of Pharmacy for approval.
- Draft regulations to support and correspond to statute changes as a result of HB145.
- Develop a licensure process for entities involved in the manufacture of prescription drugs.
- Implement regulations improving and expediting the license process for active duty military members and/or their spouse.
- Amend regulations to improve access to telepharmacy services.

The board is also excited to highlight developments and engagements of both new and existing partnerships with agencies sharing common goals to promote parity in health care, support accessibility of treatment to under-served and geographically-challenged areas and populations, and identify and address challenges and opportunities to support valued personnel within a demanding pharmaceutical infrastructure. FY22 efforts include:

- Collaborating with the National Association of Boards of Pharmacy (NABP) to delegate eligibility approval for MPJE and NAPLEX exams
- Participating in question development and reviews to ensure the validity and integrity of examinations required for licensure
- Coordinating a multi-agency rapid response network to address patients experiencing barriers to care due to sudden service closures
- Engaging in conversations with telehealth stakeholders to improve access to telepharmacy and stimulate the growth of these services within Alaska

While the board and its collaborators have made great strides in FY22, there is much more to be accomplished in the next fiscal year. The board is keyed in to anticipates changes with the Drug Supply Chain Security Act (DSCSA) effective in FY23 and stands ready to promulgate regulations needed to initiate an effective regulatory response for entities involved in the distribution of prescription drugs. In entering FY23, the board will continue its efforts to ensure a healthy Alaska through continued development of strategic plans, removal of barriers to and streamlining the process for licensure and renewal, exercise collaborative oversight of the PDMP, and nurture continued relationships with departments and organizations whose support is invaluable to the strengthening and advancement of its profession.

With gratitude,

Laura Carrillo, MPH Executive Administrator

Budget Recommendations for FY 2023

Budget Recommendations section anticipates the board's fiscal priorities for the upcoming year. Please complete all parts of this section with details about anticipated meetings, conferences, memberships, supplies, equipment, to other board requests. Meeting expenses that are being funded through third-party reimbursement or direct booking must be identified separately from expenses paid through license fees (receipt-supported services or RSS). Be sure to explain any items listed as "other" so they may be tracked appropriately.

| Board Meeting Date | Board Meeting Date Location | | # Staff |
|-------------------------|-----------------------------|---|-------------|
| September 22 - 23, 2022 | Anchorage | 2 | 1 |
| Airfare: | | | \$ 2,000.00 |
| ■ Hotel: | | | \$ 1,200.00 |
| Ground: | | | \$ 100.00 |
| ■ Other: M&IE | | | \$ 350.00 |
| Total Estimated Co | st: | | \$ 3,650.00 |

| Board Meeting Date | Location | # Board | # Staff |
|------------------------|-----------|---------|-------------|
| November 17 - 18, 2022 | Anchorage | 2 | 1 |
| Airfare: | | | \$ 2,000.00 |
| • Hotel: | | | \$ 1,200.00 |
| Ground: | | | \$ 100.00 |
| ■ Other: M&IE | | | \$ 350.00 |
| Total Estimated Co | st: | | \$ 3,650.00 |

| Board Meeting Date | Board Meeting Date Location | | # Staff |
|--------------------|-----------------------------|---|-------------|
| February TBD, 2023 | Anchorage | 2 | 1 |
| Airfare: | | | \$ 2,000.00 |
| ■ Hotel: | | | \$ 1,200.00 |
| Ground: | | | \$ 100.00 |
| ■ Other: M&IE | | | \$ 350.00 |
| Total Estimated Co | st: | | \$ 3,650.00 |

Budget Recommendations for FY 2023 (continued)

Budget Recommendations section anticipates the board's fiscal priorities for the upcoming year. Please complete all parts of this section with details about anticipated meetings, conferences, memberships, supplies, equipment, to other board requests. Meeting expenses that are being funded through third-party reimbursement or direct booking must be identified separately from expenses paid through license fees (receipt-supported services or RSS). Be sure to explain any items listed as "other" so they may be tracked appropriately.

