

This is Notice of the Regularly Scheduled Board of Registration in Pharmacy Meeting

BOARD OF REGISTRATION IN PHARMACY  
MEETING AGENDA

March 8, 2011  
239 Causeway Street  
2<sup>nd</sup> Floor, Room 206  
Boston, Massachusetts

1. 8:30 a.m. CALL TO ORDER  
President Stanley B. Walczyk, R.Ph.
  2. 8:35 a.m. REVIEW/ADOPTION OF BOARD MINUTES
  3. 8:40 a.m. APPLICATIONS  
Pharmacy/Wholesale Distributor Applications  
(no handout/applications on file) – Assoc. Dir. Margaret Cittadino
- Nuclear Pharmacist (1)  
**Timothy Chase Waren**
  - Change of Manager (22)  
**Allcare Pharmacy**, 85 Green Street (DS3602)  
**Community Pharmacy at Mercy Medical Center**, 299 Carew Street. Springfield (DS89680)  
**CVS 1206**, 240 Newbury Street, Boston (DS2033)  
**CVS 2254**, 137 South Main Street, Milford (DS2866)  
**CVS 0220**, 264 E. Main Street, Marlboro (DS17722)  
**Hannaford Supermarket & Pharmacy 8388**, 333 Mass. Avenue, Lunenburg (DS89696)  
**Hannaford Food & Drug 8020**, 10 Washington Street, Norwell (DS3405)  
**Rite Aid 10175**, 1295 Boylston Street, Boston (DS3098)  
**Rite Aid 10104**, 5 Medway Road, Milford (DS3321)  
**Rite Aid 10117**, 525 Turnpike Street, North Andover (DS3128)  
**Rite Aid 10160**, 14 McGrath Highway, Somerville (DS3143)  
**Stop & Shop Pharmacy 472**, 40 Franklin Village, Franklin (DS1622)  
**Stop & Shop Pharmacy 079**, 949 Grafton Street, Worcester (D2689)  
**Wal-Mart Pharmacy 10 2227**, 777 Brockton Ave, Abington (DS2754)  
**Wal-Mart Pharmacy 10 2903**, 66 Parkhurst Road, Chelmsford (DS2966)  
**Wal-Mart Pharmacy 10 2902**, 121 Worcester Road, Framingham (DS3181)  
**Wal-Mart Pharmacy 10 2222**, 333 Main Street, Tewksbury (DS2740)  
**Wal-Mart Pharmacy 10 2629**, 100 Valley Parkway, Whitinsville (DS3508)  
**Wal-Mart Pharmacy 10 2122**, 30 Memorial Drive, Avon (DS2735)  
**Walgreens 11119**, 429 Brookline Avenue, Boston (DS3534)  
**Walgreens 11119**, 720 Main Street, Clinton (DS89657)  
**Walgreens 12323**, 11 Main Street, Maynard (DS89698)  
**Walgreens 13804**, 266 Washington Street, Wellesley (DS89710)  
**Walgreens 4729**, 951 Providence Highway, Norwood (DS2878)

