

**899 NORTH CAPITOL STREET, NE  
2<sup>ND</sup> FLOOR  
WASHINGTON, DC 20002**

**August 3, 2023**

**9:36 AM – 10:55 AM**

**OPEN SESSION MINUTES  
(IN-PERSON AND WEBEX)**

**Board of Pharmacy Mission Statement:**

“To protect and improve the public health through the efficient and effective regulation of the practice of Pharmacy and Pharmaceutical Detailing; through the licensure of Pharmacists, Pharmaceutical Detailers, Pharmacy Interns, and Pharmacy Technicians.”



## Open Session Agenda

**Quorum:** Yes

<b>Introduction:</b>		
o803-O-01	<p><b><u>Approval of the Open Session Meeting Minutes for:</u></b></p> <p>June 1, 2023</p> <p><b>Motion:</b> Vice Chair, Mr. Alan Friedman, moves the Board to approve the June 1, 2023 open session meeting minutes.</p> <p><b>Seconded by:</b> Board Member, Dr. Benjamin Miles.</p> <p><b>Roll Call Vote:</b></p> <p>Mr. Alan Friedman: Voted in favor of the motion. Dr. Benjamin Miles: Voted in favor of the motion. Dr. Ashlee Bow: Voted in favor of the motion. Dr. Allison Hill: Voted in favor of the motion.</p> <p><b>Abstentions: None.</b></p> <p><b>Motion Carried</b></p>	
<b><u>Consent Agenda</u></b>	None	
<b><u>Chairperson Report</u></b>	<p><b><u>Interprofessional Workgroup</u></b></p> <p>Board Chair, Dr. McCants reports that the Interprofessional Workgroup is meeting regularly. The workgroup is currently finalizing the date for its interprofessional board member symposium, which will include information sharing from DC Health on the structure and programs that are available to the public. The agenda for the Fall symposium suggests a morning meeting from 8:00 AM to 1:00 PM, with a one-hour networking lunch scheduled at 12:00 PM. The symposium will ensure discussions on the following topics:</p> <p>Healthcare Workforce · Telehealth · Compact Licensing · Artificial Intelligence (AI) · Healthcare and Regulations · Scope of Practice</p> <p>Dr. McCants will report to the Board, the date and location of the symposium when finalized. She encourages the Board members to attend the event, particularly in support of the Pharmacy Practice Act.</p>	Dr. Tamara McCants

Dr. McCants highlights DC Council’s Committee on Health’s openness to new ideas and hearing about the role of the pharmacist in addressing health disparities.

Dr. McCants announces the new Director for DC Health, Dr. Ayanna Bennett, and suggests that the Board of Pharmacy has an opportunity to schedule a meeting with the director to discuss the Board’s activities.

Dr. McCants announces the resurgence of the DC Medical Reserve Corps and encourages the Board members and colleagues to register to volunteer with the reserve corps.

The NABP Districts 1 and 2 meetings are scheduled to occur September 20 through September 22, 2023 in Atlantic City, NJ. Board member and Treasurer for NABP’s District 2, Dr. Allison Hill, will attend the meetings. Dr. McCants encourages all Board members and the public to attend the meetings.

**Executive Director Report**

**Statistical Report on Pharmacy professionals in the District of Columbia**

Dr. Justin Ortique

<b>PHARMACEUTICAL DETAILERS</b>	<b>793</b>
<b>PHARMACISTS</b>	<b>2,090</b>
<b>PHARMACY INTERNS</b>	<b>336</b>
<b>PHARMACY TECHNICIANS</b>	<b>1,029</b>
<b>PHARMACY TECHNICIAN TRAINEES</b>	<b>122</b>
<b>PHARMACISTS WITH VAC AUTHORITY</b>	<b>759</b>
<b>PHARMACY TECHNICIAN TRAINING PROGRAMS</b>	<b>8</b>

**Prescription Drug Monitoring Program Updates**

- All pharmacists are reminded to register for the *Prescription Drug Monitoring Program* (PDMP) within ninety (90) days of licensure in the District of Columbia at <https://districtofcolumbia.pmpaware.net/login>.
- As a reminder, new licensees will receive notifications regarding registration for the program every thirty (30) days after licensure.
- The public is invited to attend the next Prescription Drug Monitoring Program Advisory Meeting, which is scheduled for August 15, 2023 at 10:00 AM.

**DCRx (DC Center for Rational Prescribing)**

- The DC Center for Rational Prescribing (DCRx) has published a new module on [\*Ethics in Healthcare: Exploring Bioethics, Clinical Ethics, and Health Equity\*](#), which “focuses on the complex ethical dilemmas that face healthcare practitioners by

reinforcing the foundational concepts of clinical bioethics, primarily the four principles, and educating the learner on how to apply these foundational concepts to the pressing ethical issues related to health equity and prescribing and access to medications and treatments.” This module is available to the public at an assessment of 1.0 credit hour. Further information on DCRx is available at <https://dchealth.dc.gov/dcrx>.

**Office of Government Relations (OGR) Updates (Report by Kera Johnson, Policy Analyst)**

**Health Professional Licensing Boards Residency Requirement Amendment Act of 2023:**

- Councilmembers Henderson and Parker introduced the *Health Professional Licensing Boards Residency Requirement Amendment Act of 2023* ([B25-0312](#)) on June 2, 2023.
  - This legislation will permit non-District residents to serve on health professional licensing boards.
  - The legislation includes restrictions, and as such, District of Columbia residents will hold the Board Chair and Consumer Members’ seats and no more than 50% of the Board will be made up of non-District residents.
  - This bill received a hearing on [July 13, 2023](#). DC Health testified during this hearing, thereby expressing support for innovative solutions to fill board vacancies, while offering changes to the bill.

**DC Health Director Appointment:**

- On June 8, 2023, Mayor Bowser announced the appointment of Dr. Ayanna Bennett as DC Health’s Acting Director.
  - Dr. Bennett is a healthcare and public health executive with more than 20 years of experience in clinical practice, clinical service design, system integration, and quality improvement. Dr. Bennett most recently served as Chief Health Equity Officer and Director of the San Francisco Department of Public Health’s Office of Health Equity.
  - The Council will therefore consider the *Director of the Department of Health Dr. Ayanna Bennett Confirmation Resolution of 2023* ([PR25-0290](#)), and the Committee on Health will discuss this resolution by hearing on [October 5, 2023](#).

**Access to Emergency Albuterol and Glucagon Amendment Act of 2023:**

- Councilmember Henderson introduced the *Access to Emergency Albuterol and Glucagon Amendment Act of 2023* ([B25-0226](#)) on March 20, 2023.
  - This legislation will designate albuterol and glucagon as emergency medications under the *Student Access to Treatment Act of 2007*. Under this bill, employees in

	<p>public schools, certified under an administration of medication training, will administer to students, with or without a medication action plan, <i>Albuterol</i>, where the student is suffering or about to suffer an asthma attack; and <i>Glucagon</i>, where the student is suffering or about to suffer hypoglycemia due to diabetes. Currently, only students with medication action plans can receive these medications.</p> <ul style="list-style-type: none"> <li>➤ This bill received a hearing on <a href="#">July 13, 2023</a>. DC Health testified during this hearing and expressed support for the bill with recommendations addressing the operational and regulatory authority to define, add, and remove medications by rulemaking.</li> </ul> <p><b>Prescription Drug Monitoring Program Amendment Act of 2023:</b></p> <ul style="list-style-type: none"> <li>• Chairmen Mendelson, at the request of the Mayor, introduced the <i>Prescription Drug Monitoring Program Amendment Act of 2023</i>, on April 11, 2023. <ul style="list-style-type: none"> <li>➤ This legislation seeks to make changes to the disclosure of information through the District’s Prescription Drug Monitoring Program (PDMP). These changes would give DC Health the authority to release additional de-identified information for the purposes of statistical analysis, research, education, or grant applications.</li> <li>➤ This bill received a hearing on <a href="#">July 6, 2023</a>. DC Health testified in support of the bill highlighting the importance of data sharing as a tool to advance population health in the District of Columbia.</li> </ul> </li> </ul> <p><b>Council Recess:</b></p> <ul style="list-style-type: none"> <li>• The DC Council is on recess, as of July 14, 2023 and will return to session on September 15, 2023.</li> </ul> <p><b>Board of Pharmacy Vacancies:</b></p> <ul style="list-style-type: none"> <li>• The DC Board of Pharmacy is currently seeking two District of Columbia residents to serve as consumer members on the Board.</li> <li>• Interested parties who are health professionals or in training to become one or in a household where there is a health professional or someone training to become one are not qualified for the role of consumer member.</li> <li>• For further information regarding the vacancies, please go to: <a href="https://motaboards.theresumator.com/apply/1L8k6Q/Board-Of-Pharmacy">https://motaboards.theresumator.com/apply/1L8k6Q/Board-Of-Pharmacy</a></li> </ul>	
<p><b><u>Senior Assistant General Counsel Report</u></b></p>		

