



**Government of the District of Columbia  
Department of Health  
Board of Pharmacy**



**899 NORTH CAPITOL ST. NE – 2<sup>ND</sup> FLR.  
WASHINGTON, DC 20002**

**September 5, 2013**

**9:30 am-2:30 pm**

**OPEN SESSION MINUTES**

**Board of Pharmacy Mission Statement:**

**“To protect and improve the public health through the efficient and effective regulation of the practice of Pharmacy and Pharmaceutical Detailers; through the licensure of Pharmacist, Pharmaceutical Detailers and Pharmacy Interns.”**



**Government of the District of Columbia  
Department of Health  
Board of Pharmacy**



**CALL TO ORDER:** 9:45 a.m.

**PRESIDING:** Dr. Daphne Bernard

**QUORUM:** Yes

**BOARD MEMBERSHIP/ATTENDANCE:**

<b>BOARD MEMBERS:</b>		
Present	DR .DAPHNE B. BERNARD, PHARMD RPH CHAIRPERSON	
Absent	MR. JAMES APPLEBY, RPH VICE CHAIR	
Absent	DR. TAMARA McCANTS, PHARMD RPH (FORMERLY FOREMAN)	
Absent	MR. ALAN FRIEDMAN, RPH	
Present	MR. DARWIN CURRY, CONSUMER MEMBER	
Present	MR. PAUL BERINGER RPH	
<b>STAFF:</b>	PATRICIA D `ANTONIO– EXEC. DIRECTOR	
	KARIN BARRON-HEALTH LICENSING SPECIALIST	
	ABENA OSAE-ADDO, HEALTH LICENSING SPECIALIST	
<b>LEGAL STAFF:</b>	CARLA WILLIAMS, ASSISTANT ATTORNEY GENERAL	
<b>VISITORS:</b>	Don Zowader, Public	
	Barry Deutschman, Morgan Pharmacy	
	Traci Hughes, REGA	
	Imran Chughtai, University MD Student	
	Heather Free, Community Walgreens Pharmacy	
	Jacinda Tran, University of Maryland SOP	
	Niesha Etkins, Howard University SOP	
	Jung Min Nam, Howard University	
	Jake Elsbernd, Shenandoah University	
	Mary Roche', DEA Washington, DC Division	
	Atiba Madyun, Pfizer	
	Soumi Saha, Kaiser Permanente	



**Government of the District of Columbia  
Department of Health  
Board of Pharmacy**



OPEN SESSION

<b><u>Senior Deputy Director Report</u></b>	None to Report from the Senior Deputy Director	
<b><u>Executive Director Report</u></b>	<p><b>Professional/Problem-Based Ethics (ProBE) Verbal Report</b></p> <p>Executive Director, Patricia D’Antonio shared slides from an ethics training held during the District of Columbia Physical Therapy Board meeting. The Board of Physical Therapy invited two organizations to present on what to do if a Health Professional has an Ethics problem. The Physical Therapy Board thought it would be helpful to share and maybe have the District of Columbia Department Health Boards consider using the training as part of disciplinary action.</p>	Patricia D’Antonio
<b><u>Board Counselor Report</u></b>	<p><b>Legislation Chart</b></p> <p>Assistant Attorney General, Carla Williams reported to the Board of the following:</p> <p>The Pharmacy Technician Legislative Law was made effective on May 1, 2013 and has moved forward to the Legislative and Regulatory Subcommittee to develop proposed regulations.</p> <p>The Disposal of Unused Pharmaceuticals Regulation was published in final on June 21, 2013 and has been place on the Board of Pharmacy and Pharmaceutical Control Division website.</p>	
<b>0905-O-01</b>	<p><b>Prescription Drug Monitoring Program Legislation</b></p> <p>Assistant Attorney General, Carla Williams reported to the Board that the Prescription Drug Monitoring Program Legislation is currently with the District of Columbia Committee on Health. A hearing was held on July 12, 2013 and the Board is anticipating the legislation to move further through Council.</p>	
<b>0905-O-02</b>	<p><b>Legislative and Regulatory Subcommittee Report</b></p> <p>Board Member, Dr. McCants reported to the Board that the Legislative and Regulatory Subcommittee had a productive meeting which was held on August 21, 2013. During the August 21, 2013 meeting, the Subcommittee had discussions on the Pharmacy</p>	Dr. McCants



