

## SPECIAL BOARD MEETING MINUTES

Oregon Board of Pharmacy  
800 NE Oregon Street  
Portland, OR 97232  
September 18, 2014

*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.*

### **Thursday, September 18, 2014**

Ken Wells, R.Ph. Board President, called the meeting to order at 1:30.

The following Board Members were present or available by phone:

Ken Wells, President	Penny Reher
Roberto Linares, Vice President	Brad Fujisaki
Kate James	Christine Chute
Heather Anderson	

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

Marc Watt, Executive Director	Karen MacLean, Administrative Director
Gary Miner, Compliance Director	Courtney Wilson, Project Manager

Thomas Cowan, Board Counsel

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Agenda Review and Approval

### **MOTION**

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

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Hydrocodone Discussion

President Ken Wells stated that the Drug Enforcement Agency (DEA) recently decided to reschedule Hydrocodone as a Controlled Substance Schedule II drug with a rolling implementation date depending on the initial date of the prescription. Hydrocodone prescriptions written before October 6, 2014 are still considered a Schedule III Controlled Substance for a period of six months. However, Hydrocodone prescriptions written on or after October 6, 2014 are considered a Schedule II Controlled Substance. Ken indicated that the schedule change may be confusing to pharmacies as well as the general public and asked the Board if they would like to make any changes to affect Oregon patients only.

Vice President Roberto Linares stated that while he understands that some pharmacies may have difficulty implementing the new Hydrocodone schedule, he was not in favor of creating more restrictive requirements.

Board Members commented that one message communicating the DEA's changes has already been sent to licensees via the Board's list-serve. Changing the requirements and communicating new requirements may create even more confusion.

The Board discussed the option of making all Hydrocodone prescriptions Schedule II Controlled Substances effective October 6, 2014, which would negate all existing refills on "open prescriptions". Retail pharmacies may ultimately create different policies about whether they will honor Hydrocodone prescription refills, and this may create confusion to the public. A Board Member commented that she had recently attended a meeting with a group of physicians and that all physicians indicated that they would rather all Hydrocodone prescriptions become Schedule II effective October 6, 2014.

One Board Member stated that if all Hydrocodone prescription became Schedule II there could be a significant number of patients that may need to go to their doctor by October 6, 2014 and this may cause a large back log in their systems.

Board Members agreed educating the public about the new changes is critical. Executive Director Marc Watt stated that outreach has already been conducted to all of the health related Boards. Staff has also reached out to the pharmacy chains throughout the state and the majority of them have already created communications geared towards customers. Marc stated that the Board may want to consider doing a press release to help educate more people. The Board agreed that was a good plan.

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## **OPEN FORUM**

President Ken Wells opened the meeting up to the public for comment.

A member from the public asked the Board if they knew if many of the chains will be adopting similar policies relating to the handling of Hydrocodone prescriptions and when to begin handling them as Schedule II Controlled Substances. Executive Director Marc Watt replied that the Board has only received one official statement from a chain, however, when inspectors have talked to different chain pharmacies, it seemed that a majority of them are going to begin comprehensively treating Hydrocodone as Schedule II prescriptions on October 6, 2014.

Another individual from the public commented that it will be problematic if pharmacies begin treating Hydrocodone prescriptions as Schedule II Controlled Substances effective October 6, 2014 and will create back logs for practitioner. This is especially problematic in places such as Southern Oregon, where they are experiencing a shortage of practitioners.

It was asked whether or not concern has been expressed regarding insurance companies becoming potential barriers to the rescheduling of Hydrocodone as it relates to billing and refills. Another member of the public commented that the National Community Pharmacy Association sent a letter to Pharmacy Benefit Managers (PBMs) notifying them of the schedule change and that pharmacies may need to contact insurance companies on a case-by-case basis.

Members of the public thanked the Board for their conversation.

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Board President Ken Wells thanked everyone for their comments. The Board determined not to take any additional action other than to continue the current outreach previously mentioned.

## **Adjourn**

## **MOTION**

**Motion to adjourn at 2:05 was made and unanimously carried (Motion by Reher, second by Anderson).**

Accepted by:

A handwritten signature in black ink, appearing to read 'Marcus Watt', written in a cursive style.

Marcus Watt, R.Ph.  
Executive Director