

**ALABAMA STATE BOARD OF PHARMACY
BUSINESS MEETING MINUTES March 15,
2017**

President Buddy Bunch called the March 15, 2017, meeting of the Alabama State Board of Pharmacy to order at 9:14 a.m. to conduct necessary business and determined a quorum was present. The following Board members were present:

Buddy R. Bunch	President
David S. Darby	Vice President
Donna C. Yeatman	Treasurer
Ralph E. Sorrell	Member
Brenda R. Denson	Member

Other Alabama Board of Pharmacy staff members present were:

Cristal O. Anderson, Director of Compliance
Edward R. Braden, Chief Inspector
Todd Brooks, Drug Inspector
Henry Burks, Drug Inspector
Mark Delk, Drug Inspector
Mark Hebert, Drug Inspector
Richard Lambruschi, Drug Inspector
Glenn Wells, Drug Inspector
Peyton Zarzour, Drug Inspector Terry
Lawrence, Board of Pharmacy Rhonda
Coker, Board of Pharmacy Wendy
Passmore, Board of Pharmacy

Members of the public present were:

Jim Ebaugh	Kyle Sexton
John Long	Cammie Burgess
Jeenu Philip	Malia Manning
Chris Reviere	Drew Raley
Danielle Cole	Larry Johnson
Julie Hunter	Scott Chapman
Brad Good	Eddie Vanderver
Chris Ciolko	Dane Yarbrough
Billy Lawley	Kelli Newman
Steve Bethea	Kristine Forrest
Whitney White	Clemice Hurst
Charlie Cook	Carter English
Tracy Davis	Frank Penicks
Matthew Crow	Dan McConaghy

1. MOTION TO ADOPT AGENDA

President Bunch called for a motion to adopt the agenda. A motion was presented by Ms. Yeatman and seconded by Mr. Darby. A vote was taken and the motion passed with aye votes from Mr. Sorrell, Mr. Darby, Ms. Yeatman, and Mr. Bunch.

2. PRESENTATIONS

Mr. Larry Johnson with Alamed, LLC, presented a request to reduce its hours of operation to ten hours per week. The matter was tabled pending further information regarding the identity of the supervising pharmacist. No action taken.

Ms. Chris Ciolko of PipelineRx gave a presentation seeking a pharmacy services permit. A motion to issue the permit was made by Mr. Darby and seconded by Ms. Yeatman. A vote was taken and the motion passed with aye votes from Mr. Sorrell, Mr. Darby, and Mr. Bunch.

Mr. Matthew Crow from DeKalb Regional Medical Center presented a request for remote order entry with PipelineRx. A motion to approve the request was made by Mr. Sorrell and seconded Ms. Yeatman. No members voted nay, so the motion passed unanimously.

Mr. Kyle Sexton from LV Stabler Memorial Hospital presented a request for remote order entry with PipelineRx. A motion to approve the request was made by Mr. Sorrell and seconded by Ms. Yeatman. A vote was taken and the motion passed with aye votes from Mr. Sorrell, Mr. Darby, Ms. Denson, and Ms. Yeatman.

Mr. John Long with CVS Health made a presentation to approve the use of automated dispensing systems for Omnicare of Prattville and Omnicare of Huntsville. A motion was made to approve the use of the systems in long-term care facility locations in Gardendale, Prattville, Muscle Shoals, Decatur, and Huntsville, Alabama, by Mr. Darby and seconded by Mr. Sorrell. A vote was taken and the motion passed with ayes from Mr. Sorrell, Mr. Darby, Ms. Denson, and Ms. Yeatman.

3. TREASURER'S REPORT

Treasurer, Donna C. Yeatman, presented the treasurer's report. The Board is approximately 30 percent into its fiscal year and is at approximately 77 percent of anticipated revenue for its two-year cycle and at 30 percent of its annual expenses.

4. WELLNESS COMMITTEE REPORT

Dr. Susan Alverson gave the Wellness Committee report on behalf of Dr. Mike Garver. There are 153 people in the screening program. There are two pharmacists in treatment and three technicians in treatment, two pharmacists in a halfway house, and four pharmacists who are being held for six months before being presented to the Board. The total number of pharmacy professionals identified and worked with in 2017 is seven: four pharmacists and three technicians. The total number of pharmacy health professionals identified during this time period in 2016 was nine.

Dr. Garver also extended his thanks to the entire staff for making the Wellness Program process seamless. He also noted the new database software is easy to use and very helpful.

5. APPROVAL OF MINUTES

A motion was made by Mr. Darby and seconded by Ms. Yeatman to approve the abbreviated business meeting minutes from the February 22, 2017, business meeting. A vote was taken and the motion passed with aye votes from Mr. Sorrell, Mr. Darby, and Ms. Yeatman.

A motion was made by Mr. Darby and seconded by Ms. Denson and Ms. Yeatman to approve the interview minutes from the February 22, 2017, interviews. A vote was taken and the motion passed with aye votes from Mr. Darby, Ms. Denson, Ms. Yeatman, and Mr. Bunch.

6. INSPECTOR'S REPORT

Chief Inspector Edward R. Braden was called upon to give his report of activities of the inspectors and investigations. His report in the Dropbox listed the statistics for the month of February. He noted that year to date, the issues that tend to be a trend are the diversion of controlled substances and medication errors.

Also during the month of February, Mr. Scott Daniel and Mr. Braden made a presentation at the APA Mid-Winter Conference on security of pharmacies.

7. SECRETARY'S REPORT

Dr. Susan Alverson gave her report, which consisted of the following:

- The Board of Public Health in Alabama governs controlled drugs. There was a proposal made to the Board of Public Health to move all benzodiazepines to a Schedule II. That was changed to move only Xanax to a Schedule II, to move Ambien to a Schedule III, and all other benzos to a Schedule III.

The Board of Pharmacy was not informed about the meeting, nor was it asked for input regarding the changing of scheduled drugs. The Board submitted a letter to the Department of Public Health outlining some of the reasons why we opposed changing the classifications. The Board later met with the director of Public Health and explained how all e-prescribing would be affected by this change and how the DEA's laws would affect this change as well. Other issues related to this change include: sending a 222 out of state, relabeling all packaging, pharmacy inventory based on national data systems, severe withdrawal symptoms to a patient who cannot obtain their prescription as easily as they once could.

Dr. Alverson contacted the state association of long-term care facilities and some long-term care pharmacies to notify them of the change. She noted that there are numerous drugs that are abused (Ritalin, oxycodone) and they are both Schedule II drugs.

The Public Health proposal will now go to a Legislative Review committee that will review it and pass it and then the rule will be in place. Louise Jones with APA was filing for a public hearing.

The Board will be sending an email blast to all pharmacists to ask them to contact their physicians and legislators. The Board wants all pharmacists to make their own informed, professional decision and to take action based on their decision.

The letter sent to the director of Public Health for the committee to use when they make their decision and the list of talking points that Dr. Alverson used when she spoke at the meeting will be posted on the ALBOP website.

- The Board of Pharmacy's House Bill 170 has passed the House with yes votes except getting one nay vote and it will now go to the Senate and hopefully will also pass the Senate.
- There is a conference March 16, 2017, sponsored by the DEA at Samford University on opioids. Some Board members will be attending that.
- Rhonda Coker arranged for a representative from the Alabama Department of Archives and Museums to speak to the Board staff regarding handling of office documents. The Board will update its policy on document handling and will design a new policy on office-specific document management, including what items can be discarded and what must be preserved. Ms. Coker is heading the effort to rewrite that policy document to submit to Montgomery.
- The Board spent money to replace fans in the rest rooms and purchase a filing cabinet and two chairs.
- All Board members need to view the ethics video and file financial statements with the State and once that is done, provide documentation to Wendy Passmore.

8. OLD BUSINESS

No old business was presented.

9. NEW BUSINESS

- Ms. Yeatman initiated a discussion regarding filling a prescription that is written for a 30-day supply with refills to a 90-day supply without having to contact the physician. The Board issued a policy statement that if a maintenance medication is written by a physician and it's given a 30-day supply with an appropriate number of refills through a year that the pharmacist can fill that prescription as a 90-day supply with the commiserate number of refills without contacting the physician to obtain a new prescription. This will aid the public health in being able to give the patient a 90-day supply at a time and improving compliance.
- Ms. Yeatman stated there has been some guidance given from the DEA to some companies that stated a new or on-hold controlled substance prescription could not be transferred out of your building. This only applies to Schedule III through V drugs. Ms. Yeatman contacted the DEA to confirm that guidance and is waiting for written documentation from the DEA.

In regard to transferring prescriptions, Dr. Alverson cited the Code of Federal Regulations 1306.25 as follows: "A pharmacy is allowed to transfer an original unfilled electronic prescription to another pharmacy if the first pharmacy is unable to or chooses not to fill the prescription." She also cited, "Further, a pharmacy is also allowed to transfer an electronic prescription for a III, IV, or V controlled substance with remaining refills to another pharmacy for filling provided the transfer is communicated between the two licensed pharmacists."

- Senderra sent a request for review for direct electronic submission of prescriptions through a doctor portal. They want physicians to access the portal and write prescriptions and

electronically submit them. A motion was made by Mr. Darby and seconded by Ms. Yeatman to allow Senderra to send prescriptions directly to the pharmacy dispensing system provided it meets all other requirements of Rule 680-X-2-.32. A vote was taken and the motion passed with ayes from Mr. Darby, Ms. Denson, Ms. Yeatman, and Mr. Bunch.

10. EXECUTIVE SESSION

A motion was made by Mr. Sorrell and seconded by Mr. Darby to go into executive session for the purpose of discussing the qualifications and competency of those regulated by the Board. Mr. Ward stated that as an attorney licensed to practice law in the State of Alabama, one of the reasons for the executive session is to discuss the resolution of pending cases before the Board. An individual voice vote was taken and the motion passed unanimously. The executive session began at 11:08 a.m.

11. RETURN FROM EXECUTIVE SESSION

At 12:35 p.m., the Board resumed its public meeting status.

12. MOTIONS ON CASES

Mr. Darby made a motion and Ms. Yeatman seconded it to accept the recommended action of a permanent surrender on Case No. 17-0016. A vote was taken and the motion passed unanimously.

13. MOTION TO ADJOURN

Mr. Darby made a motion to adjourn at 12:36 p.m.

Buddy R. Bunch, President

Susan P. Alverson, Executive Secretary