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, FEBRUARY 7, 2018

Penny Reher, R.Ph, Board President called the meeting to order at 8:30AM

Roll Call
Penny Reher, President  Rachael DeBarmore, Vice President
Roberto Linares  Kate James
Shannon Larson  Cyndi Vipperman
Dianne Armstrong  Public Member - vacant
Second Public Member - vacant

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
Tim Frost, Board Fellow

Agenda Review and Approval

MOTION
Motion to approve the agenda as revised was made and unanimously carried (Motion by James, seconded by Larson).

Contested Case Deliberation pursuant to ORS 192.690(1) - Not Open to the Public
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 8:35AM was made and unanimously carried (Motion by Vipperman, seconded by Armstrong).

MOTION
Motion to resume Open Session at 3:10PM was made and unanimously carried (Motion by James, seconded by Larson).

OPEN SESSION - PUBLIC MAY ATTEND - At the conclusion of Executive Session, the Board may convene Open Session to begin some of the following scheduled agenda items.

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 – none
   2. MPJE Scores – none
   3. License/Registration Ratification – November 29, 2017-February 2, 2018
   4. Pharmacy Technician Extensions – none
   5. Board Minutes – November 7-8, 2017

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

ISSUES/ACTIVITIES

Board Meeting Dates

- April 4-5, 2018 Portland
- 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 – The following will present the Board’s presentation or be present at our booth at this meeting. Marc Watt, Rachael DeBarmore, Tim Frost and Katie Baldwin.

OSHP Annual Meeting – 4/27- 29/2018, Gleneden Beach – Marc Watt and Fiona Karbowicz will attend this meeting and be at the agencies booth.

NABP 114th Annual Meeting – 5/5-8/2018, Denver, CO – Rachael DeBarmore will attend this meeting as the Board’s voting delegate and incoming Board President; a travel grant has been awarded to help defray the costs. Marc Watt will attend as the alternate voting delegate.

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

Board Member/Staff Presentations

Pharmacy Coalition – 1/9/18 and 2/13/18. Marc provided an update regarding pharmacy related legislation that would be considered during the 2018 Legislative Session. Specifically that HB 4103 would have a hearing next week.

Professional Practice Roundtable – 1/23/18. Executive Director Marc Watt reported that Dr. Jim Shames from Southern Oregon along with a Nurse Practitioner that runs a clean needle program in Southern Oregon attended and are leading the charge regarding naloxone and the pharmacist’s role and syringes. Their hope is to get across how important it is to increase access to needles to prevent HIV and needle contamination.

Naloxone Outreach – Roseburg/Eugene 2/12-13/2018. Pharmacist Consultant Fiona Karbowicz will head south next week to provide education around pharmacist prescribing of naloxone that also includes new law updates. A Eugene pharmacist will join her for this presentation, the hope is to see an increase in pharmacist prescribing.
Financial/Budget Report – Executive Director Marc Watt and Administrative Director Karen MacLean provided an update regarding the financial reports available and what to anticipate in the 2019-21 budget development. Marc advised that we will have a proposal for fee increases that is expected since we were asked to roll back the last fee increase in 2013, noting that we also implemented biennial renewals for pharmacists and certified technicians without any increase in 2015 and 2016 and 2017 respectively. Fee increases are necessary to continue operating at the current level.

Some additional policy option packages that increase the board’s budget are being considered which include possibly adding two new positions. One an additional Health Care Investigator/Advisor, a pharmacist to be shared between Compliance and Administration to support investigations, inspections and pharmacy related projects and rule-writing, this will also help to serve activities associated with the new Pharmacy Formulary Advisory Committee. The other an additional staff person to support Licensing activities. The Budget kick-off will begin in March and there are many deadlines between now and Aug 1st then also into the fall and next legislative session.

A Member asked how requests for additional positions will be viewed by the Legislature. Marc advised that first the Governor has to approve.

Legislative update – Executive Director Marc Watt advised that this week marks the beginning of the 2018 Session that will run from 2/5/18 – 3/10/18. At the request of the Governor, Board Members are asked to take no position on bills unless specifically authorized by her office, regardless of the topic. Marc provided an update on the Opioid Task Force as this is a top priority of the Governors. Marc also reviewed a few of the bills we are aware of to watch during this session. HB 4005 relates to the cost of pharmaceutical prescription drugs; HB 4103 is a bill the Pharmacy Coalition bill related to PBM’s; HB 4143 relates to the PDMP program and required registration for practitioners as well as a pilot program to study barriers to treatment to care for medication therapy. We may get pulled into a committee. HB 4151 is related to a method for the state to purchase prescription drugs related to PEBB and PERS.

