

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

**MINUTES OF MEETING**

Date: Thursday, November 21, 2019

Time: 9:00 a.m.

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

Members Present: Alanna Isobe, Chair  
Mary Jo Keefe, RPh, Pharmacist  
Sheri Tokumaru, Pharmacist  
Kenneth VandenBussche, RPh, BCACP, Pharmacist

Excused: Julie Takishima-Lacasa, PhD, Public Member – Vice Chair  
Catalina Cross, Public Member

Staff Present: Lee Ann Teshima, Executive Officer ("EO")  
Shari Wong, Deputy Attorney General ("DAG")  
Nohelani Jackson, Secretary  
Lei Ana E. Green, Executive Officer

Guests: Paul Smith, Walgreens  
Logan Nelson, North Dakota State University  
Cal Werth, North Dakota State University  
Miki L. Morita, Queen's Development  
Kellie Noguchi, Kaiser Permanente  
Kelli Capehart, DEA  
Kateya Blissard, DEA  
Stacy Pi, Kaiser Permanente  
Amy Este, Walmart  
Tiffany Bihis, HMSA  
Wendy Iwasaki, HMSA  
Evelyn Chock, HMSA  
Tiffany Yajima, SanHi Govt. Strategies  
Cherylynn Cheng, Walgreens  
Greg Edwards, DOH -FOB  
John Garibaldi, Watanabe Ing  
Carolyn Ma, Dean, DKICOP

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").

There being a quorum, the Chair called the meeting to order at 9:02 a.m. and announced that she will be taking the agenda out-of-order.

Chair's Report:

**Announcements and Introductions**

The Chair asked the audience to introduce themselves.

**Approval of the Previous Minutes – October 17, 2019 Meeting**

The Chair called for a motion regarding the minutes of the October 17, 2019 meeting.

**2020 Board Meeting Schedule**

The Board's 2020 meeting schedule was distributed to the members.

Executive Officer's Report:

**Conferences/Seminars/Meetings**

2020 NABP Interactive Member Forum, January 28-29, 2020, Mount Prospect, IL

The EO announced that the Chair will be attending.

Report on October 17, 2019 Pharmacy Working Group

The EO reported that the following was discussed at the October PWG meeting:

- Mandatory E-prescribing for controlled substances – Possible legislation for 2020 to require mandatory e-prescribing for controlled substances that would require amendments to HRS Chapter 329 and include an effective date of January 2021 when Medicare Part D goes into effect and also allow for delayed implementation for prescribers and pharmacies to obtain the technology needed in order to perform electronic transmission of a controlled substance prescription by a prescriber to the pharmacy. There was some discussion on "exceptions", including for veterinarians or emergency situations. Department of Public Safety, Narcotics Enforcement Division is discussing the proposed legislation.
- PBMs – Lorrin Kim from the Department of Health was present to provide a brief overview of DOH's authority over PBMs and that how they are unable to adequately enforce the law and does consider this issue an access to health care and is contemplating asking the legislature for appropriations to hire staff to enforce/implement the law.
- HRS §328-16 Drugs limited to dispensing on prescription - Directions for use on the label – The PWG discussed amendments to this section to allow for oral instructions on the label. This would require that the DOH be in agreement since HRS Chapter 328 falls under the authority of the DOH. The PWG also discussed the possibility of "moving" some of the language or including similar language in the HAR Chapter 95 under the authority of the Board, however, since HRS 328 is a statute, this would trump the admin rules, Chapter 95.

- Return for Disposal – Shipping to Reverse Distributor in the Mainland Prohibited – The PWG continued their discussion on local pharmacies shipping drugs collected for destruction to a reverse distributor in the mainland. It was reported that UPS is registered with the DEA as an entity capable of shipping the packed drugs for disposal to a mainland reverse distributor and CVS was asked if they could provide information on how much drugs (weight) was collected for the first 3 months since utilizing these bins in Hawaii.
- USP <795> and <797> and Flavoring – The PWG discussed the effective date of amendments to USP <795> and <797>, which are currently on appeal. However, pharmacies who compound should still be in compliance with the “current” USP <795> and <797>. The PWG also determined that adding flavoring to a drug was considered non-sterile compounding but was not clear if this was under the current or proposed USP amendment(s).
- Pharmacists Reporting of Prescription/Dispensing Naloxone to Hawaii PDMP - The EO reported that the DOH wants to collect data on opioid antagonist prescribing and dispensing Naloxone. By adding Naloxone to the PDMP, pharmacists could report, and the data could be retrieved, however, this would incur additional cost by the NED.

The EO reported that no meeting was scheduled for this month due to the Legislative Briefing at 10:00 a.m. today at the Capitol regarding onsite destruction of opioids.

### **2020 Legislature**

Relating to Electronic Prescribing (Mandatory e-prescribing for controlled substances) – A draft of a bill amending HRS Chapter 329 to require mandatory e-prescribing for controlled substances was distributed to the Board.

The EO asked the members to review and to email her any comments/recommendations and that we would wait until the final bill is introduced when the 2020 Legislative Session convenes.

Legislative Briefing: Fighting the Opioid Epidemic – The Riverton Story (onsite destruction of opioids), November 21, 2019, 10:00 a.m., State Capitol, Room 309  
The EO previously reported on this agenda item.

### **DCCA**

The EO reported on the following matters related to the department:

#### MyPVL Now Accepting Address Change Online

Currently, address changes need to be reported on a form provided by our Licensing Branch, however if you have a MyPVL account, you are now able to change your address online. This does not apply to entities, i.e. pharmacies, only individuals.

Consumer Alert: Phishing Scam Imitating State Agency Sent to Businesses

The DCCA put out a press release about emails being sent to businesses from the Office of Consumer Protection that claim a complaint was submitted against your company. The DCCA is warning the public that this is NOT from the DCCA or Office of Consumer Protection and that you should not click on any links associated with this email or download any attachments as it may be an illegal attempt to deposit malware on the recipient's computer.

Discrimination/ Harassment Free Workplace Policy

Board members were provided a copy of the State's Policies and Procedures on Discrimination/Harassment-Free Workplace Policy and requested to include the policy in their Board member manual.

**Pilot Project Application(s)**

The EO reported that she received 2 pilot project applications:

- Wailea Pharmacy – Compounding for Veterinary Office Stock – The EO stated that upon her review, she requested additional information, including but not limited to a list of drugs to be compounded and more detailed information.

The Board deferred this application.

- ElixRx – Compounded Medication for Veterinary Office Use - The Board reviewed the application.

Upon a motion by Mr. VandenBussche, seconded by Ms. Keefe, it was voted on and unanimously carried to approve the pilot project application submitted by ElixRx with the condition that the period for the pilot project end on June 30, 2020 and that the applicant prepare a presentation for the Board's July 16, 2020 meeting that includes but is not limited to what was compounded for office use, to whom it was distributed and feedback from the recipient (veterinarian) and any adverse actions/events.

Correspondence:

**C2 Prescriptions – Quantity**

The Board discussed the following email inquiry:

"I thought the HRS statute was updated and stated C2 electronic prescriptions no longer required the quantity to be written out and only required the quantity in numerical form. I've been looking throughout the HRS files and can't seem to find to update our book. Could someone please clarify if it was updated and where I can find it. Thank you very much for your time."

Mr. Redulla stated that pursuant to Act 95, SLH 2019, HRS §329-38(i) was amended to read as follows:

"(i) Prescriptions for controlled substances shall be issued only as follows:

(1) All prescriptions for controlled substances shall originate from within the State and be dated as of, and signed on, the day when the prescriptions were issued and shall contain:

(A) The first and last name and address of the patient; and

(B) The drug name, strength, dosage form, quantity prescribed, and directions for use. Where a prescription is for gamma hydroxybutyric acid, methadone, or buprenorphine, the practitioner shall record as part of the directions for use, the medical need of the patient for the prescription.

Except for electronic prescriptions, controlled substance prescriptions shall be no larger than eight and one-half inches by eleven inches and no smaller than three inches by four inches. A practitioner may sign a prescription in the same manner as the practitioner would sign a check or legal document (e.g., J.H. Smith or John H. Smith) and shall use both words and figures (e.g., alphabetically and numerically as indications of quantity, such as five (5)), to indicate the amount of controlled substance to be dispensed. Where an electronic prescription is permitted, either words or figures (e.g., alphabetically or numerically as indications of quantity, such as five or 5), to indicate the amount of controlled substance to be dispensed shall be acceptable. Where an oral order or electronic prescription is not permitted, prescriptions shall be written with ink or indelible pencil or typed, shall be manually signed by the practitioner, and shall include the name, address, telephone number, and registration number of the practitioner. The prescriptions may be prepared by a secretary or agent for the signature of the practitioner, but the prescribing practitioner shall be responsible in case the prescription does not conform in all essential respects to this chapter and any rules adopted pursuant to this chapter. In receiving an oral prescription from a practitioner, a pharmacist shall promptly reduce the oral prescription to writing, which shall include the following information: the drug name, strength, dosage form, quantity prescribed in figures only, and directions for use; the date the oral prescription was received; the full name, Drug Enforcement Administration registration number, and oral code number of the practitioner; and the name and address of the person for whom the controlled substance was prescribed or the name of the owner of the animal for which the controlled substance was prescribed."

The EO asked Mr. Redulla if it was okay for her to respond directly to the email inquiry and that she will respond to the inquiry by citing the language in the Act.

Mr. Redulla agreed.

### **USP 800 Compliance**

The Chair asked Ms. Keefe to lead the discussion on the following inquiry:

“Is the board of pharmacy going to require USP 800 Compliance for compounding and /or non-compounding Pharmacies?”

Ms. Keefe stated that HAR § 16-95-110 (a)(17) refers to compliance with USP 795 and 797 but not USP 800. She also stated that proposed amendments to USP 795 and 797 are on appeal and not in effect. As for USP 800, it was determined to be “informational only” and not enforceable.

The Board concurred with Ms. Keefe’s determination.

### **Remote Pharmacy Data Entry and Pharmacist Services – Deferred from September 19, 2019 Meeting**

The Board deferred this agenda item to do research on what other states require.

### **CBD and Essential Oils Distributor**

Ms. Tokumaru lead the discussion on the following inquiry:

“We are a medical equipment company that has a few questions regarding the regulation of essential oils and CBD in your state.

1) We would like to provide CBD and essential oils on our company website that links directly to the distributor. We will not house, manufacture, distribute any of the products, we will only provide a link for our consumers to purchase. Would we need to obtain licensure for the link on our website? If yes, what type of license?

2) Is a license required by a company to mail CBD and essential oils directly to a consumer or another business in your state? If yes, what type of license? These would be on-line sales and cash/credit only.”

Mr. Edwards commented that the FDA does not allow for the inter-state commerce of CBD products as CBD is not approved as a food additive, nor is it GRAS (Generally Recognized as Safe) in foods. Further, CBD is an active drug ingredient in FDA approved Epidiolex and not allowed in dietary supplements.

The Board determined that no license issued by the Board is required to distribute OTC products such as essential oils that are not considered a prescription drug.

### **Automatic Refilling on Prescriptions Without Patient Consent**

Mr. VandenBussche led the discussion on the following inquiry:

“I was inquiring about the policy on automatic refilling. We are a Patient Assistance Program (PAP) mail order pharmacy and we do not bill any insurance of any kind. I wanted to see since we are a mail order pharmacy that handles no insurance, can we do automatic refilling on prescriptions without consent from the patient?”

Mr. VandenBussche stated that if refills are allowed, a pharmacy may refill a prescription.

The EO asked if a pharmacy refills a prescription but the patient does not pick it up, what does the pharmacy do with the medication? Does the pharmacy put it back into their stock?

The response was yes.

Chapter 91, HRS  
Adjudicatory Matters:

At 9:35 a.m., the Chair called for a recess of the meeting to discuss and deliberate on the following adjudicatory matter:

In the Matter of the Pharmacy Miscellaneous Permit of **Fairview Pharmacy Services, LLC; PHA 2018-53-L** Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order

Upon a motion by Mr. VandenBussche, seconded by Ms. Tokumaru, it was voted on and unanimously carried to approve the Board's Final Order.

In the Matter of the Pharmacy Miscellaneous Permit of **Auto Pharmacies, Inc., dba Central Drugs; PHA 2019-62-L**, Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order; Exhibits "1" – "4"

Upon a motion by Ms. Keefe, seconded by Mr. VandenBussche, it was voted on and unanimously carried to approve the Board's Final Order.

Following the Board's review, deliberation, and decision in these matters, pursuant to Chapter 91, HRS, the Chair announced that the Board was reconvening its scheduled meeting at 9:40 a.m.

Applications:

**Ratification Lists**

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

Applications

Miscellaneous Permit

Upon a motion by Ms. Keefe, seconded by Mr. VandenBussche, it was voted on and unanimously carried to approve the following application for miscellaneous permit:

Homerx Healthcare LLC

Pharmacist

Upon a motion by Ms. Keefe, seconded by Mr. VandenBussche, it was voted on and unanimously carried to approve the following application for pharmacist license:

Monique Walker

Next Meeting: The Chair announced the next Board meeting and asked if everyone was able to attend.

Thursday, **January 23, 2020 – New Date**

9:00 a.m.

**PVL Examination Room, Third Floor – New Room**

King Kalakaua Building

335 Merchant Street

Honolulu, Hawaii 96813

Adjournment: There being no further business to discuss, the meeting was adjourned at 9:45 a.m.

Taken and approved by:

/s/ Lee Ann Teshima  
Lee Ann Teshima  
Executive Officer

[ x ] Minutes approved as is.

[ ] Minutes approved with changes; see minutes of \_\_\_\_\_

## Board of Pharmacy Ratification List for November 21, 2019

### Pharmacist (PH)

PH	4484	MIKAELA J P SAMPAYAN
PH	4485	MONIQUE S HADDAD
PH	4486	CHRISTINA L LICHTINGER
PH	4487	JOHN S BORLAND
PH	4488	JERRICK N R TABOADA
PH	4489	DAVID G WILLIAMS
PH	4490	JARRETT W K CHANG
PH	4491	TORRENCE S K CHING
PH	4492	RENEE E NIERENGARTEN
PH	4493	KATRINA E DOWNEY
PH	4494	TYLER K HIROKAWA
PH	4495	TYLER C MILLAR
PH	4496	DENNIS LE
PH	4497	ASHLEY K SONODA
PH	4498	CARRIE K L YEUNG
PH	4499	MARIE S L REWICK
PH	4500	MICHON A H FUCHIGAMI
PH	4501	REBECCA L REESE
PH	4502	CAMI C N KANAHELE
PH	4503	NICHOLAS A TSOI

**Pharmacy (PHY)**

PHY	932	89-102 FARRINGTON HWY	WAIANAE	HI	96792	LONGS DRUGS STORES CALIFORNIA, LLC
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**Miscellaneous Permit (PMP)**

PMP	1640	5101 JEFF COMMERCE DR	LOUISVILLE	KY	40219	RXC ACQUISTION COMPANY
PMP	1641	10860 N MAVINEE DR STE 100	ORO VALLEY	AZ	85737	VECTRARX MAIL PHARMACY SERVICES LLC
PMP	1642	5640 HUDSON INDUSTRIAL PKWY	HUDSON	OH	44236	ADVANCED HEALTH TECHNOLOGIES INC
PMP	1643	3265 W MCDAB RD	POMPANO BEACH	FL	33069	SINCERUS FLORIDA, LLC
PMP	1644	246 LINCOLN CIRCLE STE B	GAHANNA	OH	43230	COLUMBUS PHARMACY INC
PMP	1645	ROCHESTER HEALTH	ROCHESTER	PA	15074	MEMAW INC
PMP	1646	951 YAMATO RD SUITE 160	BOCA RATON	FL	33431	VITACARE PRESCRIPTION SERVICES, INC
PMP	1647	416 CLEMATIS ST	WEST PALM BEACH	FL	33401	CENTER CITY PHARMACY INC
PMP	1648	845 REGENT BLVD	IRVING	TX	75063	RXC ACQUISITION COMPANY

