

**COMMONWEALTH OF MASSACHUSETTS
Board of Registration in Pharmacy**

**NOTICE OF THE REGULARLY SCHEDULED MEETING OF THE
BOARD OF REGISTRATION IN PHARMACY**

August 7, 2025

The regular session is open to the public by video or phone.

Join link:

<https://eohhs.webex.com/eohhs/j.php?MTID=m5860c22b596bec87e36264e4f5bc6dfc>

Webinar number: 2537 289 7401

Webinar password:

BOP123 (267124 from phones and video systems)

Join by phone:

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*If you need reasonable accommodations in order to participate in the meeting, contact the DPH ADA Coordinator **Stacy Hart**, Stacy.Hart@mass.gov or 857-274-1120 in advance of the meeting. While the Board will do its best to accommodate you, certain accommodations may require distinctive requests or the hiring of outside contractors and may not be available if requested immediately before the meeting.*

Agenda

8:00		CALL TO ORDER		S. Ahmed
8:05	II	APPROVAL OF AGENDA		
8:10	III	APPROVAL OF BOARD MINUTES <ul style="list-style-type: none">Draft of July 10, 2024, Regular Session Minutes		
8:15	IV	REPORTS <ul style="list-style-type: none">Applications approved pursuant to Licensure Policy 13-01Monthly report from ProbationBoard Delegated Review pursuant to Licensure Policy 14-02URAMP Quarterly ReportResearch Drug Study report pursuant to Staff Action Policy 18-02		
8:45	V	FLEX <ul style="list-style-type: none">Opioid Fact SheetNABP resolutions		

9:15	VI	ADVISORIES <ul style="list-style-type: none"> Controlled Substance Prescriptions Failed HEPA Filters in ISO-Classified Environments HVAC Excursions 		M. Chan
9:30	VII	POLICY <ul style="list-style-type: none"> Policy 2025-02: Definitions 		
9:40	VIII	TERMINATION OF PROBATION <ul style="list-style-type: none"> SOFIE, NU00021; PHA-2023-0170, PHA-2024-0013, PHA-2024-0014 		K. Fishman
10:00	IX	APPLICATIONS <ul style="list-style-type: none"> Mass General Brigham Specialty Pharmacy; DS90093 – Renovation Nantucket Pharmacy; DSNE10000324 – New Pharmacy (Transfer of Ownership) Formerly A.D Bell Pharmacy DS10324 		

Store	Applicat ion	Licens e #	Waiver request	Waiver request
Big Y Pharmacy 7	Renovation	DS3561	247 CMR 9.21 (3)	247 CMR 9.21 (5)
Big Y Pharmacy 13	Renovation	DS3065	247 CMR 9.21 (3)	247 CMR 9.21 (5)
Big Y Pharmacy 19	Renovation	DS3077	247 CMR 9.21 (3)	247 CMR 9.21 (5)
Big Y Pharmacy 20	Renovation	DS3390	247 CMR 9.21 (3)	247 CMR 9.21 (5)
Big Y Pharmacy 22	Renovation	DS89811	247 CMR 9.21 (3)	247 CMR 9.21 (5)
Big Y Pharmacy 23	Renovation	DS3340	247 CMR 9.21 (3)	247 CMR 9.21 (5)
Big Y Pharmacy 27	Renovation	DS3259	247 CMR 9.21 (3)	247 CMR 9.21 (5)
Big Y Pharmacy 37	Renovation	DS89785	247 CMR 9.21 (3)	247 CMR 9.21 (5)
Big Y Pharmacy 43	Renovation	DS3209	247 CMR 9.21 (3)	247 CMR 9.21 (5)
Big Y Pharmacy 50	Renovation	DS3178	247 CMR 9.21 (3)	247 CMR 9.21 (5)
Big Y Pharmacy 63	Renovation	DS3179	247 CMR 9.21 (3)	247 CMR 9.21 (5)
Big Y Pharmacy 65	Renovation	DS3279	247 CMR 9.21 (3)	247 CMR 9.21 (5)
Big Y Pharmacy 66	Renovation	DS3257	247 CMR 9.21 (3)	247 CMR 9.21 (5)
Big Y Pharmacy 86	Renovation	DS3594	247 CMR 9.21 (3)	247 CMR 9.21 (5)
Big Y Pharmacy 101	Renovation	DS90053	247 CMR 9.21 (3)	247 CMR 9.21 (5)

11:00	X	FILE REVIEW					
		1	CASE-2025-1023	INV17867	Elizabeth Thomas, PH238778		
		2	CASE-2025-0647	PHA-2025-0037	Pelmeds Fitchburg, LLC, DS90391		
		3	CASE-2025-0734	PHA-2025-0036	Boston Children's Health Solutions RX, LLC, DS90364		
		4	CASE-2025-0359	PHA-2025-0049	Raymond Sgaragli, PH17827		
		5	CASE-2025-1104	PHA-2025-0045	PharmaHealth Pharmacy, DS90429		
		6	CASE-2025-1104	PHA-2025-0046	Shahid Bashir, PT104900		
		7	CASE-2025-0806	INV17304	Walgreens #3564, DS2760		
		8	CASE-2025-0145	PHA-2025-0013	Walgreens #17228, DS90182		
		9	CASE-2025-0360	PHA-2025-0021	Wal-Mart #10-1967, DS2737		
		10	CASE-2024-3752	PHA-2025-0004	CVS #17332, DS89995		
		11	CASE-2025-0421	PHA-2025-0023	CVS #299, DS3596		
		12	CASE-2025-0389	PHA-2025-0026	CVS #16773, DS90015		
		13	CASE-2025-0765	PHA-2025-0040	CVS #38, DS3510		
		14	CASE-2025-0306	PHA-2025-0020	CVS/Specialty or CarelonRx Specialty Pharmacy, DS3416		
12:00		LUNCH BREAK					
12:30	XI	EXECUTIVE SESSION The Board will meet in Executive Session as authorized pursuant to M.G.L. c. 30A, § 21(a)(1) for the purpose of discussing the reputation, character, physical condition, or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual. Specifically, to evaluate the Good Moral Character as required for registration for a pending applicant.					
12:45	XII	ADJUDICATORY SESSION (M.G.L. c. 30A, § 18)					
1:00	XIII	M.G.L. c. 112, § 65C SESSION					
2:00	XIV	ADJOURNMENT					

**COMMONWEALTH OF MASSACHUSETTS
BOARD OF REGISTRATION IN PHARMACY**

MINUTES OF THE GENERAL SESSION

Via Remote WebEx Meeting

August 7, 2025

Board Members Present

Sami Ahmed, PharmD., RPh, BCPS, BCSCP, President
Saad Dinno, RPh, FACP/FACA, President-Elect
Mark Sciaraffa, CPhT, Secretary
Katie Thornell, RPh, MBA
Caryn Belisle, RPh, MBA
John Rocchio, RPh, PharmD
Delilah Barnes, RPh
Rita Morelli, PharmD, BCACP, RPh
Julie Dorgan, RN
Frank Lombardo
Stephanie Patel, MD, MBA, FFHPM, HMDC