o803-O-02	<p><b><u>Notice of Emergency and Proposed Rulemaking</u></b></p> <p>(a) Amendments to Title 17 DCMR For Pharmacist Chapter 65 section 6512 (Administration of Immunizations and Vaccinations by Pharmacists).</p> <p>The Department of Health issued emergency and proposed rulemaking. The notice of emergency rulemaking became effective on June 22, 2023, thereby permitting pharmacists who are licensed by the District of Columbia’s Board of Pharmacy to administer vaccinations that are ASIP recommended, to persons that are aged 3 through 18, where minors are required to secure a parent or parents’ consent; and persons over 18 years of age are required to produce a government-issued photo ID.</p> <p>This emergency rulemaking seeks to remain consistent with the authority granted via the PREP Act during the COVID-19 Pandemic, which resulted in a public emergency. While COVID and Influenza vaccines are exempt from written protocol or a prescription/standing order, the District of Columbia requirement is still effective for the administration of all other vaccines.</p> <p>The proposed rulemaking was published in the Register on July 7, 2023, and the public comment period for the proposed rulemaking will end on August 7, 2023. If no comments are received, the emergency rulemaking will remain effective until October 20, 2023, or until final rulemaking is established.</p> <p>While such provisions will allow pharmacists to continue [the administration of ASIP recommended vaccines] until December 31, 2024 (for consistency [of provisions] under the PREP Act, DC Health expects that its amendments to the HORA will have been implemented before or by the 2024 deadline, thereby allowing for continuity of the provisions, but under the District’s law).</p> <p>This matter will be advanced by DC Health.</p> <p>As the Board discusses and explores merging the application for vaccination and immunization authority with the pharmacist licensure application, Board Counsel, Ms. Carla Williams states that this change will require an amendment to the HORA as the current regulation requires certification [in vaccination and immunization administration].</p>	Ms. Carla Williams
<p><b><u>Regarding Subcommittee Reports</u></b></p>		
o803-O-03	<p><b><u>Legislative and Regulatory Subcommittee Report</u></b></p> <p>The Legislative and Regulatory Subcommittee met on July 13, 2023. The subcommittee focused its discussion on self-administered hormonal contraception, thereby reviewing all prior documents negotiated between the District of Columbia’s Legislative and</p>	Mr. Alan Friedman

	<p>Regulatory Subcommittees for the Boards of Medicine and Pharmacy, dated 2018 through 2019.</p> <p>The subcommittee assessed forms indicative of when the pharmacist would prescribe versus when he/she would not and compared protocol, currently under development, with updated medical eligibility. The subcommittee also reviewed a patient pamphlet on contraceptive methods, which requires development. Changes were suggested and an updated pamphlet has been published.</p> <p>The next steps are as follows:</p> <ol style="list-style-type: none"> <li>1. The subcommittee will review, consider, and respond to comments submitted during the public comment period of the legislation concerning a pharmacist’s authority to prescribe mono contraception.</li> <li>2. The subcommittee’s review of comments may fuel regulatory changes to the proposed legislation that may impact forms already developed.</li> <li>3. The subcommittee will review the most updated draft of the pamphlet, establish a final recommendation, which may necessitate further amendments.</li> <li>4. Board Chair, Dr. McCants, will coordinate with Dr. Anderson, the Board Chair for the Board of Medicine, regarding review and approval of the package – inclusive of the pamphlet, regulations, forms, and protocol.</li> <li>5. The subcommittee expects to present the package at the Board’s open session meeting in October, 2023.</li> </ol>	
o803-O-04	<p><b><u>Communications Subcommittee Report</u></b></p> <ul style="list-style-type: none"> <li>• The subcommittee is currently drafting the Boards next newsletter, which is scheduled for an October release.</li> <li>• Dr. Bow is welcoming of ideas or articles for the October edition, in support of American Pharmacists Month.</li> <li>• All requests for newsletter publication are accepted at <a href="mailto:ashlee.bow@dcbc.dc.gov">ashlee.bow@dcbc.dc.gov</a>.</li> <li>• Board Chair, Dr. Tamara McCants, requests that information regarding the Capital City Medical Reserve Corps is included in October’s publication.</li> <li>• Vice Chair, Mr. Alan Friedman, requests that the public shares with the Board, through its newsletter, the activities it will engage in for American Pharmacists Month, October, 2023.</li> </ul>	Dr. Ashlee Bow
<b><u>Matter for Consideration</u></b>		
o803-O-05	<p><b><u>Question Regarding Patient Consent and CPAs</u></b></p> <p>“To improve quality of clinical services provided at our ambulatory clinics, we are setting up collaborative practice agreements in MedStar Health ambulatory clinics consisting of only physicians and pharmacists</p>	



