

**ALABAMA BOARD OF PHARMACY
BUSINESS MEETING MINUTES
November 20, 2024**

President Christy Garmon called the November 20, 2024, meeting of the Alabama Board of Pharmacy to order at 9:02 a.m. to conduct necessary business and determined a quorum was present. The meeting was held at the office of the Alabama Board of Pharmacy, 111 Village Street, Birmingham, Alabama 35242.

The following Board members were present:

Christy K. Garmon	President
Gary Mount	Vice President
Thomas H. Cobb	Treasurer
Stacy Giles	Member
Johnny Brooklere	Member

Other Alabama Board of Pharmacy staff members present in person or via WebEx teleconference were:

Jennifer Neumann, Board Attorney	Terry Lawrence, IT Manager
Donna Yeatman, Executive Secretary	Anne Marie Nolen, Collab. Practice Manager
Scott Daniel, Chief Drug Investigator	Rhonda Coker, Licensing Supervisor
Todd Brooks, Drug Investigator	Rebecca Tindle, Pharmacist Licensing Manager
Cristal Anderson, Director of Compliance	Starla Gamble, Pharmacy Licensing Manager
Wendy Passmore, Operations Manager	

Members of the public present in person or via WebEx teleconference were:

Jim Driskell	Bobby Giles	Joseph Colecio
Westley Schlundt	Judy Kutchman	Nay Taawab
Tomie Ann Boackle	Tanisha White	Will Dane
Jill Denney	Lydia Webb	Brad Livingston
Dalton Scott	Vivian Brooklere	Tamra Foshee
Lauren Paul	Jennifer Barnes	Kristian Stroom
Chad Lesczynski	Kathy Beams	Susan DelMonico
Nehemie Firmin	Tara Gant	Berkley Sykes
Sydney Carter	Rebekah Neal	Chelsea Ehalt
Ryan Burke	Kent McGuire	Candace Catrett
Shelby Cliett	Dan Gillis	Nick Carter
West Smith	Kimberly Dunaway	MaKayla Franks
Terry Baker	Annieo Klaas	Stephanie Negron
MRx	Scott Tomerlin	Alison Hosp
Hang Le	Turri Thomas	April Murray
Allison Souders	Doug Lomonico	Chad Brown
Melissa Pharo	Christina Antoun	Danielle Cole
Kimberly Watson	Chris McDonald	Maddelin Rogers
Sophia Azarian	Allyson Gilliam	Logan Bailey

Kara Latham
Bruce Harris
Grace Stevens
Chris Popun
Pam Mize
Demenica Black
Jeff Nolen
Emileigh Campbell
Dane Yarbrough
Chidiya Ohiagu
Shonna Rufty
Heather Vega
Jack Wanschek
Jeenu Philip
Jeff Church
Jacey Cox
Jon Linna
Jordan Beatty
Julie Jordan
Kelli Littlejohn
Laura Matthews
Louise Jones

Kimberly Braxton Lloyd
Nick Meza
Robyn Ledbetter
Roland Naseman
Shautoyaniece Newton
Savannah Patty
Sydney Willmann
Terry Lawrence
Traci Collier
Vicki Walker
Vinay Arora
Rhilton
LaToyia
Rusty
Elizabeth
Kim Noris
Brad Livingston
Brandon Hicks
Cayla Hicks
Heather Hughes
Stacy Burke
Max Changus

Susanna Fowler
Yasmin Cottingham
Terrence Stamps
Branda Denson
Alex Cooper
Michael Angell
Dana
Tom
Calandra
Katie
Julie
Tessie
Tara
Rebecca
Call-in user 1
Call-in user 2
Call-in user 3
Call-in user 4
Call-in user 5
Call-in user 6
Call-in user 7

1. MOTION TO ADOPT AGENDA

President Garmon called for a motion to adopt the agenda. A motion was made by Dr. Mount and seconded by Ms. Giles to adopt the agenda. A vote was taken and the motion to adopt the agenda passed unanimously. No nays or abstentions recorded.

