

President Keith Vance called the meeting to order at 10:14 am. Due to the COVID-19 state of emergency, the meeting was convened by teleconference. Board Members Robert Graves, Andy Bowman, Gene Minton, Ashley Duggins, and Bill Mixon on the call. Members of the public also attended the meeting via teleconference.

Ethics Statement & Welcome

President Vance 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.

Mr. Pinyan advised the members on changes to public meeting procedures enacted by the legislature to facilitate effective teleconference-based meetings during the COVID-19 pandemic.

Public Hearing – Adoption of 21 NCAC 46.2017 Reapplications, Reinstatement, Rehearing, and Reconsideration; Amendments to 21 NCAC 46.2001 Right to Hearing, 21 NCAC .2004-.2009 Request for Hearing, Granting or Denying Hearing Request Notice of Hearing, Who Shall Hear Contested Cases, Informal Procedures, Petition for Intervention, 21 NCAC 46.2011 Disqualification of Board Members; 21 NCAC 46.2013-.2016, Subpoenas, Witnesses, Final Decision, Proposals for Decisions; Repeal of 21 NCAC 46.2010 Types of Intervention

President Vance called to order a public hearing on these rule proposals. Board staff reported that no written comments received during the comment period. No member of the public offered any comments during the public hearing.

Consideration of April 2020 Meeting Minutes

The members received the April 21, 2020 meeting minutes. It was moved by Mr. Mixon, seconded by Dr. Bowman, to approve the minutes with correction of two typographical errors. The motion passed with no dissenting votes.

Selection of Board Officers

Each May, the Board selects its officers for the coming year. Mr. Mixon nominated Dr. Duggins for President. On a motion from Mr. Dr. Bowman, seconded by Dr. Vance with no dissenting votes, the nominations were closed. By unanimous vote, Dr. Duggins was elected as Board President for 2020-2021.

Dr. Duggins nominated Mr. Mixon as Vice-President. With no other nominees, on a motion from Dr. Bowman, seconded by Mr. Nelson with no dissenting votes, the nominations were

closed. By unanimous vote (Mr. Mixon abstaining), Mr. Mixon was elected Board Vice-President for 2020-2021.

Dr. Duggins then assumed her duties as Board President. She and the other Members commended Dr. Vance for a terrific job as Board President the past year.

Appointment of Board Committees

After discussion, President Duggins made the following committee appointments for 2020-21:

Dr. Duggins, Mr. Graves, and Dr. Bowman to the Budget and Finance Committee.

Dr. Duggins, Dr. Vance, and Dr. Bowman to the Opioid Crisis Committee.

Mr. Nelson, Dr. Vance and Dr. Bowman to the Telepharmacy Committee.

Mr. Mixon as the liaison to the CPP Advisory Committee.

The DME Committee is composed of two Board members (currently President Duggins, Mixon); a representative of medical equipment suppliers (currently Doug Tonucci); a representative of medical oxygen suppliers (currently Wade Dahlberg); a representative of rehabilitation technology suppliers (currently Ed Dressen). Mr. Graves moved to reappoint all current DME representatives to the committee. Mr. Mixon seconded. The motion passed unanimously.

Dr. Bowman moved, seconded by Mr. Nelson, to appoint Mr. Graves and Mr. Mixon to represent the Board on the NCPHP Board. The motion passed unanimously (Mr. Mixon abstaining).

Stan Haywood Scholarship Fund Update – NCPHP

Joe Jordan, NC Physicians Health Program (NCPHP) CEO, and Cindy Clark, NCPHP Assistant Director, updated the Board on the progress of the grant and the number of recipients it has benefited. Mr. Campbell noted that in recent weeks, Board staff have added a tile to each licensee, permittee, and registrant's home page in the Licensure Gateway that facilitates donations to the Fund.

Consideration of Adoption of 21 NCAC 46.1819, COVID-19 Drug Preservation Rule, through Temporary Rulemaking

Mr. Pinyan reviewed the background of COVID-19 Drug Preservation Rule, currently in effect as an emergency rule. If adopted as a temporary rule, it will remain in place until March or April 2021. The exact date would depend upon timing of publication by the Rules Review Commission. It is within the Board's authority to repeal it sooner if prudent, or to adopt it as a permanent rule if the State of Emergency persists.

Board staff reported that no written comments were received on the rule during the comment period. Nor did any member of the public comment on the rule during a properly noticed public hearing of on the rule on May 8, 2020.

Mr. Mixon moved to approve the temporary rule as published; Dr. Bowman seconded. The motion passed unanimously.

