

BOARD MEMBERS

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



STAFF

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

*John P. Smolder,
CFO/COO*

*Matthew D. Morris,
General Counsel*

Office
1207 Quarrier Street, 4th Floor
Charleston, WV 25301

www.wvbop.com

Phone
(304) 558-0558
(304) 558-0572 (Fax)

MINUTES OF THE WEST VIRGINIA BOARD OF PHARMACY
JUNE 29 AND JUNE 30, 2025, MEETING

On Sunday, June 29, and Monday, June 30, 2025, the West Virginia Board of Pharmacy (“Board”) convened for its regularly scheduled quarterly meeting at the Resort at Glade Springs, 255 Resort Dr., Daniels, West Virginia. The meeting was open to the public.

Board Members present:

Dennis Lewis, President
David Bowyer, Vice President
Jenna Misiti, Secretary
John J. Bernabei
James Rucker
Robert Duncan, June 30, only

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:

Jaime Smith, CVS, June 30, only

President Lewis called the meeting to order at 5:03 p.m. (at 8:32 a.m. on June 30, 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 made available at the Board's office. The meeting was opened with a prayer.

1. Board President Lewis motioned to elect David Bowyer, President, Jenna Misiti, Vice President, and James Rucker, Secretary. Board Member Bernabei seconded the motion, and it passed unanimously.
2. Board Member Bernabei motioned to re-appoint David Bowyer and James Rucker to the Complaint Committee. Board Secretary Misiti seconded the motion, and it passed unanimously.
3. Board Member Bernabei motion to appoint WVPA's representative, Megan Mellert, to finish Katie Kacmarik's three-year term, ending July 2026. Board Member Rucker seconded the motion, and it passed unanimously.
4. Board Vice President Bowyer motioned to approve the March 30 and 31, and April 16, 2025, Board Meeting Minutes; the April 25, and May 27, 2025, Continuing Pharmacy Education Committee Meeting Minute; and, June 17, 2025, Complaint Committee Meeting Minutes. Board Secretary Misiti seconded the motion, and it passed unanimously.
5. The Executive Director gave his report. Mr. Goff gave a brief office update, including license processing status, plans for internal reorganization of staff, and a more formal evaluation process. Director Goff also mentioned Board member Bowyer's new position on the NABP Executive Committee and also discussed information regarding current and past Board members. Board Member Bernabei motioned to approve the report. Board Vice President Bowyer seconded the motion, and it passed unanimously.
6. The Chief Financial Officer then gave his report. Mr. Smolder gave FY2018, 2019, 2020, 2021, 2022, 2023 and 2024, Year End Summaries along with FY 2025 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 President Lewis motioned to approve the report. Board Vice President Bowyer seconded the motion, and it passed unanimously.
7. 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. Mr. Morris then discussed a detailed review of all 2024 complaint cases compared to 2023. Finally, Mr. Morris said he would discuss confidential complaint case information and litigation updates during the Executive Session. Board Member Rucker motioned to approve the report. Board Secretary Misiti seconded the motion, and it passed unanimously.
8. The Director of Professional and Regulatory Affairs (DPRA) then gave her report. DPRA Capehart provided a summary of immunizations, ACIP, and her contact report. She presented the basic pharmacy opening and closing data from 2020-present. Additional analysis will be ongoing with further reporting coming to the Board. DEA proposed and final rule updates were provided along with a summary of education sessions DPRA Capehart has held since the last quarterly Board meeting. Board Secretary Misiti motioned to approve the report. Board Vice President Bowyer seconded the motion, and it passed unanimously.

