

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 on the call. 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 July 2020 Meeting Minutes

The members received the July 21, 2020 meeting minutes. It was moved by Dr. Bowman, seconded by Dr. Vance, to approve the minutes. The motion passed with no dissenting votes.

COVID-19 Matters

Proposed Modifications to Pharmacy Inspection Policies and Procedures

Director of Inspections Krystal Stefanyk proposed an amendment to the existing inspection schedule and policy to allocate field inspection resources to most effectively and efficiently serve public health needs. This would extend all inspection dates for one year with some exceptions. It was moved by Ms. Coggins and seconded by President Duggins to approve the revision. The motion passed with no dissenting votes.

Licensing Report

Director of Licensing Missy Betz provided a chart showing both the number of exam candidates by summer months for 2018 – 2020 and a chart showing total number of exam candidates by year. She concluded that the pandemic had not adversely affected the testing of exam candidates. Dr. Bowman requested numbers on the passage rates for the October meeting.

Review of Board Waiver for Out-of-State Pharmacists and Technicians Issued During the State of Emergency

The Board enacted the emergency services waiver in April of 2020 to do two things. Skipping to the second part, the waiver allowed relocation of a permit within 10 miles of its existing location without the need for any sort of change or permit, simply by notifying the Board. This is more applicable in the case of a natural disaster and has not really been in play during the COVID crisis. The first part of the waiver allows pharmacists and pharmacy technicians

not licensed in North Carolina to obtain temporary authority to practice here without obtaining a North Carolina license or registration. This has been implemented through the use of the NABP Passport system. NABP has announced that its default ending date for the emergency NABP Passport system is 12/31/2020. Some states have already terminated use of the emergency Passport system finding that feared shortages of pharmacy personnel due to COVID have not materialized. Other participating states have stated that they will end use on 12/31/2020. The Board staff has not been made aware of situations where pharmacies have been unable to staff pharmacies and maintain patient services due to COVID. And, while there are a lot of pharmacists and technicians who have obtained a Passport, it appears that few of them have actually used them in North Carolina. Mr. Campbell proposed that this part of our waiver will end on December 31. That would give any pharmacist with a need to obtain a license going forward three months to do so. Mr. Mixon asked why not keep the waiver in place until emergency is over but Mr. Campbell pointed out that the Board staff would need to come up with a new system to replace the Passport which would take a considerable amount of time and effort. Dr. Vance motioned to end part one of the emergency waiver on December 31st, 2020 and was seconded by Mr. Mixon.

Continuing Discussion of FDA's Final Version of the Compounding Oversight Memorandum of Understanding

Members and staff continued to discuss the terms of the FDA's Compounding Oversight Memorandum of Understanding. By agreeing to participate in the MOU, it means that compounding pharmacies in that state will not be limited to shipping 5% or less of their compounded product interstate, with the condition to undertake certain data collection which would be reported back to the FDA for monitoring. NABP received a grant from the FDA to develop an information sharing network that state boards could use to satisfy their obligations under the MOU. This would prevent the Board from building a fairly expensive data reporting system. Mr. Campbell has informed NABP of the NC Board's interest in participating in the pilot program and will be included in a kickoff meeting between NABP staff and a handful of interested states. Mr. Campbell reminded the Board that the new rule that required each pharmacy to obtain e-profile numbers will help in collecting the data and that he and Ms. Betz are working with NABP on an auto assign at application.

Rulemaking

Section .2000 Rule Amendments (Hearing Procedure)

The new rule .2017 incorporates the old Board Reapplication and Reinstatement Policy. The rule is largely substantively similar to the policy, though it is not exactly identical. Board staff recommends that the Board repeal the Reapplication and Reinstatement policy. It is unnecessary, in light of .2017, and poses a substantial risk of creating confusion, since it is not

absolutely identical. Mr. Nelson motioned to repeal and was seconded by Dr. Bowman, with no dissenting votes.

Permanent Rulemaking for COVID-19 Drug Preservation

Mr. Pinyan reminded the Board of the COVID-19 Drug Preservation Rule passed at the beginning of the state of emergency that effectively says for a list of restricted drugs, a prescriber has to list the reason for the prescription and if that reason is COVID-19, it is an initial 14 day supply that can then be renewed thereafter. This rule is set to expire on March 28, 2021 so now is the time to start the process to make the rule permanent, as requested by Dr. Mandy Cohen, NC Secretary of DHHS and Dr. Betsey Tilson, NC State Health Director/Chief Medical Officer. They requested the same of the Med Board and the Board of Nursing, both of whom are also taking up permanent rulemaking at their meetings this month. The State Health Director has determined that the State is unlikely to suffer future shortages of two of the drugs previously listed in the temporary and emergency rule, and that those drugs may be removed from the list, while the others should remain. In addition, Board staff have noted one area of needed change where the rule refers only to “physicians” as prescribers, when these drugs may also be prescribed by physician assistants and nurse practitioners. After some discussion, Dr. Vance motioned to publish the proposed permanent rule for notice and comment period was seconded by Mr. Mixon, with no dissenting votes.

