

Annual Report

Fiscal Year 2020

Alaska Board of Pharmacy



**Department of Commerce, Community
and Economic Development**

**Division of Corporations, Business
and Professional Licensing**

This annual performance report is presented in accordance with
Alaska statute AS 08.01.070(10).

Its purpose is to report the accomplishments, activities, and the
past and present needs of the licensing program.

**Alaska Board of Pharmacy
FY 2020 Annual Report**

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**Alaska Board of Pharmacy
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Identification of the Board

Board Member	Duty Station	Date Appointed	Term Expires
Richard Holt, PharmD, MBA Chair	Eagle River, AK	Mar 01, 2016	Mar 01, 2024
Leif Holm, PharmD Vice-Chair	North Pole, AK	Mar 01, 2015	Mar 01, 2023
Lana Bell, RPh Secretary	Anchorage, AK	Mar 01, 2018	Mar 01, 2022
James Henderson, RPh	Soldotna, AK	Mar 01, 2017	Mar 01, 2021
Justin Ruffridge, PharmD	Anchorage, AK	Mar 01, 2020	Mar 01, 2022
Sharon Long, Public Member	Anchorage, AK	Mar 01, 2018	Mar 01, 2022
Tammy Lindemuth, Public Member	Anchorage, AK	Jan 24, 2018	Mar 01, 2021

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Identification of Staff

Laura Carrillo, MPH – Executive Administrator

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

Lisa Sherrell – Prescription Drug Monitoring Program Manager (since January 2020)

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

Heather Noe – Licensing Examiner (since January 2020)

Tracy Wiard – Licensing Examiner (since March 2020)

Deborah Roesch – Licensing Examiner (until March 2020)

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

Carl Jacobs – Investigator III

Department of Commerce, Community & Economic Development
Division of Corporations, Business and Professional Licensing
Post Office Box 110806
Anchorage, Alaska 99811-0806
(907) 465-2550

Jun Maiquis, Regulations Specialist

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

Alaska Board of Pharmacy FY 2020 Annual Report

Narrative Statement

Overview:

The Alaska Board of Pharmacy endeavors to promote, preserve, and protect the public health, safety, and welfare of by and through the effective control and regulation of the practice of pharmacy in the State. During FY2020, the board of pharmacy continued its efforts to support the pharmaceutical supply chain; the board expanded regulation of its profession by licensing out-of-state wholesale drug distributors, outsourcing facilities, and third-party logistics providers effective October 31, 2019, bringing the number of regulated license types from seven (7) to ten (10). Other license category types are in-state pharmacies, out-of-state pharmacies, remote pharmacies, drug rooms, in-state wholesale drug distributors, pharmacists, pharmacist interns, and pharmacy technicians. Additionally, the board regulates shared pharmacy services and telepharmacy systems, approves collaborative practice agreements, and oversees the state's controlled substance prescription database, the Prescription Drug Monitoring Program (PDMP). From FY2019 to FY2020, the board grew its license base with an increase of 17.25% in new licensees and expanded the PDMP with a 7.9% increase in new users.

The board is statutorily required to meet at least three (3) times per year either in person or telephonically. In FY2020, the board held four (4) regular board meetings. To save on travel, hotel, and per diem costs, 2 of the 4 meetings were held via videoconference, and 1 meeting was held via teleconference due to travel restrictions; this saved the board an average of \$9,000. Through the development of dedicated subcommittees this year, the board also began concerted efforts to reduce regulatory barriers, identify outdated regulations, and assess simplification of licensure. Additionally, the board began work on its strategic plan to formally identify values, goals, and strategies to guide the board in continuing its adherence to promoting, preserving and protecting the health, safety, and welfare of the public. The board has identified the following focus areas for this plan: communication, administration, regulation and legislation, licensure, and enforcement.

The Board of Pharmacy maintains its membership with the National Association of Boards of Pharmacy (NABP) and the National Association of Controlled Substance Authorities (NASCA), which provide the board with industry support and access to national resources, many of which provide administrative efficiency and support to the board in avoiding redundant services and lowering costs to the State, prospective applicants, and licensees. Through its membership with the NABP and at no additional cost, the board of pharmacy is able to delegate administration of its state jurisprudence exam for pharmacist licensure and reporting of disciplinary actions to the association. The NABP also provides an ePortal service for transfer of national examination scores and state licenses, a continuing education monitoring service, and intrastate and interstate datasharing hubs to facilitate exchange of data through the PDMP. Through its membership with NASCA, the board has access to discussion forums and comprehensive state information to assist in curtailing the abuse, misuse, and diversion of controlled substances.

