

**899 NORTH CAPITOL ST. NE – 2<sup>ND</sup> FLOOR.  
WASHINGTON, DC 20002**

**August 4, 2022**

**9:37 AM – 11:03 AM**

**OPEN SESSION MINUTES  
(VIA 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: 9:37 AM

PRESIDING: DR. TAMARA McCANTS, PHARM.D. R.PH CHAIRPERSON

BOARD MEMBERSHIP/ATTENDANCE:

BOARD MEMBERS:		
	DR. TAMARA McCANTS, PHARM.D. R.PH CHAIRPERSON	PRESENT
	MR. ALAN FRIEDMAN, R.PH, VICE CHAIRPERSON	PRESENT
	DR. BENJAMIN MILES, PHARM.D. R.PH	PRESENT
	DR. ASHLEE BOW, PHARM.D. R.PH	PRESENT
	DR. ALLISON HILL, PHARM.D. R.PH	PRESENT
	MS. DONAE MAGETT, CONSUMER MEMBER	ABSENT
STAFF:	DR. JUSTIN ORTIQUE, EXECUTIVE DIRECTOR	PRESENT
	KARIN BARRON, HEALTH LICENSING SPECIALIST	ABSENT
	LUANNE GREENAWAY, PROGRAM SPECIALIST	PRESENT
	COUNTEE GILLIAM, BOARD INVESTIGATOR	PRESENT
LEGAL STAFF:	CARLA WILLIAMS, SENIOR ASSISTANT GENERAL COUNSEL	PRESENT
VISITORS:	TAMI BROWN ALVARADO, MERCK COMPANY	
	JOANNE DIAL, KAISER PERMANENTE	
	MATTEO LIEB, OFFICE OF GOVERNMENT RELATIONS, DC HEALTH	
	MICHAEL KOSYAK, DC BOARD OF PHARMACY	
	REGINAL BELLAMY, DC BOARD OF PHARMACY	
	CHARLENE FAIRFAX, DEPARTMENT OF HEALTH CARE FINANCE	
	UCHE EKWOMADU, DC BOARD OF PHARMACY	
	MICHAEL KIM, WASHINGTON DC PHARMACY ASSOCIATION	
	DON ZOWADER, PUBLIC	
	GAIL ELLIOTT,	
	LAUREN PAUL	
	LAUREN PAUL	
	JESSICA ADAMS	
	MICHAEL RIVERA	

## Open Session Agenda

**Quorum:** Yes

<b>Introduction:</b>		
<b>o8o4-O-01</b>	<p><b><u>Approval of the Open Session Meeting Minutes for:</u></b></p> <p>June 2, 2022</p> <p><b>Motion:</b> Vice Chair, Mr. Alan Friedman moves that the Board approve the June 2, 2022 open session meeting minutes.</p> <p><b>Seconded by:</b> Board Member, Dr. Benjamin Miles</p> <p><b>Roll Call Vote:</b></p> <p>Alan Friedman, Voted in favor of the Motion Benjamin Miles, Voted in favor of the Motion Allison Hill, Voted in favor of the Motion Ashlee Bow, Voted in favor of the Motion</p> <p><b>Motion Carried</b></p> <p>July 7, 2022</p> <p><b>Motion:</b> Vice Chair, Mr. Alan Friedman moves that the Board approve the July 7, 2022 open session meeting minutes.</p> <p><b>Seconded by:</b> Board Member, Dr. Allison Hill</p> <p><b>Roll Call Vote:</b></p> <p>Allison Hill, Voted in favor of the Motion Alan Friedman, Voted in favor of the Motion Benjamin Miles, Voted in favor of the Motion Ashlee Bow, Voted in favor of the Motion</p> <p><b>Motion Carried</b></p>	
<b><u>Consent Agenda</u></b>	<b>None</b>	
<b><u>Chairperson Report</u></b>	<p><b><u>Interprofessional Workgroup</u></b></p> <p>The interprofessional workgroup meeting inclusive of all health professional board chairs met on July 18, 2022. Dr. McCants reports that Dr. Nesbitt's departure as the Director of DC Health was discussed and congratulates Dr. Lewis who has assumed Dr. Nesbitt's</p>	Dr. Tamara McCants

role as the interim Director of DC Health. Dr. McCants assures the public that the Board of Pharmacy will support Dr. Lewis as the Director of DC Health. Other topics of discussion focused on monkeypox, COVID-19, and school vaccinations, as well as the mayor’s commitment to fill Board vacancies. Board members of the Board of Pharmacy are encouraged to submit references to the Mayor’s office of talent and acquisition.

