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, JUNE 6, 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               Sue Richardson
Tim Logan

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

Agenda Review and Approval

MOTION
Motion to approve the agenda 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 8:34AM was made and unanimously carried (Motion by Armstrong, seconded by James).

MOTION
Motion to resume Open Session at 12:08PM was made and unanimously carried (Motion by James, seconded by Larson).

MOTION
Motion to enter Executive Session at 1:10PM was made and unanimously carried (Motion by Vipperman, seconded by James).

MOTION
Motion to resume Open Session at 4:11PM 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 12:13PM was made and unanimously carried (Motion by Vipperman, seconded by Armstrong).

MOTION
Motion to resume Open Session at 1:09PM was made and unanimously carried (Motion by James, seconded by Larson).

MOTION
Motion to enter Executive Session at 4:26PM was made and unanimously carried (Motion by James, seconded by Vipperman).

MOTION
Motion to resume Open Session at 6:40PM was made and unanimously carried (Motion by James, seconded by Logan).

Adjourn

MOTION
Motion to adjourn at 6:40PM was made and unanimously carried (Motion by James, seconded by Vipperman).
THURSDAY, JUNE 7, 2018

Penny Reher, R.Ph Board President called the meeting to order at 8:32AM

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

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 Eivers, Inspector     Brian Murch, Inspector
Annette Gearhart, Compliance Secretary     Kim Oster, Compliance Assistant
Rachel Melvin, Executive Support Specialist II     Loretta Glenn, Management Secretary

MOTION
Motion to enter Executive Session at 8:36AM was made and unanimously carried
(Motion by James, seconded Armstrong).

MOTION
Motion to resume Open Session at 8:40AM was made and unanimously carried
(Motion by James, seconded by DeBarmore).

Motions for Contested Cases & Disciplinary Action

GENERAL ADMINISTRATION

Rules

Rules Coordinator, Mo Klein reviewed the Rulemaking Hearing Report & summarized the comments received. No comments were received regarding the Naloxone or Formulary Committee rules.

A summary of the Compounding rule, both oral & written with the full text of the comments were provided to the Board members and also in the public meeting materials online.

MOTION
Motion to accept Rulemaking Hearing Report was made and unanimously carried. (Motion by James, seconded by Larson).
Consider Adoption of Rules

**Division 019 – Naloxone Temp to Perm Rule**  
*Strategic Planning (SP) Pillars - Primarily #1 Safe Drug Accessibility & Distribution*

Pharmacist Consultant, Fiona Karbowicz provided some background about the rule and the Board voted.

**MOTION**  
Motion to adopt Naloxone amended rules in OAR 855-019-0460 was made and unanimously carried (Motion by Vipperman, seconded by Logan).

**Division 020 – Formulary Committee**  
*SP Pillars - Primarily #2 Entrustable Professional Actions & #3 Defined Standards of Practice*

Pharmacist Consultant, Fiona Karbowicz stated that this is step one of a much larger process, and that this would allow us to begin to build our policies.

**MOTION**  
Motion to adopt Formulary Committee rules in OAR 855 Division 020 was made and unanimously carried (Motion by Vipperman, seconded by James).

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

Pharmacist Consultant, Fiona Karbowicz stated that staff recommends that the proposed compounding rules not be adopted at this time, and suggested the Board re-evaluate at the August 2018 meeting. If the Board wants to simply state ‘comply with all applicable USP Chapter standards’ then there are a number of items in these rules that are non-USP that will have to be addressed in a re-write.

They include:
- Every 3 years ‘outside ‘accreditation
- Oregon’s Shared Services allowances
- Allowances for when commercially available products may be compounded
- Require Notification to Board of patient level recall on compounded product
- Certain components of Labeling and components of Documentation/Records

Fiona went over the USP Timeline slide and the Board had a robust discussion about accreditations such as JCAHO, and how this rule will impact compounders in a positive way, what the next steps will look like, if this rule should be a priority, more time for Board members to read and discuss the material, and possibly having a workgroup with industry experts from the sterile and non-sterile compounding fields.

Executive Director, Marc Watt commented that it will take a year for staff to be trained and how complex it is, however it would allow our Inspectors to focus on the task at hand. Marc stated that the Board will need to give direction and that he hoped they would prioritize this rule. Fiona
recommended that the Board keep moving this forward and make it a priority and stated that staff will need their input collectively. Fiona commented that she would use the public comments received and organize it so the Board could make some decisions on the rule. She went on to explain the requirements and timeline required for submitting it to Rulemaking. She stated that she could prepare something for the August meeting. She also mentioned that she could use the listserve to email licensees the information and utilize any additional comments received.

