

**BOARD OF REGISTRATION IN PHARMACY  
MEETING MINUTES  
JUNE 24, 2008  
239 CAUSEWAY STREET  
SECOND FLOOR, ROOM NUMBER 206  
BOSTON, MA 02114**

**Present:** Sophia Pasedis, R.Ph., Pharm.D., James DeVita, R.Ph., George Cayer, R.Ph., Kathy Fabiszewski, Ph.D., .N.P., William Gouveia, R.Ph., M.S., Joanne M. Trifone, R.Ph., Kathy Fabiszewski, Michael Tocco, R.Ph., M.Ed., Marilyn Barron, MSW, Public Member, Donald Accetta, M.D., Stanley Walczyk, R.Ph., Steven Budish, Public Member

**Staff:** James D. Coffey, R.Ph., Dir., 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., Cheryl Lathum, Inv.

1. 8:30 a.m. CALL TO ORDER  
Pres. Pasedis called meeting to order.
2. 8:35 a.m. MINUTES  
None
3. 8:40 a.m. LICENSING: Pharmacy/Wholesale Distributor Applications  
Dir. James D. Coffey

New Pharmacy/Pharmacy Department

Walgreens Pharmacy #10427 - proposed: 35 Central St., Leominster, MA

Change of Manager

North Shore Pharmacy, Wakefield (Reg. No. 3458)  
CVS/pharmacy #1009, Charlestown (Reg. No. 1529)  
Eaton Apothecary #2010, Danvers (Reg. No. 2530)  
Walgreens Pharmacy #2309, Woburn (Reg. No. 1876)  
Walgreens Pharmacy #2311, Springfield (Reg. No. 1943)

Renovation/Expansion

Wal-Mart Pharmacy 10-2103, Walpole (Reg. No. 2736)  
Wal-Mart Pharmacy 10-2797, Sturbridge (Reg. No. 2927)  
Wal-Mart Pharmacy 10-2180, Danvers (Reg. No. 1876)  
Wal-Mart Pharmacy 10-2901, Northampton (Reg. No. 3015)  
Wal-Mart Pharmacy 10-2329, Orange (Reg. No. 2751)  
Wal-Mart Pharmacy 10-2904, Brockton (Reg. No. 2977)  
Wal-Mart Pharmacy 10-1918, Bellingham (Reg. No. 2744)  
Long Term Pharmacy Solutions Inc., Lowell (Reg. No. 3184)  
New England Compounding Center, Framingham Reg. No. 2848)

Relocation – Pharmacy/Pharmacy Department

Coram Healthcare, 233 South St., Hopkinton, 01748 MA (Reg. No. 2584)

TO 575 University Ave., Suite 2, Norwood, MA 02062 (Pending)  
Motion/Budish to approve above-referenced applications, subject to  
compliant inspections and noted conditions. Second/Cayer. All in favor.  
DeVita and Tocco recused from all above CVS applications.  
Trifone recused from all above Walgreens applications.  
Pasedis recused from above New England Compounding Center application.

4. 8:50 a.m. UPADTES - Dir. Coffey

a) NAPLAW

b) DEA Notice of Public Rulemaking re: Electronic Prescriptions  
for Controlled Substances

6. 9:00 a.m. – REPORT OF OFFICE OF INVESTIGATIONS  
File Review - Samuel J. Penta, R.Ph. Supervisor/Investigator;  
Cheryl Latham, Pharm.D., R.Ph., Investigator

1	DS-08-098 PH-08-094	Advisory Letter Advisory Letter
2	DS-08-106	Advisory Letter
3	DS-08-113	Advisory Letter
4	PH-08-099	Refer to Legal
5	PH-08-054	Advisory Letter
6	DS-08-031 PH-08-053	Advisory Letter Advisory Letter
7	DS-08-098 PH-08-094	Advisory Letter Advisory Letter

6. 9:30 a.m. New Pharmacy Application

Central Pharmacy Boston, Inc. d/b/a Central Pharmacy – proposed:  
1304 –1312 A Commonwealth Ave., Boston, MA 02134

Present: Doug Marram, R.Ph., proposed Manager of Record;  
Liliya Bepalko, Pres.; Veronica Turovsky Genin, Esq.

Board reviewed application and proposed pharmacy operations with  
applicants.

