

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

MINUTES OF MEETING

Date: Thursday, January 22, 2015

Time: 8:00 a.m.

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

Members Present: Mary Jo Keefe, RPh, Pharmacist, Committee Chair
Kerri Okamura, RPh, Pharmacist
Garrett Lau, RPh, Pharmacist

Staff Present: Lee Ann Teshima, Executive Officer ("EO")
Lisa Kalani, Secretary

Guest: Greg Edwards, Dept. of Health, Food and Drug Branch
Tiffany Yajima, Ashford & Winston
Kellie Noguchi, Times
Paul Smith, Walgreens
Reyna Nakamura, Open Door Pharmacy
Alison Steinbunner, Walgreens
Akio Yanagasawa, Walgreens
Fred Cruz, CVS
Pat Adams, Foodland
Kevin Glick, HCPA
Brian Carter, Westside Pharmacy

Call to Order: The Chair called the meeting to order at 8:43 a.m.

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

The Chair asked the audience to introduce themselves

Approval of the Previous Minutes – December 18, 2014 meeting

The Chair called for a motion to the minutes of the December 18, 2014 meeting.

Upon a motion by the Mr. Lau, seconded by Ms. Okamura, it was voted on and unanimously carried to approve the minutes of the December 18, 2014 meeting as circulated.

Correspondence: None.

Old Business: **DME Providers**

The Chair provided the Committee with samples of state boards practice act pertaining to DME providers from Louisiana, Arkansas, Mississippi, North Carolina and Virginia. The Chair stated Massachusetts also has an entire section on DME's, but it is in their health laws.

Ms. Okamura stated that Maryland does license DME providers. What they have is a pharmacy waiver permit, and they indicate that they do not carry drugs.

The EO stated some pharmacy boards regulate DME providers, and some don't because they come under their department of health. So when we do come up with requirements for DME providers, we have to be careful not to say that their license has to come from their board of pharmacy, because some of them won't have one because it's regulated by another department.

Mr. Lau asked if the DME section is going to remain under the miscellaneous permit section.

The EO stated we have to come up with requirements first. If it fits under the miscellaneous permit section then we can leave it there. Otherwise, we have to create a new section. If you look at the miscellaneous permit application now, besides for non-resident pharmacies, there are other activities as well, and those don't ask for a responsible person or employee overseeing the activities, and that is something that should be included for dispensing of DME's.

Ms. Okamura stated it might be easier to put it under the miscellaneous permit and then come up with a pharmacy waiver permit

The EO stated she will look at Maryland's application and the pharmacy waiver permit and try to come up with a draft.

The Chair recessed the meeting at 8:57 a.m.

The Chair resumed the meeting at 10:20 a.m.

Practice of Pharmacy – Collaborative Practice Agreements

The Chair stated she found the previous draft the Committee had worked on and confirmed that the Committee had changed the wording “registered” pharmacist to “licensed” pharmacist throughout.

The Committee discussed taking language from the August 2014 NABP Model State Pharmacy Act and Model Rules under “Pharmacist Care”, “Collaborative Pharmacy Practice” for consideration.

After some discussion, the Committee amended the previous draft of collaborative agreements to incorporate the language from the NABP as follows:

“§16-95-2 Definitions.

“Collaborative pharmacy practice” means that practice of pharmacy whereby a registered pharmacist has agreed to work with a licensed practitioner under policies, procedures, or protocols whereby the registered pharmacist may perform certain patient care functions authorized by the licensed practitioner under specific conditions and for which the registered pharmacist has received appropriate training required by these policies, procedures, or protocols.

“Collaborative agreement” means the written and signed agreement between a registered pharmacist and licensed practitioner that provides for collaborative pharmacy practice.

§16-95-___ Collaborative agreements. (a) A registered pharmacist may perform functions pursuant to the definition of “Practice of pharmacy” as part of the care that is provided collaboratively with a licensed practitioner and pursuant to a collaborative agreement. A collaborative agreement shall include, but not be limited to:

- (1) The name, address, and phone number of the pharmacy or place of business of the registered pharmacist;
- (2) The name, signature, and license number of the registered pharmacist; and
- (3) The name, address, phone number and signature of the licensed practitioner.
- (4) The types of decisions that the registered pharmacist is allowed to make may include a detailed description of:
 - (i) The types of disease, drugs or drug categories involved, and the activities allowed in each case;
 - (ii) The methods, procedures, decision criteria, and plan the pharmacist is to follow when conducting allowed activities; and
 - (iii) The activities the registered pharmacist is to follow including documentation of decisions made and a plan or appropriate mechanism for communication, feedback, and reporting to the

licensed practitioner concerning specific decisions made,. In addition, to the agreement, documentation shall occur on the prescription record, patient profile, a separate log book or in some other appropriate system.

- (b) By executing the collaborative agreement both the registered pharmacist and licensed practitioner agree and acknowledge that:
 - (1) They accept the responsibility for the dispensing and administration of any drugs covered by the agreement; and
 - (2) The registered pharmacist shall provide the patient or patient's agent with drug information concerning dosage, potential adverse effective, follow-up care, and the most recent vaccine information statement for vaccines administered.
- (c) The agreement is in effect until rescinded in writing by the registered pharmacist or licensed practitioner or as specified in the agreement."

Compounding Pharmacies

Discussion was deferred.

Next Meeting: March 12, 2015
Immediately following the Board meeting
PVL Exam Room
King Kalakaua Building, 3rd Floor
335 Merchant Street
Honolulu, Hawaii 96813

Adjournment: With no further business to discuss, the Chair adjourned the meeting at 11:48 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

2/5/15

[X] Minutes approved as is.
[] Minutes approved with changes; see minutes of _____.