Repeal of Reinstatement and Reapplication Policy

Discussion of Potential Rulemaking Concerning Limited Service Pharmacy Permits

Board rule 21 NCAC 46.1317(19) defines a “limited service permit” as one “issued by the Board to an applicant who wishes to render in an institutional setting pharmaceutical services not limited to scope and kind, but to time and conditions under which such services are rendered.” Designation as an LSP means that the pharmacist-manager may be pharmacist-manager on additional permit(s). The current LSP census is 438. Under the Board’s inspection policy, we do not routinely inspect LSPs (unless the LSP performs compounding services). Rather, given their “limited” nature, we inspect only pursuant to a complaint. Board staff has begun a review of the all LSPs to be as sure as we can be that LSPs are pharmacies for which there is low risk to the public. Staff is interested in pursuing rulemaking that would clarify pharmacies that qualify for LSP status and to clarify pharmacist-manager responsibilities for an LSP. The vast majority of current LSPs are held for locations that: (a) site an automated dispensing device; (b) limited-scope pharmacies where PA/NP or, in the case of health departments, RNs dispense a limited, prepackaged formulary of drugs subject to pharmacist oversight; and (c) free and charitable clinics. Board staff are still gathering data and talking to

various stakeholders. If the Board is supportive in conceptual terms of the effort, Board staff would like to return to the October meeting with a more concrete proposal. It was decided that Mr. Mixon and Mr. Nelson would form a Limited Service Permit committee and report back at the October meeting.

Investigative Report

Personnel Update

Ellen Vick announced that the Enforcement Department has created two new hybrid roles, Enforcement Specialists. In these roles, the Enforcement Specialists will have three primary functions investigative, administrative, and training. The departure of Warren Sibbett at the end of May gave us an opportunity to rethink the Department's organization. In addition, the applications for out-of-state pharmacies and DMEs as well as the caseload for investigations of out of state pharmacies has increased significantly. Ms. Vick looked to the existing talent within the Enforcement Department. Both Loretta Wiesner and Cindy Parham have agreed to step into these new hybrid roles. Ms. Wiesner's investigative focus will be all of the out of state pharmacies, DMEs and pharmacists. Ms. Parham's investigative focus will be as the investigator of the Central District #3 (Alamance, Chatham, Durham, Guilford, Lee, Moore, Orange, Randolph, Rockingham and Western Wake).

Docket Report

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

Financials

July and August Financial Report

JP Brown, Accounting Manager, presented the July and August 2020 financial report to the Board. He reminded the Board the annual financial audit was in August and will be presented at the October meeting.

FY2019-2020 Annual Report, October 31, 2020

N.C.G.S. 93-B, which governs occupational licensing boards, requires each board to submit an annual report by October 31, 2020 of each year. The required contents of the report are set forth in detail by the statute, and are composed primarily of various data on licensees, registrants, and permittees. It must also include audited financial reports for the preceding year. The report is also an opportunity to describe various initiatives and accomplishments

over the prior year. A draft of the annual report will be presented at the October meeting and if approved, will be filed the following week.

Southeastern District Board Member Election Update

Dr. Bowman holds the southeastern district position on the Board. His current term runs through April 30, 2021, and he is eligible to run for a second five-year term on the Board. Board staff is preparing for the southeastern district member election, which will follow the requirements in Section .2100 of the Board's rules. Board staff hosted a virtual question-and-answer session on Wednesday, September 9, 2020 at 7:00pm. Overall candidate interest is, as in prior elections, high. Several candidates have already filed their petitions and supporting signatures.

NABP District 3 Virtual Meeting Recap

Mr. Campbell reported that the NABP District 3 meeting occurred this year virtually and lasted about two hours. Specific credit goes out to Cindy Parham for her per usual terrific work in organizing the meeting.

Designation of Board Member to Attend NABP's Interactive Board Member Forum

NABP hosts several interactive forums each year. On Tuesday and Wednesday, January 26-27, 2020, NABP will host an Interactive Executive Member Forum. The meeting is, for now, planned to be at NABP headquarters. Whether this meeting occurs in person or virtually is very much in flux. NABP allows each board of pharmacy to designate one member to attend. President Duggins volunteered to attend.

Reports to the Board

No one spoke during the Reports to the Board agenda item.

Consent Agenda

The following items were approved.

Prehearing Conference

Consent Orders

Reciprocity Candidates

License Number	First Name	Last Name	Licensed Date
29745	Tiffany	Dimarco	7/23/2020
29751	Pamela	Obah	7/23/2020
29753	Arvachi	Patel	7/23/2020
29743	Tara	Baran	7/23/2020
29749	Bianca	Lascano	7/23/2020
29744	Jeannette	Bouchard	7/23/2020
29748	Jaclyn	Kilsgaard	7/23/2020
29750	Ogechukwu	Ndukwe	7/23/2020
29747	Allison	Galloway	7/23/2020
29752	Daniel	Parshall	7/23/2020
29742	Kanish	Amin	7/23/2020
29746	Sheriden	Franks	7/23/2020
29782	Stephen	Wilson	7/30/2020
29778	Edward	Hilinski	7/30/2020
29777	Benjamin	Hampton	7/30/2020
29775	Caitlyn	Crawford	7/30/2020
29779	Haley	Monopolulus	7/30/2020
29780	Nikkie	Patel	7/30/2020
29776	Jason	Eakins	7/30/2020
29781	Peter	Smith	7/30/2020

