

**BOARD OF REGISTRATION IN PHARMACY
MINUTES: PHARMACY BOARD MEETING
TUESDAY, OCTOBER 12, 2004
239 CAUSEWAY STREET
2nd FLOOR, ROOM 206
BOSTON, MASSACHUSETTS**

Present: James T. DeVita, R.Ph.; Pres., Karen Ryle, R.Ph., M.S., Secy.; Harold Sparr, R.Ph., M.S.; Marilyn Barron, MSW, Public Member; William Gouveia, R.Ph., M.S.; Steven Budish, Public Member; Sophia Pasedis, R.Ph., Pharm.D.; Joel Berman, R.Ph.; and George Cayer, R.Ph.

Absent: Donald Accetta, M.D., M.Ph.

Staff present: Charles R. Young, R.Ph., Exec. Dir.; Susan Manning, Administrative Counsel; James D. Coffey, R.Ph., Assoc. Dir.; Leo McKenna, R.Ph., Pharm.D., CQI Surveyor; Leslie Doyle, R.Ph., Healthcare Supervisor; James Emery, Healthcare Investigator; Sam Penta, R.Ph., Healthcare Investigator and Carolyn Reid, Admin. Asst.

1. 8:30 a.m. – The meeting was called to order by Pres. DeVita.
2. 8:40 a.m. - Review minutes from September 14, 2004 meeting.
Motion/Sparr to accept minutes. Second/Gouveia. Unanimous in favor.
3. 8:45 a.m. – Legal Matters
Manning completed review of adjudicatory process.
Updates: Regulation Hearing scheduled for November 9, 2004 meeting.
4. 9:15 a.m. Report of Office of Investigations
File Review - Investigators Doyle, Emery and Penta
PH-05-033 Mark Wheeler, Nassif Pharmacy – Continuing Education Violation.
Motion/Sparr open complaint. Second/DeVita.
Motion/Ryle seek consent agreement - step down as manager of record and MPJE. Second/DeVita. Vote: Unanimous in favor.

DS-05-037 Campus Pharmacy, Nicholas Creanza, Manager of Record.
Failure to adhere to standards of practice allowing a non-licensed employee to accept pharmacy deliveries from a wholesaler that may have led to a narcotic loss.
Motion/DeVita Manager of Record to appear before Board.

Second/Ryle. Vote: Unanimous in favor.

WD-05-001 Amerisource Bergen

Motion/DeVita dismiss. Second/Ryle. Vote: Unanimous in favor.

5. 10:30 a.m. Application for Wholesale Distributor Registration
Patterson Dental Supply, Inc., 600 Research Drive, Wilmington, MA
Designated Manager- David Misiak.
Applicant proposes to distribute Schedule VI controlled substances to dentists only.

Recused – Steve Budish (exited room)

Present:

David Misiak, Branch Manager

Applicant has 68 locations and is not a pharmaceutical company. They have distributed drugs in MA for 30 years but they do not warehouse/store inventories in state. They do not have a department for returned goods - returned products from other sites are locked in a security cage. One customer service representative and operation manager have access to the security cage.

Motion/Ryle for Board to review policy for security cage access to be provided by applicant. Second/Cayer. Vote: Unanimous in favor. Young to respond to applicant after policy review.

6. District I NABP Meeting – St. John, New Brunswick, CANADA.
Motion/DeVita - Gouveia as Delegate. Second/Sparr. Vote: Unanimous in favor.
Motion/Ryle - Sparr to be Alternate Delegate. Second/DeVita. Vote: Unanimous in favor.

7. 11:00 a.m. - 12:00 pm.

- a. Transfer of New Rx - Pres. DeVita provided overview of the refill process and the patient requests. He will provide revised document to members for further discussion.
- b. Pharmacist immunization program update - Young provided flu vaccine program update.

- c. Newsletter update – Suggestions for next article include Continuing Education, Intern Registration, Pharmacy Technicians Registration, Foreign Pharmacist Registration and Best Practice of the Month.
 - d. Long Term Care Advisory Committee Update – Cayer reported Advisory Committee will propose Long Term Care related regulations for Board consideration.
 - e. Review of Dispensing Guidelines for termination of patient relationship. Motion/Pasedis to insert “and”. Second/Sparr. Vote: Unanimous in favor.
8. 12:00 p.m. New Business
- a) Requests for approval of Pharmacist License Transfer
 - i) Francis Beale - disciplinary action taken (NH) more than 20 years ago; currently in good standing in NH and MD. Motion/Sparr to approve. Second/Ryle. Vote: Unanimous in favor.
 - ii) Kathleen Bryant - disciplinary action taken (NY) in 1996; currently in good standing in NY. Motion/ Pasedis to approve. Second/Gouveia. Vote: Unanimous in favor.
 - b) Election Discussion – Motion/Cayer to elect President, President Elect, and Secretary. Second/Berman. Vote: Unanimous in favor.
 - c) BORIM Patient Care Assessment (PCA) Committee - Pasedis to be Board representative to PCA Committee.
 - d) University of Rhode Island College of Pharmacy correspondence - Kathy Fisher, Dir. of Pharmacy Experiential Learning, regarding 5-week experiential student rotations to be completed in MA. Discussion. Students required to be registered with Board. Further action item for November.
 - e) Advisory Opinion requests
 - i) Live CEs: Basem I. Shebli, R.Ph. (Lic. No. 22498). Motion/DeVita live CEs to supplement for written CEs. Second/Pasedis. Motion carried. Vote: Unanimous in favor.
 - ii) Lost/misplaced CEs – Neil Nager, R.Ph., (Lic. No. 14831) Motion/DeVita complete four CEs. Second/Sparr. Vote: Unanimous in favor.
 - iii) 2004 CEs – Kellie A. Taylor, R.Ph. (Lic. No. 25695), Masters in Public Health Student – Univ. Queensland, Australia. Motion/DeVita denied (teaching not accepted). Second/Sparr. Vote: Unanimous in favor.
 - f) Request for removal of probation - In the matter of Kenneth J.

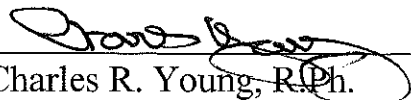
Lacroix, R.Ph. (Lic. No. 18870) (Docket No. PH-97-066).
Motion/Sparr to terminate probation. Second/Ryle.
Vote: Unanimous in favor.

9. 12:45 p.m. Old Business

- a) State Office of Pharmacy Services update – Review of report submitted by Gary R. Tataronis, MCPHS Assoc. Prof. of Statistics/Mathematics, indicating that there is no significant difference in the probabilities associated with requiring a check of 20% of the Rx checked versus checks of 5% and 2% respectively. Motion/DeVita to require 20% check. Second/Berman.
Vote: Unanimous in favor.

10. Motion/Sparr to adjourn meeting. Second/DeVita. Meeting adjourned.

Respectfully submitted by:


Charles R. Young, R.Ph.
Executive Director
Date: 1/13/05

Reviewed by counsel: December 1, 2004
Draft approved: December 1, 2004
Board approved: December 14, 2004