

**BOARD OF PHARMACY
LAWS & RULES COMMITTEE**
Professional & Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

MINUTES OF MEETING

Date: Thursday, April 18, 2013

Time: 8:00 a.m.

Place: King Kalakaua Conference Room
King Kalakaua Building, First Floor
335 Merchant Street
Honolulu, Hawaii 96813

Members Present: Todd Inafuku, Pharmacist, Chair
Patrick Adams, Pharmacist, Member
Mark E. Brown, Pharmacist, Member

Staff Present: Lee Ann Teshima, Executive Officer ("EO")

Guests: Paul Smith, Walgreens
Mike Dolson, Unique Pharm

Call to Order: The Chair called the meeting to order at 8:00 a.m.

Chair's Report: **Approval of the Previous Minutes – March 21, 2013 meeting**

The Chair called for a motion to approve the minutes of the March 21, 2013 meeting.

Upon a motion by Mr. Adams, seconded by the Chair, it was voted on and unanimously carried to approve the minutes of the March 21, 2013 meeting as circulated.

HRS §461-15
Miscellaneous Permits: **Review of the current miscellaneous permit categories to determine if they are necessary**

The Committee continued their discussion on the miscellaneous permit categories listed under HRS 461-15.

The Committee reviewed and discussed the remaining categories, starting with:

- “(3) For wholesalers to sell, distribute, or dispense any prescription drug, except to a pharmacist, physician, dentist, veterinarian, or optometrist who is allowed to use pharmaceutical agents under chapter 459 or to a generally recognized industrial, agricultural, manufacturing, or scientific user of drugs for professional or business purposes; provided that it shall be unlawful for wholesalers to sell, distribute, or dispense any prescription pharmaceutical agent that is not approved by the board of examiners in optometry;”

After some discussion, the Committee determined that this category may not be necessary but will be reexamining the contents to see if it should be re-written and/or in another section.

The Committee reviewed the next category:

- “(4) For any wholesale prescription drug distributor to sell or distribute medical oxygen except to a:
- (A) Licensed practitioner with prescriptive authority;
 - (B) Pharmacist;
 - (C) Medical oxygen distributor;
 - (D) Patient or a patient’s agent pursuant to a prescription; or
 - (E) Emergency medical services for administration by trained personnel for oxygen deficiency and resuscitation;”

After some discussion, the Committee determined that this may not be a “category” to issue a miscellaneous permit but rather “exceptions” and determined that category may be deleted or explained elsewhere.

- “(5) For any medical oxygen distributor to supply medical oxygen pursuant to a prescription order, to a patient or a patient’s agent, without first obtaining a permit from the board to do so; and ”

After some discussion, the Committee determined that this category needs to be rewritten.

- “(6) For any person, as principal or agent, to conduct or engage in the business of preparing, manufacturing, compounding, packing, or repacking any drug without first obtaining a permit from the board to do so; and”

After some discussion, the Committee determined that this category should be further clarified.

The Committee also decided to reexamine the last category for out-of-state pharmacies.

Mr. Adams reiterated that he thinks the various pharmacy settings should have their own pharmacy permit or license as opposed to listing them under the miscellaneous permit.

The Committee decided that for the next meeting each member shall bring at least five (5) different pharmacy license or permit categories for discussion.

Next Meeting: Thursday, May 16, 2013
8:00 a.m.
King Kalakaua Conference Room
King Kalakaua Building, First Floor
335 Merchant Street
Honolulu, Hawaii 96813

Adjournment: With no further business to discuss, the Chair adjourned the meeting at 9:00 a.m.

Taken and recorded by:

/s/ Lee Ann Teshima
Lee Ann Teshima, Executive Officer

5/7/13

[x] Minutes approved as is.
[] Minutes approved with changes; see minutes of _____.