29783	Benjamin	Wofford	7/30/2020
29829	Taylor	Barnes	8/6/2020
29833	Anan	Hussein	8/6/2020
29831	Cara	Corry	8/6/2020
29838	Ashley	Williams	8/6/2020
29834	Grace	Hwang	8/6/2020
29836	James	Ro	8/6/2020
29832	Paige	Eber	8/6/2020
29835	Michelle	Lim	8/6/2020
29837	Sona	Tailor	8/6/2020
29828	David	Barnes	8/6/2020
29830	Jocqueline	Butler	8/6/2020
29870	Jan	Stelly	8/11/2020
29879	Justin	Martoia	8/13/2020
29877	Harry	Reece	8/13/2020
29874	Daniel	Zlokas	8/13/2020
29876	Eshan	Safaya	8/13/2020
29880	Morgan	Lange	8/13/2020
29873	Jaclyn	Szalacsi	8/13/2020
29881	Briee	Landis	8/13/2020
29875	Jessi	Edwards	8/13/2020
29878	Rickii	Lear	8/13/2020

29872	Michelle	Adams	8/13/2020
29871	Charles	Cranford	8/13/2020
29906	Zorana	Prajdic	8/20/2020
29902	Chancellor	Charette	8/20/2020
29904	Sabine	Joachin	8/20/2020
29905	Danielle	ONeal	8/20/2020
29907	Alexandria	Rivera	8/20/2020
29903	Rahisa	Jamal	8/20/2020
29921	Cynthia	Harvey	8/27/2020
29927	Whitney	Williams	8/27/2020
29922	Linda	Inkiriwang	8/27/2020
29925	Erin	Petersen	8/27/2020
29926	Taylor	Williams	8/27/2020
29924	Jessica	McElwee	8/27/2020
29923	Mario	Machado	8/27/2020
29945	T'era	Graham	9/3/2020
29950	Jeffrey	Then	9/3/2020
29951	Sara	Then	9/3/2020
29944	Nicholas	Callara	9/3/2020
29948	Joshua	Samuelson	9/3/2020
29472	Gabrielle	Kohler	9/3/2020
29949	Tommy	Stanley	9/3/2020

29943	Jeremy	Bonnell	9/3/2020
29953	Mina	Wasef	9/3/2020
29946	Alexandra	Guido	9/3/2020
29952	Dominika	Townsend	9/3/2020
29693	Kimberly	Robinson	9/3/2020
29947	Danny	Miller	9/3/2020
29984	Lydia	Chen	9/10/2020
29986	Minti	Patel	9/10/2020
29985	Annette	De Santiago	9/10/2020
29987	Lauren	Yancy	9/10/2020
29435	Nicole	DeLaurentis	9/10/2020

CPP Candidates

License Number	First Name	Last Name	Licensed Date
700254	Emily	Merritt	8/5/2020
700255	Nicholas	Conley	8/5/2020
700256	Anna	Abrahamson	8/20/2020
700257	Deven	Jackson	8/20/2020
700258	Lauren	Kemp	9/8/2020

Increase in Pharmacist to Technicians Ratio

Permit Number	Name	Process Type	Complete Date
11675	Friendly Pharmacy	PT Ratio 1:4	7/27/2020
12086	Blue Ridge Community Health	PT Ratio 1:4	8/10/2020
11947	Harris Teeter	PT Ratio 1:3	8/10/2020
12089	Wal-Mart	PT Ratio 1:4	8/11/2020
13405	Harris Teeter	PT Ratio 1:3	8/26/2020
14267	Walgreens	PT Ratio 1:4	8/26/2020
14016	Medical Center	PT Ratio 1:4	9/1/2020
12305	Walgreens	PT Ratio 1:4	9/4/2020
9838	Pharmerica	PT Ratio 1:4	9/4/2020
14135	Novant	PT Ratio 1:3	9/7/2020
9991	Wal-Mart	PT Ratio 1:4	9/10/2020

On a motion from Dr. Bowman, seconded by Ms. Corbin with no dissenting votes, the Board moved to approve the consent agenda. Mr. Mixon was recused as he was the pre-hearing officer on both cases. Antoine Pryor noted there were no comments posted on public media.

Closed Session

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

Open session resumed on a motion from Dr. Bowman, seconded by President Duggins with no dissenting votes. President Duggins stated that the Board summarily suspended Technician Registration No. 35011 issued to Codee Miles Anderson.

On a motion from Dr. Bowman, seconded by Mr. Mixon with no dissenting votes, the Board adjourned the meeting at 12:47 pm.

Dr. Ashley Duggins, President

Wallace Nelson

William A. Mixon

Mischelle Corbin

Dr. Andy Bowman

Dr. Keith Vance