

899 NORTH CAPITOL ST. NE – 2ND FLR.
WASHINGTON, DC 20002

June 4, 2020

8:30 am

OPEN SESSION AGENDA
(VIA ZOOM MEETING DUE TO THE COVID-19 PUBLIC HEALTH EMERGENCY)

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:

Introduction:		
o604-O-01	<p><u>Approval of the Open Session Meeting Minutes</u></p> <p>(a) April 15, 2020 (b) May 7, 2020</p>	
<u>Consent Agenda</u>	None	
<u>Executive Director Report</u>	<p><u>Licensing Report</u></p> <ul style="list-style-type: none"> ➤ Statistical Report on pharmacy professionals in the District of Columbia ➤ Prescription Monitoring Program Update ➤ Opioid Strategic Plan 	Dr. Shauna White
<u>Assistant General Counsel Report</u>		Ms. Carla Williams
o604-O-02	<u>Status Update on the Rulemaking Adding Continuing Education Requirements in Public Health Priorities-Verbal Report</u>	
o604-O-03	<p><u>Pharmacist COVID-19 Testing Emergency Regulations</u></p> <p>Emergency Regulations</p>	
<u>Subcommittee Reports</u>		
o604-O-04	<p><u>Legislative and Regulatory Subcommittee Report</u></p> <p>Collaborative Practice Agreement Regulations with Nurse Practitioners</p>	Mr. Alan Friedman
o604-O-05	<p><u>Re-Visit DC Board of Pharmacy Bylaws</u></p> <p>(a) Bylaws</p>	
<u>Matters of Consideration</u>		
o604-O-06	<p><u>MPJE Retake Policy Clarification</u></p> <p>(a) MPJE Retake Policy</p>	
o604-O-07	<u>Vote on the Next Percentage of Pharmaceutical Detailers to Audit Continuing Education</u>	

o604-O-o8	<u>Communications Subcommittee Report</u>	
NABP E-Newsletter	<p><u>May 26, 2020</u></p> <p>FDA Updates Guidance Documents on Compounding For Hospitalized Patients During the COVID-19 Pandemic</p> <p>Over 6,800 Applications Received for NABP Passport, a Service Supporting Boards' COVID-19 Response</p> <p>List of Antibody Tests Being Removed From FDA's 'Notification List'</p> <p>\$225 Million Approved for COVID-19 Testing in Rural Communities, HHS Reports</p> <p>FDA, FTC Issue Warning Letters to Two Amazon Associated Companies Selling Fake COVID-19 Treatments</p> <p><u>May 21, 2020</u></p> <p>FDA Issues Updated Guidance for Compounding Pharmacies Experiencing PPE Shortages</p> <p>FDA Shares Recommendations With Providers About Antibody Tests for COVID-19</p> <p>COVID-19 Pandemic May Lead to New Complications in the Opioid Crisis</p> <p>FDA Warns About Possible Accuracy Issues With Certain COVID-19 Tests</p> <p>FDA, FTC Take Additional Action Against Companies Selling Fraudulent COVID-19 Treatments</p> <p>Note to the Public: To receive weekly updates from NABP, please sign up by using the following link: https://nabp.pharmacy/newsroom/news/.</p>	Dr. Tamara McCants
<u>Public Comments</u>		
Motion to Adjourn the Open Session	<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)." (Roll Call Vote)</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 _:_

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.

**899 NORTH CAPITOL ST. NE – 2ND FLOOR.
WASHINGTON, DC 20002**

April 15, 2020

10:04 am – 11:10 am

**OPEN SESSION MINUTES
(VIA ZOOM MEETING DUE TO THE COVID-19 PUBLIC HEALTH EMERGENCY)**

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

Introduction:		
0415-O-01	<p><u>Approval of the Open Session Meeting Minutes</u> February 6, 2020</p> <p>Motion: Board Member Mr. Alan Friedman moves the Board to approve the February 6, 2020 Open Session Meeting Minutes.</p> <p>Seconded by: Dr. Benjamin Miles.</p> <p>Roll Call Vote: Dr. Tamara McCants: in favor of the motion. Dr. Ashlee Bow: Abstains from the motion. Dr. Benjamin Miles: Votes in favor of the motion. Mr. Alan Friedman: Votes in favor of the motion. Dr. Allison Hill: Votes in favor of the motion. Ms. Chikita Sanders: Votes in favor of the motion. Abstentions: Dr. Ashlee Bow Motion Carried</p> <p><u>Approval of the Open Session Meeting Minutes</u> March 5, 2020</p> <p>Motion: Board Member Mr. Alan Friedman moves the Board to approve the March 5, 2020 Open Session Meeting Minutes.</p> <p>Seconded by: Dr. Ashlee Bow.</p> <p>Roll Call Vote Dr. Tamara McCants: in favor of the motion. Dr. Ashlee Bow: Votes in favor of the motion. Dr. Benjamin Miles: Votes in favor of the motion. Mr. Alan Friedman: Votes in favor of the motion. Dr. Allison Hill: Votes in favor of the motion. Ms. Chikita Sanders: Votes in favor of the motion. Abstentions: None Motion Carried</p>	
<u>Consent Agenda</u>	None	
<u>Executive Director Report</u>	Dr. White extends gratitude to all pharmacy professionals and healthcare professionals for their work during the public health emergency due to novel coronavirus (COVID-19).	

Operations During the District of Columbia's Public Health Emergency

- DC Health's headquarters at 899 North Capitol Street NE is closed to the public. All applications for pharmacy professional licensing must be mailed to the location for consideration and approval. (The mailing address, as published on the application is:
Department of Health
Health Regulation and Licensing Administration
Board of Pharmacy
P.O. Box 37803
Washington, DC 20013).
- The application process will take longer than usual due to alternate work schedules in response to the Public Health Emergency.
- Some fingerprinting sites designated for criminal background checks are still open. Applicants in need of guidance through this process may coordinate with DC Health's Criminal Background Division.

The District's website on the novel coronavirus (COVID-19)

- Information on matters concerning the novel coronavirus (COVID-19) is published on the District's coronavirus website:
coronavirus.dc.gov.
- All health notices and issuances released by the District of Columbia are uploaded to the website, as well as to the Board of Pharmacy's web page.
- Information on the Medical Reserve Corps is also published on coronavirus.dc.gov. Persons interested in joining the Medical Reserve Corps may begin the process by reading about the corps at coronavirus.dc.gov.
- The District's Mayor leads two healthcare provider teleconference calls per week, both of which are open to healthcare providers in Washington, DC. Information regarding these calls are disseminated via email and are available to all healthcare professionals in the District of Columbia.
- The DC Board of Pharmacy released a guidance document, as well as emergency prescription regulations of the drug, *Hydroxychloroquine*. The document was also published on the coronavirus.dc.gov website and has been disseminated to all pharmacies and pharmacists via email.
- At the request of the Board's Chairperson, Dr. McCants, Dr. White will recommend adding an alert on the Board of Pharmacy's web page when new notices are available for viewing on coronavirus.dc.gov, to DC Health's communications team.
- Dr. White emphasizes to the Board the need to go to coronavirus.dc.gov daily, for updates and new health notices.

The NABP Annual Meeting

- NABP's 116th Annual Meeting has been cancelled due to the novel coronavirus (COVID-19) pandemic. The meeting will move from the traditional in-person meeting format to a scaled-back, virtual format delivered from NABP Headquarters.

- The 116th Annual Virtual meeting, to be held Thursday, May 14, 2020, will focus on conducting the Association's annual business of:
 1. Electing candidates to fill the open officer and member positions on the NABP Executive Committee;
 2. Voting on proposed resolutions; and
 3. Discussion/voting on proposed amendments to the NABP Constitution and Bylaws.
- Voting will be conducted by secure email or telephonic roll call as appropriate.
- Meeting details will be sent to Dr. McCants, the delegate for the DC Board of Pharmacy, prior to the meeting.
- For further information, please go to <http://www.cvent.com/events/116th-annual-meeting-baltimore/custom-113-c7e67917301045a68975996f1a4dc450.aspx?RefID=Vanity/>.

NABP Passport Program

- In response to the novel coronavirus (COVID-19) pandemic, NABP has created the Passport Program, "a temporary authorization that facilitates pharmacists, pharmacy technicians, interns, and pharmacy businesses practicing in another state."
- The program allows states to efficiently grant temporary or emergency licensure(s) to pharmacy professionals and businesses at no cost to the interested party.
- The program is available to pharmacy professionals and businesses interested in working in the District of Columbia in response to the novel coronavirus (COVID-19) pandemic.
- Pharmacy professionals have two (2) options in gaining employment in the District of Columbia:
 1. Licensure through the standardized process;
 2. Licensure through waiver, [for temporary and emergency appointment as an agent of the District of Columbia]. Through the waiver process, pharmacy professionals in need of verification of licensure or registration may obtain such verification or certificate of good standing through the NABP Passport Program. Once obtained, the pharmacy professional may submit their credentials to their prospective employer. For further information, pharmacy professionals may go to the Board of Pharmacy's webpage.
- Mr. Friedman confirms that NABP's passport web page is navigation and user friendly.
- For more information on the program, go to <https://nabp.pharmacy/coronavirus-updates/passport/>.

Licensure Waivers in the District of Columbia

- The Mayor of the District of Columbia implemented Administrative Order 2020-01 on March 13, 2020, which "sets forth requirements under which licensure, registration or certification requirements, permits and/or fees shall be waived for healthcare practitioners who are appointed as temporary agents of the District of Columbia, in response to the COVID-19 public health emergency.

- Pharmacists, Pharmacy Technicians and Pharmacy Interns interested in appointment as temporary agents in the District of Columbia to assist during the COVID-19 public health emergency may utilize the NABP Passport Program to expedite their verification of licensure process.

Pearson Vue Testing Sites

- Pearson VUE Authorized Test Centers have been directed to follow guidance from local governments and health authorities. As a result, the vendor has closed several testing sites in the Washington Metropolitan Area.
- Sites that remain open are limited to testing eight (8) to ten (10) candidates, due to social distancing guidelines.
- The testing vendor tentatively plans to reopen all test centers on May 1, 2020.
- The following test centers are open in the Washington Metropolitan Area and environs:

Location of Testing Site	Maximum Number of Candidates Tested
Washington, DC	8
Baltimore, MD	8
Bethesda, MD	8
Lynchburg, VA	5
Reston, VA	8
Newport News	7

- For further information on the testing centers and availability, go to <https://nabp.pharmacy/coronavirus-updates/> and <https://home.pearsonvue.com/Test-takers/Resources.aspx?ot=collapse156>.
- Dr. White suggests that this information be posted on the Board of Pharmacy’s website as information is updated frequently during the novel coronavirus (COVID-19) public health emergency.

NABP Board Member Meeting

- The NABP meets with Board members and Board staff every Friday at 12:00 pm.
- Dr. White will disseminate information regarding this meeting to all Board members.
- Dr. McCants will discuss attendance with each Board member and create a schedule to ensure the District’s presence at all meetings.

0415-O-02

Guidance from Department of Health and Human Services

- The Department of Health and Human Services has published a notice of general guidance that endorses pharmacists to screen and provide testing for [persons with symptoms of] novel coronavirus (COVID-19), especially in community pharmacies.

- At the Interprofessional Board Meeting last week, Dr. McCants inquired of the Director [of Health's] representative about the plan for expansion of testing centers within the District.
- Dr. McCants assumes that screening and testing for COVID-19 is also completed at hospitals within the District.
- The question raised by Dr. McCants regarding pharmacists conducting screening examinations for COVID-19 is: Will the Board require additional credentialing or certification to qualify pharmacists to conduct these screening examinations?
- Dr. White shares with the Board, the District's COVID-19 public screening and testing sites per the District Mayor's presentation of April 13, 2020:
 1. United Medical Center
 2. George Washington University Medical Center
 3. All Care Family Medical and Urgent Care Center
 4. Children's National Hospital
 5. Mary's Center
 6. Unity Healthcare
- The following centers also engage in screening and testing for COVID-19, but are member-specific:
 1. One Medical
 2. Medstar Health at:
 - a. Adams Morgan
 - b. Capitol Hill
 3. Kaiser Permanente
- Dr. White suggests that for pharmacists to participate in screening for COVID-19, all coordination must be completed through DC Health and clear waivers must be obtained from Department of Consumer and Regulatory Affairs (DCRA). She further suggests that the Board of Pharmacy and pharmacists must coordinate and collaborate with DC Health, Federal partners, and testing sites already operational in the District to engage in the screening process for COVID-19.
- Mr. Friedman inquires about the COVID-19 screening and testing process and Dr. Miles informs the Board that the screening process includes insertion of a swab into the nasal pharynx for 20-30 seconds; and that testing was not completed by the same healthcare professionals administering the screenings.
- Dr. McCants suggests that pharmacists are not in need of additional credentialing to conduct screenings for COVID-19.
- Dr. Miles assures the Board that screenings [at his place of employment] are completed by nursing aides and medical assistants and are therefore, attainable for pharmacists.
- Dr. McCants states that the American Pharmacists Association sought pharmacists experienced in nasal swabbing to train inexperienced pharmacists, but that she was unaware of recent updates on this matter. She further suggests that there is no information in legislation that may impede a pharmacist from conducting screenings and that [before moving forward], the Board must ensure that pharmacists observe screening for COVID-19 as an employment duty.

<p>0415-O-03</p>	<p>Request for Extensions of Authorizations To Test (ATTs)</p> <ul style="list-style-type: none"> ➤ Candidates for the MPJE and NAPLEX examinations, who are seeking licensure in the District of Columbia via examination, score transfer, reciprocity and re-examination are requesting extensions of ATTs because they are unable to test due to the public health emergency, social distancing guidelines and limited spacing at test centers caused by the novel corona virus (COVID-19). ➤ Dr. White requests that the Board votes formally on this matter. ➤ Mr. Friedman suggests that the Board make a general recommendation that [extensions are granted] only and during the COVID-19 public health emergency. <p>Motion: Board Member Ms. Chikita Sanders moves that the Board extends ATTs until sixty (60) days past the date that the CDC has lifted the restriction on large gatherings.</p> <p>Seconded by: Dr. Benjamin Miles.</p> <p>***Amended Motion: Board Member Ms. Chikita Sanders moves the Board to extend all ATTs until September 30, 2020.</p> <p>Seconded by: Dr. Benjamin Miles.</p> <p>Roll Call Vote: Dr. Tamara McCants: in favor of the motion. Dr. Ashlee Bow: Votes in favor of the motion. Dr. Benjamin Miles: Votes in favor of the motion. Mr. Alan Friedman: Votes in favor of the motion. Dr. Allison Hill: Votes in favor of the motion. Ms. Chikita Sanders: Votes in favor of the motion.</p> <p>Abstentions: None Motion Carried</p> <ul style="list-style-type: none"> ➤ Dr. White clarifies the motion for Mr. Friedman as such: All Authorizations To Test (ATTs) for candidates applying for pharmacist licensure in the District of Columbia will be extended until September 30, 2020. ➤ Mr. Friedman suggests that the Board must revisit this motion as the September 30, 2020 approaches, [if CDC restrictions persist]. 	
<p>0415-O-04</p>	<p>Schedule Regarding Future Board of Pharmacy Meetings</p> <ul style="list-style-type: none"> ➤ Dr. McCants suggests that the Board maintain its assigned meeting scheduled, (i.e. meeting on the first Thursday of every month). ➤ Mr. Friedman supports Dr. McCants' decision to keep the Board's assigned schedule during the COVID-19 public health emergency. ➤ Dr. White informs the Board that it is approved [by DC Health] to meet via zoom meetings during public health emergencies. ➤ Dr. McCants requests copies of the Board of Pharmacy's by-laws for review and updating by all Board members. 	

	<p>Motion: Board Member, Dr. Benjamin Miles moves the Board to continue to meet as previously scheduled.</p> <p>Seconded by: Dr. Ashlee Bow.</p> <p>Roll Call Vote: Dr. Tamara McCants: in favor of the motion. Dr. Ashlee Bow: Votes in favor of the motion. Dr. Benjamin Miles: Votes in favor of the motion. Mr. Alan Friedman: Votes in favor of the motion. Dr. Allison Hill: Votes in favor of the motion. Ms. Chikita Sanders: Votes in favor of the motion.</p> <p>Abstentions: None</p> <p>Motion Carried</p>	
<p><u>Public Comments</u></p>	<p><u>Mr. Don Zowader, DC Public</u></p> <ul style="list-style-type: none"> ➤ Mr. Zowader requests access to the minutes of this meeting (the Open Session Minutes for the Board of Pharmacy April Monthly Meeting). ➤ Dr. White informs Mr. Zowader that the minutes will be available for viewing at https://www.open-dc.gov/public-bodies/board-pharmacy within seventy-two (72) hours of today, April 15, 2020. <p><u>Ms. Jasmine Inman, Pharmacist</u></p> <ul style="list-style-type: none"> ➤ Ms. Inman requests from the Board an answer to the following question: "If the DC Board of Pharmacy decides to include additional requirements or certification for COVID-19 screening, when will the public be informed of [the Board's] decision?" ➤ Dr. McCants responds by stating the it is not likely that the DC Board of Pharmacy will require additional requirements or certification of pharmacists participating in screening and testing exercises for COVID-19; but if it were possible, information regarding this matter would be disseminated immediately following the Board's decision. 	
<p><u>Motion to Adjourn the Open Session</u></p>	<p>Board member, Mr. Alan Friedman moves as follows:</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>Seconded by: Board Member, Dr. Ashlee Bow.</p> <p>Roll Call Vote: Dr. Tamara McCants: in favor of the motion. Dr. Ashlee Bow: Votes in favor of the motion. Dr. Benjamin Miles: Votes in favor of the motion. Dr. Allison Hill: Votes in favor of the motion. Mr. Alan Friedman: Votes in favor of the motion.</p>	

	<p>Ms. Chikita Sanders: Not available to vote on this motion. Abstentions: None Motion Carried</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 11:10 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.

899 NORTH CAPITOL ST. NE – 2ND FLR.
WASHINGTON, DC 20002

May 7, 2020

9:35 AM – 9:39 AM

**OPEN SESSION MINUTES
(VIA ZOOM MEETING DUE TO THE COVID-19 PUBLIC HEALTH EMERGENCY)**

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

Introduction:	None	
<u>Consent Agenda</u>	None	
Motion to Adjourn the Open Session	<p>Board member, Mr. Alan Friedman moves as follows:</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>Seconded by: Board Member, Dr. Benjamin Miles.</p> <p>Roll Call Vote: Dr. Tamara McCants: Votes in favor of the motion. Mr. Alan Friedman: Votes in favor of the motion. Dr. Ashlee Bow: Votes in favor of the motion. Dr. Allison Hill: Votes in favor of the motion. Dr. Benjamin Miles: Votes in favor of the motion. Ms. Chikita Sanders: Votes in favor of the motion. Mr. Gregory Cendana: Votes in favor of the motion. Abstentions: None Motion Carried</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 9:39 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.

BYLAWS OF THE DISTRICT OF COLUMBIA BOARD OF PHARMACY

ARTICLE I: GENERAL

The calendar year for the Board shall be from January 1st through December 31st. The Mayor shall appoint the Chairperson pursuant to D.C. Official Code § 3-1205.05(a) (2012 Repl.). The Chairperson shall remain in office until removed by the Mayor. The Board shall appoint from its members, a Vice Chairperson. The term of office for the Vice Chairperson shall be **two (2)** years. A person shall not serve as Vice Chairperson for more than **two (2)** consecutive terms.

For the purposes of these Bylaws, the Board meets in open (public) sessions on the even-numbered months of the year, i.e. February, April, June, August, October, and December. On the odd-numbered months of the year, i.e. January, March, May, July, September, and November, the Board may meet in subcommittees and/or hold executive (closed) session meetings as needed Pursuant to D.C. Official Code § 2-575(b) (2012 Repl.), and for the purposes set forth therein, executive (closed) session meetings are not open to the public. The Board has the right to change the dates, schedule additional meetings as needed, or cancel any Board meeting. Board members shall attend all Board meetings in person, unless prevented by illness or similar unavoidable cause. A majority of the appointed members of the Board shall constitute a quorum for the transaction of business. The current edition of *Robert's Rules of Order*, as may be amended from time to time, shall apply unless overruled by law, regulation, or these Bylaws, or when otherwise agreed.

ARTICLE II: OFFICERS OF THE BOARD

- A. The officers of the Board shall be the Chairperson and the Vice Chairperson.
- B. The Chairperson presides at all meetings and formal administrative hearings, and requires adherence of same on the part of the Board members.
- C. The Vice Chairperson shall act as Chairperson in the absence of the Chairperson.
- D. In the absence, or inability to serve, of both the Chairperson and Vice Chairperson, the Chairperson shall appoint another Board member to preside at the meeting and/or formal administrative hearing.
- E. The Executive Director shall be the custodian of all Board records and all papers of value. She/he shall preserve a correct list of all applicants and licensees. She/he shall manage the correspondence of the Board and shall perform all such other duties as naturally pertain to this position.

ARTICLE III: ORDER OF BUSINESS MEETINGS

The order of business is generally set as follows:

1. Call to order with statement made for the record of how many Board members are present and that it constitutes a quorum
2. Approval of Agenda
3. Senior Deputy Director Report
4. Executive Director Report
5. Board Counselor Report
6. Subcommittee Reports
7. Old Business
8. New Business
9. Communications
10. Approval of Minutes
11. Public Comment Received
12. The remainder of the agenda shall be established by the Executive Director in consultation with the Chairperson, and is subject to change as needed.

ARTICLE IV: SUBCOMMITTEES

- A. Subcommittees are established by motion and vote of the Board. There shall be the following standing subcommittees (permanent)/or special and select subcommittees (permissive);
 - Legislative and Regulatory Subcommittee
 - Communications Subcommittee
1. Legislative and Regulatory Subcommittee. This subcommittee shall consist of three Board members, Executive Director and the Board's Legal Counsel. This subcommittee is responsible for the development of proposals for new regulations or amendments to existing regulations with all required accompanying documentation; the development of proposals for legislative initiatives of the Board; the drafting of Board responses to public comments as required in conjunction with rulemaking; conducting the required review of all existing regulations, and any other required tasks related to regulations. In accordance with the Administrative Procedure Act, any proposed draft regulation and response to public comment shall be reviewed and approved by the full Board prior to publication.
2. Communications Subcommittee. This subcommittee shall consist of three Board members and the Executive Director. This subcommittee develops communication strategies for the

Board to reach out to members of the public and the pharmacy community, this includes but is not limited to, publishing newsletters, sending information mass emails, and making presentations on behalf of the Board for the pharmacy community, other health professionals, and members of the public as requested.

