

**BOARD OF REGISTRATION IN PHARMACY
PHARMACY BOARD MEETING MINUTES
TUESDAY, DECEMBER 16, 2003
239 CAUSEWAY STREET, ROOM 204
BOSTON, MASSACHUSETTS 02114**

The meeting was called to order by Donna Horn at 9:30 a.m.

The following Board members were present: Donna Horn, R.Ph., James T. DeVita, R.Ph., Karen Ryle, R.Ph., Harold Sparr, R.Ph., Dan Sullivan, R.Ph., Marilyn Barron, MSW, Public Member.

The following Board staff were present: Charles R. Young, R.Ph., Exec. Dir., James D. Coffey, R.Ph, Assoc. Dir., Arthur J. Chaput, R.Ph., Pharm.D., Carolyn Reid, Admin. Asst., James C. Emery, C.Ph.T., Healthcare Investigator, and Leslie S. Doyle, R.Ph., Healthcare Supervisor.

AGENDA ITEMS

1. 9:30 a.m. Call to Order
Investigative Conference & Business Meeting
2. 9:35 a.m.
Review of Board Minutes

Motion/Horn to accept the November 4, 2003 minutes. Second/Ryle. Motion carried.

3. 9:45 a.m. Election of Officers - President and Secretary

Board members elected James DeVita as President and Karen Ryle as Secretary (eff. January 1, 2004).

4. 10:00 a.m. – New Pharmacy Application with request for waivers for “limited service pharmacy department” to specialize in veterinary compounding.
Pharmacy: Riverstone Veterinary Pharmacy, LLC, 8-10 Martin Street-Suite #4, Essex, MA. M.O.R. Sarah J. Kuhlmann, R.Ph, Pharm.D, License No. 24866

CEs: Registrant/compliant

Present: Sarah J. Kuhlmann, R.Ph., Pharm.D.

Kuhlmann stated that pharmacy will provide custom compounding services tailored to accommodate the specific needs of veterinarians and animal owners. Medications

will be dispensed directly to veterinarians or animal owners with valid prescription from veterinarian. Kuhlmann stated that medications would be compounded for companion animals only.

Motion/Sparr to approve with waivers subject to compliant inspection. Second/Ryle. Motion carried. Leslie Doyle will schedule inspection.

5. 10:30 a.m. - North Falmouth Pharmacy #2 N.H., 111 County Road, N. Falmouth. Application for a New Pharmacy - Proposed M.O.R. – Frank Bagarella, R.Ph., license No. 17872. The purpose of the meeting was to review proposal to cease operation of current pharmacy and re-open as “special or limited-use pharmacy” at the same address, specializing in long-term care (LTC) only.

CEs: Registrant/compliant

Present: Frank Bagarella, R.Ph.

Bagarella explained that the pharmacy name has been changed to North Falmouth Pharmacy #2. He will sell pharmacy business to CVS Pharmacy and buy the LTC business back from CVS Pharmacy (address remaining same). Bagarella will be the M.O.R. at North Falmouth Pharmacy #2. Currently, they have five FT technicians and two PT technicians.

After discussion as to regulatory compliance issues, Motion/Sparr approval with waivers when all requirements met. Second/Ryle must comply with CMR requirements for signs, closing store and hours. Horn noted that vote is preliminary approval, subject to regulatory requirements. Motion carried.

6. 11:00 a.m. - Discussion and Vote
Proposed revisions to 247 CMR 2.00 and 5.02, to amend the definition of electronically transmitted prescriptions and to facilitate electronically transmitted prescriptions.

DeVita noted 247 CMR 5.02 (1) the word “directly” should be deleted.

Prescription records may be stored electronically.

Motion/Horn board will vote to delete “directly”. Second/Sparr. Motion carried.

7. 11:15 a.m. to 11:30 p.m. – Discussion – Dispensing Guidance for Pharmacists.

Board requested a policy statement to be drafted for board review to be used as guidance for pharmacists dispensing remaining refills on prescriptions on death/loss of prescribing privileges of prescriber. Young will review preferred 90-day policy

with DPH/DCP and advise Board. Proposed guidance should include language to enable pharmacists to utilize sound professional judgement.

8. 11:30 a.m.-12:30 p.m. – File Review
9. 12:30 p.m.-1:45 p.m. Lunch
10. 1:45 p.m. Greater Boston Long Term Care - Application for new pharmacy department – 1864 Centre Street #2 (2nd Floor), West Roxbury, MA 02132
Proposed M.O.R. -Michael Wessenberg, R.Ph., (License No. 20863 / Exp. 12/31/2003). West Roxbury Pharmacy operates on the 1st floor in the same building.

CEs: Registrant/compliant

Present: Michael Wessenberg, R.Ph.

West Roxbury Pharmacy will continue to fill prescriptions on the first floor of the building. Greater Boston Long Term Care will provide long term care services to patients on the second floor. Greater Boston Long Term Care will have separate computers and operations will be separate. Wessenberg is aware that a waiver is required for long term care services. Signage must be posted informing consumers of the changes. Registrant will contact Leslie Doyle for inspection.

Motion/Ryle to approve application subject to compliant inspection. Second/DeVita.
Motion carried.

11. 2:15 p.m. Continuous Quality Improvement - Board Quality Assurance Surveyor:
Arthur J. Chaput, R.Ph. Pharm.D. - Review of pharmacy CQI reports.

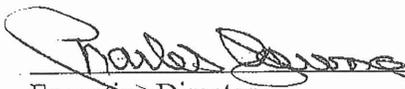
Chaput said that he had visited several community pharmacies and conducted CQI consultations. After reviewing the pharmacies' operational systems, Chaput made recommendations regarding implementation of the Board's best practices.

Motion/DeVita to schedule discussion regarding CQI position. Second/Ryle. Motion carried.

12. 2:30 p.m. Preliminary Administrative Business Items
 - a. Update on Automation in Pharmacies - Draft on Automation in Pharmacies reviewed - Ryle on #2 (8) – delete “to the record”. January 2004 discussion item.
 - b. Board Counsel- pending legal matters
In the Matter of PH-03-093 / Albert Chow, R.Ph.
Motion/Ryle refer the matter to a hearing officer to hold a sanction hearing.
Second/Sparr. Motion carried.

- c. Rouba Ead, R.Ph., (Lic. No. 24740 / Exp. 12/31/04) request for Advisory Opinion regarding 2003 CEs. Motion/DeVita one time waiver for requested written CEs to replace live deficient CEs for 2002-2003 renewal cycle. Second/Sparr. Motion carried.
 - d. In the matter of PH-97-034 and PH-99-003; James Krasnow, R.Ph., (Lic. No. 13708 . Exp. 12/31/2004) request for termination of sanction. Motion/Sparr to approve termination of probation provided to reconciliation of required monthly progress reports. Second/DeVita. Motion carried.
 - e. Mark C. Zielonka, R.Ph., (Lic. No. 24012 / Exp. 12/31/04) request for Advisory Opinion regarding 2002 continuing education. Motion/DeVita to complete 18 CEs in 90 days for the deficient 2002 CEs. Second/Sparr. Motion carried.
 - f. McClelland Pharmacy application. Motion/Sparr to deny application. Second/Sullivan. Motion carried.
 - g. Flu Mist - Retail pharmacies have received many calls from consumers regarding flu mist. Board noted pharmacists should take CD ROM training courses to administer flu mist. DPH should provide pharmacies with brochures and pamphlets to be distributed to consumers informing them of symptoms of cold and flu.
 - h. Board request for staff to confer with ISMP for approval to post ISMP List of Error Prone Abbreviations, Symbols and Dose Designations on the Board's website.
 - i. Board request for staff to confer with DPH/DCP to set up a meeting to discuss therapeutic alternative drug product dispensing alternatives.
13. 4:00 p.m. Motion/DeVita to adjourn. Second/Ryle. The motion carried. Meeting adjourned.

Respectfully submitted by:


Executive Director 3.26.04
Date

Reviewed by counsel: January 30, 2004
Draft approved: February 10, 2004
Board adopted: February 10, 2004