

**BOARD OF REGISTRATION IN PHARMACY  
BOARD MEETING MINUTES  
NOVEMBER 07, 2006  
239 CAUSEWAY STREET  
SECOND FLOOR, ROOM 206  
BOSTON, MA 02114**

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

**Absent:** Harold B. Sparr, R.Ph., M.S., William Gouveia, R.Ph., Donald Accetta, M.D.

**Staff:** James Coffey, R.Ph., Interim Director, Susan Manning, Counsel, LeoMcKenna, R.Ph., Ph.D., Carolyn Reid, Adm. Asst., James Emery, C.Ph.T., Inv.

1. 8:30 a.m. – Pres. Cayer called meeting to order.
2. 8:35 a.m. - Introduction of Sean O. Yu, Student Extern  
Northeastern University, Bouve College of Health Sciences,  
School of Pharmacy
3. 8:40 a.m. Review of Minutes from a previous meeting
4. 8:45 a.m. - Applications
  - Transfer of Ownership  
New England Home Therapies, Southborough (No. 3486) 10/12/06
  - Change of Manager :  
Wal-Mart Pharmacy 10-2903, Chelmsford (No. 1636)  
Coram Healthcare, Hopkinton (No. 2584)  
Walgreens Pharmacy #2011, Billerica (No. 1587)  
Specialty Scripts Pharmacy, Fall River (No. 1587)  
Big Y Pharmacy #50, South Hadley (No. 3178)  
Plaza Pharmacy II, Brockton (No. 3382)  
Stop & Shop Pharmacy #434, Gardner (No. 1739) (Berman recused)  
Familymeds Specialty Pharmacy Services, Framingham (No. 3476)  
North Shore Pharmacy Services, Wakefield (No. 3382)  
Brooks Pharmacy #283, Worcester (No. 2459)

Brooks Pharmacy #1202, Beverly (No. 2999)  
Brooks Pharmacy #525, Acton (No. 3093)  
Hannaford Food and Drug #170, West Peabody (No. 3361)  
CVS/pharmacy #920, Clinton (No. 1636) (DeVita recused)  
CVS/pharmacy #299, Worcester (No. 16908) (DeVita recused)  
CVS/pharmacy #2112, Dedham (No. 2667) (DeVita recused)  
CVS/pharmacy #444, Westboro (No. 2704) (DeVita recused)  
CVS/pharmacy #2177, Georgetown (No. 2723) (DeVita recused)  
Osco Pharmacy #7619, N. Dartmouth (No. 3388)

- Transfer of Business of a Pharmacy/Pharmacy Department  
Shaw's/Osco Pharmacy #7605, Worcester (No. 3332) to  
Shaw's/Osco Pharmacy #7430, Shrewsbury (No. 2978)

- Renovation / Expansion

Brooks Pharmacy #18, Lawrence (Pharmacy Reg. No. 2399)  
CVS/pharmacy #1007, Brockton (Pharmacy Reg. No. 2629)  
CVS/pharmacy #316, Bellingham (Pharmacy Reg. No. 21543)  
CVS/pharmacy #1870, East Falmouth (Pharmacy Reg. No. 2070)  
CVS/pharmacy #1850, Sandwich (Pharmacy Reg. No. 2089)  
CVS/pharmacy #1110, Fall River (Pharmacy Reg. No. 1719)  
CVS/pharmacy #1049, Boston (Pharmacy Reg. No. 1716)  
CVS/pharmacy #1888, Westwood (Pharmacy Reg. No. 2293)

\*DeVita recused for CVS/pharmacies

QA Surveyor McKenna provided an overview of the above-referenced CVS/pharmacy renovation/expansion plans. Board reviewed square footage and counseling areas on plans.

Motion/Pasedis to approve all of the above-referenced applications.  
Second/Ryle. All in favor.

5. 8:50 a.m. to 9:55 a.m. - Report of Offices

- a) Office of Public Protection - File Review
  - i) Investigator Emery and QA Surveyor McKenna

Recused - DeVita (exited meeting room)

1	DS 07 017 PH 07 038	Advisory Letter Advisory Letter	14	DS 06 162 PH 07 036	Advisory Letter Advisory Letter
2	SA DS 07 027	Dismissed	15	DS 07 021 PH 07 045	Advisory Letter Advisory Letter
3	DS 07 014 PH 07 043	Advisory Letter Advisory Letter	16	PH 06 092	Propose Reprimand
4	PHT 07 044	Advisory Letter	17	PH 06 092	Advisory
5	PH 07 049	Advisory Letter	18	SA DS 07 021	Dismissed
6	PHT 07 057	Advisory Letter	19	PH 07 018	Dismissed
7	SA DS 07 029	Dismissed	20	PH 06 058	Dismissed
8	SA DS 07 041	Dismissed	21	PH 07 003	Dismissed
9	SA DS 07 003	Dismissed	22	SA DS 07 047	Dismissed
10	PH 07 039	Dismissed	23	SA DS 07 046	Dismissed
11	DS 07 011 PH 07 037	Under Advisement Probation 3 yrs & 2 CE	24	PH 06 026	Refer to Legal
12	SA DS 07 005	Dismissed	25	PH 07 051	Advisory Letter
13	SA DS 07 028	Dismissed	26	PH 07 040	Refer to Legal
			27	SA DS 07 042	

9:55 a.m. DeVita returned to meeting room.

