

1 STATE OF ALASKA
2 DEPARTMENT OF COMMERCE, COMMUNITY AND
3 ECONOMIC DEVELOPMENT
4 DIVISION OF CORPORATIONS,
5 BUSINESS & PROFESSIONAL LICENSING
6

7 BOARD OF PHARMACY
8 MINUTES OF MEETING
9 NOVEMBER 17-18, 2016
10

11 By authority of AS 08.01.070(2) and in compliance with the provisions of
12 Article 6 of AS 44.62, a scheduled WebEx teleconference meeting of the
13 Board of Pharmacy was held November 17-18, 2016 at the State Office
14 Building 333 Willoughby Ave., 9th Floor.
15

16 These minutes were prepared by the staff of the Division of Corporations,
17 Business and Professional Licensing.
18

19 The meeting was called to order by Chair, John Cotter at 9:06 a.m.
20

21 **Call to Order/Roll Call**
22

23 **Board Members Present constituting a quorum:**
24

25 John Cotter RPh, Fairbanks - Chair
26 Leif Holm, PharmD, North Pole – Vice Chair
27 Anne Gruening, Public Member, Juneau - Secretary
28 Richard Holt, PharmD, Wasilla
29 Phil Sanders, RPh, Soldotna
30 Lana Bell, RPh, Anchorage
31 Taryl Giessel, Public Member, Eagle River
32

33 **Attending from the Division of Corporations, Business and Professional**
34 **Licensing were:**
35

36 Donna Bellino, Licensing Examiner – Juneau
37 Brian Howes, Investigator – Anchorage
38 Sara Chambers, Divisional Operations Manager – Juneau
39 Jun Maiquis, Regulations Specialist – Juneau
40 Megyn Greider, Assistant Attorney General – Telephonically
41

42 **Visitors Present via teleconference –**

43 Brady Tucker, Intern - Walmart
44 Jackie Swarczewski, Intern - Walmart
45 Greg Estep, Pharm D - Walgreens
46

Agenda Item 1- Review Agenda

47

48 The board reviewed the agenda for Thursday, November 17, 2016.

49

50 **On a motion duly made by Ms. Bell, seconded by Mr. Holt and approved**
51 **unanimously, it was**

52

53 **RESOLVED to approve the agenda for Thursday, November 17, 2016.**

54

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

56

57 The Board reviewed the minutes from the August 18-19, 2016 meeting and the
58 October 7, 2016 teleconference.

59

60 **On a motion duly made by Mr. Holt, seconded by Mr. Sanders and approved**
61 **unanimously, it was**

62

63 **RESOLVED to approve the minutes from the August 18-19 meeting.**

64

65 **On a motion duly made by Ms. Gruening, seconded by Ms. Giessel and**
66 **approved unanimously, it was**

67

68 **RESOLVED to approve the minutes from the October 7th teleconference.**

69

70 **Agenda Item 3- Ethics**

71

72 Mr. Cotter called for any ethics disclosures to be made. No ethics violations to
73 report by board or staff.

74

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

76

77 Investigator Howes presented the Investigative Report for the period of August 10,
78 2016 through November 15, 2016. Including cases, complaints, and intake matters,
79 since the last report, the Division opened twenty seven (27) files and closed forty-
80 one (41) Pharmacy Board matters. A total of sixteen (16) matters remain on-going
81 and under active investigation or are pending litigation.

82

83 Investigator Howes also reviewed with the Board the PDMP Report from August 1,
84 2016-October 31, 2016. The State of Alaska is sharing PDMP data with four other
85 states if you are a health care provider have access to other states within the PDMP
86 and you have a patient in Alaska.

