

2201 SHANNON PLACE, SE
2ND FLOOR
WASHINGTON, DC 20020

August 1, 2024

9:34 AM – 10:49 AM

**OPEN SESSION MEETING
(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."

CALL TO ORDER: 9:34 AM

PRESIDING: MR. ALAN FRIEDMAN, R.PH, VICE CHAIRPERSON

BOARD MEMBERSHIP/ATTENDANCE:

BOARD MEMBERS:		
	MR. ALAN FRIEDMAN, R.PH, VICE CHAIRPERSON	PRESENT
	DR. BENJAMIN MILES, PHARM.D. R.PH	PRESENT
	DR. ASHLEE BOW, PHARM.D. R.PH	ABSENT
	DR. ALLISON HILL, PHARM.D. R.PH	PRESENT
STAFF:	DR. JUSTIN ORTIQUE, PHARM.D. R.PH EXECUTIVE DIRECTOR	PRESENT
	KARIN BARRON, HEALTH LICENSING SPECIALIST	PRESENT
	LUANNE GREENAWAY, PROGRAM SPECIALIST	PRESENT
	COUNTEE GILLIAM, BOARD INVESTIGATOR	PRESENT
	REGINAL BELLAMY, SUPERVISORY PHARMACIST	PRESENT
LEGAL STAFF:	CARLA WILLIAMS, SENIOR ASSISTANT GENERAL COUNSEL	PRESENT
OFFICE OF GOVERNMENT RELATIONS:	EMILY MCANDREW	
VISITORS:	CHARLENE FAIRFAX, DEPARTMENT OF HEALTH CARE FINANCE	
	JOANNE DIAL, KAISER PERMANENTE	
	JESSICA ADAMS, CARDINAL HEALTH	
	JEENU PHILLIP, WALGREENS PHARMACY	
	DR. KRIS RUSINKO, EXECUTIVE DIRECTOR, PHARMACY SERVICES, JOHNS HOPKINS CARE AT HOME	
	DAISY SIMMONS, 4 TH YEAR DOCTOR OF PHARMACY CANDIDATE, HIGHLAND UNIVERSITY, COLLEGE OF PHARMACY.	
	GRACE SESI	
	GAIL ELLIOTT	
	TOLULOPE AKINBO	
	ANTHONY SCERBO	
	NICHOLAS BENNETT-BRUSH	
	NICOLE	
	LORI	

Open Session Agenda

Quorum: Yes

Introduction:						
o8o1-O-01	<p><u>Approval of the Open Session Meeting Minutes for:</u></p> <p>June 6, 2024</p> <p>Motion: Board Member, Dr. Benjamin Miles moves the Board to approve the June 6, 2024 open session meeting minutes.</p> <p>Seconded by: Board Member, Dr. Allison Hill.</p> <p>Dr. Benjamin Miles: Votes in favor of the motion. Dr. Allison Hill: Votes in favor of the motion.</p> <p>Abstentions: None.</p> <p>Motion Carried</p>					
<u>Consent Agenda</u>	None					
<u>Chairperson Report</u>	Mr. Friedman informs the public that Dr. Tamara McCants, after having served on the Board of Pharmacy for many years, has retired. In the interim, Mr. Friedman will act as the chairperson for the Board. Mr. Friedman commends all previous chairpersons for the Board of Pharmacy.	Mr. Alan Friedman				
<u>Office of Government Relations (OGR) Report Updates</u>	<p>Health Occupations Revision Act (HORA) Update:</p> <ul style="list-style-type: none">DC Health completed a significant revision of the HORA. This revision is the first in seventeen years. The revised HORA received Mayoral approval, was introduced to the Council as the <i>Health Occupations Revision General Amendment Act of 2023</i> (B25-0545), and became the law on July 19, 2024. <p>Council Recess:</p> <ul style="list-style-type: none">The District of Columbia Council will be on recess from July 15th through September 15th. During this time, the Council will conduct limited activity.	Ms. Emily McAndrew				
<u>Executive Director Report</u>	<p>Statistical Report on Pharmacy Professionals in the District of Columbia</p> <table><tr><td></td><td></td></tr><tr><td>PHARMACEUTICAL DETAILERS</td><td>658</td></tr></table>			PHARMACEUTICAL DETAILERS	658	Dr. Justin Ortique
PHARMACEUTICAL DETAILERS	658					

PHARMACISTS	2,266
PHARMACY INTERNS	322
PHARMACY TECHNICIANS	1,262
PHARMACY TECHNICIAN TRAINEES	164
PHARMACISTS WITH VAC AUTHORITY	853
PHARMACY TECHNICIAN TRAINING PROGRAMS	14

Prescription Drug Monitoring Program Updates

- All pharmacists are reminded to register for the *Prescription Drug Monitoring Program* (PDMP) within ninety (90) days of licensure in the District of Columbia at <https://districtofcolumbia.pmpaware.net/login>. Newly licensed pharmacists who fail to register for the program may be fined for non-compliance.
- The next Prescription Drug Monitoring Program (PDMP) Advisory Meeting is scheduled to occur, via WebEx, on August 20, 2024 from 10:00 am – 11:30 am. Further information regarding the meeting is available at: <https://dchealth.dc.gov/service/prescription-drug-monitoring-program>.

DCRx (DC Center for Rational Prescribing)

- The DC Center for Rational Prescribing (DCRx) has published an announcement for a new module in Obesity Management. This module will *"equip participants with comprehensive strategies for the medical treatment of obesity. The curriculum is tailored to those committed to mitigating the health impacts of obesity, such as prescribers, pharmacists, and allied health workers."*
- The Center held a live webinar on [Long COVID: Exploring Advancements & Management](#) on July 17, 2024. This course aligns DC Health's key public health priorities and offers insight by field experts. For further information regarding the webinar, please go to: <https://www.dcrxce.com/content/webinar-long-covid-exploring-advancements-management#group-tabs-node-course-default1>.

Pharmacist Working Conditions

- During the open session of the April monthly meeting, the Board of Pharmacy discussed drafting regulations on pharmacy working conditions. In turn, the Board hosted a stakeholders' meeting, in which the Pharmaceutical Control Division discussed its interests in establishing regulations. The following were key points of discussion:
 1. The number of hours per day, that pharmacy staff may work. Therefore, a pharmacist, pharmacy intern, pharmacy technician, or pharmacy

	<p>technician trainee should not be required to work longer than twelve (12) continuous hours.</p> <ol style="list-style-type: none"> 2. Consequently, [pharmacy staff] shall be allowed to rest at least for eight (8) hours, between consecutive shifts, inclusive of the breaks as required in Section 19. 3. Pharmacists may volunteer to work longer than twelve (12) continuous hours in an emergency, as deemed by the professional judgment of the pharmacist. This includes, but is not limited to unforeseen issues, and should not exceed 14 hours. 4. The number of years of experience to qualify as a pharmacist-in-charge was changed from two (2) years to one (1) year. For individuals with less than one (1) year of experience, the Pharmaceutical Control Division is considering a pharmacist-in-charge training program of, at least, ninety (90) days. <p>These regulations will move forward in the next few weeks. They will be available to the public for comment, thereafter.</p> <p>Board of Pharmacy Vacancies</p> <p>The revision to the HORA has changed the Board's composition. Whereas the Board was composed of five (5) pharmacists and two consumer members, the composition has changed to five (5) pharmacists, a consumer member and a pharmacy technician. While the Board has filled the vacancies for pharmacists and a consumer member, it is currently seeking a pharmacy technician to complete the quota.</p> <p>Pharmacy technicians interested in serving as a Board member may apply through the following link:</p> <p>https://motaboards.theresumator.com/apply/1L8k6Q/Board-Of-Pharmacy</p>	
<u>Senior Assistant General Counsel Report</u>		
o801-O-02	<p>Changes to the Pharmacist Scope of Practice Pursuant to the Health Occupations Revision Act (HORA)</p> <ul style="list-style-type: none"> • The HORA, which became the law on July 19, 2024 includes an expanded pharmacy scope of practice as there are new provisions in the Act. • There are new provisions, which can be implemented immediately, while others will require regulations. Consequently, there is language within the HORA that states 	Ms. Carla Williams

