

BOARD MEMBERS

*David Bowyer, President
Jenna Misiti*, Vice President
James Rucker*, Secretary
Robert Duncan
John J. Bernabei
Dennis Lewis
Sam Kapourales
(*Public Member)*



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STAFF

*Michael L. Goff,
Executive Director &
CSMP Administrator*

*John P. Smolder,
CFO/COO*

*Matthew D. Morris,
General Counsel*

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**MINUTES OF THE WEST VIRGINIA BOARD OF PHARMACY
SEPTEMBER 7 AND 8, 2025, MEETING**

On Sunday, September 7, the West Virginia Board of Pharmacy ("Board") convened for its regularly scheduled quarterly meeting at the DoubleTree by Hilton, 1001 3rd Avenue, Huntington, West Virginia, and on Monday, September 8, 2025, at the Marshall University School of Pharmacy, at 1538 Charleston Avenue, Huntington West Virginia. The meeting was open to the public.

Board Members present:

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

Board Staff present:

Michael Goff, Executive Director and CSMP Administrator
John Smolder, CFO and COO
Matthew Morris, General Counsel
Krista Capehart, Director of Professional and Regulatory Affairs
Michael LeMasters, Chief Compliance Officer
Lindsay Acree, Director of Overdose Prevention and Patient Safety
Dave Lucas, Investigator
Michael Smith, Investigator
Brandon Dolly, Inspector

Public present:

Andrew Funk, September 8, only

President Bowyer called the meeting to order at 5:00 p.m. (at 9:00 a.m. on September 8, 2025), recognizing that a quorum was present. Notice of the meeting was previously posted on the West Virginia Secretary of State's and the Board's website and the agenda was made available at the Board's office. The meeting was opened with prayer.

1. Board Member Duncan motioned to approve the February 6, 13, 20, 27, 2025, March 27, 2025, April 3, 2025, and June 4, 12, 2025, Legislative Committee Meeting Minutes; the June 29 - 30, 2025, and July 23, 2025, Board Meeting Minutes; the July 11, 2025 and August 22, 2025, Continuing Pharmacy Education Committee Meeting Minutes; and, the August 18, 2025, Complaint Committee Meeting Minutes. Board Member Lewis seconded the motion, and it passed unanimously.
2. The Executive Director gave his report. Mr. Goff gave a brief office report and staff update. Director Goff also discussed a couple of recent multi-jurisdiction investigations and mentioned some Legislative interactions. Board Member Lewis motioned to approve the report. Board Member Duncan seconded the motion, and it passed unanimously.
3. The Chief Financial Officer then gave his report. Mr. Smolder gave FY2018, 2019, 2020, 2021, 2022, 2023, 2024 and 2025, Year End Summaries along with FY 2026 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 finalized his report with the Safety Committee with no update. Board Member Bernabei motioned to approve the report. Board Member Lewis seconded the motion, and it passed unanimously.
4. The General Counsel then gave his report. Mr. Morris updated the Board on licensee discipline, stating that all complaint cases were up-to-date and statutorily compliant. Mr. Morris then explained that after normalizing the complaint case data, there was a 30% decrease in cases filed so far this year compared to last year. Next, Mr. Morris informed the Board that Philip Michael II appealed the Board's order denying his license reinstatement petition to the Intermediate Court of Appeals. Mr. Morris then discussed the upcoming 4th Circuit oral argument scheduled for September 9th related to the SB325 cases. Finally, Mr. Morris said he would discuss confidential complaint case information and litigation updates during the Executive Session. Board Vice President Misiti motioned to approve the report. Board Member Rucker seconded the motion, and it passed unanimously.
5. The Director of Professional and Regulatory Affairs (DPRA) then gave her report. DPRA Capehart provided an update on COVID-19 vaccines, contact report, and summary of presentations and CE provided. DPRA Capehart reported that from June 25, 2025 to the Board meeting 11 Outpatients pharmacies have closed (8 independent and 3 chain). 6 outpatient pharmacies open (all located in/with community health centers or hospitals). Board Member Lewis motioned to approve the report. Board Member Duncan seconded the motion, and it passed unanimously.
6. Board Member Bernabei motioned to enter Executive Session to discuss confidential complaint case information and receive litigation updates from the General Counsel. Board Member Lewis seconded the motion. The motion passed unanimously, and the Board entered Executive Session.
7. Board Vice President Misiti motioned to exit Executive Session. Board Member Duncan seconded the motion. The motion passed unanimously, and the Board exited Executive Session. Board Member Lewis made a motion to consolidate Complaint Case Nos. 2025-

