

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

MINUTES OF MEETING

Date: Thursday, February 13, 2020

Time: 9:00 a.m.

Place: 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 Kiho’iho’i, Lecture Hall A
Hilo, Hawaii 96720

Members Present: Alanna Isobe, Chair
Catalina Cross, Public Member
Mary Jo Keefe, RPh, Pharmacist
Sheri Tokumaru, Pharmacist

Excused: Julie Takishima-Lacasa, PhD, Public Member – Vice Chair
Kenneth VandenBussche, RPh, BCACP, Pharmacist

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

Guests: Cherylynn Cheng, Walgreens
Wes Sumida, DKICP
Tiffany Yajima, SanHi Government Strategies
Patrick Uyemoto, Times
Wendy Iwasaki, HMSA
Keegan Choy, Creighton
Gavin Sanjume, Queens POB
Michael Hartsock, NED
Tracy Lopez, DKICP
Greg Edwards, DOH-FDB
Katya Blissard, DEA
Stacy Pi, Kaiser Permanente
Ross Takara, Kaiser Permanente

James Nguyen, North Dakota State University
Gary Whisenand, DOE
Kellie Noguchi, Kaiser Permanente

Guest from the Daniel See attached list.
K. Inouye UH Hilo
College of Pharmacy
("DKICP") via webcast:

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 9:00 a.m.

Executive Session: At 9:00 a.m., upon a motion by Ms. Tokumaru, 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 9:15 a.m., upon a motion by Ms. Keefe, seconded by Ms. Tokumaru, it was voted on and unanimously carried to move out of executive session.

Applications:

Ratification Lists

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

Miscellaneous Permit(s)

Upon a motion by Ms. Cross, seconded by Ms. Keefe, it was voted on and unanimously carried to approve the following applications for Miscellaneous Permit as an out-of-state pharmacy:

Rite Rx Pharmacy Corp
Good Health Inc., dba Premier Pharmacy Services
Powerhouse Pharmacy Rx LLC, dba Powerhouse Pharmacy

Upon a motion by the Chair, seconded by Ms. Tokumaru, it was voted on and unanimously carried to approve the following application for Miscellaneous Permit as an out-of-state pharmacy, however, pursuant to HRS §436B-19(13) and HAR §16-95-110(a)(12) the approval **does not** include pharmacist Christopher Past. Mr. Past **shall not** adjudicate prescriptions, dispense into or contact any person residing in this State as part of the practice of pharmacy.

Chewy Pharmacy LLC

Chair's Report:

Announcements and Introductions

The Chair asked the audience to introduce themselves.

Approval of the Previous Minutes – January 23, 2020 Meeting

The Chair called for a motion regarding the minutes of the January 23, 2020 meeting.

Upon a motion by Ms. Keefe, seconded by Ms. Tokumaru, it was voted on and unanimously carried to approve the minutes of the January 23, 2020 as circulated.

Executive Officer's Report:

Conferences/Seminars/Meetings

2020 NABP Interactive Member Forum, January 28-29, 2020, Mount Prospect, IL

The Chair reported on the topics discussed at the Interactive Member Forum she attended:

- Technician Registration/Certification
- Workload
- Compounding
- USP changes

These will be discussed in more detail at the Working Group Meeting.

2020 Legislature

The Board discussed the following bills:

SB 30, SD1 – Relating to Health (*Requires pharmacies to provide written notice to patients advising them of certain risks associated with not properly disposing of unwanted or expired drugs, make available certain drug disposal options, and provide written informational materials concerning available drug disposal options. (SD1)*)

The EO reported that when this bill was heard before the Senate Committee on Commerce, Consumer Protection and Health, testimony submitted that the Chair, Senator Baker did not agree with.

The Chair stated that she would support the intent of the bill but also amend to require that all prescription drugs, not only controlled substances, be included.

Ms. Tokumaru stated that she agreed with the Chair's comments but wasn't sure what the bill was trying to achieve.

