

**899 NORTH CAPITOL ST. NE – 2ND FLR.
WASHINGTON, DC 20002**

February 7, 2019

9:30am- 11:30 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: 9:38 am

PRESIDING: Daphne Bernard

BOARD MEMBERSHIP/ATTENDANCE:

BOARD MEMBERS:		
	DR .DAPHNE B. BERNARD, PHARM.D., RPH CHAIRPERSON	Present
	MR. JAMES APPLEBY, RPH VICE CHAIR	Present
	DR. TAMARA McCANTS, PHARM.D., RPH.	Present
	MR. ALAN FRIEDMAN, RPH.	Present
	DR. BENJAMIN MILES, PHARM.D., RPH.	Present
	CHIKITA SANDERS, CONSUMER BOARD MEMBER	Absent
STAFF:	DR. JUSTIN ORTIQUE, SUPERVISORY PHARMACIST	
	KARIN BARRON, HEALTH LICENSING SPECIALIST	
	LUANNE GREENAWAY, PROGRAM SPECIALIST	
	LAWRENCE HOLLAND, BOARD INVESTIGATOR	
LEGAL STAFF:	CARLA WILLIAMS, ASSISTANT GENERAL COUNSEL	
VISITORS:		
	Janis Jackson, DC Health	
	Don Zowaden, DC Public	
	Jennifer Thomas, Olarant Q10	
	Denise Felluca, Walgreens	
	Monet Stanford, Kaiser Permanente	
	Deidre Payne, Walmart	
	Jeenu Philip, Walgreens	
	Kim Greenwood, DC Health	
	Tami Brown, Merck	
	Joshua Bailey, Washington DC Pharmacist Association	
	Fedrica Paul, Stevens Pharmacy	
	Summer Mussel, 4 th Year Pharmacy Student, Howard University	

Open Session Minutes

Quorum: Yes

Introduction:		
0207-O-01	<p><u>Approval of the Open Session Meeting Minutes</u> December 6, 2018- Board Member Mr. James Appleby moved the Board to approve the February 7, 2019 open session minutes Seconded by Dr. Benjamin Miles Motion Abstained by Dr. Tamara McCants and Mr. Alan Friedman Motion carried</p> <p><u>Approval of the Open Session Meeting Minutes</u> January 3, 2019 Board Member Dr. Benjamin Miles moved the Board to approve the January 3, 2019 open session minutes Seconded by Dr. Tamara McCants Motion Abstained by Mr. Alan Friedman and Mr. James Appleby Motion carried</p>	
<u>Consent Agenda</u>	None	
<u>Executive Director Report</u>	<p><u>Licensing Report</u></p> <p>Statistics</p> <ul style="list-style-type: none">➤ Pharmacist: 2250➤ Vaccination and Immunization: 695➤ Pharmacy Interns: 623➤ Pharmacy Technician Training Programs: 10➤ Pharmacy Technicians: 1089➤ Pharmacy Technician Trainee: 98➤ Pharmaceutical Detailers: 750 <p><u>New Licensing Portal</u></p> <ul style="list-style-type: none">➤ Forty percent (40%) of Pharmacists and Pharmacy Technicians have renewed their licenses using the new licensing portal. In summary, 928 Pharmacists and 399 Pharmacy Technicians have completed the renewal process and are licensed in the District.➤ The new online licensing portal is a migration from paper applications.➤ Review of the first page is important in understanding how to renew a license. Information on the acceptable browsers – Google Chrome and Fire Fox are inclusive of the renewal directions on the first page.	

- It is important to note that paper applications are no longer accepted.
- Renewed licenses will be emailed to pharmacy professionals within 5-10 minutes.
- To troubleshoot problems experienced while using the online renewal portal, consult the *Frequently Asked Questions*. If a renewal application was submitted with affirmative answers to certain questions, (i.e. a “yes” answer to a name change, an arrest/conviction, or an indication that the applicant “will finish CEs), it will be submitted for further review, which may be completed within three (3) days. For inquiries beyond the three (3) day wait period, create a case by clicking on the hyperlink at the bottom of the page of the online portal.

Cardiopulmonary Resuscitation (CPR) Training

- The training requirement part of the training must include an “in-person” or live demonstration module.
- The “in-person,” live demonstration requirement confirms that pharmacists can perform CPR accurately. It further guarantees the safety of District residents as well as visitors served.
- Correct certification, as well as continuing education credits are required for vaccination registration.
- CPR certification must remain active throughout licensure.
- If an applicant is unable to meet the requirements or no longer needs vaccination and immunization licensure, the DC Board of Pharmacy requires written notification. In response to a written notice, the Board will inactivate your vaccination and immunization agent license.
- Applicants requesting non-renewal of a vaccination and immunization registration during the renewal process should uncheck the payment option on the last page.

