

BOARD OF PHARMACY

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

OPEN SESSION MINUTES

Date: March 7, 2024

Time: 9:00 a.m.

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

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

Members Excused: Patrick Adams, Pharmacist
Catalina Cross, Public Member

Staff Present: James Skizewski, Executive Officer (“EO” Skizewski)
Andrew Kim, Deputy Attorney General (“DAG”)
Lorna Eugenio, Secretary
Mia Hoang, Tech Support Staff
Johnny Li, Tech Support Staff

Guests: Stacy Pi - Kaiser Permanente
Ester Brown – DCCA-RICO

Call to Order: The agenda for this meeting was posted on the State electronic calendar as required by section 92-7(b), Hawaii Revised Statutes (“HRS”).

The Chair took a roll call of the Board members. After taking roll, quorum was established, and the meeting was called to order at 9:00 a.m.

Chair’s Report:

Announcements

Chair Isobe announced that she will be in Chicago from March 10 through 16, 2024, attending an item writing workshop for questions on the State’s law exam.

Mr. Brown emphasized the need for experienced individuals to attend these workshops to craft questions based on recent law changes.

Regulated Industries Complaints Office – Pharmacy Advisory Committee:

Upon a motion by Mr. Kikuchi, seconded by Ms. Brown, it was voted on and unanimously carried to amend the agenda and move to item eight (8) “Regulated Industries Complaints Office – Pharmacy Advisory Committee”.

Executive Session:

At 9:03 a.m., 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 9:45 a.m., upon motion by Chair Isobe, seconded by Mark Brown, it was voted on and unanimously carried to move out of executive session.

Approval of Minutes:

Approval of the Minutes of December 21, 2023

Chair Isobe deferred the approval of the minutes from the December 2023 meeting to the next meeting of the Board of Pharmacy ("Board").

Approval of the Minutes of February 1, 2024

Upon motion by Chair Isobe, seconded by Mr. Kikuchi, it was voted on and unanimously carried to approve the minutes of the February 1, 2024, meeting.

Executive Officer's
Report:

EO Skizewski provided legislative updates on the following legislation

Senate Bill ("SB 60") Relating to Health

SB 60 was not heard by committee and will not progress further through session.

SB 165/ House Bill ("HB") 1221 Relating to Pharmacists

SB 165 was not heard by committee and will not progress further through session

SB608/HB 218 Relating to Prescription Drugs

SB 608 was passed into law via Act 256 which included an exemption for pharmacies that are a sole proprietorship with no more than two pharmacists. Provided that the pharmacy has requested an exemption with the Board. EO Skizewski noted that the Board will need to draft rules to provide further guidance to pharmacies to meet requirements listed in Act 256.

Mr. Brown asked and EO Skizewski noted that any rule amendments cannot conflict with Act 256.

Mr. Brown noted his concern with how this will change hospice patient care.

Ms. Pi asked and EO Skizewski noted this law will impact resident pharmacies.

Chair Isobe noted her concern with how this law could impact mail order pharmacies.

Ms. Tokumaru noted that some of the bigger pharmacy chains already meet this requirement.

Mr. Kikuchi noted the need to evaluate how other states are dealing with this kind of requirement.

SB 604 Relating to Health

SB 604 was not heard by a committee and will not progress further.

SB 693 Relating to Pharmacists

SB 693 relating to reimbursement wasn't heard by committee and will not progress further.

SB 1017 Relating to Health

SB 1017 was not heard by committee and will not progress further.

SB 2199 / HB 1825 Relating To Out-Of-State Prescriptions

SB 2199 relating to out-of-state prescriptions is a bill that makes the Department of Health statutes consistent with Board statutes which allow the transfer of prescription information for initial fills of prescriptions. This bill has passed through both committees as written and is crossing.

Ms. Pi noted that this bill supports prescription information sharing for initial fills, which remove delays for patients.

