

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

MINUTES OF MEETING

Date: Thursday, January 23, 2020

Time: 9:00 a.m.

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

Members Present: Alanna Isobe, Chair
Julie Takishima-Lacasa, PhD, Public Member – Vice Chair
Catalina Cross, Public Member
Mary Jo Keefe, RPh, Pharmacist
Sheri Tokumaru, Pharmacist

Excused: Kenneth VandenBussche, RPh, BCACP, Pharmacist

Staff Present: Lee Ann Teshima, Executive Officer ("EO")
Shari Wong, Deputy Attorney General ("DAG")
Nohelani Jackson, Secretary
Rochelle Araki, Secretary

Guests: Kelsey Thijillo, Walgreens
Madyson Muller, Walgreens
Abigail Mechtenberg, Walgreens
Hannah Borgstrom, Walgreens
Paul Smith, Walgreens
Kellie Noguchi, Kaiser Permanente
James Nguyen, North Dakota State University
Wes Sumida, DKICP
Stacy Pi, Kaiser Permanente
Tiffany Yajima, SanHi Government Strategies
Ashok Kota, Foodland
Patrick Uyemoto, Times
Wendy Iwasaki, HMSA
Lizette Sagun, HMSA
Cherylynn Cheng, Walgreens
Michael Hartsock, NED
Tracy Lopez, DKICP

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, the Chair called the meeting to order at 9:02 a.m.

Chapter 91, HRS
Adjudicatory Matters: At 9:02 a.m., the Chair called for a recess of the meeting to discuss and deliberate on the following adjudicatory matter:

In the Matter of the Pharmacy Miscellaneous Permit of **Imprimisrx NJ LLC, fka Pharmacy Creations LLC, dba Imprimisrx; PHA 2019-14-L** Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order; Exhibit "1"

Upon a motion by the Vice Chair, seconded by Ms. Cross, it was voted on and unanimously carried to approve the Board's Final Order.

In the Matter of the Pharmacy Miscellaneous Permit of **Henry Ford Pharmacy Advantage Southfield; PHA 2019-88-L**, Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order; Exhibits "1" – "2"

Upon a motion by the Vice Chair, seconded by Ms. Cross, it was voted on and unanimously carried to approve the Board's Final Order.

In the Matter of the Pharmacy Miscellaneous Permit of **Masterpharm LLC; PHA 2019-46-L**; Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order; Exhibit "1"

Upon a motion by the Vice Chair, seconded by Ms. Keefe, it was voted on and unanimously carried to approve the Board's Final Order.

In the Matter of the Pharmacy Miscellaneous Permit of **Direct Pharmacy Source, Inc.; PHA 2019-82-L**, Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order; Exhibits "1" – "3"

Upon a motion by Ms. Keefe, seconded by Ms. Cross, it was voted on and unanimously carried to approve the Board's Final Order.

In the Matter of the Pharmacy Miscellaneous Permit of **Biologictx LLC; PHA 2019-44-L**, Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order; Exhibit "1"

Upon a motion by the Vice Chair, seconded by Ms. Cross, it was voted on and unanimously carried to approve the Board's Final Order.

In the Matter of the Pharmacy Miscellaneous Permit of **Strategic Pharmaceutical Solutions, Inc., dba Vetsource Home Delivery; PHA 2019-76-L**, Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order; Exhibit "1"

Upon a motion by Ms. Cross, seconded by Ms. Keefe, it was voted on and unanimously carried to approve the Board's Final Order.

In the Matter of the Pharmacy Miscellaneous Permit of **Goodhealth, Inc., dba Premier Pharmacy Services; PHA 2019-28-L**, Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order; Exhibit "1"

Upon a motion by Ms. Keefe, seconded by the Vice Chair, it was voted on and unanimously carried to approve the Board's Final Order.

In the Matter of the Pharmacy Miscellaneous Permit of **Marley Drug, Inc.; PHA 2019-94-L**, Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order; Exhibits "1" – "13"

Upon a motion by Ms. Keefe, seconded by Ms. Tokumaru, it was voted on and unanimously carried to approve the Board's Final Order.

In the Matter of the Pharmacy Miscellaneous Permit of **Walgreens.com, Inc., dba Walgreens; PHA 2019-26-L**, Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order; Exhibit "1" – 2018 TX BOP disciplinary action for failing to evaluate and identify the clinically significant reasonable directions for use, resulting in a clinically significant low dosage of a dispensed prescription. RICO alleging disciplinary action taken by another state.

Upon a motion by the Vice Chair, seconded by Ms. Keefe, it was voted on and unanimously carried to approve the Board's Final Order.