**Government of the District of Columbia**  
**Department of Health**  
**Board of Pharmacy**



	<p>Preceptor process and the update of the Pharmacy Intern registration application process. Dr. McCants further reported that the Subcommittee is about half way through the review and is hoping to complete the remainder of the potential revisions during the September Subcommittee meeting. By the October Board of Pharmacy meeting, the Subcommittee hopes to have the proposed provisions available for review.</p> <p>Board Member, Dr. McCants reported to the Board that the Subcommittee began to discuss approaches to the development of the Collaborative Practice. Dr. McCants reported to the Board that the subcommittee does not want to reinvent the wheel knowing that several jurisdictions have regulations already in place. The Pharmacy students provided a summary of the other jurisdiction regulations for comparison. Dr. McCants further reported that the Subcommittee hopes to have the Collaborative Practice item ready for review at the October Board meeting.</p>	
0905-O-03	<p><b>Communications Subcommittee Report</b></p> <p>Chairperson, Dr. Daphne Bernard reported to the Board that the Communications Subcommittee is in discussion to participate in the NABP Newsletter. The Communications Subcommittee is currently looking to see which cycle to disperse the newsletter and which articles to place in the newsletter. Chairperson, Dr. Bernard further reported that in the mean time, the Communications Subcommittee would like to continue to use the every other month E-News blast of important information to all that are licensed or registered with the District of Columbia Board of Pharmacy.</p>	Dr. Bernard
<u>Presentation</u>		
0905-O-04	<p><b>Presentation on Open Meetings Act Compliance</b></p> <p><b>Traci L. Hughes, Esq.</b> <b>Director, Office of Open Government</b> <b>Board of Ethics and Government Accountability</b></p> <p>Ms. Hughes reported to the Board that she is the Director of the Office Government under the Board of Ethics and Government Accountability. Ms. Hugh reported that the Board of Ethics and Government Accountability is a new Board that was established by the District of Columbia Mayor two years ago. Ms Hughes further reported to the Board that her role for today's meeting is to give a</p>	



**Government of the District of Columbia**  
**Department of Health**  
**Board of Pharmacy**



brief primer on the procedural requirements of the Open Meetings Act (D.C. Official Code §§2-573-579).

The Open Meetings Act is triggered whenever there is a gathering of a quorum of a public body that considers, conduct, or advise on matters of District of Columbia business. Any meetings can be held in person, by phone, electronically/other means of communication (via conference call). Anytime there is a gathering of a quorum, there must be notice provided that is beyond the regular scheduled meetings that are published in the D.C. Government Register.

Anytime there is an emergency or a special meeting being held, 48 hours or 3 business days (whichever is >) are required to be given as notice. Notices are required in two forms, a physical posting of the date, time, and location of the meeting and to be posted on the agency's website. The notices must also include the planned agenda for that month's meeting. Ms. Hughes requested that the agenda to be as detailed as possible as in terms of the order of the meeting and to also include which portion of the meeting is closed and open to the public. The agenda also must note the citation and the reasoning of the closure of the matter.

Anytime there is a meeting being held and there is a gathering of a quorum, it is under the requirement under the Open Session Act that the meeting must be recorded by audio or video. Although it is not required under the Open Meeting Act, Ms. Hughes made the recommendation to have separate recordings of the open and closed session of the meeting. The audio of the public meeting can be made by request by any of the public. The audio may be obtained for five years. Ms. Hughes reported to the Board that subcommittees are not covered over the Open Meetings Act. The subcommittees typically will meet on a discreet matter and will be brought before the full Board for a public vote. Minutes must be posted no later than 3 business days after meeting. Ms. Hughes recognized that it can be very difficult for majority of the Boards and commissions to get a final vote of approval of the full meeting minutes which typically does not occur until the next month's meeting. In order to comply with Open Meetings Act, Ms. Hughes asked that the Board post a bulleted listing of the meeting minutes and indicate as draft to be later voted in its final form. Ms. Hughes reported to also have indication of the day of when the minutes will be brought before the Board for vote and approval.



