

COMMONWEALTH OF MASSACHUSETTS
Board of Registration in Pharmacy

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

October 29, 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=ecbcd92baf63dd707d3cc682fbfd4df9c>

To access the meeting by phone:

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

Access Code: 2427 309 7552

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 15, 2021 Regular Session Minutes		
8:15	IV	FLEX <ul style="list-style-type: none">Pharmacy issues related to Covid-19 and the state of emergency		

8:20	V	<p>APPLICATIONS</p> <ul style="list-style-type: none"> •BILH Pharmacy, 230 Bowdoin St., Dorchester - New Community Pharmacy •Gary Drug; DS3937 – Transfer of Ownership •Genoa Healthcare/West Springfield – New Community Pharmacy •Sebela Pharmacy RxDirect – New Community Pharmacy •The Pharmacy@SSTAR, Inc. – New Community Pharmacy •Outer Cape Health; DS89869 - Renovation 										
9:00	VI	<p>POLICIES</p> <ul style="list-style-type: none"> • Policy 2020-11: Vaccine Administration 										
9:10	VII	<p>ADVISORY</p> <ul style="list-style-type: none"> • Smoke Studies in ISO-Classified Areas 										
9:20	VIII	<p>PTT LICENSE EXTENSION REQUEST</p> <p><u>PTT08271 Delaney, Marc</u> Issue Date: 05/21/2020 Expiration Date: 05/21/2021 60 hours</p> <p><u>PTT08147 Perez, Jaylene</u> Issue Date: 04/23/2020 Expiration Date: 04/23/2021 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>PTT09057 Dejeanlouis, Nephthalie</u> Issue Date: 08/19/2020 Expiration Date: 08/19/2021 Zero hours</p>										
9:30	IX	<p>FILE REVIEW</p> <table border="1" data-bbox="310 1478 1214 1581"> <tr> <td data-bbox="310 1478 358 1528">1</td> <td data-bbox="358 1478 602 1528">CAS-2021-0526</td> <td data-bbox="602 1478 842 1528">PHA-2021-0035</td> <td data-bbox="842 1478 1214 1528">CVS #492, DS24056</td> </tr> <tr> <td data-bbox="310 1528 358 1581">2</td> <td data-bbox="358 1528 602 1581">CAS-2021-0733</td> <td data-bbox="602 1528 842 1581">PHA-2021-0071</td> <td data-bbox="842 1528 1214 1581">Stop & Shop #36, DS2360</td> </tr> </table>	1	CAS-2021-0526	PHA-2021-0035	CVS #492, DS24056	2	CAS-2021-0733	PHA-2021-0071	Stop & Shop #36, DS2360		
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2	CAS-2021-0733	PHA-2021-0071	Stop & Shop #36, DS2360									

9:45	X	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 evaluate the Good Moral Character as required for registration for a pending applicant and to review a request by a pharmacy intern for an extension of their license.		CLOSED SESSION
10:30	XI	M.G.L. c. 30A, §18 ADJUDICATORY SESSION		
10:45	XII	M.G.L. c. 112, § 65C SESSION		CLOSED SESSION
11:30	XIII	ADJOURNMENT		

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

MINUTES OF THE GENERAL SESSION

Via Remote WebEx Meeting

October 29, 2021

Board Members Present

Julie Lanza, CPhT, President
Sebastian Hamilton, Pharm D, MBA, RPh President-Elect
Timothy Fensky, RPh
Susan Cornacchio, JD, RN
Caryn Belisle, RPh, MBA
John Rocchio, PharmD
Jennifer Chin, RPh (leaves 9:30 AM)
Dawn Perry, JD (leaves 10:30 AM)
Katie Thornell, RPh, MBA

Board Members Not Present

Carly Jean-Francois, RN, NP Secretary
Dr. Richard Lopez, MD
Andrew Stein, PharmD

Board Staff Present

David Sencabaugh, RPh, Executive Director (out of meeting 8:10 AM to 9:15 AM)
Monica Botto, Assistant Executive Director
Heather Engman, JD, Board Counsel
William Frisch, RPh Director of Pharmacy Compliance
Michelle Chan, RPh Quality Assurance Pharmacist
Richard Harris, Program Analyst
Joanna Chow, Office Support Specialist
Joanne Trifone, RPh, Director of Investigation
Gregory Melton, PharmD, JD, Investigator
Christina Mogni, RPh, Investigator

TOPIC I. Attendance by roll call:

CALL TO ORDER 8:01 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. Belisle, yes; J. Rocchio, yes;
J. Chin, yes; S. Cornacchio, yes; T. Fensky, yes; D. Perry, yes. K. Thornell, yes.

Topic II.

Approval of Agenda

TIME 8:02 AM

Agenda 10/29/21

DISCUSSION:

Defer: Rosanna Proia-Eastwood PTT05695; Stop & Shop #36 DS2360; Adjudicatory Session; Change spelling Sebela Pharmacy RX Direct to Sebela Pharma RxDirect.

ACTION:

Motion by S. Hamilton, seconded by K. Thornell 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: 8:09 AM

Minutes

1. Draft 10/15/21

Change: no changes

Action:

Motion by S. Hamilton seconded J. Chin and voted unanimously to approve the regular session minutes of 10/15/21 with noted change by roll call vote. K. Thornell abstain.

TOPIC IV

Flex

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

Time: 8:10 AM

Presented by: M. BOTTO

Nothing to report.

J. Chin Leaves meeting at 9:30 AM

TOPIC V

Applications

- 1. BILH Pharmacy, 230 Bowdoin St., Dorchester New Community Pharmacy TIME: 9:03 AM**

REPRESENTED BY: Minh Le, Proposed MOR; Melissa Ho, Staff RPh

RECUSAL: J. LANZA, D. PERRY

DISCUSSION: BILH will be located on the first floor of Bowdoin Street Health Center. They will service Bowdoin Street Health Center patients and people around the community. They would also like to decrease the commute time for Health Safety Net patients that are currently traveling into the city. BILH has approval from Health Care Quality. Minh Le answered all questions to the Boards satisfaction.

ACTION: Motion by C. BELISLE, seconded by T. FENSKY, voted unanimously by those present to approve application pending a successful inspection.

- 2. Gary Drug; DS3937 Transfer of Ownership TIME: 9:29 AM**

REPRESENTED BY: Seth Freedman, Proposed MOR

RECUSAL: NONE

DISCUSSION: The transfer of ownership has already occurred. Seth Freedman has been an employee at the pharmacy for 10 years. They plan to keep staff and operations the same.

ACTION: Motioned by S. HAMILTON, seconded by K. THORNELL, voted unanimously by those present to approve application.

- 3. Genoa Healthcare/West Springfield New Community Pharmacy TIME: 9:31 AM**

REPRESENTED BY: Megan Garrity, Director of Operation

RECUSAL: NONE

DISCUSSION: Genoa will be the 16th pharmacy in Massachusetts. They have submitted the same standard waivers as previous Genoa locations. The applicant will need to resubmit a Controlled Substance application to include schedule VI and an updated blueprint to include outline of patient consultation area.

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

- 4. Sebelo Pharma RxDirect New Community Pharmacy TIME: 8:10 AM**

REPRESENTED BY: Lisa Harpel- Proposed MOR; Rob Raleigh- Board Manager; Dean Bartello- Consultant Pharmacist; Angie Ulm - Senior Director, Trade Relations; Ernie Gates – Consultant

RECUSAL: S. CORNACCHIO, J. ROCCHIO

DISCUSSION: Lisa presented slides to the Board to address some of the questions and concerns the Board Members had the last time Sebela Pharma was in front of the Board. Sebela representatives answered questions Board Members had concerning their specific scope of practice.

ACTION: Motion by J. CHIN, seconded by T. FENSKY, voted unanimously by all those present to preliminarily deny and defer the application for two weeks.

5. The Pharmacy@SSTAR, Inc. New Community Pharmacy TIME: 9:35 AM

REPRESENTED BY: Thomas Cory, Owner

RECUSAL: NONE

DISCUSSION: The Pharmacy @ SSTAR will service patients from SSTAR Family Healthcare Center and the public. The applicant will need approval from Health Care Quality and to resubmit an updated blueprint. Thomas answered all the Boards questions to satisfaction.

ACTION: Motion by S. HAMILTION, seconded by T. FENSKY, voted unanimously by those present to approve application, waivers, updated blueprint, HCQ approval and pending a successful inspection. J. LANZA abstained.

6. Outer Cape Health; DS89869 Renovation TIME: 9:46 AM

REPRESENTED BY: Christopher Casale, MOR

RECUSAL: NONE

DISCUSSION: Outer Cape Health plans to relocate the pharmacy to another wing of the community health center. Walk up service will now be available. They will get approval from Health Care Quality. Christopher answered all questions to the Boards satisfaction.

ACTION: Motioned by T. FENSKY, seconded by C. BELISLE, voted unanimously by those present to approve application pending a successful inspection and approval from HCQ.

TOPIC VI

Policies

1. Policy 2020-11: Vaccine Administration

Time: 9:51 AM

Presented by: M. CHAN

Discussion: Due to stakeholder feedback about the difficulties of checking MIIS before administering flu shots and COVID vaccines at off-site clinics, the policy was updated to allow for administration of flu and COVID without checking MIIS first.

The recommendation was added to try to verify prior formulations before giving a COVID booster using the patient's vaccination card or other means.

Providers are required to report vaccinations, but patients may opt out of having that vaccination information shared with other practitioners by submitting a form to MIIS. A link to the MIIS guidance has also been added to the policy.

Action: Motion by S. HAMILTON, seconded by K. THORNELL, and voted unanimously by those present, to approve the policy changes.

TOPIC VII

Advisory

1. Smoke Studies in ISO-Classified Areas

Time: 9:53 AM

Presented by: M. CHAN

Discussion: This guidance document was developed for sterile compounding pharmacies to describe the purpose, as well as emphasize the value of properly conducted smoke studies.

With the help of the Pharmacy Advisory Committee, this advisory was designed to illustrate how the results of smoke studies can be used to improve the compounding process and environment.

Action: Motion by S. HAMILTON, seconded by C. BELISLE, and voted unanimously by those present, to approve the advisory.

TOPIC VIII

PTT License Extension Request

1. PTT08271

Delaney, Marc

TIME 9:55 AM

Recusal: None

Board heard M. DELANEY'S matter out of sequence from the approved agenda. DELANEY indicated that he did not complete the requisite hours to apply for licensure as a pharmacy technician prior to the expiration of his PTT license. DELANEY explained that he worked at a chain pharmacy in the front store shift leader and only filled in at the pharmacy as a "Designated Hitter" when needed. Thus, DELANEY'S PTT license expired prior to attainment of the requisite hours for licensure as a pharmacy technician. DELANEY indicated that he was recently offered the opportunity to move to a

new store within the same chain so he may resume training in the pharmacy pending a valid PTT license.

ACTION: A motion was made by C. Belisle to extend the expiration date of DELANEY'S PTT license for one year; Seconded by S. Hamilton; Board Members present voted unanimously by rollcall to approve motion.

2. PTT08147 **Perez, Jaylene** **TIME: 9:12 AM**
Recusal: Cornacchio, Rocchio, Anina

Discussion: Board heard J. PEREZ' matter out of sequence from the approved agenda. PEREZ indicated that she did not complete the requisite hours to apply for licensure as a pharmacy technician prior to the expiration of her PTT license. PEREZ explained that she worked at a chain pharmacy as a front store shift leader and only filled in at the pharmacy when needed. Thus, PEREZ' PTT license expired prior to attainment of the requisite hours for licensure as a pharmacy technician. PEREZ indicated that she was recently offered an opportunity at a different chain pharmacy so she may resume training in the pharmacy pending a valid PTT license.

ACTION: A motion was made by C. Belisle to extend the expiration date of PEREZ' PTT license for one year; Seconded by K. Thornell; Board Members present voted unanimously by rollcall to approve motion.

3. PTT05695 **Proia-Eastwood, Rosanna** **TIME: 10:00 AM**

Action: The matter was deferred as R. PROIA-EASTWOOD was not present.

4. PTT09057 **Dejeanlouis, Nephthalie** **TIME: 9:16 AM**
Recusal: Cornacchio, Rocchio, Anina

Discussion: Board heard N. DEJEANLOUIS' matter out of sequence from the approved agenda. DEJEANLOUIS indicated that she did not complete the requisite hours to apply for licensure as a pharmacy technician prior to the expiration of her PTT license. DEJEANLOUIS explained that she had completed a certified pharmacy technician program but had been unable to work due to not having a valid ID then contracted an illness with prolonged recovery. Thus, DEJEANLOUIS' PTT license expired prior to attainment of the requisite hours for licensure as a pharmacy technician. DEJEANLOUIS indicated that she was recently offered an opportunity at a chain pharmacy so she may resume training in the pharmacy pending a valid PTT license. DEJEANLOUIS is studying to take the national CPhT exam and once she passes it, can apply directly to become a PT. BOP staff will assist her with the process of obtaining a PT license.

ACTION: A motion was made by T. Fensky to extend the expiration date of DEJEANLOUIS' PTT license for THREE months; Seconded by S. Hamilton; Board Members present voted unanimously by rollcall to approve motion.

TOPIC IX**File Review**

Case #1/CAS-2021-0526
PHA-2021-0035

CVS #492, DS24056

Time: 09:26 AM

RECUSAL: S. CORNACCHIO, J. ROCCHIO and O. ANINA 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 May 19, 2021, OPP Investigator Horn conducted a retail compliance inspection at CVS 492. During the inspection, Investigator Horn discovered that the MOR had been away from her position for more than 100 days which necessitated a change in MOR. Specifically, he learned that the MOR was reassigned to work at another CVS Pharmacy on February 5, 2021.
- CVS 492 indicated that the district leader for the pharmacy fell ill and became incapacitated prior to completion of the change in MOR application. The district leader was unable to communicate to CVS staff covering for them due to the nature of their illness.
- CVS 492 submitted a change in MOR application. In addition, a new district leader was hired. The new district leader and the district leader's staff were trained on the requirements for changes in MOR.

ACTION: Motion by T. FENSKY, seconded by S. HAMILTON, and voted unanimously by those present, to refer the matter (PHA-2021-0035), 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 X:**Executive Session Call to Order:****Time: 10:02 AM**

By: J. Lanza

Action: A motion was made by to K. Thornell enter Executive Session; Seconded by D. Perry and Board Members present voted unanimously by roll call to approve motion.

Roll call attendance: J. Lanza, yes; S. Hamilton, yes; C. Belisle, yes; J. Rocchio, yes; J. Chin, yes; S. Cornacchio, yes; T. Fensky, yes; D. Perry, yes. K. Thornell, yes.

Topic XI:**Adjudicatory****Deferred**

D. Perry leaves meeting at 10:30 AM

Topic XII:

65C Sessions MGL c. 112 section 65C

Time: 10:30 AM

DISCUSSION: None

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

At 10:02 AM S. Hamilton, seconded by T. Fensky and voted unanimously by all those present to enter 65C by roll call vote.

Topic XIII

ADJOURNMENT OF MEETING

TIME: 10:42 AM

ACTION: Motion by K. Thornell seconded by T. Fensky and voted unanimously by those present, to adjourn from General Session by roll call vote; S. Hamilton votes no in recognition of not wanting meeting to end as it was T. Fensky's last meeting as a board member.

EXHIBITS USED DURING THE OPEN SESSION OF THE MEETING

1. Draft Agenda of the 10/29/21 General Session
2. Draft Minutes of the 10/15/21 Meeting
3. Application: BILH Pharmacy Dorchester, MA New Community Pharmacy
4. Application: Gary Drug; DS3937 – Transfer of Ownership
5. Application: Genoa Healthcare/West Springfield – New Community Pharmacy
6. Application: Sebela Pharmacy RxDirect – New Community Pharmacy
7. Application: The Pharmacy@SSTAR, Inc. – New Community Pharmacy
8. Application: Outer Cape Health; DS89869 – Renovation
9. Policy 2020-11 Vaccine Administration
10. Advisory: Smoke Studies in ISO-Classified Areas
11. PTT Extension: Marc Delaney PTT08271
12. PTT Extension: Jayleen Perez PTT08147
13. PTT Extension: Rosanna Proia-Eastwood PTT05695
14. PTT Extension: Nephthalie Dejeanlouis PTT09057
15. CAS-2021-0526 PHA-2021-0035 CVS #492, DS24056
16. CAS-2021-0733 PHA-2021-0071 Stop & Shop #36, DS2360

Respectfully Submitted,
Carly Jean-Francois, NP, Secretary