	<p>directly employed by MedStar Health. Are we able to use the enterprise-wide patient consent form (attached)?”</p> <p>(a) Copy MedStar’s Entity General Consent Form  (b) Chapter 100 Collaborative Practice Agreements Between Physicians and Pharmacists.</p> <p>Board Counsel, Ms. Carla Williams, informs Dr. Joshua Bailey that, per section 1004.4 of Chapter 100, <i>Collaborative Practice Agreements Between Physicians and Pharmacists</i>, the Board requires Medstar to update its general consent form for compliance with the District of Columbia’s Board of Pharmacy’s regulations.</p> <p>Dr. Bailey agrees, but suggests that Medstar will “dot phrase within the progress note and authorize the form with a signature” as this process would ensure patient consent in less time than would be required to secure the general consent of all Medstar entities.</p> <p>Board Counsel, Ms. Carla Williams, states that the Board will accept the process described by Dr. Bailey “if it is documented that these elements were what was discussed with the [patient and he/she] authorizes service(s) from Medstar, by signature.”</p>	
<p><b>NABP E-Newsletter</b></p>	<p><u><b>July 26, 2023</b></u></p> <p>DEA Amends Rules Regarding Partial Filling of Prescriptions for Schedule II CS</p> <p>FDA Approves New RSV Vaccine for Newborns and Toddlers</p> <p>Operation Broader Sword Ceases Over 500 International Shipments of Illegal Drugs From Entering the US</p> <p>US and Mexican Law Enforcement Officials Dismantle Transnational Drug Trafficking Organization</p> <p>Get to Know the Mississippi Board’s Executive Director</p> <p>DOJ Publishes Guidelines for Handling Substance Withdrawal in Jails</p> <p>CDC Issues Health Advisory About Measles During Summer Travel</p> <p><u><b>July 19, 2023</b></u></p> <p>First OTC Daily Oral Contraceptive Approved by FDA</p> <p>FDA and White House Outline Plan to Combat Illicit Xylazine Entering the US</p> <p>Senate Passes TRANQ Research Act</p>	<p>Dr. Tamara McCants</p>

	<p>FDA Offers Educational Webinars on Prescription Drug Labeling, DSCSA, and Generic Drugs</p> <p>FDA Podcast Highlights Strategies to Encourage Harm Reduction and Reduce Obstacles for Overdose Reversal Agents</p> <p>DEA Releases Instructional Video Explaining MATE Act Requirements</p> <p>Note to the Public: To receive weekly updates from NABP, please sign up by using the following link: <a href="https://nabp.pharmacy/newsroom/news/">https://nabp.pharmacy/newsroom/news/</a>.</p>	
<p><b><u>Comments from the Public</u></b></p>	<p>No comments from the public.</p>	
<p><b><u>Motion to Adjourn the Open Session</u></b></p>	<p><b>Board Member, Dr. Ashlee Bow, moves as follows:</b></p> <p>“Madam Chair, I move that the Board close the Open Public session portion of the meeting and move into the Closed Executive Session portion of the meeting pursuant to D.C. Official Code § 2-575(b) for the following purposes: to discuss disciplinary matters pursuant to § 2-575(b)(9); to seek the advice of counsel to the board, to preserve the attorney-client privilege, or to approve settlement agreements pursuant to § 2-575(b)(4); and to plan, discuss, or hear reports concerning ongoing or planned investigations pursuant to § 2-575(b)(14).”</p> <p><b>Seconded by:</b> Dr. Allison Hill.</p> <p><b>Roll Call Vote:</b></p> <p>Mr. Alan Friedman: Votes in favor of the motion.  Dr. Benjamin Miles: Votes in favor of the motion.  Dr. Ashlee Bow: Votes in favor of the motion.  Dr. Allison Hill: Votes in favor of the motion.</p> <p><b>Abstentions: None.</b></p> <p><b>Motion Carried.</b></p>	

This concludes the Public Open Session of the meeting. The Board will now move into the Closed Executive Session portion of the meeting pursuant to D.C. Official Code § 2-575(b) for the reasons set forth in the motion.

**Open Session Meeting Adjourned at 10:55 AM**

**This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at [opengovoffice@dc.gov](mailto:opengovoffice@dc.gov).**