BOARD OF PHARMACY

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

MINUTES OF MEETING

Date: October 20, 2022

<u>Time</u>: 9:00 a.m.

<u>In-Person</u> Queen Liliuokalani Conference Room

Meeting King Kalakaua Building

Location: 335 Merchant Street, 1st Floor

Honolulu, Hawaii 96813

<u>Virtual</u> Virtual Videoconference Meeting – Zoom Webinar (use link below)

Participation: https://dcca-hawaii-gov.zoom.us/j/99443780976

Members Present: Alanna Isobe, Chair

Patrick Adams, Vice Chair Mark Brown, Pharmacist Kent Kikuchi, Pharmacist Sheri Tokumaru, Pharmacist Catalina Cross, Public Member

Excused: None

Staff Present: James Skizewski, Executive Officer ("EO Skizewski")

Shari Wong, Deputy Attorney General ("DAG")

Jaymie Nakama, Secretary

Mia Dao Linh Trung Hoang, Tech Support Staff

Johnny Li, Tech Support Staff

Virtual Guests: Annie Macapagal

BFletcher

Brandon Conti Everwell BreeAnne Porter Carla Felix Cherylynn Cheng Corrie Sanders

Cyrus and Beverly Tumbaga

Ehab Attia Gail Elliott -guest Grace Sesi Jennifer Pack Jessica Adam

Joseph Ahenkorah (PTCB)

Kellie Noguchi

Lisa

Miriam Mobley Smith

Sara Watson

> Stacy Pi, Kaiser Tiffany Yajima Wayne Sartorio

Call to Order:

The agenda for this meeting was posted on the State electronic calendar as required by Hawaii Revised Statutes ("HRS") section 92-7(b).

A short video was played to explain the meeting procedures and how members of the public could participate in the virtual meeting.

Chair Isobe called the meeting to order 9:03 a.m. and welcomed participants to the meeting and proceeded with a roll call of Board members. All Board members confirmed that they were present and alone.

Chair's Report:

Announcements

Chair Isobe announced Happy Pharmacy Week.

Approval of Minutes of the August 18, 2022, Meeting

Due to an error on the agenda, the August 18, 2022, minutes will be addressed at the next Board's meeting.

Executive Officer Report:

Correspondence

Pharmacy Technician Licensing

EO Skizewski informed the Board, there was an inquiry through the Governor Ige's office regarding the regulation of pharmacy technicians:

"State of Hawaii doesn't say to become a pharmacy technician requires a certificate like other states, or why the FDA says it's okay to allow people with high school diplomas to practice compounding medications to be used intravenous or pills to inject also touch with radioactive cancer medication. Asking if person wants cherry grape and mixes the solution ratio percentage using dimensional analysis also percentages due to weight of soluble and insoluble for a person of certain weight age use different functions if math to create or compound medicines.

I went to school to get my certificate in pharmacy technician at UMA and I had to withdraw from school because I was terrified, I would hurt somebody.

Please recommend that we change the way the state of Hawaii is to let people to work as a pharmacy technician only if they become certified.

In the books I was reading in UMA to become a certified technician, there is a high rate of mortality from accidents making solutions and calculating to make medicines by pharmacy technicians. Also, there is a book called "Pharmacy the Dirty Industry" that was in the state advertiser back in 2021 when I was in the UMA program."

The letter highlighted the possible dangerous nature of pharmacy technicians working in a pharmacy setting i.e., high rates of mortality from accidents from making solutions and miscalculations by the pharmacy technicians. In the staff's response to the constituent, EO Skizewski noted the inquiry would be brought to the attention of the Board as the regulation of pharmacy technicians has been in the Board's past discussions. The Board has consulted in previous meetings regarding the possibility of creating a permitted interaction group "PIG" to

evaluate the requesting of the legislature to perform a sunrise study related to the regulation of pharmacy technicians.

EO Skizewski urged the Board to be fully prepared before presenting information to the legislature. EO Skizewski noted that a PIG would be a supportive vehicle for the Board to receive comments from stakeholders and investigate how other states regulate pharmacy technicians.

Staff notified the Board that Corrie Sanders raised her hand.

Corrie Sanders, Hawaii Pharmacists Associations, was promoted to Panelist at 9:10 a.m.

Ms. Sanders asked what the bandwidth of the Board is to be able to handle certification and regulation. The Board of Pharmacy will need to maintain certifications and take ownership of the process. It might be useful to reach out to Pharmacy Technician Certification Board "PTCB" to see what other states are doing.