Reports:

Board President/Members - none

Executive Director Marc Watt reported that we appear to be the go to agency for assistance with naloxone related outreach and Lines for Life is helping to defray some of the travel expenses. Oregon Health Authority continues to include him and Fiona in various meetings and related activities. He advised that Tim Logan and Sue Richardson have been selected for appointment as Public Members to the Board and they will appear before the Senate Rules Committee to be confirmed on February 8, 2018. Tim is a parole probation corrections officer and Sue is a retired federal government worker. We expect to see them at the April Board meeting. He will be meeting with the Board of Dentistry later this month regarding the new Dispensing Practitioner Drug Outlet rules and the Veterinary Board in March. He advised that DAS is in the process of implementing a new HR system called WorkDay that will impact the Board and all staff; there is training to come. HR Consultant Sherry Carter will be attending the Board meeting tomorrow for introductions.
Board Counsel Tom Cowan gave kudos to the investigative staff and shared that we are at an all-time low on contested cases and the new inspectors are doing a great job.

Compliance Director Brianne Efremoff reported that 100% of the retail and institutional inspections along with many of the Community Health Clinics completed for the 2017 year. They continue to plan to inspect all of these annually and they are working to inspect other categories including the new Dispensing Practitioner Drug Outlet (DPDO) category at least once every four years. In the next few weeks, the Compliance Staff will have their 2018 annual meeting to identify inspection criteria, discuss case load and investigative issues. She reported that we currently have 22 people in the HPSP program. One member asked how many DPDO’s we have and was advised that there are 5-6 so far and staff needs to discuss how to handle out of state applicants that weren’t considered during the rulemaking development and comment period.

Pharmacist Consultant Fiona Karbowicz reported that the immunization survey discussed last fall has not gone out yet. She’s still waiting for Public Health to complete their work on it. She continues to do presentations on Naloxone and the pharmacist role as well as participate on statewide and local workgroups. Fiona continues to work on the roll out of new rules connecting with licensing and compliance as well as addressing how to address central fill/remote processing and shared service requests.

Administrative Director Karen MacLean reported that she’s been very busy initiating the new Public Health and Pharmacy Formulary Advisory Committee; preparing for committee member set up with human resources and orientation to working with staff to kick off the first meeting of this new group. Karen attended a pre Legislative Session meeting for all legislators and their staff that was also mandatory for all Legislative Coordinators on Harassment Prevention in January. She is gearing up for the 2019-21 budget development that will happen over the next six months or so; she and Marc met with our new CFO Analyst that we’ll work closely with during this process. Between now and the next Board meeting, she’ll be completing the new Principles of Public Procurement five week course and exam that is required of anyone responsible for procurements and contracts within agencies as required by the legislature. She and Marc met with the OHA Credentialing team regarding their progress and next steps for agencies in regard to data transfer. It is unclear how quickly pharmacy will fit into this new system; we’ll likely ask for delay for our implementation until after our database is upgraded and other information technology transitions are completed. Karen will be working to on-board our two new Public Members once they are confirmed during this legislative session and expects orientation to be completed prior to the April meeting when they will join us for their first meeting.

Licensing Program Supervisor, Chrisy Hennigan reported that her department is winding up the Non-prescription drug outlet (NP) renewal cycle and that they lapsed approximately 210 licenses. She stated that due to the diligence of our Wholesaler II’s, her team received a large influx of new or reinstatement applications for NP drug outlets and they have issued 208 new NPA registrations in the last 3 months. She reported that her team has been processing online renewals on the licensee side, but we were unable to process non-prescription drug outlets due to our IT issues stemming from the server migration. Chrisy stated that she and the IT vendor were able to get the entire renewal processing system working and were able to process pharmacy renewals and is working frantically to get caught up on accounting. She reported that she and Executive Support Specialist II, Rachel Melvin attended the annual CJIS security training hosted by the Oregon State Police where they presented details about how criminal histories are entered into the LEDS system. We learned why our agency often sees items show up on an annual LEDS report that might not have been on the report previously. Chrisy reported that all
criminal history information entered into the LEDS system is based on fingerprint information and that many state agencies did not use OSP in years past as the fingerprint repository. She stated OSP has a team of people who are now going back and investigating older open court records and entering the final outcomes. OSP gave an example of “Myrtle” who retired after 30 years and her replacement found a stack of documents that had fallen behind the desk. That agency then mailed the documents in to OSP because they realized they hadn’t been processed into LEDS. This is one reason why our agency routinely comes across records in LEDS that weren’t there previously.

She stated that they will be sending out a reminder notification to Technicians regarding the upcoming renewal and CE requirements. Chrisy reported that Licensing Representative, Michael Hunt has been working through the 2017 RPH audit documents submitted and has completed 87%, 131 still need follow up and of those that are completed, 67 are deficient. She stated that this is considerably more than they have seen in the past and said that she plans on having that information for the board members at the April meeting.

Since the December meeting, Chrisy has been working diligently with our IT vendor and the State Enterprise Technology Services on migrating our servers as well as email services. She had to rebuild each employee’s workstation, reconfigure staff’s email boxes and printers which has been extremely challenging without having desktop support available in-house during the migration. The migration has negatively impacted our agency’s productivity and we have had to find work-arounds for our issues until they can be resolved in the future. She stated that she and Executive Support Specialist II, Rachel Melvin have devoted the majority of their time to addressing technology issues. She also stated that the agency has experienced chaos related to our new phone system, such as voicemail outages and network issues related to the vendor. Our current IT vendor, Confuzer Inc., wasn’t readily available to assist our agency in a timely manner due to multiple agencies converting to state services at the same time. We are working closely with DAS Procurement on securing a desktop support vendor which will alleviate the issues we are currently working through.

Project Manager - none

Adjourn

MOTION

Motion to adjourn at 4:24PM was made and unanimously carried (Motion by James, seconded by Armstrong).

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THURSDAY, FEBRUARY 8, 2018

Penny Reher, R.Ph, Board President, called the meeting to order at 9:30AM

Roll Call

Penny Reher, President
Roberto Linares
Shannon Larson
Dianne Armstrong

Rachael DeBarmore, Vice President
Kate James
Cyndi Vipperman
Public Member – vacant

Minutes – February 7-8, 2018
Public Member – vacant

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     Hali Kimball, Board Intern
Tim Frost, Board Fellow

Motions for Contested Cases & Disciplinary Action

Board President, Penny Reher recognized outgoing Board Member, Christine Chute who resigned from the board since the last meeting. Board Member, Kate James read the following haikus for Christine.

Let's keep it simple
We don't make rules to make rules
Protect Oregon

Lifetime of service
Connect with community
You give what you can

Board member, Roberto Linares stated that it was good to have Christine’s perspective as a public member and he always appreciated her comments. An acknowledgement plaque will be mailed to Christine for her years on the Board.

GENERAL ADMINISTRATION

Rules
Possible Process Changes – Executive Director, Marc Watt spoke about the workflow process regarding the creation and revising of rules in the future. Proposing that staff would like to bring rules to the Board to be prioritized in April and October, to help streamline the process, as well as allow staff to focus on rules the Members have prioritized, while being very specific and properly organized while also leaving space for legislative actions when necessary. Board Member, Kate James stated that she likes this idea because it allows more transparency and will bring the Board together on what their priorities are. She also suggested adding these to the resources folder so it’s at their fingertips. The Board discussed and is in favor of this approach and agreed to move forward.

Marc also suggested that the Board consider a few Research Councils to get input and help with research that the Board is interested specifically gathering. There was a lengthy discussion on
what a research council is vs. a work group, what the content is, who the stakeholders are and what outcome they would like to get out of it. They wanted to know if it’s intended to inform the staff of the needs, or is it gathering information and is it considered informal?

Tom Cowan, Board Counsel advised, there are some rules we need to be aware of if we begin to introduce Board Members into the equation. If it’s about drafting rules that is formal and is considered a Rules Advisory Committee (RAC), and stated that it really depends on what the Board is building; public meeting laws may apply. Marc stated this is more about being able to identify what barriers are out there that we might not know about and this simply opens the conversation with licensees such as Technicians. OSPA and OSHP are interested in furthering a discussion specific to technicians. Tom stated that if the Board has ideas how they would like to participate, they need to inform staff who can then evaluate if it’s a “formal” meeting and require formal notices, etc.

