

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 October 2020 Meeting Minutes

The members received the October 20, 2020 meeting minutes. It was moved by Dr. Bowman, seconded by Mr. Nelson, to approve the minutes with correction of one typographical error. The motion passed with no dissenting votes.

Technician:Pharmacist Ratio Requests

Request for 5:1 Technician:Pharmacist Ratio, Express Care Pharmacy (*Kennedy Blount, Pharmacist-Manager*)

Request for 5:1 Technician:Pharmacist Ratio, GPS Pharmacy Solutions (*Julya Friedman, Pharmacist-Manager*)

Two pharmacies, Express Care Pharmacy (Kennedy Bount, PM) and GPS Pharmacy Solutions (Julya Friedman, PM), applied for a 5:1 technician:pharmacist ratio allowance.

The pharmacy practice act provides (G.S. 90-85.15A(c)) that “a pharmacist may not supervise more than two pharmacy technicians unless the pharmacist-manager receives written approval from the Board. The Board may not allow a pharmacist to supervise more than two pharmacy technicians unless the additional pharmacy technicians are certified pharmacy technicians.” By long-standing policy, the Board has instructed Board staff that a request for increase to a 3:1 or 4:1 technician:pharmacist ratio may be allowed by staff without formal Board action so long as the pharmacy demonstrates that it employs sufficient certified technicians to meet the ratio. Requests for a 5:1 or higher ratio must go before the full Board for consideration. Mr. Campbell then outlined the last three requests for a 5:1 ratio that had appeared before the Board and their results.

Pharmacist-managers Blount and Friedman presented their requests to the Board, including detailed descriptions of their specialized practices, workflows, pharmacist staffing levels, and

physical pharmacy layouts. After both Bount and Friedman presented their cases, the Board took the matters under advisement.

The Board took a 15-minute break and reconvened at 11:30 am.

Petition for Deviation from Out-of-Practice Requirements for Reciprocity

Daniel Coffman, Reciprocity Applicant, COFF-EPGFA8

Board Rule .1602(c) provides that the Board shall require an applicant for licensure without examination (i.e., reciprocity) “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 Board’s general policy in implementing Rule .1602(c) is: Out of practice up to two years – obtain 15 hours of continuing education for each year out of practice (5 of which must be contact hours); take and pass the MPJE Out of practice for more than two years, but less than five years – obtain 500 hours of internship; obtain 15 hours of continuing education for each year out of practice (5 of which must be contact hours); take and pass the MPJE Out of practice more than five years – obtain 1500 hours practical experience; take and pass NAPLEX; take and pass the MPJE.

Mr. Coffman wished to be excused from the out-of-practice requirements for licensure by reciprocity in North Carolina. He presented to the Board detailed work history, practice experience, and licensure status in other states. The Board took the matter under advisement.

COVID-19 Matters

Potential NCBOP Sponsorship of COVID Vaccine CE

Efforts to produce a COVID-19 vaccine continuing education course are on track. A proposal is being reviewed by Campbell University. If it is acceptable, Mr. Campbell will bring it to the Budget and Finance Committee for review and, if appropriate, approval as authorized at the October 2020 Board meeting.

State Law Process for Authorizing Pharmacists to Administer COVID-19 Vaccines

S.L. 2020-3, enacted in May, provides a state-law process for immunizing pharmacists to administer COVID-19 immunizations once approved by the FDA. If, when a vaccine is recommended by CDC, the General Assembly is not in session, “any person” may petition the

State Health Director to authorizing immunizing pharmacists to administer the vaccine pursuant to a statewide standing order. The State Health Director is required to consult with various non-government stakeholders prior to issuing the standing order. Those same entities are required to develop and submit to the Pharmacy, Nursing, and Medical Boards – as well as the Joint Legislative Oversight Committee on Health and Human Services – within 10 days a standard screening questionnaire. If they fail to do so, then the Immunization Branch at DHHS is required to do so. As you know, the United States Department of Health and Human Services has issued a declaration under the PREP Act authorizing pharmacists and qualifying technicians to administer COVID-19 vaccines “notwithstanding any state law to the contrary.” Accordingly, the legal ability of pharmacists and qualifying technicians to administer COVID-19 vaccines does not turn on the process outlined in S.L. 2020-3.

NC DHHS has asked that the licensing boards be reminded of the state law process and prepared to do their part under that process. The State Health Director anticipates activating it in December.

Licensing Report

2021 Renewal Season Update

Ms. Betz provided a briefing on the 2021 license/permit/registration renewal season and process.

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

Mr. Campbell reported the FDA’s one-year period before it begins enforcing the DQSA’s five-percent interstate distribution of compounded human drug product limitation in non-MOU states began to run on October 27, when the FDA published the final proposed MOU in the Federal Register. The MOU is now available for signature by states who wish to participate.

The Board members directed Mr. Campbell to publish the MOU on the Board’s website and solicit comments on whether the Board should sign on to the MOU. Mr. Campbell stated that he would do so immediately and run the comment period through February 1, 2021.

NABP’s development of a compounding data collection and reporting program continues apace. The program contemplates compounding pharmacies reporting data directly into the system through the existing eProfile system and NABP producing the required reports annually for participating state boards to review and approve for submission to FDA. As

contemplated, the system will require little in the way of resources from a participating state board.

Rulemaking

Permanent Rulemaking for COVID-19 Drug Preservation

The permanent COVID-19 Drug Preservation rulemaking is underway. The Medical and Nursing Boards have published substantively identical proposed permanent rules for notice and comment as well. A public hearing will occur via Microsoft Teams on December 16, 2020 at 10 a.m. Board staff monitor the ncboprulemaking@ncbop.org account daily for any submitted comments

Further Discussion of Limited Service Pharmacy Rulemaking Proposal

There is no update at this time. Staff is still working on gathering information.

Financials

October Financial Report

JP Brown, Accounting Manager, presented the October 2020 financial report to the Board.

Investigative Report

Docket Report

Krystal Stefanyk, Director of Inspections, presented the 2020 investigations report.

Southeastern District Board Member Election Update

Kristin Moore presented an update on the Southeastern District Board Member Election. Currently there are 752 votes compared to roughly 800 at this time last year.

Consideration of Virtual Retreat, February 2020

Mr. Mixon proposed that the Board reconsider a virtual retreat. It was suggested that to be no earlier than February to give staff a chance to plan. The consensus of the members was to convene for a virtual retreat on February 16, 2020 in lieu of a normal Board business meeting. Board staff will begin planning.

Consideration of Board Meeting and PHC Schedule June 2021 – December 2021

Dr. Vance moved to approve the proposed meeting and PHC schedule through May 2022. Dr. Bowman seconded, and the motion passed with no dissenting votes.

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	FirstName	Last Name	Licensed Date
30099	Mabel	Wong	10/22/2020
30098	Anise	Neita	10/22/2020
30107	Celeste	Cowan	10/29/2020
30109	Heather	Dolan	10/29/2020
30112	Jola	Mehmeti	10/29/2020
30108	Sarah	Crawford	10/29/2020
30106	Kelly	Cornuet	10/29/2020
30114	Jennifer	Seward	10/29/2020
30113	Alpesh	Patel	10/29/2020

30110	Allie	Hinson	10/29/2020
30111	Christine	Leoniak	10/29/2020
30104	Tevieca	Andrews	10/29/2020
30105	Jessica	Callaghan	10/29/2020
30127	Justin	Garrett	11/5/2020
30126	Arlin	Ashemore	11/5/2020
30125	Erin	Archibald-Hall	11/5/2020
30129	Mark	Wise	11/5/2020
30128	Omnia	Hussien	11/5/2020
29870	Jan	Stelly	11/12/2020
30138	Jennifer	Hanify	11/12/2020
30136	Joseph	Bae	11/12/2020
30137	Andrew	Douglas	11/12/2020
30139	Anna	McGovern	11/12/2020

CPP Candidates

License Number	First Name	Last Name	Licensed Date
700271	Aparna	Krishnamurthy	10/26/2020
700270	Heather	Moore	10/26/2020
700269	Autumn	Neff	10/26/2020
700272	Melissa	Maccia	11/10/2020

Increase in Pharmacist to Technicians Ratio

License Number	Pharmacy Name	Process Type	Complete Date
12233	Walgreens	PT Ratio Change 1:3	10/21/2020
9143	Blue Ridge Phcy Services	PT Ratio Change 1:4	10/26/2020
14493	Seashore Discount Drugs	PT Ratio Change 1:3	10/26/2020
8011	Wal-Mart	PT Ratio Change 1:4	10/26/2020
12091	Wal-Mart	PT Ratio Change 1:4	10/26/2020
12890	UNC Shared Service Cntr	PT Ratio Change 1:4	11/2/2020
10447	CVS	PT Ratio Change 1:3	11/6/2020
8812	Sam's Club	PT Ratio Change 1:3	11/9/2020
14502	Optum	PT Ratio Change 1:3	11/16/2020
13115	Express Care	PT Ratio Change 1:5	11/17/2020
12776	GPS Pharmacy Solutions	PT Ratio Change 1:5	11/17/2020

On a motion from Dr. Bowman, seconded by Ms. Corbin, with no dissenting votes, the Board moved to approve the consent agenda.

Closed Session

On a motion from Dr. Vance, seconded by Ms. Corbin, 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 reported that the Board has summarily suspended license to practice pharmacy #19029, Lester Brandon McLellan

On a motion from Ms. Corbin, seconded by Mr. Nelson, with no dissenting votes, the Board adjourned the meeting at 1:45 pm.

Dr. Ashley Duggins, President

Wallace Nelson

William A. Mixon

Mischelle Corbin

Dr. Andy Bowman

Dr. Keith Vance