Board Member, Mr. James Appleby, advances the argument by introducing a motion.

Motion by: James Appleby – The District of Columbia Board of Pharmacy requests of the Assistant General Counsel preparation of a policy statement, which explicitly expresses that continuing education in CPR Training, requires a live demonstration component.

Seconded by: Mr. Alan Friedman

Abstentions: None

Motion Carried

Prescription Drug Monitoring Program

- The PDMP program is thriving and health professionals are encouraged to register.
- Legislation regarding mandatory registration is impending and will require providers (including new licensees), to register in the

- program. When the law is enacted, DC Health will provide information on the established deadline to register in the program.
- To ensure compliance, DC Health will develop an implementation plan for providers.
 - The new law will be enforced later this year.
 - Further information regarding the program will be circulated in the near future.

Opioid Strategic Plan

- (Live. Long. DC) that the Mayor released in December 2018.
- The strategic plan outlines the District's proposal to reduce opioid misuse and abuse.
- The proposal is a comprehensive outline of the unique opioid epidemic in DC, and the seven (7) goals to be targeted through cross disciplines, private and public leadership coalitions.
- An update will be forthcoming in the next few months, and will demonstrate how the PDMP is instrumental in the plan.
- The opioid strategic plan is available for review on the DBH website.

Clinical Lab Practitioner Advisory Committee Updates

- The Clinical Lab Practitioner Advisory Committee met on February 6, 2019 to discuss impending regulations for Clinical Laboratory Practitioners.
- The committee completed a review of the regulations to rule out discrepancies, as well as clarify revisions.
- A committee member plans to attend the next board meeting and present some of the technical aspects of the impending regulations.

Naloxone Update

- Information regarding the Naloxone standing order and policy statement was published and disseminated in early December.
- The policy statement allows National Pharmacy Organizations (NPOs) to create proprietor training programs for Naloxone, whereby physicians will sign the standing orders for each specific NPO.
- Non-NPOs or Independent Pharmacies are allowed to obtain a standing order through DC Health.
- Thus far, Goodcare Pharmacy, Morgan Pharmacy, Grubbs NE, NW and SE, as well as Kalorama Pharmacy have all completed standing orders regarding Naloxone.

In response to questions posed by Dr. Tamara McCants and Dr. Daphne Bernard, Dr. Ortique disseminates further information on contacting him regarding the standing orders for dispensing Naloxone. Interested NPOs are required to contact Dr. Ortique to begin the process, complete training through DCRX and receive a signed standing order to dispense Naloxone.

In response to a question posed by Mr. Don Zowaden, Dr. Ortique:

1. Clarifies that the PDMP is a mandatory program focused on

- registering prescribers and dispensers, including new licensees.
2. Repeats the statistical data on licensed pharmacy professionals in the District of Columbia.

In response to questions posed by Mr. Alan Friedman, Dr. Ortique:

1. Repeats the deadline for online renewal registration for pharmacists and pharmacy technicians as February 28, 2019.
2. States that specifying "in-person" or live demonstration as a CPR Training requirement is a clarification to the standing regulation.
3. Yields to Ms. Williams to clarify the following:
 - a) Legislation regarding the PDMP is currently in congressional review.
 - b) The mandatory date for enactment is March 31, 2019. However, it is uncertain that the legislation will be in effect by then, and this will be taken into consideration with regard to enforcement.
 - c) The current measure of enforcement is through the licensing process whereby applicants will not receive a new license or a renewed license without registration in the PDMP. There are no penalties; applicants will not obtain licensure in DC.
 - d) Prescribers are describes as professionals who prescribe controlled substances. The renewal process will allow renewal of the primary license, the controlled substance license and then move seamlessly into PDMP registration.
 - e) Per legislation, March 31, 2019 is the deadline for registration for all prescribers and dispensers of controlled substances; that is the law. However, each Board will have the flexibility on a mandated date of enforcement.
 - f) The Boards and department staff must collaborate in communicating mandatory registration in the PDMP to licensees.
 - g) With regard to the CPR Policy Statement:
 - i. A follow-up meeting with Dr. White will be scheduled to discuss the intention.
 - ii. The Board of Pharmacy previously voted, during the December monthly meeting that the interpretation of the course work for the CPR certification is that it is satisfied by live demonstration. Therefore, updating the DC Health website with a CPR policy is a good idea.
 - iii. Ms. Williams is available to post an updated policy to dchealth.dc.gov, whenever directed by the Board of Pharmacy.
 - h) The Clinical Lab Practitioner Advisory Committee will attend the Board of Pharmacy's April monthly meeting to discuss legislation and regulation. The committee would like to address changing old law, to reflect the changes of the practice. Ms. Williams will draft legislation for the committee, which will be presented at the meeting.