6. 9:55 a.m. – Nominations for Board Officers  
Tabled nominations to November 21, 2006 meeting.
7. 10:00 a.m. -Report of Offices
  - a) Office of General Counsel - Susan Manning, Board Counsel
  - i) Paul Warzecki, R.Ph. (No. 15226) – Conviction (multiple counts) related to Shoppers Drug matters (Docket No. PH-07-040). Response

to complaint (10/26/06) requests guidance to surrender license.  
Counsel to forward surrender agreement.

10:05 a.m. Motion/Cayer to enter Adjudicatory Session.  
Second/Pasedis. All in favor.

10:10 a.m. Motion/Ryle to enter Adjudicatory Session. Second/DeVita.  
All in favor.

ii) In the matter of Heather A. Kelley, R.Ph. (No. 22812)- Docket No.  
PH-06-073. Motion/Cayer to adopt proposed ruling allowing  
Prosecuting Counsel's Motion for Summary Decision. Second/Ryle.  
All in favor.

8. 10:15 a.m. - Introduction and general comments  
John F. Heffernan, Ex. Vice Pres., Mass. Pharmacists Association

10:30 a.m. - DeVita exited meeting room.

9. 10:30 a.m. - Agreement dated February 9, 2006 - CVS and Board  
CVS representatives: Papatya Tankut, R.Ph., V.P., Pharmacy  
Professional Services; Christine L. Egan, Assistant General Counsel,  
Tom Davis, R.Ph., Dir., Regulatory Compliance.  
DHPL: Jean Pontikas, Dir.

Tankut made general presentation to Board regarding implementation  
of ISMP recommendations; describing CVS "Roll out Plan" and  
generally identifying ISMP recommendations as either "Completed",  
"In Progress"; or requiring additional assessment (testing, pilot, and  
additional assessment before implementation).

CVS requested that exemption from implementation of the following  
ISMP recommendations:

- 1) Create and enforce a policy prohibiting customers from using cell  
phones in pharmacy
- 2) Eliminate daytime security alarms and doorbells
- 3) Designate some stores as highly proficient compounders based on  
their space and equipment on hand
- 4) Provide each store's counseling area with an online computer  
interface with counseling tips

- 5) Create an additional hard stop for allergy at drop off station
- 6) Enhance barcode scanning capability to include package size

11:45 a.m. DeVita returned to meeting room.

10. 11:45 a.m. Application - Wholesale Distributor  
Patterson Dental Supply, Inc., 400 Research Drive, Suite 110,  
Wilmington, MA 01887.

Applicant proposes to distribute Schedule II – VI controlled substances.  
Present: David Misiak, R.Ph. Following discussion, application to be  
re-evaluated.

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

11. 12:15 p.m. New Business

- a) Pharmacist applicant Ashley Truong: MPJE inquiry.  
Motion/Cayer extension to 01/01/07. Second/Ryle. All in favor.
- b) Damaris Guerra, R.Ph. (No. 23037): 2006 CE extension requested.  
Motion/Cayer one time acceptance written CEs in place of live.  
Second/Pasedis. All in favor.
- c) Roula Mahrouse, R.Ph. (No. 26371): CE inquiry  
Motion/DeVita to accept enrollment in Non-Traditional Pharm  
program, complete 15 CEs for 2005 by January 31, 2007.  
Second/Cayer. All in favor.
- d) Alifiya Kagalwala, R.Ph. (No. 26574): CE inquiry.  
Motion/Pasedis waive CE requirements for 2005.  
Second/Barron. All in favor.
- e) Lissa James, R.Ph. (No. 26795): CE inquiry.  
Motion/Ryle to deny request. Second/Pasedis. All in favor.
- f) CE application: "The Connector and Pharmacy" (Law & Practice  
Management).  
Motion/Ryle to accept CE program. Second/Pasedis. All in favor.
- g) Comm. for Certification in Geriatric Pharmacy - CE inquiry.  
Motion/Cayer to accept CCGP's certification examination for  
CE credits. Second/Ryle. All in favor.
- h) Massasoit Community College - request for re-approval of  
Pharmacy Technician Assessment Examination.  
Motion/Cayer to accept Pharmacy Technician Assessment Exam.  
Second/DeVita. All in favor.

- i) Massachusetts Independent Pharmacist Association (MIPA) - request for re-approval of Pharmacy Technician Assessment Examination.

Motion/Cayer to re-approve through December 31, 2007.

Second/Berman. All in favor.

- j) Pharmacy Intern applicant Chau Ngoc Trieu: Review of application screening statement.

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

- k) Pharmacy Technician Jaimie M. Dowjat - Review of application screening statement.


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

12. 12:45 p.m. - Quality Assurance Surveyor Update

Leo McKenna, R.Ph., Pharm.D.

13. 1:00 p.m. Motion/Cayer to adjourn meeting. Second/DeVita. All in favor. Meeting adjourned.

Respectfully submitted by:

  
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James D. Coffey, R.Ph.  
Interim Director  
Date:

Reviewed by counsel: January 16, 2007

Draft approved: January 16, 2007

Board approved: January 30, 2007

**BOARD OF REGISTRATION IN PHARMACY**  
**Adjudicatory Session Minutes**  
**November 7, 2006**  
**239 CAUSEWAY STREET, SUITE 206**  
**BOSTON, MA 02114**

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

**Absent:** Harold Sparr, R.Ph., M.S., William Gouveia, R.Ph., Donald Accetta, M.D.

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In the matter of Heather A. Kelley, R.Ph. (No. 22812)- Docket No. PH-06-073. Review and Discussion of proposed ruling on Prosecuting Counsel's Motion for Summary Decision.