Board Members Not Present

Timothy Fensky, RPh

Board Staff Present

Michael Godek, Executive Director
Monica Botto, Associate Executive Director
Jacqueline Petrillo, PharmD, RPh, JD, Board Counsel
William Frisch, RPh Director of Pharmacy Compliance
Michelle Chan, RPh, Quality Assurance Pharmacist
Joanna Chow, Program Analyst
Taylor Lee, Office Support Specialist
Gregory Melton, JD, PharmD, BCPS, Investigator
Cheryl Latham, RPh, PharmD, BCPS, Senior Investigator
Keith Johnstone, Compliance Officer
David Sencabaugh
Gayatri Ramasubramanian, Pharmacy Intern
Madhurima Chowdhury, Pharmacy Intern

TOPIC I. Attendance by roll call:

CALL TO ORDER 8:02 AM

A quorum of the Board was present, established by roll call. President Sami Ahmed chaired the meeting and explained that the Board of Pharmacy was recording the meeting.

Roll call attendance: S. Dinno, yes; M. Sciaraffa, yes; D. Barnes, yes; C. Belisle, yes; R. Morelli, yes; J. Rocchio, yes; K. Thornell, yes; F. Lombardo; yes; S. Patel; yes; S. Ahmed, yes.

Topic II.

Approval of Agenda

TIME 8:04 AM

Agenda: 08/07/25

DISCUSSION: Deferred: URAMP Quarterly Report and Opioid Fact Sheet.

ACTION: Motion by K. THORNELL, seconded by M. SCIARAFFA and voted unanimously by those present to approve the agenda with the noted change by roll call vote.

Topic III

Approval of Board Minutes

TIME: 8:05 AM

Minutes

1. Draft **07/10/25**

Change: None

Action: Motion by J. ROCCHIO seconded by K. THORNELL and voted unanimously by those present to approve the regular session minutes of 7/10/2. C. Belisle, S. Ahmed and D. Barnes abstained.

Topic IV.

REPORTS

Applications approved pursuant to Licensure Policy 13-01

TIME: 8:04 AM

PRESENTED BY: J. CHOW

DISCUSSION: J. Chow reported a total of 68 Resident Change Pharmacist Manager of Record applications, 9 Non-resident Change Designated Pharmacist in Charge applications, and 10 facility closures that have been approved via Staff Action since the June 5th Board meeting.

So noted.

Topic IV.

REPORTS

Monthly Report from Probation

TIME: 8:04 AM

PRESENTED BY: J. CHOW

DISCUSSION: J. Chow reported 1 issuance of final notice by Board counsel with discipline. Since the last report, there have been a total of 11 successful completions of probation monitoring. Currently, there are 21 active cases of probation monitoring.

So noted.

Topic IV.**REPORTS****Monthly Report from BDCR pursuant to Policy 14-02****TIME: 8:05 AM**PRESENTED BY: J. CHOW

DISCUSSION: J. Chow noted that a total of 7 Continuing Education deficiencies were reported at the Board Delegated Review held on August 4th, all of which have been closed with no discipline warranted, remediation completed. There have been 2 instances of medication errors, 3 Controlled Substance losses that were each issued a reprimand, and 2 waiver approvals since the last report.

So noted.

Topic IV.**REPORTS****URAMP Quarterly Report****TIME: 8:05 AM**

DEFERRED

Topic IV.**REPORTS****Research Drug Study report pursuant to Staff Action Policy 18-02****TIME: 8:05 AM**PRESENTED BY: M. CHAN

DISCUSSION: M. Chan reported 2 pharmacies participating in research drug studies with 1 new study approved since the last report. Currently, there are a total of 13 active studies, 10 of which involve commercially available substances and 3 involving investigational drug studies.

So noted.

Topic V.**FLEX****NABP resolutions****TIME: 8:05 AM**PRESENTED BY: M. GODEKRECUSAL: NONE

DISCUSSION: M. Godek announced the upcoming NABP District meeting being held from October 15th to October 17th of 2025 in Philadelphia, PA and directed Board members on how to submit resolutions to be brought before the district for approval. M. Godek advises that submissions be made no later than the beginning of September.

So noted.

Topic V.

FLEX

Opioid Fact Sheet

TIME: 8:06 AM

DEFERRED

TOPIC VI

ADVISORIES

- **Controlled Substance Prescriptions**

TIME: 8:09 AM

Presented by: M. CHAN

Discussion: Updates guidance for pharmacies to consider when evaluating the legitimacy of controlled substance prescriptions.

Action: Motion by C. BELISLE, seconded by D. BARNES, and voted unanimously by roll call of those present, to approve edits to the advisory.

TOPIC VI

ADVISORIES

- **Failed HEPA Filters in ISO-Classified Environments**

TIME: 8:10 AM

Presented by: M. CHAN

Discussion: Updates guidance for compounding during remediation of failed HEPA filters, including updated BUD assignments in accordance with USP <797>.

Action: Motion by R. MORELLI, seconded by C. BELISLE, and voted unanimously by roll call of those present, to approve edits to the advisory.

TOPIC VI

ADVISORIES

- **HVAC Excursions**

TIME: 8:14 AM

Presented by: M. CHAN

Discussion: Updates guidance for compounding during excursions of temperature, humidity, and differential pressures, including updated BUD assignments in accordance with USP <797>.

Action: Motion by R. MORELLI, seconded by D. BARNES, and voted unanimously by roll call of those present, to approve edits to the advisory.

TOPIC VII**POLICY**

- **Policy 2025-02: Definitions**

TIME: 8:15 AM**Presented by:** M. CHAN

Discussion: : Since edits to 247 CMR 2.00 Definitions have not yet been promulgated, this policy defines terms found in the newly promulgated 247 CMR 9.00 and terms that have been moved from 247 CMR 15.00 into the draft of 247 CMR 2.00.

Action: Motion by J. ROCCHIO, seconded by K. THORNELL, and voted unanimously by roll call of those present, to approve the policy.

VIII.**TERMINATION OF PROBATION**

- **SOFIE, NU00021; PHA-2023-0170, PHA-2024-0013, PHA-2024-0014**

TIME 9:13 AM**Represented by:** Karen Fishman**Recusal:** none

Discussion: KAREN FISHMAN reported that SOFIE complied with the terms and conditions of a consolidated consent agreement for a one-year probation effective 07/10/2024 which resolved complaints PHA-2024-0013 involving above action level results and PHA-2024-0014 involving defective drug preparations. FISHMAN then requested that BOP terminate probation.

