

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

MINUTES OF MEETING

Date: Thursday November 17, 2011

Time: 8:00 a.m.

Place: Exam Conference Room
King Kalakaua Building
335 Merchant Street, Third Floor
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: Byron Yoshino, Pharmicare Hawaii

Call to Order: The Chair called the meeting to order at 8:02 a.m.

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

The Chair recommended that a nuclear pharmacist be added to the advisory committee.

There were no objections.

Approval of the Previous Minutes – October 20, 2011 meeting

Upon a motion by Mr. Brown, seconded by the Chair, it was voted on and unanimously carried to approve the minutes of the October 20, 2011 meeting as circulated.

New Business: **Discussion on Moving Forward with Board Approved Draft of HAR 95**

The Committee reviewed the 3/17/2010 draft that the Board previously approved.

The Chair stated that he thought this was a working draft and that he did provide the previous Deputy Attorney General with recommendations.

Mr. Adams arrives at 8:22 a.m.

The Chair informed Mr. Adams that he recommended to the Committee to add a nuclear pharmacist to the advisory committee.

Mr. Adams responded that a medical oxygen distributor should also be added to the advisory committee.

There were no objections.

The Committee continued with their discussion on the 3/17/2010 draft of proposed amendments to the administrative rules.

After some discussion, upon a motion by Mr. Adams, seconded by Mr. Brown, it was voted on with Mr. Adams and Mr. Brown voting yes and Mr. Inafuku voting no, to send the 3/17/2010 draft amendments of the administrative rules to the Board for consideration without the definition of "Collaborative agreement" and the new section on collaborative agreement, §16-95-131.

Mr. Brown asked Mr. Inafuku why he was opposed the motion.

Mr. Inafuku stated that he feels the Board should review the draft previously approved by the Board that includes the section and definition pertaining to collaborative agreements so as not to prejudice the Board.

After some discussion, the EO stated that she would leave those sections in with a notation for the Board if they would like to move the draft forward with or without the section on collaborative agreement or the definition.

Old Business:

Review and Discussion of "Practice of pharmacy" as defined in HRS 461-1

Mr. Brown recommended that this discussion be deferred.

Review/Discussion/Comparison of Definitions section in HRS 461, 328, 329 and HAR 95

The EO stated that she is still working on this and hopes to have it done for the next meeting.

Pharmacies located in Territories of the United States, District of Columbia and Military Installations

The Chair stated the statutes do not restrict transfer of prescriptions from out of country pharmacies.

The EO stated she would check the NABP Model Act to see if this was addressed.

Mr. Adams stated that there is a federal law regarding this.

The EO asked Mr. Adams for the federal law so that it may be considered by the Committee.

Foreign Educated Pharmacy Graduates

The EO stated she would check the NABP Model Act to see how this issue is addressed.

Discussion of Committee's Goals/Priority List and Leads – Status Report

This matter was deferred.

Next Meeting: Thursday, December 15, 2011
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 9:03 a.m.

Taken and recorded by:



Lee Ann Teshima
Executive Officer

12/01/11

Minutes approved as is.

Minutes approved with changes; see minutes of _____