

COMMONWEALTH OF MASSACHUSETTS  
Board of Registration in Pharmacy

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

May 15, 2020

The Regular Session of this meeting is open to the public  
and will be heard via Webex Conference Call

**Webex Information**

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

Access Code: 618 493 755

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
8:30	I	CALL TO ORDER		K. Tanzer
	II	APPROVAL OF AGENDA	1	
	III	APPROVAL OF BOARD MINUTES <ul style="list-style-type: none"><li>Draft of May 7, 2020 Regular Session Minutes</li></ul>		
8:40	IV	REPORTS <ul style="list-style-type: none"><li>Applications approved pursuant to Licensure Policy 13-01</li><li>Monthly report from probation</li><li>Board Delegated Review pursuant to Licensure Policy 14-02</li><li>Above Action Levels approved by Staff Action 16-04</li><li>PSUD Report-Policy 17-03</li></ul>	3	

<b>8:45</b>	<b>V</b>	<b>APPLICATIONS</b> <ul style="list-style-type: none"> <li>Onco360; DS89921- Waivers</li> <li>GE Healthcare; WD510 - Relocation</li> </ul>	<b>4</b> <b>16</b>	
<b>9:00</b>	<b>VI</b>	<b>POLICIES</b> <ul style="list-style-type: none"> <li>Revision of Staff Action Policy 14-02: Board Delegated Review</li> </ul>	<b>33</b>	
<b>9:10</b>	<b>VII</b>	<b>FLEX</b> <ul style="list-style-type: none"> <li>Pharmacy issues related to Covid-19 and the state of emergency</li> <li>Summary of NABP virtual Annual Meeting, May 14, 2020</li> </ul>		
<b>BREAK</b>				
<b>9:20</b>	<b>VIII</b>	<b>EXECUTIVE SESSION</b> 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.	<b>38</b>	Closed Session
<b>9:45</b>	<b>IX</b>	<b>M.G.L. c. 112, § 65C SESSION</b>	<b>105</b>	
<b>10:15</b>	<b>X</b>	<b>ADJOURNMENT</b>		

COMMONWEALTH OF MASSACHUSETTS  
BOARD OF REGISTRATION IN PHARMACY

MINUTES OF THE REGULARLY SCHEDULED MEETING  
May 15, 2020

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**Board Members Present**

Kim Tanzer, PharmD, RPh. President  
Julie Lanza, CPhT, President Elect  
Leah Giambarresi, Pharm D, RPh, Secretary  
Andrew Stein, Pharm D  
Sebastian Hamilton, Pharm D, RPh  
Timothy Fensky, RPh  
Dr. Richard Lopez, MD  
Dawn Perry, JD  
Stephanie Hernandez, Pharm D, BCGP, RPh  
Katie Thornell, RPh  
Patrick Gannon, RPh  
Susan Cornacchio JD, RN  
Carly Jean-Francois, RN, NP

**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  
Christina Mogni, RPh Investigator  
Ed Taglieri, MSM, NHA, RPh, PSUD Supervisor  
Joanna Chow, Office Support Specialist  
Richard Harris, Program Analyst  
John Murray, RPh Investigator  
Leo McKenna, RPh Investigator

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**TOPIC I.** Attendance by roll call:

**CALL TO ORDER 8:30 AM**

A quorum of the Board was present, established by roll call. President K. Tanzer chaired the meeting.

Roll call attendance: K. Tanzer, yes; J. Lanza, yes; L. Giambarresi, yes; S. Hamilton, yes; R Lopez, yes; T. Fensky, yes; K. Thornell, yes; S. Hernandez, yes; P. Gannon, yes; S. Cornacchio, yes; C. Jean-Francois, yes; Dawn Perry, yes; A. Stein, yes;

**Topic II.**

**Approval of Agenda**

**TIME 8:33 AM**

**Agenda May 7, 2020**

**DISCUSSION:**

Change to Agenda:

No changes

**ACTION:**

Motion by L. GIAMBARRESI, seconded by J. LANZA and voted unanimously by those present to approve the agenda.

**Topic III.**

**Approval of Board Minutes**

**TIME 8:34 AM**

**Minutes**

**1. Draft, 5/7/20 Session Minutes**

No noted changes.

**ACTION:**

Motion by L. GIAMBARRESI seconded by P. GANNON and voted unanimously by those present to approve the agenda. A. STEIN and C.JEAN-FRANCOIS abstained.

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**TOPIC IV**

**REPORTS**

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

**Time: 8:35 AM**

**Discussion:** R. HARRIS noted that there have been five (5) Change of Managers applications and one (1) Renovation applications approved pursuant to Licensure Policy 13-01.

So noted

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**TOPIC IV**

**REPORTS**

**Discussion:** R. HARRIS noted that zero (0) report(s) from probation have been reported since last Board meeting.

So noted

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**TOPIC IV** **REPORTS**

**Monthly Report from BDR pursuant to Policy 14-02**

**Time: 8:36 AM**

**Discussion:** R. HARRIS noted that there was seven (7) Board Delegated Review case heard on March 14, 2020. There were seven (7) CE self-disclosures which were closed with discipline not warranted and remediation complete. The Board Delegated Review session was attended by Kim Tanzer as the Board President, W. FRISCH Director of Pharmacy Compliance, H. ENGMAN as Board Counsel, and Executive Director D. SENCABAUGH.

So noted

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**TOPIC IV** **REPORTS**

**Above Action Levels Approved by Staff Action 16-04**

**Time: 8:36 AM**

**Discussion:** J. TRAN noted that zero (0) above action level report has been reported since last Board meeting pursuant to Licensure Policy 16-04.

So noted

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**TOPIC IV** **REPORTS**

**PSUD Report by Staff Action 17-03**

**Time: 8:36 AM**

**Discussion:** E. TAGLIERI noted that in April 2020, there were thirteen (13) active participants, one (1) admission approved and two (2) graduates in June.

So noted

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**GENERAL**

**V: Applications:**

**1. Onco360 DS89921**

**Petition to Waiver**

**TIME: 8:38**

**Represented by: B. FRISCH**

**Discussion:** B. FRISCH presented waiver request for Onco360. They submitted existing waivers for renewal as well as new waivers for approval.

**Action:** Motion by P. GANNON, second by L. GIAMBARESSI, and voted unanimously by roll call by those present to approve Onco360's request for waivers.

**GENERAL**

**V: Applications:**

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**2. GE Healthcare WD510**

**Relocation**

**TIME** \_\_\_\_\_

**Represented by:**

**Recusal: none**

**Discussion:** Irina Soboleva, QA rep and Cory Romzo, Compliance Leader appeared by Webex phone call to discuss relocation plans for GE Healthcare.

Action: Motion by S. Hamilton and seconded by L. GIAMBARESSI and voted unanimously by roll call by those present to approve the application for relocation of GE Healthcare.

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**GENERAL**

**VI: Policy and Advisory**

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**TOPIC VI**

**POLICIES**

**1. Staff Action Policy 14-02: Board Delegated Review (BDR)**

**Time: 8:44 AM**

**Presented by:** M. CHAN

**Recusal:** None

**Discussion:** Updates to this policy will allow the BDR work group to dispose of certain cases involving losses of controlled substances in Schedules III – V involving less than 500 units.

Criteria include: (1) the Pharmacy has not had any Board investigation or Complaint related to a loss of controlled substances within two years; (2) the Pharmacy's license has not previously been disciplined, restricted, or conditioned because of a loss of controlled substances; and (3) the Pharmacy was not able to determine the cause of the loss.

These cases will be disposed of using the "Unknown Loss Protocol": (1) Conduct and maintain documentation of an exact count of all controlled substances in Schedules III – V within 30 days. (2) Conduct and maintain documentation of an exact count of all products in the class of medication that was reported lost at least once every 30 days for a period of one year. (3) Provide documentation demonstrating that all staff have been retrained in areas of inventory management, prescription production, and waiting bin management within 30 days. (4) If applicable, maintain documentation demonstrating that the area pharmacy supervisor or loss prevention manager has reviewed the pharmacy's

balance on hand modification cover pages for all products in the class of medication that was reported lost at least once every 30 days for a period of one year.

**Action:** Motion by P. GANNON, seconded by S. HAMILTON, and voted unanimously by roll call by those present to approve updates to Staff Action Policy 14-02: Board Delegated Review (BDR).

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## TOPIC VII

## FLEX

### 1. Pharmacy issues related to COVID-19 and the state of emergency

**Time: 8:46 AM**

**Presented by:** D. SENCABAUGH and W. FRISCH

**Recusal:** None

**Discussion:** This section will remain on each agenda going forward so any new information can be presented by the Board staff.

Since the last meeting, some pharmacies have opened COVID-19 testing sites with pharmacists observing sample collection being performed by patients.

Board staff has continued interagency work to determine how pharmacists could further assist with the overall state testing plan and has sent a memo to state administration outlining the legal framework.

**So noted.**

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### 2. Summary of NABP Virtual Annual Meeting, May 14, 2020

**Time: 8:53 AM**

**Presented by:** D. SENCABAUGH, L. GIAMBARRESI, and S. HAMILTON

**Recusal:** None

**Discussion:** T. FENSKY was installed as the incoming NABP president. All resolutions supported by NABP were passed.

**So noted.**

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## EXHIBITS USED DURING THE OPEN SESSION OF THE MEETING

1. Draft Agenda of the 5/15/20 General Session
2. Draft Minutes of the 5/7/20 Meeting
3. Applications: Onco360; DS89921 – Waivers
4. Report on Applications Approved Pursuant to Licensure Policy 13-01

5. Report on PSUD 17-03
6. Applications: GE Healthcare; WD510 – Relocation
7. Policy 14-02: Board Delegated Review Revision