COMMONWEALTH OF MASSACHUSETTS
BOARD OF REGISTRATION IN PHARMACY

MINUTES OF THE REGULARLY SCHEDULED MEETING

239 Causeway Street, Fourth Floor ~ Room 417A
Boston, Massachusetts 02114

Tuesday, February 5, 2013

Board Members Present
James T. DeVita, RPh
Donald Accetta, MD, MPH (until 12:00 pm)
Kathy J. Fabiszewski, PhD, NP (until 12:00 pm)
Jane Franke, RN, MHA (until 3:05 pm)
Patrick Gannon, RPh, MS
Karen Ryle, RPh, MS (until 12:00 pm)
Edmund Taglieri, RPh, MSM, NHA
Joanne Trifone, RPh
Anita Young, RPh, EdD

Board Members Not Present
Steven Budish, Public Member

Board Staff Present
Madeleine Biondolillo, MD,
Bureau Director, HCSQ (until 12:00 pm)
Margaret Cittadino, MEd,
Associate Director
Louis Dell'Olio, RPh,
Director, SOPS (until 12:00 pm)
Joel Kanter, PhD, Consultant
Heather Engman JD, MPH, Board Counsel
Vita P. Berg, assisting Board Counsel
Iyah Romm,
Director of Policy, Health Planning &
Strategic Developmt, HCSQ (until 12:00 pm)
Cheryl Lathum, RPh, PharmD,
Investigator (12:55 – 3:05)
William E. Frisch, Jr., RPh,
Investigator (12:55 – 3:05)
Carolyn Reid, Adm. Asst (until 12:00 pm)
Carissa Prosnitz, Paralegal
Joseph Sceppa, RPh, Consultant

Board Staff Not Present
Leo McKenna, RPh, PharmD,
Quality Assurance (QA) Coordinator
Samuel Penta, RPh,
Investigator Supervisor

TOPIC:

I. **Call to Order**

DISCUSSION: A quorum of the Board was present.

ACTION: At 8:30 a.m. J. DEVITA, President, called the February 5, 2013, meeting of the Board of Registration in Pharmacy to order.

TOPIC:

II. **Approval of Agenda**

DISCUSSION: Board members reviewed the tentative agenda. V. Berg requested that the Board defer items at Section XI (Reinstatements).

ACTION: Motion by P. GANNON, seconded by A. YOUNG, and voted unanimously to approve the agenda with changes (deferral on reinstatements).

CLOSED SESSIONS ANNOUNCEMENT

At 8: 35, J. DeVita announced the Board's intentions to enter into Executive Session and M.G.L. § Ch. 65C, both of which will be closed sessions, and noted that it was the Board's intent to return to Open Session following the conclusion of the closed sessions. He announced the topic to be discussed during Executive Session, specifically, the Open Meeting Law complaint filed by Todd Wallack of the Boston Globe on or about January 4, 2013 regarding the January 8, 2013 Board of Registration in Pharmacy meeting and Litigation anticipated as a result of the fungal meningitis outbreak.

TOPIC:

III. **Executive Session**

DISCUSSION: None.

ACTION: Motion by E. TAGLIERI, seconded by D. ACCETTA and passed by unanimous roll call vote to enter Executive Session at 8:35. Specific votes: J. DEVITA: Yes, D. ACCETTA: Yes, K. FABISZESKI: Yes, J. FRANKE: Yes, P. GANNON: Yes, K. RYLE: Yes, E. TAGLIERI: Yes, J. TRIFONE: Yes, A. YOUNG: Yes.

EXECUTIVE SESSION (8:35 – 9:00)

IV. **M.G.L. § Ch. 65C Session**

DISCUSSION: None

ACTION: Motion by J. FRANKE, seconded by P. GANNON and passed by unanimous roll call vote to enter M.G.L. § Ch. 65C Session at 9:00. Specific votes: J. DEVITA: Yes, D. ACCETTA: Yes, K. FABISZESKI: Yes, J. FRANKE: Yes, P. GANNON: Yes, K. RYLE: Yes, E. TAGLIERI: Yes, J. TRIFONE: Yes, A. YOUNG: Yes.

