

KANSAS STATE BOARD OF PHARMACY
BOARD MEETING MINUTES
December 1st, 2022

Meeting Location:

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

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

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

OPEN MEETING

At 8:34 am, the President called the open meeting.

ADMINISTRATIVE PROCEEDINGS

21-091 Joshua Neff

- Mr. Neff appeared via Microsoft Teams without legal counsel.
- The Board was represented by Ms. Head.
- Judge Snell explained the administrative hearings process and guidelines for Mr. Neff.
- Board Exhibits 1-4 were admitted as evidence.
- Respondent Exhibit A was admitted as evidence.
- Ms. Head called forth the Executive Secretary, who was sworn in and gave her testimony.
- Mr. Neff was sworn in and gave his testimony.
- At 8:43 am, the President closed the open meeting for KAPA deliberations that included the Board's Executive Secretary.
- The President called the open meeting back to order at 8:46 am.
- A motion was made and seconded to reinstate Mr. Neff's suspended pharmacist license to probationary status for the remainder of the period outlined in the Stipulation and Consent Agreement, and to continue compliance with the terms of the Agreement (Strohmeier/Truong). All in favor. Motion carries.

17-146 Richard Blankenship

- Mr. Blankenship appeared via Microsoft Teams without legal counsel.
- The Board was represented by Ms. Head.
- Judge Snell explained the administrative hearings process and guidelines for Mr. Blankenship.
- Board Exhibits 1-3 were admitted as evidence.
- Ms. Head called forth the Executive Secretary, who was sworn in and gave her testimony.
- Mr. Blankenship was sworn in and gave his testimony.
- A motion was made and seconded to release Mr. Blankenship from the KsPRN program and the terms of his Board order (Walden/Gatewood). All in favor. Motion carries.

Recess: The President called a recess at 9:45 am.

Reconvene: The President called the open meeting back to order at 9:52 am.

Presentations

- CVS
 - Grace Sesí and Joseph Lavino presented on virtual verification and telepharmacy. The production workflow continues to evolve allowing for quality improvements geared towards error reduction. All verification, oversight, and consultation activities are conducted remotely at a supervising pharmacy. Telepharmacy is an innovative operating model that has benefits for customers, colleagues, and the business.
- Walgreens
 - Lorri Walmsley presented on centralized services. Centralized processing is focused on a balanced approach to deliver a superior experience for patients, providers, and employees. Shared services allow more time for pharmacists to focus on patients.
- OptumRx
 - Carl Black and Dale Masten presented on the mail order pharmacy operations. 24/7 communication channels for patients. Prescription workflow consists of Rx intake, front end processing, fulfillment dispensing, and delivery to patients.
- Dillons
 - Michael Ryan presented on automation in retail pharmacy. Only pharmacists and technicians can load the machine and it requires a unique PIN. Lot numbers and expiration dates are tracked by the machine. If a cell has multiple lot numbers loaded and there is a recall for one of them, all of the products loaded are quarantined and sent back under the recall.
- MedAvail, Spot Rx
 - Emilia Keric and Lou Ann Myers presented on technology and the Medcenter kiosk. The kiosk includes remote dispensing, telepharmacy, and automated will call. All regulated acts are performed under the supervision of licensed health professionals.

Recess: The President called a recess at 11:08 am.

Reconvene: The President called the open meeting back to order at 11:16 am.

APPROVALS

A motion was made and seconded to approve the October 19th and 20th, 2022 meeting minutes, and the new licensees and registrants since October 12th, 2022. (Gatewood/Strohmeier) Motions carry.

Stipulation and Consent Agreements

- 21-104 Curexa
 - A motion was made and seconded to approve the Stipulation and Consent Agreement (Truong/Axcell). All in favor. Motion carries.

Nominations – KDHE Medicaid DUR committee

- A motion was made and seconded to nominate Emily Prohaska and Jeffrey Green to KDHE for consideration of appointment to the Medicaid DUR Committee (Gatewood/Truong). All in favor. Motion carries.

BOARD DISCUSSION

Covid-19 Update

- Remote work has been extended through April 30th, 2023.
- The Covid-19 memo on the Boards webpage will be renamed to the Emergency Response memo.
- The Board requested the Executive Secretary craft a statement regarding amoxicillin compounding in light of recent shortages and allowances from the FDA.

Draft Regulations

- Remote Work
 - The Executive Secretary explained the proposed draft regulation to Board members. Board members discussed the draft regulation. The draft regulation will go out to stakeholders for review.

2023 Legislative Session

- The Board discussed medication kiosks and the Board decided to not pursue medication kiosk regulations in Kansas at this time until more education and trainings are available.

Delegation of Authority

- A motion was made and seconded to ratify the Board's Delegation of Authority document for 2023 (Strohmeyer/Gatewood). All in favor. Motion carries.

Election of 2023 Board Officers

- A motion was made and seconded for the following Board officers for 2023: Terica Gatewood, President; Erick Axcell, Vice-President; Tiffany Strohmeyer, Investigative Member; Andy Truong, Alternate Investigative Member (Walden/Brunswig). All in favor. Motion carries.

Recess: The President called a recess at 12:30 pm.

Reconvene: The President called the open meeting back to order at 1:01 pm.

Reports

Attorney-

- None.

Board Members-

- Mr. Axcell gave an update on the Collaborative Drug Therapy Management Committee meetings. The committee is still working on the influenza protocol for adults.

Compliance

- The Director of Compliance reported that the inspectors have recently completed four inspections for nonresident facilities licensed in Kansas.

PUBLIC COMMENT

None.

Reports cont.

Director

- Annual Report
 - The Executive Secretary gave her 'Dollars and Sense' report. The report included licensing, audits, NABP relationship, compliance, investigations, statewide protocols, DSCSA, workplace conditions, medical marijuana, Board newsletter, ePrescribing waiver, K-TRACS fact of death integration, 5% cost of living salary adjustments, grant funds, projects, legislative success, IT security, stakeholder networks, and Board presentations.
- Interim Committee Update
 - The medical marijuana committee met twice in October and the third meeting was canceled. The Board will continue to monitor through the 2023 legislative session.
 - The Executive Secretary and assistant K-TRACS Director met with the Medicaid office of Inspector General to discuss data sharing and necessary referrals under existing laws and potential changes.
- 2023 Action Items
 - Board staff will be working on 2023 action items tomorrow. The list will be available at the February 2023 Board meeting.
- USP Update
 - USP has revised chapters 795 and 797. USP has proposed implementation November 1st, 2023.

Recess: The President called a recess at 2:16 pm.

Reconvene: The President called the open meeting back to order at 2:32 pm.

EXECUTIVE SESSION

A motion was made and seconded (Strohmeyer/Gatewood) at 3:32 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, Executive Secretary, and to be reopened to the public at 4:00 pm. All in favor. Motion carries.

Adjourn: A motion to adjourn was made and seconded at 4:00 pm. (Gatewood/Strohmeyer) All in favor. Motion carries.