

**BOARD OF REGISTRATION IN PHARMACY
PHARMACY BOARD MEETING MINUTES
TUESDAY JANUARY 15, 2008
239 CAUSEWAY STREET
SECOND FLOOR, ROOM 206
BOSTON, MA 02114**

Present: James DeVita, R.Ph., Karen Ryle, R.Ph., M.S., Marilyn M. Barron, MSW, Public Member, George Cayer, R.Ph., Sophia Pasedis, R.Ph., Pharm.D., Joel Berman, R.Ph., Kathy Fabiszewski, Ph.D., R.N., Michael Tocco, R.Ph., M.Ed.
Absent: Donald Accetta, M.D., Steven Budish, Public Member, William Gouveia, R.Ph., M.S.

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

1. 8:30 a.m. – Pres. Pasedis called meeting to order.
2. 8:35 a.m. - Review of Board Minutes
3. 8:40 a.m. - Pharmacy/Pharmacy Department Applications.

Wholesale Distributor

Braintree Laboratories (Schedule VI only), proposed: 58 Teed Dr., Randolph, MA 02368

New Pharmacy/Pharmacy Department

CVS/pharmacy #5939, proposed: 242 Cambridge Street, Burlington, MA 01803 (DeVita recused)

Hannaford Food & Drug, proposed: 55 Russell Street, Waltham, MA 02453

Change of Manager

Apothecare South Shore Inc., Whitman (Pharmacy Reg. No. 3451)

Critical Care Systems, Burlington (Pharmacy Reg. No. 3328)

Critical Care Systems, Braintree (Pharmacy Reg. No. 3327)

CVS Pharmacy #1199, W. Roxbury (Pharmacy Reg. No. 1981) (DeVita recused)

CVS Pharmacy #524, Boston (Pharmacy Reg. No. 2532) (DeVita recused)

CVS Pharmacy #634, Kingston (Pharmacy Reg. No. 2725) (DeVita recused)

CVS Pharmacy #1248, Brockton (Pharmacy Reg. No. 2875) (DeVita recused)

CVS Pharmacy #1259, Boston (Pharmacy Reg. No. 1974) (DeVita recused)

CVS Pharmacy #2377, Plymouth (Pharmacy Reg. No. 3090) (DeVita recused)

Injured Workers Pharmacy, Methuen (Pharmacy Reg. No. 3279) (Cayer)

recused)

Rite-Aid Pharmacy #10091, Sturbridge (Pharmacy Reg. No. 2558)
Rite-Aid Pharmacy #10204, Somerset (Pharmacy Reg. No. 2577)
Rite-Aid Pharmacy #10202, Fall River (Pharmacy Reg. No. 2387)
Rite-Aid Pharmacy #10149, Dorchester (Pharmacy Reg. No. 3106)
Rite-Aid Pharmacy #10077, Gardner (Pharmacy Reg. No. 2592)
Rite-Aid Pharmacy #10172, Melrose (Pharmacy Reg. No. 2405)
Rite-Aid Pharmacy #10128, Lynn (Pharmacy Reg. No. 2568)
Rite-Aid Pharmacy #10129, Lynn (Pharmacy Reg. No. 3118)
Rite-Aid Pharmacy #10109, Andover (Pharmacy Reg. No. 2564)
Rite-Aid Pharmacy #10160, Somerville (Pharmacy Reg. No. 3143)
Rite-Aid Pharmacy #10186, Wellesley (Pharmacy Reg. No. 3152)
Rite-Aid Pharmacy #10064, Pittsfield (Pharmacy Reg. No. 2228)
Rite-Aid Pharmacy #10085, Holden (Pharmacy Reg. No. 3180)
Rite-Aid Pharmacy #10098, Ashland (Pharmacy Reg. No. 3096)
Rite-Aid Pharmacy #10103, Milford (Pharmacy Reg. No. 2407)
Rite-Aid Pharmacy #10078, Gardner (Pharmacy Reg. No. 3471)
Shore Drug, Belmont (Pharmacy Reg. No. 1285)
Target Pharmacy T-1232, Holyoke (Pharmacy Reg. No. 2915)
Walgreens Pharmacy #6470, Weymouth (Pharmacy Reg. No. 3167)
Wal-Mart Pharmacy 10-3560, Fall River (Pharmacy Reg. No. 3173)
Wal-Mart Pharmacy 10-2904, Brockton (Pharmacy Reg. No. 2977)
Wal-Mart Pharmacy 10-2640, Salem (Pharmacy Reg. No. 2813)
Wal-Mart Pharmacy 10-2902, Framingham (Pharmacy Reg. No. 3181)

Transfer of Ownership

Parenteral Infusion Associates, LLC DBA Clinical I.V. Network, 102 G #4
Pond Street, Boston, MA (Pharmacy Reg. No. 3182 TO CarePoint Partners,
LLC (Parenteral Infusion Associates, LLC) DBA Clinical I.V. Network, 102 G
#4 Pond Street, Seekonk, MA (Pending)

Renovation / Expansion

CVS/pharmacy #2172, 100 Worcester St., Grafton (Pharmacy Reg. No.
2817) (DeVita recused)
CVS/pharmacy #2171, 63 Canal St., Millbury (Pharmacy Reg. No. 2865)
(DeVita recused)
Rite-Aid Pharmacy #10137, 4 Washington St., Canton (Pharmacy Reg. No.
3103) (DeVita recused)
Rite-Aid Pharmacy #10119, 25 Wood St., Lowell (Pharmacy Reg. No. 3117)
Stop & Shop Pharmacy #23 → 458, 660 Merrill Rd., Pittsfield (Pharmacy No.
2142)
Brigham and Women's Hospital Nuclear Pharmacy, 75 Francis St., Boston
(Nuclear Pharmacy Reg. No. 16)
Big Y Pharmacy #66, 300 Cooley St., Springfield (Pharmacy Reg. No. 3257)
Motion/Pasedis to accept all of the above applications, subject to compliant
inspections. Second/Cayer. All in favor.

4. 8:45 a.m. - Updates - Dir. Coffey
 - Drug Store Renewals
 - Request for Response (RFR): Application processing for Pharmacists,
 - Interns and Pharmacy Technicians (April 2008)
 - MA Health Council CE Program: January 23, 2008 Needham
 - Board Of Registration In Pharmacy Annual Report

5. 8.50 a.m. - Report of Office of Investigations

File Review - Samuel J. Penta, R.Ph., Supervisor/Investigator; James C. Emery, Investigator; Cheryl Latham, R.Ph. Investigator

1	DS 08 025	Advisory Letter
2	DS 08 028	Advisory Letter
3	SA DS 08 055	Investigative Conference
4	SA DS 08 034	Voluntary Surrender

6. 9:15 a.m. - Report of Office of General Counsel

Pending legal matters - Susan Manning, Board Counsel

Motion/DeVita to enter into Close Session. Second/Tocco. All in favor.

- a) In the Matter of PH-07-040/Paul Warzecki, R.Ph., (Pharmacist No. 15226): Review and discussion - Proposed Final Decision and Order by Default
Motion/Cayer to revoke Final Decision and Order by Default.
Second/DeVita. All in favor.
- b) In the matter of Pharmacy Technician applicant Steven A. Kramer:
Review and approval/denial and conditions for pharmacy technician application (Dir. Coffey – update)
Motion/DeVita to approve application. Second/Ryle. All in favor.
- c) In the matter of Pharmacist Lynne Kellermann
Motion/Tocco letter follow-up in a year. Second/Pasedis.
In favor: Pasedis, DeVita, Tocco, Ryle, Fabiszewski, Berman
Opposed: Cayer, Barron.
- d) In the matter of Pharmacist Nicholas Creanza
Motion/DeVita to approve reinstatement. Second/Ryle. All in favor.
- e) Abel Moua
Tabled for February 12, 2008 board meeting.

7. 9:30 a.m. – 12:20 p.m. - Closed Session

CVS/pharmacy Agreement dated February 9, 2006 – Review and Discussion
Present: Bill Irvine, Pap, Tina Egan, Michael Cohen, Donna Horn
Recused - exited conference room: DeVita and Tocco.

An overall review was conducted on the CVS Regulatory Compliance Plan and the status of ISMP Recommendations and a question and answer session.

8. 12:00 p.m. - Flex Discussion and File Review (if time permits) with
Investigators
New Business


- a) In the matter of Pharmacist Reciprocal Licensure applicant Robyn E. Chudzinski.
Motion/DeVita to accept application. Second/Cayer. All in favor.
- b) Nominations/Vote for Official Delegate and Alternate Delegate for NABP 104th Annual Meeting, May 17-20, 2008 Baltimore, MD
Motion/DeVita to nominate Barron as Delegate
Motion/DeVita to nominate Pasedis as Alternate Delegate.
Second/Pasedis. All in favor.
- c) In the matter of Pharmacy Technician Registration applicant, Jacqueline M. Blount:
Tabled for February Board Meeting.
- d) In the matter of Pharmacy Internship Registration applicant Matthew A. Herbe.
Motion/Berman to accept application. Second/Ryle. All in favor.
- e) In the matter of Pharmacy Internship Registration applicant James W. Wood.
Motion/DeVita to approve application. Second/Pasedis. All in favor.
- f) In the matter of Pharmacy Internship Registration applicant John G. Roehm III.
Motion/Berman to accept application. Second/Cayer. All in favor.
- g) In the matter of Kriscelle Lombard (Pharmacist No. 24026/Exp. 12/31/2008. Request for 2007 LIVE CE waiver.
Motion/Cayer complete 5 live CE credits within 90 days. Second/Pasedis.
In favor: Pasedis, Berman, DeVita, Gouveia, Accetta, Barron, Cayer, Budish,
Opposed: Ryle.
- h) In the matter of Complaint Docket No. PH-07-029/Chaya D. Gelman, R.Ph., Pharmacist Lic. No. 26563/Exp. 12/31/2008) – Petition for termination of Probation status.
Motion/DeVita to accept application. Second/Ryle. All in Favor.

- i) In the matter of Complaint Docket No. PH-07-067/Rodney E. Finch R.Ph., Pharmacist Lic. No. 19204/Exp. 12/31/2008 – Petition for termination of Suspension status (conversion to probationary status pursuant to Consent Agreement)
Motion/DeVita to disclose past and present state of condition.
Second/Budish. All in favor.

Old Business:

- a) Investigative Conference Re: SA-DS-07-087 held on 12/11/2007
In the matter of Berkshire Medical Center and Keith Preston, R.Ph. (Pharmacist License No. 24750): Decision was tabled following the Conference on December 11, 2007.
Motion/Cayer to issue an Advisory. Second/Tocco.
In favor: DeVita, Ryle, Berman, Barron, Cayer, Fabiszewski, Gouveia, Budish, Accetta,
Opposed: Pasedis
- b) New Pharmacy Application meeting was held 11/20/07
In the matter of West River Pharmacy, Inc., proposed to be located at 140 Locke Drive, Marlborough, MA 01752-7230: Decision was tabled pending receipt of additional information.
Motion/Pasedis to accept application. Second/Berman.
In favor: DeVita, Pasedis, Ryle, Berman, Gouveia, Barron, Fabiszewski, Budish, Accetta.
Abstain: Cayer
10. 12:30 p.m. – Motion/DeVita to adjourn meeting. Second/Pasedis. All in favor.

Respectfully submitted by:



James D. Coffey, R.Ph.
Director
Date: 4/16/08

Reviewed by counsel: April 1, 2008
Draft approved: April 1, 2008
Board approved: April 15, 2008

**BOARD OF REGISTRATION IN PHARMACY
ADJUDICATORY SESSION MINUTES
TUESDAY, JANUARY 15, 2008
239 CAUSEWAY STREET, ROOM 206
BOSTON, MASSACHUSETTS 02114**

9:15 a.m. Motion/DeVita to enter into Closed Session (M.G.L. c. 112, s. 65C and c. 30A, s. 11A). Second/Tocco. All in favor.

- a) In the Matter of PH-07-040/Paul Warzecki, R.Ph., (Pharmacist No. 15226): Review and discussion - Proposed Final Decision and Order by Default. Legal counsel update.
- b) In the matter of Pharmacy Technician applicant Steven A. Kramer: Review and discussion related to approval/denial and conditions for pharmacy technician application (Dir. Coffey – update).
- c) In the matter of Pharmacist Lynne Kellermann: Review and discussion related to open complaint. Legal counsel update.
- d) In the matter of Pharmacist Nicholas Creanza: Review and discussion related to reinstatement request. Legal counsel update.

9:30 a.m. Motion/Ryle to return to Open Session. Second/DeVita.
All in favor.

Reviewed by counsel: April 1, 2008
Draft approved: April 1, 2008
Board approved: April 15, 2008