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**Pharmacy/Miscellaneous Permits:**

Closures/Cancellation

Pharmedium Services LLC (PMP 633)  
913 N. Davis Avenue  
Cleveland, MS 38732  
Effective: 5/24/2019

Receipt Pharmacy LP (PMP 1377)  
dba Receipt Pharmacy #101  
4011 Crescent Park Dr.  
Riverview, FL 33578  
Effective: 7/1/2019

Bioscrip Infusion Services Inc. (PMP 570)  
320 S Flower Street  
Burbank, CA 91502  
Effective: 8/6/2019

Drugsource Inc. (PMP 542)  
2020 Lunt Ave  
Elk Grove Village, IL 60007  
Effective: 8/8/2019

KB Empire LLC (PMP 1490)  
11003 Antoine Drive, Ste. F  
Houston, TX 77086  
Effective: 8/23/2019

Astro Rx LLC (PMP 1530)  
20423 Kuykendahl Road, Ste. 250  
Spring, TX 77379  
Effective: 8/26/2019

Medi Script Pharmacy Inc. (PMP 1340)  
dba Medi Script Pharmacy  
8121 Broadway St., Ste. 105  
Houston, TX 77061  
Effective: 8/26/2019

Park Compounding Inc. (PMP 1030)  
dba Imprimisrx  
9257 Research Drive  
Irvine, CA 92618  
Effective: 8/28/2019

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Independence Holding Company LLC (PMP 1073)  
dba Complete Care Pharmacy  
14 E Washington St #C  
Champaign, IL 61620  
Effective: 8/31/2019

Paradigm Healthcare Solutions, LLC (PMP 1172)  
dba Athena Pharmacy  
2025 N Mount Juliet Rd, Ste. 100  
Mount Juliet, TN 37122  
Effective: 9/13/2019

D&D Pharma LLC (PMP 1414)  
14460 Getz Rd #200  
Noblesville, IN 46060  
Effective: 9/28/2019

Leiter's Enterprises Inc. (PMP 1126)  
dba Leiter's  
17 Great Oaks Blvd.  
San Jose, CA 95119  
Effective: 9/30/2019

Lincare Pharmacy Services Inc. (PMP 588)  
dba Reliant Pharmacy Service  
1235 Main Street  
Southaven, MS 38671  
Effective: 9/30/2019

Briovax of Florida Inc. (PMP 486)  
dba Briovax of Florida  
9994 Premier Pkwy  
Miramar, FL 33025  
Effective: 10/1/2019

One Source Pharmacy and Medical Supplies LLC (PMP 1363)  
15733 San Pedro Avenue  
San Antonio, TX 78232  
Effective: 10/4/2019

Keystone Choice Pharmacy LLC (PMP 1204)  
432 Cedarville Rd.  
Easton, PA 18042  
Effective: 11/15/2019

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Change of PIC

Queen’s Development Corporation (PHY 679)  
dba Queen’s POB III Pharmacy  
550 S. Beretania St., #102  
Honolulu, HI 96813  
New PIC: Miki Lei Morita  
Effective: 12/31/2017

BriovaRx of Indiana LLC (PMP 898)  
1050 Patrol Rd  
Jeffersonville, IN 47130  
New PIC: Leslie Jean Durham  
Effective: 3/30/2018

Meijer Stores Limited Partnership (PMP 1228)  
dba Meijer Pharmacy #463  
1515 Profit Drive  
Fort Wayne, IN 46808  
New PIC: Muneshwar J. Persaud  
Effective: 8/12/2018

Coastline Pharmacy LLC (PMP 1460)  
2107 S US Hwy 1  
Jupiter, FL 33477  
New PIC: Dustin Hedges  
Effective: 4/26/2019

