

BOARD OF PHARMACY
Professional & Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

MINUTES OF MEETING

Date: Thursday, November 20, 2014

Time: 9:00 a.m.

Place: King Kalakaua Conference Room
King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, Hawaii 96813

Members Present: Kerri Okamura, Chair
Marcella Chock, Pharmacist
Lydia Kumasaka, Public Member
Carolyn Ma, Pharmacist

Members Excused: Mary Jo Keefe, Pharmacist
Garrett Lau, Vice Chair

Staff Present: Lee Ann Teshima, Executive Officer ("EO")
Stephen Levins, Deputy Attorney General ("DAG")
Lisa Kalani, Secretary

Guests: Catalina Cross, Times Supermarket
Kellie Noguchi, Times Pharmacy
Paul Smith, Walgreens
Tiffany Yajima, Ashford & Winston
Fred Cruz, CVS Caremark
Greg Edwards, Dept. of Health, Food and Drug Branch
Charles Ashley, CVS Caremark
Albert Lau, Kaiser Permanente
Stacy Pi, Kaiser Permanente
Patrick Uyemoto, Times

Call to Order: The agenda for this meeting was filed with the Office of the Lieutenant Governor, as required by section 92-7(b), Hawaii Revised Statutes ("HRS").

There being a quorum present, the Chair called the meeting to order at 9:00 a.m.

Chair's Report: **Announcements and Introductions**

The Chair asked the audience to introduce themselves and excused Ms. Keefe and the Vice Chair from today's meeting.

Additions/Additional Distribution to Agenda

None

Approval of the Previous Minutes – October 23, 2014

The Chair called for a motion in regards to the minutes of the October 23, 2014 meeting.

Upon a motion by Dr. Ma, seconded by Kumasaka, it was voted on and unanimously carried to approve the minutes for the October 23, 2014 meeting as circulated.

Vice Chair's Report:

None

Executive Officer's Report:

HAR Title 16, Chapter 95 – Status Report

The EO reported that the proposed rules were reviewed by the Small Business Regulatory Review Board yesterday and that they did not appear to have any concerns and approved the draft of the rules for public hearing. Next steps, the Chair signed the appropriate copies; your DAG will be reviewing and signing as well and then a request to hold a public hearing will be sent to the Governor.

Conferences/Seminars/Meetings

NABP Vet-VIPPS Survey, Maui, Hawaii, November 16, 2014 – Mary Jo Keefe

The EO reported Ms. Keefe is attending the NABP Vet-VIPPS survey on Maui. She is acting as an observer and will report back at the next Board meeting.

NABP Interactive Member Forum, December 2-3, 2014, Northbrook, Illinois – Mary Jo Keefe

The EO reported Ms. Keefe will be attending the NABP Interactive Member Forum, December 2-3, 2014 in Northbrook, Illinois.

New Board Member Orientation, December 5, 2014, 8:30 – 12:30 p.m., State Capitol Auditorium

The EO reported the Chair, Ms. Keefe and Dr. Chock will be attending the New Board Member orientation on Oahu at the State Capitol Auditorium December 5, 2014.

Correspondence:

NABP

State News Roundup, October 2014

- Louisiana – New State Laws

The 2014 Louisiana State Legislature adopted a number of new laws affecting pharmacy practice. The following laws became effective on August 1, 2014:

- ✓ **Act 397 (SB618)** rescheduled carisoprodol products from Schedule IV to Schedule II of the state list of controlled substances (CS).
- ✓ **Act 865 (SB 496)** amended the state CS law to impose three new requirements:
 1. A prescription for any CS listed in Schedule II shall expire 90 days after the date of issue, and no pharmacy shall dispense any medication for that expired prescription.
 2. Prior to initially prescribing any controlled dangerous substance listed in Schedule II to a patient for the treatment of non-cancer related chronic or

intractable pain, the prescriber shall access the patient's history in the Louisiana Prescription Monitoring Program (PMP)

3. With respect to prescriptions for any opioid derivatives listed in either Schedule II or Schedule III issued by any prescriber not licensed by the state of Louisiana, the pharmacist shall not dispense more than a 10-day supply of that prescription, the dosage of which shall not exceed the federal Food and Drug Administration (FDA) approved labeling for that product, and further, the pharmacist shall notify the prescriber of the supply dispensed and the cancellation of the remainder of the prescription.