- Relocation -Community Pharmacy (1)  
**Walgreens 848**, 1065 Truman Highway, Boston, temporarily relocating with new store number 13143 to a trailer in the stores' 1065 Truman Highway parking lot where the store is being totally remodeled.
  - Controlled Substances (2)  
**GE Healthcare - Wholesale Distributor WD446** – Add schedule II to existing Schedule VI  
**GE Healthcare – Nuclear Pharmacy NU10** – Add schedule II to existing Schedule VI
  - Community Pharmacy Closings (1)  
**Louis & Clark Drug 135** (DS3427), 1275 State Street, Springfield closing 2/28/11. Inventory and prescription drugs to be transferred to Louis & Clark 268 - 471 Breckwood Blvd. Springfield.
4. 8:45 a.m. UPDATES  
 Dir. James D. Coffey/Assoc. Dir. Margaret Cittadino
- Board Dispositions and 2010 Summary
  - Board Office Relocation (2<sup>nd</sup> to 5<sup>th</sup> Fl., 239 Causeway St., Boston, MA)
5. 9:00 a.m. REPORT OF OFFICE OF INVESTIGATIONS (no handout)  
File Review - James C. Emery, Investigator, Cheryl Lathum, Pharm.D., R.Ph., Investigator, Leo A. McKenna, Pharm.D., R.Ph., QA Coordinator
6. 10:00 a.m. LEGAL/REPORT OF OFFICE OF GENERAL COUNSEL  
 Pending Legal Matters - Susan Manning, Board Counsel
- MGL c. 112, s. 65C and MGL c. 30A, s. 11A- Review and Discussion  
 of Complaints and Other Matters: Closed Session
- Collaborative Drug Therapy Management (CDTM)
  - Matter of **Julia L. Herne** (PT6950) Docket No. PHA-2009-0173:  
 Review of Proposed Final Decision and Order
  - Matter of **Anthony J. Calello**, R.Ph. (License No. 17401 / Complaint No. PH-08-009
  - Matter of **Daniel Ethan Fontaine** – Pharmacy Intern
7. 10:30 a.m. NEW COMMUNITY PHARMACY APPLICATION/Appearance  
**ROYAL PALM SPECIALTY PHARMACY LLC**, – Proposed: 118 Main Street, Webster, Massachusetts
- Present: Proposed Manager Agnes S. Bergeron, R.Ph, (PH25022/Exp. 12/31/2012)
- Applicant for retail pharmacy licensure proposes to dispense Schedule II-VI controlled substances
- Approve ☐ Deny ☐

8. 11:00 am. PRESENTATION – Bill Irvin, R.Ph., Business Compliance Officer, Lori Miller, Site Director, Pharmacy Call Center and Tom Bourque, Director Support Services, Pharmacy Call Center
  - **CVS Caremark** correspondence regarding Pharmacy Care Pilot Project and Request for Pilot Project Extension
9. 11:30 a.m. PROBATION MONITORING/REPORT OF COMPLIANCE (no handout)  
Pending Compliant Matters – **Karen Fishman**, Probation Monitor
10. 11:45 a.m. DISCUSSION (POLICY)
  - Reinstatement Application
  - Proper Storage of Refrigerated and Frozen Medications in a Pharmacy

#### FLEX DISCUSSION

##### A. NEW BUSINESS

- 1) **Nomination** of Voting Delegate & Alternate Delegate for the NABP Annual Meeting in May 2011. The Board needs to elect a delegate and an alternate delegate to vote on behalf of the Board at the NABP annual meeting being held in San Antonio, Texas (May 21-24, 2011).
  - 2) **Stacey L. Teasley**, R.Ph. (License No. 21561/ Exp. 12/31/2012): Request for advisory re. continuing Education (2011)
11. 12:30 p.m. LUNCH
  12. 1:30 p.m. DISCUSSION
    - October 2011 NABP/AACP District I & II Annual Meeting to be hosted by Massachusetts:
  13. INFORMATIONAL ITEMS (FYI)
  14. 3:30 p.m. ADJOURNMENT

**BOARD OF REGISTRATION IN PHARMACY  
MEETING MINUTES**

March 8, 2011  
239 Causeway Street  
2d Floor, Room 206  
Boston, Massachusetts

**Board Members  
Present**

Stanley Walczyk, R.Ph.; Michael Tocco, R.Ph., M.Ed.; Karen Ryle, R.Ph., M.S.; James T. DeVita, R.Ph.; Sophia Pasedis, R.Ph., Pharm.D.; Donald Accetta, M.D., M.P.H.; George Cayer, R.Ph.; Joanne Trifone, R.Ph.; Kathy Fabiszewski, Ph.D, N.P.; Steven Budish

**Board Members  
Absent**

None

**Staff Present**

James D. Coffey, R.Ph., Director; Margaret Cittadino, M.Ed., Associate Director; Susan Manning, Board Counsel; Leo McKenna, R.Ph., Pharm.D., Quality Assurance (QA) Coordinator; Cheryl Lathum R.Ph., Pharm.D., Investigator; James Emery, Pharmacy Technician, Investigator; Investigator

1. 8:30 a.m. CALL TO ORDER  
President Stanley B. Walczyk, R.Ph.
2. 8:35 a.m. REVIEW/ADOPTION OF BOARD MINUTES  
Motion Trifone/Pasedis to adopt September 4, 2010 minutes  
Approved
3. 8:40 a.m. APPLICATIONS  
Pharmacy/Wholesale Distributor Applications – Assoc. Dir. Cittadino

Nuclear Pharmacist

Timothy Chase Warren

Change of Manager

Allcare Pharmacy, 85 Green Street (DS3602)  
Community Pharmacy at Mercy Medical Ctr, 299 Carew St. Springfield (DS89680)  
CVS 1206, 240 Newbury Street, Boston (DS2033)  
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Relocation -Community Pharmacy

Walgreens 848, 1065 Truman Highway, Boston, temporarily relocating (new store number 13143) to trailer in parking lot in same location during store remodel

Controlled Substances

GE Healthcare - Wholesale Distributor WD446 (adding Schedule II to Schedule VI)

GE Healthcare - Nuclear Pharmacy NU10 (adding Schedule II to Schedule VI)

Community Pharmacy Closings

Louis & Clark Pharmacy 135 (DS3427), 1275 State Street, Springfield closing 2/28/11.

Inventory and prescription drugs to be transferred to Louis & Clark Pharmacy 268 -

471 Breckwood Blvd., Springfield

Motion Pasedis/Ryle to approve applications

Recused Trifone for Walgreens; DeVita and Tocco for CVS

Approved

4. 8:45 a.m. UPDATES

Dir. James D. Coffey/Assoc. Dir. Margaret Cittadino

▪ Board Dispositions and 2010 Summary

▪ Board Office Relocation (2<sup>nd</sup> to 5<sup>th</sup> Fl., 239 Causeway St., Boston, MA)

5. 9:25 a.m. REPORT OF OFFICE OF INVESTIGATIONS (no handout)

File Review - James C. Emery, Investigator, Cheryl Latham, Pharm.D., R.Ph.,  
Investigator, Leo A. McKenna, Pharm.D., R.Ph., QA Coordinator

1	PHA-2010-0234 Carrie-Lee C Touhey PT6053	Motion Tocco/Budish for Reprimand and 2 Law Continuing Education (CEs) credits Approved
2	PHA-2010-0107 Ameridose LLC Framingham DS89750  PHA-2010-0108 Ameridose LLC Westborough DS89641	Motion Tocco/Trifone to Dismiss without Prejudice (complaint withdrawn Recused Pasedis (not present for vote or discussion) Approved  Motion Tocco/Trifone to Dismiss without Prejudice (complaint withdrawn Recused Pasedis (not present for vote or discussion) Approved
3	PHA-2010-0194 Rite-Aid 10158 DS2376  PHA-2011-0040 Joanne O'Leary PH21183	Motion Pasedis/Ryle to Dismiss - Insufficient Evidence Approved  Motion Cayer/Ryle for Consent Agreement for Reprimand with remedial CEs and MPJE Approved

4	PHA-2011-0005 Mark McKinney PH27635	<b>Motion</b> Trifone/Cayer for Consent Agreement for Probation until Texas license is in good standing (termination of TX Probation) <b>Approved</b> <b>Opposed</b> Pasedis, Cayer and Accetta
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6. 10:05 a.m. **LEGAL/REPORT OF OFFICE OF GENERAL COUNSEL**  
Pending Legal Matters - Susan Manning, Board Counsel

MGL c. 112, s. 65C and MGL c. 30A, s. 18- Review and Discussion  
of Complaints and Other Matters: Closed Session

- Collaborative Drug Therapy Management (CDTM) - Update

10:10 a.m. **Motion** Trifone/Walczyk to enter Closed Session. **Approved.**

10:50 a.m. **Motion** Trifone/Budish to end Closed Session. **Approved.**

- Matter of **Julia L. Herne** (PT6950) – Docket No. PHA-2009-0173:  
Review of proposed *Final Decision and Order* after sanction.  
**Motion** Trifone/Cayer to revoke pharmacy technician registration.  
**Recused:** Pasedis (not present for vote or discussion)  
**Approved**
- Matter of **Anthony J. Calello, R.Ph.** (PH17401) – Docket No. PH-08-009  
Review of Consent Agreement terms as requested by licensee.  
**Motion** Budish/Tocco to revise Consent Agreement term regarding client contact following agreement compliance verification.  
**Recused:** Cayer (not present for vote or discussion)  
**Approved**

7. 10:50 a.m. **NEW COMMUNITY PHARMACY APPLICATION/Appearance**  
**ROYAL PALM SPECIALTY PHARMACY LLC** – Proposed: 118 Main Street,  
Webster, Massachusetts

**Present:** Proposed Manager Agnes S. Bergeron, R.Ph, (PH25022)

Applicant for retail pharmacy licensure proposes to dispense Schedule II-VI controlled substances

**Motion** Pasedis/Cayer to approve the application subject to compliant inspection.  
**Approved**

8. 11:10 a.m.. **CVS Caremark - Pharmacy Care Pilot Project Extension Request**

Presentation by CVS representatives William Irvin, R.Ph., Business Compliance Officer, Lori Miller, Site Director, Pharmacy Call Center and Tom Bourque, Director Support Services, Pharmacy Call Center

**Motion** Ryle/Pasedis to extend the Pharmacy Care Pilot Project for additional 18 month period

with continued semi-annual reporting to the Board and approval of request to adjudicate rejected third party claims.

**Recused** DeVita and Tocco (not present in room for discussion or vote).

**Approved**

9. 11:30 a.m. PROBATION MONITORING/REPORT OF COMPLIANCE (2010)  
Pending Compliance Matters – **Karen Fishman**, Probation Monitor

10. 11:45 a.m. DISCUSSION – Proposed Policies
- Policy: *License Reinstatement following Surrender, Suspension or Revocation*  
**Motion** Cayer/Ryle to approve Policy with revisions  
**Approved**
  - Policy: *Proper Storage of Refrigerated and Frozen Medications in a Pharmacy*  
**Motion** Trifone/Ryle to approve Policy with revisions  
**Approved**

#### FLEX DISCUSSION

##### A. NEW BUSINESS

- 1) Voting Delegate and Alternate Delegate for the NABP Annual Meeting in May 2011.

**Motion** Tocco/Pasedis to appoint Walczyk as delegate and Trifone alternate delegate.  
**Approved**

- 2) **Stacey L. Teasley, R.Ph. (PH21561)** Request for Advisory re: LIVE 2011 Continuing Education requirement.

**Motion** DeVita/Ryle to advise licensee of Webinar option for Live CE requirement; if licensee has no computer, all CEs may be correspondence.  
**Approved**

- 3) Matter of **Daniel Ethan Fontaine** – Pharmacy Intern

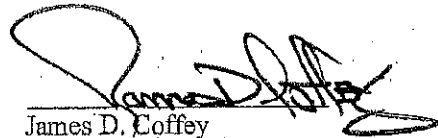
**Motion** to Tocco/Ryle to approve after review of application and evaluation  
**Approved**

11. 12:30 p.m. LUNCH

12. 1:30 p.m. DISCUSSION  
October 2011 NABP/AACP District I & II Annual Meeting to be hosted by  
Massachusetts:

13. 3:30 p.m. ADJOURNMENT

Respectfully submitted by:

  
James D. Coffey  
Director

Board approved: July 12, 2011

BOARD OF REGISTRATION IN PHARMACY  
CLOSED SESSION MINUTES  
MARCH 8, 2011  
239 CAUSEWAY STREET, ROOM 206  
BOSTON, MA 02114

Closed Session – M.G.L. c. 112, s. 65C (Pending Complaints)  
M.G.L. c. 30A, s. 18A (Adjudicatory)

10:10 a.m. **Motion** Trifone/Walczyk to enter Closed Session. **Approved.**

- Matter of **Julia L. Herne** (PT6950) - Docket No. PHA-2009-0173;  
Review of proposed *Final Decision and Order* after sanction.  
**Motion** Trifone/Cayer to revoke pharmacy technician registration.  
**Recused:** Pasedis (not present for vote or discussion)  
**Approved**
- Matter of **Anthony J. Calello**, R.Ph. (PH17401) – Docket No. PH-08-009  
Review of Consent Agreement terms as requested by licensee.  
**Motion** Budish/Tocco to revise Consent Agreement term regarding client  
contact following agreement compliance verification.  
**Approved**

10:50 a.m. **Motion** Trifone/Budish to end Closed Session.  
**Approved.**