

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

MINUTES OF MEETING

Date: Thursday, September 16, 2021

Time: 9:00 a.m.

Place: Virtual Videoconference Meeting – Zoom Webinar

Members Present: Alanna Isobe, Chairperson
Catalina Cross, Public Member
Sheri Tokumaru, Pharmacist
Patrick Adams, Pharmacist
Mark Brown, Pharmacist
Kent Kikuchi, Pharmacist

Staff Present: James Skizewski, Executive Officer ("EO Skizewski")
Lee Ann Teshima, Executive Officer ("EO Teshima")
Shari Wong, Deputy Attorney General ("DAG")
Kellie Teraoka, Secretary
Rochelle Araki, Tech Support Staff
Marc Yoshimura, Tech Support Staff

Excused: Julie Takishima-Lacasa, PhD, Public Member, Vice-Chairperson

Guests: Allen Bagalso
AM
Amy Este
Ben DiMarco
Chelsea Fukunaga
Cherylynn Cheng
Cindy Figuerres
Corrie Sanders, Hawaii Pharmacists Association
Diana
Erik Abe
Jared Medeiros (LCHC-Associate)
Jeff Bishop
Kellie Noguchi
Kendra Croker
Kika Bukoski
Lexi Wahlstrom
Maimuna Bruce Uzzell
Marcella C
Stacy Pi

Tiffany Yajima

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").

A short video regarding virtual meetings was played for the attendees and the Chair provided information on internet and phone access for today's virtual meeting.

The Chair then took roll call to establish quorum and called the meeting to order at 9:06 a.m.

All motions requiring a vote were conducted by roll call.

Chair's Report:

Announcements

The Chair reported she had no announcements.

Approval of Minutes of the August 19, 2021 Meeting

The Chair asked if there were any corrections or discussion of the August 19, 2021 meeting minutes.

There being no corrections/amendments, upon a motion by Mr. Adams, seconded by the Mr. Brown, it was voted on and unanimously carried to approve the minutes as circulated.

The Chair asked if anyone attending wanted to address the Board on this agenda item.

Staff reported that no one raised their hand.

Executive Officer's Report:

2021 Renewals

EO Skizewski reported that the pharmacist renewal website will go live on November 8, 2021 and the reminder postcards will be mailed out on November 5, 2021.

The Chair asked if anyone attending wanted to address the Board on this agenda item.

Staff reported that no one raised their hand.

Hawaii Pharmacists Association:

Corrie Sanders from the Hawaii Pharmacists Association ("HPA") was in attendance and was promoted to a panelist.

She provided an update on events they are planning as an organization. Their annual meeting was scheduled for the end of October but due to COVID-19 restrictions, they are pushing it back and making it a virtual event. They will keep a small portion of the event a residency showcase to ensure that the residents have an opportunity to talk to the

various programs within the state.

Ms. Sanders stated that they have two legislative issues that they will tackle this session. The first initiative is Medicaid provider status within the state. They initially thought they would address commercial provider status, which is a smaller scale, but was informed by the American Public Health Association ("APHA") that often times in health care it is better to address Medicaid and the Government structure first, then the smaller providers will follow.

The second issue is the alignment of current pharmacy practices as outlined in the Public Readiness and Emergency Preparedness ("PREP") Act. The 9th amendment of the PREP Act was published on September 14, 2021, which allows pharmacist technicians to administer monoclonal antibodies. Prior to this amendment, pharmacists were only allowed to order and administer immunizations to those 3 years and older. HPA is looking to keep these practices in place after the pandemic ends, to continue to expand the list of immunizations that pharmacists are allowed to give. HPA sent out a poll to their members to gauge how comfortable they are and to see how many retail chains have implemented this amendment. Ms. Sanders noted that a few physicians testified to the Board and expressed concern over pharmacists taking over this role.

The Chair responded that she does not feel that the physicians were against pharmacists administering these immunizations, however they had concerns about reporting data to ensure that everything is documented. The physicians want to be clear that the vaccination appointment does not replace a pediatrician visit or WellCare check-up.

Ms. Teshima advised that they can also refer to the Immunization Lists of Participating Pharmacies/Pharmacist, which is posted on the Board's website. HPA could use that list as contacts to see how things are going.

Ms. Sanders indicated that the 9th amendment to the PREP Act included that pharmacists and pharmacist technicians can assist with administration of COVID-19 therapeutic monoclonal antibodies to which they are seeking training guidance from the Department of Health ("DOH") or the Board. She stated that this is a federal mandate, however, it was not specific where the State's guidance would come from.

Ms. Teshima advised to check with the DOH if they are initiating this project and if they will be coming out with FAQs or guidance documents which the Board can post on their website.

The Chair asked if anyone attending wanted to address the Board on this agenda item.

Staff reported that no one raised their hand.

Pilot Projects:

Erik Abe, Public Affairs and Policy Director for the Hawaii Primary Care Association ("HPCA") and Diana Shaw, Executive Director for Lanai Community Health Center ("LCHC"), were promoted to panelists.

EO Skizewski stated that Mr. Abe and Ms. Shaw were in attendance to discuss the one-year extension for LCHC's pilot project, which was granted by the Board at its August 19, 2021 meeting. Since then, LCHC was informed by multiple pharmacy benefit managers that they would not enter contractual agreements with LCHC unless it first obtains a Drug Enforcement Agency ("DEA") permit. They are in attendance to request approval of an amendment to the scope of their telepharmacy project to include controlled substances.

Mr. Abe introduced himself and stated that HPCA is in strong support of proposed scope amendment and stated that he is available if the Board has any questions.

Ms. Shaw introduced herself and explained that she is also in attendance with her staff to answer the Board's questions.

