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.

WEDNESDAY, APRIL 4, 2018

Penny Reher, R.Ph, Board President called the meeting to order at 10:00AM

Roll Call
- Penny Reher, President
- Rachael DeBarmore, Vice President
- Roberto Linares
- Kate James
- Shannon Larson
- Cyndi Vipperman
- Tim Logan
- Sue Richardson

Dianne Armstrong- Excused

The following staff members will be present for all or part of this session:
- Marc Watt, Executive Director, Brianne Efremoff, Compliance Director
- Karen MacLean, Administrative Director, Chrisy Hennigan, Licensing Supervisor
- Fiona Karbowicz, Pharmacist Consultant, Mo Klein, Project Manager
- Joe Ball, Chief Investigator, Cheryl Fox, Inspector
- Jane Gin, Inspector, Katie Baldwin, Inspector
- Laura Elvers, Inspector, Brian Murch, Inspector
- Annette Gearhart, Compliance Secretary, Kim Oster, Compliance Assistant
- Rachel Melvin, Executive Support Specialist, Loretta Glenn, Management Secretary

Tom Cowan, Sr. AAG Board Counsel, Ryan Chhit, Intern
Tim Frost, Board Fellow

Installation of new Public Board Members: Sue Richardson and Darryl “Tim” Logan.
Board President Penny Reher read the Board’s new member speech charging them with their responsibilities as new board members, as well as brief bios, welcome Sue and Tim!

Agenda Review and Approval

MOTION
Motion to approve the agenda was made and unanimously carried (Motion by DeBarmore, seconded by Larson).
Board Counsel – Board Member Responsibilities

Board Counsel, Tom Cowan welcomed our new members and encouraged them to ask questions of himself, staff or other members as they learn about their responsibilities on the Board. Tom also highlighted a section of the Oregon Public Meetings Law as it relates to a discussion from the December 2017 meeting specific to quorum and public meeting requirements emphasizing that when the Board meets, there must be a quorum of the members in order to conduct business. Additionally, “a gathering of less than a quorum of a committee or other governing body is not a “meeting” under the Public Meetings Law. However, while a gathering of less than a quorum is not a “meeting,” members of a governing body should not gather as a group or groups composed of less than a quorum for the purposes of conducting business outside the Public Meetings Law. Such a gathering creates the appearance of impropriety and runs contrary to the policy of the Public Meetings Law, which supports keeping the public informed of the deliberations of governing bodies.”

When asked if it was ok to tell people that you’re on the Board, Tom advised that yes it’s ok, but encourage everyone to be circumspect and clear, remembering which “hat” they are wearing when speaking with people, as they may treat you differently or try to get information from you about Board business. Deliberations are to happen during a public meeting of the Board.

Contested Case Deliberation pursuant to ORS 192.690(1) - Not Open to the Public

III. EXECUTIVE SESSION – NOT OPEN TO THE PUBLIC, pursuant to ORS 676.175, ORS 192.660 (1) (2) (f) (k).

A. Items for Consideration and Discussion:
   1. Deliberation on Disciplinary Cases and Investigations
   2. Personal Appearances
   3. Deficiency Notifications
   4. Case Review

MOTION
Motion to enter Executive Session at 10:27AM was made and unanimously carried (Motion by DeBarmore, seconded by Vipperman).

MOTION
Motion to resume Open Session at 5:01PM was made and unanimously carried (Motion by James, seconded by Larson).

Employee Performance Review pursuant to ORS 192.660(2)(i).

MOTION
Motion to enter Executive Session pursuant to ORS 192.660(2)(i) at 5:10PM was made and unanimously carried (Motion by DeBarmore, seconded by Vipperman).

MOTION
Motion to resume Open Session at 5:46PM was made and unanimously carried (Motion by Vipperman, seconded by Larson).

Approve Consent Agenda*

*Items listed under the consent agenda are considered to be routine agency matters and will be approved by a single motion of the Board without separate discussion. If separate discussion is desired, that item will be removed from the consent agenda and placed on the regular business agenda.

1. NAPLEX Scores – 5/1/17 – 12/31/17 – CONFIDENTIAL
2. MPJE Scores – 5/1/17 - 12/31/17 – CONFIDENTIAL
3. License/Registration Ratification – 2/3/18 – 3/22/18
4. Pharmacy Technician Extensions – 3/2018
5. Board Minutes – December 13 -14, 2017

MOTION
Motion to approve the consent agenda was made and unanimously carried (Motion by Vipperman, seconded by Larson).