M.G.L. § Ch. 65C SESSION (9:00 – 9:45)

BREAK (9:45 – 10:00)

At 10:00 a.m. J. DEVITA, President, called the open meeting of the Board of Registration in Pharmacy to order following closed sessions.

TOPIC:

V. **Approval of Prior Board Minutes:**

November 20, 2012 Executive Session
December 11, 2012 Regularly Scheduled Meeting
January 8, 2013 Regularly Scheduled Meeting
January 8, 2013 Executive Session
January 8, 2013 Adjudicatory Session
January 8, 2013 M.G.L. c. 112, § 65C Session

DISCUSSION: V. Berg presented minutes from Board meetings of November 20, 2012, December 11, 2012, and January 8, 2013.

ACTIONS: Motion by P. GANNON, seconded by E. TAGLIERI, and voted unanimously to approve the minutes from the November 20, 2012 Executive Session, the December 20, 2012 Regularly Scheduled Meeting, and the January 8, 2013 Regularly Scheduled Meeting, Executive Session, Adjudicatory Session, and M.G.L. c. 112, § 65C Session.

TOPIC:

VI. Reports

1. **Applications approved pursuant to Licensure Policy 13-01**

   DISCUSSION: M. Cittadino distributed a list of approved applications that consisted of 38 Change of Managers and 1 Community Pharmacy during the Jan 14 – 30, 2013 approval period.

   ACTIONS: So noted.

TOPIC:

VI. Reports

2. **Plans of Correction reviewed pursuant to Enforcement Policy 13-02**

   DISCUSSION: H. Engman distributed a Feb 5, 2013 report of plans of correction, approved pursuant to Enforcement Policy 13-02. They included Baystate Home Infusion, Home Solutions, West River Pharmacy, PharMerica, Critical Care Systems - Burlington, Critical Care Systems – Braintree, and Apothecare.

   ACTIONS: So noted.

TOPIC:

VII. Policy

1. **Proposed Administrative Policy 13-03: Delegation of Signature Authority**

   DISCUSSION: V. Berg distributed a draft of proposed Policy 13-03 which would enable the Executive Director to effectuate actions that have been authorized by the Board where such actions require a Board authorized signature.

   The Board recognizes that to effectuate actions authorized by the Board it is necessary that an authorized representative sign documents on the Board's behalf. In addition to designating the Executive Director of the Board as the authorized representative to sign documents, in the absence of the Executive Director the Board may designate the Associate Director or Board Counsel to sign documents.

   ACTION: Motion by J. TRIFONE, seconded by A. YOUNG, and voted unanimously to adopt Delegation of Signature Authority Policy 13-03 and to designate Margaret Cittadino, Associate Director, as the authorized representative under this policy.

TOPIC:
VIII. Board Operations

1. **Update on Board Operations**

DISCUSSION: Madeleine Biondolillo updated the Board with respect to recent activities that affect Board operations.

a. Policies and Procedures: She indicated that an internal analysis of policies and procedures, etc. of all boards of registration was being conducted with an eye towards quality improvement and reliability.

b. Executive Director Search: She summarized the search for the Executive Director of the Board of Registration in Pharmacy. The first round of interviews of approximately 20 strong candidates has been completed. An internal review is being conducted prior to announcing a list of final candidates.

c. Unannounced Inspections: Madeleine noted that the unannounced inspections of sterile compounding pharmacies have been completed. She praised the efforts of the internal inspectors and the CPS consultants, noting the beneficial effects of information transfer between the 2 groups. Of the 40 pharmacies inspected, 4 licenses were restricted or surrendered, 11 were issued full or partial cease and desist letters, there were 21 plans of correction, and 4 were found to be in good standing (Freedom Fertility, BioRx, Coram Healthcare, Critical Care Systems – Shrewsbury).

