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**STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY AND
ECONOMIC DEVELOPMENT
DIVISION OF CORPORATIONS,
BUSINESS & PROFESSIONAL LICENSING**

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**BOARD OF PHARMACY
MINUTES OF MEETING
February 11-12, 2016**

11 These **DRAFT** minutes were prepared by the staff of the Division of Corporations,
12 Business and Professional Licensing. These minutes have not reviewed or approved
13 by the Board.

14
15 By authority of AS 08.01.070(2) and in compliance with the provisions of
16 Article 6 of AS 44.62, a scheduled meeting of the Board of Pharmacy was held
17 Thursday February 11th, at the Atwood Building 550 W. 7th, Suite 1540, and
18 Friday February 12th at the Denali Room, Hilton Anchorage.

19
20 The meeting was called to order by Chair, John Cotter at 9:03 a.m.

21
22
23

Call to Order/Roll Call

24
25

Board Members Present constituting a quorum:

26 John Cotter RPh, Fairbanks - Chair
27 Lori DeVito RPh, Soldotna - Vice Chair
28 Anne Gruening, Public Member, Juneau - Secretary
29 Bill Altland RPh, Craig
30 Leif Holm, Pharm.D, North Pole
31 Taryl Giessel, Public Member, Eagle River

32
33 CJ Kim, RPh, Anchorage was not in attendance

34
35
36
37

**Attending from the Division of Corporations, Business and Professional
Licensing were:**

38 Donna Bellino, Licensing Examiner – Juneau
39 Brian Howes, Investigator – Anchorage

40
41

Visitors Present –

42 Richard Holt – Walmart
43 Doug McManus - Walmart
44 Ben Roland - Walgreens
45 Tom Wadsworth – ISU/UAA
46 Paul Cady – ISU/UAA

47 Cathy Cashmore – ISU/UAA
48 Tracy Pettinger –ISU/UAA
49 Ursula Iha, Bartlett Regional Hospital
50 Jessica Lee – CVS (Target) Pharmacy
51 Chae Kim – CVA (Target) Pharmacy
52

53 **Agenda Item 1- Review Agenda**

54
55 The board reviewed the agenda and made changes to the agenda for Thursday
56 February 11th, 2016 and Friday February 12th, 2016.
57

58 **On a motion duly made by Mr. Cotter, seconded by Ms. Gruening and approved**
59 **unanimously, it was**

60
61 **RESOLVED to approve the agenda with changes for Thursday February**
62 **11th, 2016.**
63

64 **Agenda Item 2- Review/Adopt Meeting Minutes**

65
66 The Board reviewed the minutes from the November 12-13, 2015 meeting.
67

68 **On a motion duly made by Mr. Cotter, seconded by Ms. Giessel and approved**
69 **unanimously, it was**

70
71 **RESOLVED to approve the minutes from the November 12-13, 2015**
72 **meeting.**
73

74 **Agenda Item 3- Ethics**

75
76 Mr. Cotter called for any ethics disclosures to be made. No ethics disclosures or
77 violations to report by board or staff.
78

79 **Agenda Item 4 - Investigative Report - Investigator Howes**

80
81 Investigator Howes presented the Investigative Report for the period of October 28,
82 2015 through February 8, 2016. Including cases, complaints, and intake matters,
83 since the last report, the Division opened twenty-three (23) files and closed twenty-
84 four (24) Pharmacy Board matters. A total of nine (9) matters remain on-going and
85 under active investigation or are pending litigation.
86

87 Investigator Howes provided the Board with a copy of the 2016 Alaska Prescription
88 Drug Monitoring Program Report sent to the 29th Alaska State Legislature.
89 This report provides updates/changes to the AKPDMP from the previous year.
90

91 The AKPDMP began using a new vendor to provide prescription monitoring services
92 for Alaska. The new vendor was able to provide the same services for \$8,500 less
93 annually than the state previously paid for the service, recognizing a \$42.5K cost
94 savings over the five year life of the contract. The Division chose to use the PMP
95 AWA^Rx^E prescription monitoring program software, maintained by Appriss.
96

97 Appriss began collecting data from dispensers on January 21, 2016, and began
98 allowing practitioners and pharmacists to obtain AKPDMP reports on patients
99 under their care on January 25, 2016.

