

**KANSAS STATE BOARD OF PHARMACY  
BOARD MEETING MINUTES**

**December 7<sup>th</sup>, 2023**

**Meeting Location:**

800 SW Jackson, Suite 1414, Topeka KS 66612  
Conducted via the Microsoft Teams platform

**Members Present:** Terica Gatewood, PharmD., President; Erick Axcell, PharmD., Vice President; Tiffany Strohmeier, PharmD., Inv. Member; Jonathan Brunswig, PharmD.; Andrew Truong, PharmD.; Bill Walden, R.Ph., Lucinda Noches-Talbert, Public Member

**Staff Present:** Alexandra Blasi, JD, MBA, Executive Secretary; Jackie Yingling; Assistant Director; Gayle Donaldson, K-TRACS Assistant Director; Carly Haynes, R.Ph., Director of Compliance, Licensed Pharmacy Inspector; Bradford DeYoung, Attorney; Shelley Rosebrook, R.Ph., Licensed Pharmacy Inspector; Christy Seufert, R.Ph., Licensed Pharmacy Inspector; Jason Syring, R.Ph., Licensed Pharmacy Inspector; Jeanine Brizendine, R.Ph., Licensed Pharmacy Inspector; Melissa Martin, Compliance Inspector; LaTonyua Rice, PharmD, K-TRACS Pharmacist; Linda Blasi, LMSW, Public Service Administrator; Ashley Smith, Public Service Administrator II; Tammy Brown, Administrative Assistant; Katie Haynes, Sr. Administrative Assistant; Beth Greene, K-TRACS; Ninette Schnacker, K-TRACS; Brenda Head, JD, General Counsel.

**OPEN MEETING**

At 8:30 am, the President called the open meeting.

**PUBLIC HEARING ON ADMINISTRATIVE RULES AND REGULATIONS**

The Board President explained the rules for the public hearing, including requiring participants in attendance sign-in or be recorded online, that public comment would be limited to five minutes per person per regulation packet for review, that the Board had received written comments prior to the meeting and had reviewed such comments, and that individuals wishing to address the Board for public comment should state their name and any organization with which they were affiliated.

The Board President opened the hearing on the following regulations and briefly explained: K.A.R. 68-20-33. The Board President opened the hearing for public comment.

- No public comment.

The Board President concluded the hearing on K.A.R. 68-20-33. Attorney DeYoung called the roll for a vote on the motion. By unanimous vote, the regulation was approved for adoption.

**BOARD DISCUSSION**

*Draft Regulations*

- 68-7-10: Draft language has been amended for clarification.

- 68-7-18: The Board did not receive stakeholder feedback so this regulation will move right along to the administrative rule making process.

#### *Pilot Project Application*

- OptumRx submitted a pilot project application for approval.
- A motion was made and seconded to approve the remote work pilot project for OptumRx for a period of two years, including a report in December 2024 and 2025 (Walden/Strohmeyer). All in favor motion carries.

Recess: The President called a recess at 9:33 am.

Reconvene: The President called the open meeting back to order at 9:45 am.

### **BOARD DISCUSSION CONTINUED**

#### *2024 Legislative Session Planning*

- A draft of the controlled substance bill is currently 28 pages and will be provided to the Board once completed by the Revisor's office.
- The Board made a request for additional funds for FY 2025.

### **APPROVALS**

A motion was made and seconded to approve the stipulation and consent agreements for 23-340, 23-354, 23-384, 23-394, 23-395, 23-397, 23-398, and 23-399 (Brunswick/Truong). All in favor motions carries.

A motion was made and seconded to approve the September 28, 2023 minutes, the new licensees, and registrants since September 21, 2023. (Brunswick/Strohmeyer) Motions carry.

A motion was made and seconded to approve the new guidance document for the DEA exempt prescription products approved by the DEA on September 25, 2023 (Strohmeyer/Brunswick). All in favor motion carries.

### **PRESENTATIONS**

MedAvail provided a demonstration on their automated dispensing machine. The machine can speak four different languages. The kiosk is monitored 24/7 and is open when the supervising pharmacy is open.

### **BOARD DISCUSSION CONTINUED**

#### *Delegation of Authority*

- A motion was made and seconded to re-approve the Delegation of Authority guidance document (Walden/Strohmeyer). All in favor motion carries.

#### *Election of 2024 Board Officers*

- A motion was made and seconded for the following slate of Board officers for 2024: President – Terica Gatewood, Vice President – Erick Axcell, Investigative Member – Tiffany Strohmeyer, Alternate Investigative Member – Andy Truong (Brunswick/Strohmeyer). All in favor motion carries.

## **APPROVALS CONTINUED**

A motion was made and seconded to approve the updated Fine and Disciplinary Guidelines and allow the Executive Secretary to make necessary formatting and editing modifications to the document that does not affect the material guidelines (Walden/Brunswick). All in favor motion carries.

## **REPORTS**

### *Attorney*

- Disciplinary hearings that go to through the appeal process with the district court should include the Board's assessment in their Final Order of the credibility of witnesses.

### *Board Members*

- NABP forum discussed DSCSA regulations, PBM's patient reimbursement and patient safety.
- NABP task force committee discussed pharmacy services, automated services, remote dispensing sites, and telepharmacy.
- The Board currently does not have any guidance on infusion/weight loss clinics. Board staff plan to reach out to the Boards of Nursing and Healing Arts for guidance and collaboration. Board members recommended adding outreach to KDHE for a public service announcement.

### *Compliance*

- Inspectors are staying busy with complaints and investigations.

### *Director*

- NABP district 678 was held in Jackson Hole, WY. The meeting discussed hydration clinics, academics and technology. The Executive Secretary was nominated to represent District 6 on the Resolutions Committee at the NABP Annual Meeting in 2024.
- The Board office participated in the three-year executive branch IT plan.
- Most of the Board offices' 2023 action items have been completed.
- Staff updates at the Board office in the licensing division.

Recess: The President called a recess at 12:18 pm.

Reconvene: The President called the open meeting back to order at 12:51 pm.

## **EXECUTIVE SESSION**

- A motion was made and seconded (Axcell/Truong) at 12:52 pm to enter into executive session to discuss personnel matters of nonelected personnel per K.S.A. 75-4319(b)(1), to include the Board's attorney and to be reopened to the public at 1:00 pm. All in favor. Motion carries.

## **PUBLIC COMMENT**

- None.

**Adjourn:** A motion was made and seconded (Strohmeier/Brunswick) to adjourn at 1:03 pm.