05-28, 2025-05-29, and 2025-05-30, to find probable cause to pursue disciplinary action in Complaint Case Nos., 2025-03-09, 2025-03-16, consolidated 2025-05-28,29,30, and 2025-06-36; to dismiss Complaint Case Nos. 2025-04-18, 2025-04-25, 2025-05-26B, 2025-05-27B, 2025-05-34, 2025-06-35, 2025-06-37, 2025-06-38B, 2025-07-41, and 2025-07-42; and to allow Mr. Morris to negotiate and offer consent agreements to settle cases where possible. Board Vice President Misiti seconded the motion, and it passed unanimously. Next, Board Member Bernabei motioned to deny the license application for Delmer Parrish. Board Vice President Misiti seconded the motion, and it passed unanimously. Then, Board Member Rucker motioned to authorize Data Use Agreements as presented for WVU School of Pharmacy, West Virginia University, West Virginia Office of Maternal, Child, and Family Health, the West Virginia Department of Health, Bureau for Public Health, health Statistics Center, and the WVU School of Pharmacy SEMPP Program, with no extensions without Board approval. Board Member Bernabei seconded the motion, and it passed unanimously. Finally, Board Member Bernabei motioned to deny Monongalia County Health Department's proposed Data Use Agreement. Board Member Rucker seconded the motion, and it passed unanimously.

8. The Chief Compliance Officer (CCO) then gave his report. CCO LeMasters stated that a total of 182 inspections were conducted during the period from June 16, 2025, through August 15, 2025. He stated that the Board received 692 suspicious order reports, of which 195 were zero reports, during the period from June 16, 2025, through August 15, 2025, with 8 reports requiring further investigation. After inquiries into each, no further action was required, as all 8 reports were resolved. The CCO stated that seven (7) reports were received which identified individuals licensed by other agencies in the State of West Virginia and that those reports were forwarded to the corresponding licensing agency. LeMasters discussed the topic of collaborating with Board President Bowyer and NABP to improve the Blueprint program. The CCO then spoke about the analysis of data from the territory of one inspector that suggests that all pharmacists-in-charge could benefit from PIC education. To close his report, LeMasters spoke about feedback related to the newly updated format of the inspection forms and additional updates that have taken place with inspection forms. Board Member Duncan motioned to approve the report. Board Member Lewis seconded the motion, and it passed unanimously.
9. The Controlled Substances Monitoring Program Administrator then gave his report. Director Goff gave a brief overview of work being performed by staff epidemiologists. Mr. Goff also discussed the transition of ownership of the CSMP vendor and the renewal of the related contracts. Board Member Lewis motioned to approve the report. Board Member Duncan seconded the motion, and it passed unanimously.
10. The Directory of Overdose Prevention and Patient Safety then gave her report. DOPPS Acree discussed updates in regards to opioid antagonists including the switch of naloxone 4mg (TEVA) to OTC and the need for new statewide standing orders for opioid antagonists with the new state health officer. She provided a list of all trainings and presentations that have occurred in the past quarter with the number of individuals involved. Buprenorphine blocked order data was provided to the board with discussion regarding the number of units and counties impacted by these orders. Lastly, DOPPS discussed new resource guides to be uploaded to the FAQ's. Board Member Lewis motioned to approve the report. Board Vice President Misiti seconded the motion, and it passed unanimously.

11. Board Vice President Bowyer introduced Andrew Funk, National Boards of Pharmacy Member Relations and Government Affairs. Mr. Funk presented several programs currently available and in development.
12. DPRA Capehart then presented training programs, permits, and licensing information. DRPA Capehart presented that Parkersburg FamilyCare Pharmacy, DRUGY, PrescriptionCare by FamilyCare Health Centers, Country Roads, and Valley Pharmacy Technician Trainee Programs all meet requirements and recommended approval. Board Member Bernabei motioned to approve the programs. Board Member Lewis seconded the motion, and it passed unanimously. Pharmacists Cassandra Ford, Julia Miller, Adanna Richman, Ryan Archer, and Emily Bowman submitted applications for approval to enter into collaborative pharmacy practice agreements. Board Member Lewis motioned to approve the programs. Board Vice President Misiti seconded the motion, and it passed unanimously.
13. Board Member Duncan then gave his CE Committee update.
14. Board Member Bernabei then gave a brief Medical Cannabis Advisory Board update.
15. DPRA Capehart then presented the Legislative update on the current status of proposed rule changes.
16. Board President Bowyer then opened the floor to discuss any new announcements or receive new information. No announcements or new information were presented.
17. The Board selected December 14 and 15, 2025, as the next quarterly Board meeting dates. The meeting will be held at the Board's offices in Charleston.
18. Board Member Bernabei moved to adjourn. Board Member Rucker seconded the motion, and it passed unanimously.

Signed by:

David Bowyer

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David Bowyer, President

Signed by:

James Rucker

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James Rucker, Secretary