

**BOARD OF REGISTRATION IN PHARMACY
MINUTES: PHARMACY BOARD MEETING
TUESDAY, MARCH 07, 2006
239 CAUSEWAY STREET, ROOM 206
BOSTON, MASSACHUSETTS 02114**

Present: George Cayer, R.Ph., Karen Ryle, R.Ph., M.S., Marilyn M. Barron, MSW, Public Member, Harold Sparr, R.Ph., M.S., William Gouveia, R.Ph., M.S., Joel Berman, R.Ph., Sophia Pasedis, R.Ph., Pharm.D., Steven Budish, Public Member, Donald Accetta, M.D.

Absent: James T. DeVita, R.Ph., Kathy Fabiszewski, R.N., Ph.D.

Staff Present: Charles R. Young, R.Ph., Exec. Dir., James Coffey, R.Ph., Assoc. Dir., Leo McKenna, R.Ph., Pharm.D., CQI Surveyor, Carolyn Reid, Admin. Asst., Sam Penta, R.Ph., Investigative Supervisor and James Emery, C.Ph.T., Investigator

1. 8:30 a.m. – Pres. Cayer called meeting to order at 8:35 a.m.
2. 8:35 a.m. - Review of minutes from a previous meeting
3. 8:40 a.m. - File Review
 - a) Office Investigations: Healthcare Investigators James C. Emery and Samuel J. Penta
 - i. Docket #DS-06-072 Brooks Pharmacy, 52 Pearson Blvd., Gardner, MA Lic #DS-2392
Motion/Berman - dismiss. Second/Accetta. Unanimous in favor.
Docket #PH-06-023 Dispensing Pharmacist: Bon Van, Lic #PH-26366,
Motion/Budish - Advisory Letter. Second/Ryle. Unanimous in favor.
Abstain: Barron
Docket #PH-06-021 Dispensing Pharmacist: Odilia DeSousa, Lic #PH-25423
Motion/Berman - dismiss. Second/Sparr. Unanimous in favor.
 - ii. Docket #PH-06-047 Pharmacist: Mary Desroches, Lic #PT-6333,
Motion/Sparr – volunteer surrender of license. Second/Barron.
Unanimous in favor.
 - iii. Docket #PH-06-050 Pharmacist: Kim Runyan, Lic #PH-20068
Motion/Cayer – volunteer surrender of license. Second/Budish.

Unanimous in favor.

4. 9:15 a.m. – Introduction of Ronelle E. Helme - 2006 Pharm.D. Candidate, NU Bouve School of Pharmacy, Advance Pharmacy Practice Experience (APPE) Extern.
5. 9:20 a.m. to 9:45 a.m. - New Pharmacy Application
Pharmahealth Long Term Care, Inc. D.B.A. Pharmahealth Long Term Care, 360 Faunce Corner Road, N. Dartmouth, MA 02474. Proposed MOR: Adam J. Wilczek, R.Ph.

CEs: complaint

Present: Wilczek, Richard Brisson, Owner

Pharmahealth Long Term Care will restrict business to long term care patients with hours 8:30 a.m to 5:30 p.m. M-F. They will provide telephone no. for after hours emergency services. Pharmacy has security cameras, motion detectors, locked cabinets for controlled substances II.

Board directed MOR to review 247 CMR and request specific waivers.

6. 9:45a.m. to 10:00 a.m. - Report of Offices
Susan Manning, Counsel - Pending legal matters

9:45 a.m. Motion/Sparr to enter Adjudicatory Session. Second/Ryle.
Unanimous in favor.

a) In the matter of Paul E. Dufresne, R.Ph. (No. 15681) - PH-06-027
Motion/Sparr to accept Voluntary Surrender of license. Second/Berman.

In favor: Berman and Sparr

Opposed: Ryle, Cayer, Budish, Pasedis, Accetta, Barron, Gouveia.

Motion did not carry.

Motion/Budish 1 year suspension followed by 4 year probation.

Second/Cayer.

In favor: Cayer, Pasedis, Berman, Accetta, Sparr, Budish, Gouveia

Opposed: Ryle. Abstain: Barron. Motion carried.

b) In the matter of Fadi Zakaria, R.Ph., (No. 21362) – PH-04-084

Motion/Pasedis 3 mos. stayed suspension, 2 years probation, complete ethic course, 2 hrs. Medication Error Reduction. Second/Accetta.
In favor: Gouveia, Barron, Ryle, Pasedis, Accetta
Opposed: Berman, Sparr, Cayer, Budish

Docket #DS-06-011 - Shoppers Drugs, 26 Ft. Pleasant Ave, Springfield, MA, DS #23698 - Presented by Exec. Dir. Young.

i. Drugstore(Shoppers Drug). Motion/Cayer to dismiss without prejudice. Second/Pasedis.

In favor: Cayer, Pasedis, Berman, Sparr, Budish, Accetta, Barron
Opposed: Gouveia, Ryle:

ii. Docket #PH-06-047 - Pharmacist: William Rosenbeck, Lic. #13585
Motion/Cayer issue an Advisory Letter. Second/Berman. Unanimous in favor.

iii. Docket #PH-05-089 Pharmacist: Monty Schwartz, Lic #14670
Motion/Berman dismiss without prejudice. Second/Gouveia.
Unanimous in favor.

9:55 a.m. Motion/Pasedis to return to Open Session. Second/Gouveia.
Unanimous in favor.