ACTION: So noted.

TOPIC:
VIII. Board Operations

2. **Sterile Compounding Reporting Forms**

DISCUSSION: J. Sceppa presented the letter to pharmacies and pharmacists about the amendments to 247 CMR, the Disclosure of Errors Relating to Preparation of Medications in the Pharmacy Form, and the Pharmacy Sterile Compounding Reporting Form (Nov & Dec 2012).

The Board reviewed each document and recommended consistent inclusion of regulation citations, eventual availability of forms on the Board's website (in Word format); periodic summaries to the Board, consideration of an electronic database testing the forms in a few pharmacies, and some minor changes.

ACTION: Motion by E. TAGLIERI, seconded by J. TRIFONE, and voted unanimously to approve all 3 documents with recommended changes, including consistency with the final regulations.

TOPIC:
VIII. Board Operations

2. **Revisions to the Pharmacy Application Forms**

DISCUSSION: M. Cittadino proposed updates to the forms used as part of the application for a new community pharmacy (*Application for Registration to Manage and Operate a New Community Pharmacy*, Instructions and Checklist, and *Attestation of Intent to Conduct Sterile Compounding*). Changes to the forms included removal of Social Security Numbers, requiring additional information concerning the architectural plan, inclusion of the resume of the Manager of Record and email address, and a sterile compounding attestation of intent. The Board recommended removing reference to a nuclear pharmacy, adding whether the pharmacy is engaged in 340B medications and whether they offered immunizations. The *General Information Regarding Registration to Manage and Operate a Pharmacy* includes

a statement that "The Board shall not register nor permit ownership of a pharmacy or pharmacy department by a practitioner with prescriptive privileges". The Board members requested further advice from legal counsel as to the interplay of this restriction with the prescriptive responsibilities of pharmacists practicing collaborative drug therapy management (CDTM).
ACTION: Motion by J. TRIFONE, seconded by A. YOUNG and voted unanimously to adopt the revised *Application for Registration to Manage and Operate a New Community Pharmacy* and the instructions and checklist with the changes mentioned and to defer the question of CDTM interaction with ownership pending advice from legal counsel.
ACTION: Motion by J. TRIFONE, seconded by A. YOUNG and voted unanimously to adopt the *Attestation of Intent to Conduct Sterile Compounding.*
ACTION: Subsequent Motion by K. RYLE, seconded by A. YOUNG, with E. TAGLIERI abstaining and voted in favor (but with D. ACCETTA opposed) to further amend application to reflect "ambulatory care" and "anticipatory compounding" as specialty practice warranting identification on the application.

LUNCH (11:50 – 12:55)

At 12:55 p.m. J. DEVITA, President, called the meeting of the Board of Registration in Pharmacy to order following the Lunch Break. As of this time, Board members D. Accetta, K. Fabiszewski, and K. Ryle had departed from the meeting, leaving a quorum of six members.

TOPIC:
X. APPLICATIONS. M. Cittadino presented the following application.
A. Application for a New Store
1. **Shapiro Pharmacy at Boston Medical Center**
725 Albany Street, Boston
DISCUSSION: Administrator David Twitchell and the Manager of Record Patricia Hito appeared and answered Board members' questions concerning the proposed operations and ability to comply with Board regulations. They represented that this pharmacy would service the community as a whole, was well-secured and included a 340B program for eligible patients.
ACTION: Motion by P. GANNON, seconded by E. TAGLIERI, and unanimously passed to approve the application.

