

**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,*  
*Executive Director &*  
*CSMP Administrator*

*John P. Smolder,*  
*CFO/COO*

*Ryan L. Hatfield*  
*General Counsel*

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**MINUTES OF THE WEST VIRGINIA BOARD OF PHARMACY**  
**CHARLESTON, WEST VIRGINIA, JUNE 24 & 25, 2018**

On Sunday, June 24, 2018, the West Virginia Board of Pharmacy (“the Board”) convened at the Board office located at 2310 Kanawha Boulevard East, Charleston, West Virginia for the Board’s quarterly meeting and completed items one through eight of the meeting agenda. On the following day, Monday, June 25, 2018, the Board reconvened at the Board office 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 (not present on June 25, 2018)  
Vicky Skaff, Secretary  
Chuck Jones  
Sam Kapourales  
David Bowyer

**Board Members not present:**

Everett Frazier

**Board Staff present:**

Michael Goff, 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 June 24, 2018:**

Mike Brown, WVPRN

**Public present June 25, 2018:**

Tim DeRose, Walgreens Pharmacy

Anthony G., Cardinal Health

Richard Stevens, WV Pharmacists Association

Matt Walker, WV Lobbyist Group

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 the election of officers and committee appointments. Board Member Jones motioned that all officers and committee appointments remain the same. Board Member Bowyer seconded this motion. The motion passed unanimously.
2. The Board voted to accept the minutes of the March 17 and 18, 2018 meeting. Board Member Jones made motion to accept the minutes. Board Member Skaff seconded the motion. The motion passed unanimously.
3. The Board voted to accept the minutes of the May 25, 2018 meeting. Board Member Skaff made motion to accept the minutes. Board Member Bowyer seconded the motion. The motion passed unanimously.
4. The Board voted to accept the minutes of the June 1, 2018 meeting. Board Member Bowyer motioned to accept the minutes. Board Member Skaff seconded the motion. The motion passed unanimously.
5. Mr. Goff then gave his Executive Director's Report. Mr. Goff gave a brief office update, explained the upcoming NarxCare/CSMP integration project, reviewed the issues related to the newly enacted SB 273, presented an ARCOS data overview and spoke about upcoming meetings the Board will be involved with. **Board Member Jones motioned to accept the Executive Director's report. Board Member Skaff seconded the motion. The motion passed unanimously. To Do: Ryan and Mike will reach out to DEA to determine how DEA treats ARCOS data in regard to FOIA requests. The Board will replicate DEA's response.**
6. The Chief Financial Officer John Smolder reported the statistics for renewals on the new online system since it went live May 1st. He mentioned the budget increase for the current FY, then went over the Cash Flow Summary, Fund Balance, Cash Balance and Net Income Statement. Board Member Jones motioned to accept the Chief Operating Officer's report. Board Member Bowyer seconded the motion. The motion passed unanimously.
7. General Counsel Ryan Hatfield then gave his report. Mr. Hatfield stated that all rules and legislation that passed during the 2017 Legislative Session is now in effect. Further, Mr. Hatfield stated that the Board's Sunrise Application regarding pharmacy technicians had been submitted to the legislature. Additionally, all proposed Board rules have been posted to the West Virginia Secretary of State's website and are currently out for public comment.

Board Member Skaff motioned to accept the General Counsel's report. Board Member Bowyer seconded the motion. The motion passed unanimously.

8. Board Member Skaff then presented statistics from the Complaint Log on behalf of the Complaint Committee. Board Member Skaff stated that the status of cases had been caught up a great deal over the past nine months. Board Member Bowyer motioned to accept Board Member Skaff's presentation. Board Member Jones seconded the motion. The motion passed unanimously.
9. Mr. Hatfield then presented the work of the Discipline Working Group. Mr. Hatfield presented guidelines for handing down discipline as it relates to various offenses. Board Member Skaff motioned to accept the guidelines. Board Member Jones seconded the motion. The motion passed unanimously.
10. Board Member Bowyer motioned to accept the recommendations of the Complaint Committee. Board Member Kapourales seconded the motion. The motion passed unanimously. The Board found probable cause to move forward with discipline for the following cases: 2018-02-09; 2018-04-14; and 2018-04-16.
11. Motion was made by Board Member Skaff to accept the recommendation of Mike Brown and reinstate the license of Drew Holmes. Board Member Bowyer seconded the motion. The motion passed unanimously. **To Do: Mr. Hatfield will work to clear the discipline record of Drew Holmes with the national clearinghouse. In the future, when a Respondent joins the PRN their discipline is stayed and not reported to the national clearinghouse.**
12. Board Member Bowyer motioned to appoint Mike Goff as the Executive Director of the West Virginia Board of Pharmacy. Board Member Jones seconded the motion. The motion passed unanimously.
13. Motion was made by Board Member Jones to accept the staff salary increase proposals put forth by Mr. Goff, and also 3% salary increase for Mr. Goff. Board Member Skaff seconded the motion. The motion passed unanimously.
14. The Board then recessed until the following day at 8:30 a.m.
15. **To Do: The Legislative Committee will take up the issue of 960 hours required to be a pharmacy technician.**
16. Motion was made by Board Member Skaff to approve Med Rx Pharmacy's request for approval of their pharmacy technician training program. The motion was seconded by Board Member Jones. The motion passed unanimously.
17. Motion was made by Board Member Lewis to deny the petition of Samantha Gibson for credit for pharmacy technician trainee hours. The motion was seconded by Board Member Bowyer. The motion passed unanimously.
18. **To Do: Mr. Goff will compile email addresses for all licensed pharmacists in West Virginia. Mr. Smolder will begin reviewing the website to make it more user friendly.**
19. Motion was made by Board Member Lewis, for the position of the Board to be that the sale of non-FDA approved cannabidiol (CBD) products in West Virginia pharmacies are prohibited. The motion was seconded by Board Member Skaff. The motion passed unanimously. **To Do: Mr. Goff and Mr. Hatfield will work on a letter to notify pharmacies that the sale of these CBD products in a pharmacy is not permitted. Inspectors will monitor pharmacies for these activities.**
20. The NABP District meeting will be held in Washington, D.C. from September 20-22, 2018.

21. The Board staff pharmacy position has been posted on Indeed.com and over twenty applications have been collected. The main responsibilities of the staff pharmacist will be rulemaking; oversight of inspections; continuing education; and phone calls. **To Do: Board Member Bowyer will chair an Interview Process Committee comprised of himself, Board Member Jones, and Board Member Skaff.**
22. **To Do: Mr. Hatfield and Mr. Goff will contact the West Virginia Attorney General's office regarding PBMs.**
23. The next Board meeting will be held on September 9 and 10, 2018 at the University of Charleston School of Pharmacy in Charleston, West Virginia.
24. Board Member Bowyer motioned to adjourn. The motion was seconded by Board Member Skaff. The motion passed unanimously.

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Vicky Skaff, Secretary  
West Virginia Board of Pharmacy

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Dennis Lewis, President  
West Virginia Board of Pharmacy