

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

MINUTES

Date: April 18, 2024

Time: 9:00 a.m.

Place: Queen Liliuokalani Conference Room
HRH King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813

Members Present: Alanna Isobe, Chairperson (“Chair”)
Kent Kikuchi, Vice Chairperson (“Vice Chair”)
Brandon Rabang, Public Member
Sheri Tokumaru, Pharmacist
Patrick Adams, Pharmacist
Mark Brown, Pharmacist
Catalina Cross, Public Member

Staff Present: James Skizewski, Executive Officer (“EO” Skizewski”)
Shari Wong, Deputy Attorney General (“DAG”)
Lorna Eugenio, Secretary

Virtual Guests: Rae Matsumoto – Daniel K. Inouye College of Pharmacy
Erik Abe – Hawaii Primary Care Association
Michael Hartstock – State Narcotics Enforcement Division
Stacy Pi – Kaiser Permanente
Regina Teramoto – Kaiser Pemanente
Cherylynn Chung – Walgreens
Tiffany Yajima – SanHI Government Strategies
Cindy Figuerres – Lanai Community Health Center

Call to Order: The Chair took a roll call of the Board members. After taking roll, quorum was established, and the meeting was called to order at 9:01 a.m.

Chair’s Report: **Announcements**

Chair Isobe introduced Rae Matsumoto, as Dean of the University of Hawaii, Daniel K. Inouye College of Pharmacy.

Approval of the Minutes

Chair Isobe deferred the approval of the minutes to the next meeting of the Board of Pharmacy (“Board”).

Executive Officer's

Inquiry on Practicing in a Remote Location

Report:

EO Skizewski noted he received inquiry from Stacy Pi, of Kaiser Permanente, related to pharmacy technicians processing prescriptions from a remote location, for a licensed pharmacy, under the direct supervision of a licensed pharmacist.

Mr. Brown confirmed with Ms. Pi that the pharmacy technicians are in the same room as the supervising pharmacists.

EO Skizewski noted that there doesn't seem to be any conflict with Board of Pharmacy regulations if the technicians are under the direct supervision of the licensed pharmacist working in conjunction with a properly permitted pharmacy.

2024 Legislative Session

EO Skizewski noted he would be highlighting legislation still moving in the 2024 legislative session.

Senate Bill (SB) 2199, relating to out-of-state prescriptions, authorizes out-of-state pharmacists to transfer prescription information for the initial fill of a prescription. EO Skizewski noted that this bill has reached conference committee. The only amendments included changes to the effective date.

House Bill (HB) 1836, relating to health, allows pharmacists, during declared states of emergency, to refill prescriptions of up to thirty-day supplies of dangerous drugs and dangerous devices if the prescriber is unavailable or cannot be contacted to authorize the refill and if, in the pharmacist's professional judgment, failure to refill the prescription might interrupt the patient's ongoing care and have a significant adverse effect on the patient's well-being. EO Skizewski noted this bill now pertains to prescription drugs. EO Skizewski added that an amendment was added that restricts this bill to only those who have been directly impacted by the emergency. Clarifying language has been requested in relation to what qualifies a patient as directly impacted. Chair Isobe noted that pharmacies directly impacted by the emergency should be included. Mr. Brown noted his agreement with Chair Isobe's suggestion. Mr. Adams asked and EO Skizewski responded that the bill should be heard in conference committee in the near future.

HB 2113, relating to pharmacy, establishes the Daniel K. Inouye College of Pharmacy Special Fund to support pharmacist workforce assessment and planning efforts. Establishes the pharmacist workforce assessment fee. EO Skizewski noted this bill was not heard after crossing to the Senate.

HB 2553, relating to pharmacists, authorizes pharmacists, pharmacy interns, and pharmacy technicians under the direct supervision of a pharmacist to administer vaccinations to persons between the ages of three and seventeen, if certain requirements are met. Authorizes licensed pharmacists to order vaccines for administration to persons between the ages of three and seventeen. EO Skizewski noted that the amendment to require all technicians be nationally certified was included and the bill is headed to a conference committee. EO Skizewski noted that the Board will submit letters to the conference committee members to provide additional input.

House Concurrent Resolution (HCR) 142, urges the Governor and Board of Pharmacy to support the Lanai Community Health Center's (LCHC) telepharmacy pilot demonstration and research project as a method of expanding the accessibility and affordability of prescription drugs to

vulnerable populations and rural communities throughout the state. EO Skizewski noted that House Resolution (HR) 124 was passed. However, HCR 142, has not been heard. EO Skizewski acknowledged submitted written testimony.

Erik Abe noted his submitted testimony and asked the Board if they would be considering an extension of the LCHC telepharmacy pilot project.

Executive Session:

At 9:15 a.m., upon a motion by Mr. Brown, seconded by Vice Chair Kikuchi, 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 consult with the board's attorney on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities".

Hearing no objections, it was moved by Vice Chair Kikuchi, and seconded by Mr. Brown to move out of executive session at 9:27 a.m.

EO Skizewski stated the Board would not consider adding an extension for the LCHC pilot project to the agenda.

Chair Isobe noted the Board has provided multiple extension to the project in the past but will no longer consider any further extensions to the project.