- ✓ **Act 472 (SB 556)** amended the PMP law to change the deadline by which pharmacies are required to report their eligible prescription transactions to the PMP database. Previous to this change, pharmacies were required to report such transactions no later than seven days after the date of dispensing. Now pharmacies are required to report their transactions no later than the end of the next business day after the date of dispensing.
- ✓ **Act 353 (HB 754)** authorizes certain first responders to obtain naloxone on prescription and administer it to any person they find experiencing an opioid-related drug overdose without the necessity of obtaining a prescription or medical order for that patient in distress.

- Minnesota – “Steve’s Law”

During its 2014 legislative session, the Minnesota State Legislature passed a bill that is referred to as “Steve’s Law”. It provides some immunity from prosecution to individuals who, acting in good faith, seek medical assistance for another person who is experiencing a drug-related overdose.

- New Jersey’s Pain Management Council

The New Jersey Division of Consumer Affairs convened a Pain Management Council on October 21, 2014. The council was tasked with reviewing current professional standards and regulations for all prescribers and dispensers with the intended purpose of establishing best practices for managing pain while maintaining effective controls against diversion and abuse of prescription medications.

- New Jersey Compounding in Retail and Institutional Pharmacies

New Jersey has a new rule permitting a pharmacy to prepare compounded sterile preparations for a licensed prescriber for use in the prescriber’s practice without a prescription, consistent with state and federal laws pertinent to the prescriber’s health care practice.

Proliferation of Rogue Online Drug Sellers Feeds Prescription Drug Abuse Epidemic

The Board reviewed a news release from NABP highlighting a connection between the proliferation of rogue online drug sellers and the prescription drug abuse epidemic. To protect consumers buying medications online, NABP launched the .Pharmacy Top-Level Domain (TLD) program as a means for identifying safe, legal, and ethical online pharmacies and pharmacy resources. Only legitimate Internet pharmacies and related entities will qualify for .pharmacy domains, giving consumers a way to distinguish safe sites from rogue sites.

NABP Issues Policy Statement Supporting the Pharmacist's Role in Increasing Access to Opioid Overdose Reversal Drug

The Board reviewed a news release from NABP issuing a policy statement promoting an active role for pharmacists in expanding access to the opioid overdose reversal drug, naloxone.

Verbal Orders...Can a non-licensed person take/receive a verbal order from a prescriber for DME's?

The Board reviewed an email inquiry asking if the Board has any regulations as to whether a non-licensed person can receive a verbal order from a prescriber.

After a brief discussion, and a review of their pharmacy laws and rules, the Board determined that based on the following definition only a pharmacist may accept a verbal order from a prescriber/practitioner for both prescription drugs and devices:

- "Prescription" means a written, facsimile, or telephone order from a prescriber for dispensation of a drug. A telephone order from a prescriber or the prescriber's authorized agent shall only be valid if the order is immediately reduced to writing by the pharmacist. Prescription also includes an order written in the chart of a patient in an institutional facility by a prescriber.

Pharmacy Interns Administering Immunizations

The Board reviewed an email inquiry asking if pharmacy interns/assistants may give immunizations under the direct supervision of a licensed pharmacist; and secondly, if pharmacists must have a prescription from a physician to give a vaccination.

After some discussion, and a review of their pharmacy laws and rules, the Board determined that pharmacy assistants/interns may administer immunizations, which falls under the definition of "Practice of pharmacy", under the immediate supervision of a pharmacist, provided the pharmacy assistant/intern has received the appropriate education and training to perform such a function and the supervising pharmacist has ascertained that the pharmacy assistant/intern is competent to administer the immunization.

In regards to the second part of the question, a prescription is required for pharmacist to administer the influenza vaccine to individuals who are between 14-17 years old. A prescription or physician's order is also required for a pharmacist to administer a vaccine to individuals 18 years or older.

Executive Session:

At 9:23 a.m., upon a motion by Ms. Kumasaka, seconded by Dr. Chock, it was voted on and unanimously carried to move into executive session pursuant to §92-5(a)(1) and (4), HRS, "to consider and evaluate personal information relating to individuals applying for professional or vocational licenses cited in section 26-9 or both;" and "To consult with the Board's attorney on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities;" .

At 9:55 a.m. upon a motion by Dr. Ma, seconded by Dr. Chock, it was voted on and unanimously carried to move out of executive session.

