

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

MINUTES OF MEETING

Date: March 17, 2022

Time: 9:00 a.m.

Place: Virtual Videoconference Meeting – Zoom Webinar

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

Staff Present: James Skizewski, Executive Officer (“EO Skizewski”)
Lee Ann Teshima, Executive Officer (“EO Teshima”)
Shari Wong, Deputy Attorney General (“DAG”)
Kellie Teraoka, Secretary
Jaymie Nakama, Secretary (Training)
Marc Yoshimura, Tech Support Staff

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

Guests: Corrie Sanders, HPHA
Grace Sesi
HTH – Environmental Health Administrator
Kellie Noguchi
Melissa Curry
Stacy Pi
Wendy Taylor
Annie Macapagal

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 9:05 a.m. All Board members were in attendance, with the exception of the Vice-Chair and Mr. Adams who were excused from the meeting.

Chair's Report:

Announcements

The Chair discussed an email which was received from the Narcotics Enforcement Division regarding an armed robbery at a Big Island pharmacy. She wanted to ensure that the Board members are aware of the details on what should be done in the event of an armed robbery. She also recommended to register to receive emergency email alerts if they have not already done so.

Approval of Minutes of the February 10, 2022 Meeting

The Chair asked if there were any corrections or discussion of the February 10, 2022 meeting minutes.

There being no corrections/amendments, upon a motion by Mr. Kikuchi, seconded by Mr. Brown, it was voted on and unanimously carried to approve the meeting minutes of the executive session and the minutes of the open session of the February 10, 2022 meeting, 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:

2022 Legislative Session

EO Skizewski provided updates on the following bills:

- 1) S.B. 2030, S.D. 2, Relating to Prescription Drugs
Report Title: Opioids; Naloxone; Opioid Antagonist; Pharmacists; Prescribing; Dispensing
Description: Requires a prescriber to offer a prescription of certain drugs under certain circumstances related to opioid overdose. Requires a prescriber to offer patient education under certain circumstances related to opioid overdose. Exempts veterinarians or prescriptions for animals. Requires a pharmacist who dispenses a prescription order for an opioid to notify the individual of the potential dangers of a high dose of an opioid and to offer to dispense to the individual an opioid antagonist; provided that the individual is prescribed specific opioids at specified doses. Exempts patients in hospice or palliative care, residents of veterans community living centers, patients in inpatient or outpatient care. Requires a pharmacist to notify an individual receiving an opioid antagonist of the availability of generic and brand-name opiate antagonists. Effective 1/1/2050. (SD2)

S.B. 2030, S.D. 2 was passed out of the House Judiciary Committee with amendments deleting references to sedative drugs, such as gabapentin, from the list of controlled substances. It is now on the Senate side, however there is currently no hearing set. The testimony for the next hearing on this bill will be amended to remove references to sedative drugs and gabapentin, but still include concerns relating to the

training of the pharmacists in relation to issuing prescriptions for naloxone and other controlled substances.

- 2) SB 2199, Relating to Treatment of Coronavirus Disease 2019
Report Title: Physicians; Pharmacists; Advanced Practice Registered Nurses; Coronavirus Disease 2019; Prescription
Description: Protects physicians, advanced practice registered nurses, and pharmacists from civil and criminal liability for prescribing or administering early treatment for the coronavirus disease 2019 in good faith to prevent hospitalization and death.

S.B. 2199 was not heard by a committee and has died.

- 3) SB 2592, S.D. 2/ HB 1667 H.D. 2, Relating to Health
Report Title: Clinical Laboratory Directors; Pharmacies; Pharmacists; Clinical Laboratory Improvement Amendments Waived Tests
Description: Defines "clinical laboratory director" to include certain physicians, or advanced practice registered nurses, licensed clinical laboratory scientists, or pharmacists for the purpose of certain tests or examinations. Amends the definition of "practice of pharmacy" to include the ordering and performing of certain Clinical Laboratory Improvement Amendments-waived tests. Effective 1/1/2050. (SD2)

S.B. 2592, S.D. 2 was heard and amended by the Senate Committee on Commerce and Consumer Protection: (1) Clarifying the definition of "clinical laboratory director" to include advanced practice registered nurses for clinical laboratory tests or examinations classified as waived under the CLIA; and (2) Making technical, non-substantive amendments for the purposes of clarity and consistency. This bill crossed over to the House on 3/8/2022.