2. PRESENTATIONS

(a) After being sworn by the court reporter, Lauren Paul, Kim Noris, and Chad Lesczynski of CVS Health gave a presentation requesting a nonresident pharmacy permit and central fill approval for its Richardson, Texas, location. Dr. Garmon recused herself from this discussion and vote. After the presentation and discussion, a motion was made by Dr. Cobb and seconded by Ms. Giles to approve the nonresident pharmacy permit of CVS Health for its Richardson, Texas, location. A vote was taken and the motion to approve the nonresident pharmacy permit passed with aye votes from Dr. Mount, Dr. Cobb, and Ms. Giles. Dr. Garmon recused herself from discussing and voting on this request. No nays or abstentions recorded.

A motion was also made by Mr. Brooklere and seconded by Dr. Cobb to approve the central fill request of CVS Health for its Richardson, Texas, location. A vote was taken and the motion passed with aye votes of Dr. Mount, Dr. Cobb, Ms. Giles, and Mr. Brooklere. Dr. Garmon recused herself from discussing and voting on this request. No nays or abstentions recorded.

(b) After being sworn by the court reporter, Heather Hughes and Stacy Burke gave a presentation requesting approval for Publix's central fill pharmacy in Orlando, Florida. After the presentation and discussion, a motion was made by Dr. Mount and seconded by Dr. Cobb to approve the

central fill request by Publix central fill pharmacy. A vote was taken and the motion to approve the central fill request passed unanimously. No nays or abstentions recorded.

- (c) After being sworn by the court reporter, Michael Angell of CarelonRx Pharmacy gave a presentation requesting a nonresident pharmacy services permit and remote order entry approval for its Mason, Ohio, and Grand Prairie, Texas, facilities. After a presentation and discussion, a motion was made by Dr. Cobb and seconded by Mr. Brooklere to grant a nonresident pharmacy services permit to CarelonRx's Grand Prairie, Texas, location. A vote was taken and the motion to grant a nonresident pharmacy services permit to CarelonRx's Grand Prairie, Texas, location passed with aye votes from Dr. Garmon, Ms. Giles, and Mr. Brooklere. No nays or abstentions recorded.

Next, a motion was made by Dr. Cobb and seconded by Mr. Brooklere to grant a nonresident pharmacy services permit to CarelonRx's Mason, Ohio, location. A vote was taken and the motion to grant a nonresident pharmacy services permit to the CarelonRx Mason, Ohio, location passed with aye votes from Dr. Garmon, Dr. Mount, Dr. Cobb, and Ms. Giles. No nays or abstentions recorded.

Lastly, a motion was made by Dr. Cobb and seconded by Mr. Brooklere to approve CarelonRx for remote order entry as presented, pending submission of documentation needed. A vote was taken and the motion to approve the remote order entry passed unanimously. No nays or abstentions recorded.

3. TREASURER'S REPORT

Dr. Cobb gave the treasurer's report. As of October 31, 2024, total revenues for the fiscal year are 27.60 percent of the annual budget. Operating expenses are 7.50 percent of annual budgeted amounts. Licensing fee revenues are 28.11 percent of the budgeted projection. Revenues and operating expenses are on track and true to budget.

A motion was made by Dr. Mount and seconded by Ms. Giles to accept the treasurer's report. A vote was taken and the motion to accept the treasurer's report passed with aye votes from Dr. Garmon, Dr. Mount, and Ms. Giles. No nays or abstentions recorded.

4. WELLNESS COMMITTEE REPORT

Scott Daniel gave the Wellness Committee report as follows:

Current work-Pharmacists:

- Two pharmacists are in residential treatment under voluntary surrender.
- One pharmacist is having a rule-out evaluation under voluntary surrender.
- One pharmacist has completed treatment and is being held out on his/her attorney's advice to clear legal issues before hearing. This pharmacist is currently being monitored and is under voluntary surrender.

Current work-Technicians:

- One technician is deciding about evaluation.

All individuals presently being monitored are without complaint and screens have been negative.

5. APPROVAL OF MINUTES

A motion was made by Dr. Cobb and seconded by Dr. Mount to approve the October 30, 2024, Board business meeting minutes. A vote was taken and the motion to approve the Board business meeting minutes passed with aye votes from Dr. Garmon, Dr. Mount, Dr. Cobb, and Ms. Giles. No nays or abstentions recorded.

A motion was made by Dr. Mount and seconded by Dr. Cobb to approve the October 30, 2024, Board interview minutes. A vote was taken and the motion to approve the Board interview minutes passed with aye votes from Dr. Garmon, Dr. Mount, Dr. Cobb, and Ms. Giles. No nays or abstentions recorded.

6. INVESTIGATOR'S REPORT

Chief Investigator Scott Daniel gave the investigator's report. During October 2024, a total of 116 inspections were completed. There were 23 complaints received and 31 complaints resolved. Investigators were also involved in additional activities during the month. One burglary was reported. Chief Investigator Daniel stated scamming calls and emails are still being sent to ALBOP licensees. He noted to always call the Board to verify anything that comes from the Board. ALBOP will never request money via phone or email.

Chief Investigator Daniel provided Board members with a proposed letter to send to supervising pharmacists and pharmacies when an employee's current employment information is not on file with the Board. A motion was made by Dr. Mount and seconded by Dr. Cobb to approve the letter informing supervising pharmacists and pharmacies that an employee's current employment information may not be on file with the Board. A vote was taken and the motion passed unanimously. No nays or abstentions recorded.

Mr. Brooklere suggested adding a section to that letter to remind pharmacists that technicians must complete their technician training.

7. LEGISLATIVE CONSULTANT REPORT

Legislative consultant Logan Gray provided a current list of prefiled bills. Ms. Yeatman identified HB2, vaccines, parental consent for minor to receive vaccine, required, as a bill that would have an impact on pharmacists giving vaccinations.

8. SECRETARY'S REPORT

Executive Secretary Donna Yeatman gave her report, which consisted of the following:

- Technicians are required to complete a Board-approved training program within six months of receiving their initial registration with the Board. Once the training is completed, technicians have ten days to upload completion of that training. The technician, supervising pharmacist, and the permit holder are responsible for ensuring the training is properly completed.
- The Alabama Board of Medical Examiners declaratory ruling regarding physician compounding of GLP-1 medications can be found on the ALBOP website, www.albop.com. According to the FDA, the tirzepatide shortage has been resolved. Semaglutide remains on the shortage list.

- Pharmacist licenses are required to be renewed prior to December 31, 2024. Thirty hours of continuing CE, six of which must be live, are required by December 31, 2024. Hours may no longer be carried over due to converting to an every-two-year renewal cycle. Please do not wait until December 31 to renew your license.
- The new Gateway system went live October 1, 2024. Individuals will need to create a new profile. The tutorial should be watched prior to creating the new profile and renewing.
- Ms. Yeatman presented an ALBOP update at the ALSHP clinical meeting November 7, 2024. She appreciated the participation and engagement from the attendees and enjoyed the opportunity to interact with such a committed group of pharmacy practitioners.
- The Alabama Department of Public Health, along with the State health officer, has made an update to the vaccination standing order, which allows mid-level practitioners to give vaccinations.
- Information related to the Board of Medical Examiners' telehealth requirements is posted on the Board website.
- Ms. Yeatman gave an update on pharmacies that have recently closed in Alabama. Two pharmacies have closed or made notification they were going to close between October 1, 2024, and November 19, 2024.

9. ATTORNEY'S REPORT

- Ms. Neumann attended the American Society of Pharmacy Law conference in November 2024. She shared information obtained at the conference with Board members relating to DSCSA, 503A, and 503B dispensing. Alabama's Jerry Moore was sworn in as president-elect of the American Society of Pharmacy Law.
- In November the Board requested Ms. Neumann to issue a declaratory ruling regarding UAB's request for their clinic to assist patients with medication organizers. According to the Alabama Administrative Procedures Act, ALBOP must have a rule in place to allow declaratory rulings issued by the Board. Ms. Neumann sent the UAB clinic a letter with the Board's opinion regarding this matter.

