



**Government of the District of Columbia
Department of Health
Board of Pharmacy**



**899 NORTH CAPITOL ST. NE – 2ND FLR.
WASHINGTON, DC 20002**

June 6, 2013

9:30 am-2:30 pm

OPEN SESSION MINUTES

Board of Pharmacy Mission Statement:

“To protect and improve the public health through the efficient and effective regulation of the practice of Pharmacy and Pharmaceutical Detailers; through the licensure of Pharmacist, Pharmaceutical Detailers and Pharmacy Interns.”



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CALL TO ORDER: 09:45 AM

PRESIDING: Dr. Daphne Bernard

QUORUM: No

BOARD MEMBERSHIP/ATTENDANCE:

BOARD MEMBERS:		
	DR .DAPHNE B. BERNARD, PHARM D RPH CHAIRPERSON	Present
	MR. JAMES APPLEBY, RPH VICE CHAIR	Absent
	DR. TAMARA FOREMAN, PHARM D RPH	Present
	MR. PAUL BERINGER RPH	Absent
	MR. ALAN FRIEDMAN, RPH	Present
	MR. DARWIN CURRY, CONSUMER MEMBER	Absent
STAFF:	PATRICIA D 'ANTONIO– EXEC. DIRECTOR	
	KARIN BARRON-HEALTH LICENSING SPECIALIST	
LEGAL STAFF:	CARLA WILLIAMS, ASSISTANT ATTORNEY GENERAL	
VISITORS:	Molly Carr, New Hampshire Pharmacy	
	Don Zawada, Public	
	John Burns, Foer’s Pharmacy	
	Ann Breakenridge, Med Star-Washington Hosp. Center	
	Don Downing, University Of Washington School of Pharmacy	
	Erika Trevino, Walgreens	
	Jan Burrus, GSK	
	Herb Kwash, Dc Pharmacy Association	
	Steve Toth, Tschiffely Pharmacy	
	Steven Tirado, DC DOH	
	Soumi Saha, Kaiser Permanente	
	Rachael Moliver, NACDS	
	Joo Lee, Pharmacy Student-University Of Maryland-Baltimore	
	Heather Free-Community Walgreen Pharmacy	
	Marjorie Palmer-Nisby, DEA	
	Elezabeth Skana, Target	
	Anne Berry, AstraZeneca	



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	Barry Deutschman , Morgan Pharmacy	
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OPEN SESSION

<u>Senior Deputy Director Report</u>	None	
<u>Executive Director Report</u>	<p>Executive Director, Patricia D’Antonio reported that the District of Columbia Board of Pharmacy will not hold its regular scheduled meeting on the first Thursday of July due to the upcoming Independence Day holiday. The next scheduled meeting will be held on August 1, 2013.</p> <p>Patricia D’Antonio reported to the Board that that she and Chairperson, Dr. Daphne Bernard, and Board Member, Mr. Alan Friedman attended the 2013 NABP Annual Meeting held on May 18-21, 2013 in St. Louis, MO. Board Member Dr. Bernard presented the District Columbia Board of Pharmacy Poster. The poster session was held on Sunday, May 19, 2013, from 8 to 11:30 am. The event is a great networking opportunity at the 109th Annual Meeting, which offers boards of pharmacy the unique opportunity to share information about your latest legislative issues, technology, policy development, and/or patient or public safety initiatives as they relate to the Poster Session’s theme of “Sharing Responsibility for Public Protection.”</p> <p>Patricia D’Antonio reported to the Board that there were a couple of announcements at the 2013 NABP Annual Meeting. There will be an Executive Officer forum held on September 24-25, 2013 and a Compliance Officer and Legal Counsel forum held on December 3-4, 2013. Both will be held at the NABP Headquarters on Chicago, IL. NABP also announced information regarding Committees that have met earlier this year. The NABP Board does not endorse the reuse medication that has left the closed system. There were also a Task Force on Virtual Manufactures and Wholesaler Distributers. Their recommendation is to update the VAWD criteria to assure supply chain security.</p> <p>Joseph L. Adams, RPh, was elected to serve as the 2013-2014 president-elect of the National Association of Boards of Pharmacy® (NABP®) during the Association’s 109th Annual Meeting.</p> <p>Edward G. McGinley, MBA, RPh, was elected to serve as the 2013-2014 treasurer of the National Association of Boards of Pharmacy® (NABP®) during the Association’s 109th Annual Meeting</p>	



