

2201 SHANNON PLACE, SE
2ND FLOOR
WASHINGTON, DC 20020

June 6, 2024

10:07 AM – 11:02 AM

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

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:	Recognition of Dr. Tamara McCants' dedicated service as the Chairperson of the DC Board of Pharmacy	
o6o6-O-01	<p><u>Approval of the Open Session Meeting Minutes for:</u></p> <ul style="list-style-type: none">• April 4, 2024, Open Session Meeting Minutes <p>Motion: Vice Chair, Mr. Alan Friedman moves the Board to approve the April 4, 2024 open session meeting minutes.</p> <p>Seconded by: Board Member, Dr. Allison Hill.</p> <p>Abstentions: None.</p> <p>Motion Carried</p> <ul style="list-style-type: none">• May 2, 2024 Open Session Meeting Minutes <p>Motion: Board Member, Dr. Ashlee Bow moves the Board to approve the May 2, 2024 open session meeting minutes.</p> <p>Seconded by: Board Member, Dr. Benjamin Miles.</p> <p>Abstentions: None.</p> <p>Motion Carried</p>	
<u>Consent Agenda</u>	None	
<u>Chairperson Report</u>	Dr. McCants recognizes the Chairperson of the Committee on Health, Council Member Henderson, for listening to the pharmacy community and being receptive to the ideas of the pharmacy community. The DC Board of Pharmacy looks forward to partnerships with all entities in the District of Columbia to ensure that residents have access to care and are protected.	Dr. Tamara McCants
<u>Office of Government Relations (OGR) Report Updates</u>	<p>DC Health Fiscal Year 2025 Budget Oversight</p> <ul style="list-style-type: none">▪ DC Health had its Fiscal Year 2025 Budget Oversight hearing in early April. This hearing offered an opportunity for the Committee on Health to review DC Health’s proposed budget for the 2025 Fiscal Year.	Ms. Kera Johnson

- Find information about the proposed Fiscal Year 2025 budget [here](#).
- There were two hearings, one on [April 10th](#) for public witnesses and the other on [April 11th](#) for representatives from DC Health.
- The mark-up for DC Health’s budget by the Committee on Health was held on [May 9th](#). The marked-up FY25 budget was advanced unanimously out of the Committee and on to the Committee of the Whole where it was passed on First Reading with 11 votes. The second reading will occur during the next legislative meeting on June 11, 2024. If passed, the budget will go to the Mayor for signature and approval before going through a Congressional Review.

Health Occupations Revision Act (HORA) Update:

- A mark-up of the HORA was held on [March 21st, 2024](#). The legislation was passed unanimously by the Committee of the Whole on the First Reading on April 2nd and on the Second Reading on May 7th. The legislation was signed by the Mayor on May 29th and will now go through Congressional Review. The Office of Government Relations anticipates this will become law in early August or September.

Executive Director Report

Statistical Report on Pharmacy Professionals in the District of Columbia

PHARMACEUTICAL DETAILERS	609
PHARMACISTS	2,238
PHARMACY INTERNS	315
PHARMACY TECHNICIANS	1,216
PHARMACY TECHNICIAN TRAINEES	149
PHARMACISTS WITH VAC AUTHORITY	843
PHARMACY TECHNICIAN TRAINING PROGRAMS	14

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 email notifications regarding registration for the program every thirty (30) days after licensure.
- The Delegate Registration Option allows pharmacists to appoint a total of two delegates (i.e. a pharmacy intern and/or pharmacy technician) to query the PDMP [on their behalf].

Dr. Justin Ortique

	<ul style="list-style-type: none"> ▪ Further information regarding the District’s Prescription Drug Monitoring Program is viewable at https://dchealth.dc.gov/service/prescription-drug-monitoring-program. <p>DCRx (DC Center for Rational Prescribing)</p> <ul style="list-style-type: none"> ▪ The DC Center for Rational Prescribing (DCRx) published two (2) new modules since the Board met, the first of which is: <i>Opioid Addition Identification and Medication for Opioid Use Disorder (MOUD)</i>. Both modules are accessible on a new platform, which is more interactive. Course content also addresses the opioid epidemic from a unique, and “District of Columbia,” perspective. ▪ A new module concerning the EpiPen has been added – <i>Allergies and Anaphylaxis: An Overview of Recent Developments</i>. This module will explore recent advancements in allergy prevention and therapeutic approaches. ▪ A new module on obesity and various treatments will be available to the pharmacy community in the upcoming month. <p>Board of Pharmacy Vacancies:</p> <ul style="list-style-type: none"> ▪ The DC Board of Pharmacy will introduce its new consumer member at the next open session meeting. ▪ The Board is currently seeking a District of Columbia resident to serve on the Board as a pharmacy technician. For further information regarding the vacancy, and to apply, please go to: https://motaboardstheresumator.com/apply/1L8k6Q/Board-Of-Pharmacy <p>Working Conditions:</p> <ul style="list-style-type: none"> ▪ The Board of Pharmacy and the Pharmaceutical Control Division will conduct a second overview of working conditions [in the pharmacy] on June 27, 2024 from 1:00 pm to 2:30 pm. This meeting is primarily intended for pharmacy stakeholders, but open to the public. An email blast with more information will be disseminated to the pharmacy community soon. 	
<u>Senior Assistant General Counsel Report</u>		
o6o6-O-02	None	Ms. Carla Williams
<u>Subcommittee Reports</u>		
o6o6-O-03	<u>Legislative and Regulatory Subcommittee Report</u>	Mr. Alan Friedman

No Call State:

- While the subcommittee did not meet in May, 2024 because of scheduling conflicts, members met in April and reviewed the “*No Call State*,” a regulatory recommendation, which was discussed with, and supported by the Board during a past meeting.
- This legislation – unless prohibited by a prescriber – will allow a pharmacist to automatically take the original fill plus refills and dispense up to a 100-day supply. If this legislation moves forward, it would be for maintenance or chronic disease medications; not federally or locally controlled substances or drugs considered as “covered drugs,” which are under the *Prescription Drug Monitoring Program*.
- The legislation would afford the pharmacist the authority to automatically increase the supply to the patient without permission from the prescriber, (if the patient consents).
- This legislation will be brought before the Board a potential change of rule via the pharmaceutical control division, through Chapter 13, Section 18, which addresses [the pharmacist’s] professional judgement and dispensing varying quantities.

Staff Participation in Remote Work for Prescription Processing:

- The subcommittee will research remote work access for pharmacists and pharmacy technicians by reviewing [the regulations] of other states, particularly those of the neighboring states: Maryland and Virginia. The review will inform the committee of the regulatory landscape concerning remote access work.
- The subcommittee intends to make informed decisions from its review to draft a proposal that is appropriate for the District of Columbia.
- The subcommittee will present its proposal to the Board through its partnership/collaboration with the pharmaceutical control division.

Title 17, DCMR Chapter 99, Pharmacy Technicians, and Ancillary Pharmacy Services:

- The subcommittee is reviewing the roles of the pharmacy technician and the store clerk with the intent of ensuring that responsibilities designated to a [store] clerk are appropriate.
- In its review of this chapter, the subcommittee will reframe language in regulations where it is too broad or vague.
- The subcommittee has also reviewed the scope of work of pharmacy technicians to determine what is appropriate for technicians, for example, in receiving refills for controlled substances or non-controlled substances.
- The subcommittee has reviewed legislation and regulations of

	<p>neighboring state, Maryland, specifically those that support the expanded scope of practice for pharmacy technicians. (For example, regulations that address vaccination and immunization authority for pharmacy technicians).</p> <ul style="list-style-type: none"> ▪ The subcommittee will suggest updating Chapter 99, specifically Section 10. The discussion concerning pharmacy technician functions and definitions will continue. ▪ Dr. Justin Ortique, the Executive Director for the District’s Board of Pharmacy, will provide clarity or suggestions for language concerning pharmacy clerks. ▪ Dr. Reginal Bellamy, the Supervisory Pharmacist, will join the discussion in support of [regulations for] the Pharmaceutical Control Division. 	
o6o6-O-04	<p><u>Communications Subcommittee Report</u></p> <ul style="list-style-type: none"> • The Communications Subcommittee is currently working on the next edition of the newsletter, which will be published by NABP in July, 2024. • All articles for publication are accepted at ashlee.bow@dcbc.dc.gov. 	Dr. Ashlee Bow
<u>Pharmacy Technician Task Force</u>		
o6o6-O-05	<p><u>Update to Title 17 DCMR Pharmacy Technicians § 9906.6</u></p> <p>§9906.6 To be eligible to register as a pharmacy technician trainee a person shall:</p> <p>(a) Be at least 167 years of age;</p> <p>(b) <i>Be on course to obtain</i>Have a high school diploma or its equivalent; and</p> <p>(c) Be enrolled in a Board-approved pharmacy technician training program or employed in a pharmacy as a pharmacy technician trainee.</p> <p>(a) Update to Title 17 DCMR Pharmacy Technicians § 9906.6</p> <p>Motion: Board Member, Dr. Benjamin Miles moves the Board to:</p> <ol style="list-style-type: none"> 1. Change the age from 17 years old to 16 years old. 2. Change the requirement for a high school diploma to a requirement that shows the applicant is on course to obtain a high school diploma. <p>Seconded by: Board Member, Dr. Allison Hill.</p> <p>Abstentions: None.</p> <p>Motion Carried</p>	

<p>NABP E-Newsletter</p>	<p>May 29, 2024</p> <p>FDA Extends Comment Period for Proposed Animal Drug Labeling Rule</p> <p>FDA Debuts New Campaign That Prepares Health Care Providers for Treating OUD</p> <p>Innovations: Regulatory Perspectives –Issues Compounded by Nonresident Pharmacies</p> <p>LAPPA Authorizes Pharmacists to Manage Medication for OUD in Recent Published Model Law</p> <p>AHA Sets Forth New Objective to Engage Pharmacists in Providing AFib Care</p> <p>May 22, 2024</p> <p>NABP 2024-2025 Executive Committee Inaugurated at the 120th NABP Annual Meeting</p> <p>Delegates Approve Four Resolutions at the 120th NABP Annual Meeting</p> <p>DEA Proposes Rule to Reclassify Marijuana From Schedule I to Schedule III of CSA</p> <p>ASPL Accepting Applications for Fink Family Scholarship Through May 31</p> <p>Ascension Confirms Ransomware Attack; Federal Agencies Issue Joint Cybersecurity Advisory About Black Basta</p> <p>DEA’s Annual Threat Assessment Spotlights Electronic Prescribing Fraud and Use of Counterfeit Pills</p> <p>LAPPA Publishes Report on Status of State Laws for Regulating Kratom</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>	<p>*** Board Chair, Dr. Tamara McCants Departs. ***Meeting Chaired by Vice Chairperson, Mr. Alan Friedman.</p>
<p><u>Comments from the Public</u></p>	<p>Ms. Carolyn Rachel-Price, Executive Director of the <i>Washington, DC Pharmacy Association</i> extends well wishes and gratitude to Dr. McCants for serving the District of Columbia’s Board of Pharmacy for eighteen (18) years. Ms. Rachel-Price states that the “work [Dr.McCants] has done is much, much appreciated.”</p> <p>Ms. Rachel-Price, on behalf of the Washington, DC Pharmacy Association, also thanks everyone involved in the approval of the HORA. Ms. Rachel-Price calls it a historical moment for the District of Columbia.</p>	

	<p>Announcement: The <i>Washington, DC Pharmacy Association</i> will host its fourth annual confab on October 25 -26, 2024.</p> <ul style="list-style-type: none"> ➤ Topics of discussion will include provider status and the changing landscape of pharmacy in the District of Columbia. ➤ The Association will celebrate 50 years of service to the District as well. <p>Ms. Carla Evans, Pharmacist, Medstar Washington Hospital Center, addresses the Board regarding the following:</p> <ol style="list-style-type: none"> 1. Plans to increase [the number of questions on the MPJE] that focus on institutional practice. <p>Board Member, Dr. Benjamin Miles informs Ms. Evans that the NABP sets the standard by which candidates are tested and that NABP’s question banks are filled by each jurisdiction, which is tasked with providing items for the test that signify a broad range of subjects, including those that affect community practice as well as institutional practice. All [jurisdictions] follow the same guidelines in developing [test questions]. Therefore, the only way [the guidelines] will change is through NABP as the institution sets the standard by which jurisdictions license applicants.</p> <ol style="list-style-type: none"> 2. The vacancy for a Pharmacy Technician to serve on the Board of Pharmacy. <p>Executive Director of the DC Board of Pharmacy, Dr. Justin Ortique, informs Ms. Evans that pharmacy technicians interested in serving on the Board may submit their applications via https://motaboardstheresumator.com/apply/1L8k6Q/Board-Of-Pharmacy. A technician will be selected from the pool of applicants who apply to serve.</p> <p>Dr. Ortique further informs Ms. Evans that the vacancy on the Board of Pharmacy for a consumer member has been filled.</p>	
<p><u>Motion to Adjourn the Open Session</u></p>	<p>Board Member, Dr. Ashlee Bow, moves the Board as follows:</p> <p>“Madam Chair, I move that the Board closes 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: Dr. Allison Hill.</p> <p>Roll Call Vote:</p>	

	<p>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>Abstentions: None.</p> <p>Motion Carried.</p>	
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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 11:02 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.