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

**Rules Review-**

**Division 045 – Compounding**
Fiona Karbowicz, Pharmacist Consultant explained the draft revisions and stated this is latest first look at these rules and that we need to get it into the pipeline. She stated that this is a broad and general approach to USP, so we don’t have to revise the rules in the future and that there is no same day use in these rules, however it does include shared services language and removed the categorization. The draft rules are general to both USP 795 Non-Sterile and USP 797 Sterile with specific attention given to Sterile. Fiona advised that these rules fit into the 2017 Strategic Planning Pillar – *Safe Drug Access and Distribution.*

Board Member, Dianne Armstrong asked if there was a limit of shared services contracts a pharmacy could have and if that considers them as a manufacturer, Fiona replied no. Board President, Penny Reher asked who was involved in this rule re-write and Fiona stated there wasn’t a formal group, she did most revisions based on what the Board has stated they want, based on FDA guidance, other states rules and other subject matter input over the last few years; a workgroup met early on in the process to discuss the need for updating these rules and provided input. Board Member, Kate James stated that she likes the clarity and that this rule sets the tone and shores up the rules to define state and federal roles. We have multiple types of registrations and it’s possible to be both a 503b as well as a Pharmacy. Kate stated that the FDA won’t look at it that way and thinks shared services aren’t aligned with this rule. Fiona stated that it’s all about scale, but stated we shouldn’t add the categories back in because we are trying to be more in-line with USP. Kate stated that the shared services language would allow some breathing room for compounders to help hospitals faced with short drug supply. This would be specific to Oregon and we would need an FAQ to make it clear that this is a business decision. Board Member, Roberto Linares found the FDA priorities interesting and very clear. He also asked if there were other guidelines for veterinary needs and Compliance Director, Brianne Efremoff stated that the FDA said they have no clear guidelines to regulate and won’t have an answer any time soon.

Fiona discussed the language regarding compounding personnel responsibilities between PIC or pharmacy and pointed out the batch size language.
Labeling - Kate stated that this is a change and may be a challenge for pharmacies to include all the products used on the label. She suggested that we should make this very black and white and not up to interpretation.

Quality Controls - Fiona advised that this was borrowed from other states, asking if the Board wanted to include reporting to Med Watch. Board President, Penny Reher stated that hospitals have a program in place now, but wanted to know if this rule might be written too broadly and should it be more specific and where would they draw the line. She asked if the goal was to make sure that the data is being compiled to improve processes and stated that there are systems specific to compounding only. The Board agreed to leave the reporting component language and asked Fiona to rework and bring it back and discussed adding in recall language.

Records – Fiona stated that this lays out the expectations and makes it as clear as possible and asked the Board about the terminology.

Sterile compounding section – Fiona stated that this clearly specifies what we expect to see in training and documentation. Penny had some questions about PICs being in charge of multiple pharmacies, which would impact rural area areas and may be a limiting factor.

Fiona will take this input and incorporate it for discussion at the April meeting.

**Division 019 - Naloxone Temp. Rule**

Fiona Karbowicz, Pharmacist Consultant stated that there were no changes and reminded the Board that it needs to be permanently adopted at the June meeting, recommending that it be sent to the May Rulemaking Hearing for public input. Board Member, Roberto Linares stated that there are still barriers such as costs associated with this rule. Board Member, Shannon Larson stated that from what she has heard, people off the street are scared to ask for it if they are using illegal drugs and are pushing back due to the date of birth (DOB) and patient name requirement. Executive Director, Marc Watt asked Shannon if the pharmacy asks for identification and Shannon stated that in order to create the prescription, her employer requires a name and DOB. It was mentioned that this information will begin being reported to PDMP possibly with patient name. Marc stated that the stigma attached to it needs to go away and that other groups are trying to break down the barrier. It should evolve and get better, but has room to grow with outreach. Fiona stated that if they make it over the counter (OTC), the cost should come down.

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**Consider Rules and send to Rulemaking Hearing - None**

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**Policy Issues for Discussion**

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

Board Counsel, Tom Cowan stated that there were two separate issues in the language with this rule, regarding clarifying the PIC role and responsibilities. He went on to say that it isn’t written to exclude others, it’s primarily for the PIC to understand their role in regards to exercising their professional judgment but employers might view this rule as exclusionary. In regards to the supervision piece it’s about jurisdiction and unlicensed practice of pharmacy. He stated that an unlicensed individual can’t practice the act of pharmacy and that it’s better to clarify that the person directing is also licensed in the act of pharmacy. Unlicensed individuals do not have the
right lines of accountability and we are simply trying to articulate this set of responsibilities and that it makes sense in the pharmacy world. The legislature believes that the PIC role they created, is there for safe patient care and was intended to make the PIC always relevant and the Board would expect them to be held accountable.

Board members had a brief discussion and a few members felt it was confusing, another commented that the rule is about finding a balance between corporate management and the PIC’s responsibilities and that it comes down to corporate rules vs. Oregon law. Board Member, Kate James stated that the PIC has become a scapegoat/plac eholder with direction from corporations, but this model works successfully in other licensed places in Oregon and that it’s the same responsibility and expectations that we’ve always had, now it’s just articulated properly. Executive Director, Marc Watt stated that non-licensed managers have a power differential which makes it hard for the PIC to speak up or pushback. Board Member, Cyndi Vipperman thinks that licensees might not interpret this the right way. Tom wrapped up the conversation by saying that we are trying to clarify that the PIC has a place at the table and it allows the Board to be equitable in understanding who’s responsible in a case. Board President, Penny Reher stated that this comes down to patient safety and rules are created to address issues and are in place to protect patients and the legislature built rules related to licensing to protect the patient and empower the licensee.

5-year Rule Review

Discussion Items

Waiver Requests - none

Providence Portland Medical Center 1-yr TCVP Report - Pharmacist Consultant, Fiona Karbowicz asked the Board if they had any questions on this report. She then suggested that staff worked on a more formalized internal procedure for this and the five year renewal of the TCVP program for future use. Board Member, Roberto Linares commented that it’s a good process and advocated that the Board continue to do this in the future.

MOTION

Motion to accept Providence Portland Medical Center’s TCVP one year implementation report and report back in February 2022 to renew approval was made and unanimously carried. (Motion by James, seconded by Vipperman).

Providence St. Vincent Medical Center Pharmacy 5-yr TCVP Request - Pharmacist Consultant, Fiona Karbowicz asked if the Board had any questions about this request to renew. The Board agreed that TCVP’s should continue to be re-evaluated every five years.

MOTION
Motion to accept Providence St. Vincent Medical Center Pharmacy’s TCVP 5 year report and approve renewal, report back in February 2022 to renew was made and unanimously carried. (Motion by DeBarmore, seconded by James).

OBOP Syringe Access Position Statement for review and possible approval
Pharmacist Consultant, Fiona Karbowicz asked for the Board’s recommendation in regards to adopting and posting a syringe access position statement to our website. Board Member, Roberto Linares stated that it’s important to recognize that pharmacists and pharmacies have safety concerns about finding needles in their restrooms. He went on to say that some providers in rural areas might be the only provider and might attract the wrong kind of customers. Board Member, Dianne Armstrong asked if we should publicly put out a press release. Board Member, Shannon Larson stated that she supports it and believes it will help change the stigma out in the world and said that it’s not a requirement, it’s just the Board supporting pharmacies that do participate. Board Member, Kate James stated that this is timely and is happy to support it. Board Member, Cyndi Vipperman was surprised to hear that not all pharmacies sell syringes. Board Member, Rachael DeBarmore’s stated that her only concern, is that this might be taken as a policy statement vs. a position statement. Roberto also stated that there needs to be more conversations around needle disposal/exchange with OHA or other healthcare providers. Executive Director, Marc Watt stated that this is tied to a stigma and dirty needles are a public health safety issue. Shannon asked if there was a list available for all needle disposal locations in the state and Fiona replied that the Pharmacy Roundtable group is trying to accumulate a list for the entire state, not just Multnomah County.

MOTION
Motion to approve OBOP Syringe Access Position Statement was made and unanimously carried. (Motion by James, seconded by Vipperman).

Pharmacy Technician Exam Updates – Administrative Director, Karen MacLean spoke about a PTCB press release regarding their new 20/20 plan; PTCB has updated online content and that a survey is currently available for comment; that they have added a new exam and certification and she asked the Board to review the material to see how it might impact our licensees.

Drug Shortages – Board President, Penny Reher stated that this situation is still a patient safety concern and that it’s at an all-time high; lessons have been learned from sole source products impacted by the hurricane in Puerto Rico. The flu season demand has impacted hospitals nationally and a few issues have happened at local Oregon hospitals where they have been trying to manage the shortage. OHA organized a conference call with the hospitals and health systems where they brainstormed how pharmacists could positively impact some of the challenges regarding acquiring products, conservation and how they could possibly help each other. The group is going to continue to meet to discuss strategies and ideas to address the shortage issues.

