



STATE OF WASHINGTON
Pharmacy Quality Assurance Commission
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**Pharmacy Quality Assurance Commission Meeting
March 7, 2024 – Minutes**

Convene: Chair, Ken Kenyon called the meeting to order March 7, 2024, 9:06 AM.

Commission Members:

Ken Kenyon, PharmD, BCPS, Chair
Hawkins DeFrance, Nuclear Pharmacist, Vice Chair
Jerrie Allard, Public Member
Bonnie Bush, Public Member
Teri Ferreira, RPh
Patrick Gallaher, BS, BPharm, MBA, MPH
Judy Guenther, Public Member
William Hayes, PharmD CCHP
Matthew Ray, PharmD
Craig Ritchie, RPh, JD
Uyen Thorstensen, CPhT
Ann Wolken, PharmD, RPh
Huey Yu, PharmD

Staff:

Marlee O’Neill, Executive Director
Lindsay Trant-Sinclair, Deputy Director
Si Bui, Inspector Supervisor
Christopher Gerard, AAG
Kseniya Efremova, Policy Analyst
Irina Tiginyanu, Pharmacy Technician Consultant
Joshua Munroe, Legislative and Rules Consultant
Taifa “Nomi” Peaks, Pharmacist Consultant
Haleigh Mauldin, Program Consultant
Julia Katz, Program Consultant
Amy L Robertson, Communications Coordinator
and Program Support
Desire Gudmundson – Administrative Support

Absent:

Stephanie Bardin, PharmD

1. Call to Order - Ken Kenyon, Chair

Meeting called to order at 9:06 AM.

1.1 Meeting Agenda Approval – March 7, 2024

MOTION: Craig Ritchie moved to approve the March 7, 2024, meeting agenda. William Hayes, seconded. Motion carried, 13:0.

1.2 Meeting Minutes Approval – February 1, 2024

MOTION: Craig Ritchie moved to approve the meeting minutes for February 1, 2024. Huey Yu, seconded. Motion carried, 13:0.

2. Consent Agenda

2.1 Correspondence

2.1.1. National Precursor Log Exchange Monthly Dashboard – January and February

- 2.1.2. Pharmaceutical Firms Application Report
- 2.1.3. OILS Follow Up Information from December 2023 Business Meeting

2.2 Euthanasia Training Program Approval

- 2.2.1 Seattle Animal Shelter

2.3 Ancillary Utilization Plans

- 2.3.1 Good Pharmacy
- 2.3.2 Walgreens Central Fill
- 2.3.3 Walgreens
- 2.3.4 Pharmacy4Humanity
- 2.3.5 Fred Hutchinson – Multiple locations
- 2.3.6 Fred Hutchinson – Retail
- 2.3.7 MultiCare Cornerstone Pharmacy

2.4 Pharmacy Technician Training Program Approval

- 2.4.1 Mercury Pharmacy Services
- 2.4.2 Hedden's Pharmacy
- 2.4.3 Peninsula Pharmacy

MOTION: Craig Ritchie moved to approve the consent agenda except for items 2.3.2 Walgreens Central Fill, 2.3.3 Walgreens, 2.3.5 Fred Hutchinson – multiple locations, 2.3.6 Fred Hutchinson – retail, and 2.4.1 Mercury Pharmacy Services. William Hayes, seconded. Motion carried, 13:0.

2.5 Regular Agenda Items Pulled from 2.1, 2.2, 2.3 or 2.4

MOTION: William Hayes moved to approve item 2.3.2 Walgreens Central Fill. Craig Ritchie, seconded. Motion carried, 13:0.

MOTION: Craig Ritchie moved to approve item 2.3.3 Walgreens contingent upon correcting the WAC reference in the “employee selection” section of the AUP. Teri Ferreira, seconded. Motion carried, 13:0.

MOTION: William Hayes moved to approve item 2.3.5 contingent upon changing the term “apprentice” to “pharmacy assistant enrolled in a technician training program.” Craig Ritchie, seconded. Motion carried, 13:0.

MOTION: Uyen Thorstensen moved to approve item 2.3.6 contingent upon changing the term “apprentice” to “pharmacy assistant enrolled in a technician training program.” William Hayes seconded. Motion carried, 13:0.

MOTION: William Hayes moved to approve item 2.4.1 Mercury Pharmacy Services contingent upon the removal of assistants enrolled in a technician training program doing immunizations from the AUP for the technician training program. Craig Ritchie, seconded. Motion carried, 13:0.

3. Old Business

3.1 Presentation on Legal Team Roles

Christina Pfluger, Assistant Attorney General, Christopher Gerard, Assistant Attorney General, and Margaret Pagel, Supervising Staff Attorney presented on the different legal team roles.

