

1 State of Alaska
2 Department of Commerce, Community and Economic Development
3 Division of Corporations, Business and Professional Licensing
4

5 Alaska Board of Pharmacy
6

7 MINUTES OF THE MEETING
8

9 March 7, 2019 In-Person and Teleconference via OnBoard
10

11 By authority of AS 08.01.070(2), and in compliance with the provisions of AS 44.62,
12 Article 6, a scheduled meeting of the Board of Pharmacy was held in-person at the
13 Robert Atwood Building, Conference Room ACC in Anchorage, Alaska and at the
14 State Office Building, 9th Floor, Commissioner's Conference Room in Juneau,
15 Alaska on March 7th and 8th, 2019.
16

17 Agenda Item 1 Call to Order/Roll Call Time: 9:05 a.m.
18

19 The **March 7, 2019** meeting day was called to order by Chair, Rich Holt at 9:05 a.m.
20

21 Board members present, constituting a quorum:
22

23 Richard Holt, PharmD #PHAP2008, MBA – *Chair*
24 Leif Holm, PharmD #PHAP1606
25 Phil Sanders, RPh #PHAP776
26 James Henderson, RPh #PHAP1683 (Absent)
27 Lana Bell, RPh #PHAP893
28 Tammy Lindemuth, Public Member
29 Sharon Long, Public Member (Absent)
30

31 Division staff present:
32

33 Norman Thompson, Occupational Licensing Examiner
34 Allan Alcancia, Occupational Licensing Examiner
35 Laura Carrillo, Executive Administrator
36 Chelsea Childress, Records & Licensing Supervisor
37 Brian Howes, Investigator
38 Greg Francois, Chief Investigator
39 Melissa Dumas, Administrative Officer
40 Marylene Wales, Accountant
41

42 Members from the public present:

43 Catherine Kowalski, #PHAP926 (Petersburg Rexall Drug)
 44 Mackenzie Peeler, #PHAC2981 (Petersburg Rexall Drug)
 45 Dirk White, #PHAP811 (Harry Race Pharmacy)
 46 Adele Davis, (Alaska Pharmacy Association, SEARHC)
 47 Scott Watts, #PHAP899 (Ron's Apothecary Shoppe)
 48 Molly Gray, (Alaska Pharmacy Association)
 49 Kane Olson, #PHAP1875 (via phone from Anchorage)
 50 Daniel Nelson, #PHAP1413 (via phone from Fairbanks)
 51 Karen Miller, #PHAP1109 (via phone from Fairbanks)
 52 Andrew Jaconette, #MEDS5328 (via Anchorage)
 53 Jordan Hussey, #123640 (via Anchorage)
 54 Nancy Kavan, #PHAP1069
 55 Joann Nelson (pharmacist)

56
 57 Other members present:

58
 59 Chris Kennedy, Administrative Law Judge
 60 Kenneth Bressers, OMRO

61
 62 **Agenda Item 2 Review/Approve Agenda**

Time: 9:09 a.m.

63
 64 The board reviewed the agenda.

65
 66 **On a motion duly made by Tammy Lindemuth, seconded by Lana Bell, and approved**
 67 **unanimously, it was**

68
 69 **RESOLVED to accept the March 7, 2019 agenda as written.**

70

	APPROVE	DENY	ABSTAIN	ABSENT
71 Leif Holm	x			
72 Richard Holt	x			
73 Phil Sanders	x			
74 Lana Bell	x			
75 Tammy Lindemuth	x			
76 James Henderson				x
77 Sharon Long				x

78
 79
 80 The motion passed with no further discussion.

81
 82
 83 **Agenda Item 3 Ethics**

Time: 9:09 a.m.

84

85 The board then moved on to addressing ethics disclosures. In anticipation of discussing licensee’s
86 feedback on the Board of Pharmacy’s letter released on January 23, 2019 written by Chair Holt,
87 Mr. Holt clarified for the record that he will be addressing the matter as a board member. He
88 further clarified that when addressing the letter, it will have no bearing towards any particular
89 company or pharmacist, including any pharmacists whom he currently employs.

90

91 **Agenda Item 4 Public Comment Time: 9:15 a.m.**

92

93 Federal Legislation and Employer Directives

94 Dirk White commented that as of January 1, 2020, there will be federal legislation requiring
95 pharmacists to review the Prescription Drug Monitoring Program (PDMP) prior to dispensing a
96 controlled substance. Through Chair Holt, Ms. Carrillo commented that each state has their own
97 registration, reviewing, and reporting requirements, and that licensees in Alaska are not required to
98 comply with this national directive. Chair Holt affirmed, stating pharmacists are not require to
99 review prior to dispensing under current state statute or regulation, and that he was not aware of
100 this requirement at this time, but was interested in researching this. Adele Davis commented that
101 corporations may be issuing mandates to its pharmacists requiring them to review before
102 dispensing.

103

104 **TASK 1**

105 Chair Holt and Laura Carrillo will look into the federal reviewing mandate that will go into effect
106 for pharmacists on January 1, 2020.
107 *(Completed on 03/11/19; Ms. Carrillo found an amendment to the Social Security Act/Medicaid Partnership*
108 *Act from the 115 Congress [2017-2018 legislature] addressing an upcoming mandate. The mandate would require*
109 *states to notify the Centers for Medicaid and Medicare Services (CMS) by January 1, 2023 as to whether or not*
110 *they have state law requiring pharmacists to check the PDMP, not that reviewing by pharmacists will be required).*

111

112 Veterinary Patients and PDMP Patient Fields

113 Katherine Kowalski inquired about reviewing patient prescription history. Through Chair Holt,
114 Ms. Carrillo commented that both the Board of Veterinary Examiners and the Board of Pharmacy
115 sought legal advice on whether veterinarians can review the patient prescription history of the
116 animal’s owner, as the ability to do so was not clear in the veterinary statutes and regulations. Ms.
117 Carrillo informed the public that law ultimately opined that veterinarians can and should review
118 the animal owner’s patient prescription history since the potential to divert the controlled
119 substance lies with the human owner and not with the animal. Ms. Carrillo also stated that it was
120 up to the Board of Veterinary Examiners to come to establish standards for entering patient
121 information, i.e.: human owner’s date of birth rather than animal’s date of birth.

122

123 **TASK 2**

124 Laura Carrillo will follow-up with the veterinary board through its staff, Chelsea Childress and
125 Dawn Hannasch, on PDMP reviewing and reporting standards and patient identification criteria,
126 and the guidance the board has for its licensees, if any.

127 *(Completed on 03/11/19; Ms. Carrillo forwarded the legal opinion regarding this issue dated 09/12/2018 to the*
128 *Board of Veterinary Examiners staff and sent a template created on 08/02/2018 for the veterinary board to*
129 *facilitate the discussion on standards for entering information in patient fields).*

130
131 Transfer of unfilled controlled substances
132 Katherine Kowalski commented on transferring of unfilled controlled substances, stating that
133 there might be situations in which more than one controlled substance prescription is issued by
134 the same prescriber due to inability to transfer unfilled prescriptions, and inquired to the board
135 who would be responsible for the subsequent or duplicate prescription. Ms. Kowalski stated that,
136 for example, if a prescriber writes a prescription in Ketchikan, the patient travels to Petersburg
137 where the prescription can't be transferred to, so writes another prescription to be picked up at a
138 pharmacy location in Petersburg: who is responsible for the new prescription?

139
140 Informal Complaints
141 Dirk White informed the board that the nutritional bar, "Rx Bar" is being sold by an out-of-state
142 company in coffee shops and pharmacies throughout Alaska, and inquired whether it is a violation
143 of AS 08.80.430, which prohibits the use of pharmacy symbols unless a license is obtained under
144 AS 08.80. Mr. White also commented that there is a nutritional store in Sitka referring to itself as
145 an apothecary, citing AS 08.80.420 as a potential violation of certain advertisements prohibited.

146
147 PDMP Processing Delays
148 Adele Davis commented on the PDMP processing delays, noting that it is taking 10 -12 weeks for
149 access to be approved. Several members from the public reiterated this concern, including Dirk
150 White, Katherina Kowalski, and Scott Watts, who stated that pharmacists are not able to comply
151 with the mandate to review patient prescription history and inquired whether pharmacists will be
152 able to defend potential violations for non-compliance. Through Chair Holt, Ms. Carrillo again
153 clarified that pharmacists are not required to review patient prescription history, but that
154 timeliness of registration will depend on the date the individual is licensed to the date a complete
155 application to access the PDMP is submitted rather than administratively approved. Ms. Carrillo
156 acknowledge the delay in processing PDMP applications, which she stated is directly related to the
157 position being vacant for three months due to the continuation of the state hiring freeze. Ms.
158 Carrillo informed the public that in the two months preceding the vacancy, she was on maternity
159 leave, but that the board's investigator, Brian Howes, dedicated his free time to processing these
160 whenever possible. Ms. Carrillo further informed the public that she, Norman Thompson, and
161 Charles Ward, the division's marine pilot coordinator, are allocating time to processing these in the
162 order received, but that there is no fully-dedicated staff person to process the 2,600 registrations
163 manually. For reference, Ms. Carrillo stated most states have 4 – 9 full-time PDMP staff.

164
165 In the interim of hiring a dedicated PDMP staff member, Ms. Carrillo informed the public that
166 pharmacists could register as a delegate under AS 17.30.200(d)(4) as these accounts can be
167 approved relatively more expeditiously since they don't require validation documents.

168
169 **TASK 3**

170 Ms. Carrillo will review and approve “pharmacist delegate – licensed” accounts daily and will
171 update the pharmacist’s user role from the delegate role to the pharmacist role once the licensee’s
172 form and payment is processed. PDMP registration issue dates in the licensing database will reflect
173 the actual date approval was given.

174

175 January 23rd, 2018 Letter to Pharmacists

176 Daniel Nelson commented that he has been a pharmacist for almost 17 years and has always felt
177 personal pride in being a pharmacist, and that as a profession are respected members of the
178 community where people invest a lot of trust in them, but feels for the first time that the rust and
179 perception of the profession was severely undermined as a result of the letter. Mr. Nelson further
180 commented that the letter was patronizing and tone deaf to the opioid epidemic, adding that he
181 understands the intent of the letter was to address how to approach refusing a prescription, but
182 that the tone of the letter was overwhelmingly threatening and negative towards the pharmacists.
183 Mr. Nelson stated that the Board of Pharmacy has a responsibility to address and answer
184 questions about the letter, stating that the root of the issue came from a particular pharmacy that
185 was no longer able to purchase controlled substances from a wholesaler, which consequently left
186 hundreds of patients without a pharmacy almost overnight. Mr. Nelson inquired what the board’s
187 responsibility is when a wholesaler ceases to supply to a pharmacy, what recourse a pharmacy can
188 take when a wholesaler has terminated its contract, and whether there is due process in
189 investigating the quantity of controlled substances being purchased when it is perceived to be in
190 an egregious and alarming amount prior to that wholesaler being able to revoke a purchasing
191 contract. It was further stated that the medical board should be weighing in on this issue,
192 particularly when it comes to dangerous opioid and benzodiazepine combinations.

193

194 In response to Mr. Nelson, Chair Holt stated that there were multiple complaints raised to
195 different agencies within the state, and that the board was looped into the issue and asked to
196 provide a response. Chair Holt clarified that there were specific and actual scenarios that were
197 relayed to the board, and the letter was a multi-factorial approach to give a sweeping generalization
198 to remind pharmacists that they do have a right to refuse, but that the approach in which one does
199 so should be professional. Chair Holt expressed appreciate for the feedback on the tone of the
200 letter, but was hopeful that explaining the circumstances under which the letter was created will
201 help provide the public and licensees with a better understanding behind its intent.

202

203 In response to Mr. Nelson’s comment on due process prior to wholesalers revoking a purchasing
204 contract, Chair Holt stated the board does not regulate business contracts or are otherwise
205 involved in limitations in purchase agreements between wholesalers and pharmacies.

206

207 Jordan Hussey from Walgreens commented that pharmacists are experiencing backlash from
208 prescribers who just bring up the letter to try reinforcing that pharmacists cannot refuse to fill
209 prescriptions. Chair Holt responded that the letter does state that pharmacists have the right to
210 refuse, and offered the reminder that pharmacists must approach refusals with professionalism.
211 Chair Holt also commented that a follow-up FAQ document was done in collaboration with the
212 Board of Nursing and the Medical Board, and that they are continuing to try working

213 collaboratively with these boards to come out with a joint statement as there should be
214 professional dialogue between affected professions.

