This is Notice of the Regularly Scheduled Board of Registration in Pharmacy Meeting

BOARD OF REGISTRATION IN PHARMACY
MEETING AGENDA
April 12, 2011
239 Causeway Street
4th Floor, Room 417A
Boston, Massachusetts

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

2. 8:35 a.m. REVIEW/ADOPTION OF BOARD MINUTES

3: 8:40 a.m. APPLICATIONS
   Pharmacy/Wholesale Distributor Applications
   (no handout/applications on file) – Assoc. Dir. Margaret Cittadino

- New Community Pharmacy (3)
  CVS 4666, 101 Canal Street, Boston 02114
  CVS 5407, 11 Main Street, Lakeville 02347
  Walgreens 12869, 296 Buffinton Street, Somerset 02726

- Change of Manager (29)
  CVS 1864, 191 North Main Street, Attleboro (DS3030)
  CVS 25, 60 Leonard Street, Belmont (DS2238)
  CVS 913, 19 Summer Street, Bridgewater (DS3437)
  CVS 1869, 1080 Falmouth Road, Centerville (DS3337)
  CVS 2959, 139 Endicott Street, Danvers (DS89636)
  CVS 207, 1620 President Avenue, Fall River (DS2864)
  CVS 2177, 65 Central Street, Georgetown (DS2723)
  CVS 23, 241 Lincoln Avenue, Haverhill (DS23965)
  CVS 2322, 176 North Street, Hyannis (DS2827)
  CVS 6505, 978 Boylston Street, Newton (DS02461)
  CVS 457, 426 Essex Street, Salem (DS3397)
  CVS 148, 51 Linden Street, Waltham (DS2494)
  Flag Pharmacy, 7 Willow Street, Lynn (DS3466)
  Hannaford Food & Drug 8170, 637 Lowell Street, West Peabody (DS89692)
  K-Mart Pharmacy 4444, 140 Whalon Street, Fitchburg (DS2005) (rec'd 3/7)
  K-Mart Pharmacy 4444, 140 Whalon Street, Fitchburg (DS2005) (rec'd 3/30)
  Osco Pharmacy 7627, 760A Boston Road, Groton (DS3423)
  Packard Medical Pharmacy, 128 Parker Street, Lawrence (DS373)
  Stop & Shop Pharmacy 433, 760 Fellsway, Medford (D3614)
  Target Pharmacy T-2693, 250 Granite Street, Braintree (DS89735)
  Target Pharmacy T-1229, One Mystic View Road, Everett (DS2991)
  Target Pharmacy T-1803, 227 Highland Avenue, Salem (DS3272)
  Teamsters Care Pharmacy, 552 Main Street, Charlestown (DS2493)
  Triad Isotopes, 65 Shawmut Road, Canton (NU00019)
  Wal-Mart Pharmacy 10 2122, 30 Memorial Drive, Avon (DS2735)

Wal-Mart Pharmacy 10 1918, 250 Hartford Avenue, Bellingham (DS2744)
Wal-Mart Pharmacy 10 1970, 280 Washington Street, Hudson (DS2743)
Wal-Mart Pharmacy 10 2228, 555 Hubbard Avenue, Pittsfield (DS2746)
Walgreens 10638, 121 Main Street, Foxboro (DS3585)

- Transfer of Ownership – Community Pharmacy (1)
  BioRx, LLC, 266 West Cummings Park, Woburn (DS89746)

- Relocation – Community Pharmacy (3)
  CVS 1041, 671 County Street, Taunton FROM 636 County Street, Taunton (DS1641)
  CVS 242, 480 No.Franklin Street, Holbrook FROM 462 No. Franklin Street, Holbrook (DS89667)
  Rite-Aid 10093, 5 Schofield Avenue, Dudley (DS2381) FROM 13 West Main Street, Dudley

- Renovation Expansion (1)
  New England Compounding Center, 697 Waverly Street, Framingham