Ms. Keefe stated that she also supports the intent of the bill but does not agree that this should be mandatory.

Ms. Cross stated that from a public perspective, she supports the intent and wasn't sure the information on how to dispose of drugs was readily available for pharmacies to provide the information and that she wasn't sure it should be in the laws or rules.

Mr. Edwards stated that the DOH Hazardous Waste Branch has guidelines for special handling of disposal of certain drugs, i.e. chemo, on their web page.

Mr. Uyemoto of Times stated he supported the intent and execution of the bill and also added that perhaps the Hawaii Opioid Task Force could assist in developing the information sheet, but that he would have to check if that was okay.

Mr. Takara of Kaiser stated that they proactively give out information when a patient is discharged and the prescriber also provides information when prescribing medication and that there is an administrative fee.

The Chair stated that she would be concerned for the independent/community pharmacies having the resources to comply with this bill.

Ms. Cross stated that perhaps a pharmacy could post a sign.

Dean Ma stated that there are self-destruction methods consumers can utilize.

One of the students commented that also there are disposal bins in the State, there is insufficient information on where they are exactly located and what drugs or items can be placed in these bins.

The DAG stated that the intent of the bill seems like a good idea and based on the discussion and it appears there is information out there.

Ms. Noguchi stated that perhaps a delayed implementation should be considered in order to gather information on how to dispose of drugs safely.

The EO stated that it was in the Board's testimony to have the Pharmacy Working Group work on this issue and develop language with other stakeholders, but Senator Baker questioned whether the Board was aware that these disposal bins exist.

After further discussion, it was the consensus of the Board to:

- support the intent of the bill;
- comment to consider the law be applied to all prescription drugs and not only to controlled substances;
- concerns that this mandate would have unintended results for pharmacies;
- recommend further discussion including but not limited to the Pharmacy Working Group; and
- start working on an information sheet to be posted on the Board's web page and encourage pharmacies to start providing information to their customers on how/where to safely dispose of the drugs they receive.

SB 2919 – Relating to Electronic Prescription Accountability System (Amends section 329-101(b) and (d), Hawaii Revised Statutes, to require that the dispensing of a pharmacist-prescribed opioid antagonist be reported to the State's Electronic Prescription Accountability System.)

The EO stated that this bill would require any pharmacist in this State who is prescribing/dispensing an opioid antagonist to report it to the State's EPAS. She explained that this was an issue during the discussion on the bill to authorize pharmacists to prescribe/dispense opioid antagonist. The DOH wanted to collect data on who/where pharmacists prescribed/dispensed opioid antagonist and it was recommended that pharmacists report to the State's EPAS, however, the EPAS was only for controlled substances so that law had to be amended. She stated that this bill does not address DOH's authorization to access the information.

It was the consensus of the Board to support the intent of the bill but defer to the NED in regard to any recommendations.

The EO reported on the current status of the following bills that she was tracking:

HB 1608, HD1 – Relating to Prescription Drugs (*Authorizes the Department of Health to implement a program for wholesale importation of prescription drugs. Effective 7/1/2050. (HD1)*)

HB 1804, HD1 – Relating to Pharmaceutical Representatives (*Requires pharmaceutical representatives to register with DCCA. Creates a program within DCCA for the administration and enforcement of pharmaceutical representative registrations. Appropriates funds. Effective 7/1/2050. (HD1)*)

HB 1659, HD1 – Relating to Health (*Authorizes a pharmacy to provide a customized patient medication package to any patient of an institutional facility or any member of the general public upon consent, with a valid prescription, and in compliance with labeling and dispensing requirements. Takes effect 07/01/3000. (HD1)*)

SB 2444 – Relating to Canadian Prescription Drug Importation Program (*Establishes the Canadian Prescription Drug Importation Program to be implemented and administered by the department of health. Requires the department of health to obtain federal approval, make reports, and adopt rules. Appropriates funds*)