Dr. McCants invites members of the public to discuss experiences in the District of Columbia concerning monkeypox and COVID-19 school vaccinations as well as the best practices in managing these experiences. The Board Chair also assures the public of the Board of Pharmacy’s support and assistance when required.

Ms. Tami Brown Alverado of Merck Company informs the Board that the company has had many discussions with other states concerning school immunizations. Ms. Brown Alverado suggests meeting with the Board along with a colleague, to discuss how to assist citizens in returning to normalcy after a long break. Ms. Brown Alverado adds that the requirement of school vaccinations will be addressed during the discussion.

Dr. McCants acknowledges Ms. Brown Alverado’s request and suggests that the Board may collaborate with the DC Pharmacy Association to disseminate information on Ms. Brown Alverado’s meeting with the Board.

Dr. McCants informs the public that pharmacy professionals are expected to be in the forefront to manage the viral outbreaks of COVID-19 and monkeypox.

Other important topics discussed at the Interprofessional Workgroup meeting are as follows:

- Workforce survey results.
- Overview of the DC licensure process, which averages as a thirty (30) day licensing process.
- Health professional loan repayment program.
- State health planning and development agency overview.
- Joint interprofessional continuing education.

**Executive Director Report**

**Statistical Report on Pharmacy professionals in the District of Columbia**

Dr. Justin Ortique

<b>PHARMACEUTICAL DETAILERS</b>	<b>580</b>
<b>PHARMACISTS</b>	<b>2151</b>
<b>PHARMACY INTERNS</b>	<b>344</b>
<b>PHARMACY TECHNICIANS</b>	<b>1051</b>
<b>PHARMACY TECHNICIAN TRAINEES</b>	<b>126</b>
<b>PHARMACISTS WITH VAC AUTHORITY</b>	<b>790</b>

**Prescription Drug Monitoring Program Updates:**

- The next PDMP advisory committee will host its next meeting on August 16, 2022 at 10:00 am. The public is encouraged to attend.
- Pharmacists who are recently licensed in the District are required to register with the PDMP within 90 days of licensure. Information regarding registration is available at [dchealth.dc.gov/pdmp](https://dchealth.dc.gov/pdmp).
- Licensees will receive notification concerning registration for the PDMP every thirty (30) days after licensure up to the date of registration for the program.

**DCRx: DC Center for Rational Prescribing:**

The DC Center for Rational Prescribing continues to publish continuing education credit courses and has announced its most recent module titled *The Collaborative Care Model: How to Integrate Behavioral Health into Your Practice*. For further information on this module and other continuing education credit courses, please log on to the DCRx website at <https://dchealth.dc.gov/dcrx>.

**District Addiction Consultation Service (DACS)**

The District Addiction Consultation Service (DACS) is a local provider/provider resource that provides telephone consultations with a certified addiction medicine specialist for responses to clinical questions. DACS also provides continuing education credits for pharmacists who attend live continuing education credits, the courses of which are published on DACS' website at [www.districtacs.org](http://www.districtacs.org). The next upcoming credit course is scheduled for September 12, 2022 and registration is open to pharmacists in the District of Columbia.

**District of Columbia Municipal Regulations For Pharmacies  
Chapter 19 Update**

The following updates are posted in the DC register as of April 1, 2022:

1. Camera requirement (Section 1910): requires pharmacies to maintain surveillance for up to thirty days and provide such surveillance to the Board of Pharmacy within 72 hours, when requested. The updates include a monthly testing requirement, which will be addressed by the pharmaceutical control division through a guidance document.
2. Regulations concerning compounding: pharmacies are now required to comply with the most current version of USP 795, 797 and 800. This enforcement will commence on October 1, 2022. The Pharmaceutical Control Division will provide

further communication regarding the expectations regarding this regulation in September, 2022.