ISSUES/ACTIVITIES

Board Meeting Dates

- June 6-7, 2018 Portland
- August 8-10, 2018* Portland (*3 day meeting)
- October 3-4, 2018 Portland
- November 7-8, 2018 Portland (Strategic Planning)
- December 12-13, 2018 Portland
- February 6-8, 2019* Portland (*3 day meeting)
- April 3-4, 2019 Portland
- June 5-6, 2019 Portland
- August 7-9, 2019* Portland (*3 day meeting)
- October 2-3, 2019 Portland
- November 6-7, 2019 Portland (Strategic Planning)
- December 11-12, 2019 Portland

Rulemaking Hearing Dates
(The following dates are reserved for potential rulemaking hearings and identified only for planning purposes and approved by the Board. Actual Rulemaking Activities will be noticed as required by law and may deviate from this schedule as needed.)

- May 23, 2018
- November 27, 2018
- May 22, 2019
- November 26, 2019
Committees/Meetings
OSPA Lane County – 2/17-18/2018, Eugene – Executive Director, Marc Watt stated that he and Board Member, Rachael DeBarmore, Inspector Katie Baldwin and Board Fellow, Tim Frost attended and reported that it went well and had a positive response.

OSHP Annual Meeting – 4/27-29/2018, Gleneden Beach – Executive Director, Marc Watt & Pharmacist Consultant, Fiona Karbowicz will attend, host a booth and present to attendees.

NABP 114th Annual Meeting – 5/5-8/2018, Denver, CO – Executive Director, Marc Watt & Pharmacist Consultant Fiona Karbowicz were invited to speak on RPh advanced practice and NABP will cover their travel and registration expenses including one night of lodging.

Board President, Penny Reher asked the Board to discuss direction on resolutions for Marc and Rachael in regards to voting. Board Counsel, Tom Cowan stated that we can’t caucus the Board for these resolutions, it would count as a meeting and stated that it should be more like a report, not a questionnaire, less formal. Executive Director, Marc Watt stated that the resolutions the Board is seeing today are just suggestions.

NABP District VI-VIII, meeting Kansas City, MO 10/14-17, 2018

Board Member/Staff Presentations
Pharmacy Coalition – 2/13/18, 3/13/18 - Executive Director, Marc Watt reported this meeting really focused on legislative summary, some progress and some discussion about the pending PIC rule.

Professional Practice Roundtable – 3/13/18 - Pharmacist Consultant, Fiona Karbowicz reported that she spoke on Marc’s behalf on the ASHP Technician report and some of the talking points around the pending rules.

Naloxone Outreach – Roseburg/Eugene 2/12-13/2018 - Pharmacist Consultant, Fiona Karbowicz reported that her presentation was positively received, well attended and stated that she believes that we might be asked to visit Eastern and Central Oregon regions because they are the last areas of the state that haven’t received the information. Fiona reported that she did a joint presentation with a local Pharmacist where he explained the processes and how he incorporated it into his practice; she felt that this really helped generate positive outreach.

Technician Research Outreach – 3/22/18 - We hosted a research council to help inform our Board about Technician related duties. It was a listening session that included attendees from multiple organizations where the group discussed how Technician duties and activities have evolved in other states.

Marion/Polk/Yamhill CE – 4/3/18 - Pharmacist Consultant, Fiona Karbowicz traveled to Salem and held a two hour presentation about Naloxone and Law update.

Linn Benton CE – 4/17/18, location TBA – Inspectors Katie Baldwin and Jane Gin will present.

PRN Annual Conference – 5/5/18 - Inspectors, Brian Murch and Cheryl Fox will be attending and presenting.
Financial/Budget Report –
Administrative Director, Karen MacLean gave an update on expenses and financials. She stated that we are right on target for overall spending for this biennium. The 2019-21 Budget development is in progress and that she’s working on policy packages, and stated that budget is due by August 1, 2018 and will have more information at the June meeting.

Legislative Update –
Executive Director, Marc Watt reported that he believes that they will be proposing the drug takeback bill again and that if it passes this time, it will define our role in particular to the kiosks located within pharmacies. The broader focus includes environmental issues and does include financial help from the pharma industry.

Reports:

Board President/Members - None

Executive Director, Marc Watt reported that Secretary of State is auditing the PDMP program, and gathering data and will have a report for the Board in September 2018. Fiona and Marc met with DEA, and stated that our communications regarding controlled substances have improved. Lastly, Marc stated that he presented to our PIC training class and stated it was a positive experience.

Board Counsel, Tom Cowan reported that the number of contested cases is down which means we are settling more cases. The reason for that is better investigations, leading to settlements, which is great. The workload of the Compliance staff is large and extremely busy working on sophisticated cases and using their resources in the most effective way.