Consider Adoption of Temporary Rules - none
Rules Review – none

**PIC / Community Pharmacy Personnel and Compliance** Rules Advisory Committee –

Executive Director, Marc Watt reported that the PIC Rule will be the topic for the upcoming meeting on June 29th. Board Member, Kate James wanted to know if there were expectations of results from this meeting and Marc stated that he is hopeful everything can be addressed in a couple of meetings, possibly during the second half of the year.

Consider Rules and send to Rulemaking Hearing – none

Policy Issues for Discussion –
Prioritize Rulemaking Initiatives

Executive Director, Marc Watt provided a background to this exercise. Because the Board often has a number of rules percolating at any given time, he requested that the Board prioritize rulemaking to the best of their ability, in order to help inform resource management and focus of staff’s efforts. He was seeking Board direction for the big picture. Administrative Director, Karen MacLean shared the process utilized and explained that each Board member provided her an individually ranked list of rules and she averaged the responses to tally a general order.

Board members described that this exercise was challenging, particularly without having insight to resources; they did not know exactly how to prioritize and each may have approached it somewhat differently. For example, were they to rank in easy vs. hard/complex, or considering timing, or pursuant to legislative importance, patient safety or items that would generate agency revenue, or ranking based on rules already in progress vs. new rules. One member suggested that these are goals for rule-writing and should align back to the Board’s mission and patient safety. Additionally, some voiced the desire to continue seeking stakeholder’s input, as that may help inform the prioritization.

Discussion Items

Waiver Requests –
Partners in Care Request
Compliance Director, Brianne Efremoff read the request from Partners in Care, which would allow for additional nurse access to the drugs and gave some background to the current rule that hadn’t been updated since 1989. Staff recommended approving this request in this particular case.
There was a question about the type of drugs being stored and if this particular licensee has had any issues in the past. Brianne stated that because it’s hospice, they do have accountability and we do inspect their facility and that they do have some pharmacy oversight and good security.

**MOTION**

Motion to approve Partners in Care request to waive OAR 855-041-6800(2) for 5 years was made and unanimously carried (Motion by Armstrong, seconded by Larson).

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**Expedited Partner Therapy –**

Board Member, Penny Reher spoke about an STD multidisciplinary task force that works within Linn/Benton/Lincoln counties and how pharmacies are a partner when it comes to treating STDs. She stated that they are concerned about rules that are in place for filling treatment prescriptions for the patient’s partner. She opined that often times the pharmacist doesn’t know what to do, such as billing the partner’s insurance. She said that there will be a public service campaign about the increase in STDs and there will be more information coming out in the near future.

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**Technician Research Council update –**

Pharmacist Consultant, Fiona Karbowicz stated that she would like to assess the materials and report back at a future meeting. This was a listening session and the staff was a conduit to report information the Board. Board Member, Cyndi Vipperman stated that she believes there is support out there for Technicians and would like to have more Technicians invited to the next meeting. Board Member, Roberto Linares stated that it might make more sense to incorporate academia and then invite additional people to the next meeting.

The 8 documents referenced were received by OBOP staff 2 days before the Research Council meeting. If the Board prioritizes technician duties for rule/policy, staff plans to do a thorough analysis of the information provided in these studies for accuracy. Additionally, staff will provide research from the NABP and other sources.

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**APPEARANCE**

Emilio DeBess, DVM, MPH, Board Chair, State Public Health Veterinarian - Oregon Veterinary Medical Examining Board (OVMEB) and Dr. Allison Lamb, DVM and Oregon Veterinary Board Member - Washington County Land Services and Lori Makinen, Executive Director – Oregon Veterinary Board

Re: Veterinary Board Dispensing Practitioner Drug Outlet registration exemption

*SP Pillars - #1 Safe Drug Accessibility & Distribution*

Dr. DeBess, Dr. Lamb and Executive Director, Lori Makinen appeared to speak about two proposals. The Board discussed their request to have veterinarians exempt from OBOP DPDO registration as they have new facility registration and inspection regulations for veterinary compliance. The OVMEB has two employees for these new processes, 1 inspector and 1 investigator allotted. They have approximately 700 registered facilities and their plan is to inspect
as often as feasible, but not less than once every three years and probably closer to once every 1.5 years. The members of each board discussed additional similarities and differences in OBOP and OVMEB facility oversight rules. For example, they have 68 clinics that have American Animal Hospital Association (AAHA) accreditation which are currently excluded from proactive inspections, because they have to meet a series of standards and have strict guidelines they have to follow in the areas of dispensing, controlled substances, etc.; these locations will be inspected pursuant to a complaint. They also discussed the ability for OVMEB inspections to clearly addressing drug acquisition, storage, labeling and recordkeeping and be willing to use the OBOP DPDO self-inspection form as a foundation for those aspects.

Board Member, Kate James asked about recalls and how they would know which animals had received what drugs and how the drugs are stored. Lori stated it would be from logs, emails, record keeping technology, etc. and said that there aren’t a lot of clinics that have technology barriers anymore. Regarding controlled substance drug security, Dr. Lamb stated that the Veterinarian oversees the controlled substances and the Certified Euthanasia Technicians (CETs) have access as well.

**Motion to accept the Oregon Veterinary Medical Examining Board proposal to exclude veterinary dispensing locations from Dispensing Practitioner Drug Outlet registration via waiver for 3 years of OAR 855-043-0510(2) was made and unanimously carried (Motion by James, seconded by Larson).**

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2019 Legislative Concept (mailing confidential) - Certified Euthanasia Technicians & ORS 475.185

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

Staff shared a brief presentation to provide legal background to the request, including the statutory requirement for the OBOP and OVMEB to address the security and use of drugs for euthanasia by humane societies and animal control agencies. The purpose of developing this concept is to address the evolution of veterinary standard of practice for humane euthanasia. Oregon veterinarians are expected to comply with the American Veterinary Medical Association and the American Society of Shelter Veterinarians guidelines; however, Oregon regulations are not aligned. Standards address both the humane death of the animal, as well as the safety of the licensed individual performing the procedure, and describe the use of sedatives and analgesia (pain relief) to accompany the lethal dose of anesthesia (sodium pentobarbital, which is a sedative/hypnotic). The primary concern with the proposal’s intent is the security of controlled substances, as it is at all drug outlets entitled to possess them. A veterinarian is not required to be on site, nor even on staff for Animal Euthanasia Drug Outlets.

The Board thanked the OVMEB for providing the background of the concept and increasing awareness/understanding. They directed staff to work with the OVMEB as their concept works its way through the legislative process, to keep OBOP members in the loop about the changes to ORS 475 and to work with the OVMEB staff for edits to the rules that address the ‘formulary’ of drugs allowed in an animal shelter for the euthanasia procedure.

Board President, Penny Reher presented outgoing Board Member, Kate James with a State of Oregon plaque and gavel and spoke about Kate’s accomplishments during her time with the Board, such as representing the Board at numerous OSPA and NABP meetings, her expertise...
and involvement with the Compounding workgroup and rules, her commitment to attending Rulemaking Hearings and her love for Haikus. Penny stated that Kate brought a wealth of leadership, pharmacist knowledge, a strong community and compounding pharmacy background, as well as pharmacy management and regular awareness of patient safety to the Board’s conversations. Penny finished with the following Haikus:

Always welcoming
Generous, thoughtful and kind
Pharmacy thanks you!

Fabulous, she is
Always the same, her greeting
Katie James…. Awesome

Other Board Members expressed how grateful they were for Kate’s leadership and sharing Board knowledge to help new members get oriented. She will be missed.

Executive Director, Marc Watt presented Kate with a wall certificate that included her signature while she was Board President and stated that it had been an honor working with Kate and thanked her for all of her accomplishments. Administrative Director, Karen MacLean presented Kate with Leopard covered KJ wood blocks for her office and finished with one last Haiku:

Leopard print Beaver
Globe-trotting traveler
Off you go!

Public Health and Pharmacy Formulary Advisory Committee –
SP Pillars - #1 Safe Drug Accessibility & Distribution and #3 Defined Standards of Practice

Fiona Karbowicz, Pharmacist Consultant spoke about the requests received which included emergency contraceptives, topical pain creams and uncontrolled hypertension medications. She stated that the next committee meeting will be held on July 13, where they will approve the minutes from the prior meeting as well as discuss the requests.

Strategic Planning –

Administrative Director, Karen MacLean reported that this one day meeting will be held at the Portland State Office Building on November, 7, 2018. Executive Director, Marc Watt stated we are currently seeking a facilitator and Board Member, Cyndi Vipperman mentioned that Sherry Carter, Client Agency Human Resources Business Partner for our agency said that she could possibly facilitate.

ANNUAL BOARD BUSINESS MEETING

Election of New Officers

Nominations: President
Board Member, Roberto Linares nominated Board Member, Rachael DeBarmore for Board President and the members agreed.
Nominations: Vice President
Board Member, Cyndi Vipperman nominated herself for the Vice President and Board Member, Dianne Armstrong nominated Board Member, Shannon Larson and Cyndi Vipperman for Vice President.

The Board voted and chose Cyndi Vipperman as Vice President.

MOTION
Motion to appoint Rachael DeBarmore as Board President and Cyndi Vipperman as Vice President for 2018-19 was made and unanimously carried (Motion by Larson, seconded by Logan).