Motion/Cayer to deny application. Second/DeVita

In favor: DeVita, Cayer, Trifone, Gouveia, Budish, Tocco, Barron, Walczyk  
Opposed: Pasedis, Accetta, Fabiszewski. Application denied.

7. 10:00 a.m. REPORT OF OFFICE OF GENERAL COUNSEL

Pending Legal Matters - Susan Manning, Board Counsel  
Review and Discussion of Complaints Following Investigative Conferences  
**Closed Session** (G.L. c. 112, s. 65C)

10:05 a.m. – Motion/Pasedis to enter Closed Session (G.L. c. 112, s. 65C).  
Second/Fabiszewski. All in favor.

11:00 a.m. – Motion/Accetta to exit Closed Session (M.G.L. c. 112, s. 65C).  
Second/Barron. All in favor.

Following review of the below open complaint matters in Closed Session,  
the Board voted:

- a) **New Bedford Rehabilitation Hosp.** (4/15/08 Investigative Conference)  
Docket No. PH-08-054 (formerly SA-DS-08-063)  
In the matters of **James P. Sweeney**, R.Ph. (Reg. No. 15787),  
**Michelle Kampf** (Pharmacy Technician Trainee) and **Denise R. Pinard**  
(Pharmacy Technician Registration No. 2494)

Complaint alleged Registrant dispensed 33 units (3.3 cc) of regular  
insulin (TPN additive) rather than 3 units (0.3 cc) of regular insulin as  
ordered to a geriatric patient (10/14/07).

**Sweeney** (Docket No. PH-08-054): Motion/Trifone for Advisory Letter  
with 2 CEs. Second/Budish.

In favor: Pasedis, Cayer, Trifone, Budish, Gouveia, Barron, Accetta  
Gouveia, Walczyk. DeVita: Abstain. Opposed: Tocco

**Pharmacy** (Docket No. SA-DS-08-063): Motion/Trifone for Advisory  
Letter and Board review of corrective action plan regarding policies and  
procedures pharmacy staff training, detailed compounding and TPN  
preparation procedures, and policy and procedure mandating  
pharmacist final check of all medications/orders dispensed.  
Second/Budish.

In favor: Pasedis, Cayer, Trifone, Budish, Gouveia, Barron, Accetta  
Gouveia, Walczyk, Tocco. DeVita: Abstain.

Board directed staff to open complaint regarding Director of Pharmacy  
Charlene J. Moniz, R.Ph.

- b) **McClelland Health Systems** (4/15/08 Investigative Conference)  
Docket Nos. DS-08-031 and PH-08-053  
In the matters of McClelland Health Systems (Reg. No. 3309),  
Van Dwight **Schermerhorn**, R.Ph. (Reg. No. 15994) and Mark  
Tarrant (Pharmacy Technician Registration No. 9411)

Complaint alleged Registrant dispensed a blister card labeled Trazodone  
50 mg half-tablets as prescribed for a geriatric patient; blister card  
contained Tramadol 50mg half-tablets (10/01/07).

**Pharmacy** (Docket No. DS-08-031): Motion/Accetta for Advisory Letter. Second/Pasedis. All in favor.

**Schermerhorn** (Docket No. PH-08-053): Motion/Cayer for Advisory Letter with 2 CEs. Second/Pasedis. All in favor.

- c) **St. Anne's Hospital** (5/13/08 Investigative Conference)  
Docket Nos. PH-08-057 and PH-08-058 (formerly SA-DS-08-056)  
In the matters of **Melissa Cabral**, R.Ph. (Registration No. 25361) and  
**Marion A. Raymond**, R.Ph. (Registration No. 14678)

Complaint alleged Registrant dispensed an incorrect dose of Herceptin (trastuzumab) 15 mg/kg IV to a geriatric patient (05/15/07).

**Cabral** (Docket No. PH-08-057): Motion/Pasedis for Advisory Letter with 4 CEs/oncology. Second/Walczyk. All in favor.

**Raymond** (Docket No. PH-08-058): Motion/Trifone to dismiss. Second/Gouveia. All in favor. DeVita: Abstain

**Pharmacy** (Docket No. SA-DS-08-056): Motion/Pasedis for Advisory Letter with Board review of corrective action plan, policies and procedures on training of pharmacy staff in preparing and dispensing oncology medications with confirmation that oncology training will be completed by pharmacy staff prior to dispensing same. Second/Budish. In favor: Pasedis, Cayer, Trifone, Budish, Gouveia, Barron, Accetta Gouveia, Walczyk, Tocco. DeVita: Abstain.

- d) **Brigham & Women's Hospital** (5/13/08 Investigative Conference)  
Docket Nos. PH-08-046 and PH-08-048 (formerly SA-DS-08-019)  
In the matter of **Caryn A. Domenici**, R.Ph. (Registration No. 24076)  
and **Henry Cassamajor** (Pharmacist Technician Registration No. 5475)

Complaint alleged Registrant dispensed incorrect concentration of IV Methadone where IV Methadone 38.8 mcg every four hours was ordered for neonatal patient (06/22/07).

**Domenici** (Docket No. PH-08-046): Motion/Gouveia for Advisory Letter with 2 CEs and written confirmation to Board: (1) all pharmacy sterile product intravenous preparations (including compounded dilutions) are properly labeled and include identification of individual compounder(s), and (2) pharmacist conducts final verification. Second/Pasedis. All in favor.

**Cassamajor** (Docket No. PH-08-048): Motion/Tocco for Advisory Letter. Second/Barron. All In favor. DeVita: Abstain both above.

e) **North Shore Pharmacy Services** (5/13 and 6/10/08 Conferences)

Docket No. SA-DS-08-033

Matters of North Shore Pharmacy, 360 Audubon Rd., Wakefield, MA  
(Reg. No. 3458), MOR: **Cynthia Theriault**, R.Ph. (Registration No. 3560)

Complaint alleged Board received a Form DEA 106 denoting CII-CIV losses (173 units) from May 1 – Aug. 30, 2007; losses associated with narcotic emergency kits supplied to long term care facilities (13) serviced by the Pharmacy. Thereafter, Board received a DEA 106 form from North Shore Pharmacy denoting another narcotic emergency kit related loss (10/01/07).

Docket No. DS-08-012

In the matter of North Shore Pharmacy (Pharmacy Reg. No. 3458)  
MOR: **Christopher J. Foster**, R.Ph. (Registration No. 22093)

▪ Incident One

The complaint alleged that on or about August 11, 2007 at 9:29 a.m. a physicians order for Viramune 200 mg daily were electronically transmitted to the Pharmacy but not filled and delivered to the long term care facility until 10 p.m. on August 12, 2007.

▪ Incident Two

Complaint alleged that on or about August 11, 2007, Registrant dispensed a prescription for Zestril 40mg rather than Zerit 40mg  
Verification Pharmacist: **Nina S. Desai**, R.Ph. (Registration No. 22082)

▪ Incident Three

Complaint alleged that on or about August 11, 2007 at 7 p.m., physician orders for Mysoline 250mg (twice daily) and Klonopin 0.5mg (twice daily) were electronically transmitted to the Pharmacy but not filled and delivered to the long term care facility until 2 p.m. on August 12, 2007

▪ Incident Four

Complaint alleged that on or about June 2, 2007 at 7:45 p.m. physician orders for Keppra 500mg (twice daily) and Provigil 200mg (daily) was electronically transmitted to the Pharmacy but not filled and delivered to the long term care facility until 4 a.m. on June 3, 2007.

**Desai:** Motion/DeVita for Advisory Letter/2 CEs. Second/Cayer.  
All in favor.

Docket No. DS-08-014

In the matter of North Shore Pharmacy (Pharmacy Reg. No. 3458)  
MOR: **Christopher J. Foster**, R.Ph. (Registration No. 22093)

Complaint alleged that on or about August 2, 2007, Registrant

dispensed a refill of Warfarin 2mg to a resident of a long term care facility with correct drug but labeled "Lipitor 80mg" for another facility resident.

Verification Pharmacist: **Edward K. Freeman**, R.Ph. (Registration No. 14383)

Motion/Pasedis to table. Second/Gouveia.

Docket No. DS-08-015

In the matter of North Shore Pharmacy (Pharmacy Reg. No. 3458)

MOR: **Christopher J. Foster**, R.Ph. (Registration No. 22093)

Complaint alleged that on or about May 22, 2007, Pharmacy received a physician order to increase a patient's Trilisate TO 750mg PO BID (1 and ½ tablets of 500 mg tablets, twice daily) and that on July 11, 2007, patient was prescribed Trileptal 600 mg in the p.m. and Trileptal 450 mg in the a.m. but Pharmacy dispensed Trileptal 750 mg (twice daily).

Verification Pharmacist: Trileptal - **Amy L. Penta**, R.Ph. (Registration No. 24491)/Trilisate - **Veronica C. Tyron**, R.Ph. (Registration No. 23636)

Motion/DeVita to dismiss. Second/Cayer. All in favor.  
Inv. Penta not present during discussion.

Docket No. DS-08-019

In the matter of North Shore Pharmacy (Pharmacy Reg. No. 3458)

MOR: **Christopher J. Foster**, R.Ph. (Registration No. 22093)

On May 24, 2007, Investigators Penta and Emery and inspected the Pharmacy and noted deficiencies.

Docket Nos. DS-08-042 and PH-08-080

In the matter of North Shore Pharmacy (Registration. No. 3458) and

**John T. McInerny**, R.Ph. (Registration No. 16302)

Complaint alleged Registrant dispensed Kayexalate suspension rather than Bactrim DS suspension as prescribed to a geriatric patient at a long term care facility (12/13/07).

Docket Nos. DS-08-043, PH-08-078 and PH-08-080

In the matter of North Shore Pharmacy (Pharmacy Reg. No. 3458) and

**Karen L. Smith**, R.Ph. (Pharmacist Reg. No. 22567)

Complaint alleged Registrant dispensed Kayexalate suspension rather than Bactrim DS suspension to a geriatric patient at a long term care facility (12/13/07).

**Pharmacist: McInerny** (Docket Nos. PH-08-078 and PH-08-080)

Motion/DeVita for Advisory Letter/2 CEs. Second/Trifone. All in favor.

**Pharmacist:** Smith (Docket No. PH – Motion/DeVita for Advisory Letter/ 2 CEs with notice to Pharmacy Corporate. Second/Trifone. All in favor.

Docket No. DS-08-093

In the matter of North Shore Pharmacy (Pharmacy Reg. No. 3458)

MOR: **Karen L. Smith**, BS, R.Ph. (Registration No. 22567)

Complaint alleged unlicensed practice (NH licensed pharmacist) from 3/28-8/3/07.

**Smith:** Motion/DeVita Tabled for July 15, 2008 meeting. Motion/Tocco. All in favor.

Renee Jaime, R.Ph.: To attend July 15, 2008 meeting.

**Pharmacy (Docket Nos. DS-08-014, DS-08-019, DS-08-042, DS-08-0143, DS-08-093):** Motion/DeVita for Consent Agreement with probationary terms (detailed in Closed Session). Second/Tocco. All in favor.

Matter of **Bruce Kline** – Mr. Kline to be advised to seek advisement from U.S. OIG regarding working as graduate while license suspended. DeVita recused.

Matter of **Lidia C. Ramos**, R.Ph. (Docket No. PH-08-082) - Voluntary Surrender (Eff. 4/30/2008). Board to provide consent agreement subject to MPRS agreement and six mos. screening.

8. 12:30 p.m. – Lunch

9. 1:30 p.m. New Pharmacy Application

**AllCare Pharmacy, Inc.** - proposed: 85 Green St., Worcester, MA 01604

Present: Daniel H. Apelian, R.Ph., proposed Manager of Record

Motion/Tocco to approve application. Second/DeVita. All in favor.

10. 2:00 p.m. Review Proposed *Best Practice Recommendation No. 25*

Dr. McKenna reviewed proposed *Best Practice Recommendation No. 25* relating to notification of patient or patient's representative upon discovery of significant quality related event (medication error) for effective communication of seriousness of event to patient or representative. Motion/DeVita to adopt recommendation with addition of HIPAA exception reference if identified by patient (patient notification/communication) Second/Tocco. All in favor.

Dr. McKenna also presented the *Continuous Quality Improvement (CQI) Training Program* "A Guide To Medication Error, Prevention and Response"

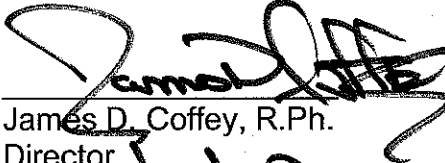
and approved it as an additional resource for community pharmacies.

11. New Business

- a) **Ryan Matthew Didas** - Pharmacist Applicant.  
Motion/Pasedis for MPRS assessment. Second/DeVita All in favor.
- b) **Barbara Ann Eastman** - Pharmacy Technician Applicant.  
Motion/Barron to approve application. Second/Cayer. All in favor.  
DeVita recused (exited conference room)
- c) **Kelly M. Hebert** - Pharmacy Technician Applicant.  
Motion/Trifone to approve application. Second/Tocco. All in favor.  
Pasedis - recused (exited conference room)
- d) **John James McCarrick** - Pharmacist Applicant.  
Motion/Cayer to attend 7/15/08 meeting, include MPRS assessment.  
Second/DeVita. All in favor.
- e) **Louise Deluca-Carter**, R.Ph., MBA, J.D. (Registration No.19582 /Exp. 12/31/00)– Reinstatement inquiry.  
Motion/Cayer complete 1000 internship hours, NAPLEX and MPJE.  
Second/Trifone. All in favor.
- f) **Charles Judge**, R.Ph. - CE waiver request.  
Motion/Cayer complete 30 CEs by 12/31/08, physician letter and CEs to Pharmacy. Second/Pasedis. All in favor.

12. 3:30 p.m. – Motion/Pasedis to Adjourn meeting. Second/Cayer. All in favor.

Respectfully submitted by:

  
James D. Coffey, R.Ph.  
Director  
Date: 9/10/08

Reviewed by Counsel: September 3, 2008

Draft approved: September 9, 2008

Board approved: September 9, 2008



**BOARD OF REGISTRATION IN PHARMACY  
CLOSED SESSION MINUTES  
(M.G.L. c. 112, s. 65C and c. 30A, s. 11A)  
JUNE 24, 2008  
239 CAUSEWAY STREET, ROOM 206  
BOSTON, MASSACHUSETTS 02114**

10:05 a.m. – Motion/Pasedis to enter Closed Session (G.L. c. 112, s. 65C).  
Second/Fabiszewski. All in favor.

Board reviewed the following open complaints with Board Counsel and voted:

1. **New Bedford Rehabilitation Hosp.** (4/15/08 Investigative Conference)  
Docket No. PH-08-054 (formerly SA-DS-08-063)  
In the matters of **James P. Sweeney**, R.Ph. (Reg. No. 15787), **Michelle Kampf** (Pharmacy Technician Trainee) and **Denise R. Pinard** (Pharmacy Technician Registration No. 2494)

Complaint alleged Registrant dispensed 33 units (3.3 cc) of regular insulin (TPN additive) rather than 3 units (0.3 cc) of regular insulin as ordered to a geriatric patient (10/14/07).

**Sweeney** (Docket No. PH-08-054): Motion/Trifone for Advisory Letter with 2 CEs. Second/Budish.

In favor: Pasedis, Cayer, Trifone, Budish, Gouveia, Barron, Accetta  
Gouveia, Walczyk. DeVita: Abstain. Opposed: Tocco

**Pharmacy** (Docket No. SA-DS-08-063): Motion/Trifone for Advisory Letter and Board review of corrective action plan regarding policies and procedures pharmacy staff training, detailed compounding and TPN preparation procedures, and policy and procedure mandating pharmacist final check of all medications/orders dispensed.  
Second/Budish.

In favor: Pasedis, Cayer, Trifone, Budish, Gouveia, Barron, Accetta  
Gouveia, Walczyk, Tocco. DeVita: Abstain.

Board directed staff to open complaint regarding Director of Pharmacy  
Charlene J. Moniz, R.Ph.

2. **McClelland Health Systems** (4/15/08 Investigative Conference)  
Docket Nos. DS-08-031 and PH-08-053  
In the matters of McClelland Health Systems (Reg. No. 3309),  
**Van Dwight Schermerhorn**, R.Ph. (Reg. No. 15994) and **Mark Tarrant** (Pharmacy Technician Registration No. 9411)

Complaint alleged Registrant dispensed a blister card labeled Trazodone 50 mg half-tablets as prescribed for a geriatric patient; blister card contained Tramadol 50mg half-tablets (10/01/07).

