

**BOARD OF REGISTRATION IN PHARMACY
BOARD MEETING MINUTES
JULY 10, 2007
239 CAUSEWAY STREET
SECOND FLOOR, ROOM 206
BOSTON, MA 02114**

Present: James DeVita, R.Ph., Karen Ryle, R.Ph., M.S., George Cayer, R.Ph., Sophia Pasedis, R.Ph., Pharm.D., Marilyn Barron, MSW, Public Member, Kathy Fabiszewski, Ph.D., R.N.

Absent: William Gouveia, R.Ph., M.S., Donald Accetta, M.D., Joel Berman, R.Ph., Steven Budish, Public Member, Michael Tocco, R.Ph., M.Ed.

Staff: James D. Coffey, R.Ph., Director, Susan Manning, Counsel, Carolyn Reid, Admin. Asst., James Emery, Inv., Samuel Penta, R.Ph., Superv.

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

Wholesale Distributor (BROKER)

Webster Veterinary Supply, Inc.- 86 Leominster Road, Sterling, MA 01564

Nuclear Pharmacist

Glenn A. Jabbay Jr., R.Ph. (MA Pharmacist Lic. No. 26976)

Change of Manager

Brooks Pharmacy #396, Pepperell (Pharmacy Reg. No. 2971)

Brooks Pharmacy #329, Lynn (Pharmacy Reg. No. 2568)

Brooks Pharmacy #2564, Andover (Pharmacy Reg. No. 2564)

Brooks Pharmacy #78, Worcester (Pharmacy Reg. No. 1993)

Partners Pharmacy of MA, Marlborough (Pharmacy Reg. No. 3419)

Target Pharmacy #T1441, Somerville (Pharmacy Reg. No. 3185)

Walgreens Pharmacy #9538, Roxbury (Pharmacy Reg. No. 3474)

Walgreens Pharmacy #3758, Brockton (Pharmacy Reg. No. 2759)

Walgreens Pharmacy #4403, Quincy (Pharmacy Reg. No. 2805)

Walgreens Pharmacy #3300, Marlborough (Pharmacy Reg. No. 3412)

Walgreens Pharmacy #4966, Malden (Pharmacy Reg. No. 2924)

Walgreens Pharmacy #3251, Waltham (Pharmacy Reg. No. 2849)

Walgreens Pharmacy #3496, Everett (Pharmacy Reg. No. 2539)

Wal-Mart 10-3560, Fall River (Pharmacy Reg. No. 3173)

New Pharmacy/Pharmacy Department

Walgreens Pharmacy #10460 - 1041 Rte. 28, South Yarmouth, MA 02664

Walgreens Pharmacy #10209 - 80 Waverly Road, N. Andover, MA 01845

Walgreens Pharmacy #10375 - 2968 Acushnet Ave., New Bedford, MA 02745
CVS/pharmacy #75 -200 South Common Street, Lynn, MA 01905
(James DeVita - recused)

Closing

Medicine Shoppe, 53 Main Street, Florence - transfer of business records and inventory to CVS Pharmacy #447, 366 King St., Northampton (Pharmacy No. 3251)

Transfer of Ownership

Wells Drug Inc., 675 Main Street, Woburn - conversion to D.A.W. Inc. DBA Eaton Apothecary, 675 Main Street, Woburn (Pending)

Renovation/Expansion

Standard Pharmacy, 246 E. Main St., Fall River (Pharmacy Reg. No. 3454)
Holyoke Health Center Pharmacy, 230 Maple St., Holyoke (Pharmacy Reg. No. 3491)

Wal-Mart 10-2341, 301 Falls Blvd., Quincy (Pharmacy Reg. No. 2800)
Wal-Mart 10-2128, 295 Plymouth St., Halifax (Pharmacy Reg. No. 2830)

Motion/DeVita to approve all above listed applications (with exception of CVS matter/recuse). Second/Pasedis. All in favor.

4. 8:45 a.m. – Director Updates

Congratulations were conveyed to James D. Coffey regarding his recent appointment as Director of Board.

Regulations: Revisions to 247 CMR 6.11-6.13 (Inspections of Pharmacies, Deficiency Statements and Plans of Correction) and 10.03 (Grounds for Complaints) are effective Effective June 29, 2007.

5. 8:50 a.m. - Report of Office of Investigations

a) File Review – Inv. Superv. Penta, Inv. Emery

1	DS-07-064	Advisory Letter
2	PH-07-015	Advisory Letter
3	SA-DS-07-020	Advisory Letter
4	DS-07-062	Informal Conference
5	PH-07-119	Informal Conference
6	PH-07-101	Reprimand

7	DS-07-049	Advisory Letter
8	PH-07-122	Advisory Letter
9	PH-07-119	Advisory Letter
10	PH-07-121	Advisory Letter
11	DS-07-063	Refer to Legal
12	PH-07-023	Refer to Legal
13	PH-07-081	Refer to Legal
14	SA-PH-07-016	Refer to Legal

6. 10:00 a.m. - Report of Offices of General Counsel

a) Board Counsel - Susan Manning

10:00 a.m. - Motion/DeVita to enter adjudicatory session. Second/Pasedis.
All in favor.

