

**SPECIAL MEETING OF THE BOARD**  
**MINUTES**  
**Friday, September 2, 2016**  
**9:00AM**

*The mission of the Oregon State Board of Pharmacy is to promote, preserve and protect the public health, safety and welfare by ensuring high standards in the practice of pharmacy and by regulating the quality, manufacture, sale and distribution of drugs.*

Kate James, R.Ph., President called the meeting to order at 9:00 AM. The Board Members were on the telephone for this meeting. A number of people attended the meeting that was held Suite 150 of the Portland State Office Building located at 800 NE Oregon Street, Portland, OR 97232.

**OPEN SESSION, Kate James, R.Ph, Presiding**

Roll Call

Kate James, President  
Roberto Linares  
Heather Anderson  
Cyndi Vipperman

Penny Reher, Vice President  
Ken Wells  
Rachael DeBarmore  
Dianne Armstrong

The following staff members will be present for all or part of this session:

Marc Watt, Executive Director	Gary Miner, Compliance Director
Karen MacLean, Administrative Director	Chrisy Hennigan, Licensing Department Supervisor
Joe Ball, Chief Investigator	Fiona Karbowicz, Pharmacist Consultant
Cheryl Fox, Inspector	Vicki Wallace, Inspector
Brianne Efremoff, Inspector	

Tom Cowan, Sr. AAG Board Counsel

Christine Chute absent

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Agenda Review and Approval

**MOTION**

Motion to approve the agenda was made and unanimously carried (Motion by Anderson, second by Wells).

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**General Administration**

Pharmacist Consultant Fiona Karbowicz provided an overview of 2016 HB 4124 legislation to explain the purpose of this meeting to discuss and adopt temporary rules in Division 019 and 041 related to pharmacist prescribing of Naloxone. Executive Director Marc Watt pointed out that the agency has received a number of requests for the rules to be in place immediately to meet the needs of the underserved in Oregon and opens up a new avenue of access.

2016 HB 4124 was enacted and effective April 4, 2016. This legislation permits pharmacists to prescribe and distribute unit-of-use packages of naloxone to individuals who conduct or complete Oregon Health Authority (OHA) approved training. This new legislation builds on the original 2013 law (ORS 689.681) that allows a trainer to possess and distribute naloxone to trainees, and allows trainees to possess and administer naloxone to an individual experiencing an opiate overdose.

The Division 019 rules give the purpose; specifies the qualifications of participating pharmacists and mandatory counseling; and outlines the delivery of care expectations for the pharmacist and pharmacy, including documentation and recordkeeping.

Staff is developing a list of Frequently Asked Questions (FAQ's) for the Board's website. Staff will also be providing outreach to pharmacies and pharmacists since this is new to licensees.

Board Members asked a few clarifying questions about the acceptable documentation since the pharmacist will be generating the prescription. Fiona and Marc clarified that keeping a typical prescription on record is ok, once the pharmacist has determined that the individual has reviewed the complete written training protocol documentation and they understand how to use the medication in the form prescribed.

The Division 041 rules identify the pharmacy responsibilities for distribution. The 2013 legislation didn't change; the 2016 legislative requirements are incorporated into the existing rules.

There was a question about what makes a trained pharmacist and Fiona clarified that any pharmacist can participate if in their own judgment, they are confident they understand and have a familiarity with naloxone dispensing and use. Theoretically, they received this training in pharmacy school and they already counsel on prescriptions that are dispensed.

Compliance Director Gary Miner pointed out that if an organization wants to obtain Naloxone, the pharmacist would just issue a prescription to a trained individual.

## **MOTION**

**Motion to adopt Temporary Rules as amended in OAR 855-019-0450 through 855-019-0460 and OAR 855-041-2340 pursuant to 2016 House Bill 4124 was made and unanimously carried (Motion by Anderson, second by Reher).**

Fiona shared that the Temporary Rules will be filed with the Secretary of State's office in the next week and will be effective upon filing and valid for 180 days or until Permanent Rules are filed. Notice will be provided by email to the Board's "Rules Interested Parties" when the rule is filed and placed on the Board's website along with the OHA Approved Written Training and other "Tool Kit" resources.

It is anticipated that at the Board's October 6<sup>th</sup> Board meeting, these rules will be sent to a **Public Rulemaking Hearing** on November 22, 2016. The Notice of Proposed Rulemaking Hearing and proposed rules will be posted on the Board's website as soon as it's filed with the Secretary of State after the October Board meeting. The "Public Comment" period will expire on 11/22/16 at 4:30PM. Public Notice for this hearing will be published on November 1, 2016 in the Oregon Bulletin. It is anticipated that the Board will adopt Permanent Rules at the December 8, 2016 Board meeting.

Adjourn

**MOTION**

**Motion to adjourn at 9:30 was made and unanimously carried (Motion by Wells, second by Reher).**

Accepted by:

A handwritten signature in black ink, appearing to read "Watt", written over a horizontal line.

Marcus Watt,  
Executive Director  
Oregon Board of Pharmacy