

The Guam Board of Examiners for Pharmacy

Regular Board Meeting

Thursday August 15, 2024 at 7:30 AM.

Join Zoom Meeting: <https://us06web.zoom.us/j/84869769589?pwd=Gz6ES8mPLHi491POXMgCH7MbvVUThk.1>

Meeting ID: 848 6976 9589

Passcode: 739943

MINUTES

Item	Discussion	Responsible Party	Reporting Timeframe	Status
I	<p>Meeting Chaired by: M. Gabriel</p> <p>A. Roll Call: GBEP Members <i>Present at HPLO Conference:</i> <input checked="" type="checkbox"/>Melissa Gabriel, Chairperson <input checked="" type="checkbox"/>Art Mariano, Treasurer <input checked="" type="checkbox"/>Jerry Caruso, Member <input checked="" type="checkbox"/>Jed Sana, Vice-Chair <input checked="" type="checkbox"/>Angelina Eustaquio, Secretary <i>Virtual Attendance:</i></p> <p>B. Confirmation of Public Notice: Guam Daily Post:</p>	Chair	0843	Call to Order
	<p>Other Attendees <i>Present at HPLO:</i> Baltazar (Tre) Hattori III, HPLO</p>	Chair		Quorum Established
II	<p>Approval of Agenda <i>Motion to Approve: A. Mariano; 2nd: J. Sana</i></p>	GBEP		Confirmed
III	<p>Review and Approval of Minutes Draft Minutes dated 7/18/2024. <i>Motion to Approve: A. Mariano; 2nd: J. Sana</i></p>	GBEP		Unanimously Adopted Agenda
IV	<p>HPLO Administrator's Report A. Waivers, Exceptions, and Exemptions From the Requirements of Section 582 of the Federal Food, Drug, and Cosmetic Act</p>	Z. Pecina		Unanimously Tabled
V	<p>GBEP Complaints GBEP-CO-16-01 – On-going. <i>Motion to Approve: A. Mariano; 2nd: J. Sana</i></p> <p>GBEP-CO-24-02 – On-going <i>Motion to Approve: A. Mariano; 2nd: J. Sana</i></p>	GBEP		No Report
VI	<p>Old Business A. Board Inspection Forms</p> <p>B. Proposed Updates to Laws</p> <p>C. Pharmacies/Facilities/Wholesales:</p>	GBEP		No Report
				No Report
				No Report

Item	Discussion	Responsible Party	Reporting Timeframe	Status
	<p>1. Simply Rx Pharmacy 2 - Pending staffing plan, revised power outage/emergency storage procedures, and inspection <i>Motion to Approve: A. Mariano; 2nd: J. Sana</i></p>			No Update, Removed from Agenda
	<p>2. IGP Logistics LLC - Pending foreign corporation registration and policy and procedures for recalled drugs <i>Motion to Approve: A. Mariano; 2nd: J. Sana</i></p>			No Update, Removed from Agenda
	<p>3. Curexa – East II, LLC dba Curexa – pending foreign corporation registration <i>Motion to Approve: A. Mariano; 2nd: J. Sana</i></p>			No Update, Removed from Agenda
	<p>4. R. Weinstein, Inc. dba R. Weinstein Pharmaceuticals & Medical Products – pending copy of Hawaii license & self-inspection report <i>Motion to Approve: A. Mariano; 2nd: J. Sana</i></p>			Unanimously Approved
	<p>D. Inspections:</p>			
	<p>1. Guam Regional Medical City <i>Motion to Approve: A. Mariano; 2nd: J. Sana</i></p>			No Update, Removed from Agenda
	<p>2. Guam Memorial Hospital Authority <i>Motion to Approve: A. Mariano; 2nd: J. Sana</i></p>			No Update, Removed from Agenda
	<p>E. RENEWALS</p>			
	<p>1. Health Services of the Pacific (PCY-070) – pending new PIC Documentation submitted stating W. Datario serving as PIC. <i>Motion to Approve: A. Mariano; 2nd: J. Sana</i></p>			Unanimously Approved
	<p>2. Simply Rx Pharmacy (PCY-067) – pending updated CSR Documentation submitted stating 6/30/25 as expiration. <i>Motion to Approve: A. Mariano; 2nd: J. Sana</i></p>			Unanimously Approved
	<p>F. ERRAND GUAM Letters will be sent to all licensees providing instructions on the adequate use of services such as Errand Guam. <i>Motion to Approve: A. Mariano; 2nd: J. Sana</i></p>			Removed from Agenda
VII	<p>New Business</p> <p>A. PHARMACIST BY ENDORSEMENT:</p> <p>1. Allan C. Tsao <i>Motion to Conditionally Approved Pending Passing MPJE: A. Mariano; 2nd: J. Sana</i></p> <p>2. Hayeon Yoon <i>Motion to Conditionally Approved Pending Passing MPJE: A. Mariano; 2nd: J. Sana</i></p> <p>3. Kelcey L. Duerson <i>Motion to Conditionally Approved Pending Passing MPJE: A. Mariano; 2nd: J. Sana</i></p> <p>B. PHARMACIST BY EXAMINATION:</p> <p>1. Trevor Joseph L. Orot <i>Motion to Conditionally Approved Pending Passing MPJE: A. Mariano; 2nd: J. Sana</i></p>	GBEP		Unanimously Conditionally Approved Unanimously Conditionally Approved Unanimously Conditionally Approved Unanimously Conditionally Approved