10. OLD BUSINESS

- Update: Rule 680-X-2-.45, Noncontrolled Prescription Requirements. This rule amendment is in the rulemaking process. The public hearing will be January 22, 2025. Comments may be submitted to Anne Marie Nolen via email at anolen@albop.com. The proposed language is on the Board website under statutes and rules.
- Update: Rule 680-X-2-.18, Institutional Pharmacies. The Board staff has been working on this language to incorporate consolidated pharmacy centers into the rule. Dr. Mount and Dr. Cobb would like to have another workgroup meeting. A motion was made by Dr. Cobb and seconded by Dr. Mount to schedule another workgroup meeting for this rule change. A vote was taken and the motion passed with aye votes from Dr. Garmon, Dr. Mount, Ms. Giles, and Mr. Brooklere.

- Rule 680-X-2-.44, Collaborative Practice. This amendment was adopted and became effective November 14, 2024. The amendment clarified the appropriate physician-to-pharmacist ratios when performing test-to-treat services under an approved collaborative practice agreement. The new language is on the Board’s website under statutes and rules.
- Update: Rule 680-X-2-.19, Parenteral Sterile Therapy. The Board staff provided draft language to amend this rule to align with USP 797 standards. A motion was made by Mr. Brooklere and seconded by Dr. Cobb to begin the rulemaking process. A vote was taken and the motion passed unanimously. No nays or abstentions recorded.
- Rule 680-X-2-.39, Off-Site Order Entry. The Board staff presented three versions of amended drafts of this rule and extensively discussed the drafts. The following actions were then taken.

A motion was made by Ms. Giles and seconded by Dr. Cobb to approve the last sentence in (1) of draft one, "A pharmacy that is participating in off-site order entry shall notify the Board on their initial application and each renewal." A vote was taken and the motion to approve the last sentence in (1) of draft one passed with aye votes from Dr. Garmon, Dr. Mount, and Ms. Giles. No nays or abstentions recorded.

A motion was made by Dr. Cobb and seconded by Dr. Mount to include in (2)(b)7 of draft one, "verification of medication." A vote was taken and the motion to include in (2)(b)7 of draft one, "verification of medication" passed with aye votes from Dr. Garmon, Dr. Mount, and Dr. Cobb. Ms. Giles voted nay.

A motion was made by Ms. Giles and seconded by Dr. Cobb to adopt amended section (3) striking the submission of a written request portion and adding to develop, implement, and comply with a policy and procedures manual and continuing with the existing wording for the remainder of the section. A vote was taken and the motion as described above passed unanimously. No nays or abstentions recorded.

A motion was made by Dr. Cobb and seconded by Ms. Giles to adopt amended section (4) that the pharmacies have the same pharmacy owner and to share a common file or have entered into a written contract. A vote was taken and the motion to adopt amended section (4) that the pharmacies have the same pharmacy owner and to share a common file or have entered into a written contract passed unanimously. No nays or abstentions recorded.

A motion was made by Dr. Cobb and seconded by Mr. Brooklere to adopt amended section (6) eliminating the 25-mile radius and a 75-bed hospital limit and that labeling shall comply with the requirements of federal and state statutes and rules. A vote was taken and the motion to adopt amended section (6) eliminating the 25-mile radius and a 75-bed hospital limit and that labeling shall comply with the requirements of federal and state statutes and rules passed unanimously. No nays or abstentions recorded.

A motion was made by Dr. Cobb and seconded by Ms. Giles to strike "approved by the Board" in section (5). A vote was taken on the motion to strike "approved by the Board" in section (5) and Dr. Mount and Dr. Garmon voted aye. No nays or abstentions recorded.

A motion was made by Dr. Cobb and seconded by Dr. Mount to strike section (11) relating to working from home. A vote was taken and the motion to strike section (11) relating to working from home passed with aye votes from Dr. Garmon, Dr. Mount, and Ms. Giles. No nays or abstentions recorded.