Chair Isobe mentioned the PTCB website has information regarding how each state Board regulates pharmacy technicians.

EO Skizewski stated that it matters what direction the Board would like to move in regarding regulation. Possible regulation includes, the management of registry, mandating a certification requirement, or evaluating job training. EO Skizewski added that this topic will need a lot of discussion. Therefore, the Board should consider a PIG to make sure all stakeholders are involved in the process and discussion.

Chair Isobe stated that some institutions were affected negatively when regulated by other states. The Board does not want to make the same mistakes the other states made. Chair Isobe noted her support of making a working group related to this issue. The working group will have to consider rules for what pharmacy technicians can and cannot do.

EO Skizewski stated the working group will investigate the scope of practice for pharmacy technicians. EO Skizewski added that EO Teshima brought up the fact that registering or getting documentation on the pharmacy technicians working in our community will provide a way to hold technicians accountable if diversion occurs.

Ms. Sanders wondered how many pharmacies are not requiring certification or are not internally tracking because many pharmacies internally need that requirement. She is curious on how many pharmacy technicians are practicing without the PTCB certification. She noted her interest in joining the working group.

EO Skizewski stated the Board's staff did a survey in 2013 relating to how retail and institutions in Hawaii are using their pharmacy technicians and what they are supportive of related to requirements and regulations. The Board could possibly incorporate another survey to see if any attitudes have changed following the pandemic.

Ms. Sanders noted her interest in when Prep Act is no longer active, how will the pharmacists handle immunizations without technicians. Pharmacy technicians were on the frontlines for COVID. We need to consider what the scope is for technicians in the state and if giving them more responsibility is in the best interest of the profession.

Chair Isobe added the importance of having the scope of practice and rules laid out for pharmacy technicians before Prep Act expires in 2024.

Corrie Sanders, Hawaii Pharmacists Associations, was returned to Attendee at 9:17 a.m.

Staff notified the Board that Miriam Mobley Smith raised her hand.

Miriam Mobley Smith was promoted to Panelist at 9:17 a.m.

Dr. Smith advised the Board to have at least registration required, which will give the Board a list of all the technicians working across Hawaii. A registered list will provide a starting point for the Board to decide if further regulation if necessary. The National Association of Boards of Pharmacy "NABP" incorporated example rules on how to utilize pharmacy technicians in a state by registration, licensure, or certification. Dr. Smith noted her interest to serve the Board by joining the working group to share any expertise on pharmacy technicians.

Chair Isobe appreciated Dr. Smith's offer and noted the Board is always looking for volunteers.

Dr. Smith stated she is one of the founding members of PTCB and was the vice-chairperson for the Board of Pharmacy of Illinois and is very familiar with pharmacy technicians.

Ms. Cross noted her interest in forming a PIG and to have a registry.

Vice-Chair Adams stated his support for a pharmacy technician registry which will help pharmacist be able to designate who is considered a technician and who is support staff. The Board needs to specify the scope and have a registry for pharmacy technicians.

Mr. Brown is in support of a registry. By looking at the different practice settings and the jobs the clerks do versus the pharmacy technicians, there can be a confusion. The Board having a registry will also help address diversion.

Mr. Kikuchi also agrees with having a registry. Mr. Kikuchi added that it is important to have technician representation from all the practice settings i.e., hospitals, institutions, home care, retail, etc. This is a good starting point for creating a PIG and having participation from stakeholders.

Ms. Tokumaru expressed her agreement and support for the creating of a working group and registry.

Chair Isobe concluded that before getting a registry, the Board will need to create a working group to evaluate the matter further and hear from stakeholders.

EO Skizewski clarified the creation of the PIG related to pharmacy technicians will be on the next agenda.

Chair Isobe noted that the creation of the PIG for pharmacy technicians will be added to the next agenda and if anyone from the public is interested to join to please attend the next Board meeting.

In terms of the public, EO Skizewski advised for the participants who are interested to please email the Board of Pharmacy at: pharmacy@dcca.hawaii.gov.

Staff notified the Board that Tiffany Yajima raised her hand and stated her willingness to participate.

Miriam Mobley Smith was returned to Attendee and Tiffany Yajima, was promoted to Panelist and returned as Attendee at 9:26 a.m.

Chair Isobe added she would like to hear from the other states.

Mr. Kikuchi added that he knows an individual who is interested in joining and who would be a great asset to the working group.

USP General Chapter 825

EO Skizewski informed the Board, the American Pharmacists Association "APA" reached out on behalf of their Council of Radionuclides and Radiopharamacueticals, requesting the Board to adopt and support US Pharmacopeia "USP" Chapter 825. EO Skizewski added that the Board's administrative rules includes a section to ensure that everyone in our state is following state and federal law which incorporates USP.

Mr. Kikuchi specified nuclear medical tehnicians are required to have special training to handle and compound radiopharmacueticals. Whoever is handling radiopharmacueticals should follow the USP Chapter 825 requirements that they setforth.

Vice-Chair Adams believes Chapter 825 is important and has a lot of information. The Board should to discuss further on this topic.

Mr. Brown expressed his opinion about the difficulties in changing the law. USP has often amended different sections in their laws and would be difficult if Hawaii had to continue to amend their laws as USP evolves. Mr. Brown noted it is best to follow all the federal laws to avoid rewriting laws.

Ms. Tokumaru and Ms. Cross agrees with Mr. Brown's opinion.

EO Skizewski will let APA know that the Hawaii Board will not change our current rules and laws at this time but will welcome APA to attend a furture meeting to discuss the matter further.

Chair Isobe concluded that Hawaii pharmacy law does include the requirement that all pharmacists follow federal laws that includes USP.

Hawaii Pharmacists Associations:

Corrie Sanders moved to panelist at 9:33 a.m.

Ms. Sanders shared the Hawaii Pharmacists Association "HPHA" had positive feedback from their September general meeting. They had a guest speaker from the American Pharmacists Association "APHA" who spoke about the public health initiative and other national initiatives that could attest to pharamcists services throughout the country and a potential action item that HPHA can pursue with the upcoming legislative session.

HPHA is actively engaging with a couple of the legislaturers and their bill is in the process of editing. The bill will be sent to EO Skizewski to discuss with the Board before the next legislature session.

Ms. Sanders informed the audience if they are interested in supporting HPHA or would like to join their Government Affairs meetings, they are shown virtually every third

Wednesday of every month. A Zoom link is posted on HPHA's website.

There will be openings for student internship opportunities in November. The students will have a Zoom meeting to ask pharmacist questions in different practice areas. If students are interested, please email HPHA at hawaiipharm@gmail.com.

HPHA will be putting together an annual meeting in April 2023, which will include the offering of three (3) to four (4) CE's, the possible creation of a legislative initiative working group, to discuss the scope of practice of pharmacists, and looking ahead to the legislative season.

Lastly, Ms. Sanders advised the audience to reach out to HPHA with their pharmacy initiatives they will be happy to help out as much as they can.

For the next meeting, Chair asked if HPHA would like their Bill to be added to the agenda and if it is ready to be discussed with the Board.

Ms. Sanders preferred to discuss about the bill offline and will be happy to have the Board to review, but she will reach out to EO Skizewski first before presenting the information.

Chair Isobe asked if members of the public would like to provide testimony on this agenda item.

Staff reported that no one raised their hand.

<u>Pharmacy Interim</u> Dean Introduction:

Daniel K. Inouye College Miriam Smith moved to panelist at 9:37 a.m.

EO Skizewski informed the Board that Dr. Smith is the new interim dean at the Daniel K. Inouye College of Pharmacy in Hilo, Hawaii.

Dr. Smith shared a little of her background in being a dean for different schools and being a part of an evaluation consultation agency for the Accreditation Council for Pharmacy Education "ACPE" for colleges and school of pharmacies nationally. Dr. Smith noted her real passion is serving as a dean of pharmacy where she's able to create an environment towards success.

Serving on the Illinois State Board of Pharmacy, she experienced seeing the difficult and the best side of pharmacy practice. It is all about serving the public and being able to protect the health and well-being of the citizens of the state.

In 2019, Daniel K. Inouye College of Pharmacy opened and is currently the only pharmacy school in the State of Hawaii. After Covid, the school is back in session with teachers and students attending in-person. The school is actively engaged with the public for various decisions in terms of health related sevices and service projects for the students' curriculum activity. Daniel K. Inouye College of Pharmacy has three (3) different departments: student academic affairs, pharmacy practice in pharmacuetical science, office of continued professional education. They offer a four (4) year pharmacy program with a degree as well as pharmacuetical studies and a PhD program. Currently they have 151 students and five (5) PhD students in the school.

Dr. Smith asked for suggestions to help strengthen pharmacy practice across the state, to make sure their curriculum is reflected on current future trends and the evolving pharmacy practice environment, how to strengthen communication with the Board to help ensure the college is meeting the pharmacy manpower needs of the State and to help collectively promote a seamless licensure process for the graduates.

Lastly, Dr. Smith advised as being an active member of the National Association of Boards of Pharmacy "NABP" and the American Association of Colleges of Pharmacy "AACP", to attend the most recent District 6,7,8, meetings to have knowledge of the new ideas to help: i.e. clearing houses, seamless process for students to be able to test, renewal cycles, and discussion about the Multistate Pharmacy Jurisprudence Examination "MPJE".

In regards to students having a difficult time passing the MPJE, Mr. Brown suggested for the school to have and education program focused on methods to help pass the exam.

Dr. Smith confirmed they are looking into strategies and currently helping the students learn to hone in concepts of the important rules that will be beneficial with passing the MPJE. Additionally, how students are applying the knowledge better in terms of practice in the state and nationally.

Regarding to the low enrollment rate at the school, Mr. Kikuchi asked about how enrollment is affecting the college financially.

Dr. Smith informed the Board they have implemented plans to further populate their program with individuals who reside in Hawaii and those who reside across the Pacific. They have recruitment strategies and are able to develop clinical programs and service contracts through the college to local service providers that will benefit from reimbursements. Dr. Smith concluded that the college is also evaluating the best path forward related to a sweet spot regarding the number of students which can also be supplemented by other revenue streams such as research which can help sustain the school into the future.

EO Skizewski is interested in attending the NABP meetings and looks forwarded to joing Dr. Smith as soon as he can.

Board Business:

Creation of a Permitted Interaction Group (PIG) related to Pharmacy Miscellaneous Permits

EO Skizewski advised the Board they created a PIG related to pharmacy miscellaneous permits and would like to schedule the first meeting.

Since the Board is not meeting next month, Chair Isobe suggested to have the PIG meeting on November 17th.

Due to the staff shortages, EO Skizewski notified the public that the regular Board meetings have changed to every other month and the PIG meeting will be a virtual meeting.

Chair Isobe asked if there was anyone in the audience who is interested in participating in the PIG.

There were none.

Executive Session:

At 10:02 a.m., upon a motion by Vice-Chair Adams, 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 professional or vocational licenses cited in section 26-9 or both, and, to consult with the board's attorney on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities.

Kent Kikuchi departed the meeting at 10:46 a.m.

At 11:33 a.m., upon a motion by Vice-Chair Adams, seconded by Mr. Brown, it was voted on and unanimously carried to move out of executive session.

Applications:

Ratification Lists

Upon a motion by the Vice-Chair Adams, seconded by Ms. Tokumaru, it was unanimously carried to approve the ratification lists.

Applications

Miscellaneous Permit

Chair Isobe asked for a motion regarding the pharmacist applications.

Upon a motion by Vice-Chair Adams, seconded by Mr. Brown, it was unanimously carried to approve the applications:

- i. Everwell Specialty Pharmacy, LLC
- ii. Curexa East II, LLC
- iii. Boothwyn Pharmacy

Pharmacist:

Chair Isobe asked for a motion regarding applicant:

i. Ehab Attia

Based on Attia's testimony and written request for an additional attempt to take the NAPLEX exam, upon a motion by Mr. Brown, seconded by Vice-Chair Adams, it was voted on and unanimously carried to deny the request.

Chair Isobe asked the Board if they have any further questions.

There were none.

Chapter 91, HRS Adjudicatory Matters:

Chair Isobe called for a motion regarding the following adjudicatory matter.

Upon a motion by Vice-Chair Adams, seconded by Ms. Tokumaru, it was voted on and unanimously carried to approve the following adjudicatory matter:

a. In the Matter of the Miscellaneous Permits of Tabula Rasa Healthcare Group, Inc., dba MedwiseRx; PHA 2022-29-L and PHA 2022-31-L, Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order; Exhibits "1" – "2"

b. In the Matter of the Miscellaneous Permits of Vertisis Custom Pharmacy; PHA 2022-17-L, Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order; Exhibit "1" Next Meeting: There being no further agenda items, Chair Isobe announced the next meeting will be on: Date: December 15, 2022 Time: 9:00 a.m. In-Person: Queen Liliuokalani Conference Room King Kalakaua Building, 1st Floor 335 Merchant Street Honolulu, Hawaii 96813 Zoom Webinar Virtual: There being no further business to discuss, the Chair adjourned the meeting at Adjournment: 11:38 a.m. Taken by: Reviewed and Approved by: /s/ Jaymie Nakama /s/ James Skizewski James Skizewski, Executive Officer Jaymie Nakama, Secretary JS: jn 11/14/22 [X] Minutes approved as is. [] Minutes approved with changes; see minutes of