

DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT
 DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING

BOARD OF PHARMACY

CONDENSED MINUTES OF THE MEETING HELD (OCTOBER 21, 2022)

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| Date: | October 21, 2022 |
| Time: | Scheduled 9:00 a.m. |
| Location: | Zoom |
| Attending: | Board Members: Justin Ruffridge, Ashley Schaber, Leif Holm, James Henderson. Staff: Laura Carrillo |
| Absent: | |

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| Topic: Roll Call | | |
| Brief Discussion: | N/A | |
| Motion: | N/A | |
| Recorded as Present: | <i>Justin Ruffridge</i> | <i>James Henderson</i> |
| | <i>Ashley Schaber</i> | <i>Leif Holm</i> |
| Action Items: | N/A | |
| Topic: Approve Agenda | | |
| Brief Discussion: | <i>The board reviews the agenda.</i> | |
| Motion: | <ul style="list-style-type: none"> <i>Ashley Schaber motions to approve the agenda as written, seconded by James Henderson, and approved unanimously. It is:</i> <p style="text-align: center;"><i>RESOLVED to approve the October 21, 2022 agenda as written.</i></p> | |
| Recorded Votes: | <i>Justin Ruffridge</i> | <i>James Henderson</i> |
| | <i>Ashley Schaber</i> | <i>Leif Holm</i> |
| Action Items: | N/A | |
| Topic: Ethics disclosures | | |
| Brief Discussion: | <i>Ashley Schaber: member of the AKPhA and legislative committee.</i> <i>Justin Ruffridge: candidate for district 7 state house</i> | |
| Motion: | N/A | |
| Recorded Votes: | N/A | |

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| Action Items: | N/A | |
| Topic: Fees | | |
| Brief Discussion: | <p><i>Ms. Carrillo discussed a proposed \$300 change fee for pharmacies and facilities experiencing a change in ownership, location, or name. Dr. Ruffridge noted the change fee should not be higher than the cost to become initially licensed, e.g.: the total fees for an initial drug room license is \$250. Ms. Carrillo suggested the change fee could potentially be 50% of the initial cost, but that it can't be too low as the board will be in deficit. Ms. Carrillo informed the board that the division's administrative officers could be made available to discuss the change fee at a subsequent meeting.</i></p> | |
| Motion: | N/A | |
| Recorded Votes: | N/A | |
| Action Items: | <ul style="list-style-type: none"> <i>Ms. Carrillo will request that administrative officer, Melissa Dumas, be available to discuss the change fee at the board's November 17-18 meeting.</i> | |
| Topic: Regulations | | |
| Brief Discussion: | <p><i>The board reviews draft regulations for pharmacy technicians to engage in the administration of vaccines and related emergency medications in 12 AAC 52.992 per the new authority given in HB 145. Dr. Ruffridge states regulations are required to implement the new law. The draft was prepared by Ms. Carrillo based on rules in Idaho, which allows only technicians with national certification to engage in this practice. Dr. Schaber expresses interest in delegating the approval of this practice by the technician's employer rather require a request to be submitted to the board for approval, to which Dr. Ruffridge agrees. Dr. Ruffridge suggests that although this deals with administration, the new language for technicians should fall under 12 AAC 52.235, which is the section specific to pharmacy technicians who hold a national certification. Mr. Henderson agrees. The board then discussed education and training requirements.</i></p> <p><i>Lauren Paul with CVS Health comments that if the board references technicians' requirement to comply with 12 AAC 52.992(a)(1) regarding training, it seems to imply that technicians have the ability to participate in areas other than the administration aspect. Lauren states that training provided by the APHA only focuses on administration. The board then works on language clarifying what education must be met for pharmacists, interns, and technicians administering vaccines and related emergency medications.</i></p> | |
| Motion: | <ul style="list-style-type: none"> <i>Ashley Schaber motions to approve language amending 12 AAC 52.235, 12 AAC 52.325, and 12 AAC 52.992 to introduce language for the administration of vaccines and related emergency medications by pharmacy technicians with national certification, seconded by James Henderson, and approved unanimously, it is:</i> <i>RESOLVED to amend 12 AAC 52.235, 12 AAC 52.325, and 12 AAC 52.992.</i> <i>RESOLVED to accept the imposition of civil fine for 2022-000294.</i> <p><i>Discussion: The board requests cursory review by the Department of Law and release of the proposed amendments for public comment. The board wishes to review the public comments before or no later than its February 2023 meeting, if possible.</i></p> | |
| Recorded Votes: | <i>Justin Ruffridge</i> | <i>James Henderson</i> |
| | <i>Ashley Schaber</i> | <i>Leif Holm</i> |

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| Action Items: | <ul style="list-style-type: none"> Laura Carrillo will forward the board's motion and draft language for 12 AAC 52.235, 12 AAC 52.325, and 12 AAC 52.992 to the regulations specialist with a request it be released for public comment after review by the Department of Law. | |
| Topic: Administrative Business | | |
| Brief Discussion: | <p>The board reviews a draft listserv notice regarding HB 145. Dr. Schaber's concern is around language relating to Medicaid and Medicare reimbursement and the board deliberated appropriate language for the notice.</p> <p>The board receives an update that it has been added to the APHA's website as supporting Pharmacist's Fundamental Responsibilities and Rights. Dr. Schaber drafted language for a listserv notice regarding this support.</p> <p>The board then reviews proposed changes to the internal renewal/approval process for professional fitness responses. Ms. Carrillo explains the updates are to give clarity as to what scenarios constitute the ability to renew a license/registration without further review by the investigative unit or the board. Dr. Schaber expresses interest in the definition of "DUI", which includes controlled substances. Ms. Carrillo states that controlled substance violations will always be referred for further review.</p> | |
| Motion: | <ul style="list-style-type: none"> James Henderson motions to approve changes to the renewal/approval process for professional fitness responses document, seconded by Ashley Schaber and approved unanimously, it is: <p style="text-align: center;"><i>RESOLVED to approve the renewal/approval process for professional fitness responses document.</i></p> <p><i>Discussion: Dr. Schaber clarifies that driving under the influence is related to alcohol.</i></p> | |
| Recorded Votes: | Justin Ruffridge | James Henderson |
| | Ashley Schaber | Leif Holm |
| Action Items: | <ul style="list-style-type: none"> Laura Carrillo will send a notice through the listserv regarding HB 145 and the Pharmacist's Fundamental Responsibilities and Rights document | |
| Public Comments: | N/A | |
| Next Meeting: | November 17-18, 2022 | |
| Adjournment: | 11:15 a.m. | |