



STATE OF WASHINGTON
Pharmacy Quality Assurance Commission
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Business Meeting – Minutes
COVID-19, Rulemaking and Chapter 246-945 Review
December 3, 2020
9:00 AM (Open Session)

Convene: Chair, Tim Lynch called the meeting to order December 3, 2020, 9:00 a.m.

Commission Members:

Tim Lynch, PharmD, MS, FABC, FASHP,
Chair
Teri Ferreira, RPh, Vice Chair
Jerrie Allard, Public Member
Hawkins DeFrance, Nuclear Pharmacist
Olgy Diaz, Public Member
Patrick Gallaher, BS, BPharm, MBA, MPH
Judy Guenther, Public Member
William Hayes, PharmD, CCHP
Ken Kenyon, PharmD, BCPS
Kat Wolf Khachatourian, PharmD, MBA
Craig Ritchie, RPh, JD
Uyen Thorstensen, CPhT
Bonnie Bush, Public Member

Staff Members:

Lauren Lyles-Stolz, Executive Director,
Pharmacy Commission
Christie Strouse, Deputy Director, Pharmacy
Commission
Chris Gerard, AAG
Marlee O'Neill, Deputy Director, OILS
Adam Wood, Supervising Investigator
Cori N. Tarzwell, staff member
Lindsay Trant, Rules Program Manager,
Pharmacy
Lisa V. Hunt, Pharmacist Supervisor
Doreen Beebe, Program Manager, Pharmacy
Amy L Robertson, Administrative Assistant,
Pharmacy

- 1.1 **MOTION: December 3, 2020 Meeting Agenda Approval** – Craig Ritchie moved to approve draft meeting agenda; Patrick Gallaher, second. Motion carried (12-0).
- 2.1 **Department of Health Vaccine Update** – Kathy Bay, RN, CENP, Doctorate Nursing Practice; Clinical, Quality, Epidemiology, and School Section Manager; Office of Immunizations and Child Profile updated the commission on upcoming vaccines – Pfizer and Moderna. Guidelines on distribution, handling, storage, administration of vaccine (timeline, PPE, syringes, etc.), reimbursement will be provided.

Question: Eric Lintner, stakeholder – may a facility choose to use their preferred pharmacy rather than CVC or Walgreen's as matched by the CDC.

Answer: While the CDC has matched all LTC facilities with either CVC or Walgreens through a national program. The facility does have the right to decline the partnership and

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may use the pharmacy they prefer. Questions may be directed to the COVID.Vaccine@doh.wa.gov.

Question: Andrew Burton, stakeholder – solutions in place for smaller rural facilities that cannot use a full 975 doses of the Pfizer vaccine?

Answer: Ensure when you are enrolling your facility that you state the facility/need, at that point we will help support that process either through redistribution/networking or the smaller Moderna as a different option.

- 3.1 Review for adoption expedited rule making filed under [WSR 20-16- 045](#) proposing to repeal former commission rule chapters replaced by chapter 246-945 WAC.

MOTION: Teri Ferreira moved to approve the rules as proposed and authorizing staff to file the CR-103 adoption of the repeal of old WAC chapters replaced by chapter 246-945 WAC; Judy Guenther, second. Motion carried (13-0).

- 3.2 Review draft rule language for approval to de-schedule Epidiolex, and to authorize staff to prepare and file notice of proposed rule/public hearing (CR 102 permanent rules).

MOTION: Craig Ritchie moves to approve the proposed rule language and authorize staff to file a CR-102 permanent rules and set date for public rules hearing; Ken Kenyon, second. Motion carried (13-0).

- 3.3 Commission needs to be updated on the joint authority for the SSB 5380 e-prescribing waivers. Commission will need to re-approve filing the CR-101 under joint authority with the Department

MOTION: Ken Kenyon moves to withdraw the CR-101 filed under WSR 20-03-020 and to re-file a CR-101 under joint authority with DOH; Craig Ritchie, second. Motion carried (13-0).

- 3.4 Commission needs to review and approve draft rule language for ESHB 1551 AIDS education repeal. Once approved staff will file CR-105.

MOTION: Craig Ritchie, moves to adopt the proposed rules as written or with non-substantive changes repealing the AIDS education requirement and authorize staff to file CR-105 permanent rules; second Patrick Gallaher, second. Motion carried (13-0).

Clarification: International graduates fall under this rule as well.

- 3.5 Review for approval draft rule language to make technical corrections to chapter 246-945 WAC), and to authorize staff to prepare and file notice with the code reviser's office. (CR-105 Expedited Rules)

MOTION: Craig Ritchie moves to approve the appropriate changes utilizing “and” instead of “and/or” to WAC 246-945-590 (Document 2) and authorize the technical

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correction be included in a CR-105 rules package with previous proposed rule amendments (Document 1); Teri Ferreira, second. Motion carried (13-0).

- 4.1 **Provide guidance for discontinue credential statute for Retired Pharmacists (formerly under WAC 246-863-080).** The Commission is asked to consider emergency rules to issue a retired active pharmacist license status with limited practice as defined in the draft rule.

MOTION: Craig Ritchie, move we approve the draft rule without amendment and authorize staff to file emergency rules AND move we authorize a CR-101 to begin rulemaking to examine the need for permanent rules; Bonnie Bush, second. Motion carried (13-0).

- 4.2 **Provide guidance on discontinued credential qualifications for foreign pharmacist graduates with applicants in pending status or active pharmacy intern credentials before July 1, 2020 as it relates to internship hours [[WAC 246-945-162\(2\)\(c\)](#)].**

MOTION: Teri Ferreira, move we adopt the amended motion as written below:

Option 2: Foreign Pharmacist graduate are granted a waiver and shall meet the internship hours as required under WAC 246-863-040 and policy #45 if:

- a. The applicant applied for a Washington Pharmacist license before July 1, 2020 shall meet the internship hours as required under WAC 246-863-040 and policy #45; or*
- b. The applicant was issued a Washington Pharmacy Intern registration before July 1, 2020, and who has completed their intern hours and applied for a Washington pharmacist license on or before June 30, 2021.*

Judy Guenther, second. Motion carried (13-0).

- 4.3 **Commission will be updated on the implementation of the 2-year renewal cycle and the fees rules package.**

MOTION: Patrick Gallaher motions to authorize staff to re-file the CR-103 as it relates to the CE rules WAC 246-945-178 Pharmacist continuing education, and 246-945-220 Pharmacy technician—Continuing education delaying implementation until December 1, 2021; Teri Ferreira, second. Motion carried (13-0).

- 4.4 **Access to drugs stored outside of the pharmacy by unlicensed staff [[WAC 246-945-455](#)].**

The Pharmacy Commission will be engaging in a review of WAC 246-945-455. Specifically, the requirement in WAC 246-945-455(1)(c) that drugs stored outside the pharmacy can only be accessed by health care professionals licensed under the chapters specified in RCW 18.130.040 acting with their scope and nursing students.

The Pharmacy Commission has been informed of potential unintended disruption to the drug chain supply within institutional facilities by requiring only licensed health care

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professionals to access drugs stored outside the pharmacy. Historical practices have permitted unlicensed employees of institutional facilities to access certain drug products for supply chain management needs. To avoid continued disruption, the Commission is providing this guidance to ensure continuous patient care.

While engaging in this review, the Pharmacy Commission will not find licensees deficient or take enforcement action for violations of WAC 246-945-455(1)(c) when unlicensed employees of an institution access drugs stored outside the pharmacy if the following conditions are met:

- The unlicensed employee of the institution is operating within the scope of their employment;
- The unlicensed employee is only accessing drugs for the purposes of supply chain management within the institution;
- The unlicensed employee is only accessing drugs listed in a policy and procedure that is in a readily retrievable form;
- The unlicensed employee cannot access controlled substances under any circumstances or access drug products as part of dispensing a prescription or order; and
- The pharmacy meets all other requirements of WAC 246-945-455 and applicable laws.

MOTION: Craig Ritchie, move we adopt the interim guidance as Chris Gerard set forth above; Patrick Gallaher, second. Motion carried (13-0).

MOTION: Craig Ritchie, move to approve authorizing staff to file a CR-101 to amend WAC 246-945-455 or add an additional section if necessary to deal with the issue of the interim guidance; Patrick Gallaher, second. Motion carried (13-0).

6. Summary of Meeting Action Items

- Draft guidance related to 246-945-455(1)(c)
- Rulemaking packages
- Provide guidance and communication for foreign pharmacists re: the new rule requiring 1500 internship hours allowing them to June 30 to complete internship hours and apply for license.
- Update guidance related to pharmacy CE and the two-year renewal cycle from March 1 to December 1.
- Retired pharmacists re: emergency rulemaking and pursue permanent rulemaking.

Business Meeting Adjourned at 1:31.

The Commission will reconvene on December 4 at 9 a.m.