

State of Alaska
Department of Commerce, Community & Economic Development
Division of Corporations, Business & Professional Licensing

BOARD OF PHARMACY
MINUTES OF THE TELECONFERENCE
Friday January 13, 2017

By authority of AS 08.01.070(2), and in compliance with the provisions of AS 44.62, Article 6, a scheduled teleconference of the Board of Pharmacy was held at the State Office Building, 333 Willoughby Avenue, Friday January 13th, 2017 beginning at 1:15 p.m. The meeting was held in the Commissioner's Conference Room, 9th Floor Juneau, Alaska.

Agenda Item 1 Call to Order/Roll Call

The meeting was called to order by Chair, John Cotter at 1:48 pm

Board Members present, constituting a quorum:

John Cotter, RPh
Leif Holm, Pharm.D
Rich Holt, Pharm.D
Phil Sanders, RPh
Anne Gruening, Public Member
Taryl Giessel, Public Member

Lana Bell, RPh was not in attendance

Attending from the Division of Corporations, Business and Professional Licensing were:
Donna Bellino, Licensing Examiner

Attending from AKPhA:
Molly Gray, Executive Director

Due to technical difficulties with WebEx the official start of the teleconference was delayed.

Agenda Item 2 Review Agenda

The Board reviewed the agenda for the January 13, 2017 Meeting.

On a motion duly made by Leif Holm, seconded by Ann Gruening, and approved unanimously, it was

RESOLVED to accept the agenda as written.

Agenda Item 3 Ethics

The Board had no ethics disclosures.

Agenda Item 4 Other Board Business

The Board reviewed and approved a non-traditional internship that Mr. Holt presented to the Board. These internships are not a traditional pharmacy internship where the intern is filling prescriptions, counseling, interacting with practitioners, etc.

Mr. Holt, who is employed by Walmart offers pharmacy internships on how to work with a staff pharmacist to achieve objectives, how to perform compliance audits, including but not limited to Medicare Part B compliance, Control Substance audits, prescriptions, invoices, receiving, etc., and immunization audits.

This type of internship would also cover how to schedule pharmacists with business metrics, review of profit and loss statements and areas that impact P&L.

On a Motion duly made by Taryl Giessel, seconded by Mr. Holm and approved unanimously, it was

RESOLVED to approve the non-traditional internship presented by Mr. Holt.

Ms. Bellino reviewed with the Board that NABP will be hosting the annual MPJE Item Writing Workshop being held at NABP March 14-16, 2017. Mr. Holt will be attending this meeting and Mr. Holm will look into attending this meeting with Mr. Holt. Ms. Bellino will forward the meeting information to Mr. Holm and he will advise if he can attend.

DEA has requested a Board of Pharmacy member to speak for 45 minutes at the upcoming Pharmacy Diversion Awareness Conference on February 10, 2017.

Mr. Holt who lives in Wasilla will be attending the Alaska Pharmacist Association convention and volunteered to be the speaker from the Board of Pharmacy.

Ms. Bellino and the Board reviewed the Health & Social Services Planner position that has been posted for recruitment. This position encompasses the PDMP Coordinator position that resulted from SB74.

This newly created position will also be responsible for the administration of the Pharmacy licensing program and supervise the licensure for all license categories regulated by the Board of Pharmacy including the supervision of the licensing examiner. The position would also act as the Executive Administrator for the Board of Pharmacy.

Ms. Bellino advised the Board that she did not qualify for the position as written and would not be able to apply for this position.

The Board discussed the pros/cons of the combined position. The Board included statutory authority to hire an Executive Administrator for the Board of Pharmacy in HB9 that will allow the Board of Pharmacy license out-of-state wholesale drug distributors. The Board's desire and preference would be to have and Executive Administrator dedicated to the Board of Pharmacy.

Mr. Holt gave an overview to the Board about some pharmacy visits that he and Investigator Howes completed. Mr. Holt and Investigator Howes visited four local pharmacies.

As a result of those visits a question came up regarding clinical rooms that some pharmacies now have. This type of room was discussed at the November BOP meeting when Debbie Mack from Walmart spoke to the Board about the clinical rooms that Walmart is putting in their pharmacies and in the future would include Walmart Pharmacies in Alaska and she wanted to review the room and discuss if these rooms needed to be licensed since they are located in close proximity to the pharmacy.

Mr. Holt had never been in another pharmacies clinical room and he wanted to share with the Board some of his observations and to get the Board's opinion regarding pharmacy security versus patient needs. The Pharmacist potentially could be in a clinical room for up to 15 minutes and pharmacy does not close.

The Board discussed if a pharmacy would need to close when the pharmacist is in one of these rooms and there is not another pharmacist on duty.

The Board's consensus is that a pharmacy would not have close for being away for a short period time as the pharmacist is still within a range to monitor what is happening in a pharmacy and the pharmacy is still under the direct supervision of the pharmacist. The Board also checked the federal requirement and from the definition provided it would not require the pharmacy to close when a pharmacist should have to leave the pharmacy to go into a clinical room.

Agenda Item 5 Regulation Review

Mr. Holt reviewed with the Board a PDMP FAQ that he put together for the BOP website. SB74 is a complicated law and is putting more requirements on the Board of Pharmacy as well as other Boards.

This PDMP FAQ would provide guidance for all of the changes that is law is now requiring. The Board requested that Ms. Bellino have the Division/Sara Chambers, Division Operations Manager review the FAQ before it is posted on the BOP website and a copy is sent to the other impacted Boards. A copy of the PDMP FAQ will also be sent to the CSAC (Controlled Substance Advisory Committee).

On a motion duly made by Mr. Holt, seconded by Ms. Gruening and approved unanimously, it was

RESOLVED to submit the PDMP FAQ to the Division to review for entire accuracy and attest to provide early information to the other boards and the CSAC committee for SB74 compliance.

The Board under Mr. Holt's direction spent the remainder of the meeting time reviewing the draft of newly required regulation requirements resulting from SB74. These new regulations go into effect in July 2017.

- 1) **12 AAC 52.855** Registration by Dispensers and Access Requirements for Controlled Substance Prescription Database
- 2) **12 AAC 52.860** Conditions for access to and use of database
- 3) **12 AAC 52.865** Requirements for Dispensers
- 4) **12 AAC 52.870** Waiver of Electronic Submission Requirements by Dispenser
- 5) **12 AAC 52.880** Reports
- 6) **12 AAC 890** Termination of Access; Grounds for Discipline

Between now and the March Board meeting, the Board will continue to review and digest the requirements of these new regulations. SB74 regulations will be the priority at the March meeting and probably the May BOP meeting as well.

The Board acknowledged this teleconference would be Mr. Cotter's last meeting as he will be off the Board as of 3/1/17. Mr. Cotter has been on the Board since 2011. The Board thanked him for his service and leadership on the Board of Pharmacy.

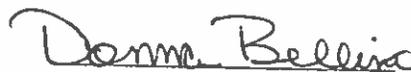
The Board concluded the teleconference.

On a motion duly made by Mr. Holt, seconded by Ms. Gruening, and approved unanimously, it was

RESOLVED to adjourn the teleconference meeting.

Off the record at 4:16 pm

Respectfully Submitted:



Donna Bellino
Licensing Examiner

Approved:



Leif Holm, PharmD, Chair

Date: 5/4/17