

Guam Board of Examiners for Pharmacy

Regular Board Meeting

Thursday, February 20, 2025 at 7:30 AM

Join Zoom Meeting

<https://us06web.zoom.us/j/81867857497?pwd=IAinQ9tgtva0Ce2rFnXktbOi4aGUMr.1>

Meeting ID: 818 6785 7497

Passcode: 649042

MINUTES

Item		Discussion	Responsible Party	Reporting Timeframe	Status
I	Call to Order	Meeting Chaired by: M. Gabriel	Chair	0758	Call to Order
		<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 type="checkbox"/>Jed Sana, Vice-Chair <input checked="" type="checkbox"/>Angelina Eustaquio, Secretary <i>Virtual Attendance:</i></p>	<p>Other Attendees <i>Present at HPLO:</i> Baltazar (Tre) Hattori III, HPLO <i>Virtual Attendance:</i> Breanna Sablan, HPLO Joaquin Blaz, DPHSS Chris Guthrie, Quarles & Brady LLP.</p>	Chair	0758
		<p>B. Confirmation of Public Notice: Guam Daily Post: 02/13/25 and 02/18/25</p>			Confirmed,
II	Approval of Agenda	<i>Motion to Approve: A. Mariano; 2nd: A. Eustaquio</i>	GBEP	0758	Unanimously Adopted Agenda
III	Review and Approval of Minutes	<p>Draft Minutes dated 01/23/2025 The board noted that Art Mariano's name was spelled incorrectly in Section C. Election of Board Members and should be corrected. Additionally, in section 6B, under "Pharmacy Technicians," number three, A. Mariano is listed, and the item was seconded and approved by a different member. <i>Motion to Approve as Amended: A. Eustaquio; 2nd: A. Mariano</i></p>	GBEP	0759	Unanimously Approved as Amended
IV	HPLO Administrator's Report	<p>No Report The Acting Deputy Director, J. Blaz, was introduced and confirmed to be attending the meeting online. He also shared that Deputy Director P. Camacho is currently on medical leave, and that he will assume the role of Acting Director when the Director departs off-island.</p>	B. Sablan	0800	Noted
V	GBEP Complaints	<p>GBEP-CO-16-01 – On-going B. Hattori noted that memos for both complaints were transmitted to the Attorney General's office and is currently waiting for a response.</p>	GBEP	0801	In-Progress,
		<p>GBEP-CO-24-02 – On-going</p>			In-Progress
VI	New Business	<p>A. PHARMACIST BY ENDORSEMENT</p>	GBEP	0801	
		<p>1. Ronald B. Koehler <i>Motion to Approve: A. Mariano; 2nd: A. Eustaquio</i></p>			Unanimously Approved

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	<p>2. Emily A. Hiroi <i>Motion to Conditionally Approve Pending MPJE: A. Eustaquio; 2nd: A. Mariano</i></p>			Unanimously Conditionally Approved
	<p>3. Amy Y. Tam <i>Motion to Conditionally Approve Pending MPJE: A. Eustaquio; 2nd: A. Mariano</i></p>			Unanimously Conditionally Approved
	<p>4. Christine Gardner <i>Motion to Conditionally Approve Pending MPJE: A. Eustaquio; 2nd: A. Mariano</i></p>			Unanimously Conditionally Approved
	<p>B. PHARMACIES/FACILITIES/WHOLESALERS:</p>	GBEP		
	<p>1. Foothills Professional Pharmacy, LTD. Approved as a non-resident pharmacy (located in Arizona). <i>Motion to Approve: A. Mariano; 2nd: A. Eustaquio</i></p>			Unanimously Approved
	<p>2. Anda, Inc. Approved as a non-resident wholesale distributor (located in Florida). <i>Motion to Approve: A. Mariano; 2nd: A. Eustaquio</i></p>			Unanimously Approved
	<p>3. Anda Pharmaceuticals, Inc. Approved as a non-resident wholesale distributor (located in Mississippi). <i>Motion to Approve: A. Mariano; 2nd: A. Eustaquio</i></p>			Unanimously Approved
	<p>4. McKesson Medical-Surgical Inc. Approved as a non-resident wholesale distributor (located in Ohio). <i>Motion to Approve: A. Mariano; 2nd: A. Eustaquio</i></p>			Unanimously Approved
	<p>5. FedEx Supply Chain, Inc. Approved as a third party logistics (3PL) (located in California). <i>Motion to Approve: A. Eustaquio; 2nd: A. Mariano</i></p>			Unanimously Approved
	<p>6. ZimVie US Corp LLC M. Gabriel recommended pausing the application until further information is received. It appears the applicant is applying as a manufacturer based in Gardens, Florida, and is involved in the production of dental medical devices, specifically dental implants. There is uncertainty about whether they are also manufacturing over-the-counter medications, so an email will be sent to them for clarification. <i>Tabled Pending Further Information: M. Gabriel</i></p>	Tabled		
	<p>C. CHANGE OF OWNERSHIP – R. WEINSTEIN INC. (NR-PHW089) TO HENRY SCHEIN, INC. A. Mariano mentioned that the applicant has a pending registration with the Government of Guam but does not yet have an inspection report or license from the state of Hawaii. The inspection for Hawaii was scheduled to take place soon, and the license would be issued when the transaction closes on March 3rd. Once the transaction closes, the new license will be provided. C. Guthrie, representing the company, confirmed that the inspection was happening soon and that the transaction was planned to close on March 3rd. It was noted that the current license for R. Weinstein Inc. would remain valid until the new license is issued, but would become void after the transaction</p>	GBEP		Unanimously Conditionally Approved