Consideration of Adoption of 21 NCAC 46.2017; Amendments to 21 NCAC 46.2001, .2004-.2009, .2011, .2013-.2016; Repeal of 21 NCAC 46.2010

Messrs. Pinyan and Campbell re-summarized the purpose and operation of the proposed adoption, amendments, and repeal as stated in the notice of rulemaking.

Mr. Graves moved to approve the adoption, amendments, and repeal as published. Dr. Vance seconded. The motion passed unanimously.

The Board then took a short break at 11:37 am and reconvened at noon.

Review of Board Member Ethics Commission Evaluation Letters

Each year, all Board members file a Statement of Economic Interest, which is evaluated by the North Carolina Ethics Commission for actual or potential conflicts of interest. Each evaluation must be reviewed at a meeting of the Board.

President Vance and Board staff have received three evaluation letters – for members Duggins, Bowman, and Graves. The Commission identified no actual conflict of interest for any of the three. The Commission identified potential conflicts of interest for Members Duggins and Bowman because they are both licensees of the Board of Pharmacy. This is a standard finding. It does not disqualify either from service in any way. The Ethics Commission simply reminds these members of their duties to identify potential conflicts of interest and recuse where appropriate. Mr. Campbell then reminded the Board members of their deadlines for ethics refresher training.

COVID-19 Matters

Testing Site Availability Update – Mr. Campbell reported that Pearson VUE testing centers are operating at reduced capacity in order to practice social distancing. Additional testing centers continue to come on line.

In response to potential testing delays, ASHP has extended the residency licensure requirement for accreditation to January 1, 2021.

NABP continues work on a remote-proctored MPJE option expected to come available in early July 2020, which will significantly reduce the number of seats in testing centers required by new pharmacy graduates.

NABP Passport Usage – Mr. Campbell stated process was still going smoothly. Director of Licensing Missy Betz has implemented a weekly process to update Passport holders on the Board website, allowing potential employers a ready means of verifying that status.

FDA Releases Final Version of the Compounding Oversight Memorandum of Understanding

The FDA has released the final version of the Drug Quality and Safety Act-required MOU concerning the regulation of interstate shipment of compounded prescription drug products.

In approximately 30 days the MOU will open up for signature by state boards of pharmacy who wish to participate, and state boards of pharmacy will have a year to decide whether to become a party.

At the end of that one-year period, FDA will begin enforcing the DQSA's 5% out-of-state compound distribution limit in states that are not signatories to the MOU.

The current, and final, MOU version incorporated most suggestions communicated by the Board during open comment periods in 2015 and 2018. The key issue identified by the Board in those comment periods has been data collection and reporting requirements under any MOU. FDA has given NABP a grant to pilot a data collection and reporting system that MOU signatory states could use, if they wish, to satisfy those requirements of the MOU. The creation of that system is in the early going, but the basic framework anticipates compounding pharmacies reporting data to NABP through the e-Profile system, which NABP would compile required data, prepare reports for the state board of pharmacy, and, if authorized by the state board of pharmacy, submit required reports to FDA.

This system will first need to be piloted, and Mr. Campbell suggested that the Board take part of the pilot to gauge its effectiveness, which will in turn inform the Board's decision whether to sign on to the MOU.

Board members agreed to continue discussing the MOU and the Board's potential signing on to it.

Legislative Update

S773, Universal License Recognition Act - This bill is, primarily, a means of forcing occupational licensing boards that do not already have a reciprocity mechanism to have one. The Board, of course, already participates in NABP's e-LTP system for rapid – but safe – reciprocity of pharmacy licensure. But there are some concerns here – specifically whether some aspects of the bill, if passed, would override elements of the e-LTP program. The bill also states, however, that “nothing . . . should be construed . . . to invalidate any existing reciprocity agreement between any occupational licensing board in this State and another jurisdiction” – which, again, the Board has with every other United States jurisdiction. Board staff will continue to monitor this bill for any potential disruption of the existing licensure reciprocity process for pharmacists.

S717/H1053, PED/Military Occupational Licensure - The bill clarifies that the 30-day application ruling requirement on military-trained applicants and military spouses applies to both. The bill would require the Board to include on its website “a summary of the opportunities available to veterans and military spouses.” It would also require annual reporting of military-trained and military-spouse license applicants – which Board staff already incorporated last year into the annual report. Staff does not envision any significant complications if the bill becomes law.

Financials

Monthly Financial Report - The members received the monthly financial report prior to this meeting. The members reviewed the report and had no questions.

FY2020-21 Budget – Mr. Campbell thanked Mr. Graves, Dr. Vance and Dr. Bowman for their work on the Budget and Finance Committee. Mr. Brown presented the proposed FY 2020- 2021 budget. After discussion, Mr. Graves moved to approve the budget as proposed by the Budget and Finance Committee. Mr. Mixon seconded. The motion passed unanimously.

Investigative Statistics

Josh Kohler, Director of Investigations, presented the April 2020 investigations report.

Board Member Retreat Planning, July 20-21, 2020, Chapel Hill, NC

Due to continuing uncertainty surrounding the Board's ability to hold an in-person retreat in the near term as a result of the COVID-19 pandemic, Mr. Campbell proposed moving the retreat to the fall or holding it virtually. After discussion, the consensus of the Board was to move the retreat to an agreeable date in September to improve the chances of being able to conduct the retreat in person. Mr. Campbell said Ms. Wilson will report back on rescheduling at the June 16, 2020 Board meeting.

NABP Annual Meeting Recap

President Vance commended Mr. Campbell on his leadership and gavel skills at the NABP Annual Meeting. Mr. Campbell in turn recognized the hard work and effort the NABP staff put into the event and thanked the Board members and staff for their support and encouragement during his tenure with the NABP Executive Board.

NABP District 3 Meeting, August 9

Due to continuing uncertainty surrounding the ability to hold an in-person meeting in the near term as a result of the COVID-19 pandemic, NABP District 3 has decided to convert its meeting to a one-day virtual session. The South Carolina Board of Pharmacy has graciously agreed to take up hosting duties in 2021. Cindy Parham will spearhead organization of the August 9, 2020 virtual meeting. More details will follow in the coming weeks.

Reports to the Board

No one from the schools spoke during the Reports to the Board agenda item. Dr. Bowman spoke on dwindling enrollment at many pharmacy schools across the nation. Mr. Mixon asked if video PHCs would be a possibility in the future. Mr. Campbell replied that the Board had the capability, but docket management by staff has so far avoided the need.

Consent Agenda

On a motion from Mr. Mixon, seconded by Mr. Wallace, the Board approved the consent agenda as presented. The motion passed with no dissenting votes.

The following items were approved.

Prehearing Conference

Consent Orders

Johnny Roy Sessoms Lic. No. 14750

Reciprocity Candidates

License Number	First Name	Last Name	Licensed Date
29438	Samuel	Appiah	2020-04-23
29439	Somtochukwu	Azike	2020-04-23
29443	Sharon	Lance	2020-04-30
29444	Lauren	Radley	2020-04-30
29450	Stanley	Lisewski	2020-05-07
29449	Zachary	Hunter	2020-05-07
28647	Dalia	Guadamuz	2020-05-07
29452	John	Sommerville	2020-05-07
29453	Michael	Wegner	2020-05-07
29448	Mckenna	Childress	2020-05-07
29451	Natali	Ramsey	2020-05-07
29465	Iver	Vandiver	2020-05-14
29461	Justin	Sarat	2020-05-14
29464	Jameal	Vanderhorst	2020-05-14
29455	Ariana	Asante-Amponsah	2020-05-14
29456	Lucas	Casserlie	2020-05-14
29463	Emily	Thorp	2020-05-14

29457	Sydney	Graboyes	2020-05-14
29458	Ruth	Marietta	2020-05-14
29459	Heath	Palmer	2020-05-14
29460	Kristen	Patti	2020-05-14
29462	Michael	Semcken	2020-05-14
29469	Victoria	Tyler	2020-05-21
29467	Dustin	Crane	2020-05-21
29468	Alysha	Robinson	2020-05-21

CPP Candidates

LicenseNumber	FirstName	LastName	LicensedDate
700247	Kalynn	Northam	5/4/2020

Increase in Pharmacists to Technician Ratio

Permit Number	Pharmacy	ProcessType	Complete Date
13077	Publix	PT Ratio Change 1:3	4/25/2020
9105	Harvest Family Health Center	PT Ratio Change 1:3	5/1/2020
12455	Walgreens	PT Ratio Change 1:4	5/5/2020
13284	Publix	PT Ratio Change 1:3	5/11/2020
13540	Walgreens	PT Ratio Change 1:3	5/12/2020
12507	Cashiers Valley Pharmacy	PT Ratio Change 1:4	5/14/2020

Closed Session

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

Open session resumed on a motion from Mr. Mixon, seconded by Mr. Nelson with no dissenting votes. President Duggins stated that the Board summarily suspended Technician Registration No. 26932 issued to Nicholas Shipman; Technician Registration No. 49503 issued to Walter Dorham; Technician Registration No. 53518 issued to Dwight Ross; and DME Permit No. 02388 issued to WI Medical.

On a motion from Mr. Mixon, seconded by President Duggins with no dissenting votes, the Board adjourned the meeting at 1:39 pm.

Dr. Ashley Duggins, President

Wallace Nelson

William A. Mixon

Robert Graves

Dr. Andy Bowman

Dr. Keith Vance