

This is NOTICE of the regularly scheduled Board of Registration in Pharmacy Meeting

BOARD OF REGISTRATION IN PHARMACY
MEETING AGENDA
December 13, 2011
239 Causeway Street
4th Floor, Rooms 417A and B
Boston, Massachusetts

1. 8:30 a.m. CALL TO ORDER
President Stanley B. Walczyk, R.Ph.
 2. 8:35 a.m. APPLICATIONS and Other Notices (no handout/applications on file)
Assoc. Dir. Margaret Cittadino
- New Pharmacy (1)
CVS 8441, 301 Central Street, Winchendon
 - Change of Manager (17)
CVS 130, 23-25 Massachusetts Avenue, Arlington (DS2535)
CVS 8972, 285 Columbus Avenue, Boston (DS89766)
CVS 1212, 294 Harvard Street, Brookline (DS1978)
CVS 717, 36 White Street, Cambridge (DS24854)
CVS 2959, 139 Endicott Street, Danvers (DS89636)
CVS 1264, 704 Centre Street, Jamaica Plain (DS1966)
CVS 952, 205 South Broadway, Lawrence (DS1494)
CVS 719, 110 Route 6A, Orleans (DS1906)
CVS 00636, 65 Route 6A, Sandwich (DS23890)
CVS 291, 800 Lexington Street, Waltham (DS3271)
Osco Pharmacy 7495, 180A Cambridge Street, Burlington (DS3298)
Pharmahealth Long Term Care, 132 Alden Road, Fairhaven (DS89728)
Rite Aid 10098, 339 Pond Street, Ashland (DS01721)
Target Pharmacy T-1442, 550 Arsenal Street, Watertown (DS3186)
Walgreens 9152, 937 West Boylston Street, Worcester (DS3515)
Walmart Pharmacy 10 2903, 66 Parkhurst Road, Chelmsford (DS2966)
UMass Memorial Medical Center, University Campus, Worcester (DS89788)
 - Closings (1)
Lifeline Prescription Center, 1211 GAR Highway, Swansea (DS3369) on December 15, 2011
Remaining inventory and prescription records to be transferred to Standard Pharmacy 246 East
Main Street, Fall River (DS3454)
 - Relocation (4)
Walgreens 10317, 1065 Truman Highway, Boston FROM Walgreens 13143 1065 Truman
Highway (trailer pharmacy in parking lot) (DS89762)
CVS 1001, 1080 Eastern Avenue, Malden FROM 60 Broadway Plaza, Malden (DS1523)
CVS 433, 481 Pittsfield Road, Lenox FROM Routes 7 & 20, Lenox (DS1870)
CVS 373, 250 Whiting Farms Road, Holyoke (DS22088) FROM 2313 Northampton Street,
Holyoke

- Transfer of Ownership (2)
 - Louis & Clark (DS2365) 471 Breckwood Blvd. Springfield TO Big Y Stores
 - Louis & Clark (D14966) 449 Main Street, Wilbraham TO Big Y Stores
 - Western New England Compounding Center (DS2976)

- Renovation/Expansion (1)
 - CVS 1010, 85 High Street, Medford (DS1530)

- 3. 8:40 a.m. UPDATES
 - Dir. James D. Coffey/Assoc. Dir. Margaret Cittadino
 - Online and Drug Store (Pharmacy) Renewals
 - Board Dispositions
 - 1st Meeting in 2012: January 10, 2012

- 4. 8:50 a.m. ELECTIONS
 - √ Board Officers: President Elect / Secretary

- 5. 9:00 a.m. REPORT OF OFFICE OF INVESTIGATIONS (no handout)
 - File Review - Samuel J. Penta, R.Ph., Supervising Investigator; James C. Emery, Investigator; Cheryl Lathum, Pharm.D., R.Ph., Investigator; William E. Frisch, Jr., R.Ph., Investigator; Leo A. McKenna, Pharm.D., R.Ph., QA Coordinator

- 6. 10:45 a.m. REPORT OF OFFICE OF GENERAL COUNSEL - Susan Manning, Board Counsel
 - CLOSED SESSION – Review/discussion of Complaints and other Legal Matters [MGL c. 112, s. 65C; MGL c. 30A, ss. 18-21]
 - Matter of Jennifer W. Hoerner (PH22597) Docket Nos. PH-96-057 – Order of Revocation Based on Violation of Consent Agreement
 - Matter of Keith N. LaRoche, R.Ph. (PH16881) Docket No. PHA-2011-0255
 - Matter of Mercy Medical Center (DS89680) Docket No. PHA-2011-0051 and Melissa Zaslow (PH233317) Docket No. PHA-2011-0050
 - Matter of Robert Pillion (PT4905) Docket No. PHA-2011-0253 (Walgreens Pharmacy)
 - Matter of Thomas Closson (PH17905) Docket No. PHA-2011-0318 (no handout)

