

**STATE OF ALASKA  
DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT  
DIVISION OF OCCUPATIONAL LICENSING  
ALASKA STATE BOARD OF PHARMACY**

**MINUTES OF MEETING**

**JULY 25, 2003**

By authority of AS 08.01.070(2) and in compliance with the provisions of AS 44.62, Article 6, a scheduled meeting of the Board of Pharmacy was held on July 25, 2003 at the Atwood Building, 550 West 7<sup>th</sup> Ave., Suite 602, Anchorage, AK.

**Call to Order/Roll Call**

The meeting was called to order by Margaret Soden, Chair, July 25, 2003 at 9:02 a.m. Those present, constituting a quorum of the board, were:

Margaret Soden, R.Ph.  
Bill Altland, R.Ph.  
Cindy Bueler, R.Ph.  
Mark Bohrer, R.Ph.  
Laura Lee Nelson, R.Ph.  
Michael Pauley  
Gerry Knasiak

Present from the Division of Occupational Licensing was:

Barbara Roche, Licensing Examiner

Visitors present were:

Senator Fred Dyson (Agenda Item 5 & Public Comment)  
Jason M. Hooley, Legislative Aide for Senator Dyson  
Rick Younkins, Investigator (Agenda Item 6)  
Nancy Davis, Executive Director Alaska Pharmacists  
Association (Agenda Item 8)  
Scott Tague, TelePharmacy Solutions (Public Comment)  
Ron Miller, RPh.  
Glenn Kulzer, Pharmacy Intern  
Anne Bayer, Pharmacy Intern  
Hyo Ju Kim, Pharmacy Intern  
Amanda Yow, Pharmacy Intern  
Steven Darling, Pharmacy Intern  
Chris Deck, Cross Road Medical Center

**Ethics Video**

For the record the Ethics video was viewed at 8:30AM by Margaret Soden, Bill Altland, Michael Pauley, and Barbara Roche.

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**Board Member Orientation**

Ms. Soden distributed copies of "Pharmacy Board Member Orientation", an overview of the Purpose of the Board, Structure of the Pharmacy Practice Act, Ethics Disclosure Process, Investigative Process, Open Meetings Act, and Individual Board Member Responsibilities.

Ms. Soden emphasized that Pharmacy Board members are representing the people of the state of Alaska and that the purpose of the board is to promote and protect the health and safety of the public.

**Agenda Item 1 Review of Agenda**

**On a motion duly made by Mr. Bohrer, seconded by Ms. Knasiak, and approved unanimously, it was**

**RESOLVED to approve the agenda as presented.**

**Agenda Item 2 Review of Minutes**

The board reviewed the minutes from the April 24-25, 2003 meeting. Mr. Bohrer noted that on page 21, "pharmacists shall" should be changed to "pharmacist shall".

**On a motion duly made by Ms. Bueler, seconded by Mr. Bohrer, and approved unanimously, it was**

**RESOLVED to approve the minutes of the April 24-25, 2003 meeting, with the correction noted.**

**Agenda Item 3 Ethics Disclosure**

There were no ethics violations to disclose.

**Agenda Item 4 Review of Goals and Objectives**

1. The board will continue to educate licensees regarding the Pharmacy Practice Act and pharmacy regulations.
2. The board will continue to provide input and comment on any proposed legislation/regulations involving medications or pharmaceutical care.
3. The board will continue to promote effective patient counseling by licensees.
4. The board will continue to assess and evaluate the Multi-state Pharmacy Jurisprudence Examination (MPJE). Ms. Soden suggested that the board consider administering the Intern Jurisprudence exam to pharmacy technicians.

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5. The board will continue to assess and evaluate the jurisprudence practice exam and its effectiveness as a learning tool for interns.
6. The board will continue to assess and evaluate the licensing of pharmacy technicians.
7. The board will continue their affiliation with NABP and send one board member to the District VII NABP meeting and two members to the annual NABP meeting. The Division's budget currently allows one out-of-state travel per fiscal year; this is generally used for attendance at the District VII NABP meeting.
8. The board will continue to evaluate the need for regulations specific to facility activities (i.e.; retail pharmacies, drug rooms, institutional pharmacies, home infusion pharmacies, nuclear pharmacies, sterile products, telepharmacy, etc.).
9. The board will continue to evaluate regulations regarding the electronic transmission of prescriptions.
10. The board will continue to evaluate regulations regarding collaborative practice and to establish procedures for reviewing/approving appropriate protocols for collaborative practice.
11. The board will assess and evaluate the growing public concern regarding abuse of prescription drugs.