A motion was made by Dr. Cobb and seconded by Dr. Mount to strike section (13). A vote was taken and the motion to strike (13) passed unanimously. No nays or abstentions recorded.

A motion was made by Dr. Cobb and seconded by Dr. Mount to strike section (10) regarding hard copy prescriptions and numbering. A vote was taken and the motion to strike section (10) regarding hard copy prescriptions and numbering passed unanimously. No nays or abstentions recorded.

- The 2025 Board hearing and meeting dates were presented. A motion was made by Ms. Giles and seconded by Dr. Cobb to approve the 2025 Board hearing and meeting dates as follows:

December 17 and 18, 2024
January 21 and 22, 2025
February 18 and 19, 2025
March 25 and 26, 2025
April 15 and 16, 2025
May 19 and 20, 2025
June 24 and 25, 2025
July 15 and 16, 2025

August 19 and 20, 2025
September 16 and 17, 2025
October 14 and 15, 2025
November 18 and 19, 2025
December 16 and 17, 2025
January 20 and 21, 2026
February 17 and 18, 2026
March 17 and 18, 2026

A vote was taken and the motion passed with aye votes from Dr. Garmon, Dr. Mount, Dr. Cobb, and Ms. Giles. No nays or abstentions recorded.

- The rulemaking process has begun for pharmacist reinstatement requirements. Once that rule is in place, then the rulemaking process will begin to cap the five-year time frame limit on pharmacist reinstatement fees.

11. EXECUTIVE SESSION

A motion was made by Mr. Brooklere and seconded by Ms. Giles to go into executive session for the purpose of discussing pending and potential litigation involving the Board. Ms. Neumann made a certification as an attorney in good standing with the Alabama State Bar and an officer of the Court that the purpose of the executive session is discussing pending pending and potential litigation involving the Board. A voice vote was taken and the motion passed unanimously. No nays or abstentions recorded. The executive session will begin at 10:30 a.m. and will conclude at 10:45 a.m. Executive session began at 10:30 a.m. and the Board returned to the public hearing at 10:50 a.m.

12. OLD BUSINESS (CONTINUED)

- Public hearing 680-X-2-.14, The Role of Pharmacy Technicians. Comments were read from Joseph Kreps. Comments received from Rebecca Oliver, Sydney Carter, and Savanna Armstrong Dennis were in support of changes to .14. One change was made to correct a statutory reference to 34-23-131 instead of 33-23-31. A motion was made by Dr. Mount and seconded by

Dr. Cobb to adopt the amendment to Rule 680-X-2-.14, as amended. A vote was taken and the motion to adopt the rule as amended passed unanimously. No nays or abstentions recorded.