Item	Discussion	Responsible Party	Reporting Timeframe	Status
				Approved
	2. Nathaniel Mark B. Martinez <i>Motion to Conditionally Approved Pending Passing MPJE: A. Mariano; 2nd: J. Sana</i>			Unanimously Conditionally Approved
	C. PHARMACIES/FACILITIES/WHOLESALES:			
	1. North American Rescue, LLC <i>Motion to Conditionally Approve Pending Registration Under Guam Rev and Tax: A. Mariano; 2nd: J. Sana</i>			Unanimously Conditionally Approved
	2. QPharma, Inc <i>Motion to Conditionally Approve Pending Registration Under Guam Rev and Tax: A. Mariano; 2nd: J. Sana</i>			Unanimously Conditionally Approved
	D. Renewals			
	<u>Local Pharmacies/Facilities/Wholesales:</u>			
	1. Isla Home Infusion (PCY-036) <i>Motion to Approve Pending Updated CSR: A. Mariano; 2nd: J. Sana</i>			Unanimously Conditionally Approved
	2. Guam Regional Medical City (PCY-060) <i>Motion to Approve: J. Sana; 2nd: A. Mariano</i>			Unanimously Approved
	3. Meggs Corp dba Guam Rexall Drugs (PCY-006) <i>Motion to Approve: A. Mariano; 2nd: J. Sana</i>			Unanimously Approved
	4. Clan Corporation dba Polymedic Pharmacy & Minimart (PCY-052) <i>Motion to Approve: J. Sana; 2nd: A. Mariano</i>			Unanimously Approved
	5. Guam SDA Clinic Pharmacy (PCY-020) <i>Motion to Approve: A. Mariano; 2nd: J. Sana</i>			Unanimously Approved
	6. Landmark Distributors (PHW-021) <i>Motion to Approve: A. Mariano; 2nd: J. Sana</i>			Unanimously Approved
	<u>Non-Resident Pharmacies:</u>			
	1. Optum Frontier Therapies, LLC (NR-PCY081) <i>Motion to Approve: J. Sana; 2nd: A. Mariano</i>			Unanimously Approved
	2. Marley Drug, Inc. (NR-PCY065) <i>Motion to Approve: J. Sana; 2nd: A. Mariano</i>			Unanimously Approved
	3. Express Scripts Pharmacy, Inc. dba Express Scripts (NR-PCY034) <i>Motion to Approve: J. Sana; 2nd: A. Mariano</i>			Unanimously Approved
	4. Express Scripts Pharmacy, Inc. dba Express Scripts (NR-PCY035) <i>Motion to Approve: J. Sana; 2nd: A. Mariano</i>			Unanimously Approved
	5. Express Scripts Pharmacy, Inc. dba Express Scripts (NR-PCY036) <i>Motion to Approve: J. Sana; 2nd: A. Mariano</i>			Unanimously Approved
	6. Express Scripts Pharmacy, Inc. dba Express Scripts (NR-PCY013) <i>Motion to Approve: J. Sana; 2nd: A. Mariano</i>			Unanimously Approved
	7. Express Scripts Pharmacy, Inc. dba Express Scripts (NR-PCY015)			Unanimously Approved