**Pharmacy** (Docket No. DS-08-031): Motion/Accetta for Advisory Letter. Second/Pasedis. All in favor.

**Schermerhorn** (Docket No. PH-08-053): Motion/Cayer for Advisory Letter with 2 CEs. Second/Pasedis. All in favor.

3. **St. Anne's Hospital** (5/13/08 Investigative Conference)  
Docket Nos. PH-08-057 and PH-08-058 (formerly SA-DS-08-056)  
In the matters of **Melissa Cabral**, R.Ph. (Registration No. 25361) and  
**Marion A. Raymond**, R.Ph. (Registration No. 14678)

Complaint alleged Registrant dispensed an incorrect dose of Herceptin (trastuzumab) 15 mg/kg IV to a geriatric patient (05/15/07).

**Cabral** (Docket No. PH-08-057): Motion/Pasedis for Advisory Letter with 4 CEs/oncology. Second/Walczyk. All in favor.

**Raymond** (Docket No. PH-08-058): Motion/Trifone to dismiss. Second/Gouveia. All in favor. DeVita: Abstain

**Pharmacy** (Docket No. SA-DS-08-056): Motion/Pasedis for Advisory Letter with Board review of corrective action plan, policies and procedures on training of pharmacy staff in preparing and dispensing oncology medications with confirmation that oncology training will be completed by pharmacy staff prior to dispensing same. Second/Budish. In favor: Pasedis, Cayer, Trifone, Budish, Gouveia, Barron, Accetta Gouveia, Walczyk, Tocco. DeVita: Abstain.

4. **Brigham & Women's Hospital** (5/13/08 Investigative Conference)  
Docket Nos. PH-08-046 and PH-08-048 (formerly SA-DS-08-019)  
In the matter of **Caryn A. Domenici**, R.Ph. (Registration No. 24076)  
and **Henry Cassamajor** (Pharmacist Technician Registration No. 5475)

Complaint alleged Registrant dispensed incorrect concentration of IV Methadone where IV Methadone 38.8 mcg every four hours was ordered for neonatal patient (06/22/07).

**Domenici** (Docket No. PH-08-046): Motion/Gouveia for Advisory Letter with 2 CEs and written confirmation to Board: (1) all pharmacy sterile product intravenous preparations (including compounded dilutions) are properly labeled and include identification of individual compounder(s), and (2) pharmacist conducts final verification. Second/Pasedis. All in favor.

Docket No. DS-08-014

In the matter of North Shore Pharmacy (Pharmacy Reg. No. 3458)

MOR: **Christopher J. Foster**, R.Ph. (Registration No. 22093)

Complaint alleged that on or about August 2, 2007, Registrant dispensed a refill of Warfarin 2mg to a resident of a long term care facility with correct drug but labeled "Lipitor 80mg" for another facility resident.

Verification Pharmacist: **Edward K. Freeman**, R.Ph. (Registration No. 14383)

Motion/Pasedis to table. Second/Gouveia.

Docket No. DS-08-015

In the matter of North Shore Pharmacy (Pharmacy Reg. No. 3458)

MOR: **Christopher J. Foster**, R.Ph. (Registration No. 22093)

Complaint alleged that on or about May 22, 2007, Pharmacy received a physician order to increase a patient's Trilisate TO 750mg PO BID (1 and ½ tablets of 500 mg tablets, twice daily) and that on July 11, 2007, patient was prescribed Trileptal 600 mg in the p.m. and Trileptal 450 mg in the a.m. but Pharmacy dispensed Trileptal 750 mg (twice daily).

Verification Pharmacist: Trileptal **Amy L. Penta**, R.Ph. (Registration No. 24491)/Trilisate - **Veronica C. Tyron**, R.Ph. (Registration No. 23636)

Motion/DeVita to dismiss. Second/Cayer. All in favor.

Inv. Penta not present during discussion.

Docket No. DS-08-019

In the matter of North Shore Pharmacy (Pharmacy Reg. No. 3458)

MOR: **Christopher J. Foster**, R.Ph. (Registration No. 22093)

On May 24, 2007, Investigators Penta and Emery and inspected the Pharmacy and noted deficiencies.

Docket Nos. DS-08-042, PH-08-080 and PH-08-078

In the matter of North Shore Pharmacy (Registration. No. 3458) and

**John T. McInerny**, R.Ph. (Registration No. 16302)

Complaint alleged Registrant dispensed Kayexalate suspension rather than Bactrim DS suspension as prescribed to a geriatric patient at a long term care facility (12/13/07).