7. 10:00 to 10:15 a.m. New Business

a) Greater Lawrence Family Health Center - Approval of Pilot Project for Remote Dispensing. Tim MacIntyre, R.Ph., DPH, Health Care Quality provided overview. Greater Lawrence pilot will be monitored by MCP & HS during pilot period.

Motion/Ryle to approve one year pilot project for one year.

Second/Berman. In favor: Ryle, Berman, Accetta, Barron, Sparr, Budish, Cayer, Gouveia. Opposed: Pasedis

Motion/Pasedis for Mass. College of Pharmacy to monitor Pilot Program monthly rather than quarterly. Second/Sparr.

In favor: Accetta, Barron, Budish, Pasedis, Sparr, Gouveia

Opposed: Berman, Cayer, Ryle

b) In the matter of PH-01-057/Robert V. Mulloney, R.Ph. (No. 18020)
Request for termination of probation.

Motion/Sparr to approve. Second/Berman. Unanimous in favor.

c) In the matter of PH-96-102/Edmund F. Ahern, R.Ph. (No. 16790)
Request for termination of probation. Motion/Budish to approve.

Second/Barron. Unanimous in favor.

d) Overview of February 22, 2006 meeting with Dr. Mary Jayne Fay, Ed.D., Coordinator of Adult Basic Education Teacher Licensure and Proprietary Schools Massachusetts Department of Education - Ex. Dir. Chuck Young

8. 10:15 a.m. to 10:45 a.m. - IVPCARE, Inc., 260D Fordham Rd., Wilmington, MA 01887. Review of waiver petitions submitted by MOR James Rice, R.Ph.

IVPCare began operations in May 2003, maintaining a variety of Inventory. IVP has not received requests for controlled substances II but do have controlled substances forms. Most orders are faxed directly from various specialty clinics and doctor's offices at the patient's requests. Some patients stop by pharmacy for medications, most choose Federal Express delivery.

Motion/Berman take under advisement. Second/Pasedis. Unanimous in favor.

6.02: Conditions for Continuing Registration and Operation of a Pharmacy or Pharmacy Department:

(4) The pharmacy or pharmacy department shall maintain on the premises at all times a sufficient variety and supply of medicinal chemicals and preparations which are necessary to compound and dispense commonly prescribed medications in accordance with the usual needs of the community.

(5) A pharmacy or pharmacy department shall have a reasonably-sized sign affixed to the main entrance of the business or otherwise installed in an easily observable area outside the premises, identifying the presence of a pharmacy or pharmacy department.

9.01: Code of Professional Conduct for Registered Pharmacists, Pharmacies and Pharmacy Departments:

(15) Unless otherwise provided for by law, a pharmacist shall not limit his or her services to a particular segment or segments of the general public.

Motion/Sparr to accept waivers 6.02(4) and 6.02(5) except 9.01(15).
Second/Cayer. Unanimous in favor.

9. 10:45 a.m. to 11:00 a.m. Old Business
a) In the Matter of Gregory E. McKenna, R.Ph. No. 18404 (Docket No.

PH-06-041) and The Medicine Centre/ LTC, 41 Sullivan St.,
Springfield, MA 01104. Proposed MOR Gregory E. McKenna, R.Ph.

i) Application for licensure as a new pharmacy with a petition for
waiver dated 2/28/06.

ii) Complaint Docket No. PH-06-041 re: disciplinary action taken
against McKenna (January 21, 2003) by the State of Connecticut
Commission of Pharmacy Complaint Docket No. Connecticut
Commission of Pharmacy No. 02-119)

Present: McKenna

a) The scope of the Medicine Centre/LTC operation is limited to the
service of assisted living facilities, group homes and skilled nursing
facilities. The pharmacy will make deliveries three times a day to
clients; clients do not need to enter the pharmacy. The pharmacy will
be open 48 hours a week for operation. In case of emergency, clients
will be provided on-call numbers. The Medicine Shoppe/LTC do not
want to service walk-in clients.

Motion/Pasedis take under advisement. Second/Accetta. Unanimous
in favor.

Motion/Berman to approve application. Second/Barron.

In favor: Berman, Barron, Pasedis, Accetta, Budish, Ryle, Cayer,
Gouveia. Opposed: Sparr

Complaint re: Connecticut discipline: Motion/Berman –one year
probation. Second/Budish. Unanimous in favor.

b) Walgreens Pharmacy - Virtual Imaging System to Improve
Operations Nationwide (VISION) Program. Motion/Sparr to approve.
Second/Berman. In favor: Cayer, Ryle, Berman, Accetta, Barron, Sparr,
Budish, Gouveia. Opposed: Pasedis

10. 11:00 a.m. to 11:55 a.m. – Melissa Murer Corrigan, R.Ph., Ex.
Dir./CEO of Pharmacy Technician Certification Board (PTCB)
presented information regarding Pharmacy Technician Certification
Board exam data.
11. 12:00 p.m. to 12:15 p.m. – Update from Quality Assurance Surveyor.
Leo McKenna, R.Ph, Pharm.D.

12. 12:15 p.m. Motion/Sparr to adjourn meeting. Second/Pasedis.
Unanimous in favor.

Respectfully submitted:



Charles R. Young, R.Ph.
Executive Director

Date: 6-30-2006

Date reviewed: June 16, 2006

Date approved: June 16, 2006

Board approved: June 20, 2006