**Report by Matteo Lieb, Legislative Affairs Specialist, Member of the DC Health Office of Government Relations:**

- The DC Council is currently on recess. Legislative activity will resume in mid-September upon the Council's return to chambers.
- The following are matters of legislation that the Office of Government Relations continue to monitor:
  1. *Removing Barriers* Legislation of 2019: Before recess, the Council passed legislation that allows Boards greater flexibility to consider criminal history and repeal the ability for prospective applicants to receive a pre-determination hearing from DC Health.
  2. *Protecting Health Professionals Providing Reproductive Healthcare Amendment Act*: This legislation prevents DC Health licensing Boards from taking action, including revocation or suspension of a license, against a licensed healthcare professional for providing or facilitating abortion services, when that service falls within the scope of practice, but the patient is from a jurisdiction where abortion is restricted or illegal.
  3. *The Consent for Vaccinations of Minors Emergency Amendment Act (2022)*: This emergency and temporary legislation allows certain, eligible minors, (i.e. emancipated minors, unaccompanied minors experiencing homelessness, and others who may have access to vaccines recommended by the ACIP without parental consent. The legislation also allows providers to administer vaccines recommended by the ACIP to any minor without parental consent, given that the provider "reasonable attempts to gain consent from the legal guardian, and the legal guardian does not explicitly object."

Mr. Lieb anticipates that hearings on legislation concerning reproductive healthcare and vaccines for minors will occur in the early Fall, 2022 Council session.

Executive Director, Dr. Justin Ortique informs the Board that implementation of a pharmacist's authority to prescribe birth control pills is currently awaiting funding.

Dr. Michael Kim, DC Pharmacy Association, asks the following:

1. Are there any updates concerning provider status for pharmacists?
2. What is the age limit for vaccinating children?

	<p>Vice Chair, Mr. Alan Friedman responds that the Board will follow the HORA concerning the age limit concerning minors.</p> <p>Board Counsel, Ms. Carla Williams adds: the subcommittee recommended that the age be reduced to age three for consistency with the Prep Act. Ms. Williams also responded to Dr. Kim’s first question by stating that provider status does not come from the Board, but from the Department of Healthcare Finance.</p> <p>Ms. Tami Brown Alverado asks of the Board Chair the age limit for pharmacists to vaccinate children?</p> <p>Board Chair, Dr. Tamara McCants states that the minimum age requirement is age 3 as is reflected in the Prep Act, which the Board continues to follow.</p> <p>Vice Chair, Mr. Alan Friedman adds that a number of states have adopted the age limit of the Prep Act, which is age 3.</p>	
<b><u>Senior Assistant General Counsel Report</u></b>		
<b>o804-O-02</b>	<p><b><u>Notice of Proposed Rulemaking</u></b></p> <p>➤ <b><u>Drafted 17 DCMR Chapter 65 Pharmacists Update</u></b></p> <p>The Board approved proposed rulemaking to update Chapter 65 in response to substantive comments received while going through the review process:</p> <ol style="list-style-type: none"> <li>1. Official academic transcripts are to be submitted in a manner as directed on the application form.</li> <li>2. The list of duties expected of a pharmacy intern as directed in Section 6511.5 will be removed. This section will be updated to reflect that <i>"the preceptor shall ensure that the pharmacy intern’s training consist of <b>learning experiences that are related to the practice of pharmacy, as that term is defined in the Act</b>, in community, institutional or clinical pharmacy practice."</i></li> </ol> <p>The update in language will be submitted for publication in the DC Register, as the Board had no concerns on this matter.</p>	Ms. Carla Williams
<b><u>Subcommittee Reports</u></b>		
<b>o804-O-03</b>	<p><b><u>Legislative and Regulatory Subcommittee Report</u></b></p> <p>The <i>Legislative and Regulator Subcommittee</i> held two meetings in the month of July to discuss the following:</p>	Mr. Alan Friedman

