

BOARD MEMBERS

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



www.wvbop.com

STAFF

Michael L. Goff,
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
JUNE 2 & 3, 2019

On June 2, 2019, the West Virginia Board of Pharmacy (“the Board”) convened at the Oglebay Resort in Wheeling, West Virginia for the Board’s quarterly meeting and completed items one through six of the meeting agenda. On the following day, Monday, June 3, 2019, the Board reconvened 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
Sam Kapourales
David Bowyer
Everett Frazier

Board Members not present:

Chuck Jones

Board Staff present:

Michael Goff, Executive Director and CSMP Administrator
John Smolder, CFO/COO
Ryan Hatfield, General Counsel
Krista Capehart, Staff Pharmacist
Fred Wagoner, Investigator
Dave Lucas, Investigator
Donald Klamut, Inspector
Tom Robinette, Inspector
Patrick Regan, Inspector
Steve Boykin, Inspector

Public present June 2, 2019:
Bridgett Lambert, WVRA

Public present June 3, 2019:
Bridgett Lambert, WVRA
Jessica Adams

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 the March 10 & 11, 2019 Board meeting. Motion was made by Board Member Bernabei to accept the minutes. The motion was seconded by Board Member Frazier and passed unanimously.
2. Director Goff gave a brief Board office update, that included building maintenance, licensing season overview, rules modifications and mentioned various interactions and communications with other agencies and groups regarding Board business. Director Goff also discussed the newly passed medical cannabis legislation (SB 1037). Board Member Skaff motioned to accept the report. The motion was seconded by Board Member Frazier and passed unanimously.
3. The Chief Financial Officer next gave his report. Mr. Smolder gave FY 2019 to FY2018 Year to Date comparison and noted that the Reimbursement from DHHR for Controlled Substance Grant was finally received. Mr. Smolder then followed with the cash balance as of 5/28/19 along with reports that are provided on a quarterly basis. Board Member Bernabei motioned to accept the report. The motion was seconded by Board Member Skaff and passed unanimously.
4. The General Counsel then gave his report. Mr. Hatfield stated that there are currently 46 open cases, 22 of which were to be voted on at this meeting. Mr. Hatfield next gave an update about the Rules Working Group meeting. Mr. Hatfield stated that all legislative rules that passed last session are now posted on the Secretary of State's website and are active. Board Member Skaff motioned to accept the report. The motion was seconded by Board Member Bernabei and passed unanimously.
5. The Staff Pharmacist next gave her report. Ms. Capehart provided a summary of her call/question log and gave a brief update about the live WVBOP Facebook page. She also reviewed her 2019 Legislative summary, as well as the current status of the tobacco cessation and birth control protocols. Motion was made by Board Member Frazier to accept the report. The motion was seconded by Board Member Frazier and passed unanimously.
6. Motion was made by Board Member Bernabei to enter Executive Session. The motion was seconded by Board Member Bowyer and passed unanimously.
7. The recommendations of the Complaint Committee were presented in Executive Session. The recommendations were accepted, but case number 2019-03-18 was changed from a Letter of Caution to a Dismissal. Probable cause to proceed with formal discipline was found for the following cases: 2018-12-75; 2019-01-01; 2019-01-03; 2019-01-04; 2019-01-05; and 2019-02-12. Fine guidelines for pharmacies shipping into West Virginia

without non-resident pharmacy and pharmacist licensure were set at \$3,000.00 for the first incident and an additional \$100.00 per incident thereafter. Motion was made by Board Member Bowyer to accept the Complaint Committee recommendations with one amendment and to accept the fine guidelines. The motion was seconded by Board Member Bernabei and passed unanimously.

8. The Chief Inspector then gave the Inspector's Report. Mr. Robinette gave a brief update of the recent inspections and inspector activities. He also discussed correspondence that would be sent out to certain compounding facilities regarding USP enforcement. Motion was made by Board Member Kapourales to accept the report. The motion was seconded by Board Member Skaff and passed unanimously.
9. The Executive Director/CSMP Administrator then gave the CSMP report. Director Goff gave an update of the NarxCare integration project, discussed a number of initiatives the CSMP is currently involved with and mentioned the new overdose notices being sent out to prescribers. Motion to accept the report was made by Board Member Skaff. The motion was seconded by Board Member Bowyer and passed unanimously.
10. The Continuing Education Committee then gave its report. Board Member Bowyer provided a list of potential CE Committee members for consideration. Motion was made by Board Member Skaff to accept the recommendations. The motion was seconded by Board Member Bernabei and passed unanimously.
11. The Pharmacy Technician Training Program for K-Mart Pharmacy was presented. Motion to accept the program was made by Board Member Kapourales. The motion was seconded by Board Member Skaff and passed unanimously.
12. Buprenorphine prescriptions were then discussed. No vote was held regarding this agenda item.
13. Nabiximol products was next discussed. No vote was held regarding this agenda item.
14. The tobacco cessation and birth control protocols were then discussed. No vote was held regarding this agenda item.
15. A presentation on telepharmacy was then made. No vote was held regarding this agenda item.
16. The Rules Working Group then presented its recommendations. Motion was made by Board Member Frazier to accept the recommendations. The motion was seconded by Board Member Bernabei and passed unanimously.
17. The next quarterly Board meeting was scheduled for September 29 & 30, 2019. The meeting is to be held in the Charleston, West Virginia area.

Vicky Skaff, Secretary
West Virginia Board of Pharmacy

Dennis Lewis, President
West Virginia Board of Pharmacy