

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

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

June 19, 2020

Webex Information

Call in Number: 1-203-607-0564 or toll free 1-866-692-3580

Access Code: 161 666 0727

Attendee: #

If you need reasonable accommodations in order to participate in the meeting, contact the DPH ADA Coordinator Yulanda Kiner, Phone: 617-624-5848 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

| Time | # | Item | Page | Contact |
|-------------|------------|---|-------------|----------------|
| | I | CALL TO ORDER | | K. Tanzer |
| | II | APPROVAL OF AGENDA | | |
| | III | APPROVAL OF BOARD MINUTES <ul style="list-style-type: none">• June 5, 2020 General Session Minutes• June 12, 2020 General Session Minutes | | |
| | IV | REPORTS <ul style="list-style-type: none">• Board Delegated Review pursuant to Licensure Policy 14-02 | | |
| | V | APPLICATIONS <ul style="list-style-type: none">• Long Term Pharmacy Solutions- Transfer of Ownership; DS3184 | | |

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|--|-------------|---|--|--|
| | VI | FLEX <ul style="list-style-type: none"> • Pharmacy issues related to Covid-19 and the state of emergency <ul style="list-style-type: none"> ➤ Pharmacist/Pharmacy Intern Scope of Practice • 2019 Plan of Correction Data Report/Summary | | |
| | VII | M.G.L. c. 112, § 65C SESSION | | |
| | VIII | ADJOURNMENT | | |

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

MINUTES OF THE GENERAL SESSION

Meeting held via WEBEX remotely

Boston, Massachusetts, 02114

June 19, 2020

Board Members Present

Kim Tanzer, PharmD, RPh. President
Julie Lanza, CPhT, President Elect (leaves at 9:30 AM)
Leah Giambarresi, Pharm D, RPh, Secretary
Sebastian Hamilton, Pharm D, RPh
Andrew Stein, Pharm D
Timothy Fensky, RPh (leave meeting by 9:50 AM)
Katie Thornell, RPh
Susan Cornacchio JD, RN
Patrick Gannon, RPh
Stephanie Hernandez, Pharm D, BCGP, RPh (arrives at 8:34 AM)

Board Members Not Present

Dawn Perry, JD
Carly Jean-Francois, RN, NP
Dr. Richard Lopez, MD

Board Staff Present

David Sencabaugh, RPh, Executive Director
Monica Botto, Assistant Executive Director
Heather Engman, JD, Board Counsel
William Frisch, RPh Director of Pharmacy Compliance
Michelle Chan, RPh Quality Assurance Pharmacist
Joanne Trifone, RPh, Director of Investigator
Julienne Tran, PharmD RPh, Investigator
Gregory Melton, Pharm D, JD, RPh Investigator
Cheryl Lathum, Pharm D, RPh Investigator
Christina Mogni, RPh Investigator
John Murray, RPh Investigator
Ed Taglieri, MSM, NHA, RPh, PSUD Supervisor
Joanna Chow, Office Support Specialist
Richard Harris, Program Analyst

TOPIC I. Attendance by roll call:

CALL TO ORDER 8:31 AM

A quorum of the Board was present, established by roll call. President K. Tanzer chaired the meeting. She explained that the Board of Pharmacy was recording the meeting.

Roll call attendance: K. Tanzer, yes; J. Lanza, yes; L. Giambarresi, yes. K. Thornell, yes; A. Stein, yes; P. Gannon, yes; S. Hamilton, yes; S. Cornacchio, yes; T. Fensky, yes.
S. Hernandez joins meeting at 8:34 AM

Topic II.

Approval of Agenda

TIME 8:32 AM

Agenda 6/19/2019

DISCUSSION:

Change to Agenda:

1. Defer Board Delegated Case Review. Report

ACTION:

Motion by P. Gannon, seconded by S. Hamilton and voted unanimously by those present to approve the agenda with noted changes by roll call vote.

Topic III

Approval of Board Minutes

TIME: 8:33 AM

Minutes

1. Draft 6/5/20 Session Minutes

No noted Changes.

Action:

Motion by L. Giambarresi, seconded S. Hamilton, and voted unanimously to approve the regular session minutes of 6/5/20 by roll call vote.

1. Draft 6/12/20 Session Minutes

No noted Changes.

Action:

Motion by S. Hamilton, seconded L. Giambarresi, and voted unanimously to approve the regular session minutes of 6/12/20 by roll call vote.

TOPIC IV

REPORTS

Board Delegated Case Review report deferred.

TOPIC V

Applications

1. Long Term Pharmacy Solutions DS3184 Transfer of Ownership TIME: 8:34 AM

REPRESENTED BY: James Rice, MOR; Steven Geoffroy, Owner of LTPS

RECUSAL: Tim Fensky

DISCUSSION: Steven has been owner of Long-Term Pharmacy for 18 years and plans to sell the pharmacy to PharMerica. PharMerica will be leasing the building from Steve. LTPS is a hospice and group home pharmacy and will continue to follow the same business model under the new ownership. The closing date will be 6/30/20. The Attestation for Sterile compounding will need to be submitted. The new owners have reviewed the recent Circular Letter: DHCQ 20-3-700 and Joint Policy 2019-02 on ADD storage requirements.

ACTION: Motion by L. Giambarresi, seconded by S. HAMILTON, and voted unanimously by those present to approve the application pending a successful inspection. T. Fensky was recused.

VI.

Flex

**1. Pharmacy issues related to COVID-19 and the state of emergency:
Pharmacist/Pharmacy Intern Scope of Practice**

Time: 8:40 AM

Recusal: N/A

Discussion: For final ratification, W. FRISCH presented the memo that was voted on at the 6/19/20 Board meeting. The updated memo language expands the scope of practice for pharmacists and pharmacy interns to include the ordering, administration, reading, and reporting of results of FDA-authorized COVID-19 tests, as well as the administration of investigational and FDA-approved COVID-19 vaccines, all contingent upon future Board guidance.

D. SENCABAUGH reiterated that this was brought forward to ratify the changes recommended by the Board last week.

So noted.

1. 2019 Plan of Correction Data Report/Summary

Time: 8:43 AM

Recusal: N/A

Discussion: J. MURRAY presented the 2019 Plan of Correction Data Report/Summary.

There were 1,939 Retail Compliance inspections completed in 2019. This is an increase of 90 additional inspections (+4.9%) from 2018. The inspections resulted in 267 Plans of Corrections being issued. This was a decrease of 52 Plans of Correction (-16.3%) from 2018.

Of the 267 Plans of Correction issued, 219 (82%) were approved, 43 (16.1%) resulted in a re-inspection being requested and 5 (1.9%) were referred to triage.

The top five cited sections in 2019 for Chain and Non-Chain Pharmacies were:

1. Equipment, Facility, and Drug Storage
2. Controlled Substance Records
3. Refrigeration
4. Manager of Record
5. Immunization

This is a change from 2018 when Controlled Substance Records was the top cited section and Equipment, Facility and Drug Storage was second most cited section. Refrigeration and Manager of Record swapped positions in the ranking from 2018 to 2019.

When you look at chain pharmacy only inspections, the Plan of Correction citations mirror those of the combined inspections. Non-chain citations top five citation sections were more diverse due to three sections being tied for fourth most cited.

Top five Sections Non-Chain Pharmacies:

1. Controlled Substance Records
2. Equipment, Facility, and Drug Storage
3. Manager of Record
4. Immunization
4. Standards for Prescription Labeling, Format, & Containers
4. Security

P. GANNON says that he is pleased to see in the improving trends of controlled substances.

S. CORNACCHIO indicated if there are areas for improvements that we can provide to licensees.

J. MURRAY said it depends on the areas but refrigeration issues and expired controlled substances in the inventory.

P. GANNON mentioned that refrigeration issues and controlled substance issues of keeping expired medications in the perpetual inventory should be highlighted in the next newsletter.

J. MURRAY says that it's the new group of pharmacists in the pharmacy when the investigators meet for inspection that require areas for improvements.

EXECUTIVE SESSION

No Executive Session held.

Adjudicatory Session (M.G.L. ch 30A § 18)

No Adjudicatory Session held.

Topic VII:

M.G.L. 65 C #1

Time: 8:53 AM

DISCUSSION: None

ACTION: President K. Tanzer request a motion to enter M.G.L 65 c Session.

At 8:53 AM S. Hamilton, seconded by J. Lanza and voted unanimously by all those present to enter M.G.L. chapter 65 c Session by roll call vote.

Topic VIII:

ADJOURNMENT OF MEETING

TIME: 9:38 AM

ACTION: Motion by L. Giambarresi seconded by S. Hamilton, and voted unanimously by those present, to adjourn from General Session by roll call vote.

EXHIBITS USED DURING THE OPEN SESSION OF THE MEETING

1. Draft Agenda of the 6/19/20 General Session
2. Draft Minutes of the 6/5/20 and 6/12/20 Meeting
3. Applications: Long Term Pharmacy Solutions; DS3184 Transfer of Ownership
4. Pharmacy issues related to COVID-19 and the State of Emergency Memo for Pharmacist/Pharmacy Intern Scope of Practice
5. 2019 Plan of Correction Data Report/Summary

Respectfully Submitted,
Leah Giambarresi, PharmD, RPh, Secretary