**Agenda Item 5 Review of Proposed Regulation Changes**

Ms. Soden reviewed the steps in the regulation process and suggested that Kurt West's memo, "Regulation Process for Boards and Commissions" be included in the next newsletter. Ms. Soden stressed that the board consider the cost to private persons of any proposed regulatory action.

The board adopted the following regulations:

1. 12 AAC 52.020 FACILITY LICENSE, amended to alter the application requirements for a facility license.

**On a motion duly made by Ms. Knasiak, seconded by Mr. Bohrer, and approved unanimously, having considered public comment and any cost to private persons, it was**

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**RESOLVED to adopt regulation 12 AAC 52.020(a)(3) as amended in the May 9, 2003 “Supplemental Notice of Proposed Changes in the Regulations of the Board of Pharmacy”.**

2. 12 AAC 52.030 CHANGE OF PHARMACY LOCATION OR NAME, amended to alter the requirements for changing a pharmacy location or name.

**On a motion duly made by Mr. Bohrer, seconded by Ms. Nelson, and approved unanimously, having considered public comment and any cost to private persons, it was**

**RESOLVED to adopt regulation 12 AAC 52.030(a)(3) and (b) as amended in the May 9, 2003 “Supplemental Notice of Proposed Changes in the Regulations of the Board of Pharmacy”.**

3. 12 AAC 52.040 CHANGE OF PHARMACY OWNERSHIP, amended to alter the requirements for pharmacy owners when ownership is transferred.

**On a motion duly made by Mr. Bohrer, seconded by Ms. Bueler, and approved unanimously, having considered public comment and any cost to private persons, it was**

**RESOLVED to adopt regulation 12 AAC 52.040(a) as amended in the May 9, 2003 “Supplemental Notice of Proposed Changes in the Regulations of the Board of Pharmacy”.**

4. 12 AAC 52.120 REVIEW OF PHARMACIST INTERN LICENSE APPLICATION, amended to alter application requirements and the review of the applications for a pharmacist intern license.

**On a motion duly made by Ms. Bueler, seconded by Mr. Bohrer, and approved unanimously, having considered public comment and any cost to private persons, it was**

**RESOLVED to adopt regulation 12 AAC 52.120 as amended in the May 9, 2003 “Supplemental Notice of Proposed Changes in the Regulations of the Board of Pharmacy”.**

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5. 12 AAC 52.130 REVIEW OF APPLICATIONS FOR REGISTRATION OF PHARMACIES LOCATED OUTSIDE OF THE STATE, amended to alter application requirements and the review of the applications for an out of state pharmacy license. 12 AAC 52.130(2) needs to be corrected to read: "pays the out of state pharmacy [PHARMACIST INTERN] license fee required in 12 AAC 02.310;"

**On a motion duly made by Ms. Nelson, seconded by Ms. Knasiak, and approved unanimously, having considered public comment and any cost to private persons, it was**

**RESOLVED to adopt regulation 12 AAC 52.130 as amended in the May 9, 2003 "Supplemental Notice of Proposed Changes in the Regulations of the Board of Pharmacy" with the correction to section (2) "pays the out of state pharmacy [PHARMACIST INTERN] license fee required in 12 AAC 02.310;"**

6. 12 AAC 52.240 PHARMACIST COLLABORATIVE PRACTICE AUTHORITY, amended to further establish the guidelines for collaborative practice.

**On a motion duly made by Ms. Bueler, seconded by Ms. Knasiak, and approved unanimously, having considered public comment and any cost to private persons, it was**

**RESOLVED to adopt regulation 12 AAC 52.240 as amended in the May 9, 2003 "Supplemental Notice of Proposed Changes in the Regulations of the Board of Pharmacy".**

7. 12 AAC 52.480 LABELING, amended to alter what is required to be printed on a prescription label.

Ms. Soden summarized the history of this generic labeling regulation and the pending parallel HB 51. She noted that changes in rules on labeling requirements would be more appropriate in 12 AAC 52.480, the labeling regulation section. The board discussed the public comments received regarding changes in labeling regulations and noted the following concerns:

- The proposed regulation is inflexible in requiring generic labeling even if there is no generic drug available.
- Changes in pharmacy software systems to accommodate changes in labeling requirements would be costly, especially to small pharmacies.

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- Concern was expressed that the regulation may cause patient confusion when the drug is a multi-ingredient, compounded medication.
- How would the regulation apply to generic drugs with multiple ingredients?
- How would this regulation be enforced?
- Concern was expressed that the board has not communicated clearly to the HB 51 sponsors their concerns with the wording of the bill introduced in the last legislative session.

