



STATE OF WASHINGTON
Pharmacy Quality Assurance Commission
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**Pharmacy Quality Assurance Commission Special Meeting
August 5, 2022 - Minutes**

Convene: Chair, Teri Ferreira called the meeting to order August 5, 2022, 12:08 p.m.

Commission Members:

Teri Ferreira, RPh, Chair
Jerrie Allard, Public Member, Vice Chair
Bonnie Bush, Public Member
Uyen Thorstensen, CPhT
Hawkins DeFrance, Nuclear Pharmacist
William Hayes, PharmD, CCHP
Craig Ritchie, RPh, JD
Matthew Ray, PharmD
Ken Kenyon, PharmD, BCPS

Staff:

Marlee O’Neill, Executive Director
Lindsay Trant, Deputy Director
Christopher Gerard, AAG
Joshua Munroe, Legislative and Rules Consultant
Taifa “Nomi” Peaks, Pharmacist Consultant
Haleigh Mauldin, Program Consultant
Amy L Robertson, Communications Coordinator
and Program Support

Commission Members Absent:

Patrick Gallaher, BS, BPharm, MBA, MPH
Judy Guenther, Public Member
Helen H. Jung, PharmD, MBA
Tim Lynch, PharmD, MS, FABC, FASHP
Ann Wolken, PharmD, RPh

1. Call to Order Teri Ferreira, Chair.

1.1 Meeting Agenda Approval – August 5, 2022

MOTION: Craig Ritchie moved to approve the special meeting agenda for August 5, 2022. Ken Kenyon, second. Motion carries, 9:0.

2. New Business

2.1 Ancillary Utilization Plans Approval – Multicare AUP

MOTION: William Hayes moved to approve AUP-Multicare. Ken Kenyon, second. Motion carries, 9:0.

3. Rules and Legislative Updates

3.1 Uniform Facilities Enforcement Framework (UFEF) - Draft Bill Language

Marlee O’Neill reviewed the history of the UFEF draft bill language. Staff will send out GovDelivery message for written feedback from stakeholders no later than August 19. Another special meeting will be held August 24 to review the feedback.

Christopher Gerard continued the discussion and presented the overall objectives and framework of the language in the UFEF.

Overall Objectives

- Applies to Non-UDA License Holders Only
- Uniform Enforcement
- Enhance Enforcement Options
- Clarify Secretary Authority for Unlicensed Cases
- Clarify Enforcement Procedure

UFEF Framework

- Section 13 and 14 – Commission’s Powers and Duties, and Definitions
- Section 15 and 16 – Addresses Notice and Procedural Requirements for Non-UDA Enforcement
- Section 17 – Addresses the Types of Non-UDA Enforcement Action, Including Suspension, Revocation, Modification, Imposition of Reasonable Conditions, Stop Service, and Civil Fines.
- Sections 18 – 33 – Incorporates Sections 15 through 17 into a number of other statutes that the Commission has licensing and enforcement authority within. Also clarifies that the Secretary of Health will have enforcement authority over entities that are unlicensed.

Commissioner discussion:

- Commissioners Craig Ritchie and Ken Kenyon would like to see a provision added that would allow the Commission to take enforcement action against a nonresident pharmacy who has been subject to an enforcement action by another state.
- The definitions need clarification and would like to attempt to hold facility owners responsible.
- Have some ability to take action against a non-licensed person if their facility has a deficiency.
- The civil monetary fine is huge step forward. However, we need to ensure we are not disproportionately having a greater impact on our in-state facilities and look at how we can enhance compliance/discipline on the out-of-state facilities.
- Want to ensure first priority is compliance and not simply taking action or fining an entity because of action in another state but that we are taking action that ensures protection of Washington patients.

Stakeholder Mary Storage, Washington State Hospital Association – appreciates the time the commission is spending on this matter.

3.2 Rescinding of Governor’s Proclamations and Decision on CE Requirement

Lindsay relayed that Governor Inslee announced he will rescind the following effective as of October 27th, 2022: [Proclamations 20-52.10](#) (which incorporates [20-06](#), [20-10](#), [20-16](#), [20-17](#), and [20-18](#)), [20-24.3](#), [20-32.11](#), [20-36.10](#), [20-59.8](#), [20-65.5](#), [20-66.5](#) and [20-74.3](#). The most relevant to the commission are 20-32.11 and 20-36.10 regarding CE requirements, ancillary utilization plans, manufacture of hand sanitizer, and storage of vaccines and COVID-19 treatments outside of a pharmacy.

MOTION: Commissioner Jerrie Allard moved to approve staff sending a GovDelivery to stakeholders stating, “the commission encourages licensees to continue with their CE

requirements. However, the commission will not take enforcement action and/or conduct audits on CE requirements until one full renewal cycle after Oct 27, 2022, the anticipated date on which the governor will rescind proclamation 20-32.” Hawkins DeFrance, second. Motion carries, 9:0.

4. Open forum – no discussion.

5. Summary of meeting action items.

- 2.1 – carry out the AUP approval
- 3.1 – incorporate feedback from today into the UFEF draft language and send out GovDelivery soliciting feedback from licensees by August 19 in preparation for the special meeting on August 24.
- 3.2 –send a GovDelivery stating that the commission encourages earning CE, but not take enforcement action and the department will not conduct CE audits until one full cycle after October 27, 2022 (with examples) when the governor’s rescission of 20-32 is effective.

Business Meeting Adjourned. 1:42 p.m.