SB 2917 – Relating to the Electronic Prescription Accountability System (*Updates section 329-104(c), Hawaii Revised Statutes, to clarify who may access information stored in the electronic prescription accountability system.*)

HB 2363 – Relating to Electronic Prescription Accountability System (*Amends section 329-101(b) and (d), Hawaii Revised Statutes, to require that the dispensing of a pharmacist-prescribed opioid antagonist be reported to the State's Electronic Prescription Accountability System.*)

Pilot Project Application(s)

The EO reported that she received 2 pilot project applications:

- Compounding for Office Use RBendazole Capsules for Rat Lung Disease – Pat Adams of Malama Compounding Pharmacy

The Board discussed a request for a pilot project to supply a versatile dose of worm medicine to Hilo Medical Center to assist in the prevention of rat lung worm which they allege they are unable to obtain.

The Chair stated that it appears they are asking to be allowed to “compound” for smaller doses and that she didn’t believe that a pilot project was necessary if the pharmacy receives a patient specific prescription.

Dean Ma stated that the latest information was that taking pin worm medication may be sufficient to prevent but should also be followed up with a physician.

Ms. Tokumaru stated it wasn’t clear if there is a confirmed diagnosis and if this was for emergency or preventive measures?

Ms. Keefe stated that she believes that the FDA regulations on compounding prohibits the compounding of products that are already made.

The Chair stated that perhaps the dose is not available.

The EO stated that she doesn’t understand why Hilo Medical Center’s pharmacy does not order the drugs for the hospital?

After further discussion, it was the consensus of the Board to defer this for more clarifying information regarding the following:

- ✓ Is the drug needed for emergency or for preventive purposes?
- ✓ Why can’t the practitioner write a patient specific prescription for the dose required?
- ✓ What “drug” will be “compounded”?
- ✓ Why can’t hospital pharmacy provide RBendazole?
- ✓ What specific state laws/rules is this referring to?

Upon receipt of more information, the Board will re-review this request for a pilot project.

- Pharmacy Technicians Scope of Practice – Kaiser

The Board discussed a request for a pilot project to allow a pharmacy technician to work at a Kaiser clinic that does not have an on-site pharmacy and/or pharmacist and who will be providing the following functions:

- ✓ Counting/inspection of inventory medication and remove/segregate expired or not properly stored medications;
- ✓ Ordering medications;
- ✓ Receive medications;
- ✓ Deliver and replenish medication;
- ✓ Stock emergency kits; and
- ✓ Remote order entry.

Kaiser is requesting a “waiver” to allow pharmacy technicians, performing non-compounding functions of non-controlled substances without immediate supervision by a pharmacist.

The Chair clarified that they are proposing to allow a pharmacy technician, unsupervised by a pharmacist and not working in a pharmacy, to perform activities that appear to be included in HAR §16-95-86 Scope of practice of a pharmacy technician, and that it appears that their “system” will act as a check and balances.

Ms. Keefe clarified that it appears the pharmacy technician will be stocking the e-kits and also performing remote order entry.

After further discussion, upon a motion by the Chair, seconded by Ms. Tokumaru, it was voted on and unanimously carried to approve the pilot project effective immediately and approved for 6 months after which time Kaiser shall submit a written report on the results of the pilot project including report of any incidents.

2019 Renewal Stats

The EO reported that as of 11/9/2020 the following were renewed:

PH: 2739/2958 renewed
PHY: 272/280 renewed
PMP: 601/738 renewed
PWD: 54/57 renewed

Working Solutions – January 2020 Issue

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

Report on Pharmacy Working Group’s January 23, 2020 Meeting

The EO reported on the January 23, 2020 meeting of the PWG at which time the following topics were discussed:

- ✓ 2020 Legislation (SB 2237 and SB 2919);
- ✓ Mandatory e-prescribing for controlled substances;
- ✓ Development of FAQs for USP <795>, <797> and <800>;
- ✓ Regulation of Pharmacy Technicians and Addressing Pharmacists Workload; and
- ✓ Discussion of HRS Chapter 328 with the DOH on pharmacist and pharmacy related functions.

