

COMMONWEALTH OF MASSACHUSETTS
Board of Registration in Pharmacy

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

November 12, 2021

Webex Information

The regular session is open to the public by video or phone.

For video access click on the following link:

<https://statema.webex.com/statema/onstage/g.php?MTID=eb9cc4fb4f0c32c5627883be5ef514fb6>

To access the meeting by phone:

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

Access Code: 2434 561 6245

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 |
|------|-----|---|------|----------|
| 8:00 | I | CALL TO ORDER | | J. Lanza |
| | II | APPROVAL OF AGENDA | | |
| 8:05 | III | APPROVAL OF BOARD MINUTES <ul style="list-style-type: none">Draft of October 29, 2021 Regular Session Minutes | | |

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|------|----|---|--|--|
| 8:10 | IV | REPORTS <ul style="list-style-type: none"> • Applications approved pursuant to Licensure Policy 13-01 • Monthly report from Probation • Board Delegated Review pursuant to Licensure Policy 14-02 • PSUD Report-Policy 17-03 | | |
| 8:15 | V | FLEX <ul style="list-style-type: none"> • Pharmacy issues related to Covid-19 and the state of emergency • Discussion of the Election of Officers • Introduction of new Board member • MA Society of Health-System Pharmacist Appeal • Guidelines for Temporary Pharmacy Closures • Last Board Meetings of 2021 <ul style="list-style-type: none"> ○ December 3, 2021 ○ December 17, 2021 | | |
| 8:45 | VI | APPLICATIONS <ul style="list-style-type: none"> • Westside Pharmacy – New Community Pharmacy • Braintree Laboratories – New Wholesale Distributor • Wellforce Pharmacy (Home Infusion) – New Pharmacy • Wellforce Pharmacy (Retail) – New Pharmacy | | |

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| 9:30 | VII | <p>PTT LICENSE EXTENSIONS</p> <p><u>Walgreens</u> <u>PTT09476 Muse, Michael</u> Issue Date:10/06/2020 Expiration Date:10/06/2021 100 hours</p> <p><u>PTT05695 Proia-Eastwood, Rosanna</u> Issue Date: 07/17/2019 Expiration Date: 07/17/2021 20 hours – 2nd extension request</p> <p><u>CVS</u> <u>PTT03157 Blaisdell, Kora</u> Issue Date:10/11/2018 Expiration Date:10/11/2021 57 hours – 2nd extension request</p> <p><u>PTT08884 Masterton-Jones, Valrie</u> Issue Date:08/05/2020 Expiration Date:08/05/2021 150 hours</p> <p><u>PTT09611 Ramirez, Deimy</u> Issue Date:10/27/2020 Expiration Date:10/27/2021 150 hours</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 9:45 | VIII | <p>FILE REVIEW</p> <table border="1" data-bbox="310 1024 1218 1581"> <tr> <td>1</td> <td>CAS-2021-0529</td> <td>PHA-2021-0034</td> <td>Big Y #63, DS3179</td> </tr> <tr> <td>2</td> <td>CAS-2021-0600</td> <td>PHA-2021-0047</td> <td>Walgreens #15969, DS90068</td> </tr> <tr> <td>3</td> <td>CAS-2021-0567</td> <td>PHA-2021-0041</td> <td>Walgreens #17228, DS90182</td> </tr> <tr> <td>4</td> <td>CAS-2021-0709</td> <td>PHA-2021-0066</td> <td>Walgreens #10209, DS3529</td> </tr> <tr> <td>5</td> <td>CAS-2021-0712</td> <td>PHA-2021-0065</td> <td>CVS #635, DS2871</td> </tr> <tr> <td>6</td> <td>CAS-2021-0734</td> <td>PHA-2021-0070</td> <td>CVS #1234, DS3496</td> </tr> <tr> <td>7</td> <td>CAS-2021-0711</td> <td>SA-INV-18292</td> <td>CVS #1031, DS89682</td> </tr> </table> | 1 | CAS-2021-0529 | PHA-2021-0034 | Big Y #63, DS3179 | 2 | CAS-2021-0600 | PHA-2021-0047 | Walgreens #15969, DS90068 | 3 | CAS-2021-0567 | PHA-2021-0041 | Walgreens #17228, DS90182 | 4 | CAS-2021-0709 | PHA-2021-0066 | Walgreens #10209, DS3529 | 5 | CAS-2021-0712 | PHA-2021-0065 | CVS #635, DS2871 | 6 | CAS-2021-0734 | PHA-2021-0070 | CVS #1234, DS3496 | 7 | CAS-2021-0711 | SA-INV-18292 | CVS #1031, DS89682 | | |
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|--------------|------------|--|--|-----------------------|
| 10:45 | IX | EXECUTIVE SESSION 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 review the request for a license extension and to evaluate the Good Moral Character as required for registration for a pending applicant. | | CLOSED SESSION |
| 11:15 | X | ADJUDICATORY SESSION (M.G.L. ch. 30A, §18) | | |
| 11:30 | XI | M.G.L. c. 112, § 65C SESSION | | CLOSED SESSION |
| 12:00 | XII | ADJOURNMENT | | |