Upon motion by Mr. Adams, and seconded by Mr. Rabang, it was voted on and unanimously carried for the Board to draft a letter to provide reasoning as to why an extension was not provided to LCHC.

Chair Isobe noted that the Board requested legislation be introduced as part of a prior extension. No legislation was introduced before the legislature.

Mr. Adams noted the presence of a community pharmacy on Lanai that is willing to work with LCHC to provide 340B program discounted medication. Mr. Adams added that he is not inclined to allow further remote dispensing as used in this case, while there is a community pharmacy in the area.

Ms. Figuerres asked, and Chair Isobe noted that the Board cannot require a health center to work with a specific pharmacy.

Vice Chair Kikuchi noted that the Board's concern is related to the availability and quality of care being provided to the patients. When the Board first approved this project, it was based on the understanding that there was not pharmacy in the area willing to accommodate the health center with 340B program medications. Based on the prior testimony of Rainbow Pharmacy, located on the island of Lanai, there is another pharmacy on Lanai willing to provide 340B discounted medications. Vice Chair Kikuchi added that remote dispensing does not provide an optimal level of healthcare when compared to a pharmacy where patients can go in person to speak with a pharmacist. Vice Chair Kikuchi concluded that the Board is not concerned with financials and is more concerned with patient safety and availability of quality healthcare.

Mr. Brown added that he believed this project was telehealth and not telepharmacy.

EO Skizewski noted that the LCHC pilot project will expire June 1, 2024.

State of Hawaii Dept. of Law Enforcement, Narcotics Enforcement Division:

Mike Hartsock introduced himself and explained that the Narcotics Enforcement Division has been placed under the Department of Law Enforcement. Mr. Hartsock added that he is an available resource to the Board and looks forward to collaborating with the Board to address any issues.

Chair Isobe asked Mr. Hartsock to keep the Board updated on any new initiatives by his department.

Hawaii Pharmacists Association:

No report provided.

Potential Amendments to Hawaii Administrative Rules (HAR) Title 19 Chapter 95 Pharmacist and Pharmacies:

EO Skizewski noted that as a result of the passing of HB 218 of the 2023 Legislative session, the Board should provide guidance through the Board's administrative rules to help pharmacists adhere to the prescription label information requirements. EO Skizewski added that immunization will also need to be addressed in the pharmacy technician scope of practice.

EO Skizewski suggested the creation of a permitted interaction group (PIG) to address the potential amendments necessary to update HAR Title 19 Chapter 95.

Chair Isobe and Mr. Brown noted their desire to update the HAR related to the Board of Pharmacy to be consistent with other states and federal guidelines.

Upon motion by Mr. Brown, and seconded by Vice Chair Kikuchi, it was voted on and unanimously carried for the Board to create a permitted interaction group (PIG) to discuss possible amendments to HAR Title 19 Chapter 95.

Upon motion by Mr. Rabang, and seconded by Vice Chair Kikuchi, Ms. Tokumaru, Mr. Brown, and Chair Isobe were appointed to the PIG related to discuss possible amendments to HAR Title 19 Chapter 95 by unanimous consent.

Mr. Adams asked and EO Skizewski noted that HAR are amended solely by the Board and the process includes public hearings. EO Skizewski added that HAR cannot supersede the Hawaii Revised Statutes.

Chair Isobe encourage members of the public to participate.

Executive Session:

The Chair asked if there were any further questions from the Board. Seeing none, the Chair asked for a motion to move into Executive Session in accordance with HRS, 92-4 and 92-5(a) (4), "To consult with the board's attorney on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities".

At 9:49 a.m., upon a motion by Vice Chair Kikuchi, seconded by Mr. Brown, 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 consult with the board's attorney on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities".

Hearing no objections, it was moved by Mr. Brown, and seconded by Mr. Adams to move out of executive session at 10:20 a.m.

Applications:

Ratification List

Miscellaneous Permit

Upon motion by Mr. Brown, seconded by Mr. Rabang, it was voted and unanimously carried to approve the ratification list and all applications listed on the agenda and to exclude Eleanor Tolentino from being able to service Hawaii under the permit being issued to Kaiser Foundation Health Plan, Inc.

Chapter 91, HRS –
Adjudicatory Matters:

In the Matter of the Pharmacy License of EASY RX PAD LLC, dba Pharmaceutical Services, PHA 2023-50-L, Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board’s Final Order.

Upon motion by Mr. Adams, seconded by Ms. Tokumaru, it was voted and unanimously carried to approve the settlement agreement.

Next Meeting:

There being no further agenda items, The Chair announced the next scheduled meeting will be held on:

Date: June 20, 2024
Time: 9:00 a.m.
In-Person: King Kalakaua Conference Room
HRH King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, Hawaii 96813

Adjournment:

There being no further business to discuss, Chair Isobe adjourned the meeting at 10:25 a.m.

Reviewed by:
/s/ James Skizewski

Taken by:
/s/ James Skizewski

James Skizewski
Executive Officer

James Skizewski
Executive Officer

JS:js

06/06/2024

- Minutes approved as is.
- Minutes approved with changes. See minutes of _____.