- Public hearing 680-X-2-.34, Fees for Applicants for Pharmacist License and Biennial License Renewal. A comment was received and read from Joseph Kreps. A motion was made by Mr. Brooklere and seconded by Dr. Cobb to adopt the amendment to Rule 680-X-2-.34 as presented. A vote was taken and the motion to adopt the amendment to Rule 680-X-2-.34 as presented passed with aye votes from Dr. Garmon, Dr. Cobb, and Ms. Giles. No nays or abstentions recorded.
- Public hearing 680-X-2-.36, Continuing Education for Pharmacists. Comments were received and read from Alabama Pharmacy Association and Joseph Kreps. A motion was made by Dr. Cobb and seconded by Mr. Brooklere to adopt Rule 680-X-2-.36, as amended by striking "as determined by the Board." A vote was taken and the motion to adopt Rule 680-X-2-.36, as amended by striking "as determined by the Board," passed with aye votes from Dr. Garmon, Ms. Giles, and Mr. Brooklere. No nays or abstentions recorded.
- Public hearing 680-X-2-.37, Continuing Education for Pharmacy Technicians. Comments were previously read from Alabama Pharmacy Association and Joseph Kreps that pertained to Rules 680-X-2-.36 and 680-x-2-.37. A motion was made by Dr. Cobb and seconded by Ms. Giles to adopt Rule 680-X-2-.37, as amended by striking "as determined by the Board." A vote was taken and the motion to adopt Rule 60-X-2-.37, as amended by striking "as determined by the Board," passed unanimously. No nays or abstentions recorded.
- Public hearing 680-X-2-.40, Non-Disciplinary Penalty for Late Renewal of License, Permit, Registration, Certification, or any Similar Document Issued. A comment was made in person by Alex Cooper. Comments were read from Joseph Kreps, Alabama Society of Health System Pharmacists, Alabama Pharmacy Association, American Pharmacy Cooperative, Roger Morris, and Jim Hoover. Paragraph (2) will be stricken from the rule. A motion was made by Ms. Giles and seconded by Dr. Cobb to approve Rule 680-X-2-.40, as amended. A vote was taken and the motion to adopt as amended passed unanimously. No nays or abstentions recorded.
- Public hearing 680-X-3-.02, Registration and Reregistration Fees. A comment was received from Joseph Kreps which has been read into the record with other rule amendments. A motion was made by Mr. Brooklere and seconded by Dr. Cobb to adopt Rule 680-X-3-.02. A vote was taken and the motion to adopt amendments to Rule 680-x-3-.02 passed with aye votes from Dr. Garmon, Dr. Mount, and Ms. Giles. No nays or abstention recorded. This rule will become effective February 14, 2025.
- Review of 34-23-70. Ms. Giles would like to re-review this matter as she believes it does not accurately reflect the intent of the workgroups. A motion was then made by Mr. Brooklere and seconded by Dr. Mount to retract the pending submission of 34-23-70. A vote was taken and the motion to retract the pending submission of 34-23-70 passed with aye votes from Dr. Garmon, Dr. Mount, Ms. Giles, and Mr. Brooklere. No nays or abstentions recorded.

13. NEW BUSINESS


- The entity that processes licenses for the State of Florida is experiencing a significant backlog of applications. After a discussion, a motion was made by Dr. Cobb and seconded by Ms. Giles to allow Florida applicants to provide a current pharmacy license and proof of Florida renewal for them to obtain their Alabama renewal. A vote was taken and the motion passed unanimously. No nays or abstentions recorded.
- ALBOP requires all parties involved in the supply chain of medications in Alabama to be licensed, which coincides with DSCSA. The Board has communicated to entities the requirement for every entity to be permitted. Although wholesalers have been working to ensure all their manufacturers are permitted in Alabama, not all manufacturers are permitted. Wholesalers have requested to send ALBOP the contact information of its manufacturers so the wholesaler may continue to ship medications to Alabama patients. A motion was made by Mr. Brooklere and seconded by Dr. Cobb to allow the staff to license wholesalers and for them to provide the Board contact information of manufacturers that are not licensed with the Board. The Board will then contact those manufacturers and inform them of the requirement to obtain a permit with the Board. A vote was taken and the motion passed unanimously. No nays or abstentions recorded.
- A motion was made by Dr. Cobb and seconded by Ms. Giles in case number 23-L-0091 to initiate a statement of charges. A vote was taken and the motion to initiate a statement of charges passed unanimously. No nays or abstentions recorded.
- Mr. Brooklere would like the staff to begin discussions on nondisciplinary items like CEs, late renewals, technician issues, or registration fees. He would like to start the discussion on these matters at the December Board meeting.

14. RETIREMENT RECOGNITION OF RHONDA COKER

Rhonda Coker, a licensing supervisor for the Board for 18-and-a-half years will be retiring December 13, 2024. She has been a tremendous asset to the Board and will be greatly missed. Rebecca Tindle will assume the licensing supervisor position along with her current pharmacist licensing responsibilities.

15. ADJOURN

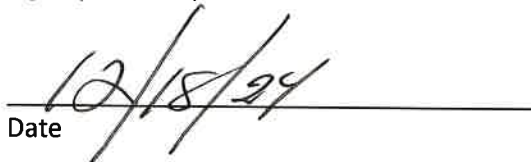
The meeting was adjourned at 12:12 p.m.



Christy Garmon, President



Donna C. Yeatman, Executive Secretary



Date