

BOARD OF REGISTRATION IN PHARMACY
PHARMACY BOARD MEETING MINUTES
TUESDAY, APRIL 6, 2004
239 CAUSEWAY STREET, ROOM 206
BOSTON, MASSACHUSETTS 02114

The following Board members were present: James T. DeVita, R.Ph., President, Karen Ryle, R.Ph., MS, Secretary, Donna Horn, R.Ph. and Harold Sparr, R.Ph., MS

The following Board members were absent: Dan Sullivan, R.Ph. and Marilyn Barron, LSW, Public Member

The following Board Staff were present: Charles R. Young, R.Ph., Exec. Dir., Susan Manning, J.D., Counsel, Carolyn L. Reid, Adm. Asst. and Leslie S. Doyle, R.Ph., Healthcare Supervisor.

1) 9:30 a.m. Call to Order
Business Meeting

- 2) 9:30 a.m. Review of Minutes from a Previous Meeting**
March 02, 2004 - Motion to adopt by Sparr, seconded by Horn, motion carried
March 23, 2004 - amendments to page two related to complaint. Motion to adopt as amended by Horn, seconded by Ryle, motion carried

3) 9:35 a.m. Report of Offices

- a) Office of Investigations - Nothing to report by Leslie Doyle
b) Legal - Susan Manning, Board Counsel.
Review of process related to board recommendations for complaint resolution following investigative conference.
In the matter of Neighborcare Pharmacy and Cheryl Rashid, License No. 19341.
Review/discussion of response to be scheduled for May meeting.
c) April 20, 2004 meeting - Motion to cancel by Horn, seconded by Ryle, motion carried.

4) Report of Committees

- a) 10:00 a.m. Strategic Planning / Grid management
Regulation update – Board counsel distributed proposed regulation revisions to Sections 2, 4, 6, 8 – 11, and 13. Decision made to delete references to NABP requirements from Board regulations where possible. Discussion regarding Patient Counseling Area requirements, as proposed in new Section 6.01(5)(d).
b) 10:15 a.m. Continuous Quality Improvement Program (CQI)
1. 247 CMR 15.00 Proposed - Board reviewed proposed new regulation Section 15.00 requiring CQI Program to be implemented by pharmacy (or group of pharmacies). Board agreed to require designation of responsible persons) for

program oversight. Counsel to propose language addition.

2. Root Cause Analysis update and Next Steps:

Exec. Dir. advised that DHPL Dir. Pontikas has recommended that the report be separated into three separate sections to enhance use of RCA tool by licensees. Board will develop action plan for distribution when document is finalized.

3. NABP meeting poster - Ryle will be preparing poster on RCA tool.

Will also have Board's best practices available at conference as handouts.

c) 11:00 a.m. Electronic Prescribing

FAQ update - Student at DPH-DCP also working on a FAQ report on electronic prescriptions. Expectation is that FAQs could be issued jointly when finalized. Will be distributed to Board upon receipt.

d) 11:15 a.m. Newsletter – to be distributed via MPhA, MIPA, MCPC (DeVita), Exec. Dir. DeVita desires dissemination at this item prior to completion of RCA document since newsletter highlights safety aspects of the RCA tool. Suggested topics for next newsletter - QA, E-prescribing FAQ's, CE requirement.

5) 11:30 a.m. Old Business for discussion

- a) Discussion of Constitutional amendments, resolutions and candidates for NABP annual meeting. Horn reviewed proposed changes in the recent NABP newsletter and guided Board in procedures for voting at the 100th NABP Meeting.

Decision on NABP Constitutional Amendments:

paper ballot with one delegate casting one vote

Motion by Sparr vote for EC recommendation, seconded by Ryle, motion carried.

In the event of a failure to adopt EC by NABP, then an alternate constitutional committee by Sparr, second DeVita if needed, motion carried.

If Virginia was only survivor, then vote to oppose.

CANDIDATES FOR ELECTION

President Elect: Dennis McAllister

Motion Horn to vote for McAllister, second Ryle, motion carried

Treasurer: Howard Anderson and Larry Mokhiber- Board will caucus following candidate interview.

District Representatives:

District 2: Richard Palumbo and Richard Smiga

Motion Sparr to vote for Palumbo, seconded Ryle, motion carried.

District 5: vacancy created from Anderson's position

District 8: John Jones of California will be eligible in the event Dennis McAllister elected

RESOLUTIONS:

Executive Director will mail to Board members, all in attendance can meet to discuss following the formal review process by NABP Executive Committee

6) 12:00 p.m. Motion by Ryle for break, seconded by DeVita, motion carried

7) 1:00 p.m. New Business for discussion

- a) Collaborative practice update : Senate 2158 - An Act to establish collaborative drug therapy management to improve pharmaceutical care for patients in Massachusetts. Exec. Dir. Reported bill is in Senate Ways & Means.
- b) BOP internship project - collaborative practice. Intern Maureen Schooner distributed a research report on collaborative practice showing several states regulations, typical agreement contracts and statutes. The report consisted of a brief presentation consisting of a verbal report and handout containing proposed legislation, web searches for various states regulations, practice agreements and definitions and record keeping requirements. Discussed various controlled substance authorities for pharmacists. The Board thanked Maureen for a job well done.

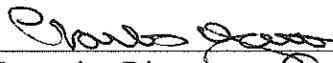
Administrative Items

- c) In the matter of PH-88-046: Robert Wisgirda, R.Ph. (Lic. No. 15035/ Consent Agreement – license suspended April 10, 1990) Request for Reinstatement. Wisgirda surrendered his license to practice pharmacy in 1990 for a three-year term with conditions for reinstatement. Did not seek reinstatement. He purports to have completed CE requirements during the entire time his license was surrendered.
Board to advise Wisgirda to appear before Board in May and provide documentation of CE compliance from 1990 to date.
- d) In the matter of Registrant Benjamin Wai-Chi Choi, R.Ph. (Lic. No 17902 /exp. December 31, 1984). Since there is an indication that he holds a license in another state, the Board recommends he take original licensure in other state or, to reinstate here he will be required to complete original licensure requirements.
- e) In the matter of Jose Leung, R.Ph. (Lic. No. 20796) - Board reviewed request for advisory opinion regarding Northeastern University Clinical Trial Design and Project Management program and CE standing.
Vote: Motion to deny by DeVita, second by Ryle, motion carried.
- f) Planned Parenthood of Massachusetts, Inc. correspondence - Board reviewed request for comment from Board and proposed response. Board seeks to add

reference to M.G.L. c. 94C, s. 19, subsection (a) corresponding responsibilities.

- g) Policy 2004-1: Joint Policy with DPH/DCP "Pharmacist Administration of Intranasal Flu Vaccine. Vote: Motion to adopt by Horn, seconded by Sparr, motion carried.
- 8) Sparr advised the Board that former Board member Edward Nassif passed away. Board requested the Executive Director send letter of condolence to family.
- 9) 3:20 p.m. Motion to adjourn by Sparr, seconded by Ryle, motion carried.

Respectfully submitted by:


Executive Director 6-13-04
Date

Reviewed by counsel: April 14, 2004
Draft approved: May 04, 2004
Board adopted: May 04, 2004