

COMMONWEALTH OF MASSACHUSETTS

NOTICE OF THE ADDITIONAL SCHEDULED MEETING OF THE
BOARD OF REGISTRATION IN PHARMACY

March 19, 2013 – 5:30 pm
239 Causeway Street ~ Room 417 A&B
Boston, Massachusetts 02114

PRELIMINARY AGENDA

Time	#	Item	Exhibits	Staff Contact
5:30	I.	CALL TO ORDER		
5:30	II.	APPROVAL OF AGENDA		
5:35	IV.	<p>APPLICATIONS</p> <p>A. Applications for Renovation or Expansion</p> <ol style="list-style-type: none"> 1. Walmart 10-2157, DS2734 506 State Road, North Dartmouth 2. Walmart 10-2329, DS2751 555 East Main Street, Orange 3. Rite-Aid 10201, DS2572 933 Pleasant Street, Fall River 4. Pallimed Solutions, Inc., DS3498 400 West Cummings Park, Woburn <p>B. Applications for Relocation</p> <ol style="list-style-type: none"> 1. Wal-Mart 10-1984 1415 Curran Memorial Highway, No. Adams <p>C. Applications for a New Store</p> <ol style="list-style-type: none"> 1. Pharmahealth Specialty Pharmacy 25 Armory Street, Boston 2. Medical Essentials 39 Haverhill Street, Methuen 3. CarePro 1167 North Main St, Randolph 4. Randolph Pharmacy 1187 North Main St, Randolph 5. South Cove Community Health Center (340B) 435 Hancock Street, Quincy <p>D. Petition for Waiver of the Provisions of 247 CMR</p> <ol style="list-style-type: none"> 1. Southcoast Pharmacy, 101 Page Street, New Bedford (DS2641) Waiver of 247 CMR 6.02 (8)(a) 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. 	Applications	M. Cittadino

7:30	X.	FILE REVIEW <ol style="list-style-type: none"> 1. Pallimed Solutions, Inc., DS3498, PHA-2011-0286 2. Pallimed Solutions, Inc., DS3498, PHA-2012-0046 3. Pallimed Solutions, Inc., DS3498, PHA-2012-0045 4. Pallimed Solutions, Inc., DS3498, PHA-2012-0237 5. Pallimed Solutions, Inc., DS3498, PHA-2013-0017 6. M. Costanzo, PH233143, PHA-2012-0170 7. M. Costanzo, PH233143, PHA-2012-0167 8. J. Nahill, PH21521, PHA-2012-0171 9. Sedell's Pharmacy, DS3318, PHA-2011-0303 10. R. Sterling, PH14543, PHA-2011-0304 11. C. Sedell, PH24364, PHA-2011-0177 12. C. Rizzo, PH19665, PHA-2013-0001 	Investigation Reports	C. Lathum W. Frisch
	VI.	APPLICATIONS, CONT. <p>E. Application for Registration</p> <ol style="list-style-type: none"> 1. David John Smale, Pharmacy Technician 2. Kristen Lucia, Pharmacy Technician 3. Melinda Martland, Reciprocal Pharmacist 4. Julie Ann DiPilato, Pharmacy Technician 5. Bryan Nguyen, Pharmacy Intern 6. Heather Kite, Reciprocal Pharmacist 7. Daniel Valenzuela, Pharmacy Technician 8. Kelly Conn, Reciprocal Pharmacist 9. Pierce Kocjan, Pharmacy Intern 10. Rex Gamoke, Pharmacy Intern 11. Dan Ton Nguyen, Pharmacy Intern 12. Jason Wright, Pharmacy Technician 	Applications	M. Cittadino
7:50	III.	APPROVAL OF BOARD MINUTES <ol style="list-style-type: none"> 1. February 5, 2013 Regularly Scheduled Meeting 2. February 5, 2013 Executive Session 3. February 5, 2013 M.G.L. c. 112, § 65C Session 	Minutes	V. Berg
8:30	XVI.	ADJOURNMENT		

COMMONWEALTH OF MASSACHUSETTS
BOARD OF REGISTRATION IN PHARMACY

MINUTES OF THE ADDITIONAL SCHEDULED MEETING

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

Tuesday, March 19, 2013

Board Members Present

James T. DeVita, RPh
Karen Ryle, RPh, MS
Joanne Trifone, RPh
Anita Young, RPh, EdD
Jane Franke, RN, MHA
Edmund Taglieri, RPh, MSM, NHA
Patrick Gannon, RPh, MS

Board Members Not Present

Board Staff Present

Madeleine Biondolillo, MD,
Bureau Director, HCSQ
Margaret Cittadino, MEd
Associate Director
Heather Engman JD, MPH, Board Counsel
Vita P. Berg, Assisting Board Counsel
Leo McKenna, RPh, PharmD, (until 7:25 pm)
Quality Assurance (QA)
Coordinator
Samuel Penta, RPh,
Investigator Supervisor
William E. Frisch, Jr., RPh,
Investigator
Joseph Sceppa, RPh, Consultant
Cheryl Lathum, RPh, PharmD,
Investigator
Joel Kanter, PhD, Consultant
Louis Dell'Olio, RPh,
Director, SOPS
Erin Belitskus, Program Coordinator
Carissa Prosnitz, Paralegal

Board Staff Not Present

TOPIC:

I. CALL TO ORDER

DISCUSSION: A quorum of the Board was present.

ACTION: At 5:35 p.m. J. DEVITA, President, called the March 19, 2013, meeting of the Board of Registration in Pharmacy to order.

TOPIC:

II. APPROVAL OF AGENDA

DISCUSSION: Board members reviewed the tentative agenda. J. DEVITA proposed to add to the Flex Session a discussion concerning selection of a delegate to the annual NABP conference and a request from a Massachusetts College of Pharmacy student.

ACTION: Motion by A. YOUNG, seconded by E. TAGLIERI, and voted unanimously to approve the agenda with changes (addition of discussion on NABP delegate and Massachusetts College of Pharmacy student request).

TOPIC:

IV. APPLICATIONS

A. Applications for Renovation or Expansion

1. **Walmart 10-2157**, 506 State Road, North Dartmouth (DS2734)

DISCUSSION: M. CITTADINO presented the store's application for renovation or expansion. She noted that the application did not involve any unusual issues.

ACTION: Motion by K. RYLE, seconded by J. TRIFONE, and voted unanimously to approve the application.

TOPIC:

IV. APPLICATIONS

A. Applications for Renovation or Expansion

2. **Walmart 10-2329**, 555 East Main Street, Orange (DS2751)

DISCUSSION: M. CITTADINO presented the store's application for renovation or expansion. She noted that the application did not involve any unusual issues.

ACTION: Motion by K. RYLE, seconded by J. TRIFONE, and voted unanimously to approve the application.

TOPIC:

IV. APPLICATIONS

A. Applications for Renovation or Expansion

3. **Rite-Aid 10201**, 933 Pleasant Street, Fall River (DS2572)

DISCUSSION: M. CITTADINO presented the store's application for renovation or expansion. She noted that the application did not involve any unusual issues.

ACTION: Motion by K. RYLE, seconded by J. TRIFONE, and voted unanimously to approve the application.

TOPIC:

IV. APPLICATIONS

A. Applications for Renovation or Expansion

4. **Pallimed Solutions, Inc.**, 400 West Cummings Park, Woburn (DS3498)

DISCUSSION: At the proposal of J. DEVITA, discussion on this application was conducted at the same time as the file review of complaints pending against this licensee. M. CITTADINO presented the pharmacy's application for renovation or expansion. She noted that Pallimed proposed to take over additional space and renovate their clean room.

ACTION: Motion by J. DEVITA, seconded by K. RYLE, and voted unanimously to conditionally approve expansion of space and clean room renovation provided that such expansion and renovation complies with an approved plan of correction

prepared in response to recent inspections and pending matters.

TOPIC:

IV. APPLICATIONS

B. Applications for Relocation

1. **Wal-Mart 10-1984**, 1415 Curran Memorial Highway, North Adams

DISCUSSION: M. CITTADINO presented the store's application for relocation and noted that the application did not involve any unusual issues.

ACTION: Motion by J. TRIFONE, seconded by K. RYLE, and voted unanimously to approve the application.

TOPIC:

IV. APPLICATIONS

C. Applications for a New Store

1. **Pharmahealth Specialty Pharmacy**, 25 Armory Street, Boston

DISCUSSION: Jennifer Torrey and Paul Garbarini appeared for a reconsideration of their Application for a New Store and answered Board member's questions concerning ownership, corporate structure of the pharmacy and its relationship with Pharmahealth pharmacies in other locations. The proposed pharmacy will be located within the AIDS Community Action Center and serving the specific needs of this patient group. H. ENGMAN presented documentation provided by the applicant's attorney since February 5, 2013 which demonstrated overlaps in ownership between this applicant and a separate PharmaHealth pharmacy at New Bedford. She further advised the Board members that pursuant to 247 CMR 6.01(6) the Board may approve an application for licensure if the Board determines that doing so is in the best interest of the public health, welfare and safety; conversely, the Board may deny applications that it determines are inconsistent with those interests per M.G.L. ch. 112, § 39. S. PENTA and C. LATHUM advised the Board with regard to their correspondence, interactions and observations relating to the inspection of the PharmaHealth pharmacy at New Bedford. Board members expressed concern about the unresolved complaint in relation to their New Bedford location, and the overlap between the proposed pharmacy's management and owners and that of its New Bedford location.

ACTION: Motion by J. DEVITA, seconded by P. GANNON, and unanimously passed to take the application under advisement until the Board reviews the pending Pharmahealth complaints.

TOPIC:

IV. APPLICATIONS

C. Applications for a New Store

2. **Medical Essentials**, 39 Haverhill Street, Methuen

DISCUSSION: Peter Edgerly and Edwin Ngaruiya (Manager of Record) appeared for a reconsideration of their Application for a New Store and answered Board member's 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 waiver is approved), and would specialize in individuals residing out of state receiving worker's compensation, primarily in New York and Pennsylvania. The applicants noted that they intend to work with local visiting nurse groups and veterinarians in addition to focusing on injured workers. Board members

expressed concerns about the applicant's ability to monitor patient prescription history for abuse given the absence of a Prescription Monitoring Program that would encompass all the states where proposed consumers would reside. Board members also had concerns about the applicant's understanding of limitation on filling CII prescriptions by prescribers from non-contiguous states. Board members further expressed concern that the proposed Manager of Record has no experience in this type of pharmacy operation.

ACTION: Motion by E. TAGLIERI, seconded by J. TRIFONE, to deny the application. Motion passed with votes in favor by J. FRANKE, P. GANNON, K. RYLE, E. TAGLIERI, J. TRIFONE and A. YOUNG, and J. DEVITA opposed.

TOPIC:

IV. APPLICATIONS

C. Applications for a New Store

3. **CarePro**, 1167 North Main Street, Randolph

RECUSAL: J. TRIFONE exited the room prior to commencement of the discussion of this matter and returned following the vote.

DISCUSSION: Son Dinh appeared before the Board to present his application to open a new community pharmacy in Randolph, and he answered the Board member's questions about the business plan, security measures, and Manager of Record. He represented that the pharmacy would offer delivery, basic compounding and an after hour pharmacy services. There was no proposed Manager of Record at present but the applicant will hire one subsequent to the Board's decision.

ACTION: Motion by E. TAGLIERI, seconded by P. GANNON, and voted unanimously to conditionally approve the application pending an inspection that demonstrates compliance with Board regulations.

TOPIC:

IV. APPLICATIONS

C. Applications for a New Store

4. **Randolph Pharmacy**, 1187 North Main Street, Randolph

RECUSAL: J. TRIFONE exited the room prior to commencement of the discussion of this matter and returned following the vote.

DISCUSSION: Tiffany Nguyen and Triet Ngo (Manager of Record) appeared before the Board to present his application to open a new community pharmacy in Randolph, and he answered the Board member's questions about the business plan, security measures, and Manager of Record. Applicants represented that they intended to focus their business on the elderly and the Vietnamese-speaking community. Manager of Record noted that he has previous experience as a manager of record and would leave his current position if the application was approved. Board members noted that there were no waivers required.

ACTION: Motion by K. RYLE, seconded by A. YOUNG, and voted unanimously to conditionally approve the application pending an inspection that demonstrates compliance with Board regulations.

TOPIC:

IV. APPLICATIONS

C. Applications for a New Store

5. **South Cove Community Health Center (340B)**, 435 Hancock Street, Quincy
RECUSAL: J. TRIFONE exited the room prior to commencement of the discussion of this matter and returned following the vote.

DISCUSSION: Raymond Yu (Manager of Record) appeared before the Board to present a 340B application for a new pharmacy. Manager of Record represented that they would only be operating as a 340B clinic for South Cove Community Health Center. Board members discussed whether it would be more appropriate for applicant to submit a clinic application rather than a community store application as they would only be serving patients of the Center.

ACTION: Motion by J. DEVITA, seconded by E. TAGLIERI, and voted unanimously to defer action on this application until the applicant determines whether a retail license is desired after submitting and obtaining approval for a clinic license via DPH plan review.

TOPIC:

IV. APPLICATIONS

D. Petition for Waiver of the Provisions of 247 CMR

1. **Southcoast Pharmacy**, 201 Page Street, New Bedford (DS2641) Waiver of 247 CMR 6.02 (8)(a)

RECUSAL: P. GANNON exited the room prior to commencement of the discussion of this matter and returned following the vote.

DISCUSSION: Pharmacy petitioned to post pharmacy sign on its front door inside the commercial building in which it resides.

ACTION: Motion by E. TAGLIERI, seconded by A. YOUNG, and voted unanimously to approve petition.

TOPIC:

IV. APPLICATIONS

D. Petition for Waiver of the Provisions of 247 CMR

2. **Southcoast Pharmacy**, 363 Highland Avenue, Fall River for Waiver of 247 CMR 6.02 (8)(a)

RECUSAL: P. GANNON exited the room prior to commencement of the discussion of this matter and returned following the vote

DISCUSSION: Pharmacy petitioned to post pharmacy sign on its front door inside the commercial building in which it resides.

ACTION: Motion by E. TAGLIERI, seconded by A. YOUNG, and voted unanimously to approve petition.

TOPIC:

VI. APPLICATIONS CONTINUED

E. Application for Registration

1. **David John Smale**, Pharmacy Technician

RECUSAL: J. TRIFONE exited the room prior to commencement of the discussion of this matter and returned following the vote

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

ACTION: Motion by P. GANNON, seconded by J. FRANKE, and voted unanimously to conditionally approve application, pending proof to board staff's satisfaction that the applicant has completed all probation requirements, has no other criminal history and pending receipt of an employer recommendation.

TOPIC:

VI. APPLICATIONS CONTINUED

E. Application for Registration

2. **Kristen Lucia**, Pharmacy Technician

RECUSAL: J. DEVITA exited the room prior to commencement of the discussion of this matter and returned following the vote.

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

ACTION: Motion by P. GANNON, seconded by A. YOUNG, and voted unanimously to deny application.

TOPIC:

VI. APPLICATIONS CONTINUED

E. Application for Registration

3. **Melinda Martland**, Reciprocal Pharmacist

RECUSAL: J. DEVITA exited the room prior to commencement of the discussion of this matter and returned following the vote.

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

ACTION: Motion by A. YOUNG, seconded by P. GANNON, and voted unanimously to deny application.

TOPIC:

VI. APPLICATIONS CONTINUED

E. Application for Registration

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

RECUSAL: J. DEVITA exited the room prior to commencement of the discussion of this matter and returned following the vote.

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

ACTION: Motion by K. RYLE, seconded by A. YOUNG, and voted unanimously to approve application.

TOPIC:

VI. APPLICATIONS CONTINUED

E. Application for Registration

5. **Bryan Nguyen**, Pharmacy Intern

RECUSAL: J. DEVITA exited the room prior to commencement of the discussion of this matter and returned following the vote.

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

ACTION: Motion by A. YOUNG, seconded by K. RYLE, and voted to approve application with the following votes in favor (A. YOUNG, K. RYLE, P. GANNON, J. DEVITA, J. FRANKE, E. TAGLIERI) and J. TRIFONE opposed.

TOPIC:

VI. APPLICATIONS CONTINUED

E. Application for Registration

6. **Daniel Valenzuela**, Pharmacy Technician

RECUSAL: J. DEVITA exited the room prior to commencement of the discussion of this matter and returned following the vote.

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

ACTION: Motion by A. YOUNG, seconded by K. RYLE, and voted unanimously to deny application.

TOPIC:

VI. APPLICATIONS CONTINUED

E. Application for Registration

7. **Kelly Conn**, Reciprocal Pharmacist

RECUSAL: Recusal by J. DEVITA.

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

ACTION: Motion by P. GANNON, seconded by K. RYLE, and voted unanimously to approve application.

TOPIC:

VI. APPLICATIONS CONTINUED

E. Application for Registration

8. **Heather Kite**, Reciprocal Pharmacist

RECUSAL: Recusal by J. DEVITA.

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

ACTION: Motion by K. RYLE, seconded by A. YOUNG, and voted unanimously to approve application.

TOPIC:

VI. APPLICATIONS CONTINUED

E. Application for Registration

9. **Pierce Kocjan**, Pharmacy Intern

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

ACTION: Motion by A. YOUNG, seconded by E. TAGLIERI, and voted unanimously to approve application.

TOPIC:

VI. APPLICATIONS CONTINUED

E. Application for Registration

10. **Rex Gamoke**, Pharmacy Intern

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

ACTION: Motion by A. YOUNG, seconded by J. FRANKE, and voted unanimously to approve application.

TOPIC:

VI. APPLICATIONS CONTINUED

E. Application for Registration

11. **Dan Ton Nguyen**, Pharmacy Intern

DISCUSSION: None.

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

TOPIC:

VI. APPLICATIONS CONTINUED

E. Application for Registration

12. **Jason Wright**, Pharmacy Technician

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

ACTION: Motion by A. YOUNG, seconded by K. RYLE, and voted unanimously to approve application.

TOPIC:

X. FILE REVIEW

1. **Pallimed Solutions, Inc.** DS3498, PHA-2011-0286

DISCUSSION: C. LATHUM presented her investigation report. Pallimed Solutions filled, compounded and dispensed a prescription for HCG which allegedly caused a patient to have a high-grade fever on three (3) occasions. The patient also alleges to not have received a prescription from the physician and was unable to use the patient's "regular pharmacy." The compounded product is commercially available generally but may not have been available at the time in which it was compounded. The Board noted that the prescription filled was a form that included the licensee's legend at the top, and that it was a pre-populated form that listed commercially available products. The Board requested further information about the lot in which this vial of HCG was produced, including the lot size, the number of patients who received from this lot, whether any other patients reported a reaction, the dates and duration of known manufacturer shortages for HCG during the corresponding time period and sterility testing.

ACTION: Motion by K. RYLE, seconded by A. YOUNG, and voted unanimously to hold an investigatory conference under M.G.L. c. 112, § 65C and to request the presence of both James Nahill and Justin McDowell.

TOPIC:

X. FILE REVIEW

2. **Pallimed Solutions, Inc.** DS3498, PHA-2012-0046

3. **Pallimed Solutions, Inc.** DS3498, PHA-2012-0045

6. **M. Costanzo**, PH233143, PHA-2012-0170

7. **M. Costanzo**, PH233143, PHA-2012-0167

8. **J. Nahill**, PH21521, PHA-2012-0171

DISCUSSION: These five (5) complaints arise out of the same facts and were discussed jointly. C. LATHUM presented her investigation report. Pallimed filled, compounded and dispensed lidocaine 18% instead of the prescribed lidocaine 2% to a 60-year-old and an 82-year-old patient, necessitating a hospital admission for each patient. Investigation revealed that a mistake was made in the formula and that there was no validation process in place. The Board requested further information concerning the number of vials in the

lot, and documentation from the physician's office with respect to the number dispensed and then subsequently retrieved. The Board members expressed concern at a photograph which appeared to show that the vial lacked patient specific labeling; Board requested further information about whether there was external packaging that may have included a label.

ACTION: Motion by K. RYLE, seconded by A. YOUNG, and voted unanimously to approve holding an investigatory conference under M.G.L. c. 112, § 65C.

TOPIC:

X. FILE REVIEW

4. **Pallimed Solutions, Inc.** DS3498, PHA-2012-0237

DISCUSSION: C. LATHUM presented her investigation report. Pfizer alleges that Pallimed is compounding sildenafil (Viagra) 50 mg and 100 mg tablets by obtaining sildenafil citrate from an unapproved source of active pharmaceutical ingredient. Pallimed staff signed documentation provided by the sildenafil source, which indicated that it was for veterinary use only. Upon investigation, it was observed that the sildenafil obtained by Pallimed was being used to compound both human and veterinary prescriptions. The investigation revealed that Pallimed was providing prescribers pre-populated prescription forms with the company legend.

ACTION: Motion by K. RYLE, seconded by A. YOUNG, and voted unanimously to approve holding an investigatory conference under M.G.L. c. 112, § 65C.

TOPIC:

X. FILE REVIEW

5. **Pallimed Solutions, Inc.** DS3498, PHA-2013-0017

DISCUSSION: Investigation is still open and is being conducted by C. LATHUM, S. PENTA, and B. FRISCH.

ACTION: Motion by K. RYLE, seconded by A. YOUNG, and voted unanimously to approve holding an investigatory conference under M.G.L. c. 112, § 65C.

TOPIC:

X. FILE REVIEW

6. **Sedell's Pharmacy**, DS3318, PHA-2011-0303

DISCUSSION: None.

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

TOPIC:

X. FILE REVIEW

7. **R. Sterling**, PH14543, PHA-2011-0303

DISCUSSION: None.

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

TOPIC:

X. FILE REVIEW

8. **C. Sedell**, PH24364, PHA-2011-0177

DISCUSSION: None.

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

TOPIC:

X. FILE REVIEW

9. **C. Rizzo**, PH19665, PHA-2013-0001

DISCUSSION: V. BERG presented the matter to the Board. On October 5, 2012, Respondent's pharmacist license in Rhode Island was summarily suspended; and later, on January 30, 2013, the Respondent entered into a Consent Agreement with the Rhode Island Board of Pharmacy to surrender his license for a minimum of three years based on observations by Rhode Island inspectors, including but not limited to, the pharmacy where the Respondent served as Pharmacist in Charge accepted returned controlled substances from end users, held and distributed adulterated and/or misbranded drugs, permitted pharmacy technicians to perform final verification, and failed to report drug losses. The Board contacted the Respondent after it was notified that his license to practice as a pharmacist in Rhode Island had been suspended for an indefinite period of time pending further order. The Respondent has not responded to the complaint against him.

ACTION: Motion by J. DEVITA, seconded by J. TRIFONE, and voted unanimously to refer this complaint for prosecution with authorization to enter into a consent agreement for voluntary surrender for an indefinite period, with requirements for reinstatement to include restoration of the Respondent's Rhode Island license to good standing and compliance with the Board's reinstatement policy.

TOPIC:

III. APPROVAL OF PRIOR BOARD MINUTES

February 5, 2013 Regularly Scheduled Meeting

February 5, 2013 Executive Session

February 5, 2013 M.G.L. c. 112, § 65C Session

DISCUSSION: V. BERG presented minutes from the February 5, 2013 Board meeting.

ACTIONS: Motion by P. GANNON, seconded by J. FRANKE, and unanimously passed to approve the minutes from the February 5, 2013 Regularly Scheduled Meeting, the February 5, 2013 Executive Session, and the February 5, 2013 M.G.L. c. 112, § 65C Session.

TOPIC:

XII. FLEX SESSION

1.a. **NABP Delegate**

DISCUSSION: Board members discussed electing a delegate for NABP's 109th Annual Meeting on May 18-21, 2013.

ACTION: Motion by J. DEVITA, seconded by K. RYLE, and voted unanimously to elect J. TRIFONE for NABP delegate.

TOPIC:

XII. FLEX SESSION

1.b. **NABP Alternative Delegate**

DISCUSSION: Board members discussed electing an alternative delegate for NABP's 109th Annual Meeting on May 18-21, 2013.

ACTION: Motion by J. DEVITA, seconded by E. TAGLIERI, and voted unanimously to elect A. YOUNG for NABP alternative delegate.

TOPIC:

XII. FLEX SESSION

2. Massachusetts College of Pharmacy student request

DISCUSSION:

ACTION:

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 MEETING

1. Draft minutes of the February 5, 2013 Regularly Scheduled Meeting
2. Draft minutes of the February 5, 2013 Executive Session
3. Draft minutes of the February 5, 2013 M.G.L. c. 112, § 65C Session
4. Report of Applications approved pursuant to Licensure Policy 13-01
5. Report of Plans of Correction reviewed pursuant to Enforcement Policy 13-02
6. Application to Manage and Operate a New Community Pharmacy: Pharmahealth Specialty Pharmacy
7. Application to Manage and Operate a New Community Pharmacy: Medical Essentials
8. Application to Manage and Operate a New Community Pharmacy: CarePro
9. Application to Manage and Operate a New Community Pharmacy: Randolph Pharmacy
10. Application to Manage and Operate a New Community Pharmacy: South Cove Community Health Center (340B)
11. Petition for the Waiver of the provisions of 247 CMR for Southcoast Pharmacy, New Bedford
12. Petition for the Waiver of the provisions of 247 CMR for Southcoast Pharmacy, Fall River
13. Pharmacy Technician Registration Application with report of prelicensure Good Moral Character Review for D. Smale
14. Pharmacy Technician Registration Application with report of prelicensure Good Moral Character Review for K. Lucia
1. Pharmacist Reciprocal Licensure Application with report of prelicensure Good Moral Character Review for M. Martland
2. Pharmacy Technician Registration Application with report of prelicensure Good Moral Character Review for J. DiPilato
15. Pharmacy Intern Licensure Application with report of prelicensure Good Moral Character Review for B. Nguyen
16. Pharmacist Reciprocal Licensure Application with report of prelicensure Good Moral Character Review for H. Kate
17. Pharmacy Technician Licensure Application with report of prelicensure Good Moral Character Review for D. Valenzuela
18. Pharmacist Reciprocal Licensure Application with report of prelicensure Good Moral Character Review for K. Conn

19. Pharmacy Intern Licensure Application with report of prelicensure Good Moral Character Review for P. Kocjan
20. Pharmacy Intern Licensure Application with report of prelicensure Good Moral Character Review for R. Gamoke
21. Pharmacy Intern Licensure Application with report of prelicensure Good Moral Character Review for D. Nguyen
22. Pharmacy Technician Licensure Application with report of prelicensure Good Moral Character Review for J. Wright
23. Investigation Report re: Pallimed Solutions, Inc., DS3498, PHA-2011-0286
24. Investigation Report re: Pallimed Solutions, Inc., DS3498, PHA-2012-0046
25. Investigation Report re: Pallimed Solutions, Inc., DS3498, PHA-2012-0045
26. Investigation Report re: Pallimed Solutions, Inc. DS3498, PHA-2012-0237
27. Investigation Report re: M. Costanzo, PH233143, PHA-2012-0170
28. Investigation Report re: M. Costanzo, PH233143, PHA-2012-0167
29. Investigation Report re: J. Nahill, PH21521, PHA-2012-0171
30. Investigation Report re: Sedell's Pharmacy, DS3318, PHA-2011-0303
31. Investigation Report re: R. Sterling, PH14543, PHA-2011-0304
32. Investigation Report re: C. Sedell, PH24364, PHA-2011-0177

Respectfully submitted,



Vita Palazzolo Berg, Assisting Board Counsel