**On a motion duly made by Ms. Bueler, seconded by Mr. Bohrer, and approved unanimously, having considered public comment and any cost to private persons, it was**

**RESOLVED to table discussion of regulation 12 AAC 52.480 as amended in the May 9, 2003 "Supplemental Notice of Proposed Changes in the Regulations of the Board of Pharmacy" and to address this at the next meeting.**

Mr. Altland, who suggested that the National Association of Software Vendors could provide information and guidance, volunteered to contact the Association and report back at the next meeting.

The licensing examiner will post a question through the NABP pharmacy board's web mail asking about other state's regulations for generic labeling.

Senator Dyson commented that the board should clearly communicate its position to HB 51 sponsors. Senator Dyson suggested that board has two strategies for addressing the problems in HB 51: the board could make a recommendation to him so that he could request that the rules committee and senate president refer the bill back to Senator Dyson's committee for further changes, or Senator Dyson could present the board's suggested amendments on the Senate floor.

Ms. Soden stated that the board would work on changes to the generic labeling regulations and present them at the next meeting, so there would be time to communicate with legislators prior to the next session.

8. 12 AAC 52.990 DISPLAY OF LICENSE CERTIFICATE, amended to alter application requirements for a licensee to post their license certificate.

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**On a motion duly made by Ms. Bueler, seconded by Mr. Bohrer, and approved unanimously, having considered public comment and any cost to private persons, it was**

**RESOLVED to adopt regulation 12 AAC 52.990 as amended in the May 9, 2003 “Supplemental Notice of Proposed Changes in the Regulations of the Board of Pharmacy”.**

9. 12 AAC 52.995 DEFINITIONS amended to further define terms used in AS 08.80 and 12 AAC 52, (“continually practicing pharmacy”).

**On a motion duly made by Mr. Bohrer, seconded by Ms. Nelson, and approved unanimously, having considered public comment and any cost to private persons, it was**

**RESOLVED to adopt regulation 12 AAC 52.995 as amended in the May 9, 2003 “Supplemental Notice of Proposed Changes in the Regulations of the Board of Pharmacy”.**

The board discussed the suggestion by David Brower of the Department of Law to define “regularly” as used in AS 08.80.158 REGISTRATION OF PHARMACIES LOCATED OUTSIDE OF STATE. The board felt that current regulations address the frequency of service that requires licensing. 12 AAC 52.130 REGISTRATION OF PHARMACIES LOCATED OUTSIDE OF STATE says: “A pharmacy located outside of the state that ships, mails or delivers prescription drugs more than twice annually to individual patients in the state shall register with the board.

**Break**

Off record: 10:15 a.m.

Back on record: 10:25 a.m.

**Agenda Item 6 Investigative Report**

Investigator Rick Younkens joined the meeting at 10:25 a.m.

REVIEW REPORT: The board reviewed the investigative report provided by Mr. Younkens, noting that there were 9 open case and 7 cases were closed. Mr. Younkens noted that of the open cases, several old cases from 2001 are close to resolution.

INVESTIGATIVE PROCESS: As part of the *Investigative Priorities* set by the board, Mr. Younkens reported that investigators have continued to make unannounced visits to pharmacies to check for compliance with counseling, licensing

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and facility standard requirements. Mr. Younkins and Ms. Soden reported that yesterday they visited 4 pharmacies in Wasilla and the Anchorage -Eagle River areas. As a result of one pharmacy visit, a further investigation will be conducted.

CASE #2606-03-001: Motion for Default Judgement for a pharmacy technician license was presented to the board. The case is the result of an active investigation of a pharmacy technician securing a license through deceit, fraud, or intentional misrepresentation.

CASE #2606-03-006: Memorandum of Agreement for a pharmacy technician. The case is the result of action taken regarding completion of continuing education.

**On a motion duly made by Ms. Knasiak, seconded by Ms. Bohrer, and approved unanimously, it was**

**RESOLVED to enter executive session in accordance with Alaska Statute 44.62.310(c)(2) to discuss Pharmacy Technician License Case #2606-03-001 and 2606-03-006.**

The board entered executive session at 10:40 a.m.

The board went back on the record at 11:05 a.m. Ms. Soden welcomed five pharmacy interns and Ron Miller, former board member, who joined the meeting.

**On a motion duly made by Ms. Nelson, seconded by Mr. Bohrer, and approved unanimously, it was**

**RESOLVED to adopt the Motion for Default Judgement for a pharmacy technician license Case #2606-03-001 as presented.**

For the record, Case #2606-03-001 is a Motion for Default Judgement for Richard L. Prine, Pharmacy Technician License No. 327 and No. 1085.