215
216 Karen Miller commented that she's been a retail pharmacist for 25 years and did see a recent shift
217 of prescribing in quantities that she had not seen before. Ms. Miller added that she did see what
218 she perceived to be egregious prescribing, but that prescribers would not pick up the phone or
219 make efforts to communicate with the pharmacy about the prescription. Ms. Miller also stated that
220 she and her colleagues do their best to scrutinize prescriptions to determine whether they are
221 legitimate, but may refuse simply because they don't have the supply as they see a high number of
222 palliative, hospice, and cancer treatment patients. With regards to the letter, Ms. Miller stated it
223 made her and her colleagues nervous about refusing.

224
225 Ms. Carrillo commented to the public that if a pharmacist has a concern about a prescriber or
226 another pharmacist licensee, that the division cannot look into a complaint unless it is done so
227 through the proper investigative process. Ms. Carrillo, through the Chair, encouraged the public to
228 file complaints when they believe there is an issue of safety at hand, which she explained could be
229 accomplished by submitting a Request for Contact Form to the Investigations Section. Ms.
230 Carrillo stated that there was information on this process included on the FAQ document, and
231 Molly Gray commented that the complaint process could be published through the AKPHA.

232
233 Dr. Andy Jaconette commented that he is a physician with a focus in interventional pain and
234 addiction medicine, and that he is very concerned about patients not being able to have their
235 prescriptions filled all of a sudden. Dr. Jaconette added that he has been prescribing the same
236 medications in the same quantity for the last 10 years, and that the sudden refusal to fills is
237 harmful to patients. Dr. Jaconette then inquired to the board whether they were aware of active
238 prosecutions against pharmacists dispensing in dangerous or unsafe quantities, to which Chair
239 Holt stated there are, but that he was not aware of any that are currently happening in Alaska. Dr.
240 Jaconette expressed frustration that pharmacists are encroaching on the practice of medicine by
241 attempting to provide a diagnosis and altering medications, adding that he is having to call
242 pharmacists because they are not calling his office. Chair Holt commented that the Board of
243 Pharmacy has been actively attempting to work with other prescribing boards to release a joint
244 statement since December, but that efforts have not been successful. To Dr. Jaconette's comment
245 on scope of practice, Chair Holt stated that pharmacists are obligated and have the authority to
246 evaluate prescriptions. Chair Holt also stated that SB 74 mandated that representatives from all
247 board were to convene as a subcommittee to establish prescribing limits, and that the committee
248 [CBPL's Joint Committee on Prescriptive Guidelines] was required to submit the recommendation
249 to the legislature; however, the legislature did not do anything with the recommendations. Chair
250 Holt added that the recommendations could have been a foundation on which to provide better
251 guidance to prescribers. Lana Bell thanked Dr. Jaconette for advocating for more support, and
252 added that when the board makes recommendations, it still has to go through the legislature,
253 which can be a time-consuming process.

254

255 Dr. Jaconette continued to express concern over the lack of communication between prescribers
 256 and pharmacists, and the harm that is being done to patients as a result of refused dispensing.
 257 Lana Bell expressed appreciation for Dr. Jaconette coming o defend his profession, his patients,
 258 and his practice, but reiterated that all pharmacists are doing their best to address these efforts.
 259 Ms. Bell added that pharmacists are highly trained in pharmacology and are here to be a good tool
 260 for the prescriber, but that in her practice, she always defers to the physician in making the
 261 ultimate decision. Ms. Carrillo stated that she would be holding a PDMP touch-base meeting on
 262 March 11th and that she would be addressing the topic of improved collaboration amongst
 263 affected boards.

264
 265 **TASK 4**

266 Ms. Carrillo will follow-up with the board after the CBPL touch-base meeting on PDMP topics,
 267 including the need for increased collaboration between boards and the need to release a joint
 268 statement.

269
 270 *Catherine Kowalski, Mackenzie Peeler, and Dirk White left the room at 10:04 a.m.*

271 *Allan Alcancia left the room at 10:14 a.m.*

272 *Scott Watts and Molly Gray left the room at 10:32 a.m.*

273 *Adele Davis left the room at 10:45 a.m.*

274

275 *Allan Alcancia entered the room at 10:18 a.m.*

276

277 **Agenda Item 5 PDMP Update Time: 10:26 a.m.**

278

279 Letter from Board to director, Sara Chambers

280 Chair Holt presented a draft letter from the board to division director, Sara Chambers, requesting
 281 additional resources to process PDMP registration applications more timely, noting a significant
 282 delay with over 2,600 pending registration applications to be processed. The board reviewed the
 283 letter.

284

285 **On a motion duly made by Tammy Lindemuth, Seconded by Lana Bell and with**
 286 **unanimous approval to forward the letter requesting additional staff resources for the**
 287 **PDMP to director Chambers, it was:**

288

289 **RESOLVED to send the letter dated March 7, 2019 to division director, Sara**
 290 **Chambers, addressing the need for staff to process pending PDMP registrations.**

291

292

	APPROVE	DENY	ABSTAIN	ABSENT
293				
294	Leif Holm	x		
295	Richard Holt	x		
296	Phil Sanders	x		
297	Lana Bell	x		

298	Tammy Lindemuth	x
299	James Henderson	x
300	Sharon Long	x

301
302 The motion passed with no further discussion.

303
304 **TASK 5**

305 Ms. Carrillo will forward the letter to director Chambers and will provide an update to the board
306 once complete.
307 *(Completed on 03/11/19; Ms. Carrillo also notified the board that director Chambers received approval to*
308 *continue with the PDMP program coordinator recruitment).*

309
310 PDMP Board Report: Pharmacy

311 Hearing nothing further on public comment, Laura Carrillo addressed the Board of Pharmacy
312 report for the PDMP update, which included information up to January 31, 2019. For the Board
313 of Pharmacy, there were 1972 currently registered pharmacists, with registration compliance at
314 94%; the highest compliance rate among all boards with PDMP requirements. Ms. Carrillo then
315 reviewed the breakdown of registered users by related user roles, including IHS, VA, military
316 dispensers, and pharmacist delegates. Ms. Carrillo noted to the board that despite being the only
317 profession not required to login or review patient prescription history pharmacists have the
318 highest login and review rates compared to those professions mandated to do so, which
319 demonstrates pharmacist’s efforts to maximize the PDMP. For threshold reporting, Ms. Carrillo
320 informed the board that 21 patients appeared to meet or exceed the established threshold of
321 receiving more than five prescriptions from more than five pharmacies over a three-month period
322 (5-5-3 threshold), and that notifications will be sent to respective boards. For the record, Ms.
323 Carrillo clarified that these unsolicited notifications that are sent to the boards do not disclose the
324 name of the licensee who contributed to a patient meeting or exceeding this threshold, but that
325 the notification is authorized in statute. In responding to DEA subpoenas, Ms. Carrillo responded
326 that the response rate is at 100%, with the majority of subpoenas received in 2018 was for
327 patients, followed by prescribers, and then dispensers.

328
329 Ms. Carrillo then informed the board that as of January 31, 2019, there were 181 delinquent
330 pharmacies, meaning that these pharmacies either failed to report at least one time within a week
331 up until June 30, 2018, or did not submit daily from July 1, 2018 to January 1, 2019. Due the
332 continued vacancy, letters have not been sent to these pharmacies notifying them of their
333 delinquent reporting status; however, Ms. Carrillo stated it is a priority to get notices sent once the
334 PDMP Program Coordinator position is filled.

335
336 **TASK 6**

337 Delinquent reporting notices will be sent to the 181 pharmacies by the PDMP Program
338 Coordinator.
339 *(In-progress).*

340

341 PDMP Report to the 31st Legislature
 342 Ms. Carrillo presented the draft of the legislature to the board, which included updated data on
 343 registration, reviewing, and reporting measures and various PDMP related activities. The board
 344 reviewed the report.

345
 346 **On a motion duly made by Lana Bell, Seconded by Phil Sanders and with unanimous**
 347 **approval to submit the PDMP legislative report, it was:**

348
 349 **RESOLVED to submit to the 31st Legislature the Prescription Drug Monitoring**
 350 **Program report as written.**

	APPROVE	DENY	ABSTAIN	ABSENT
352 Leif Holm	x			
353 Richard Holt	x			
354 Phil Sanders	x			
355 Lana Bell	x			
356 Tammy Lindemuth	x			
357 James Henderson				x
358 Sharon Long				x

360
 361 The motion passed with no further discussion.

362
 363 **TASK 7**

364 Ms. Carrillo will submit the legislative report via director, Sara Chambers.
 365 *(Completed on 03/11/2019; pending submittal to legislature via Senator Cathy Giessel).*

366
 367 Enhanced Programmatic Desk Review (EPDR) by BJA

368 Ms. Carrillo informed the board that they had an EPDR scheduled with the Bureau of Justice
 369 Assistance (BJA), in which a series of questions were asked regarding financial, administrative, and
 370 programmatic matters related to the PDMP. Ms. Carrillo stated that Andy Jones, previously with
 371 the Alaska Department of Health and Social Services’ (DHSS) Office of Substance Misuse and
 372 Addiction Prevention (OSMAP) was primarily responsible for providing responses to the
 373 questions. Updates provided by Ms. Carrillo included ongoing activities, including enhancement
 374 features to the AWARe platform and collaboration efforts with DHSS.

375
 376
 377
 378 Letter of Support for CDC’s Overdose Data to Action Grant “OD2A”

379 The board reviewed a draft letter prepared in support of the Opioid Data to Action (CDC-RFA-
 380 CD19-1904) grant to assist DHSS’s Injury Surveillance Program in applying for grant funds. The
 381 funds would be used to advance and evaluate state-level interventions for the PDMP, ultimately
 382 requiring the continuation of multi-state department collaborative efforts between DHSS and the

383 PDMP. If funding is awarded, the PDMP would have two deliverables to comply with: 1.)
 384 improving database functionality and expanding the PDMP through improved intra- and inter-
 385 state interoperability. Ms. Carrillo informed the board that while there may be existing grant funds
 386 to cover enhancement features to comply with the database functionality aspect, additional funds
 387 would be particularly helpful with expanding sharing of data among in-state entities and out-of-
 388 state entities.

389

390 **TASK 8**

391 Ms. Carrillo will request more information on solutions to comply with improving database
 392 functionality and improving intra- and inter-state functionality, and will continue to collaborate
 393 with Appriss Health and DHSS on these advancements

394 *(Completed on 03/12/19; Ms. Carrillo submitted an internal request to submit a proposal for ASTHO/CDC*
 395 *to highlight PDMP successes; Ms. Carrillo also requested a cost estimation sheet from Appriss for*
 396 *enhancements/ applications to assist in complying with the OD2A Grant, including: OpenBeds and ERvive).*

397

398 **On a motion duly made by Tammy Lindemuth, Seconded by Rich Holt and with**
 399 **unanimous approval for the letter of support for the Overdose Data to Action grant, it was:**

400

401 **RESOLVED to approve the letter of support for inclusion into the application for**
 402 **the Overdose Data to Action grant to be submitted by the Alaska Department of Health**
 403 **and Social Services.**

404

	APPROVE	DENY	ABSTAIN	ABSENT
405 Leif Holm	x			
406 Richard Holt	x			
407 Phil Sanders	x			
408 Lana Bell	x			
409 Tammy Lindemuth	x			
410 James Henderson				x
411 Sharon Long				x

412

413 The motion passed with no further discussion.

414

415 Military Health System PDMP (“MHS PMP”)

416 Ms. Carrillo informed the board that the military recently launched their own prescription drug
 417 monitoring program and presented a draft MOU she prepared for the military and the state
 418 PDMP to connect to each other. Ms. Carrillo stated that the interoperability specifications are still
 419 in the development stages, but that she would follow-up once the Department of Defense returns
 420 the MOU to the department.

421

422 **TASK 9**

423 Ms. Carrillo will follow-up with the board on the status of the MHS PMP. *(On-going).*

424

425

426 Delayed PDMP Registration Protocol

427 The board addressed the protocol for assessing delayed registrations. Ms. Carrillo included in the
 428 board packet a letter template the Board of Nursing uses when notifying licensees that they may
 429 have registered late with the PDMP. Rich Holt inquired how the board would assess late
 430 registrations given the current 2,600 registration backlog. Ms. Carrillo stated that a delayed
 431 registration wouldn't be determined based on the date the account is approved and access is given,
 432 but rather the date from when the pharmacist is issued an Alaska license to the date they submit a
 433 complete PDMP registration, including creation and submission of online credentials through
 434 AWARe, as well as submission of the form and payment. Since the deadline to register for
 435 existing licenses went into effect on July 17, 2017, the processing of late registrations would only
 436 apply to newly licensed pharmacists. Chair Holt commented on the fact that not every pharmacist
 437 is required to register, just those dispensing federally scheduled II – IV controlled substances in
 438 Alaska. Ms. Carrillo inquired about when it is appropriate to gather the information on a
 439 pharmacist's dispensing status. Investigator, Brian Howes, recommended that dispensing status
 440 could be determined during the investigation of a complaint, at which time the discovery of non-
 441 compliance with registration may be considered a secondary violation given there is a violation
 442 found as a result of the initial complaint, and consequently a disciplinary action issued against the
 443 pharmacist's license. Ms. Carrillo also suggested putting in an IT order for a dispensing
 444 designation to be available for pharmacist license types.