87 Investigator Howes advised the Board he had cases to review/discuss with the
88 Board:

89

90 **On a motion duly made by Ms. Gruening, seconded by Ms. Giessel and**
91 **approved unanimously, it was**

92

93 **RESOLVED to go into Executive Session in accordance with**
94 **AS44.62.301(c) for the purposes of discussing investigative matters:**

95

96 Case No. 2016-00854

97 Case No. 2016-001018

98 Case No. 2016-001308

99 Tabled Tech Application with "Yes" Answer

100

101 Board staff to remain

102

103 Off the record at 9:38 am

104 Back on record at 10:17am

105

106 **On a motion duly made by Ms. Gruening, seconded by Mr. Holm and approved**
107 **unanimously, it was**

108

109 **RESOLVED to accept the pharmacy technician application for Charles**
110 **Blattner Case No. 2016-00108 with the assessment of a \$500.00 fine**
111 **with \$250.00 suspended for failure to report a DUI.**

112

113 **On a motion duly made by Ms. Gruening, seconded by Mr. Sanders and**
114 **approved unanimously, it was**

115

116 **RESOLVED to accept the Consent Agreement for Case No. 2016-001018**
117 **Basic Home Infusion Pharmacy.**

118

119 **On a motion duly made by Ms. Gruening, seconded by Ms. Giessel and**
120 **approved unanimously, it was**

121

122 **RESOLVED to adopt the Imposition of Civil Fine in this matter, having**
123 **determined that this is a technical violation of professional licensing**
124 **statutes and regulations not related to the delivery of patient care and,**
125 **therefore, this matter can be resolved with a civil fine of \$500.00 and**
126 **\$250.00 suspended for Dean Thorson Case No. 2016-000854.**

127

128 The Board agreed that the severity of the felony assault convictions in 2002 along
129 with the recent 2016 conviction for forgery was enough to deny the pharmacy
130 technician application for Josette John based on Sec 08.80.261 (a)(4) and (a) (8).

131

132 **On a motion duly made by Ms. Gruening, seconded by Mr. Holm and approved**
133 **unanimously, it was**

134

135 **RESOLVED to deny the Pharmacy Technician application for Josette**
136 **Johns per Sec. 08.80.261 Disciplinary Sanctions (a)**

137

- (4) has been convicted of a felony and

138

- (8) engaged in conduct involving moral turpitude or gross immorality.

139 **Off the record at 10:30 am**

140 **Back on record at 10:35 am**

141

142 **Agenda Item 5 – Division Update from Sara Chambers, Division Operations**

143 **Manager**

144

145 Ms. Chambers thanked the Board for their initiative and willingness to use WebEx as
146 part of teleconference for the Board meeting and looked forward to the feedback
147 from the Board.

148

149 Ms. Chambers advised the Board that IRIS the new state accounting system is the
150 reason for the delay in the budget information, but the information should be
151 available soon and Ms. Bellino would be able to email it to the Board to be reviewed
152 and discussed at the next full Board meeting.

153

154 Ms. Chambers went on to provide the Board of Pharmacy with an update on the
155 PDMP/Executive Administrator position. Ms. Chambers let the Board know the
156 position description has been completed, and she has been working with
157 Classifications since July to get the position classified correctly so it then can go out
158 for recruitment. This position is a high level leadership position so it is important to
159 make sure qualifications and knowledge, skills and abilities are accurately stated for
160 screening of applicants. Ms. Chambers recently met with Classifications and
161 progress has been made, so it should not be too much longer before the final
162 approval is received.

163

164 Ms. Chambers provided a brief update on SB74 and the regulations that pertain
165 specifically to the Board of Pharmacy. Ms. Chambers has had an initial meeting
166 with members from the pertinent boards who are jointly tasked with coming up
167 with recommended prescriptive guidelines for schedule II controlled substances

168 listed under federal law. There is a second meeting scheduled for Tuesday
169 December 7, 2016 to continue with finalizing the draft report.

170

171 **Agenda Item 6 – Regulation Review**

172

173 Assistant Attorney General Megyn Greider joined the meeting telephonically from
174 Anchorage and Jun Maiquis, Regulation Specialist joined Ms. Bellino in the
175 conference room.

176

177 AAG Greider and Mr. Maiquis joined the meeting to review and discuss edits made to
178 Regulations **12 AAC 52.992 Administration of vaccines and related emergency**
179 **medications** and **12 AAC 52.993 Emergency Preparedness**.

180

181 AAG Greider reviewed/discussed her edits and reasoning on the changes made to
182 **12 AAC 52.993 Emergency Preparedness** and advised that the Board does not
183 have statutory authority to exempt from licensure and the Board has an emergency
184 pharmacist permit regulation already, **12 AAC 52.110 Emergency Pharmacist**
185 **permit**. The Board reviewed the existing regulation and determined there are items
186 to be discussed and changes to be considered so the regulation will work more in
187 concert with the goal of **12 AAC 52.993 Emergency Preparedness**. The Board
188 determined at this time it will take a step back and take time separately from this
189 meeting to determine how best to proceed with both regulations and resubmit.

190

191 AAG Greider then reviewed/discussed edits made to **12 AAC 52.992**
192 **Administration of vaccines and related emergency medications**. The biggest
193 edits to this regulation had to do with the mixing of the requirements and
194 expectations of the pharmacists and pharmacies. For drafting clarity, it is best to
195 deal with all the requirements and expectations for pharmacists in one section then
196 when the requirements and expectations change, have that in a separate section.
197 The edited version of the regulation has these changes.

198

199 AAG Greider had some questions that the Board clarified regarding a written set of
200 standards referenced in the regulation. The Board confirmed that the reference
201 made to the CDC advisory committee on immunization practices is a valid reference
202 and is regularly updated. To help clarify AAG Greider's questions and concerns, the
203 Board worked with AAG Greider to come up with better language to accomplish this.

204

205 Mr. Holt will work on the re-draft to include changes discussed and will have it
206 ready for the Board to review when they reconvene of Friday 11/18/16.

207

208 The Board ran over the allotted three hours and only discussed the first two
209 regulations on the regulation list for this agenda topic. It was determined to end the
210 meeting and reconvene on Friday November 18, 2016 at 9:00 am.

211

212 **On a motion duly made by Mr. Holm, seconded by Ms. Bell and approved**
213 **unanimously, it was**

214

215 **RESOLVED to recess the meeting until Friday morning November 18th at**
216 **9:00 am.**

217

218 Off the record at 12:52 pm.

219

220

221

222

223

224

225

226

227

228

229

230

231

232

233

234

235

236

237

238

239

240

241

242

243

244

245

246

247

248

249 **Friday November 18, 2016**

250

251 The meeting was called to order by John Cotter, Board Chair, at 9:05 a.m.

252

253

Call to Order/Roll Call

254

255 Those present, constituting a quorum of the board, were:

256

257 John Cotter RPh, Fairbanks - Chairman

258 Leif Holm, Pharm D, North Pole- Vice Chairman

259 Anne Gruening Public Member, Juneau – Secretary

260 Rich Holt, Pharm D, Wasilla

261 Phil Sanders RPh, Soldotna

262 Lana Bell, RPh, Anchorage

263 Taryl Giessel Public Member, Eagle River

264

265 In attendance from the Division of Corporations, Business & Professional

266 Licensing, Department of Commerce, Community and Economic

267 Development were:

268

269 Donna Bellino, Licensing Examiner – Juneau

270

271 Visitors Present –

272 Molly Gray, Executive Director – AKPha

273 Greg Estep, Pharm D – Walgreens

274 Brady Tucker, Intern – Walmart

275 Jackie Swarczewski, Intern – Walmart

276

277

278 **Agenda Item 1 Review Agenda –**

279

280 The board reviewed the agenda and added time to allow for follow-up

281 discussion/review regarding the regulation for vaccinations and other regulations

282 the Board did not have time to review at Thursday's meeting.

283

284 **On a motion duly made by Ms. Gruening, seconded by Ms. Giessel and**

285 **approved unanimously, it was**

286

287 **RESOLVED to approve the amended agenda with changes for Friday**

288 **November 18, 2016.**

289

290 **Agenda Item 2 – Public Comment –**

291

292 Mr. Cotter Called for Public Comment at 9:15 a.m. No one addressed the Board for
293 public comment

294

295 **Agenda Item 3 – Debbie Mack, RPh – Sr. Director US Ethics & Compliance –**
296 **Walmart.**

297

298 Ms. Mack addressed the Board regarding Health Services Room that Walmart is
299 adding to certain locations. The Health Services Room is an unlicensed area that
300 may be used for Patient Consultation, Medication Therapy Management,
301 Immunizations, and other services. These rooms will not be used for prescription
302 processing or drug inventory storage. The Health Services Room is secured, and
303 prescription drop-off will occur at the front counter. Ms. Mack wanted to see if the
304 addition of such a room in Alaska Walmart pharmacies would require approval from
305 the Board of Pharmacy. Ms. Mack also provided photos of the remodeled pharmacy
306 with the Health Services Room. The Board’s main concern is access and security to
307 the pharmacy from this room. Ms. Mack explained that there is a door to the
308 pharmacy, but it is a locked and secure door and only the pharmacist would have
309 the security code. Ms. Mack also inquired as to whether the front cash area was
310 acceptable as it was outside of the locked pharmacy when the pharmacy is closed to
311 which there was no objection and reflects current practice. The Board was satisfied
312 with Ms. Mack’s explanations regarding security and access to the pharmacy and
313 how these rooms are integrated. Alaska statutes and regulations would not require
314 this type of room to be licensed and Walgreens and Safeway have their own
315 versions of this type of Health Services Room.

316

317 Ms. Mack thanked the Board and Ms. Bellino for their time and opportunity to speak
318 with the Board.

319

320 **AGENDA ITEM 4 –Correspondence/Report of Theft or Loss Reports–**

321

322 The Board reviewed correspondence received between the August and the
323 November meeting.

324

325 Included in correspondence was information received from Sheldon Winters who is
326 a Lobbyist in Juneau, and Rylan Hanks, Pharm.D who is Director, Global Regulatory
327 and R&D Policy/Global Regulatory Affairs and Safety with Amgen. The letter
328 advised the Board of draft legislation that is being circulated to clarify Alaska’s state
329 pharmacy act as it relates to substitution of biologics. Biosimilars are a new class of
330 medicines that offer the potential of increasing access and lowering costs. Congress

331 approved legislation in 2010 paving a path for the introduction of biosimilars in the
332 Unites States. Federal regulatory activity within the Food and Drug Administration
333 (FDA) has been ongoing since then. The FDA approved the first US biosimilar in
334 2015, has approved four to date, and is expected to approve more in the near term.
335 All fifty US states including Alaska need to update state pharmacy practice acts to
336 address pharmacy-level substitution of biologics. In the past three years twenty-
337 five states have done so.

338 The Board reviewed the letter and the draft legislation and concluded it would not
339 support legislation to update statutes that included requiring pharmacist to notify
340 the prescribing practitioner within five business days regarding the substitution of
341 interchangeable biologic products. If the FDA says it is interchangeable, it's
342 interchangeable.

343

344 Molly Gray, Executive Director for the AKPha advised that Mr. Winters had
345 contacted the association and the association's lobbyist with the same information
346 looking for support from the association. Mr. Winters addressed the associations
347 Board of Directors meeting the previous evening with the same information
348 provided to the Board of Pharmacy. The AKPha Board of Directors has the same
349 concerns as the Board of Pharmacy. Ms. Bellino will get back to Mr. Winters with
350 the Board's concern regarding the five day notification requirement.

