

BOARD MEMBERS

Dennis Lewis, President
John J. Bernabei, Vice President
Vicky Skaff, Secretary
*James Rucker **
*Jenna Misiti**
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

June 8, 2020

On Monday, June 8, 2020, the West Virginia Board of Pharmacy (“the Board”) convened at the Board office in Charleston, West Virginia via teleconference for the Board’s quarterly meeting. The meeting was open to the public.

Board Members present:

Dennis Lewis, President
John J. Bernabei, Vice President
Vicky Skaff, Secretary
David Bowyer
James Rucker
Jenna Misiti

Board Members not present:

Sam Kapourales

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
Steve Boykin, Inspector

Public present:

Bridgett Lambert, WV Retailers Association
Jessica Adams, TelePharm

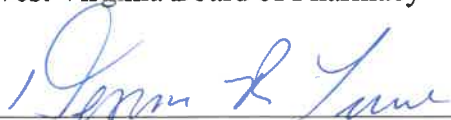
President Lewis called the meeting to order and stated that a quorum was present. The agenda for the meeting had previously been posted on the Board's website and made available through the Board's office. The meeting was opened with a prayer.

1. Motion was made by Board Member Bowyer to approve the meeting minutes from April 6, 2020. The motion was seconded by Board Member Rucker and passed unanimously without discussion.
2. Motion was made by Board Member Rucker to reelect the Board Officers as is with no changes. The motion was seconded by Board Member Bowyer and passed unanimously without discussion.
3. The Executive Director then gave his report. Director Goff gave an update of the office staffing, the opioid lawsuit and licensing statistics. Director Goff also mentioned the new PRN contract and fee waivers for PT Technician trainees and Pharmacy Interns. Director Goff will also be assembling a group of stakeholders and subject matter experts to develop pharmacy MAT guidelines. Motion was made by Board Member Skaff to accept the report. The motion was seconded by Board Member Rucker and passed unanimously without discussion.
4. 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 was placed on hold due to COVID19. Motion was made by Board Member Bowyer to accept the report. The motion was seconded by Board Member Rucker and passed unanimously without discussion.
5. The General Counsel then gave his report. Mr. Hatfield stated that all three emergency rules had been submitted. Mr. Hatfield stated that feedback on Board rules had been received and should be considered at a legislative committee meeting. Mr. Hatfield gave an update on two very large subpoenas he had been working on. Finally, Mr. Hatfield stated that discipline is up to date and hearings will be scheduled once the Covid pandemic settles down and allows for a hearing. Motion was made by Board Member Skaff to accept the report. The motion as seconded by Board Member Rucker and passed unanimously without discussion.
6. The Director of Professional and Regulatory Affairs then gave her report. Ms. Capehart presented the COVID-19 Memo and testing pathway for pharmacies that was distributed to pharmacies/pharmacists in May. This plan was reviewed and approved by DHHR. An update on the Birth Control Training was provided to the Board. Dr. Slemple is expected to sign the standing order any day. The Tobacco Protocol was approved with minor modifications by the Board after presentation. The Board determined that as naloxone is still a prescription drug, their recommendation to the ODCP is for the information at distribution is to remain the same for patient safety in case of a recall etc. Board Member Skaff motioned to accept the report. The motion was seconded by Board Member Bowyer and passed unanimously without discussion.
7. Motion was made by Board Member Skaff to accept the Tobacco Cessation Protocol as amended by Board Member Bowyer. The motion was seconded by Board Member Bowyer and passed unanimously without discussion.
8. Motion was made by Board Member Bernabei to put out statement that the Board is a proponent of naloxone distribution and increased free access but recognizes all current prescription controls. The motion was seconded by Board Member Skaff and passed unanimously without discussion.

9. Motion was made to delay the enforcement of USP 800 until July 1, 2021 by Board Member Bowyer. The motion was seconded by Board Member Bernabei and passed unanimously.
10. The Chief Inspector then gave his report. Mr. Robinette stated that inspections had been suspended beginning in March, but had recently resumed with the exception of nursing homes, hospitals and extended-care facilities. Motion was made by Board Member Misiti to accept the report. The motion was seconded by Board Member Bowyer and passed unanimously without discussion.
11. The Controlled Substances Monitoring Program Administrator then gave his report. Director Goff provided an update of the new CSMP/NarxCare contract. He also mentioned a number of data projects being undertaken, with some of the latest data maps, as well as current doses dispensed. Motion was made by Board Member Rucker to accept the report. The motion was seconded by Board Member Skaff and passed unanimously without discussion.
12. Board Member Rucker motioned to approve the PT Training Programs for Penn Foster and Medicine Shoppe. The motion was seconded by Board Member Misiti and passed unanimously without discussion.
13. The Chairman of the CE Committee then gave his report. Chairman Bowyer gave a CE Committee update, including recommendations for CE related rule changes. Motion was made by Board Member Skaff to accept the report. The motion was seconded by Board Member Rucker and passed unanimously.
14. Motion was made by Board Member Bowyer to enter Executive Session. The motion was seconded by Board Member Skaff and passed unanimously without discussion.
15. Motion was made by Board Member Bowyer to leave Executive Session. The motion as seconded by Board Member Skaff and passed unanimously without discussion.
16. Motion was made by Board Member Lewis to reinstate the license of Joseph Patton pursuant to PRN monitoring. The motion was seconded by Board Member Rucker and passed unanimously without discussion.
17. Motion was made by Board Member Lewis to accept the recommendations of the Complaint Committee with two changes to case numbers 2019-08-48 and 2020-04-30, finding probable cause to pursue discipline in the following cases: 2019-08-48; 2019-07-39; 2020-02-18; and 2020-03-22. The motion was seconded by Board Member Rucker and passed unanimously without discussion.
18. Motion was made by Board Member Lewis to accept the recommendations for pay raises proposed by Executive Director Mike Goff. The motion was seconded by Board Member Rucker and passed unanimously without discussion.
19. The next Board meeting was scheduled for September 13 and 14, 2020 at a location to be determined. The next Complaint Committee meeting was scheduled for September 1, 2020 at 9:00 a.m. at the Board office.



Vicky Skaff, Secretary
West Virginia Board of Pharmacy



Dennis Lewis, President
West Virginia Board of Pharmacy