Compliance Director, Brianne Efremoff reported that we are currently have 241 cases; 964 this year if we stay at this pace. Staff is triaging the cases as best they can, they have been focusing on streamlining the processes to help staff complete everything in a timely manner. At 20% inspections for the year, been proactive and incorporating our Interns which has been very successful. HPSP census, around 20 participants currently.

Pharmacist Consultant, Fiona Karbowicz reported that the immunization survey is ready to send out but she might need some input. She also spoke about the opioid epidemic regarding Naloxone and the program Ken Wells has been working on and that there are still free seats available.

Administrative Director, Karen MacLean reported that she attended a 5 week mandatory DAS Procurement training and passed her final test. She reported that she has been busy with onboarding new members, formulary committee members and budget kickoff. Acknowledged Executive Support Specialist II, Rachel Melvin regarding our IT struggles and how we are working towards a resolution for a desktop support vendor with DAS Procurement’s help. Rachel spoke about a new program for our iPads that will positively impact our meetings and end users in the future, called the Box. Executive Director, Marc Watt stated that we have struggled with the new state IBM phone system as well as ETS firewall issues and resolving our exit strategy with Confuzer Inc.
Licensing Program Supervisor, Chrisy Hennigan reported that her team completed the pharmacy renewals, but IT difficulties have negatively impacted their workflow. However, they were able to get the renewals caught up prior to the expiration date. She stated that they were able to launch the CPT renewal earlier and have already renewed 470 CPTs. OSU asked their students to have their applications in no later than 4/22, which has increased their daily workload. Licensing Representative Arinda Wong’s last day was March 30th and we have since interviewed and hired two new employee’s to fill our vacant positions. Sean Gilbert and Kyra Howton will be joining the Licensing team later in April.

As of 4/3/18, there were still 909 Pharmacy Technicians who will need to take and pass one of the national exams and get licensed as a CPT prior to 6/30/18. Due to the end of the pharmacy renewal cycle and being short staffed, coupled with the barrage of non-prescription drug outlet and Technician applications, processing times have increased significantly. NABP launched a new E-Profile Connect system which will allow us to receive reciprocity applications electronically. In the next few months, we will be working with Compliance to review and update the facility applications.

As reported in October, we were tracking the average times for pharmacist licensing under the new process and we tracked it for a full year, here are the final statistics:
Reciprocity applicants – The average days from the date they took the exam to licensure was 30 days and the average time from the date we received the application was 11.6 days. Those applicants took an average of 9.4 days to complete the fingerprint process. For NAPLEX & Score Transfer applicants - The average days from the date they took the 1st exam to licensure was 26 days and the average time from the date we received the application was 10.7 days. Those applicants took an average of 2.5 days to complete the fingerprint process.

Project Manager, Mo Klein reported on the licensing database (MLO) project and stated that we probably won’t meet our implementation date as projected. She stated that she’s working on our new website project that includes a process that requires recruiting help from the public and she plans on asking some of the professional organizations we belong to participate. We do have a DAS project manager providing assistance and will begin transition to the new platform in August 2018.

Adjourn

MOTION
Motion to adjourn at 5:46PM was made and unanimously carried (Motion by DeBarmore, seconded by Larson).

THURSDAY, APRIL 5, 2018

Penny Reher, R.Ph, Board President called the meeting to order at 8:35AM

Roll Call
Penny Reher, President                       Rachael DeBarmore, Vice President
Roberto Linares                             Kate James
Shannon Larson                              Cyndi Vipperman
The following staff members will be present for all or part of this session:

Marc Watt, Executive Director       Brianne Efremoff, Compliance Director
Karen MacLean, Administrative Director  Chrisy Hennigan, Licensing Supervisor
Fiona Karbowicz, Pharmacist Consultant  Mo Klein, Project Manager
Joe Ball, Chief Investigator         Cheryl Fox, Inspector
Jane Gin, Inspector                  Katie Baldwin, Inspector
Laura Elvers, Inspector             Brian Murch, Inspector
Annette Gearhart, Compliance Secretary Kim Oster, Compliance Assistant
Rachel Melvin, Executive Support Specialist Loretta Glenn, Management Secretary

Tom Cowan, Sr. AAG Board Counsel     Ryan Chhit, Intern
Tim Frost, Board Fellow

Board President, Penny Reher introduced new Public Board Members, Sue Richardson and Darryl “Tim” Logan.

Motions for Contested Cases & Disciplinary Action

APPEARANCE

Richard Leman, M.D. Medical Epidemiologist and Chief Medical Officer, HSPR and Sophie Miller DeSart SERV-OR Systems Coordinator, HSPR presented information regarding the State Emergency Registry of Volunteers in Oregon (SERV-OR). They covered Oregon’s response to emergencies, an overview of the program, volunteers’ roles, and requested that we add a question to the 2019 RPh renewal to help increase volunteer efforts for the program. If the request is approved, OHA will provide language to OBOP no later than February 15, 2019 and will work with the agency to modify the language for licensees.

Oregon Nursing and Medical Boards have already agreed to add the language to their renewal and licensing applications and EMS has made the question mandatory on their applications and renewals. Dr. Leman stated that they hope to increase the number of pharmacists up from the current 2%. Their outreach right now is through different local organizations and roundtable meetings, however, it’s not generating the volunteers that they need, and are working to let get the word out in the most effective way.

MOTION
Motion to approve OHA request to add a question to the 2019 Pharmacist renewal was made and unanimously carried (Motion by Larson, seconded by DeBarmore).
GENERAL ADMINISTRATION
Rules

Review Rulemaking Hearing Report & Comments – none
Consider Adoption of Rules – none
Consider Adoption of Temporary Rules – none
Rules Review -

Division 020 – Formulary Committee
SP Pillars – Primarily #2 Entrustable Professional Activities and #3 Defined Standards of Practice

Pharmacist Consultant, Fiona Karbowicz read the rule and stated that this would establish Division 020 as the new division for the Formulary Committee. This is the first set of rules that simply reiterates what’s in statute, including the make-up and role of the committee. We anticipate future protocol and formulary rules will be added to this division. She recommended sending this rule to the May 23rd rulemaking hearing to establish this division if Board agrees. Fiona went over the rulemaking process and timeline of approval for current rules and Executive Director, Marc Watt stated that our goal is to push the concept out and flesh out how we will implement and build the foundation to help develop the process. The Board discussed renaming the division to “Pharmacist Prescriptive Authority”. Board Member, Roberto Linares had some questions regarding the definition of “qualified to make the diagnosis”, and asked if the pharmacist needs to document it, or is it simply the patient stating that? Fiona referred the Board to our legal scope of practice and stated that the language was directly from statute. The Board revised the language and voted to submit to rulemaking hearing.

MOTION
Motion to send Formulary Committee rules in OAR 855 Division 020 to rulemaking hearing was made and unanimously carried (Motion by Larson, seconded by James).

Consider Rules and send to Rulemaking Hearing –

Division 045 – Compounding
SP Pillars – Primarily #1 Safe Drug Accessibility & Distribution

Pharmacist Consultant, Fiona Karbowicz stated that this is a second look at these rules. Input from the February meeting discussion and Compliance Staff incorporated PEW Report and Board’s goal to require full 795 and 797 adherence. We’d like to be a state like most of the rest of the country, with regulations that require full compliance with 795/795. Marc commented that while these draft rules may not be perfect, this establishes requirements that need to be in place. Board President Penny Reher commented on the current rewriting by USP for these Chapters.

The Board discussed compliance expectations with USP 800. Is this perhaps better addressed by OSHA? Does Board want to require full compliance of USP 800 in December 2019? Board member Kate James’s opinion is that this is worker safety. OSHA may be equipped better than we are. The Board suggested that we do research to see if OSHA performs routine inspections. Kate would like to see minimum standards, but unless violations are egregious, she thinks they (OSHA) are better able to address this. Penny thinks that we’d need a lot of input on these “rule wise”….she polled her pharmacy leadership and they (Samaritan Health) won’t be able to meet these requirements as written.
Kate stated that there are people in Oregon compounding without hoods to her knowledge and would like language stating that you can’t compound without a hood period. There are a lot of rules in place for underwriting for insurance companies, banks, etc. Board member Roberto Linares is concerned that robust regulations might aggravate the drug shortage issue if these compounders aren’t compliant. Board member Tim Logan stated that he believes we should set a reasonable standard at this time and that we cannot put a price tag on patient safety.

Penny wanted clarification on international importing for drug shortages and Marc stated that once a drug enters the US, it’s controlled by FDA and then to the licensed manufacturer / distributor.

Kate would like to see white papers/FAQs created for Beyond Use Dating (BUD).

**MOTION**

Motion to send Compounding rules in OAR 855 Division 045 to rulemaking hearing was made and unanimously carried (Motion by James, seconded by Vipperman).

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**Division 019 - Naloxone Temp. to Permanent**

*SP Pillars–Primarily #1 Safe Drug Accessibility & Distribution*

Pharmacist Consultant, Fiona Karbowicz reported that currently the temporary rule expires on **6/26/18**. She stated that no additional edits have been made since the temporary rule was put in place and that it would need to be noticed for rulemaking and adopted permanently, before it expires in June.

**MOTION**

Motion to send Naloxone rules in OAR 855-019-0460 to rulemaking hearing was made and unanimously carried (Motion by DeBarmore, seconded by Vipperman).

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Board President, Penny Reher advised the Board that Board Member, Rachael Debarmore had to leave for a family emergency. Therefore, bringing the number of Members attending down to seven for voting and discussion purposes for the remainder of the meeting.

**Division 019 & 041 – Community Pharmacy Personnel/PIC**

*SP Pillars–Primarily #1 Safe Drug Accessibility & Distribution and #3 Defined Standards of Practice*

Board Counsel Tom Cowan advised that because Board Member, Rachael DeBarmore had to leave the meeting, the substantive part of this discussion should wait until everyone is present and able to listen and participate, including Rachael, because she has particularly relevant experience in this regard.

Executive Director, Marc Watt and Board Counsel, Tom Cowan attended a meeting in March and Tom stated that it was interesting which stakeholders this has attracted and that the meeting was not what we were anticipating in size and scope/agenda. It was an opportunity to hear stated concerns, as previously where we’ve attempted to communicate, industry hasn’t responded. The meeting was primarily attended by lobbyists and large chain government affairs representatives in addition to the Governor’s Office Deputy Healthcare Advisor and Senator Steiner-Hayward.
The Board discussed the merits and concerns related to these rules. They include: 1) Industry doesn’t believe there is a problem that the rule is trying to address. We have enforcement issues and fact patterns that are complicated by the fact that PICS are not necessarily performing at the level that we would like them to operate at and this clarified expectations and what professional determinations they can exercise in the pharmacy; 2) Challenges with obtaining important information for open investigations. There are cases where we can’t get information from unlicensed people and they refuse to comply and cooperate with compliance in getting information in a timely and responsive manner. There is a need for a clearer line of accountability. Our investigations are being interfered with by unlicensed people in the chain of accountability of a given fact patterns which has created obstacles for the agency. Industry thinks that we have authority in statute that is sufficient for outlets to address these issues. We do have a powerful statute for the PIC and the outlet. However, when there is an unlicensed person in the position for getting information, such as responses, we don’t have a licensed person to be accountable. For example, an unlicensed District Manager (DM) giving incorrect instructions to an Oregon PIC that is in violation of our rules. Administrative Law Judges really like to look at the person who is actually over everything – rather than an outlet. The industry thinks that’s unnecessary. These rules hope to bring some clarity and empower PICs to exercise professional judgment in their pharmacies. We are in a formal rulemaking process and we hope that we’ll have a draft rule for comment that meets all needs.

Board Member, Sue Richardson asked for the definition of an unlicensed DM, Fiona stated it’s a District Manager, a management person over multiple pharmacy outlets if you’re trying to trace a line of accountability. The Board’s current draft language gets us to where we need to be to address legitimate concerns.

During the meeting, industry representatives stated their goal was to get licensed people into the positions, however they have a challenge getting licensed people. They want this to be more about effective communication.

Board member Cyndi Vipperman stated that we have to look at patient safety. Board member Roberto Linares asked who Marc has talked to within the pharmacy “world”. Marc was advised the two state pharmacy associations, OSPA and OSHP, plan to take a vote likely in support of the draft rules. We don’t have this in writing, but it’s his understanding. Board Member Kate James impression is that we’re going round and round on this and is disappointed that we keep stalling out on moving these rules forward.

The Board decided not to send draft rules to a rulemaking hearing at this time.

**Policy Issues for Discussion**

**Prescriptive Authority Policies and Rules**

*SP Pillars – #1 Safe Drug Accessibility & Distribution and #3 Defined Standards of Practice*

Pharmacist Consultant, Fiona Karbowicz discussed the Core Elements of Pharmacist Prescribing, as addressed by the Formulary Committee. The following are elements that will be incorporated into draft rules and policy: Standard of care, education, patient assessment, collaboration with other health care providers, requirements for prescriptions, treatment care plan, documentation of records, notification, and possible prohibited practices. She described the
ongoing development of the methodology to adopt Committee recommendations for Formulary via rule, in new Division 020 for post-diagnostic drugs and devices, as well as protocols. Additionally, the Board will want to consider the outlet implications, due to the shared responsibility of pharmacy and pharmacist.

Board President, Penny Reher stated that APHA will be in Corvallis on May 6th for MTM training.

**MOTION**

**Motion to approve Core Elements for Pharmacist Prescribing** made and unanimously carried (Motion by Vipperman, seconded by James).

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**APPEARANCE**

Dr. Steve Robison from OHA Public Health Division, gave a presentation regarding the 2017-18 influenza immunization rates for the state of Oregon using data from the Oregon Immunization Program (OIP) that showed who, when and where people receive influenza immunizations and if they are given by a pharmacy or non-pharmacy and more importantly how pharmacists are positively impacting these statistics. The target rate for immunizations is 80% but our state always comes in around low 40%. They are very pleased that pharmacies can increase their impact since they can immunize children from age seven to teenage years now. Pharmacists in the rural areas play a very active role based on the percentages that he is seeing. Virtually no HPV is given in Oregon, the cost and the amount of time the pharmacist has to provide is potentially impacting promoting this to teen aged group. The Board thanked him for his presentation.

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**Discussion Items**

Waiver Requests - none

Kaiser request for Remote Processing

*SP Pillars – Primarily #2 Entrustable Professional Actions and #3 Defined Standards of Practice*

Pharmacist Consultant, Fiona Karbowicz read the request regarding the ability for some of their pharmacists to work remotely from a dedicated home office. This proposal meets the criteria that it’s as safe as or safer than current practice. If approved, clarify this is specific to only for Kaiser Permanente pharmacists in Oregon and staff has identified this to be a variation of remote processing from a Consulting/Drugless pharmacy registration. Board President, Penny Reher asked how is this is any different than a 3rd party that provides this same kind of service. Fiona stated that in the past those “homes” that pharmacists were working out of, would have been licensed with the appropriate license and be held accountable to the rules to be compliant. To allay any confusion, Board requests that staff work with existing licensees to ensure appropriate licensure to perform these processes and to confirm their practices are aligned with the Kaiser proposal, to include: monitored home worksite authorized in advance, the Board’s ability to inspect, if necessary and appropriate security.

Tabitha Fridriksson, Director Pharmacy Quality and Medication Safety from Kaiser Permanente stated there will be no paper trail at the home office, all calls will be recorded, all equipment is provided by Kaiser and only works on their secure network. She also reported that Kaiser budgeted to roll out the program for 30 positions and would take direction from the Board.
MOTION

Motion to approve Kaiser Permanente request to allow designated pharmacists in Oregon to work remotely was made and unanimously carried (Motion by Linares, seconded by Logan). DeBarmore recused.

OSPA request to approve Emergency Preparedness and the Pharmacists Role CE have the Board’s endorsement. Gary Miner, former Board Compliance Director, is hoping to have OBOP recognized for their work on state emergency planning. He and Pharmacist Consultant, Fiona Karbowicz have spent a lot of time on this over the last several years.

Gary spoke about this program and asked the Board to support the initiative. Gary has been volunteering since 2005 and the Board also participated in 2008 by allowing staff to participate in first responder exercises. They developed a non-binding agreement between health organizations, but that the committee has disbanded. Several independent and chain pharmacies have committed to this program and the CE they are presenting today, it works in conjunction with SERV-OR down to the pharmacist and even technician level. He is requesting that BOP support this program and allow BOP’s name to be added to their list.

Board Member, Kate James stated that we have done this for other health organizations and agreed to support it and Board Member, Roberto Linares stated that it’s very appropriate and agreed that we should acknowledge and support this initiative.

Motion to approve request to acknowledge OBOP as a contributor on OSPA Emergency Preparedness and the Pharmacists Role CE was made and unanimously carried (Motion by Linares, seconded by James).

Annual OBOP Elections Discussion -

Board President, Penny Reher discussed the upcoming OBOP elections in June and explained the process, roles and responsibilities to the Board members.

Public Health and Pharmacy Formulary Advisory Committee update –

SP Pillars - #1 Safe Drug Accessibility & Distribution and #3 Defined Standards of Practice

Staff provided an update related to the Formulary Committee. The Committee met for its second time on February 16, 2018. They discussed the following concepts: Extension of Prescription Therapy, Devices, and Cough & Cold/OTC. The Committee recommended via motion, to approve the extension concept, with parameters. The Committee also recommended via motion, a list of devices and supplies for a pharmacist to prescribe pursuant to a documented diagnosis. The Committee looked at a Cough and Cold package, which would have incorporated all OTC products as well as some identified prescription drugs. Ultimately, the Committee recommended the following medications, with specific parameters: pseudoephedrine, intranasal corticosteroids, benzonatate, and short-acting beta-agonists. These recommendations will be brought forth into codified rule for the Board’s review at an upcoming meeting.

The Committee’s April meeting was cancelled. Next meeting is 7/13/2018.
Strategic Planning –

Board President, Penny Reher stated that this discussion will be moved to the June meeting and Executive Director, Marc Watt asked the Board to prioritize the rulemaking initiatives before the June meeting.

OPEN FORUM

Lis Houchen, with NACDS, spoke about drug back HB 1047 in Washington State effective in July 2019 they expect to have the program in place. She reported that it’s voluntary and Pharma paid for it and most parties went neutral. She stated that she believes that this will help address the opioid epidemic.

MOTION
Motion to enter Executive Session at 4:31PM was made and unanimously carried (Motion by James, seconded by Larson).

MOTION
Motion to resume Open Session at 4:40PM was made and unanimously carried (Motion by James, seconded by Larson).

Adjourn

MOTION
Motion to adjourn at 4:41PM was made and unanimously carried (Motion by James, seconded by Larson).

Accepted by:

[Signature]

Marcus Watt, R.Ph.
Executive Director
Board Members present for all or part of compliance session:
- Penny Reher, RPH, President
- Rachael DeBarmore, RPH, Vice President
- Kate James, RPH
- Roberto Linares, RPH
- Shannon Larson, RPH
- Cyndi Vipperman, CPT
- Sue Richardson, Public Member
- Tim Logan, Public Member

Board Members absent for all of the compliance session:
- Dianne Armstrong, CPT

Staff present for all or part of compliance session:
- Brianne Efremoff, RPH, Compliance Director
- Joe Ball, RPH, Chief Investigator
- Katie Baldwin, RPH, Board Inspector
- Laura Elvers, RPH, Board Inspector
- Cheryl Fox, RPH, Board Inspector
- Jane Gin, RPH, Board Inspector
- Brian Murch, RPH, Board Inspector
- Annette Gearhart, Compliance Secretary
- Kim Oster, Compliance Assistant
- Marcus Watt, R.Ph., Executive Director
- Karen MacLean, Administrative Director
- Fiona Karbowicz, R.Ph., Pharmacist Consultant
- Mo Klein, Project Manager
- Chrisy Hennigan, Licensing Program Supervisor
- Thomas Cowan, Senior AAG

Staff absent for all of the compliance session:
- Tim Frost, Board Fellow

**Case 2009-0494**  **Motion to grant early release from probation.**
Motion by: Kate James; Seconded by: Cyndi Vipperman. Motion unanimously carried.

**Case 2015-0055**  **Motion to deny request.**
Motion by: Kate James; Seconded by: Tim Logan. Motion unanimously carried.

**Case 2016-0262**  **Motion to deny request.**
Motion by: Tim Logan; Seconded by: Cyndi Vipperman. Motion carried with Roberto Linares recused.

**Case 2014-0471**  **Motion to grant request.**
Motion by: Shannon Larson; Seconded by: Tim Logan. Motion carried with Cyndi Vipperman recused.
Case 2017-0559  Motion to revoke pharmacist license and impose $1,000 civil penalty per violation.
Motion by: Tim Logan; Seconded by: Kate James. Motion unanimously carried.

Case 2018-0027  Motion to revoke pharmacist license and impose $1,000 civil penalty per violation.
Motion by: Cyndi Vipperman; Seconded by: Shannon Larson. Motion unanimously carried.

Case 2017-0250  Motion to revoke technician license and impose $1,000 civil penalty per violation.
Motion by: Cyndi Vipperman; Seconded by: Shannon Larson. Motion unanimously carried.

Case 2018-0009  Motion to accept Stipulated Consent Order.
Motion by: Kate James; Seconded by: Tim Logan. Motion unanimously carried.

Case 2018-0042  Motion to revoke technician license and impose $1,000 civil penalty per violation.
Motion by: Cyndi Vipperman; Seconded by: Sue Richardson. Motion unanimously carried.

Case 2018-0047  Motion to deny technician license.
Motion by: Cyndi Vipperman; Seconded by: Kate James. Motion unanimously carried.

Case 2017-0175  Motion to deny pharmacist license and impose $1,000 civil penalty per violation.
Motion by: Tim Logan; Seconded by: Roberto Linares. Motion unanimously carried.

Case 2018-0107  Motion to grant intern license with Board direction.
Motion by: Rachael DeBarmore; Seconded by: Shannon Larson. Motion unanimously carried.

Case 2017-0252  Motion to amend Case No. 2016-0444 Notice to include current violations.
Motion by: Cyndi Vipperman; Seconded by: Roberto Linares. Motion unanimously carried.