TOPIC:
X. APPLICATIONS. M. Cittadino presented the following application.
A. Application for a New Store
2. **Pharmahealth Specialty Pharmacy**
25 Armory Street, Boston
DISCUSSION: Jennifer Torrey and Nicholas Fiola (first time Manager of Record) appeared and answered Board members' questions concerning the proposed operations and ability to comply with Board regulations. They represented that this pharmacy, located in the AIDS Action Committee building, would specialize in HIV and Hepatitis C medications. Board members requested clarification of the ownership of this pharmacy and its relationship with other Pharmahealth pharmacies.
ACTION: Motion by J. DEVITA, seconded by J. TRIFONE, and unanimously passed

to take the application under advisement, and to request that Pharmahealth Specialty Pharmacy provide further information concerning the ownership and corporate structure of this pharmacy and its relationship with Pharmahealth pharmacies in other locations.

TOPIC:

X. APPLICATIONS. M. Cittadino presented the following application.

A. Application for a New Store

3. **Medical Essentials**
39 Haverhill Street, Methuen
DISCUSSION: Peter Edgerly, John Cook and Edwin Ngaruiya (Manager of Record) appeared and answered Board members' questions concerning the proposed operations and ability to comply with Board regulations. They represented that the proposed pharmacy would operate as a mail order pharmacy (if wavier is approved), and would specialize in injured workers residing out of state, initially in Pennsylvania and New Jersey, but potentially expanding in the future to additional states. Board members inquired whether they were aware of the restrictions that will be imposed when Chapter 244 of the Acts of 2012 go into effect, specifically with regard to the prohibition against filling prescriptions for narcotic Schedule II controlled substances written by providers in states other than Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut and New York. They represented that they were aware of this prohibition.
ACTION: Motion by J. DEVITA, seconded by A. YOUNG, and unanimously passed to take the application under advisement.

TOPIC:

X. APPLICATIONS. M. Cittadino presented the following application.

B. Applications for Renovation or Expansion

1. **Freedom FP Fertility**, DS89716 (Lynnfield)
DISCUSSION: Brian Martius and Phil D'Amato appeared and answered the Board members' questions concerning the proposed renovations and the pharmacy's ability to comply with Board regulations. They represented that the renovation is intended to eliminate what is currently a common space for processing prescriptions that is inappropriately shared by two affiliated Freedom Fertility pharmacies. A separate new call center has been created that will be accessed and operated by only one of the two pharmacies.
ACTION: Motion by J. TRIFONE, seconded by A. YOUNG, and unanimously passed to approve the application.

TOPIC:

X. APPLICATIONS. M. Cittadino presented the following application.

C. Petitions for Waiver of the Provisions of 247 CMR

1. **Southcoast Pharmacy**, 101 Page Street, New Bedford (DS2641) Waiver of 247 CMR 6.02 (8)(a)
RECUSAL: P. Gannon recusal would have left the Board without a quorum.
ACTION: Discussion and action deferred to a subsequent Board meeting.

TOPIC:
X. APPLICATIONS. M. Cittadino presented the following application.
C. Petitions for Waiver of the Provisions of 247 CMR
2. **Southcoast Pharmacy**, 363 Highland Avenue, Fall River for a Waiver of 247 CMR 6.02 (8)(a). This new community pharmacy application has been approved by the Board but is pending a compliant inspection.
RECUSAL: P. Gannon recusal would have left the Board without a quorum.
ACTION: Discussion and action deferred to a subsequent Board meeting.

TOPIC:
X. APPLICATIONS. M. Cittadino presented the following application.
D Applications for Registration
1. **David John Smale**, Pharmacy Technician
RECUSAL: J. TRIFONE recusal would have left the Board without a quorum.
ACTION: Discussion and action deferred to a subsequent Board meeting.

TOPIC:
X. APPLICATIONS. M. Cittadino presented the following application.
D Applications for Registration
2. **Kristin Lucia**, Pharmacy Technician
RECUSAL: J. DEVITA recusal would have left the Board without a quorum.
ACTION: Discussion and action deferred to a subsequent Board meeting.

TOPIC:
X. APPLICATIONS. M. Cittadino presented the following application.
D Applications for Registration
3. **MacKenzie Dacre**, Pharmacy Intern
DISCUSSION: Board members reviewed and discussed the application and information relevant to the good moral character review.
ACTION: Motion by J. TRIFONE, seconded by J. DEVITA, and unanimously passed for conditional approval of the application, pending a MPRS evaluation.

TOPIC:
X. APPLICATIONS. M. Cittadino presented the following application.
D Applications for Registration
4. **John Philip Heald**, Pharmacy Technician
DISCUSSION: Board members reviewed and discussed the application and information relevant to the good moral character review.
ACTION: Motion E. TAGLIERI, seconded by J. TRIFONE, and unanimously passed to approve the application.

TOPIC:
X. APPLICATIONS. M. Cittadino presented the following application.
D Applications for Registration
5. **Melinda Martland**, Reciprocal Pharmacist
RECUSAL: J. DEVITA recusal would have left the Board without a quorum.
ACTION: Discussion and action deferred to a subsequent Board meeting.

TOPIC:

X. APPLICATIONS. M. Cittadino presented the following application.

D Applications for Registration

6. **Julie Ann DiPilato**, Pharmacy Technician

RECUSAL: J. DEVITA recusal would have left the Board without a quorum.

ACTION: Discussion and action deferred to a subsequent Board meeting.

TOPIC:

X. APPLICATIONS. M. Cittadino presented the following application.

D Applications for Registration

7. **Thomas Tyler Coyle**, Reciprocal Pharmacist

DISCUSSION: Board members reviewed and discussed the application and information relevant to the good moral character review.

ACTION: Motion J. TRIFONE, seconded by P. GANNON, and unanimously passed to approve the application.

TOPIC:

X. APPLICATIONS. M. Cittadino presented the following application.

D Applications for Registration

8. **Nika Bejou**, Pharmacy Intern

DISCUSSION: Board members reviewed and discussed the application and information relevant to the good moral character review.

ACTION: Motion J. DEVITA, seconded by A. YOUNG, and unanimously passed to approve the application.

TOPIC:

X. APPLICATIONS. M. Cittadino presented the following application.

D Applications for Registration

9. **Sena Harmon**, Pharmacy Technician

DISCUSSION: Board members reviewed and discussed the application and information relevant to the good moral character review.

ACTION: Motion J. TRIFONE, seconded by E. TAGLIERI, and unanimously passed to approve the application.

TOPIC:

XI. REINSTATEMENTS

1. **Kelechukwu Uche**, PH27751
2. **Daniel Hamm**, PH232745
3. **Toni Joy Burke**, PH25876

ACTION: All 3 petitions deferred.

TOPIC:

XII. FILE REVIEW

1. **R. Usta**, PH 2333510; PHA-2012-02222

RECUSAL: E. TAGLIERI recusal would have left the Board without a quorum.

ACTION: Discussion and action deferred to a subsequent Board meeting.

TOPIC:
XII. FILE REVIEW

2. **M. Christian**, PT 11275; PHA-2012-0221
   RECUSAL: J. DEVITA recusal would have left the Board without a quorum.
   ACTION: Discussion and action deferred to a subsequent Board meeting.

TOPIC:
XII. FILE REVIEW

3. **P. Andrews**, PH26606, PHA-2012-0246
   DISCUSSION: M. Sheckman presented her investigation report. The Registrant is alleged to have diverted controlled substances (considered substances of abuse) for his own use. The Registrant has signed a letter surrendering his license. Board members proposed ensuring that the Registrant was aware of the MPRS program.
   ACTION: Motion E. TAGLIERI, seconded by A. YOUNG, and unanimously passed to authorize superseding the Registrant's surrender letter with a Consent Agreement for Voluntary Surrender of licensure for a minimum of 1 year. The terms of the Consent Agreement must specify that any petition for reinstatement to demonstrate entry into and compliance with the MPRS program and be accompanied by the MPRS coordinator's recommendations concerning reinstatement and probation.

TOPIC:
XII. FILE REVIEW

4. **L. Holden**, PH16717, PHA-2012-0207
   RECUSAL: J. TRIFONE recusal would have left the Board without a quorum.
   ACTION: Discussion and action deferred to a subsequent Board meeting.