351

352 One Report of Theft or Loss of Controlled Substances was reviewed by the Board.

353

354 **AGENDA ITEM 4 - Update Prescriptive Guidelines Meeting-**

355

356 Leif Holm provided the Board with a brief update on the Prescriptive Guidelines
357 meeting attended in October. Mr. Holm was chosen to represent the Board of
358 Pharmacy along with the Board of Dental Examiners, Medical Board, Board of
359 Nursing, Board of Examiners in Optometry to draft a report on schedule II
360 controlled substances as required from the passage of SB 74.

361

362 The group will reconvene on December 7th to continue working on recommended
363 guidelines for their report due to the legislators on or before January 1, 2017.

364

365 **AGENDA ITEM 5 - Review of Tabled Applications -**

366

367 The Board reviewed a change of ownership out-of-state pharmacy application with
368 a "yes" answer that was tabled from a previous mail ballot. Mr. Cotter was the
369 Board member that tabled the application. Mr. Cotter shared his concerns that the
370 state inspection report included with the application for this out-of-state pharmacy
371 that does sterile compounding was not very detailed and did not include any

372 information regarding sterile compounding. Mr. Holt advised that there is nothing in
373 the regulations that requires a sterile compounding pharmacy to provide an
374 inspection report related to sterile compounding. This led to a discussion about
375 compliance of inspection reports and the relevance of a state inspection or a self-
376 inspection report being provided since the state does not have compliance officers
377 or pharmacy inspectors who are trained in what to look for in a sterile
378 compounding pharmacy.

379
380 Mr. Cotter approved the application and requested an Out-of-State Self-Inspection
381 Report be completed by the pharmacy. Mr. Cotter also requested that upon receipt
382 that it is forwarded to the Board for review.

383
384 Break:
385 Off the record at 10:03 am
386 Back on the record at 10:11 am

387
388 **AGENDA ITEM 6 – New Old Business -**
389

390 Mr. Cotter's term on the Board of Pharmacy ends on March 1, 2017. The Board
391 elected officers for the next year. The following are the new officers:

392
393 Leif Holm, Pharm. D. – Chair
394 Rich Holt, Pharm. D. – Vice Chair
395 Anne Gruening – Public Member, Secretary

396
397 The Board set 2017 meeting dates as follows:

- 398
399 1) Friday January 13th – Teleconference for regulation review
400 2) March 2-3, 2017 – Teleconference
401 3) May 4-5, 2017 – Travel meeting
402 4) August 10-11, 2017 – TBD
403 5) November 30 and December 1, 2017 – TBD

404 **AGENDA ITEM 7 – Regulation Review -**

405
406 **12 AAC 52.992 Independent Administration of vaccines and related**
407 **emergency medications.**

408
409 Mr. Holt re-worked the draft of this new regulation reflecting the changes discussed
410 with AAG Greider and the Board at Thursday's meeting. There were a few small

411 edits, but the Board felt the re-worked draft was inclusive of the changes discussed
412 and forwarded AAG Greider for final review.

413

414 New regulation is amended to read:

415

416 **12 AAC 52.992 Independent administration of vaccines and related**
417 **emergency medications.** (a) Before a pharmacist may administer a human vaccine
418 or related emergency medications to a patient who does not have immunization
419 contraindications as listed by the CDC, FDA, manufacturer's package insert or to a
420 patient under a prescription drug order from a prescriber, the pharmacist must

421

422 (1) Successfully complete a course accredited by the Accreditation Council for
423 Pharmacy Education (ACPE) or a comparable course for pediatric, adolescent, and
424 adult immunization practices that include instruction on:

425

- 426 (A) basic immunology, vaccine, and immunization protection;
- 427 (B) disease that may be prevented by vaccination or immunization;
- 428 (C) current Centers for Disease Control and Prevention (CDC)
429 immunization schedules;
- 430 (D) vaccine storage and management;
- 431 (E) informed consent;
- 432 (F) physiology and techniques for administration of immunizations;
- 433 (G) pre-immunizations and post-immunization assessment and
434 counseling;
- 435 (H) immunization reporting and records management; and
- 436 (I) identifying, documenting, and reporting adverse responses

437 (2) maintain, and keep documentation of certification in adult and pediatric
438 cardiopulmonary resuscitation (CPR) and automated electronic defibrillator (AED)
439 training;

440 (3) a pharmacist who has not administered a vaccine within the past ten years must
441 complete a course as described in (a)(1) of this section before administering a
442 vaccine.

443 (b) A pharmacy from which a pharmacist administers a human vaccine or related
444 emergency medication under this section

445 (1) must stock the following emergency medications in an emergency medication kit
446 which is kept separate from the regular dispensing inventory

447

- 448 (A) oral and injectable diphenhydramine; and
- 449 (B) adult and pediatric auto inject epinephrine device, or injectable
450 epinephrine.

451 (2) must maintain a policy and procedure manual detailing the immunization practices
452 that must be followed and which:

453

454 (A) designates either the pharmacist in charge (PIC) or an assigned
455 vaccine coordinator who will be responsible for maintaining the
456 policy and procedures manual;

457 (B) documents that the policy and procedures manual has been
458 reviewed and updated annually;

459 (C) addresses how vaccine and related adverse reactions are to be
460 reported to the Vaccine Adverse Event Reporting System
461 (VAERS);

462 (D) addresses proper vaccine storage, handling, and maintenance,
463 including maintaining manufacturer recommended
464 temperatures during transportation of vaccines;

465 (E) addresses proper disposal of used or contaminated supplies;

466 (F) contains a written emergency protocol **for handling** accidental
467 needlesticks and adverse reactions including the administration
468 of emergency related medications; and

469 (G) details how records must be kept;

470

471 (3) must have access to the latest edition of the CDC's *Epidemiology and Prevention*
472 *of Vaccine-Preventable Diseases* as a reference; and

473 (4) must display each pharmacist's certification of completing immunizations
474 course **described in** this section.

475 (c) Before administering an immunization or related emergency medication, a pharmacy
476 intern shall

477

478 (1) have completed an ACPE approved immunization course or other comparable
479 course that meets the requirements (a)(1)

480 (2) maintain certification of completing an adult and pediatric cardiopulmonary
481 resuscitation (CPR) program and automated electronic defibrillator (AED)
482 training and

483 (3) be under the direct supervision of a pharmacist who has met the requirements
484 of this chapter.

485 (d) A pharmacist administering a vaccine or related emergency medication must
486 provide the patient, or the patient's agent, the current vaccine information statement (VIS)
487 issued by the CDC for each vaccine administered.

488

489 (e) A pharmacist or intern administering a vaccine must comply with 7 AAC 27.650

490 (f) "**Independent** administration" means a pharmacist meeting the requirements of
491 this chapter is the prescriber and administrator of the vaccine, or if an intern meeting the
492 requirements of this chapter is administering the vaccine the pharmacist **intern is** the
493 prescriber

494

495 (g) Failure to comply with this section constitutes unprofessional conduct and is a basis
496 for the imposition of disciplinary sanctions under AS 08.01.075.

497

498 The following regulations were approved at the August BOP meeting and submitted to the
499 Regulation Specialist for the below changes:

500

501 **1) 12 AAC 52.210 PHARMACISTS DUTIES**

502

(1) is amended to read:

503

(1) receiving an oral prescription drug order [INCLUDING REFILL APPROVAL
504 OR DENIAL THAT INCLUDES ANY CHANGE TO THE ORIGINAL
505 PRESCRIPTION DRUG ORDER];

506

507 **2) 12 AAC 52.320 CONTINUING EDUCATION REQUIREMENTS FOR PHARMACISTS**

508

is amended by adding a new subsection to read:

509

(e) A pharmacist administering a vaccine or related emergency medication shall
510 certify having completed one hour of ACPE approved continuing education specific
511 to immunizations, vaccines, or related topics as part of the 30 contact hours of
512 continuing education required under (a) of this section.

513

514 **3) 12 AAC 52.400 GENERAL GUIDELINES FOR PHARMACIES**

515

Is amended to read:

516

A person that is required to be licensed by AS 08.80 and who has a license under AS
517 08.80 and this chapter shall adhere to the guidelines on facilities, reference material,
518 equipment, supplies, and other guidelines established by the board in the pamphlet
519 titled , "*Facility Standards for Pharmacies*, " dated November 2016 [FEBRUARY
520 2008], and incorporated by reference in this section.

521

522 **4) 12 AAC 52.450 PRESCRIPTION DRUG ORDER RECORDS**

523

Is amended to read:

524

(a) A pharmacy shall maintain prescription drug orders for a period of two years
525 from the date of filling or the date of the last dispensed refill. The prescription
526 drug orders shall be maintained [IN NUMERICAL ORDER AND] in a manner that
527 ensures they will remain legible for the required two-year period.

- 528 (b) To comply with (a) of this section, a pharmacy shall maintain the prescription
529 drug orders by [KEEPING IN ITS FILE}
530 (1) **keeping** the original **hard copy** [WRITTEN] prescription drug order
531 **presented by a patient:**
532 (2) **keeping** a plain paper version of the prescription drug order received by
533 facsimile or digital electronic transmittal; [OR]
534 (3) keeping a prescription drug order put into writing either manually or
535 electronically by the pharmacist; or
536 (4) **electronically storing and maintain in a readily retrievable format.**

537
538 5) **12 AAC 52.460 PRESCRIPTION DRUG ORDER**

539 Is amended to read:

- 540 (a) Before a pharmacist may fill a prescription drug order, the pharmacist shall
541 obtain the following information:
542 (9) if a written **or hard copy** prescription drug order, the prescribing
543 practitioner's signature; [AND]
544 (10) if a [FACSIMILE] prescription drug order **is received by facsimile** the
545 prescribing practitioner's **or electronic** signature or authorized agent's
546 signature; **and**
547 **(11) if the prescription drug order is signed by an authorized agent it**
548 **must include the name of the prescribing practitioner.**

549
550 6) **12 AAC 52.500 TRANSFER OF A PRESCRIPTION DRUG ORDER**

551 Is amended to read:

- 552 (b) Original prescription drug order information for controlled substances listed
553 in schedules III, IV, or V may be transferred only by the pharmacy that
554 originally received the prescription drug order from the prescribing
555 practitioner. **The transfer must be communicated directly between two**
556 **licensed pharmacists.**
557 (c) Original prescription drug order information for non-controlled substances
558 may be transferred **verbally, electronically, or via facsimile** between
559 pharmacies without limitation up to the number or originally authorized
560 refills.
561 (d) A pharmacy transferring a prescription drug order or receiving a
562 transferred prescription drug order must meet the following requirements:
563 (1) **If transferred verbally,** the transfer shall be communicated directly
564 between two licensed pharmacists;

- 565 (2) both the original and the transferred prescription drug order must meet
566 the requirements of 12 AAC 52.450(a);
- 567 (3) the pharmacist transferring the prescription drug order information
568 shall record the following information:
- 569 (i) name, address, and if a controlled substance, the DEA registration
570 number of the pharmacy receiving the prescription drug order
571 information;
- 572 (ii) name of the pharmacist receiving the prescription drug order
573 information;
- 574 (iii) name of the pharmacist transferring the prescription drug order
575 information; and
- 576 (iv) date of the transfer;
- 577 (4) the pharmacist receiving the transferred prescription drug order
578 information shall record the following information:
- 579 (i) original date of issue and date of dispensing if different from the
580 date of issue;
- 581 (ii) original prescription drug order number and the number of refills
582 authorized on the original prescription drug order;
- 583 (iii) number of valid refill remaining and the date of the last refill;
- 584 (iv) name, address, and if a controlled substance, the DEA registration
585 number of the pharmacy transferring the prescription drug order
586 information and
- 587 (v) name of the pharmacist transferring the prescription drug order
588 information;
- 589 (5) WHEN A PRESCRIPTION DRUG ORDER IS TRANSFERRED, THE
590 TRANSFERRING PHARMACY MAY NOT ISSUE ANY FURTHER REFILLS
591

