

BOARD MEMBERS

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



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STAFF

Michael L. Goff,
Acting Executive Director &
CSMP Administrator

John P. Smolder,
CFO/COO

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MINUTES OF THE WEST VIRGINIA BOARD OF PHARMACY
HUNTINGTON, WEST VIRGINIA, SEPTEMBER 17-18, 2017

On Sunday, September 17, 2017, the West Virginia Board of Pharmacy (“the Board”) convened at the Pullman Plaza Hotel, located at 1001 3rd Avenue, Huntington, West Virginia for the Board’s quarterly meeting and completed items one through eight of the meeting agenda. On the following day, Monday, September 18, 2017, the Board reconvened at the Marshall University School of Pharmacy, located at 1542 Spring Valley Drive, Huntington, West Virginia to complete the meeting. The meeting was open to the public. For efficiency purposes, the minutes from both days have been combined into the present document.

Board Members present:

Dennis Lewis, President
John J. Bernabei, Vice President
Vicky Skaff, Secretary
Everett Frazier
Sam Kapourales
David Bowyer

Board Members not present:

Chuck Jones

Board Staff present:

Michael Goff, Acting Executive Director and CSMP Administrator
John Smolder, CFO/COO
Charles “Buck” Selby, Chief Compliance Officer
Ryan Hatfield, General Counsel
Fred Wagoner, Investigator
Donald Klamut, Inspector
Tom Robinette, Inspector
Patrick Regan, Inspector

Roger Shallis, Inspector

Board Staff not present:

David Lucas

Members of the Public present:

Bridget Lambert, WVRA

Mark Polen, LGCR

Mike Brown, WVPRN

Anthony Gianquitti, Cardinal Health

Richard Green, Cardinal Health

Glen Palmer, PharmaLogic

Brian Gallagher, Marshall University School of Pharmacy

Ellen Jones, Dinsmore

Kim Lowe, CAMC

Sarah Reed, WVU/Kroger

Michael LeMasters, Community Pharmacy/WVPA/WVU Adjunct Faculty

Numerous Marshall University School of Pharmacy Students

On each of the two days, President Lewis called the meeting to order and stated that a quorum was present. President Lewis further stated that proper notice of the meeting had been filed with the Secretary of State's office. The agenda for the meeting had previously been posted on the Board's website and made available through the Board's office. The meeting was opened with a prayer. President Lewis then briefly explained the new organizational chart for the Board and stated that the chart will soon be on the Board's website.

1. The first item the Board took up was approving the minutes from June 26, July 26, and September 1, 2017. Motion to approve the minutes was made by Board Member Bernabei. Board Member Frazier seconded the motion. The motion passed unanimously.
2. The Chief Financial Officer, John Smolder, then gave his financial report. Mr. Smolder stated that all deadlines had been met on time except for the deadline regarding fixed assets. The report reveals that the financial state of the Board is very good. Mr. Smolder's report was accepted by the Board with a motion by Board Member Bowyer. Board Member Skaff seconded the motion. The motion passed unanimously.
3. Michael Goff, the Acting Executive Director of the Board and CSMP Administrator, then gave his Executive Director report. Mr. Goff stated that almost ten thousand licenses have been processed the last cycle. Currently, the staff is working with the vendor to create the new licensing database, which will include updating and enhancing the Board's website. Mr. Goff stated that the new direction of the Board is to be more progressive in dealing with compliance, suspicious orders and other pharmacy related matters. This will include collaborating with other agencies and stakeholders. He also announced that the recently approved

rules will be taken up at the Legislature later this month. Mr. Goff's report was accepted by the Board with a motion by Board Member Bernabei. The motion was seconded by Board Member Frazier and passed unanimously.

4. President Lewis removed the West Virginia Medical Association introduction and update from the agenda.
5. Mike Brown, Executive Director of WV Restore, then gave a brief overview and an update on the WV Pharmacists Recovery Network ("WVPRN"). According to his report, there are currently seventeen clients in the program that are board ordered/referred and twelve that are self-referred/reported. There is currently one student enrolled in WVPRN.
6. Motion was made by Board Member Bernabei to enter an executive session. The motion was seconded by Board Member Bowyer and passed unanimously. The Board then began a brief executive session.
7. Next, the Board took up the Complaint Committee's Disciplinary Recommendations. The Complaint Committee's Disciplinary Recommendations were adopted by motion by Board Member Frazier, which was seconded by Board Member Bowyer, and passed unanimously.
TO DO: Mr. Hatfield will determine a way to incorporate Letters of Caution into disciplinary records. Additionally, Mr. Hatfield will review the complaint form utilized by the Board to determine its legal sufficiency.
8. Members of the Board were presented with official badges.
9. President Lewis removed Cardinal Health Suspicious Order overview from the agenda.
10. Next, Chief Compliance Officer Selby presented a newly proposed suspicious order form. This item was not listed on the agenda. The form was approved with the understanding that Mr. Selby will update the form based on discussions with all major wholesalers. Motion was made by Board Member Kapourales to accept the form. The motion was seconded by Board Member Frazier and passed unanimously.
TO DO: Mr. Selby will update the form based on discussions with all major wholesalers.
11. Chief Compliance Officer Selby then gave his Inspector's Report. Mr. Selby stated that inspections are ongoing and up to date. The final review of the 2017 Law Book has been completed and the Law Book is now approved for printing. Mr. Selby has been working with staff and Big Picture Software on transitioning to new licensing software. Board Member Skaff motioned that the Inspector's Report be accepted. The motion was seconded by Board Member Bernabei and passed unanimously.