Approval of ACPE accredited schools & colleges of pharmacy
Approval of ACPE Continuing Education Process

MOTION
Motion to approve the list of ACPE accredited schools & colleges of pharmacy along with the current ACPE Continuing Education Process was made and unanimously carried (Motion by DeBarmore, seconded by James).

Update on Board appointments –

Executive Director, Marc Watt introduced newly appointed pharmacist member, Wassim Ayoub, will be effective 7/1/18. Wassim stated that he has been with Fred Meyer since 2000 and started practicing in 2001. He’s also been an independent partner and has worked all over the state of Oregon.

Review / Reports & Committee/Council appointments & Updates

Rural Health Coordinating Council –

Administrative Director Karen MacLean presented Leanne Yantis’ request to be reappointed to this Council. The Council is pleased with her participation as noted in the mailing. Leanne provided a report of her activities this past year. Board Member, Roberto Linares inquired if we should consider opening this position up going forward and the Board had a brief discussion about terms and reappointments.

MOTION
Motion to reappoint Leanne Yantis to the Rural Health Coordinating Council for two years was made and unanimously carried (Motion by Linares, seconded by James).

Karen also reported on the other appointments, committees, councils, etc, that have pharmacist respresentation on them. They are: the Oregon Board of Naturopathic Medicine Formulary Council, Oregon Patient Safety Commission, Immunization Policy Advisory Team, Council on Optometric Non-Topical Formulary – update, this group has not met and doesn’t anticipate meeting anytime soon; Oregon Board of Nursing Home Administrators – as of 2/2018, this Board no longer exists as it was replaced with the Long Term Care Administrators Board, all new
members and there isn’t a pharmacist on the new board and the Oregon Pain Management Commission. The pharmacist representatives provided reports for the Board’s review.

**MOTION**

Motion to accept reports from pharmacist appointees to the following Boards/Commissions and Councils:

- Oregon Board of Naturopathic Medicine Formulary Council
- Rural Health Coordinating Council
- Oregon Patient Safety Commission
- Oregon Pain Management Commission
- Immunization Policy Advisory Team

was made and unanimously carried (Motion by Linares, seconded by James).

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**Schedule of Administrative Fees - Review & Update**

Executive Director, Marc Watt reported that there were no changes. Board Member, Dianne Armstrong wanted to know the last time we updated the fees and Administrative Director, Karen MacLean stated that we haven’t revised them much. They were revised last year due to state public record changes, but before that it had been about seven years.

**MOTION**

Motion to continue use of the existing OBOP Schedule of Fees was made and unanimously carried (Motion by Vipperman, seconded by Larson).

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**Approve current version of Fed. List of Controlled Substances**

**MOTION**

Motion to approve the current version (March 28, 2018) of Federal List of Controlled Substances was made and unanimously carried (Motion by DeBarmore, seconded by James).

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**Review the TOEFL NABP updates – none**

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**Affirm use of 7/2014 AG’s Model Rules of Procedure**

**MOTION**

Motion to affirm the use of 7/2014 Attorney General’s Model Rules of Procedure was made and unanimously carried (Motion by James, seconded by Larson).
Review Board’s ABC (Authorities, Board Policies and Compliance Guidelines) document

Compliance Director, Brianne Efremoff presented for the Board’s annual review, ABCs revisions. The following items were addressed and updated, Pharmacist CE audits processing, Technician CE audit Compliance Guidelines, and marijuana possession Compliance Guidelines.

**MOTION**
Motion to approve the revised ABC document as presented was made and unanimously carried (Motion by DeBarmore, seconded by Armstrong).

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Review & Affirm Board Per Diem Policy

**MOTION**
Motion to affirm the continued use of Board Per Diem Policy dated 1/1/18 was made and unanimously carried (Motion by James, seconded by DeBarmore).

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Five Year Rule Review Update
Pharmacist Consultant, Fiona Karbowicz spoke about the TCVP & SPDO (2016) rules that are up for review.

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Board Best Practices Performance Measure review
The Board asked to move this topic to the August meeting. Administrative Director Karen MacLean will provide additional information at that time.

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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.

NAPLEX Scores – none
MPJE Scores – none
License/Registration Ratification – March 23, 2018 – May 25, 2018
Pharmacy Technician Extensions – March 5, 2018 – May 31, 2018
Board Minutes – February 7-8, 2018, May 2, 2018

**MOTION**
Motion to approve Consent Agenda was made and unanimously carried (Motion by Larson, seconded by James).

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**ISSUES/ACTIVITIES**

Board Meeting Dates
- August 8-10, 2018* Portland (*3 day meeting)
- October 3-4, 2018   Portland
- November 7, 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.)

