

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

Ryan L. Hatfield
General Counsel

Office

2310 Kanawha Blvd. East
Charleston, WV 25311

Phone

(304) 558-0558
(304) 558-0572 (fax)

MINUTES OF THE WEST VIRGINIA BOARD OF PHARMACY
MORGANTOWN, WEST VIRGINIA, MARCH 18 & 19, 2018

On Sunday, March 18, 2018, the West Virginia Board of Pharmacy (“the Board”) convened at the Euro-Suites Hotel, located at 501 Chestnut Ridge Road, Morgantown, West Virginia for the Board’s quarterly meeting and completed items one through five of the meeting agenda. On the following day, Monday, March 19, 2018, the Board convened at the West Virginia University School of Pharmacy in Morgantown, 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
Chuck Jones
Sam Kapourales
Everett Frazier

Board Members not present:

David Bowyer

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
Dave Lucas, Investigator
Donald Klamut, Inspector
Tom Robinette, Inspector

Patrick Regan, Inspector
Roger Shallis, Inspector

Public present March 18, 2018:
Bridget Lambert, WV Retailers Association

Public present March 19, 2018:
David Flynn, WVU Medicine
Eric Belldina, Belldina's Pharmacy
Traci LeMasters, WVU SOP, PSP Dept.
Michael LeMasters, WVPA/NADDI
Michael Keck, Student at WVU SOP
Clayton Inine, Student at WVU SOP
Tim DeRose, Walgreens
Bridget Lambert, WV Retailers Association

On each of the two days, President Lewis called the meeting to order and stated that a quorum was present. 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.

1. The first item the Board took up was approving the meeting minutes for the Board's meeting on December 10, 11, and 13, 2017. Motion was made by Board Member Jones to approve the minutes. The motion was seconded by Board Member Skaff and passed unanimously.
2. Mr. Goff then gave his Executive Director's Report. Mr. Goff gave a brief update on staffing issues, a legislative update, an update on the upcoming NABP meeting, an update on grant funding, and spoke about the purchasing exemption contained in Senate Bill 273.
3. Mr. Smolder then gave his Chief Financial Officer's Report. Mr. Smolder stated that a memorandum will go out on April 1, 2018 stating that renewals after May 1, 2018 will be made online. Motion was made by Board Member Frazier to accept Mr. Smolder's report. The motion was seconded by Board Member Bernabei and passed unanimously.
4. Mr. Hatfield then gave his General Counsel's Report. Mr. Hatfield gave a legislative update and an update of disciplinary matters, among other things. Mr. Hatfield stated that he will continue to work to resolve disciplinary matters, ensure the Board's Sunrise Application regarding pharmacy technicians is submitted by June 1, 2018, and will ensure the Board's legislative rules are timely filed.
5. Motion was then made by Board Member Frazier to enter into Executive Session. The motion was seconded by Board Member Bernabei and passed unanimously.
6. The Board then began Executive Session. Motion was made by Board Member Bernabei to accept the recommendations of the Complaint Committee with some modifications. The motion was seconded by Board Member Frazier and passed unanimously. **Mr. Hatfield will draft a letter and work with President Lewis regarding an individual who counted her Continuing Education credit hours twice. Board Member Bernabei will send Mr. Hatfield the Ohio language regarding combining prescription orders. This may be a legislative change for next session.**

Probable Cause was found for the following cases: 2017-08-36; 2017-10-48; 2017-12-51; 2017-12-54; 2017-12-55; 2018-01-04; and 2018-01-05.

7. Buck Selby then gave his Chief Compliance Officer's Report. Mr. Selby stated that wholesalers will be notified of the new suspicious orders rule. Motion was made by Board Member Bernabei to accept Mr. Selby's report. The motion was seconded by Board Member Frazier and passed unanimously.
8. A committee was formed to work on the disciplinary procedures of the Board. **Mr. Hatfield will head the committee comprised of himself, Board Member Jones, Mr. Wagoner, Mr. Selby, and Mr. Klamut. At the next Board meeting, the committee will present to the board an overview of the disciplinary procedures.**
9. Mr. Goff then gave the Controlled Substances Monitoring Program Report. Mr. Goff stated that overall, drug numbers dropped significantly last year. Motion was made by Board Member Skaff to accept the report. The motion was seconded by Board Member Bernabei and passed unanimously.
10. Board Member Skaff then gave the Legislative Committee's Report. Board Member Skaff discussed all of the legislation impacting the Board that passed during the last legislative session.
11. Motion was made by Board Member Skaff to appoint Mark Garofoli to the Controlled Substance Monitoring Program Advisory Committee. The motion was seconded by Board Member Bernabei and passed unanimously.
12. Motion was made by Board Member Bernabei to approve the Pharmacy Technician Training Program for Weiss Markets. The motion as seconded by Board Member Skaff and passed unanimously.
13. Motion was made by Board Member Bernabei to grant second extensions of time for pharmacy technician training/retraining to . The motion was seconded by Board Member Jones and passed unanimously.
14. Motion was made by Board Member Jones to allow Mr. Goff to grant second extensions for 90 days to pass the pharmacy technician test assuming the applicant meets certain guidelines. Mr. Goff will discuss these extensions with the Board President prior to granting extensions. The motion was seconded by Board Member Skaff and passed. Board Member Kapourales opposed the motion. **Mr. Goff will develop and present the criteria that must be met at the next Board meeting.**
15. Motion was made by Board Member Skaff to accept Collaborative Pharmacy Practice application for Michael LeMasters, Sean Douglass and Michelle Knight. The motion was seconded by Board Member Bernabei and passed unanimously.
16. A staff pharmacist position at the Board office was then discussed. The Board intends to discuss this position with other state Boards at the upcoming NABP meeting. The position will be discussed again at a later date.
17. Medical marijuana was then discussed. The issue of whether a pharmacist can dispense medical marijuana was discussed. The Board did not take a position on this issue.
18. Motion was made by Board Member Bernabei to allow the Board to participate in U.S. Consumer Product Safety Commission Inspections. The motion was seconded by Board Member Frazier and passed unanimously.
19. The upcoming NABP meeting was discussed.
20. The next regular Board meeting was scheduled for June 24 and 25, 2018 in Charleston, West Virginia at the Board's office.

21. Motion to adjourn was made by Board Member Bernabei. The motion was seconded by Board Member Skaff and passed unanimously.

Vicky Skaff, Secretary
West Virginia Board of Pharmacy

Dennis Lewis, President
West Virginia Board of Pharmacy