Correspondence:

Questions Regarding Hawaii Compounding Regulations

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

“Can you provide me some information on your state board of pharmacy’s position on:
1. Enforcing USP 800

2. Allowing CBD compounding
3. Regulating Veterinary Compounding
4. Allowing Compounding of commercially available products”

Ms. Keefe’s responses were as follows:

1. Enforcing USP 800 - *USP 800 is informational only and not enforceable according to the FDA*
2. Allowing CBD compounding - *No*
3. Regulating Veterinary Compounding - *No*
4. Allowing Compounding of commercially available products – *FDA prohibits the compounding of commercially available products*

It was the consensus of the Board that they agreed with Ms. Keefe’s responses.

NYTimes Article: How Chaos at Chain Pharmacies Is Putting Patients at Risk

The Chair asked Ms. Cross to summarize the article that describes the hazards of understaffed and chaotic workplaces and how that results in misfills where in some cases death occurred when a patient received the incorrect medication.

Telepharmacy Question

The Chair asked Ms. Tokumaru to lead the discussion on the following emailed inquiry:

“I am a pharmacist here on the Big Island and I have a group interested in establishing a pharmacy to meet the needs of the rural community of South Kona. With the closure of Oshima Pharmacy, patient access to their medications has been a challenging at best. I am wondering what the board’s position is on telepharmacy? I see that there are some guidelines in regards to out-of-state telepharmacy but what about pharmacies already established on the island. For example, could a clinic pharmacy open up a satellite pharmacy in South Kona where it can be manned by a certified technician and overseen by a pharmacist remotely? This would greatly enhance services and increase access.”

Ms. Tokumaru stated that HRS § 461-9 requires that a pharmacist be in personal and immediate charge in the pharmacy so if there is no pharmacist present in the pharmacy, no prescriptions may be filled, compounded or received and no drugs shall be sold.

It was the consensus of the Board that they agreed with Ms. Tokumaru’s responses.

Finger Prick Blood Test for Lead and Heavy Metals by Pharmacist

The Board discussed the following emailed inquiry:

“My organization is introducing a new finger prick blood test for lead and heavy metals. The product is geared towards the pharmacy market as the pharmacy will administer the finger prick and send the results to our certified lab. Then our organization will follow up with the consumer. We are hoping you can help us with an understanding of

state regulations and compliance we need to adhere to begin this project. Any help or guidance will be greatly appreciated.”

The Board reviewed the following statutes:

§ 461-1 Definitions.

"Practice of pharmacy" means: (*partial definition*)

- (1) The interpretation and evaluation of prescription orders; the compounding, dispensing, and labeling of drugs and devices (except labeling by a manufacturer, packer, or distributor of nonprescription drugs and commercially legend drugs and devices); the participation in drug selection and drug utilization reviews; the proper and safe storage of drugs and devices and the maintenance of proper records therefor; the responsibility for advising when necessary or where regulated, of therapeutic values, content, hazards, and use of drugs and devices; and the interpretation and evaluation of prescription orders to adjust the supply dispensed for purposes of medication synchronization pursuant to section 431:10A-606, 432:1-621, or 432D-30;
- (2) Performing the following procedures or functions as part of the care provided by and in concurrence with a "health care facility" and "health care service" as defined in section 323D-2, or a "pharmacy" or a licensed physician or a licensed advanced practice registered nurse with prescriptive authority, or a "managed care plan" as defined in section 432E-1, in accordance with policies, procedures, or protocols developed collaboratively by health professionals, including physicians and surgeons, pharmacists, and registered nurses, and for which a pharmacist has received appropriate training required by these policies, procedures, or protocols:
 - (A) Ordering or performing routine drug therapy related patient assessment procedures;

The EO asked if this test is considered a “routine drug therapy procedure”?