HB1836 Relating to Health

HB 1836 relating to health is in its second draft. This bill allows pharmacists during states of emergency to refill prescriptions up to a 30-day supply. References to "dangerous drug" were changed in the first committee to controlled substance, then again changed after to "prescription". References to controlled substances were removed. The Board voted to support this initiative at its last meeting.

HB 2113 Relating to Pharmacy

HB 2113 establishes a Danie K. Inouye College of Pharmacy special fund to support a pharmacist work force assessment and planning efforts, this bill also establishes a pharmacist workforce assessment fee on Board licensees. This bill has moved through all house committees. The Board did submit concerns related to the lack of oversight and the lack of information related to the cost benefit to licensees.

HB 2147/SB 2568 Relating to Health

SB 2568 Relating to Health which is authorizes pharmacists or administering immunizations and vaccinations to children three (3) years of age or older under state law. This bill was not heard in committee.

SB 2899 Relating to Pharmacists

This bill was not heard by committee and will not progress further. Any discussion related to mandating reimbursement will need to be raised at the next legislative session.

HB 2553 Relating to Pharmacist

This bill provides allowances to pharmacy technicians, pharmacy interns, and pharmacists to administer vaccines to persons ages 3 through 17. Only if certain requirements are met. Requirements include Accreditation Council for Pharmacy Education ("ACPE") education as well as a cardiopulmonary resuscitation ("CPR") certification. Mr. Brown and Chair Isobe agreed that this bill's intent is to expand the Federal Public Readiness and Emergency Preparedness ("PREP") Act allowances.

Mr. Kikuchi encouraged employers to accommodate staff preferences as some staff may not feel comfortable providing vaccinations.

Mr. Brown noted that a certification entity should be explicitly defined in the bill.

Mr. Kikuchi supported the requirement of certifications for providing vaccinations.

Chair Isobe requested all technicians and interns providing vaccinations be properly trained.

Chair Isobe and Mr. Brown noted the need to regulate technicians.

HB 2554 Relating to Pharmacies

This bill was deferred in committee and will not progress further. The Board submitted concerns to the committee regarding this bill.

HB 1979 Relating to Prescription Drugs

This bill was not heard in committee and will not progress further.

No report was provided.

Report from the Hawaii Pharmacists Association:

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) (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".

At 10:12 a.m., upon a motion by Mr. Brown, seconded by Mr. 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, the Board moved out of executive session at 10:16 a.m.

Applications:

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.

Executive Session:

At 10:17 a.m., 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 9:45 a.m., upon motion by Chair Isobe, seconded by Mark Brown, it was voted on and unanimously carried to move out of executive session.

Chapter 91, HRS – Adjudicatory Matters:

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

In the Matter of the Pharmacy License of **L. Krenk Inc., dba Maui Clinic Pharmacy**, Settlement

Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order; Exhibits "1",

Upon a motion by Chair Isobe, seconded by Mr. Kikuchi, it was voted on and unanimously carried to reject the settlement agreement based on the seriousness of the offense.

In the Matter of the Pharmacy License of **Pillpack LLC, dba Pillpack By Amazon Pharmacy**, Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order,

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

Regulated Industries
Complaints Office:

Pharmacy Advisory Committee

Hearing no objections, the Regulated Industries Complaints Office Pharmacy Advisory Committee was approved by the Board.

Election of Chair
and Vice Chair –
HRS §436B-6:

Mr. Brown nominated Mr. Kikuchi. Hearing no objections, Mr. Kikuchi was elected Vice Chair.

Next Meeting:

There being no further agenda items, The Chair announced the next scheduled meeting will be held on April 18, 2024, at 9:00 a.m.

Adjournment:

There being no further business to discuss, Chair Isobe adjourned the meeting at 10:40 a.m.

Reviewed by:

Taken by:

/s/ Lorna Eugenio
Lorna Eugenio
Secretary

/s/ James Skizewski
James Skizewski
Executive Officer

LE:js

03/04/2024

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