100
101 Investigator Howes advised the Board that he had two cases to review/discuss with
102 the Board:
103

104 Case No. 2015-000277

105 Case No. 2015-002088

106

107 It was decided the Board go into executive session to review/discuss investigative
108 matters.
109

110 **On a motion duly made by Ms. DeVito, seconded by Mr. Holm and approved**
111 **unanimously, it was**

112

113 RESOLVED to go into executive session in accordance with AS44.62.301(c),
114 for the purposes of discussing investigative matters.
115

116 Board staff to remain

117

118 Off the record at: 9:53 am

119 On the record at 10:17 am
120

121 **On a motion duly made by Ms. DeVito, seconded by Mr. Kim and approved**
122 **unanimously, it was**

123

124 RESOLVED to accept the Surrender of License regarding Case #2015-
125 000277 Pharmacy Technician Cecelia D. Donelson.
126

127 **On a motion duly made by Ms. DeVito, seconded by Ms. Gruening and**
128 **approved with 6 Yay votes and 1 abstention (Mr. Cotter), it was**

129

130 **RESOLVED to accept the Imposition of Civil Fine for \$500.00 regarding**
131 **Case #2015- 002088 for Pharmacy Intern Barry Bodle.**

132

133 **Agenda Item 5 –Beth Davidson, PMP HSS State Health Information Technology**
134 **Coordinator**

135

136 Ms. Davidson addressed the Board telephonically to see if it would be possible for a
137 partnership between the AKPDMP and HIE (Health Information Exchange). Ms.
138 Davidson wanted to start the conversation and to present the idea to the Board for
139 their feedback and/or buy in.

140

141 The Board discussed the pros and cons of the two systems communicating. Ms.
142 Davidson believes that having the two systems communicate would improve the
143 quality of the data available for the PDMP, but several members of the Board do not
144 believe it to be the correct avenue. Ms. Davidson will work with Investigator Howes
145 for more specifics on how exactly this would work, and what the challenges could be
146 for all that would be involved. Once that is complete it will be brought back to the
147 Board for further discussion.

148

149 Break: off the record at 10:50 am

150 On the record at 11:04 am

151

152 **Agenda Item 6 –Tom Wadsworth, PharmD, BCPS Assistant Dean for Alaska**
153 **Programs, College of Pharmacy UAA/ISU**

154

155 Mr. Wadsworth provided a shortened power point presentation to the Board that
156 recapped the combined College of Pharmacy program between UAA/ISU. This
157 program is three years in the making and the first students will be admitted to the
158 program in May for the fall 2016 semester.

159

160 Three years ago, Cathy Cashmore, Associate Dean for the College of Pharmacy made
161 the initial and complete presentation to the Board about the UAA/ISU Joint
162 Pharmacy Program.

163

164 Mr. Wadsworth stated that the maximum amount of students the program will have
165 is twenty per class, although that will take quite a while to reach and most likely will
166 average fifteen students. Eight to ten students are anticipated to be admitted for the

167 first semester. The pharmacy program at ISU will now be available in three
168 locations, Pocatello and Meridian Idaho, and now Anchorage.
169 Mr. Holm (who was not on the Board 3 years ago when this program was first
170 presented) asked why UAA/ISU partnership? Dean Paul Cady responded and
171 advised that UAA was considering opening a pharmacy school, as Alaska is the only
172 state that does not have a pharmacy school. UAA contacted Idaho State University to
173 learn more about how to go about it. The individual who did the review for ISU
174 came back and advised UAA that for a pharmacy school to break even they would
175 have to have sixty students per class. This number would not be attainable in
176 Alaska, and the individual advising UAA also suggested they find a college or
177 university that had experience and success with distance learning to see if UAA
178 could partner with a pharmacy school, but have a delivery site of the program in
179 Alaska. That all began 10 years ago. For the UAA/ISU program all of the classroom
180 learning will take place in Alaska. Distance learning technology has been a vital part
181 of ISU's expansion. Students enrolled are challenged and engaged in real time, and
182 ISU has learned to do distance learning very well and created a very interactive
183 program for all three ISU locations.

