

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

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

November 1, 2016  
239 Causeway Street ~ Room 417 A&B  
Boston, Massachusetts 02114

**Agenda**

<b>Time</b>	<b>#</b>	<b>Item</b>	<b>Exhibits</b>	<b>Contact</b>
<b>8:30</b>	<b>I</b>	<b>CALL TO ORDER</b>		E. Taglieri
<b>8:35</b>	<b>II</b>	<b>APPROVAL OF AGENDA</b> <ul style="list-style-type: none"> <li>• Introductions : Nazmin Khalifa - Pharmacy Intern</li> </ul>		
<b>8:40</b>	<b>III</b>	<b>APPROVAL OF BOARD MINUTES</b> <ul style="list-style-type: none"> <li>• Draft of October 6, 2016 Regular Session Minutes</li> </ul>		
<b>8:45</b>	<b>IV</b>	<b>APPLICATIONS</b> <ul style="list-style-type: none"> <li>• Eaton Apothecary/Lynn Health Center – Relocation</li> <li>• Community Health Center of Cape Cod- New Store</li> <li>• Brigham and Women’s Hospital- Renovation</li> </ul>		
<b>9:30</b>	<b>V</b>	<b>REPORTS</b> <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 Complaint Review pursuant to licensure policy 14-02</li> </ul>	Reports	R. Harris K. Fishman
<b>9:40</b>	<b>VI</b>	<b>POLICIES</b> <ul style="list-style-type: none"> <li>• Proposed policies and standard consent agreement for PSUD</li> <li>• Above action level result staff action policy</li> </ul>		V. Berg  M. Chan W. Frisch
<b>10:10</b>	<b>VII</b>	<b>REGULATIONS</b> <ul style="list-style-type: none"> <li>• 247 CMR 18.00: Non-Sterile Compounding</li> <li>• 247 CMR 22.00: Fines</li> </ul>		W. Frisch M. Chan

10:30	VIII	<p><b>REGULATORY REVIEW</b></p> <ul style="list-style-type: none"> <li>• 247 CMR 5.00:Orally and electronically transmitted prescriptions; Prescription Monitoring Program (PMP) reporting requirements</li> <li>• 247 CMR 7.00:Wholesale Druggists</li> <li>• 247 CMR 9.00:Code of professional conduct; professional standards for registered pharmacists, pharmacies and pharmacy departments</li> <li>• 247 CMR 12.00:Restricted Pharmacy</li> <li>• 247 CMR 15.00: Continuous Quality Improvement</li> <li>• 247 CMR 20.00:Reporting</li> </ul>	V. Berg
11:15	IX	<p><b>ADVISORY</b></p> <ul style="list-style-type: none"> <li>• Advisory on pain management training for pharmacists applying for, or renewing, an individual MCSR pursuant to a CDTM.</li> </ul>	M. Chan
11:30	X	<p><b>FLEX SESSION</b></p> <ul style="list-style-type: none"> <li>• Nomination for officers</li> <li>• Advisory committee update</li> <li>• Public Hearing, November 30<sup>th</sup> at 3p.m. <ol style="list-style-type: none"> <li>1. 247 CMR 2.00: Definitions</li> <li>2. 247 CMR 13.00: Registration requirements and minimal professional standards for nuclear pharmacies.</li> <li>3. 247 CMR 14.00: Petition for waiver</li> </ol> </li> </ul>	D. Sencabaugh  V. Thaker  M. Botto
12:00		<b>LUNCH BREAK</b>	

		<b>FILE REVIEW</b>		
		<b>FILE</b>	<b>INVESTIGATOR</b>	
<b>1:00</b>	<b>XI</b>	<b>1</b>	PHA-2015-0151, New England Life Care, DS3513	Tran
		<b>2</b>	PHA-2016-0070, Apothecare Pharmacy, DS89983	Mogni
		<b>3</b>	PHA-2016-0122, CVS #17957, DS90007	Santoro
		<b>4</b>	SA-INV-10000, Omnicare of Northern MA, DS89931	Santoro
		<b>5</b>	PHA-2015-0165, John Fanikos, PH19320	Tran
		<b>6</b>	SA-INV-7313, Rite Aid Pharmacy #10085, DS3180	Morton
		<b>7</b>	SA-INV-8899, St. Georges Pharmacy Corp., DS90034	Santoro
		<b>8</b>	SA-INV-3258, Village Fertility Pharmacy, DS89658	Penta
<b>1:30</b>	<b>XII</b>	<p><b>EXECUTIVE SESSION</b></p> <p>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.</p> <p>Specifically, the Board will discuss and evaluate the Good Moral Character as required for registration for pending applicant.</p>	<b>CLOSED SESSION</b>	
<b>2:00</b>	<b>XIII</b>	<b>ADJUDICATORY SESSION (M.G.L. c. 30A, § 18)</b>	<b>CLOSED SESSION</b>	
<b>2:10</b>	<b>XIV</b>	<b>M.G.L. c. 112, § 65C SESSION</b>	<b>CLOSED SESSION</b>	
<b>5:00</b>	<b>XV</b>	<b>ADJOURNMENT</b>		

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

**MINUTES OF THE GENERAL SESSION  
239 Causeway Street, Fourth Floor ~ Room 417A  
Boston, Massachusetts, 02114**

**November 1, 2016**

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**Board Members Present**

Ed Taglieri Jr., R.Ph. President  
Timothy Fensky, R.Ph. President Elect  
Michael Godek, R.Ph. Secretary  
Garret Cavanaugh, R.Ph.  
Patrick Gannon, R.Ph.  
Catherine Basile, Pharm D, R.Ph.  
Susan Cornacchio, JD, RN  
Andrew Stein, Pharm D, R.Ph.  
Phillippe Bouvier, R.Ph.  
Richard Tinsley, MBA, Med,  
William Cox, CPhT  
Karen Conley, DNP, RN, AOCN, NEA-BC

**Board Members Not Present**

Ali Raja, MD, MBA, MPH

**Board Staff Present**

David Sencabaugh, R.Ph, Executive Director  
Monica Botto, CPhT, Associate Executive Director  
Heather Engman, JD, MPH, Pharmacy Board Counsel  
William E. Frisch, Jr., R.Ph., Director of Compliance  
Christina Mogni, R.Ph., Investigator  
Michelle Chan, R.Ph. Quality Assurance Pharmacist  
Julienne Tran, PharmD, R.Ph., Investigator  
Richard Harris, Program Analyst  
Greg Melton, JD, R.Ph., Investigator  
Joanne Trifone, R.Ph., Director of Pharmacy Investigations  
Joe Santoro, R.Ph. Contract Investigator  
Kimberly Morton, CPhT, Compliance Officer  
Vishal Thaker, PharmD, Pharmacist

**Board Staff Not Present**

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**TOPIC I**

**CALL TO ORDER**

**TOPIC I.**

**CALL TO ORDER 8:35 AM**

**DISCUSSION:** A quorum of the Board was present, established by roll call. President E. TAGLIERI chaired the meeting and asked if anyone was recording. Hearing “no”, he explained that the Board of Pharmacy was recording the meeting.

## **TOPIC II.**

### **APPROVAL OF AGENDA**

DISCUSSION: The Apothecare case was deferred

#### ACTION:

Motion by P. GANNON, seconded by C. BASILE, and voted unanimously to approve the agenda.

Executive Director D. SENCABAUGH introduced APPE student Nazmin Khalifa, Northeastern University and Anna Loebe, MCPHS University. President Taglieri asked other interns in the room to introduce themselves.

## **TOPIC III.**

### **APPROVAL OF BOARD MINUTES**

1. Draft October 6, 2016, Regular Session Minutes

DISCUSSION: none

#### ACTION:

Motion by M. GODEK, seconded by C. BASILE, and voted unanimously to approve the minutes of the Regular Session from October 6, 2016.

W. COX, K. CONLEY, P. GANNON, and R. TINSLEY abstained, since they were not present on October 6th).

## **TOPIC IV:**

### **APPLICATIONS**

**TIME: 8:42 am**

#### **1. Eaton Apothecary / Lynn Health Center Relocation of retail pharmacy**

RECUSAL: M. GODEK

DISCUSSION: Eaton was represented by VP Operations John Lynch III, MOR Narin Paul, and Area Manager David Dumouchel. They satisfactorily answered the Board Members' questions, indicating that the main reason for the relocation was bigger and better space.

ACTION: Motion by A. STEIN, seconded by, W. COX, and voted unanimously in the affirmative to approve the application for the relocation of Eaton Apothecary, pending a successful inspection.

#### **2. Community Health Center of Cape Cod – New Store**

RECUSAL: None

DISCUSSION: Community Health Center was not notified in time to send representation, however, Director of Compliance W. FRISCH had reviewed the plans and reported that they were straightforward and in order.

ACTION: Motion by W. COX second by K. CONLEY, and voted unanimously to approve Community Health Center of Cape Cod, pending naming of MOR, submission of a 795 Attestation, verification of DPH/HCQ approval, and a successful inspection.

### **3. Brigham and Women's Hospital - Renovation**

**RECUSAL:** Karen Conley recused and was not present for the discussion or vote on this matter.  
**DISCUSSION:** Brigham and Women's was represented by MOR Justin Paolino, and Attorney Andrew Ferren from Donaghue, Barrett, and Singal. Inspection at B & W turned up failed Hepa Filters and other issues that indicated the need for renovations, which will take a couple weekends to complete. First step was to move all compounding activities to rooms that had no breached filters. Plans presented included step by step process, daily particle counting from the first weekend of renovation activity, and increased testing after the second weekend. AST systems has been retained by B & W for the procedure.

**ACTION:** Motion by T. FENSKY, seconded by C. BASILE, and voted unanimously to approve renovation plans presented by B & W.

### **TOPIC V.**

#### **REPORTS**

**Applications Approved Pursuant to Licensure Policy 13-01,**

**9:14 am**

**DISCUSSION:** R. HARRIS noted that during the past month there have been thirty-six (36) change-of-managers, and one (1) expansion.

So noted

#### **Board Delegated Review Pursuant to BDCR Policy**

There were 7 Board Delegated Review (all Staff Assignments) cases heard on October 27, 2016 involving self-reports of CE deficiency. They had all been satisfactorily remediated and the files were closed with no discipline warranted. The Board Delegated Review session was attended by E.TAGLIERI as the Board Member, H. ENGMAN as Board Counsel, W. FRISCH, Director of Pharmacy Compliance, and Executive Director D. SENCABAUGH.

**ACTION:** So noted

#### **Report of activities Probation Monitor**

**DISCUSSION:** D. SENCABAUGH (for K.FISHMAN) provided the September 28, 2016 – October 25, 2016, Board of Pharmacy Statistics Report for the Probation monitor, which noted that there are thirty-nine (39) licensees on probation, thirty-three (33) satisfactorily completed probation, four (4) licensee did not cure within 30 days, eight (8) given the opportunity to cure, and two (2) notices of further discipline.

**ACTION:** So noted

### **TOPIC VI**

### **POLICIES**

**Time: 9:33 AM**

## **Proposed policy and standard consent agreement for Pharmacy Substance Use Disorder (PSUD)**

DISCUSSION: Presented by V. BERG

Requirements to be eligible for PSUD were summarized. Permission to PMP analyze must be granted with appropriate release forms. A form was distributed with specific substances for testing and Board members were invited to make changes to the tested substances list. Labs are offered by First Lab which has a medical officer. Suggestion made to “generalize” list so not to be locked into specific substances. DEA website will be consulted for trending drugs of abuse and the list will be reviewed every 6 months. Proposed consent agreement would be triggered by staff action policy:

Executive Director can offer PSUD agreement without the Board involvement when:

- a.) License is in good-standing
- b.) There is a signed application; signed self-assessment program
- c.) Appropriate health records, CORI and referral to a designated provider are referred to the PSUD committee
- d.) There is no recent history of criminal record
- e.) There are no mental health conditions.

ACTION: No action today.

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### **Above Action Level Staff Action Policy**

**Time: 9:24 AM**

DISCUSSION: Presented by M. CHAN

Staff action policy to manage remediation of above action level environmental monitoring results for sterile compounders. Ultimately will reduce cases brought to the Board.

- Staff will be able to evaluate results, remediation, reporting compliance and close file if remediation and reporting are compliant.
- If not, then file will be escalated to staff action or complaint to be ultimately heard by the Board.

ACTION: Motion by K. CONLEY, seconded by P. GANNON and voted unanimously to approve Above Action Level Staff Action Policy.

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### **TOPIC VII**

### **REGULATIONS**

**Time: 9:26 AM**

#### **247 CMR 18: Non-Sterile Compounding**

DISCUSSION: Presented by H. ENGMAN

Executive Office revisions that were made to the changes from the previous Board meeting were discussed. Section 18.10 to state pharmacist/pharmacy intern *shall* counsel – requirement for new compounding. If compound is being sent by mail, a leaflet or phone call would suffice for counseling. Communication of changes will be made through CEs and stakeholder groups.

ACTION: Motioned by C. BASILE, seconded by T. FENSKY and voted unanimously to approve 247 CMR section 18 Non-Sterile Compounding for promulgation.

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**247 CMR 22: Fines**

**Time: 10:16 AM**

DISCUSSION: Presented by D. SENCABAUGH

H. ENGMAN is charged with starting work on this section. Plans based on models from other states were reviewed. In general, only pharmacies would be fined. However, pharmacists could be fined in the case of a CE deficiency. Once promulgated, a grace period would be built in to allow investigators to provide information to licensees regarding the proposed fines.

ACTION: No action today.

**TOPIC VIII**

**REGULATORY REVIEW**

**Time: 10:03 AM**

**Presented by V. BERG**

**247 CMR 5.00 Orally and Electronically transmitted prescriptions, PMP reporting requirements.**

DISCUSSION: The Board previously voted to proceed with rescission upon ANF approval.

ACTION: No action today.

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**247 CMR 7.00 Wholesale Druggists**

DISCUSSION: ANF approved Board's proposal to retain 247 CMR 7.00 as is. Waiting for changes in FDA regulations before proposing any changes to 247 CMR 7.00

ACTION: No action today.

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## **247 CMR 9.00 Code of Professional Conduct**

DISCUSSION: Grammatical edits proposed. Request made to Bureau of Substance Abuse services to identify areas with high incidence of overdoses. These areas would require pharmacies to have naloxone standing order in place.

ACTION: Motioned by P. GANNON, seconded by C. BASILE and voted unanimously to adopt the proposed change and authorize Board staff to publish the proposed revisions for public comment in accordance with M.G.L. c. 30A and schedule a public hearing.

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## **247 CMR 12.00 Restricted Pharmacy**

DISCUSSION: ANF approved the Board's proposal to rescind this section.

ACTION: No action required at this time.

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## **247 CMR 15.00 Continuous Quality Improvement**

DISCUSSION: Proposed edits to be made to remove a long-passed implementation date of 2005.

ACTION: Motioned by P. GANNON, seconded by C. BASILE and voted unanimously to adopt the proposed change and authorize Board staff to publish the proposed revisions for public comment in accordance with M.G.L. c. 30A and schedule a public hearing.

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## **247 CMR 20.00 Reporting**

DISCUSSION: Grammatical and stylistic changes were proposed.

ACTION: Motioned by P. GANNON, seconded by C. BASILE and voted unanimously to adopt the proposed change and authorize Board staff to publish the proposed revisions for public comment in accordance with M.G.L. c. 30A and schedule a public hearing.

## **TOPIC IX**

## **ADVISORY**

**Time: 10:25 AM**

**Advisory on Pain Management Training for pharmacists applying for, or renewing, an individual MCSR pursuant to a CDTM.**

DISCUSSION: Presented by V. THAKER

Pharmacists with CDTM must complete at least 1 hour of training in pain management every 2 years. If approved for CE, the training may count towards the 5 additional credits CDTM pharmacists are required to obtain each year.

ACTION: Motioned by P. GANNON, seconded by K. CONLEY and voted unanimously to approve proposed advisory.

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**TOPIC X**

**FLEX SESSION**

**TOPIC IX: Flex Session**

**Advisory Committee Update  
Presented by Vishal Thaker**

**10:32am**

DISCUSSION: Vishal Thaker summarized the October 14, 2016 Advisory Committee Meeting.

**TOPIC IX: Flex Session: Announcement of Public Hearing**

**11:35am**

M. Botto announced the next Public Hearing will be held on November 30, 2016 at 3pm. The sections that will be reviewed are:

1. 247 CMR 2:00 Definitions
  - 2: 247 CMR 13:00 Registration Requirements and Minimal Professional Standards for Nuclear Pharmacies
  3. 247 CMR 14:00 Petition for Waiver
- P. Gannon volunteered to be present for the hearing.

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**TOPIC: XI**

**Open File Review Cases 1-4**

Case #1

**PHA-2015-0151      New England Life Care,      DS3513**

**Time: 10:48 AM**

RECUSAL:      NONE

DISCUSSION: J. TRAN presented and summarized the investigation report that pertained to these matters.

- Inspectional Deficiency- the delay of EM (environmental monitoring) testing in relation to the HEPA filter hood replacement.
- MOR indicated that as a result of this testing not being completed with the rest of the hood recertification we revisited our expectations with our vendor to include immediate viable testing of the hood and the buffer space.
- NELC monitors for infection related events via our safety reporting system and there have been no safety reports filed since Sept 2015 that would suggest adverse patient outcomes due to delay in EM testing.
- Follow up EM reports had non-actionable results. Corrective action includes current EM testing every 6 months.

ACTION:      Motion by R. TINSLEY, seconded by C. BASILE, and voted unanimously by those present, to dismiss PHA-2015-0151, no discipline warranted

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Case #2 - Deferred

Case #3

**PHA-2016-0122**                      **CVS #17957,**                      **DS90007**                      **Time: 10:51 AM**

RECUSAL: S. CORNACCHIO recused and was not present for the discussion or vote on this matter.

DISCUSSION: J.SANTORO presented and summarized the investigation report that pertained to these matters.

- The OPP received notification that they had a loss of #90 (3 boxes) Suboxone 8mg-2mg SL film tablets at CVS Pharmacy #17597 on or about May 16, 2016.
- The loss was discovered by a technician that noticed the electronic balance-on-hand of 92 did not match the physical count on hand of 2.
- The Loss Prevention Team was able to rule out active losses or diversion by current pharmacy team members but did not uncover an explanation for the loss.
- Former Target license converted to CVS 2/2/16, (change of MOR) biennial performed 2/17/16 suboxone count was 92
- New MOR graduated 6/2015, floater 9/2015-12/2015 and became MOR 1/2016, Loss occurred within 90 days.

ACTION: Motion by R.TINSLEY, seconded by P.GANNON, and voted unanimously by those present, to refer the matter to the office of the prosecution for the issuance of an order to show cause and to authorize resolution of the matter by a consent agreement for stayed probation with special terms to include all suboxone products to be on exact counts and reconciled at least every 10 days until the next biennial inventory (5/2017)

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Case #4

**SA-INV-10000**                      **Omnicare of Northern MA,**                      **DS89931**                      **Time: 10:59 AM**  
**Peabody MA**

RECUSAL: S. CORNACCHIO recused and was not present for the discussion or vote on this matter.

DISCUSSION: J.TRAN presented and summarized the investigation report that pertained to these matters.

- Board notified of Above Action Level result on 8/16/16
- Remediated on 8/16/16 and 8/17/16
- Prepared STAT doses only and moved operations to NH facility evening of 8/17/16

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- Follow up Environmental Monitoring (EM) performed on 8/19/16
- Root Cause Analysis led to policy change
- EM results received on 8/25/16 and resumed compounding 8/26/16 after Board approval

ACTION: Motion by P.GANNON, seconded by R.TINSLEY, and voted unanimously by those present, to close SA-INV-10000, no violation.

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## **TOPIC: XI**

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Case #5

**PHA-2015-0165**

**John Fanikos, PH19320**

**TIME: 11:01 AM**

RECUSAL: C. BASILE and K.CONLEY recused and were not present for the discussion or vote on this matter.

DISCUSSION: J. TRAN presented and summarized the investigation report that pertained to these matters.

- This is was a staff assignment (SA-INV-7896) that went to the Nov 2015 board in which the Board decided to open a complaint.
- It was discovered during the review of documentation submitted with pharmacy intern application, that an unlicensed pharmacy intern worked as a pharmacy intern at Brigham and Women's Hospital (BWH) inpatient pharmacy in violation of 247 CMR 8.01 (5).
- MOR Fanikos indicated that the alleged unlicensed pharmacy intern was a pharmacy student in Saudi Arabia and was enrolled in a 6 month rotation at BWH pharmacy in an observational role only and shadowed a clinical pharmacist.
- Visiting student indicated that she participated in medication reconciliation, clinical rounds with preceptor and given cases to review, as well as review orders, restock and dispense medications from carousels, processed orders, counseled patients under pharmacist supervision and assembled OR kits.
- In response to the complaint, MOR Fanikos reiterated that the student was in an observational role only and disputed the student's role as an intern indicating reports showed she did not have computer access to perform the dispensing activities described regarding the carousels or computer.

ACTION: Motion by P. GANNON, seconded by A. STEIN, and voted by majority of those present, to refer the matter to the Office of Prosecution for the issuance of an Order to Show Cause and to authorize the resolution of the matter with a Consent Agreement for Stayed Probation, to read and attest to having read 247 CMR 8, regarding licensure of pharmacy interns, to provide a copy of the new policy for international students, an advisory letter update by Board staff, and to refer to Health Care Quality to send the advisory letter. R. TINSLEY voted against this action.

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Case #6

**SA-INV-7313**

**Rite Aid Pharmacy #10085, DS3180**

**TIME: 11:26 AM**

RECUSAL: G. CAVANAUGH recused and was not present for the discussion or vote on this matter.

DISCUSSION: K. MORTON presented and summarized the investigation report that pertained to these matters:

- On February 2, 2015, OPP received a DEA 106 report with an unknown loss of #534 lorazepam 0.5mg tablets.
- MOR indicated that at time of the loss, they were using two baskets on the pharmacy counter, one to collect empty stock bottles and one to accumulate partial stock bottles. MOR indicated it was possible a new trainee mistakenly placed the opened partial stock lorazepam bottle into the empty bottle basket which was then emptied into the trash.
- Corrective action included, but was not limited to, accumulation baskets are no longer permitted to be used on the counter and stock bottles are immediately returned to the shelves. There have been no further losses since corrective action was put into place.

ACTION: Motion by P. GANNON, seconded by C. BASILE, and voted unanimously by those present, to CLOSE SA-INV-7313, with no discipline warranted, remediation complete.

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Case #7

**SA-INV-8899**  
**AM**

**St. Georges Pharmacy, DS90034**

**TIME: 11:28**

DISCUSSION: Case deferred, with no discussion.

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Case #8

**SA-INV-3258**

**Village Fertility Pharmacy, DS89658**

**TIME: 11:28 AM**

RECUSAL: NONE

DISCUSSION: S. PENTA presented and summarized the investigation report that pertain to these matters:

- This Staff assignment was opened as result of a 2012 inspection, facility lacking proper policy and procedures for cleaning and maintenance of the clean room, and fridge and freezer management. However, the SA was duplicative and should have been consolidated with a previously resolved complaint. Policies were revised and submitted to OPP investigator.

ACTION: Motion by P. GANNON, seconded by T. FENSKY, and voted unanimously by those present, to CLOSE SA-INV-3258, no discipline warranted.

## TOPIC X

### **EXECUTIVE SESSION**

DISCUSSION: None

ACTION: At 11:35 pm President Taglieri called for a motion to enter Executive Session: Motion by G. CAVANAUGH seconded by K. CONLEY and voted unanimously by roll call to enter into Executive Session. E. TAGLIERI; yes, T. FENSKY; yes, P. BOUVIER; yes, C. BASILE; yes, S. CORNACCHIO yes, A. STEIN: yes G. CAVANAUGH: yes; W. COX; yes M. GODEK; yes, K. CONLEY; yes, R.TINSLEY; yes, P. GANNON; yes

ACTION: At 11:41 pm President Taglieri called for a motion to re-enter Executive Session: Motion by M.GODEK seconded by T. FENSKY and voted unanimously by roll call to re-enter Executive Session. E. TAGLIERI; yes, T. FENSKY; yes, P. BOUVIER; yes, C. BASILE; yes, S. CORNACCHIO yes, A. STEIN: yes G. CAVANAUGH: yes; W. COX; yes M. GODEK; yes, K. CONLEY; yes, R.TINSLEY; yes, P. GANNON; yes

## TOPIC XI

### **Adjudicatory Session**

DISCUSSION: None

ACTION: At 11:38 pm, on a motion by P. GANNON, seconded by R. TINSLEY, the members voted unanimously to enter into Adjudicatory session.

## TOPIC XII.

### **M.G.L. c. 65C Session**

DISCUSSION: None

ACTION: At 1:01 pm motion by P. GANNON, seconded by A. STEIN and voted unanimously to enter into M.G.L. c. 65C Session.

## TOPIC XIII.

### **ADJOURNMENT OF MEETING**

DISCUSSION: NONE

ACTION: At 3:47 pm motion by T. FENSKY, seconded by M. GODEK, and voted unanimously to adjourn the meeting.

## EXHIBITS USED DURING THE OPEN SESSION OF THE MEETING

1. Draft Agenda for the November 1, 2016, regularly scheduled meeting of the Board of Registration in Pharmacy.
2. Draft October 6, 2016 Open Session Minutes.
3. Application for Relocation Eaton Apothecary / Lynn Health Center
4. Application for new Community Pharmacy Community Health Center of Cape Cod
5. Application for Renovation Brigham and Women's Hospital
6. Report of Applications approved pursuant to licensure policy 13-01
7. Report from Probation Monitor 9/28/2016 –10/25/2016
8. Board Delegated Compliant Review report 10/27/2016
9. Draft Proposed policy and standard consent agreement for Pharmacy Substance Use Disorder

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10. Draft proposed regulation 247 CMR 19:00: Hazardous Medication
11. Draft Above Action Level Staff Action Policy
12. Memo from Vita Berg to the Board Members Titled “Regulatory Review”
13. Draft 247 CMR section 18.00 Non-Sterile Compounding
14. Draft 247 CMR section 22.00 Fining
15. Draft 247 CMR section 5.00 Orally and Electronically transmitted prescriptions
16. Draft 247 CMR section 7.00 Wholesale Druggists
17. Draft 247 CMR section 12.00 Restricted Pharmacy
18. Draft 247 CMR section 15.00 Continuous Quality Improvement
29. Draft 247 CMR section 20.00 Reporting
20. Draft 247 CMR section 9.00 Professional Code of Conduct
21. Advisory on Pain Management Training for pharmacists applying for , or renewing an individual MCSR pursuant to a CDTM.
22. Investigation report in the matter of New England Life Care, DS3513, PHA-2015-0151
23. Investigation report in the matter of CVS # 17957, DS90007, PHA-2016-0122
24. Investigation report in the matter of Omnicare of Northern MA, DS89931,SA-INV-10000
25. Investigation report in the matter of John Fanikos, PH19320, PHA-2015-0165
26. Investigation report in the matter of Rite Aid #10085, DS3180, SA-INV-7313
27. Investigation report in the matter of St. Georges Pharmacy, DS90034, SA-INV-8899
28. Investigation report in the matter of Village Fertility, DS89658, SA-INV-3258
29. Investigation report in the matter of New England Life Care, DS3513, PHA-2015-0151

Respectfully submitted by:  
M. GODEK, R.Ph.