



STATE OF WASHINGTON
Pharmacy Quality Assurance Commission
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Meeting Minutes
May 29, 2020
Webinar

CONVENE

Chair, Tim Lynch called the meeting to order May 29, 2020 at 9:01 a.m.

Commission Members:

Teri Ferreira, RPh, Vice-Chair
Craig Richie, RPh, JD
Judy Guenther, Public Member
Kat Wolf-Khachatourian, PharmD, MBA
Kenneth Kenyon, PharmD, BCPS
Olgy Diaz, Public Member
Patrick Gallaher, BS, BPharm, MBA, MPH
Sepi Soleimanpour, RPh, MBA-HA
Steve Anderson, BSPHarm, RPh
Uyen Thorstensen, CPhT
Jerrie Allard, Public Member

Staff:

Lauren Lyles-Stolz, Executive Director
Chris Gerard, AAG
Doreen Beebe, Program Manager
Lindsay Trant, Legislative Analyst, Rules
Coordinator
Cori Tarzwell, Policy Analyst
Martin Pittioni, Director, Office of Health
Professions
Sarah Beckham, Program Support

1. Call to Order

1.1. Meeting Minutes Approval – April 24, 2020

MOTION: Ken Kenyon moved to approve the April 24, 2020 meeting minutes.
Patrick Gallaher seconded the motion. **MOTION CARRIED** 12-0.

1.2. Meeting Minutes Approval – April 23, 2020

MOTION: Craig Richie moved to approve the April 23, 2020 meeting minutes. Steve
Anderson seconded the motion. **MOTION CARRIED** 12-0.

1.3. Meeting Minutes Approval – COVID-19 Special Meetings

Ken Kenyon said Items b, c, d, and e need to be removed as these meeting minutes
have not been reviewed by commission members.

- a. April 15, 2020
- b. April 10, 2020
- c. April 8, 2020
- d. April 3, 2020
- e. April 1, 2020

f. March 27, 2020

MOTION: Ken Kenyon moved to approve the March 27 and April 15, 2020 COVID-19 special meeting minutes. Uyen Thorstenson seconded the motion. **MOTION CARRIED** 12-0.

1.4 Meeting Agenda Approval – May 29, 2020

MOTION: Steve Anderson moved to approve the May 29, 2020 agenda. Judy Guenther seconded the motion. **MOTION CARRIED** 12-0.

2. Consent Agenda Items listed under the consent agenda are considered routine and necessary commission matters and will be approved by a single motion of the Commission without separate discussion. If separate discussion is desired, that item will be removed from the consent agenda and placed on the regular business agenda.

2.1 National Precursor Log Exchange Monthly Dashboard – April 2020

2.2 Pharmaceutical Firms Application Report Approval – Feb 19 thru May 22, 2020

2.3 Ancillary Utilization Plans Approval (may include Specialized Functions)

a. Credena Health Centralia

b. Credena Health Olympia

MOTION: Teri Ferreira moved that the Commission approve the consent agenda items. Steve Anderson seconded the motion. **MOTION CARRIED** 12-0.

3. Old Business – The Commission will discuss for clarification or decision ongoing topics and revisited issues from previous meetings.

3.1 Temporary Provisional Permit for Pharmacy Interns

Lauren Lyles-Stolz explained work done since last commission meeting. There is no current action needed by commission members today. Lauren has been working with governor's office on this issue. This may be a future legislative action.

4. Rules, Legislation, Program and Department Updates - Information/Action

4.1 Authorization to re-file Emergency Rules

a. Epidiolex – (WAC 246-945-056 – currently filed under 246-887-180)

Commission is asked to consider authorizing a new emergency rule de-scheduling epidiolex in the new WAC 246-945-056 to retain the action taken by the current emergency rule.

MOTION: Craig Ritchie made a motion to reauthorize emergency rules to remove epidiolex from schedule V in WAC 246-945-056. Steve Anderson seconded the motion. **MOTION CARRIES** 12-0.

b. Schedule II – Emergency provision for dispensing Schedule II Controlled Substances (WAC 246-945-010 – currently filed under 246-887-020)

Lauren Lyles-Stolz explained the emergency rules needs to updated to reflect the new rules 246-945 onec the new rules go into effect, if the commission agrees this is still necessary to support the COVID-19 response. Commission will need to reauthorize emergency rules.

