

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

ALASKA STATE BOARD OF PHARMACY

**MINUTES OF MEETING
May 17-18, 2007**

By authority of AS 08.01.070(2) and in compliance with the provision of AS 44.62, Article 6, a scheduled meeting of the Board of Pharmacy was held on May 17-18, 2007 at the Atwood Building, 550 West 7th Ave., Suite 1270, Anchorage, AK.

Call to Order/Roll Call

The meeting was called to order by Gary Givens, Chair, May 17, 2007 at 1:04 p.m. Those present constituting a quorum of the board, were:

Cindy Bueler, R. Ph.
Gary Givens, R. Ph.
Richard Holm, R. Ph.
Mary Mundell, R. Ph.
Leona Oberts
Dirk White, R. Ph.

Present from the Division of Corporations, Business and Professional Licensing were:

Sher Zinn, Licensing Examiner
Susan Winton, Investigator

Visitors present:

Lis Houchen-National Association of Chain Drug Stores
Nancy Davis-Alaska Pharmacist Association

Agenda Item 1 Review of Agenda

The board approved the agenda:

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

RESOLVED to approve the agenda as written.

Agenda Item 2 Review of Minutes

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

RESOLVED to approve the minutes of the March 1-2, 2007 meeting as written.

Agenda Item 3 Ethics

There were no ethics violations to report.

Agenda Item 4 Review Goals & 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).
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, remote sites, sterile products, 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.

Ms. Mundell joined the meeting at 1:12 p.m.

The board decided to review the Goals and Objectives in more detail at the next meeting.

Agenda Item 6 **Legislative Update**

The board reviewed current legislation that would impact the practice of pharmacy. The bills reviewed included:

HB 81 & HB 82- Prescription Drug Task Force and Prescription Drug Discounts
HB 208 & SB 114- Drug Product Substitution
SB 107- Naturopaths
HB 113- Optometrists Use of Pharmaceuticals

Dick Holm noted the only reservation he had with optometrists prescribing, was how the pharmacy would know the optometrist writing the prescription had the required prescriptive authority. It was noted that HB 113 was passed by both the House and Senate and was awaiting transmittal to the Governor.

Agenda Item 5 **Investigative Report**

Susan Winton, investigator, joined the meeting to give the investigative report. Ms. Winton outlined the open and closed cases, including investigations and complaints. Ms. Winton further noted that there have been many more complaints opened since the beginning of the year than any previous year.

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

RESOLVED in accordance with AS 44.62.310(c)(2), to go into executive session for the purpose of discussing license applications.

Off the record at 1:45 p.m.

Board members and staff were present during executive session.

On the record at 2:58 p.m.

Break-Off record at 2:58 p.m.

On record at 3:11 p.m.

It was determined Ms. Winton would return to finish the report at 11:30 a.m. the next day.

It was decided to vote on the license applications reviewed during executive session after the Alaska Pharmacist Association Report.

Mr. Holm and Mr. White not present.

Agenda item 8 **Alaska Pharmacist Association Report**

Mr. White returned 3:12 p.m.

Mr. Holm returned at 3:14 p.m.

Nancy Davis joined the meeting for the AkPhA report. Ms. Davis noted after polling pharmacists, the association decided to support HB 113, optometrists prescribing medication. The continuing education information was reviewed. The association members of the legislative committee spent April 4-5 in Juneau to educate legislators about Pharmacy Benefit Managers and their effect on pharmacies. They currently are not regulated by the state. She further noted that the association's lobbyist would be working with the Governor's office this summer to help draft a bill to regulate PBMs. Dirk White and Mary Mundell attended the meetings with other members of AkPhA. Ms. Oberts asked for clarification of what the purpose of a PBM was. It was stated that insurance companies contract with a PBM. The PBM works with the pharmacy on behalf of the insurance company, to pay the benefits. They are also known as "third party payers". Ms. Davis also noted that the PBM negotiates with pharmaceutical companies for rebates. Mr. Holm stated that rebates should go to the employer but no one knows where they end up. He stated that Maine passed a law regulating PBM's. The law was taken to court and ended up at the Supreme Court which sided with the State of Maine. Many states have since introduced legislation to regulate PBMs to make the industry transparent. It was further noted that the PBMs actually cost the insurance company and the employer more money, including the State of Alaska. Ms. Davis noted that pharmacies can file a complaint with the Division of Insurance regarding problems with PBMs. She further noted the Division of Insurance would be regulating the PBMs once the legislation passes. Ms. Mundell stated that along with the regulation of the PBMs, there would be a Pharmacy Audit Integrity Act. She also stated that the issue affects hospital pharmacies as well as independent pharmacies.