3.2 Pharmacy Technician Final Product Verification

Christopher Gerard led a presentation on pharmacy technicians' scope of practice and final product verification.

3.3 Pharmacy Assistant Scope of Practice Information

Christopher Gerard led a presentation on pharmacy assistants' scope of practice.

MOTION: Hawkins DeFrance moved to create a task force on the topic of pharmacy assistant scope of practice to explore and propose rule language to the full commission. The task force will be comprised of Teri Ferreira, chair, Matthew Ray, Stephanie Bardin, and Jerrie Allard. Teri Ferreira, seconded. Motion carried, 13:0.

3.4 Ancillary Utilization Plans and Pharmacy Technician Administration

MOTION: Hawkins DeFrance moved to authorize rulemaking to add new sections and amend WAC 246-945 to consider updating the pharmacy technician scope of practice and to put the Ancillary Utilization Plans and Pharmacy Technician Administration guidance document into rule and to update this guidance document, while rulemaking is in progress, to include pharmacy assistants enrolled in a technician training program. Teri Ferreira, seconded. Motion carried, 13:0.

4. Panel Review – Study Plan

MOTION: Craig Ritchie moved to delegate the study plan to Panel A: Patrick Gallaher, Teri Ferreira, Judy Guenther, Huey Yu. Hawkins DeFrance, seconded. Motion carried, 13:0.

4.1 PHRM.PH.61325397

MOTION: Patrick Gallaher moved to approve the study plan review. Judy Guenther, seconded. Motion carries 4:0.

5. Ancillary Utilization Plan

5.1 Bellegrove Pharmacy

MOTION: Hawkins DeFrance moved to deny the AUP. Craig Ritchie, seconded. Motion carried, 13:0.

6. New Business

6.1 NABP 2024-2025 Committee and Task Forces

MOTION: Hawkins DeFrance moved to approve William Hayes to volunteer for the single-issue task force or work group, committee on constitutions and bylaws, and the advisory committee on examinations, and Ann Wolken to apply for the single-issue task force or work group. Craig Ritchie, seconded. Motion carried, 13:0.

6.2 Resolutions for NABP Annual Meeting

MOTION: Teri Ferreira moved to support the drug shortage resolution from District 1. William Hayes, seconded. Motion carried, 13:0.

MOTION: William Hayes moved to support the resolution from District 5 related to streamlining NABP competency exams. Craig Ritchie, seconded. Motion carried, 13:0.

MOTION: William Hayes moved to support the resolution from District 7 related to establishing a national forum on pharmacy professional recovery programs. Craig Ritchie, seconded. Motion carried, 13:0.

7. Rulemaking

7.1 CR-105 Update: Incorporations by Reference

MOTION: Craig Ritchie moved to update the date of incorporation for the CR-105 expedited rulemaking package to March 7, 2024. Teri Ferreira, seconded. Motion carried, 13:0.

7.2 Rules Workshop: Wholesaler Suspicious Orders

MOTION: Hawkins DeFrance moved to proceed with CR-102 contingent upon making the edit to remove "at least annually" from WAC 246-945-585(3). Teri Ferreira, seconded. Motion carried, 13:0.

7.3 Rules Workshop: Prescription Transfer Requirement

The commission held a rules workshop for the Prescription Transfer Requirement rulemaking project to amend WAC 246-945-345 at the February 2024 business meeting. Julia Katz presented a revised language draft to the commission.

Commissioners requested staff to solicit public feedback on the current language draft for another rules workshop at a future business meeting.

7.4 Rules Workshop: Dialysate and Dialysis Device

MOTION: Hawkins DeFrance moved to authorize staff to move forward with the revisions requested by stakeholders and discussed by the commission. Jerrie Allard, seconded. Motion carried, 12:0.

7.5 Rules Workshop: Medication Assistance

MOTION: Hawkins DeFrance moved to authorize staff to revise the rule language based on stakeholder feedback and commission discussion and hold another rules workshop at a future business meeting. Jerrie Allard, seconded. Motion carried, 12:0.

8. Legislative Session Bill Report

Joshua Monroe reviewed bills pertinent to the commission.

9. Review Draft Strategic Plan

MOTION: Jerrie Allard moved to approve the strategic plan and implementation tracking document. Teri Ferreira, seconded. Motion carried, 12:0.

10. Open Forum

The purpose of an open forum is to provide the public an opportunity to address the commission on issues of significance to or affecting the practice of pharmacy. Discussion items may not relate to topics for which a hearing has or will be scheduled, or which are under investigation.

No comments were received.

11. Commission Member Reports

11.1 Open Discussion of items or issues relevant to the commission business/pharmacy practice

Ken Kenyon recognized Teri Ferreira and Jerrie Allard for their length of service to the commission.

12. Staff Reports

12.1 Executive Director – Marlee O’Neill

Marlee provided a recap of her presentation at WSPA’s New Drugs New Laws meeting in March 2024 and shared that staff are prepared to begin working to implement ESSB 5271, Uniform Facility Enforcement Framework once the Governor signs and it is effective on June 7, 2024.

12.2 Deputy Director – Lindsay Trant-Sinclair

Lindsay provided an update on staffing and commission recruitment. Staff also requested more guidance on the commission’s rulemaking project related to white bagging, brown bagging, and other transfer practices by convening an Alternate Distribution Model Task Force.

MOTION: William Hayes moved to create an Alternate Distribution Model Task Force. The task force will be comprised of Ken Kenyon, chair, Ann Wolken, Stephanie Bardin, and Bonnie Bush. Huey Yu, seconded. Motion carried, 12:0.

12.3 Pharmacy Inspector Supervisor – Si Bui

Si provided a recap of his presentation at WSPA’s New Drugs New Laws meeting in March 2024.

12.4 Pharmacist Consultant – Taifa “Nomi” Peaks

Nomi informed the commission that the COVID-19 After Action Report Task Force meetings she participated in have concluded and the report has been published. She also noted that the Nonresident Pharmacy Directive Task Force will begin meeting soon to discuss the current Nonresident Pharmacy Directive.

12.5 Assistant Attorney General – Christopher Gerard

Nothing to report.

13. Summary of Meeting Action Items

1. Call to Order

Staff will finalize and post the minutes from the February business meeting.

2. Consent Agenda

Staff will request that OILS provide regular data to the commission on disciplinary matters. Staff will convey the decisions to the applicants and the Office of Customer Service and follow up with contingent approvals.

3. Old Business

- 3.1 Pharmacy Assistant Scope of Practice: Staff will start to schedule task force meetings to look at possible rulemaking regarding stocking and pulling within the assistant’s scope of practice.
- 3.2 Ancillary Utilization Plans and Pharmacy Technician Administration: Staff will amend the Technician Administration guidance document to include assistants enrolled in a technician training program and bring that back to the commission to consider at a future business meeting. Staff will also file a CR-101 to add new sections and amend WACs 246-945-317, 246-945-320, and other sections as needed in chapter WAC 246-945 to consider pharmacy technician scope of practice, pharmacy technician final product verification, and putting the Ancillary Utilization Plan and Technician Administration guidance document in rule.

4. Study Plan Review

- 4.1 PHRM.PH.61325397: Staff will convey the decision to approve the study plan to credentialing.

5. Ancillary Utilization Plan

- 5.1 Bellegrove Pharmacy: Staff will communicate the denial of AUP to the applicant.

6. New Business

- 6.1 NABP 2024-2025 Committees and Task Forces: Staff will follow up with William and Ann on information to apply for NABP Task Forces and Committees.
- 6.2 Resolutions for NABP Annual Meeting: At the NABP Annual Meeting, Ken will vote for the NABP resolutions as directed by the commission today.

7. Rulemaking

- 7.1 CR-105 Update: Incorporations by Reference: Staff will file the CR-105 on the incorporations by reference rulemaking project with the updated date of incorporation.
- 7.2 Rules Workshop: Wholesaler Suspicious Orders: Staff will file CR-102 with rule language as amended today on the due diligence provision to say, “prior to an initial sale and as necessary” and schedule a public hearing.
- 7.3 Rules Workshop: Prescription Transfer Requirement: Staff will send the current draft of the prescription transfers rule out for public feedback through GovDelivery and bring any comments received back to the commission at a future business meeting.
- 7.4 Rules Workshop: Dialysate and Dialysis Devices: Staff will file CR-102 with rule language as amended at today’s rules workshop and schedule the public hearing.
- 7.5 Rules Workshop: Medication Assistance: Staff will rework the medication assistance rule language to be under one umbrella of medication assistance as suggested by the commission and bring it back to a future business meeting.

9. Review Draft Strategic Plan

Staff will finalize the strategic plan and tracking document and post them to Box.com. Staff will notify the commission when that is done and will reach out to NABP regarding objective #7.

12. Staff Reports

12.2 Deputy Director Report: Staff will begin scheduling Alternate Distribution Model task force meetings.

Meeting Adjourned

Ken Kenyon, Chair, called the meeting adjourned at 4:14 PM.