The Board had a brief discussion and concluded that they would be interested in writing a letter to our congressional delegates to see if they can assist at a federal level. There was some discussion about getting other groups representing hospitals and other health organizations to also write a letter to be more impactful. Executive Director, Marc Watt stated that we probably have to get the Governor’s approval before sending a letter and suggested that hospitals look to
their hospital organizations who are lobbying for some help. Compliance Director, Brianne Efremoff stated that she’s reached out to multiple compliance directors across the country to see how they are addressing this situation and has found that most are working with their local organizations and were looking towards NABP for assistance.

Board Member, Dianne Armstrong stated that she finds hospital staff are spending an enormous amount of time trying to address the shortage. Board Member, Roberto Linares stated that community pharmacies have also been impacted and that it’s difficult for both staff and patients and very time consuming.

Penny volunteered to draft a letter on behalf of the Board for consideration.

**Governor’s Advisory Committee on DUII** – Executive Director, Marc Watt stated that we began attending these meetings many years ago because some prescription drugs could cause a DUII. Christine Chute was our representative, but had just been attending as an observer, Marc asked the Board if they would like to continue to send a member to these meetings as they occur or just when it pertains to us. Board President, Penny Reher asked the Board what they would like to do moving forward and the Board ultimately decided that they would like to have the meeting agenda emailed and would then make a decision if it’s appropriate to send a member to Salem to the meeting. Staff will make sure the Board is advised of future meetings and send meeting information as it’s available.

**Public Health and Pharmacy Formulary Advisory Committee** – Executive Director, Marc Watt stated that the first meeting was held on January 24th, where they outlined processes, processed all of the on-boarding materials, and three proposals to give them. Pharmacist Consultant, Fiona Karbowicz stated that they have a meeting on February 16th and that the agenda is on our website. The Concept form would be finalized soon. Fiona also reviewed a flowchart on how the process between the Committee, Board and rules will work in the future.

Board Fellow, Tim Frost stated that it was worth noting that the Committee is new and the communication avenue will continue to grow. Fiona stated that the statute states that submissions have to come from pharmacists, but the Committee is looking at all submissions even if the form has some blanks. She went on to say that we don’t really know yet how many requests we will receive. Board Member, Roberto Linares wanted to know if we anticipate submissions from the legislators. Marc replied stating that he didn’t think that would happen and would hope this will prevent them from writing their own unique laws before running it through the committee. The Concept form should help the Committee decide how the request would impact patient’s needs, as well as how it will impact pharmacists. Tim spoke about the upcoming concepts that will be presented to the Committee at the next meeting, ideas include extension of medication therapy under certain circumstances, related devices, OTC products and cough and cold.

**Strategic Planning** –
Marc Watt stated that the Board approved the minutes from the 2017 strategic planning meeting and would like to prioritize topics and asked the Members to review the minutes in order for Karen to put the ideas on paper so staff has something concrete to work off moving forward.

OPEN FORUM –

Lorri Walmsley from Walgreens stated that she would like the Board to continue to listen to stakeholders before the PIC rule moves too far in the process. She stated that she thinks it’s beneficial that everyone’s concerns are heard before rules are implemented. Executive Director, Marc Watt thanked her for participating on the phone call they had together re: the PIC rule changes and strongly encouraged reaching out to Board staff with any concerns.

Adjourn

MOTION
Motion to adjourn at 3:11PM was made and unanimously carried (Motion by Linares, seconded by Larson).

Accepted by:

[Signature]

Marcus Watt, RPh
Executive Director
Executive Session of the Board was held on Wednesday, February 7, 2018 to discuss Compliance cases, followed by motions on Thursday, February 8, 2018. Working lunch held.

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
- Dianne Armstrong, CPT
- Cyndi Vipperman, CPT
- Vacant, Public Member
- Vacant, Public Member

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
- Tim Frost, Board Fellow

**Case 2016-0360**  Motion to accept signed Consent Order.
Motion by: Kate James; Seconded by: Cyndi Vipperman. Motion unanimously carried.

**Case 2017-0028**  Motion to accept signed Stipulated Consent Order placing pharmacist on three (3) year probation.
Motion by: Shannon Larson; Seconded by: Kate James. Motion unanimously carried.

**Case 2017-0495**  Motion to revoke technician license and impose $1,000 civil penalty per violation.
Motion by: Dianne Armstrong; Seconded by: Roberto Linares. Motion unanimously carried.

**Case 2017-0347**  Motion to ratify Stipulated Consent Order surrendering pharmacist license.
Motion by: Shannon Larson; Seconded by: Kate James. Motion unanimously carried.

**Case 2017-0489**  Motion to indefinitely suspend technician license.
Motion by: Cyndi Vipperman; Seconded by: Dianne Armstrong. Motion unanimously carried.

**Case 2017-0426**  Motion to impose $10,000 civil penalty per violation against outlet; and in case

**Case 2017-0427**  Motion to suspend pharmacist license for 30 days and impose $1,000 civil penalty per violation.
Motion by: Cyndi Vipperman; Seconded by: Kate James. Motion unanimously carried.

Case 2017-0482  Motion to amend Notice in Case No. 2017-0083 to include violations identified in this case.
Motion by: Roberto Linares; Seconded by: Shannon Larson. Motion unanimously carried.

Case 2017-0488  Motion to revoke technician license and impose $1,000 civil penalty per violation.
Motion by: Dianne Armstrong; Seconded by: Cyndi Vipperman. Motion unanimously carried.

Case 2017-0564  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 2017-0497  Motion to revoke technician license and impose $1,000 civil penalty per violation; close case with Board direction.
Motion by: Dianne Armstrong; Seconded by: Cyndi Vipperman. Motion unanimously carried.

Case 2017-0445  Motion to close with Board direction.
Motion by: Roberto Linares; Seconded by: Shannon Larson. Motion unanimously carried.

Case 2017-0413  Motion to deny technician license and impose $1,000 civil penalty per violation.
Motion by: Dianne Armstrong; Seconded by: Kate James. Motion unanimously carried.

Case 2017-0552  Motion to deny technician license and impose $1,000 civil penalty per violation.
Motion by: Shannon Larson; Seconded by: Roberto Linares. Motion unanimously carried.

Case 2017-0510  Motion to grant technician license with Board direction.
Motion by: Cyndi Vipperman; Seconded by: Dianne Armstrong. Motion unanimously carried.

Case 2017-0553  Motion to deny technician license and impose $1,000 civil penalty per violation.
Motion by: Cyndi Vipperman; Seconded by: Dianne Armstrong. Motion unanimously carried.

Case 2017-0446  Motion to deny technician license and impose $1,000 civil penalty per violation.
Motion by: Shannon Larson; Seconded by: Kate James. Motion carried with Dianne Armstrong opposed.

Case 2017-0534  Motion to deny pharmacist license and impose $1,000 civil penalty per violation.
Motion by: Rachael DeBarmore; Seconded by: Shannon Larson. Motion unanimously carried.

Case 2017-0476  Motion to grant technician license.
Motion by: Cyndi Vipperman; Seconded by: Dianne Armstrong. Motion unanimously carried.

Case 2017-0446  Motion to deny technician license and impose $1,000 civil penalty per violation.
Motion by: Shannon Larson; Seconded by: Kate James. Motion carried with Dianne Armstrong opposed.

Case 2017-0534  Motion to deny pharmacist license and impose $1,000 civil penalty per violation.
Motion by: Rachael DeBarmore; Seconded by: Shannon Larson. Motion unanimously carried.

Case 2017-0476  Motion to grant technician license.
Motion by: Cyndi Vipperman; Seconded by: Dianne Armstrong. Motion unanimously carried.

Case 2018-0040  Motion to grant intern license.
Motion by: Roberto Linares; Seconded by: Shannon Larson. Motion unanimously carried.
Case 2017-0472  Motion to deny technician license and impose $1,000 civil penalty per violation.
Motion by: Dianne Armstrong; Seconded by: Kate James. Motion unanimously carried.

Case 2017-0452  Motion to grant technician license.
Motion by: Cyndi Vipperman; Seconded by: Shannon Larson. Motion unanimously carried.

Case 2017-0529  Motion to grant technician license with Board direction.
Motion by: Dianne Armstrong; Seconded by: Cyndi Vipperman. Motion unanimously carried.

Case 2017-0531  Motion to grant technician license with Board direction.
Motion by: Roberto Linares; Seconded by: Shannon Larson. Motion unanimously carried.

Case 2017-0483  Motion to revoke registration and impose $10,000 civil penalty per violation against outlet.
Motion by: Kate James; Seconded by: Shannon Larson. Motion unanimously carried.

Case 2017-0462  Motion to impose $10,000 civil penalty per violation against outlet.
Motion by: Rachael DeBarmore; Seconded by: Dianne Armstrong. Motion unanimously carried.

