

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, SEPTEMBER 9 AND 10, 2018

On Sunday, September 9, 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 six of the meeting agenda. On the following day, Monday, September 10, 2018, the Board reconvened at the University of Charleston School of Pharmacy 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
David Bowyer
Everett Frazier

Board Members not present:

None

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 (Absent September 10, 2018)
Roger Shallis, Inspector

Public present September 9, 2018:

Bridget Lambert, WVRA
Michelle Easton, UC School of Pharmacy

Public present September 10, 2018:

Tim DeRose, Walgreens Pharmacy
Krista Capehart, WVUSOP
Ronald Carico, Jr.
Bridget Lambert, WVRA

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 approval of the Board Minutes for meetings held on June 24 and 25, July 27, and August 20. Board Member Jones motioned to accept the minutes. Board Member Skaff seconded this motion. The motion passed unanimously without discussion.
2. Executive Director Michael Goff gave his report. Director Goff gave a brief office update, discussed expanded communication processes among staff members and the Board, explained ongoing efforts to obtain email data for better licensee notifications, provided information related to SB 273 and spoke about upcoming meetings the Board will be involved with. Board Member Bowyer motioned to accept the Director's report. Board Member Frazier seconded the motion. The motion passed unanimously without discussion.
3. Chief Financial Officer John Smolder gave his report. Mr. Smolder gave a comparison of Revenue and Expenditures for FY 2017 to FY 2018 along with the cash balance as of June 30, 2018, followed by the reports that are provided on a quarterly basis. Board Member Skaff motioned to accept the report. Board Member Jones seconded the motion. The motion passed unanimously without discussion.
4. General Counsel Ryan Hatfield gave his report. Mr. Hatfield stated that since the last Board meeting there had been several disciplinary hearings. Mr. Hatfield stated that PERD was currently reviewing the Board's Sunrise Application and the final report should be released sometime this fall. Additionally, Mr. Hatfield stated that the Board's rules had been submitted to the legislature and should be before the legislative rulemaking committee in the coming months. Board Member Bowyer motioned to accept the report. Board Member Skaff seconded the motion. The motion passed unanimously without discussion.
5. Board Member Skaff gave the complaint committee statistics report. Board Member Skaff stated that there are currently twenty-seven open cases. The Board has held several hearings over the last year. One judgment has been rendered by the hearing examiner and the board is awaiting the findings of fact and conclusions of law from the hearing examiner regarding several other cases.
6. Board Member Bernabei motioned to name Tom Robinette the Chief Compliance Officer and raise the per diem rate for inspectors in accordance with Executive Director Goff's

recommendation. Board Member Jones seconded the motion. The motion passed unanimously without discussion.

7. Board Member Bowyer motioned to hire Krista Capehart as the Board's Staff Pharmacist and to authorize Executive Director Goff to enter into an agreement to have West Virginia University pay 49% of her salary. Board Member Bernabei seconded the motion. Board Member Kapourales opposed the motion stating he believed the position was not properly advertised to Marshall University and the University of Charleston. The motion passed.
 8. Chief Compliance Officer Buck Selby gave the inspector's report. Mr. Selby stated that territories need to be realigned and discussed the idea of annual pharmacy inspections.
 9. Executive Director Goff then gave the Controlled Substances Monitoring Program Report. Director Goff gave an update of the NarxCare integration project, provided an update of dispensing statistics and overdose death data and reported on recent activities of the Advisory and Database Review Committees. Board Member Bernabei motioned to accept the report. Board Member Jones seconded the motion. The motion passed unanimously without discussion.
 10. Board Member Skaff motioned to adjust the pharmacy technician requirement from 960 hours to 240 hours. Board Member Bernabei seconded the motion. The motion passed unanimously without discussion.
 11. Board Member Bernabei motioned to allow the combining of maintenance, non-controlled medications. Board Member Skaff seconded the motion. The motion passed unanimously without discussion.
 12. Board Member Bowyer gave the Continuing Education Committee Report. Board Member Bowyer stated that the Committee has began having conference calls rather than in person meetings. For the period from June 1 to August 31, the Committee has met three times and reviewed eight continuing education programs totaling 34.67 hours.
 13. Motion was made by Board Member Bowyer to approve the application of Angela Johnson for Collaborative Pharmacy Practice. The motion was seconded by Board Member Skaff. The motion passed unanimously without discussion.
 14. The Board's website was discussed. **To Do: The Board office will review the websites of Virginia and Ohio. The Board office will also work to make the inquiry section of the website larger and more easily accessible.**
 15. **To Do: Mr. Hatfield will look into addressing telemedicine in legislation. A committee will be comprised of Board Members Bernabei, Skaff, and Jones.**
 16. Medical cannabis was discussed.
To Do: The Board office will draft a letter outlining concerns to the Medical Cannabis Commission. Executive Director Goff will invite the chair of the commission to the Board's next quarterly meeting.
To Do: The Complaint Committee will create a discipline level for the sale of CBD in pharmacies.
 17. The next Board meeting was scheduled for December 9 and 10 at the Board's office in Charleston, WV.
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Vicky Skaff, Secretary
West Virginia Board of Pharmacy

Dennis Lewis, President
West Virginia Board of Pharmacy