

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
DECEMBER 15 & 16, 2019

On December 15, 2019, the West Virginia Board of Pharmacy (“the Board”) convened at the Board office in Charleston, West Virginia for the Board’s quarterly meeting and completed items one through seven of the meeting agenda. On the following day, Monday, December 16, 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
Chuck Jones

Board Members not present:

N/A

Board Staff present:

Michael Goff, Executive Director and CSMP Administrator
John Smolder, CFO/COO
Ryan Hatfield, General Counsel
Krista Capehart, Director of Professional and Regulatory Affairs
Fred Wagoner, Investigator
Dave Lucas, Investigator
Donald Klamut, Inspector
Tom Robinette, Chief Inspector
Patrick Regan, Inspector

Public present December 15, 2019:

Bridgett Lambert, WVRA
Dave Dryden, Consultant
Mike Brown, WVPRN
James Hischar, DEA

Public present December 16, 2019:

Bridgett Lambert, WVRA
Tim DeRose, Walgreens
Rusty Marey, Walgreens
Shannon Gooden, Kroger
Abby Reale, Cabell Huntington Hospital
Amy Schultz, Cabell Huntington Hospital
Dr. Cathy Slemple, WV BPH
Dave Dryden, Consultant

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 September 29 and 30, 2019 Board meeting. Motion was made by Board Member Jones 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 licensee issues, the office records process and mentioned various interactions and communications with AG, DEA, legislators and other groups regarding Board business. Director Goff also discussed the possibility of a multiple board conference. Board Member Skaff motioned to accept the report. The motion was seconded by Board Member Bowyer and passed unanimously.
3. The Chief Financial Officer next gave his report. Mr. Smolder gave FY2018 and FY2019 Year End Summaries then a FY2020 Year to Date Summary along with FY 2019 YTD comparison. Mr. Smolder then followed with the cash balance and remaining Fiscal Year Budget along with reports that are provided on a quarterly basis. Mr. Smolder also stated that BOP Safety Committee had nothing to report from December 10, 2019 meeting. Board Member Bernabei motioned to accept the report. The motion was seconded by Board Member Frazier and passed unanimously.
4. The General Counsel then gave his report. Mr. Hatfield stated that he is currently pursuing at least two administrative hearings. Mr. Hatfield stated that all legislative rules have passed out of rulemaking committee and will be bundled during the regular legislative session. Mr. Hatfield advised Board member to begin using official state government email addresses for Board communications. Finally, Mr. Hatfield stated that at his recent NABP conference, the issue of staffing levels in pharmacies was raised and some states are beginning to look into the issue, including Illinois. Board Member Skaff motioned to accept the report. Board Member Jones seconded the motion and it passed unanimously.
5. The Director of Professional and Regulatory Affairs presented her contact log indicating approximately 177 contacts per month. The Self-administered hormonal contraception protocol was presented and an update was provided for the Tobacco cessation program. The WV Newsletters were reviewed and four special pharmacy questions presented including: Wheeling HealthRight, WVU Medicine Hazardous Compounding, MonHealth

Pharmacy and Community Care delivery model proposals. The motion was made by Board Member Skaff to accept the report. The motion was seconded by Board Member Bowyer and passed unanimously.

