

This is NOTICE of the regularly scheduled Board of Registration in Pharmacy Meeting

BOARD OF REGISTRATION IN PHARMACY  
MEETING AGENDA

September 11, 2012 - 8:30 am  
239 Causeway Street  
4th Floor, Rooms 417A and B  
Boston, Massachusetts

1. 8:30 a.m. CALL TO ORDER  
President James T. DeVita, RPh
  - Introduction of NEU APPE Extern Ian Fitts
2. 8:35 a.m. REVIEW/ADOPTION OF BOARD MINUTES
  - August 8, 2012 Minutes
3. 8:40 a.m. APPLICATIONS and Other Notices (no handout/applications on file)  
Assoc. Dir. Margaret Cittadino
  - Nuclear Pharmacist ( 1 )  
Rebecca Lee Moore
  - New Community Pharmacy ( 3 )  
Big Y Pharmacy 98, 90 Memorial Drive, Springfield  
Price Chopper, 239, 560 Main Street, Gardner  
Stop & Shop Pharmacy 0011, 40 Furlong Drive, Revere
  - Change of Manager ( 39 )  
Azee Pharmacy, 25 Marston Street, Lawrence (DS89791)  
Bouvier Pharmacy, 515 Lincoln Street, Marlborough (DS9725)  
Critical Care Systems, 246 Boston Turnpike, Shrewsbury (DS3330)  
Careplus CVS 2393, 35 Millbury Street, Auburn (DS3219)  
CVS Caremark, 25 Birch Street, Milford (DS3416)  
CVS 260, 155 Charles Street, Boston (DS2294)  
CVS 1206, 240 Newbury Street, Boston (DS2033)  
CVS 8972, 285 Columbus Avenue, Boston (DS89677)  
CVS 1007, 1933 Main Street, Brockton (DS2629)  
CVS400, 16 Boston Board, Chelmsford (DS2307)  
CVS 7232, 689 Depot Street, Easton (DS3461)  
CVS 859, 148 Route 137, East Harwich (DS2945)  
CVS 2322, 176 North Street, Hyannis (DS2827)  
CVS 0026, 590 Fellsway, Medford (DS2912)  
CVS 615, 233 Broadway, Methuen (DS3493)  
CVS 1867, 517 State Road, Plymouth (DS89648)  
CVS 2377, 2253 State Road, Plymouth (DS3090)  
CVS2138 8 Pilgrim Road, Plymouth (DS2815)  
CVS 1095, 1025, 272 Highland Avenue, Salem (DS89673)  
CVS 1021, Patriot Square Shopping Center, South Dennis (DS1543)  
Price Chopper Pharmacy 155, 300 Stockbridge Road, Great Barrington (DS2639)  
Rite Aid 10112, 68 South Main Street, Haverhill (DS3240)  
Rite Aid 10159, 330 River Street, Cambridge (DS3102)  
Rite Aid 10156, 800 South Main Street, Sharon (DS3140)  
Royal Palm Specialty, 111 Main Street, Webster (DS89765)

Stop & Shop Pharmacy 472, 40 Franklin Village Drive, Franklin (DS1622)  
 Stop & Shop Pharmacy 22, 55 Long Pond Drive, South Yarmouth (DS2115)  
 Stop & Shop Pharmacy 404, 1600 Boston Post Road, Springfield (DS3212)  
 Target Pharmacy T-1441, 180 Somerville Avenue, Somerville (DS3185)  
 Walgreens Pharmacy 10317, 1035 Truman Highway, Boston (DS89797)  
 Walgreens Pharmacy 3758, 610 Pleasant Street, Brockton (DS2759)  
 Walgreens Pharmacy 7813, 25 Oak Street Extension, Brockton (DS3408)  
 Walgreens Pharmacy 9011, 101 High Street, Danvers (DS3347)  
 Walgreens Pharmacy 12399, 226 Broadway, Taunton (DS89688)  
 Walgreens Pharmacy 4923, 1999 Centre Street, West Roxbury (DS2959)  
 Walmart Pharmacy 10-5380, 1775 Washington Street, Hanover (DS3353)  
 Walmart Pharmacy 10-2964, 11 Jungle Road, Leominster (DS3588)  
 Walmart Pharmacy 10-2158, 200 Otis Street, Northborough (DS2742)  
 Walmart Pharmacy 10-2012, 742 Main Street, North Oxford (DS2749)

▪ Retail Pharmacy Relocation ( 2 )

CVS 5382, 181 Brighton Avenue, Allston (DS89803) FROM 177 Brighton Avenue, Allston  
 Cape Cod Infusion Services, 111B County Road North Falmouth, FROM 200 Main Street, Suite  
 205, Falmouth (DS89772)

▪ Renovation/Expansion ( 5 )

CVS 5939, 242 Cambridge Street, Burlington (DS3576)  
 Wal-Mart Pharmacy 10-2155, 677 Timpany Boulevard, Gardner (DS2739)  
 Wal-Mart Pharmacy 10-2158, 200 Otis Street, Northborough (DS2742)  
 Wal-Mart Pharmacy 10-2329, 555 East Main Street, Orange (DS27451)  
 Wal-Mart Pharmacy 10-2174, 141 Springfield Drive, Westfield (DS2748)

▪ Transfer of Ownership ( 1 )

Moms Pharmacy, 75 Armory Street, Boston (DS89790) TO new owner AIDS Healthcare  
 Foundation

▪ Wholesale Distributor Closing ( 1 )

Rowley Biochemical Inc, relinquishing WD397 and WD397CS licenses due to duplication of  
 Massachusetts licensure. Facility has DEA manufacturer registration and MA Controlled  
 Substance registration (DCP).

▪ Retail Pharmacy Closing ( 1 )

Winchester Drug, 568 Main Street, Winchester (DS1107 transferring controlled substances  
 and records to CVS 155, 539-545 Main Street, Winchester (DS2471)

4. 8:45 a.m. UPDATES

Dir. James D. Coffey /Assoc. Dir. Margaret Cittadino

- MPJE State Specific Review
- Chapter 244 of the Acts of 2012 (Senate Bill 2125) "An Act Relative to  
 Prescription Drug Diversion, Abuse and Addiction"
- Report of Board Dispositions

5. 8:55 a.m. REPORT OF OFFICE OF INVESTIGATIONS (no handout)

File Review - Samuel J. Penta, RPh Supervising Investigator; James C. Emery,  
 Investigator; Cheryl Latham, PharmD, RPh, Investigator; William E. Frisch,  
 Jr, RPh, Investigator; Leo A. McKenna, PharmD, RPh, QA Coordinator

6. 10:15 a.m. REPORT OF OFFICE OF GENERAL COUNSEL - Susan Manning, Board Counsel

Complaints for Summary Suspension consideration

- **Catherine T. Bryant** (PT9348) Docket No. PHA-2012-0179 (CVS/pharmacy)
- **Stacy N. Miles** (PT11737) Docket No. PHA-2012-0152 (CVS/pharmacy)
- **Nel Sothy** (PT7638) Docket No. PHA-2012-0165 (CVS/pharmacy)

CLOSED SESSION – Review/discussion of Complaints, Applications, Adjudicatory Session and other Legal Matters [MGL c. 112, s. 65C; MGL c. 30A, ss. 18-21]

Matters of:

- **Celeste Frappier**, RPh – Pharmacist Reciprocity Applicant (CVS/pharmacy)  
Review August 24, 2012 letter from Applicant
- *Proposed Final Decision and Order on Summary Suspension*  
**Steven R. Petrillo**, RPh (PH23960) Docket No. PHA-2011-0340  
Review proposed decision after hearing on necessity of continuing summary suspension pending hearing on merits or other resolution of pending complaint; vote regarding *Final Decision and Order* to be issued.
- **North Shore Pharmacy Services** (DS3458) Multiple Docket Numbers – Agreement Update
- **Timothy J. Houle** – Pharmacy Technician Applicant (DENIED 8/7/12)  
Review August 30, 2012 letter from Applicant (Richmond Pharmacy)
- **Bruce R. Kline**, RPh (PH17604) Docket No. PHA-2012-0169  
Review of August 16, 2012 Board vote to notify Registrant that **Surrender** of pharmacist registration, pursuant to terms of *Consent Agreement for Probation* (2/2/09), was effective immediately.

7. 10:45 a.m. INVESTIGATIVE CONFERENCE

Matter of:

**Westwood Lodge Pharmacy**, 45 Clapboardtree Street, Westwood  
Docket No. SA-INV-2409  
**Than L. Phan** (PH23338) Docket No. PHA-2012-0163

Complaint alleges that on or about January 26, 2011, Westwood Lodge Hospital Pharmacy, incorrectly dispensed sulfamethoxazole / trimethoprim (Bactrim®) a sulfonamide to a patient with a documented allergy to sulfa medications.

Investigator: William E. Frisch, Jr., RPh

8. 11:45 a.m. INVESTIGATIVE CONFERENCE

Matters of:

**Stat-Care Pharmacy**, 198 Worcester Street, North Grafton (DS89676)  
Docket Nos. PHA-2011-0330 & PHA-2012-0011

**Continued: Stat-Care Pharmacy**

- (a) Complaint alleges that on or about October 31, 2011, Stat-Care Pharmacy incorrectly dispensed (blister pack) Lamictal 25 mg rather than Topamax 25 mg as prescribed to a resident of a group home.

**Stat-Care Pharmacy**, 198 Worcester Street, North Grafton (DS89676)  
Docket Nos. PHA-2011-0330

**Damaris Ramirez**, (PT7864) Docket No. PHA-2012-0033

**Helen E. Munroe** (PH16924) Docket No. PHA-2012-0034

Investigator: William E. Frisch, Jr., RPh

- (b) Complaint alleges that on or about December 5, 2011, Stat-Care Pharmacy incorrectly dispensed Albuterol 0.63 % solution rather than Albuterol 0.083% solution for nebulization as prescribed to a resident of a group home.

**Stat-Care Pharmacy**, 198 Worcester Street, North Grafton (DS89676)  
Docket Nos. PHA-2011-0011

**Wendy Bea Walker Finch**, (PT11696) Docket No. PHA-2012-0048

**Helen E. Munroe** (PH16924) Docket No. PHA-2012-0049

Investigator: James "Jay" C. Emery

9. 12:20 p.m. DISCUSSION/UPDATE - Leo A. McKenna, PharmD, RPh, Quality Assurance Coordinator

- Best Practice Recommendations/Flash Facts

10. 12:30 p.m. LUNCH

11. 1:30 p.m. NEW COMMUNITY PHARMACY APPLICATION/Appearance

**ST GEORGE PHARMACY**

Proposed: 435 Furnace Street, Marshfield, MA

Present: Proposed Owner and Manager of Record Atef Ayoub, RPh (PH233456) and Secretary Amany Hanna

- Applicant for retail pharmacy licensure proposes to dispense Schedule II-VI controlled substances

Approve  Deny

12. 2:00 p.m. NEW COMMUNITY PHARMACY APPLICATION/Appearance

**CAREPRO PHARMACY**

Proposed: 343 Newport Avenue, Quincy, MA

Present: Proposed Owner and Manager of Record Son Dinh, RPh

- Applicant for retail pharmacy licensure proposes to dispense Schedule II-VI controlled substances

Approve  Deny

## FLEX DISCUSSION

### A. NEW BUSINESS

#### APPLICATIONS – Approve/Deny

- 1) Robert Bruce Macrae – Pharmacy Technician
- 2) Dennis James Breault – Pharmacy Technician
- 3) Sheyla Torres – Pharmacy Technician (Ameridose)
- 4) Michael J. Tapley – Pharmacist Reciprocity (Rite Aid Pharmacy)
- 5) Rushi R. Shah - Pharmacy Technician (CVS/pharmacy)

#### OTHER

- 6) Keith N. LaRoche, R.Ph. (PH16881) Docket No. PHA-2011-0255  
Request for Termination of Suspension: Approve/Deny
- 7) DPH DCP Medical Review Group (MRG) Candidate Nomination  
Adele D. Audet, RPh, Asst. Dir., DPH DCP  
Support / Oppose

### 13. INFORMATIONAL ITEMS and CORRESPONDENCE

- 1) German Drug Firm Makes 1st Apology for Thalidomide
- 2) NABP August 2012 State News Roundup
- 3) Disclosure Not Necessary for Off-Label Drug Use; Patients May Not Know They're Taking Them
- 4) Governor Signs Anti-Prescription Drug Abuse Bill
- 5) Soaring Ointment Prices are Dermatologic Mystery
- 6) Surescripts to Connect Epic to Clinical Interoperability Network
- 7) Scrip Talk Station – Audible Prescription labeling System

### 14. 3:00 p.m. ADJOURNMENT

BOARD OF REGISTRATION IN PHARMACY  
MEETING MINUTES

September 11, 2012  
239 Causeway Street  
4th Floor, Rooms 417A and B  
Boston, Massachusetts

**Board Members Present** James T. DeVita, RPh; Karen Ryle, RPh, MS; Sophia Pasedis, RPh, PharmD; Anita Young, RPh, EdD; Stanley Walczyk, RPh; Kathy Fabiszewski, NP, PhD; Joanne Trifone, RPh, George Cayer, RPh; Steven Budish

**Board Members Absent** Donald Accetta, MD, MPH

**Staff Present** James D. Coffey, RPh, Director; Margaret Cittadino, MEd, Associate Director; Susan Manning, Board Counsel; Leo McKenna, RPh, PharmD, Quality Assurance (QA) Coordinator; Samuel J. Penta, RPh, Supervising Investigator; Cheryl Lathum RPh, PharmD, Investigator; James Emery, Pharmacy Technician, Investigator; Ian Fitts, Northeastern University School of Pharmacy Extern

1. 8:30 a.m. CALL TO ORDER  
President James T. DeVita, RPh  
- Introduction of NEU APPE Extern Ian Fitts

2. 8:35 a.m. REVIEW/ADOPTION OF BOARD MINUTES  
- August 7, 2012

**Motion** Walczyk/Trifone to approve minutes  
**Approved**

3. 8:40 a.m. APPLICATIONS and Other Notices  
Assoc. Dir. Margaret Cittadino

Nuclear Pharmacist

Rebecca Lee Moore

New Community Pharmacy

Big Y Pharmacy 98, 90 Memorial Drive, Springfield  
Price Chopper, 239, 560 Main Street, Gardner  
Stop & Shop Pharmacy 0011, 40 Furlong Drive, Revere

Change of Manager

Azee Pharmacy, 25 Marston Street, Lawrence (DS89791)  
Bouvier Pharmacy, 515 Lincoln Street, Marlborough (DS9725)  
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CVS Caremark, 25 Birch Street, Milford (DS3416)  
CVS 260, 155 Charles Street, Boston (DS2294)  
CVS 1206, 240 Newbury Street, Boston (DS2033)  
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CVS 1007, 1933 Main Street, Brockton (DS2629)  
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CVS 859, 148 Route 137, East Harwich (DS2945)  
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CVS 2377, 2253 State Road, Plymouth (DS3090)  
CVS2138, 8 Pilgrim Road, Plymouth (DS2815)  
CVS 1095, 1025, 272 Highland Avenue, Salem (DS89673)  
CVS 1021, Patriot Square Shopping Center, South Dennis (DS1543)  
Price Chopper 155, 300 Stockbridge Road, Great Barrington (DS2639)  
Rite Aid 10112, 68 South Main Street, Haverhill (DS3240)  
Rite Aid 10159, 330 River Street, Cambridge (DS3102)  
Rite Aid 10156, 800 South Main Street, Sharon (DS3140)  
Royal Palm Specialty, 111 Main Street, Webster (DS89765)  
Stop & Shop Pharmacy 472, 40 Franklin Village Drive, Franklin (DS1622)  
Stop & Shop Pharmacy 22, 55 Long Pond Drive, South Yarmouth (DS2115)  
Stop & Shop Pharmacy 404, 1600 Boston Post Road, Springfield (DS3212)  
Target Pharmacy T-1441, 180 Somerville Avenue, Somerville (DS3185)  
Walgreens Pharmacy 10317, 1035 Truman Highway, Boston (DS89797)  
Walgreens Pharmacy 3758, 610 Pleasant Street, Brockton (DS2759)  
Walgreens Pharmacy 7813, 25 Oak Street Extension, Brockton (DS3408)  
Walgreens Pharmacy 9011, 101 High Street, Danvers (DS3347)  
Walgreens Pharmacy 12399, 226 Broadway, Taunton (DS89688)  
Walgreens Pharmacy 4923, 1999 Centre Street, West Roxbury (DS2959)  
Walmart Pharmacy 10-5380, 1775 Washington Street, Hanover (DS3353)  
Walmart Pharmacy 10-2964, 11 Jungle Road, Leominster (DS3588)  
Walmart Pharmacy 10-2158, 200 Otis Street, Northborough (DS2742)  
Walmart Pharmacy 10-2012, 742 Main Street, North Oxford (DS2749)

Retail Pharmacy Relocation

CVS 5382, 181 Brighton Avenue, Allston (DS89803) FROM 177 Brighton Avenue, Allston

Cape Cod Infusion Services, 111B County Road North Falmouth, FROM 200 Main Street, Suite 205, Falmouth (DS89772)

Renovation/Expansion

CVS 5939, 242 Cambridge Street, Burlington (DS3576)

Wal-Mart Pharmacy 10-2155, 677 Timpany Boulevard, Gardner (DS2739)

Wal-Mart Pharmacy 10-2158, 200 Otis Street, Northborough (DS2742)

Wal-Mart Pharmacy 10-2329, 555 East Main Street, Orange (DS27451)

Wal-Mart Pharmacy 10-2174, 141 Springfield Drive, Westfield (DS2748)

Transfer of Ownership

Moms Pharmacy, 75 Armory Street, Boston (DS89790) TO new owner AIDS Healthcare Foundation

Wholesale Distributor Closing

Rowley Biochemical Inc, relinquishing WD397 and WD397CS licenses due to duplication of Massachusetts licensure. Facility has DEA manufacturer registration and MA Controlled Substance registration (DCP).

Retail Pharmacy Closing

Winchester Drug, 568 Main Street, Winchester (DS1107 transferring controlled substances and records to CVS 155, 539-545 Main Street, Winchester (DS2471)

**Motion** Walczyk/Cayer to approve applications

**Recused** Devita for all CVS and Trifone for all Walgreens

4. 8:45 a.m.

UPDATES

Dir. James D. Coffey /Assoc. Dir. Margaret Cittadino

- MPJE State Specific Review – to be delayed until October due to recently enacted Chapter 244 of the Acts of 2012 (Senate Bill 2125) "An Act Relative to Prescription Drug Diversion, Abuse and Addiction"

- Report of Board Dispositions

5. 8:55 a.m.

REPORT OF OFFICE OF INVESTIGATIONS (no handout)

File Review - Samuel J. Penta, RPh Supervising Investigator; James C. Emery, Investigator; Cheryl Latham, PharmD, RPh, Investigator; William E. Frisch, Jr, RPh, Investigator; Leo A. McKenna, PharmD, RPh, QA Coordinator

1	PHA -2012 – 0111 <b>West Roxbury Pharmacy</b> DS2845	<b>Motion</b> DeVita/Cayer to Dismiss with Advisory Letter with 2 hours Continuing Education (CEs) in medication error prevention with a follow-up inspection by the Board. <b>Approved</b>
	PHA-2012-0137 <b>Dave Powers</b> PH18426	<b>Motion</b> DeVita/Cayer to Dismiss with Advisory Letter with 2 hours Continuing Education (CEs) in medication error prevention. <b>Approved</b>
	PHA-2012-0138 <b>Michael Wessenberg</b> PH20863	<b>Motion</b> DeVita/Cayer to Dismiss with Advisory Letter with 2 hours Continuing Education (CEs) in medication error prevention. <b>Approved</b>
	PHA-2012-0141 <b>Donna Tolland</b> PT3673	<b>Motion</b> DeVita/Pasedis to Dismiss Without Prejudice for Lack of Sufficient Evidence for pharmacy technicians (4) <b>Approved</b>
	PHA-2012-0136 <b>Jeana Jennell Cappra</b> PT12974	
	PHA-2012-0139 <b>Allison Courtney</b> PT15231	
	PHA-2012-0140 <b>Kendra Jo McAbee</b> PT15229	



2	PHA -2012 – 0075 <b>Chiampa Apothecary</b> DS979  PHA-2012-0178 <b>Walter J. Chiampa, Jr.</b> PH23003	<b>Motion</b> Cayer/Pasedis to Dismiss with Advisory letter to include recommendations related to basked system and to submit report to ISMP. <b>Approved</b>  <b>Motion</b> Cayer/Pasedis to Dismiss with Advisory Letter and 2 CEs in medication error prevention. <b>Approved</b>
3	PHA-2012-0084 <b>Rite-Aid 10137</b> DS3103  PHA-2012-0183 <b>Angelo Pappas</b> PH16328  PHA-2012-0180 <b>Christopher Turcotte</b> PT9467	<b>Motion</b> DeVita/Cayer to Dismiss with Advisory Letter and Board comments regarding workflow, verification process and ensuring that all questions are answered by a pharmacist <b>Approved</b>  <b>Motion</b> Young/Walczyk to Dismiss with Advisory Letter and 6 live CEs in medication error prevention. <b>Approved</b>  <b>Motion</b> Cayer/Young to notify licensee that Board will issue a Temporary Order of Summary Suspension if response to complaint not provided as requested. <b>Approved</b>

10:15 a.m. **Motion** Trifone/Young to enter Closed Session. **Approved**

10:55 a.m. **Motion** Pasedis/Budish to end Closed Session. **Approved**

6. 10:15 a.m. REPORT OF OFFICE OF GENERAL COUNSEL - Susan Manning, Board Counsel

CLOSED SESSION – Review/discussion of Complaints, Applications, Adjudicatory Session and other Legal Matters [MGL c. 112, s. 65C; MGL c. 30A, ss. 18-21]

In the Matters of:

**Catherine T. Bryant** (PT9348) Docket No. PHA-2012-0179 CVS/pharmacy)

**Motion** Ryle/Trifone for a Temporary Order of Summary Suspension if a voluntary surrender is not received.

**Recused** DeVita (not present in room for discussion or vote)

**Approved**

**Stacy N. Miles** (PT11737) Docket No. PHA-2012-0152 (CVS/pharmacy)

**Motion** Walczyk/Trifone for a Temporary Order of Summary Suspension if a voluntary surrender is not received.

**Recused** DeVita (not present in room for discussion or vote)

**Approved**

**Nel Sothy** (PT7638) Docket No. PHA-2012-0165 (CVS/pharmacy)

**Motion** Pasedis/Young for a Temporary Order of Summary Suspension if a voluntary surrender is not received.

**Recused** DeVita (not present in room for discussion or vote)

**Approved**

**Bruce R. Kline**, RPh (PH17604) Docket No. PHA-2012-0169

Review of August 16, 2012 Board vote to notify Registrant that **Surrender** of pharmacist registration, pursuant to terms of *Consent Agreement for Probation* (2/2/09), was effective immediately.

**Motion** Cayer/DeVita to advise Bruce Kline Board will not consider reinstatement of pharmacist license in any time in the future.

**Approved**

**Stacy Lopez** (PT9581) Docket No. PHA-2012-0104

**Motion** Walczyk/ Pasedis for a Temporary Order of Summary Suspension if a voluntary surrender is not received.

**Recused** DeVita (not present in room for discussion or vote)

**Approved**

7. 10:45 a.m. INVESTIGATIVE CONFERENCE

Matters of:

**Westwood Lodge Pharmacy**, 45 Clapboardtree Street, Westwood, MA

Docket No. SA-INV-2409

**Than L. Phan** (PH23338) Docket No. PHA-2012-0163

Complaint alleges that on or about January 26, 2011, Westwood Lodge Hospital Pharmacy, incorrectly dispensed sulfamethoxazole / trimethoprim (Bactrim®), a Sulfonamide, to a patient with a documented allergy to sulfa medications.

Present: Than L. Phan, RPh, Beth Leney (PH17667), current Director of Pharmacy, Janet Bobit, Esq., Westwood Lodge counsel, Len Pearlstein, RPh, prior Director of Pharmacy (PH16619), and Michael Lennon, Esq., Counsel for Mr. Pearlstein.

Investigator William E. Frisch, Jr., RPh presented the investigation report. Board members posed questions to the involved parties.

SA-INV-2409 <b>Westwood Lodge</b>  PHA-2-12-0163 <b>Than L. Phan</b> PH23338	Board took this matter under advisement pending receipt of additional information regarding (1) policies and procedures and (2) name of the pharmacist who was on duty the morning of January 20, 2011 when the information on the newly patient was data entered into the pharmacy computer. <b>Motion</b> Young/Walczyk to Dismiss with Advisory Letter and 2 CEs in medication error prevention <b>Approved</b>
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11:55 a.m. Fabiszewski exits the meeting

8. 12:00 p.m. INVESTIGATIVE CONFERENCE

Matters of:

**Stat-Care Pharmacy**, 198 Worcester Street, North Grafton (DS89676)

Docket Nos. PHA-2011-0330 and PHA-2012-0011

**Damaris Ramirez**, (PT7864) Docket No. PHA-2012-0033

**Helen E. Munroe** (PH16924) Docket No. PHA-2012-0034

Complaint alleges that on or about October 31, 2011, Stat-Care Pharmacy incorrectly dispensed (blister pack) Lamictal 25 mg rather than Topamax 25 mg as prescribed to a resident of a group home.

Present: Damaris Ramirez, Pharmacy Technician, Helen E. Munroe, RPh, Douglas Shannon, RPh, Manager of Record (PH13764), Wendy Bea Walker Finch, Pharmacy Technician (PT11696), Stephen J. Rappa, RPh, Omnicare Regional Vice President and Bill Irvin, RPh, Omnicare NE Division Compliance Officer.

Investigator William E. Frisch, Jr., RPh presented the investigative report. Board members posed questions to the involved parties.

PHA-2011-0330 <b>Stat-Care</b> DS89676	Board took this matter under advisement pending receipt of additional information regarding (1) work schedules and ratio compliance for the weeks 11/28/11 through 12/16/11 (2) system enhancements for alert notifications on albuterol and (3) policies and procedures related to expired medications.
PHA-2011-0033 <b>Damaris Ramirez</b> PT7864	<b>Motion</b> DeVita/Young to Dismiss with Advisory Letter with 2 CES in medication error prevention. <b>Approved</b>
PHA-2012-0034 <b>Helen E. Munroe</b> PH16924	<b>Motion</b> Cayer/Pasedis to Dismiss with Advisory Letter and 2 CEs in sound alike-look alike medications. <b>Approved</b>

(a) Complaint alleges that on or about December 5, 2011, Stat-Care Pharmacy incorrectly dispensed Albuterol 0.63 % solution rather than Albuterol 0.083% solution for nebulization as prescribed to a resident of a group home.

**Stat-Care Pharmacy**, 198 Worcester Street, North Grafton (DS89676)

Docket Nos. PHA-2011-0011

**Wendy Bea Walker Finch**, (PT11696) Docket No. PHA-2012-0048

**Helen E. Munroe** (PH16924) Docket No. PHA-2012-0049

Present: Helen E. Munroe, RPh, Douglas Shannon, RPh, Manager of Record (PH13764), Wendy Bea Walker Finch, Pharmacy Technician (PT11696), Damaris Ramirez, Pharmacy Technician, Stephen J. Rappa, RPh, Omnicare Regional Vice President and Bill Irvin, RPh, Omnicare NE Division Compliance Officer.

Investigator William E. Frisch, Jr., RPh. presented the investigative report. Board members posed questions to the involved parties.

PHA-2011-0011 <b>Stat-Care</b> DS89676	<b>Motion</b> DeVita/Walczyk to continue discussion until the Board has reviewed work schedules and ratio compliance. <b>Approved</b>
PHA-2012-0048 <b>Wendy Bea Walker Finch</b> PT11696	<b>Motion</b> DeVita/Walczyk to Dismiss with Advisory letter and 2 CEs in medication error prevention. <b>Approved</b>
PHA-2012-0049 <b>Helen E. Munroe</b> PH16924	<b>Motion</b> Walczyk/DeVita to Dismiss with Advisory Letter with 2 CEs in medication error prevention. <b>Approved</b>

9. 12:35 p.m. DISCUSSION/UPDATE - Leo A. McKenna, PharmD, RPh, Quality Assurance Coordinator

Board reviewed Otic vs Optic Best Practice Recommendations/Flash Facts draft. Board members will submit comments by next week.

10. 12:50 p.m. LUNCH

11. 1:40 p.m. NEW COMMUNITY PHARMACY APPLICATION/Appearance  
**ST GEORGE PHARMACY**  
Proposed: 435 Furnace Street, Marshfield, MA

Present: Proposed Owner and Manager of Record Atef Ayoub, RPh (PH233456) and Amany Hanna, Secretary

Applicant for retail pharmacy licensure proposes to dispense Schedule II-VI controlled substances.

**Motion** DeVita/Walczyk to approve application subject to review of blueprint on site and compliant inspection.

**Approved**

12. 2:00 p.m. NEW COMMUNITY PHARMACY APPLICATION/Appearance  
**CAREPRO PHARMACY**  
Proposed: 343 Newport Avenue, Quincy, MA

Present: Proposed Owner and Manager of Record Son Dinh, RPh

Applicant for retail pharmacy licensure proposes to dispense Schedule II-VI controlled substances

**Motion** Walczyk/Young to approve application pending compliant inspection.

**Recused** Trifone not present in room for discussion or vote

**Approved**

FLEX DISCUSSION

A. NEW BUSINESS

APPLICATIONS – Approve/Deny

- 1) Robert Bruce Macrae – Pharmacy Technician  
**Motion** Cayer/DeVita to approve application  
**In favor** Trifone, Walczyk, Cayer and DeVita  
**Opposed** Young, Pasedis
  
- 2) Dennis James Breault – Pharmacy Technician (Walgreens)  
**Motion** Young/Cayer to approve application  
**Opposed** DeVita  
**Approved**  
**Recused** Trifone (not present for discussion or vote)
  
- 3) Sheyla Torres – Pharmacy Technician (Ameridose)  
**Motion** DeVita/Walczyk to approve application  
**Approved**  
**Recused** Pasedis (not present for discussion or vote)
  
- 4) Michael J. Tapley – Pharmacist Reciprocity (RiteAid)  
**Motion** DeVita/Cayer to require MPRS assessment  
All in favor.  
**Approved**
  
- 5) Rushi R. Shah - Pharmacy Technician (CVS/pharmacy)  
Application review postponed until applicant's pending legal matter is resolved.

OTHER

- 6) Keith N. LaRoche, R.Ph. (PH16881) Docket No. PHA-2011-0255  
Petition for Termination of Suspension per Consent Agreement terms.  
**Motion** Trifone/Pasedis to termination of suspension and convert to probation status.  
All in favor.  
**Approved**
  
- 7) DPH DCP PMP Medical Review Group (MRG) Candidate Nomination  
**Motion** Trifone/Pasedis to support nominee David C. Morgan, RPh.  
All in favor.  
**Approved**

2:50 p.m. **Motion** Young/Pasedis to adjourn     **Approved**

13. 3:00 p.m. ADJOURNMENT

Respectfully submitted by:

\_\_\_\_\_  
Margaret C. Cittadino  
Associate Executive Director

Board approved: 11/20/2012

BOARD OF REGISTRATION IN PHARMACY  
CLOSED SESSION MINUTES  
SEPTEMBER 11, 2012  
239 CAUSEWAY STREET  
BOSTON, MA 02114

Closed Session – M.G.L. c. 112, s. 65C (Pending Complaints)  
M.G.L. c. 30A, s. 18-21 (Adjudicatory and Executive)

REPORT OF OFFICE OF GENERAL COUNSEL - Susan Manning, Board Counsel

10:15 a.m. **Motion** Trifone/Young to enter Closed Session.  
**Approved**

Matters of:

- **Celeste Frappier**, RPh – Pharmacist Reciprocity Applicant (DENIED 6/5/12)  
Review August 24, 2012 letter from Applicant

Board members reviewed and discussed August 24, 2012 letter from Applicant, Applicant's June 5, 2012 appearance and application file and documentation of Connecticut discipline. Board members stated continuing concerns as to fitness to practice independently in the Commonwealth. Applicant's references to the Connecticut agreement as entered into to resolve complaint regarding pharmacy operations to enable sale of pharmacy and representations to the Board during her June 5, 2012 appearance that Connecticut matters were result of an aggrieved employee did not persuade Board that the Applicant had current understanding or appreciation of the substantial and basic pharmacy operations that were the basis for the disciplinary action. Additionally, the Applicant did not demonstrate to the Board that she was prepared to assume and perform appropriate supervision of support personnel (technicians and others) in a pharmacy the Commonwealth. **Motion** Young/Walczyk to affirm prior vote to DENY application.

**Recused** DeVita (not present for discussion or vote)

**Approved**

- *Proposed Final Decision and Order on Summary Suspension*  
**Steven R. Petrillo**, RPh (PH23960) Docket No. PHA-2011-0340

Board members reviewed *Proposed Final Decision and Order on Summary Suspension* on necessity of continuing summary suspension pending hearing on merits or other resolution of pending complaint; vote regarding *Final Decision and Order* to be issued.

**Motion** Ryle/Walczyk to continue suspension pending hearing on the merits or other resolution of the matter.

**Approved**

- **North Shore Pharmacy Services (DS3458) Multiple Docket Numbers – Agreement Update**

Dir. Coffey advised that **North Shore Pharmacy Services** had provided a “Certificate of Completion” certifying implementation of all ISMP recommendations, in accordance with Consent Agreement Par. 4.k./P.5. Board staff will update Board on follow-up to Agreement, Certification, ISMP report and current pharmacy operations.

- **Timothy J. Houle – Pharmacy Technician Applicant (DENIED 8/7/12)**  
Review August 30, 2012 letter from Applicant (Richmond Pharmacy)

Board members reviewed August 30, 2012 letter from Applicant.

**Motion** Fabiszewski/Cayer to schedule appearance provided applicant provides reference letter from employer.

**Approved**

10:55 a.m. **Motion** Pasedis/Budish to end Closed Session.

**Approved**