445

446 The board also discussed delayed registrations, ultimately determining that they should be given 30
 447 days to submit a complete PDMP registration application from the date they are issued an initial
 448 pharmacist license. The courtesy letter will be modeled after the Board of Nursing letter and no
 449 action will be taken since the letter will warn licensees that they must renew their PDMP
 450 registration on time or may risk a disciplinary action against their license.

451

452 **On a motion duly made by Lana Bell, Seconded by Tammy Lindemuth and with**
 453 **unanimous approval to set a grace period for registering with the PDMP, it was:**

454

455 **RESOLVED to set the registration window as 30-days of being issued an initial**
 456 **pharmacist license to the date a complete PDMP application (including submission of**
 457 **online credentials via alaska.pmpaware.net and the requisite form and payment, if**
 458 **applicable) is submitted. A courtesy letter will be submitted to licensees reminding them**
 459 **of their requirement to renew their registration timely.**

460

461

	APPROVE	DENY	ABSTAIN	ABSENT
462 Leif Holm	x			
463 Richard Holt	x			
464 Phil Sanders	x			
465 Lana Bell	x			
466 Tammy Lindemuth	x			

467	James Henderson	x
468	Sharon Long	x

469
470 The motion passed with no further discussion.

471
472 **TASK 10**
473 Ms. Carrillo will put in an IT work order to add the dispensation designation to the pharmacist
474 license category.
475 *(Completed 03/13/19; Ms. Carrillo put in the request via program coordinator, Colleen Kautz, who will request*
476 *this through IT).*

477
478 **TASK 11**
479 Chair Holt will draft a courtesy letter notifying newly licensed pharmacists that they have
480 potentially registered late based on the 30-day grace period.
481 *(Completed 03/10/19; Chair Holt drafted the letter and also suggested this be a good opportunity to assess*
482 *dispensation status; Ms. Carrillo drafted a form titled, "PDMP Exemption Statement for Non-Dispensing*
483 *pharmacists on 03/12/19 and submitted to publications specialist, Hannah Hamburg for finalizing).*

484
485 Chair Holt called for break at 11:23 a.m.
486 *Off record at 11:23 a.m.*
487 *On record at 11:29 a.m.*

488
489 **Agenda Item 6 Conference and Meeting Updates Time: 11:30 a.m.**

490
491 Controlled Substance Advisory Committee (CSAC)
492 Lana Bell addressed the CSAC, first reminding the board that legislation from FY18 resulted in
493 the shift of the CSAC chair position from the Department of Law to the Board of Pharmacy or
494 the Board of Pharmacy's designee. Chair Holt designated this position to Lana Bell, who is the
495 current chair of the committee. Ms. Bell reiterated earlier concerns that due to the lack of clear
496 communication and direction into the continuation of administrative support to assist the new
497 chair in this capacity, it has been difficult to assert authority over the committee and schedule
498 subsequent meetings. Ms. Bell added that the committee is required to meet twice per year, but the
499 Department of Law has expressed that they would not be continuing to provide support, such as
500 publishing meeting dates, scheduling meetings, and writing meeting minutes. The authorizing
501 statute did not provide for the Board of Pharmacy staff to perform the necessary administrative
502 support to the CSAC, which makes being in the position of chair difficult to navigate. Ms. Bell
503 ultimately expressed she would like to consider that the chair appoint a new designee to this
504 position and further added the CSAC committee has great potential to mobilize resources to
505 address emerging issues requiring a multidisciplinary approach. Chair Holt agreed to entertain this
506 and recommended it be added to the March 8, 2019 agenda under Administrative Business,
507 Agenda Item #22.

508

509 Phil Sanders inquired as to whether the CSAC has accomplished any particular tasks, to which Ms.
510 Bell stated that they have; most recently, the CSAC addressed emergency scheduling with the
511 support and recommendation that unscheduled substance be scheduled on an emergency basis
512 when there is an immediate threat to public health and safety.

513

514 **Agenda Item 7 Investigative Report**

Time: 11:42 a.m.

515

516 Investigator, Brian Howes was present in Anchorage to provide the board’s investigative report,
517 which included the opening of 22 matters and closing of 13. Mr. Howes also informed the board
518 that one was related to a licensing action and one that was related to PDMP registration, which he
519 recommended should be discussed under executive session.

520

521 **On a motion duly made by Rich Holt in accordance with AS 44.62.310(c)(2), the board**
522 **unanimously moved to enter executive session for the purpose of discussing subjects that**
523 **tend to prejudice the reputation and character of any person, provided the person may**
524 **request a public discussion.**

525

526 **RESOLVED to enter into executive session in accordance with AS 44.62.310(c)(2).**

527

528 Staff members, Laura Carrillo, Norman Thompson, Allan Alcancia, and Brian Howes were
529 authorized to remain in the room.

530

531 *Off record for executive session at 11:45 a.m.*

532 *On record for public discussion at 12:08 p.m.*

533

534 Upon return from executive session, Chair Holt clarified for the record that no motions were
535 made under executive session.

536

537 **On a motion duly made by Rich Holt, seconded by Tammy Lindemuth, and with**
538 **unanimous approval to accept the voluntary surrender of Neil Holder, Alaska Pharmacist**
539 **License #PHAP1391, Case #2019-000186, it was:**

540

541 **RESOLVED to accept the voluntary license surrender of license # PHAP2124 by**
542 **Neil Holder. The voluntary surrender was based upon evidence of violations against AS**
543 **08.01.075, AS 08.80.261(a)(7), and AS 08.80.261(a)(8).**

544

	APPROVE	DENY	ABSTAIN	ABSENT
545				
546	Leif Holm	x		
547	Richard Holt	x		
548	Phil Sanders	x		
549	Lana Bell	x		
550	Tammy Lindemuth	x		

593 Ms. Carrillo will follow-up with the NABP for more information on the pros of entering into this
594 agreement, including clarifying whether it would allow for the board to also query the NPDB for
595 applicants pursuing licensure in Alaska, and will also request which states have a current
596 agreement for adverse action reporting.
597 *(Initiated on 03/14/19; Ms. Carrillo sent an email to the NABP requesting additional information).*

598

599 Skilled Nursing Facilities

600 The board moved to discussion on skilled nursing facilities. Ms. Bell's impression was that the
601 questions being raised are most appropriate for medical directors of skilled nursing facilities, which
602 had to do with access to emergency medication kits and the use of automated drug cabinets. The
603 letter, initially sent by Matthew Keith, requested an opportunity to speak with the board directly
604 on this issue; however, Mr. Keith passed the baton to Piper Machamer, who was not present at
605 the meeting to address this with the board.

606

607 **TASK 13**

608 Ms. Carrillo will follow-up with Piper Machamer from Geneva Woods Pharmacy to request that
609 the questions related to emergency medication kits and automated drug cabinets be clarified.
610 *(Completed 03/18/19; Ms. Carrillo sent an email to Ms. Machamer requesting for specific questions on*
611 *03/14/19 and received a response on 03/18/19 indicating the interest/initiative is being withdrawn).*

612

613 Opioid Issue Feedback (Letter from Chair)

614 The board reviewed correspondence submitted by licensees expressing their opinions on the letter
615 released on January 23, 2019. Chair Holt reiterated that he supports pharmacists, their right to
616 refuse, their clinical judgment, and reminded the public that the intent of the letter was to address
617 the approach of refusing to fill a prescription. Tammy Lindemuth expressed how the letter was
618 received negatively by the pharmacy community and inquired whether there is any recourse the
619 board can take to remedy the relationship with its constituents. Lana Bell commented that the
620 board can continue to provide clarification as to the background and intent of the letter, but that
621 ultimately, it will require increased efforts between prescribing boards to provide better guidance.
622 Ms. Carrillo stated that she and Chair Holt created a draft joint statement that addressed the topic
623 of supporting prescribing and dispensing practices and the need to improve increased
624 communication and collaboration. Ms. Carrillo reminded the board that they would be holding a
625 meeting on March 11th with board staff, and Chair Holt recommended appointing delegates to
626 serve on a community for the purpose of giving input on this multidimensional issue.

627

628 **TASK 14**

629 Ms. Carrillo will follow-up with the board on the status of the PDMP touch-base meeting with
630 board staff affected by AS 17.30.200.

631 *(Initiated again on 03/14/19; Ms. Carrillo emailed Chair Holt with a status update on the meeting; the Medical*
632 *Board EA indicated she would put the joint statement letter back on the board's radar, and Ms. Carrillo is active*
633 *working with the Board of Dental Examiners appointed delegate, David Neilsen, to get his profession's perspective*
634 *included in the letter).*

635

636 IHS Pharmacist-in-Charge License Requirements
 637 Norman Thompson included in the board packet correspondence from Robert Clark,
 638 President/CEO of Kakanak Hospital, which is a federal facility operating as Bristol Bay Area
 639 Health Corporation (BBAHC). BBAHC’s pharmacy is currently licensed in Alaska but is a tribal
 640 health organization. Tribal organizations are exempt from state licensure requirements under the
 641 Indian Self-Determination and Education Assistance Act (ISDEAA) of 1975, however, the
 642 pharmacy pursued licensure in the state. Chair Holt commented to the board that BBAHC had
 643 inquired whether one of their pharmacists could serve as a pharmacist-in-charge without holding a
 644 pharmacist license in Alaska as the pharmacist holds an active license in another state. The initial
 645 interpretation was that because the pharmacy holds a license in Alaska, the pharmacy is ultimately
 646 subject to state law, including having a pharmacist-in-charge who holds a license under AS 08,
 647 which is a requirement under 12 AAC 52.200. This interpretation was relayed to BBAHC, to
 648 which Mr. Clark responded with reasoning justifying that the pharmacist-in-charge should not
 649 have to hold an Alaska pharmacist license due to the exemption under ISDEAA. The board
 650 ultimately decided that a legal opinion would need to be requested.

651
 652 **On a motion duly made by Lana bell, seconded by Phil Sanders, and approved**
 653 **unanimously, it was:**

654
 655 **RESOLVED to submit to the AAG a request to clarify whether Alaska-licensed**
 656 **pharmacies seeking exemptions to licensure requirements of its staff under ISDEAA can**
 657 **be granted for a pharmacist-in-charge.**

	APPROVE	DENY	ABSTAIN	ABSENT
660 Leif Holm	x			
661 Richard Holt	x			
662 Phil Sanders	x			
663 Lana Bell	x			
664 Tammy Lindemuth	x			
665 James Henderson				x
666 Sharon Long				x

667
 668 The motion passed with no further discussion.

669
 670 **TASK 15**

671 Ms. Carrillo will request a legal interpretation on whether a pharmacist for an Alaska-licensed IHS
 672 pharmacy can appoint a pharmacist-in-charge who does not hold a license under AS. Ms. Carrillo
 673 will also follow-up with BBAHC/Kanakanak Hospital informing them that a legal opinion has
 674 been requested.

675 *(Completed 05/01/2019; Ms. Carrillo requested a legal opinion through director Sara Chambers on 04/12/19.*
 676 *Director Chambers cited AGO No. AN2009102500 on 05/01/18 indicating IHS individuals or entities with*
 677 *an Alaska license under AS 08. must comply with all applicable laws. Follow-up provided to applicant.)*

721 Enforcement Administration made an exception to title 21, code of federal regulations, Section
 722 1306.25, such that a DEA-registered pharmacy that has filled an initial prescription could transfer
 723 the original prescription to another DEA-registered pharmacy. This would allow the secondary
 724 pharmacy to dispense any remaining refills permitted by the prescriber. Chair Holt commented
 725 that the exception, however, did not outline guidance for verbal, faxed, or hardcopy orders, that
 726 the only exception is for electronically prescribed controlled substance prescriptions. In addition,
 727 Chair Holt added that the exception didn't provide guidance for the method in which to forward a
 728 prescription, including documentation requirements. It is Chair Holt's understanding that at this
 729 time, there is inconsistent practices over transferring of prescriptions because of the lack of clarity
 730 in the guidance.

731

732 **Agenda Item 12 Old Business Time: 2:00 p.m.**

733

734 *Chris Kennedy, Administrative Law Judge, and Kenneth Bressers, representing OMRO pharmacy entered the*
 735 *room at 2:00 p.m.*

736 *Chris Kennedy, Administrative Law Judge, and Kenneth Bressers, representing OMRO pharmacy left the room at*
 737 *2:48 p.m.*

738

739 The board then addressed the OMRO case, which the board had denied registration to during
 740 their May 10-11, 2018 meeting.

741

742 **On a motion duly made by Tammy Lindemuth in accordance with AS 44.62.310(c)(2), the**
 743 **board unanimously moved to enter executive session for the purpose of discussing**
 744 **subjects that tend to prejudice the reputation and character of any person, provided the**
 745 **person may request a public discussion. It was:**

746

747 **RESOLVED to enter into executive session in accordance with AS 44.62.310(c)(2).**

748

749 Staff members were not authorized to stay in the room.

750

751 *Off record for executive session at 2:02 a.m.*

752 *On record for public discussion at 2:48 p.m.*

753 Upon returning from executive session, Chair Holt commented that no motions were made under
 754 executive session.

755

756 **On a motion duly made by Tammy Lindemuth to adopt the ALJ's final decision to**
 757 **approve issuance of the out-of-state pharmacy registration, it was:**

758

759 **RESOLVED to accept the ALJ's final decision to issue the registration for OMRO**
 760 **Pharmacy.**

761

	APPROVE	DENY	ABSTAIN	ABSENT
762 Leif Holm	x			

763

764	Richard Holt	x	
765	Phil Sanders	x	
766	Lana Bell	x	
767	Tammy Lindemuth	x	
768	James Henderson		x
769	Sharon Long		x

770

771 The motion passed with no further discussion.

772

773 **Agenda Item 8 New Business**

Time: 3:15 p.m.

774

775 The board returned to discussion on new business items, beginning with regulations on partial fills
776 of schedule II medications.

777

778 Transfer of Unfilled Controlled Substances

779 Chair Holt commented that the question boils down to whether a pharmacy can transfer a
780 controlled substance prescription. Chair Holt prompted the board to determine whether the board
781 should prepare a guidance statement. Ms. Lindemuth proposed drafting a position statement until
782 further information could be obtained and Ms. Bell suggested the topic be tabled until the next
783 meeting. The board discussed having the Department of Law review this issue, to which Mr.
784 Sanders inquired what the specific ask would be. Ms. Bell stated that it would be to determine
785 whether the board has the authority or if it is appropriate to weigh in on a federal rule.

786

787 **On a motion duly made by Lana bell, seconded by Tammy Lindemuth, and approved**
788 **unanimously, it was:**

789

790 **RESOLVED to submit to the AAG a request for input on whether the board can**
791 **weigh in on a federal rule, particularly the issue concerning DEA guidance on transferring**
792 **of controlled substance prescriptions.**

793

	APPROVE	DENY	ABSTAIN	ABSENT
794				
795	Leif Holm	x		
796	Richard Holt	x		
797	Phil Sanders	x		
798	Lana Bell	x		
799	Tammy Lindemuth	x		
800	James Henderson			x
801	Sharon Long			x

802

803 The motion passed with no further discussion.

804

805 **Agenda Item 10** Correspondence

Time: 3:15 p.m.

806
807 NACDS – Lis Houchen (addressed earlier during public comment)

808
809 NABP Proposed Resolutions (reviewed)

810
811 NABP MPJE Workshop

812 Chair Holt commented he would be participating in this MPJE writing workshop remotely on
813 March 13-15, 2019 and that it requires review of over 2,000 items. The board discussed other
814 MPJE workshops, and Ms. Lindemuth noted to the board that the reviewing workshop is in the
815 fall. The board continued to discuss workshop events.

816
817 **TASK 17**

818 Ms. Carrillo will put in a travel request for Leif Holm to attend the NABP Annual Meeting using
819 grant funds.

820 *(Completed 03/08/19; Ms. Carrillo requested that the travel request be added for Leif Holm using NABP's*
821 *travel grant and for Ms. Carrillo's travel to be funded by federal grant funds through the RSA; Ms. Carrillo*
822 *confirmed on 03/19/19 with the NABP to transfer its travel grant to Mr. Holm).*

823
824 Automated Dispensing

825 The board reviewed questions from Kevin Rew who inquired about automated dispensing in two
826 settings: 1.) onsite at outpatient clinics in order to guarantee that the patient leaves the clinic with
827 the first prescription in hand (the primary interest); and 2.) on the pharmacy premises, for access
828 by patients who do not wish to wait in line for refills. Mr. Rew's specific questions were how the
829 board would consider approving a pilot project for automated dispensing and if the board would
830 be receptive to legislation changes requiring automated dispensing. In Mr. Rew's correspondence,
831 he indicated that California recently enacted rules to bring automated dispensing to outpatient
832 settings and was interested in whether Alaska was interested in pursuing this. Ms. Lindemuth
833 suggested requesting a copy of California's law and also recommended inquiring from Mr. Rew
834 how use of automated dispensing is monitored.

835
836 **TASK 18**

837 Ms. Carrillo will follow-up with Kevin Rew requesting a copy of California's law on automated
838 dispensing and how the practice is being monitored. Ms. Carrillo will provide Mr. Rew's responses
839 to the board for their next meeting.

840 *(Completed 03/14/19; Ms. Carrillo requested additional information from Mr. Rew; Mr. Rew provided requested*
841 *information to Ms. Carrillo on 03/15/19 for inclusion into the board's next meeting packet).*

842
843 Unlicensed Practice

844 The board reviewed an article regarding an individual who posed as a pharmacist at a Walgreens in
845 California.

846
847 Prescription Adaptation

848 The board reviewed correspondence from Dennis McAllister from Express Scripts who inquired
849 whether the board would consider entertaining legislation enabling pharmacists to adapt
850 prescriptions as is done in Washington. Mr. Holm commented that it could improve relationships
851 with providers; however, Chair Holt commented dosage forms as written in Washington can't be
852 changed in Alaska because it's written in Alaska statutes. The board continued to discuss
853 prescription adaptation.

854
855 **TASK 19**

856 Phil Sanders will review existing statutes and regulations to propose the law based on Dennis
857 McAllister's provided draft of Washington.

858
859 **TASK 20**

860 Ms. Carrillo will inform Dennis McAllister that the board will be looking into prescription
861 adaptation more closely and will address this again at their next meeting.
862 *(Completed 03/14/16; Ms. Carrillo informed Mr. McAllister of the status of the board's attention to this*
863 *matter).*

864
865 **Agenda Item 12 Old Business**

Time: 3:42 p.m.

866
867 The board returned to discussion of old business.

868
869 Continuing Education Audit

870 The board reviewed the outstanding continuing education audits for pharmacists for the renewal
871 period of July 1, 2016 to June 20, 2018. The hourly continuing education requirement for this
872 license type is 30 hours. Chair Holt inquired to Ms. Carrillo if the continuing education certificates
873 are screened in advance of board review, to which Ms. Carrillo affirmed.

874
875 **On a motion duly made by Rich Holt, seconded by Tammy Lindemuth, and approved**
876 **unanimously to accept the continuing education audits in compliance with 12 AAC 52.300-**
877 **350 for pharmacists: Christopher Sperry, Trevor Embry, Heidi Brainerd, Chad**
878 **Lamoureux, Jacob Mock, Dawn Erbeck, Dean Thorson, Dawn Hughes, Karen Nelson,**
879 **Robert Grogan, Mary Heaster, Beth Dobson, Mike Branson, William Altland, Lorraine**
880 **Ball, Debra Spurlock, Marlene Perschacker, Charlene Hampton, Preston Van Curen,**
881 **Nichell Moore, Cynthia Lynn McCoy, Rodney Gordon, Adam Schwartz, Craig Eyer,**
882 **Matthew Keith, Bridget Alem, Stephen Cole, Heidi Bernhoft, Rosalynda Uy, Sally**
883 **Wilhelm, Mark De Zeeuw, Megan Wiegand, Sarah Schock, Justin Conrett, Joyce**
884 **Durcanin-Robbins, Jessica Hinckley, Rachel Botson, James Bunch, Dharna Begich,**
885 **Patrick Welch, Steven Miller, Dawn Shill, Rose Winkel, Janet Schwartz, Myra Flint-Smith,**
886 **Leonard Bolog, John Evey, Donna Michaud, Richard Einhellig, Kristopher Swinney,**
887 **Elizabeth Tressler, Renee Robinson, Young Oh, Theresa Castellanos, Katelyn Hilton,**
888 **Benjamin Schultz, Erin Narus, Christine Latta, Cheri Cubbison, Medelina Richmond,**
889 **Chelsea Dubbe, Michael Kristie, Shawna O'Shea, Grant Cleveland, Ericka Richards,**
890 **Samantha Ervin, Stephanie Stolen, Enoch Ronduen, Dane Brubaker, Joel Phair, Angelina**

891 Lovell, Cory Collins, Peter Simonich, Amanda Hammila, Jeffery Moseley, Heidie Carlson,
 892 Richard Batson, Tina Horn, Johanna Ellerup Ann Stout, Ryan Trevithick, Douglas Chan,
 893 Warner Wolf, Laura Garza, Bryce Farrar, Brandon Boller, Cindy Tobias, Teresa Krietich-
 894 Bruce, John McGilvray, Kendal Haihoi, John Bittner, Douglas Bartko, Molly Hull, Jerry
 895 Gottbe, and Kelly Smoot, it was:

896
 897 **RESOLVED** to accept the continuing education audits for the above mentioned
 898 pharmacists, who demonstrated compliance with the continuing education requirements
 899 under 12 AAC 52.300 – 12 AAC 52.350 for the 2016 – 2018 renewal period.

	APPROVE	DENY	ABSTAIN	ABSENT
901				
902	Leif Holm	x		
903	Richard Holt	x		
904	Phil Sanders	x		
905	Lana Bell	x		
906	Tammy Lindemuth	x		
907	James Henderson			x
908	Sharon Long			x

909
 910 The motion passed with no further discussion.

911
 912 **TASK 21**

913 Ms. Carrillo and Mr. Thompson will send audit closed letters to the pharmacists whose continuing
 914 education audits were accepted. Audit flags will also be removed from these licensee’s records and
 915 those who have not complied with the audit will be contacted by the paralegal.
 916 *(Audit closed letters sent 03/19/19. Ms. Carrillo sent Marilyn Zimmerman an email regarding licensees who did*
 917 *not appear to comply with the continuing education requirement as of 03/14/19).*

918
 919 The board reviewed the outstanding continuing education audits for pharmacy technicians for the
 920 renewal period of July 1, 2016 to June 20, 2018. The hourly continuing education requirement for
 921 this license type is 10 hours.

922 **On a motion duly made by Rich Holt, seconded by Tammy Lindemuth, and approved**
 923 **unanimously to accept the continuing education audits in compliance with 12 AAC 52.300-**
 924 **350 for pharmacy technicians: Katya Drobkov (Strul), Lorena Gebhardt, Kathryn Carleton,**
 925 **Susan Landreth, Ty Miller, Brittany Romans, Jaaliyah Alexander, Krista Yadao, Dorothy**
 926 **Luchansky, Yu Chung, Sherry Chambers, Linda Cossairt, Merry Gregg, Brenda Elmer,**
 927 **Alysia Johnson, Sherri Brown, Alysia Davis, Kathleen Karl, Gibran Sandine, Carolyn**
 928 **Tamanaha, Marylyn Peralta, James Lyle, Mailee Vue, Mackenzie Peeler, Mary Rardin,**
 929 **Lisa Severson, Shannon Riggs, Michelle Powell, Elba Escamilla, Kristi Sternitzke-Morton,**
 930 **Neil Kahl, Dana Cartwright, Albert Orenca, Nomi Smith, Racquel Green, Glaiza Kordus,**
 931 **Connie Coca, Christopher Harvey, Elisabeth Wood, Kiriakia Reutov, Sandra Taylor,**
 932 **Kristina Kolomeychuk, Lawrence Yuquimpo, Jennifer Vlasoff, Jessica Hulet, Maricel Tiu,**

933 Gaojer Yang, Virginia Ravina, James Driggers, Michelle Oakey, Amber Vanderlinden,
 934 Adam Maccabee, Ma Salao, Apolla Mojica, Constance Srebernak, Ashley Moitoso, Kelli
 935 Anderson, Bonny Holm, Agnes Velasco, it was:

936
 937 **RESOLVED** to accept the continuing education audits for the above mentioned
 938 pharmacy technicians, who demonstrated compliance with the continuing education
 939 requirements under 12 AAC 52.300 – 12 AAC 52.350 for the 2016 – 2018 renewal period.
 940

	APPROVE	DENY	ABSTAIN	ABSENT
941				
942	Leif Holm	x		
943	Richard Holt	x		
944	Phil Sanders	x		
945	Lana Bell	x		
946	Tammy Lindemuth	x		
947	James Henderson			x
948	Sharon Long			x

949
 950 The motion passed with no further discussion.
 951

952 **TASK 22**

953 Ms. Carrillo and Mr. Thompson will send audit closed letters to the pharmacists whose continuing
 954 education audits were accepted. Audit flags will also be removed from these licensee’s records and
 955 those who have not complied with the audit will be contacted by the paralegal.
 956 *(In-process as of 03/14/19; Ms. Carrillo sent Marilyn Zimmerman an email regarding licensees who did not*
 957 *appear to comply with the continuing education requirement).*

958
 959 The board would be reviewing tabled applications on March 8th.
 960

961 Applications and Forms

962 Ms. Carrillo provided a spreadsheet on completed application updates and in-process updates for
 963 the board to review.