- November 27, 2018
- May 22, 2019
- November 26, 2019

**Committees/Meetings**

OSHP Annual Meeting – 4/27-29/2018, Gleneden Beach – Executive Director, Marc Watt reported that he and Pharmacist Consultant, Fiona Karbowicz attended and presented at this meeting which had more attendees than the prior year; overall it was successful.

NABP 114th Annual Meeting – 5/5-8/2018, Denver, CO – Board Member, Rachael DeBarmore reported it was a collaborative meeting and she stated that other boards are struggling with the same issues as our state. She gave a broad report about breakout sessions she attended with topics such as Technician roles, opioid management and Marijuana along with some of her takeaways.

Executive Director, Marc Watt and Pharmacist Consultant Fiona Karbowicz spoke about their presentation and how they shared our Oregon experience with the contraceptive bill and the logistics and issues that were raised. They received positive comments from attendees and said that other states appreciated that we shared our story about how we were able to implement.

NABP District VI-VIII, Mtg Kansas City, MO 10/14-17/2018 - Typically the Executive Director and the Board Vice President attend this meeting.

**MOTION**

Motion to send Marc Watt and Cyndi Vipperman to the 2018 NABP District Meeting was made and unanimously carried (Motion by James, seconded by Armstrong).

Board Member, Rachael DeBarmore stated that at the orientation session she attended, there will be a NABP Board Member Forum to be held November 28-29, 2018 in Chicago, and she would like to attend. Executive Director, Marc Watt is interested in attending the Executive Director Forum at NABP headquarters in Chicago October 2-3, 2018.

**Board Member/Staff Presentations –**
Linn Benton – 4/17/18 – Pharmacist Consultant Fiona Karbowicz reported a good mix of students, Pharmacists and Technicians attended.

Pharmacy Coalition – 5/8/18 - Compliance Director, Brianne Efremoff and Administrative Director, Karen MacLean reported about upcoming legislative matters that were discussed.

Professional Practice Roundtable – 5/22/18 – Executive Director, Marc Watt reported that the topic at this meeting was about drug take-back, but stated that he didn’t have a lot of information to share. He stated that there was a discussion regarding the Governors Opioid Task Force and how disappointed they were to hear about the stigma about prescribing naloxone. They also had a conversation about birth control prescribing.

Financial/Budget Report – Administrative Director, Karen MacLean stated that we are in line with revenue and expenditures. Executive Director, Marc Watt spoke about budget development time and the pieces that are involved and informed the Board how policy packages are put together and stated that we currently have six policy packages. Marc mentioned increasing our licensing fees and stated that Karen is currently compiling data to see the financial impact. He said that our second ask will be to increase our DOJ budget and explained the flat-rate agreement we currently use. He reported that the number of cases has increased what we are spending for DOJ services and need to increase this by $175,000.

Marc went on to say that we are looking to add an additional Licensing Representative position, as well as a part-time Investigator/part-time Consultant, a package policy to fix the per-diem increase for both the Board and Formulary Committee members and updating our licensing database which requires roughly an additional cost of $279,000 for maintenance & database hosting. Lastly, we will need an increase in funding for the Fellowship program with Pacific University.

Legislative update – Executive Director, Marc Watt spoke about drug take-back and that Compliance Director, Brianne Efremoff will attend the upcoming meeting where they will discuss the logistics of this program.

Reports:

Board President/Members – Board President, Penny Reher spoke about drug shortages in the hospital systems and stated that they having weekly best practice conference calls. She went on to say that she participates with this group who will be sending a letter to the Board to extend expiration dates and just wanted to inform everyone to expect it soon. Board Member, Rachael DeBarmore thanked Board Member, Kate James and wished her the best. Board Member, Dianne Armstrong reported that PTCB offered an additional certification and she took the test and passed and lastly Board Member, Cyndi Vipperman thanked the Board and staff for voting her in as Board Vice President.

Executive Director, Marc Watt reported that he was asked to speak at OSU to students and stated that the Federation of Associations of Regulatory Boards (FARB) is having a conference in Portland and that Board Counsel, Tom Cowan will attend on behalf of our agency & Board
Nursing, who are sharing the costs. Marc stated that he attended the OSU College of Pharmacy, Icons of Pharmacy event on May 12, where he introduced past Board Member, Ken Wells who received an icon award. Marc reported that on May 14, he and Compliance Director, Brianne Efremoff and Pharmacist Consultant, Fiona Karbowicz attended a meeting with OHSP Board of Directors where they presented some information on our mission and processes, answered questions and discussed our PIC rule, which they do not have a position on. Lastly, Marc reported that the FDA were in Portland for their annual meeting and stated they have restructured and are now located in Los Angeles, California.

