

**899 NORTH CAPITOL ST. NE**

**2<sup>ND</sup> FLOOR | ROOM 216**

**WASHINGTON, DC 20002**

**December 3, 2022**

**9:30 AM – 11: 34 AM**

## **OPEN SESSION MINUTES**

### **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

<b>Introduction:</b>		
<b>1201-O-01</b>	<p><b><u>Approval of the Open Session Meeting Minutes for:</u></b></p> <p>October 6, 2022</p> <p><b>Motion:</b> Vice Chair, Mr. Alan Friedman moves the Board to approve the October 6, 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>Abstentions: None.</b></p> <p><b>Motion Carried</b></p> <p>November 3, 2022</p> <p><b>Motion:</b> Board Member, Dr. Benjamin Miles moves the Board to approve the November 3, 2022 open session meeting minutes.</p> <p><b>Seconded by:</b> Board Member, Dr. Ashlee Bow.</p> <p><b>Roll Call Vote:</b></p> <p>Alan Friedman: Abstains from voting on 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>Abstentions: Mr. Alan Friedman.</b></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> <ul style="list-style-type: none"> <li>• The Interprofessional Workgroup is actively engaged, and all Board Chairs have met with DC Health’s leadership team in the past two weeks.</li> <li>• Several vaccination initiatives are moving forward in response to COVID-19 coronavirus, the flu and RSV; with a goal of immunizing/vaccinating many District residents.</li> <li>• Board Chairs are encouraged to work together to improve the health of the District of Columbia. The Chairs were also asked to meet offline to discuss the initiatives that are most important to their communities.</li> <li>• DC Health is currently drafting an omnibus bill proposing several updates to the Health Occupations Revisions Act (HORA).</li> </ul> <p>In light of the request from the Interprofessional Workgroup, Board Chair, Dr. McCants requests the following of the Board of Pharmacy executive members:</p> <ol style="list-style-type: none"> <li>1. An initiative(s) that the Board of Pharmacy could champion in collaboration with other Boards.</li> <li>2. A response from the Board of Pharmacy concerning its interest in meeting with all executive Board members from the healthcare Boards housed by DC Health via a forum, or an educational initiative or a social event.</li> </ol> <p>Board Member, Dr. Allison Hill expressed interest in a social event with other healthcare Boards.</p> <p>Board Member, Dr. Benjamin Miles suggests that the DC Board of Pharmacy’s collaboration with the DC Board of Medicine concerning collaborative practice agreements must be revisited.</p> <p>Vice Chair, Mr. Alan Friedman requests that the status of the Board of Pharmacy’s initiative on hormonal contraception prescription by pharmacists is an agenda item if collaborative efforts with the Board of Medicine is forthcoming.</p> <p>Board Chair, Dr. McCants will submit the Board of Pharmacy’s suggestions to the Interprofessional Workgroup at its next meeting.</p>	Dr. Tamara McCants

<b>PHARMACEUTICAL DETAILERS</b>	<b>649</b>
<b>PHARMACISTS</b>	<b>2,220</b>
<b>PHARMACY INTERNS</b>	<b>406</b>
<b>PHARMACY TECHNICIANS</b>	<b>1,136</b>
<b>PHARMACY TECHNICIAN TRAINEES</b>	<b>167</b>
<b>PHARMACISTS WITH VAC AUTHORITY</b>	<b>823</b>
<b>PHARMACY TECHNICIAN TRAINING PROGRAMS</b>	<b>9</b>

**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. As a reminder, new licensees will receive notifications regarding registration for the program every thirty (30) days after licensure.
- The PDMP Advisory Committee will meet on Tuesday, December 6, 2022 from 10:00 am to 11:30 am, in Room 216 at DC Health. For more information on the meeting as well as the program, please go to: <https://dchealth.dc.gov/service/prescription-drug-monitoring-program>.

**DCRx (DC Center for Rational Prescribing)**

- The DC Center for Rational Prescribing will facilitate a continuing education credit module concerning food insecurity. The forthcoming course is titled "*Addressing Food Insecurity in Patients with Chronic Diseases.*"
- A telehealth module is currently in development and will be available by the end of December, 2022.
- The *DCRx Learner Experience Survey* was disseminated in the pharmacy community with the intention of identifying topics of interests for future DCRx educational programming. The Board encourages the pharmacy community to complete the survey by December 15, 2022.

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

- Council Period 24 will conclude on December 31, 2022. Any legislation that has not been passed by then, will be reconsidered during Period 25.
- The Committee on Health will have new membership in the upcoming Council Period. The Office of Government Relations (OGR) will provide updates on the Committee's membership during the Board of Pharmacy's next open session meeting.

**Committee on Health Mark-Up**

- The Committee on Health held its final mark-up of on November 21, 2022. Any bills that were not marked up during this meeting, or have not been marked up during a previous meeting, will be reintroduced in Council Period 25.
- One of the bills marked up was the *Protecting Health Professionals Providing Reproductive Health Care Amendment Act of 2022 (B24-0830)*.
  - *This proposed legislation would prevent DC Health licensing boards from taking certain actions, including the revocation or suspension of a license, against a licensed healthcare professional for providing or facilitating reproductive health or gender affirming services when that service falls within the professional's scope of practice, and the disciplinary action is based exclusively on the patient residing in a jurisdiction where such services are prohibited. The protections contained in this bill also apply to providers that prescribe or distribute medications for abortion or gender affirming care.*

**Clinical Laboratory Professionals:**

- The *Clinical Laboratory Practitioners Amendment Act of 2022 (B24-0764)* seeks to move the licensing and oversight of laboratory professionals from the Board of Pharmacy to the Board of Medicine. Additionally, it changes the requirements to become either a Clinical Laboratory Director or Practitioner.
- This bill was scheduled to be marked up during the recent Committee on Health meeting, but the committee decided to hold off on consideration of this legislation until Council Period 25.

**Pharmacist and Pharmacy Technician Renewals**

- Renewals are set to begin on December 5, 2022, as an email announcing the opening of the renewal period was disseminated throughout the District's pharmacy community on December 2, 2022.
- All renewal applications are accessible at <https://doh.force.com/dchealthrenewals/s/portal-page>.
- All pharmacists are required to register with the DC PDMP before renewing their licenses.
- Licensees with *Vaccination and Immunization Authority* are required to maintain current CPR certification in Basic Life Support, as well as complete two (2) hours of continuing education relevant to the administration of immunizations and vaccinations.

In response to Vice Chair, Mr. Alan Friedman's question concerning communicating the changes in continuing education requirements,

	<p>Executive Director, Dr. Justin Ortique states that the email blast as well as the renewal portal will provide a link to the public health priorities, which will account for ten percent (10%) of the continuing education credits required for licensure renewal.</p> <p>Board Chair, Dr. McCants reports on the White House conference on hunger, which emphasized the need to allow healthcare professionals to link food and food insecurities with healthcare. Emerging models, especially in pharmacy will merge food and health. Dr. McCants encourages the pharmacy community to complete the continuing education credit course on the subject matter, which is offered by DCRx.</p>	
<b><u>Senior Assistant General Counsel Report</u></b>		
<b>1201-O-02</b>	<p><b><u>Notice of Proposed Rulemaking-Published in the D.C. Register for Public Comment-Update</u></b></p> <p><b>(a) <u>Proposed Rulemaking for Chapter 65 for Pharmacists</u></b></p> <p>Final rulemaking on the updates made to Chapter 65 is currently in process. All changes are expected to be completed by the Board's next open session meeting.</p>	Ms. Carla Williams
<b>1201-O-03</b>	<p><b><u>Uniform Telehealth Bill</u></b></p> <p>(a) National Conference of Commissioners on Uniform State Laws-Uniform Telehealth Bill (2022).  (b) Uniform Telehealth Act Drafted by The National Conference of Commissioners On Uniform State Laws.  (c) National Conference of Commissioners on Uniform State Laws - "Why Your State Should Adopt the Uniform Telehealth Act"  (d) Draft Bill 10-12-22 (Uniform Telehealth Act of 2022)</p> <p>Telehealth is designed such that the physician is required to have authority to practice in the state where the patient resides. The drafted Uniform Telehealth Bill requires a registration with requirements that are comparable to the standard licensure process in the District.</p> <p>The questions before the Board for consideration are:</p> <ol style="list-style-type: none"> <li>How is the telehealth registration process different from the established licensure process? Does the registration process move faster than the standard licensure process?</li> </ol> <p>The drafted Bill also restricts the registration to telehealth services only; a physician is not allowed to provide in-person services to a patient.</p>	

	<p>2. How does the Board monitor telehealth registered physicians?</p> <p>Under the drafted bill, “practitioner” includes a pharmacist. Whereas the District has established, but old telehealth regulations concerning telepharmacy, the subcommittee is reviewing all regulations including those concerning telepharmacy, which must be updated.</p> <p>Board Counsel, Ms. Carla Williams therefore suggests that the Board of Pharmacy refers the drafted Uniform Telehealth Bill to the Legislative and Regulatory Subcommittee for review and discussion.</p> <p>No motion entered for this matter.</p>	
<p><b><u>Regarding Subcommittee Reports</u></b></p>		
<p><b>1201-O-04</b></p>	<p><b><u>Legislative and Regulatory Subcommittee Report</u></b></p> <ul style="list-style-type: none"> <li>• The Legislative and Regulatory Subcommittee has held two meetings, one of which was held to discuss the workforce survey.</li> <li>• The subcommittee has temporarily suspended its discussion concerning the workforce survey to discuss the legislative changes to the HORA.</li> <li>• In its review and update of the definition of the “practice of pharmacy,” the subcommittee has added the word “biologicals” and moved the following language: <i>“prescribing and dispensing of self-administered hormonal contraceptives when certified by the Board of Pharmacy to do so and in accordance with regulations promulgated by the Board of Pharmacy and the Board of Medicine,”</i> to better serve the definition of “practice of pharmacy.”</li> <li>• To view the Legislative and Regulatory Subcommittee’s further changes to the HORA, please see the attached document.</li> <li>• Board Member, Dr. Allison Hill observes that the word “assessment” is not included in the updated definition of the “practice of pharmacy.”</li> <li>• Board Member, Dr. Benjamin Miles suggests that additional language is not necessary at this time.</li> <li>• Board Counsel, Ms. Carla Williams suggests that a pharmacist’s assessment can be addressed in the regulations, in lieu of the HORA.</li> </ul> <p><b><u>Motion</u></b></p> <p><b>Motion:</b> Board Member, Dr. Benjamin Miles moves the Board to accept the changes to the HORA as presented, with an exception: the [executive] Board should remain as five (5) pharmacist members, in lieu of four (4).</p>	<p>Mr. Alan Friedman</p>



	<p><b>Seconded by:</b> Board Member, Dr. Ashlee Bow.</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>Abstentions: None.</b></p> <p><b>Motion Carried</b></p>	
1201-O-05	<p><b><u>Communications Subcommittee Report</u></b></p> <p>The subcommittee is currently working on the next publication of the newsletter, which is expected to be released in January, 2023. To publish activities from Pharmacy Month or to submit information for publication in the next newsletter, please send an email to Dr. Ashlee Bow at <a href="mailto:ashlee.bow@dcbc.dc.gov">ashlee.bow@dcbc.dc.gov</a>.</p>	Dr. Ashlee Bow
<b><u>Matter of Consideration</u></b>		
1201-O-06	<p><b><u>Matter of Consideration Regarding the 2023 Pharmacists Renewal Live Continuing Education requirement.</u></b></p> <p>(a) 17 DCMR § 4018-Continuing Education Requirement Exemption and Variance.</p> <p>The continuing education requirement of completing ten (10) hours of in-person/live credit courses is currently waived and will remain in place [for the 2023 pharmacist licensure renewal period].</p> <p>No [further] action is taken at this time.</p>	
<b><u>Presentation</u></b>	<p><b><u>Dr. Careen-Joan Franklin, Pharm.D., Program Director, Howard-Walgreens Community Pharmacy Residency Program</u></b></p> <p>The purpose of this presentation is to discuss the Board’s position on pharmacists’ administration of long-acting injectable medications for treatment of Opioid Use Disorder and Psychiatric Disorders.</p> <p>Dr. Franklin requests that the <i>Practice of Pharmacy Act</i> includes guidance on the pharmacist’s authority to administer Long-Acting Injectable Medications.</p>	
<b>NABP E-Newsletter</b>	<b><u>November 16, 2022</u></b>	Dr. Tamara McCants

	<p>FDA Announces Preliminary Assessment That Certain Naloxone Products Have the Potential to Be Safe and Effective for Over-the-Counter Use</p> <p>FDA Alerts Health Care Professionals of Risks to Patients Exposed to Xylazine in Illicit Drugs</p> <p>Stakeholders, Providers, and Regulators Work to Stem the Tide of Combined Opioid and Stimulant Misuse</p> <p>October Take Back Day: 647,000 Pounds of Unneeded Medications Collected</p> <p>FDA Issued Warning Letter to Alternative Health Distribution LLC dba CannaAid, for Selling Unapproved and Misbranded Products to Treat or Prevent COVID-19</p> <p>Association Mourns Passing of Gary Schnabel, Past President of NABP</p> <p><b><u>November 11, 2022</u></b></p> <p>CDC Releases the 2022 CDC Clinical Practice Guideline for Prescribing Opioids for Pain</p> <p>FDA Releases Update for Clozapine REMS Enforcement Discretion</p> <p>New Interactive Map Promotes Access to Pharmacy Services</p> <p>New Model in Development for Treating, Managing Chronic Pain Without Opioids</p> <p>US Antibiotic Awareness Week: November 18-24  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><b><u>Comments from the Public</u></b></p>	<p>Dr. Careen-Joan Franklin commends the District of Columbia’s Board of Pharmacy for its great work in the District.</p>	
<p><b><u>Motion to Adjourn the Open Session</u></b></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. Allison Hill.</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. 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 11:34 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).**