- 7. 11:30 a.m. NEW COMMUNITY PHARMACY APPLICATION/Appearance
 - UMASS MEMORIAL MEDICAL CENTER, INC. DBA PRESCRIPTION CENTER PHARMACY – HAHNEMANN CAMPUS** – Proposed: 281 Lincoln Street, Worcester, Massachusetts
 - Present: Proposed Manager of Record and Director Ambulatory Care Pharmacy Services, Kevin T. Miller, R.Ph, (PH22850), Christian A. Hartman, PharmD, MBA, Medication Safety Officer/Assistant Professor of Medicine Director, Medication Use Safety Residency, Roy Guharoy, PharmD, MBA, FCP,FCCP, FASHP, Chief Pharmacy Officer, Professor of Medicine, Departments of Pharmacy and Medicine University of Massachusetts Memorial Medical Center
 - Applicant with waivers for retail pharmacy licensure proposes to dispense Schedule II-VI controlled substances

8. 12:00 p.m. Approve Deny
NEW WHOLESALE DISTRIBUTOR APPLICATION/Appearance
BIG Y FOODS, INC. – Proposed: 2145 Roosevelt Avenue, Springfield,
Massachusetts

Present: Proposed Designated Representative, George Newman, and
George Pappas, R.Ph, Manager of Pharmacy Operations

- Applicant for wholesale distributor licensure proposes to distribute
Schedule III-VI controlled substances

Approve Deny

9. 12:30 p.m. NEW WHOLESALE DISTRIBUTOR APPLICATION/Appearance
D STORES DIRECT, LLC – Proposed: 165 Beal Street, Hingham,
Massachusetts

Present: Proposed Designated Representative, Steven D. Steckel, R.Ph.,
(PH17758) and Harry Abolafia, R.Ph, VP Pharmaceutical & Medical Operations

- Applicant for wholesale distributor licensure proposes to distribute
Schedule VI controlled substances

Approve Deny

10. FLEX DISCUSSION

A. NEW BUSINESS

Applications

1. Edmund Cronin Fino - Pharmacy Technician Application (CVS)
Approve/Deny
2. Sarah Jerome - Pharmacy Technician Application
Approve/Deny
3. Maite E. Perez (PH23698/Exp. 12/31/2006) – Pharmacist Reactivation inquiry
Approve/Deny/Conditions
4. Brian Charles Lavery - Pharmacy Technician Application
Approve/Deny

11. INFORMATIONAL ITEMS (FYI)

12. 1:00 p.m. ADJOURNMENT

BOARD OF REGISTRATION IN PHARMACY
MEETING MINUTES
December 13, 2011
239 Causeway Street
Boston, Massachusetts

Board Members Present Stanley Walczyk, R.Ph.; Michael Tocco, R.Ph., M.Ed.; Karen Ryle, R.Ph., M.S.; Sophia Pasedis, R.Ph., Pharm.D; Donald Accetta, M.D., M.P.H.; George Cayer, R.Ph.; Joanne Trifone, R.Ph.; Kathy Fabiszewski, Ph.D, N.P.

Board Members Absent James T. DeVita, R.Ph.; Steven Budish

Staff Present James D. Coffey, R.Ph., Director; Margaret Cittadino, M.Ed., Associate Director; Susan Manning, Board Counsel; Leo McKenna, R.Ph., Pharm.D., Quality Assurance (QA) Coordinator; Cheryl Lathum R.Ph., Pharm.D., Investigator; James Emery, Pharmacy Technician, Investigator; Investigator, Margarita Volkova, MCP Intern

1. 8:30 a.m. CALL TO ORDER
President Stanley B. Walczyk, R.Ph.

2. 8:35 a.m. APPLICATIONS and Other Notices
Assoc. Dir. Margaret Cittadino

New Pharmacy

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Change of Manager

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UMass Memorial Medical Center, University Campus, Worcester (DS89788)

Closings

Lifeline Prescription Center, 1211 GAR Highway, Swansea (DS3369) (12/15/11).