Board Counsel - None

Compliance Director, Brianne Efremoff reported that they are at 39% of goal of 1010 inspections this year and are at 406 cases. Brianne stated that she presented to the Veterinarian Board and attended an Agency Director meeting on Executive Director, Marc Watt’s behalf and finished her report by stating that the lack of completed CE has increased case load.

Pharmacist Consultant, Fiona Karbowicz reported that she has been doing a lot of outreach and has attended meetings at NABP, OHSP and hosted PIC classes and thanked the Board Members who attended. She’s working with Public Health/Immunization APPE student on creating an OBOP hosted webpage dedicated just to Immunization. She stated that Oregon Medicaid has determined that all Pharmacists must be officially enrolled with them as a provider by September 1, 2018. This is not only for billing reasons but the nexus to Oregon patient care its critical for all Pharmacists providing immunizations, contraceptives and naloxone. We will work with the associations to get the word out.

Administrative Director, Karen MacLean reported that she’s been busy working on the following: Rules Advisory Committee logistics and planning, annual meeting logistics, licensing database replacement contract and other document reviews & meetings, budget development and prepping for our upcoming FBI audit.

Licensing Program Supervisor, Chrisy Hennigan announced that the licensing department is fully staffed again and employees Kyra Howton and Sean Gilbert both started in mid-April and are quickly getting up to speed. She stated that they are in the last month of CPT renewals and have 76% or 5172 of the licenses renewed, with 1597 remaining. She reported that in 2016 we lapsed 706 licenses and now with the two year renewal, they are looking at potentially renewing another 350 – 400 licenses. Her team is now preparing for Wholesalers/Manufacturers & DDA renewals and have approximately 2100 renewals in those combined categories.

Chrisy stated that we are still receiving CPT and Technician applications and are processing them as quickly as possible and as expected, many licensees waited until the last month to either take the exam or waited to submit their CPT application, even though they had passed the exam which created a backlog. She stated that we are expecting additional Technician extension petitions which will be provided to the Board at the August meeting.

Chrisy reported that we have been in discussions with the SERV-OR team regarding the logistics of accomplishing the task that the Board approved. Unfortunately with the current online renewal process, we cannot incorporate the yes/no question into our workflow process. Chrisy stated that she offered a work around which would simply add the language to the instruction page and will include a link that will open a new tab with additional information and to register with SERV-OR. Chrisy went on to say that we are unique in that we have a very large percentage of the targeted
licensees who are not located in Oregon. This program doesn’t apply to approximately 44% of the targeted licensees, but in order to accomplish the goal of getting this information to new Oregon Pharmacists, SERV-OR will provide brochures to our agency which we will forward along to newly issued license who are Oregon residents.

Project Manager, Mo Klein reported that she has been working on the licensing database project and the new website redesign project.

OPEN FORUM –
Past Board Member, Ken Wells thanked Kate James for service to the Board.

EXECUTIVE SESSION – NOT OPEN TO THE PUBLIC pursuant to ORS 192.660(2)(i)

MOTION
Motion to enter Executive Session pursuant to ORS 192.660(2)(i) at 12:21PM was made and unanimously carried (Motion by Vipperman, seconded by James).

MOTION
Motion to resume Open Session at 1:05PM was made and unanimously carried (Motion by Larson, seconded by Armstrong).

MOTION
Motion to enter Executive Session pursuant to ORS 192.660(2)(i) at 3:43PM was made and unanimously carried (Motion by DeBarmore, seconded by Armstrong).

MOTION
Motion to resume Open Session at 6:26PM was made and unanimously carried (Motion by James, seconded by Vipperman).

Adjourn

MOTION
Motion to adjourn at 6:26PM was made and unanimously carried (Motion by James, seconded by Logan).

Accepted by:

Marcus Watt, R.Ph.
Executive Director
Executive Session of the Board was held on Wednesday, June 6, 2018 and Thursday, June 7, 2018 to discuss Compliance Cases, followed by motions on Thursday, June 7, 2018.

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

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
- Dianne Armstrong, CPT
- Cyndi Vipperman, CPT
- Sue Richardson, Public Member
- Tim Logan, Public Member
- Marcus Watt, R.Ph., Executive Director
- Karen MacLean, Administrative Director
- Fiona Karbowicz, R.Ph., Pharmacist Consultant
- Mo Klein, Project Manager
- Chrissy Hennigan, Licensing Program Supervisor
- Thomas Cowan, Senior AAG
- Kyra Howton, Licensing Representative
- Sean Gilbert, Licensing Representative

Case 2015-0368  Motion to deny pharmacist request to work at more than one location; grant request to work a maximum of 60 hours per week, not to exceed 14 consecutive days, up to 4 weeks annually.
Motion by: Cyndi Vipperman; Seconded by: Kate James. Motion unanimously carried.