| Board Meeting Date | Location | # Board | # Staff |
|--------------------|-----------|---------|-------------|
| May TBD, 2023 | Anchorage | 2 | 1 |
| Airfare: | | | \$ 2,000.00 |
| ■ Hotel: | | | \$ 1,200.00 |
| Ground: | | | \$ 100.00 |
| ■ Other: M&IE | | | \$ 350.00 |
| Total Estimated Co | st: | | \$ 3,650.00 |

| Travel Required to Perfo | orm Examinations | | | | |
|--------------------------|--------------------------------|-----------------------|---------|--|--|
| Date | Location | # Board | # Staff | | |
| | | | | | |
| Description of meeting | and its role in supporting the | mission of the Board: | | | |
| | | | | | |
| ☐ Airfare: | | | | | |
| □ Hotel: | | | | | |
| ☐ Ground: | ☐ Ground: | | | | |
| ☐ Conference: | | | | | |
| □ Other: | | | | | |
| Total Estimated | Cost: | | \$ 0.00 | | |

Budget Recommendations for FY 2023 (continued)

| Out-of-State Meetings and Additional In-State Travel #1 Rank in Importance or D Not Applicable | | (Rank in orde | r of importance) |
|---|-------------------|---------------|------------------|
| Date | Location | # Board | # Staff |
| August 28-30, 2022 | Oklahoma City, OK | 1 | 1 |

Description of meeting and its role in supporting the mission of the Board:

This is an NABP District 6-8 meeting (Alaska is in district 7). This is a unique opportunity to round-table with district members on matters affecting today's pharmacy practice and an opportunity to engage in proactive discussions for tomorrow's pharmacists. Attendees will propose and resolve resolutions in an ongoing effort to support the practice of pharmacy.

| Expenditure | License Fees (RSS) | Third-Party Reimbursement | Third-Party Direct Booked | Total |
|---------------|--------------------------|------------------------------|------------------------------|-------------|
| Airfare: | \$500.00 | | | \$500.00 |
| ■ Hotel: | \$2,500.00 | | | \$2,500.00 |
| Ground: | \$100.00 | | | \$100.00 |
| Conference: | | | | \$0.00 |
| Other | \$1,080.00 | | | \$1,080.00 |
| Describe "Oth | ner" (break out all sect | tions): M&IE | | |
| Net Total: | \$ 4,180.00 | \$ 0.00 | \$ 0.00 | \$ 4,180.00 |

Budget Recommendations for FY 2023 (continued)

Out-of-State Meetings and Additional In-State Travel

#2 Rank in Importance

| Date | Location | # Board | # Staff |
|-----------------|---------------|---------|---------|
| May 11-13, 2023 | Nashville, TN | 1 | 1 |

Description of meeting and its role in supporting the mission of the Board:

119th Annual Meeting of the National Association of Boards of Pharmacy (NABP) – State boards, regulators, and stakeholders gain a deeper understanding of how NABP and the pharmacy regulatory boards work together to protect public health. Attendees have the opportunity to network and participate in business sessions to keep abreast of the salient issues affecting pharmacy practice and regulation.

| Expenditure | License Fees (RSS) | Third-Party Reimbursement | Third-Party Direct Booked | Total |
|----------------|------------------------|------------------------------|------------------------------|-------------|
| Airfare: | \$500.00 | | | \$500.00 |
| Hotel: | \$2,500.00 | | | \$2,500.00 |
| Ground: | \$100.00 | | | \$100.00 |
| Conference: | \$400.00 | | | \$400.00 |
| Other | \$1,080.00 | \$1,500.00 | | \$2,580.00 |
| Describe "Othe | r" (break out all sect | ions): M&IE, 3rd party | conference scholarship | opportunity |
| Net Total: | \$ 4,580.00 | \$ 1,500.00 | \$ 0.00 | \$ 6,080.00 |

Budget Recommendations for FY 2023 (continued)

Out-of-State Meetings and Additional In-State Travel

#3 Rank in Importance

| Date | Location | # Board | # Staff |
|-------------------|-------------|---------|---------|
| April 10-13, 2023 | Atlanta, GA | 1 | 2 |

Description of meeting and its role in supporting the mission of the Board:

National Rx Abuse and Heroin Summit — This conference supports the state's opioid response and the board's efforts to effectively administer the state's PDMP. Federal grant funds will be used to send 2 staff members to this conference to attend the PDMP track. License fees will be used to send 1 board member to attend the regulatory, policy, clinical, and/or law enforcement tracks to advance the board's efforts to protect public safety and to support the chair in its Controlled Substances Advisory Committee (CSAC) roll. The below cost reflects travel for 1 board member.

| Expenditure | License Fees (RSS) | Third-Party Reimbursement | Third-Party Direct Booked | Total |
|----------------|------------------------|------------------------------|------------------------------|-------------|
| Airfare: | \$2,000.00 | | | \$2,000.00 |
| Hotel: | \$1,000.00 | | | \$1,000.00 |
| Ground: | \$100.00 | | | \$100.00 |
| Conference: | \$1,125.00 | | | \$1,125.00 |
| Other | \$170.00 | | | \$170.00 |
| Describe "Othe | r" (break out all sect | ions): M&IE | | |
| Net Total: | \$ 4,395.00 | \$ 0.00 | \$ 0.00 | \$ 4,395.00 |

Budget Recommendations for FY 2023 (continued)

Out-of-State Meetings and Additional In-State Travel #4 Rank in Importance Date Location #Board #Staff Sep 7, 2022 Online 1

Description of meeting and its role in supporting the mission of the Board:

MPJE State-Specific Review – this is an opportunity for member boards to participate in review of current exam items to ensure the most valid and relevant questions are reflected in the Multi-State Jurisprudence Exam (MPJE), which is administered by the NABP. This exam is integral to assessing competency for licensure as a pharmacist. Participation in this workshop also allows for selection of new items for pretesting, which is integral to the validity of MPJEs.

| Expenditure | License Fees (RSS) | Third-Party Reimbursement | Third-Party Direct Booked | Total |
|---------------|-------------------------|------------------------------|------------------------------|---------|
| ☐ Airfare: | | | | \$0.00 |
| ☐ Hotel: | | | | \$0.00 |
| ☐ Ground: | | | | \$0.00 |
| ☐ Conference: | | | | \$0.00 |
| □ Other | | | | \$0.00 |
| Describe "Oth | er" (break out all sect | ions): | | |
| Net Total: | \$ 0.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 |

Budget Recommendations for FY 2023 (continued)

Out-of-State Meetings and Additional In-State Travel

#5 Rank in Importance

| Date | Location | # Board | # Staff |
|----------|----------|---------|---------|
| TBD 2023 | TBD | 1 | 0 |

Description of meeting and its role in supporting the mission of the Board:

Compounding Pharmacy Compliance - The board, through their compounding subcommittee, has been working on advancing their compounding regulations over the last few years. This conference is an opportunity to network with experts in the compounding industry, analyze evolving regulations, strengthen compounding systems and processes, and gain insight into techniques to ensure accuracy and sterility. The overarching goal is patient safety.

| Expenditure | License Fees (RSS) | Third-Party Reimbursement | Third-Party Direct Booked | Total |
|----------------|------------------------|------------------------------|------------------------------|-------------|
| Airfare: | \$800.00 | | | \$800.00 |
| Hotel: | \$600.00 | | | \$600.00 |
| Ground: | \$50.00 | | | \$50.00 |
| Conference: | \$450.00 | | | \$450.00 |
| Other | \$540.00 | | | \$540.00 |
| Describe "Othe | r" (break out all sect | tions): M&IE | | |
| Net Total: | \$ 2,440.00 | \$ 0.00 | \$ 0.00 | \$ 2,440.00 |

