

BOARD MEMBERS

*Dennis Lewis, President
John J. Bernabei, Vice President
Dave Bowyer, Secretary
James Rucker *
Jenna Misiti*
Sam Kapourales
Vicky Skaff
(*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
SEPTEMBER 26 AND 27, 2021

On Sunday, September 26, 2021, the West Virginia Board of Pharmacy (“the Board”) convened at the Canaan Valley Resort in Davis, West Virginia, for the Board’s quarterly board meeting. The following morning the Board completed its two-day meeting. The meeting was open to the public.

Board Members present (either in-person or electronically):

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

Board Staff present (either in-person or electronically):

Michael Goff, Executive Director and CSMP Administrator
John Smolder, CFO, COO
Ryan Hatfield, General Counsel
Dr. Krista Capehart, Director of Professional and Regulatory Affairs
Thomas Robinette, Investigator
Fred Wagoner, Investigator
Dave Lucas, Investigator
Patrick Regan, Inspector
Thomas Bennett, Inspector
Mark Rubin, Inspector
Don Klamut, Inspector

Received

JAN 13 2022

WV Board of Pharmacy

Public present (either in-person or electronically):


John Long, CVS

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.

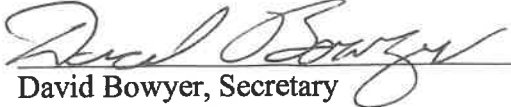
1. Motion was made by Board Member Bernabei to approve the June 27 and 28 meeting minutes. The motion was seconded by Board Member Rucker and passed unanimously with no discussion
2. The Executive Director gave his report. Mr. Goff gave a brief office update, including the status of the document scanning project, pharmacist license backlogs and other office items. There was also a summary given of the completed Inspection Program audit, as well as the PERD audit we are currently undergoing. Director Goff also discussed the ongoing civil litigation and various interactions with DEA, AG, licensing boards and MAT providers. Motion was made by Board Member Bernabei to approve the report. The motion was seconded by Board Member Bowyer and passed unanimously with no discussion.
3. The Chief Financial Officer then gave his report. Mr. Smolder gave FY2018, 2019, 2020 and 2021 Year End Summaries along with FY 2022 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. Motion was made by Board Member Bernabei to accept the report. The motion was seconded by Board Member Misiti and passed unanimously with no discussion.
4. The General Counsel gave his report. Mr. Hatfield stated that he has responded to several FOIAs since the last meeting. Mr. Hatfield stated that legislative rules had been posted, with no comments received, and that the rules have already passed out of the rulemaking committee. Mr. Hatfield stated that discipline is up to date with a few cases recently scheduled for hearings. Mr. Hatfield stated that he and Mr. Goff had been working to compile documents responsive to a PERD audit. Finally, Mr. Hatfield stated that the Legislative Committee had been working on a collaborative practice bill to propose. Motion was made by Board Member Skaff to accept the report. The motion was seconded by Board Member Bernabei and passed unanimously with no discussion.
5. The Director of Professional and Regulatory Affairs then gave her report. Dr. Capehart provided an update on vaccinations in West Virginia and impending monoclonal antibody distribution throughout the state. A comprehensive summary of the WVBOP Workload Survey data was presented and discussed. The Task Force will be assembled to create recommendations. Dr. Capehart reviewed upcoming expansions to the website surrounding USP 800 and other inspection topics. Motion was made by Board Member Bowyer to accept the report. The motion was seconded by Board Member Bernabei and passed unanimously with no discussion.
6. Motion was made by Board Member Bowyer to enter Executive Session. The motion was seconded by Board Member Bernabei and passed unanimously with no discussion.
7. Motion was made by Board Member Bowyer motioned to accept the recommendations of the Complaint Committee. Board Member Skaff recused from consideration of the following cases: 2021-04-24; 2021-06-29; 2021-07-33; 2021-07-36B; and 2021-07-40.

Board Member Misiti recused from case 2021-06-31. The motion was seconded by Board Member Misiti and passed unanimously without discussion.

8. The Chief Compliance Officer gave his report. Mr. Robinette reported that a total of 153 inspections were conducted in the last quarter. Mr. Robinette reported that the Board received 65 suspicious orders in the last quarter, with none requiring follow-up. Mr. Robinette reported that the FDA extended the time period to sign the MOU to October 27, 2022. Mr. Robinette reported that inspectors were currently reviewing all controlled substance permits to identify the specific pharmacy services they are associated with. Mr. Robinette stated that upon completion of this review, a revised set of types of pharmacy services will be developed and inspection requirements will be established. Mr. Robinette stated that Hazardous Drug handling enforcement will begin October 1, 2021. The Board requested that Mr. Robinette send the recommendations for inspecting correctional facilities and nursing homes to the members for review and consideration at the Board's next meeting. Motion was made by Board Member Bernabei to accept the report. The motion was seconded by Board Member Rucker and passed unanimously with no discussion.
9. Motion was made by Board Member Lewis to approve the intern application for Sheila Zulema Gallegos and the license application for Amy Hatfield with specific requirements. The motion was seconded by Board Member Skaff and passed with no discussion. Board Member Bowyer abstained from the vote.
10. The Controlled Substances Monitoring Program Administrator then gave his report. Mr. Goff gave an update of new CSMP system functionality and reviewed data projects being performed by staff epidemiologists. Director Goff also discussed the record number of reported drug related overdose deaths in the state. Motion was made by Board Member Bernabei to accept the report. The motion was seconded by Board Member Skaff and passed unanimously without discussion.
11. The following Pharmacy Technician Programs were presented for approval: Rasmussem University Pharmacy Technician Program; Pharmacy Technician Trainer Schools; PRS Pharmacy Services; HCP Trainee Program; Bradshaw Economy Drug; and Mountain Lake Pharmacy. Motion was made by Board Member Skaff to approve the programs. The motion was seconded by Board Member Bowyer and passed unanimously without discussion.
12. The following Collaborative Practice Agreements were presented for approval: Heather Johnson, PharmD. Motion was made by Board Member Skaff to approve the agreement pending description provided. The motion was seconded by Board Member Misiti and passed unanimously without discussion.
13. Motion was made by Board Member Skaff to have Board staff research conducting public service announcements related to access to care and access to knowledge. The motion was seconded by Board Member Bernabei and passed unanimously without discussion.
14. The next quarterly Board meeting was scheduled for December 12 and 13, 2021 with the location to be determined.



Dennis Lewis, President
West Virginia Board of Pharmacy



David Bowyer, Secretary
West Virginia Board of Pharmacy