Ms. Davis noted the AkPhA winter convention would be held February 15-17, 2008 at the Anchorage Marriott Hotel.

Agenda Item 4 **Investigative Report**

The board voted on the license applications reviewed during the executive session.

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

RESOLVED to approve the Out-of-State license application for Hartley Medical Center, case # C2609-07-001.

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

RESOLVED in accordance with Alaska Statute 08.80.261(a)(1), secured or attempted to secure a license through deceit, fraud, or intentional misrepresentation, to deny a pharmacy technician license to Robert Beers, case # 2656-07-001.

The board cited the reason for the denial was Mr. Beers failure to disclose the Driving While Intoxicated conviction and Driving With a Suspended License conviction on the second license application he had submitted.

Mr. Givens noted that he may not be available to attend the September 27-28, 2007. The board decided to change the dates of the next meeting to September 20-21, 2007.

The board recessed at 4:01 p.m. until Friday at 9:00 a.m.

Friday May 18, 2007

Call to Order/Roll Call

The meeting was called to order by Gary Givens, Chair, May 18, 2007, at 9:05 a.m. Those present constituting a quorum of the board were:

Cindy Bueler, R. Ph.
Gary Givens, R. Ph.
Richard Holm, R. Ph.
Mary Mundell, R. Ph.
Leona Oberts
Dirk White, R. Ph.

Present from the Division of Corporations, Business and Professional Licensing were:

Sher Zinn, Licensing Examiner
Susan Winton, Investigator
Jun Maiquis, Regulation Specialist-via telephone

Agenda Item 1 Review Agenda

The agenda was changed to add the remainder of the investigative report at 11:30 and review applications at 1:00 p.m.

The board decided to watch the Ethics video as a whole at the next board meeting.

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

RESOLVED to approve the agenda as amended.

Agenda Item 11 Regulations

The board reviewed the Electronic Prescribing regulations and the public comments received from Surescripts and the National Association of Chain Drug Stores.

Jun Maiquis, regulation specialist, joined the meeting via telephone. After discussion, the board made the following changes:

12 AAC 52.490(a)-Prescription information regarding legend drug and controlled substance prescriptions may be transmitted by electronic transmission under this section, consistent with state and federal laws. A pharmacist may dispense a prescription drug order transmitted by electronic transmission of prescriptions under this section only if the prescribing practitioner includes the following information on the prescription drug order before it is transmitted:

12 AAC 52.490(c)-The system for electronic transmission of prescription information must address the following:

- (1) the system may not restrict the patient's choice of pharmacy
- (2)(D) process to prevent unauthorized access to the data when transmitted over communication networks;
- (4) authentication; to be valid prescriptions transmitted by an authorized prescriber or the prescriber's agent from computer to a facsimile machine or from computer to computer must use an electronic signature; the prescriber's system must authenticate the sender's authority and credentials to transmit a prescription to a pharmacy and

(A) the prescriber's system must provide an audit trail of all prescriptions electronically transmitted that documents for retrieval all actions and persons who have acted on a prescription, including authorized delegation of transmission;

(B) the right of the board to access electronically submitted prescriptions for purposes of investigation;

(5) a prescriber's system that utilizes intermediaries in the electronic communication of prescriptions to pharmacies, are responsible to ensure that the contracts with the intermediaries require security measures that are equal to or better than those provided by this rule and prohibit the modification of any prescription record after it has been transmitted by the practitioner to the pharmacist;

(6) if a hard copy prescription, generated by the pharmacist or pharmacy technician from the electronic prescription system is printed, an electronic signature may be substituted for a manual signature;

(7) each pharmacy system must maintain the integrity and confidentiality of patient information transmitted electronically for their system as required by this chapter and federal law.