Both memberships also give the board the opportunity to apply for travel and conference scholarships. The board of pharmacy also continues to participate in examination writing workshops at the NABP headquarters in Illinois to ensure the current pool of Multistate Jurisprudence Pharmacy Examination (MPJE) questions required for pharmacist licensure are relevant. In FY2020, the board planned to send Tammy Lindemuth to the MPJE writing workshop, but was unable to attend due to the COVID-19 pandemic. Though there is a remote attendance option, the board recognizes challenges in effective participation via distance writing.

Also during FY2020, the board of pharmacy responded quickly to the rapidly evolving regulatory challenges and needs posed by the 2019 novel coronavirus pandemic. Through two emergency teleconferences and an accompanying regulations project, the board made amendments to their emergency preparedness regulations, providing an alleviation of regulatory barriers to practice, allowing the provision for adequate personnel resources through expansion of delegable duties, and streamlining application processes. Additionally, the board released a series of guidance to licensees to assist in responding to the public health crisis. The board also worked collaboratively with the Alaska State Medical Board and Board of Nursing to issue comprehensive guidance.

Board meetings held:

- March 7 – 8, 2019 (Teleconference; Anchorage for those in-area)
- November 14 – 15, 2019 (Teleconference; Anchorage for those in-area)
- February 7 – 8, 2020 (Anchorage)
- May 7 – 8, 2020 (Teleconference; no public attendance due to COVID-19)
- May 28, 2020 (Teleconference; reviewed public comment to make emergency regulations permanent)

Emergency meetings held:

- March 23, 2020 (Teleconference; no public attendance due to COVID-19)
- March 27, 2020 (Teleconference; no public attendance due to COVID-19)

Regulation projects:

- I. The board continued to work towards improving regulations and implemented new sections for the new license categories. New regulations and amendments to the following sections went into effect on October 31, 2019:
 - 12 AAC 52.010 – Classification of licensure
 - 12 AAC 52.050 – Closed pharmacies
 - 12 AAC 52.070 – Application for pharmacist license by examination
 - 12 AAC 52.095 – Application for pharmacist license by reciprocity
 - 12 AAC 52.110 – Emergency pharmacist permit
 - 12 AAC 52.120 – Review of pharmacist intern license application
 - 12 AAC 52.150 – Proof of licensure for individual pharmacists working for tribal health programs
 - 12 AAC 52.220 – Pharmacist interns
 - 12 AAC 52.240 – Pharmacist collaborative practice authority
 - 12 AAC 52.340 – Approved programs
 - 12 AAC 52.423 – Remote pharmacy license
 - 12 AAC 52.425 – Telepharmacy system for a remote pharmacy
 - 12 AAC 52.465 – Controlled substance prescription drug orders
 - 12 AAC 52.500 – Transfer of a prescription drug order

- 12 AAC 52.510 – Substitution
- 12 AAC 52.530 – Return or exchange of drugs
- 12 AAC 52.610 – Wholesale drug distributor license
- 12 AAC 52.696 – Outsourcing facilities
- 12 AAC 52.697 – Third-party logistics providers
- 12 AAC 52.925 – Grounds for denial or discipline for criminal history
- 12 AAC 52.985 – Emergency preparedness
- 12 AAC 52.993 – Executive administrator
- 12 AAC 52.995 – definitions

II. The board is also continuing to work regulations that reflect current standards and practices of pharmacy, and that also reduce practice and process barriers. Regulations included in the board’s simplification project include:

- 12 AAC 52.020 – Pharmacy license
- 12 AAC 52.060 – Fire or other disaster
- 12 AAC 52.075 – Good moral character
- 12 AAC 52.080 – Internship requirements for a pharmacist license
- 12 AAC 52.095 – Application for pharmacist license by reciprocity
- 12 AAC 52.100 – Temporary pharmacist license
- 12 AAC 52.110 – Emergency pharmacist permit
- 12 AAC 52.120 – Pharmacist interns
- 12 AAC 52.140 – Pharmacy technicians
- 12 AAC 52.200 – Pharmacist-in-charge
- 12 AAC 52.210 – Pharmacist duties
- 12 AAC 52.220 – Pharmacist intern requirements
- 12 AAC 52.230 – Pharmacy technician requirements
- 12 AAC 52.240 – Pharmacist collaborative practice agreements
- 12 AAC 52.250 – Job shadowing in a pharmacy
- 12 AAC 52.300 – License renewal
- 12 AAC 52.310 – Reinstatement of an expired pharmacist or pharmacy technician license
- 12 AAC 52.400 – General guidelines for pharmacies
- 12 AAC 52.415 – Prescription drug dispensing machines (new section)
- 12 AAC 52.420 – Security
- 12 AAC 52.423 – Remote pharmacy license
- 12 AAC 52.430 – Sterile compounding
- 12 AAC 52.440 – Non-sterile compounding
- 12 AAC 52.444 – Approval for shared pharmacy services by pharmacist (new section)
- 12 AAC 52.470 – Refills
- 12 AAC 52.475 – Dispensing refills in a declared emergency
- 12 AAC 52.480 – labeling
- 12 AAC 52.490 – Prescriptions by electronic transmission
- 12 AAC 52.500 – Transfer of a prescription drug order
- 12 AAC 52.510 – Substitution
- 12 AAC 52.530 – Return or exchange of drugs
- 12 AAC 52.535 – Independent prescribing & administration of vaccines & related emergency medications