In response to a question posed by Mr. Friedman, Dr. Ortique states that a DEA number may not be required for PDMP registration. Dr. Ortique to consult with Mr. Friedman on a later date regarding this matter.

In response to a question posed by Mr. Jeenu Philip regarding an updated pharmacist license expiration date after completing the online renewal process, Ms. Barron states that the while the online renewal portal presented as slow in updating licenses, it is now updating renewed licenses within 24 – 48 hours after a license is renewed.

In response to a question posed by Ms. Denise Felluca regarding the online renewal licensing portal's failure to reflect a new expiration date for licensed pharmacist, for several weeks, Ms. Barron states that some applicants are using the old online license search portal whereas the new online license search portal would reflect the accurate expiration date. She offers to forward the new expiration date to Ms. Felluca.

Chairperson, Dr. Daphne Bernard requests that the new online license search portal be posted to the DC Health website. Ms. Barron responds by stating that corrective action would be:

1. Updating the FAQs with the correct link to the new online license search portal
2. Posting the link to the new online license search portal on the DC Board of Pharmacy website.

In response to a question posed by Ms. Denise Felluca regarding lack of closure to cases created on the online license renewal portal, Ms. Barron states that the Board of Pharmacy staff is currently working through the cases.

In response to Board Member, Mr. Friedman's question regarding an auto generated reply to the applicant, acknowledging that a case was submitted to the online license renewal portal, Ms. Barron states that applicants do not receive auto-generated responses.

Board Member, Mr. Appleby thanks Ms. Felluca for sharing her experience with the online license renewal portal and asked her, and other attendees, to encourage pharmacist to renew their licenses. He further stated:

- If only forty percent (40 %) of licenses have been renewed, it means that sixty percent of the licenses must be renewed within three weeks of the upcoming deadline.
- Historical assessments of individual practitioners suggest that many do not complete the CE requirements. Hence, the online license renewal portal's request to upload CEs will come as a shock to many applicants, which may lead to an unpleasant situation in the upcoming weeks.
- Additional messaging must be considered – particularly in three key bullet points that instructs applicants to renew their licenses.

Chairperson, Dr. Daphne Bernard adds that via the yearly audit, many pharmacist are randomly selected to participate and submit CEs. Applicants

	for license renewal must be reminded that there is still time to complete CEs in the upcoming three weeks towards the deadline for license renewal, particularly those focused on LGBTQ cultural competency, which are not free.	
<u>Assistant General Counsel Report</u>	Nothing to report.	Carla Williams
<u>Subcommittee Report</u>		
	<p><u>Legislative and Regulatory</u></p> <p>Representatives from the District of Columbia Boards of Pharmacy and Medicine will meet on February 13, 2019 to discuss the next steps in authorizing pharmacists to prescribe hormonal contraceptives in the District of Columbia. The discussion will include topics on:</p> <ul style="list-style-type: none"> ➤ Patient self-assessment, and ➤ The pharmacist referral form <p>An algorithm, built on the patient self-assessment, will be presented by the physicians, while patient education among pharmacists, will be presented with recommendations from the pharmacy perspective. However, the committee must come to a consensus on its recommendations on education, which will then be shared with the respective boards.</p> <p>The committee has drafted regulations. However, the committee members are still allowed time to provide feedback on the regulations before sharing with the respective boards.</p> <p>While Mr. Friedman will not attend the impending meeting, Board Member, Dr. Benjamin Miles will attend. Mr. Friedman will submit drafts of regulations to the committee and will discuss all matters regarding the upcoming meeting with Dr. Miles by Friday, February 8, 2019.</p>	Alan Friedman
0207-O-02	<p>Defending Access to Women’s Health Care Services Amendment Act of 2017</p> <p>Nothing reported.</p>	
0207-O-03	<p><u>Communications Subcommittee Report</u></p> <p>The next edition of the state newsletter, <i>The Content</i>, will be submitted for publication next week. Drs. Bernard and White are currently reviewing additional information for the newsletter that is relevant and inclusive of pharmacists and technicians.</p> <p>E-mail blasts will be generated to notify pharmacists and technicians of the new online license renewal system, the deadline for renewal, and CE requirements.</p>	Dr. Daphne Bernard

0207-O-04	<u>Summary of NABP E-News Intern Presentation</u>	Pharmacist Student, Summer Knuckle
NABP E-Newsletter	<p><u>January 23, 2019</u></p> <p>NABP 2019 <i>Survey of Pharmacy Law</i> Now Available</p> <p>Synthetic Opioids Contribute to Increase in Drug Overdose Deaths in US, CDC Reports</p> <p>FDA Creates Model Drug Facts Label to Support Development of Over-the-Counter Naloxone</p> <p>Lupin Pharmaceuticals Recalls 42 Lots of Ceftriaxone for Injection USP Due to Particulate Matter</p> <p>FDA Warns of Hidden Drug Ingredients in Slimina and The Silver Bullet; Warns Consumers Not to Purchase</p> <p><u>January 9, 2019</u></p> <p>HHS Releases Guidance on Naloxone, Recommends Co-Prescribing to Reduce Overdose Deaths</p> <p>CPA Awards Telehealth Accreditation to SinfoníaRx, Inc, Austin, TX and Gainesville, FL Locations</p> <p>FTC Sues Sellers of Nobetes, a Pill Claiming to Treat Diabetes</p> <p>Aurobindo Pharma USA Issues Consumer Level Recall of 80 Lots of Amlodipine Valsartan Tablets USP, Valsartan HCTZ Tablets USP, and Valsartan Tablets USP</p>	
<u>Matters for Board Consideration</u>		
0207-O-05	<p>Collaborative Practice Agreements – 22-B DCMR Chapter 10006 requires the Board of Pharmacy and Medicine to approve Collaborative Practice Agreements if a physician and a pharmacist intend to manage or treat a condition or disease state for which there is not a protocol that is generally accepted as the clinical standard of care, the physician and pharmacist shall apply for approval. The Boards shall receive and review the proposed treatment protocol and jointly approve or disapprove.</p> <p>Application and approval are not needed for treatment of conditions for which there is a generally accepted clinical standard of care, but for which the physician wants to increase the monitoring and oversight of the condition over what the protocol recommends.</p> <p>The Board of Medicine is requesting to develop a joint task force with the</p>	

	<p>Board of Pharmacy to discuss this process and the requirements to review collaborative practice agreements. The Board should select two members to send to the Joint Task Force.</p> <p>Collaborative practice will align with standard protocols. However, a submitted protocol deemed non-standard, the Boards of Pharmacy and Medicine would determine if the protocol is admissible. Hence, the Boards of Pharmacy and Medicine must create a task force of two members each, who will collaborate on the review of such protocols.</p> <p>Dr. Tamara McCants and Dr. Benjamin Miles will be the Board Members representing the Board of Pharmacy for this task force.</p>	
<p>0207-O-06</p>	<p><u>Verbal Report on DC Pharmacy Robberies</u></p> <p>Promethazine with codeine is the common product sought in four (4) robberies and one (1) burglary in the District of Columbia. The robberies transpired between the dates of November 29, 2019 and January 27, 2019.</p> <p>Mr. Holland recommends that following for a more secure environment at pharmacies:</p> <ol style="list-style-type: none"> 1. Higher counter tops, particularly at CVS Pharmacy where counter tops are lowered, which grants easier access to products behind the counter. 2. During an incident, stay calm and do exactly what is asked of you. 3. Give as much detail as possible; give as much information as you can to the police. 4. Re-assess security protocols. 5. Station security personnel towards the front of the store, but more importantly, closer to the pharmacies to avert robberies and burglaries. 6. During an incident, stay calm and do exactly what is asked of you. 7. Document as much as you can, so that you are able to pass it on to the police. 	<p>Mr. Lawrence Holland</p>
<p>0207-O-07</p>	<p>Request for approval of Continuing Education to satisfy the LGBTQ Cultural Competency Requirement</p> <ol style="list-style-type: none"> (a) "LGBT Diversity in the Workplace: Your Responsibilities" (Course Handout) (b) "Section: HIV/AIDS Update for Healthcare Professionals, LGBTQ Cultural Competency" (Course Handout) <p>Motion by: James Appleby – that the second course, titled "<i>Section: HIV/AIDS Update for Healthcare Professionals, LGBTQ Cultural Competency,</i>" will meet the continuing education credit requirement for LGBTQ cultural competency.</p> <p>Seconded by: Dr. Tamara McCants</p> <p>Abstentions: None</p> <p>Motion Carried</p>	

	<p>Per Chairperson, Dr. Daphne Bernard, the District of Columbia Board of Pharmacy will:</p> <ol style="list-style-type: none"> 1. Communicate to the requesting pharmacist that "Section: HIV/AIDS Update for Healthcare Professionals, LGBTQ Cultural Competency" meets the continuing education credit requirement for LGBTQ cultural competency. 2. Review CE credits in LGBTQ cultural competency during the audit cycle, with flexibility and with the understanding that the CE requirement regarding LGBTQ cultural competency must be submitted for approval. 	
<p>Public Comments</p>	<ul style="list-style-type: none"> • Mr. Alan Friedman announces the 115 Annual Meeting of the National Association of Boards of Pharmacy in Minneapolis, Minnesota, on May 16 through 18, 2019. Per Chairperson, Dr. Daphne Bernard, the District of Columbia Board of Pharmacy will attend this meeting. • In response to a question posed by Mr. Don Zowaden regarding the acceptance of "LGBT Diversity in the Workplace: Your Responsibilities" as an approved continuing education credit, Chairperson Dr. Daphne Bernard states that the coursework will require further review, and at this time, does not meet the continuing education credit requirement for LGBTQ cultural competency. <ul style="list-style-type: none"> ➤ Motion by: Mr. Alan Friedman – In response to 0207-O-07 (a) and based on the information presented, the District of Columbia Board of Pharmacy has deemed that the course, titled "LGBT Diversity in the Workplace: Your Responsibilities," does not meet the continuing education credit requirement for LGBTQ cultural competency. ➤ Roll Call Vote: Dr. Benjamin Miles: Not in favor of the motion. Mr. Alan Friedman: In favor of the motion. Mr. James Appleby: In favor of the motion. Dr. Tamara McCants: Not in favor of the motion. Dr. Daphne Bernard: In favor of the motion. ➤ Motion Carried • In response to a question posed by Ms. Denise Felluva regarding information on USP800, Mr. Alan Friedman responds, "there must be guidance at the local jurisdiction[al] level in terms of the expectation [to comply] with the federal requirement. Neighboring jurisdictions are developing guidance to be clear about what that agency expectation is, whether it is sooner or later, how it is going to affect inspections, and in the case of Virginia, the guidance was challenged and then [revised] to align with federal requirements. The federal requirement has moved as well; the implementation date was [postponed] because the [feedback was negative] – hospitals in particular, did not meet the demand quite quickly enough. So, as a health care professional, the District needs to 	

	<p>get some guidance out there.”</p> <ul style="list-style-type: none"> • Jennifer Thomas announces the an educational event at Qlarant on February 13, 2019, with discussions on vaccines regarding, herpes zoster, shingles and influenza, questions on supplies, guidelines, etc. • Dr. McCants announces two continuing education credit programs: <ol style="list-style-type: none"> 1. Howard University College of Pharmacy will host the SNAPhA Regional Conference on Saturday, February 23, 2019, which will award four (4) hours of continuing education. Topics will include an update on immunization; a pharmacist’s role in addressing substance abuse; clinical considerations for medicinal cannabis, and the US ship – from volume to value; for four live continuing education credits. 2. Howard University Office of Continuing Pharmacy Education will host a joint CE program with pharmacists and nurse practitioners on Sunday, February 24, 2019. Topics will include immunization, LGBTQ and law updates. • Mr. Alan Friedman announces a continuing education program for pharmacist licensed in the state of Maryland at the Maryland Pharmacist Association’s Mid-Year Meeting on Sunday, February 10, 2019 at the College Park Marriott Hotel and Conference Center. The Meeting highlights include seven (7) hours of continuing education credits, inclusive of one (1) hour of LGBTQ cultural competency and one (1) hour of HIV. Interested persons can find more information at https://www.marylandpharmacist.org/. 	
<p>Motion to Adjourn the Open Session</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 style="text-align: center;">(Roll Call Vote)</p> <p>Mr. Alan Friedman: In favor of the motion Mr. James Appleby: In favor of the motion. Dr. Tamara McCants: In favor of the motion. Dr. Daphne Bernard: In favor of the motion.</p>	<p>Dr. Benjamin Miles</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.