4. 8:45 a.m. UPDATES
   Dir. James D. Coffey/Assoc. Dir. Margaret Cittadino
   - Introduction of MCPHS Intern Welley Pich
   - Board Office Relocation (2nd to 5th Fl., 239 Causeway St., Boston)
   - Final Report to the Legislature by the "Special Commission to Study the University of Massachusetts at Amherst and the University of Massachusetts Lowell jointly establishing a public school of pharmacy" (Section 153 of FY11 Budget)
   - Safe & Effective Opioid Prescribing for Chronic Pain: March 26, 2011 Program
   - Public Hearing on the Expedited Partner Therapy (EPT) regulations has been scheduled for Friday April 29th, at 250 Washington Street, Public Health Council Room – 2-4 pm.
   - Board Dispositions

5. 9:00 a.m. REPORT OF OFFICE OF INVESTIGATIONS (no handout)
   File Review - James C. Emery, Investigator, Cheryl Lathum, Pharm.D., R.Ph., Investigator, Leo A. McKenna, Pharm.D., R.Ph., QA Coordinator

6. 10:00 a.m. LEGAL/REPORT OF OFFICE OF GENERAL COUNSEL
   Pending Legal Matters - Susan Manning, Board Counsel

   MGL c. 112, s. 65C, MGL c. 30A s.s. 11A and 11A1/2- Review and Discussion of Complaints and Other Matters: Closed Session

   - Matter of **Nkem N. Iffih**, R.Ph. – Pharmacist Application/Appearance
   - Matter of **Donald H. Weiner**, R.Ph. (PH14146/Complaint No. PHA-2009-0203
   - Metter of **Leopold A. McLune** (PT 8237/Complaint No. PHA-2011-0058
   - Matter of **Jeffrey Buck** (PI 1155004/Complaint No. PHA-2009-0176
   - Matter of **Nicholas Pariaros** (PI 1131144/Complaint No. PHA-2008-0041
   - Review of matter pending Prosecution

7. 11:00 a.m. PRESENTATION – Grant M. Carrow, Ph.D., Director, Drug Control Program, Bureau of Health Care Safety and Quality, Department of Public Health, Adele D. Audet, R.Ph., Assistant Director, Drug Control Program and Stephen J. Kelleher, Jr., FACHE Project Manager, Enabling E-Prescribing and Enhanced Management of Controlled Medications

   - Proactive Prescription Monitoring Program (PMP) Reports to Pharmacies/Pharmacists
   - Update: Berkshire Health Systems E-Prescribing Pilot Program

8. 12:00 p.m. DISCUSSION (POLICY)
   - Schedule II: Information that Can be Changed on a Schedule II Prescription
   - NABP/ACPE CPE Monitoring Service

9. 12:20 p.m. PHARMACIST APPLICATION/Appearance – **Ye Lu**

10. FLEX DISCUSSION

    A. NEW BUSINESS
    Applications

    1) **Krystin Margaret Lynch** – Pharmacy Technician

    2) **Brendan Patrick McGee** – Pharmacy Technician

    3) **Larry Singer** – Reciprocal Pharmacist

    4) **Michael W. Smith** – Reciprocal Pharmacist

    5) **Ryan J. Beechinor** – Pharmacy Intern

11. 12:40 p.m. LUNCH

12. 1:40 p.m. DISCUSSION
    - October 2011 NABP/AACP District I & II Annual Meeting to be hosted by Massachusetts:

13. INFORMATIONAL ITEMS (FYI)

14. 3:30 p.m. ADJOURNMENT

BOARD OF REGISTRATION IN PHARMACY
MEETING MINUTES
April 12, 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.; George Cayer, R.Ph.; Sophia Pasedis, R.Ph.; Pharm.D; Donald Accetta, M.D., M.P.H.; Joanne Trifone, R.Ph.; Kathy Fabiszewski, Ph.D, N.P.; Steven Budish
Board Members Absent	James T. DeVita, R.Ph.
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; Samuel J. Penta, R.Ph., Supervising Investigator; Cheryl Lathum R.Ph., Pharm.D., Investigator; Investigator; William E. Frisch, Jr., R.Ph., Investigator; Intern Welley Pich, Massachusetts College of Pharmacy

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Renovation Expansion

New England Compounding Center, 697 Waverly Street, Framingham

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
   - Introduction of MCPHS Intern Welley Pich
   - Board Office Relocation (2nd to 5th Fl., 239 Causeway St., Boston)
   - Final Report to the Legislature by the "Special Commission to Study the University of Massachusetts at Amherst and the University of Massachusetts Lowell jointly establishing a public school of pharmacy" (Section 153 of FY11 Budget)
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1	PHA-2011-0060 **William Oakley** PT10123	**Motion Cayer/Tocco** to accept Voluntary Surrender **Recused** Trifone (not present for discussion or vote) **Approved**
2	PHA-2011-0059 **Michael J. Donnelly** PT10269	**Motion** Cayer/Pasedis to issue *Temporary Order of Summary Suspension* if no Voluntary Surrender **Recused** Tocco (not present for discussion or vote) **Approved**
3	PHA-2011-0067 **Michelle A. Simmons** PT216	**Motion** Cayer/Ryle to issue *Temporary Order of Summary Suspension* if no Voluntary Surrender **Recused** Tocco (not present for discussion or vote)

		Approved
4	PHA-2011-0047 **Trung Tang** PT11007 PHA-2011-0053 **Elsie Preval** PH26271 PHA-2011-0071 **Shaun Carroll** PT11808 PHA-2010-0179 **CVS 730** DS 1003	**Motion** Cayer/Ryle to Dismiss **Recused** Tocco (not present for discussion or vote) **Approved** **Motion** Ryle/Cayer for an Investigative Conference with pharmacist, pharmacy technician and Drugstore **Recused** Tocco (not present for discussion or vote) **Approved**
5	PHA-2011-0011 **Pawtucket Pharmacy** DS789 PHA-2011-0074 **Robert Audet** PH13088	**Motion** Walczyk/Ryle for Consent Agreement with Probation (3 years) for pharmacy and owner/manager of record with conditions related to observed deficiencies (including continuation of cease compounding notice) **Approved**

5. 10:00 a.m. LEGAL/REPORT OF OFFICE OF GENERAL COUNSEL
Pending Legal Matters - Susan Manning, Board Counsel

MGL c. 112, s. 65C, MGL c. 30A, ss. 18 – 21: Review and Discussion of Complaints, Applications and Other Matters: Closed Session

10:00 a.m. **Motion** Cayer/Ryle to enter Closed Session

11:35 a.m. **Motion** Tocco/Cayer to end Closed Session

Matter of **Nkem N. Iffih**, R.Ph. – Pharmacist Application/Appearance
Present: Nkem N. Iffih and Atty. Jeffrey Denner
Board reviewed evaluation and work history with applicant.
Motion Cayer/Trifone to advise applicant to complete MPJE and (1) one year (full time at least 30 hours per week) of pharmacy employment (contiguous) in ME (holds current ME pharmacist license) or (2) 750 internship hours in MA. Approved.

Matter of **Donald H. Weiner**, R.Ph. (PH14146) - Complaint No. PHA-2009-0203
Motion Budish/Trifone to terminate Suspension and convert to Probation status in accordance with Consent Agreement.
Recused Tocco (not present for discussion or vote)
Approved

Matter of **Leopold A. McLume** (PT8237) - Complaint No. PHA-2011-0058
Motion Pasedis/Trifone to accept Voluntary Surrender.
Recused Tocco (not present for discussion or vote)
Approved

Matter of **Jeffrey Buck** (PI1155004)- Complaint No. PHA-2009-0176
Motion Budish/Trifone to advise reinstatement of intern registration on probation status while intern.