(d) In this section,

(1) "electronic transmission of prescriptions" means the communication from an authorized prescriber or prescriber's authorized agent to a pharmacy of the patient's choice, by computer, by the transmission of an exact visual image of a prescription by facsimile, or by other electronic means other than electronic voice communication, of original prescription information or prescription refill information for a legend drug or controlled substance consistent with state and federal law and this section;

(b) A pharmacist may dispense a prescription drug order that the pharmacist has received by electronic transmission of prescriptions.

(d)(3)(D) processes for their system to prevent unauthorized access to the data.

Mr. Maiquis will re-draft the regulations and send back to the board for review.

Mr. White asked Mr. Maiquis when a regulation would have to be public noticed again if changes are made by the board. Mr. Maiquis noted that if the changes are still within the intent of the original public notice, they would not have to be sent out for public notice a second time.

Break-Off the record at 10:21 a.m.

On the record at 10:35 a.m.

The board decided to table the will-call bin regulations until the Alaska Pharmacist winter convention. The board suggested that different systems be available for pharmacists to view at the convention. Nancy Davis would look into contacting the vendors for availability at the convention.

The board noted they would like to have the system demonstrated before drafting regulations. Ms. Zinn would contact Jason Reiser from Wal-Mart to notify him of the board's request.

The board discussed underserved and staffing issues. Mr. Holm stated the board should table the issue until there is a need. He further noted the remote pharmacy issue is not the same as the understaffed issue and the board does

not need to address the issue at this time. Mr. Givens thought the board might want to take a pro-active stance. Ms. Mundell said the board should not get involved in staffing issues.

After further discussion, the board decided to table the matter until needed.

The board discussed adding Clinical Pharmacology reference to Appendix B of the regulations. Mr. Holm stated what is in the appendix is a minimum requirement, the board should not add each reference as requested. Ms. Mundell concurred but the board should look at what is in the appendix and change to "or other comparable reference". Mr. Givens stated that the board should go through the list and change it as needed.

Mr. Holm noted that pharmacies have different needs, therefore need different references. The current list should be viewed as the minimum standard. The pharmacist should be responsible to provide what the pharmacy needs.

The board concurred the current Library references in Appendix B, are a minimum standard. Pharmacists should provide at least the minimum and also have other references as needed for their scope of practice.

After further discussion, the board decided to change Appendix B, Facility Standards For Pharmacies and have the changes drafted by the regulation specialist for the next meeting.

The changes noted were:

- (2)(A) Patient Information-examples are;
 - (i) USP Dispensing Information;
 - (ii) Patient Drug Facts;
 - (iii) reference text or information leaflets which provide patient information.
- (B) General information-examples are;
 - (i) Facts and Comparisons
 - (ii) USP Dispensing Information, volume I (Drug Information for the Healthcare Provider)
 - (iii) Remington's Pharmaceutical Sciences
- (C) Clinical Information-examples are;
 - (i) AHFS Drug Information
 - (ii) Micromedex
 - (iii) Clinical Pharmacology
 - (iv) reference material pertinent to the practice setting.

Lunch Break-Off the record at 11:29 a.m.

On the record at 11:54 a.m.

Agenda Item 5 **Investigative Report**

Susan Winton joined the meeting to continue the investigative report. Ms. Winton outlined the Motion for Default for case #2600-07-002.

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

RESOLVED to approve the Motion for Default for Larry Payton, pharmacist license #1234.

For clarification purposes, Ms. Oberts noted the board voted to permanently revoke Mr. Payton's license.

Ms. Winton addressed the board regarding a letter contained in the correspondence section of the board packet. The letter referred to a pharmacist who refused to refill a prescription for emergency contraception, Plan B. Ms. Winton noted that she had responded to the Advanced Nurse Practitioner and noted that the pharmacist is not required by law to fill a prescription or a refill. Mr. White noted the regulation states "may fill a prescription", not "shall fill a prescription". Mr. Givens stated that it is within the pharmacist's right to refuse to refill a medication but is more egregious to not fill an initial prescription. Mr. Holm noted it is a mute point now that Plan B is over the counter. The board decided there was no need to respond since the pharmacist acted within the current regulations and Ms. Winton had responded to the nurse practitioner.