	<p><i>“the Mayor shall establish regulations to ensure the safe and effective provision,”</i> for the provisions requiring regulation.</p> <ul style="list-style-type: none"> • Some regulations do not particularly need regulations in order to establish training requirements or protocols. • The following are the provisions, within the scope of practice, that are already in practice: <ul style="list-style-type: none"> i. Dispensing and labeling of drugs, devices and biologicals. ii. Compounding of drugs is authorized by federal and district law. iii. Drug and device selection. iv. Responsibility for advising and providing information where regulated, or otherwise necessary. v. Drugs, devices, biologicals and their therapeutic values, content, hazards and uses in the treatment and prevention of disease. vi. Responsibility for conducting drug regimen. vii. Responsibility for the proper and safe storage and distribution of drugs, devices and biologicals. viii. The order and administration of vaccinations in accordance with the CDC published guidelines and recommended immunization schedules for adults aged 18 and older with valid ID and children 3 through 7 with consent, or if otherwise, consent is not required by DC law, (regulations were already established, that allowed this provision to be added through a protocol in standing order. However, the law no longer requires the protocol or standing order). ix. The administration of immunizations and vaccinations to any individual pursuant to a valid prescription when certified by the board. x. New ordering, performing and interpreting CLIA waved tests. (If, in practice, this will be done pursuant to a collaborative practice agreement, it will be stated). xi. Performance of acts, services, operations and transactions necessary in the conduct, operation, management and control of a pharmacy. xii. Initiating, modifying or discontinuing a drug fee in accordance with a duly executed collaborative practice agreement. xiii. Management of chronic conditions including type 2 diabetes, myelitis and hypertension. xiv. Performing foot checks for patients with diabetes, performing point of care testing for glucose, providing diabetes education, performing point of care testing and offering tobacco cessation services, providing transition of care services and conducting asthma control checks. • The following are the provisions, within the scope of practice, awaiting regulations: 	
--	---	--

	<ul style="list-style-type: none"> i. The prescribing and dispensing of self-administered hormonal contraceptives when certified by the board and in accordance with regulations issued by the mayor. ii. Administration of a prescribed drug device and biological, in accordance with regulations issued by the mayor. iii. Administering anti-coagulation therapy. iv. Screening for depression and other mental health conditions. v. Screening for sexually transmitted diseases. vi. Extending prescriptions as medically necessary, excluding controlled substances or specializations. vii. Initiation of Prep and PEP for the prevention of HIV and AIDS pursuant to a protocol. <p>NOTE: The aforementioned provisions were lifted from a draft and are pending a final decision from the board. Please do not act or move forward [in practice] on the basis of these drafted provisions. A final document will be uploaded to the website in the form of an FAQ document, so that pharmacists can confirm appropriate practice.</p> <p>Motion: Board Member, Dr. Benjamin Miles moves the Board to refer this to the Legislative and Regulatory Subcommittee [to determine definitively what is pursuant to the board currently, without the need for any additional regulations].</p> <p>Seconded by: Board Member, Dr. Allison Hill.</p> <p>Dr. Benjamin Miles: Votes in favor of the motion. Dr. Allison Hill: Votes in favor of the motion.</p> <p>Abstentions: None.</p> <p>Motion Carried</p>	
<u>Subcommittee Reports</u>		
o8o1-O-03	<p><u>Legislative and Regulatory Subcommittee Report</u></p> <ul style="list-style-type: none"> • The Legislative and Regulatory Subcommittee did not meet in July, 2024. Instead, the subcommittee will meet on August 28, 2024 from 3:00 pm to 4:45 pm. • The subcommittee is in the process of developing draft regulations related to the shared processing of prescriptions, which allows more than one pharmacy to participate in the prescription fulfillment – from the order entry, drug utilization review, screening, outreach to providers, substitutions, fill and ultimate product check and verification – in the District as well as out of the District. • The subcommittee is also reviewing the possibility of 	Mr. Alan Friedman

	<p>performing certain pharmacy functions via contractual arrangement.</p> <ul style="list-style-type: none">• The subcommittee is also seeking to answer the following question: "May shared processing pharmacists and technicians be located outside of a licensed pharmacy to perform certain tasks?"• The subcommittee anticipates drafting regulations that it will bring forward to the full board for robust discussion.• The committee has discussed the possible expansion of pharmacy technician responsibilities, vis-à-vis the regulatory changes, made in the state of Maryland, which allow pharmacy technicians to assume additional responsibilities, through its <i>Validated Pharmacy Technician</i> status. The subcommittee will ask the Board to consider if this matter should be pursued [for the District of Columbia]. (If the Board agrees, this matter will be referred to the Pharmacy Technician Task Force).• The allowances for validated pharmacy technicians in the state of Maryland are:<ul style="list-style-type: none">i. A minimum of one year of experience as a registered pharmacy technician.ii. Possess a product verification certificate, issued by the Pharmacy Technician Certification Board (PTCB).• The allowance will be that the pharmacist can delegate responsibility to a validated pharmacy technician to perform the final verification of a prescription, device, drug product or medication order, under certain circumstances.• Further information on the Validated Pharmacy Technician is available at https://casetext.com/regulation/maryland-administrative-code/title-10-maryland-department-of-health/part-4/subtitle-34-board-of-pharmacy/chapter-103434-pharmacy-technicians/section-10343404-validated-pharmacy-technician.• On behalf of the Legislative and Regulatory Subcommittee, Mr. Friedman asks the Board <i>"is this something that the Board of Pharmacy would like to consider?"</i> <p>Motion: Board Member, Dr. Allison Hill moves the Board to refer this matter the Pharmacy Technician Task Force.</p> <p>Seconded by: Board Member, Dr. Benjamin Miles.</p> <p>Dr. Benjamin Miles: Votes in favor of the motion. Dr. Allison Hill: Votes in favor of the motion.</p> <p>Abstentions: None.</p> <p>Motion Carried</p>	
--	--	--

o8o1-O-04	<p><u>Communications Subcommittee Report</u></p> <ul style="list-style-type: none"> • All pharmacy professional licensees in the District of Columbia should receive the newsletter for September, 2024. If anyone does not receive it, please inform the Board. • The Communications Subcommittee is welcoming ideas or articles for the next edition. All articles and other requests for publishing are accepted at ashlee.bow@dcbc.dc.gov. 	Dr. Allison Hill
<u>Pharmacy Technician Task Force</u>	<u>None</u>	
NABP E-Newsletter	<p>July 25, 2024</p> <p>New FDA Public Portal Allows Patients, Health Care Providers, and Organizations to Report Drug Shortages</p> <p>USP Publishes 2023 Annual Drug Shortages Report</p> <p>NABP Wins 2024 APEX Award for Innovations' January 2023 Issue</p> <p>ISMP Warns That Dexmedetomidine May Contain Overlap Labeled as Acetaminophen</p> <p>LAPPA Releases Fact Sheet About Novel Psychoactive Substances: Medetomidine</p> <p>UF Health and CDC Launch HPP to Help Manage High Blood Pressure</p> <p>July 17, 2024</p> <p>DEA Publishes Guidance for Pharmacies Dispensing CS During a Cyberattack</p> <p>NABP Hosts Webinar on Evolving Pharmacy Practice</p> <p>FDA Scheduled to Host Its Fifth 'Online Controlled Substance Summit' in July</p> <p>FDA Releases Guidance on Misinformation About Medical Products</p> <p>NIH Devises Plan to Tackle H5N1 Concerns</p> <p>More Than 115 Million Illicit Fentanyl Pills Seized in 2023</p> <p>Nova Scotia Pharmacists Help Open 25 Primary Care Clinics</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>	Mr. Alan Friedman

<p><u>Comments from the Public</u></p>	<p><u>Dr. Kris Rusinko, Executive Director, Pharmacy Services, Johns Hopkins Care at Home</u>, requests a telephone discussion with the Board in lieu of email, to share a practice model implemented at <i>Johns Hopkins Care at Home</i>.</p> <p>Dr. Justin Ortique informs Dr. Rusinko that the Board is working, internally, to establish a scheduled meeting with him.</p> <p>Dr. Rusinko commends the Board for considering adoption of a model similar to the state of Maryland's <i>Validated Pharmacy Technician</i> and for its reference to <i>Tech Check Tech</i>.</p> <p><u>Dr. Jeenu Phillip, Walgreens Pharmacy</u></p> <p>Dr. Phillips asks the Board to review the national standard concerning allowances and the potential barriers that should be considered in utilization of shared services. Dr. Phillips sought to reiterate the emphasis on the need for shared services, especially in consideration of [pharmacy] working conditions and the efforts related to community pharmacy practice, and authorization to take work out of the store, whether it be data entry, data review, or product fulfillment.</p>	
<p><u>Motion to Adjourn the Open Session</u></p>	<p>Board Member, Dr. Allison Hill, moves the Board as follows:</p> <p>"Mister Vice-Chairperson, I 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. Benjamin Miles.</p> <p>Roll Call Vote:</p> <p>Dr. Benjamin Miles: Votes in favor of the motion. Dr. Allison Hill: Votes in favor of the motion.</p> <p>Abstentions: None.</p> <p>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 10:49 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.