Mr. Younkins will send original Motion for Default Judgement for Ms Soden's signature.

**On a motion duly made by Ms. Bueler, seconded by Ms. Nelson, and approved unanimously, it was**

**RESOLVED to adopt the Memorandum of Agreement for a pharmacy technician license Case #2606-03-006 as presented.**



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For the record, Case #2606-03-006 is a Memorandum of Agreement for Jill Elaine Williams, Pharmacy Technician License No. 254.

Ms. Soden signed the original MOA and presented it to Mr. Younkins.

**On a motion duly made by Ms. Bueler, seconded by Mr. Bohrer, and approved unanimously, it was**

**RESOLVED to table discussion on the Pharmacist Reinstatement Application for Roberta Budzinsky to a future meeting. The board requested that the investigator draw up a MOA to be presented at the next meeting.**

For the record, Case No 2600-03-001 was a voluntary surrender, signed January 23, 2003, of pharmacist license #855 for Roberta Budzinski.

LICENSE ACTIONS ARE PUBLIC RECORD. The board noted that, as a matter of public record, case numbers and names of licensees with revoked, suspended or restricted licenses will be listed in the Board of Pharmacy Newsletter.

RE-IMPORTATION. Mr. Younkins reported that the U.S. House of Representatives recently passed a bill making re-importation of pharmaceuticals legal.

Investigator, Mr. Younkins departed from the meeting at 11:15 a.m.

**Agenda Item 18 Correspondence**

Providence Seward Medical and Care Center (PSMCC) - Drug Room Lic. #23 - Emergency Dental Patient question.) – The board responded that the Seward Drug Room license is for inpatient care only, and that antibiotics be dispensed under the dentist's dispensing authority. The licensing examiner will respond.

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Cheryl Smith - Copper River Native Association - Question on rural health clinic dispensing. The Board responded that these rural health clinics are not licensed by the Board of Pharmacy, and that prescriptions for the clinic's patients would fall under the prescribing authority of the ANMC physician. The licensing examiner will respond.

National Association of Chain Drug Stores (NACDS) - "E- Prescribing: Benefits All, Yet Challenges Remain". For information only, no action required.

U.S. Department of Justice, D.E.A., - Rule entitled: "Allowing Central Fill Pharmacies and Retail Pharmacies to Fill Prescriptions for Controlled Substances on Behalf of Retail Pharmacies. For information only, no action required.

Colleen M. Murphy, MD - Letter to Jean Bonar, MD, President of the Alaska State Medical Association on Collaborative Pharmacy Practice Regulations. For information only, no action required.

Lorraine M. Mobley, RPh - Online Pharmacy licensing question. The board responded that if Ms. Mobley is a consultant hired by the web site company, and if the web site is not dispensing directly to patients in Alaska, then they are not required to be licensed by the Board of Pharmacy. An Alaska business license is required to conduct business in Alaska. The licensing examiner will respond.

Rod S. Gordon, RPh - Samuel Simmonds Memorial Hospital, Barrow - Notice that they will operate from current location. For information only, no action required.

Alaska Boards and Commissions - Letters to Ron Miller and William Altland. For information only, no action required.

David Nissen, PharmD, Editor, Mosby Inc., - Request for review of Mosby's Drug Consult. The board responded that it does not anticipate a change in regulations to allow new references in addition to the ones currently listed in Appendix B of the Alaska Pharmacy Statutes and Regulations. The licensing examiner will respond.

Ken and Judy Schindler, Pharm Ds - Peninsula Pharmacists Services, Inc. - North Dakota proposed regulations on telepharmacy. For information only, no action required.

Linda McCarter, Office of the Governor - Board Member ID Cards, and "Government Rates" for state travel. For information only, no action required.

John Wray, Compliance Officer, Bartlett Regional Hospital - Questions on management of Skagway Medical Clinic. The Board responded that Skagway Health Clinic is not currently licensed by the Board of Pharmacy as a pharmacy or as a drug room, and that dispensing for clinic patients falls under the prescribing authority of the clinic physician. The board suggested that the

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Bartlett Regional Hospital drug purchasing contracts be reviewed. Pharmaceuticals from Bartlett Regional Hospital, purchased under certain contracts, cannot be sold retail, which might be a potential diversion of the purchased pharmaceuticals. The board suggested that the Skagway Health Clinic be operated (as formerly) with dispensing by the prescribing physician using inventory purchased separately for use at the clinic. The licensing examiner will respond.

Barbara Stephenson, PharmD, Pharmacy Manager Bartlett Regional Hospital - Questions on management of Skagway Medical Clinic. See response above to John Wray.

Powell, Goldstein, Frazer & Murphy, LLP - Information on American Drug Club. Ms. Soden reported that Rick Younkings, Investigator is following up with the DEA and US Customs.

Jenny Strickler, Occupational Licensing Administrative Manager - Financial Information. For information only, no action required.

David B. Brushwood, RPh, University of Florida - Survey on Controlled Substance Prescribing and Dispensing for the Treatment of Pain. Mark Bohrer volunteered to complete the survey.

NABP, MPJE State-Specific Pool Review - September 11-13, 2003, Washington, DC - General Information. For information only, no action required.

NABP, Fall Legislative Conference - September 14-16, 2003, Washington, DC - General Information. For information only, no action required.

NABP - Mary A. Dickson - FPGEC Certification Program. For information only, no action required.

NABP - "NABP Successfully Administers Paper-and-Pencil Foreign Pharmacy Graduate Equivalency Examination".

NABP Newsletter - May/June 2003 - "Alabama Board Joins Other States in Shutting Down Storefronts for Imported Prescriptions". For information only, no action required.

NABP - Disciplinary Clearinghouse Reports - through April 30, 2003 & through November 30, 2002. For information only, no action required.

NABP - "Table of Actions Against Organizations Facilitating Importation". For information only, no action required.

NABP - "At NABP 99th Annual Meeting, Member Boards of Pharmacy Experience Comradeship and Education". For information only, no action required.

NABP - Melissa Madigan, Resolution No. 97-2-2001: Task Force to Study the Electronic Transmission of Prescriptions and

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Prescription Information via Electronic Devices. For information only, no action required.

NABP - State Roster for NAPLEX for 1st Trimester 2003. For information only, no action required.

NAPB - Office of Civil Rights Review of Investigatory "Skimming" Process. For information only, no action required.

NABP - Membership Dues Survey. For information only, no action required.

NABP - "NABP Successfully Launches Pre-NAPLEX". For information only, no action required.

NABP - HIPPA Frequently Asked Questions. For information only, no action required.

NABP - "Proposed Rule to Implement the Drug Addiction Treatment Act of 2000". Copy of Federal Register available on request. Written comments due Sept. 22, 2003. For information only, no action required.

NABP - "Proposed Rule to Allow Electronic Orders for Controlled Substances". Copy of Federal Register available on request. Written comments due Sept. 25, 2003. For information only, no action required.

**Agenda Item 9 Public Comment**

Public comment period was opened at 11:30 a.m.

SENATOR DYSON:

HB 51 – Senator Dyson reiterated that he would be working with the board on the HB 51, Generic Labeling.

SB 156 – Senator Dyson noted that Alaska leads the nation in cases prenatal alcohol poisoning of children and that SB 156 would require labeling of pregnancy related products and requires posted warnings in locations where pregnancy related products are sold. Senator Dyson asked the board for their input and support of SB 156.

SB 138 Annulling Collaborative Practice - The Alaska State Medical Association (ASMA) has expressed concerns to Senator Dyson that the Pharmacy Collaborative Practice regulations have allowed for a collaboration that breaks the link between a specific patient and a specific physician. Senator Dyson presented an example of emergency contraception dispensed at a pharmacy involving minimal communication with the physician. He expressed concern that without the physician in the loop, there is a potential danger to the patient. Senator Dyson noted that he does not want SB 138 to go forward as currently written, but the bill needs to address the concerns of the medical profession and the pharmacy board without dismantling the entire collaborative practice regulation. He wants the bill to

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preserve the relationship between a specific physician and a specific patient; to protect patient safety; and preserve the good aspects of collaborative practice.

Nancy Davis, Alaska Pharmacist Association, joined the meeting at 11:35 a.m. and noted that the Association has been meeting with physicians and discussing collaborative practice concerns.

Ms. Bueler thanked Senator Dyson for clearly presenting his position, and noted that the Board of Pharmacy needs to be actively working with physicians to come up with wording that will be satisfactory to physicians, preserve collaborative practice, and protect the patient.

Nancy Davis, Alaska Pharmacist Association asked Senator Dyson if he would withdraw SB 138. Senator Dyson replied that HB 138 is a club to force the issue of correcting the problems with current collaborative practice. Senator Dyson stressed that he would go forward with HB 138 as currently written, only if the parties are unwilling or unable to fix the problem.

Senator Dyson noted that his goal is to have this resolved by beginning of the next session in February, and he requested that the board keep him in the loop as to progress on fixing current collaborative practice regulations. He noted that the board could contact him or Jason Hooley, his Legislative Aide.