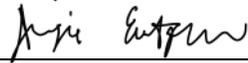
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	<p>closes, at which point Henry Schein Inc. would take over the license. The board was asked to consider conditionally approving the change of ownership application for R. Weinstein to Henry Schein, pending the receipt of the state license and inspection report. <i>Motion to Conditionally Approve: A. Mariano; 2nd: A. Eustaquio</i></p>			
	<p>D. Diagnostic Laboratory Services Inquiry The board discussed an inquiry from Diagnostic Laboratory Services regarding guidance on handling laboratory orders for temporary patients, such as visitors requiring lab work while on vacation. The conversation addressed whether mainland primary care providers could issue lab requests without local offline medical records. It was noted that for one-time occurrences, the current practice is for the medical director, often a physician, to write the order for the patient, which has not been an issue. The discussion also touched on the absence of a laboratory licensing board and how regulatory responsibilities might be allocated among existing medical, nursing, allied health, and pharmacy boards. Early discussions within the medical and nursing boards indicated no immediate concerns, but there was an interest in ensuring protections for laboratories if such cases became more frequent. It was mentioned that regulations vary by state, and the medical board chair, Dr. Berg, intended to bring the matter to the board’s attention. The intent was to initiate discussions on drafting appropriate rules and guidelines, potentially expanding to include prescriptions in the future.</p>	GBEP		Noted
	<p>E. BIONIX LLC Inquiry The board discussed an inquiry from BIONIX LLC regarding whether a license is required for manufacturing and distributing a sterile medical device. Since the company does not have a manufacturing facility in the state, it was clarified that they would need to apply for licensure in their home state. If they intend to distribute their products outside their home state, they must apply for a non-residential license. It was noted that not all states require a manufacturing license if the company itself is not engaged in manufacturing within that state. The discussion also raised the question of whether the device in question requires a prescription and whether it falls under federal regulation for prescriber-only use. It was determined that the device is classified as a Class I medical device, which carries minimal risk and requires limited regulatory oversight. The board suggested that BIONIX LLC proceed with applying for a non-residential license and ensure compliance with applicable regulations.</p>	GBEP		Noted
	<p>F. Accepting applications without Foreign Pharmacy Graduate Examination Committee Certification The board discussed whether applications could be accepted without Foreign Pharmacy Graduate Examination Committee (FPGEC) certification. It was noted that to take the NAPLEX and MPJE exams, applicants must first obtain certification and then apply for licensure by examination. The primary concern was whether the applicant was seeking licensure as an intern or through reciprocity. If applying for reciprocity, it was assumed that the applicant had already been licensed in one of the 50 U.S. states, which would indicate that they had met the initial requirements for licensure. However, the board acknowledged that the current application includes a specific section for foreign graduates requiring proof of certification, which may prevent certain applicants from fulfilling all</p>	GBEP		Noted

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		application requirements. It was noted that the certification requirement is explicitly stated in the board's rules and regulations.			
VII	Next Board Meeting	<p>A. The next Guam Board of Examiners for Pharmacy Regular Session Meeting is scheduled for March 20, 2025 at 7:30 a.m.</p> <p>It was announced that the NABP meeting will take place from May 13-17 in Florida. It was noted that the registration fees were not covered by the organizers, though a stipend of up to \$1,500 was provided. The process involved paying upfront and receiving a check for the registration afterward. M. Gabriel confirmed that she plans to attend the upcoming meeting. B. Hattori will arrange travel documents for approval to be made.</p>	GBEP	0832	Set Date
VIII	Adjournment	<i>Motion to Adjourn: A. Mariano; 2nd: A. Eustaquio</i>	GBEP	0834	Adjourned

Minutes Drafted by: FLAME TREE Freedom Center, Inc.

Date Submitted: 2/25/2025

Submitted by the GBEP Secretary:



Date:

3/10/25

Approved by the GBEP with or without changes:

Date:

Certified by or Attested by the Chairperson:

Date: