

BOARD OF REGISTRATION IN PHARMACY

BOARD MEETING MINUTES

APRIL 15, 2008

239 CAUSEWAY STREET

SECOND FLOOR, ROOM 206

BOSTON, MA 02114

Present: Sophia Pasedis, R.Ph., Pharm.D., James DeVita, R.Ph. (until 10:30 a.m.), Karen Ryle, R.Ph., M.S., George Cayer, R.Ph., Joanne M. Trifone, R.Ph., William Gouveia, R.Ph., M.S., Steven Budish, Public Member, Kathy Fabiszewski, Ph.D., N.P., Donald Accetta, M.D., Michael Tocco, R.Ph., M.Ed., Marilyn Barron, MSW, Public Member

Staff: James D. Coffey, R.Ph., Director, Margaret C. Cittadino, Assoc. Dir., Susan Manning, Counsel, Leo McKenna, R.Ph., Pharm.D., CQI Surveyor, Carolyn Reid, Admin. Asst., Samuel Penta, R.Ph., Superv. Inv., Cheryl Latham, Inv.

1. 8:30 a.m. - Pres. Pasedis called meeting to order.

Introduction of Massachusetts College of Pharmacy and Allied Health Sciences
Student Lucy Guerrouxo, Pharm.D. Candidate (2008)

2. 8:35 a.m. - Review of Board Minutes
Motion/Cayer to approve January 15, 2008 minutes. Second/Ryle. All in favor.
Motion/Tocco to approve February 12, 2008 minutes. Second/Pasedis. All in favor.

3. 8:40 a.m. Pharmacy/Pharmacy Department Applications
Nuclear Pharmacist
Chungshen Fang, R.Ph. (MA Pharmacist No. 21650)
Todd Kliche R.Ph. (MA Pharmacist No. 22651)

New Pharmacy/Pharmacy Department

CVS/pharmacy #109 proposed: 1010 Revere Beach Pkwy., Chelsea
CVS/pharmacy #1845 proposed: 240 Main St., Wilmington
Big Y Pharmacy #86 proposed: 2031 Boston Rd., Wilbraham
Eaton Apothecary #3060 proposed: 950 Dorchester Ave., Boston
Wal-Mart Pharmacy 10-2964 proposed: 275 Lancaster Rd., Leominster

Change of Manager

Big Y Pharmacy #19, Ludlow (Reg. No. 3077)
Byfield Drug Inc., Byfield (Reg. No. 3436)
CVS/pharmacy #604, Concord (Reg. No. 23775)
CVS/pharmacy #707, Worcester (Reg. No. 24373)
CVS/pharmacy #1225, Blackstone (Reg. No. 1952)
CVS/pharmacy #913, Bridgewater (Reg. No. 3437)
CVS/pharmacy #1111, Ware (Reg. No. 1714)
CVS/pharmacy #2098, Gardner (Reg. No. 2768)
CVS/pharmacy #1018, Watertown (Reg. No. 1537)
CVS/pharmacy #1041, Taunton (Reg. No. 1641)
Duval's Pharmacy. E. Bridgewater (Reg. No. 3554)
Eaton Apothecary #2080 Framingham (Reg. No. 3511)

Eaton Apothecary #3396 Sherborn (Reg. No. 3070)
 Freedom FP Fertility #3068-0381 (Reg. No. 3433)
 Louis & Clark Drug, Springfield 1/28/08 (Reg. No. 1563)
 Louis & Clark Drug, Springfield 3/7/08 (Reg. No. 1563)
 Osco Pharmacy #7565, Cambridge (Reg. No. 2481)
 Osco Pharmacy #7495, Burlington (Reg. No. 3298)
 Pharmalife Pharmacy of Boston, Brighton (Reg. No. 3569)
 Rite-Aid Pharmacy #10165, Chelsea (Reg. No. 3104)
 Rite-Aid Pharmacy #10091, Sturbridge (Reg. No. 2558)
 Rite-Aid Pharmacy #10172, Melrose (Reg. No. 2405)
 Rite-Aid Pharmacy #10123, Reading (Reg. No. 3134)
 Rite-Aid Pharmacy #10185, Holden (Reg. No. 3180)
 Stop & Shop Pharmacy #22, South Yarmouth (Reg. No. 2115)
 Stop & Shop Pharmacy #398, Edgartown (Reg. No. 3368)
 Stop & Shop Pharmacy #03, Framingham (Reg. No. 2330)
 Stop & Shop Pharmacy #17, Quincy (Reg. No. 3084)
 Strand Pharmacy, Dorchester (Reg. No. 6316)
 Target Pharmacy T-1281, Milford (Reg. No. 2992)
 Target Pharmacy T-1187, Danvers (Reg. No. 3017)
 Teamsters Care, Charlestown, (Reg. No. 2493)
 Walgreens Pharmacy #3090, Bedford (Reg. No. 2350)
 Walgreens Pharmacy #9152, Worcester (Reg. No. 3515)
 Wal-Mart Pharmacy 10-3200, Weymouth (Reg. No. 3014)
 Wal-Mart Pharmacy 10-2902, Framingham (Reg. No. 3181)

Relocation – Pharmacy/Pharmacy Department

CVS/pharmacy #2017, 223 South St., Holyoke TO 400 Beech St., Holyoke
 CVS/pharmacy #1111, 124 West St., Ware TO 104 West St., Ware
 CVS/pharmacy #299, 115 Goldstar Blvd., Worcester TO 44 West Boylston St., Worcester
 CVS/pharmacy #859, 287 Springfield Ave., Agawam TO 301 Springfield St., Agawam
 The Whittier Pharmacist, Inc. 25 Railroad Sq., 3rd Fl., Haverhill TO 145 Ward Hill Ave., Haverhill

Closing and Transfer of Records and Inventory

CuraScript Infusion Pharmacy, 12 Kent Way, Byfield (Reg. No. 3434);
 TO CuraScript Infusion Pharmacy, Louisville, KY
 Shaw's /OSCO Pharmacy # 7413, 610 Middle St., Weymouth (Reg. No. 3354);
 TO Rite Aid #10174, 326 Washington St., Weymouth (Reg. 2455)
 Shaw's/OSCO Pharmacy # 7428, 95 Washington St., Canton (Reg. No. 2998);
 TO Rite Aid #10137, 4 Washington St., Canton (Reg. No. 3103)
 Shaw's/OSCO Pharmacy # 7431, 390 West St., Mansfield (Reg. No. 3281);
 TO Rite Aid #10141, 243 Chauncey St., Mansfield (Reg. No. 3119)
 Shaw's/OSCO Pharmacy # 7478, Essex St., Peabody (Reg. No. 3297);
 TO Target #T1187, 240 Independence Way, Danvers (Reg. No. 3017)
 Shaw's/OSCO Pharmacy # 7430, 65 Main St., Medway (Reg. No. 3316);
 TO Walgreen's #6939, 68 Main St., Medway (Reg. No. 3339)
 Shore Pharmacy, 429 High St., Medford (Reg. No. 2621); TO Rite Aid #10169, 491-497 High St., Medford (Reg. No. 3260).
 Stop & Shop Pharmacy #492, 1690 Revere Beach Parkway, Everett

(Reg. No. 3079); TO Rite Aid #10165, 162 Everett Avenue, Chelsea (Reg. No. 3104).
 Stop & Shop Pharmacy #474, 2991 Cranberry Highway, E. Wareham
 (Reg. No. 3447); TO CVS #1247, 2992 Cranberry Hwy, Wareham (Reg. No. 2949).
 Stop & Shop Pharmacy #462, 109 Taunton St., Plainville (Reg. No. 3457);
 TO CVS #1868, 67 Central St., Foxboro (Reg. No. 3518).
 Stop & Shop Pharmacy #444, 475 Bedford St., Whitman (Reg. No. 3215);
 TO Walgreen's #10272, 392 Bedford St., Whitman (Reg. No. 3563).
 Stop & Shop Pharmacy #089, 200 Guest St., Brighton Reg. No. 2833);
 TO Target T1442, 500 Arsenal St., Watertown (Reg. No. 3186).
 Stop & Shop Pharmacy #081, 224 Elliot St., Beverly (Reg. No. 2775);
 TO Walgreens #4393, 54 Elliot St., Beverly (Reg. No. 2882).
 Stop & Shop Pharmacy #049, 700 Pleasant St., Watertown (Reg. No.
 2361); TO Rite Aid #10185, 80 River St., Waltham
 (Pharmacy Reg. No. 3151).
 Stop & Shop Pharmacy #037, 541A Lincoln St., Worcester (Reg. No. 3213)
 TO Walgreens #10319, 472 Lincoln St., Worcester (Reg. No. 3517).
 Stop & Shop Pharmacy #443, 251 Washington St., Attleboro (Reg. No. 3446) TO Stop
 & Shop Pharmacy #490, 206 E. Washington St., N. Attleboro (Reg. No. 2284).
 Stop & Shop Pharmacy #488, 25 Walker's Brook Drive, Reading (Reg. No. 3540)
 TO Stop & Shop Pharmacy #68, 97 Main St., N. Reading (Reg. No. 2658).
 Stop & Shop Pharmacy #19, 290 Turnpike Road RT 9, Westboro (Reg. No. 1702)
 TO Stop & Shop Pharmacy #497, 32 Lyman St., Westboro (Reg. No. 3005).
 Stop & Shop Pharmacy #11, 40 Furlong Dr., Revere (Reg. No. 3384) TO Stop & Shop
 Pharmacy #41, 151 VFW Hwy., Route 1A, Revere (Reg. No. 2644).
 Wareham Pharmacy, Inc., 2400 Cranberry Hwy., Wareham (Reg. No. 2499);
 TO Target Pharmacy #2292, 2421 Cranberry Hwy., Wareham (Reg. No. 3546).
 Wayland Apothecary, Inc., 302 Commonwealth Rd., Wayland (Reg. No. 1438)
 TO Hopkinton Drug Inc. 52 Main St., Hopkinton (Reg. No. 8191)

Renovation / Expansion

Ameridose, 50 Fountain St., Framingham (Reg. No. 3467)
 CVS/pharmacy #0131 North Billerica (Reg. No. 3049)
 CVS/pharmacy #0335 Raynham (Reg. No. 2852)

Motion/Cayer to approve all of the above applications, subject to compliant
 inspections. Second/Ryle. All in favor.

DeVita and Tocco recused from all above CVS applications.

Trifone recused from all above Walgreens applications.

4. 8:50a.m. Updates - Dir. Coffey
 DPH/DHPL, on behalf of Board, to enter into contract for application processing
 related services with Professional Credential Services, Inc., the Board's current
 vendor.
5. 9.00 a.m. – Report of Office of Investigations
 File Review – Investigators Penta, Emery, and Lathum

Proposed complaint resolution as noted.

1	SA DS 08 070 DS 08 060	Reprimand
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2	DS 08 053	Reprimand
3	DS 08 059	Reprimand
4	DS 08 062 PH 08 049	Reprimand
5	DS 08 042	Investigative Conference
6	DS 08 043	Investigative Conference
7	DS 08 093 PH 08 072	Investigative Conference Reprimand
9	PH 08 055	Refer to Prosecutions
10	PH 08 044 PH 08 079	Refer to Legal Refer to Legal
11	DS 08 036	Dismiss
12	WD 07 001	Advisory Letter
13	SA PH 08 012	Dismiss
14	DS 08 067	Dismiss
15	DS 08 035	Dismiss
16	DS 08 054	Advisory Letter
17	DS 08 069	Dismiss
18	PH 08 033	Dismiss
19	SA DS 055 PH 08 061	Reprimand Probation

6. 11:00 a.m. Introduction
Massachusetts Pharmacists Association Interim Ex. VP Sarah MacDonald

7. 11:15 a.m. Investigative Conference
In the Matter of Ha Tran, R.Ph. (Pharmacist No. 26154) – Docket No. PH-08-061

Complaint alleged Registrant dispensed Digoxin 0.625 mg daily rather than Digoxin 0.0625mg daily as prescribed to a geriatric patient at Spaulding Rehabilitation Hospital or about August 27, 2007.

Present: Ha Tran, R.Ph., Radmila Klebanov, James S. Hamrock, Esq., John J. Reardon, Esq., Samir Kobeissi, Dir. of Pharmacy.

Following investigative conference, Motion/Ryle to take matter under advisement. Second/Barron. All in favor.

8. 11:55 a.m. Investigative Conference
In the Matter of James P. Sweeney, R.Ph. (Pharmacist No. 15787) –

Docket No. PH-08-054; also Michelle Kampf (Pharmacy Technician Trainee) and Denise R. Pinard (Pharmacy Technician No. 2494).

Complaint alleged Registrant dispensed 33 (3.3 cc) units of regular insulin (additive to total parenteral nutrition) rather than 3 units (0.3 cc) of regular insulin pursuant to a physician order for a geriatric patient at New Bedford Rehabilitation Hospital on October 14, 2007.

Present: Sweeney, Kampf, Pinard and Charlene Moniz, R.Ph., Director of Pharmacy. Following investigative conference, Motion/Gouveia to take matter under advisement. Second/Ryle. All in favor.

9. 12:30 p.m. – Presentation of Public Service Recognition
DPH/DHPL Director Jean Pontikas presented former Joel Berman, R.Ph. with a citation from Governor Deval Patrick for Mr. Berman's service as a member of the Board of Registration in Pharmacy.
10. 12:45 p.m. – Lunch
11. 1:45 p.m. - Investigative Conference
In the matters of McClelland Health Systems (Pharmacy No. 3309) and Van Dwight Schermerhorn, R.Ph. (Pharmacist No. 15994) –
Docket Nos. DS-08-031 and PH-08-053; also Mark Tarrant (Pharmacy Technician No. 9411)

Complaint alleges Registrant dispensed a blister card labeled Trazodone 50 mg half-tablets as prescribed for a geriatric patient however, the blister card contained Tramadol 50mg half-tablets on October 1, 2007.

Present: Schermerhorn, Tarrant, Roman Szarek, R.Ph., Manager of Record and Steve Rappa, R.Ph., Northeast Region Area Dir.

Following investigative conference, discussion tabled until future meeting.

12. 2:30 p.m. – Report of Office of General Counsel
Pending legal matters - Susan Manning, Board Counsel
- 2:30 p.m. - Motion/Pasedis to enter into Closed Session (M.G.L. c. 112, s. 65C and c. 30A, s. 11A). Second/Ryle. All in favor.
- 3:30 p.m. - Motion/Pasedis return to Open Session. Second/Cayer. All in favor.
- a. In the Matter of Kelsey M. Ahlers (Pharmacy Technician No. 7082) –
Docket No. PH-07-094. Review and discussion of *Proposed Final Decision and Order by Default*.
Motion/Pasedis to adopt *Proposed Final Decision and Order by Default* and revoke pharmacy technician registration. Second/Trifone. All in favor.
Recused: Tocco (exited meeting room). Absent: DeVita
 - b. In the Matter of Thomas R. Cook (Pharmacy Technician No. 5869) –
Docket No. PH-07-066. Review and discussion *Proposed Final Decision and Order by Default*.

Motion/Budish to adopt *Proposed Final Decision and Order by Default* and revoke pharmacy technician registration Order to Show Cause. Second/Ryle. All in favor.

14. 3:35 p.m. - New Business

a. Pharmacy Internship Applicants

1) Stephanie Hattory

Motion/Trifone to approve application. Second/Pasedis. All in favor.

2) Florie Gombaut

Motion/Pasedis to approve application. Second/Trifone. All in favor.

3) Michael Gonzalez

Motion Pasedis to approve application. Second/Trifone. All in favor.

4) Adnan Khalil Saleme

Motion/Ryle to approve 500 hrs. of non-traditional (manufacturing/industrial) internship certified by pharmacist preceptor. Second/Pasedis. All in favor.

5) Tanner Anderson

Motion/Ryle to approve application. Second/Pasedis. All in favor.

b. Pharmacist Reciprocity Applicant - Sally Vanderslice

Motion/Ryle to approve application. Second/Pasedis. All in favor.

c. NABP 104th Annual Meeting, May 17-20, 2008 Baltimore, MD:

Discussion related to resolutions.

d. Carl S. Ship, R.Ph. (Pharmacist No. 16348/Exp. 12/31/2002)

Request for Reinstatement

Motion/Ryle to reinstate license with NAPLEX, MPJE, 1500 hours pharmacy apprenticeship and back fees. Second/Pasedis. All in favor.

e. Carly Efros (Pharmacist No. 26778) – CE inquiry (correspondence) waiver request; remedial CEs completed.

Motion/Trifone to approve waiver. Second/Ryle. All in favor.

f. In the Matter of Maureen C. Schoen, R.Ph. - Complaint Docket No. PH-07-062.

Petition for termination of Suspension.

Motion/Pasedis to terminate Suspension, convert to Probation.

Second/Trifone. All in favor. Recused: Trifone

g. In the Matter of Maida Pharmacy, Arlington (No. 2822) - Docket No. DS-06-126.

Petition for termination of Probation.

Motion/Trifone to terminate probation. Second/Ryle. All in favor.

h. Discussion: Policy "On Transfer of an Original Schedule VI Prescription Not Dispensed" : Tabled for future meeting.

15. 4:00 p.m. – Motion/Pasedis to adjourn meeting. Second/Ryle. All in favor.

Respectfully submitted by:


James D. Goffey, R.Ph.

Director

Date: 6/17/08

Reviewed by Counsel: June 2, 2008

Draft approved: June 2, 2008

Board approved: June 10, 2008