10:25 am. - Motion/Cayer to return to Open Session. Second/Ryle. All in favor.

Matter of Kevin M. Gill, R.Ph. (License No. 16858/Status: Suspended 11/12/03) Complaint Docket No. PH-93-105) – Registrant telephone inquiry regarding license reinstatement.

After review and discussion, Motion/ DeVita to refer Registrant to terms of Board's Order of Suspension (November 12, 2003). Second/Cayer. All in favor.

Matters of Margolis Pharmacy (No. 2974/Docket No. DS-07-063) and Steven A. Shraiar, R.Ph. (Reg. No. 14861/Docket No. PH-07-023) – alleged failure to advise Board of prior discipline on transfer of ownership pharmacy application.

Board will request voluntary surrender of both registrations; refer to Office of Prosecutions for issuance of Orders to Show Cause if no agreement to surrender.

Matters of Ruggles Pharmacy (No. DS-07-057/No. 2887) and Mbadiwe Okongwu, R.Ph. (Docket No. PH-07-120)/No 18415) – alleged operations as unlicensed wholesaler in transactions with Plaza Pharmacy II, Brockton.

Motion/Ryle to seek voluntary surrender of both registrations; issue summary suspension order in matter of pharmacy and refer Pharmacist matter to Office of Prosecutions for issuance of Order to Show Cause if no agreement to surrender registrations. Second/Cayer. All in favor.

Matter of Efrat Ron, R.Ph. (PH-08-004)/No. 4321) (James DeVita recused).

Motion Pasedis to propose Consent Agreement (Atty. Barry Mintzer) establishing monitoring conditions for continued practice. Second/Barron. All in favor.

Matter of Lynn Kellerman, R.Ph. (PH-07-081/No. 22990) – moral character allegations related to convictions related to possession of snake (Marlborough District Court No. 0721CR000096); also CE credit non-compliance

Motion DeVita to forward proposed Consent Agreement with suspension and other monitoring terms. Second/Ryle. All in favor.

7. 10:30 a.m. - Pharmacist Applicant for Reciprocity (NY) - Roupen Dechkounian
Present: Roupen Dechkounian
Motion/Cayer to approve application. Second/Ryle. All in favor.

8. 10:45 p.m. – New Pharmacy Application
Duval's Pharmacy Store 2, Inc. DBA Duval's Pharmacy - One Compass Way,
Suite 101, E. Bridgewater, MA 02333

Present: Milton Burt, Manager of Record (Pharmacist Reg. No. 16707/
Exp. 12/31/2008), John H. Duval II, R.Ph. Owner (Registration No. 15248/Exp.
12/31/2008
Motion/Cayer to approve application subject to compliant inspection.
Second/Pasedis. All in favor.

9. 11:15 a.m. - Hearing on Motion for *Motion for Reconsideration*
In the Matter of Gbolahan O. Diyaolu, R.Ph. (License No. 19258)/Docket
No. PH-06-091.

DeVita recused – exited meeting room.

Present: Gbolahan O. Diyaolu, R.Ph. and Paul M. Garbarini, Esq.

Atty. Garbarini appeared before Board to present oral argument on the *Motion for Reconsideration* of Board's June 15, 2007 *Order of Suspension Based on Violation of Consent Agreement*. Mr. Diyaolu also responded to questions from Board members.

Motion/Cayer to take matter under advisement. Second/ Ryle. All in favor.

10. 11:30 a.m. – Presentation

Walgreens Pharmacy “Vision” (Virtual Imaging System to Improve Operations Nationwide) System - Central D.U.R. program

Daniel F. Luce, R.Ph., Manager, Pharmacy Affairs, Susan Deleo, Supervisor, Michael Godek

After review and discussion, Motion/DeVita to advise Walgreens that VISION Program may resume subject to Board review of “de-identified” data related to patient safety quality assurance enhancements and confirmation that patients are notified re: VISION program.

11. 12:30 p.m. - Lunch

12. 1:30 p.m.

New Business

a) Soojeong Jeon, R.Ph. (No. 25959): CE Advisory request.

Motion/DeVita complete live CE (Webinar). Second/Pasedis. All in favor.

b) Pharmacist Score Transfer applicant - Samir Jay Patel

Motion/DeVita approve subject to MPRS evaluation. Second/Pasedis. All in favor.

c) Pharmacy Technician Registration applicant - Irina Vlasova

Motion/DeVita to obtain additional information related to conviction. Second/Ryle. All in favor.

d) Sherifat A. Animashaun, R.Ph. (License No. 18633 /Exp. 12/31/1984) – pharmacist reinstatement inquiry.