	<ol style="list-style-type: none"> <li>1. Public comments received concerning <i>The District of Columbia Municipal Regulations for Pharmacists</i>, (Chapter 65).</li> <li>2. Feedback on the Workforce Survey.</li> </ol> <p>The subcommittee discussed, in depth, the results concerning the Workforce Survey for pharmacy technicians as well as pharmacists. Executive Director, Dr. Justin Ortique and his team has provided the subcommittee with a more detailed report of the results with respect to the various practice environments, (i.e. chain, retail versus independent pharmacists versus managed care, hospital, etc.). The subcommittee also reviewed the results of pharmacy technicians versus pharmacists.</p> <p>The subcommittee is also in receipt of the Executive Director, Dr. Justin Ortique’s team’s feedback from the <i>National Association of Boards of Pharmacy</i> (NABP), which will be considered as the subcommittee reviews the recommendations that other states are implementing.</p> <p>Vice Chair, Mr. Alan Friedman adds that the District of Columbia Board of Pharmacy is timely in its approach to the results of the survey as many state boards continue to work through their survey results or continue to survey their professionals or act without the inclusion of their professionals.</p> <p>Vice Chair, Mr. Alan Friedman anticipates that the state boards responding to their survey results will put forth legislation, regulations, or guidance documents, as these are possibilities in various jurisdictions, with finalized documentation being established in the last quarter of 2022.</p> <p>The <i>Legislative and Regulatory Subcommittee</i> will work over the next months to complete a detailed review of the survey results and return to the Board of Pharmacy with recommendations addressing the practice environments.</p> <p>Vice Chair, Mr. Alan Friedman, ends the <i>Legislative and Regulatory Subcommittee</i> report by requesting the minutes from the Board’s retreat, which will be instrumental in setting a two-year agenda for the subcommittee.</p>	
0804-O-04	<p><b><u>Communications Subcommittee Report</u></b></p> <p>Dr. Ashlee Bow discloses that the Board is currently finalizing a newsletter, which will be published by NABP for the month of September, 2022. To receive this newsletter and those previously published, please log on to the NABP website and register to receive e-newsletters from the DC Board of Pharmacy, or download pdf copies from <a href="http://nabp.pharmacy">nabp.pharmacy</a>.</p>	Dr. Ashlee Bow



<p><b><u>Matters for Consideration</u></b></p>	<p><b><u>FDA-Pharmacists prescribing Pfizer’s Paxlovid medication to treat COVID-19</u></b></p> <p>(a) FDA-U.S. Food &amp; Drug Administration-Letter of Response to the Emergency Use Authorization (EUA) of Paxlovid for Coronavirus Disease 2019 (Covid-19).</p> <ul style="list-style-type: none"> <li>➤ Paxlovid has been approved for emergency use for the treatment of mild to moderate COVID-19 to decrease high risk infection or progression of COVID-19. High risk patients are patients who are older than 65; obese, pregnant, chronic kidney disease, diabetes, cardiovascular disease, chronic lung disease, sickle cell disease, neurodevelopmental disorders; or medical related technological dependence.</li> <li>➤ It must be issued within the first days of viral infection.</li> <li>➤ A partnership between the District of Columbia and telehealth service, Color Health, which offers free access to COVID-19 treatment via telehealth as well as free access to Paxlovid for early intervention.</li> <li>➤ Access to Paxlovid is searchable in the District of Columbia by zip code and is available to the District’s residents.</li> </ul> <p>Board Member, Dr. Benjamin Miles furthers Dr. McCants’ discussion by adding that, per his search of the COVID-19 therapeutics locator website: <a href="https://covid-19-therapeutics-locator-dhhs.hub.arcgis.com/">https://covid-19-therapeutics-locator-dhhs.hub.arcgis.com/</a>, Paxlovid is widely available in the District of Columbia.</p> <p>Dr. Michael Kim, DC Pharmacy Association, suggests that community pharmacists are unable to prescribe Paxlovid as they have no access to patients’ lab results in a timely manner, particularly on renal and hepatic functions, to make prescribing decisions for the patient.</p> <p>Vice Chair, Mr. Alan Friedman states that shortly after the release of the guidance on Paxlovid, the FDA held a listening session. A podcast addressing prescription of Paxlovid followed wherein the FDA described who could receive the monoclonal antibody. The FDA has acknowledged that pharmacists do not have access to patient’s lab results and suggests collaboration with the patient’s physician for prescription.</p> <p>Board Chair, Dr. McCants discusses the state of Maryland’s guidance document, which provides additional information to clinicians and pharmacists on the emergency use authorization thereby providing information to the public on where a patient may go for examination by a provider. The document includes additional guidance on using electronic or printed health records that are less than twelve months old, which may be used by or accessible to the pharmacist.</p>	
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	<p>Board Chair, Dr. McCants suggests that the District should consider issuing a guidance document similar to that of the state of Maryland and asks if a collaboration with the Board of Medicine is necessary to for the issuance of such a document or is the guidance document needed in the District of Columbia.</p> <p>Vice Chair, Mr. Alan Friedman responds by stating that Maryland’s Department of Health issued a guidance document restating the content of the Emergency Use Authorization as the state is unable to go beyond the criteria mentioned therein.</p> <p>Dr. Michael Kim, DC Pharmacy Association, supports Dr. McCants’ question of the telehealth service initiative, Color Health’s access to laboratory results for timely decisions concerning prescriptions.</p> <p>Board Chair, Dr. McCants states that the District’s opportunity at this time is to encourage all patients to complete a physical examination, wherein if COVIC-19 is detected, patients may receive increased access to care.</p> <p>Vice Chair, Mr. Alan Friedman suggests that it would be a good idea for DC Health to publish a guidance document reiterating the FDA’s model thereby re-stating the FDA’s stance on the subject matter, creating awareness for healthcare professionals and consumers alike, and assisting patients to gain increased access to care.</p> <p>Board Chair, Dr. McCants suggests submitting a request to Dr. Lewis, the Interim Director of DC Health, recommending that clarification of the available guidance be disseminated to all clinicians and pharmacists in the District.</p> <p>Executive Director, Dr. Justin Ortique will facilitate the submission of the request to Dr. Lewis.</p>	
<p><b>NABP E-Newsletter</b></p>	<p><u><b>July 27, 2022</b></u></p> <p>Drug Overdose Deaths Rise, Health Disparities Worsen</p> <p>HHS Guidance Reminds Pharmacists to Follow Federal Civil Rights Laws When Filling Abortion and Birth Control Medications</p> <p>The Changing Role of Pharmacy Technicians Helps Pharmacists</p> <p>Q&amp;A with FDA” Podcast Series Conversation on Paxlovid and COVID-19</p> <p>DEA Seizes 100,000 Fake Oxycodone Pills Containing Fentanyl</p> <p>Most Older Adults Unaware of Medication Review Services, Interested to Learn More</p>	<p>Dr. Tamara McCants</p>