Action: DELILAH BARNES motioned to TERMINATE probation (PHA-2024-0013 & PHA-2024-0014); SAAD DINO seconded the motion then BOP members present voted unanimously by roll call to APPROVE the motion.**Topic IX.**

APPLICATION

1. Mass General Brigham Specialty Pharmacy; DS90093 Renovation**TIME: 8:28 AM**

REPRESENTED BY: Eliane Maalouf, William Barrows, Matthew Ambury

RECUSAL: Belisle, Ahmed, Sciaraffa

DISCUSSION: We opened this pharmacy about 8 years ago in the first floor of the building we are currently occupying, and we have found that over time we have out grown the space. The area a floor below us has opened and we are looking to use this space for storage, and for shipping and receiving. Shipping takes up a lot of space so we are hoping to utilize this space as most of our patients get their medication shipped.

Question

- Will there be any interruption of patient care?

- o No, there will not be an interruption of care. A lot of the renovations are taking place outside of our fulfillment area.
- Will the renovated floor be covered by pharmacists too?
- o Yes

ACTION: D. Barnes made a motion to approve the renovation application upon successful inspection, seconded by K. Thornell and voted unanimously by roll call of those present to approve the motion.

TIME: 8:41 AM

2. Nantucket Pharmacy; DSNE10000324 – New Pharmacy (Transfer of Ownership) | Formerly A.D Bell Pharmacy DS10324

REPRESENTED BY: Laurie Abreu

RECUSAL:

DISCUSSION: Questions:

- Are you changing the hours of operation?
 - o Our hours are typically longer during the summer season, so currently the hours are 8am – 9pm, but as we go into the fall the hours will decrease from from closing at 9pm, to 8pm, to 7pm, to 6pm. Operationally everything is expected to stay the same.
- You indicated in the application you will be conducting central filling, is that correct?
 - o We would like the ability to do so for patients who travel back and forth seasonally.
- Would you be working with other pharmacies to central fill these prescriptions?
 - o We would be working with a pharmacy that is a mail order pharmacy and we will be working with them to complete this.
 - o What we do currently is transfer a lot of prescriptions seasonally for when people come and go, and we are hoping to use the mail order pharmacy to have the medication shipped to patients.
- Is the mail order pharmacy licensed with the Mass BORP?
 - o Not currently, however we marked central fill on the application so that we can have the option to do central fill and we will make sure the Mail order pharmacy is licensed before they start shipping to patients.
- Is the intent to transfer the patients or to mail the medication in the off-season?
 - o The goal is to mail the medications in the off season for the patients. Right now their records are split between multiple pharmacies so it can be hard to provide care such as a DUR
- Will I have the option to return to a different pharmacy?
 - o Yes
- What happens in the event of an immediate use prescription?
 - o They would likely need to get the medication locally, our goal is provide a better service for our patients on a maintenance level.
- Would you able to fill an immediate use prescription and send it out to a patient using this central fill model?

- For an anti-biotic, no that is likely not possible.
- Would that information be relayed to the patient?
 - Yes, it will be relayed to them

ACTION: J. Rocchio Made a motion to approve the application seconded by M. Sciaraffa and voted by roll call of those present to approve the motion. 1 abstain (S. Dinno), 1 absent (D. Barnes), 10 ay

3. Big Y Pharmacy 7 Renovation DS3561

TIME: 9:23 AM

PRESENTED BY: Mike Pashko, Cathy Primo, Chris

RECUSAL:

DISCUSSION: Right now Big Y operates 15 pharmacies across Massachusetts. Some of the local ordinances prohibit us from making the internal deliveries from our warehouse to the stores during hours, so we are planning to make those deliveries before or after hours. We are asking for a renovation request to the receiving area for non-contiguous pharmacy space. We are planning to allocate a couple square feet in this area and have a non-movable steel cage bolted to the ground and that our medication/drug deliveries will be taken from the Big y trucks and placed in the cages. These cages are under surveillance, are temperature controlled, and Access is limited. In the mornings, the cage would be unlocked for delivery staff to place the totes and medication in to the cage and then, once delivered, the cage will be locked. The only time when the cage can be accessed when locked, is when the pharmacist comes to open the cage and move product to the primary pharmacy space.

Waivers include the following:

-
- **Limited waiver for non-contiguous pharmacy receiving area 247 CMR 9.21 (3):** A pharmacy shall maintain a centrally monitored security system that is able to detect a breach in security and is designed to prevent theft. A pharmacy shall activate the security system when the pharmacy is closed.
 - **Limited waiver for non-contiguous pharmacy receiving area 247 CMR 9.21 (5):** A pharmacy that is located within another retail establishment shall be secured by a floor to ceiling barrier, securely locked and separately alarmed at all times when the pharmacy is closed.

Questions:

- If a receiver [of the delivery] goes to the cage and it's locked, what will they do?
 - We have a safety area in the stores that is a locked room which requires going through two barriers to get there. In the rare event that this does occur, we can revise our SOPs so that staff will place the delivery there.
- Could the delivery be denied and go back to warehouse?
 - It could, but it would be safer to keep in the store at this point
- In talking about vendors and deliveries, would this include UPS, FedEx, etc?
 - No, this would only include Big Y staff and deliveries from Big Y warehouse
- Will this include controlled substances deliveries?
 - Yes, right now this is for Schedules 4, 5, and 6. We do not use this system for Sch 2s. We may consider doing so for Schedule 3s, but that is still being discussed.

- Is there a time limit for how long product can be in the cage?
 - We don't ship refrigerated products at this time, we are inly working with room temperature medications, so when I say temperature controlled, I mean room temperature. The medications won't be too hot or too cold.
 - In terms of time limit, in this case that isn't applicable because there isn't anything where the "clock is set" and in terms of capacity, we are currently only using 1 or 2 totes and the cages can hold 6 or 7 totes so it would take multiple deliveries before it reached capacity.
- What is the height of the cage? And will it be covered if not floor to ceiling?
 - It is approximately 36inches (3 feet) tall, and will be covered.
- Is there a signature log for this process?
 - We are currently considering this. We do however, take a serialized seal that it place at the warehouse and is verified upon receipt at the store both for insuring no conversion and for quality control

ACTION: M. Sciaraffa made a motion to approve the renovation application with stated limited waivers upon satisfactory inspection; Seconded by S. Dinno and voted by roll call of those present to approve the motion 1 abstain, 1 absent, and 10 ay

4. Big Y Pharmacy 13 Renovation DS3065

TIME: 9:39 AM

Presented by: See Big Y Pharmacy 7 discussion

Recusal:

Discussion:

See Big Y Pharmacy 7 discussion

Action: D. Barnes made a motion to approve the renovation application with the stated limited waivers upon successful inspection; Seconded by C. Belisle and voted by roll call of those present to approve the motion 1 abstain (J. Dorgan), 1 absent (J. Rocchio), and 10 ay

5. Big Y Pharmacy 19 Renovation DS3077

TIME: 9:42 AM

Presented by:

Recusal:

Discussion:

See Big Y Pharmacy 7 discussion

Action: K. Thornell made a motion to approve the renovation application with the stated limited waivers upon successful inspection; Seconded by D. Barnes and voted by roll call of those present to approve the motion 1 abstain (J. Dorgan), 1 absent (J. Rocchio), and 10 ay

6. Big Y Pharmacy 20 Renovation DS3390

TIME: 9:44 AM

Presented by:

Recusal:

Discussion:

See Big Y Pharmacy 7 discussion

Waivers include the following:

- **Limited waiver for non-contiguous pharmacy receiving area 247 CMR 9.21 (3):** A pharmacy shall maintain a centrally monitored security system that is able to detect a breach in security and is designed to prevent theft. A pharmacy shall activate the security system when the pharmacy is closed.
- **Limited waiver for non-contiguous pharmacy receiving area 247 CMR 9.21 (5):** A pharmacy that is located within another retail establishment shall be secured by a floor to ceiling barrier, securely locked and separately alarmed at all times when the pharmacy is closed.

Action: Belisle made a motion to approve the renovation application with the stated limited waivers upon successful inspection; Seconded by K. Thornell and voted by roll call of those present to approve the motion 1 abstain (J. Dorgan), 1 absent (J. Rocchio), and 10 ay

7. Big Y Pharmacy 22 Renovation DS89811

TIME: 9:45 AM

Presented by:

Recusal:

Discussion:

See Big Y Pharmacy 7 discussion

Waivers include the following:

- **Limited waiver for non-contiguous pharmacy receiving area 247 CMR 9.21 (3):** A pharmacy shall maintain a centrally monitored security system that is able to detect a breach in security and is designed to prevent theft. A pharmacy shall activate the security system when the pharmacy is closed.
- **Limited waiver for non-contiguous pharmacy receiving area 247 CMR 9.21 (5):** A pharmacy that is located within another retail establishment shall be secured by a floor to ceiling barrier, securely locked and separately alarmed at all times when the pharmacy is closed.

Action: F. Lombardo made a motion to approve the renovation application with the stated limited waivers upon successful inspection; Seconded by S. Dinno and voted by roll call of those present to approve the motion 1 abstain (J. Dorgan), 1 absent (J. Rocchio), and 10 ay

8. Big Y Pharmacy 23 Renovation DS3340

TIME: 9:46 AM

Presented by:

Recusal:

Discussion:

See Big Y Pharmacy 7 discussion

Waivers include the following:

- **Limited waiver for non-contiguous pharmacy receiving area 247 CMR 9.21 (3):** A pharmacy shall maintain a centrally monitored security system that is able to detect a breach in security and is designed to prevent theft. A pharmacy shall activate the security system when the pharmacy is closed.
- **Limited waiver for non-contiguous pharmacy receiving area 247 CMR 9.21 (5):** A pharmacy that is located within another retail establishment shall be secured by a floor to ceiling barrier, securely locked and separately alarmed at all times when the pharmacy is closed.

Action: R. Morelli made a motion to approve the renovation application with the stated limited waivers upon successful inspection; Seconded by C. Belisle and voted by roll call of those present to approve the motion 1 abstain (J. Dorgan), and 11 ay

9. Big Y Pharmacy 27 Renovation DS3259

TIME: 9:48 AM

Presented by:

Recusal:

Discussion:

See Big Y Pharmacy 7 discussion

Waivers include the following:

- **Limited waiver for non-contiguous pharmacy receiving area 247 CMR 9.21 (3):** A pharmacy shall maintain a centrally monitored security system that is able to detect a breach in security and is designed to prevent theft. A pharmacy shall activate the security system when the pharmacy is closed.
- **Limited waiver for non-contiguous pharmacy receiving area 247 CMR 9.21 (5):** A pharmacy that is located within another retail establishment shall be secured by a floor to ceiling barrier, securely locked and separately alarmed at all times when the pharmacy is closed.

Action: C. Belisle made a motion to approve the renovation application with the stated limited waivers upon successful inspection; Seconded by M. Sciaraffa and voted by roll call of those present to approve the motion. 1 abstain (J. Dorgan), and 11 ay

10. Big Y Pharmacy 37

Renovation

DS89785

TIME: 9:49 AM

Presented by:

Recusal:

Discussion:

See Big Y Pharmacy 7 discussion

Waivers include the following:

- **Limited waiver for non-contiguous pharmacy receiving area 247 CMR 9.21 (3):** A pharmacy shall maintain a centrally monitored security system that is able to detect a breach in security and is designed to prevent theft. A pharmacy shall activate the security system when the pharmacy is closed.
- **Limited waiver for non-contiguous pharmacy receiving area 247 CMR 9.21 (5):** A pharmacy that is located within another retail establishment shall be secured by a floor to ceiling barrier, securely locked and separately alarmed at all times when the pharmacy is closed.

Action: K. Thornell made a motion to approve the renovation application with the stated limited waivers upon successful inspection; Seconded by M. Sciaraffa and voted by roll call of those present to approve the motion 1 abstain (J. Dorgan), and 11 ay

11. Big Y Pharmacy 43

Renovation

DS3209

TIME: 9:50 AM

Presented by:

Recusal:

Discussion:

See Big Y Pharmacy 7 discussion

Waivers include the following:

- **Limited waiver for non-contiguous pharmacy receiving area 247 CMR 9.21 (3):** A pharmacy shall maintain a centrally monitored security system that is able to detect a breach in security and is designed to prevent theft. A pharmacy shall activate the security system when the pharmacy is closed.
- **Limited waiver for non-contiguous pharmacy receiving area 247 CMR 9.21 (5):** A pharmacy that is located within another retail establishment shall be secured by a floor to ceiling barrier, securely locked and separately alarmed at all times when the pharmacy is closed.

Action: F. Lombardo made a motion to approve the renovation application with the stated limited waivers upon successful inspection; Seconded by R. Morelli and voted by roll call of those present to approve the motion 1 abstain (J. Dorgan), and 11 ay

12. Big Y Pharmacy 50

Renovation

DS3178

TIME: 9:51 AM

Presented by:

Recusal:

Discussion:

See Big Y Pharmacy 7 discussion

Waivers include the following:

- **Limited waiver for non-contiguous pharmacy receiving area 247 CMR 9.21 (3):** A pharmacy shall maintain a centrally monitored security system that is able to detect a breach in security and is designed to prevent theft. A pharmacy shall activate the security system when the pharmacy is closed.
- **Limited waiver for non-contiguous pharmacy receiving area 247 CMR 9.21 (5):** A pharmacy that is located within another retail establishment shall be secured by a floor to ceiling barrier, securely locked and separately alarmed at all times when the pharmacy is closed.

Action: S. Dinno made a motion to approve the renovation application with the stated limited waivers upon successful inspection; Seconded by R. Morelli and voted by roll call of those present to approve the motion 1 abstain (J. Dorgan), and 11 ay

13. Big Y Pharmacy 63

Renovation

DS3179

TIME: 9:52 AM

Presented by:

Recusal:

Discussion:

See Big Y Pharmacy 7 discussion

Waivers include the following:

- **Limited waiver for non-contiguous pharmacy receiving area 247 CMR 9.21 (3):** A pharmacy shall maintain a centrally monitored security system that is able to detect a breach in security and is designed to prevent theft. A pharmacy shall activate the security system when the pharmacy is closed.
- **Limited waiver for non-contiguous pharmacy receiving area 247 CMR 9.21 (5):** A pharmacy that is located within another retail establishment shall be secured by a floor to ceiling barrier, securely locked and separately alarmed at all times when the pharmacy is closed.

Action: R. Morelli made a motion to approve the renovation application with the stated limited waivers upon successful inspection; Seconded by M. Sciaraffa and voted by roll call of those present to approve the motion 1 abstain (J. Dorgan), and 11 ay

14. Big Y Pharmacy 65

Renovation

DS3279

TIME: 9:53 AM

Presented by:

Recusal:

Discussion:

See Big Y Pharmacy 7 discussion

Waivers include the following:

- **Limited waiver for non-contiguous pharmacy receiving area 247 CMR 9.21 (3):** A pharmacy shall maintain a centrally monitored security system that is able to detect a breach in security and is designed to prevent theft. A pharmacy shall activate the security system when the pharmacy is closed.
- **Limited waiver for non-contiguous pharmacy receiving area 247 CMR 9.21 (5):** A pharmacy that is located within another retail establishment shall be secured by a floor to ceiling barrier, securely locked and separately alarmed at all times when the pharmacy is closed.

Action: F. Lombardo made a motion to approve the renovation application with the stated limited waivers upon successful inspection; Seconded by M. Sciaraffa and voted by roll call of those present to approve the motion 1 abstain (J. Dorgan), and 11 ay

15. Big Y Pharmacy 66

Renovation

DS3257

TIME: 9:54 AM

Presented by:

Recusal:

See Big Y Pharmacy 7 discussion

Waivers include the following:

- **Limited waiver for non-contiguous pharmacy receiving area 247 CMR 9.21 (3):** A pharmacy shall maintain a centrally monitored security system that is able to detect a breach in security and is designed to prevent theft. A pharmacy shall activate the security system when the pharmacy is closed.
- **Limited waiver for non-contiguous pharmacy receiving area 247 CMR 9.21 (5):** A pharmacy that is located within another retail establishment shall be secured by a floor to ceiling barrier, securely locked and separately alarmed at all times when the pharmacy is closed.

Action: D. Barnes made a motion to approve the renovation application with the stated limited waivers upon successful inspection; Seconded by M. Sciaraffa and voted by roll call of those present to approve the motion 1 abstain (J. Dorgan), and 11 ay

Presented by:

Recusal:

Discussion:

See Big Y Pharmacy 7 discussion

Waivers include the following:

- **Limited waiver for non-contiguous pharmacy receiving area 247 CMR 9.21 (3):** A pharmacy shall maintain a centrally monitored security system that is able to detect a breach in security and is designed to prevent theft. A pharmacy shall activate the security system when the pharmacy is closed.
- **Limited waiver for non-contiguous pharmacy receiving area 247 CMR 9.21 (5):** A pharmacy that is located within another retail establishment shall be secured by a floor to ceiling barrier, securely locked and separately alarmed at all times when the pharmacy is closed.

Action: F. Lombardo made a motion to approve the renovation application with the stated limited waivers upon successful inspection; Seconded by M. Sciaraffa and voted by roll call of those present to approve the motion 1 abstain (J. Dorgan), and 11 ay

Presented by:

Recusal:

Discussion:

See Big Y Pharmacy 7 discussion

Waivers include the following:

- **Limited waiver for non-contiguous pharmacy receiving area 247 CMR 9.21 (3):** A pharmacy shall maintain a centrally monitored security system that is able to detect a breach in security and is designed to prevent theft. A pharmacy shall activate the security system when the pharmacy is closed.
- **Limited waiver for non-contiguous pharmacy receiving area 247 CMR 9.21 (5):** A pharmacy that is located within another retail establishment shall be secured by a floor to ceiling barrier, securely locked and separately alarmed at all times when the pharmacy is closed.

Action: S. Dinno made a motion to approve the renovation application with the stated limited waivers upon successful inspection; Seconded by M. Sciaraffa and voted by roll call of those present to approve the motion 1 abstain (J. Dorgan), and 11 ay

TOPIC X:**FILE REVIEW**

Case #1 /CASE-2025-1023
INV17867

Elizabeth Thomas, PH238778

Time: 09:55 AM

RECUSAL: NONE

DISCUSSION: G. MELTON presented and summarized the investigative report that pertained to this matter.

- Licensee reported in April 2025 that she did not complete annual CE during 2023.
- After review, licensee was found to have completed only 15 of 20 total contact hours required during 2023.
- Licensee remediated deficiencies on a 1:1 basis during 2024 and 2025 and signed affidavit acknowledging that remedial CE cannot be used to satisfy any other CE requirements.
- Of note, licensee previously self-reported a CE deficiency in 2021 (SA-INV-19135) which she remediated on a 1:1 basis and the case was closed.

ACTION: Motion by J. ROCCHIO, seconded by K. THORNELL, and voted unanimously by those present, to CLOSE the matter (INV17867), No Discipline Warranted, Remediation Complete.

Case #2/CASE-2025-0647

PHA-2025-0037

Pelmeds Fitchburg, LLC, DS90391

Time: 09:57 AM

RECUSAL: NONE

DISCUSSION: C. LATHUM presented and summarized the investigative report that pertained to this matter.

- During a retail compliance inspection conducted on 02/26/2025 at Pelmeds Fitchburg, Investigator Seed observed that the Pharmacy completed a renovation/expansion without submittal of an application and subsequent BORP approval.
- BORP records indicate that a renovation application was submitted on 04/14/2025 indicating that the renovation took place between 02/10/2025 and 02/17/2025, resulting in an increase in the pharmacy licensed space from 3,015 square feet to 3,430.5 square feet. BORP approved the application on 05/01/2025.
- The renovation consisted of removing an interior wall to expand the dispensing area, an interior wall that separated two offices to create one large storage space, and changing a double door to a single door with a consultation/pick-up/drop-off window.
- MOR Pirani stated that a building permit was not required as the renovations did not involve any structural modifications. The work was limited to interior non-structural, non-load bearing walls.
- Going forward Pelmeds Fitchburg will ensure that any renovation or modification will obtain BORP approval prior to commencement.

ACTION: Motion by R. MORELLI, seconded by M. SCIARAFFA, and voted unanimously by those present, to refer the matter (PHA-2025-0037), to the Office of Prosecution for the issuance of an order to show cause and to authorize resolution of the matter by a consent agreement for REPRIMAND.

RECUSAL: NONE

DISCUSSION: C. LATHUM presented and summarized the investigative report that pertained to this matter.

- On 02/07/2025, the Pharmacy initiated application for a Complex Non-Sterile Compounding license. At the time, the Pharmacy was not engaged in compounding.
- On 03/11/2025, Investigator Murray spoke with MOR Stewart, who stated that a renovation had already begun, but the Board had not received a renovation/expansion application.
- On 03/12/2025, Investigator Murray conducted a site visit and observed that a containment wall was built and there was no visible dust or debris.
- MOR Stewart responded that the Pharmacy determined that an application was not needed as there was no change in square footage, no addition of space, no HVAC changes, and no addition of secondary engineering controls.
- BORP records indicate that a renovation application was submitted on 04/11/2025 indicating that the renovation took place between 03/10/2025 and 05/10/2025, resulting in no change in the pharmacy licensed space square footage. BORP approved the application on 06/05/2025.
- The renovation consisted of providing power for the addition of a powder hood and for providing power and water for the addition of a reverse osmosis system. A non-hazardous compounding room with a 24" x 48" hood was created from former office space.
- In the future, the Pharmacy will contact the Board for clarifications about the need for a renovation application. A timely application will be submitted for Board approval prior to beginning any renovations.

ACTION: Motion by M. SCIARAFFA, seconded by D. BARNES, and voted unanimously by those present, to DISMISS the matter (PHA-2025-0036), to the Office of Prosecution for the issuance of an order to show cause and to authorize resolution of the matter by a consent agreement for REPRIMAND.

RECUSAL: NONE

DISCUSSION: C. LATHUM presented and summarized the investigative report that pertained to this matter.

- Self-Reported CE deficiency on 02/03/2025.
- Short 20 CEUs in 2024, including 5 live and 2 law CEUs.
- Pharmacist Sgaragli's pharmacist registration expired on 12/31/2024.
- On 04/25/2025, Pharmacist Sgaragli responded that he did not remediate as he does not plan to renew his pharmacist license at this time.
- Stated he will make a final decision about renewing his pharmacist license by end of 2025 and is aware that he will need to remediate 2024 CEs and be current with 2025 CEs.
- On 04/30/2025, Board staff voted to elevate INV16349 to this complaint

- Pharmacist Sgaragli completed 21 CEUs, including 5 live and 4 law.
- Stated that he has not worked as a pharmacist since 7/2022.

ACTION: Motion by D. BARNES, seconded by M. SCIARAFFA, and voted unanimously by those present, to DISMISS the matter (PHA-2025-0049), No Discipline Warranted, Remediation Complete.

Case #5/ CASE-2025-1104

PHA-2025-0045

PharmaHealth Pharmacy, DS90429

Time: 10:04 AM

RECUSAL: NONE

DISCUSSION: C. LATHUM presented and summarized the investigative report that pertained to this matter.

- On 04/15/2025, Investigator Horn discovered that Pharmacy Technician/Owner Bashir accessed the Pharmacy when the refrigerators went out of range, flipped the circuit breakers which had tripped due to a suspected power surge, documented the temperature excursion, re-alarmed the Pharmacy, and exited. No registered pharmacist was present at the time.
- MOR DoPao responded that on 04/01/2025 around 9PM, a temperature alert for the refrigerators was received by both her and Owner Bashir. MOR DoPao was unreachable and Owner Shahid determined at around 11PM the issue could not wait out of concern for medication safety and continuity of care.
- Attorney Lanton stated that mitigating circumstances should be taken into consideration and that there should be an emergency exemption to the regulation as it does not address situations where immediate action is needed.
- Attorney Lanton stated that the Board allows exceptions from the regulation citing 247 CMR 9.19 (17) Temporary Absence of a Pharmacist. He also cited emergency orders during the COVID-19 pandemic to mitigate strict results from state regulations.
- Attorney Lanton stated that Owner Bashir's actions were in good faith to prevent harm and comply with proper monitoring of refrigerators.
- Corrective action including developing a policy related to 247 CMR 9.19 (16) (a). All staff will receive training on the policy during onboarding and annually. Only licensed pharmacists will have access to the Pharmacy. Owner Bashir is in the process of scheduling his pharmacist licensure exam.
- Pharmacy staff attested to having reviewed Pharmacy's policy relating to 247 CMR 9.19 (16)(a).
- Owner/Pharmacy Technician Bashir stated that after multiple, unsuccessful attempts to contact MOR DoPao, he entered the Pharmacy to reset the circuit breakers. No other activity occurred. He monitored refrigeration temperatures for about 10 minutes outside the Pharmacy.
- Owner/Pharmacy Technician Bashir attested to having reviewed Pharmacy's policy relating to 247 CMR 9.19 (16)(a).

ACTION: Motion by S. DINNO, seconded by M. SCIARAFFA, and voted unanimously by those present, to DISMISS the matter (PHA-2025-0045), No Discipline Warranted, Remediation Complete.

Case #6/CASE-2025-1104

PHA-2025-0046

Shahid Bashir, PT104900

Time: 10:16 AM

RECUSAL: NONE

DISCUSSION: C. LATHUM presented and summarized the investigative report that pertained to this matter.

- On 04/15/2025, Investigator Horn discovered that Pharmacy Technician/Owner Bashir accessed the Pharmacy when the refrigerators went out of range, flipped the circuit breakers which had tripped due to a suspected power surge, documented the temperature excursion, re-alarmed the Pharmacy, and exited. No registered pharmacist was present at the time.
- MOR DoPao responded that on 04/01/2025 around 9PM, a temperature alert for the refrigerators was received by both her and Owner Bashir. MOR DoPao was unreachable and Owner Shahid determined at around 11PM the issue could not wait out of concern for medication safety and continuity of care.
- Attorney Lanton stated that mitigating circumstances should be taken into consideration and that there should be an emergency exemption to the regulation as it does not address situations where immediate action is needed.
- Attorney Lanton stated that the Board allows exceptions from the regulation citing 247 CMR 9.19 (17) Temporary Absence of a Pharmacist. He also cited emergency orders during the COVID-19 pandemic to mitigate strict results from state regulations.
- Attorney Lanton stated that Owner Bashir's actions were in good faith to prevent harm and comply with proper monitoring of refrigerators.
- Corrective action including developing a policy related to 247 CMR 9.19 (16) (a). All staff will receive training on the policy during onboarding and annually. Only licensed pharmacists will have access to the Pharmacy. Owner Bashir is in the process of scheduling his pharmacist licensure exam.
- Pharmacy staff attested to having reviewed Pharmacy's policy relating to 247 CMR 9.19 (16)(a).
- Owner/Pharmacy Technician Bashir stated that after multiple, unsuccessful attempts to contact MOR DoPao, he entered the Pharmacy to reset the circuit breakers. No other activity occurred. He monitored refrigeration temperatures for about 10 minutes outside the Pharmacy.
- Owner/Pharmacy Technician Bashir attested to having reviewed Pharmacy's policy relating to 247 CMR 9.19 (16)(a).

ACTION: Motion by C. BELISLE, seconded by S. DINNO, and voted unanimously by those present, to DISMISS the matter (PHA-2025-0046), No Discipline Warranted, Remediation Complete.

Case #7/CASE-2025-0806

INV17304

Walgreens #3564, DS2760

Time: 10:18 AM

RECUSAL: NONE

DISCUSSION: C. LATHUM presented and summarized the investigative report that pertained to this matter.

