

(DRAFT/UNAPPROVED)

**VIRGINIA BOARD OF PHARMACY
MINUTES OF ACCESSIBLE ACCOMMODATIONS FOR VISUALLY IMPAIRED
WORK GROUP MEETING**

August 16, 2024

Department of Health Professions
Perimeter Center
9960 Mayland Drive
Henrico, Virginia 23233

- CALL TO ORDER:** A meeting of a work group created to discuss the accessible accommodations for visually impaired was called to order at 9:00 AM.
- PRESIDING:** **Cheri Garvin**, RPh, Chair
- MEMBERS PRESENT:** **Shannon Dowdy**, PharmD, Virginia Board of Pharmacy
Patricia Richards-Spruill, RPh, Virginia Board of Pharmacy
Sharla Glass, En-Vision America
Joanne Dial, PharmD, Kaiser Permanente
Stewart Prost, National Federation of the Blind of Virginia
Jodi Roth, Virginia Association of Chain Drug Stores
Dan Aunspach, Director of Rehabilitation Technology Services, Virginia Department of Blind and Visually Impaired
Jade Ranger, PharmD, Virginia Pharmacy Association
Cynthia Coffey, PharmD, Virginia Society of Health-System Pharmacists
- STAFF PRESENT:** **Caroline Juran**, RPh, Executive Director, Virginia Board of Pharmacy
Ryan Logan, RPh, Deputy Executive Director, Virginia Board of Pharmacy
Erin Barrett, JD, Director of Legislative and Regulatory Affairs, DHP
Sorayah Haden, Executive Assistant, Virginia Board of Pharmacy
- QUORUM** With all members of the workgroup present, a quorum was established.
- APPROVAL OF AGENDA:** Agenda was approved as presented.
- PUBLIC COMMENTS:** Public comment was not provided. Ms. Juran shared verbally that Walgreens Pharmacy had emailed her proposed amendments for the workgroup's review and consideration.

CHARGE OF WORK GROUP

Garvin provided an overview of the work group’s charge which was consistent with HB 516 passed by the 2024 General Assembly.

ADOPTION OF THE RECOMMENDED DRAFT REGULATIONS FOR BOARD OF PHARMACY CONSIDERATION

The work group reviewed and discussed the draft proposed regulation included in the agenda packet. Legislation passed in Tennessee and Maryland were reviewed as background information. The work group reviewed information regarding Prescription Drug Container Labels from the US Access Board. The following questions were also discussed:

1. Does the pharmacist need to keep a record of what accommodations are determined to be best?
2. What if the pharmacist and patient disagree on what accommodations are best?
3. Should “suitable packaging with sufficient labeling and other information” be interpreted in regulations or guidance? If § 54.1-3410.3 (C)(1) of the Code of Virginia requires audible or large print that is compatible with a prescription reader, then an example of suitable packaging could be a large print or braille label that is not compatible with a prescription reader. Should this example be captured in regulation or guidance?

The work group agreed that some form of recordkeeping regarding the accommodations made for each patient should be recorded to assist pharmacy staff when dispensing drugs to the patient over time, but that such record should not be required in regulation. It was recommended to include this as a best practice in the guidance document.

The work group agreed that accommodations will vary based on patient need, could vary over time, and that it cannot be a “one size fits all” approach. If the pharmacy is unable to provide a specific service requested by the patient, the pharmacy may suggest a comparable service or refer the patient to another pharmacy who provides the requested service.

The following points were raised during discussion. Mr. Prost expressed a desire for the accommodation to assist patients with being able to independently manage their medication, if possible, in lieu of relying on a caregiver. It was acknowledged that the law appears to support an accommodation being offered to a caregiver responsible for administering medication to a patient even if the patient does not require accommodation. Ms. Glass confirmed that ScripTalk® offered by En-Vision America, Inc. can read every field on the prescription label, not just the drug name. Dr. Ranger stated that ScripTalk® costs approximately \$1300 for set-up and approximately \$400 per month. Ms. Glass stated that federal requirements exist for accommodating patients in addition to the state law. There must be a balance between pharmacy workload and meeting patient needs. Collaboration between the pharmacist and patient is key. Accommodation

should at least allow the patient to take the medication safely. Ms. Juran shared Walgreen’s emailed request to amend the draft proposed regulation to include language that references a pharmacist’s ability to offer an alternative accommodation as allowed in § 54.1-3410.3. The work group commented that the draft proposed regulatory language appeared to satisfactorily address this subject without the need for additional wording.

MOTION:

The work group voted unanimously to recommend that the Board adopt the draft proposed regulation as presented and amended as follows:

At the end of 18VAC110-20-351 (A), insert “... of the Code of Virginia to ensure that all necessary information is included for patient safety.” (motion by Richards-Spruill, seconded by Dowdy)

**ADOPT RECOMMENDED
GUIDANCE DOCUMENT
FOR BOARD OF
PHARMACY
CONSIDERATION**

HB 516 requires the Board to adopt a guidance document identifying appropriate technologies, packaging, labeling, and counseling for dispensing medications to blind or low-vision patients. In developing guidance documents, the Board shall consider best practice and formatting suggestions as published and revised by the U.S. Access Board. The work group reviewed and discussed the draft proposed Guidance Document regarding *Dispensing Medications to Blind or Low-Vision Patients* included in the agenda packet.

MOTION

The work group voted unanimously to adopt the Guidance Document regarding *Dispensing Medications to Blind or Low-Vision Patients* as presented and amended as follows:

- **At the end of the paragraph, insert “To assist the pharmacist and patient in determining the appropriate accommodation, a collaborative communication should occur. Additionally, it is recommended that the pharmacy record the accommodation provided to each patient to ensure all pharmacy personnel have awareness in how to consistently provide patient care to each accommodated patient.” (motion by Dowdy, seconded by Richards-Spruill)**

MEETING ADJOURNED:

Having completed all business on the agenda, the meeting was adjourned at approximately 10:30 AM.

Caroline Juran
Executive Director

Date