

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

MINUTES OF MEETING

Date: Thursday, December 19, 2013

Time: 9:00 a.m.

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

Members Present: Todd Inafuku, Pharmacist
Jill Oliveira Gray, Public Member
Garrett Lau, Pharmacist
Kerri Okamura, Pharmacist
Carolyn Ma, Pharmacist

Members Excused: Mary Jo Keefe, Pharmacist
Lydia Kumasaka, Public Member

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

Guests: Tiffany Yajima, Ashford & Winston/Walgreens
Stacy Pi, Kaiser Permanente
Paul Smith, Walgreens
Andre Reler, Walgreens
Sharon Terayama, CVS/Longs
Marcella Chock, HPHA
Fred Cruz, CVS Caremark
Margarette McLeod, ND (HSNP)
Greg Edwards, Dept. of Health, Food and Drug Branch

Agenda: 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").

Call to Order: There being a quorum present, the Chair called the meeting to order at 9:05 a.m.

Announcements and Introductions

The Chair asked the audience to introduce themselves.

Additions/Additional Distribution to Agenda

The Chair called for a motion to add the following to the agenda:

Additions

4. Executive Officer's Report
 - c. February 13, 2014 Board of Pharmacy Meeting – New and Additional Meeting Sites.
 - d. Daria A. Loy-Goto, Complaints and Enforcement Officer, Regulated Complaints Office – Offer to Meet with Board of Pharmacy

6. Old Business
 - c. Department of Health Information on Expedited Partner Therapy

8. Applications
 - b. Applications
 - 1) Miscellaneous Permits
 - iv. Accredo Health Group Inc. (Indiana)
 - v. Accredo Health Group Inc. (Florida)

Upon a motion by the Chair, seconded by Ms. Okamura, it was voted on and unanimously carried to add the above mentioned application to the agenda.

Approval of the Previous Minutes – November 21, 2013

Mr. Lau stated on page 9, under Open Forum, third paragraph, first sentence. It should read "Mr. Lau stated that the Surescripts website does not recognize Hawaii as accepting electronic prescriptions of controlled substances." Remove ... if anyone is filing the electronic prescribing of controlled substances...

The Chair pointed out in the fourth paragraph under Open Forum, the name Derrick is spelled incorrectly, the correct spelling is Derek.

The Chair stated on page 4 under **2014 Legislature**, third paragraph, last sentence should read, "The Chair stated his concern with this section is the Board is not capable of developing a training program at this time because no one has expertise in this area. Also on page 4 under Correspondence, the Chair pointed out the word education is repeated twice in the first sentence.

The Chair called for a motion in regards to the minutes of the November 21, 2013 meeting. Upon a motion by the Chair, seconded by Mr. Lau, it was voted on and unanimously carried to approve the minutes for the November 21, 2013 with the above mentioned amendments.

**Laws and Rules
Committee Report:**

The Chair reported on the November 21, 2013 Laws and Rules Committee Meeting as follows:

1. Dispensing of Veterinary Drugs

The Committee discussed correspondence they received regarding the dispensing of veterinary drugs and the problems that occur.

The Committee received sixteen statements provided by the Hawaii Board of Veterinary Examiners (HBVE) in regards to veterinary prescriptions for the Committee to consider. The Committee's recommendation is to place the statements on the Board of Pharmacy's webpage as a guidance document. The HBVE also had six questions for

the Hawaii Board of Pharmacy. The questions with the Committee's responses are as follows:

1. If a pharmacy changes or alters the veterinary prescriptions, who is liable or responsible for any ill consequences to the veterinary patient that may result? ***A pharmacist is not allowed to change or alter a prescription without first consulting the prescriber.***
2. How does the Pharmacy Board feel about diversion of veterinary products and medications? ***The Board of Pharmacy's current laws and rules do not dictate where a pharmacy obtains prescription drugs from.***
3. If diversion occurs, how are quality control, safety and efficacy of products managed if manufacturers void their liability/product guarantees because their products are being sold by non-veterinary sources? ***See response #2.***
4. If diversion occurs, how are quality control, safety and efficacy of products managed if a manufacture recalls a product? ***See response #2.***
5. Will appropriate dispensing equipment be supplied with prescription? Will the pharmacist be responsible for providing the proper implement(s) for delivery of the medication? ***A pharmacist will use their professional judgment to assist patient in proper delivery of medications.***
6. Currently, what information is required by pharmacists in order to process a prescription for a veterinary patient (e.g. breed, drug name, dosage, client information, etc)? ***Refer to §16-95-82.***

2. Defining "Otherwise Qualified Pharmacy" for Act 226, SLH 2013 Per a Request from the Insurance Commissioner

The Committee's recommendation is to provide the Insurance Commissioner with the definition of pharmacy as stated in Chapter 461.

3. Relating to Pharmacists – Requires pharmacists to complete a training program approved by the board of pharmacy to dispense veterinary prescriptions

The Committee discussed the above proposed legislation. The Committee's concerns are:

- Veterinary prescriptions are not defined.
- The Board of Pharmacy is not qualified to develop a training program for pharmacist to dispense veterinary medications.
- The availability of medications to animals would become severely limited.
- Bill is unnecessary because most veterinary medications are dispensed by veterinarians.

4. Review and Discussion of the Goals for the Laws and Rules Committee

The Committee will be reviewing the rules and regulations regarding immunizations.

Executive Officer's
Report:

2014 Legislature

The EO reported that she does not know of any bills other than the veterinary bill. Pat Adams has mentioned to her he may have a bill regarding immunizations of minors not requiring a prescription. The EO will keep the Board apprised.

Report on Current Renewals

The EO reported as of December 2, 2013, 1,258 pharmacists have renewed out of 2,459. 188 pharmacies have renewed out of 279. 264 miscellaneous permits have renewed out of 472. 38 wholesale drug distributors have renewed out of 75. There are 74 pharmacy renewals in a pending status.

February 13, 2014 Board of Pharmacy Meeting – New and Additional Meeting Sites

The EO reported that the UH Hilo College of Pharmacy would like the Board to hold the February 13, 2014 Board meeting in the Gold Bond building classroom to be broadcast to the college classroom in Hilo.

Daria A. Loy-Goto, Complaints and Enforcement Officer, Regulated Industries Complaints Office – Offer to Meet with Board of Pharmacy

The EO reported Ms. Loy-Goto has offered to come to a Board meeting to answer any questions or address any concerns the Board may have regarding the Regulated Industries Complaints Office. The EO asked the Board if they would like Ms. Loy-Goto to come to please give her their questions and/or concerns ahead of time.

Correspondence:

National Association of Boards of Pharmacy (NABP)

November 2013 State News Roundup

New Missouri Emergency Dispensing Legislation

During the 2013 legislative session, the Missouri General Assembly enacted §338.200, which authorizes a Missouri pharmacist to dispense an emergency supply of medication if the pharmacist is unable to obtain refill authorization from the prescriber. Under the new legislation, pharmacists may dispense an emergency supply if:

- In the pharmacist's professional judgment, interruption of therapy might reasonably produce undesirable consequences;
- The pharmacy previously dispensed or refilled a prescription from the applicable prescriber for the same patient and medication;
- The pharmacist informs the patient or the patient's agent at the time of dispensing that prescriber authorization is required for future refills. Notification can be made verbally, electronically, or in writing; and
- The emergency dispensing is documented in the patient's prescription record.

Major Change in the OARRS Report to Address the MED Ohio Initiative

The morphine equivalency dosing (MED) initiative was created to curtail the prescription drug epidemic and rising overdose death rates from opiates and combinations therein. This is essentially a system to equate different opiates and potencies into a standard morphine equivalent value via a conversion chart created by the Centers for Disease Control and Prevention (CDC). This chart and an example of how the score is calculated will be located on the last page of the new Ohio Automated Rx Reporting System (OARRS) report.

Ohio Board Proposed Emergency Rule Regarding Synthetic Cannabinoids/Cathinones

The Board has recently released a press release in conjunction with the Ohio Attorney General's Office regarding a Board emergency proposed rule that will schedule synthetic cannabinoids ("spice")/cathinones ("bath salts") as Schedule I illicit substances.

The rule will outlaw these substances by their basic "pharmacophore" backbone chemical structure, which all of them have, not by their exact complete molecular structure. Previously these drugs were outlawed individually by the exact chemical structure of each compound, thus the "street" chemist could simply change one element of a side chain of these molecules and create a legal substance. This pharmacophore strategy will hopefully eliminate these substances from being sold legally to the general population by outlawing the backbone structure that all of these substances share.

Immunizations for Public Health Emergencies in Oregon

With the signing of 2013 Oregon Senate Bill 167, effective January 1, 2014, the governor can authorize pharmacist to administer vaccines to patients three years of age and older without a prescription when declaring a public health emergency. Also under this new bill, the Oregon Office of the State Public Health Director can do the same during events such as infectious disease outbreaks.

Virginia Statutory Change to Requirement for Nonresident Pharmacies Submission of Current Inspection Report

As a prerequisite to obtaining registration as a nonresident pharmacy or renewing a nonresident pharmacy registration, the nonresident pharmacy shall submit a copy of a current inspection report resulting from an inspection conducted by the regulatory or licensing agency of the jurisdiction in which it is located that indicates compliance with the requirements of the Virginia Drug Control Act, including compliance with United States Pharmacopeia-National Formulary (USP-NF) standards for pharmacies performing sterile and nonsterile compounding.

Old Business:

HAR Title 16, Chapter 95 – Status Report

The EO reported she is working on having it to the DAG by the end of the year.

Pharmacy Technician Survey – Status Report

The EO reported that Greg Edwards from the Dept. of Health, Food and Drug Branch will assist in getting the survey faxed to all the pharmacies. The survey will be made attention to the pharmacist-in-charge for them to complete.

The Chair asked if they will be given a deadline.

The EO stated yes, the deadline will be January 13, 2014 so the Board may discuss the results of the survey at the January 23, 2014 meeting.

Department of Health Information on Expedited Partner Therapy

The Board discussed an email from the Department of Health regarding a point that has been raised about prescriptions made to "Expedited Partner Therapy."

The email states that pharmacists have reported that there is a problem faced by customers wanting to convert such an "unnamed" prescription to a named one, by self-disclosure of their identity in conjunction with display of customary photo identification, like their driver license. Customers may wish to do this in order to make use of prescription coverage. The problem conveyed by the pharmacists is that they are unable to fill the prescription in the name of the person, because they must adhere to the designation on the prescription ("Expedited Partner Therapy").

The EO asked the pharmacist members, if they receive a prescription with a name on it, can they change it to someone else's name.

The Chair stated no. They can call the doctor who wrote the prescription and ask, but if the doctor says no then they cannot change it.

The EO asked if in the normal course of business, is calling the doctor something you would normally do if this situation arises.

Ms. Okamura stated yes.

Dr. Oliveira Gray stated her concern would be that the doctor may have not seen/treated the person to whose name the prescription is being changed to.

The EO asked where in the laws and rules it says a pharmacist can change the name on a prescription.

Ms. Okamura stated it doesn't, but if the doctor authorizes the change, a new prescription is written, the prescription is not being changed.

The EO clarified, if the doctor authorizes a name to be put on the prescription, the "Expedited Partner Therapy" prescription is not amended. A new prescription is written.

The Chair stated yes.

The EO stated however if the doctor says no, then the person has to either pay the amount in full or see the doctor.

Guest Stacy Pi from Kaiser Permanente stated what is important is what is written in the law. Anything beyond that is up to the contractual relations and what they are.

Guest Fred Cruz from CVS Caremark stated the pharmacist can also call the insurance provider and ask if patient A can pay for both prescriptions.

The EO stated the Board should not be dictating how a doctor writes a prescription. These situations should be handled to the best of your ability and to the laws and rules.

Open Forum: Guest Greg Edwards from the Dept of Health, Food and Drug branch stated the Dept. of Health, Sanitation Branch did an emergency change to their rules so no permit is required to make food to feed the homeless. Mr. Edwards suggested they be contacted to see how they went about doing an emergency rule change.

The Chair stated on Monday he attended a meeting with the Dept. of Health on the Healthcare Antibiotic Initiative. The Chair stated he did not go as a representative of the Board but just to listen to this very worthwhile project from the Dept. of Health.

Applications: **Ratification List**

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

Executive Session: At 10:03 a.m., upon a motion by the Chair, seconded by Dr. Ma, 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 10:13 a.m. upon a motion by the Chair, seconded by Mr. Lau, it was voted on and unanimously carried to move out of executive session.