TOPIC:
XII. FILE REVIEW

5. **L. Szeto**, PT14243, PHA-2012-0230
   RECUSAL: J. DEVITA recusal would have left the Board without a quorum.
   ACTION: Discussion and action deferred to a subsequent Board meeting.

TOPIC:
XII. FILE REVIEW

6. **M. Libby**, PH25931, PHA-2012-0944
   DISCUSSION: M. Sheckman presented her investigation report. The Registrant, who remains currently licensed and practicing, is alleged to have diverted controlled substances for her own use and/or others' use, by filling prescriptions that she forged; the substances obtained in this manner are not, however, considered substances of abuse.
   ACTION: Motion, J. DEVITA, seconded by E. TAGLIERI, and unanimously passed to refer the complaint to the Office of Prosecution for commencement of formal disciplinary proceedings (the issuance of an Order to Show Cause), and to defer further authorization to resolve this complaint with a Consent Agreement pending review of prior resolution of factually similar complaints.

TOPIC:
XII. FILE REVIEW

7. **Eaton Apothecary**, DS3311, PHA-2012-0063
8. **W. Gunter**, PH16262, PHA-2012-0184

DISCUSSION: These two complaints arise out of the same set of facts and were discussed jointly. C. Lathum presented her investigation report. Gunter was the Manager of Record at Eaton Apothecary, dispensed tablets for twice the amount prescribed to a patient who took the medication for 17 days, without harm. Subseqeuntly, Board investigators conducted an inspection (on August 17, 2012) and the pharmacy was found to be in violation of 247 CMR 9.01 and 247 CMR 6 as specified in the investigation report.

ACTION: Motion. J. DEVITA, seconded by J. FRANKE to refer both PHA-2012-0063 and PHA-2012-0184 to the Office of Prosecution for commencement of formal disciplinary proceedings (the issuance of an Order to Show Cause), and to further authorize resolution of these complaints with Consent Agreements as follows:

Eaton Apothecary, DS3311, PHA-2012-0063 – Consent Agreement for Stayed Probation for 60 days with the requirement that the pharmacy submit proof of compliance with the Plan of Correction specified in the investigation report.

W. Gunter, PH16262, PHA-2012-0184 - Consent Agreement for Stayed Probation for 60 days with the requirement that Registrant complete two contact hours of continuing education on the topic of Quality Assurance and Patient Safety and that the Registrant submit proof that the incident which gave rise to this complaint was reported to ISMP.

TOPIC:
XII. FILE REVIEW

At 3:05 p.m. Board member J. Franke departed from the meeting, leaving less than a quorum of members present. All remaining matters on the agenda requiring a vote for action were deferred to a subsequent meeting. These matters included:

9. **Pallimed Solutions, Inc.**, DS3498, PHA-2011-0286
10. **Pallimed Solutions, Inc.**, DS3498, PHA-2012-0046
11. **Pallimed Solutions, Inc.**, DS3498, PHA-2012-0045
12. **Pallimed Solutions, Inc**. DS3498, PHA-2012-0237
13. **M. Costanzo**, PH233143,PHA-2012-0170
14. **M. Costanzo**, PH233143, PHA-2012-0167
15. **J. Nahill**, PH21521, PHA-2012-0171
16. **Sedell's Pharmacy**, DS3318, PHA-2011-0303
17. **R. Sterling**, PH14543, PHA-2011-0304
18. **C. Sedell**, PH24364, PHA-2011-0177
19. **L. Cincotta**, PT13747, PHA-2012-0044
20. **K. Howes**, PH19966, PHA-2012-0043
21. **CVS Pharmacy #938** in North Attleboro, MA, DS1505, PHA-2012-0062
22. **M. Chagnon**, PT11854, PHA-2012-0097
23. **C. Gonzalez**, PH26121, PHA-2012-0099

BREAK (3:05 – 3:17)