12. Chief Compliance Officer Selby next presented a proposed procedure on new pharmacy permit applications. The purpose of this procedure is to allow a period for the applicant to apply for and receive additional licenses and third-party insurance contracts. Motion was made by Board Member Skaff to accept the proposed procedure. The motion was seconded by Board Member Bernabei and passed unanimously.
13. Chief Compliance Officer Selby then gave his review of transferring unfilled controlled substance prescriptions. Mr. Selby stated that the Board should promulgate a procedure regarding the transfer of controlled substance prescriptions. Mr. Selby put forth a draft procedure which was previously reviewed and approved by several inspectors and pharmacists. Motion was made by Board Member Bowyer to approve the procedure, which was seconded by Board Member Frazier, and passed unanimously by the Board.
14. The next item of business was a review of USP 800 by Inspector Klamut. Mr. Klamut stated that compliance with USP 800 will be very expensive for facilities but some are already working on becoming compliant because they have the funding immediately available. Mr. Klamut's report was accepted without motion.
TO DO: Board Member Bernabei will draft language for a motion to be made at the next Board meeting regarding USP 800 compliance.
15. Next, Mike LeMasters presented a brief overview of his MAT Program guidelines. The Board determined that if pharmacies in West Virginia follow the guidelines set forth by Mr. LeMasters, or create their own guidelines mirroring the guidelines put forward by Mr. LeMasters, then the Board will assist them if they have any issues with suppliers related to ordering MAT products. Motion was made by Board Member Bernabei to adopt Mr. LeMaster's guidelines as official guidelines for pharmacies in West Virginia. The motion was seconded by Board Member Bowyer and passed unanimously.
16. Acting Executive Director and CSMP Administrator Michael Goff then gave his Controlled Substances Monitoring Program Report. Mr. Goff stated the new CSMP vendor contract was finally awarded, and construction should begin around the first of October. Current CSMP statistics were discussed, including that nearly all categories of West Virginia drug doses dispensed have decreased, with the exception of buprenorphine. A brief overview of the current CDC grant was provided, which mentioned the new staff projects and workflow integration plans. Motion was made by Board Member Skaff to accept the report, which was seconded by Board Member Kapourales, and passed unanimously.
17. Motion was made by Board Member Skaff to approve Penn-Way Pharmacy's PTT Training Course. The motion was seconded by Board Member Bowyer and passed unanimously.
TO DO: Mr. Goff and Mr. Hatfield will work together to create criteria checklists for approving training courses and granting collaborative practice

applications. In the future, Mr. Goff and Mr. Hatfield will review training courses collaborative practice applications and time extensions for Pharmacy Technician training prior to Board meetings and make recommendations to the Board as to whether such courses or applications should be approved. The Board will then consider Mr. Goff and Mr. Hatfield's recommendations and vote to approve or deny the extensions, training courses and collaborative practice applications.

18. Motion was made by Board Member Skaff, which was seconded by Board Member Kapourales, and passed unanimously to approve the following applications for collaborative pharmacy practice: Charles K. Babcock, Laura P. Welch, Dipti Patel.
19. Motion was made by Board Member Skaff, which was seconded by Board Member Bowyer, and passed unanimously to grant the following second extensions of time for PT training/retraining: Kristen Hatfield, Tiffany Turner, Amanda Shelton, Heather DeVor, and Virginia Taylor.
20. The Continuing Education Committee was then discussed. Board Member Bowyer accepted the position of Chairman of the Continuing Education Committee. The Board was unanimously in favor of Board Member Bowyer accepting this position.
21. Next, the Board discussed Disaster Response and Mitigation Protocols. Board Member Bowyer and Chief Compliance Officer Selby agreed to work together on formulating Board protocols modeled after those provided by the NAPB.
TO DO: Board Member Bowyer and Mr. Selby will work together to formulate Disaster Response and Mitigation Protocols.
22. The creation of varying levels of pharmacy technicians was discussed, including advance practice pharmacy technicians and "pharmacy assistants". to allow for a person to work in a pharmacy without having passed the national exam. The policy behind these proposed changes is to allow pharmacies to retain and utilize certain employees without having passed the national exam.
TO DO: The law will need to be changed to allow for differently defined duties for individuals working in pharmacies. Additionally, determination of whether nuclear technicians need to be certified as pharmacy technicians must be addressed.
23. The next Board meeting was scheduled for Sunday, December 10, 2017 in Charleston, West Virginia.
24. Motion to adjourn was made by Board Member Skaff, seconded by Board Member Kapourales, and passed unanimously.

Vicky Skaff, Secretary
West Virginia Board of Pharmacy

Dennis Lewis, President
West Virginia Board of Pharmacy