Senator Dyson left the meeting at 11:45 a.m.

**SCOTT TAGUE, TELEPHARMACY SOLUTIONS:**

Mr. Tague reported that there continues to be a great deal of interest across the state in telepharmacy. His company, Telepharmacy Solutions, has actively pursued providing the telepharmacy technology, but that regulations are needed. Mr. Tague offered his support to the board and noted that he could provide model telepharmacy regulations from other states.

Ms. Soden noted that the regulation process can be lengthy and that the board wants to avoid prolonging the regulation cycle with multiple redrafts of regulations. Further discussion of telepharmacy is scheduled under "New Business" Agenda Item 18.

**Agenda Item 8 Report by AK Pharmacists Association**

SB 138 -Collaborative Practice. Nancy Davis, Association Executive Director, requested direction from the board in establishing legislative priorities, including establishing a clear position on collaborative practice.

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Ms. Bueler noted that the wording of the pharmacy regulations needs to be crystal clear on maintaining the patient – physician relationship. It was stressed that the overwhelming consideration for the board is patient safety. In order to proceed with collaborative practice relationships between pharmacists and physicians, the regulations need to be clarified and the board needs to inform and educate the medical community. In addition, it was suggested that the pharmacy regulations need to include wording on “oversight” that would require Medical Board approval of collaborative protocols before they are presented to the Board of Pharmacy for approval.

Ms. Davis proposed that a pharmacy board member meet with Jim Jordon, AMA Director. Ms Davis requested a written statement from the board that could be presented at discussions with the AMA. Mr. Bohrer and Ms. Bueler volunteered to write the letter and email a draft to other board members. The final letter would be sent to the AK Pharmacists Association and to Senator Dyson.

HB 270 –Licensing of Pharmacists. Ms. Davis reported that she was present at the signing of HB 270 and thanked Representative Dahlstrom for her support on the bill.

AK Pharmacists Association News. Ms. Davis announced that Mr. Altland had resigned from the Association Board to take his new position as Board of Pharmacy member. The Association has a new Continuing Education administrator, Romina Patel, and that several summer CE seminars are planned. Continuing education events are announced on the Association web site: [alaskapharmacy.org](http://alaskapharmacy.org). Ms. Davis noted that the Association is recruiting volunteers and committee chairs, and that a new member drive has been very successful.

Public comment period was closed at 12:05 p.m.

**On a motion duly made by Mr. Bohrer, seconded by Ms. Nelson, it was**

**RESOLVED to adjourn for lunch and return at 1:00 p.m.**

Break                      Recess for Lunch at 12:15 p.m.  
                                    Back on record at 1:10 p.m.

**Agenda Item 10 Review License Applications**

The board reviewed the following applications and their recommendations were read into the record:

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Pharmacy Intern Applications:

- Robyn T. Bragg - Pharmacy Intern License - Approve, pending Intern Jurisprudence Exam, original copies of application, certificates of moral character, letter confirming completion of 3rd year pharmacy program, and fees.
- Kristin E. Keutzer - Pharmacy Intern License – Approved.
- Rebecca L. Roche - Pharmacy Intern License - Approve, pending Intern Jurisprudence Exam.
- Phu T. Thai - Pharmacy Intern License - Approve, pending Intern Jurisprudence Exam.

Pharmacy Technician Applications:

- Rhonda Gildersleeve - Pharmacy Technician License – Approved application with “yes” answer.
- Jill Elaine Williams – MOA for Pharmacy Technician – Continuing education approved as presented, and MOA accepted.

Pharmacist Applications:

- Jimmie L. Asher - Pharmacist License – Board recommended that the investigator look into application question #1 answer in light of letter of admonition received from the Colorado Board of Pharmacy.
- Roberta Budzinski – Pharmacist Reinstatement Application – The board requested that the Investigator draw up a MOA to present for discussion at the next board meeting.
- Thomas P. Gammarano – Pharmacist License – Approved, pending passing score on MPJE, and verifications from Hawaii and California.
- Richard E. Ghery – Pharmacist License – Approved, pending passing score on MPJE, and NAPLEX score transfer report.
- Brenda S. Kjos – Pharmacist License – Approved, pending passing score on MPJE, NAPB final report, and license fees.
- Don Sassman – Pharmacist License – Approved, pending passing score on MPJE.
- Michael J. Toner – Pharmacist License – Approved, pending passing score on MPJE.
- Megan M. White – Pharmacist License – Approved application with “yes” answer.

Out of State Pharmacy Applications:

- Advantage Health Services, Willow Grove, PA – Change Ownership Application – Approved, pending certified true copy of facility license.

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- APAC Customer Services Inc., Davenport, IA – New Application – Approved pending toll-free number.
- Diabetes Self Care Inc., Santa Ana, CA – Change Location Application – Approved, pending inspection report.
- ExcelleRx-PHL, Philadelphia, PA – Change Name Application – Approved, pending original application and fees.
- Express Scripts, Tempe, AZ - New Application – Approved application with “yes” answer.
- IGG of America, Linthicum, MD - New Application – Approved.
- 1st Online Pharmacy.com (SelectrX.com), Raleigh, NC – Change Owner, Name & Location Application – Approved.
- Injured Workers Pharmacy, North Andover, MA - New Application – Approved.
- Partners in Care Pharmacy, LLC, Mt. Prospect, IL - New Application – Approved.
- Pharmacy Plus Medical Supplies Corp., Miami, FL - New Application – Approved.
- Prescription Resources of N.C.,LLC, Charlotte, NC - New Application – Approved.
- Reliant Pharmacy Service, Clearwater, FL - New Application – Approved application with “yes” answer.
- (Welldyne, Inc.) US Specialty Care, Centennial, CO NC - New Application – Approved.

Alaska Pharmacy Applications:

- Hewitt's Drug Store, 1068 W. Fireweed Lane, Anchorage – Change Location Application – Approved, pending inspection report and statement clarifying ownership.

**On a motion duly made by Ms. Nelson, seconded by Mr. Bohrer, and approved unanimously, it was**

**RESOLVED to approve the action taken on the license applications as read into the record.**



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**Agenda Item 11 Review Protocol Applications**

The board reviewed the following applications and their recommendations were read into the record:

- Anchorage Neighborhood Health Clinic (Jasper W. Wethington, RPh) Emergency Contraceptive Collaborative Protocol – Approved pending statement regarding training of other pharmacists, including relief pharmacists.
- Anchorage Neighborhood Health Clinic (Jasper W. Wethington, RPh) Vaccination Protocol – Approved pending statement regarding training of other pharmacists, including relief pharmacists.
- Chief Andrew Isaac Health Center, Fairbanks (Greg Ponsness, RPh) Emergency Contraception Protocol – Approved.

**On a motion duly made by Mr. Bohrer, seconded by Ms. Bueler, and approved unanimously, it was**

**RESOLVED to approve the action taken on the protocol applications as read into the record.**

**Agenda Item 12 Discuss Licensing**

- Streamlining. Ms. Bueler asked if “direct processing” through NABP for MPJE / NAPLEX examinations had been set up. The licensing examiner responded that direct processing, which has been in effect for two months, has been working well and speeds up the examination registration process.
- Licensing Fees. Recommendations for adjustments to licensing fees will be covered under discussion of the Annual Report during Agenda Item 16, Division Updates.

**Agenda Item 13 Long - Term Care Facilities**

- Mr. Bohrer reported that the recent complete turnover of the Board of Nursing has made progress on proposed long-term care facility regulations uncertain.

**Agenda Item 14 Discuss Prescription Drug Abuse Issues**

- Medical Board Committee: Ms. Soden noted that the objective of the Prescription Drug Ad Hoc Committee is to work with the Medical Board, state and local law enforcement and other agencies to address diversion, over-prescribing and other prescription drug abuse issues. This committee could work together to develop strategies to educate prescribers, design a

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controlled substances data base, and foster interagency coordination.

**On a motion duly made by Mr. Bohrer, seconded by Ms. Knasiak, and approved unanimously, it was**

**RESOLVED to appoint Ms. Soden to replace Ron Miller on the Prescription Drug Ad Hoc Committee.**

- Mr. Bohrer noted that Medicaid reporting regulations have helped in controlling drug abuse. Physicians are being more responsive because of oversight regulations, DEA enforcement, and drug testing of patients.

**Agenda Item 15 Legislative Update**

- HB 51 (“An act requiring pharmacists to include generic drug information on containers in which brand-name drug orders are dispensed”) was discussed under Agenda Item 9, Public Comment.
- HB 270 (“An act relating to the licensure of pharmacists”) was discussed under Agenda Item 8, Report by AK Pharmacists Association. HB 270 became effective on July 11, 2003.
- SB 41 (“An Act relating to medical care and crimes relating to medical care...”) was signed into law on June 11, 2003.
- SB 138 (“An Act annulling a regulation relating to the use of collaborative practice authority...”) was discussed under Agenda Item 8, Report by AK Pharmacists Association and Agenda Item 9, Public Comment.
- SB 156 (“An Act relating to the posting and giving of certain warnings about drinking alcohol during pregnancy when selling or dispensing pregnancy testing kits, birth control devices, or birth control prescriptions”) was discussed under Agenda Item 9, Public Comment. Mr. Pauley volunteered to contact the Department of Health and Social Services Fetal Alcohol Syndrome office for more information. Mr. Altland will contact several grocery stores for their input on compliance with the requirements of the bill.