592 **7) 12 AAC 52.585 MANDATORY PATIENT COUNSELING**

593 Is amended to read:

- 594 **(a) Before dispensing a [WITH EACH NEW] prescription for the first time for a**
595 **new patient of the pharmacy, or a prescription for a new medication for an**
596 **existing patient of the pharmacy or change in the dose, strength, route of**
597 **administration or directions for use of an existing prescription previously**
598 **dispensed for an existing patient of the pharmacy , the pharmacist or**
599 **pharmacy intern providing prescription services shall personally counsel**
600 **each** [VERBALLY PROVIDE COUNSELING TO THE] patient or the patient's agent
601 on matters considered significant in the pharmacist's professional judgement.
602 The counseling may include
603

604 FACILITY STANDARDS FOR PHARMACIES is amended to read:

605

606 **November 2016 [FEBRUARY 2008]**

607

608 **Library.** A reference library is maintained which includes the following:

609

610 (1) A current copy (**hard-copy or electronic media access**) of the Alaska Pharmacy
611 Statutes and Regulations.

612 (2) A least one current or updated reference (hard copy or electronic media **access**)
613 from each of the following categories:

614

615 **On a motion duly made by Ms. Bell, seconded by Mr. Holm and approved**
616 **unanimously, it was**

617

618 **RESOLVED to approve for public comment all the above changes to the**
619 **following regulations:**

620

621 **12 AAC 52.992 Independent administration of vaccines and related**
622 **emergency medications**

623 **12 AAC 52.210 Pharmacist Duties**

624 **12 AAC 52.320 Continuing Education Requirements For Pharmacists**

625 **12 AAC 52.400 General guidelines for pharmacies**

626 **12 AAC 52.450 Prescription drug order records**

627 **12 AAC 52.500 Transfer of A Prescription Drug Order**

628 **12 AAC 52.585 Mandatory Patient Counseling**

629 **Facility Standards for Pharmacies**

630

631 The above approved regulations will be sent out to all licensed pharmacists and to
632 those listed on the interested parties list. Only written comments from the public
633 will be accepted.

634

635 The Board reviewed and discussed the next group of regulations that are in need of
636 being amended, and regulations that are requirements from the passage of SB74.

637

638 Mr. Holt will work on these and have them available for discussion for the Friday
639 January 13th teleconference where the Board will meet from 1:15 pm to 4:00 pm
640 specifically for regulation review.

641

642 Ms. Bellino will send via mail all items requiring the Chairs signature to Mr. Cotter
643 for signing.

641 Mr. Holt will work on these and have them available for discussion for the Friday
642 January 13th teleconference where the Board will meet from 1:15 pm to 4:00 pm
643 specifically for regulation review.

644
645 Ms. Bellino will send via mail all items requiring the Chairs signature to Mr. Cotter
646 for signing.

647 **On a motion duly made by Ms. Giessel, seconded by Mr. Holm and approved**
648 **unanimously, it was**

649
650 **RESOLVED to adjourn the meeting.**

651
652 The board adjourned at 12:00 p.m.

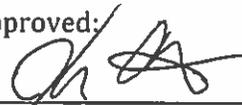
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681

Respectfully Submitted:



Donna Bellino
Licensing Examiner

Approved:



John Cotter, RPh., Chair

Date: 11-17-16