

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

April 25, 2024

Meeting Location:

800 SW Jackson, Lower-Level Topeka, KS 66612

Members Present: Terica Gatewood, PharmD., President; Erick Axcell, PharmD., Vice President; Tiffany Strohmeyer, PharmD., Inv. Member.; Andrew Truong, PharmD.; Lucinda Noches Talbert, Public Member

OPEN MEETING

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

BOARD DISCUSSION

Draft Regulations

- KAR 68-7-10: Ekits in long term care facilities.
- KAR 68-7-10a: Drug delivery systems in facilities.
- KAR 68-21-2: Electronic reports for K-TRACS.
- KAR 68-21-8: Delegates: adding licensed addiction (clinical and master) counselors.

Discussion on Pending Regulations

- KAR 68-7-20a

Recess: The President called a recess at 9:37 am.

Reconvene: The President called the open meeting back to order at 9:49 am.

BOARD DISCUSSION CONTINUED

Compounding of Semaglutide

- A motion was made and seconded (Truong/Strohmeyer) to approve the new guidance document. All in favor motion carries.

NABP Annual Meeting

- May 14th-17th, 2024
- Review NABP proposed resolutions.

PRESENTATIONS

Cody Scott with Kiro Grifols presented on IV Robotics and other compounding devices. KIRO Grifols offers oncology, fill, and gri-fill 4.0 devices.

Recess: The President called a recess at 10:55 am.

Reconvene: The President called the open meeting back to order at 11:07 am.

REPORTS

Pilot Project

- Carl Black with Optum Rx gave an update on the pilot project.

Attorney

- None.

Board Members

- None.

Compliance

- The inspectors are working on writing new MPJE questions.
- The inspectors are working on the Board compliance continuing education course which will be available sometime after July 2024.

Director

- HB 2547: Authorizing schools to maintain certain emergency medication kits and to administer such medication in emergency situations. Updating the Kansas Controlled Substances Act. The bill has been approved by the Governor.
- HB 2648: Requiring the director of the budget to independently determine costs of compliance and implementation for all proposed rules and regulations and authorizing the director of the budget to disapprove proposed rules and regulations. The bill was vetoed by Governor on April 12, 2024.
- The new fiscal year budget has been approved.
- The legislature has been working on state employee wages and salary increases.
- The State has contracted with a new web platform and is aligning all agency sites with State standards. The Board's website will be undergoing development from April to August, at which time a new site will launch.

APPROVALS

Stipulation and Consent Agreements

- A motion was made and seconded to approve the stipulation and consent agreements for 22-017 and 22-018 (Strohmeyer/Axcell). All in favor motions carry. Truong recusal.
- A motion was made and seconded to approve the stipulation and consent agreement for 24-022 (Noches Talbert/Truong). All in favor motion carries. Strohmeyer recusal.
- A motion was made and seconded to approve the stipulation and consent agreements for 23-017, 23-315, 23-016, and 24-027 (Truong/Strohmeyer). All in favor motions carry.
- A motion was made and seconded to approve the February 22, 2024 minutes, and the new licensees and registrants since February 15, 2024. (Strohmeyer/Truong) All in favor motions carry.

EXECUTIVE SESSION

- A motion was made and seconded (Truong/Axcell) at 11:41 am to enter into executive session to discuss personnel matters of nonelected personnel per K.S.A. 75-4319(b)(2), to include the Board's attorney, Executive Secretary, and the compliance staff, to be reopened to the public at 12:00 pm. All in favor. Motion carries.

Recess: The President called a recess at 12:02 pm.

Reconvene: The President called the open meeting back to order at 1:00 pm.

PUBLIC COMMENT

- David Rziha with Kay's Pharmacy addressed the Board regarding the telepharmacy regulations.
- Dustin Rogge with Washington Health Department addressed the Board regarding the telepharmacy regulations.
- Jonathan Buxton with PCMA thanked the Board for their work with the whitebagging regulations.

ADMINISTRATIVE PROCEEDINGS

20-221 Patrick O'Donnell

- Mr. O'Donnell appeared in person without legal counsel.
- The Board was represented by Ms. Head.
- Judge Andaya explained the administrative hearings process and guidelines for Mr. O'Donnell.
- Board Exhibits were A-I were admitted as evidence. Exhibits A and C were admitted under seal.
- Ms. Head called forth the executive secretary, who was sworn in and gave her testimony.
- Mr. O'Donnell was sworn in and gave his testimony.
- At 1:31 pm, 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 1:38 pm.
- A motion was made and seconded to reinstate Mr. O'Donnell's pharmacist license to active status and release him from the KSPRN program (Axcell/Strohmeyer). All in favor motion carries. Truong recusal.

EXECUTIVE SESSION

- A motion was made and seconded (Strohmeyer/Truong) at 1:43 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 the Executive Secretary, to be reopened to the public at 2:03 pm. All in favor. Motion carries.

ADMINISTRATIVE PROCEEDINGS

24-173 Stacie Malone

- Ms. Malone appeared in person without legal counsel.
- The Board was represented by Ms. Head.
- Judge Andaya explained the administrative hearings process and guidelines for Ms. Malone.

- Board Exhibits 1-11 were admitted as evidence.
- Ms. Head called forth the executive secretary, who was sworn in and gave her testimony.
- Ms. Malone was sworn in and gave her testimony.
- Board members had questions for Ms. Malone.
- At 2:35 pm, 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 2:51 pm.
- A motion was made and seconded that Ms. Malone receive a mental health evaluation within 90 days before a decision will be made on the approval or denial of her pharmacy technician registration (Truong/Noches Talbert). All in favor motion carries.
- Ms. Malone refused the mental health evaluation and instructed the Board to withdraw her pharmacy technician application.

EXECUTIVE SESSION

- A motion was made and seconded (Noches Talbert/Truong) at 2:48 pm to enter into executive session to consult with the Board's attorney on a matter that would be deemed privileged in the attorney-client relationship per K.S.A. 75-4319(b)(2), to include the Board's attorney and the Executive Secretary, to be reopened to the public at 3:10 pm. All in favor. Motion carries.

Adjourn: A motion was made and seconded (Strohmeyer/Truong) to adjourn at 3:10 pm.

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

April 26, 2024

Meeting Location:

300 SW 29th St.

Members Present: Terica Gatewood, PharmD., President; Erick Axcell, PharmD., Vice President; Tiffany Strohmeyer, PharmD., Inv. Member.; Andrew Truong, PharmD.; Lucinda Noches Talbert, Public Member

OPEN MEETING

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

ACTIVITY

Board and staff retreat.

Adjourn: The open meeting adjourned at 2:00 pm.