964 Annual Report

965 Chair Holt commented he would begin the initial draft of the annual report due June 1st.
 966
 967

968 **TASK 23**

969 Chair Holt will work on the annual report due June 1st.
 970 *(In-progress).*

971
 972 **Agenda Item 14 Review Lost/Stolen Rx Time: 3:56 p.m.**
 973

974 The board reviewed the DEA form for Safeway Pharmacy #1820 (license #120100). Chair Holt
975 noted this was the third report in the past 24 months. They also reviewed the initial notification
976 from Geneva Woods Mat-Su Pharmacy (PHAR414).

977

978 **TASK 24**

979 Ms. Carrillo will email Kristin Martin to inquire as to whether they submitted the DEA-106 report
980 to make sure they filed within the appropriate timeline according to federal regulation.

981 *(Completed 03/14/19; Ms. Carrillo sent a follow-up email to Kristin Martin).*

982

983 **Agenda Item 15 Adjourn**

Time: 4:04 p.m.

984

985 Tammy moved to adjourn the meeting at 4:04 p.m. and to recess until March 8th.

986

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1016

1059 The board reviewed the agenda for day 2, and Chair Holt suggested adding nominations to the
1060 CSAC and tabled applications from the previous day to agenda item #22.

1061

1062 **On a motion duly made by Lana Bell, seconded by Tammy Lindemuth, and approved**
1063 **unanimously, it was**

1064

1065 **RESOLVED to accept the March 8, 2019 agenda as amended.**

1066

	APPROVE	DENY	ABSTAIN	ABSENT
1067				
1068	Leif Holm			x
1069	Richard Holt	x		
1070	Phil Sanders	x		
1071	Lana Bell	x		
1072	Tammy Lindemuth	x		
1073	James Henderson			x
1074	Sharon Long			x

1075

1076 The motion passed with no further discussion.

1077

1078 **Agenda Item 18 New Business (Part II)**

Time: 9:12 a.m.

1079

1080 The board then moved on to new business.

1081

1082 Suicide Prevention Proposal

1083 Nancy Kavan was present from the public to propose the board mandate suicide a prevention
1084 training program for all pharmacists and pharmacy technicians. In Ms. Kavan's PowerPoint
1085 presentation, she first highlighted that Alaska had the second highest age-adjusted suicide rate in
1086 the nation in 2016 and that its emotional, medical, and economic impact constitutes a public
1087 health crisis. Ms. Kavan commented that the statewide suicide prevention council came up with a
1088 document in 2018 titled, Recasting the Net: Promoting Wellness to Prevent Suicide; which is a
1089 comprehensive state plan addressing goals and strategies to prevent suicide. Of particular focus
1090 was a strategy that health care providers understand how to recognize the signs of suicide risk, talk
1091 with and screen patients about suicide, and connect patients to appropriate treatment and support
1092 services.

1093

1094 Ms. Kavan informed the board that Washington came up with a mandatory suicide prevention
1095 training program through legislation RCW 43.70.442, which mandates pharmacists complete a
1096 one-time 3-hour course, offered both live and online, covering topics related to suicide screening
1097 and referral, and assessment of issues related to recognizing imminent harm. Ms. Kavan prosed
1098 that pharmacists and technicians participate a one-time training similar to Washington's, but that it
1099 doesn't have to be three-hours. Nancy indicated she hopes to work closely with Alaska
1100 Department of Human Services to promote the program through the Alaska Pharmacy

1142 Chair Holt addressed regulations for military licensing, which the board currently doesn't address
1143 in 12 AAC 52. In the draft language provided in the packet, Chair Holt struck the language
1144 indicating a courtesy military license would be valid for 90 days, since AS 08.01.063(c) states that
1145 such a license is actually valid for 180 days. Chair Holt pointed to 12 AAC 52.100 as being an
1146 appropriate section in which to address this type of licensure. Tammy Lindemuth commented on
1147 the title of this section, which currently indicates it applies to temporary licensure only; Ms.
1148 Lindemuth suggested retitling it to conspicuously indicate it applies to military licensing. Ms.
1149 Carrillo inquired to the board why it would only be valid temporarily without the ability to renew.
1150 Ms. Bell clarified that the intent of the military license is to provide a means for them to work
1151 legally while waiting for their permanent pharmacist license.

1152
1153 Phil Sanders inquired into who the military licensing applies to. Ms. Carrillo pulled up AS
1154 08.01.063 states that the military courtesy license also applies to the spouse of the military
1155 personnel, and commented on the existing form for expediting the application process for military
1156 spouses, form #08-4580. Mr. Sanders pointed out in AS 08.01.063(a) that it says "may" instead of
1157 "shall"; however, Ms. Carrillo stated that there's an expectation that boards address military
1158 licensing as it's been an ongoing topic of discussion for years. Chair Holt suggested amending the
1159 language making reference to pharmacists only, since the temporary license could apply to
1160 pharmacy interns and technicians as well. Ms. Lindemuth also pointed out that the language
1161 referencing the pharmacist license fee should be amended to apply to licensees generally.

1162
1163 Ms. Bell commented on the importance of properly screening applicants to ensure they hold a
1164 valid license in another state. Ms. Carrillo inquired to the board whether the proposed section of
1165 number (4) relating to the applicant needing to submit a license transfer application to the NABP
1166 would be redundant to the proposed section of number (8) requiring a license verification from
1167 another state. The board discussed how the NABP license transfer application may delay the
1168 process and determined that given the requirement to provide a copy of a current license in
1169 another jurisdiction, it wouldn't be necessary to require the applicant arrange with the NABP to
1170 provide a license transfer application. The board reviewed the qualifications for licensure under
1171 AS 08.80.110, which requires the applicant be fluent in reading, writing, and speaking of the
1172 English language, provide two affidavits of moral character, be a graduate of college in a degree
1173 program approved by the board, pass an exam given by the board, and have completed internship
1174 training or other program approved by the board. Lana suggested that theoretically, the proposed
1175 military licensing section is similar to the reciprocity license application, but is expedited.

1176
1177 **TASK 24**

1178 Rich will send Ms. Carrillo the revised version of the military draft for inclusion into the meeting
1179 minutes for this meeting.

1180
1181 Review/Draft Regulations: licensure by reciprocity

1182 The board then moved onto the next section, 12 AAC 52.095, application for pharmacist license
1183 by reciprocity. Chair Holt clarified that he struck language in this section and added language to
1184 indicate that unless the applicant provides a response to the professional fitness section, board

1185 staff could review and approve the application based on checklist items provided under that
1186 section. Ms. Carrillo inquired whether the purpose of creating sections such that they're a
1187 checklist, it would allow the board staff to review and approve the application without board
1188 review and approval, to which chair Holt affirmed.

1189

1190 Review/Draft Regulations: licensure by examination

1191 The board then moved onto reviewing the proposed language of 12 AAC 52.070 pertaining to
1192 licensure by examination, which similarly amends this section to provide for a checklist review
1193 process by board staff.

1194

1195 Review/Draft Regulations: emergency preparedness

1196 The board then moved onto discussion emergency preparedness under 12 AAC 52.993. The
1197 intent of this section is to create new regulations to guide pharmacies in how to handle
1198 prescriptions during a declared emergency by the board and/or the Governor. Ms. Bell inquired
1199 how the board would specify emergency situations and commented that emergency situations are
1200 under the purview of FEMA. Chair Holt inquired how the board would address emergencies
1201 occurring in Canada that would force the pharmacist to relocate to Alaska. The board ultimately
1202 decided to change this section to accommodate other jurisdictions, including Canada. The board
1203 then moved onto the proposed section, c, and Chair Holt proposed adding other substances, such
1204 as controlled substances. Ms. Bell then stated the need to assess the continuation of care and
1205 verify that the patient in fact requires the medication. Chair Holt stated that if this section applies
1206 to refills, it already implies that the pharmacist must have to verify the legitimacy of the
1207 prescription. Chair Holt inquired about how to verify the transfer of a medication of a patient in
1208 Alaska who came from Puerto Rico where an emergency is occurring, pointing to the proposed
1209 section, c, which proposes verifying in the jurisdiction where the emergency exists. Ms. Bell
1210 reiterated that we truly have an emergency when the emergency is occurring in Alaska. The board
1211 reviewed statutes and regulations of the medical board that addressed emergency responses,
1212 including emergencies declared by the governor under AS 26.23.020. To Ms. Bell's point in that
1213 FEMA will circumvent pharmacy requirements in the event of the emergency, Chair stated it
1214 would be appropriate to strike the language in the proposed section (e).

1215

1216 Chair Holt called for break at 11:01 a.m.

1217 *Off record at 11:01 a.m.*

1218 *On record at 11:10 a.m.*

1219

1220 Review/Draft Regulations: refills

1221 The board then discussed 12 AAC 52.470 related to refills, specifically the section indicating a 100-
1222 day supply "on refills", which Rich proposed to be changed to "on the original prescription drug
1223 order and future refills". Mr. Sanders reminded the board that the intent was to minimize waste of
1224 a prescription, offering this scenario: if patient came to facility, the pharmacist could fill up to 100
1225 tablets, and if a patient was going on a vacation and came back for 100 tablets, would pharmacist
1226 be limited to filling at 100 increments for the duration of the refill amount? The board continued

1227 to discuss refills, and Chair Holt indicated he would make edits to the draft for inclusion into the
1228 meeting minutes.

1229

1230 Review/Draft Regulations: examination requirements

1231 The board looked at 12 AAC 52.090 and recalled the discussion regarding having to retake the
1232 NAPLEX exam or reapply for licensure. The existing sections, f and g, were not quite coinciding,
1233 so the board discussed amending these sections to align with centralized regulations indicating a
1234 stale application occurs after 12 months since the date of last correspondence. Licensing
1235 Examiner, Norman Thompson, clarified that (g) of this section references licensure by reciprocity
1236 under AS 08.80.145.

1237

1238 **TASK 25**

1239 Rich and Ms. Carrillo will look into whether existing sections in 12 AAC 52.470(f)(g) is more
1240 stringent than NABPs guidelines. Is the requirement to retake the MPJE after one year an NABP
1241 requirement?

1242 *(Completed 03/18/19; Ms. Carrillo sent an email to the NABP inquiring about whether they have*
1243 *guidelines/requirements addressing reapplying for licensure after one year of not passing the MPJE or NAPLEX.)*

1244

1245 Review/Draft Regulations: emergency pharmacist permit

1246 The board then moved to reviewing comments made by AG, Bob Auth, on their pending
1247 regulation project. Regarding 12 AAC 52.110, the board had proposed language to expedite the
1248 processing of emergency pharmacist permit, which they suggested requiring approval by only two
1249 consulting board members. Mr. Auth commented that there is no statutory authority allowing the
1250 board to approve an application with less than a quorum. The board will strike the language for
1251 two licensed board members per Mr. Auth's comment.

1252

1253 Review/Draft Regulations: wholesale drug distributor license

1254 The board reviewed Mr. Auth's comment on 12 AAC 52.610, which states to make the paragraph
1255 a checklist. The board agreed with proposed amendments by Mr. Auth.

1256

1257 Review/Draft Regulations: drug storage

1258 The board moved to 12 AAC 52.630 to address the USP. Mr. Auth commented that the board
1259 cannot adopt a document without a specific published date, so the board suggested striking "or
1260 official united states pharmacopeia (USP) 1995 revision, compendium requirements", "if a
1261 temperature requirement is not listed for a drug, the drug may be stored at controlled...", and the
1262 editor's note related to the USP.

1263

1264 Review/Draft Regulations: drug storage

1265 The board reviewed laws comment of the proposed section, 12 AAC 52.696(h), which asked
1266 whether outsourcing facilities need to be defined since it's defined in AS 08.80.480(20). Based on
1267 previous guidance provided to the board by Megyn Greider, it is not necessary to restate what is in
1268 regulation; strike h.

1269

1270 The board continued to discuss their in-process regulations draft.

1271

1272 **Agenda Item 20 Lunch**

Time: 1:05 p.m.

1273

1274 Chair Holt called for lunch at 1:05 p.m.

1275 *Off record at 12:10 p.m.*

1276 *On record at 1:05 p.m.*

1277

1278 **Agenda Item 19 Board Business (Part II)**

Time: 1:07 p.m.

1279

1280 The board returned from lunch to resume discussion on regulations.

1281

1282 Review/Draft Regulations: verification prior to purchase from wholesaler

1283 Ms. Carrillo informed the board that she had spoken with an individual who had inquired about
1284 whether Alaska has laws mandating wholesalers to first verify the identify of the purchaser prior to
1285 a sale as does Arizona. Arizona’s law states that “a full service wholesaler permittee may furnish
1286 prescription drugs only to a pharmacy or medical practitioner. The full service wholesaler
1287 permittee must first verify that person holds a valid license or permit” under Arizona Rev. Stat.
1288 Statute 32-198(B). The board suggested adding language to 12 AAC 52.620 under a new
1289 subsection d: “A wholesale drug distributor facility seeking to ship or distribute prescription drugs
1290 in this State must first verify that the purchaser of the prescription drugs holds a valid license
1291 under AS 08.”

1292

1293 Review/Draft Regulations: accepting electronic license verifications

1294 The board addressed whether it would be acceptable to allow electronic, as opposed to hardcopy,
1295 license verifications, given the document is being sent by a primary source. Ms. Carrillo
1296 commented that many states are shifting away from mailing hardcopy license verifications and
1297 instead are moving towards verifying credentials online. The board considered changing 12 AAC
1298 52.095(c)(8) to: “verification **through a form provided by the department or electronic**
1299 **primary source** that the applicant is currently licensed as a pharmacist in another licensing
1300 jurisdiction and the applicant’s license in the other jurisdiction is not suspended, revoked, or
1301 otherwise restricted except for failure to apply for renewal or failure to obtain the required
1302 continuing education requirements;”

1303

1304 Review/Draft Regulations: fingerprinting

1305 The board discussed fingerprinting requirements as these are currently only required to facility
1306 managers of in-state facilities. Chair Holt informed the board that fingerprinting only screens for
1307 Alaska criminal background check history, and Ms. Carrillo added that to screen for national
1308 background check history, it would require a statute change for the board to be included in AS
1309 12.62.400.

1310

1311

1312

1313 Review/Draft Regulations: intern requirements

1314 The board revisited comments from Thomas Wadsworth, who brought to the board’s attention
1315 the issues with overlap in pharmacy technician and intern duties. The board ultimately decided to
1316 amend regulations such that pharmacy interns could return their pharmacy technician license for
1317 invalidation once they have received their intern license. Ms. Carrillo stated that the procedure will
1318 be to give the technician license an expiration date one-day following the initial issue date of the
1319 intern license.

1320

1321 Review/Draft Regulations: approved programs

1322 The board addressed 12 AAC 52.340(a)(1) regarding pharmacist and pharmacy technician
1323 continuing education requirements. Previously, the board indicated on their frequently asked
1324 questions page that pharmacists could only participate in ACPE courses designated with a “p”
1325 indicating it is intended for pharmacists, and that pharmacy technicians could only participate in
1326 courses designated with a “t” in order to have those hours count towards their continuing
1327 education requirement. As Thomas Wadsworth and Leif Holm had suggested, the board
1328 ultimately determined it was appropriate to allow participation for any course, regardless of
1329 whether it is designated for pharmacists or technicians.

1330

1331 The board continued to discuss their in-process regulation project before moving to discussion on
1332 pharmacists in charge. The board discussed whether there could be more than one pharmacist-in-
1333 charge (PIC) who could be the PIC for more than one pharmacy at a time. Ms. Bell commented
1334 whether there could be an immediate PIC and a remote PIC. The board decided to continue this
1335 discussion at their next meeting. The board also discussed moral turpitude, proof of licensure for IHS,
1336 and substitutions.

1337

1338 **TASK 26**

1339 Ms. Carrillo will add the topic of multiple PICs for discussion at the board’s next meeting.
1340 *(Ongoing).*

1341

1342 **TASK 27**

1343 Phil Sanders will continue to work on collection programs for unused medications.
1344 *(Ongoing).*

1345

1346 **TASK 28**

1347 Rich Holt will continue working on the nationally certified technician regulations, including
1348 addressing limitations on immunizations, clarifying non-controlled prescription drug order
1349 information, and transferring of prescription drug orders between pharmacies.
1350 *(Ongoing).*

1351

1352 **On a motion duly made by Rich Holt, Seconded by Tammy Lindemuth, and with**
1353 **unanimous approval to release the proposed regulations to public comment, except for 12**
1354 **AAC 52.470(f)(g), it was:**

1355

1356 **RESOLVED** to approve the proposed draft regulations for public comment.

1357

	APPROVE	DENY	ABSTAIN	ABSENT
1359	Leif Holm			x
1360	Richard Holt	x		
1361	Phil Sanders	x		
1362	Lana Bell	x		
1363	Tammy Lindemuth	x		
1364	James Henderson			x
1365	Sharon Long			x

1366
1367 The motion passed with no further discussion.

1368
1369 **TASK 29**

1370 Ms. Carrillo will forward the regulations draft to regulations, specialist, Jun Maiquis for public
1371 comment, but will not include proposed changes to 12 AAC 52.470(f)(g).

1372
1373 --DRAFT REGULATIONS AS DISCUSSED AND APPROVED AT THIS MEETING ARE
1374 APPENDED TO THIS DOCUMENT--

1375
1376 **Agenda Item 22** **Administrative Business**

Time: 3:01 p.m.

1377
1378 Nominations

1379 The board addressed nominations, beginning with the Controlled Substance Advisory Committee
1380 (CSAC), which meets at least twice a year, Chair Holt inquired whether the chair of the CSAC has
1381 to be a pharmacist, to which Ms. Carrillo stated no, as it can be the board of pharmacy chair or the
1382 designee. Ms. Bell and Ms. Lindemuth discussed the role of the CSAC chair. The board also
1383 discussed the role of chair, vice chair, and secretary.

1384
1385 **On a motion duly made by Rich Holt and with unanimous approval to nominate the**
1386 **board chair as Rich Holt, Vice Chair as Phil Sanders, and Secretary as Lana Bell, it was:**

1387
1388 **RESOLVED** to nominate the chair, vice chair, and secretary as voted.

1389

	APPROVE	DENY	ABSTAIN	ABSENT
1391	Leif Holm			x
1392	Richard Holt	x		
1393	Phil Sanders	x		
1394	Lana Bell	x		
1395	Tammy Lindemuth	x		
1396	James Henderson			x

1439 **TASK 30**

1440 Mr. Thompson will process the pharmacy technician application for Rochelle Sakar upon return to
1441 the office.

1442

1443 **On a motion duly made by Lana Bell, seconded by Tammy Lindemuth, and with**
1444 **unanimous consent to approve the pharmacist application of Yibo Sun pending**
1445 **confirmation of a passing MPJE score, it was:**

1446

1447 **RESOLVED to approve the pharmacist application of Yibo Sun pending a passing**
1448 **MPJE score.**

1449

	APPROVE	DENY	ABSTAIN	ABSENT
1450				
1451	Leif Holm			x
1452	Richard Holt	x		
1453	Phil Sanders	x		
1454	Lana Bell	x		
1455	Tammy Lindemuth	x		
1456	James Henderson			x
1457	Sharon Long			x

1458

1459 The motion passed with no further discussion.

1460

1461 **On a motion duly made by Lana Bell, seconded by Tammy Lindemuth, and with**
1462 **unanimous consent to approve the pharmacist application of Fred Cazeau pending**
1463 **confirmation of a passing MPJE score, it was:**

1464

1465 **RESOLVED to approve the pharmacist application of Fred Cazeau pending a**
1466 **passing MPJE score.**

1467

	APPROVE	DENY	ABSTAIN	ABSENT
1468				
1469	Leif Holm			x
1470	Richard Holt	x		
1471	Phil Sanders	x		
1472	Lana Bell	x		
1473	Tammy Lindemuth	x		
1474	James Henderson			x
1475	Sharon Long			x

1476

1477 The motion passed with no further discussion.

1478 **On a motion duly made by Lana Bell, seconded by Tammy Lindemuth, and with**
1479 **unanimous consent to approve the pharmacist application of Katie Schumacher, it was:**

1480 **RESOLVED** to approve the pharmacist application of Katie Schumacher.

1481

	APPROVE	DENY	ABSTAIN	ABSENT
1482				
1483	Leif Holm		x	x
1484	Richard Holt	x		
1485	Phil Sanders	x		
1486	Lana Bell	x		
1487	Tammy Lindemuth	x		
1488	James Henderson			x
1489	Sharon Long			x

1490

1491 The motion passed with no further discussion; however, it is noted that Leif Holm had previously
1492 abstained during the February OnBoard voting ballot period as Ms. Schumacher is a prospective
1493 employee.

1494

1495 **On a motion duly made by Lana Bell, seconded by Tammy Lindemuth, and with**
1496 **unanimous consent to approve the pharmacist application of Michael Anczak pending**
1497 **confirmation of a passing MPJE score, it was:**

1498

1499 **RESOLVED** to approve the pharmacist application of Michael Anczak pending a
1500 passing MPJE score.

1501

	APPROVE	DENY	ABSTAIN	ABSENT
1502				
1503	Leif Holm			x
1504	Richard Holt	x		
1505	Phil Sanders	x		
1506	Lana Bell	x		
1507	Tammy Lindemuth	x		
1508	James Henderson			x
1509	Sharon Long			x

1510

1511 The motion passed with no further discussion.

1512

1513 **On a motion duly made by Lana Bell, seconded by Tammy Lindemuth, and with**
1514 **unanimous consent to approve the pharmacy application of Geneva Woods Infusion**
1515 **Pharmacy (previously Coram CVS), it was:**

1516

1517 **RESOLVED** to approve the pharmacy application of Geneva Woods Infusion
1518 Pharmacy.

1519

1520

	APPROVE	DENY	ABSTAIN	ABSENT
1521				
1522	Leif Holm			x
1523	Richard Holt	x		
1524	Phil Sanders	x		
1525	Lana Bell	x		
1526	Tammy Lindemuth	x		
1527	James Henderson			x
1528	Sharon Long			x

1529

The motion passed with no further discussion.

1531

1532 **On a motion duly made by Lana Bell, seconded by Tammy Lindemuth, and with**
 1533 **unanimous consent to approve the pharmacy application of Northwest Compounders, it**
 1534 **was:**

1535

RESOLVED to approve the pharmacy application of Northwest Compounders.

1537

	APPROVE	DENY	ABSTAIN	ABSENT
1538				
1539	Leif Holm			x
1540	Richard Holt	x		
1541	Phil Sanders	x		
1542	Lana Bell	x		
1543	Tammy Lindemuth	x		
1544	James Henderson			x
1545	Sharon Long			x

1546

The motion passed with no further discussion.

1548

1549 **On a motion duly made by Lana Bell, seconded by Tammy Lindemuth, and with**
 1550 **unanimous consent to approve the pharmacy application of Airgas USA, LLC (143078), it**
 1551 **was:**

1552

RESOLVED to approve the pharmacy application of Airgas USA, LLC (143078).

1554

	APPROVE	DENY	ABSTAIN	ABSENT
1555				
1556	Leif Holm			x
1557	Richard Holt	x		
1558	Phil Sanders	x		
1559	Lana Bell	x		
1560	Tammy Lindemuth	x		

1561	James Henderson	x
1562	Sharon Long	x

1563

1564 The motion passed with no further discussion.

1565

1566 **On a motion duly made by Lana Bell, seconded by Tammy Lindemuth, and with**
 1567 **unanimous consent to approve the pharmacy application of Airgas USA, LLC (143084), it**
 1568 **was:**

1569

1570 **RESOLVED to approve the pharmacy application of Airgas USA, LLC (143084).**

1571

	APPROVE	DENY	ABSTAIN	ABSENT
1572				
1573				x
1574	x			
1575	x			
1576	x			
1577	x			
1578				x
1579				x

1580

1581 The motion passed with no further discussion.

1582

1583 **On a motion duly made by Lana Bell, seconded by Tammy Lindemuth, and with**
 1584 **unanimous consent to approve the pharmacy application of Airgas USA, LLC (143088), it**
 1585 **was:**

1586

1587 **RESOLVED to approve the pharmacy application of Airgas USA, LLC (143088).**

1588

	APPROVE	DENY	ABSTAIN	ABSENT
1589				
1590				x
1591	x			
1592	x			
1593	x			
1594	x			
1595				x
1596				x

1597

1598 The motion passed with no further discussion.

1599

1600 On a motion duly made by Lana Bell, seconded by Tammy Lindemuth, and with
 1601 unanimous consent to approve the pharmacy application of Airgas USA, LLC (143090), it
 1602 was:

1603
 1604 **RESOLVED** to approve the pharmacy application of Airgas USA, LLC (143090).
 1605

	APPROVE	DENY	ABSTAIN	ABSENT
1606 Leif Holm				x
1607 Richard Holt	x			
1608 Phil Sanders	x			
1609 Lana Bell	x			
1610 Tammy Lindemuth	x			
1611 James Henderson				x
1612 Sharon Long				x

1613
 1614
 1615 The motion passed with no further discussion.
 1616

1617 On a motion duly made by Lana Bell, seconded by Tammy Lindemuth, and with
 1618 unanimous consent to approve the pharmacy application of Airgas USA, LLC (143055), it
 1619 was:

1620
 1621 **RESOLVED** to approve the pharmacy application of Airgas USA, LLC (143055).
 1622

	APPROVE	DENY	ABSTAIN	ABSENT
1623 Leif Holm				x
1624 Richard Holt	x			
1625 Phil Sanders	x			
1626 Lana Bell	x			
1627 Tammy Lindemuth	x			
1628 James Henderson				x
1629 Sharon Long				x

1630
 1631
 1632 The motion passed with no further discussion.
 1633

1634 On a motion duly made by Lana Bell, seconded by Tammy Lindemuth, and with
 1635 unanimous consent to approve the pharmacy application of Airgas USA, LLC (143023), it
 1636 was:

1637
 1638 **RESOLVED** to approve the pharmacy application of Airgas USA, LLC (143023).
 1639
 1640

	APPROVE	DENY	ABSTAIN	ABSENT
1641				
1642	Leif Holm			x
1643	Richard Holt	x		
1644	Phil Sanders	x		
1645	Lana Bell	x		
1646	Tammy Lindemuth	x		
1647	James Henderson			x
1648	Sharon Long			x

1649
1650 The motion passed with no further discussion.

1651
1652 **On a motion duly made by Lana Bell, seconded by Tammy Lindemuth, and with**
1653 **unanimous consent to approve the immunization collaborative practice agreement for**
1654 **Fred Meyer Pharmacy (PHAR384) between pharmacist, Aaron Newland, and practitioner,**
1655 **Leeann Mercier, it was:**

1656
1657 **RESOLVED to approve the immunization collaborative practice agreement for**
1658 **Fred Meyer (PHAR384), Aaron Newland, and Leann Mercier.**

	APPROVE	DENY	ABSTAIN	ABSENT
1660				
1661	Leif Holm			x
1662	Richard Holt	x		
1663	Phil Sanders	x		
1664	Lana Bell	x		
1665	Tammy Lindemuth	x		
1666	James Henderson			x
1667	Sharon Long			x

1668
1669 The motion passed with no further discussion.

1670
1671 **On a motion duly made by Lana Bell, seconded by Tammy Lindemuth, and with**
1672 **unanimous consent to approve the immunization collaborative practice agreement for**
1673 **Fred Meyer Pharmacy (PHAR393) between pharmacists, Jeremy Ratliff, Scottie LeClaire,**
1674 **Laci Grobe, Karen Putnam, Charles Barnett, and practitioner, Leeann Mercier, it was:**

1675
1676 **RESOLVED to approve the immunization collaborative practice agreement for**
1677 **Fred Meyer (PHAR393), Jeremy Ratliff, Scottie LeClaire, Laci Grobe, Karen Putnam,**
1678 **Charles Barnett, and Leann Mercier.**

1679
1680
1681

	APPROVE	DENY	ABSTAIN	ABSENT
1682				
1683	Leif Holm			x
1684	Richard Holt	x		
1685	Phil Sanders	x		
1686	Lana Bell	x		
1687	Tammy Lindemuth	x		
1688	James Henderson			x
1689	Sharon Long			x

1690

1691 The motion passed with no further discussion.

1692

1693 **On a motion duly made by Lana Bell, seconded by Tammy Lindemuth, and with**
 1694 **unanimous consent to approve the Coumadin/INR Monitoring collaborative practice**
 1695 **agreement for Anchorage Neighborhood Health Center (PHAR480) between pharmacists,**
 1696 **Ryan Ruggles and Chantele Muffoletto, and practitioner, Wendy Sanders, it was:**

1697

1698 **RESOLVED to approve the Coumadin/INR Monitoring collaborative practice**
 1699 **agreement for Anchorage Neighborhood Health Center (PHAR480), Ryan Ruggles,**
 1700 **Chantele Mufoletto, and Wendy Sanders.**

1701

	APPROVE	DENY	ABSTAIN	ABSENT
1702				
1703	Leif Holm			x
1704	Richard Holt	x		
1705	Phil Sanders	x		
1706	Lana Bell	x		
1707	Tammy Lindemuth	x		
1708	James Henderson			x
1709	Sharon Long			x

1710

1711 The motion passed with no further discussion.

1712

1713 **On a motion duly made by Lana Bell, seconded by Tammy Lindemuth, and with**
 1714 **unanimous consent to approve the immunization collaborative practice agreement for**
 1715 **Fred Meyer Pharmacy #071 (PHAR388) between pharmacists, Anthony Schnese (and all**
 1716 **other employed pharmacists), and practitioner, Leeann Mercier, it was:**

1717

1718 **RESOLVED to approve the immunization collaborative practice agreement for**
 1719 **Fred Meyer #071 (PHAR388), all participating pharmacists, and Leeann Mercier.**

1720

1721

1722

	APPROVE	DENY	ABSTAIN	ABSENT
1723				
1724	Leif Holm			x
1725	Richard Holt	x		
1726	Phil Sanders	x		
1727	Lana Bell	x		
1728	Tammy Lindemuth	x		
1729	James Henderson			x
1730	Sharon Long			x

1731

1732 The motion passed with no further discussion

1733

1734 **On a motion duly made by Lana Bell, seconded by Tammy Lindemuth, and with**
 1735 **unanimous consent to approve the immunization collaborative practice agreement for**
 1736 **Fred Meyer Pharmacy #158 (PHAR389) between pharmacist, Michael Taylor (and all**
 1737 **other employed pharmacists), and practitioner, Leeann Mercier, it was:**

1738

1739 **RESOLVED to approve the immunization collaborative practice agreement for**
 1740 **Fred Meyer #158 (PHAR389), all participating pharmacists, and Leeann Mercier.**

1741

	APPROVE	DENY	ABSTAIN	ABSENT
1742				
1743	Leif Holm			x
1744	Richard Holt	x		
1745	Phil Sanders	x		
1746	Lana Bell	x		
1747	Tammy Lindemuth	x		
1748	James Henderson			x
1749	Sharon Long			x

1750

1751 The motion passed with no further discussion

1752

1753

1754 **On a motion duly made by Lana Bell, seconded by Tammy Lindemuth, and with**
 1755 **unanimous consent to approve the immunization collaborative practice agreement for**
 1756 **Fred Meyer Pharmacy #18 (PHAR387) between pharmacist, Kimberly West (and all other**
 1757 **employed pharmacists), and practitioner, Leeann Mercier, it was:**

1758

1759 **RESOLVED to approve the immunization collaborative practice agreement for**
 1760 **Fred Meyer #18 (PHAR387), all participating pharmacists, and Leeann Mercier.**

1761

1762

1763

Chapter 52. Board of Pharmacy.

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted. Complete new sections are not in boldface or underlined.)

12 AAC 52 is amended by adding a new section to read:

12 AAC 52.150. Proof of Licensure for individual pharmacists working for tribal health programs. (a) A pharmacist who engages in the practice of pharmacy in a tribal health program in this state and who is not already licensed by the board must provide the board notice that they are practicing under another license in accordance with 25 U.S.C. 1621t (sec. 221, Indian Health Care Improvement Act). Notice required under this section must be received no later than 30 days after an individual begins working at a tribal health program in this state, and must include

(1) a completed Alaska state pharmacist license exemption form provided by the department;

(2) a certified true copy of a current, valid pharmacist license in good standing from another jurisdiction; and

(3) (a) proof of employment by a tribal health program that is operating under an agreement with the federal Indian Health Service under 25 U.S.C. 450-458ddd-2 (Indian Self-Determination and Education Assistance Act); or

(b) proof of status as an independent contractor, including a copy of the contract, if the out-of-state pharmacist is working for the tribal health program as an independent contractor.

(b) A pharmacist practicing under the exemption may not practice beyond the scope of the other state license.

(c) The licensing exemption does not extend to services provided to a non-tribal health

program. In addition, an out-of-state licensed pharmacist working outside the scope of their contracted employment with a tribal health program must apply for licensure as a pharmacist in accordance with AS 08.80. (Eff. ____/____/_____, Register _____)

Authority: AS 08.80.003 AS 08.80.005 AS 08.80.030

12 AAC 52.240(b) is amended by adding new paragraphs to read:

(9) a prohibition on the administration or dispensing of any schedule I, II, III, or IV controlled substances; and

(10) an acknowledgement that the authorizing practitioner will not receive any compensation from a pharmacist or pharmacy as a result of the care or treatment of any patient under the agreement.

(Eff. 11/10/2001, Register 160; am 2/11/2004, Register 169; am 11/16/2012, Register 204; am ____/____/_____, Register _____)

Authority: AS 08.80.030 AS 08.80.480

12 AAC 52.423(c) is amended to read:

(c) An applicant for renewal of a remote pharmacy license must comply with the requirements of 12 AAC 52.300. [A REMOTE PHARMACY LICENSE MAY NOT BE RENEWED IF A NON-REMOTE PHARMACY OPENS FOR BUSINESS WITHIN TEN ROAD MILES OF THE REMOTE PHARMACY SITE UNLESS THE NON-REMOTE PHARMACY IS PREVENTED BY FEDERAL LAW FROM PROVIDING PHARMACY SERVICES TO ALL THE INDIVIDUALS WITHIN THE TEN ROAD MILES.] (Eff.

9/17/2011, Register 199; am ____/____/_____, Register _____)

Authority: AS 08.80.005 AS 08.80.030 AS 08.80.157

12 AAC 52.425(a) is amended to read:

(a) Only a **pharmacist employed by a** central pharmacy located in this state may provide pharmacy services to a remote pharmacy through a telepharmacy system. A telepharmacy system must be conducted under the direct supervision of a pharmacist **located in this state**. The pharmacist-in-charge of a **remote** [CENTRAL] pharmacy may supervise one or more remote pharmacies.

The introductory language of 12 AAC 52.425(b) is amended to read:

(b) Before a **pharmacist employed by a** central pharmacy may provide pharmacy services to a remote pharmacy, the telepharmacy system between the central pharmacy and remote pharmacy must be tested by the supervising pharmacist of the central pharmacy and found to operate properly. The supervising pharmacist of the central pharmacy shall make the results of the test available to the board upon request. The computer link and video link with sound of the telepharmacy system must include at least one of the following:

• • •

12 AAC 52.425(e) is amended to read:

(e) Drugs may be shipped to a remote pharmacy [ONLY] from the central pharmacy **or a wholesale distributor**. Drugs must be shipped in a sealed container with an itemized list of the product contained. The itemized list of drugs shipped must be kept on file at both the central pharmacy and the remote pharmacy for at least two years from the date that the drugs are shipped. [ITEMIZED RECORDS OF DRUGS SHIPPED OR RECEIVED MUST BE
10/3/17 Draft [3/8/19 BOP Approved for Public Comment)

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VERIFIED BY THE SUPERVISING PHARMACIST AT BOTH THE CENTRAL PHARMACY AND THE REMOTE PHARMACY.]

12 AAC 52.425(f) is amended to read:

(f) A remote pharmacy must keep a record of all prescriptions filled at that location. The central pharmacy must **have access to the records** [ALSO MAINTAIN A RECORD] of the prescriptions **dispensed by** [FILLED AT] the remote pharmacy. [THE RECORD MUST DISTINGUISH PRESCRIPTIONS FILLED AT THE REMOTE PHARMACY FROM THOSE FILLED AT THE CENTRAL PHARMACY AND AT OTHER REMOTE PHARMACY LOCATIONS.]

12 AAC 52.425(g) is amended to read:

(g) The prescription label of a prescription drug **dispensed** [DISTRIBUTED] by a remote pharmacy must meet the requirements of 12 AAC 52.480.

12 AAC 52.425(h) is amended to read:

(h) Under a telepharmacy system a prescription drug is considered as being dispensed by the [CENTRAL PHARMACY AND DISTRIBUTED BY THE] remote pharmacy. A prescription drug may not be **dispensed** [DISTRIBUTED] by a remote pharmacy until a pharmacist **employed by** [AT] the central pharmacy has verified the finished prescription product through the telepharmacy system.

12 AAC 52.425(j) is repealed:

(j) Repealed ____/____/____ [THE PHARMACIST-IN-CHARGE OF THE CENTRAL PHARMACY MUST ENSURE THAT THE REMOTE PHARMACY IS IN

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COMPLIANCE WITH ALL LAWS, INCLUDING REGULATIONS, GOVERNING THE
ACTIVITIES OF THE PHARMACY]. (Eff. 2/15/2006, Register 177; am ____/____/_____,
Register _____)

Authority: AS 08.80.005 AS 08.80.030 AS 08.80.157

12 AAC 52 is amended by adding a new section to read:

12 AAC 52.465. Controlled substance prescription drug orders. (a) A prescription
drug order for a schedule II controlled substance may be partially filled if prescribed for

(1) a terminally ill patient or a patient residing in a long term care facility, in
accordance with 21 CFR §1306.13; or

(2) a patient who is not terminally ill or residing in a long term care facility if

(A) the partial fill is requested by the patient or the practitioner that wrote
the prescription;

(B) the total quantity dispensed in all partial filling does not exceed the
total quantity prescribed;

(C) each partial fill is electronically documented in the patient record;

(D) the remaining portions are filled not later than 30 days after the date
on which the prescription is written; and

(E) it only occurs at the pharmacy where the original prescription order is
on file. (Eff. ____/____/_____, Register _____)

Authority: AS 08.80.005 AS 08.80.030 AS 08.80.345

12 AAC 52.530(a) is amended to read:

(a) A [EXCEPT AS PROVIDED IN (b) OF THIS SECTION, A] pharmacy or pharmacist

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may [NOT] accept a drug for return or exchange after the drug has been taken from the premises where the drug was sold, distributed, or dispensed **if**

(1) the prescription was dispensed in a manner inconsistent with the original prescription drug order; or

(2) the medication was recalled by the manufacturer or FDA; and

(3) it is segregated from the normal pharmacy inventory and may not be dispensed.

(Eff. 1/16/98, Register 145; am ____/____/_____, Register _____)

Authority: AS 08.80.005 AS 08.80.030

12 AAC 52.920(a)(19) is amended to read:

(19) discriminating on the basis of race, religious creed, color, national origin, ancestry, **sexual orientation, gender identity,** or sex in the provision of a service that is part of the practice of pharmacy;

12 AAC 52.920 is amended by adding a new subsection to read:

(e) failing to meet continuing education requirements will result in a \$100 civil fine per missing continuing education credit hour for pharmacists and a \$25 civil fine per missing continuing education credit hour for technicians.

(Eff. 1/16/98, Register 145; am ____/____/_____, Register _____)

Authority: AS 08.01.075 AS 08.80.030 AS 08.80.315

AS 08.80.005 AS 08.80.261 AS 08.80.460

Chapter 52. Board of Pharmacy.

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted. Complete new sections are not underlined.)

12 AAC 52.070(a) is amended to read:

- (a) [THE BOARD WILL ISSUE A PHARMACIST LICENSE BY EXAMINATION TO A] **An** applicant who meets the requirements of AS 08.80.110, 08.80.116, and **the requirements on the checklist set out in (b) of** this section **has demonstrated the necessary qualifications for a pharmacist license by examination. An applicant who does not meet the requirements on the checklist or whose responses on the form for application do not clearly show that the applicant is qualified to receive a pharmacist license will not be issued a license unless the board reviews the application and determines that the applicant meets the qualifications in this section for a pharmacist license by examination.**

(Eff. 1/16/98, Register 145; am 2/15/2006, Register 177; am 7/1/2007, Register 182; am ___/___/____, Register _____)

Authority: AS 08.80.005 AS 08.80.030 AS 08.80.110
AS 08.80.116

12 AAC 52.095(a) is amended to read:

- (a) [THE BOARD WILL ISSUE A PHARMACIST LICENSE BY RECIPROCITY TO] An applicant who meets the requirements of AS 08.80.145 and **the requirements on the checklist set out in (c) of** this section **has demonstrated the qualifications for a**

pharmacist license by reciprocity. An applicant who does not meet the requirements on the checklist or whose responses on the form for application do not clearly show that the applicant is qualified to receive a pharmacist license by reciprocity will not be issued a license unless the board reviews the application and determines that the applicant meets the qualifications in this section for a pharmacist license by reciprocity.

(Eff. 7/1/2007, Register 182; am ___/___/_____, Register _____)

Authority: AS 08.80.005 AS 08.80.030 AS 08.80.145

12 AAC 52.100(a) is amended to read:

12 AAC 52. 100 Temporary [PHARMACIST] License **for Military Personnel or the Spouse of Active Duty Military Personnel.** (a) **Military personnel or the spouse of active duty military personnel who meets the requirements of AS 08.01.064 and (b) of this section has demonstrated the necessary qualifications for a temporary license. A military personnel applicant or the spouse of an active duty personnel who does not meet the requirements on the checklist or whose responses on the form for application do not clearly show that the applicant is qualified to receive a temporary license will not be issued a temporary license unless the board reviews the application and determines that the applicant meets the qualifications in this section for a temporary license.**

12 AAC 52.100 is amended by adding a new subsection

(b) The **following checklist is established by the** board **for review of an application for a temporary license;** a temporary [PHARMACIST] license **will be issued** to [AN] a

military personnel or the spouse of active duty military personnel [AAPPLICANT FOR LICENSURE] if the applicant

- (1) submits a completed **d, notarized** application for licensure **on a form provided by the department;**
 - (2) provides certified evidence of meeting the requirements in AS 08.80.110, AS 08.80.145, and this chapter;
 - (3) repealed 2/26/2000;
 - (4) **repealed** / /) [PROVIDES FOR THE NATIONAL ASSOCIATION OF BOARDS OF PHARMACY (NABP) TO NOTIFY THE BOARD THAT THE APPLICANT HAS SUBMITTED A PRELIMINARY APPLICATION TO NABP FOR LICENSE TRANSFER];
 - (5) pays the application fee [, PHARMACIST LICENSE FEE] and temporary license fee required in 12 AAC 02.310;
 - (6) passes the Alaska [PHARMACY] jurisprudence **Intern Practice Questionnaire prepared by the board covering the provisions of AS 08.80 and this chapter and 21 U.S.C. 801-847 (Controlled Substance Act)** [EXAMINATION] with a [SCALED] score of 75 or above;
 - (7) has not been convicted of a felony or another crime that affects the applicant's ability to practice pharmacy competently and safely; and
 - (8) submits a verification of a current license in good standing to practice in another state or other jurisdiction with licensing requirements at least equivalent to those of this state.
- (b) An applicant whose application for permanent licensure [AS A PHARMACIST] has

been denied by the board is not eligible to receive a temporary license.

(c) A temporary license is valid for [90] **180** days. For good cause shown to the board's satisfaction, the board will extend the temporary license for an additional period not to exceed 60 days.

(d) A temporary license is not renewable.

(e) An individual may not receive more than one temporary license.

(Eff. 1/16/98, Register 145; am 2/26/2000, Register 153; am 11/10/2001, Register 160; am 1/17/2007, Register 181; am 8/12/2007, Register 183; am 4/16/2016, Register 218, am ___/___/_____, Register _____)

Authority: AS 08.80.005 AS 08.80.030 AS 08.80.145
AS 08.80.150

12 AAC 52.120(b) is amended to read:

(b) The following checklist is established by the board for review by staff of an application for a pharmacist intern license. A pharmacist intern license will be issued to an applicant who

(1) [APPLIES] **submits a complete, notarized application** on a form provided by the department;

(2) pays the application fee and the pharmacist intern license fee established in 12 AAC 02.310;

(3) has

(A) enrolled in a college of pharmacy accredited by ACPE; or

(B) graduated from a college of pharmacy recognized by and earned

certification from the Foreign Pharmacy Graduate Examination Committee of the National Association of Board of Pharmacy;

(4) certifies that the applicant has not been convicted of a felony or another crime that affects the applicant's ability to practice as a pharmacy intern competently and safely;

(5) **repealed** / / [SUBMITS A DECLARATION OF SPONSORSHIP OF PHARMACY INTERN FORM COMPLETED BY THE APPLICANT'S SPONSOR PHARMACIST AT EACH WORK LOCATION FOR WHICH THE APPLICANT IS TO WORK];

(6) submits a completed authorization of release of records on a form provided by the department and signed by the applicant;

(7) submits a completed Alaska Jurisprudence Intern Practice Questionnaire prepared by the board covering the provisions of AS 08.80 and this chapter and 21 U.S.C. 801-847 (Controlled Substance Act); and

(8) submits two affidavits from reputable citizens that the applicant has known for at least one year attesting to the applicant's good moral character.

12 AAC 52.120(d) is amended to read:

(d) An individual must be licensed as a pharmacist intern before beginning an internship in the state. [THE PHARMACIST INTERN LICENSE IS VALID FOR ONLY THOSE WORK LOCATIONS FOR WHICH THE INDIVIDUAL PREVIOUSLY SUBMITTED SPONSORSHIP DECLARATIONS IN ACCORDANCE WITH (b)(5) OF THIS SECTION. BEFORE THE INDIVIDUAL MAY WORK AT AN ADDITIONAL WORK LOCATION, THE INDIVIDUAL MUST

(1) SUBMIT A SPONSORSHIP DECLARATION FOR THAT LOCATION IN ACCORDANCE WITH (b)(5) OF THIS SECTION; AND

(2) HAVE A REVISED LICENSE ISSUED TO THE INDIVIDUAL.]

12 AAC 52.120 is amended by adding a new subsection to read:

(e) **A pharmacist intern license supersedes a pharmacy technician license and the pharmacy technician license shall be returned to the board.**

(Eff. 1/16/98, Register 145; am 2/11/2004, Register 169; am 2/15/2006, Register 177, am 1/17/2007, Register 181; am 11/16/2012, Register 204; am 7/9/2017, Register 223; am 6/29/2018, Register 226; am ___/___/_____, Register _____)

Authority: AS 08.80.005 AS 08.80.110 AS 08.80.116
AS 08.80.030

12 AAC 52.220(b) is amended to read:

(b) Except as provided in (c) of this section, a pharmacist intern may perform any duty of a pharmacist **or pharmacy technician** under the direct supervision of a pharmacist.

(Eff. 1/16/98, Register 145; am 1/7/2007, Register 181; am ___/___/_____, Register _____)

Authority: AS 08.80.005 AS 08.80.030 AS 08.80.110
AS 08.80.116 AS 08.80.410

12 AAC 52.470(d)(1)(2) is amended to read:

(d) If an original prescription drug order is prescribed as a 30-day supply, the pharmacist may dispense **any quantity so long as the** [UP TO A 100-DAY SUPPLY ON REFILLS IF

THE]

(1) total quantity of dosage units dispensed does not exceed the total quantity of dosage units authorized by the prescriber on the prescription, including refills;

(2) drug is not a federal or state scheduled controlled substance; and

(3) [THE] pharmacist is exercising professional judgment.

(Eff. 1/16/98, Register 145; am 6/29/18, Register 226; am ___/___/____, Register _____)

Authority: AS 08.80.005 AS 08.80.030

12 AAC 52 is amended by adding a new section to read:

12 AAC 52.994 Emergency Preparedness. (a) If, as a consequence of a natural disaster or terrorist attack, a state of emergency is declared by the governor under AS 26.23.020 which results in the inability to refill existing prescriptions, the board will cooperate with the state, borough, city, or town to assist in the provision of drugs, devices, and professional services to the public.

(b) If, as a consequence of a natural disaster or terrorist attack, a state of emergency is declared by the governor of another state or territory, or a province of Canada which results in an individual being temporarily relocated to Alaska who is unable to refill an existing prescription, the board will assist in the provision of drugs, devices, and professional services to the relocated individual.

(c) When a state of emergency has been declared, a pharmacist in the area of the declared emergency may dispense a one-time emergency refill prescription of up to a 30-day supply of a prescribed medication if

(1) in the pharmacist's professional opinion the medication is essential to the maintenance of life or to the continuation of therapy; and

(2) the pharmacist makes a good faith effort to reduce the patients prescription drug information to a written prescription marked “emergency prescription” and then files and maintains the prescription in accordance with 12 AAC 52.450.

(d) If a declared state of emergency continues for more than 21-days after a pharmacist dispenses an emergency prescription under (c) of this section, the pharmacist may dispense one additional emergency refill prescription of up to a 30-day supply of the prescribed medication.

(e) To assist during an emergency, a pharmacist who is not licensed in this state may apply for emergency licensure in accordance with 12 AAC 52.110.

(Eff. ___/___/____, Register _____)

Authority: AS 08.80.005 AS 08.80.030