Case 2015-0042  Motion to grant pharmacist request to reduce UA frequency to 18 annually, deny request to work in pharmacy alone.
Motion by: Dianne Armstrong; Seconded by: Shannon Larson. Motion unanimously carried.

Case 2016-0485  Motion to deny technician’s request to lower UAs.
Motion by: Tim Logan; Seconded by: Sue Richardson. Motion unanimously carried.

Case 2017-0361  Motion to revoke pharmacist license and impose $1,000 civil penalty per violation;
Case 2018-0358  Motion to revoke outlet license and impose $10,000 civil penalty per violation.
Motion by: Kate James; Seconded by: Cyndi Vipperman. Motion carried with Roberto Linares recused.

Case 2018-0094  Motion to revoke pharmacist license and impose $1,000 civil penalty per violation.
Motion by: Sue Richardson; Seconded by: Shannon Larson. Motion unanimously carried.
Case 2018-0048  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 2017-0565  Motion to revoke intern license and impose $1,000 civil penalty per violation.
Motion by: Tim Logan; Seconded by: Shannon Larson. Motion carried with Kate James recused.

Case 2018-0200  Motion to revoke technician license and impose $1,000 civil penalty per violation.
Motion by: Sue Richardson; Seconded by: Dianne Armstrong. Motion unanimously carried.

Case 2018-0199  Motion to deny technician license and impose $1,000 civil penalty per violation.
Motion by: Tim Logan; Seconded by: Dianne Armstrong. Motion unanimously carried.

Case 2017-0550  Motion to revoke pharmacist license and impose $1,000 civil penalty per violation.
Motion by: Kate James; Seconded by: Shannon Larson. Motion carried with Rachael DeBarmore recused.

Case 2017-0277  Motion to revoke technician license and impose $1,000 civil penalty per violation.
Motion by: Cyndi Vipperman; Seconded by: Dianne Armstrong. Motion unanimously carried.

Case 2017-0360  Motion to revoke technician license and impose $1,000 civil penalty per violation.
Motion by: Shannon Larson; Seconded by: Sue Richardson. Motion unanimously carried.

Case 2018-0282  Motion to grant technician license.
Motion by: Dianne Armstrong; Seconded by: Cyndi Vipperman. Motion unanimously carried.

Case 2018-0319  Motion to grant intern license.
Motion by: Tim Logan; Seconded by: Shannon Larson. Motion unanimously carried.

Case 2018-0203  Motion to amend Case 2018-0116 Notice to include current violations; and
Case 2018-0296  Motion to amend Case 2017-0397 Notice to include current violations.
Motion by: Dianne Armstrong; Seconded by: Sue Richardson. Motion unanimously carried.

Case 2018-0281  Motion to impose $10,000 civil penalty per violation against outlet.
Motion by: Tim Logan; Seconded by: Dianne Armstrong. Motion carried with Cyndi Vipperman opposed.

Case 2017-0537  Grant motion for reconsideration; and motion to impose 60 days suspension, additional
year of probation, $1,000 civil penalty per violation plus $500 stayed from 2017-0204.
Motion by: Tim Logan; Seconded by: Cyndi Vipperman. Motion carried with Rachael DeBarmore recused.

Case 2018-0099  Motion to close with Board direction against outlet;
Case 2018-0361  close with Board direction;
Case 2018-0362  close with Board direction; and
Case 2018-0363  motion to impose $1,000 civil penalty per violation against technician.
Motion by: Tim Logan; Seconded by: Roberto Linares.
Motion carried with the following:
Cyndi Vipperman recused on case 2018-0099;
Kate James recused in cases 2018-0099, 2018-0361, 2018-0362 and 2018-0363; and

Case 2017-0504  Motion to impose $1,000 civil penalty per violation against Pharmacist-in-Charge
Case 2018-0364  Motion to impose $1,000 civil penalty per violation against pharmacist and close with
Board direction.
Motion by: Cyndi Vipperman; Seconded by: Tim Logan. Motion unanimously carried.

Case 2018-0196  Motion to impose $1,000 civil penalty per violation against pharmacist and close with
Board direction.
Motion by: Dianne Armstrong; Seconded by: Cyndi Vipperman. Motion unanimously carried.

Case 2018-0025  Motion to close with Board direction.
Motion by: Kate James; Seconded by: Tim Logan. Motion unanimously carried.

Case 2018-0198  Motion to close with Board direction.
Motion by: Tim Logan; Seconded by: Dianne Armstrong. Motion unanimously carried.

