

BOARD MEMBERS

Dennis Lewis, President
John J. Bernabei, Vice President
Vicky Skaff, Secretary
*Everett Frazier **
*Chuck Jones**
Sam Kapourales
Kim Knuckles
*(*Public Member)*



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MINUTES OF THE WEST VIRGINIA BOARD OF PHARMACY **MORGANTOWN, WEST VIRGINIA, JUNE 11 & 12, 2017**

The Board convened in the Marriott Residence Inn main conference room in Morgantown, West Virginia, at 5:00 p.m., on Sunday June 11, 2017, with President Dennis Lewis presiding. Present with Mr. Lewis were the following Board members: John “J.J.” Bernabei, Everett Frazier, Kimberly Knuckles, Sam Kapourales, and Vicky Skaff. Chuck Jones was unable to attend. Also present were David Potters, Executive Director and General Counsel and CFO/COO John Smolder. The Administrator of the Controlled Substance Monitoring Program, Mike Goff was unable to attend. Board Inspectors: Don Klamut, Roger Shallis, Charles “Buck” Selby, Pat Regan and Tom Robinette. The Board Investigators Fred Wagoner and David Lucas were unable to attend.

Members of the public present included Mark Polen of LGGR Government Solutions representing Rite Aid, Abbi Blevins President of WVU/Kroger and Jeenu Philip of Walgreens.

President Lewis called the meeting to order and stated that a quorum was present. He then stated that proper notice of this meeting had been filed with the Secretary of State. The Agenda was also posted on the Board’s website and made available through the Office. Mr. Lewis opened the meeting with prayer.

President Lewis called for the review of the minutes from the prior meeting of April 19 and 20, 2017. Motion was made by Kim Knuckles to approve the minute’s subject to changing the word “NAPLEX” to “NPLEX” on page 2, seconded by Vicky Skaff. All in favor with no votes against, the motion carried.

Mr. Smolder provided update on the Board’s financial report with the improved statements. Motion was made by Kim Knuckles to receive the financial report subject to audit. Seconded by Everett Frazier. All in favor with no votes against, the motion carried.

Next, Mr. Potters gave a Director’s Report. First, he announced that there is new staff member, Tina Roberts. Then talked about the filing for public comment the following rules: Title 15, Series 2 (Suspicious Order Reporting rules), Title 15, Series 7 (pharmacy technician clarification rules), and Title 15, Series 10 (Pharmacy Recovery Network rules). Provided an update on the Licensing Database which was still in Division of Purchasing Hands and gave an extensive deadline (6 months) that will take to complete. An update on building maintenance

that was completed: pressure wash front balcony, touch up paint inside, bathroom painted and A/C repaired but stated that it needs replaced due to age. Also, mentioned that the certain areas outside need touched up and replacing the back stairs railing. Finally, he stated that Management was holding meetings twice a month and thinking about having a staff meeting once a month. Motion was made by Everett Frazier to receive the director's report. Seconded by Kim Knuckles. All in favor with no votes against, the motion carried.

Motion was made by Vicky Skaff and seconded by Everett Frazier to go into Executive Session to discuss complaints, wholesale litigation and personnel review/matters. All in favor with no votes against, the motion carried. First, the Complaint Committee Report of Recommendation was presented and a motion was made by Everett Frazier to accept the recommendation except for a revision to complaint #1. Seconded by Sam Kapourales. All in favor with no votes against, the motion carried. Second, a discussion of City and County Wholesale Drug Distributor Lawsuit and that it was assigned to Bailey & Wyant Law firm through BRIM. Motion was made to accept the recommendations by Vicky Skaff and seconded by Everett Frazier. All in favor with no votes against, the motion carried. Finally, the staff was excused to discuss personnel matters. But no action was taken at this time and will be discussed during a later meeting when all board members are present. President Dennis Lewis declared the Board back into public session with no official action taken.

President Lewis then declared the meeting into recess, to be continued in the conference room at the West Virginia University, School of Pharmacy, Wigner Suite, Room 1127, at 8:00 a.m., June 12, 2017.

The Board Meeting continued Monday, June 12, 2017, at 8:00 a.m., in the Wigner Suite, Room 1127, at the West Virginia University School of Pharmacy in Morgantown, West Virginia, with President Dennis Lewis presiding. Present with Mr. Lewis were the following Board members: John "J.J." Bernabei, Everett Frazier, Kimberly Knuckles, Sam Kapourales, and Vicky Skaff. Chuck Jones was unable to attend. Also present were David Potters, Executive Director and General Counsel, CFO/COO John Smolder and The Administrator of the Controlled Substance Monitoring Program, Mike Goff. Board Inspectors: Don Klamut, Roger Shallis, Charles "Buck" Selby, Pat Regan and Tom Robinette. The Board Investigators David Lucas but Fred Wagoner wasn't unable to attend.

Members of the public present included Mark Polen from LGCR/Rite Aid; Abbi Blevins President of WVU/Kroger, Jeenu Philip of Walgreens, Hannah Epler of WVU, Anthony Gianquitti Nuclear Pharmacist of Cardinal, Bridget Lambert of WV Retailers and Julie Rumbach-Austin of Kroger.