Docket Nos. DS-08-043, PH-08-078 and PH-08-080

In the matter of North Shore Pharmacy (Pharmacy Reg. No. 3458) and

**John T. McInerny**, R.Ph. (Pharmacist Reg. No. 16302)

Complaint alleged Registrant dispensed Kayexalate suspension rather than Bactrim DS suspension to a geriatric patient at a long term care facility (12/13/07).

**McInerny** (Docket Nos. PH-08-080): Motion/DeVita for Advisory Letter/2 CEs. Second/Trifone. All in favor.

**Smith** (Docket No. PH-08-078): Motion/DeVita for Advisory Letter/2 CEs with notice to Pharmacy Corporate. Second/Trifone. All in favor.

Docket No. DS-08-093

In the matter of North Shore Pharmacy (Pharmacy Reg. No. 3458)

MOR: **Karen L. Smith**, BS, R.Ph. (Registration No. 22567)

Complaint alleged unlicensed practice (NH licensed pharmacist) from 3/28-8/3/07.

**Smith**: Motion/DeVita Tabled for July 15, 2008 meeting. Motion/Tocco. All in favor.

Renee Jaime, R.Ph.: To attend July 15, 2008 meeting.

**Pharmacy** (Docket Nos. DS-08-014, DS-08-019, DS-08-042, DS-08-0143, DS-08-093): Motion/DeVita for Consent Agreement with Probation (three year term), random inspections, independent audit of operations, quarterly reports, immediate plan of correction for Board review (including regulatory compliance plan and in-service training), Board appearances, follow up as determined by Board to be necessary. Second/Tocco. All in favor.

11:00 a.m. – Motion/Accetta to exit Closed Session (M.G.L. c. 112, s. 65C). Second/Barron. All in favor.

**Cassamajor** (Docket No. PH-08-048): Motion/Tocco for Advisory Letter.  
Second/Barron. All In favor.  
DeVita: Abstain both above.

**5. North Shore Pharmacy Services (5/13 and 6/10/08 Conferences)**

Docket No. SA-DS-08-033

Matters of North Shore Pharmacy, 360 Audubon Rd., Wakefield, MA  
(Reg. No. 3458), MOR: **Cynthia Theriault**, R.Ph. (Registration No.  
23560)

Complaint alleged Board received a Form DEA 106 denoting CII-CIV  
losses (173 units) from May 1 – Aug. 30, 2007; losses associated  
with narcotic emergency kits supplied to long term care facilities (13)  
serviced by the Pharmacy. Thereafter, Board received a DEA 106 form  
from North Shore Pharmacy denoting another narcotic emergency kit  
related loss (10/01/07).

Docket No. DS-08-012

In the matter of North Shore Pharmacy (Pharmacy Reg. No. 3458)  
MOR: **Christopher J. Foster**, R.Ph. (Registration No. 22093)

▪ Incident One

The complaint alleged that on or about August 11, 2007 at 9:29 a.m. a  
physicians order for Viramune 200 mg daily were electronically  
transmitted to the Pharmacy but not filled and delivered to the long term  
care facility until 10 p.m. on August 12, 2007.

▪ Incident Two

Complaint alleged that on or about August 11, 2007, Registrant  
dispensed a prescription for Zestril 40mg rather than Zerit 40mg  
Verification Pharmacist: **Nina S. Desai**, R.Ph. (Registration No. 22082)

▪ Incident Three

Complaint alleged that on or about August 11, 2007 at 7 p.m.,  
physician orders for Mysoline 250mg (twice daily) and Klonopin 0.5mg  
(twice daily) were electronically transmitted to the Pharmacy but not filled  
and delivered to the long term care facility until 2 p.m. August 12, 2007

▪ Incident Four

Complaint alleged that on or about June 2, 2007 at 7:45 p.m.  
physician orders for Keppra 500mg (twice daily) and Provigil 200mg  
(daily) was electronically transmitted to the Pharmacy but not filled and  
delivered to the long term care facility until 4 a.m. on June 3, 2007.

**Desai:** Motion/DeVita for Advisory Letter/2 CEs. Second/Cayer.  
All in favor.