- Allegation of a delay in therapy occurring at Walgreens #3564 resulting from Pharmacist Izadi refusing to fill a veterinary prescription that was not electronically prescribed.
- On 03/17/2025, the Complainant presented a written prescription for #45 hydrocodone 5mg/ Homatropine 1.5 mg tablets to the Pharmacy.

- Pharmacist Izadi refused to fill the prescription even though the Complainant told her that 105 CMR 721.070 A (1) allows an exception to prescriptions issued by veterinarians. The Complainant states that the pet was out of medication at the time.
- MOR Le stated that Pharmacist Izadi has acknowledged her error, which resulted from a misinterpretation of the e-prescribing regulations.
- The prescription was later filled on 03/20/2025 at a different Walgreens location.
- Pharmacist Izadi and pharmacy staff attested to reviewing 105 CMR 721.00, including Section 721.070.
- Pharmacist Izadi completed an internal refresher course on proper handling of controlled substances- Good Faith Dispensing (GFD) for Pharmacists FY25.
- Pharmacy staff received a refresher on the importance of respectful and clear communication.

ACTION: Motion by J. ROCCHIO, seconded by S. DINNO, and voted unanimously by those present, to DISMISS the matter (INV17304), No Discipline Warranted, Remediation Complete.

Case #8/ CASE-2025-0145

PHA-2025-0013

Walgreens #17228, DS90182

Time: 10:24 AM

RECUSAL: NONE

DISCUSSION: J. TRAN presented and summarized the investigative report that pertained to this matter.

- During a retail compliance inspection conducted on 01/09/2025, the Investigator observed negative Schedule II variances of #30 lisdexamphetamine 20mg capsules and #100 methylphenidate ER 27mg tablets documented in the perpetual inventory on repeated reconciliation dates and failure to report these losses to BORP.
- MOR Craig noted that all the variances were reconciled on 01/12/2025 resulting in no losses. MOR Craig explained that one prescription of #30 lisdexamphetamine 20mg capsules that was not logged and #100 methylphenidate ER 27mg tablets misplaced within the safe. As a result, there was no true loss.
- MOR Craig noted resetting expectations for all pharmacists working in this location holding them accountable to investigate any variances in the perpetual inventory and logging all prescriptions after filling them in a timely manner.

ACTION: Motion by C. BELISLE, seconded by D. BARNES, and voted unanimously by those present, to REFER the matter (PHA-2025-0013), to the Office of Prosecution for the issuance of an order to show cause and to authorize resolution of the matter by a consent agreement for REPRIMAND.

Case #9/CASE-2025-0360

PHA-2025-0021

Wal-Mart #10-1967, DS2737

Time: 10:27 AM

RECUSAL: NONE

DISCUSSION: J. TRAN presented and summarized the investigative report that pertained to this matter.

- During a retail compliance inspection conducted on 02/04/2025, an employee was observed performing pharmacy technician duties without a license.

- MOR Lebeau indicated that he requested that Ms. Rivera complete the PTT application but did not follow-up with her. Upon his investigation, he discovered that Ms. Rivera filed a PT application instead of a PTT application causing a delay in her license.
- After the inspection, the correct application was submitted and she was licensed as a PTT on 02/07/2025. Of note, she was subsequently licensed as a PT on 06/03/2025.
- MHWD Drzyzga had a discussion with the MOR regarding their policies and procedures regarding licensing and the MOR was held accountable for his actions.
- MOR Lebeau indicated that he will check technician licenses on a monthly basis and during the quarterly pharmacy compliance checklist. New associates who start employment will need their active registration in hand before their job code is changed, and license added to the pharmacy license wall.

ACTION: Motion by M. SCIARAFFA, seconded by D. BARNES, and voted unanimously by those present, to REFER the matter (PHA-2025-0021), to the Office of Prosecution for the issuance of an order to show cause and to authorize resolution of the matter by a consent agreement for REPRIMAND.

Case #10/CASE-2024-3752

PHA-2025-0004

CVS #17332, DS89995

Time: 10:44 AM

RECUSAL: J. ROCCHIO recused and was not present for the vote or discussion in this matter.

DISCUSSION: J. TRAN presented and summarized the investigative report that pertained to this matter.

- During a retail compliance inspection (ISP-35588) conducted on or about 12/18/2024, the Investigator observed a prescription (d-amphetamine prescription from Georgia) for a schedule II stimulant that was filled in excess of five days and the licensee did not have their controlled substances invoices available at the time of inspection.
- MOR Asaad indicated that the pharmacists will adhere to the proper regulations and do not fill a CII prescription from an out of state prescriber if it is in excess of five days. The system issue of the controlled substance invoices are being addressed by corporate.
- The MOR noted that on 12/09/2024, he contacted the nurse practitioner and another MOR to confirm an out of state Schedule prescriptions could be filled. Both confirmed that it was permissible so long as the prescription was written by a licensed physician. One month later, it was discovered that the patient returned to the Pharmacy with another Adderall prescription from the same doctor and the prescription was outside the 5 day window, and the pharmacist refused to fill it. The MOR identified that he data-entered and verified the script for Adderall XR on 12/09/2024.
- MOR Asaad submitted 2 CEs in law and signed and attested to the Circular letter.

ACTION: Motion by M. SCIARAFFA, seconded by R. MORELLI, and voted unanimously by those present, to REFER the matter (PHA-2025-0004), to the Office of Prosecution for the issuance of an order to show cause and to authorize resolution of the matter by a consent agreement for REPRIMAND

Case #11/CASE-2025-0421

PHA-2025-0023

CVS #299, DS3596

Time: 10:47 AM

RECUSAL: J. ROCCHIO recused and was not present for the vote or discussion in this matter.

DISCUSSION: J. TRAN presented and summarized the investigative report that pertained to this matter.

- OPP received an email complaint alleging the Pharmacy refused to fill a veterinary prescription for the prednisolone eye drops without the DEA number of the prescribing veterinarian.
- MOR Felch identified that Pharmacy Lead Technician (PLT) Kathleen Ghiz completed the data entry for the prescription but was unable to process the prescription because she could not locate the veterinarian and called the office for the DEA number. However, the office requested that the prescription be called under a different prescriber and they provided the DEA number.
- PLT Ghiz indicated that she pursued the DEA number as she was unaware that she could open a profile solely on a state license number.
- MOR Felch indicated that PLT Ghiz has been retrained on opening a new prescriber profile, particularly vets using the state license number. Additionally, the entire staff signed and attested to having reviewed the document on entering a prescriber without a NPI or DEA number.

ACTION: Motion by F. LOMBARDO, seconded by M. SCIARAFFA, and voted unanimously by those present, to refer the matter (PHA-2025-0023), to the Office of Prosecution for the issuance of an order to show cause and to authorize resolution of the matter by a consent agreement for REPRIMAND.

Case #12/CASE-2025-0389

PHA-2025-0026

CVS #16773, DS90015

Time: 10:49 AM

RECUSAL: J. ROCCHIO recused and was not present for the vote or discussion in this matter

DISCUSSION: J. TRAN presented and summarized the investigative report that pertained to this matter.