After further discussion, it was the consensus of the Board that finger pricking blood test for lead and heavy metals was not considered a routine drug therapy assessment procedure.

In accordance with HAR §16-201-90, the above interpretation is for informational and explanatory purposes only and based solely on the information provided. It is not an official opinion or decision and therefore not binding upon the Board.

Public Forum:

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 the audience if anyone wanted to address the Board on a non-agenda item and that they will be afforded 5 minutes.

A pharmacy student asked "In regard to the opioid disposal, are you only concern about the workload that the pharmacist has in the take back of the medication? Is it just on opioid or is it on all prescriptions?" She stated that a lot of patients in Hilo are flushing their medications and are unaware of the proper way of disposing of their medications.

The EO stated that this is a public forum to discuss non agenda items. The Board is not able to respond to any questions discussed on public forum. However, since the question is a topic that's on the agenda, the answer is yes.

The EO asked if there were any other questions.

There were none.

Next Meeting: **March 12, 2020 – New Date**
9:00 a.m.
Queen Liliuokalani Conference Room, First Floor
King Kalakaua Building
335 Merchant Street
Honolulu, Hawaii 96813

The Chair asked if everyone would be able to attend and Ms. Cross and Ms. Keefe said they would not be available.

Adjournment: There being no further business to discuss, the meeting was adjourned at 11:15 a.m.

Taken and approved by:

/s/ Lee Ann Teshima
Lee Ann Teshima
Executive Officer

[x] Minutes approved as is.

[] Minutes approved with changes; see minutes of _____

SIGN-IN from the Daniel K. Inouye College of Pharmacy - (Remote Location)

722 South A'ohoku Place
Hale Kiho'ihō'i, Lecture Hall A
Hilo, Hawaii 96720

(Thu, Feb 13, 2020 8:30 AM)

BoP meeting

Student Name	
Allagonez, Justin	
Alvarez, Brenna	
Amuimuia, Tricia	
Anderson, Jordan	
Ang, Liana	
Atmosfera, Germain	
Bajo, Kayla	
Boule, Caroline	
Branco-Hedke, Tyler Jo	
Cadiz, Bryson	
Cajudoy, Latisha	
Cajudoy, Paige	
Callenback, Avery	
Cardoza, Nina	
Cidera, Marie	
Clemente, Matthew-Allen	
Concepcion, Niel Carlo	
Cosier, Alysha	
Dalmacio, Kendrick Justin	
Dau, Eric	
Deabler, Roanne	
Dennis Graves, Mercedes	

Diez, Faye Victoria	
Dinh, Tran	
Dobson, Lael	
Dumlao, Tara-Ann	
Emboltura, Earl Jon	
Enos-Dano, Tiana	2
Fujitani, Kazumi	
Fukuchi, Ashley	
Furuta, Trent	
Graham-McLennan, Olivia	
Hackworth, Jacqueline	
Hardaway, Laura	
Hasegawa, Leia	
Ho, Yan Yee	
Huang, Viky	
Hutchins, Brandi	
Huynh, Thien	
Jardine, Katrina	
Kaneko, Christopher	
Kim, Minkyung	
Kim, Sung Jin	
Kobayashi, Asuka	
Lagmay, Cleighton	
Lakritz, Jane	
Lam, Tiffany	

Le, Connie		
Lee, Jeffrey		
Lin, Zhian		
Magtoto, Nikko Marion		
Mccauley, Madalyn		
Mwaniki, Wangui		
Nakagawa, Kyle		
Nakamura, Kenzo		
Nguyen, Danh-Ronald		
Nobriga, Trisha		
Nour, Nadra		
Okubo, Samantha		
Park, Angelyn		
Park, Yun Soo		
Petrone, Brian		
Phong, Jenny		
Porter, Cody		
Sachs, Donald		
Sacro, Melanie		
Sagun, Micheal Angelo		
Sakamoto, Kellen		
Salvilla, Keisha Dana		
Samdani, Nooeree		
Song, Jessica		
Stevens, Patricia		