Budget Recommendations for FY 2023 (continued)

| Non-Travel Budget Requests | | | | | |
|--|---------|----------------|------------|--------------|----------------|
| ■ Not Applicable | | Resources | | Examination | ons |
| ☐ Membership | | Training | | Other | |
| Product or Service | | | Provider | | Cost Per Event |
| | | | | | |
| Description of item and its role in sup | porting | the mission of | the Board: | | |
| | | | | | |
| | | | | | |
| Other Items with a Fiscal Impact | | | | | |
| ■ Not Applicable | | | | Per Event: | |
| | | | Num | nber of Even | ıts: |
| Product or Service | | | Provider | | Cost Per Event |
| | | | | | |
| Description of item and its role in sup | porting | the mission of | the Board: | | |
| | | | | | 1 |
| | | | | | |
| | | | | | |
| Summary of FY 2023 Fiscal Requests | | | | | |
| Board Meetings and Teleconfe | rences: | | | | \$14,600.00 |
| Travel for Exams: | | | | | \$0.00 |
| Out-of-State and Additional In-State Tra | | avel: | | | \$16,555.00 |
| Dues, Memberships, Resources, Trainin | | ng: | | | \$0.00 |
| Total Potential Third-Party Offs | sets: | | | | \$ 1,500.00 |
| Other: | | | | | \$0.00 |
| Total Requested: | | | | | \$29,655.00 |

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Legislative Recommendations - Proposed Legislation for FY 2023

| No Recommendations The Board has no recommendations for proposed legislation at this time. |
|--|
| Recommendations The Board has the following recommendations for proposed legislation: |

With the passage of HB 145 in FY2022 that overlap with changes the Board of Pharmacy previously identified in its FY2021 legislative recommendations, a number of intended statutory changes will be resolved. Common interest areas covered in HB 145 and to be effective 90 days subsequent to Governor Dunleavy's signature, include:

- Removal of "dosage form" from the definition of "equivalent drug product" in AS 08.80.480.
- Clarification of pharmacists' ability to independently prescribe and administer vaccines and emergency medications under AS 08.80.168
- Expansion of pharmacist's ability to independent treat and monitor other conditions as needed
- Allowing pharmacist interns and pharmacy technicians, as supervised by a pharmacist, to prescribe vaccines and emergency medications under AS 08.80.168
- Recognition of pharmacists as providers under AS 21.36.090(d) to eliminate insurance reimbursement discrimination for services provided.

A summary of the Board of Pharmacy's legislative recommendations it intends to pursue in FY2023 include:

| Statutory area | Summary of Change | Citation |
|-------------------------------|--|------------------|
| Moral character | Remove moral character requirement | AS 08.80.110(2), |
| | from applications for pharmacists via | AS 08.80.145(3) |
| | examination and reciprocity | |
| Registration of pharmacies | Repeal registration and introduce a | AS 08.80.158 |
| | licensure category | |
| Requirements for non-resident | Include devices, require licensure | AS 08.80.159 |
| pharmacies | | |
| Licenses not affected | Drug dispensing machines | AS 08.80.400 |
| Prohibited terms | Add "apothecary" | AS 08.80.420 |
| Powers and duties of the | Regulate the practice of white and brown | AS 08.80.030 |
| board | bagging; regulate kiosks as a separate | |
| | license type | |
| Creation and membership of | Add a technician seat; remove one public | AS 08.80.010 |
| board; officers | member seat | |
| National criminal history | Require FBI fingerprints for pharmacist | AS 12.62.400 |
| record check | applicants | |

Recommended amendments are included on the following page.

Legislative Recommendations (continued)

The Board of Pharmacy recommends REPEALING the following:

- AS 08.80.030(b)(10) (Powers and Duties of the Board): "issue licenses to persons engaged in the manufacture and distribute of drugs and devices;"
- AS 08.80.110(2) (Qualifications for Licensure by Examination): "furnish the board with at least two affidavits from reputable citizens that the applicant has known for at least one year attesting to the applicant's good moral character;"
- AS 08.80.145(3) (Reciprocity; License Transfer): "is of good moral character"
- AS 08.80.145(5) (Reciprocity; License Transfer): "or has met the internship requirements of this state"
- AS 08.80.160(10) (Fees): "Registration or"

The Board of Pharmacy recommends AMENDING the following:

- AS 08.80.0310(a) (Creation and Membership of Board; Officers): "There is created the Board of Pharmacy, composed of seven (or eight) members, five of whom shall be pharmacists licensed in the state who have been actively engaged in the practice of pharmacy in the state for a period of three years immediately preceding their appointment. One shall be a pharmacy technician licensed in the state for at least two years. One shall be a person with no direct final interest in the healthcare industry."
- AS 08.80.030(b)(14) (Powers and Duties of the Board): "require that a licensed pharmacist dispensing federally-scheduled controlled substances in the state register with the controlled substance prescription database under AS 17.30200(o)"
- AS 08.80.030(b)(16) (Powers and Duties of the Board): "license wholesale drug distributors, third-party logistics providers, outsourcing facilities, and manufacturers under AS 08.80.159, and pharmacies under AS 08.80.157 that are physically located outside the state"
- AS 08.80.159(a) (Licensing and Inspection of Facilities Outside of the State): "Before shipping, mailing, mailing, distributing, or delivering prescription drugs to a licensee in the state or advertising in the state, a wholesale drug distributor, manufacturer, third-party logistics provider, or an outsourcing facility that is located outside of the state shall"
- AS 08.80.420(a) (Certain Advertising Prohibited): "A person may not use or exhibit the title "pharmacist," "assistant pharmacist," or "druggist," or the descriptive term "pharmacy," "drug store," "drug sundries," "apothecary," or other similar title or term containing the word "drug," in any business premises, or in an advertisement through the media of press, or publication, or by radio or television, unless the business has a licensed pharmacist in regular and continuous employment."

The Board of Pharmacy recommends ADDING the following:

- AS 08.80.030(b)(17) (Powers and Duties of the Board): "license and establish standards for automated prescription drug machines installed outside the premise of institutional facilities"
- AS 08.80.030(b)(18) (Powers and Duties of the Board): "establish standards for the practice of white and brown bagging"
- AS 08.80.030(b)(19) (Powers and Duties of the Board): "license Internet pharmacies providing services to residents in the State"

Regulation Recommendations - Proposed Regulations for FY 2023

| No Recommendations |
|---|
| The Board has no recommendations for proposed regulations at this time. |
| |
| |
| Recommendations |
| The Board has the following recommendations for proposed regulations: |
| |

The Board of Pharmacy recommends AMENDMENTS to:

- 12 AAC 52.130 (Registration of Pharmacies Located Outside of the State) to update the language from "registration" to "license"
- 12 AAC 52.865 (Reporting and Reviewing PDMP Information) to incorporate language on ASAP (American Society for Automation in Pharmacy) reporting fields for veterinary prescriptions.
- 12 AAC 52.920 (Disciplinary Guidelines) to clarify applicability to (C) and (D) is only to the extent the individual is licensed under this chapter (AS 08).

The Board of Pharmacy recommends NEW SECTIONS for:

- Automated dispensing machines
- Pharmacy kiosks (lockers)
- Inventory losses by wholesale drug distributors
- Manufacturer applications
- Internet pharmacies
- Inventory losses by wholesale drug distributors

The Board of Pharmacy acknowledges it must CREATE/UPDATE regulations by July 1, 2023 corresponding with HB 145:

- 12 AAC 52.992 Re-title and replace term, "independent administration of" with "prescribe" wherever applicable and incorporate pharmacy technician requirements/standards
- 12 AAC 52.994 Re-title and replace term, "independent administration of" with "prescribe" wherever applicable
- 12 AAC 52.240 Update collaborative practice section to incorporate language for general health and wellness, disease prevention, and self-limiting conditions
- 12 AAC 52.460 Remove "dosage form" ate collaborative practice section to incorporate language for general health and wellness, disease prevention, and self-limiting conditions
- 12 AAC 52.NEW establish standards for monitoring of drug therapy

Goals and Objectives

Part I FY 2022's goals and objectives and how they were met:

In its FY2022 strategic plan, the Board of Pharmacy identified four (4) overarching goals inspired by (4) guiding principles in the focus areas of communication, administration, licensure, and regulation/enforcement. Each goal includes identification of strategies (objectives) to support and advance the board's guiding principle areas. This section highlights the board's progress with its 16 identified strategies.