TOPIC:
XIII. **GUIDANCE**

1. **Chapter 244 of the Acts of 2012: FAQs**
   DISCUSSION: Board members discussed the need to provide guidance on the implementation of Chapter 244 of the Acts of 2012. Members noted it would be useful to post Frequently Asked Questions on the Board's website. J. TRIFONE and J. DEVITA offered to prepare a first draft
   ACTION: None

TOPIC:
XIII. **GUIDANCE**

1. **Chapter 244 of the Acts of 2012: FAQs**
2. **Chapter 244 of the Acts of 2012: Continuing Education Requirements**
   DISCUSSION: Board members agreed that the Board would approve general content, not each program. They suggested that Adele Audet may be helpful when drafting the didactic portion of a program. Once completed, a summary could be emailed directly to pharmacists.
   ACTION: None

TOPIC:
XIII. **GUIDANCE**

3. **Massachusetts Immunization Information System (MIIS)**
   DISCUSSION: V. Berg provided Board members with the memorandum and flyer prepared by the Department of Public Health. Initially pharmacies will be registered; then individual pharmacists.
   ACTION: None

TOPIC:
XIV. FLEX SESSION

1. **NABP Annual Meeting**
   DISCUSSION: NABP's 109th Annual Meeting will be at the Hyatt Regency St. Louis at the Arch, St. Louis, MO, on May 18-21, 2013. J. DEVITA, K. RYLE, and A. YOUNG plan to attend. Delegate may be elected at March meeting.
   ACTION: None

TOPIC:
XIV. FLEX SESSION

2. **MSHP Annual Meeting**
   DISCUSSION: The Massachusetts Society of Health-System Pharmacists previously requested the Board to name a speaker for Annual Meeting in April. A. YOUNG offered to find out whether MSHSP had already identified a speaker.
   ACTION: None

TOPIC:
XIV. FLEX SESSION

3. **Items for Next Meeting**

DISCUSSION: Members suggested the following topics for future meetings:

1. The creation of a Continuing Education Grid
2. Further discussion of cease and desist actions
3. Ambulatory care
4. Election of a delegate for 109th NABP Annual Meeting

ACTION: None

TOPIC:
XIV. FLEX SESSION

4. **Scheduling of Additional Meetings Prior to Next Regularly Scheduled Meeting**

DISCUSSION: The Board did not feel the need to schedule a separate meeting before the regularly scheduled March meeting.

ACTION: None

TOPIC:
XV. **Adjournment**

DISCUSSION: None

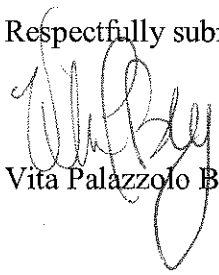
ACTION: Motion by E. TAGLIERI, seconded by P. GANNON and unanimously passed to adjourn at 4:55.

LIST OF EXHIBITS USED DURING THE OPEN SESSIONS OF THE MEETING

1. Draft minutes of the November 20, 2012 Executive Session
2. Draft minutes of the December 11, 2012 Regularly Scheduled Meeting
3. Draft minutes of the January 8, 2013 Regularly Scheduled Meeting
4. Draft minutes of the January 8, 2013 Executive Session
5. Draft minutes of the January 8, 2013 Adjudicatory Session
6. Draft minutes of the January 8, 2013 M.G.L. c. 112, § 65C Session
7. Report of Applications approved pursuant to Licensure Policy 13-01
8. Report of Plans of Correction reviewed pursuant to Enforcement Policy 13-02
9. Proposed Administrative Policy 13-03
10. Draft memorandum, dated January 25, 2013 to All Pharmacies and Pharmacists RE: Amendments to Regulations: 247 CMR Board of Registration in Pharmacy
11. Draft Pharmacy Sterile Compounding Reporting Form (November and December 2012)
12. Draft form: Disclosure of Errors Relating to Preparation of Medications in the Pharmacy
13. Proposed changes to Application for Registration to Manage and Operate a New Community Pharmacy (Application and Instructions and Checklist)
14. Draft Attestestation of Intent to Conduct Sterile Compounding
15. Application to Manage and Operate a New Community Pharmacy: Shapiro Pharmacy at Boston Medical Center
16. Application to Manage and Operate a New Community Pharmacy: Pharmahealth Specialty Pharmacy
17. Application to Manage and Operate a New Community Pharmacy: Medical Essentials
18. Letter of Freedom Fertility Pharmacy regarding proposed expansion and renovation of the pharmacy.