Tabula, Bernadette	
Tran, Lillian	
Tsuzaki, Kara	
Uchino, Sabrina	
Wu, Shumin	
Zane, Kristi Ann	

Patricia Jusczak

Carolyn Ma

**Board of Pharmacy – Ratification List
February 13, 2020**

Pharmacist (PH)

PH	4529	TODD J NEWTON
PH	4530	KATE MALASIG
PH	4531	WINNEY J CHAN
PH	4532	ROXANNE N PASSAMA
PH	4533	LINDSEY H S REINHOLZ
PH	4534	CURTIS C LEE
PH	4535	EMILY C FLANAGAN
PH	4536	CLEANN K TONER

Pharmacy (PHY)

PHY	937	1451 S KING ST STE 203A	HONOLULU	HI	96814	FAMILY PHARMACY INC
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Miscellaneous Permit (PMP)

PMP	1667	850 3RD AVE STE 404	BROOKLYN	NY	11232	TRUEPILL NY LLC
PMP	1668	117 LUCKNEY STATION RD	FLOWOOD	MS	39232	RECEPT F&M LLC
PMP	1669	900 BROADWAY ST STE 706	NEW YORK	NY	10003	ROMAN HEALTH PHARMACY LLC

Pharmacy/Miscellaneous Permits/PWDs:

Closures/Cancellation

Assured Rx LLC (PMP 1485)
13555 Automobile Blvd., Ste. 230
Clearwater, FL 33762
Effective: 1/15/2020

Pentec Health Inc. (PMP 1480)
9 Creek Parkway
Boothwyn, PA 19061
Effective: 11/18/2019

Golivewell Pharmacy LLC (PMP 1590)
dba Golivewell Pharmacy
13035 Olive Blvd., Ste. 210
Creve Coeur, MO 63141
Effective: 12/9/2019

**Board of Pharmacy – Ratification List
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Change of PIC

Caremark, LLC (PMP 415)

dba CVS/Specialty

1127 Bryn Mawr Ave #A

Redlands, CA 92374

New PIC: Kellee Richardson

Effective: 6/22/2018

Express Scripts Pharmacy Inc. (PMP 961)

dba Express Scripts

4750 E 450 S

Whitestown, IN 46075

New PIC: Robyn Stewart

Effective: 8/15/2019

IHC Health Services Inc. (PMP 1153)

dba Intermountain Home Delivery Pharmacy

7268 Bingham Junction Blvd. Ste. B1

Midvale, UT 84070

New PIC: Carmen Albertsen

Effective: 11/1/2019

ARX Patient Solutions Pharmacy (PMP 1608)

4500 W 107th St.

Overland Park, KS 66207

New PIC: Ann E. Davis

Effective: 11/15/2019

ValisureRX LLC

5 Science Park 1st FL

New Haven, CT 06511

New PIC: Deanna Akinbajo

Effective: 11/21/2019

Pharmacy Corporation of America (PMP 427)

dba Pharmerica

6330 E 75th St. #322

Indianapolis, IN 46250

New PIC: Urvishkumar Patel

Effective: 12/1/2019

ESI Mail Pharmacy Service Inc. (PMP 18)

dba Express Scripts

4600 North Hanley Road

St. Louis, MO 63134

New PIC: Dorothy Wilkes

Effective: 1/13/2020

**Board of Pharmacy – Ratification List
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Avella of Sacramento Inc. (PMP 876)
2288 Auburn Blvd., Ste. 102
Sacramento, CA 95821
New PIC: John Paul Alacon
Effective: 1/31/2020

Appling Enterprises LLC (PMP 1087)
dba Denton Prescription Shop
2501 West Oak Street
Denton, TX 76201
New PIC: John Helfrich
Effective: 2/1/2020