

New York State Board of Pharmacy

October 25, 2022

New York State Education Department
89 Washington Avenue, EB 201
Meeting Minutes

Executive Secretary (ES), Dina Jazrawi, called the meeting to order at 10:09 a.m.

Board members present: Nasir Mahmood (Chair), Renee Hofman (Vice-Chair), Karen Divens, Steven Earle, Heather King, Mark Klang, Michelle Lewis, Mark Soffing, Christopher Wallen, Miller Young.

State Education Department (Department) staff present: Dina Jazrawi (ES), Jeffrey Fisher, Alexander Goh, Heather Klusendorf, Evan Seiden, Kelly Sullivan, Heidi Weinman.

Welcome and Introduction

Board Chairman Nasir Mahmood led the introduction of Board members, Department staff and members of the public. ES Jazrawi introduced audience member Leon Cosler as the Board's newest incoming member; his term will begin on November 1, 2022.

Minutes

The June meeting minutes were reviewed. A motion was made to approve the minutes as submitted (Hofman/King).

Report of the Chair

In his report, Chairman Mahmood described his recent experiences within the pharmacy profession while traveling abroad. While on his travels, Chairman Mahmood had a chance to speak at his alma mater in Pakistan, answering questions and providing students with information about his personal and professional experiences as a pharmacist in the United States. Furthermore, Chairman Mahmood informed the Board of his anticipated attendance at pharmacy-related events in the near future.

Report of the Executive Secretary

ES Jazrawi recognized American Pharmacist's Month, highlighting its history and evolution. The Board joined her in applauding the efforts of pharmacists across the state for their hard work and dedication at all times.

In December, ES Jazrawi and Chairman Mahmood will speak to Long Island University students about the State Board of Pharmacy and their own experiences as pharmacists. ES Jazrawi will also be observing the Accreditation Council for Pharmacy Education's (ACPE) virtual evaluation of the Lebanese American University in November.

During her visit to National Association of Boards of Pharmacy (NABP) for the Multistate Pharmacy Jurisprudence Examination (MPJE) item review workshop, upcoming changes to the MPJE competency scorecard were reviewed. Specifically, effective January 1, 2023, MPJE's scorecard will be revised to reflect four competency categories instead of the two it currently displays. Student's grades on the MPJE will continue to be reported as Pass/Fail.

As part of her legislative update, ES Jazrawi shared that bills A.5413 and A.3040b have not yet been sent to the Governor. She thanked the Board for their technical assistance thus far and will continue to keep them abreast of any changes.

Since the June Board of Pharmacy meeting, the Department met with the Healthcare Association of New York State (HANYS) and the New York State Council of Health-system Pharmacists (NYSCHP) to discuss the Registered Pharmacy Technician law and the definition of "direct personal supervision." The Department will continue seek additional clarifications from the legislature regarding their intent as it implements this new law.

ES Jazrawi confirmed that Central Fill facilities are not addressed in New York State Education Law or regulation. The Department recognizes that technology has rapidly accelerated over the years and is currently exploring with counsel to determine if a regulatory or statutory change pertaining to Central Fill would be appropriate.

Presentation: Bureau of Narcotics, Legislative Update

Mary Sutphen and John Heaphy from the New York State Bureau of Narcotic Enforcement provided a legislative update to the Board. The presentation included information and updates on the Drug Take Back program addressed in Public Health Law §§290-294, Prescription Monitoring Program Webinars and Enhancements, the reporting of suspicious activity and Opioid Legislation that was passed in 2021.

Presentation: The Office of the Professions Modernization Program

Heather Klusendorf, Director of the Profession's Modernization Program, guided the Board through updates to the Professions Website, including but not limited to changes to the profession of pharmacy's homepage, licensure processing systems and the online verification website.

New Business

- 1. Continuing Education Frequently Asked Questions (FAQ) Webpage Review:** Board members reviewed the proposed amendments to the Department's Continuing Education FAQ webpage. No further amendments were recommended, the website is anticipated to be updated on or around January 1, 2023, when the new regulation is scheduled to take effect.
- 2. Sterile Drug Compounding Guidance:** Chair Mahmood, Vice-Chair Hofman, and member Klang led discussion around the Board of Pharmacy's sterile compounding guidance issued in 2015. As pharmacists are required to adhere to enforceable compendiums, including but not limited to USP, a motion was made and approved to retire the 2015 guidance from circulation (Klang/Soffing).
- 3. Drug Quality and Security Act Update:** ES Jazrawi led Board discussion around the Food and Drug Administration's (FDA) newly proposed rule to amend Part 205 of the current 21 Code of Federal Regulations (CFR). Board discussion included but was not limited to what changes were to occur should the proposed rule be adopted as written, NABP's public comments and NABP's anticipated potential next steps.
- 4. Drug Retail Price List:** Pursuant to section 6826 of New York State Education Law, Chairman Mahmood will be collaborating with member Young to update the drug retail price list for the Department to post on its website prior to the end of the year.
- 5. Committee Appointments:** The Board appointed a jurisprudence committee, members of the committee: Klang, Soffing, Young, and Wallen.
- 6. Board of Pharmacy Meeting Dates:** It was agreed that Board meeting dates for 2023 would be scheduled to better align with New York State's legislative session. Tentative 2023 meeting dates/locations:
 - a. Wednesday, March 29, 2023, in New York City;
 - b. Wednesday, June 28, 2023, in Albany; and
 - c. Wednesday, November 8, 2023 – location to be determined.

Closing Remarks and adjournment

Board of Pharmacy members and Department staff thanked and recognized Heather King for her ten years of service on the Board.

Members of the public did not have any questions for the Board.

The meeting adjourned at 12:27 p.m. based on motion by members King/Mahmood.

Minutes submitted by,

Dina Jazrawi, PharmD
Executive Secretary

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