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

MINUTES OF THE GENERAL SESSION

Via Remote WebEx Meeting

November 12, 2021

Board Members Present

Julie Lanza, CPhT, President
Sebastian Hamilton, Pharm D, MBA, RPh President-Elect
Carly Jean-Francois, RN, NP Secretary
Andrew Stein, PharmD (present 10:10 AM to 10:30 AM)
Susan Cornacchio, JD, RN (leaves meeting 10:51 AM)
Caryn Belisle, RPh, MBA
John Rocchio, PharmD (leaves meeting 10:51 AM)
Jennifer Chin, RPh
Dr. Richard Lopez, MD
Dawn Perry, JD (present 8:00 am to 8:30 AM)
Katie Thornell, RPh, MBA
Sami Ahmed, RPh, PharmD

Board Members Not Present

Board Staff Present

David Sencabaugh, RPh, Executive Director
Monica Botto, Assistant Executive Director
Michelle Chan, RPH, Quality Assurance Pharmacist
Heather Engman, JD, Board Counsel
Richard Harris, Program Analyst
Joanna Chow, Office Support Specialist
Joanne Trifone, RPh, Director of Investigation
Gregory Melton, RPh, Investigator
Julienne Tran, PharmD, Investigator
Christina Mogni, RPh, Investigator
Taylor Lee, Office Support Specialist

TOPIC I. Attendance by roll call:

CALL TO ORDER 8:04 AM

A quorum of the Board was present, established by roll call. President Julie Lanza chaired the meeting and she explained that the Board of Pharmacy was recording the meeting.

Roll call attendance: J. Lanza, yes; S. Hamilton, yes; C. Jean-Francois, yes; C. Belisle, yes; Rocchio, yes; J. Chin, yes; S. Cornacchio, yes; R. Lopez, yes; S. Ahmed, yes; D. Perry, yes. K. Thornell, yes.

Topic II.

Approval of Agenda

TIME 8:06 AM

Agenda 11/21/21

DISCUSSION:

Defer: none

Ed introduces APPE Students: Noreen Sandhal MCP Boston

ACTION:

Motion by S. Hamilton, seconded by C. Belisle and voted unanimously by those present to approve the agenda with no noted change by roll call vote.

Topic III

Approval of Board Minutes

TIME: 8:06 AM

Minutes

1. Draft 10/29/21

Change: no changes

Action:

Motion by S. Hamilton seconded C. Belisle and voted unanimously to approve the regular session minutes of 10/29/21 with noted change by roll call vote. C. Jean-Francois and Dr. Lopez abstain.

TOPIC IV

Reports

Applications approved pursuant to Licensure Policy 13-01

Time: 8:29 AM

Discussion: R. HARRIS reported there were thirty-seven (37) Change of Manager applications, two (2) Renovation applications and four (4) Closures approved pursuant to Licensure Policy 13-01.

So noted

TOPIC IV

REPORTS

Monthly Report from Probation

Time: 8:29 AM

Discussion: R. HARRIS provided the September 16, 2021 – November 9, 2021, Pharmacy Board Probation Monthly Report, which noted that two (2) licensees given the opportunity to cure, and three (3) licensees successfully completed probation monitoring. There are currently 22 active cases.