- 12 AAC 52.536 – Independent prescribing & dispensing of opioid overdose drugs by pharmacists
- 12 AAC 52.550 – Advertising
- 12 AAC 52.560 – Destruction and disposal of drugs
- 12 AAC 52.570 – Drug regimen review
- 12 AAC 52.580 – Data processing systems
- 12 AAC 52.585 – Patient counseling
- 12 AAC 52.590 – Prepackaging of drugs for practitioner offices
- 12 AAC 52.696 – Outsourcing facilities
- 12 AAC 52.697 – Third-party logistics providers
- 12 AAC 52.730 – Drug distribution and control
- 12 AAC 52.800 – Drug room license & pharmacist requirements
- 12 AAC 52.970 – Reinstatement of a suspended or revoked license
- 12 AAC 52.985 – Reporting requirements to the board
- 12 AAC 52.990 – Display or proof of license
- 12 AAC 52.991 – Disciplinary decision or conviction reporting requirement

III. The also board adopted emergency regulations in response to COVID-19 effective April 3, 2020. During their May 28th meeting, the board moved to make emergency regulations permanent. The intent of these regulations are to alleviate workload strain and support adequate staffing by:

- Increasing capacity by expanding the tasks which a pharmacy technician who holds a national certification may perform;
- Allowing a cashier or bookkeeper to work in a pharmacy without being licensed as a technician;
- Decreasing unnecessary administrative requirements;
- Increasing the ranks of licensees who may provide immunizations during the emergency by removing the requirement to obtain CPR certification;
- Expanding shared pharmacy service functions;
- Clarifying pharmacists and pharmacist interns may administer drugs pursuant to an Rx drug order;
- Allowing for temporary relocations during the emergency without applying for a new license; and
- Allowing the distribution, if insurance allows, of sufficient medication to avoid forcing patients to make multiple return trips.

Potential Legislative Priorities:

- Removing burdensome and obsolete statutes to improve licensure and administrative efficiency and to support adequate and efficient personnel staffing
- Seek amendments to Title 21 to recognize pharmacists as providers to allow for reimbursement for services related to ordering and administering tests

Other:

- Tammy Lindemuth has been delegated by board chair, Rich Holt, to serve as chair of the Controlled Substance Advisory Committee (CSAC) and continues to collaborate with its members to meet the committee’s goals and objectives
- The board continues to partner with the Alaska Pharmacists Association (AKPhA) to accomplish the shared goals of advancing the pharmacy profession in the state
- The board continues to work towards convening a PDMP subcommittee with all affected boards to support a collaborative opioid response and to improve licensee compliance with mandatory use.

**Alaska Board of Pharmacy
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Budget Recommendations for FY 2021

The 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
August 27 - 28, 2020	Anchorage/Teleconference	7	1
<input checked="" type="checkbox"/> Airfare:			\$5,000.00
<input checked="" type="checkbox"/> Hotel:			\$1,000.00
<input checked="" type="checkbox"/> Ground:			\$100.00
<input checked="" type="checkbox"/> Other: M&IE			\$900.00
Total Estimated Cost:			\$7,000.00

Board Meeting Date	Location	# Board	# Staff
November 5 – 6, 2020	Anchorage/Teleconference	7	1
<input checked="" type="checkbox"/> Airfare:			\$5,000.00
<input checked="" type="checkbox"/> Hotel:			\$1,000.00
<input checked="" type="checkbox"/> Ground:			\$100.00
<input checked="" type="checkbox"/> Other: M&IE			\$900.00
Total Estimated Cost:			\$7,000.00

Board Meeting Date	Location	# Board	# Staff
February 2021	Anchorage/Teleconference	7	1
<input checked="" type="checkbox"/> Airfare:			\$5,000.00
<input checked="" type="checkbox"/> Hotel:			\$1,000.00
<input checked="" type="checkbox"/> Ground:			\$100.00
<input checked="" type="checkbox"/> Other: M&IE			\$900.00
Total Estimated Cost:			\$7,000.00