9. Board Vice President Bowyer motioned to enter Executive Session to discuss confidential complaint case information and receive litigation updates from the General Counsel. Board Member Bernabei seconded the motion. The motion passed unanimously, and the Board entered Executive Session.
10. Board President Lewis motioned to exit Executive Session. Board Vice President Bowyer seconded the motion. The motion passed unanimously, and the Board exited Executive Session. Board Member Bernabei made a motion to find probable cause to pursue disciplinary action in Complaint Case Nos., 2024-10-104B, 2025-02-08, 2025-04-21, 2025-04-22, 2025-04-23B, and 2025-05-32; to dismiss Complaint Case Nos. 2025-03-10, 2025-03-11B, 2025-03-12, 2025-03-13, 2025-03-14B, 2025-03-15B, 2025-03-17, 2025-04-19B, 2025-04-20B, 2025-04-24B, and 2025-05-31B; and to allow Mr. Morris to negotiate and offer consent agreements to settle cases where possible. Board Secretary Misiti seconded the motion, and it passed unanimously.
11. The Chief Compliance Officer (CCO) then gave his report. CCO LeMasters stated that a total of 271 inspections were conducted during the period from March 16, 2025, through June 15, 2025. He stated that the Board received 977 suspicious order reports, of which 285 were zero reports, during the period from March 16, 2025, through June 15, 2025, with 14 reports requiring further investigation. After inquiries into each, no further action was required, as all 14 reports were resolved. The CCO stated that four (4) 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 updating the format of inspection forms. The CCO then spoke about the attendance of two inspectors and the CCO at the University of South Carolina College of Pharmacy Sterile Compounding Inspector Certification Course. He stated that all successfully passed the course and gained certification. LeMasters went on to discuss involvement of the CCO and inspectors at several state pharmacy meetings. To close his report, LeMasters spoke about the review of non-resident license applications for renewals and a meeting of the inspectors which was held in May of 2025. Board Secretary Misiti motioned to approve the report. Board Vice President Bowyer seconded the motion, and it passed unanimously.
12. The Controlled Substances Monitoring Program Administrator then gave his report. Director Goff gave a general summary of the recent CSMP contracts and information related to the vendors. Mr. Goff also gave a report on the recent PMP Interconnect Steering Committee meeting he recently attended, which was hosted by NABP. Board Member Bernabei motioned to approve the report. Board Member Rucker seconded the motion, and it passed unanimously.
13. The Directory of Overdose Prevention and Patient Safety then gave her report. DOPPS Acree discussed the continued need for the Statewide Standing Orders for Opioid Antagonists to be signed. She provided information regarding her involvement in the WV Infant and Maternal Mortality Review Committee. Acree also discussed recent trainings, academic detailing, education resources, and topics from the APhA Institute on Substance Use Disorders to the Board. Lastly, Acree discussed buprenorphine and MOUD access with the blocked orders (suspicious orders) as well as numbers of those treated in corrections throughout the state. Board Member Duncan motioned to approve the report. Board Secretary seconded the motion, and it passed unanimously.

14. DPRA Capehart then presented training programs, permits, and licensing information. DRPA Capehart recommended on-the-job training programs for Town and Country Pharmacy, Mountaineer Drug, and The Medicine Shoppe and Learning Institution Program from Emerge Learning Institute be approved. Board President Lewis motioned to approve the proposed training programs. Board Vice President seconded Board President Lewis motioned to approve the proposed collaborative practice agreements. Board Member Bernabei seconded the motion. The motion passed unanimously. Pharmacists R Turner, C Barrett, S Holler, K Murto, K Seago, B Ebert, S Malcolm, A Hill, and J Hill submitted completed processes for collaborative pharmacy practice agreements (Applications and notifications). B Todd and K Murphy presented their applications and the Board is still waiting for their CPA notifications. Board President Lewis motioned to approve the proposed Collaborative Practice Agreements. Board Member Rucker seconded the motion, and it passed unanimously. Request for Epocrates to be added to the list of acceptable pharmacist references. Board President Lewis motioned to approve. Board Secretary seconded the motion, and it passed unanimously.
15. Board Member Duncan then gave his CE Committee update.
16. Director Goff and General Counsel Morris briefly discussed the West Virginia Pharmacist Recovery Network third quarter update.
17. Board Vice President Bowyer discussed his attendance at the recent NABP annual meeting. Board Vice President Bowyer further announced that he was elected NABP District 2 Executive Member and further reported that District 1 and 2 Meeting would be held in Philadelphia, and West Virginia is scheduled to host the meeting in 2029.
18. Board Member Bernabei then gave a brief Medical Cannabis Advisory Board update.
19. DPRA Capehart then presented the Legislative update. The Board approved proposed rules changes were posted for the comment period on June 19, 2025 and will remain open for comment until July 19, 2025. SB 526 Pharmacist Prescribing Authority Act (effective July 11, 2025), SB 299 Modifying WV regulations on pubertal modulation hormonal therapy, and gender reassignment (Effective July 11, 2025), and SB 458 Universal Professional and Occupational Licensing Act of 2025 passed. (Effective July 1, 2025). DPRA Capehart requested a Board meeting to review proposed rule comments and complete the proposed rule process for file with the WV Secretary of State as required by July 25, 2025 was set for July 23, 2025 at 11am.
20. Director Goff then discussed non-pharmacy drug dispensing and administration. He provided information regarding facilities that staff had recently reviewed and future plans for dealing with them.
21. Board President Lewis then opened the floor to discuss any new announcements or receive new information. No announcements or new information were presented.
22. The Board selected September 7 and 8, 2025, as the next quarterly Board meeting dates. The Executive Director will determine the meeting location at a later date.
23. Board Member Bernabei moved to adjourn. Board Vice President Bowyer seconded the motion, and it passed unanimously.

Signed by:

David Bowyer

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David Bowyer, President
West Virginia Board of Pharmacy

Signed by:

James Rucker

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James Rucker, Secretary
West Virginia Board of Pharmacy