6. The Director of Professional and Regulatory Affairs presented West Virginia University's policy concerning the WVU proposal for Hazardous Compounding. Board Member Lewis motioned to approve the policy. The motion was seconded by Board Member Frazier and passed unanimously.
7. James Hischar with the Drug Enforcement Agency ("DEA") then gave a brief presentation regarding their local work and opportunities to collaborate with the Board.
8. Board Member Bernabei motioned to enter Executive Session. Board Member Skaff seconded the motion and it passed unanimously.
9. Board Member Lewis motioned to exit Executive Session. Board Member Jones seconded the motion and it passed unanimously.
10. The recommendations of the Complaint Committee were presented in Executive Session. The Board found probable cause to pursue disciplinary action in the following cases: 2018-11-72 (Board Member Frazier recused); 2019-01-02 (Board Member Frazier recused); 2019-11-62 (Board Member Frazier recused); 2019-07-38 (Board Member Skaff recused from voting during Complaint Committee meeting); 2019-07-42; 2019-08-50; 2019-09-53; 2019-06-36; and 2019-09-56. Board Member Jones recused from voting during the Complaint Committee meeting for case 2019-07-41. Motion was made by Board Member Bowyer to accept the Complaint Committee recommendations, deny Joe Patton's request for reinstatement at this time, and accept Director Goff's recommendation to deny licensure for Iqbal, Zielinski, Richardson and to approve testing for Smith provided that pending issues in Virginia are resolved. The motion was seconded by Board Member Frazier and passed unanimously.
11. Dr. Cathy Slemp, WV State Health Officer and Director of the Bureau of Public Health gave a brief presentation. Dr. Slemp spoke about recent collaborations with the Board and discussed how she looks forward to working with our Board, and other stakeholders, in the future.
12. Amy Schultz, Director of Pharmacy at Cabell Huntington Hospital gave a presentation on new technology for an I.V. workflow management system which incorporates the use of bar coding and gravimetrics as recommended by the Institute for Safe Medication Practices and the American Society of Health-System Pharmacist. Such a system has been shown to reduce I.V. compounding errors and improve workflow efficiency. Ms. Schultz also requests that the Board approve the use of this system with remote pharmacist verification of compounded I.V. preparations. Both Mr. Robinette and Board Member Bowyer acknowledged that the use of bar coding in conjunction with gravimetrics increased accuracy. Mr. Robinette and Mr. Regan will review the proposed system at Cabell Huntington Hospital and report back to the Board at the April meeting.
13. The Chief Inspector then gave the Inspector's Report. During the Chief Inspector's Report, there was a lengthy discussion regarding the proposal to revise the definition of "compounding" in Board Rules in order to facilitate pharmacies preparing simple preparations which would not require full compliance with USP Chapter <795> (revised). The Chief Inspector will take the recommendations of the Board and will present a revised proposal at the April meeting. Motion was made by Board Member Skaff to accept the report. The motion was seconded by Board Member Frazier and passed unanimously.

14. Board Member Bowyer gave the Continuing Education Committee Report. Board Member Bowyer stated that four programs have been approved since the September 2019 meeting, two of which are related to diversion.
15. The Executive Director/CSMP Administrator then gave the CSMP report. Director Goff gave an update on some new statistics regarding youth stimulant use, created by the Board epidemiologists. A number of other CSMP related topics and projects and were also discussed, including the upcoming 2019 CSMP Annual Report. Motion to accept the report was made by Board Member Skaff. The motion was seconded by Board Member Bernabei and passed unanimously.
16. The contraception, tobacco cessation and naloxone protocols were next discussed. We will continue to work on the tobacco cessation and naloxone protocols. Motion was made to approve the contraception protocol as presented with no additional continuing education requirements beyond the initial continuing education requirement which will be created in collaboration with Oregon State by Board Member Skaff. The motion was seconded by Board Member Kapourales and passed unanimously.
17. Motion was made by Board Member Lewis to move the implementation date of USP 800 to July 1, 2020. The motion was seconded by Board Member Bernabei and passed unanimously.
18. Motion was made to recommend all US Dept of Health and Human Services, Centers for Disease Control and Prevention recommended immunizations for ages 18 and up and all recommended with prescriptions for ages under 18 was made by Board Member Bernabei. The motion was seconded by Board Member Skaff and passed unanimously.
19. The next quarterly Board meeting was scheduled for April 5 and 6, 2020. The location is yet to be determined.
20. Board Member Kapourales motioned to adjourn. The motion was seconded by Board Member Lewis and passed unanimously.

Vicky Skaff, Secretary
West Virginia Board of Pharmacy

Dennis Lewis, President
West Virginia Board of Pharmacy