Rx Biotech Pharmacy LLC (PMP 1417)  
dba Meijer Specialty Pharmacy  
2514 N. Ontario St., Ste. 102  
Burbank, CA 91504  
New PIC: Nicole Faulk  
Effective: 5/5/2019

MAH Pharmacy LLC (PMP 745)  
4867 Dixie Highway  
Fairfield, OH 45014  
New PIC: James Rundo  
Effective: 5/28/2019

Express Scripts Pharmacy Inc. (PMP 962)  
dba Express Scripts  
4865 Dixie Hwy  
Fairfield, OH 45014  
New PIC: Lana DeLong  
Effective: 5/28/2019

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Wal Mart Stores East LP (PMP 307)  
dba Wal Mart pharmacy 10-5315  
9600 Parksouth Court E, Ste. 120  
Orlando, FL 32837

New PIC: Randi Krouskos  
Effective: 6/28/2019

Caremark Texas Mail Pharmacy LLC (PMP 410)  
dba CVS Caremark  
7034 Alamo Downs Pkwy  
San Antonio, TX 78238

New PIC: Gilberto L. Sanchez, Jr.  
Effective: 7/15/2019

Avella of Sacramento Inc. (PMP 876)  
2288 Auburn Blvd, Ste. 102  
Sacramento, CA 95821

New PIC: Stacey Le  
Effective: 7/29/2019

Benecard Central Fill of PA LLC (PMP 604)  
5040 Ritter Rd  
Mechanicsburg, PA 17055

New PIC: Michael Ryan Schmidt  
Effective: 7/31/2019

ESI Mail Pharmacy Services, Inc. (PMP 1591)  
dba Express Scripts  
7909 S Hardy Dr., Ste. 106  
Tempe, AZ 85284

New PIC: Mandi Pokorney  
Effective: 8/4/2019

Costco Wholesale Corporation (PHY 511)  
dba Costco Pharmacy #140  
73-5600 Maiiau Street  
Kailua-Kona, HI 96740

New PIC: Carey Y. Sakuma  
Effective: 8/5/2019

Express Scripts Pharmacy Inc. (PMP 961)  
dba Express Scripts  
4750 E 450 S  
Whitestown, IN 46075

New PIC: Robyn Stewart  
Effective: 8/16/2019

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Coram Alternate Site Services Inc. (PMP 1256)  
dba Coram CVS/Specialty Infusion Services  
136 South McKinley Street  
Casper, WY 82601  
New PIC: Yvette Kaul  
Effective: 8/23/2019

Safeway Inc. (PHY 862)  
dba Safeway Pharmacy #2897  
91-1119 Keaunui Drive  
Ewa Beach, HI 96706  
New PIC: Jennifer T. Nguyen  
Effective: 8/23/2019

Molokai Drugs, Inc. (PHY 205)  
28 Kamoi Street, #100  
Kaunakakai, HI 96748  
New PIC: Kelly S. M. Go  
Effective: 9/6/2019

Pipeline Health Holdings LLC (PMP 1535)  
dba Pipeline Rx  
7455 Arroyo Crossing Pkwy, #220  
Las Vegas, NV 89113  
New PIC: Marcie Woodbury  
Effective: 10/1/2019

Central RX Services, LLC (PMP 1631)  
dba Ingeniorx Specialty or CVS Specialty  
1451 Center Crossing Rd.  
Las Vegas NV 89144  
New PIC: Jaime St. Claire  
Effective: 10/4/2019

Injectable Therapy Services Inc. (PMP 979)  
dba Biologictx  
7959 Deering Ave  
Canoga Park, CA 91304  
New PIC: Ella Fridman  
Effective: 10/26/2019

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Relocation

Blink Health Pharmacy LLC (PMP 1542)  
1415 North Outer Forty, Suite 350  
Chesterfield, MO 63017  
Effective: 2/1/2019

Incline Health LLC (PMP 1353)  
1075 Stephenson Ave, Ste D  
Oceanport, NJ 07757  
Effective: 2/15/2019