Inventory and prescription records to Standard Pharmacy 246 E. Main Street, Fall River (DS3454)

Relocation

Walgreens 10317, 1065 Truman Highway, Boston FROM Walgreens 13143, 1065 Truman Highway (trailer pharmacy in parking lot) (DS89762)
CVS 1001, 1080 Eastern Avenue, Malden FROM 60 Broadway Plaza, Malden (DS1523)
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CVS 373, 250 Whiting Farms Road, Holyoke (DS22088) FROM 2313 Northampton Street, Holyoke

Transfer of Ownership

Louis & Clark (DS2365) 471 Breckwood Blvd. Springfield TO Big Y Stores
Louis & Clark (D14966) 449 Main Street, Wilbraham TO Big Y Stores
Western New England Compounding Center (DS2976) TO Western Mass Compounding And Palliative Care, Inc.(DS89799)

Renovation/Expansion

CVS 1010, 85 High Street, Medford (DS1530)

Motion Cayer/Ryle to approve applications

Recused Trifone for Walgreens; Tocco for CVS

Approved

3. 8:40 a.m. UPDATES

Dir. James D. Coffey/Assoc. Dir. Margaret Cittadino

- Online and Drug Store (Pharmacy) Renewals
- Board Dispositions
- 1st Meeting in 2012: January 10, 2012

4. 8:50 a.m. ELECTIONS or 2012 Board Offices

Vote for Board Officers: President Elect and Secretary based on nominations made at November 15, 2011 meeting

Board members voted on the November 15, 2011 nomination of Board. Assoc. Dir. Cittadino reported the results.

Results: James DeVita elected President-Elect; Karen Ryle elected Secretary.

5. 9:00 a.m. REPORT OF OFFICE OF INVESTIGATIONS

File Review - Samuel J. Penta, R.Ph., Supervising Investigator; James C. Emery, Investigator; Cheryl Lathum, Pharm.D., R.Ph., Investigator; William E. Frisch, Jr., R.Ph., Investigator; Leo A. McKenna, Pharm.D., R.Ph., QA Coordinator

Recused Tocco (not present for discussion or vote Items 1-8 below)

1	PHA-2011-0292 Nancy Collins PT 9659	Motion Cayer/Ryle to issue a Temporary Order of Summary Suspension if a Voluntary Surrender Statement is not received. Approved
2	PHA 2011 0293 Sharon Waldron PT 9583	Motion Pasedis/Walczyk to issue a Temporary Order of Summary Suspension if a Voluntary Surrender Statement is not received. Approved

3	PHA 2011 0313 Jeanne Pinette PT 9972	Motion Pasedis/Ryle to accept Voluntary Surrender Statement in resolution of complaint. Approved
4	PHA-2011-0137 CVS 2206 DS2762	Motion Trifone/Cayer to Dismiss – No violation Approved
	PHA-2011-0190250 Krista Robinson PH1915	Motion Cayer/Ryle to Dismiss with an Advisory Letter with 2 Continuing Education credits (CEs) in medication error prevention Approved
	PHA-2011-0189 Erica Adler PH26332	Motion Cayer/Ryle to Dismiss with an Advisory Letter with 2 Continuing Education credits (CEs) in medication error prevention Approved
	PHA-2011-0187 Daniel Boucher PH26332	Motion Cayer/Ryle to Dismiss with an Advisory Letter with 2 Continuing Education credits (CEs) in medication error prevention Approved
5	PHA-2011-0287 CVS1248 DS2875	Motion Cayer/Pasedis to Dismiss with Advisory Letter Approved
	PHA-2011-0288 Loan Kim Chu PH23326	Motion Cayer/Pasedis to Dismiss with Advisory Letter and 2 CE in law. Approved
6	PHA-20110-0289 Thu Ngo PH25822	Motion Trifone/Cayer to Dismiss – No Violation Approved
7	PHA-2011-0175 CVS 705 DS3428	Motion Ryle/Cayer to Dismiss with Advisory Letter Approved Motion
	PHA-2011-0278 David Ciaschini PT11500	Motion Ryle/Cayer to Dismiss with Advisory Letter and 2 CES in medication error prevention Approved
	PHA-2011-0280 Matthew Ciociola PH233092	Motion Trifone/Acchetta to Dismiss with Advisory Letter and 2 CES in medication error prevention Approved
8	PHA-2011-0103 CVS 1875 DS3348	Motion Cayer/Trifone to Dismiss with Advisory Letter Approved
	PHA-2011-0158 Elaine Malouf PH233022	Motion Cayer/Trifone to Dismiss with Advisory Letter and 2 CE in medication error prevention

	PHa-2011-0162 Priscilla Bell PT12582	Approved Motion Cayer/Trifone to Dismiss with Advisory Letter and 2 CEs in medication error prevention Approved
	PHA-2011-0170 Michael Grossman PH15875	Motion Cayer/Trifone to Dismiss with Advisory letter and conditions related to continuing education deficiencies Approved
Following discussion and votes in above CVS matters, Tocco returned to meeting room		
9	PHA-2011-0118 Cape Cod Home Infusion DS3591	Motion Pasedis/Cayer to Dismiss with Advisory Letter with direction to develop policy for incoming formulary worksheets and validation of USP training Approved
	PHA-2011-0250 Mark S. Elfman PH17929	Motion Pasedis/Cayer for Consent Agreement with Reprimand requiring USP 797 re-training. Approved
	PHA-2011-0249 Erin Fitzhenry Ellis PT 5405	Motion Cayer/Ryle to Dismiss with Advisory Letter with 2CEs in medication error prevention Approved

6. 10:45 a.m. REPORT OF OFFICE OF GENERAL COUNSEL - Susan Manning, Board Counsel

CLOSED SESSION – Review/discussion of Complaints and other Legal Matters [MGL c. 112, s. 65C; MGL c. 30A, ss. 18-21]

10:45 a.m. Motion Pasedis/Cayer to enter Closed Session.

11:15 a.m. Accetta exits the meeting

11:30 a.m. Motion Ryle/Pasedis to end Closed Session.

7. 11:30 a.m. NEW COMMUNITY PHARMACY APPLICATION/Appearance
UMASS MEMORIAL MEDICAL CENTER, INC. DBA PRESCRIPTION CENTER PHARMACY – HAHNEMANN CAMPUS – Proposed: 281 Lincoln Street, Worcester, Massachusetts (subsidiary of UMass Memorial Health Care, Inc.)

Present: Proposed Manager of Record and Director Ambulatory Care Pharmacy Services Kevin T. Miller, R.Ph. (PH22850), Christian A. Hartman, Pharm.D., MBA; Medication Safety Officer/Assistant Professor of Medicine Director/ Medication Use Safety Residency Roy Guharoy, PharmD, MBA, FCP, FCCP, FASHP; Chief Pharmacy Officer, Professor of Medicine, Departments of Pharmacy and Medicine, UMass Memorial Medical Center, Inc.; Ernest Gates, R.Ph. and Charles Young, R.Ph.

Applicant with waivers (247 CMR sections 6.01(3), 6.02(5), 6.02(8)(a) and 9.01(12) 14.01) for retail pharmacy licensure proposes to dispense Schedule II-VI controlled substances

Motion Pasedis/Cayer to approve application pending compliant inspection

Approved

12:00 p.m. Fabiszewski exits the meeting

8. 12:00 p.m. NEW WHOLESALE DISTRIBUTOR APPLICATION/Appearance
BIG Y FOODS, INC. – Proposed: 151 Cottage Street, Springfield MA

Present: Designated Representative George Newman, and George Pappas, R.Ph.,
Big Y Foods Inc. Manager of Pharmacy Operations

Applicant for wholesale distributor licensure proposes to distribute
Schedule III-VI controlled substances.

Motion Pasedis/Cayer to approve application pending compliant Board and DEA
inspections.

Approved

9. 12:30 p.m. NEW WHOLESALE DISTRIBUTOR APPLICATION/Appearance
D STORES DIRECT, LLC – Proposed: 165 Beale Street, Hingham MA

Present: Designated Representative Steven D. Steckel, R.Ph. (PH17758) and
Harry Abolafia, R.Ph., VP Pharmaceutical and Medical Operations

Applicant for wholesale distributor licensure proposes to distribute Schedule VI
controlled substances.

Motion Tocco/Ryle to approve application pending compliant inspection

Opposed Cayer and Pasedis

Approved

10. FLEX DISCUSSION

A. NEW BUSINESS

Applications

1. Edmund Cronin Fino - Pharmacy Technician (CVS)

Motion Trifone/Cayer to approve

Recused Tocco (not present for discussion or vote)

Approved

2. Sarah Jerome - Pharmacy Technician

Motion Ryle/Trifone to deny

Approved

3. **Maite E. Perez** (PH23698/Exp. 12/31/2006) – Pharmacist Reactivation inquiry

Motion Trifone/Tocco to advise 1500 intern hours, MPJE and NAPLEX required.

Approved

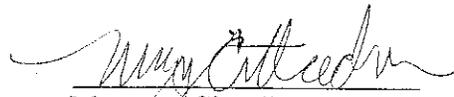
4. **Brian Charles Lavery** - Pharmacy Technician Application

Motion Ryle/Tocco to schedule appearance but permit pharmacy technician employment to continue in interim.

Approved

12. 1:00 p.m. ADJOURNMENT

Respectfully submitted by:



Margaret Cittadino
Associate Director

Board approved: December 11, 2012

BOARD OF REGISTRATION IN PHARMACY
CLOSED SESSION MINUTES
DECEMBER 13, 2011
239 CAUSEWAY STREET, ROOM 206
BOSTON, MA 02114

Closed Session – M.G.L. c. 112, s. 65C (Pending Complaints)
M.G.L. c. 30A, s. 18A (Adjudicatory)

10:45 a.m. Motion Pasedis/Cayer to enter Closed Session.

Matters of

Jennifer W. Hoerrner (PH22597) Docket No. PH-96-057 – Review of discipline in another jurisdiction (licensed expired 12/31/06)

Board reviewed Consent Agreement executed by licensee (5/15/06) and discipline by Virginia Board of Pharmacy (8/911).

Motion Tocco/Trifone to issue *Order of Revocation Based on Violation of Consent Agreement* regarding the expired Massachusetts pharmacist license based on discipline in another jurisdiction.

Approved

Keith N. LaRoche, R.Ph. (PH16881) Docket No. PHA-2011-0255
Review of Richard E. Fradette, Esq. December 1, 2011 letter requesting reconsideration of proposed Consent Agreement terms.

Board reviewed Richard E. Fradette, Esq. December 1, 2011 letter requesting reconsideration of proposed Consent Agreement terms

Motion Cayer/Accetta not to revise terms of proposed Consent Agreement

Approved

Mercy Medical Center (DS89680) Docket No. PHA-2011-0051

Melissa Zaslow (PH233317) Docket No. PHA-2011-0050

Review of Edward J. McDonough, Jr., Esq. December 6, 2011 letter requesting reconsideration of proposed Consent Agreement terms in above matters.

Board reviewed Edward J. McDonough, Jr., Esq. December 6, 2011 letter requesting reconsideration of proposed Consent Agreement terms in above matters.

Motion Melissa Zaslow (PH233317) Docket No. PHA-2011-0050

Pasedis/Ryle to revise disposition from proposed Consent Agreement terms (reprimand) to an Advisory Letter with notice license that she will considered to be de facto manager of record in the event there is any extended period of time that there is no manager of record named in the future.

Mercy Medical Center (DS89680) Docket No. PHA-2011-0051 – proposed Consent Agreement will include reprimand with revisions to Paragraphs 2.a. and f., paragraph 3.a.

Approved

Robert Pillion (PT4905) Docket No. PHA-2011-0253 (Walgreens Pharmacy)

Board advised licensee had not responded to proposed Consent Agreement.

Motion Walczyk/Cayer to issue Temporary Order of Summary Suspension and accept Voluntary Surrender if provided.

Recused (Trifone not present for discussion or vote)

Approved

Thomas Closson (PH17905) Docket No. PHA-2011- 0138 – Discipline in the State of Maryland.

Board reviewed Maryland summary suspension order (8/18/11) regarding admitted diversion.

Motion Cayer/Pasedis to issue Temporary Order of Summary Suspension and accept Voluntary Surrender if provided.

Approved

11:15 a.m. Accetta exits the meeting

Mariano Santiago – Pharmacy Technician applicant

Motion Cayer/Pasedis to advise applicant that 1000 of supervised technician training hours would be required for review of application.

Recused Trifone (not present for discussion or vote)

Approved

Pelham Pharmacy – request for extension of response (Richard Fradette, Esq.) to January to respond to the proposed Consent Agreement.

Motion Cayer/Pasedis to approve extension with confirmation of certain conditions.

Approved

Board advised of sentencing in matters of **Baldwin Ihenacho**, R.Ph. (scheduled for 1/13/12) and **Ernest McGee**, R.Ph. (sentenced 12/2/11)

Board advised no appeal filed by **Julie M. Lannon**.

Board was advised that the Public Health Council will be sending letters to all Massachusetts retail pharmacies regarding the sales of tobacco products

Recused – Coffey not present in room for discussion or vote

11:30 a.m. Motion Ryle/Pasedis to end Closed Session.