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	<p><u>Renewal Report</u> Pharmaceutical Control Division:</p> <p>The District of Columbia Pharmaceutical Control Division non-resident and resident pharmacy renewals have concluded on May 31, 2013.</p> <p>No. of Resident Pharmacies: 157 Conducted 12 inspections</p> <p><u>Licensing Data</u> Board of Pharmacy</p> <p>Executive Director, Patricia D’Antonio reported the following statistics:</p> <p>No. of Active Pharmacist: 1,480 No. of Active Pharmaceutical Detailers: 1,351 No. of Active Immunization and Vaccination Authority: 342 No. of Active Interns: 70</p>	
<p><u>Board Counselor Report</u></p>	<p>Legislation Chart</p>	
<p>o606-O-01</p>	<p>Pharmacy Technician Legislation B19-0293</p> <p>The Pharmacy Technician Legislation now law and has an effective date of May 1, 2013. (L19-0303)The Board’s next step is to draft regulations.</p>	
<p>o606-O-02</p>	<p>Prescription Drug Monitoring Program Legislation</p> <p>The Committee on Health has a tentative date for a hearing on July 10, 2013 with regards to the Prescription Drug Monitoring Program Legislation. The date has yet not been filled, so it is subject to change.</p>	
<p>o606-O-03</p>	<p>Notice of Proposed Rulemaking Chapter 5 (Safe Disposal of Unused Pharmaceuticals in Health Care Facilities)</p> <p>The District of Columbia Board of Pharmacy voted at the May 2013 meeting to publish in final. This item is pending publication as final.</p>	
<p>o606-O-04</p>	<p>Legislative and Regulatory Subcommittee Report Board Member, Alan Friedman reported that the Legislative and Regulatory Subcommittee had a productive meeting on May 30, 2013.</p> <p>(a) Dual Responsibility and Dispensing Errors-Drafted Policy Statement</p>	<p>Mr. Friedman</p>



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	<p>The DC Board of Pharmacy has developed a Draft Policy Statement to provide guidance to pharmacists practicing in the District of Columbia regarding responsibilities and accountability when two or more pharmacists are involved in the dispensing process.</p> <p>Subcommittee Recommendation: To open the drafted Policy Statement for a thirty day comment period so that stakeholders that are interested can provide their comments. If comments are received by the end of 30 day comment period, the subcommittee will meet in July to review all comments received.</p> <p>(b) Collaborative Practice</p> <p>Board Member, Alan Friedman reported to the Board that the statute as it passed requires the District of Columbia Board of Pharmacy work with the District of Columbia Board of Medicine to promulgate regulations. The subcommittee discussed an optimal approach towards developing the regulations in partnership.</p> <p>Subcommittee Recommendation: To have the Executive Director for the Board of Pharmacy reach out to the Executive Director for the Board of Medicine and set up a meeting between them and the two Board Chairs to have high level discussion on the topic .</p> <p>(c) Addendum: Preceptors and Internships</p> <p>Subcommittee Recommendation: To look further into the regulations to identify issues there may be with current practice environments in the District of Columbia.</p>	
o6o6-O-o5	<p>Communications Subcommittee Report</p> <p>Subcommittee Recommendation: To send a quarterly E-Alert on various topics with regarding to the Board of Pharmacy.</p>	Dr. Bernard
<u>Presentation</u>		
o6o6-O-o6	<p>Implementation of Mandatory Reporters' Curriculum in the District</p> <p>Dr. Sheila Jones, Chief, Adult Protective Services Department of Human Services Family Services Administration</p> <p>The Adult Protective Services (APS) investigates reports alleging abuse, neglect and exploitation of frail elderly and disabled adults and intervenes</p>	



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	<p>to protect vulnerable adults who are at risk.</p> <p>What should mandatory reporters Report?</p> <p>Mandatory Reporters are required to report suspected abuse, neglect, or exploitation of elders or in capacitated adults. Reports should provide the name, age, address and location of the person abused, and as much detail about the detail about the abusive situation as possible.</p> <p>Who are Mandatory Reporters?</p> <p>District of Columbia Boards:</p> <p>Board of Pharmacy Board of Dentistry Board of Dietetics and Nutrition Board of Occupational Therapy Board of Optometry Board of Physical Therapy Board of Podiatry Board of Psychology Board of Social Work Board of Professional Counseling Board of Respiratory Care Board of Massage Therapy Board of Marriage and Family Therapy Board of Audiology and Speech-Language Pathology</p> <p>Other:</p> <p>Any Guardian of an Adult Any Healthcare Administrator Any Social Worker Any Bank Manager or Financial Manager Any court-appointed mental retardation advocate Any Police Officer Any human officer or any agency charged with enforcement of animal cruelty</p> <p>For more information or to report suspected abuse, neglect, or exploitation of vulnerable adults, call the Adult Protective Services Hotline at 202-541-3950, or visit 645 H Street, NE, Washington, DC.</p>	
o6o6-O-07	Interns Overview of the National Association of Boards of Pharmacy Newsletter Update District of Columbia Board of Pharmacy Interns Victor Kareem, Howard	