Board Meeting Date	Location	# Board	# Staff
May 2021	Anchorage/Teleconference	7	1
<input checked="" type="checkbox"/> Airfare:			\$5,000.00
<input checked="" type="checkbox"/> Hotel:			\$1,000.00
<input checked="" type="checkbox"/> Ground:			\$100.00
<input checked="" type="checkbox"/> Other: M&IE			\$900.00
Total Estimated Cost:			\$7,000.00

Budget Recommendations for FY 2021 (continued)

Travel Required to Perform Examinations

Not applicable

Date	Location	# Board	# Staff
Description of meeting and its role in supporting the mission of the Board:			
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input type="checkbox"/> Conference:			\$0.00
<input type="checkbox"/> Other:			\$0.00
Describe "Other" (break out all sections):			
Total Estimated Cost:			\$0.00

Out-of-State Meetings and Additional In-State Travel (Rank in order of importance)

#1 Rank in Importance or Not Applicable

Date	Location	# Board	# Staff	
September 9 -11, 2020	Mt. Prospect, IL	2	0	
Description of meeting and its role in supporting the mission of the Board:				
The NABP MPJE State Specific Review Meeting. This meeting requires two people from the Board of Pharmacy to attend to reviewed questions to include on the Alaska MPJE. The NABP direct-books for a total of \$1,500.				
Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input checked="" type="checkbox"/> Airfare:	\$2,000.00	\$0.00	\$1,000.00	\$3,000.00
<input checked="" type="checkbox"/> Hotel:	\$300.00	\$0.00	\$500.00	\$800.00
<input checked="" type="checkbox"/> Ground:	\$100.00	\$0.00	\$0.00	\$100.00
<input type="checkbox"/> Conference:	\$0.00	\$0.00	\$0.00	\$0.00
<input checked="" type="checkbox"/> Other	\$100.00	\$0.00	\$0.00	\$100.00
Describe "Other" (break out all sections):		M&IE		
Net Total:	\$2,500.00	\$0.00	\$1,500.00	\$4,000.00

Budget Recommendations for FY 2021 (continued)

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

#2 Rank in Importance

Date	Location	# Board	# Staff	
October 11 -13, 2020	Carefree, AZ	2	1	
Description of meeting and its role in supporting the mission of the Board:				
The NABP District 6, 7 & 8 Meeting is important to attend due to the detail work of the organization that is done at the district meeting, and a great networking opportunity with the other districts such as WA, OR, and ID to discuss regional issues of mutual concern as well as national issues. NABP has a travel grant for \$1,500.				
Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input checked="" type="checkbox"/> Airfare:	\$2,000.00	\$0.00	\$1,000.00	\$3,000.00
<input checked="" type="checkbox"/> Hotel:	\$300.00	\$0.00	\$500.00	\$800.00
<input checked="" type="checkbox"/> Ground:	\$100.00	\$0.00	\$0.00	\$100.00
<input type="checkbox"/> Conference:	\$0.00	\$0.00	\$0.00	\$0.00
<input checked="" type="checkbox"/> Other	\$100.00	\$0.00	\$0.00	\$100.00
Describe "Other" (break out all sections):				
Net Total:	\$2,500.00	\$0.00	\$1,500.00	\$4,000.00

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

#3 Rank in Importance

Date	Location	# Board	# Staff	
April 5 – 8, 2021	Nashville, TN	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.				
Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input checked="" type="checkbox"/> Airfare:	\$1,700.00	\$0.00	\$3,400.00	\$5,100.00
<input checked="" type="checkbox"/> Hotel:	\$750.00	\$0.00	\$1,500.00	\$2,250.00
<input checked="" type="checkbox"/> Ground:	\$100.00	\$0.00	\$100.00	\$200.00
<input checked="" type="checkbox"/> Conference:	\$0.00	\$750.00	\$0.00	\$750.00
<input checked="" type="checkbox"/> Other	\$335.00	\$0.00	\$670.00	\$1,005.00
Describe "Other" (break out all sections): M&IE				
Net Total:	\$2,885.00	\$750.00	\$5,670.00	\$9,305.00

Budget Recommendations for FY 2021 (continued)

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

#4 Rank in Importance

Date	Location	# Board	# Staff	
October 26 – 29, 2020	Birmingham, AL	1	1	
Description of meeting and its role in supporting the mission of the Board:				
National Association of State Controlled Substances Authorities (NASCA) – The board supports training opportunities for its investigator and the PDMP manager. This opportunity would assist in advancing knowledge, skills, and abilities to support efforts to reduce drug misuse, abuse, and diversion.				
Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input checked="" type="checkbox"/> Airfare:	\$1,000.00	\$0.00	\$0.00	\$1,000.00
<input checked="" type="checkbox"/> Hotel:	\$1,100.00	\$0.00	\$0.00	\$1,100.00
<input checked="" type="checkbox"/> Ground:	\$100.00	\$0.00	\$0.00	\$100.00
<input type="checkbox"/> Conference:	\$0.00	\$0.00	\$0.00	\$0.00
<input checked="" type="checkbox"/> Other	\$400.00	\$0.00	\$0.00	\$400.00
Describe "Other" (break out all sections):		M&IE		
Net Total:	\$2,600.00	\$0.00	\$0.00	\$2,600.00