H.B. 1667, HD2

This bill received a triple referral and as previously reported was passed out of HHH and CPC but was not scheduled for hearing by House Finance and has died.

- 4) SB3382, S.D. 2/ HB 2340, H.D. 2, Relating to Prescriptions
Report Title: Electronic Prescription Filing Systems
Description: Allows the utilization of post office boxes, rural route boxes, and highway contract route boxes for controlled substances prescriptions by amending the definition of "address" for purposes of the Uniform Controlled Substances Act. Effective 1/1/2023. (SD2)

S.B. 3382, SD2, was heard by the Senate Committee on Health who amended the bill by inserting an effective date of January 1, 2050, to encourage further discussion. The Senate Committee on Commerce and Consumer Protection amended the bill by: (1) Expanding the definition of "address" to also include rural route boxes and highway contract route boxes; (2) Inserting an effective date of January 1, 2023; and (3) Making technical, non-substantive amendments for the purposes of clarity and

consistency. This bill crossed over to the House and was referred to the House committees on Health, Human Services, and Homelessness and Consumer Protection and Commerce.

H.B, 2340, H.D. 2 crossed over to the Senate and was referred to the Senate Committees on Health and Commerce and Consumer Protection. The Senate Committee on Health held a hearing and passed out with the following amendments: (1) Amending section 1 to clarify that this measure is to ease pharmacists' administrative burdens and not to authorize pharmacists to mail controlled substances to a post office or rural office box; and (2) Inserting an effective date of January 1, 2050, to encourage further discussion.

EO Skizewski reported that the random audit letters are being mailed out and responses are due May 16, 2022. This is pertaining to all continuing education completed from January 1, 2021 through December 31, 2021

The next meeting will be hybrid since Governor's proclamation expires at the end of the month. We will need to provide an in-person location for members of the public to attend. Board members can still attend the meeting virtually.

Hawaii Pharmacists

Corrie Sanders was promoted to a panelist at 9:14 a.m.

Ms. Sanders shared that the HPA has everything ready for their annual meeting. It will be held on April 23, 2022 at the Oahu Country Club. The meeting will not be as CE focused on the previous years and will offer four CE courses, a presentation on legislative initiatives supported in 2023, a technician job fair, and presentations by the University of Hawaii. They are still accepting vendors or speakers who are interested.

Corrie Sanders returned to an attendee at 9:15 a.m.

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

Staff reported that no one raised their hand.

Applications:

Ratification Lists

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

Applications

Pharmacist

- i. **David England**

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

Miscellaneous Permit

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

- i. **RxAnte Pharmacy Services, LLC dba Mosaic Pharmacy Services**
- ii. **Optum infusion Services 550, LLC**
- iii. **Total Care RX, Inc.**

Upon a motion by Ms. Cross, seconded by Mr. Brown, it was voted on and unanimously carried to approve the miscellaneous permit applications.

Chapter 91, HRS
Adjudicatory Matters:

The Chair called for a motion regarding the following adjudicatory matter:

Upon a motion by Mr. Brown, seconded by Ms. Tokumaru, it was voted on and unanimously carried to approve the following adjudicatory matters:

- a. In the Matter of the Wholesale Prescription Drug Distributor Licenses of **Airgas USA, LLC; PHA 2021-19-L, PHA 2021-20-L, PHA 2021-21-L, PHA 2021-22-L, PHA 2021-23-L, PHA 2021-24-L, PHA 2021-25-L, PHA 2021-26-L**, Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order, Exhibit "1"
- b. In the Matter of the Miscellaneous Permit of **Universal Health Network, LLC; PHA-2020-164-L**, Petition for Disciplinary Action and Board's Final Order

Next Meeting:

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

April 21, 2022
9:00 a.m.
Virtual

Adjournment:

There being no further business to discuss, the Chair adjourned the meeting at 9:19 a.m.

Taken by:

Reviewed and Approved by:

/s/ Kellie Teraoka
Kellie Teraoka, Secretary

/s/ James Skizewski
James Skizewski, Executive Officer

JS:kt
4/26/22

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