So noted

TOPIC IV

REPORTS

Monthly Report from BDR pursuant to Policy 14-02

Time: 8:30 AM

Discussion: D. SENCABAUGH noted that there was one (1) Board Delegated Review case heard on October 29, 2021. The case was an Unknown Report Loss of Controlled Substances (PHA-2021-0071) which was referred to the office of prosecution for an order to show cause, with authorization for resolution with a Consent Agreement for stayed probation with terms to include Unknown Loss Protocol for one year, for benzodiazepines. The Board Delegated Review session was attended by Julie Lanza as

the Board President, H. ENGMAN as Board Counsel, M. BOTTO (as designated by W. Frisch-Director of Pharmacy Compliance and Executive Director D. SENCABAUGH.

So noted

TOPIC IV

REPORTS

PSUD Report by Staff Action 17-03

Time: 8:31 AM

Discussion: E. TAGLIERI noted that in October 2021, there was one (1) pending admission and fifteen (15) active participants.

So noted

TOPIC V

Flex

1. Pharmacy Issues related to Covid-19 and state of emergency

Time: 8:28 AM

Presented by: D. SENCABAUGH

Nothing to report.

2. Discussion of the Election of Officers

Time: 8:25 AM

Presented by: D. SENCABAUGH

Discussion: Nominations will be made for 2022 officers, secretary and president-elect, at the December 3rd Board meeting. Although campaigning is not permitted, Board members can express their desire to hold office before nominations. The vote will be held at the December 17th Board meeting.

So noted.

3. Introduction of New Board Member

Time: 8:23 AM

Presented by: D. SENCABAUGH

Discussion: A welcome was given to Sami Ahmed who will now hold the sterile compounding Board seat previously held by T. FENSKY.

In addition, Board members J. LANZA, K. THORNELL, S. HAMILTON were all reappointed to their respective seats.

So noted.

4. MA Society of Health-System Pharmacists Appeal

Time: 8:08 AM

Recusals: S. Ahmed; C. Belisle; J. Lanza; J. Rocchio

Presented by: M. CHAN; Kevin Horbowicz; Jeffrey Pearson; Yulia Murray

Discussion: State law specifically requires pharmacists who "engage in or oversee" sterile compounding or complex non-sterile compounding to devote a certain number of CE to the area of sterile compounding or complex non-sterile compounding as applicable.

In 2015, the Board approved a policy that defined compounding CE criteria as having to refer to the type of compounding covered in the title of the program and also note learning objectives related to either sterile or complex non-sterile compounding.

In October of this year, a revised policy was approved that further clarified compounding CE criteria by explaining that the ACPE compounding designation alone is not sufficient to determine whether a program would be acceptable for either sterile or complex non-sterile compounding credit.

MSHP offered 5 programs in the spring that were advertised as meeting the sterile compounding continuing education requirement. Although they had the generic ACPE compounding code, 2 of the programs did not appear to meet the criteria of either policy. They were titled: *How to Choose Your Next Outsourcing Vendor* and *Insourcing Environmental Monitoring: The Phantom Menace*.

Action: Motion by J. CHIN, seconded by K. THORNELL, and voted unanimously by those present, to approve these programs for sterile compounding credit with the caution to adhere to the policy going forward.

5. Guidelines for Temporary Pharmacy Closures

Time: 8:21 AM

Presented by: D. SENCABAUGH

Discussion: The Board must be notified whenever a pharmacy needs to close unexpectedly or temporarily reduce hours for any reason including inclement weather or staffing shortages. This prevents unnecessarily sending inspectors to a closed store as well as providing Board staff information if patients call with questions.

Continuity of care notifications should be provided to patients as best as possible and should include posting signs and having updated voicemail instructions.

So noted.

6. Last Board Meetings of 2021

Time: 8:27 AM

Presented by: D. SENCABAUGH

Discussion: The last two Board meetings of the year will be held on December 3rd and December 17th. Beginning in January, the meetings will be held on the first Thursdays of each month.

So noted.

D. Perry leaves at 8:30 AM

TOPIC VI

Applications

1. Westside Pharmacy

New Community Pharmacy

TIME: 8:29 AM

REPRESENTED BY: Muhammad Furqan, Proposed MOR

RECUSAL: NONE

DISCUSSION: Westside Pharmacy aims to provide accessible pharmacy care to its community. The facility will only conduct simple and moderate non-sterile compounding. Muhammad answered questions Board Members had concerning security and handling hazardous medications.

ACTION: Motion by S. HAMILTON, seconded by J. ROCCHIO, voted unanimously by those present to approve application pending a successful inspection, withdrawal of sterile and complex non-sterile compounding attestations, proper implementation of security, and further review of hazardous medications and compounding.

2. Braintree Laboratories

New Wholesale Distributor

TIME: 8:39 AM

REPRESENTED BY: Robert Raleigh, COO and General Counsel

RECUSAL: NONE

DISCUSSION: The company has two wholesale distributor locations in MA and will be opening a new location in Braintree. They are looking to expand the footprint of their current operations as the company grows. The company has been in operation for 25-30 years.

ACTION: Motion by S. HAMILTON, seconded by C. JEAN FRANCOIS, voted unanimously by those present to approve application as submitted.

3. Wellforce Pharmacy Home Infusion

New Community Pharmacy

TIME: 8:42 AM

REPRESENTED BY: Nicholas Capote, Director, Proposed MOR; Sean Green, New England Medical Design Principal Architect

RECUSAL: NONE

DISCUSSION: Wellforce Home Infusion Pharmacy will be located within Lawrence Memorial Hospital campus and aims to provide better clinical care via courier service to patient homes for nursing administration. They will seek approval of the space from Health Care Quality. Wellforce representatives answered all questions to the Board’s satisfaction.

ACTION: Motion by S. HAMILTON, seconded by C. BELISLE, voted unanimously by those present to approve application pending a successful inspection and HCQ approval.

4. Wellforce Pharmacy Retail

New Community Pharmacy

TIME: 8:49 AM

REPRESENTED BY: Robert Pullano, Proposed MOR; Melissa Ortega, Director of Pharmacy Operations

RECUSAL: NONE

DISCUSSION: Located within Tufts Medical Center, Wellforce retail pharmacy will operate under Board-approved jurisdiction to service more patients within their community. They will operate under the same 24-hr on-call pharmacist service model as their Home Infusion location. Wellforce representatives answered all questions to the Board’s satisfaction.

ACTION: Motion by S. HAMILTON, seconded by K. THORNELL, voted unanimously by those present to approve application pending a successful inspection and HCQ approval.

TOPIC VII

PTT License Extension Request

1. PTT09476 Muse, Michael

TIME 8:58am

Represented by: Self

Recusal: None

Discussion: M. MUSE petitioned for an extension of his pharmacy technician trainee license. He explained that he began training as a pharmacy technician while he was a store manager at a Rite Aid. However, the Rite Aid where he was worked was bought over by Walgreens. He described that the overhaul required to successfully transition to a Walgreens greatly reduced his opportunity to train as a pharmacy technician. MUSE later transferred to a different Walgreens where he was offered the opportunity to begin training as a pharmacy technician again.

Action: A motion was made by C. Belisle to extend the expiration date of M. Muse’s pharmacy technician trainee license by one year; Seconded by C. Jean-Francois, then Board Members present voted unanimously by rollcall to approve motion.

2. PTT05695 Proia-Eastwood Rosanna

TIME 9:03am

Represented by: Self

Recusal: None

Discussion: R. PROIA-EASTWOOD petitioned for an extension of her pharmacy technician trainee license. She explained that she was forced to stop working in 2020 because she was high-risk for adverse outcomes from a COVID-19 infection. As a result, she was unable to continue training as a pharmacy technician. PROIA-EASTWOOD indicated that she recently started working again and she was offered to opportunity to begin training as a pharmacy technician again.

Action: A motion was made by S. Hamilton to extend the expiration date of R. Proia-Eastwood's pharmacy technician trainee license by one year; Seconded by C. Belisle, then Board Members present voted unanimously by rollcall to approve motion.

3. PTT03157 Blaisdell, Kora

TIME 9:04am

Represented by: Self

Recusal: Cornacchio, Rocchio, Sandhal

Discussion: K. BLAISDELL petitioned for an extension of her pharmacy technician trainee license for the second time. She indicated that she had worked as a front store salesclerk at a CVS since the store opened in 2018. She explained that her opportunity to train as a pharmacy technician was limited because the pharmacy was minimally staffed. However, CVS recently offered her the opportunity to train in the pharmacy as a pharmacy technician.

Action: A motion was made by C. Belisle to extend the expiration date of K. Blaisdell's pharmacy technician trainee license by one year; Seconded by C. Jean-Francois, then Board Members present voted unanimously by rollcall to approve motion except S. Cornacchio and J. Rocchio who recused.

4. PTT08884 Masterton-Jones, Valrie

TIME 9:08am

Represented by: Self

Recusal: Cornacchio, Rocchio, Sandhal,

Discussion: V. MASTERTON-JONES divulged during her presentation that she was employed by MGH which caused immediate recusals by C. JEAN-FRANCOIS, S. AHMED and C. BELISLE. Quorum was lost due to the recusals and the matter was deferred to a later date to be determined as required by M.G.L. MASTERTON-JONES expressed frustration with the length of the process for petitioning for an extension of the expiration of her pharmacy technician trainee license. D. SENCABAUGH apologized on behalf of BOP.

Action: Deferred due to loss of quorum.

5. PTT09611 Ramirez, Deimy

TIME 9:19am

Represented by: Self

Recusal: Cornacchio, Rocchio, Sandhal

Discussion: D. RAMIREZ petitioned for an extension of his pharmacy technician trainee license. He indicated that he had limited opportunity to train as a pharmacy technician because he was a shift leader for the front store at a Walgreens. RAMIREZ recently accepted a new position with CVS where he was offered the opportunity to train as a pharmacy technician.

Action: A motion was made by J. Chin to extend the expiration date of D. Ramirez's pharmacy technician trainee license by one year; Seconded by K. Thornell, then Board Members present voted unanimously by rollcall to approve motion except S. Cornacchio and J. Rocchio who recused.

TOPIC VIII

File Review

Case #1 /CAS-2021-0712

PHA-2021-0065

CVS #635, DS2871

Time: 09:21 AM

RECUSAL: S. CORNACCHIO, J. ROCCHIO and N. SANDHAL were not present for the discussion or vote in this matter.

DISCUSSION: C. MOGNI presented and summarized the investigative report that pertained to these matters.

- RLCS reported 7/14/2021 for an unknown loss of #107 amphetamine salts 30mg tablets (Epic Pharma) identified from corporate controlled substance monitoring on 4/19/2021. Five letters of continuation were submitted. Security camera footage was not reviewed.
- MOR Massad stated that after CVS AP investigated and reviewed the perpetual inventory and NDC drug usage reporting, the discrepancy identified over the course of 12 months was attributed to several dispensing errors and stock bottle variances totaling #105 tablets with an additional #2 tablets due to an unconfirmed stock bottle variance. MOR Massad claimed multiple stores had stock bottle variances from Epic Pharma but provided no documentation that the manufacturer was notified.
- Perpetual inventories were submitted for 3 NDCs of amphetamine salts 30mg from March 2021 to July 2021 which documented a BOH count error of -3 tablets for Eon Labs on 5/30/2021. The Epic Pharma perpetual inventory showed a confirmed dispensing error of -60 tablets on 3/6/2021 and a BOH count error of -2 tablets on 4/21/2021. No other discrepancies were documented for the additional 45 missing tablets.
- Going forward, all potential losses will be reported in a timely manner. MOR Massad coached the Pharmacy team to ensure a back count occurs with each dispensing of a CII medication which will be logged in electronic perpetual inventory. A statement signed and dated by the Pharmacy staff was provided confirming review of the CVS Pharmacy Employee Loss Prevention/Drug Diversion policy.

ACTION: Motion by S. HAMILTON, seconded by J. CHIN, and voted unanimously by those present, to refer the matter (PHA-2021-0065), 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 REPRIMAND.

Case #2/CAS-2021-0734

PHA-2021-0070

CVS #1234. DS3496

Time: 09:24 AM

RECUSAL: S. CORNACCHIO, J. ROCCHIO and N. SANDHAL were not present for the discussion or vote in this matter.

DISCUSSION: C. MOGNI presented and summarized the investigative report that pertained to these matters.

- RLCS submitted on 8/5/2021 for an unknown loss of #551 diphenoxylate/atropine 2.5/0.025mg tablets discovered on 3/16/2021 via corporate controlled substance monitoring. Cycle counts, biennial inventories, staffing schedules and inventory reports were reviewed but the reason for the loss was not determined. Five letters of continuation were submitted.
- MOR Farrell stated the untimely reporting was due to the belief the medication was misplaced on the shelf and would eventually be located. MOR Farrell indicated when the missing medication was not found, it appeared it was inadvertently discarded. Cycle counts were performed on 03/17/2021, 06/26/2021, and 07/31/2021 with insignificant discrepancies.
- The diphenoxylate/atropine tablets were moved to a location that is not visible to patients and customers. After the loss was discovered, Pharmacy staff cleaned all shelves to keep the Pharmacy clean and orderly. MOR Farrell retrained the staff on pulling and putting away medications properly. The Pharmacy staff submitted a signed statement attesting all policies and procedures for the proper storage and handling of controlled substances have been reviewed.

ACTION: Motion by J. CHIN, seconded by C. BELISLE, and voted unanimously by those present, to refer the matter (PHA-2021-0070), 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 REPRIMAND.

Case #3 /CAS-20210711

SA-INV-18292

CVS #1031, DS89682

Time: 09:26 AM

RECUSAL: S. CORNACCHIO, J. ROCCHIO and N. SANDHAL were not present for the discussion or vote in this matter.

DISCUSSION: G. MELTON presented and summarized the investigative report that pertained to these matters

- On July 14, 2021, CVS 1031 reported a theft of 30 oxycodone 5mg tablets attributed to employee pilferage by an unlicensed staff member discovered on or about May 13, 2021. CVS 1031 explained that a patient arrived at the pharmacy to pick their prescription and staff were unable to find the prescription. Upon investigation, an unlicensed staff member working as a cashier admitted she stole the prescription from the waiting bin. She then left the pharmacy with the prescription on her lunch break. She then gave the drugs to an unidentified individual while on her lunch break at a restaurant outside the pharmacy. CVS 1031 indicated that the staff member organized waiting bins as part of her duties as a cashier which allowed access to steal the prescription.

- CVS 1031 indicated that the following corrective action was implemented to better secure prescriptions issued for Schedule II controlled substances. CVS 1031 described that staff were required to place completed prescriptions in their numerically assigned waiting bin in a timely manner. In addition, staff organized waiting bins on a weekly basis to ensure accuracy.
- CVS 1031 next described that a list of completed prescriptions not picked by patients in waiting bins on the fourteenth day of storage was generated every morning. Staff then retrieved the prescriptions on list from the waiting bins to process as returns to stock. CVS emphasized that all complete prescriptions for Scheduled II controlled substances on the list must be brought immediately to the pharmacist on duty to return to the perpetual inventory and secure in the pharmacy's safe. Lastly, CVS 1031 confirmed surveillance cameras captured the entire waiting bin area.

ACTION: Motion by S. HAMILTON, seconded by C. BELISLE, and voted unanimously by those present, to CLOSE the matter (SA-INV-18292), No Discipline Warranted.

Case #4 /CAS-2021-0529

PHA-2021-0034

Big Y #63, DS3179

Time: 09:33 AM

RECUSAL: NONE

DISCUSSION: Intern N. SANDHAL presented and summarized the investigative report that pertained to these matters.

- During a retail compliance inspection in May 2021, a PTT was observed administering vaccines. Big Y admitted that the PTT administered vaccines between January 29, 2021, and May 27, 2021. Big Y indicated that the PTT completed the same training as a qualified technician would receive to administer vaccinations. This was inaccurate because qualified technicians need to have 500 hours of experience or national certification along with 10 hours of training to administer vaccines. Also, the dates for 4 of 10 hours of required training were not certified until March 12, 2021. Big Y explained that the use of the PTT as an immunizer was an oversight and no other PTT administer vaccines at any Big Y in Massachusetts.
- In addition, Big Y admitted that they possessed full records for only 567 of 1850 vaccinations administered during the period they were using the PTT to immunize. Specifically, the immunizer was tracked by handwritten records which were inadvertently destroyed. Big Y explained that the records were destroyed because the MOR believed that the immunizer was tracked in information submitted to MIIS. Big Y indicated that they corrected the issue and confirmed that no other Massachusetts Big Y Pharmacy destroyed the handwritten records.
- The PTT ceased administering vaccines. Big Y #63 confirmed that no other Big Y pharmacies allowed pharmacy technician trainees to immunize patients or discarded physical immunization records. Lastly, the MOR Kimball and the PTT submitted proof that they reviewed 247 CMR 15.00: Continuous Quality Improvement Program, Joint Policy 2021-12: Vaccine Administration by Qualified Pharmacy Technicians, and Joint Policy 2020-13: Administration of FDA-Authorized, FDA-Licensed, and Investigational COVID-19 Vaccines. MOR Submitted proof of completion of two hours of continuing education in the topic of patient safety and PTT Andrews repeated part two of her course on immunizations.

ACTION: Motion by C. BELISLE, seconded by S. HAMILTON, and voted unanimously by those present, to refer the matter (PHA-2021-0034), 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 REPRIMAND.

Case #5 /CAS-2021-0600

PHA-2021-0047

Walgreens #15969, DS90068

Time: 09:36 AM

RECUSAL: NONE

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

- OPP received complaint alleging that a non-certified pharmacy technician was filling Schedule II prescriptions.
- MOR Duong apologized for allowing the violation to occur and indicated that she wanted to assure the Board that it was only during peak hours where the pharmacist and certified technicians were tied up and could not count the prescription that they used a non-certified pharmacy technician to count the prescription
- The technicians do not have access to the narcotic safe and the product was always retrieved by the pharmacist.
- A weekly perpetual inventory is performed to ensure no loss. The MOR noted that they ensure that the medications are delivered to the patient in a safe and timely manner with no diversion.
- PT Holm-Sanchez would not have been eligible to handle Schedule II prescriptions until she became certified on July 9, 2021.
 - MOR Duong said going forward she would shift personnel around so the pharmacy would have more support during peak hours to allow the pharmacists more time to count Schedule II medications. In addition to all pharmacy staff were made aware of the deficiency and retrained on which personnel are allowed to count which medications.

ACTION: Motion by S. HAMILTON, seconded by J. CHIN, and voted unanimously by those present, to refer the matter (PHA-2021-0047), 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 REPRIMAND.

Case #6/CAS-2021-0567

PHA-2021-0041

Walgreens #17228, DS90182

Time: 09:39 AM

RECUSAL: NONE.

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

- RLCS - 44 methylphenidate ER 27mg tablets (#1 tablet loss from NDC# 31722-0953-01 and #43 tablet loss from NDC# 65162-0233-09) on or about May 19, 2021, due to an unintentional discard of the medicine in the trash.
- On May 23, 2021, during a weekly perpetual inventory, Pharmacist Khan noted that the stock bottle (NDC# 65162-0233-09 manufactured by Amneal) was missing which contained 43 tablets. He was unsuccessful in locating the missing bottle, he left a note for the MOR reporting the loss.

- MOR Olagunju noted that video footage was reviewed, and it is presumed that the bottle was thrown in the garbage unintentionally on May 19, 2021, at 16:07:26. She made an attempt to retrieve the garbage, but it had already been sent out for disposal by their third-party carrier.
- MOR Olagunju's corrective action included that empty stock bottles must have the cover/lid off the bottle before it is placed in the garbage. Additionally, empty C2 bottles will no longer be put in the regular trash, it will be put in a separate bin and after the weekly perpetual inventory is complete and everything is correct, then it would be thrown away.

ACTION: Motion by C. JEAN-FRANCOIS, seconded by S. HAMILTON, and voted unanimously by those present, to refer the matter (PHA-2021-0041), 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 REPRIMAND.

Case #7 /CAS-2021-0709

PHA-2021-0066

Walgreens #10209, DS3529

Time: 09:42 AM

RECUSAL: NONE

DISCUSSION: C. MOGNI presented and summarized the investigative report that pertained to these matters.

- RLCS for an unknown loss reported as #105 amphetamine salts 20 mg tablets discovered on 06/06/2021. Pharmacist Trinh completed a drug lost checklist, but he was unable to resolve the discrepancy. Additional counts were performed for 2 weeks with no additional discrepancies. Walgreens AP reviewed controlled substance recordkeeping and video and interviewed staff. The cause of the loss could not be determined.
- Former MOR Chukwujama stated the medication shelves and trash were searched. Patients who received amphetamine salts 20 mg between 5/28/21 and 6/6/21 were contacted and none confirmed an over-dispense. Former MOR Chukwujama stated the loss was discovered on 6/6/21 but Pharmacist Trinh stated the discrepancy was identified 6/12/21. CII inventory sheets dated 6/6/21, 6/12/21, and 6/20/21 showed discrepancies of -90, -100 and -100 tablets but none of these dates were documented as reconciliations in the perpetual inventory. The perpetual inventory provided for 5/1/21 to 7/29/21 did not document any variance of the additional -5 tablets reported in the RLCS.
- Controlled substance receiving and filling procedures were reviewed with the staff including CIIs are to be returned to the safe immediately after filling a prescription; pharmacists must always maintain control of safe keys; certified technicians will no longer access the C-II safe; prescriptions should be logged into the perpetual inventory as they are completed; and CII orders are to be carefully received and put away upon arrival. Additional inventory counts of some controlled substances would be completed for the next 3 months. Pharmacist Trinh will ensure SOPs are followed and will keep the bench organized to avoid future occurrences. Pharmacy staff provided signed statements attesting all Walgreens policies and procedures for the proper storage and handling of controlled substances were reviewed.

ACTION: Motion by J. CHIN, seconded by C. BELISLE, and voted unanimously by those present, to refer the matter (PHA-2021-0066), 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 REPRIMAND.

Topic IX: Executive Session Call to Order: Time: 9:46 AM

By: J. Lanza

DISCUSSION: None

ACTION: President J. Lanza request a motion to enter Executive.

Roll call attendance: J. Lanza, yes; S. Hamilton, yes; C. Jean-Francois, yes; C. Belisle, yes; Rocchio, yes; J. Chin, yes; S. Cornacchio, yes; R. Lopez, yes; S. Ahmed, yes; K. Thornell, yes.

Topic X: Adjudicatory Time: 10:30 AM

DISCUSSION: None

ACTION: President J. Lanza request a motion to enter Adjudicatory

At 10:30 AM J. Chin, seconded by K. Thornell and voted unanimously by all those present to enter Adjudicatory by roll call vote.

Topic XI: 65C Sessions MGL c. 112 section 65C Time: 10:39 AM

DISCUSSION: None

ACTION: President J. Lanza request a motion to enter 65C.

At 10:39 AM C. Jean-Francois, seconded by J. Chin and voted unanimously by all those present to enter 65C by roll call vote.

S. Cornacchio leaves at 10:51 AM

J. Rocchio leaves at 10:51 AM

Topic XII ADJOURNMENT OF MEETING TIME: 11:11 AM

ACTION: Motion by S. Hamilton seconded by J. Chin 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 11/12/21 General Session
2. Draft Minutes of the 10/29/21 Meeting
3. Report on Applications approved pursuant to Licensure Policy 13-01
4. Report on probation
5. Report on Board Delegated Complaint Review to licensure policy 14-02
6. Report on Above Action Levels approved by Staff Action 16-04
7. Report on PSUD 17-03
8. Application: Westside Pharmacy New Community Pharmacy

9. Application: Braintree Laboratories New Wholesale Distributor
10. Application: Wellforce Pharmacy Home Infusion New Community Pharmacy
11. Application: Wellforce Pharmacy Retail New Community Pharmacy
12. PTT extension: PTT03157 Blaisdell, Kora
13. PTT extension: PTT08884 Masterton-Jones, Valrie
14. PTT Extension: PTT09611 Ramirez, Deimy
15. PTT Extension: PTT09476 Muse, Michael
16. PTT Extension: PTT05695 Proia-Eastwood, Rosanna
17. CAS-2021-0529 PHA-2021-0034 Big Y #63, DS3179
18. CAS-2021-0600 PHA-2021-0047 Walgreens #15969, DS90068
19. CAS-2021-0567 PHA-2021-0041 Walgreens #17228, DS90182
20. CAS-2021-0709 PHA-2021-0066 Walgreens #10209, DS3529
21. CAS-2021-0712 PHA-2021-0065 CVS #635, DS2871
22. CAS-2021-0734 PHA-2021-0070 CVS #1234, DS3496
23. CAS-2021-0711 SA-INV-18292 CVS #1031, DS89682

Respectfully Submitted,
Carly Jean-Francois, NP, Secretary