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

#5 Rank in Importance

Date	Location	# Board	# Staff	
November 16 – 17, 2020	Arlington, VA	2	0	
Description of meeting and its role in supporting the mission of the Board:				
3 rd Annual Compounding Pharmacy Compliance Conference – The board has been working on advancing their compounding regulations over the last few years. Attendance at this conference would be beneficial to these efforts, and has the ultimate goal of improving patient safety.				
Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input checked="" type="checkbox"/> Airfare:	\$1,500.00	\$0.00	\$0.00	\$1,500.00
<input checked="" type="checkbox"/> Hotel:	\$1,200.00	\$0.00	\$0.00	\$1,200.00
<input checked="" type="checkbox"/> Ground:	\$100.00	\$0.00	\$0.00	\$100.00
<input checked="" type="checkbox"/> Conference:	\$0.00	\$0.00	\$0.00	\$0.00
<input checked="" type="checkbox"/> Other	\$500.00	\$0.00	\$0.00	\$500.00
Describe "Other" (break out all sections):		M&IE		
Net Total:	\$3,300.00	\$0.00	\$0.00	\$3,300.00

Budget Recommendations for FY 2021 (continued)

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

#6 Rank in Importance

Date	Location	# Board	# Staff	
Multiple; TBD	Washington, D.C. + TBD	1	2	
Description of meeting and its role in supporting the mission of the Board:				
Conferences as required as a condition of receiving federal funding. The board of pharmacy is the recipient of a CDC and BJA grant, and must use funds to travel to grant recipient conferences. Federal funds will be used by staff and license fees will be used for board member travel.				
Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input checked="" type="checkbox"/> Airfare:	\$2,000.00	\$8,000.00	\$0.00	\$10,000.00
<input checked="" type="checkbox"/> Hotel:	\$1,000.00	\$2,000.00	\$0.00	\$3,000.00
<input checked="" type="checkbox"/> Ground:	\$200.00	\$400.00	\$0.00	\$600.00
<input checked="" type="checkbox"/> Conference:	\$1,000.00	\$2,000.00	\$0.00	\$3,000.00
<input checked="" type="checkbox"/> Other	\$500.00	\$1,000.00	\$0.00	\$1,500.00
Describe "Other" (break out all sections):		M&IE		
Net Total:	\$4,700.00	\$13,400.00	\$0.00	\$18,100.00

Non-Travel Budget Requests

- Not Applicable Resources Examinations
 Membership Training Other

Product or Service	Provider	Cost Per Event
		\$0.00

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

Budget Recommendations for FY 2021 (continued)

Other Items with a Fiscal Impact		Cost Per Event:	\$0.00
<input checked="" type="checkbox"/> Not Applicable		Number of Events:	0
Product or Service	Provider	Total Cost	
		\$0.00	
Description of item and its role in supporting the mission of the Board:			

Summary of FY 2021 Fiscal Requests	
Board Meetings and Teleconferences:	\$28,000.00
Travel for Exams:	\$0.00
Out-of-State and Additional In-State Travel:	\$41,305.00
Dues, Memberships, Resources, Training:	\$0.00
Total Potential Third-Party Offsets:	-\$22,820.00
Other:	\$0.00
Total Requested:	\$46,485.00

**Alaska Board of Pharmacy
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Legislation Recommendations Proposed Legislation for FY 2021

No Recommendations

The Board has no recommendations for proposed legislation at this time.

Recommendations

The Board has the following recommendations for proposed legislation:

Sec. 08.80.110. QUALIFICATIONS FOR LICENSURE BY EXAMINATION. An applicant for licensure as a pharmacist shall

- (1) be fluent in the reading, writing, and speaking of the English language;
- ~~(2) 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;~~
- (3) be a graduate of a college in a degree program approved by the board;
- (4) pass an examination or examinations given by the board or acceptable to the board under the score transfer process administered by the National Association of Boards of Pharmacy;
- (5) have completed internship training or another program that has been approved by the board or demonstrated to the board's satisfaction that the applicant has experience in the practice of pharmacy that meets or exceeds the minimum internship requirements of the board.