Motion/Cayer - complete 1500 internship hours, NAPLEX and MPJE. Second/Pasedis. All in favor.

e) Pharmacy Technicians handling of controlled substances

f) Labels on prescriptions translated in different languages

g) Pharmacist Score Transfer applicant - Carrie AnneMcGinness

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

h) Pharmacist (first time) applicant Saumil Jash Patel

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

i) Joanne Marron, R.Ph. (Pharmacist Lic. No. 21377) – CE Advisory request.

Motion/DeVita complete live CE (Webinar). Second/Pasedis. All in favor.

Old Business

a) Bosede M. Adebisi, R.Ph. - Appeal of experiential apprenticeship

(May 17, 2007 Board letter) outlining pharmacist licensure requirement.

Motion/Ryle to approve request. Second/Cayer. All in favor.

b) Jerome F. Fiskers, R.Ph. (Pharmacist Lic. No. 15306) - extension request

(May 16, 2006 Board letter) re: reinstatement conditions.

Motion/Barron to grant (one time) five month extension.

Second/Ryle. All in favor.

c) Lori Sender, R.Ph. (Pharmacist Lic. No. 17826/Exp. 12/31/2000) - Request for reconsideration related to Board August 17, 2005 letter re: pharmacist

reinstatement conditions.

Motion/DeVita must obtain passing score of 75. Second/Pasedis.

All in favor.

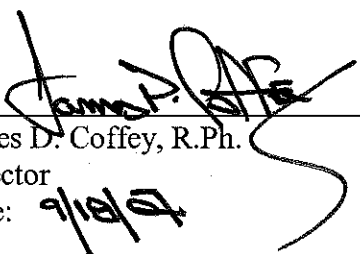
- d) Robert L. Shapiro, R.Ph. (Pharmacist Lic. No. 22269) - Letter regarding pharmacy reinstatement protocols.
The Board reviewed Mr. Shapiro's letter commenting on reinstatement requirements.
- e) Matter of Thu Thuy Nguyen, R.Ph. (Docket No. PH-05-123)/Pharmacist Lic. No. 25393 / Exp. 12/31/2008 - Request for termination of probation.
Motion/DeVita to terminate probation. Second/Pasedis. All in favor.
- f) Matter of Rose M. Harrington, R.Ph.(Docket No. PH-05-125)/ Pharmacist Lic. No. 16064/ Exp. 12/31/2008 - Request for termination of probation.
Motion/Ryle to terminate probation. Second/Cayer. All in favor.
- g) Matter of / Gregory E. McKenna, R.Ph. (Docket No. PH-04-061)/ Pharmacist Lic. No. 18404 / Exp. 12/31/2008 - Request for termination of probation.
Motion/Cayer to a terminate probation. Second/DeVita. All in favor.

13. In the Matter of Gbolahan O. Diyaolu, R.Ph. (No. 19258)/Docket No. PH-06-091 – Resumption of consideration of Motion for Reconsideration.

Motion/Ryle – no revision of June 15, 2007 vote. Second/Cayer. All in favor (DeVita recused).

14. 2:30 p.m. - Motion/Cayer to adjourn meeting. Second/Ryle. All in favor.

Respectfully submitted by:


James D. Coffey, R.Ph.

Director

Date: 9/18/07

Reviewed by counsel: September 10, 2007

Draft approved: September 10, 2007

Board approved: September 18, 2007

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ADJUDICATORY SESSION MINUTES
JULY 10, 2007
239 CAUSEWAY STREET
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BOSTON, MA 02114**

Matter of Kevin M. Gill, R.Ph. (License No. 16858/Suspended 11/12/03/ Docket No. PH-93-105) - telephone inquiry to Dir. Coffey re: license reinstatement.

After review and discussion, Board did not revise terms of November 12, 2003 Order of Suspension.

Matters of Margolis Pharmacy (No. 2974/Docket No. DS-07-063) and Steven A. Shraiar, R.Ph. (Reg. No. 14861/Docket No. PH-07-023) – alleged failure to advise Board of prior discipline on transfer of ownership pharmacy application.

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Board will seek voluntary surrender of both registrations; issue summary suspension order in matter of pharmacy and refer Pharmacist matter to Office of Prosecutions for issuance of Order to Show Cause if no agreement to surrender registrations.

Matter of Efrat Ron, R.Ph. (PH-08-004)/No. 4321) (James DeVita recused) – impairment concerns raised by complaint filed by Licensee. Board reviewed additional information obtained by investigator from Licensee's health care providers.

Board will forward proposed Consent Agreement to Atty. Barry Mintzer establishing monitoring conditions for continued practice.

Matter of Lynn Kellerman, R.Ph. (PH-07-081/No. 22990) – moral character allegations related to convictions related to possession of snake (Marlborough District Court No. 0721CR000096); also CE credit non-compliance

Board to forward proposed Consent Agreement to Licensee with suspension and other monitoring terms.