Agenda Item 12 **CE Audit**

The board reviewed case #2606-07-002 for default and revocation of a pharmacy technician license. The default motion and revocation was for failure to respond to the continuing education audit.

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

RESOLVED to approve the Motion for Default and Revocation of the pharmacy technician license for Sandra Quiroz, technician license #59.

Agenda Item 11 **Regulations**

The board reviewed the draft regulations for the 10 mile rule for remote pharmacies and shared services. Mr. Givens asked the board if they thought there should be a grandfathering provision for remote pharmacies. The board determined it would not be necessary since at the time the board had not issued a remote pharmacy license.

Ms. Bueler stated the shared pharmacy regulations should include a definition for “shared pharmacy services”. For clarification purposes, it was noted that both pharmacies must have a licensed pharmacist on duty.

Ms. Mundell left the room at 12:43, returned at 12:46
Mr. Holm left the room at 12:44, returned at 12:48.

After discussion of a definition, the board decided to use the definition from the Wyoming regulations from the March meeting board packet. The definition would state, “shared pharmacy services” as used in this section means the processing by a pharmacy of a request from another pharmacy to fill or refill a prescription drug order or to perform functions such as dispensing, drug utilization review, claims adjudication, refill authorizations, and therapeutic interventions.

Ms. Bueler noted that although remote order entry or remote order review is not stated in the definition, it is implied. Ms. Bueler asked about an individual pharmacist working outside of the state who would do DUR for patients inside the state? Mr. Givens stated they would need to obtain an out-of-state Alaska license for their business. The out-of-state license would require the pharmacist to be licensed in the state in which they reside. Mr. Holm suggested for an individual wanting to provide pharmacy services, add a regulation that would require the pharmacist to be licensed in the state, whether they are physically in the state or out of the state. Ms. Mundell stated it should be a pharmacy or pharmacist currently licensed in Alaska. Ms. Oberts asked who would be the pharmacist performing the final check. The board stated it would be the pharmacist on-site.

The board agreed to change the requirement from the pharmacy must be licensed to, the pharmacy must be licensed or if an individual is performing the pharmacy services, then the pharmacist must be licensed in Alaska and the state in which they reside. That would allow either a pharmacy or an individual who wanted to work from their home, to perform pharmacy services.

Mr. White and Ms. Mundell stated they would like the pharmacies and the pharmacists in the other states to be licensed in Alaska. Mr. Givens said that it would have to be a regulation change for licensing of out-of-state pharmacies if the board wanted to do that. The board decided to not address the issue at the time, but take up the discussion at a later meeting.

The board agreed to add to the definition under (a)-a pharmacist working independently must be licensed as a pharmacist under 08.80 and licensed in the jurisdiction in which they are located.

Mr. Holm further stated that in the future, the board may want at least one pharmacist employed at the out-of-state pharmacy providing shared pharmacy services, to hold a current Alaska license.

The board decided to change “drug utilization review” to “drug regimen review” in the definition for shared pharmacy services.

Mr. White asked if the board wanted to add “medication therapy management” to the definition. He stated that Medicare Part D requires it, but may be done by any healthcare provider. Mr. Givens noted the board could come back to that issue if needed.

The board decided to change the lead in sentence to, 12 AAC 52.445(a) Before participating in shared pharmacy services, a pharmacy shall have either a current in-state pharmacy license or an out-of-state pharmacy license issued under AS 08.80 and this chapter.

Ms. Bueler noted on page 2, (c)(2), and top of page 4, of the draft, the word permittee should be removed.

The board reviewed the re-draft of the e-prescribing regulations.

Gary Givens left the room at 1:36 p.m., returned at 1:42 p.m.
Mary Mundell left the room at 1:37 p.m., returned at 1:44 p.m.
Leona Oberts left the room at 1:40 p.m., returned at 1:44 p.m.

The board made the following changes to the re-draft:

Change 12 AAC 52.490 to read “Prescriptions by Electronic Transmission. (a) legend drug and controlled substance prescriptions may be transmitted electronically under this section, consistent with state and federal laws. A pharmacist may dispense a prescription transmitted electronically under this section only if the prescribing practitioner includes the following information on the prescription drug order before it is transmitted:”

Change 12 AAC 52.490(b) to read “A pharmacist may dispense a prescription that has been received electronically.”

Add an “s” to prescription under (c) to read “The system for electronic transmission of prescriptions must address the following:”

12 AAC 52.490(c)(4)(B) The right of the board to access the prescriber’s electronically transmitted prescriptions for purposes of investigations;

12 AAC 52.490(d)(1) add “s” to prescription in first line to read, “electronic transmission of prescriptions”....

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

RESOLVED to adopt the regulation project as amended with the changes noted, and with consideration to public comment and the cost to the public.

The regulation project included changes to 12 AAC 52.090, 12 AAC 52.100, 12 AAC 52.110, 12 AAC 52.340, 12 AAC 52.350, 12 AAC 52.490 and 12 AAC 52.995.

Mr. Givens signed the adoption order.

Break-Off the record at 2:13 p.m.

On the record at 2:23 p.m.

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

RESOLVED to send the Shared Pharmacy Services regulations to the regulation specialist for public comment.

Agenda Item 6 **License Application Review**

The board reviewed the collaborative practice agreement applications, license applications for pharmacists, and license applications for interns and technicians with “yes” answers.

Ms. Bueler returned at 2:30 p.m.

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

RESOLVED to accept the license applications as read into the record.

Pharmacy Technicians-

Ida Block

Pharmacists-

Lisa Belcher-pending MPJE passing score

Sean Berkey-pending transcripts, MPJE & NAPLEX passing scores

Danielle Britt-pending transcripts, verification of 700 hours of internship, MPJE & NAPLEX passing scores

Jessica Campaign-pending transcripts, verification of 45 hours of internship, MPJE & NAPLEX passing scores

Vincent Carrigan-pending MPJE passing score

Sara Doran-pending MPJE passing score

Maria Dunkin-pending NABP passing score, NABP final application for license transfer
Doug Frick-pending transcripts, MPJE & NAPLEX passing scores
Stephen Mueller-pending verification of one year of practice, MPJE passing score
Gene Gibson-pending MPJE passing score
Dana Sundby-pending MPJE passing score, verification of licensure from MN
Valentina Todd-pending one certificate of moral character, transcripts, intern hours, MPJE & NAPLEX passing scores
Adrienne Tveit-pending transcripts, intern hours, MPJE & NAPLEX passing scores

Interns-

Stacy Gaugert
Alicia Lauf

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

RESOLVED to accept the collaborative practice agreement as read into the record.

Anchorage Neighborhood Health Center #311, Jasper Wethington, Thomas Hunt, MD

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

RESOLVED to table the remote pharmacy application for Ketchikan Remote Pharmacy until the next meeting.

The board discussed the collaborative practice agreement application for the SEARHC Juneau Medical Clinic. The agreement application was between a pharmacist at the clinic who is not licensed by the board but is a Public Health Service Commissioned Officer, and an Alaska licensed medical doctor. Ms. Zinn had written a letter to the pharmacist noting that the Board of Pharmacy and Medical Board regulations both require the pharmacist to be licensed by the Board of Pharmacy to be approved by both boards. Therefore, the pharmacist could not enter into the agreement. Mr. Givens noted the pharmacist at SEARHC was interpreting the regulations to mean the pharmacist must be licensed while in the state, but not necessarily licensed by Alaska. Ms. Zinn clarified that because the pharmacist was a PHS employee, and the board has no purview over a PHS employee, the board did not need to approve the agreement. However, the Medical Board must approve the agreement since the physician is licensed by the State Medical Board. Since the pharmacist is not

licensed by the Board of Pharmacy, the Medical Board would not be able to approve the agreement. Ms. Bueler agreed that the board does not need to do anything about the situation. It is between the pharmacist, physician and the Medical Board.

Agenda Item 13 **Division Updates-Expense Report**

The board reviewed the expense report. The report reflected that although there was a deficit for fiscal year 2007, the biennium balance showed a positive number. It was noted by Ms. Bueler, the increase of license fees from the last renewal period accounted for the positive number.

Agenda Item 17 **NABP Question Writing**

Mr. Givens outlined the question writing procedures for the board. Ms. Zinn noted the question writing material had not been received to be available to hand out at the board meeting and would distribute to the board members when received. Mr. Givens noted the best way would be to distribute via e-mail. Ms. Zinn would distribute the information to the board by e-mail when received.

