

FINAL/APPROVED

**VIRGINIA BOARD OF PHARMACY
MINUTES OF THERAPEUTIC INTERCHANGE REGULATORY ADVISORY PANEL**

Friday, August 28, 2026

Department of Health Professions
Perimeter Center
Board Room 2
9960 Mayland Drive
Henrico, Virginia 23233

CALL TO ORDER: The meeting was called to order at 9:32AM.

PRESIDING: **Larry Kocot**, JD, Chairman, Board of Pharmacy

PARTICIPANTS PRESENT:

- **Scott Castro**, Senior Director of Health Policy, Medical Society of Virginia
- **Joshua Crawford**, PharmD, BCPS, FVSH, Virginia Society of Health-System Pharmacists
- **Joanne Dial**, PharmD, Kaiser Permanente (via Teams)
- **Shannon Dowdy**, PharmD, Vice-Chairman, Board of Pharmacy
- **JoeMichael Fusco**, PharmD, Department of Medical Assistance Services
- **Sharon Gatewood**, PharmD, Virginia Pharmacy Association
- **Kelly Hasty Kale**, RPh, Member, Board of Pharmacy
- **Esther P. Charles Jacob**, PharmD, CPEL, Virginia Department of Behavioral Health and Developmental Services
- **Ken McDowell**, DO, Member, Board of Medicine
- **Mary Moberg**, PharmD, MSM, CCEP, Publix
- **Charise Richard**, Pharmaceutical Research and Manufacturers of America (virtual)
- **Jamie Smith**, PharmD, Virginia Department of Corrections
- **Stephanie Wheawill**, PharmD, Director, Division of Pharmacy Services, Department of Health
- **Ling Yuan**, PharmD, Member, Board of Pharmacy

PARTICIPANT ABSENT:

- **Douglas Gray**, Virginia Association of Health Plans

STAFF PRESENT:

- **Erin Barrett**, JD, Director of Legislative and Regulatory Affairs, Department of Health Professions
- **Sorayah Haden**, Executive Assistant, Board of Pharmacy
- **Beth O'Halloran**, RPh, Deputy Executive Director, Board of Pharmacy
- **Caroline Juran**, RPh, Executive Director, Board of Pharmacy

WELCOME REMARKS:

Mr. Kocot welcomed and thanked everyone for their attendance.

APPROVAL OF AGENDA:

The agenda was approved as presented. (**motion by Fusco, seconded by Dowdy**)

PUBLIC COMMENT:

No comments were offered.

REVIEW OF REPORT ON
PHARMACIST INITIATION
OF THERAPEUTIC
INTERCHANGE, SB418, AND
NOIRA AGENCY
BACKGROUND
DOCUMENT:

The Chairman and the Executive Director provided a brief overview of the information in the agenda packet which included questions intended to facilitate discussion.

DISCUSSION:

The panel discussed the following questions and reacted to the draft regulatory language included in the agenda packet.

What requirements should be included in the regulations associated with making the substitution? (§54.1-3408.06(A))

- There was consensus to recommend the draft regulatory language as presented and amended, as follows, to the Board:

A pharmacist may perform a therapeutic interchange by substituting a drug with another drug in the same therapeutic class in accordance with § 54.1-3408.06. The pharmacist shall inform the patient of the substitution, counsel the patient on differences between the prescribed drug and the substituted drug to the extent the pharmacist deems appropriate in his professional judgment, the rationale for the substitution, and obtain consent from the patient for the therapeutic interchange.

- It was stated that a pharmacist in the centralized pharmacy within the

Department of Corrections may not be able to easily provide patient counseling, but that perhaps the nurse or provider could provide such counseling.

What requirements should be included in the regulations associated with a pharmacist adapting a prescription drug order? (§54.1-3408.06(B)(1))

- The panel agreed that when the patient returns for a refill, the pharmacist should dispense from the previously adapted prescription, not the original prescription.
- There was consensus to recommend the draft regulatory language as presented to the Board:

A pharmacist who adapts a prescription drug order when performing a therapeutic interchange shall document the changes in the patient's record. The pharmacist shall not change the prescriber's name as listed on the original prescription.

Should the regulations address how the pharmacist is to notify the prescriber? (§54.1-3408.06(C))

Draft regulatory language was not included on this subject in the agenda packet. The panel offered the following comments in response to the question:

- Requiring notification to be made via a specific modality may not work for all practice sites. Broader regulatory language was preferred by most.
- Notification should not be required when dispensing refills.

Which drugs should be included in the regulation as being eligible and ineligible for substitution? (Enactment Cause 2)

- Members of the panel acknowledged that federal law currently authorizes the interchanging of biosimilars.
- There was consensus to recommend the draft regulatory language as presented to the Board:

Unless prohibited under federal law or the prescriber as indicated on the prescription, a pharmacist may perform therapeutic interchange of any prescribed biosimilar or drug in Schedules II-VI, except for drugs with a narrow therapeutic index, anticoagulants, antipsychotics, antidepressants, oncolytic agents, chemotherapy agents, antiretrovirals, immunosuppressive drugs, and antiepileptics.

ACTION ITEM:

Ms. Juran will research current federal laws to identify any prohibitions with a pharmacist therapeutically interchanging a drug in Schedule II-V.

Should the regulations acknowledge the impact of this law, if any, on the use

of formularies resulting from authorizing Pharmacy and Therapeutic committees, or use of statewide protocols and collaborative practice agreements?

- There was consensus to recommend to the Board that it acknowledge the following in regulation:

Such restrictions should not apply when a pharmacist dispenses a drug pursuant to an institutional facility's formulary established by a pharmacy and therapeutics committee.

- The panel also indicated that therapeutic interchange should be permissible, in accordance with the regulations, when dispensing pursuant to a collaborative practice agreement or statewide protocol.

How should the Board interpret in a guidance document the intent of the prohibition to substitute if the prescriber checks the "Dispense as Written" (DAW) box since prescriptions in Virginia are no longer required to have a DAW box? (§54.1-3408.06(D))

ACTION ITEM:

Ms. Juran will research how other states address a prescriber's ability to prohibit therapeutic interchange and pharmacist recordkeeping requirements when therapeutic interchange is performed.

- If it is contemplated to require a prescriptive phrase to be noted on the prescription by the prescriber, it was recommended that the regulation also allow substantially similar wording.

ADDITIONAL DISCUSSION

- It was noted that education of prescribers and pharmacists on this subject will be needed.
- Panel members commented that pharmacists should be able to record therapeutic interchange information in the pharmacy's computer system.

MEETING ADJOURNED:

11:54 AM


Caroline Juran, RPh
Executive Director

9/15/2026
DATE:

