

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

February 1, 2024

Time: 9:44 AM – 11:41 AM

**OPEN SESSION MINUTES
(IN-PERSON AND WEBEX)**

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: 9:44 AM

PRESIDING: Dr. Tamara McCants

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
STAFF:	DR. JUSTIN ORTIQUE, EXECUTIVE DIRECTOR	PRESENT
	KARIN BARRON, HEALTH LICENSING SPECIALIST	PRESENT
	LUANNE GREENAWAY, PROGRAM SPECIALIST	ABSENT
	COUNTEE GILLIAM, BOARD INVESTIGATOR	PRESENT
	REGINAL BELLAMY, SUPERVISORY PHARMACIST	PRESENT
	DR. KERA JOHNSON, MPH. POLICY ANALYST FOR THE OFFICE OF GOVERNMENT RELATIONS	PRESENT
LEGAL STAFF:	CARLA WILLIAMS, SENIOR ASSISTANT GENERAL COUNSEL	PRESENT
	ANGEL CRUZ, ASSISTANT GENERAL COUNSEL	PRESENT
VISITORS:	KARLA EVANS, MEDSTAR	
	ZARIA COMER, PUBLIC	
	MAKAYLA ROBINSON, HOWARD COLLEGE OF PHARMACY	
	SELINA DAVIS, HOWARD COLLEGE OF PHARMACY	
	CHRISTOPHER BRATCHER, HOWARD COLLEGE OF PHARMACY	
	AYANNA MCINTOSH, HOWARD COLLEGE OF PHARMACY	
	DON ZOWADER, PUBLIC	
	GAIL ELLIOTT	
	JOANNE DIAL	
	CHARLENE FAIRFAX	
	VINAY ARORA	
	K. LITTLE	
	NICHOLAS WEIL	
	CHRISTINE HILLARD	
	SHEMS ALKHATIB	
	SCOTT TOMERLIN	
	MARIA YOUNG	

Open Session Minutes

Quorum: Yes

Introduction:		
0201-O-01	<p><u>Approval of the Open Session Meeting Minutes for:</u></p> <ul style="list-style-type: none">• December 7, 2023 <p>Motion: Vice Chairman, Mr. Alan Friedman moved that the Board approve the December 7, 2023, open session meeting minutes. Seconded by: Board Member, Dr. Allison Hill</p> <p>Abstentions: None.</p> <p>Motion carried.</p> <ul style="list-style-type: none">• January 4, 2024 <p>The approval of January 4, 2024, open session meeting minutes will be tabled until the April 2024 open session meeting.</p>	
<u>Consent Agenda</u>	None	
<u>Chairperson Report</u>	<p>Dr. Tamara McCants announced that she is very pleased with the amended DC HORA language submitted to the DC Council and that it was accepted and presented during an open hearing.</p> <p>Dr. McCants further acknowledged the hard work of the members of the DC Board of Pharmacy, the legislative subcommittee, and members of the public who submitted feedback to the Board or helped to craft the language.</p> <p>Dr. McCants reported on the upcoming National Association of Boards of Pharmacy (NABP) Annual Meeting. The annual meeting will be held from May 14th- May 17th in Fort Worth, TX. Dr. McCants encouraged any or all DC Board of Pharmacy members to attend the annual meeting. This year's theme for the meeting is "Driving Pharmacy Practice Evolution Together."</p>	Dr. Tamara McCants
<u>Office of Government Relations (OGR) Report Updates</u>	<p><u>Prescription Drug Monitoring Program Amendment Act of 2023</u></p> <p>Chairman, Mendelson, at the request of the Mayor, introduced the Prescription Drug Monitoring Program Amendment Act of 2023 (B25-0244), on April 11, 2023.</p> <p>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</p>	Dr. Kera Johnson, MPH. of Government Relations

de-identified information for the purposes of statistical analysis, research, education, or grant applications.

The bill passed unanimously on both first reading and on final reading on December 5th. It was signed by the Mayor on December 21st and will now need to undergo Congressional Review.

Clean Hands Certification Economic Expansion and Revitalization Amendment Act

Council Member, McDuffie introduced the Clean Hands Certification Economic Expansion and Revitalization Amendment Act of 2023 (B25-0619) on December 16, 2023. This legislation would remove the Clean Hands requirement from several occupational and professional licenses including health professional licenses issued through DC Health.

This bill is not scheduled for a hearing at the current time.

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 in the Council as the Health Occupations Revision General Amendment Act of 2023 (B25-0545).

This legislation received a hearing on December 7th. Over 80 witnesses, many of whom were healthcare professionals, signed up to provide testimony. DC Health's Associate Director of Health Professional Licensing Boards provided testimony in support and answered questions from the Council. This bill will likely be marked up by the Committee in March, before which DC Health will work closely with the Council on any potential changes.

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 would permit non-district residents to serve on health professional licensing boards.

There would be restrictions, including that the Board Chair and Consumer Members are 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 innovative solutions to fill board vacancies and offered some changes to the bill. It then passed on final reading on November 7th and was signed by the Mayor on November 21st. It is now undergoing Congressional Review and is expected to become law in early February 2024.

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

PHARMACEUTICAL DETAILERS	874
PHARMACISTS	2,183
PHARMACY INTERNS	371
PHARMACY TECHNICIANS	1,149
PHARMACY TECHNICIAN TRAINEES	114
PHARMACISTS WITH VAC AUTHORITY	818
PHARMACY TECHNICIAN TRAINING PROGRAMS	13

- **Prescription Drug Monitoring Program Updates**

Dr. Ortique reported that all pharmacists in DC must register with the DC Prescription Drug Monitoring Program (PDMP) within 90 days of obtaining their license. Notifications to register with the DC PDMP are sent to newly licensed individuals monthly.

Dr. Ortique further reported that the District of Columbia Prescription Drug Monitoring Program Advisory Committee has recently expanded the number of members to (12) twelve from the previous (7) seven members.

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

Dr. Ortique reported that every year, four (4) modules are produced on topics that are required for licensed DC Health Professionals and DCRx will provide surveys to obtain the interest of the individuals who are utilizing the program. Dr. Ortique further reported that the next module topic will be on medication-assisted treatment for opioid addiction.

- **Board of Pharmacy Vacancies**

Dr. Ortique encourages individuals who would like to serve on the DC Board of Pharmacy, to apply through the following link:

<https://motaboards.theresumator.com/apply/1L8k6Q/Board-Of-Pharmacy>

- **DC Pharmaceutical Detailer Renewal**

Dr. Ortique reported that the Board is undergoing the DC Pharmaceutical Detailer license renewals, and will have until February 29th, 2024, to apply for the renewal of their license without a late fee. Dr. Ortique further reported that our office must obtain the licensee's criminal background check results to move forward with the renewal of licensure. This shall delay the renewal process by at least 5–7 business

	days. Dr. Ortique encourages all Pharmaceutical Detailers who are eligible to renew their license, to submit the online license renewal application so as soon as possible.	
<u>Senior Assistant General Counsel Report</u>		
0201-O-02	<p><u>Notice of Final Rulemaking</u></p> <p>Notice of Final Rulemaking to Allow Pharmacists to Administer RSV Vaccinations</p> <p>Ms. Willams reported that the Department has issued a notice of emergency and proposed regulation to permit pharmacists to administer the RSV vaccine prior to being placed on ACIP's standard immunization schedule. Ms. Williams further reported that the emergency rulemaking expired at the end of last month (January) and has yet to move forward to final rulemaking. Currently, the rulemaking is pending the final review approval process. Once the final approval process is completed, the Department will be able to publish the final rulemaking. No comments were received, and no changes were made to the rulemaking.</p> <p>Ms. Williams therefore anticipates that the department will obtain the final rulemaking and that Pharmacists will still be authorized to provide the RSV vaccine.</p>	Ms. Carla Williams
Matters For Consideration		
0201-O-03	<p><u>17-DCMR Pharmacy Technicians §9906 Registration for Pharmacy Technician Trainees</u></p> <p>Dr. Bellamy recommended the following changes to the District of Columbia Municipal Regulations for Pharmacy Technicians:</p> <ul style="list-style-type: none"> • 9906.1 A person shall register with the Board as a pharmacy technician trainee within thirty (30) days after beginning an employer-based pharmacy technician program recognized by the Board. • 9906.2 Individuals enrolled in a non-employer-based pharmacy technician training program shall register with the Board as a pharmacy technician trainee prior to performing duties of a pharmacy technician trainee in a pharmacy. <p>Recommended change:</p> <p>"Individuals enrolled in a non-employer-based or employer-based pharmacy technician training program shall register and obtain an active registration with the Board as a pharmacy technician trainee prior to performing duties of a pharmacy technician trainee in a pharmacy."</p>	Dr. Reginal Bellamy

In addition, Dr. Bellamy recommends the following:

- The Board reviews the approved technician training program requirements to ensure alignment with the Pharmacy Technician Certification Board (PTCB)/National Standards:
 1. Course criteria
 2. Examination
 3. Psychometrically Validity
- Draft a Self-Evaluation for Program Renewal Requirement.
- Establish fees for changes in the Program.
- Review of the Coolidge High School Proposal to become a Pharmacy Technician Training Program. (The school proposes regulatory amendments to allow its pharmacy technician trainees to have the capacity to register its upper-level high school students.

Motion 1: Board Member, Dr. Benjamin Miles moved that the Board remove the language in Chapter 99 sections 9906.1 and 9906.2, and replace it with the recommended language to read as follows:

"Individuals enrolled in a non-employer-based or employer-based pharmacy technician training program shall register and obtain an active registration with the Board as a pharmacy technician trainee prior to performing the duties of a pharmacy technician trainee in a pharmacy."

Seconded by: Board Member, Dr. Allison Hill

Abstentions: None.

Motion Carried

Motion 2: Board Member, Dr. Allison Hill moved that the Board propose a task force of at least two (2) board members and one (1) staff member to examine the requirements for the pharmacy technician training programs.

Seconded by: Vice Chair, Mr. Alan Friedman.

Abstentions: None.

Motion Carried

Motion 3: Board Member, Dr. Allison Hill moved that the Board refer the Calvin Coolidge High School Pharmacy Technician Program Proposal to the Credentialing Task Force and reply with a response by the April 2024 Open Session meeting.

Seconded by: Vice Chair, Mr. Alan Friedman.

Abstentions: None.

	<p>Motion Carried.</p> <p>Motion 4: Board Member, Dr. Benjamin Miles moved that the Board discuss the matter regarding the “stocking or loading automated dispensing devices or other devices used in the dispensing process” section of the Chapter 99 regulation at the next regulatory legislative subcommittee.</p> <p>Seconded by: Board Member, Dr. Ashlee Bow</p> <p>Abstentions: None.</p> <p>Motion Carried.</p>	
0201-O-04	<p><u>Self-administered Hormonal Contraceptive Pamphlet Final Edits</u></p> <p>Chairperson, Dr. McCants recommended including acknowledgment of Howard University, College of Pharmacy on the pamphlet.</p> <p>Board Member, Dr. Hill requested a QR code on the pamphlet to obtain an electronic copy.</p> <p>The audience attendee requested to amend the language of the pamphlet to read as “pregnancy should be a choice” instead of “pregnancy is a choice”.</p>	Dr. Justin Ortique
<u>Subcommittee Reports</u>		
0201-O-05	<p><u>Legislative and Regulatory Subcommittee Report</u></p> <p><u>Legislative and Regulatory Subcommittee Meetings</u></p> <p>Vice Chair, Mr. Friedman reported that the Legislative and Regulatory Subcommittee decided to meet publicly on the fourth Wednesday of every month from 3:00 pm to 4:45 pm. Mr. Friedman further reported this is subject to change based on the availability of the committee members, but if accepted, it will be the standing date and time for the meeting each month.</p> <p><u>Notice of Final Rulemaking Self-Administered Hormonal Contraceptive Prescriptions</u></p> <p>Mr. Friedman reported that public comments were received and reviewed. Mr. Friedman further reported that the Board also provided a documented response to the DC Board of Medicine.</p> <p>The DC Board of Pharmacy determined that the published regulations would remain unchanged, but would like to see the rulemaking move forward.</p>	Mr. Alan Friedman

	<p>Ms. Carla Williams reported that she and Dr. Justin Ortique met with the Board counsel and Executive Director for the DC Board of Medicine to review comments received by both Board committees, which reached the same agreement.</p> <p>Motion: Mr. Alan Friedman moved that the Board approve the Self-Administered Hormonal Contraceptive Prescriptions regulations as last published and to move to final rulemaking.</p> <p>Note: A formal recommendation from a committee does not require a second.</p> <p>Abstentions: None.</p> <p>Motion Carried.</p>	
0201-O-06	<p><u>Communications Subcommittee Report</u></p> <p>Board Member, Dr. Bow reported that the communication subcommittee is working on the next DC Board of Pharmacy newsletter which will be sent to the National Association Boards of Pharmacy (NABP) for publication by Friday, February 9, 2024. Dr. Bow further reported that the next newsletter will be sent in March of this year. Topics of interest for newsletters are to be emailed to ashlee.bow@dcbc.dc.gov.</p> <p>Board Member, Dr. Allison Hill reported that she submitted an award nomination to the National Association Boards of Pharmacy (NABP) for the DC Board of Pharmacy’s (“Board”) work done in 2023.</p>	Dr. Ashlee Bow
NABP E-Newsletter	<p>January 17, 2024</p> <ul style="list-style-type: none"> ▪ FDA Issues Draft Interim Guidance Documents on Bulk Drug Substances in Compounding Under Sections 503A and 503B of FD&C Act ▪ HHS and GSA Update Guidelines to Include Opioid Reversal Agents and Hemorrhagic Control Kits in Safety Station Programs ▪ NABP’s Recent Blog Post Explains Impact of Diabetes Drug Shortages and Fake Ozempic on Patients and Pharmacies ▪ FDA Approved New Drugs in 2023 for Infectious Diseases ▪ Opioid Prescribing Decreased in Past Year, But Overdose Deaths Continue to Climb, according to AMA Report ▪ Pharmacists’ Intervention Is Associated with Lowering Patients’ Blood Glucose Levels <p>January 24, 2024</p> <ul style="list-style-type: none"> • VHA Joins Pulse by NABP 	Dr. Tamara McCants

	<ul style="list-style-type: none"> • Pharmacy Organizations Call Attention to Florida’s Drug Importation Program • Pharmacists Ranked Third Most Trusted Medical Professionals in Gallup’s 2023 Survey • DEA’s Diversion Control Division Introduces Redesigned User-Friendly Website • FIP Report Examines Case Studies of Countries Implementing and Expanding Pharmacy-Based Vaccination Practices <p>Note to the Public: To receive weekly updates from NABP, please sign up by using the following link:</p> <p>https://nabp.pharmacy/newsroom/news/.</p>	
<p><u>Comments from the Public</u></p>	<p>A member of the public asked the following:</p> <p>“Has the DC Board considered Tech Check Tech Pharmacy programs?”</p> <p>Board Chair, Dr. McCants reported that the Board attended the NABP Annual meeting last year on that very topic and she believes that the Board should look at how it would fit in the District of Columbia for expansion of the role of pharmacy technicians. Dr. McCants further mentioned that establishing a Credentialing Task force to review the pharmacy technician training requirements is a good start.</p> <p>Vice Chair, Mr. Friedman reported that there are states that have Tech Check Tech programs, which are typically seen in an institution setting, but there is interest in the retail community pharmacy world as well. Mr. Friedmans further reported that Virginia introduced legislation which is in the General Assembly right now. If it passes, the VA Board of Pharmacy will be forming a work group with interested stakeholders from the community and representation from associations to look at the possible expansion of the role of the technicians. Furthermore, Mr. Friedman believes that the Maryland Board of Pharmacy has already passed legislation potentially expanding the scope of pharmacy technicians.</p> <p>Howard College of Pharmacy fourth-year student, Ms. Ayanna McIntosh, recommended considering adding the caveat to the Municipal Regulations for DC Pharmacy Technicians, which will allow a student to produce proof of enrollment in high school and proof of maintaining courses to graduation. Additionally, Ms. McIntosh raised a query regarding the \$1,500.00 application fee.</p> <p>Supervisory Pharmacist, Dr. Reginal Bellamy reported that the \$1,500.00 fee applies to the DC Pharmacy Technician Training Programs only, and not the DC Pharmacy Technician or the Pharmacy Technician</p>	

	<p>Trainees applicant. The DC Pharmacy Technician Trainee registration is free; however, the applicant must complete a criminal background check at the cost of \$50.00.</p> <p>Dr. Ortique reported that because Calvin Coolidge High School is a DC Public school, the institution will be exempt from paying the \$1,500.00 application fee for its Pharmacy Technician Trainee Program.</p>	
<p><u>Motion to Adjourn the Open Session</u></p>	<p>Motion: "Madam Board Chair, I Dr. Allison Hilll 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. Ashlee Bow</p> <p>Roll Call Vote: Vice Chairman, Mr. Allan Friedman in favor of the motion. Board Member, Dr. Benjamin Miles in favor of the motion. Board Member, Dr. Ashlee Bow in favor of the motion. Board Member, Dr. Allison Hill 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 11:41 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.