President Lewis called the meeting back to order and stated that a quorum was present. He then reiterated that proper notice of this meeting had been filed with the Secretary of State, and that the Agenda was posted on the Board's website and made available through the Office. Mr. Lewis opened the meeting with prayer.

The meeting began with election of Board Offices and appointment of committee positions for the fiscal year, July 1, 2017 to June 30, 2018. A motion was made by Sam Kapourales to postpone for a later meeting so all board members could be present. Seconded by Kim Knuckles. All in favor with no votes against, the motion carried.

Next, a discussion of a pharmacist to be appointed to the Medical Cannabis Advisory Board which was established by SB 386. A motion was made by Kim Knuckles to postpone for a later meeting since the board wanted to have more time to think it over and to see if any other individuals were interested in serving. Seconded by Everett Frazier. All in favor with no votes against, the motion carried.

Inspector Charles “Buck” Selby gave an Inspections Report status update. Motion was made by Vicky Skaff and seconded by Everett Frazier to accept the inspections report. All in favor with no votes against, the motion carried.

Next, Mike Goff provided an update on the Controlled Substance Monitoring Program. Among other things, the update included the following topics:

- Numbers of controlled substance doses dispensed continues to drop with the only major drug class showing an increase being buprenorphine
- Multiple provider episodes (MPE’s) also continue to decrease
- Grant funded Epidemiologist has been working since February and a new Data Analyst started today
- 629 drug related deaths in 2014, 735 deaths in 2015 (16.8% increase) and a record 867 last year (18% increase)
- Over the last 12 months, 300 prescriber education letters, and 18 physicians and one pharmacy referred regarding deaths
- We now have all of our border states participating in PMPi, so we are currently sharing data with 23 states
- CSMP vendor solutions

Motion was made by Vicky Skaff and seconded by Kim Knuckles to accept the CSMP report. All in favor with no votes against, the motion carried.

For Title 15, Series 12 regarding the changes for Immunizations joint rules process David Potters discussed the letter from Board of Osteopathic Medicine and concluded no shortage of basic life support courses which are meeting the needs of Pharmacist. Therefore, a motion to accept the Board of Osteopathic Medicine recommendation by Vicky Skaff and seconded by Kim Knuckles. All in favor with no votes against, the motion carried.

Next, discussion of Central Fill rules, since there were 2 separate rules regarding Central Fill, a motion was made by Kim Knuckles to incorporate Title 15.1.2 and 15 CSR 14 so Central Fill could be under a single rule and make these changes by the deadline. Seconded by Vicky Skaff. All in favor with no votes against, the motion carried.

Under the controlled substance monitoring program Title 15, Series 8, a motion was made by Vicky Skaff to make the necessary changes which makes Gabapentin a reportable drug that’s stated and file as an emergency rule. Seconded by Everett Frazier. All in favor with no votes against, the motion carried.

For Pharmacy Technician Trainee training course: A motion to approve Penn Foster PTT Training Course was made by Kim Knuckles and seconded by Vicky Skaff. Then a motion to approve Bridge Valley Community and Technical College PTT Training Course was made by Kim Knuckles and seconded by Vicky Skaff. Last, we have a motion to approve Logan

Regional Medical Center PTT Training course by Vicky Skaff and seconded by Kim Knuckles. All in favor with no votes against, the motion carried.

Next, was a request for extension of time from Pharmacist-in-Charge, Jennie Cumming who's on maternity leave and discovered there is a 60-day leave limit. Motion was made to extend her leave time by Sam Kapourales. Seconded by Everett Frazier. All in favor with no votes against, the motion carried.

The Idaho state-wide rulemaking/protocols, a motion was made by Vicky Skaff to move forward on developing rules. Seconded by Kim Knuckles. All in favor with no votes against, the motion carried.

For Pharmacy Technicians, the board feels a creation for varying levels for a Technician: Support Staff, Certified Pharmacy Technician and Advanced level of Technician. Motion was made to develop these rule changes by Vicky Skaff. Seconded by Kim Knuckles. All in favor with no votes against, the motion carried.

Discussion of FOIA Request and possible charges, the board would like a cost by determining paper cost and wear/tear on copier. A motion was to take this under advisement and to come back with a true cost of a single copy. Motion made by Dennis Lewis and seconded by Vicky Skaff. All in favor with no votes against, the motion carried.

Next, processes for review of applications and forms to be current with statutes and rules on an ongoing basis, it was discussed by the board to have annual review with changes. No motion was required.

Last, a discussion of what jurisdiction or ability the Board of Pharmacy has regarding wholesale drug distributors refusing to supply certain pharmacies or controlled medications. The board decided to develop a committee that have recommendations. No motion was required.

The next regular Board Meeting will be held in Huntington, West Virginia on September 17, 2017, at 5:00pm and September 18, 2017, at 8:00am.

A special Board Meeting will be held in Charleston, June 26, 2017. Time to be determined.

Motion was then made by Vicky Skaff, and seconded by Everett Frazier to adjourn. Mr. Lewis declared the meeting adjourned.

Adjourn.

President, Dennis Lewis
West Virginia Board of Pharmacy