The Alaska Board of Pharmacy endeavors to promote, preserve, and protect the public health, safety, and welfare by and through the effective control and regulation of the practice of pharmacy.

| GUIDING PRINCIPLES | GOALS | STRATEGIES |
|---|--|--|
| COMMUNICATION | Engage in effective communication and promote transparency of public information. | 1.1 Improve customer service by providing timely and informative updates to applicants and licensees. 1.2 Encourage appropriate disclosure of information related to licensing and investigative processes. 1.3 Maximize communication channels through the Board of Pharmacy website and List Service. 1.4 Increase collaboration with health care boards and stakeholders to address issues affecting scope of practice and patient care. |
| ADMINISTRATION | 2. Adhere to and strive for improved organizational efficiencies without compromising quality of record keeping. | 2.1 Avoid delays in application processing by maintaining adequate staffing and exploring flexible retention strategies. 2.2 Maintain a proactive approach to licensing by consulting historical knowledge, researching national trends, and encouraging innovation in the planning process. 2.3 Automate licensure through online applications. 2.4 Exercise fiscal discipline through effective budget management. |
| LICENSURE | Ensure competency and qualifications prior to licensure and renewal. | Adhere to established licensing standards by reviewing education, experience, and examination requirements. 3.2 Periodically review applications and forms for alignment with existing requirements. |
| REGULATION & ENFORCEMENT | Grow the economy while promoting community health and safety. | 4.1 Routinely review effectiveness of regulations that reduce barriers to licensure without compromising patient health and safety. 4.2 Combat the opioid crisis by effective administration of the state's Prescription Drug Monitoring Program (PDMP), including collaboration with providers and key stakeholders. |
| For more information, please vision Board of Pharmacy Homepage: Prescription Drug Monitoring Processing Pharmacy@alaska.gov Phone: 907-465-1073 | South Martin Committee and the Section of the Secti | 4.3 Reduce adverse health outcomes during emergencies through prompt regulatory responses and board guidance. 4.4 Establish disciplinary guidelines and conduct random inspections to ensure safety protocols and competencies are met. 4.5 Establish a simple regulatory approach to expand licensure to active duty military personnel and spouse of military personnel. 4.6 Advocate for legislation as the pharmacy profession evolves and new opportunities for improved patient safety arise. |

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Goals and Objectives (continued)

Part I (continued)

FY 2022's goals and objectives and how they were met:

The following table outlines the board's progress for strategies (objectives) 1.1 through 2.4.

| GOAL/STRATEGY | MET BY |
|---|--|
| 1.1: Improve customer service by providing timely updates to applicants and licensees. | Consistently provided authorization codes for applicants to check their application/record status in real-time using MY LICENSE Provided courtesy emails with visual aids on how to identify and act on authorization codes Utilized a spreadsheet to track follow-up with in-process applicants Provide MY LICENSE status updates and email status updates |
| 1.2: Encourage appropriate disclosure of information related to licensing and investigative processes. | Provide form #08-4752 (ProFit template) to applicants Provide detailed instructions via MY LICENSE and via email |
| 1.3: Maximize communication channels through the Board of Pharmacy website and List Service | The board fulfilled this strategy by sending multiple notices: Proposed PDMP regulations (08/31/2021) PDMP fee reductions (09/17/2021) CBPL COVID Joint Statement (11/12/2021) November board meeting (11/17/2021) Continuing Education Disciplinary Matrix (11/23/2021) COVID-19 therapeutics (11/23/2021) Proposed license fee reductions (01/31/2022) Proposed regulations related to emergency permits, military licensing, and renewal applications (02/02/2022) February board meeting (02/14/2022) Board Disciplinary Matrix (02/24/2022) Alaska Well-Being Index participation link (02/28/2022) FDA discretion in clozapine REMS program (03/03/2022) Phasing out of hard copy license certificates (03/17/2022) Fee reductions effective date (05/05/2022) 2022 – 2024 renewal extension (05/05/2022) |
| 1.4: Increase collaboration with health care boards and stakeholders to address issues affecting scope of practice and patient care. | Continued to chair the Controlled Substance Advisory Subcommittee (CSAC) Continued to participate in bi-weekly PDMP chairs meeting Continued to participate in bi-weekly healthcare board chairs meeting Issued a joint statement with the Board of Nursing and Board of Dental Examiners |
| 2.1: Avoid delays in application processing by maintaining adequate staffing and exploring flexible retention strategies. 2.2: Maintain a proactive approach to licensing by consulting historical knowledge, researching national trends, and encouraging innovation in the planning process. | Ongoing challenge; division continues to experience extensive vacancies Telework option provided to support staff flexibility and retention Use of desk manual prepared by board's executive administrator Use of policies and procedures provided by division leadership Referring to examples of previous work product to ensure consistency |
| 2.3: Automate licensure through online applications 2.4: Exercise fiscal discipline through effective budget management. | Not met; online application priorities suspended to accommodate and prioritize core licensing functions using existing methods to apply The board participated in the division's fee analysis and made fee reductions effective towards the end of FY22. |

Goals and Objectives (continued)

Part I (continued)

FY 2022's goals and objectives and how they were met:

The following table outlines the board's progress for strategies (objectives) 3.1 through 4.6.

| GOAL/STRATEGY | MET BY |
|---|--|
| 3.1: Adhere to established licensing standards by reviewing education, experience, and examination requirements. 3.2: Periodically review applications and forms for alignment with existing | Continued use of application checklists Ongoing; the board's executive administrator is proactive with form updates and anticipates form updates necessitated by regulation |
| requirements. 4.1: Routinely review effectiveness of | changes The following areas have been approved by the board, released to the |
| regulations that reduce barriers to licensure without compromising patient health and safety. | public for comments, or are pending adoption in FY2022: The board is successful in continuing to work on and support the division's Right Touch Regulations initiative. Reducing barriers to licensure by eliminating onerous requirements, including authorization for release of records, affidavits of moral character for interns, inspection requirements, background reports and resumes for facilities Eliminating requirements made redundant by similar industry or employer requirements, including academic transcripts Streamlining application processing by delegating approval to the board's executive administrator The board continued to work on broadening circumstances for which an applicant may qualify for an emergency permit |
| 4.2: Combat the opioid crisis by effective administration of the state's Prescription Drug Monitoring Program (PDMP), including collaboration with providers and key stakeholders. | Continued facilitation of bi-weekly board chairs meeting Active participation in discussions during FY22 legislative session Provided continued education and outreach to providers Updated website content and continued to make resources and reports available to users and the public Launched a PDMP communications module to facilitate secure provider-to-provider collaboration |
| 4.3: Reduce adverse health outcomes during emergencies through prompt regulatory responses and board guidance. | The board did not promulgate emergency regulations in FY22; however, it did collaborate with the Department of Law to issue guidance on providing therapeutics for COVID-19 The board collaborated with the Board of Nursing and Board of Dental Examiners to issue a joint statement |
| 4.4: Establish disciplinary guidelines and conduct random inspections to ensure safety protocols and competencies are met. | Board approved continuing education disciplinary matrix in early-FY22 Board approved comprehensive disciplinary matrix in mid-FY22 |
| 4.5: Establish a simple regulatory approach to expand licensure to active duty military personnel and spouse of military personnel | The board continued to work on developing and improving the license process for activity duty military members and/or their spouse; board approved language and released amendment for public comment in FY22 |
| 4.6: Advocate for legislation as the pharmacy profession evolves and new opportunities for improved patient safety arise | The board supported HB 145 (expand pharmacist authority) The board supported HB 91/SB132 (PDMP vet exemption) |

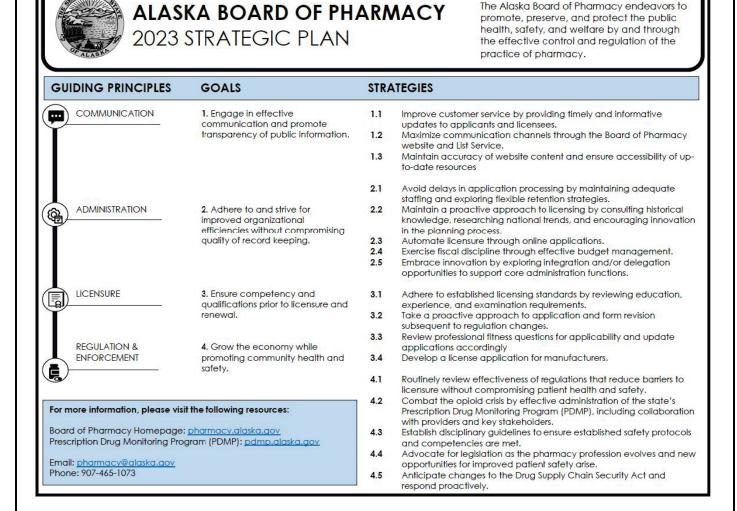
Goals and Objectives (continued)