Item	Discussion	Responsible Party	Reporting Timeframe	Status
	<i>Motion to Approve: J. Sana; 2nd: A. Mariano</i>			
	8. ESI Mail Pharmacy Service, Inc. dba Express Scripts (NR-PCY012) <i>Motion to Conditionally Approve Pending State License Copy: J. Sana; 2nd: A. Mariano</i>			Unanimously Conditionally Approved
	9. ESI Mail Pharmacy Service, Inc. dba Express Scripts (NR-PCY014) <i>Motion to Approve: J. Sana; 2nd: A. Mariano</i>			Unanimously Approved
	10. ESI Mail Pharmacy Service, Inc. dba Express Scripts (NR-PCY021) <i>Motion to Approve: J. Sana; 2nd: A. Mariano</i>			Unanimously Approved
	11. ESI Mail Pharmacy Service, Inc. dba Express Scripts (NR-PCY003) <i>Motion to Approve: J. Sana; 2nd: A. Mariano</i>			Unanimously Approved
	12. ESI Mail Pharmacy Service, Inc. dba Express Scripts (NR-PCY043) <i>Motion to Approve: J. Sana; 2nd: A. Mariano</i>			Unanimously Approved
	13. ESI Mail Pharmacy Service, Inc. dba Express Scripts (NR-PCY004) <i>Motion to Approve: J. Sana; 2nd: A. Mariano</i>			Unanimously Approved
	14. Accredo Health Group, Inc. (NR-PCY030) <i>Motion to Approve: J. Sana; 2nd: A. Mariano</i>			Unanimously Approved
	15. Accredo Health Group, Inc. (NR-PCY007) <i>Motion to Approve: J. Sana; 2nd: A. Mariano</i>			Unanimously Approved
	16. Accredo Health Group, Inc. (NR-PCY033) <i>Motion to Approve: J. Sana; 2nd: A. Mariano</i>			Unanimously Approved
	17. Accredo Health Group, Inc. (NR-PCY029) <i>Motion to Approve: J. Sana; 2nd: A. Mariano</i>			Unanimously Approved
	18. Sonexus Health Pharmacy Services, LLC (NR-PCY087) <i>Motion to Approve: J. Sana; 2nd: A. Mariano</i>			Unanimously Approved
	19. AmeriPharm Inc. dba Medvantx Pharmacy Services (NR-PCY084) <i>Motion to Approve: J. Sana; 2nd: A. Mariano</i>			Unanimously Approved
	20. CenterWell Pharmacy, Inc. (NR-PCY052) Pending registration under Guam law. <i>Motion to Conditionally Approve Pending Registration Under Guam Law: J. Sana; 2nd: A. Mariano</i>			Unanimously Conditionally Approved
	21. CenterWell Pharmacy, Inc. (NR-PCY053) Pending registration under Guam law. <i>Motion to Conditionally Approve Pending Registration Under Guam Law: J. Sana; 2nd: A. Mariano</i>			Unanimously Conditionally Approved
	22. CenterWell Pharmacy, Inc. (NR-PCY104) Pending registration under Guam law. <i>Motion to Conditionally Approve Pending Registration Under Guam Law: J. Sana; 2nd: A. Mariano</i>			Unanimously Conditionally Approved
	23. CenterWell Pharmacy, Inc. (NR-PCY105)			Unanimously Conditionally

