

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

MINUTES OF MEETING

Date: Thursday July 14, 2011

Time: 8:00 a.m.

Place: Exam Conference Room
King Kalakaua Building
335 Merchant Street, Third Floor
Room 330
Honolulu, Hawaii 96813

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

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

Guests: Kelly Jensen, Ohio Northern College of Pharmacy

Call to Order: The meeting was called to order at 8:09 a.m.

Chair's Report: **Announcements/Introductions**

None.

New Business: **Advisory Committee**

The Chair distributed a list of the Advisory Committee ("AC") members and their discipline responsibilities. The AC will have 13 lead contacts representing various work groups as follows:

Gerry Fujii – Retail pharmacies
Selma Yamamoto – Hospital pharmacies
Marcella Chock – Pharmaceutical Manufacturers/Industry
Rachel Nishimura – Health Plans
Forrest Batz – Academia
Byron Yoshino – Home Infusion/Specialty
Mark Brown – Long Term Care
Todd Inafuku – Emergency Preparedness
Richard Mazzoni – Out-of-State Pharmacy
Todd Wataoka – Federal Government
Gregory Edwards – Department Health, Food and Drug Branch
Barbara Kashiwabara – Ambulatory Care

Brian Fukunaga – Wholesale Distribution

The Chair stated that Richard Mazzoni, a pharmacist from New Mexico and a member of the CVS Compliance Office, will represent out-of-state pharmacies. He stated that everyone agreed to communicate via email and that the process allows fresh ideas and asked if the AC could be posted on the Board's web page so people will know who is on the AC.

The EO stated that a list of the AC members could be posted on the web page, however, email addresses are considered confidential. She also stated that she would not recommend the AC members be posted on the Board's web page because it may indicate that these individuals are "experts" in these areas and that they may be contacted if anyone had any questions. She recommended the Committee determine another way to get the word out about the AC members.

Mr. Adams asked what are the roles and responsibilities of the AC members.

The Chair stated that the responsibility of the AC members is to assist the Committee by gathering information and also to consider the effects of proposed law or rule amendments on the particular practice setting and to provide feedback and/or comments or recommendations on proposed law or rule amendments on a particular practice setting or discipline.

Draft of Proposed Amendments to HAR Chapter 95

The Chair asked if the Small Business Regulatory Review Board ("SBRRB") impact statement was part of the process.

The EO said yes.

The Chair stated that he is comparing the pharmacy law and rule to see if there are any conflicts and is also working on the definitions section as a starting point.

List of Issues Referred by the Board

Mr. Adams stated that the Committee should address the questions that recur at every board meeting which include the definition of "dispensing", "depot", "central fill", the "administration of dispensing", and clarification of the definition of "prescription".

The EO stated the regulation of Durable Medical Equipment ("DME") providers should also be considered because there are out-of-state DME providers who do not hold pharmacy permits/licenses because the state in which they conduct business issues a DME license which is not a pharmacy permit/license so the out-of-state DME is unable to service residents of this State because they are unable to meet the current requirements for a miscellaneous permit as an out-of-state pharmacy. She stated that a category may be added to the miscellaneous permit section of the law and that the committee should look at the NABP Model Act for language.

Statutory Amendments and Proposals - Administrative Deadlines

The Chair stated that statutory amendments should be made to the Department of Health ("DOH") laws to add pharmacists to the list of professions exempt from liability during a declared emergency or emergency exercise.

The EO stated legislation that crosses over to another department should be coordinated with the other department.

Mr. Adams asked if someone from the DOH could be part of the committee and the Chair stated he would contact Kate Gaynor

Next Meeting: Thursday, August 18, 2011
8:00 a.m.
King Kalakaua Conference Room, First Floor
King Kalakaua Building
335 Merchant Street
Honolulu, Hawaii 96813

Adjournment: With no further business to discuss, the Chair adjourned the meeting at 8:59 a.m.

Taken and recorded by:



Christine Hironaka
Secretary

Reviewed and approved by:



Lee Ann Teshima
Executive Officer
9/1/11

Minutes approved as is.

Minutes approved with changes; see minutes of _____.