

NOTICE of an EMERGENCY Board of Registration in Pharmacy Meeting

BOARD OF REGISTRATION IN PHARMACY  
EMERGENCY MEETING AGENDA

November 1, 2012 – 9:00 a.m.

239 Causeway Street

4th Floor, Rooms 417A and 417B

Boston, Massachusetts

1. 9:00 a.m. CALL TO ORDER  
President James T. DeVita, R.Ph.
2. 9:05 a.m. EMERGENCY REGULATIONS

Review and discussion of proposed emergency regulations amending 247 CMR:  
Board of Registration in Pharmacy.

ADJOURNMENT

**BOARD OF REGISTRATION IN PHARMACY  
EMERGENCY MEETING  
November 1, 2012 – 9:00 a.m.  
239 Causeway Street  
Boston, Massachusetts**

**Board Members Present** James T. DeVita, RPh; MS; Anita Young, RPh, EdD;  
Stanley Walczyk, RPh; Kathy Fabiszewski, NP, PhD; George Cayer, RPh;  
Joanne Trifone, RPh

**Board Members Absent** Karen Ryle, RPh, Sophia Pasedis, RPh, PharmD;  
Donald Accetta, MD, MPH

**Staff Present** James D. Coffey, RPh, Director; Margaret Cittadino, MEd, Associate  
Director; Susan Manning, Board Counsel; Jean Pontikas, Director,  
Division of Healthcare Safety and Quality; Madeleine Biondolillo,  
Director, DPH Bureau of Healthcare Safety and Quality; Iyah Romm,  
Director of Policy, Health Planning and Strategic Development, DPH  
Bureau of Healthcare Safety and Quality; Donna Levin, General  
Counsel, DPH; James Lavery, Chief Prosecutor; V. Berg, assisting Board  
Counsel

1. 9:25 a.m. CALL TO ORDER

President James T. DeVita, R.Ph. called the meeting to Order, noting the conditions that required the meeting to be convened on an emergency basis. Specifically, the national fungal meningitis outbreak was still unfolding, the death toll was mounting, and disturbing details regarding the conditions at NECC and Ameridose were just coming to light. The Board regulations at 247 CMR were insufficient to meet the escalating need for the Board to take immediate action upon notice that a pharmacist or pharmacy presented an immediate threat to public health, safety, and welfare.

2. 9:30 a.m. EMERGENCY REGULATIONS

Iyah Romm, Director of Policy, Health Planning and Strategic Development, DPH Bureau of Healthcare Safety and Quality, and Donna Levin, General Counsel, DPH, presented a draft of proposed Emergency Regulations to amend 247 CMR. These proposed changes to the regulations establish the authority of the Board and Board President to issue cease and desist notices if a pharmacist or pharmacy presented an immediate threat to public health, safety, and welfare. The proposed changes also set forth reporting requirements so that the Board could learn as quickly as possible the volume and distribution data of sterile compounding pharmacies, as well as disciplinary actions, adverse events, and abnormal environmental testing results. Romm informed the group that, if adopted, these edits and additions would be incorporated into the Proposed Emergency Regulations filed today with the Office of the Secretary of State and become effective immediately.

Jointly, the Board Members with DPH staff reviewed and discussed new and revised language of the proposed Emergency Regulations, and made suggested edits. Motion by G. Cayer,

seconded by A. Young to adopt the proposed Emergency Regulations, as amended during the course of the discussion, and the vote passed unanimously.

11:10 a.m. ADJOURNMENT

Respectfully submitted by:

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Margaret Cittadino  
Associate Director

Board approved: December 11, 2012