

**COMMONWEALTH OF MASSACHUSETTS**

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

March 5, 2013  
239 Causeway Street ~ Room 417 A&B  
Boston, Massachusetts 02114

**PRELIMINARY AGENDA**

Time	#	Item	Exhibits	Staff Contact
8:30	I.	CALL TO ORDER		
8:30	II.	APPROVAL OF AGENDA		
8:30	III.	<p><b>EXECUTIVE SESSION</b></p> <p>1. Litigation anticipated as a result of the fungal meningitis outbreak.</p> <p>Purpose: M.G.L. c.30A, § 21(a)(3) – To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigation position of the public body and the chair so declares.</p>	CLOSED SESSION	
9:00	IV.	<b>M.G.L. c. 112, § 65C SESSION</b>	CLOSED SESSION	
9:30	V.	<p><b>APPROVAL OF BOARD MINUTES</b></p> <p>1. February 5, 2013 Regularly Scheduled Meeting 2. February 5, 2013 Executive Session 3. February 5, 2013 M.G.L. c. 112, § 65C Session</p>	Minutes	V. Berg
9:35	VI.	<p><b>REPORTS</b></p> <p>1. Applications approved pursuant to Licensure Policy 13-01 2. Plans of Correction reviewed pursuant to Enforcement Policy 13-02</p>	Reports	M. Cittadino H.Engman
9:45	VII.	<b>BOARD OPERATIONS</b>		M. Biondolillo



12:30	X.	<b>FILE REVIEW</b> <ol style="list-style-type: none"> <li>1. <b>Pallimed Solutions, Inc.</b>, DS3498, PHA-2011-0286</li> <li>2. <b>Pallimed Solutions, Inc.</b>, DS3498, PHA-2012-0046</li> <li>3. <b>Pallimed Solutions, Inc.</b>, DS3498, PHA-2012-0045</li> <li>4. <b>Pallimed Solutions, Inc.</b>, DS3498, PHA-2012-0237</li> <li>5. <b>Pallimed Solutions, Inc.</b>, DS3498, PHA-2013-0017</li> <li>6. <b>M. Costanzo</b>, PH233143, PHA-2012-0170</li> <li>7. <b>M. Costanzo</b>, PH233143, PHA-2012-0167</li> <li>8. <b>J. Nahill</b>, PH21521, PHA-2012-0171</li>   <li>9. <b>Sedell's Pharmacy</b>, DS3318, PHA-2011-0303</li> <li>10. <b>R. Sterling</b>, PH14543, PHA-2011-0304</li> <li>11. <b>C. Sedell</b>, PH24364, PHA-2011-0177</li> <li>12. <b>C. Rizzo</b>, PH19665, PHA-2013-0001</li> </ol>	Investigation Reports	C. Lathum W. Frisch
3:00	XI.	<b>GUIDANCE</b> <ol style="list-style-type: none"> <li>1. Chapter 244 of the Acts of 2012: FAQs</li> <li>2. Chapter 244 of the Acts of 2012: continuing education requirements</li> </ol>		
4:00	XII.	<b>FLEX SESSION</b> <ol style="list-style-type: none"> <li>1. Items for the next meeting</li> <li>2. Scheduling of additional meetings prior to next regularly scheduled meeting</li> <li>3. Village Fertility</li> <li>4. Ambulatory care</li> <li>5. Dispensing veterinary medications</li> </ol>		
4:30	XVI.	<b>ADJOURNMENT</b>		

COMMONWEALTH OF MASSACHUSETTS  
BOARD OF REGISTRATION IN PHARMACY

**MINUTES OF THE REGULARLY SCHEDULED MEETING**

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

Tuesday, March 5, 2013

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**Board Members Present**

James T. DeVita, RPh (until 10:15 a.m.)  
Karen Ryle, RPh, MS  
Joanne Trifone, RPh  
Anita Young, RPh, EdD  
Jane Franke, RN, MHA  
Edmund Taglieri, RPh, MSM, NHA

**Board Members Not Present**

Patrick Gannon, RPh, MS

**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  
Samuel Penta, RPh,  
Investigator Supervisor  
William E. Frisch, Jr., RPh,  
Investigator  
Joseph Sceppa, RPh, Consultant  
Cheryl Latham, RPh, PharmD,  
Investigator  
Louis Dell'Olio, RPh,  
Director, SOPS  
Erin Belitskus, Program Coordinator  
Carissa Prosnitz, Paralegal

**Board Staff Not Present**

Leo McKenna, RPh, PharmD,  
Quality Assurance (QA)  
Coordinator

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**TOPIC:**

**I. CALL TO ORDER**

**DISCUSSION:** A quorum of the Board was present.

**ACTION:** At 8:35. a.m. J. DEVITA, President, called the March 5, 2013, meeting of the Board of Registration in Pharmacy to order.

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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.

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

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TOPIC:

**CLOSED SESSIONS**

DISCUSSION: J. DEVITA announced the Board's intentions to enter into Executive Session and M.G.L. § Ch. 65C, both of which will be closed sessions, and noted that it was the Board's intent to return to Open Session following the conclusion of the closed sessions.

ACTION: So noted.

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TOPIC:

**III. EXECUTIVE SESSION**

DISCUSSION: None.

ACTION: Motion by E. TAGLIERI, seconded by J. FRANKE and passed by unanimous roll call vote to enter Executive Session at 8:40.

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EXECUTIVE SESSION (8:40 – 9:10)

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**IV. M.G.L. § Ch. 65C SESSION**

DISCUSSION: None

ACTION: Motion by E. TAGLIERI, seconded by J. FRANKE and passed by unanimous roll call vote to enter M.G.L. § Ch. 65C Session at 9:10.

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M.G.L. § Ch. 65C SESSION (9:10 – 9:50)

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BREAK (9:50 – 10:20)

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At 10:20 a.m. A. YOUNG for J. DEVITA, President, called the open meeting of the Board of Registration in Pharmacy to order following closed sessions. A quorum of the Board was not present and consequentially matters requiring a vote of the Board were deferred.

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TOPIC:

**VI. 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: None.

ACTIONS: Deferred due to lack of quorum.

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TOPIC:

**VI. REPORTS**

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

DISCUSSION: M. CITTADINO noted that there were nine (9) changes in Manager of Record and one (1) store closing.

ACTIONS: So noted.

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TOPIC:

**VI. REPORTS**

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

DISCUSSION: H. ENGMAN noted that the following Plans of Correction pursuant to Enforcement Policy 13-02 were approved: OncoMed Pharmaceutical Services, Western Mass. Compounding Center, and IntegriScript, Inc.

ACTIONS: So noted.

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TOPIC:

**VII. BOARD OPERATIONS**

1. **Update on search for Director of Board of Registration in Pharmacy**

DISCUSSION: M. BIONDOLILLO provided update on search for Director of Board of Registration in Pharmacy. She noted that interviews for Director have been completed and the Department of Public Health is in entering into the final process of selecting a Director.

ACTION: So noted.

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TOPIC:

**VIII. APPLICATIONS**

A. Applications for a New Store

1. **Pharmahealth Specialty Pharmacy**
2. **Medical Essentials**
3. **CarePro**
4. **Randolph Pharmacy**
5. **South Cove Community Health Center**

DISCUSSION: None.

ACTION: All five (5) Applications deferred due to lack of quorum.

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TOPIC:

**VIII. APPLICATIONS**

B. Applications for Relocation

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

DISCUSSION: None.

ACTION: Application deferred due to lack of quorum.

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TOPIC:

**VIII. APPLICATIONS**

C. Applications for Renovation or Expansion

1. **Walmart 10-2157**, 506 State Road, North Dartmouth (DS2734)
2. **Walmart 10-2329**, 555 East Main Street, Orange (DS2751)
3. **Rite-Aid 10201**, 933 Pleasant Street, Fall River (DS2572)
4. **Pallimed Solutions, Inc.**, 400 West Cummings Park, Woburn (DS3498)

DISCUSSION: None.

ACTION: All four (4) Applications deferred due to lack of quorum.

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TOPIC:

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

DISCUSSION: None.

ACTION: Applications deferred due to lack of quorum.

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TOPIC:

**VIII. APPLICATIONS**

**E. Application for Registration**

1. **Pierce Kocjan**, Pharmacy Intern
2. **Rex Gamoke**, Pharmacy Intern
3. **Dan Ton Nguyen**, Pharmacy Intern
4. **Jason Wright**, Pharmacy Technician

DISCUSSION: None.

ACTION: All four (4) Applications deferred due to lack of quorum.

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TOPIC:

**XI. GUIDANCE**

**1. §244 of the Acts of 2012: FAQs**

DISCUSSION: Board members reviewed the FAQ on §244 of the Acts of 2012 drafted by J. TRIFONE and discussed revisions still needed including (1) clarification of limitation on contiguous state prescribers to physicians only and (2) lock box requirements. J. SCEPPA volunteered to determine what forms the Massachusetts Drug Control Program wants pharmacists to use post-enactment of §244 of the Acts of 2012.

ACTION: So noted.

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TOPIC:

**XI. GUIDANCE**

**2. §244 of the Acts of 2012: Continuing Education Requirements**

DISCUSSION: §244 of the Acts of 2012 continuing education requirements addressed in the FAQ drafted by J. TRIFONE.

ACTION: So noted.

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TOPIC:

**XII. FLEX SESSION**

**1. NABP Delegate**

DISCUSSION: Board members discussed electing a delegate and the timeline for selecting the delegate.

ACTION: Deferred due to lack of quorum.

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TOPIC:

**XII. FLEX SESSION**

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

DISCUSSION: The Board felt the need to schedule a separate meeting before the regularly scheduled March meeting. M. CITTADINO offered to contact Board members and arrange for additional meeting in March.

ACTION: None

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TOPIC:

**XII. FLEX SESSION**

**3. Village Fertility**

DISCUSSION: H. ENGMAN discussed the Village Fertility recall issued by the company and the Cease and Desist entered due to the discovery of a contaminated lot. S. PENTA and L. MCKENNA are working with Village Pharmacy and the FDA.

ACTION: So noted.

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TOPIC:

**XII. FLEX SESSION**

**4. Ambulatory care**

DISCUSSION: The Board discussed the need to recognize ambulatory care as part of the scope of pharmacy practice. A. YOUNG volunteered to look into acquiring a video to show the Board pharmacy ambulatory care in action.

ACTION: So noted.

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TOPIC:

**XII. FLEX SESSION**

**5. Dispensing veterinary medications**

DISCUSSION: The Board discussed the pattern of more and more veterinary medications being dispensed at pharmacies. The Board initiated discussion on the practice issues that pharmacists might face in dispensing veterinary medication, and whether additional training should be necessary to dispense veterinary medication.

ACTION: So noted.

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TOPIC:

**XV. ADJOURNMENT**

DISCUSSION: None

ACTION: None; Adjournment without vote at 11:00 a.m.

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LIST OF EXHIBITS USED DURING THE MEETING

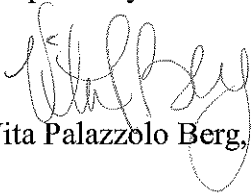
1. Report of Applications approved pursuant to Licensure Policy 13-01
2. Report of Plans of Correction approved pursuant to Enforcement Policy 13-02
3. Proposed FAQs on §244 of the Acts of 2012
4. AACP, Successful Practices in College/School Involvement with Pharmacists Integration in Primary Care Practice, *Primary Care Practice Model*, Pharmaceutical Education 2010
5. ACCP WHITE PAPER, Establishing and Evaluating Clinical Pharmacy Services in Primary Care, American College of Clinical Pharmacy, (Pharmacotherapy 1994;14(6):743-758)
6. *American Journal of Pharmaceutical Education 2010; 74 (10) Article S5*, AACP REPORTS,



Report of the 2009-2010 Professional Affairs Committee: Pharmacist Integration in Primary Care and the Role of Academic Pharmacy, APPENDIX B

7. ACCP white paper Draft May 2
8. Ambulatory Care Becomes Certifiable Specialty Practice.pdf
9. ASHP Statement on the Pharmacist's Role in Primary Care
10. Kathleen M. Bungay, Pharm.D., et. al., Description of a clinical pharmacist intervention administered to primary care patients with depression, General Hospital Psychiatry 26 (2004) 210-218
11. Definition of Ambulatory Care Pharmacy Practice, ASHP Statement on the Pharmacist's Role in Primary Care
12. Mid-Level Practitioners Authorization by State
13. AACP REPORTS, Report of the 2009-2010 Professional Affairs Committee: Pharmacist Integration in Primary Care and the Role of Academic Pharmacy
14. Charter, Northeastern University School of Pharmacy Society for Ambulatory Care

Respectfully submitted,



Vita Palazzolo Berg, Assisting Board Counsel