Part II

FY 2023's goals and objectives, and proposed methods to achieve them.

Describe any strengths, weaknesses, opportunities, threats and required resources:

The Board of Pharmacy's 2023 Strategic Plan is below:



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Goals and Objectives (continued)

Part II (continued)

FY 2023's goals and objectives, and proposed methods to achieve them.

Describe any strengths, weaknesses, opportunities, threats and required resources:

The Board of Pharmacy's SWOT analysis is below:

Strengths

- Technologically adaptive
- Use of diverse communication channels
- Established licensing policies and procedures
- Emergency preparedness regulations
- Task list accountability and follow-up
- Rapport with stakeholders (AKPhA, DHSS)

Weaknesses

- Board member participation
- · Staff turnover

Opportunities

- Expedited online licensing through myAlaska
- Expanded public comment opportunities

Threats

- Staff availability
- Shifting priorities and lack of resources

Sunset Audit Recommendations

| Date of Last Legislative Audit: 07/15/2021 |
|---|
| Board Sunset Date: 06/30/2028 |
| |
| Audit Recommendation: The board chair and DCBPL's director should improve procedures and training to ensure applicants meet requirements prior to licensure. |
| Action Taken: Ensure use of existing checklists and proper use of the licensing system. |
| Next Steps: Ongoing staff training. |
| Completed: No Yes If yes, date completed: Ongoing |
| |
| Audit Recommendation: The board should adopt regulations for renewing outsourcing facilities and third-party logistics provider licenses. |
| Action Taken: The board began drafting regulations for renewal of out-of-state facilities in 2020, adopting language during its November 2021 meeting. Amendments were released for public comment In February 2022. |
| Next Steps: The board will be adopting renewal regulations for out-of-state facilities during its June 16, 2022 board meeting. |
| Completed: No Yes If yes, date completed: |
| Audit Pecammendation: |

Audit Recommendation:

Applicable occupational boards and DCBPL's director should continue to coordinate efforts to improve the monitoring and enforcement of CSPD requirements.

Action Taken:

DCBPL's director is working on procuring an consultant to assess administration of the database. The board of pharmacy, its staff, and the PDMP manager continue to support the facilitation of PDMP meetings.

Next Steps:

Continued progress on actions already taken.

| Completed: | No | П | Yes | If yes, date completed: |
|------------|----|---|-----|-------------------------|
| p | | ш | | yes, date completed. |

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|--|--|--|--|--|--|--|
| Sunset Audit Recommendations (continued) | | | | | | |
| Audit Recommendation: | | | | | | |
| DCCED commissioner should allocate sufficient resources to ensure licensees holding a DEA registration number are consistently recorded in DCBPL's licensing database. | | | | | | |
| Action Taken: | | | | | | |
| Training provided to staff on how to identify and enter DEA registration #s; development of checklists and instructional materials. | | | | | | |
| Next Steps: | | | | | | |
| Continued progress on actions already taken. | | | | | | |
| Completed: No Yes If yes, date completed: Ongoing | | | | | | |
| | | | | | | |
| Audit Recommendation: | | | | | | |
| DCCED's commissioner should allocate sufficient resources to ensure the CSPD requirements are enforced. | | | | | | |
| Action Taken: | | | | | | |
| Continued resources to support affected boards; training materials provided and disseminated. | | | | | | |
| Next Steps: | | | | | | |
| Ongoing. | | | | | | |
| Completed: No Yes If yes, date completed: | | | | | | |