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	University PharmD., Candidate Class of 2014 and Kim Lam, Howard University PharmD., Candidate Class of 2014 presented an a over view of the National Association of Boards of the Pharmacy Newsletters Update.	
<u>Communications</u>		
o6o6-O-o8	<p>2013 MPJE Item Pool Review</p> <p>The National Association of Boards of Pharmacy (NABP) is requesting that the Multistate Pharmacy Jurisprudence Examination (MPJE) participating jurisdictions arrange to conduct the annual item pool review to ensure that the most current and complete item pools are available for testing. In addition to the review, new items must be selected for pre-testing within the state. Both processes are integral to the validity of the examination program. NABP will provide the option to conduct the review remotely or to travel to the office Headquarters in Mount Prospect, IL. The in-house review will be held on September 11-12, 2013. Space is limited and will be available on a first-come, first-served basis. Travel support and covered expenses are provided for up to two designated reviewers.</p>	
o6o6-O-o9	<p>NABP E-News: NABP Newsletters for the Month of May:</p> <p>May 01, 2013 May 08, 2013 May 15, 2013 May 23, 2013</p>	
<u>Reading of the Minutes –Open Session</u>		
o6o6-O-10	<p>May 2, 2013 Minutes</p> <p>This item is tabled for the next scheduled Board of Pharmacy Board of Pharmacy due to not having a quorum.</p>	
Addendum:	<p>SafeRx Pharmaceutical Detailers Question:</p> <p>Whether a person (i.e., regional manager) accompanying a registered sales rep for training purposes only has to be registered in the District?" The Regional Manager would be present only to observe the rep for training purposes and would not interact in any way with the provider.</p> <p><u>Board Consensus:</u> A person is not required to be licensed as a District of Columbia Pharmaceutical Detailer if he or she is not engage in the</p>	



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	<p>practice of Detailing. He or she can only observe the rep for training purposes and would not interact with anyway with the provider. Executive Director, Patricia D 'Antonio will respond in writing to the Mr. Wilmot with the answer to this question.</p> <p>Prescriber Order Entry Question: Can a Pharmacist discontinue a prescriber's medication order when it is a "duplicate" without a physician's signature or notification?</p> <p>Assistant Attorney General Carla Williams stated that collaborative practice has not been implemented. Pursuant to the collaborative practice agreement, pharmacist may be authorized to discontinue a prescriber's medication when it is a duplicate. Assistant Attorney General Carla Williams further stated that this practice can be only authorized through a hospital standing order that gives the Pharmacist the authority to discontinue a prescriber's medication order.</p> <p>Board Consensus: To respond in writing to the Margaret Anne Breakenridge, RPh with the answer to this question.</p>	
<p><u>Comments From the Public</u></p>	<p>Pharmaceutical Control Division Inspections Concerns</p> <p>Steve Toth of Tschiffely Pharmacy expressed his concerns of the inspections conducted in the District of Columbia pharmacies and the fines that are imposed. Mr. Toth believes that a "non-tolerance approach" is a way to create additional revenue for the city and putting citizens at risk of Pharmacy care.</p> <p>Executive Director, Patricia D'Antonio stated that the regulations are set to protect patient safety and the Pharmaceutical Control Division is responsible for regulating resident and non-resident Pharmacies in District of Columbia. If anyone wants to set up a meeting with Pharmaceutical Control Division, they can schedule a meeting with Senior Deputy Director, Dr. Feseha Woldu and Patricia D'Antonio, Program Manager for the Pharmaceutical Control Division.</p> <p>If a Pharmacy is issued a Notice of Infraction, the pharmacy has the opportunity to answer to the charge with a plea, admit with explanation, or deny. If the Pharmacy denies the charges, a hearing will be scheduled at which the respondent and the inspector must appear. At the hearing, both respondent and the inspector both can explain the position to an independent Administrator Law Judge, who will decide whether the respondent must pay the fine. Executive Director, Patricia D 'Antonio further reported to the Board that this matter should be addressed with the Pharmaceutical Control Division and not the Board of Pharmacy.</p>	

This concludes the Open Session Meeting