Case 2017-0536  Motion to close with Board direction.
Motion by: Dianne Armstrong; Seconded by: Tim Logan. Motion unanimously carried.

Case 2017-0389  Motion to close with Board direction.
Motion by: Dianne Armstrong; Seconded by: Sue Richardson. Motion unanimously carried.

Case 2018-0269  Motion to close with Board direction.
Motion by: Tim Logan; Seconded by: Cyndi Vipperman. Motion unanimously carried.

Case 2018-0071  Motion to impose $10,000 civil penalty per violation against outlet and close with Board
direction.
Motion by: Tim Logan; Seconded by: Shannon Larson. Motion unanimously carried.

Case 2018-0251  Motion to impose $10,000 civil penalty per violation against outlet;
Case 2018-0252  Motion to impose $1,000 civil penalty per violation against Pharmacist-in-Charge; and
Case 2018-0249  Motion to impose $1,000 civil penalty per violation against technician.
Motion by: Tim Logan; Seconded by: Shannon Larson. Motion carried with Dianne Armstrong and Cyndi Vipperman
opposed on case 2018-0249.

Case 2017-0541  Motion to accept Case Nos. 2016-0266 and 2017-0541 Amended Stipulated Consent Order.
Motion by: Kate James; Seconded by: Tim Logan. Motion unanimously carried.

Case 2018-0242  Motion to revoke technician license and impose $1,000 civil penalty per violation plus $850
civil penalty stayed in Case No. 2017-0078 Consent Order.
Motion by: Cyndi Vipperman; Seconded by: Tim Logan. Motion unanimously carried.
Case 2017-0558  Motion to revoke technician license and impose $1,000 civil penalty per violation.  
Motion by: Sue Richardson; Seconded by: Shannon Larson. Motion unanimously carried.

Case 2018-0307  Motion to revoke technician license and impose $1,000 civil penalty per violation.  
Motion by: Tim Logan; Seconded by: Dianne Armstrong. Motion unanimously carried.

Case 2018-0221  Motion to revoke technician license and impose $1,000 civil penalty per violation.  
Motion by: Cyndi Vipperman; Seconded by: Tim Logan. Motion unanimously carried.

Case 2018-0109  Motion to impose $1,000 civil penalty per violation against pharmacist.  
Motion by: Dianne Armstrong; Seconded by: Kate James. Motion carried with Roberto Linares opposed.

Case 2018-0214  Motion to impose $1,000 civil penalty per violation against pharmacist.  
Motion by: Kate James; Seconded by: Tim Logan. Motion unanimously carried.

Case 2017-0544  Motion to close with Board direction.  
Motion by: Shannon Larson; Seconded by: Tim Logan. Motion unanimously carried.

Case 2017-0319  Motion to impose $10,000 civil penalty per violation against outlet.  
Motion by: Tim Logan; Seconded by: Sue Richardson. Motion carried with Penny Reher recused.

Case 2018-0031  Motion to close with Board direction.  
Motion by: Shannon Larson; Seconded by: Cyndi Vipperman. Motion unanimously carried.

2018-0082, 2018-0083, and 2018-0084. Motion to close cases with Board direction.  
Motion by: Kate James; Seconded by: Sue Richardson. Motion unanimously carried.

Case 2018-0120 and 2018-0168  Motion to ratify Stipulated Consent Orders surrendering pharmacist licenses.  
Motion by: Cyndi Vipperman; Seconded by: Tim Logan. Motion unanimously carried.

Case 2018-0275  Motion to grant pharmacist license.  
Motion by: Tim Logan; Seconded by: Dianne Armstrong. Motion unanimously carried.

Case 2018-0278  Motion to deny pharmacist license and impose $1,000 civil penalty per violation.  
Case 2018-0276, 2018-0283 and 2018-0312  Motion to deny technician license and impose $1,000 civil penalty per violation.  
Case 2018-0311  Motion to grant technician license with Board direction.  
Motion by: Cyndi Vipperman; Seconded by: Kate James. Motion unanimously carried.

Case 2018-0288  Motion to close case with Board direction.  
Motion by: Kate James; Seconded by: Shannon Larson. Motion unanimously carried.
Case 2018-0103  Motion to close case with Board direction.
Motion by: Cyndi Vipperman; Seconded by: Shannon Larson. Motion unanimously carried.

Motion to accept the items on the consent agenda with Cases 2018-0288 and 2018-0103 pulled for discussion.
Motion by: Dianne Armstrong; Seconded by: Tim Logan. Motion carried with Penny Reher recused in cases 2018-0180 and 2018-0181.

Consent Agenda Cases Closed with Board Direction: