

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

BOARD OF REGISTRATION IN PHARMACY
MEETING AGENDA
August 7, 2012 - 8:30 am
239 Causeway Street
4th Floor, Rooms 417A and B
Boston, Massachusetts

1. 8:30 a.m. CALL TO ORDER
President James T. DeVita, RPh
 - Introduction of NEU APPE Extern Vincent Toto
2. 8:35 a.m. REVIEW/ADOPTION OF BOARD MINUTES
 - July 10, and July 17, 2012 Minutes
3. 8:40 a.m. APPLICATIONS and Other Notices (no handout/applications on file)
Assoc. Dir. Margaret Cittadino
 - Change of Manager (10)
CVS 1095, 165 University Drive, Amherst (DS2787)
CVS 818, 76 North Pleasant Street, Amherst (DS1403)
CVS 693, 1616 Memorial Drive, Chicopee (DS3250)
CVS 995, 2 Milliston Road, Millis (DS89759)
CVS 155, 539 Main Street, Winchester (DS2471)
Stop & Shop Pharmacy 432, 469 Pleasant Street, Attleboro (DS3006)
Walmart Pharmacy 10-1918, 250 Hartford Avenue, Bellingham (DS2744)
Walgreens Pharmacy 10317, 1035 Truman Highway, Boston (DS89797)
Walgreens Pharmacy 4966, 215 Beach Street, Malden (DS2924)
Walgreens Pharmacy 2760, 343 Broadway, Somerville (DS2760)
 - Retail Pharmacy Relocation (1)
Walgreens15001, 970 American Legion Highway Roslindale (DS1366) FROM 972 American Legion Highway, Roslindale.
 - Renovation/Expansion (2)
Walgreens 11387, 24 Newton Street, Southborough (DS3512)
St. Luke's Retail Pharmacy, 101 Page Street, New Bedford (DS2641) Name change to Southcoast Pharmacy effective 10/1/2012.
 - Transfer of Ownership (1)
Nassif's Professional Pharmacy, 51 Ashland Street, North Adams (DS2764)
4. 8:45 a.m. UPDATES
Dir. James D. Coffey
 - MPJE State Specific Review
 - Report of Board Dispositions
5. 8:55 a.m. REPORT OF OFFICE OF INVESTIGATIONS (no handout)
File Review - Samuel J. Penta, RPh Supervising Investigator; James C. Emery, Investigator; Cheryl Latham, PharmD, RPh, Investigator; William E. Frisch, Jr, RPh, Investigator; Leo A. McKenna, PharmD, RPh, QA Coordinator

6. 9:45 a.m. PHARMACY APPLICATION/Appearance (Preliminary)
7. 10:15 a.m. REPORT OF OFFICE OF GENERAL COUNSEL - Susan Manning, Board Counsel
- CLOSED SESSION – Review/discussion of Complaints, Applications, Adjudicatory Session and other Legal Matters [MGL c. 112, s. 65C; MGL c. 30A, ss. 18-21]
- Matters of:
- Bhuren H. Patel, RPh (PH21347)/Pelham Community Pharmacy (DS89647) Docket Nos. PHA-2011-0212, PHA-2011-0211 and PHA-2010-0195
- Complaints to be presented by Investigators:
- Lucille Cortezzo (PT8482) Docket No. PHA-2012-0127 (CVS/pharmacy)
 - Caitlyn Medeiros (PT13756) Docket No. PHA-2012-0128 (CVS/pharmacy)
8. 10:40 a.m. REPORT OF OFFICE OF INVESTIGATIONS (no handout)
- File Review - Samuel J. Penta, RPh Supervising Investigator; James C. Emery, Investigator; Cheryl Lathum, PharmD, RPh, Investigator; William E. Frisch, Jr, RPh, Investigator; Leo A. McKenna, PharmD, RPh, QA Coordinator
9. 11:35 a.m. PRESENTATION/DISCUSSION - Pres. James T. DeVita, Sec. Karen M. Ryle and Dir. James D. Coffey
- NABP's Pharmacist Assessment for Remediation Evaluation (PARE®)
 - CPPA Seeks Comments on Draft Standards for Community Pharmacy Practice Accreditation
10. 12:00 p.m. NEW COMMUNITY PHARMACY APPLICATION/Appearance
- GET WELL PHARMACY LLC** – Proposed: 646 Blue Hill Avenue, Dorchester
- Present: Proposed Manager of Record, Ugoolisa Aghasili-Ede (PH233387) and Owner Donna Nevarez, and Paul M. Garbarini, Esq., RPh.
- Applicant For retail pharmacy licensure proposes to dispense Schedule II-VI controlled substances
Approve Deny
11. 12:30 p.m. LUNCH
12. 1:30 p.m. REPORT OF OFFICE OF INVESTIGATIONS (no handout)
- File Review - Samuel J. Penta, RPh Supervising Investigator; James C. Emery, Investigator; Cheryl Lathum, PharmD, RPh, Investigator; William E. Frisch, Jr, RPh, Investigator; Leo A. McKenna, PharmD, RPh, QA Coordinator
13. 2:00 p.m. NEW COMMUNITY PHARMACY APPLICATION/Appearance
- K – PHARMACY, LLC**
Proposed: 280 Westford Street, Lowell, MA
- Present: Proposed Manager of Record and Co-Owner, Celine Ear, RPh, (PH232381), Staff pharmacist and Co-Owner, Patrick Lee RPh. (PH25776), and Co-Owners Helena Lee and Callie Ear.

- Applicant For retail pharmacy licensure proposes to dispense Schedule II-VI controlled substances
Approve Deny

FLEX DISCUSSION

A. NEW BUSINESS

- 1) Daniel Thomas McGrath – Pharmacy Technician Application
Approve/Deny
- 2) Hungwan Crystal Cheung – Pharmacist Reciprocity Application
Approve/Deny
- 3) Natalie Jane Fries – Pharmacist Reciprocity Application
Approve/Deny
- 4) Timothy J. Houle - Pharmacy Technician Application
Approve/Deny
- 5) NABP 2012 Triathlon – NABP Interactive Member Forum September 19-20, 2012

14. INFORMATIONAL ITEMS and CORRESPONDENCE

- 1) NH Drug Database (PMP)
- 2) ACPE Policy Update Re the Use of Non-pharmacist Preceptors
- 3) Massachusetts Authorizes Pharmaceutical Companies to Offer Drug Coupons to Massachusetts Residents
- 4) Pharmacy Curriculum Outcomes Assessment Updates for 2013

15. 3:00 p.m. ADJOURNMENT

BOARD OF REGISTRATION IN PHARMACY
MEETING MINUTES

August 7, 2012
239 Causeway Street
Boston, Massachusetts

Board Members Present

James T. DeVita, RPh; Karen Ryle, RPh, MS; Sophia Pasedis, RPh, PharmD; Anita Young, RPh, EdD; Stanley Walczyk, RPh; Kathy Fabiszewski, NP, PhD; Donald Accetta, MD, MPH; Joanne Trifone, RPh

Board Members Absent

George Cayer, RPh; Steven Budish

Staff Present

James D. Coffey, RPh, Director; Margaret Cittadino, MEd, Associate Director; Susan Manning, Board Counsel; Leo McKenna, RPh, PharmD, Quality Assurance (QA) Coordinator; Samuel J. Penta, RPh, Supervising Investigator; Cheryl Latham RPh, PharmD, Investigator; James Emery, Pharmacy Technician, Investigator; Vincent Toto, Northeastern University School of Pharmacy Extern

1. 8:40 a.m. CALL TO ORDER
President James T. DeVita, RPh
- Introduction of NEU APPE Extern Vincent Toto
2. 8:40 a.m. REVIEW/ADOPTION OF BOARD MINUTES
- July 10 and July 17, 2012 Minutes
Motion Walczyk/Young to approve minutes
Approved
3. 8:45 a.m. APPLICATIONS and Other Notices - Assoc. Dir. Margaret Cittadino

Change of Manager

CVS 1095, 165 University Drive, Amherst (DS2787)
CVS 818, 76 North Pleasant Street, Amherst (DS1403)
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Retail Pharmacy Relocation

Walgreens 15001, 970 American Legion Highway Roslindale (DS1366)
FROM 972 American Legion Highway, Roslindale

Renovation/Expansion

Walgreens 11387, 24 Newton Street, Southborough (DS3512)
St. Luke's Retail Pharmacy, 101 Page Street, New Bedford (DS2641) and name change TO Southcoast Pharmacy (effective 10/1/2012)

Transfer of Ownership

Nassif's Professional Pharmacy, 51 Ashland Street, North Adams (DS2764)
North Berkshire Pharmacy Inc.

Motion Pasedis/Walczyk to approve applications

Recused: DeVita for CVS and Trifone for Walgreens

Approved

4. 8:45 a.m. UPDATES - Dir. James D. Coffey

- MPJE State Specific Review - extended to September 30, 2012
- Report of Board Dispositions
- Board submitted NABP District I & II meeting (Oct. 2012) Roundtable topics

5. 8:55 a.m. REPORT OF OFFICE OF INVESTIGATIONS - File Review

Samuel J. Penta, RPh Supervising Investigator; James C. Emery, Investigator; Cheryl Latham, PharmD, RPh, Investigator; William E. Frisch, Jr, RPh, Investigator; Leo A. McKenna, PharmD, RPh, QA Coordinator

1	PHA- 2011 - 0291 Melissa Shetrawski PH232532	Motion Ryle/Walczyk to Dismiss with Advisory Letter with 2 Continuing Education Credits (CEs) in medication error prevention Approved
2	PHA- 2011- 0285 Stop & Shop Pharmacy 70 DS 2613	Motion Trifone/Walczyk to Dismiss with Advisory Letter with prescription filling process recommendations (separation of orders) and corporate wide implementation Approved
	PHA-2012-0107 Nancy Macleod PT3279	Motion Trifone/Pasedis to Dismiss with Advisory Letter regarding bagging process Approved
3	SA-INV-2409 Westwood Lodge PHA-2012-0163 Than L. Phan	Motion Trifone/Young to schedule Investigative Conference (pharmacist, current and prior pharmacy director). Approved

6. 10:00 a.m. Appearance - Bruce McAnally, Prospective Pharmacy Owner

Bruce McAnally, a McKinney, Texas resident licensed as a pharmacist in Texas and Oklahoma, discussed his interest in acquiring a Massachusetts pharmacy and responded to Board questions regarding his prior experience and intentions regarding the oversight and operations of a Massachusetts pharmacy. The Board advised Mr. McAnally that an application for ownership would be reviewed when filed.

7. 10:15 a.m. REPORT OF OFFICE OF GENERAL COUNSEL - Susan Manning, Board Counsel

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

PHA-2012-0127 Lucille Cortezzo PT8482	Recused DeVita following cases (not present for discussion or vote) Motion Walczyk/Pasedis to accept Voluntary Surrender Approved
PHA-2012-0128 Caitlyn Medeiros PT13756	Motion Trifone/Ryle for <i>Temporary Order of Summary Suspension</i> if a license is not surrendered Approved

10:25 a.m. **Motion** Trifone/Young to enter Closed Session
Approved

10:30 a.m. **Motion** Walczyk/Ryle to return to Open Session
Approved

8. 10:40 a.m. REPORT OF OFFICE OF INVESTIGATIONS - File Review continued

PHA- 2011- 0332 CVS 1094 DS1627	Recused DeVita all matters below (not present for discussion or vote) Motion Trifone/Pasedis to schedule Investigative Conference: Approved
PHA-2012-0031 Joseph Makosiej PH22553	
PHA-2011-0030 Heather Leveille PT5480	
PHA-2012-0334 CVS657 DS89715	Motion Trifone/Walczyk to propose Consent Agreement with Probation (minimum 2 year period) including self-inspections, ratio monitoring, new Manager of Record (MOR) and compliant refrigerated storage Approved
PHA-2011-0335 Nicole Croteau PH233030	Motion Young/Pasedis to Dismiss with Advisory Letter, cease acting as MOR (2 year period) and 2 CEs in pharmacy law Approved
PHA-2011-0302 Angel Khuu PT10572	Motion Walczyk/Young to propose Consent Agreement for Reprimand (expired license) Approved

9. 11:35 a.m. DISCUSSION

▪ **Pharmacist Assessment for Remediation Evaluation (PARE®)**

Pres. DeVita, Sec. Ryle and Dir. Coffey reviewed proposed NABP PARE program. Board members identified areas for additional discussion at October 2012 District meetings, including purpose and how boards will utilize the evaluation, proctoring, handbook, testing protocols (not test site), scheduling (4X per year), Board member pilot option, and test content specific to pharmacy practice area(s).

▪ **Draft Standards for Community Pharmacy Practice Accreditation**

Board will submit any comments to Dir. Coffey by August 10 to provide to CPPA per request for comments:

10. 12:00 p.m. NEW COMMUNITY PHARMACY APPLICATION/Appearance
GET WELL PHARMACY LLC - Proposed: 646 Blue Hill Avenue, Dorchester

Present: Proposed Manager of Record Ugoolisa Aghasili-Ede (PH233387), Owner Donna Nevarez, and Paul M. Garbarini, Esq., RPh

Applicant for retail pharmacy licensure proposes to dispense Schedule II-VI controlled substances.

Motion Ryle/Young to approve application pending compliant inspection
Approved

11. 12:30 p.m. LUNCH

12. 2:00 p.m. NEW COMMUNITY PHARMACY APPLICATION/Appearance
K PHARMACY, LLC - Proposed: 280 Westford Street, Lowell, MA

Present: Proposed Manager of Record and Co-Owner Celine Ear, RPh (PH232381), Staff Pharmacist and Co-Owner Patrick Lee RPh. (PH25776), and Co-Owners Helena Lee and Callie Ear

Applicant for retail pharmacy licensure proposes to dispense Schedule II-VI controlled substances.

Motion DeVita/Ryle for applicant to designate a different Manager of Record and submit a revised application for Board review.
Approved

FLEX DISCUSSION

A. NEW BUSINESS

APPLICATIONS

1) Daniel Thomas McGrath - Pharmacy Technician

Motion Walczyk/DeVita to approve

Approved

- 2) Hungwan Crystal Cheung – Pharmacist Reciprocity
Motion Trifone/Walczyk to approve
Approved
- 3) Natalie Jane Fries – Pharmacist Reciprocity Application
Motion Trifone/Pasedis to approve
Recused DeVita
Approved
- 4) Timothy J. Houle - Pharmacy Technician
Motion Young/Trifone to **DENY** application based on information disclosed and **not** disclosed related to Application Question D. 5.
Approved

OTHER

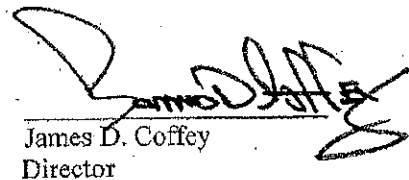
- 5) NABP 2012 Triathlon – NABP Interactive Member Forum Sept. 19-20, 2012

Motion Walczyk/Trifone for Young to attend; Pasedis as alternate
Approved
- 6) Board reviewed 2013 meeting schedule and determined that meeting will not be scheduled in August, in accordance with schedules of other Division of Health Professions Licensure boards.

14. 3:00 p.m. ADJOURNMENT

Respectfully submitted by:

Board approved: September 11, 2012



James D. Coffey
Director

BOARD OF REGISTRATION IN PHARMACY
CLOSED SESSION MINUTES
AUGUST 7, 2012
239 CAUSEWAY STREET
BOSTON, MA 02114

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

REPORT OF OFFICE OF GENERAL COUNSEL - Susan Manning, Board Counsel

10:25 a.m. **Motion** Trifone/Young to enter Closed Session
Approved

Matters of:

- **Bhuren H. Patel, RPh (PH21347)/Pelham Community Pharmacy (DS89647)**
Docket Nos. PHA-2011-0212, PHA-2011-0211 and PHA-2010-0195
Staff will communicate with Counsel and advise Board regarding pending complaints.
- **Shams Karimi, RPh. -- Docket No. PHA-2012-0123**
Board reviewed August 2, 2012 letter from Atty. Michael P. Hickey requesting Board to resolve complaint by issuance of Advisory Letter. Board declined to revise proposed Consent Agreement for Reprimand.

10:30 a.m. **Motion** Walczyk/Ryle to return to Open Session
Approved