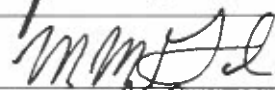
Item	Discussion	Responsible Party	Reporting Timeframe	Status
	Pending registration under Guam law. <i>Motion to Conditionally Approve Pending Registration Under Guam Law: J. Sana; 2nd: A. Mariano</i>			Approved
	24. Optum Pharmacy 701, Inc. (NR-PCY079) <i>Motion to Approve: A. Mariano; 2nd: J. Sana</i>			Unanimously Approved
	25. Optum Pharmacy 702, Inc. (NR-PCY068) <i>Motion to Conditionally Approve Pending State License Copy: J. Sana; 2nd: A. Mariano</i>			Unanimously Conditionally Approved
	26. Optum Pharmacy 704, Inc. (NR-PCY074) <i>Motion to Conditionally Approve Pending State License Copy: J. Sana; 2nd: A. Mariano</i>			Unanimously Conditionally Approved
	27. Optum Infusion Services 305, LLC (NR-PCY094) <i>Motion to Approve: A. Mariano; 2nd: J. Sana</i>			Unanimously Approved
	28. Biologics, Inc. dba Biologics by McKesson (NR-PCY070) <i>Motion to Conditionally Approve Pending Registration Under Guam Law: J. Sana; 2nd: A. Mariano</i>			Unanimously Conditionally Approved
	29. Biologic, Inc. dba Biologics by McKesson (NR-PCY092) <i>Motion to Conditionally Approve Pending Registration Under Guam Law: J. Sana; 2nd: A. Mariano</i>			Unanimously Conditionally Approved
	30. Eversana Life Science Services, LLC (NR-PCY085) <i>Motion to Conditionally Approve Pending State License Copy: J. Sana; 2nd: A. Mariano</i>			Unanimously Conditionally Approved
	31. TheraCom, L.L.C. dba TheraCom (NR-PCY090) <i>Motion to Conditionally Approve Pending Registration Under Guam Law: J. Sana; 2nd: A. Mariano</i>			Unanimously Conditionally Approved
	32. Lynnfield Compounding Center, Inc. dba Freedom FP Fertility Pharmacy (NR-PCY037) <i>Motion to Conditionally Approve Pending State License Copy: A. Eustaquio; 2nd: J. Sana</i>			Unanimously Conditionally Approved
	33. Lynnfield Drug, Inc. dba Freedom Fertility Pharmacy (NR-PCY-075) <i>Motion to Conditionally Approve Pending State License Copy: A. Eustaquio; 2nd: J. Sana</i>			Unanimously Conditionally Approved
	34. Women's International Pharmacy, Inc. dba Belmar Pharmacy (NR-PCY025) <i>Motion to Conditionally Approve Pending Registration Under Guam Law: J. Sana; 2nd: A. Mariano</i>			Unanimously Conditionally Approved
	35. ProCare Pharmacy Direct, LLC dba CVS/Specialty or CarelonRx Specialty Pharmacy (NR-PCY077) <i>Motion to Conditionally Approve Pending Registration Under Guam Law: J. Sana; 2nd: A. Mariano</i>			Unanimously Conditionally Approved
	36. ProCare Pharmacy Direct, LLC dba CVS/Specialty or CarelonRx Specialty Pharmacy (NR-PCY078) <i>Motion to Conditionally Approve Pending Registration Under Guam Law: J. Sana; 2nd: A. Mariano</i>			Unanimously Conditionally Approved
	37. CaremarkPCS Pennsylvania Mail Pharmacy, LLC dba CVS/Caremark (NR-PCY045)			Unanimously