19. Petition for the Waiver of the provisions of 247 CMR for Southcoast Pharmacy, New Bedford
20. Petition for the Waiver of the provisions of 247 CMR for Southcoast Pharmacy, Fall River
21. Pharmacy Technician Registration Application with report of prelicensure Good Moral Character Review for D. Smale
22. Pharmacy Technician Registration Application with report of prelicensure Good Moral Character Review for K. Lucia
23. Pharmacy Internship Registration Application with report of prelicensure Good Moral Character Review for M. Dacre
24. Pharmacy Technician Registration Application with report of prelicensure Good Moral Character Review for J. Heald
25. Pharmacist Reciprocal Licensure Application with report of prelicensure Good Moral Character Review for M. Martland
26. Pharmacy Technician Registration Application with report of prelicensure Good Moral Character Review for J. DiPilato
27. Pharmacist Reciprocal Licensure Application with report of prelicensure Good Moral Character Review for T. Coyle
28. Pharmacy Technician Registration Application with report of prelicensure Good Moral Character Review for N. Bejou
29. Pharmacy Technician Registration Application with report of prelicensure Good Moral Character Review for S. Harmon
30. Investigation Report re: R. Usta, PH 2333510; PHA-2012-02222
31. Investigation Report re: M. Christian, PT 11275; PHA-2012-0221
32. Investigation Report re: P. Andrews, PH26606, PHA-2012-0221
33. Investigation Report re: L. Holden, PH16717, PHA-2012-0207
34. Investigation Report re: L. Szeto, PT14243, PHA-2012-0230
35. Investigation Report re: M. Libby, PH25931, PHA-2012-0944
36. Investigation Report re: Eaton Apothecary, DS3311, PHA-2012-0063
37. Investigation Report re: W. Gunter, PH16262, PHA-2012-0184
38. Investigation Report re: Pallimed Solutions, Inc., DS3498, PHA-2011-0286
39. Investigation Report re: Pallimed Solutions, Inc., DS3498, PHA-2012-0046
40. Investigation Report re: Pallimed Solutions, Inc., DS3498, PHA-2012-0045
41. Investigation Report re: Pallimed Solutions, Inc. DS3498, PHA-2012-0237
42. Investigation Report re: M. Costanzo, PH233143, PHA-2012-0170
43. Investigation Report re: M. Costanzo, PH233143, PHA-2012-0167
44. Investigation Report re: J. Nahill, PH21521, PHA-2012-0171
45. Investigation Report re: Sedell's Pharmacy, DS3318, PHA-2011-0303
46. Investigation Report re: R. Sterling, PH14543, PHA-2011-0304
47. Investigation Report re: C. Sedell, PH24364, PHA-2011-0177
48. Investigation Report re: L. Cincotta, PT13747, PHA-2012-0044
49. Investigation Report re: K. Howes, PH19966, PHA-2012-0043
50. Investigation Report re: CVS Pharmacy #938 in North Attleboro, MA, DS1505, PHA-2012-0062
51. Investigation Report re: M. Chagnon, PT11854, PHA-2012-0097
52. Investigation Report re: C. Gonzalez, PH26121, PHA-2012-0099
53. Draft Memorandum dated January 29, 2013 by MIIS to Pharmacist Community in Massachusetts
54. MIIS Flyer

Respectfully submitted,



Vita Palazzolo Berg, Assisting Board Counsel