Government of the District of Columbia  
Department of Health  
Board of Pharmacy



<b>New Business:</b>		
<b>0905-O-05</b>	<p><b>Pharmacist Assessment for Remediation Evaluation (PARE) Exam</b></p> <ul style="list-style-type: none"><li>• Exam Development</li><li>• Response from NABP: How other Boards use the Exam</li></ul> <p>The Pharmacist Assessment for Remediation Evaluation (PARE) is a multi-dimensional assessment that the boards of pharmacy may use as an auxiliary tool when making decisions regarding pharmacist practice deficiencies that are due to noncompliance with pharmacy practice standards, laws or regulations, and result in compromises to patient safety. Marie Boyle of NABP has made presentations to other Boards about the PARE Exam. Ms. Boyle has offered to give a presentation at the District of Columbia Board of Pharmacy meeting or to have an electronic conference call.</p> <p>Executive Director, Ms. D’Antonio reported to the Board that NABP is asking for a representative from each jurisdiction to participate in the PARE Exam Writing Development. Board Member, Dr. McCants offered to participate if time will permit it. The item writing will be held through November 7-8 2013.</p>	
<b>0905-O-06</b>	<p><b>Immunization and Vaccination Data Project</b></p> <p>Executive Director, Patricia D’Antonio asked that the Board tabled this item for the next Board meeting to complete the Immunization and Vaccination Data Project.</p>	
<b><u>Communications</u></b>		
<b>0905-O-07</b>	<p><b>NABP E-News Letter –August 14, 2013</b></p> <p><u><a href="#">Specialty Compounding, LLC Recalls All Lots of Unexpired Sterile Products After Reports of Adverse Events</a></u></p> <p><u><a href="#">GAO Issues Recommendations for Congress and the Secretary of Health and Human Services for Compounding Pharmacies</a></u></p> <p><u><a href="#">FDA Warns of Rare Skin Reaction in Patients Taking Acetaminophen</a></u></p> <p><u><a href="#">Three New Alabama Laws Aim to Crack Down on 'Doctor Shopping' and</a></u></p>	



**Government of the District of Columbia**  
**Department of Health**  
**Board of Pharmacy**



	<p><u>Prescription Drug Abuse</u></p> <p><u>Veterinarians Not Eligible for NPIs, CMS Clarifies</u></p>	
0905-O-08	<p><b>NABP E-News Letter –August 21, 2013</b></p> <p><u>Risks of Buying Prescription Drugs from Illegal Online Sellers Highlighted in NBC Connecticut Report</u></p> <p><u>Illegally Operating Wholesaler in Virginia Posed as Canadian Distributor, Owners Indicted</u></p> <p><u>Georgia Implements Prescription Monitoring Program</u></p> <p><u>UPS First Package Delivery Company to Join CSIP in Fight against Rogue Internet Drug Outlets</u></p> <p><u>September DEA Conference on Preventing Drug Diversion Open to Pharmacy Personnel in Massachusetts</u></p>	
<b><u>Reading of the Minutes –Open Session</u></b>		
0905-O-09	<p>August 15, 2013</p> <p><b><i>Motion:</i></b> Board Member, Dr. Tamara McCants moved that the Board approve the August 15, 2013 open session minutes. <b><i>Seconded:</i></b> Consumer Board Member, Mr. Darwin Curry <b><i>Motion Carried</i></b></p>	
<b><u>Comments From the Public</u></b>		
	<p>Mary Roche’, DEA Washington, DC Division reported to the Board that the Drug Take Back Program Initiative will be held on October 26, 2013 from 10:00 am-2:00 pm.</p> <p>Board Member, Dr. McCants, reported to the Board that the DC Pharmacist Association will be having a business meeting held on October 1, 2013 with regards to the upcoming elections. The DC Pharmacy Association will be electing officers and a new Executive for the Board of District of Columbia Pharmacist Association.</p>	

This concludes the Public Open Session of the meeting, and pursuant to D.C. Official Code § 2-575(b), and for the purposes set forth therein, the Board will now move into the Closed Executive Session portion of the meeting.