MOTION: Craig Ritchie moved to reauthorize emergency rules to update language in WAC. Steve Anderson seconded the motion. No comments from stakeholders. **MOTION CARRIED** 12-0.

4.2 Authorization to repeal former pharmacy practice related WAC chapters, approval of proposed Interpretive Statement and discussion on two-year continuing education (CE) rule enforcement.

Lauren Lyles-Stolz explained some of the issues surrounding the new rules and old rules being in effect for a short period of time which may cause confusion for licensees. The commission needs to get on the record repealing old rules. An interpretive statement needs to be developed explaining which rules are in effect. Two motions are needed; one to repeal old rules and one to adopt an interpretive statement explaining why old WAC and new WAC are in effect at same time. Repeal old WAC; adopt interpretive statement;

MOTION: Patrick Gallaher moved to repeal old WAC chapters. Teri Ferreira seconded the motion. **MOTION CARRIES** 12-0.

MOTION: Craig Richie made a motion to authorize filing CR 105 to repeal old WAC. Patrick Gallaher seconded the motion. **MOTION CARRIES** 12-0.

The commission discussed options for sending clarifying information on the new fee rules that go into effect March 2021 and two year continuing education (CE) requirements. One option would be to table and rework current interpretative statement. Need to clarify that the new WAC supersedes old WAC. There is an issue of CE and the new fee schedule being misunderstood. Ken Kenyon feels there is a need for more time to draft statement regarding CE and fee schedule.

Need to write one policy statement on concurrent rules and another one on CE and fee and what is expected from licensees.

MOTION: Craig Richie moved to create a policy statement indicating the commission's position that the new WAC will be enforceable effective July 1 and also create a policy statement regarding CE and new fee rules. Teri Ferreria commented new rules supersede previous rules. Judy Guenther seconded the motion. **MOTION CARRIES** 12-0.

- 4.3** Authorization to file rulemaking documents (CR101 or CR102) to implement SSB6086 Increase Access to Medications for Opioid Use Disorder (effective June 11, 2020).

Lauren Lyles-Stolz explained previous work done on this issue and asked commission members for authorization to start rulemaking for SSB6086. The commission needs to approve creating a policy statement since the law is effective June 11. Lauren has drafted policy statement on minimum standards. This statement could be used in interim pending the adoption of rules related to the law.

MOTION: Craig Richie made a motion to file CR101 relating to implementing SSB6086. Steve Anderson seconded the motion. No further discussion **MOTION CARRIES 12-0.**

MOTION: Craig Richie moved to approve creating policy statement to explain commission members are working on rules pertaining to SSB6086. Jerrie Allard seconded the motion. **MOTION CARRIES 12-0.**

Break at 10:17 to reconvene at 10:30

- 4.4** Authorization to file rulemaking CR105 documents repeal rules related to HIV/AIDS training and approval of policy statement for implementation of ESHB 1551 (effective June 11, 2020).

Lauren Lyles-Stolz explained during the 2020 legislative session this bill was passed repealing rules related to HIV/AIDS training requirements. The Department of Health is repealing these training requirements for all secretary professions and all boards and commissions need to repeal any WAC regarding HIV/AIDS training requirements for their professions.

MOTION: Teri Ferreria moved to authorize filing CR105 to repeal all sections of new WAC pertaining to HIV/AIDS training. Judy Guenther seconded the motion. **MOTION CARRIES 12-0.**

MOTION: Patrick Gallaher moved to approve creation of a policy statement on HIV/AIDS training explaining the commission will not enforce HIV/AIDS training from June 11 thru July 1 and also will not enforce the training in new WAC that begins on July 1, 2020. Judy Guenther seconded the motion. **MOTION CARRIES 12-0.**

- 4.5** Authorization to file CR101 rulemaking documents to implement SSB6526 related to the reuse and return of unexpired prescription drugs by the Department of Corrections. Lauren Lyles-Stolz – this is a follow up requiring DOC to accept returned prescriptions.

MOTION: Craig Richie moved to authorize filing the CR101 to implement SSB6526. Steve Anderson seconded the motion. **MOTION CARRIES** 12-0.

5. New Business –The Commission will review items of interest related to pharmacy practice for discussion, clarification, information or action by or on behalf of the commission.

5.1 Self-Inspection Forms/ Extension

The Commission previously extended the Self-Inspection Form completion requirement to May 31, 2020. Does this requirement need to be extended further?

MOTION: Steve Anderson moved to not extend the self-inspection period beyond May 31, 2020. Patrick Gallaher seconded the motion. **MOTION CARRIES** 12-0.

5.2 Reaffirm Commission Policy #3 identifying Accreditation of Schools and Colleges of pharmacy

Doreen Beebe explained the need for annual reaffirmation of the ACPE accreditation.

MOTION: Craig Ritchie moved to reaffirm the commission’s policy #3 identifying accreditation of schools and colleges of pharmacy. Ken Kenyon seconded the motion. **MOTION CARRIES:** 12-0.

5.3 Consider for approval proposed 2021 Meeting dates

Commission is asked to consider the proposed meeting dates or propose changes in the number of meeting dates per six weeks and discuss potential meeting locations.

The commission discussed possibly changing the meetings from 2 days to 1 day or 1½ days. After discussion it was decided to keep the 2 day format. Also it was requested to have the May meeting not coincide with the Northwest Pharmacy Conference, if possible. **MOTION:** Ken Kenyon moved to approve 2021 meeting schedule and keep the two day format for 2021 meetings. Teri Ferreria seconded the motion. **MOTION CARRIES** 12-0.

5.4 Election of Officers –Commission Leadership terms July 2020 – July 2021.

Lauren Lyles-Stolz explained the process of election of officers. There are no term limits and appointments are effective July 1, 2020. Voting will be done by roll call. Tim Lynch and Teri Ferreria are interested in being reappointed to chair and vice chair respectively. Patrick Gallaher has expressed an interest in the nomination for chair.

MOTION: Craig Ritchie moved to nominate Teri Ferreira as Vice Chair. Kat Khachatourian seconded the nomination. Teri Ferreira was voted as Washington State Pharmacy Quality Assurance Commission Vice Chair for 2020-2021 effective July 1, 2020.

Lauren Lyles-Stolz said Patrick Gallaher is interested in running for chair along with Tim Lynch. **MOTION:** Ken Kenyon moved to nominate Tim as Chair. Kat Khachatourian seconded the nomination. Uyen Thorstensen moved to nominate Patrick Gallaher for Chair. Craig Ritchie seconded the nomination. Tim Lynch was voted as the Washington State Pharmacy Quality Assurance Commission Chair for 2020-2021 effective July 1, 2020.

6. COVID-19. The Commission reviewed and discussed frequently asked questions related to COVID-19 for clarification, information or action. *Information/Action.*

- a. Can pharmacists supervise self-collection of nasal swabs for COVID-19 testing?
WAC does not allow pharmacist to supervise unlicensed people. No action necessary.
- b. Technicians are emailing wanting to know how to get the remote medication order processing for technicians extended after the COVID19 state of emergency.
The commission cannot act on this request because the governor's office has to extend the waiver.
- c. What do inspections look like under the new rules in a COVID-19 environment? (e.g., Technical Assistance, timeline for full compliance)?
Lauren Lyles-Stolz said routine inspections are currently still suspended by the Department of Health. We are beginning initial work about what the phase-in for inspections will look like.

7. Rules Implementation. The Commission will review and discuss questions related to chapter 245-945 WAC implementation. *Information/Action.*

Lauren Lyles-Stolz gave a power point presentation on a draft plan to implement new rules that are going into effect on July 1, 2020.

Open Forum (10 minutes)

8. The purpose of the open forum is to provide the public an opportunity to address the Commission on issues of significance to or affecting the practice of pharmacy. Discussion items may not relate to topics for which a hearing has or will be scheduled. *Information Only.*

Lori Walmsley, Walgreen's – Has two issues of concern for the commissioners: 1) Technicians being able to give immunizations especially in light of upcoming flu season. Lori thinks this is a topic the commission should address. 2) Number of nonresident pharmacies renewal licenses not processed by credentialing - licenses will be expiring June 1.

Lauren Lyles-Stolz addressed these concerns:

- 1) The commission is in process of developing a technician immunization guidance. This work has been interrupted by COVID work. There could be a policy statement by next meeting. Lori can send AUP also.
- 2) Lauren spoke to director of credentialing office who said all renewals should be processed by May 31. Pharmacies may not receive license by June 1 but they will be licensed. Lauren will follow up to figure out what message can be sent to nonresident licensee renewals. Doreen Beebe mentioned that license status can be looked up on provider credential search on the DOH website.