Agenda Item 15 **New Business**

Pharmacy Audit Integrity Act

Ms. Mundell outlined the Pharmacy Audit Integrity Act that AkPhA would like the legislature to pass into law. The law would establish minimum and uniform standards and criteria for the audit of pharmacy records by or on behalf of certain entities, including Pharmacy Benefit Managers. Ms. Mundell stated there are changes to the original they would like to see made, including the two week requirement for notification of the audit to four weeks, and the audit may not be done within 30 days before or after the tax deadline. She stated that their pharmacy had just gone through an audit within three days of the tax deadline. It was very stressful and hard on all of the staff. Ms. Mundell noted that other states are implementing the same laws.

Agenda Item 11 **Regulations**

The board decided after discussion of the draft wholesale distributor regulations, to review individually and bring changes and ideas back to the board at a teleconference to be determined at a later date, or at the meeting in September. The board would like to discuss the issue with Gayle Horetski, assistant Attorney General.

Agenda item 4 **Correspondence**

The board reviewed the NABP and general correspondence received since the last meeting.

NABP Correspondence

NABP-May 2, 2007- NABP e-News-No action required

NABP-April 27, 2007-Borrowing Articles from other State Newsletters- No action required

NABP-April 26, 2007-Committees, Task Force Volunteers- No action required

NABP-April 18, 2007-NABP e- News-No action required

NABP-March 22, 2007-Proposed Resolutions, NABP 103rd Annual Meeting-No action required

NABP-May 10, 2007-DEA Actions Against Wholesale Distributors- No action required

NABP-May 7, 2007-Safe Drug Compounding Act- No action required

General Correspondence

Eleanor Kellon, VMD-April 11, 2007-E-mail regarding FDA Pergolide- No action required

Jenny Love, MD-April 5, 2007-E-mail regarding a Prescription Monitoring Program- No action required

Annonomous-March 6, 2007-Refusal of a Pharmacist to Refill an Emergency Contraception Prescription- No action required

Baxter Healthcare Crop-March 1, 2007-Licensure Requirements for Renal Home Patient Services- Ms. Zinn will write a letter in response

PTCB-March 19, 2007-NCCA Accreditation- No action required

DEA-Notice of Proposed Rulemaking- No action required

Agenda Item 16

Old Business

Prescription Monitoring Program

Ms. Oberts asked if there had been bills introduced by the legislature for a Prescription Monitoring Program in the past. It was noted that a few years ago there was a bill introduced but it did not go anywhere.

Ms. Zinn noted the e-mail in the board packet from the National Alliance for Model State Drug Laws with an update on the status of all current bills related to prescription monitoring programs and bills related to electronic tracking systems for retail sales of ephedrine and pseudoephedrine products in the states. The board noted that in a couple of states, the cost of the program is paid in part by prescriber licensing fees. The board discussed who would be the party to approach a legislator for introducing another bill. Ms. Mundell said she would bring it up to AkPhA and maybe the lobbyist could work on it. She further stated that prescription drug use in Alaska, including methadone and oxycodone, according to the DEA, is off the scale. Mr. White stated the DEA should use triplicate forms and monitor for abuse, not the pharmacist. Mr. Givens stated that prescriptions will soon be done electronically and the triplicate forms may not be

used much longer, therefore it would not be feasible for the DEA to keep track of the prescriptions.

Mr. Givens stated that the board should find out how the program works from the pharmacy end, is the reporting done electronically or by paper. Ms. Mundell stated she would look at Wyoming's program and bring a report to the board at its next meeting. She further stated she would also look into how the program works in the pharmacy. She noted that it should be a mandatory requirement for all pharmacies, not optional. Mr. Givens said he would also look into it and the board could discuss it further at the next meeting.

Ms. Bueler said she would put an article in the newsletter and request anyone with information regarding a program to contact Ms. Mundell or Mr. White.

Agenda Item 18 Office Business

The wall certificates and meeting minutes were signed.

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

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

The meeting adjourned at 4:35 p.m.

Respectfully Submitted:

Sher Zinn, Licensing Examiner

Approved:

Gary Givens, R. Ph., Chair
Alaska Board of Pharmacy

Date:_____