In the Matter of the Pharmacy Miscellaneous Permit of **Walgreens Mail Service LLC, aka Alliancerx Walgreens Prime, dba Alliancerx Walgreens Prime #03397; PHA 2019-27-L**, Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order; Exhibit "1" – 2018

Upon a motion by Ms. Keefe, seconded by Ms. Cross, it was voted on and unanimously carried to approve the Board's Final Order.

In the Matter of the Pharmacy Miscellaneous Permit of **Fresenius Medical Care Pharmacy Services, Inc., dba FMC Pharmacy Services-East; PHA 2019-65-L**, Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order; Exhibits "1" – "2"

Upon a motion by Ms. Cross, seconded by the Vice Chair, it was voted on and unanimously carried to approve the Board's Final Order.

In the Matter of the Pharmacy Miscellaneous Permit of **Wells Pharmacy Network, LLC. (PMP 802); PHA 2019-89-L**, Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order; Exhibits "1" – "5"

Upon a motion by Ms. Keefe, seconded by Ms. Tokumaru, it was voted on and unanimously carried to approve the Board's Final Order.

In the Matter of the Pharmacy Miscellaneous Permit of **Diamond Drug, Inc., dba Diamond Pharmacy Services; PHA 2019-43-L**, Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order; Exhibit "1"

Upon a motion by Ms. Keefe, seconded by Ms. Cross, it was voted on and unanimously carried to approve the Board's Final Order.

In the Matter of the Pharmacy Miscellaneous Permit of **Wells Pharmacy Network, LLC (PMP 797); PHA 2018-18-2**, Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order; Exhibits "1" – "7"

Upon a motion by the Vice Chair, seconded by Ms. Tokumaru, it was voted on and unanimously carried to approve the Board's Final Order.

In the Matter of the Pharmacy Miscellaneous Permit of **Innoveix Pharmaceuticals; PHA 2019-91-L**, Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order; Exhibit "1"

Upon a motion by Ms. Keefe, seconded by Ms. Cross, it was voted on and unanimously carried to approve the Board's Final Order.

In the Matter of the Pharmacy Miscellaneous Permit of **Agropec Trading LLC, dba Allivet; PHA 2019-79-L**, Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order; Exhibits "1" and "2"

Upon a motion by the Vice Chair, seconded by Ms. Keefe, it was voted on and unanimously carried to approve the Board's Final Order.

In the Matter of the Pharmacy Miscellaneous Permit of **Direct Success Inc., dba Direct Success Pharmacy Dept; PHA 2019-30-L**, Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order; Exhibits "1"

Upon a motion by the Vice Chair, seconded by Ms. Keefe, it was voted on and unanimously carried to approve the Board's Final Order.

Following the Board's review, deliberation, and decision in these matters, pursuant to Chapter 91, HRS, the Chair announced that the Board was reconvening its scheduled meeting at 9:32 a.m.

Executive Session:

At 9:32 a.m., upon a motion by Ms. Keefe, seconded by Ms. Cross, it was voted on and unanimously carried to move into Executive Session in accordance with HRS, 92-5(a) (1), "To consult with the board's attorney on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities".

At 9:50 a.m., upon a motion by the Vice Chair, seconded by Ms. Cross, it was voted on and unanimously carried to move out of executive session.

Applications:

Ratification Lists

Upon a motion by Ms. Keefe, seconded by the Vice Chair, it was voted on and unanimously carried to approve the ratification list(s).

Miscellaneous Permit(s)

It was the consensus of the Board to defer the following applications for additional information:

Caremark Tennessee Specialty Pharmacy LLC, dba CVS/Specialty
Premier Kids Care, Inc.
BioScrip Infusion Services, Inc., dba BioScrip Infusion Services

Upon a motion by the Vice Chair, seconded by Ms. Tokumaru, it was voted on and unanimously carried to approve the following application for miscellaneous permit:

Lincare Pharmacy Services Inc., dba Med 4 Home

Upon a motion by the Vice Chair, seconded by Ms. Keefe, it was voted on and unanimously carried to approve the following individual as the new PIC for miscellaneous permit:

Apex Dialysis and Pharmacy, LLC, dba Patient Choice Pharmacy – Change of
PIC – Jonathan Lekwuwa

Pharmacist

Upon a motion by the Vice Chair, seconded by Ms. Keefe, it was voted on and unanimously carried to approve the following individual for pharmacist exam/license:

John P. Meyer

Chair's Report:

Announcements and Introductions

The Chair asked the audience to introduce themselves.

Approval of the Previous Minutes – November 17, 2019 Meeting

The Chair called for a motion regarding the minutes of the November 17, 2019 meeting.

Upon a motion by Ms. Keefe, seconded by Ms. Cross, it was voted on and unanimously carried to approve the minutes of the November 17, 2019 as circulated.

Executive Officer's
Report:

Conferences/Seminars/Meetings

2020 NABP Interactive Member Forum, January 28-29, 2020, Mount Prospect, IL
The EO announced that the Chair will be attending.

2020 Legislature

Relating to Electronic Prescribing (Mandatory e-prescribing for controlled substances) –

The EO reported that she has not yet seen a bill relating to this matter.

Relating to Pharmacy Benefit Managers

The EO reported that several bills were introduced relating to PBMs.

She also mentioned that the members can go to Hawaii State Legislature and review these and other bills relating to pharmacy.

Pilot Project Application(s)

The EO reported that she received 2 pilot project applications:

- Wailea Pharmacy – Compounding for Veterinary Office Stock

The Board reviewed the additional information submitted and upon a motion by Ms. Keefe, seconded by Ms. Tokumaru, it was voted on and unanimously carried to approve the pilot project for 6 months, ending in July at which time a report will be required.

- Labeling for Drugs with Frequent Dosing Changes

The Board discussed a request for a pilot project to amend the labeling for drugs with frequent dosing changes, specifically, to “waive” the requirement in HRS §328-16 prohibiting oral instructions.

This section does not allow for oral directions of medications that have frequent dosing changes which can result in patients taking the wrong dose and end up with bleeding or thromboembolism.

The EO stated that no one from the Department of Health, Food and Drug Branch was present and that she wanted to discuss if they would allow a pilot project.

However, it was advised that the pilot project was for the Board to allow for the Board’s laws and rules and that the Board does not have the authority over the DOH laws.

The EO stated that HRS 328 should only pertain to “drugs” and perhaps physician dispensed, but that other sections related to labeling and prescriptions for pharmacists and pharmacies should be under the Board’s jurisdiction. She stated she will discuss with DOH.

This matter was deferred.

Working Solutions – December 2019 Issue

A copy was distributed to the members for their information only.

Correspondence: **NABP**

Carmen Catizone, NABP Executive Director Announces Retirement in 2020

The Chair reported that after 35 years at NABP, NABP Executive Director/Secretary announced that he will be retiring in 2020.

Prescription Drug Safety Social Media Posts for Member Boards

The Chair mentioned that the NABP, as part of their ongoing effort to educate patients on prescription medication safety, have created a series of social media posts for boards of pharmacy, board members and other health care organizations to share with the patient networks.

Some of the posts include public service announcement covering topics such as buying medication safely, drug disposal, safe medication use, and tips on identifying and preventing prescription drug abuse.

ACPE CPE Process for State Boards, New Topic Designator for Pain Management/Opioid CE Activities, and IPCE Credit

As of January 1, 2020, ACPE-accredited providers will have the ability to assign a topic, designator for pain management/opioid CE activities that covers all activities that address any component regarding the treatment and management of pain, including the prescribing, distribution and use of opioid medications and/or the risks, symptoms and treatment of opioid misuse/addiction.

Off-Label use of Revolution

The Chair asked Ms. Tokumaru to lead the discussion on the following email inquiry referred from the Board of Veterinary Examiners:

“My name is Claire Conrath and I am a licensed veterinarian here on Oahu. I work for the Oahu SPCA and have a question regarding off label administration of Revolution. The Oahu SPCA runs low cost vaccine clinics every weekend at various Petco locations on Oahu as well as Maui, Kauai and the Big Island. We have constructed Vaccine Packages to provide the most preventative care at the lowest cost for our clients. One of the items in the package is a dose of Revolution applied during the visit based on the recommended dose of 6mg/kg (2.7mg/pound). However, instead of using the individually packaged doses sold for a weight range, multiple large dog doses (85.1 lbs- 130lbs, plum color, 120 mg/ml) are put into a sterile vial and the necessary amount is drawn up and administered by a veterinarian on site. The dose given is the exact same as the patient would receive from the individually packaged doses however the cost is much lower, therefore allowing us to include it in our packages at a lower rate. The medication is never being sent home out of package for owners to administer. I spoke with a veterinarian at Zoetis (Revolution manufacturer) and this is considered extra label use since the product is not in it's original package. She stated the efficacy guarantee provided by Zoetis would still apply but to check with my state veterinary

board for any legal concerns regarding this off label use. I could not find anything regarding this off label use on the AMDUCA or FDA regulation websites either. Our goal is to provide preventative care at an affordable price to as many animals as possible however I want to make sure we are not in violation of any laws or standards.”

Ms. Tokumaru stated that HRS 328 may address this matter and recommended that it be referred to the DOH.

The Board agreed.

Off-Site Record Storage Questions

The Chair asked Ms. Keefe to lead the discussion on the following email inquiry:

“Walmart & Sam’s Club Pharmacies are in the process of establishing a program whereby all original hard copy prescription records, and other pharmacy records (such as invoices) will be sent to an off-site storage facility for long-term storage. For this project, we are trying to determine how long the original, hard copy records must be maintained in the pharmacy (or other storage site within the retail building) prior to sending to an off-site facility. By reviewing the regulations, I understand how long prescription records must be maintained, however, I am trying to determine the earliest point at which prescriptions can be maintained at a location other than at the pharmacy.

With the assumption that all hard copy prescription records will be scanned into our prescription management software and maintained electronically, please assist by answering the following:

- How long must original hard copy prescriptions be stored on-site at the pharmacy, prior to being sent off-site?
- Does the Board have to be notified of the name of the facility and the location where the records will be stored long-term?
- Are there any other considerations that should be taken into account relative to long term off-site records storage?”

Ms. Keefe stated that the pharmacy laws did not specify that the pharmacy maintain “hard” copies of their prescription records and also cited HRS 461-13 that states:

§461-13 Prescription record. A pharmacy shall keep prescription records of each prescription compounded or dispensed at the pharmacy for a period of not less than five years. The prescription records shall at all times be open to inspection by the board of pharmacy and other law enforcement officers.

She also clarified that the Board does not have to be notified of the name/location of the facility where the records will be stored.

The Board agreed.

Queen's Health Systems Notification of Implementation of InstyMeds Medication Adherence System

The EO reported that this matter was already referred to Greg Edwards at the DOH and he responded directly.

Letter from Paul Palamara

The Chair asked Ms. Cross to lead the discussion on Mr. Palamara's letter.

After summarizing, the Vice Chair stated that the Board understands his concerns and that any allegation of violations of the pharmacy practice act should be directed to the Regulated Industries Complaints Office for investigation.

Public Forum:

Public comment on issues not on the agenda may be considered by the Board at a subsequent meeting. The Board is precluded from discussing or acting on items raised by public comment that are not already on the agenda. Public comment will be five minutes per person.

The Chair asked if anyone in the audience wanted to address the Board on a non-agenda item.

There were none.

Next Meeting:

The Chair announced the next Board meeting and asked if everyone was able to attend.

Thursday, February 13, 2020 – New Date

9:00 a.m.

Daniel K. Inouye College of Pharmacy – New Location

Gold Bond Building

677 Ala Moana Blvd., Ste. 1025

Honolulu, Hawaii 96813

AND

Daniel K. Inouye College of Pharmacy – Additional Location

722 South A'ohoku Place

Hale Kihō'ihō'i, Lecture Hall A

Hilo, Hawaii 96720

Adjournment:

There being no further business to discuss, the meeting was adjourned at 10:56 a.m.

Taken and approved by:

/s/ Lee Ann Teshima

Lee Ann Teshima

Executive Officer

Minutes approved as is.

Minutes approved with changes; see minutes of _____

Board of Pharmacy Ratification List for January 23, 2020

Pharmacist (PH)

PH	4504	ANDREW M AGUSTIN
PH	4505	CHANCE WHITNIE C BALDONADO
PH	4506	SHARLA M M RIVERA
PH	4507	ALLIE V MOKHANTHA
PH	4508	DAVIS D H ZHENG
PH	4509	SHELBY R AMMIRATI
PH	4510	DENIZ A BICAKCI
PH	4511	MARK W ASAAD
PH	4512	NOVELLE YU
PH	4513	DESIREA M IRVIN
PH	4514	MANAL ARAFAT
PH	4515	MADISON C AHLSTROM
PH	4516	LINH N SENGMANY
PH	4517	MARK F CHEE
PH	4518	ARASH A ARSHI
PH	4519	MARY ANN BOWEN
PH	4520	LAUREN-NICOLE K SORANAKA
PH	4521	SUNNY KIM
PH	4522	MARK K MILES
PH	4523	JOVENCIO S DOMINGO
PH	4524	KELCI M KOMORI
PH	4525	KAYLIN K OKUMA
PH	4526	LAUREN GLOVER ALEJADO
PH	4527	ARIELLE O BAUTISTA
PH	4528	JONATHAN R MEACHAM