184
185 Mr. Wadsworth then addressed the board how accreditation standards have
186 changed in the last ten years. Pharmacy students are now required to become
187 licensed as an intern as soon as they are accepted to a program and before they
188 begin. Alaska has not kept up with the changes since it hasn't had a pharmacy
189 school in the state before and not felt the impact of the changes since students get
190 licensed as interns in the states they are attending school in first.

191
192 Now that Alaska is participating in the combined pharmacy program with ISU
193 students are now required to complete 200 intern hours by the end of the first
194 semester December 1, 2016. This requirement is in direct conflict to how the
195 current regulation is written and does not allow for this. Currently, to become
196 licensed as an intern in Alaska you must have completed the first year of a
197 professional pharmacy curriculum in a college of pharmacy accredited ACPE.

198
199 Mr. Wadsworth proposed that the language in the current regulation be changed to:
200 **12 ACC 52.120 Review Of Pharmacist Intern License Application (3)(A)**
201 **enrolled** in a college of pharmacy accredited by the ACPE.

202
203 The Board of Pharmacy in complete agreement with the regulation change and
204 agreed to submit a regulation project to make this change, but the Board is
205 concerned with the extended time it is currently taking for regulation projects to be
206 completed.
207

208 The Board discussed with Mr. Wadsworth what, if anything could be done in the
209 interim.

210 Ms. Bellino, upon her return will submit the change in the form of a regulation
211 project to get the process started.

212

213 The UAA/ISU group thanked the Board for their time and in turn the Board
214 congratulated the group on all the work that had been done in the last three years
215 for them to be able to start admitting pharmacy students in May for the inaugural
216 fall 2016 semester.

217

218 **Break for lunch -**

219

220 Off the record at 12:01 pm

221 Back on the record at 1:11 pm

222

223 **Agenda Item 7 - Ursula Iha, Director of Pharmacy Bartlett Regional Hospital -**
224 **Juneau**

225

226 Ms. Iha addressed the Board on expanding pharmacy technician services. Bartlett
227 has a new EMR (electronic medical record) and is challenged with the inputting of
228 medical history in the new EMR. Initially the thought was to have the nurses in the
229 ER input this information in the evenings, but they pushed back that it would impact
230 patient care and that other hospital pharmacy techs already perform this function.
231 As a result, BRH implemented a position called Medication History Technician. This
232 position pulls records from SureScripts and other computer databases and then
233 inputs that information into the new EMR. Medication History Techs also interview
234 patients, get that last dose, confirm allergies and enter this information into the EMR
235 as well. A pharmacist reviews that information and a physician does the medication
236 reconciliation. This all works great during the day, but Bartlett does not have a 24
237 hour hospital pharmacy, pharmacy hours are from 7:00 am to 10:00 pm.

238

239 Ms. Iha's question to the Board is regarding pharmacist supervision of pharmacy
240 technicians. In Alaska pharmacy techs are directly supervised by a pharmacist.
241 After 10:00 pm there would not be a pharmacist on duty to review information
242 entered. Ms. Iha stated that Medication Review out of Washington has a shared
243 pharmacy service agreement with Bartlett. Medication Review currently
244 supervises technicians remotely overnight for hospitals in Washington and Oregon
245 and could Medication Review do the same in Alaska from 10:00 pm to 7:00 am?

246

247 Bartlett is looking at all the options, one option being the medication history techs
248 just do medical histories and restrict access to the pharmacy, but Bartlett doesn't

249 believe that would be enough to keep them busy. Another option considered is
250 going to a 24 hour hospital pharmacy. The cost for the pharmacy to be open 24
251 hours does not make that a viable option, especially without closely considering if
252 there is a more cost effective alternative. Mr. Cotter advised that there isn't
253 anything in the regulations that would prevent a tech from inputting medical history
254 into the EMR, but regulations do not allow for a tech to be in a pharmacy without a
255 pharmacist, nor perform technician duties without a supervising pharmacist.

256
257 The second question Ms. Iha inquired about with the Board is regarding Tech-
258 Check-Tech. This concept is one that Mr. Cotter who is also a Director of Pharmacy
259 at a hospital also supports Tech-Check-Tech, but current regulations do not allow
260 for it.