Matter of **Nicholas Pariaros** (PI1131144) - Complaint No. PHA-2008-0041
Motion Budish/ Trifone to advise reinstatement of intern registration pending staff review of evaluation and probation status with monitoring while intern.

6. 11:35 a.m. PRESENTATION – Grant M. Carrow, Ph.D., Director, Drug Control Program, Bureau of Health Care Safety and Quality, Department of Public Health, Adele D. Audet, R.Ph., Assistant Director, Drug Control Program and Stephen J. Kelleher, Jr., FACHE Project Manager, **Enabling E-Prescribing and Enhanced Management of Controlled Medications**

   - Proactive Prescription Monitoring Program (PMP) Reports to Pharmacies/Pharmacists
   - Update: Berkshire Health Systems E-Prescribing Pilot Program

7. 12:00 p.m. DISCUSSION (POLICY)
   TABLED: Schedule II: *Information that may be changed on a Schedule II Prescription*
   TABLED: NABP/ACPE CPE Monitoring Service

8. 12:20 p.m. PHARMACIST APPLICATION/Appearance – **Ye Lu**
   12:20 p.m. **Motion** Trifone/Ryle to enter Closed Session (G.L. c. 30A, s. 11A1/2).
   Approved

   Present: Ye Lu
   Motion Cayer/Trifone to approve applicant to re-take the NAPLEX. **Approved**

11:35 p.m. **Motion** Tocco/Cayer to end Closed Session. Approved

9. FLEX DISCUSSION

   A. NEW BUSINESS
   Applications

   1) **Krystin Margaret Lynch** – Pharmacy Technician
   Motion Cayer/Trifone to approve application
   Approved

   2) **Brendan Patrick McGee** – Pharmacy Technician
   Motion Pasedis/Trifone to approve application
   Approved

   3) **Michael W. Smith** – Reciprocal Pharmacist
   Motion Pasedis/Trifone to approve application

Approved

Recused Tocco above applications (not present for discussion or vote)

4) **Larry Singer** – Reciprocal Pharmacist
Motion Pasedis/Cayer to approve application
Approved

5) **Ryan J. Beechinor** – Pharmacy Intern
Motion Trifone/Cayer to approve after staff review of evaluation
Motion

10. 12:15 p.m. LUNCH

Board Members Tocco, Accetta, Fabiszewski, and Cayer not present for afternoon session.

11. 1:15 p.m. Motion Trifone/Pasedis to enter Closed Session (M.G.L. c. 112, s. 65C)

1:45 p.m. Motion Pasedis/Trifone to end Closed Session

In the Matters of **North Shore Pharmacy** - Docket No. PHA-2010-0204
McClelland Pharmacy - Docket No. PHA-2010-0201

Motion Ryle/Pasedis to refer complaints to Office of Prosecutions. **Approved**

12. 1:40 p.m. DISCUSSION - October 2011 NABP/AACP District I & II Annual Meeting to be hosted by Massachusetts

14. 3:30 p.m. ADJOURNMENT

Respectfully submitted by:

James D. Coffey
Director

Board approved: July 12, 2011

BOARD OF REGISTRATION IN PHARMACY
CLOSED SESSION MINUTES
APRIL 12, 2011
239 CAUSEWAY STREET
BOSTON, MA 02114

Closed Session – M.G.L. c. 112, s. 65C (Pending Complaints)
M.G.L. c. 30A, s. 11A 1/2, subsec. (1) (application)
M.G.L. c. 30A, s. 18 -21 (Adjudicatory and Executive)

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Recused Tocco (not present for discussion or vote)
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Motion Budish/Trifone to advise reinstatement of intern registration on probation status while intern.
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McClelland Pharmacy - Docket No. PHA-2010-0201

Motion Tridone/Pasedis to refer complaints to Office of Prosecutions.
Recused: Ryle (not present in meeting room for discussion or vote)
Approved