Case 2017-0463  Motion to impose $10,000 civil penalty per violation against outlet.
Motion by: Rachael DeBarmore; Seconded by: Shannon Larson. Motion unanimously carried.

Case 2017-0312  Motion to grant manufacturer license and close with Board direction.
Case 2018-0067  Motion to impose $10,000 civil penalty per violation against outlet.
Motion by: Kate James; Seconded by: Shannon Larson. Motion unanimously carried.

Case 2017-0372  Motion to revoke outlet license and impose $10,000 civil penalty per violation.
Motion by: Cyndi Vipperman; Seconded by: Dianne Armstrong. Motion unanimously carried.

Case 2017-0453  Motion to revoke outlet license and impose $10,000 civil penalty per violation.
Motion by: Cyndi Vipperman; Seconded by: Shannon Larson. Motion unanimously carried.

Case 2017-0485  Motion to revoke pharmacist license and impose $1,000 civil penalty per violation.
Motion by: Dianne Armstrong; Seconded by: Cyndi Vipperman. Motion unanimously carried.

Case 2017-0407  Motion to close with Board direction.
Motion by: Rachael DeBarmore; Seconded by: Cyndi Vipperman. Motion unanimously carried.

Case 2017-0408  Motion to close with Board direction.
Motion by: Rachael DeBarmore; Seconded by: Shannon Larson. Motion unanimously carried.

Case 2018-0041  Motion to impose $10,000 civil penalty per violation against outlet; and
Case 2017-0458  Motion to impose $1,000 civil penalty per violation against Pharmacist-in-Charge; and close case with Board direction.
Motion by: Kate James; Seconded by: Dianne Armstrong. Motion carried with Roberto Linares opposed.
Case 2017-0459  Motion to impose $1,000 civil penalty per violation against Pharmacist-in-Charge; and in
Case 2018-0007  Motion to impose $10,000 civil penalty per violation against outlet.
Motion by: Cyndi Vipperman; Seconded by: Shannon Larson. Motion unanimously carried.

Case 2017-0532  Motion to impose $10,000 civil penalty per violation against outlet; and in
Case 2018-0038  Motion to suspend pharmacist license for 30 days and impose $1,000 civil penalty per violation.
Motion by: Dianne Armstrong; Seconded by: Rachael DeBarmore. Motion unanimously carried.

Case 2017-0468  Motion to close with Board direction.
Motion by: Kate James; Seconded by: Dianne Armstrong. Motion unanimously carried.

Case 2017-0395  Motion to close with Board direction.
Motion by: Cyndi Vipperman; Seconded by: Kate James. Motion unanimously carried.

Case 2017-0521  Motion to close with Board direction.
Motion by: Dianne Armstrong; Seconded by: Cyndi Vipperman. Motion unanimously carried.

Case 2017-0425  Motion to close with Board direction.
Motion by: Kate James; Seconded by: Shannon Larson. Motion unanimously carried.

Case 2017-0494  Motion to close with Board direction.
Motion by: Cyndi Vipperman; Seconded by: Kate James. Motion unanimously carried.

Case 2017-0376  Motion to close with Board direction.
Motion by: Rachael DeBarmore; Seconded by: Dianne Armstrong. Motion unanimously carried.

Case 2017-0500  Motion to close with Board direction.
Motion by: Dianne Armstrong; Seconded by: Kate James. Motion unanimously carried.

Case 2017-0475 and 2018-0002  Motion to grant pharmacist licenses.
Motion by: Cyndi Vipperman; Seconded by: Dianne Armstrong. Motion unanimously carried.

Case 2017-0518, 2017-0523  Motion to impose $1,000 civil penalty per violation against the outlets.
Motion by: Dianne Armstrong; Seconded by: Cyndi Vipperman. Motion unanimously carried.

Case 2017-0519 and 2017-0538  Motion to impose $10,000 civil penalty per violation against outlets.
Motion by: Rachael DeBarmore; Seconded by: Kate James. Motion unanimously carried.

Case 2017-0486, 2017-0513, 2018-0012  Motion to deny technician licenses and impose $1,000 civil penalty per violation.
Case 2017-0325, 2017-0511, 2017-0530, 2018-0003  Motion to grant technician licenses.
Motion by: Cyndi Vipperman; Seconded by: Kate James. Motion unanimously carried.
Motion to accept the items on the consent agenda.
Motion by: Shannon Larson; Seconded by: Kate James. Motion unanimously carried.

Cases Closed with Board Direction: