



Pharmacy Board Public Meeting

Pharmacy Board

Dec 21, 2022 at 9:00 AM EST to Dec 21, 2022 at 12:00 PM EST

OPLC, 7 Eagle Square, Concord NH 03301

Members Present: John Genovese, Nichole Harrington, Lindsey Laliberte, Karl Peicker, Eric Lessard and David Rochefort

Minutes

I. Call to Order- Commissioner Genovese called the meeting to order at 9:09 a.m.

II. Review and Approval of Agenda

III. OPLC and /or Board Administration Updates

A. Workgroup Initiatives

1. Commissioner Genovese

2. Commissioner Rochefort- rules working group have condensed the rules into 8 sub-groups. Now doing analysis of all the rules to link them back to the statutes for the rules that must be done/ followed. There are a number of outdated rules that are connected to statute. Idaho and Vermont redid the rules starting with a 0 based process. Starting with zero and adding what is necessary. Feels this is the best way to approach the rules it is the most effective way to proceed but it is a challenge.

Co-sponsoring a Bill with Gary Merchant to form a study committee to review RSA 318. This would involve stakeholders to make recommendations and it coincides with the rules working group.

Draft legislation to eliminate the PIC position and put tasks onto the permit holder has co-sponsors. Should have a draft for the Board to review in 10 days. Commissioner Peicker has offered to help write these rules.

Also asked the Board to endorse legislation for pharmacists to administer RSV vaccines to adults. Commissioner Harrington made a motion to approve. Commissioner Laliberte seconded and motion passes 6-0-0.

Board would be interested if the quality of life would go up with the reduction in rules. Would like to review the report from all districts and just district one as the Board usually gets.

3. Commissioner Laliberte- the exam for the LAPT is moving along nicely.

4. Commissioner Lessard

5. Commissioner Harrington- PDMP advisory Board reviewed baseline trends. Shows a decline in Opioids and an increase in stimulants. This is the national trend as well.

Thanked Attorney Phillips for the guidance on the ID on pick up of prescriptions that it is permissible to get an ID on pick-up.

Would like to have items for the NABP newsletter.

6. Commissioner Peicker

B. OPLC Strategic Plan- noted

C. SB 330 Final Report- noted

D. Plc 300 Licensure initial proposal rules- noted

IV. Consent Agenda Items

A. Approval of Public Minutes-Commissioner Peicker made a motion to approve the minutes from the November 16, 2022 meeting. Commissioner Laliberte seconded, Commissioner Rochefort abstains, and motion passes 5-0-1.

B. PIC Changes- Commissioner Laliberte made a motion to accept all the PIC changes on the consent agenda. Commissioner Peicker seconded and motion passes 6-0-0.

- 1. CVS Pharmacy, Concord, #0557**
- 2. CVS Pharmacy, Hooksett, #0638**
- 3. CVS Pharmacy, Keene, #0681**
- 4. CVS Pharmacy, Merrimack, # 0209**
- 5. Rite Aid, Pelham, #0545**
- 6. Rite Aid, Raymond, 0373**
- 7. Rite Aid, Salem, #0703**
- 8. Dartmouth-Hitchcock at Centerra, Lebanon, # 04398**
- 9. Foundation Oncology Pharmacy, #0769**
- 10. Genoa Healthcare LLC, Plymouth, # 04374**
- 11. Price Chopper Pharmacy, Lebanon, #0755**
- 12. Walgreens Pharmacy, Bedford, #0670**
- 13. Walmart Stores East, North Conway, #0579**
- 14. Rite Aid, Portsmouth, #0418**

C. Collaborative Practice- Commissioner Laliberte made a motion to accept this application on the consent agenda. Commissioner Peicker seconded and motion passes 6-0-0.

- 1. Brittany Lynn Allen, Phcy-01313**

D. PIC Waiver Extensions- Commissioner Laliberte made a motion to accept the PIC waivers on the consent agenda. Commissioner Peicker seconded and motion passes 6-0-0.

- 1. Genoa Healthcare, LLC, Rochester, #0809**
- 2. The Prescription Center**

E. NABP- Commissioner Laliberte made a motion to accept the NABP items on the consent agenda. Commissioner Peicker seconded and motion passes 6-0-0.

- 1. NABP DSCSA Interoperability Network Webinar Recording**
- 2. FDA Follow-up Regarding Desiccated Thyroid Extract Preparations**
- 3. Licensure Transfer Candidate Notification**
- 4. Reopening Demographic Survey of State Boards of Pharmacy Members**
- 5. Pharma Industry Fraud Update**

V. Public Appearances

A. Cheshire Medical Center- a few milestones for Cheshire in regard to the settlement agreement. November marked the end of bi-weekly reporting. December will be the start of monthly reporting. Starting in January they will be starting with quarterly visits to the Board meetings.

Board asked for the dates when onsite audits took place. The requested information will be sent to staff.

Noticed that training staff has fluctuating greatly. This is normal. But assured that training is completed before staff has Omni Cell usage.

Training includes fundamentals of diversion. They are continuing to stay tight in processes.

B. Linda M. Sawyer- Fastlane Delivery Kiosks- discussed with the Board how the kiosks will work; will have constant 2-way video coverage, need and ID, lots of safety measures in place, large touchscreen, fast experience.

Average is 28 seconds to complete pick up and prescriptions are picked up within 2 days.

Customer and choose in person or the kiosk.

There is back up power, there is on offline mode, staff will have access to the machine if necessary.

They will complete the application.

VI. Rules and Other Legislative Topics

A. Ph 401.06 Reinstatement- Commissioner Rochefort made a motion to adopt.

Commissioner Peicker seconded and motion passes 6-0-0.

B. Ph 1100 Collaborative Practice Initial Proposal- Commissioner Rochefort made a motion to accept this initial proposal as amended. Commissioner Lessard seconded and motion passes 6-0-0. A Public hearing could possibly be in February.

C. Ph 1300 Administration of Vaccines- LAPT will be added to keep this section on track. Board reviewed changes submitted in the past tot make sure items are included in conditional approval request. Commissioner Lessard made a motion to approve with edits. Commissioner Rochefort seconded and motion passes 6-0-0.

Definition for LAPT will be added to the Ph 100s.

D. Ph 2600 Smoking Cessation- Commissioner Rochefort made a motion to approve the final proposal as amended. Commissioner Laliberte seconded and motion passes 6-0-0.

E. Ph 300 various Ph 700 Citations- Table until January so Board will have time review.

F. Relative to the Regulation of Pharmacists-In-Charge and Pharmacies. Discussed above.

G. Draft Legislative Language Disciplinary Actions- Commissioner Rochefort will have a cleaner version at the next meeting.

VII. Licensure Approval

A. North Country Healthcare Pharmacy- Jonathan Bradbury will need to let the Board know all staff who have access to the pharmacy. There is a per-diem pharmacist not listed.

Commissioner Laliberte made a motion to approve this application. Commissioner Lessard seconded and motion passes 6-0-0.

VIII. New Business

A. District 1 Well Being Index for Pharmacy Personnel- Board would like to see all districts not just 1. Staff will add older reports to a folder for the Board members to review.

B. NABP Newsletter Information- March 1 is the deadline for the next newsletter. Some suggestions for items to add; restating the meal breaks rules, anonymous complaints process, regulatory changes, 2022 year in review, and highlights from the Board.

Have the content for the January meeting. NABP will take information and make it look nice for the newsletter.

C. NABP MPJE 2023 Workshop Announcement- March 8-10, 2023. This will be funded for 2 individuals.

D. PDMA Requirements for Distributing Drug Samples- Staff will send her the declaratory ruling information and suggest she submit a declaratory ruling request.

E. Question from Laurie Johnson- suggest she reach out to Ryan Burke at PTCB. He can advise her.

F. Examination Glove Licensing Inquiry- This is not in the Boards scope. Do not need licensing for this.

G. Q4 National News- noted

H. State of NH Budget Book- Board has a few questions for Director Courtney. Ask her to attend the January meeting. Board will write up the questions they have.

I. Question from Anita Jacobson-this is now a moot point because this will now be available over the counter. Board asked how this program is working in RI. There is a 10-minute training that is available for public, mental health workers, school nurses, nurses. May pick up in person but is also available by mail.

J. En-Vision America-noted

K. Sharps Compliance Declaratory Ruling Request- After Attorney Phillips review, it appears there is a mechanism for this. Board would like Wanda Voight to come to the next meeting for some follow-up questions.

Drugs belong to the individual and staff is acting on behalf of the patient and are not being prescribed.

Board would like a breakdown of the drug take back program and could this be a solution for this situation.

L. Mayo Clinic- submitted a request to waive recent inspection requirement-

Commissioner Rochefort made a motion to deny this request. Commissioner Peicker seconded and motion passes 6-0-0. Due to lack of inspection and the Board does not have the authority to waive rules.

M. E-Prescribing Waivers- this is not being renewed. Statute gave 1 year for the waivers. Should have a meeting with all Board admins to get everyone on the same page.

N. Pharmacy Temporary Licenses- Board would like a report of the number of temp licensees.

O. Board would also like to have the legislative updates spreadsheet that they received during last legislative session.

IX. Public Comments- none

X. Non-Public Session

*RSA 91-A:3, II(c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, **other than a member of this board**, unless such person requests an open meeting. This exemption shall extend to include any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant.*

Commissioner Lessard made a motion to enter non-public session at 11:59 a.m. Commissioner Peicker seconded and motion passes 6-0-0.

Upon return to public session at 1:21 p.m. Commissioner Laliberte made a motion to seal the minutes from the non-public session. Commissioner Lessard seconded and motion passes 6-0-0.

XI. Adjournment- Commissioner Lessard made a motion to adjourn at 1:42 p.m. Commissioner Laliberte seconded and motion passes 6-0-0.