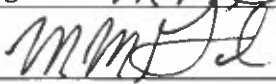
Item	Discussion	Responsible Party	Reporting Timeframe	Status
	<i>Motion to Conditionally Approve Pending Registration Under Guam Law: J. Sana; 2nd: A. Mariano</i>			Conditionally Approved
	38. Caremark Hawaiil Mail Pharmacy, LLC dba CVS/Caremark (NR-PCY076) <i>Motion to Conditionally Approve Pending Registration Under Guam Law: J. Sana; 2nd: A. Mariano</i>			Unanimously Conditionally Approved
	Non-Resident Facilities/Wholesalers:			
	1. Gateway Health Resources LLC (NR-PHW044) <i>Motion to Approve: A. Mariano; 2nd: J. Sana</i>			Unanimously Approved
	2. MXR Imaging Inc. (NR-PHW058) <i>Motion to Approve: A. Mariano; 2nd: J. Sana</i>			Unanimously Approved
	3. Distribution Solutions International, Inc. (NR-PHW029) <i>Motion to Approve: A. Mariano; 2nd: J. Sana</i>			Unanimously Approved
	4. Real Value Products Corporation dba Hospital Pharmaceutical Consulting (NR-PHW065) <i>Motion to Approve: A. Mariano; 2nd: J. Sana</i>			Unanimously Approved
	5. McKesson Plasma and Biologics, LLC (NR-PHW045) <i>Motion to Approve: A. Mariano; 2nd: J. Sana</i>			Unanimously Approved
	6. McKesson Specialty Distribution LLC (NR-PHW055) <i>Motion to Approve: A. Mariano; 2nd: J. Sana</i>			Unanimously Approved
	7. McKesson Corporation dba McKesson Drug Company (NR-PHW059) <i>Motion to Conditionally Approve Pending copy of DEA License; A. Mariano; 2nd: J. Sana</i>			Unanimously Conditionally Approved
	8. McKesson Specialty Distribution LLC (NR-PHW062) <i>Motion to Approve: A. Mariano; 2nd: J. Sana</i>			Unanimously Approved
	9. RxCrossroads 3PL LLC (NR-PHW048) <i>Motion to Approve: A. Mariano; 2nd: J. Sana</i>			Unanimously Approved
	10. RxCrossroads 3PL LLC (NR-PHW-051) <i>Motion to Approve: A. Mariano; 2nd: J. Sana</i>			Unanimously Approved
	11. RxCrossroads 3PL LLC (NR-PHW052) <i>Motion to Conditionally Approve Pending copy of DEA and State License; J. Sana; 2nd: A. Mariano</i>			Unanimously Conditionally Approved
	12. AnovoRx Distribution, LLC (NR-PHW026) <i>Motion to Approve: A. Mariano; 2nd: J. Sana</i>			Unanimously Approved
	13. ASD Specialty Healthcare, LLC (NR-PHW002) <i>Motion to Conditionally Approve Pending Registration Under Guam Law: J. Sana; 2nd: A. Mariano</i>			Unanimously Conditionally Approved
	14. ASD Specialty Healthcare, LLC (NR-PHW056) <i>Motion to Conditionally Approve Pending Registration Under Guam Law: J. Sana; 2nd: A. Mariano</i>			Unanimously Conditionally Approved
	15. AmerisourceBergen Drug Corporation (NR-PHW030)			Unanimously Conditionally

Item	Discussion	Responsible Party	Reporting Timeframe	Status
	<i>Motion to Conditionally Approve Pending Registration Under Guam Law: J. Sana; 2nd: A. Mariano</i>			Approved
	16. AmerisourceBergen Drug Corporation (NR-PHW043) <i>Motion to Conditionally Approve Pending Registration Under Guam Law: J. Sana; 2nd: A. Mariano</i>			Unanimously Conditionally Approved
	17. Integrated Commercialization Solutions, LLC (NR-PHW008) <i>Motion to Conditionally Approve Pending Registration Under Guam Law: J. Sana; 2nd: A. Mariano</i>			Unanimously Conditionally Approved
	18. Integrated Commercialization Solutions, LLC (NR-PHW009) <i>Motion to Conditionally Approve Pending Registration Under Guam Law: J. Sana; 2nd: A. Mariano</i>			Unanimously Conditionally Approved
	19. Integrated Commercialization Solutions, LLC (NR-PHW010) <i>Motion to Conditionally Approve Pending Registration Under Guam Law: J. Sana; 2nd: A. Mariano</i>			Unanimously Conditionally Approved
	20. Integrated Commercialization Solutions, LLC (NR-PHW063) <i>Motion to Conditionally Approve Pending Registration Under Guam Law: J. Sana; 2nd: A. Mariano</i>			Unanimously Conditionally Approved
	21. TheraCom, LLC (NR-PHW017) <i>Motion to Conditionally Approve Pending Registration Under Guam Law: J. Sana; 2nd: A. Mariano</i>			Unanimously Conditionally Approved
	22. Priority Air Express, LLC (NR-PHW031) <i>Motion to Approve: A. Mariano; 2nd: J. Sana</i>			Unanimously Approved
	23. A-S Medication Solutions LLC (NR-PHW033) <i>Motion to Conditionally Approve Pending Registration Under Guam Rev and Tax: J. Sana; 2nd: A. Mariano</i>			Unanimously Conditionally Approved
	24. Midwest Veterinary Supply, Inc. (NR-PHW013) <i>Motion to Approve: A. Mariano; 2nd: J. Sana</i>			Unanimously Approved
	25. ProPharma Distribution (NR-PHW066) <i>Motion to Approve: A. Mariano; 2nd: J. Sana</i>			Unanimously Approved
	26. ProPharma Distribution (NR-PHW067) <i>Motion to Approve: A. Mariano; 2nd: J. Sana</i>			Unanimously Approved
	E. EXPRESS SCRIPTS PHARMACY, INC. (NR-PCY015) – NOTICE OF CONSENT ORDER			
VIII	Announcements During a discussion that followed a recap of the meeting, which was necessary due to a technical issue with the audio, Z. Pecina inquired about the necessity of requiring the CSR, given that the DEA is the overall authority and the requirement is embedded in the law. She noted that the law could always be amended and mentioned that in most jurisdictions, the DEA's authority suffices without the need for local CSRs. M. Gabriel responded by acknowledging that the requirements vary by state, with some states maintaining both a local CSR and DEA oversight.	GBEP		Set Date

Item	Discussion	Responsible Party	Reporting Timeframe	Status
	<p>A. Mariano explained that certain states do not require a local CSR to dispense controlled medication. However, he expressed concern that removing the local CSR requirement could complicate the process when establishments apply for a new license. While the GBEP conducts the initial inspection, the U.S. DEA might not be willing to inspect the controlled substances portion, leaving that responsibility to the local CSR, which typically handles inspections for controlled substances. He also noted the absence of a local U.S. DEA officer, with the nearest one located in Hawaii. Z. Pecina sought clarification, confirming that an inspection, not just a certificate, is required when applying for the DEA. A. Mariano confirmed this, adding that once an establishment receives the local CSR, the U.S. DEA relies on the local inspection report. Z. Pecina then raised concerns from medical staff and advanced practice nurses about the need to pay for both DEA and CSR licenses when the CSR adheres to the same laws as the DEA, particularly for dispensing purposes, while acknowledging the potential issues related to distribution inspections.</p> <p>Z. Pecina suggested that the law might stipulate the requirement for establishments to have a CSR, but questioned whether practitioners could simply rely on the DEA license. She indicated that this might be appropriate. A. Eustaquio then inquired whether the Division of Environmental Health, which issues the CSR, had been consulted and asked about their stance on the matter. Z. Pecina confirmed that they were in favor of it because it generates revenue for them. M. Gabriel sought clarification on the necessity of requiring individual licensees to obtain a CSR. Z. Pecina reiterated that it seems unreasonable for practitioners to pay for both the DEA and CSR when they operate under the same laws, which is why many jurisdictions have eliminated the local requirement for practitioners, leaving the dual fees applicable only to establishments, not individual practitioners.</p> <p>It was noted that some physician assistants are only authorized to prescribe medications under the local CSR for schedule four and five substances. Z. Pecina acknowledged this point, and M. Gabriel clarified that these limitations are imposed by state regulations, not by the DEA, as the DEA defers to state laws on such matters, including prescribing restrictions. Z. Pecina then expressed concern that this could disadvantage physician assistants under the current system. M. Gabriel agreed, pointing out that the DEA does not impose these restrictions, as it is a state licensing issue, and in some states, the CSR defines the prescribing limits rather than the DEA. Z. Pecina expressed regret that the issue wasn't addressed when the Division of Environmental Health increased their fees, which are now significantly higher than what the DEA requires, and suggested that they consider advocating for a revision of these payments. The discussion concluded with thanks and a sense of closure.</p> <p>Announcements – Next Meeting – September 19, 2024, at 07:30 am.</p>			
IX	Adjournment <i>Motion to adjourn: A. Mariano; 2nd: J. Sana</i>	GBEP	0943	Adjourned

Submitted by the GBAHE Secretary:  Date: 9/5/24

Approved by the GBAHE with or without changes:  Date: 9/19/24

Certified by or Attested by the Chairperson:  Date: 9/19/24