Chapter 91, HRS .
Adjudicatory Matters:

The Chair called for a recess from the meeting at 9:55 a.m. to discuss and deliberate on the following adjudicatory matter(s) pursuant to Chapter 91, HRS:

In the Matter of the Pharmacist's License of **Richard L. Spearman**, PHA 2002-11-L, Declaration of Noncompliance with Board's Final Order Filed on July 21, 2014, Exhibits 1-2; Certificate of Service

Upon a motion by the Chair, seconded by Dr. Chock, it was voted on and unanimously carried to accept RICO's Declaration of Noncompliance with Board's Final Order Filed on July 21, 2014 and to consider a Board's Final Order to revoke respondent's pharmacist license for noncompliance of the Board's Final Order dated July 21, 2014.

Applications:

Ratification List

Upon a motion by Dr. Chock, seconded by Ms. Kumasaka, it was voted on and unanimously carried to approve the attached ratification lists.

Applications

Pharmacist

Upon a motion by the Chair, seconded by Ms. Kumasaka, it was voted on and unanimously carried to approve the following application:

Michael Bisceglia

Miscellaneous Permit

Upon a motion by the Chair, seconded by Dr. Chock, it was voted on and unanimously carried to approve the following applications:

KV Supply, LLC

Factor Support Network Pharmacy, Inc.(Jacqueline Mylinh Nguyen, PharmD)

Unicare Pharmacy, Inc., dba MedicoRx Specialty (Vladimir Lenchitsky, Owner/PharmD)

ESI Mail Pharmacy Service, Inc, dba Express Scripts (New York)

ESI Mail Pharmacy Service, Inc., dba Express Scripts (Arizona)

Miscellaneous Permit

Upon a motion by the Chair, seconded by Dr. Chock, it was voted on and unanimously carried to approve the following application, but the approval does not include pharmacist Scott Silber pursuant to HRS §436B-19(13).

Partell Specialty Pharmacy (Scot Silber, RPh)

Miscellaneous Permit

Upon a motion by the Chair, seconded by Dr. Chock, it was voted on and unanimously carried to approve the following application, but the approval does not include pharmacist Richard Appling pursuant to HRS §436B-19(13).

Appling Enterprises, LLC, dba Denton Prescription Shop

Miscellaneous Permit

Upon a motion by the Chair, seconded by Dr. Chock, it was voted on and unanimously carried to deny the following application pursuant to HRS §436B-19(13), HRS §461-21(a)(2), and HRS §461-21(a)(5).

ExcelleRx

Next Meeting:

The Chair announced the next Board meeting as:

Thursday, December 18 2014
9:00 a.m.
King Kalakaua Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813

Adjournment:

With no further business to discuss, the Chair adjourned the meeting at 10:06 a.m.

Taken and recorded by:

Reviewed and approved by:

/s/ Lisa Kalani
Lisa Kalani, Secretary

/s/ Lee Ann Teshima
Lee Ann Teshima, Executive Officer

12/4/14

Minutes approved as is.

Minutes approved with changes; see minutes of _____

LTYPE	LIC NUM	BP NAME PART 1
PH	3755	DANA L <NOVAK<
PH	3756	FREDERICK <IENNA<
PH	3757	JENIFFER P <SYLVESTER<
PH	3758	PETHIDIN <UNG<

LTYPE	LIC NUM	BUSN ADDR 1	BUSN CITY	BUSN				CLS			
				ST	BUSN ZIP	B	A/I	R P	EXPR DTE	PRE	BP NAME PART 1
PHY	858	116 S HOTEL ST #101	HONOLULU	HI	96813		A		12/31/2015		WALGREEN OF HAWAII LLC