Sec. 08.80.145. RECIPROCITY; LICENSE TRANSFER. If another jurisdiction allows licensure in that jurisdiction of a pharmacist licensed in this state under conditions similar to those in this section, the board may license as a pharmacist in this state a person licensed as a pharmacist in the other jurisdiction if the person

- (1) submits a written application to the board on a form required by the board;
- (2) is at least 18 years of age;
- ~~(3) is of good moral character;~~
- (4) possesses at the time of the request for licensure as a pharmacist in this state the qualifications necessary to be eligible for licensure in this state;
- (5) has engaged in the practice of pharmacy for at least one year ~~or has met the internship requirements of this state~~ within the one-year period immediately before applying for a license under this section;
- (6) presents proof satisfactory to the board that the person is currently licensed as a pharmacist in the other jurisdiction and does not currently have a pharmacist license suspended, revoked, or otherwise restricted except for failure to apply for renewal or failure to obtain the required continuing education credits;
- (7) has passed an examination approved by the board that tests the person's knowledge of Alaska laws relating to pharmacies and pharmacists and the regulations adopted under those laws; and (8) pays all required fees.

Sec. 08.80.158 REGISTRATION OF PHARMACIES LOCATED OUTSIDE OF STATE. REPEAL

Sec. 08.80.159. LICENSING AND INSPECTION OF FACILITIES OUTSIDE OF STATE. (a) Before shipping, mailing, or delivering prescription drugs ~~or devices~~ to a

(A) licensee in the state or advertising in the state, a wholesale drug distributor, third-party logistics provider, or an outsourcing facility that is located outside the state shall

- (1) obtain a license under AS 08.80.157;

CONTINUED ON FOLLOWING PAGE

- (2) appoint an agent on whom process can be served in the state; and
 - (3) authorize inspection of the facility by a designee of the board under (c) of this section **or**
- (B) consumer in this state, a pharmacy located outside of the state shall**
- (1) obtain a license under AS 08.80.157; and**
 - (2) appoint an agent on whom process can be served in the state.**

(b) In addition to the requirements of (a) of this section, an outsourcing facility shall

- (1) register as an outsourcing facility with the United States Food and Drug Administration; and (2) comply with the requirements of 21 U.S.C. 353b (Drug Quality and Security Act).

(c) Upon application by a wholesale drug distributor, third-party logistics provider, or an outsourcing facility for a license under this section, the board may

- (1) require an inspection of the applicant's facility located outside the state; and
- (2) approve a designee to conduct the inspection.

(d) The board shall adopt regulations necessary to implement this section.

Sec. 08.80.160. FEES. The Department of Commerce, Community, and Economic Development shall set fees under AS 08.01.065 for the following:

- (1) examination;
- (2) reexamination;
- (3) investigation for licensing by license transfer; (4) pharmacist license;
- (5) temporary license;
- (6) pharmacy technician license;
- (7) pharmacy intern license;
- (8) emergency permit;
- (9) license amendment or replacement;
- (10) ~~registration or~~ licensure of a facility classified under AS 08.80.157(b).

Sec. 08.80.168. ~~PRESCRIBE AND ADMINISTER ADMINISTRATION OF DRUGS VACCINES AND RELATED EMERGENCY MEDICATIONS.~~

- (1) A pharmacist may independently prescribe**
 - (2) and administer a vaccine and related emergency medication if the pharmacist has completed an immunization training program approved by the board and otherwise complies with the standards established by the board under AS 08.80.030(b).**
 - (3) and dispense an opioid overdose drug if the pharmacist has completed an opioid overdose drug training program approved by the board and otherwise complies with the standards established by the board under AS 08.80.030(b).**
 - (4) and dispense dietary fluoride supplements when prescribed according to the American dental association's recommendations for persons whose drinking water is proven to have a fluoride content below the United States department of health and human services' recommended concentration;**
 - (5) and dispense epinephrine auto-injectors;**
 - (6) and dispense drugs, drug categories, or devices that are prescribed in accordance with the product's federal food and drug administration-approved labeling and that are limited to conditions that:**
 - (7) do not require a new diagnosis;**
 - (8) are minor and generally self-limiting;**
 - (9) have a test that is used to guide diagnosis or clinical decision-making and are waived under the federal clinical laboratory improvement amendments of 1988; or**
 - (10) in the professional judgment of the pharmacist, threaten the health or safety of the patient should the prescription not be immediately dispensed. In such cases, only sufficient quantity may be provided until the patient is able to be seen by another provider.**
 - (11) In this section,**
 - (1) "opioid overdose drug" has the meaning given in AS 17.20.085;**
 - (2) "related emergency medication" includes an epinephrine injection or other medication for the treatment of a severe allergic reaction to a vaccine.**
- (a) The board shall not adopt any regulations authorizing a pharmacist to prescribe a controlled drug, compounded drug or biological product.