**Break**

Off record: 3:15 p.m.

Back on record: 3:25 p.m.

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**Agenda Item 16 Division Updates**

- Budget Report - The board reviewed the Budget Report provided by the Division of Occupational Licensing. Board members requested that the division review the board's recommendations for licensing fee adjustments to cover increased costs.
- FY 2003 Annual Report – The board reviewed the Annual Report and noted that Goal #12 should be deleted from page 12 Goals and Objectives. In addition, Ms Bueler reported on feedback from the last AK Pharmacists Association meeting about the board's licensing fee recommendations.

**On a motion duly made by Ms. Nelson, seconded by Mr. Boher, and approved unanimously, it was**

**RESOLVED to revise the Annual Report license fee recommendation for Pharmacy Technicians from \$25 to \$50 and to leave the remainder of the recommended fees as listed.**

**Agenda Item 17 National Association of Boards of Pharmacy (NABP) Update**

MPJE State-Specific Review Meeting scheduled for September 11-13, 2003 in Washington, DC will be attended by the board's delegate, Mr. Bohrer.

**Agenda Item 22 New Business**

- "Brand Medically Necessary". Changes to 12 AAC 52.510(1) SUBSTITUTION regulations were discussed and the board noted that NABP is developing model regulations for electronic prescription transmission through Resolution 97-2-2001. The board agreed to revisit the issue when Resolution 97-2-2001 is finalized.
- Election of Officers. Ms. Soden discussed Alaska Statute 08.80.030(b) rules for board member term limits.

President

**On a motion duly made by Mr. Boher, seconded by Ms. Bueler, and approved unanimously, it was**

**RESOLVED to nominate and elect Margaret Soden for Board of Pharmacy President.**

Vice-President

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**On a motion duly made by Ms. Knasiak, seconded by Ms. Bueler, and approved unanimously, it was**

**RESOLVED to nominate and elect Mark Bohrer for Board of Pharmacy Vice-President.**

Secretary

**On a motion duly made by Mr. Boher, seconded by Ms. Bueler, and approved unanimously, it was**

**RESOLVED to nominate and elect Laura Lee Nelson for Board Secretary.**

TelePharmacy Ad-hoc Committee.

Mr. Bohrer discussed changes to the Pharmacy Statutes and Regulations that would be needed to move forward on writing telepharmacy regulations. Specific changes were noted in the Board of Pharmacy April 24-25, 2003 Meeting Minutes.

Mr. Tague of Telepharmacy Solutions reported on recent telepharmacy regulations from Texas, Washington and North Dakota. He noted that current technology ensures security and controls access to drugs through various methods including bar codes, bio-metric readers, locking cabinets and video monitoring.

Mr. Bohrer will survey other state board members about their telepharmacy regulations when he attends the MPJE Meeting in Washington DC. In addition Mr. Bohrer noted that he wants to see a demonstration of actual telepharmacy equipment to better understand the potential and problems of the technology.

Mr. Altland agreed to replace former board member Mr. Miller as a new member of the Telepharmacy Ad-hoc Committee.

The TelePharmacy Ad-hoc Committee will continue to work on drafting regulations and the discussion will be continued at the next meeting.

**Agenda Item 20 Office Business**

- The board set the 2003 meeting schedule as follows:  
October 2-3, 2003 is confirmed for Anchorage Atwood Building, Suite 602.  
February 5-6, 2004 is tentatively set for Juneau. The licensing examiner will report at the next meeting on estimated travel costs to Anchorage and to Juneau.
- The Chair signed the approved minutes from the April 24-25, 2003 meeting.

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- The Board Chair and Secretary signed wall certificates.
- Board members signed Travel Authorizations and provided travel receipts.

**Adjournment**

**On a motion duly made by Ms. Nelson, seconded by Mr. Pauley, and approved unanimously, it was**

**RESOLVED to adjourn the meeting of the Alaska State Board of Pharmacy.**

The meeting was adjourned at 4:55 p.m.

Respectfully submitted:

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Barbara Roche, Licensing Examiner

Approved:

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Margaret Soden, R.Ph., Chair  
Alaska State Board of Pharmacy

Date: \_\_\_\_\_