Pharmacy (PHY)

PHY	933	94-809 LUMIAINA ST	WAIPAHU	HI	96797	SAFEWAY INC
PHY	934	74-517 HONOKOHAU ST	KAILUA-KONA	HI	96740	KAISER FOUNDATION HEALTH PLAN, INC
PHY	935	1292 WAIANUENUE AVE	HILO	HI	96720	KAISER FOUNDATION HEALTH PLAN, INC
PHY	936	80 MAHALANI ST	WAILUKU	HI	96793	KAISER FOUNDATION HEALTH PLAN, INC

Miscellaneous Permit (PMP)

PMP	1649	3602 QUANTUM BLVD	BOYNTON BEACH	FL	33426	ROMAN HEALTH PHARMACY LLC
PMP	1650	3644 WEBBER ST	SARASOTA	FL	34232	BUX HEALTHCARE INC
PMP	1651	904 PROSPECT AVE	BRONX	NY	10459	904 PROSPECT PHARMACY INC
PMP	1652	101 WAUKEGAN RD SUITE 100	LAKE BLUFF	IL	60044	FRESENIUS USA MARKETING, INC
PMP	1653	18451 DALLAS PARKWAY	DALLAS	TX	75287	BOND PHARMACY, INC
PMP	1654	41 TEED DR	RANDOLPH	MA	2368	BOSTON MEDICAL CENTER DBA CORNERSTONE HEALTH SOLUTIONS
PMP	1655	255 SOUTH 143RD AVE	GOODYEAR	AZ	85338	CHEWY PHARMACY, LLC
PMP	1656	7710 MERCY RD SUITE 102	OMAHA	NE	68124	ALEGENT CREIGHTON HEALTH
PMP	1657	8 DIGITAL DR STE 106	NOVATO	CA	94949	US VET MEDS LLC
PMP	1658	707 FARRIMGDOM ST	LUMBERTON	NC	28358	HOMERX HEALTHCARE LLC
PMP	1659	14000 N PORTLAND STE 205	OKLAHOMA CITY	OK	73134	OPTIONONE, LLC
PMP	1660	199 TECHNOLOGY DR	IRVINE	CA	92618	BIOSCRIP INFUSION SERVICES, INC
PMP	1661	128 CURRAN LN	LAYFAYETTE	LA	70506	COMPOUNDING PHARMACIES OF LOUISIANA, INC
PMP	1662	3831 GOLF DR STE A	HOUSTON	TX	77018	REVIVE RX LLC
PMP	1663	11980 TELEGRAPH RD	SANTA FE SPRINGS	CA	90670	CRESENT HEALTHCARE, INC

Board of Pharmacy Ratification List

January 23, 2020

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PMP	1664	140 JUPITER LAKES BLVD	JUPITER	FL	33458	ZIPHEALTH INC
PMP	1665	921 CHATHAM LN SUITE 100	COLUMBUS	OH	43221	OHIO STATE UNIVERSITY
PMP	1666	1107 NICHOLAS BLVD	ELK GROVE	IL	60007	ORSINI PHARMACEUTICAL SERVICES, LLC

**Board of Pharmacy – Ratification List
January 23, 2020**

Pharmacy/Miscellaneous Permits/PWDs:

Closures/Cancellation

Synthetopes, Inc. (PMP 1563)

216 Earnhardt St.

Conway, SC 29526

Effective: 6/10/2019

Pharmacare International Inc. (PHY 616)

dba Pharmacare #2

91-2139 Ft. Weaver Road, #106

Ewa Beach, HI 96706

Effective: 8/31/2019

**Board of Pharmacy – Ratification List
December 19, 2019**

Change of PIC

FFP LLC (PMP 784)

dba Matrix Health

3300 Corporate Ave., Ste. 104

Weston, FL 33331

New PIC: Ana Victoria Castillo

Effective: 7/22/2019

Biologics Inc. (PMP 1441)

dba Biologics By McKesson

11800 Weston Pkwy

Cary, NC 27513

New PIC: Charles T. Shaw

Effective: 7/31/2019

Biologictx LLC (PMP 786)

40-D Commerce Way

Totowa, NJ 07512

New PIC: Diviesh Patel

Effective: 8/1/2019

DGN Pharmacy Inc. (PMP 1207)

dba Digino's Aptohecary

20 Murray Hill Pkwy, Ste. 210

East Rutherford, NJ 07073

New PIC: Michael Hearn

Effective: 12/13/2019

**Board of Pharmacy – Ratification List
December 19, 2019**

Relocation