

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

**February 3, 2023**

**9:44 AM – 11:02 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.”

CALL TO ORDER: 9:44 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	ABSENT
	DR. ALLISON HILL, PHARM.D. R.PH	ABSENT
STAFF:	DR. JUSTIN ORTIQUE, EXECUTIVE DIRECTOR	PRESENT
	KARIN BARRON, HEALTH LICENSING SPECIALIST	PRESENT
	LUANNE GREENAWAY, PROGRAM SPECIALIST	PRESENT
	COUNTEE GILLIAM, BOARD INVESTIGATOR	PRESENT
LEGAL STAFF:	CARLA WILLIAMS, SENIOR ASSISTANT GENERAL COUNSEL	PRESENT
VISITORS:	AMANDA ATTIYA, OFFICE OF GOVERNMENT RELATIONS	
	NEIL WATSON (VIA WEBEX), NATIONAL ASSOCIATION OF BOARDS OF PHARMACY (NABP)	
	DELANEY MCGUIRT, EVOLENT HEALTH	

## Open Session Agenda

**Quorum:** Yes

<b>Introduction:</b>		
0202-O-01	<p><b><u>Approval of the Open Session Meeting Minutes for:</u></b></p> <p>December 1, 2022</p> <p><b>Motion:</b> Vice Chair, Mr. Alan Friedman moves the Board to approve the December 1, 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: Absent. Ashlee Bow: Absent.</p> <p><b>Abstentions: None.</b></p> <p><b>Motion Carried</b></p> <p>January 5, 2023</p> <p><b>Motion tabled until next open session meeting as no quorum available for vote.</b></p>	
<b><u>Consent Agenda</u></b>	None	
<b><u>Chairperson Report</u></b>	<p><b><u>Interprofessional Workgroup</u></b></p> <p>The Interprofessional Workgroup continues to convene. Board Chair, Dr. Tamara McCants, along with all other Board Chairs for the Health Licensing Boards meet regularly to discuss pending regulation, particularly those pertaining to healthcare in the District of Columbia and more specifically for the Board of Pharmacy, those pertaining to pharmacy. The Workgroup is currently seeking volunteers to serve on the planning committee for an impending conference. Anyone interested in serving as a volunteer should express interest to Board Chair, Dr. McCants.</p>	Dr. Tamara McCants

**Executive  
Director Report**

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

Dr. Justin  
Ortique

PHARMACEUTICAL DETAILERS	673
PHARMACISTS	2,265
PHARMACY INTERNS	657
PHARMACY TECHNICIANS	1,172
PHARMACY TECHNICIAN TRAINEES	183
PHARMACISTS WITH VAC AUTHORITY	843
PHARMACY TECHNICIAN TRAINING PROGRAMS	9

▪ **Prescription Drug Monitoring Program Updates**

All pharmacists are reminded to register for the *Prescription Drug Monitoring Program* within ninety (90) days of licensure in the District of Columbia. For information on the program, please go to: <https://dchealth.dc.gov/service/prescription-drug-monitoring-program>

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

DCRX continues to publish continuing education credit courses, all of which can be reviewed at [dchealth.dc.gov/dcrx](https://dchealth.dc.gov/dcrx). A new module, titled: [\*Telehealth: Essential Considerations and Practical Guides for Implementation and Success\*](#), focuses on the best practices of telehealth, and is now available to all interested.

The Board of Pharmacy has begun a new contract year with DCRx, and will continue to produce four (4) new modules that will be published quarterly.

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

Council Period 25 began at the top of the calendar year, with two new council members: Christina Henderson and Matthew Frumin. While Council Member Gray remains on the Committee of Health, along with Council Members Allen, Nadeau and Parker, the committee is now chaired by Council Member Henderson.

Ms. Henderson will conduct her first performance oversight hearing pertaining to DC Health's Boards of Licensure on February 28, 2023. Ms. Amanda Attiya, representative of the Office of Government Relations, will assist Board Chair, Dr. Tamara McCants in drafting testimony for the Hearing.

The following legislation was passed by the Council by the end of period 24:

1. Legislation regarding reproductive healthcare provider protections, which will extend to pharmacists as they dispense birth control and other medications pertaining to reproductive healthcare.
2. Legislation concerning a minor’s consent for vaccination, which allows emancipated minors and unaccompanied minors to be vaccinated without parental consent.

The *Clinical Laboratory Practitioners Amendment Act of 2022* has not been passed by the Council.

In preparation of the performance oversight hearing scheduled for February 28, 2023, the Board of Pharmacy decides on highlighting the practice of pharmacy and presenting the following to the Committee on Health:

- What the District of Columbia’s Board of Pharmacy has learned from the COVID-19 Coronavirus Pandemic in the scope of the practice of pharmacy.
- Why not adopt the best practices promoted by the emergency declarations, which allowed pharmacists and pharmacy technicians to operate/work differently, such that the consumer, the healthcare professional, and the residents of the District of Columbia benefited?
- Why return to the “brick and mortar” mode of care when the ability to provide care through telehealth, effectively and safely with confidentiality and checks and balances in place is the future?

Board Chair, Dr. Tamara McCants will share the first draft of the testimonial with the Board, when completed. Vice Chair, Mr. Alan Friedman suggests that [the Board] also discusses legislation for the protections for pharmacists before the committee on February 28, 2023.

Executive Director, Dr. Justin Ortique explains the Public Health Priorities as selected by the Director of DC Health:

- At least ten percent (10%) of the total required continuing education shall be in the subjects determined by the Director as [public health priorities](#) of the District every five (5) years or less frequently, as deemed appropriate by the Director, with notice of the subject matter published in the D.C. Register.
- The following topics have been identified as key public health priorities:
  - i. Responsible opioid prescribing and effective pain management.
  - ii. Nutrition and obesity prevention.
  - iii. Identifying and reporting abuse (child and adult), neglect (child and adult), human trafficking, and domestic violence.

	<ul style="list-style-type: none"> <li>iv. Sexual health (including taking sexual history, discussing sexual experiences with patients, sexually transmitted diseases (including HIV/AIDS), HPV vaccines, connections to cancer, latent tuberculosis, safe sex, and birth control).</li> <li>v. Ethics and appropriate patient interactions (i.e. boundaries, patient privacy, and communications including telehealth).</li> <li>vi. Smoking, vaping, and tobacco (including dangers, smoking cessation, and non-smoke tobacco products).</li> <li>vii. Preparing your patients for an emergency and handling vulnerable populations in an emergency.</li> <li>viii. Identifying impairment (physical or mental) in patients and providers (including complying with the Americans with Disabilities Act and the Occupational Safety and Health Act).</li> <li>ix. Vaccinations (including legal requirements and appropriate exemptions).</li> <li>x. Implicit bias, cultural competence and Culturally and Linguistically Appropriate Services (CLAS) in health and health care.</li> </ul> <p style="margin-left: 40px;">▪ <b>Pharmacist and Pharmacy Technician Renewals</b></p> <p>The 2023 license renewal application for pharmacists and pharmacy technicians is currently in process, with a deadline earmarked for February 28, 2023. An E-blast reminder concerning licensure renewal will be transmitted to the pharmacist and pharmacy technician community later today, February 2, 2023. The reminder will include the requirements for vaccination and immunization authority renewal, which are a current CPR certificate and proof of completing 2.0 credits relevant to the administration of vaccination and immunization.</p> <p>Board Chair, Dr. Tamara McCants advises the pharmacy professional community that several continuing education courses are scheduled to occur in the District of Columbia, this month, February, 2023. Dr. McCants encourages pharmacist and pharmacy technicians to consider DCRx and Howard University’s virtual program in completing continuing education credits.</p>	
<p><b><u>Senior Assistant General Counsel Report</u></b></p>		
<p>0202-O-02</p>	<p><b><u>Notice of Final Rulemaking-Chapter 65 (Pharmacists) of Title 17 (Business, Occupations, and Professionals) of the District of Columbia Municipal Regulations (DCMR).</u></b></p>	<p>Ms. Carla Williams</p>

	<p>Final Rulemaking concerning Chapter 65 was published on January 6, 2023 with a repeal of Section 6518, which is outdated and inconsistent with the Board’s current structure.</p> <p>Board Chair, Dr. Tamara McCants encourages all pharmacists and pharmacy interns to review the updated Chapter 65.</p>	
<b><u>Regarding Subcommittee Reports</u></b>		
0202-O-03	<p><b><u>Legislative and Regulatory Subcommittee Report</u></b></p> <p>The Legislative and Regulatory Subcommittee is meeting monthly and continues to discuss data received from the workplace survey pertaining to the workplace environment. The subcommittee is focusing on the practice environment – meal breaks and other breaks; the time of breaks; posting of notices while staff is out of the pharmacy, and the content of the notice; whether or not a pharmacist should be present in the pharmacy at all times, the scope of work of pharmacy staff while the pharmacist is not present, etc. In the next step, subcommittee members will come together to create policy changes [for the pharmacy practice environment] and develop regulatory language, pending the Board of Pharmacy’s approval.</p>	Mr. Alan Friedman
0202-O-04	<p><b><u>Communications Subcommittee Report</u></b></p> <p>The communications subcommittee report is tabled until the next open session Board meeting.</p>	Dr. Ashlee Bow
<b><u>Matter for Consideration</u></b>		
0202-O-05	<p><b><u>Amendments to the Bylaws of the District of Columbia Board of Pharmacy</u></b></p> <p><b>Motion:</b> Board Member, Dr. Benjamin Miles moves that the Board to amend the bylaws of the District of Columbia Board of Pharmacy such that:</p> <ol style="list-style-type: none"> <li>1. “In person” is removed from Article 1, and</li> <li>2. “And his/her staff” is added to Article 5.</li> </ol> <p><b>Seconded by:</b> Mr. Alan Friedman.</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: Absent.  Ashlee Bow: Absent.</p>	

	<p><u>Article 1: General</u></p> <p>Whereas Article 1 states: "Board members shall attend all Board meetings <i>in person</i>, unless prevented by illness or similar unavoidable cause," the article is amended to read as follows:</p> <p>"Board members shall attend <b>all</b> Board meetings, unless prevented by illness or similar unavoidable cause."</p> <p><u>Article 5: General Delegation of Authority</u></p> <p>Whereas Article 5(2) states: "The Board delegates to <b>the Executive Director the authority</b> to issue new licenses and registrations where minimum qualifications have been met, and no disciplinary action or practice issues have been identified," the article is amended to read as follows:</p> <p>"The Board delegates to <b>the Executive Director and his/her staff the authority</b> to issue new licenses and registrations where minimum qualifications have been met, and no disciplinary action or practice issues have been identified."</p>	
0202-E-06	<p><u><b>Inquiry Regarding the Exemption for Pharmaceutical Detailers</b></u></p> <p>Under current interpretation of the law, the Pharmaceutical Detailer does not need a license in the District of Columbia if he/she is practicing for less than thirty (30) consecutive days. Proposed changes to the HORA, where "in person" has been removed from the law, a Pharmaceutical Detailer who practices via a virtual platform for thirty (30) consecutive days will be required to obtain licensure in the District of Columbia.</p> <p>Therefore, if the District of Columbia's Council amends the law, thirty (30) consecutive days in person, via virtual platform, or a combination of both will require the Pharmaceutical Detailer to be licensed in the District of Columbia.</p>	
<u>Presentation</u>	<p><u><b>Neal Watson, Senior Manager, Member Relations and Government Affairs at National Association of Boards of Pharmacy (NABP)</b></u></p> <p>Introduction to a New Pharmacist Exam Eligibility Service</p> <ul style="list-style-type: none"> <li>(a) Presentation Slides</li> <li>(b) Pharmacist licensing fees</li> </ul> <p>The goal of the New Pharmacist Exam Eligibility Service is to streamline the examination process for pharmacist licensure.</p>	



	<p>While the fee for this service is \$85.00, the applicant will pay it only once during the examination process. The examination process will also include approvals for ADA accommodations.</p> <p>Ten jurisdictions have adopted the eligibility service and an additional five are considering implementation of the service.</p> <p><b>Motion:</b> Board Member, Dr. Benjamin Miles moves that the Board approves the use of NABP’s New Pharmacist Exam Eligibility Service</p> <p><b>Seconded by:</b> Mr. Alan Friedman.</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: Absent.  Ashlee Bow: Absent.</p> <p><b>Abstentions: None.</b></p> <p><b>Motion Carried</b></p>	
<p><b>NABP E-Newsletter</b></p>	<p><u><b>January 25, 2022</b></u></p> <p>FDA Issues Guidance for Compounding Ibuprofen Oral Suspension Products Under FD&amp;C Act</p> <p>DEA Addresses Suspicious Orders of CS With Guidance Document</p> <p>PQA Publishes Second Edition of the Social Determinants of Health Resource Guide</p> <p>DEA Outlines New Guidelines After Elimination of the DATA-Waiver Program</p> <p>Study Shows Flu Shot Decreased Outpatient Care Needed During the 2021-2022 Flu Season</p> <p>2023 Patient Safety Awareness Week Toolkit Available to Download for Free</p> <p><u><b>January 11, 2022</b></u></p> <p>MAT Act Signed Into Law, NABP Applauds Benefits for Overdose Prevention Recovery Support</p> <p>NCC MERP Offers Free Home Study Webinar, Pharmacist Tools to Support Patient Safety</p>	<p>Dr. Tamara McCants</p>

	<p>FDA Expands Rule Allowing Retail Pharmacists to Sell Abortion Medications</p> <p>NSDUH Results Show 61.2 Million People Used Illicit Drugs in 2021, According to SAMHSA and HHS</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>Vice Chair, Mr. Alan Friedman, informs the Board of Pharmacy of the following current topics:</p> <ol style="list-style-type: none"> <li>1. DEA Removal of the Data X Waiver.</li> <li>2. The Biden’s Administration/Federal Lifting of the Emergency Regarding COVID-19 Coronavirus on May 11, 2023.</li> </ol> <p>Board Chair, Dr. Tamara McCants informs the Board of the following:</p> <ul style="list-style-type: none"> <li>• Patient Safety Awareness Week 2023 (Scheduled for March 12 – 18, 2023).</li> </ul>	
<p><b><u>Comments from the Public</u></b></p>	<p>No comments from the public.</p>	
<p><b><u>Motion to Adjourn the Open Session</u></b></p>	<p><b>Board member, Dr. Benjamin Miles 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> Mr. Alan Friedman.</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: Absent.  Dr. Allison Hill: Absent.</p> <p><b>Abstentions: None.</b></p> <p><b>Motion Carried.</b></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 11:02 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).**