- Unknown loss of #500 alprazolam 1mg tablets discovered on 01/16/2025.
- MOR Duhamel indicated that the loss was initially discovered through a cycle count on 11/17/2024. The video footage was not working on the day of the incident.
- The MOR stated that the negative variance never showed on the electronic Balance on Hand (BOH) report, leading her to believe she misread the system. So admittedly forgot about the issue until Asset Protection contacted her on 01/13/2025
- Based on the last fill information before the cycle count, it is likely that the alprazolam bottle rolled off the counter and into the trash can.
- An Asset Protection analyst worked with the MOR to resolve the variance with no success. The MOR was instructed to complete daily loss prevention initiated (LPI) counts. On 01/19/2025, they reviewed video footage and did not find any suspicious activity and closed the case.
- MOR Duhamel indicated all Loss Prevention policy and procedures have been reviewed with the Pharmacy Team to prevent future losses.

ACTION: Motion by C. BELISLE, seconded by M. SCIARAFFA, and voted unanimously by those present, to refer the matter (PHA-2025-0026), to the Office of Prosecution for the issuance of an order to show cause and to authorize resolution of the matter by a consent agreement for STAYED PROBATION for 1 year, with special terms to include the CS Loss Protocol for all Benzodiazepines.

Case #13/CASE-2025-0765

PHA-2025-0040

CVS #38, DS3510

Time: 10:53 AM

RECUSAL: J. ROCCHIO recused and was not present for the vote or discussion in this matter.

DISCUSSION: G. MELTON presented and summarized the investigative report that pertained to this matter.

- On 02/20/2025, CVS 38 belatedly submitted an initial RLCS regarding 120 buprenorphine-naloxone 8-2mg sublingual (SL) films lost in transit on 02/10/2025. CVS 38 then explained that the total number of films invoiced and received was 300 but the number of generic (180 invoiced/60 shipped) versus brand (120 invoiced/240 shipped) differed.
- CVS 38 accepted shipment in full despite the discrepancy. CVS 38 then called the WD to report the discrepancy the day after the delivery was accepted. The WD refused to amend the invoice due to the acceptance of shipment and delay in reporting the discrepancy. In addition, the WD provided inventory records to BORP which showed no discrepancies for the particular NDC listed in the invoice.
- CA: CVS 38 pledged that “the pharmacy will continue to follow CVS protocol when receiving controlled substance orders to ensure we receive all drugs that are on the receiving paperwork. If tampering is identified the pharmacist will refuse the order.” In addition, CVS Health Regulatory Affairs indicated on behalf of CVS 38 that cycle counts for the corresponding brand and generic films were updated.

ACTION: Motion by R. MORELLI, seconded by C. BELISLE, and voted unanimously by those present, to DISMISS the matter (PHA-2025-0040), No Discipline Warranted, Remediation Complete.

Case #14/CASE-2025-0306

PHA-2025-0020 CVS/Specialty or CarelonRx Specialty Pharmacy, DS3416 Time: 11:04 AM

RECUSAL: J. ROCCHIO recused and was not present for the vote or discussion in this matter.

DISCUSSION: C. LATHUM presented and summarized the investigative report that pertained to this matter.

- On 12/17/2024, Investigator Seed conducted a retail compliance inspection and observed unit of use packaging was given the manufacturer’s expiration date, which may extend beyond one year from the dispensing of the medication.
- On 01/08/2025, a POC was received stating that this is in compliance with USP and BORP regulations.
- On 02/28/2025, MOR Morese responded to the complaint and reiterated that this is in compliance with USP <1136>. The medications were dispensed in the manufacturer’s original packaging. As with all dispensed medications, once possession has been transferred to patients, the pharmacy cannot guarantee how an end user stores the medication.
- MOR Morese also stated that a prescription may be valid for one year per 247 CMR 9.04 (12), but the BUD of unit of use packaging may extend beyond one year.
- Per USP <1136>, “The pharmacist is able to affix the label for the patient onto the unit-of-use package and is free to use the manufacturer’s expiration date as the beyond-use-date.”
- On 07/02/2025, the Pharmacy stated that they will revise labeling to be compliant with the BORP’s position by 07/31/2025.

4. Monthly Probation Report
5. BDR Licensure Report pursuant Policy 14-02
6. Research Drug Study report pursuant to Staff Action Policy 18-02
7. Controlled Substance Prescriptions
8. Failed HEPA Filters in ISO-Classified Environments
9. HVAC Excursions
10. Policy 2025-02: Definitions
11. SOFIE, NU00021; PHA-2023-0170, PHA-2024-0013, PHA-2024-0014
12. Mass General Brigham Specialty Pharmacy; DS90093
13. Nantucket Pharmacy; DSNE10000324
14. Big Y Pharmacy 7 Renovation DS3561
15. Big Y Pharmacy 13 Renovation DS3065
16. Big Y Pharmacy 19 Renovation DS3077
17. Big Y Pharmacy 20 Renovation DS3390
18. Big Y Pharmacy 22 Renovation DS89811
19. Big Y Pharmacy 23 Renovation DS3340
20. Big Y Pharmacy 27 Renovation DS3259
21. Big Y Pharmacy 37 Renovation DS89785
22. Big Y Pharmacy 43 Renovation DS3209
23. Big Y Pharmacy 50 Renovation DS3178
24. Big Y Pharmacy 63 Renovation DS3179
25. Big Y Pharmacy 65 Renovation DS3279
26. Big Y Pharmacy 66 Renovation DS3257
27. Big Y Pharmacy 86 Renovation DS3594
28. Big Y Pharmacy 101 Renovation DS90053
29. CASE-2025-1023 INV17867 Elizabeth Thomas, PH238778
30. CASE-2025-0647 PHA-2025-0037 Pelmeds Fitchburg, LLC, DS90391
31. CASE-2025-0734 PHA-2025-0036 Boston Children's Health
32. Solutions RX, LLC, DS90364
33. CASE-2025-0359 PHA-2025-0049 Raymond Sgaragli, PH17827
34. CASE-2025-1104 PHA-2025-0045 PharmaHealth Pharmacy, DS90429
35. CASE-2025-1104 PHA-2025-0046 Shahid Bashir, PT104900
36. CASE-2025-0806 INV17304 Walgreens #3564, DS2760
37. CASE-2025-0145 PHA-2025-0013 Walgreens #17228, DS90182
38. CASE-2025-0360 PHA-2025-0021 Wal-Mart #10-1967, DS2737
39. CASE-2024-3752 PHA-2025-0004 CVS #17332, DS89995
40. CASE-2025-0421 PHA-2025-0023 CVS #299, DS3596
41. CASE-2025-0389 PHA-2025-0026 CVS #16773, DS90015
42. CASE-2025-0765 PHA-2025-0040 CVS #38, DS3510
43. CASE-2025-0306 PHA-2025-0020 CVS/Specialty or CarelonRx
44. Specialty Pharmacy, DS3416