LTYPE	LIC NUM	BUSN ADDR 1	BUSN CITY	BUSN		BP NAME PART 1
				ST	BUSN ZIP	
PMP	1056	950 E COUNTY LINE RD #A	RIDGELAND	MS	39157	MEDWORX COMPOUNDING LLC
PMP	1057	512 ELMWOOD AVE	SHARON HILL	PA	19079	EXCELLERX
PMP	1058	338 UNION ST	LITTLETON	NH	03561	NORTHERN NEW ENGLAND COMPOUNDING PHARMACY
PMP	1059	4700 N HANLEY RD #C	ST LOUIS	MO	63134	ESI MAIL PHARMACY SERVICE INC
PMP	1060	28691 US HWAY 98 STE D1	DAPHNE	AL	36526	MARIAN RESPIRATORY CARE INC
PMP	1061	189 N PLANO RD #120	RICHARDSON	TX	75081	RICHARDSON EAST NEIGHBORHOOD PHARMACY INC
PMP	1062	131 SCHOOLHOUSE RD	JENNERSTOWN	PA	15547	BOSWELL PHARMACY SERVICES LLC
PMP	1063	3300 WEST COAST HWY #A 1	NEWPORT BEACH	CA	92663	NEWPORT CARE CENTER PHARMACY INC
PMP	1064	4415 LEWIS RD	HARRISBURG	PA	17111	ESI MAIL PHARMACY SERVICE INC
PMP	1065	4500 ALEXANDER BLVD NE	ALBUQUERQUE	NM	87107	ESI MAIL PHARMACY SERVICE INC
PMP	1066	4800 EAST ST RD	TREVOSE	PA	19053	ESI MAIL PHARMACY SERVICE INC
PMP	1067	8990 DUKE BLVD	MASON	OH	45040	ESI MAIL ORDER PROCESSING INC
PMP	1068	4700 N HANLEY RD #A	ST LOUIS	MO	63134	EXPRESS SCRIPTS SPECIALTY DISTRIBUTION SERVICES INC
PMP	1069	7560 GREENVILLE AVE	DALLAS	TX	75231	SHAPA INC
PMP	1070	6258 NORTH W ST	PENSACOLA	FL	32505	PHYSICIAN SPECIALTY PHARMACY LLC

BOARD OF PHARMACY

October 23, 2014 Ratification List

Miscellaneous Permits (PMP)

Change of PIC:

Accredo Health Group Inc. (PMP 122)

3000 Ericsson Dr. Ste. 100

Warrendale, PA. 15086

New PIC: Joseph K. Montgomery

Effective: 10/1/14

Town Total Health LLC dba Aureus Pharmacy (PMP 965)

305 Merchant Ln.

Pittsburgh, PA. 15205

New PIC: Carol Sirianni

Effective: 10/13/14

American Rx LLC (PMP 977)

412 S. Court Street #300

Florence, AL. 35630

New PIC: William Stapp Harrison

Effective: 10/16/14

First Call Pharmacy LLC (PMP 516)

1500 Veterans Blvd.

Kenner, LA. 70062

New PIC: Douglas West

Effective: 10/13/14

Tel-Drug Inc. dba Cigna Home Delivery Pharmacy #1 (PMP 19)

4901 N 4th Ave.

Sioux Falls, SD. 57104

New PIC: Chad Sherard

Effective: 10/15/14

Matrix Pharmacy LLC dba MyMatrix Pharmacy (PMP 571)

5706 Benjamin Center Dr.

Tampa, FL. 33634

New PIC: Michael Nguyen

Effective: 10/6/14

Ardon Health LLC (PMP 1004)

11835 NE Glenn Widing Dr.

Portland, OR. 97220

New PIC: Kate S. Jelline

Effective: 10/30/14

ESI Mail Pharmacy Services Inc. dba Express Scripts (PMP 298)

7909 South Hardy Drive Ste. 106

Tempe, AZ. 85284

New PIC: Lisa M. Girten

Effective: 10/25/14

Med Quest Pharmacy (PMP 232)

669 W 900 N

N Salt Lake, UT. 84054

New PIC: Christopher Cantwell

Effective: 11/7/14

Liberty Medical Supply Inc. (PMP 137)

8881 Liberty Lane

Port St. Lucie, FL. 34952

New PIC: Phillip Monaco

Effective: 11/1/14

Apria Healthcare LLC dba Star Medical Rx (PMP 1044)

700 NW Argosy Pkwy

Riverside, MO. 64150

New PIC: Jon Seth Brownsberger

Effective: 10/27/14

Wells Pharmacy Network LLC (PMP 797)

1210 SW 33rd Ave.

Ocala, FL. 34474

New PIC: Chukiat Chailitlerd

Effective: 10/21/14

Linden Care LLC (PMP 895)

130 Crossways Park Drive Ste. 101

Woodbury, NY. 11797

New PIC: Michael Knee

Effective: 11/3/14

Relocation:

Acariahealth Pharmacy #11 Inc (PMP 894)

1311 W. Sam Houston Pkwy. N. Ste. 130

Houston, TX. 77043

Effective: 11/14/14

The Medicine Store Pharmacy Inc. dba RxPress Pharmacy (PMP 1045)

1000 W Weatherford St. Stes 100, 110 & 200

Fort Worth, TX. 76102

Effective: 10/5/14

Closure:

One Stop Pharmacy Inc. dba One Stop Pharmacy (PMP 624)

3193 Tech Dr. Ste. B
St. Petersburg, FL. 33716
Effective: 11/5/14

OK Compounding LLC (PMP 873)

102 N Broadway
Skiatook, OK. 74070
Effective: 10/31/14

Name Change

Custom Meds Inc. (PMP 497)

102 East Highland Blvd.
Inverness, FL. 34452
Effective: 10/3/14

McKesson Patient Care Solutions Inc.