Case 2018-0097  Motion to deny technician license and impose $1,000 civil penalty per violation.
Motion by: Tim Logan; Seconded by: Shannon Larson. Motion unanimously carried.

Case 2018-0043  Motion to deny technician license and impose $1,000 civil penalty per violation.
Motion by: Cyndi Vipperman; Seconded by: Rachael DeBarmore. Motion unanimously carried.

Case 2017-0512  Motion to ratify Stipulated Consent Order to withdraw application.
Motion by: Tim Logan; Seconded by: Kate James. Motion carried with Shannon Larson recused.

Case 2018-0093  Motion to deny technician license and impose $1,000 civil penalty per violation.
Motion by: Rachael DeBarmore; Seconded by: Tim Logan. Motion carried with Cyndi Vipperman opposed.
Case 2018-0092  Motion to deny technician license and impose $1,000 civil penalty per violation. 
Motion by: Rachael DeBarmore; Seconded by: Tim Logan. Motion carried with Shannon Larson opposed.

Case 2016-0456  Motion to revoke outlet registration and impose $10,000 civil penalty per violation against outlet. 
Motion by: Tim Logan; Seconded by: Shannon Larson. Motion unanimously carried.

Case 2017-0492  Motion to close with Board direction. 
Motion by: Rachael DeBarmore; Seconded by: Tim Logan. Motion unanimously carried.

Case 2018-0116  Motion to impose $10,000 civil penalty per violation against outlet; and in Case 2017-0397  Motion to revoke pharmacist license and impose a $1,000 civil penalty per violation. 
Motion by: Tim Logan; Seconded by: Shannon Larson. Motion unanimously carried.

Case 2017-0545  Motion to revoke pharmacist license and impose $1,000 civil penalty per violation. 
Motion by: Cyndi Vipperman; Seconded by: Roberto Linares. Motion unanimously carried.

Case 2017-0537  Motion to accept Stipulated Consent Order. 
Motion by: Shannon Larson; Seconded by: Tim Logan. Motion unanimously carried.

Case 2017-0349  Motion to close with Board direction. 
Motion by: Cyndi Vipperman; Seconded by: Kate James. Motion unanimously carried.

Case 2017-0434  Motion to impose $1,000 civil penalty per violation against pharmacist; and close case with Board direction. 
Motion by: Tim Logan; Seconded by: Rachael DeBarmore. Motion carried with Kate James recused.

Case 2017-0435  Motion to impose $1,000 civil penalty per violation against technician; and close with Board direction. 
Motion by: Tim Logan; Seconded by: Shannon Larson. Motion carried with Roberto Linares opposed.

Case 2018-0070  Motion to close case with Board direction. 
Motion by: Cyndi Vipperman; Seconded by: Shannon Larson. Motion unanimously carried.

Case 2017-0403  Motion to close with Board direction. 
Motion by: Sue Richardson; Seconded by: Kate James. Motion unanimously carried.

Case 2017-0527  Motion to close with Board direction. 
Motion by: Rachael DeBarmore; Seconded by: Tim Logan. Motion carried with Roberto Linares opposed.

Case 2018-0051  Motion to close case with Board direction. 
Motion by: Rachael DeBarmore; Seconded by: Shannon Larson. Motion unanimously carried.

Case 2018-0090  Motion to close with Board direction. 
Motion by: Kate James; Seconded by: Shannon Larson. Motion unanimously carried.
**Case 2016-0515** [Correction to case number. Motion read as 2017-0515.] **Motion to close with Board direction.**
Motion by: Rachael DeBarmore; Seconded by: Roberto Linares. Motion unanimously carried.

**Case 2018-0052** **Motion to close with Board direction.**
Motion by: Cyndi Vipperman; Seconded by: Tim Logan. Motion unanimously carried.

**Case 2017-0464 & 2017-0465** **Motion to impose $10,000 civil penalty per violation against outlets.**
Motion by: Rachael DeBarmore; Seconded by: Shannon Larson. Motion unanimously carried.

**Case 2017-0441** **Motion to close with Board direction.**
Motion by: Kate James; Seconded by: Roberto Linares. Motion unanimously carried.

**Case 2018-0013, 2018-0046, 2018-0065, 2018-0105 and 2018-0106** **Motion to deny technician license and impose $1,000 civil penalty per violation.**
Motion by: Cyndi Vipperman; Seconded by: Roberto Linares. Motion unanimously carried.

**Motion to accept the items on the consent agenda with case 2017-0432 pulled for discussion.**
Motion by: Kate James; Seconded by: Roberto Linares. Motion unanimously carried.

**Cases Closed with Board Direction:**