Sec. 08.80.297. PRESCRIPTION PRICES AND LESS COSTLY ALTERNATIVES. (a) A pharmacist or person acting at the direction of a pharmacist shall disclose the price of filling any prescription when requested by the consumer.

(b) No contract or agreement may prohibit a pharmacy, pharmacist, or pharmacy benefits manager from informing a patient of a less costly alternative for a prescription drug or medical device or supply, which may include the amount the patient would pay without the use of a health care plan.

(c) A pharmacist or person acting at the direction of a pharmacist shall notify the patient if a known less costly alternative for a prescription drug or medical device or supply is available, which may include the amount the patient would pay without the use of a health care plan.

(d) In this section,

(1) "health care plan" means a policy, contract, benefit, or agreement that provides, delivers, arranges for, pays for, or reimburses any of the costs of health care services under

(A) a health care insurance plan as defined under AS 21.54.500;

(B) a governmental or employee welfare benefit plan under 29 12 U.S.C. 1001 - 1191 (Employee Retirement Income Security Act of 1974);

(C) a plan offered under AS 39.30.090 or 39.30.091;

(D) a federal governmental plan as defined under AS 21.54.500;

(E) the Medicaid or Medicare program; or

(F) a self-insured employer benefit plan;

(2) "pharmacy benefits manager" has the meaning given in AS 21.27.955.

Sec. 08.80.400. OTHER LICENSEES NOT AFFECTED. (a) This chapter does not affect the practice of medicine by a licensed medical doctor and does not limit a licensed medical doctor, osteopath, podiatrist, physician assistant, advanced practice registered nurse, dentist, veterinarian, dispensing optician, or optometrist in supplying a patient with any medicinal preparation or article within the scope of the person's license.

(b) This section does not apply to the placement of automated prescription drug dispensing machines. Prescription drug dispensing machines, outside of institutional facilities, that are intended to regularly dispense drugs to patients shall be licensed by the board.

(c) In this section, "regularly" means to dispense more than a 3-day supply to a patient.

Sec. 08.80.420. CERTAIN ADVERTISING PROHIBITED. (a) 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.

(b) *Repealed 1980.*

Sec. 08.80.480. DEFINITIONS. In this chapter, unless the context otherwise requires,

(12) "equivalent drug product" means a drug product that has the same established name, active ingredients, strength or concentration, dosage form, and route of administration and that is formulated to contain the same amount of active ingredients in the same dosage form and to meet the same compendia or other applicable standards for strength, quality, purity, and identity, but that may differ in characteristics such as shape, scoring configuration, packaging, excipients including colors, flavors, preservatives, and expiration time;

(30) "practice of pharmacy" means the interpretation, evaluation, and dispensing of prescription drug orders in the patient's best interest; participation in drug and device selection, drug administration, drug regimen reviews, and drug or drug-related research; provision of patient counseling and the provision of those acts or services necessary to provide pharmaceutical care; the independent prescribing, dispensing and administration of ~~vaccines and related emergency medication; the independent dispensing of opioid overdose~~ drugs and devices in accordance with AS 08.80.168; the responsibility for compounding and labeling of drugs and devices except labeling by a manufacturer, repackager, or distributor of nonprescription drugs and commercially packaged legend drugs and devices; proper and safe storage of drugs and devices; and maintenance of proper records for them;

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Regulation Recommendations Proposed Legislation for FY 2021

No Recommendations

The Board has no recommendations for proposed regulations at this time.

Recommendations

The Board has the following recommendations for proposed regulations:

Regulation projects are ongoing and may change during FY2021.

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Goals and Objectives

Part I

FY 2020's goals and objectives, and how they were met:

Goal #1:

The board will continue to promote, preserve, and protect the public, safety, and welfare by and through the effective control and regulation of the practice of pharmacy. The board has a very aggressive list of regulations that will be reviewed and potentially finalized in FY 19 to advance this goal, including but not limited to:

1. Nationally certified pharmacy technicians
2. Tech-Check-Tech duties
3. Partial filling of Schedule II controlled substances
4. A regulation from FY 16 goal regarding licensees working for Tribal Health Programs
5. Executive Administrator qualifications and duties
6. Out of State wholesale, third party logistics providers and outsourcing facility licenses and regulations
7. Interchangeable biosimilar regulations (substitution)

Met by: Regulation projects and implemented changes (1 – 4). Legislative changes (5 – 7).

Goal #2:

The board will continue to provide input and comment on any proposed regulations involving medications, pharmaceutical care, or the practice of pharmacy.

Met by: Public comment periods held during board meetings and through written public comment opportunities.

Goal #3:

The board will continue to promote effective patient counseling by licensees.

Met by: Effective regulations and board guidance posted to its website.

Goal #4:

The board will continue to assess and evaluate the multi-state pharmacy jurisprudence examination (MPJE) and send two members to the MPJE Item Development workshop.

Met by: Participation at MPJE writing workshops.

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Goals and Objectives (continued)

Part I (continued)

FY 2020's goals and objectives, and how they were met:

Goal # 5:

The board will continue to assess and evaluate the licensing of pharmacy technicians and discuss the introduction, recognition, and duties for a nationally certified pharmacy technician.

Met by: Regulation projects, including during emergency regulations, which will be made permanent.

Goal # 6:

The board will continue to assess and evaluate the jurisprudence practice exam and its effectiveness as a learning tool for interns.

Met by: Including as a discussion item at board meetings.

Goal #7:

The board will continue its affiliation with the National Association of Boards of Pharmacy (NABP) and send one member to the District 7 NABP meeting and two members to the annual NABP meeting.

Met by: Renewed membership and continued participation in meetings and forum discussions.

Goal #8:

The board will continue to evaluate the impact of current regulations and the need for new regulations or amendments to current regulations to advance our mission.

Met by: Regulation projects, strategic planning, and subcommittee meetings.

Goal #9:

The board will continue to assess and evaluate the growing public concern regarding the abuse of illicit and prescription drugs, internet pharmacies, counterfeit drugs and support continuing funding and enhancement for the PDMP.

Met by: Continued monitoring of PDMP compliance, data evaluation, and submission of new Bureau of Justice Assistance grant.

Goal #10:

The board will monitor, assess, evaluate, and modify the Alaska PDMP based on the best interest of the public and profession.

Met by: Continued discussion amongst affected boards and constituents.

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Goals and Objectives

Part II

FY 2021's goals and objectives, and proposed methods to achieve them.

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

Goal #1:

The board will continue to promote, preserve, and protect the public, safety, and welfare by and through the effective control and regulation of the practice of pharmacy.

Goal #2:

The board will continue to provide input and comment on any proposed regulations involving medications, pharmaceutical care, or the practice of pharmacy.

Goal #3:

The board will continue to promote effective patient counseling by licensees.

Goal #4:

The board will continue to assess and evaluate the multi-state pharmacy jurisprudence examination (MPJE) and send two members to the MPJE Item Development workshop.

Goal #5:

The board will continue to assess and evaluate the licensing of pharmacy technicians and discuss the introduction, recognition, and duties for a nationally certified pharmacy technician.

Goal #6:

The board will continue to assess and evaluate the jurisprudence practice exam and its effectiveness as a learning tool for interns.

Goal # 7:

The board will continue its affiliation with the National Association of Boards of Pharmacy (NABP) and send one member to the District 7 NABP meeting and two members to the annual NABP meeting.

Goal #8:

The board will continue to evaluate the impact of current regulations and the need for new regulations or amendments to current regulations to advance our mission.

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Goals and Objectives (continued)

Part II (continued)

FY 2021's goals and objectives, and proposed methods to achieve them.

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

Goal #9:

The board will continue to assess and evaluate the growing public concern regarding the abuse of illicit and prescription drugs, internet pharmacies, counterfeit drugs and support continuing funding and enhancement for the PDMP.

Goal #10:

The board will monitor, assess, evaluate, and modify the Alaska PDMP based on the best interest of the public and profession.

Goal #11:

The board will develop a strategic plan around communication, administration, regulation and legislation, licensure, and enforcement.

Goal #12:

The board will continue its affiliation and collaboration with the Alaska Pharmacists Association, including attendance at its annual meetings.

Goal #13:

The board will support its staff in participating at training opportunities and attendance at professional conferences, including training to support assigned investigators.

Goal #14:

The board will continue to simplify its statutes and regulations by assessing outdated, burdensome, or unnecessary regulations.

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Sunset Audit Recommendations

**Date of Last Legislative Audit:
Board Sunset Date:**

Audit Recommendation:	DCBPL's chief investigator should work with the director to improve the timeliness of investigations.
Action Taken:	A Standard Operating Procedure (SOP) was adopted to require investigative staff to enter case notes explaining any gaps between activities greater than sixty days. In addition, each member of staff is held accountable for timeliness of investigative actions.
Next Steps:	Monitor for effectiveness.
Date Completed:	January 5, 2018

Audit Recommendation:	DCBPL's director should improve procedures to ensure required licensure documentation is appropriately obtained and retained.
Action Taken:	The division will continue to provide training to staff to ensure they are aware of their roles and responsibilities in preserving an accurate and complete administrative record.
Next Steps:	
Date Completed:	