Ms. Teshima noted that LCHC provided a list of controlled substances they would like to dispense however the Board is not in a position to approve the list. The Board can only approve the request to amend the original pilot project application to include controlled substances.

Upon a motion by Ms. Cross, seconded by Ms. Tokumaru, it was voted on and unanimously carried to approve the amendment to allow LCHC to include controlled substances to their pilot project application.

The Chair reiterated that the Board's approval only includes adding controlled substances to their pilot project application and that they still need to apply for their DEA permit with the Narcotics Enforcement Division.

The Chair asked if anyone attending wanted to address the Board on this agenda item.

Staff reported that no one raised their hand.

FDA Compounding
MOU:

EO Skizewski stated that the Board previously discussed this topic and had no previous inclination to enter into the agreement. They extended the deadline an additional year, which is now October 2022. If the Board is inclined to enter into the U.S. Food and Drug Administration ("FDA") Memorandum of Understanding ("MOU") relating to compounding, it would allow states to sign into an agreement to be able to ship 50% of their limit of compounded drugs out of state. If the Board does not enter into the FDA's MOU, they will be limited to dispensing 5% of their compounded drugs interstate.

The Chair asked if any Board members had discussion on this agenda item.

Mr. Adams expressed concern over what compounded drugs are entering the State. He added that since the Board does not have control over what drugs enter the state, not signing the FDA MOU might be beneficial. He stated that the Board needs to look at their current miscellaneous permit licenses to allow doing more with it.

The Chair agreed and stated that the Board's position remained the same that they are

not inclined to enter into the agreement.

The Chair asked if anyone attending wanted to address the Board on this agenda item.

Staff reported that no one raised their hand.

FDA Advisory
Related to
Ivermectin:

EO Skizewski explained that he received an FDA Advisory Related to Ivermectin, which will be posted on the Board's website. He wanted the Board's guidance regarding their experience with Ivermectin. EO Skizewski noted that he received multiple inquiries stating that pharmacies are denying patients their prescription of Ivermectin.

Mr. Brown asked for clarification if pharmacies are denying the Ivermectin prescription or if they are just not carrying it.

EO Skizewski responded that based on input from customers they are being denied their prescription, but he may not have the full details of the situation.

The Chair explained that a few months ago, there was a shortage of product. If the product was not on shelf at that time, it might have been unavailable.

Mr. Adams added that there are corporate policies on Ivermectin, and some chains have specific rules regarding it.

Ms. Cross explained that from a public member standpoint, she heard through the media about adverse drug reactions to Ivermectin due to inappropriate doses or misuse, which concerns her regarding patient safety.

EO Skizewski stated that there is no standard for denying prescriptions and that pharmacies are allowed to use their professional judgement.

The Chair asked if anyone attending wanted to address the Board on this agenda item.

Staff reported that no one raised their hand.

Executive Session:

At 9:33 a.m., upon a motion by Mr. Brown, seconded by Ms. Cross, it was voted on and unanimously carried to move into Executive Session in accordance with HRS, 92-4 and 92-5(a) (1) and (4), "To consider and evaluate personal information relating to individuals applying for pharmacy licensure," and, "To consult with the board's attorney on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities".

Mr. Barclay entered the Teams meeting at 10:06 a.m.

Mr. Barclay left the Teams meeting at 10:26 a.m.

Ms. Teshima left the Teams meeting at 10:44 a.m.

At 10:46 a.m., the Board moved out of executive session.

Applications:

Ratification Lists

Upon a motion by the Mr. Adams, seconded by Mr. Brown, it was voted on and unanimously carried to approve the ratification list(s) for pharmacists, pharmacies, miscellaneous permits and pharmacy/miscellaneous closures, change of PIC and relocations.

Applications

Miscellaneous Permit

The Chair asked for a motion regarding the following miscellaneous permit applications:

i. Stafford Investment Ventures, Inc. dba Stafford Pharmacy

Upon a motion by Mr. Adams, seconded by Mr. Kikuchi, it was voted on and unanimously carried to approve the application.

ii. Nutrishare, LLC dba Nutrishare

Upon a motion by the Mr. Adams, seconded by Mr. Kikuchi, it was voted on and unanimously carried to approve the application.

iii. Barclay, Luke, and Pillai Specialty Pharmacy, PLLC, dba Meta Pharmacy Services – Petition for Reconsideration

Upon a motion by the Mr. Adams, seconded by Mr. Brown, it was voted on and unanimously carried to grant the request for reconsideration of the application.

Upon a motion by the Chair, seconded by Mr. Brown, it was voted on and unanimously carried that based on the insufficient new information from the statement submitted as well as the oral testimony provided, the Board upholds their previous decision to deny the application.

Chapter 91, HRS
Adjudicatory Matters:

The Chair called for a motion in regard to the following adjudicatory matters:

Upon a motion by Mr. Adams, seconded by the Ms. Cross, it was voted on and unanimously carried to approve the following adjudicatory matter:

- a. In the Matter of the Miscellaneous Permit of **Carepoint Healthcare, LLC dba Carepoint Pharmacy, PHA 2020-165-L; PHA 2020-166-L**, Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order; Exhibit "1" – "4";

Next Meeting: There being no further agenda items, the Chair announced the next meeting. All members stated that they are available.

October 21, 2021
9:00 a.m.
Virtual

Adjournment: There being no further business to discuss, the Chair adjourned the meeting at 10:53 a.m.

Taken by:

Reviewed and Approved by:

/s/ Kellie Teraoka
Kellie Teraoka, Secretary

/s/ James Skizewski
James Skizewski, Executive Officer

JS:kt
10/7/21

[X] Minutes approved as is.

[] Minutes approved with changes; see minutes of _____