B. Ad Hoc Subcommittees.

The Board may create such other subcommittees as deemed necessary by motion and vote of the Board.

C. A majority of the subcommittee shall constitute a quorum and the act of a majority of the members present at a meeting at which a quorum is present shall constitute the act of the subcommittee.

ARTICLE V: GENERAL DELEGATION OF AUTHORITY

The Board delegates the following functions:

1. The Board delegates to the Executive Director and her/his staff the authority to renew licenses and registrations where minimum qualifications have been met, and no disciplinary action or practice issues have been identified.
2. The Board delegates to the Executive Director the authority to issue new licenses and registrations where minimum qualifications have been met, and no disciplinary action or practice issues have been identified.
3. The Board delegates to the Executive Director the authority to reinstate licenses and registrations when the reinstatement is due to the lapse of the license or registration and where minimum qualifications have been met, and no disciplinary action or practice issues have been identified.
4. The Board delegates to the Executive Director the authority to sign orders and agreements on behalf of the Chairperson resulting from the disciplinary process or other administrative proceeding.
5. The Board delegates to the Executive Director the authority to grant extensions for continuing education on a one-time basis upon written request of the licensee prior to the renewal date in accordance with regulations. Approval of any request for an extension where the licensee must show good cause or approval of any request for an exemption is delegated to the executive director in consultation with the Chairperson. Should the Executive Director and Chairperson not reach agreement, the matter shall be referred to the full Board.
6. The Board delegates to the Chairperson, the authority to represent the Board in instances where Board “consultation” or “review” may be requested, but where a vote of the Board is not required and a meeting is not feasible.
7. The Board delegates to the Executive Director, in consultation with Board counsel, the authority to grant an accommodation of additional testing time, up to a maximum of double time, to candidates for Board required examinations pursuant to the Americans with Disabilities Act provided the candidate provides documentation that supports such an accommodation as required by Board

regulation or guidance document. Any other requests for accommodation beyond additional testing time shall be reviewed by the Board at the next available Board meeting.

8. The Board delegates to the Executive Director, in consultation with Board counsel, the authority to initiate an investigation or request that a Board investigator acquires additional information pertaining to an ongoing investigation, should the investigation or additional information be needed between Board meetings to ensure the efficient administration of Board matters.
9. The Board delegates to the Executive Director, in consultation with Board counsel, the authority to respond to an application for which the applicant's criminal background check has returned positive results by a) approving the application with no further action, b) issuing a negotiated settlement agreement with the appropriate fine, or c) referring to the Board for further action, pursuant to the Criminal Background Check Categories document issued by the Board.

ARTICLE VI: AMENDMENTS

These Bylaws shall be voted on every year, and amended as needed. Amendments to these Bylaws may be proposed by a Board member or staff personnel by presenting the amendment in writing to all Board members prior to any scheduled meeting of the Board. Upon favorable vote of at least two-thirds of the Board members present at said meeting, such proposed amendment shall be adopted. If notice is given to the Board members at the previously held board meeting, a favorable vote of a majority of the Board members present at the current board meeting is required to adopt the amendment.

District of Columbia Board of Pharmacy MPJE Retake Policy

- Candidates are limited to five (5) attempts to pass the MPJE.
- An applicant that fails to pass the MPJE during the first three (3) attempts, shall be required to meet with the Board before the Board may approve the applicant for subsequent testing. If approved by the Board to retake the examination, the applicant shall be required to wait sixty (60) days before retaking the examination.
- An applicant that fails to pass the MPJE during the first four (4) attempts, shall be required to wait ninety (90) days before retaking the examination.
- An applicant for licensure who does not pass the MPJE during the first five (5) attempts, shall not be approved by the Board for any subsequent attempts to retake the examination, and the Board shall not approve an application for licensure by examination, score transfer, or reciprocity if filed by the applicant within three years after a fifth (5) failed attempt.