

899 NORTH CAPITOL STREET, NE
2ND FLOOR
WASHINGTON, DC 20002

December 7, 2023

Time: 9:30 am

**OPEN SESSION AGENDA MINUTES
(WEBEX MEETING)**

Board of Pharmacy Mission Statement:

"To protect and improve the public health through the efficient and effective regulation of the practice of Pharmacy and Pharmaceutical Detailing; through the licensure of Pharmacists, Pharmaceutical Detailers, Pharmacy Interns, and Pharmacy Technicians."

Open Session Agenda

Quorum: Yes

Introduction:		
1207-O-01	<p><u>Approval of the Open Session Meeting Minutes for:</u></p> <p><u>October 5, 2023, Open Session Meeting Minutes</u></p> <p>Motion: Board Member Dr. Allison Hill moved that the Board approve the October 5, 2023, open session meeting minutes with the amendment to note that Vice Chair, Mr. Alan Friedman was absent during the October 5, 2023, open session meeting.</p> <p>Seconded by: Vice Chair, Mr. Alan Friedman</p> <p>Roll Call Vote:</p> <p>Mr. Alan Friedman: Voted in favor of the motion. Dr. Allison Hill: Voted in favor of the motion.</p> <p>Abstentions: None. Motion Carried</p> <p><u>November 9, 2023, Open Session Meeting Minutes</u></p> <p>Motion: Vice Chair, Mr. Friedman moved that the Board approve the November 9, 2023, open session meeting minutes.</p> <p>Seconded by: Board Member, Dr. Allison Hill</p> <p>Roll Call Vote:</p> <p>Mr. Alan Friedman: Voted in favor of the motion. Dr. Allison Hill: Voted in favor of the motion.</p> <p>Abstentions: None. Motion Carried</p>	
<u>Consent Agenda</u>	None	
<u>Chairperson Report</u>	<p><u>Interprofessional Workgroup</u></p> <p>Board Chair, Dr. McCants reported to the public that a meeting was convened for all of the interprofessional boards at a live symposium in</p>	Dr. Tamara McCants

which Dr. Allison Hill was in attendance. Dr. McCants thanked Dr. Hill for representing the DC Board of Pharmacy during the symposium.

Dr. McCants further reported that there will be Council hearings held on December 7, 2023, on the District’s healthcare workforce. The hearings will discuss bills including the Health Occupations Revision General Amendment Act of 2023 (HORA). This includes the expansion of the Pharmacy Practice Act and the addition of the Board’s Pharmacy Technicians as a proposed update. Dr. McCants congratulated the Board of Pharmacy for pushing the proposed amendments through.

Vice Chair, Mr. Alan Friedman asked the following question: “If the bill goes in front of the full council, would the bill likely either pass or die or would it be sent back to the committee?”

Senior Assistant Attorney Counsel, Carla Williams reported that the council will go back and make changes if they feel some were needed. If there are further markups, it will likely then come back in front of the council at some point. If it doesn't pass on December 7th, in theory when the committee makes changes, that information does come back out again in a very public manner.

Executive Director Report

- **Statistical Report on Pharmacy Professionals in the District of Columbia**

PHARMACEUTICAL DETAILERS	857
PHARMACISTS	2,161
PHARMACY INTERNS	359
PHARMACY TECHNICIANS	1,115
PHARMACY TECHNICIAN TRAINEES	120
PHARMACISTS WITH VAC AUTHORITY	808
PHARMACY TECHNICIAN TRAINING PROGRAMS	9

- **National Association of Boards of Pharmacy (NABP) New Pharmacist Exam Eligibility Service**

Executive Director, Dr. Ortique informed the public that effective November 14, 2023, the DC Board of Pharmacy will utilize the *National Association of Boards of Pharmacy (NABP) New Pharmacist Exam Eligibility Service* to enhance the pharmacist licensure process.

The examination eligibility service will help confirm candidates’ eligibility to take the NAPLEX and MPJE on the board’s behalf. Once verified, NABP staff will indicate the candidate’s eligibility through the e-Profile Connect.

Dr. Justin Ortique

▪ **Office of Government Relations (OGR) Report Updates**

Health Occupations Revision Act (HORA) Update:

- DC Health worked on a significant revision of the HORA. This would be the first significant revision in seventeen years.
- The revised HORA received Mayoral approval and has been introduced to the Council as the *Health Occupations Revision General Amendment Act of 2023* ([B25-0545](#)).
- A hearing is scheduled for December 7th.

DC Health Director Appointment:

- Director Bennett's nomination was unanimously voted out of the Committee on Health and was then unanimously approved by the entire Council on November 7th.

Health Professional Licensing Boards Residency Requirement Amendment Act of 2023:

- Councilmembers Henderson and Parker introduced the *Health Professional Licensing Boards Residency Requirement Amendment Act of 2023* ([B25-0312](#)) on June 2, 2023.
- This legislation permits non-District residents to serve on health professional licensing boards.
- There are restrictions, including that the Board Chair and Consumer Members are still required to be District residents and no more than 50% of the Board could be made up of non-District residents.
- This bill received a hearing on [July 13, 2023](#). DC Health testified during this hearing and expressed support for the need for innovative solutions to fill board vacancies and offered some changes to the bill. It was voted out of the Committee on Health during a markup on [September 26th](#) and was passed on the first reading by the Committee of the Whole on October 3rd.
- The bill was passed on final reading on November 7th and is awaiting Mayoral approval.

Prescription Drug Monitoring Program Amendment Act of 2023:

- Chairmen Mendelson, at the request of the Mayor, introduced the *Prescription Drug Monitoring Program Amendment Act of 2023* ([B25-0244](#)), on April 11, 2023.
- This legislation seeks to make changes to the disclosure of information through the District's Prescription Drug Monitoring Program (PDMP). These changes would give DC Health the authority to release additional de-identified information for statistical analysis, research, education, or grant applications.
- This bill received a hearing on [July 6, 2023](#). DC Health testified in support of the bill highlighting the importance of data sharing as a tool to advance population health in the District of Columbia. A

markup was held on [October 10, 2023](#), during which it was unanimously approved. The committee makes changes based on feedback from stakeholders during the hearing (requiring the funds generated from any fees charged under the program to be deposited in a special purpose revenue fund held by DC Health).

- The bill passed its first reading on November 7th and is awaiting its second reading in the next legislative meeting on December 5th.

Opioid Epidemic Roundtable:

- The Committee on Health hosted a public roundtable on October 26th at 10:00 am to declare the opioid and fentanyl crisis in the District a public health emergency.
 - Dr. Barbara Bazron, Director of the Department of Behavioral Health (DBH), provided testimony and was joined by DC Health Acting Director Bennett and Dr. Robert Holman, Medical Director at the District's Fire and EMS Department.
 - The roundtable focused on available data related to the ongoing opioid crisis and the District's LIVE.LONG.DC. strategy. You can watch the hearing at the following [link](#).
- Mayor Bowser issued a Public Emergency on November 13 to give the District new tools for responding to the Opioid Crisis

- **IBC Symposium**

Executive Director, Dr. Ortique informed the public that the IBC Symposium was held here at DC Health. DC Health board members were essentially brought together from different boards to work collaboratively together.

The meeting first started with a greeting from the Director of the Department of Health (DC Health), Ayanna Bennett, MD, MSPH, FAAP. Dr. Bennett gave a brief overview of DC Health and how public health works to improve population health. In addition, there were several presentations, one that included artificial intelligence which was presented by former HRLA Associate Director and former Executive Director of the Board of Medicine, Mr. Frank Myers. Dr. Ortique further reported that it was really interesting how AI is shaping healthcare and how we address it legislatively. There can be problems utilizing AI as well, but definitely, a tool that can be leveraged.

The symposium closed with working group case studies.

- **DHCF Winter Quarterly Pharmacy Forum**

Executive Director, Dr. Ortique informed the public of the upcoming DC Healthcare Finance Winter quarterly pharmacy forum.

The forum will be held at the Main Street Conference Room 10th floor, Marion S. Barry Building, 441 4th ST NW, Washington, DC 20001

- **Tuesday, December 19th, 1:00 pm to 3:00 pm**
- **Wednesday, December 20th, 11:00 am to 1:00 pm**

Join on your computer, mobile app, or room device:

For Tues 12/19, 1:00 pm-3:00 pm

primetherapeuticsllc@m.webex.com

Meeting ID: 236 506 889 001
Passcode: gkjcFZ

Video Conference ID: 112 533 834 7

Audio Only:

+1 612-772-9010,,316143630# United States, Minneapolis
(844) 730-9010,,316143630# United States (Toll-free)
Phone Conference ID: 316 143 630#

For Wed 12/20, 11:00 am-1:00 pm

Join on your computer, mobile app, or room device

primetherapeuticsllc@m.webex.com

Meeting ID: 216 277 082 03
Passcode: S8XpsD

Video Conference ID: 118 889 664 1

Audio Only:

+1 612-772-9010,,439911488# United States, Minneapolis
(844) 730-9010,,439911488# United States (Toll-free)
Phone Conference ID: 439 911 488#

Prescription Drug Monitoring Program Updates:

Dr. Ortique reiterated that pharmacists who are licensed in the District of Columbia are required to register with the DC Prescription Drug Monitoring program within 90 days. The Program staff will continue to send out monthly notices to individuals who do not register within 90 days and who are subject to potential fines.

	<p>Dr. Ortique further reported that the DC Prescription Drug Monitoring Program has a PDMP Advisory Committee. The next committee meeting will be held on Tuesday, January 9, 2024. Access to the meeting WebEx will be posted on the following website: https://dchealth.dc.gov/node/936512.</p> <p>Dr. Ortique reported that the January meeting should be a very lively discussion as they have added new members from DBH, the DC Healthcare Finance, and the Office of the Chief Medical Examiner.</p> <ul style="list-style-type: none"> ▪ DCRx (DC Center for Rational Prescribing) <p>Dr. Ortique reported to the public that the last module is scheduled to be released by the following week or by the end of the year at the latest. Dr. Ortique further reported that the new module will take an inclusive sexual history. This will essentially be a very good module as it also provides case examples in different vignettes with actors who act out different scenarios to ensure that practitioners are providing inclusive sexual history before patient encounters.</p> <ul style="list-style-type: none"> ▪ Board of Pharmacy Vacancies: <p>Lastly, Dr. Ortique wanted to reiterate that the DC Board of Pharmacy has two consumer member vacancies. If you are interested in becoming a consumer member, you can apply through the following link: https://motaboardstheresumator.com/apply/1L8k6Q/Board-Of-Pharmacy</p>	
<p><u>Senior Assistant General Counsel Report</u></p>		
<p>1207-O-02</p>	<p><u>Notice of Final Rulemaking</u></p> <p>(a) Chapter 25, Health Professional Reporting Requirements, of Subtitle B, Public Health and Medicine, Of Title 22 DCMR, Health</p> <p>Senior Assistant General Counsel, Carla Williams reported that Chapter 25, Health Professional Reporting Requirements, of Subtitle B, Public Health and Medicine, Of Title 22 DCMR final rulemaking took effect back in 2021.</p> <p>The rulemaking affects all pharmacists, pharmacy interns, technicians, and their employers. The rulemaking was added to require all licensed, registered, or certified health professionals and all employers of licensed, registered, or certified health professionals to report certain information within ten (10) days of them occurring. Those reporting requirements are:</p>	<p>Ms. Carla Williams</p>

	<ul style="list-style-type: none"> • If you've been named in a malpractice suit and received notice of a judgment against him or her in that suit; or • If you've been convicted of a crime; or • If a disciplinary action has been taken against you in another state or jurisdiction. • If you've been a part of a party to a settlement, whether or not confidential, stemming from a malpractice claim to be paid by the health professional, an insurer, or another entity on behalf of the health professional; or • If your clinical practice privileges have been suspended or reduced; or • If you've been involuntarily terminated or asked to resign. <p>You will have ten (10) business days to report this information to the Board. Failure to do so can result in fines. The fines are prescribed by the regulations. The first violation is a \$2500 fine. The second violation is a \$5000 fine. The third violation is 10,000 and will continuously be 10,000 for any subsequent violations.</p> <p>If any of those events happen to you, you must report it to the Board of Pharmacy within ten (10) business days. If you have an employee who action has been taken against, the action must be reported within ten (10) days. Both the employer and the employee can be fined for failing to do so.</p> <p>This rulemaking will be enforced with respect to the pharmacy professionals.</p>	
<p><u>Subcommittee Reports</u></p>		
<p>1207-O-03</p>	<p><u>Legislative and Regulatory Subcommittee Report</u></p> <p>Vice Chair, Mr. Alan Friedman reported that the Legislative and Regulatory Subcommittee has reviewed all public comments that were submitted regarding pharmacists prescribing hormonal contraception. The Subcommittee drafted their responses to the comments submitted. As this matter is a joint effort, the next step is to work with the DC Board of Medicine.</p> <p>Board Chair, Dr. McCants recommended that the Legislative and Regulatory Subcommittee reach out to the DC Board of Medicine Board Chair, Dr. Anderson to determine her availability and include the comments received and the Board's recommendations.</p> <p>Senior Assistant General Counsel, Ms. Williams reported that office staff made several attempts to obtain Dr. Anderson's availability but has been unsuccessful. The DC Board of Medicine Board Chair, Dr. Anderson, is requesting that both chairs establish a scheduled date and time to meet.</p>	<p>Mr. Alan Friedman</p>

	<p>Board Chair, Dr. McCants requested that the Subcommittee gather proposed dates and times for January 2024 and include her in the e-mail communication to determine Dr. Anderson's availability.</p> <p>The Board Chair, Dr. McCants, inquired regarding the status of the workforce survey. Vice Chair, Mr. Friedman reported that Dr. Ortique did a nice job working with his team to develop a PowerPoint presentation where the information was distilled and summarized. Mr. Friedman further reported that the subcommittee reviewed several other jurisdictions of how they've addressed workforce development and will tailor the survey to the district's needs. The next step for the subcommittee is to draft language for the Board to consider.</p>	
1207-O-04	<p><u>Communications Subcommittee Report</u></p> <p><u>None</u></p>	Dr. Ashlee Bow
	<u>Presentation</u>	
1207-O-05	<p><u>American Academy of HIV Medicine</u></p> <p>This matter is presented to the Board to determine if the American Academy of HIV Medicine is an acceptable credentialing body to satisfy section 10001.7(a)1C of the DC Collaborative Practice Agreement Regulations.</p> <p>(a) Presentation Slides</p> <p>Motion: Board Member, Dr. Benjamin Miles moved to approve the American Academy of HIV Medicine as an acceptable credentialing body to satisfy section 10001.7(a)1C of the DC Collaborative Practice Agreement Regulations.</p> <p>Seconded by: Vice Chair, Mr. Alan Friedman</p> <p>Roll Call Vote:</p> <p>Mr. Alan Friedman: Voted in favor of the motion. Dr. Allison Hill: Voted in favor of the motion. Dr. Miles: Voted in favor of the motion.</p> <p>Abstentions: None. Motion Carried</p>	Daniel Ebeling
NABP E-Newsletter	<p>November 22, 2023</p> <p>NABP Offers CPE Home Study Webinars on USP Compounding Chapters and Poster Presentations</p>	Dr. Tamara McCants

	<p>CDC Program Will Test International Air Traveler Samples for Flu, RSV, and Other Respiratory Viruses</p> <p>DEA Outlines Steps to Minimize Future Prescription Stimulant Shortages</p> <p>FIP Shares Recommendations for Supporting Mental Health and Well-Being of Community Pharmacists</p> <p>ISMP Survey Notes Medication, Supply, and Equipment Shortages Negatively Impacting Patient Care</p> <p>November 29, 2023</p> <p>CDC Releases Additional Doses of Beyfortus to Physicians and Hospitals</p> <p>FIP’s Regulatory Self-Assessment Tool Helps Countries Identify Gaps in Supply Chain</p> <p>Operation Pangea XVI Seizes \$7 Million in Counterfeit Drugs</p> <p>FDA Shares Healthy Holiday Tips to Keep Pets Safe This Season</p> <p>Nominate an Inspiring Pharmacy Colleague</p> <p>Note to the Public: To receive weekly updates from NABP, please sign up by using the following link: https://nabp.pharmacy/newsroom/news/.</p>	
<p><u>Comments from the Public</u></p>	<p>Mr. Joshua Bailey thanked the board for how quickly they responded to their request to add the American Academy of HIV Medicine (HAAHIVP) to the credentialing body that is approved for CPA.</p>	
<p><u>Motion to Adjourn the Open Session</u></p>	<p>Motion: “Madam Board Chair, I, Dr. Benjamin Miles move that the Board close the Open Public session portion of the meeting and move into the Closed Executive Session portion of the meeting pursuant to D.C. Official Code § 2-575(b) for the following purposes: to discuss disciplinary matters pursuant to § 2-575(b)(9); to seek the advice of counsel to the board, to preserve the attorney-client privilege, or to approve settlement agreements pursuant to § 2-575(b)(4); and to plan, discuss, or hear reports concerning ongoing or planned investigations pursuant to § 2-575(b)(14).”</p> <p>Seconded by: Board Member, Dr. Allison Hill</p> <p>Roll Call Vote:</p> <p>Mr. Alan Friedman: Voted in favor of the motion. Dr. Allison Hill: Voted in favor of the motion. Dr. Miles: Voted in favor of the motion.</p> <p>Abstentions: None.</p>	

	Motion Carried	
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This concludes the Public Open Session of the meeting. The Board will now move into the Closed Executive Session portion of the meeting pursuant to D.C. Official Code § 2-575(b) for the reasons set forth in the motion.

Open Session Meeting Adjourned at 10:42 am

This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at opengovoffice@dc.gov.

**899 NORTH CAPITOL ST. NE – 2ND FLOOR.
WASHINGTON, DC 20002**

January 4, 2024

9:30 am

**OPEN SESSION MINUTES
(WEBEX MEETING)**

Board of Pharmacy Mission Statement:

“To protect and improve the public health through the efficient and effective regulation of the practice of Pharmacy and Pharmaceutical Detailing; through the licensure of Pharmacists, Pharmaceutical Detailers, Pharmacy Interns, and Pharmacy Technicians.”

Open Session Agenda

Quorum:

Introduction:		
Motion to Adjourn the Open Session	<p>Motion: "Madam Chair, I Mr. Alan Friedman move that the Board close the Open Public session portion of the meeting and move into the Closed Executive Session portion of the meeting pursuant to D.C. Official Code § 2-575(b) for the following purposes: to discuss disciplinary matters pursuant to § 2-575(b)(9); to seek the advice of counsel to the board, to preserve the attorney-client privilege, or to approve settlement agreements pursuant to § 2-575(b)(4); and to plan, discuss, or hear reports concerning ongoing or planned investigations pursuant to § 2-575(b)(14)."</p> <p>Seconded by: Dr. Allison Hill</p> <p>Vice Chair, Alan Friedman: In favor of the motion. Board Member, Dr. Benjamin Miles: In favor of the motion. Board Member: Ashlee Bow: In favor of the motion. Board Member: Allison Hill: in favor of the motion.</p> <p>The motion carried.</p>	

This concludes the Public Open Session of the meeting. The Board will now move into the Closed Executive Session portion of the meeting pursuant to D.C. Official Code § 2-575(b) for the reasons set forth in the motion.

Open Session Meeting Adjourned at 9:33 am

This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at opengovoffice@dc.gov.