Applications: **Applications**

Miscellaneous Permit

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

Express Plus Pharmacy LLC
Budget Discount Sales Corp., - dba SoBe Compounding Apothecary
Biofusion LLC., dba Biofusion
Accredo Health Group Inc. (Indiana)
Accredo Health Group Inc. (Florida)

Next Meeting: The Chair announced the next Board meeting and asked if everyone was available.

Ms. Kumasaka informed the EO prior to today's meeting that she will not be able to attend the January 23, 2014 meeting.

Thursday, January 23, 2014
9:00 a.m.
Queen Liliuokalani Conference Room
King Kalakaua Building, First Floor
335 Merchant Street
Honolulu, Hawaii 96813

Adjournment: With no further business to discuss, the Chair adjourned the meeting at 10:15 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

1/2/14

Minutes approved as is.

Minutes approved with changes; see minutes of _____

BOARD OF PHARMACY

December 19, 2013 Ratification List

Miscellaneous Permits (PMP)

Change of PIC:

Puget Sound Drug Corp. (PMP 316)

dba Key Compounding Pharmacy

530 South 336th Street

Federal Way, Washington 98003

New PIC: Irene Foo

Effective: 11/5/2013

Arizona Board of Regents (PMP 510)

dba The University of Arizona College of Pharmacy

220 W 6th Street USA B113

Tucson, Arizona 85721

New PIC: Rose Martin

Effective: 10/1/2013

CVS Rx Services, Inc. (PMP 778)

dba Retail Pharmacy Customer Care Center

2100 Highland Corporate Pk. Dr.

Cumberland, Rhode Island 02864

New PIC: Melissa T. Todd

Effective: 10/25/2013

Walgreen Co. (PMP 733)

dba Chroniscript A Walgreens Pharmacy

1250 NW 7th Street, Suite 205

Miami, Florida 33125

New PIC: Yenia Riveras

Effective: 8/20/2013

Wells Pharmacy Network LLC (PMP 797)

1210 SW 33rd Avenue

Ocala, Florida 34474

New PIC: Robert Pruneau

Effective: 10/3/2013

Palm Beach Pharmaceuticals, Inc. (PMP 513)

8409 N. Military Trail, Suite 125

Palm Beach Gardens, Florida 33410

New PIC: Harrinarine Seegulam

Effective: 9/3/2013

Catamaran Home Delivery of Florida Inc. (PMP 486)

dba Catamaran Home Delivery

9994 Premier Pkway

Miramar, Florida 33025

New PIC: Marc Rosenthal

Effective: 11/1/2013

One Stop Pharmacy, Inc. (PMP 624)

3193 Tech Drive, Suite B

St. Petersburg, Florida 33716

New PIC: Lyttleton Hagler Stewart

Effective: 10/14/2013

Plaza Pharmacy Inc. (PMP 814)

4399 NW 124th Avenue

Coral Springs, Florida 33065

New PIC: Frank J. Maluda, Jr.

Effective: 11/4/2013

ESI Mail Pharmacy Service, Inc. (PMP 645)

dba Express Scripts

4610 E. Cotton Center Blvd., Suite 105

Phoenix, Arizona 85040

New PIC: Bryan Olenik

Effective: 11/1/2013

CVS Rx Services, Inc. (PMP 778)

dba Retail Pharmacy Customer Care Center

2100 Highland Corporate Pk. Dr.

Cumberland, Rhode Island 02864

New PIC: Melissa T. Todd

Effective: 10/28/2013

WellDyneRx (PMP 263)

7472 S Tucson Way, Ste. 100-A

Centennial, Colorado 80112

New PIC: Maria King

Effective 11/8/2013

BioScrip Infusion Services Inc. (PMP 570)

320 S. Flower Street

Burbank, California 91570

New PIC: Gevork Azatyan

Effective: 11/11/2013

Name Change/Conversion/Addition of TN or DBA:

PMSI, LLC (PMP 565)

4502 Woodland Corporate Blvd., Ste. 105

Tampa, Florida 33614

Relocation and Name Change:

Advanced Pharmacy LLC (PMP 679)

350-D Feaster Road
Greenville, South Carolina 29615

Fresenius Medical Care Rx (PMP 606)

1000 Corporate Centre Drive
One Meridian, Suite 400
Franklin, Tennessee 37067-2011

Abbvie Endocrinology (PMP 569)

dba Pharmacy Solutions

1 N Waukegan Road
North Chicago, Illinois 60064

Closure:

ESI Mail Pharmacy Service Inc. (PMP 285)

dba Express Scripts

3684 Marshall Lane
Bensalem, Pennsylvania 19020
Effective: 9/25/2013

CuraScript, Inc. (PMP 527)

dba CuraScript SP Specialty Pharmacy

5653 Stoneridge Drive, Suite 109
Pleasanton, California 94588
Effective: 10/31/2013

Triad Isotopes, Inc. (PMP 684)

1840 Boyscout Drive #A
Ft. Myers, Florida 33907
Effective: 12/13/2013

Curascript Inc. (PMP 868)

dba Curascript SP Specialty Pharmacy

5653 Stoneridge Drive, Suite 109
Pleasanton, California 94588
Effective: 10/31/2013

Wells Pharmacy Network LLC (PMP 773)

11120 S. Crown Way, Ste. 11
Wellington, Florida 33414
Effective: 10/31/2013

Pharmacy (PHY)

Change of PIC:

Wal-Mart Stores, Inc. (PHY 653)

700 Keeaumoku Street
Honolulu, Hawaii 96814
New PIC: Dawn Rae Nabeshima
Effective 10/4/2013

**Wal-Mart Stores, Inc. (PHY 810)
dba Wal-Mart Pharmacy 10-3883**

91-600 Farrington Hwy.
Kapolei, Hawaii 96707
New PIC: Koryn-Michele Kinoshita Yuen
Effective 10/4/2013

**Wal-Mart Stores, Inc. (PHY 551)
dba Wal-Mart Pharmacy 10-2321**

75-1015 Henry Street
Kailua-Kona, Hawaii 96740
New PIC: Bridget Frazee
Effective 10/14/2013

**Wal-Mart Stores, Inc. (PHY 550)
dba Wal-Mart Pharmacy 10-2308**

3-3300 Kuhio Hwy
Lihue, Hawaii 96766
New PIC: Galen Tominaga
Effective 10/4/2013

**Longs Drug Stores of California LLC (PHY 722)
dba Longs Drugs #9663**

70 E Kaahumanu Avenue
Kahului, Hawaii 96732
New PIC: Kara Kaneshiro
Effective: 10/6/2013

Target Corporation (PHY 772)

74-5455 Makala Blvd.
Kailua-Kona, Hawaii 96740
New PIC: Cheryl M. Lopez
Effective: 11/1/2013

**Foodland Super Market Limited (PHY 705)
dba Foodland Pharmacy**

55-510 Kamehameha Hwy
Laie, Hawaii 96762
New PIC: Lindsey Matsuda
Effective: 11/23/2013

**Mina Pharmacy LTC LLC (PHY 694)
dba Mina Pharmacy #8**

1029 Kapahulu Avenue #303
Honolulu, Hawaii 96813
New PIC: Priscilla Pabillano
Effective: 12/7/2013

LTYPE	LIC NUM	BP NAME PART 1
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PH	3602	CHRISTOPHER I <LAI HIPPI>
PH	3603	DAYNE A <MENDE>
PH	3604	OSLER G A <ANDRES>
PH	3605	KIRA W <CHUNG>
PH	3606	ELIZABETH <LEE>

LTYPE TEMP LIC NUM VAM_BPR_LEGAL_NAME_1

PHI T131122001 SHANE M <CASLAVKA<

LTYPE	LIC NUM	LIC NAME PART 1	BUSN ADDR 1	BUSN CITY	BUSN		
					ST	BUSN ZIP	BP NAME PART 1
PHY	845	PONO COMPOUNDING PHARMACY	81-6629 MAMALAHOA HWY	KEALAKEKUA	HI	96750	NINETEEN FIFTY-ONE PARTNERS INC
PHY	846	THE QUEEN'S MEDICAL CENTER - WEST OAHU	91-2141 FORT WEAVER RD	EWA BEACH	HI	96706	THE <QUEEN'S< MEDICAL CENTER

LTYPE	LIC NUM	LIC NAME PART 1	BUSN ADDR 1	BUSN CITY	BUSN		
					ST	BUSN ZIP	BP NAME PART 1
PMP	897	TROY PHARMACY	1612 LOWRIS ST	PITTSBURGH	PA	15212	GREEN PARK HEALTH LLC DBA TROY PHA