

President Ashley Duggins called the meeting to order at 10 am. Due to the COVID-19 state of emergency, the meeting was convened by teleconference. Board Members Ashley Duggins, Keith Vance, Andy Bowman, Wallace Nelson, Mischelle Corbin and Bill Mixon were in attendance. Members of the public also attended the meeting via teleconference.

Ethics Statement & Welcome

President Duggins read the Ethics Statement regarding conflicts of interest and/or appearances of conflicts of interest of any Board member. No conflicts were noted by Board members.

Consideration of February 2021 Meeting Minutes and March 2 2021 Meeting Minutes

The members received the February 16 2021 and March 2 2021 meeting minutes for review prior to this meeting. It was moved by Dr. Bowman, seconded by Dr. Vance to approve both sets of minutes. The motion passed with no dissenting votes.

Proposed Amendments to 21 NCAC 46.2801 Compounding (FDA MOU-Required Reporting to the NABP Information Sharing Network) (Campbell, Pinyan)

At the February retreat, the Board agreed: (a) to enter into the FDA MOU; and (b) as a prerequisite, to complete a rulemaking that would require compounding pharmacies to report data required by the MOU annually through the NABP Information Sharing Network. Dr. Vance motioned to publish proposed amendment for notice and comment and was seconded by Mr. Mixon with no dissenting votes.

Proposed Amendment to Board Policy Concerning Out-of-Practice Status and Licensure Without Examination Under 21 NCAC 46.1602(c) (Campbell)

At the February Retreat, the members reviewed Board Rule .1602(c), which states that the Board shall a candidate for licensure without examination (i.e., a reciprocity candidate) “who has not practiced pharmacy within two years prior to application to obtain additional continuing education, practical pharmacy experience, successfully complete one or more parts of the Board’s licensure examination, or a combination of the foregoing, as the Board deems necessary to ensure that the applicant can safely and properly practice pharmacy.” The proposed amendment sets the Board’s default requirements for an applicant who has not practiced pharmacy for a period preceding an application for licensure without examination to now include a) An applicant who, for at least two (2) years prior to application, has been continuously licensed to practice pharmacy by a state that deems licensees from this state to be equivalent is not subject to Rule .1602(c)’s additional requirements. b) An applicant who first obtained a license to practice pharmacy by a state that deems licenses from this state to be equivalent less than two (2) years prior to application, but who has been continuously

licensed by that state since, is not subject to Rule .1602(c)'s additional requirements. Mr. Mixon motioned to approve the policy change, was seconded by Dr. Bowman with no dissenting votes.

Proposed Revised Board Meeting Scheduling Beginning September 2021 (*Campbell, Moore*)

At the February 2021 retreat, the members discussed the pros and cons of altering the Board's current meeting schedule and format (full Board meetings each month except August and December). The Board reached consensus that, beginning in September 2021, it would shift to full Board meetings every other month, with time reserved in the interim months for pre-hearing conferences and committee work. The members agreed that August and December should remain open months. There was a brief discussion about staff plans for back in person meetings. Mr. Campbell proposed that in May 2021 when assigning PHCs that the Board consider designating 2 members as opposed to one. Dr. Vance moved to approve the new schedule and was seconded by Mr. Nelson. The motion passed with no dissenting votes. It was agreed the situation would be reviewed periodically.

Report and Recommendations from the Haywood Fund Committee (*Bowman, Mixon, Corbin* (members) *Vick, Jones, Brown, Pinyan* (staff))

At the February retreat President Duggins appointed a Haywood Fund Committee (Bowman, Mixon, Corbin) to further discuss a \$250,000 contribution to the Haywood Fund and pharmacy technician criteria eligibility and bring recommendations on both to the full Board at the March 2021 meeting. The Committee recommended contributing an additional \$250,000 to the Fund's principle. They also endorsed changing the technician eligibility criteria (as listed in Attachment A to the Fund Agreement) to state that a technician who has been registered for five years OR has practiced with the technician's current employer for two years is eligible for Fund assistance. Dr. Bowman motioned to approve and to authorize the Executive Director to execute necessary amendments to the Fund Agreement. The motion was seconded by Ms. Corbin and passed with no dissenting votes.

The Board took a 10 minute break and reconvened at 11:05 am.

Legislative Report (*Campbell; Pinyan*)

H196, S.L. 2021-3 Modifications to COVID-19 Relief Legislation

Section 2.9 of this omnibus legislation confers authority on immunizing pharmacist to administer a long-acting injectable medication to a patient at least 18 years old pursuant to prescription order. The provision sets forth recordkeeping and reporting requirements. It authorizes the Board to adopt temporary rules to implement the section, and it becomes effective October 1, 2021. Next steps: Identifying what, if any,

temporary rulemaking is necessary to operationalize this authority; determining whether any permanent rulemaking is necessary to operationalize this authority and, if so, whether such rulemaking must occur among the Pharmacy, Medical, and Nursing Boards.

H29, Verification of Immigration Status

If passed, this bill would require all occupational licensing boards to verify the immigration status of license, registration, and permit applicants through agreement with the Department of Homeland Security to use the Systemic Alien Verification for Entitlements (SAVE) Program. Substantially similar litigation was proposed last session, and all licensing boards' staff were required by the legislative research division to submit a fiscal note. BOP staff submitted one on May 1, 2019 noting substantial costs (in time, money, staffing, programming) that the Board would incur if this legislation passed.

S226, Amend HIE Mandatory Participation and Enforcement

This bill would extend the current June 1, 2021 deadline for pharmacies to connect to the state HIE Network to submit data for services rendered Medicaid beneficiaries to June 1, 2022. It would also add civil penalties that can be assessed against a provider or entity who fails to connect to the HIE Network and submit required data.

S257, Medication Cost Transparency Act

This bill would create in the Department of Insurance a comprehensive licensing and regulation scheme for pharmacy benefit managers. It would prohibit a pharmacy benefits manager from restricting dispensing of any prescription drug – including specialty drugs – by a North Carolina permitted pharmacy. It would implement a pharmacy drug cost protection system similar to the Arkansas provision upheld by the US Supreme Court in *Rutledge*. The bill is now sitting in the Rules Committee and Mr. Campbell will apprise the Board of its progress.

H178 Access to Prescription Drug Cost Information

This bill would add an article to the North Carolina Insurance Code requiring health benefit plans and pharmacy benefit managers (among others) to provide at the point of prescribing and dispensing information sufficient for a patient to determine eligibility for drug benefit and cost information in real time. Rep. Sasser is a primary sponsor.

Committee Progress Reports

Telepharmacy Committee – *Vance, Bowman, Nelson* (members); *Campbell, Pinyan* (staff)

The committee has been directed to bring forward a recommendation on expansion of RMOE services to non-healthcare-facility pharmacy practice settings at the Board's April 2021 meeting. The committee convened briefly to provide direction to committee staff. Committee staff are drafting documents for the committee members to consider prior to the April 2021 Board meeting.

Limited Service Permit Revision Committee – *Mixon, Nelson* (members); *Campbell, Stefanyk, Bissell, Pinyan* (staff)

Mr. Pinyan is working on drafting proposed Board rule amendments to implement the recommendations detailed to the full Board at the retreat. The committee will then meet to review and revise prior to the April 2021 Board meeting.

Permit Meeting/Pharmacist Manager Education Committee – *Duggins, Vance* (members); *Betz, Watson, Kohler, Stefanyk* (staff)

The committee met to discuss amendments to Rule .1606 to eliminate in-person permit meeting requirement; consider development of on-line educational materials focused on pharmacist-manager responsibilities; consider whether and how review of such materials should be a mandatory prerequisite for issuance of a new permit and/or a pharmacist-manager change for an existing permit. These recommendations will be presented at the June 2021 Board meeting.

Intern Registration System Committee – *Vance, Bowman* (members); *Betz, Campbell, Pinyan* (staff)

The committee will meet in the coming weeks and is charged to recommend a system for registering and tracking pharmacy students who are eligible to serve as pharmacy interns in North Carolina. Currently committee staff are reviewing statutory authority, as well as system programming needs. Results will be presented at the July 2021 Board meeting.

Licensing Report

2021 Renewal Season Update

Renewal has ended for all people (Pharmacists, Technicians, Dispensing Physicians, PAs, NPs, and CPPs). Facilities (pharmacies and DMEs) have through the end of the month to be reinstated for a fee. Ms. Betz provided a briefing on the 2021 license/permit/registration renewal season and included a comparison with 2020 renewal season. The numbers closely match previous years. She also shared the vaccinator numbers for pharmacists and technicians, which have sharply risen post COVID.

Financials

March Financial Report

JP Brown, Accounting Manager, presented the March 2021 financial report to the Board.

Investigative Report

Docket Report

Krystal Stefanyk, Director of Inspections, presented the 2021 investigations report and current caseload. Dr. Bowman expressed his concern that some pharmacists were feeling overextended during the pandemic and were unable to protest in fear of losing their employment. Mr. Campbell noted North Carolina does have a whistleblower statute that can be used if needed. A discussion of workplace safety followed. It was decided that Mr. Campbell would work with Dr. Bowman and Dr. Vance on the newly formed Committee (name to be determined) to invite various representatives to the April meeting for further discussion.

NABP Annual Meeting (Virtual) May 13-14, 2021

Registration is open. Members asked to contact Ms. Wilson to register. The Board designated Dr. Duggins as Voting Delegate, Mr. Nelson as 1st Alternate and Mr. Campbell as 2nd Alternate.

NABP District III Annual Meeting, October 3-6, 2021, Hilton Head, South Carolina

Mr. Campbell noted the meeting was a little later in the year than usual but will be in person. The Board will be notified when registration is open.

SEIs Due to Ethics Commission by April 15, 2021

Mr. Campbell reminded the Board that SEIs were due by April 15th and noted that most of the Board had turned them in.

Consent Agenda

The following items were approved.

Prehearing Conference**Consent Orders****Reciprocity Candidates**

License NA1:D24umber	First Name	Last Name	Licensed Date
30273	Jordan	Buuck	2/18/2021
30274	Keith	Patti	2/18/2021
30275	Katherine	Toth	2/18/2021
30276	Travis	Duhow	2/18/2021
30262	Jessica	Anderson	2/18/2021
30265	Jeanie	Sadler	2/18/2021
30267	Nitasha	Patel	2/18/2021
30268	Richard	Tayon	2/18/2021
30269	Naomi	Olk	2/18/2021
30270	Saumil	Patel	2/18/2021
30271	Kimberly	Hayashi	2/18/2021
30272	Jared	Roswurm	2/18/2021
30277	Matthew	Flo	2/25/2021
30278	Kandis	Harris	2/25/2021

30279	Laura	Kind	2/25/2021
30280	Emily	Yoho	2/25/2021
30284	Brian	Danihlik	3/4/2021
30286	Julian	Henderson	3/4/2021
30285	Ryan	Gibson	3/4/2021
30289	Lacy	Smith	3/4/2021
30288	Sweta	Patel	3/4/2021
30287	Alissa	Karr	3/4/2021
30290	Nikita	Smith	3/4/2021
30296	Sarah	Pruitt	3/11/2021
30294	Brian	Long	3/11/2021
30292	Deandrea	Barriere	3/11/2021
30295	Jordan	Margolis	3/11/2021
30291	Abul	Ansari	3/11/2021
30298	Amish	Vora	3/11/2021
30297	Stephanie	Snow	3/11/2021
30293	Lesa	Conroy	3/11/2021
30309	Lisa	Freeman	3/18/2021
30305	Kayla	Thomas	3/18/2021
30308	Tibebu	Nigatu	3/18/2021
30307	Elise	Favrot	3/18/2021
30306	Jessica	Kumar	3/18/2021

30310	Sarah	Breaux	3/18/2021
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CPP Candidates

No CPP Candidates this month.

Increase in Pharmacist to Technicians Ratio

License Number	Name	Ratio Change	Complete Date
12414	Walgreens	PT Ratio Change 1:3	2/16/2021
12225	Walgreens	PT Ratio Change 1:4	2/16/2021
14568	Realo	PT Ratio Change 1:4	2/16/2021
12299	Walgreens	PT Ratio Change 1:4	2/17/2021
12431	Walgreens	PT Ratio Change 1:4	2/18/2021
12367	Walgreens	PT Ratio Change 1:4	2/18/2021
13667	Walgreens	PT Ratio Change 1:4	2/18/2021
12411	Walgreens	PT Ratio Change 1:4	2/19/2021
12368	Walgreens	PT Ratio Change 1:4	2/19/2021
12454	Walgreens	PT Ratio Change 1:4	2/19/2021
12400	Walgreens	PT Ratio Change 1:4	2/24/2021
12643	Wal-Mart	PT Ratio Change 1:4	2/24/2021
12366	Walgreens	PT Ratio Change 1:4	2/24/2021
9029	Ingles	PT Ratio Change 1:3	2/24/2021
13540	Walgreens	PT Ratio Change 1:4	2/24/2021

12283	Walgreens	PT Ratio Change 1:4	2/26/2021
12107	Wal-Mart	PT Ratio Change 1:4	2/26/2021
12803	CVS	PT Ratio Change 1:4	2/28/2021
13620	Walgreens	PT Ratio Change 1:3	3/9/2021
13646	Walgreens	PT Ratio Change 1:4	3/10/2021
13487	Walgreens	PT Ratio Change 1:4	3/18/2021
13681	Walgreens	PT Ratio Change 1:4	3/19/2021

On a motion from Mr. Mixon, seconded by Ms. Corbin with no dissenting votes, the Board moved to approve the consent agenda. President Duggins gave Mr. Campbell permission to sign on her behalf.

Closed Session

On a motion from Dr. Bowman, seconded by Mr. Nelson with no dissenting votes, the Board moved into closed session to discuss possible summary suspensions.

When open session resumed on a motion from Dr. Vance, seconded by Mr. Mixon with no dissenting votes, President Duggins stated that the Board summarily suspended Technician Registration No. 34263 issued to Molly Cook, Technician Registration No. 52109 issued to Sonya Goforth and License No. 08611 issued to Walter Spivey.

At 1:22 pm Mr. Nelson moved to adjourn. Mr. Mixon seconded. The motion passed with no dissenting votes.

Dr. Ashley Duggins, President

Wallace Nelson

William A. Mixon

Mischelle Corbin

Dr. Andy Bowman

Dr. Keith Vance