	<p>PTCB Launches Supply Chain and Inventory Management Certificate</p> <p><u>July 20, 2022</u></p> <p>Older Patients More Likely to Have Drug Interactions With Paxlovid</p> <p>Pfizer-BioNTech COVID-19 Vaccine Approved for Children Aged 12-15</p> <p>Central Sensitization: The Link Between Opioid Misuse and Chronic Pain?</p> <p>Recognize National Immunization Awareness Month in August</p> <p>Note to the Public: To receive weekly updates from NABP, please sign up by using the following link:  <a href="https://nabp.pharmacy/newsroom/news/">https://nabp.pharmacy/newsroom/news/</a>.</p>	
<p><u>Comments from the Public</u></p>	<p>Mr. Don Zowader requests the data concerning pharmacy technician trainee programs. Executive Director, Dr. Justin Ortique, assures Mr. Zowader that the information will be included in the next statistical data report of October, 2022.</p> <p>Mr. Don Zowader cautions the Board that in addition to a patient’s lab results, a patient’s medical history is very important and should be asked of senior patients before prescribing Paxlovid.</p> <p>Ms. Tami Brown Alvarado states that there is another monoclonal antibody, <i>Remdesivir</i>, that is available for use. Board Member, Dr. Benjamin Miles states that because Paxlovid is used frequently, the alternative is often forgotten.</p>	
<p><u>Motion to Adjourn the Open Session</u></p>	<p><b>Board member, Dr. Ashlee Bow moves as follows:</b></p> <p>“Madam Chair, 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><b>Seconded by:</b> Dr. Benjamin Miles.</p> <p><b>Roll Call Vote:</b></p> <p>Mr. Alan Friedman: Votes in favor of the motion.  Dr. Benjamin Miles: Votes in favor of the motion.</p>	

	<p>Dr. Ashlee Bow: Votes in favor of the motion. Dr. Allison Hill: Votes in favor of the motion.</p> <p><b>Abstentions: None.</b></p> <p><b>Motion Carried.</b></p>	
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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 11: 03 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](mailto:opengovoffice@dc.gov).**