261
262 Tech-Check-Tech from Ms. Iha's perspective would allow for a pharmacy technician
263 Level II, who is fully trained, experienced and also has some quality control
264 experience, checking the work of another technician filling the 24 batch level of the
265 oral medications and automated dispensing cabinets. Regulations currently do not
266 allow for this at the state level as Alaska does not delineate between tech license
267 types. The Board has submitted a regulation project to change the technician
268 license to a Tech I, Tech II, but it is still in process. To allow for Tech-Check-Tech it
269 would need to be its own regulation project before it could be implemented. Tech-
270 Check-Tech is definitely something to consider further once the previous pharmacy
271 technician regulation project is completed and in place.

272
273 **Agenda Item 8 – Budget Review/Division Update**

274
275 The Board called Sara Chambers, Division Operations Manager who reviewed with
276 the Board the schedule of Revenue & Expenditures for the Board of Pharmacy
277 through the first quarter of Fiscal FY16.

278
279 Ms. Giessel inquired with Ms. Chambers the status of travel to the quarterly board
280 meetings. On January 5th, 2016 The Governor issued a blanket restriction on travel
281 and hiring and there were certain exceptions to that, and certain conditions on
282 which travel and hiring would be approved. The Division just one month later is
283 still sorting through the changes and what we know is that the Governor's office has
284 issued a conditional approval for all in-state board meetings so in general in state
285 board meetings can continue. The Governor's office recognizes that boards have a
286 statutory responsibility to not only meet a certain number per times a year, but also
287 that a lot of board business is better conducted in person.
288

289 Based on the conditional approval to travel, the Division is required to review
290 upcoming meetings and look at areas to save costs. Areas to save costs could be any
291 number of things, from supplies needed, to how meetings are structured that
292 require an extra overnight because it now required to keep track of the efforts to
293 reduce expenses and then report that to the Commissioner and the Governor twice
294 per year. This will help demonstrate that we are all in this budget situation together
295 and we are all making an effort to be as conservative as possible.

296
297 Out-of-State travel if it's being funded by third party reimbursement or direct
298 booking to receive reimbursement has not yet been denied nor is it expected to be.
299 The Governor's office sent a memo on January 19th stating that if out-of-state travel
300 is third party funded then please forward it, as that is what they want to see. Ms.
301 Chambers advised they haven't sent over an out-of-state travel request that wasn't
302 100 percent funded, but when they do they hope to be able to make the case that
303 this is non general fund money and any money that would not be third party funded
304 would be from licensing fees.

305
306 The Board reviewed with Ms. Chambers the fee analysis spreadsheet received from
307 Director Hovenden to review fees for the upcoming renewal period. This is a new
308 tool for the board to use to assist with fee analysis. If the Division analyzed the
309 numbers and recommended that fees should go up or down, the Board would
310 receive a copy of the fee analysis with the fees proposed by the Division and would
311 include some adjusted fees. The Division is not recommending a change in fees for
312 the upcoming 2016-2018 renewal period. The goal of fee analysis is to generate
313 enough revenue during a licensing renewal period to cover the board's expenses for
314 the next two years of operations. The current fee structure in place achieves that
315 goal.

316
317 As a result of the discussion the Board will leave the current fees as they are and
318 will wait to see if the out-of-state wholesale distributor bill passes. Within the out-
319 of-state wholesale distributor bill HB297/SB201 is the authorization for the Board
320 of Pharmacy to hire an Executive Administrator. The Board has previously
321 established the fees to charge out-of-state wholesale distributors once legislative
322 authority is received. The revenue generated from the additional licensing category
323 would cover the cost to hire an Executive Administrator position.

324

Break:

326 Off the record at 2:49 pm

327 On the record at 3:00 pm

328

329

330 **Agenda Item 9 – Application Review/Approval**

331

332 The Board reviewed applications that Ms. Bellino presented to the Board for
333 approval.

334

335 **On a motion duly made by Ms. Gruening and seconded by Ms. DeVito and**
336 **approved unanimously, it was**

337

338 **RESOLVED to approve the following Applications reviewed for**
339 **Approval:**

340

341 **Yes Answer Out-of-State Pharmacies:**

342

Caremark Arizona

343

Hopkinton Drug

344

Simple Meds

345

346

Pharmacy Techs:

347

Sara Baxter

348

Lorenzo Castillo

349

Alexis Ferreira

350

351

Pharmacies:

352

Geneva Woods

353

354

Pharmacists Pending receipt of outstanding items:

355

Bowen Liu

356

Chidozie Menakaya

357

Patrick Ojo

358

Hillary Vild

359

360

Yes Answer Interns:

361

Barry Bodle

362

Matthew Hocter

363

Kristi Rice

364

365

366

367

368

369

370 **On a motion duly made by Ms. Giessel, seconded by Ms. DeVito and approved**
371 **unanimously, it was**

372
373 **RESOLVED to recess the meeting to 9:00 am on Friday February 12th**
374 **At 9:00 am.**

375
376 Off the record at 4:45 p.m.

377
378 **Friday February 12th 2016**

379
380 The meeting was called to order by John Cotter, Board Chair, at 9:09 a.m.

381
382 **Call to Order/Roll Call**

383
384 Those present, constituting a quorum of the board, were:

385
386 John Cotter RPh, Fairbanks - Chairman
387 Lori DeVito RPh, Soldotna - Vice Chairman
388 Anne Gruening Public Member, Juneau – Secretary
389 Leif Holm Pharm D, North Pole
390 Taryl Giessel Public Member, Eagle River
391 Bill Altland, RPh, Craig

392
393 CJ Kim, RPh, Anchorage was not in attendance

394
395 In attendance from the Division of Corporations, Business & Professional
396 Licensing, Department of Commerce, Community and Economic
397 Development were:

398
399 Donna Bellino, Licensing Examiner – Juneau

400
401 **Visitors Present –**
402 Richard Holt – Walmart
403 Doug McManus - Walmart
404 Ben Roland – Walgreens
405 Margaret Soden, Retired Pharmacist, Fairbanks
406 Barry Christiansen, AKPhA
407 Dirk White, Harry Race Pharmacy, Sitka
408 Julie McDonald, Whale Tail Pharmacy, Craig
409 Rod Gordon, Great Land Infusion Pharmacy, Anchorage
410 Jennifer Chang, Great Land Infusion Pharmacy, Anchorage

411 Robert Gruszynski, Geneva Woods Pharmacy

412

413 **Agenda Item 1- Review Agenda**

414

415 The board reviewed the agenda with no additional changes made for Friday
416 February 12th, 2016.

417

418 **On a motion duly made by Ms. DeVito, seconded by Mr. Holm and approved**
419 **unanimously, it was**

420

421 **RESOLVED to approve the agenda as is for Friday February 12th, 2016.**

422

423 **Agenda Item 2 – Public Comment –**

424

425 Mr. Cotter called for Public Comment at 9:10 am and the following addressed the
426 Board:

427

428 Margaret Soden pharmacist from Fairbanks addressed the board regarding the
429 Board's regulation project concerning Pharmacy Technician Certification.

430 Mr. Cotter advised Ms. Soden that the Board will be discussing the status of that
431 regulation project in the upcoming regulation review section of the meeting.

432

433 Rod Gordon, RPh with Great Land Infusion Pharmacy addressed the Board
434 regarding immunizations and collaborative practice agreements. Mr. Cotter
435 provided a quick summary for Mr. Gordon regarding the advisory statement on the
436 Board of Pharmacy website.

437

438 Ms. Soden addressed the Board again regarding the ongoing issue of pharmacists
439 working at federal facilities not licensed in Alaska. Mr. Cotter updated Ms. Soden
440 that the Board of Pharmacy is watching closely the regulation change that the
441 medical board has submitted to allow for the registration of medical professionals
442 working at federal and Tribal Health facilities to register with Medical Board. Once
443 the Medical Board receives this authorization to allow registration, the Board of
444 Pharmacy will submit a regulation project for pharmacists to register with the
445 Board of Pharmacy as well.

446

447 Barry Christiansen, RPh and Co-Chair of the legislative committee for the Alaska
448 Pharmacist Association provided an update to the Board regarding pharmacy
449 related bills that the association is sponsoring and stated the association is in
450 support of the Board's bill HB297 licensing out-of-state wholesale drug distributor
451 bill.

452 Bills Mr. Christiansen mentioned:

453

454 SB23 – Dispensing of Opioid overdose drugs

455 HB297/SB201- Licensing Out-of-State Wholesale Drug Distributors

456 SB169- Pharmacists prescribe and dispense self-administered contraceptives

457 SB175 – Pharmacy Benefits Managers/Audits

458

459 Mr. Christiansen also advised the dates for the Legislative Fly-in will be on March 2-
460 3, 2016 in Juneau.

461

462 **Agenda Item 2 – Correspondence & Report of Loss/Theft**

463

464 The Board reviewed correspondence received since the Board met in November
465 2015.

466

467 **Break**

468 Off the record at 10:05 am

469 On the record at 10:15 am

470

471 **Agenda Item 3 – Statute/Regulation/Bill Review-**

472

473 **Pharmacy Technician Certification –**

474

475 Mr. Cotter reviewed for Ms. Soden the Board’s intent of the Pharmacy Technician
476 Certification regulation project the Board has submitted. The change would
477 develop certification requirements for pharmacy technicians where currently there
478 is not such a requirement.

479

480 Ms. Bellino advised the status of regulations projects previously submitted and are
481 in process, but have not had movement.

482

483 1) Emergency Preparedness

484 2) Pharmacy Technician Certification

485 **Immunization Regulations** - The board reviewed the final draft of the regulations
486 they have worked and is in agreement that it is ready for submission to the
487 Regulation Specialist. The Board also requested that the following question be
488 added to the upcoming pharmacist renewal application as well as the state license
489 application: Are you certified to administer vaccinations?

490

491 **Sterile Compounding Regulations** – In process and still be worked on. With the
492 departure of Ms. DeVito from the Board new member Phil Sanders will take the lead
493 on this.

494 **Out-of-State-Wholesale Distributor bill** – HB297 Representative Dan Saddler has
495 agreed to sponsor this bill in the House and SB201 from the Senate will be
496 sponsored by Senator Giessel.

497
498 The Board reviewed and updated the Project Tracking spreadsheet.

499
500 Out-of-State Pharmacy Pharmacies/Inspections – Ms. Bellino checked with the
501 Regulation Specialist to see if the Board can require the Pharmacist-In-Charge to
502 become licensed in Alaska. This is something most other states are now moving to.
503 Per the Regulation Specialist the Board does not have the authority to require the
504 PIC from an out-of-state pharmacy to become license in Alaska. The Board
505 requested Ms. Bellino seek further clarification and see what can the Board require?

506
507 Ms. Bellino will update the spreadsheet based on the discussion and forward it to
508 Mr. Cotter for review.

509
510 Ms. Bellino reviewed with the Board the changes to travel for Board business due
511 the budget. A Travel Justification form must be submitted six weeks before a
512 meeting is to take place, and upon return from a meeting Ms. Bellino is required
513 within seven days to submit a travel action summary advising any cost savings.

514
515 The Board discussed all the options and has decided to keep the meeting schedule
516 as is due to the amount of regulatory projects currently in the works and that will be
517 worked on in upcoming meetings. The Board has and will continue to keep the
518 content of the meeting agendas to pertinent Board business and will handle
519 application review via mail ballots. Tabled applications from monthly mail ballots
520 will be brought to the next meeting for Board review.

521
522 There were no wall certificates for signature, but the Board presented Ms. DeVito
523 who was in attendance, and Mr. Kim who was not at the meeting with certificates of
524 appreciation for their two terms of service on the Alaska Board of Pharmacy.

525
526 **On a motion duly made by Ms. Giessel, seconded by Ms. DeVito and approved**
527 **unanimously, it was**

528
529 **RESOLVED to adjourn the meeting.**

530
531 The board adjourned at 11:26 p.m.

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Respectfully Submitted:

Donna Bellino
Licensing Examiner

Approved:

John Cotter, RPh., Chair
Date: _____