Cindy Lee from public health had a question about SSB5380 that requires all controlled prescriptions to be e-prescribed beginning on January 1, 2021 and she wants to know about any delay due to COVID.

Lauren Lyles-Stolz said there hasn't been any formal action by Secretary Wiesman but there has been a push to delay until September 2021. There is work underway and we will send message via GovDelivery about the 9-month delay.

BREAK - 10 minute break at 12:35 reconvene at 12:45

9. Panel Review

Commissioners Steve Anderson, Olgy Diaz, Teri Ferreira and Judy Guenther: **Panel A** were asked to review and approve study plans submitted by two applicants to retake the Multi-state Pharmacist Jurisprudence Examination (MPJE).

- 9.1** Pharmacist A applicant requests Commission approval of his study plan for reauthorization to take the MPJE a fourth time.
- 9.2** Pharmacist B applicant requests Commission approval of his study plan for reauthorization to take the MPJE a fourth time.

Steve Anderson chaired review – Both applicants were on the phone. Steve discussed studying new and old WACs and suggested using an outline format for studying. Teri Ferreria made a motion to approve both Applicant A and Applicant B study plans to take exam again. Olgy Diaz seconded the motion. Motion carried.

10. Sub-Committee and Commission Member Reports - *Information/Action.*

10.1 Commissioner Reports

Tim Lynch, chair, thanked Steve Anderson for all his amazing work on the commission. Steve has tendered resignation from the commission.

Budget subcommittee - Patrick Gallaher and Ken Kenyon - Budget subcommittee met last week briefly. Budget is currently in the black and doing well.

10.2 Commissioners' open discussion related to items or issues relevant to Commission business/pharmacy practice.

Staff Reports *Information/Action.*

11.1 Executive Director – Lauren Lyles-Stolz

The recent hiring freeze the governor issued has not delayed our deputy director recruitment since it was already in progress. We have a verbal offer for the deputy director position and hope to have someone in the position June 16. The pharmacy inspector position is still being worked on. Martin Pittioni gave further explanation of future possible budget cuts and how they might affect the commission.

The recent 15% cuts required will not affect the commission significantly although it is not known what might happen in the future.

Inspection team has been working very hard to updating ILRS tags to reflect new WACS.

The HELMS project is in the information update phase- lots in internal processes and workflow happening making sure all necessary information will be included with new system.

MPJE updates – new questions developed for new rules and outdated info removed Working with NAPB to see when the new questions can be put in the exam.

Self-inspection worksheet – inspectors have been working on how to align with new WACS. Would like to work with a subcommittee or a commission member to prioritize what is important to keep. Previously has subcommittee on self-inspection worksheet. Lauren will reach out to members of the subcommittee.

A psychology association has requested the department for a sunrise review and is asking for prescriptive authority. Martin Pittioni gave further details on this request and process.

The suicide prevention survey sent out in March had deadline of May 1. Lindsey is working with legislative team on compiling a report to submit to legislature by Nov 2020.

11.2 Assistant Attorney General – Christopher Gerard

Have been monitoring expiration dates of various proclamations issued by the governor and any extensions of proclamations. Chris is forwarding to Lauren any extensions received.

12. Summary of Meeting Action Items – Commissioner and staff will revisit action items identified during today's business meeting.

- Working on creating two policy statements not enforcing old rules, new rules supersede old rules and CE clarification with examples
- Starting rule making process for the Epidiolex to align with new rules
- Authorized emergency rulemaking for schedule 2 to align with new rules
- Start expedited rule making process for repealing HIV/AIDS training
- Start rulemaking on 6526 by filing of CR101
- Work on communication to send out on pharmacy tech on what to do in the interim as it relates to supervision and add that to GovDelivery
- Follow up with technician administration guidance and bring to next meeting to vote on
- Post rules implementation PowerPoint on website

Business Meeting Adjourned.

Meeting adjourned at 1:38 p.m.

Next scheduled business meeting:

July 16 & 17 Business Meeting

9:00 a.m.

(Location Subject to Change)

*Respectfully submitted by:
Sarah Beckham, Administrative Assistant*

Approval July 17, 2020



*Teri Ferreira, Vice-Chair
Washington State Pharmacy Quality Assurance Commission*