2 Twosome Dr.
Moorestown, NJ. 08057
Effective: 10/23/14

Pharmacy (PHY)

Change of PIC:

Kmart Corporation dba K Mart Pharmacy #7683 (PHY 527)

74-5465 Kamakaeha St.
Kailua-Kona, HI. 96740
New PIC: John Fujita
Effective: 10/17/14

**Ko'olauloa Community Health and Wellness Center Incorporated (PHY 788)
dba Ko'olauloa Pharmacy**

56-119 Pualalea St.
Kahuku, HI. 96731
New PIC: Christopher Tsue
Effective: 11/4/14

Longs Drug Stores California LLC dba Longs Drugs #9227 (PHY 731)

111 E. Puainako St.
Hilo, HI. 96720
New PIC: Hannah Canosa
Effective: 9/28/14

Longs Drug Stores California LLC dba Longs Drugs #10295 (PHY 840)

841 Bishop St. Ste. 105
Honolulu, HI. 96813
New PIC: Cheryl Cheng
Effective: 10/26/14

Kmart Corporation dba Kmart Pharmacy #9430 (PHY 611)

500 Kamokila Blvd.

Kapolei, HI. 96707

New PIC: Jessica Chock

Effective 10/22/14

Castle Medical Center dba Castle Professional Center Pharmacy (PHY 531)

46-001 Kamehameha Hwy. Ste. 108

Kaneohe, HI. 96744

New PIC: Calvin Wong

Effective: 10/30/14

Nineteen Fifty-One Partners Inc. dba Malama Pharmacy South (PHY 845)

82-6066 Mamalahoa Ste. 14

Captain Cook, HI. 96704

New PIC: Patricia Balzarini

Effective: 11/1/14

Trade Name Change

Kaiser Foundation Health Plan Inc. dba Kaiser Koolau Pharmacy (PHY 138)

45-605 Kamehameha Hwy.

Kaneohe, HI. 96744

Effective: 10/22/14

Kaiser Foundation Health Plan Inc. dba Kaiser Wailuku Pharmacy (PHY 214)

80 Manalani St.

Wailuku, HI. 96793

Effective: 10/22/14

Kaiser Foundation Health Plan Inc. dba Kaiser Lahaina Pharmacy (PHY 238)

910 Wainee St.

Lahaina, HI. 96761

Effective: 10/22/14

Kaiser Foundation Health Plan Inc. dba Kaiser Hawaii Kai Pharmacy (PHY 341)

6700 Kalaniana'ole Hwy. Ste. 111

Honolulu, HI. 96825

Effective: 10/22/14

Kaiser Foundation Health Plan Inc. dba Kaiser Honolulu Pharmacy (PHY 385)

1010 Pensacola St.

Honolulu, HI. 96814

Effective: 10/22/14

Kaiser Foundation Health Plan Inc. dba Kaiser Kona Pharmacy (PHY 401)

75-184 Hualalai Rd. #301

Kailua-Kona, HI. 96740

Effective: 10/22/14

Kaiser Foundation Health Plan Inc. dba Kaiser Maui Lani Pharmacy (PHY 654)

55 Maui Lani Pkwy.

Wailuku, HI. 96793

Effective: 10/22/14

Kaiser Foundation Health Plan Inc. dba Kaiser Waipio Pharmacy (PHY 655)

94-1480 Moaniani St.

Waipahu, HI. 96797

Effective: 10/22/14

Kaiser Foundation Health Plan Inc. dba Kaiser Mapunapuna Pharmacy (PHY 671)

2828 Paa St. #2400

Honolulu, HI. 96819

Effective: 10/22/14

Kaiser Foundation Health Plan Inc. dba Kaiser Pearlridge Pharmacy (PHY 842)

98-1005 Moanalua Rd. Ste. 1000

Aiea, HI. 96701

Effective: 10/22/14