

**BOARD OF REGISTRATION IN PHARMACY  
MEETING MINUTES  
OCTOBER 21, 2008  
239 CAUSEWAY STREET  
SECOND FLOOR, ROOM 206  
BOSTON, MA 02114**

Members Present: Sophia Pasedis, R.Ph., Pharm.D., Pres., James DeVita, R.Ph., George Cayer, R.Ph., Kathy Fabiszewski, Ph.D., R.N., Donald Accetta, M.D., Michael Tocco, R.Ph., M.Ed., Marilyn Barron, MSW, Public Member, Stanley Walczyk, R.Ph., Steven Budish, Public Member, Joanne Trifone, R.Ph., William Gouvela, R.Ph., M.S. (11:00 a.m.)

Absent: Joanne Trifone, R.Ph.

Staff Present: James D. Coffey, R.Ph., Director, Margaret C. Cittadino, Associate Director, Susan Manning, Counsel, Leo McKenna, R.Ph., Pharm.D., Quality Assurance (QA) Coordinator, Carolyn Reid, Admin. Asst., Samuel Penta, R.Ph., Superv., Cheryl Latham, R.Ph. Pharm.D., Inv.

1. 8:30 a.m. President Pasedis call meeting to order.
2. 8:35 a.m. REVIEW/ADOPTION OF BOARD MINUTES

Motion/Tocco to adopt July 15, 2008 minutes. Second/Cayer. All in favor.

3. 8:40 a.m. LICENSING: Pharmacy/Wholesale Distributor Applications  
Assoc. Dir. Cittadino

New Pharmacy/Pharmacy Department

CVS/pharmacy 5402 - Proposed: 7 Washington St., Taunton 01778

CVS/pharmacy 2959 - Proposed: 119 Endicott St., Danvers 01923

Walgreens Pharmacy 10673 - Proposed: 256 Washington St., Hudson 01749

Change of Manager

Big Y Pharmacy 19, Ludlow (Reg. No. 3077)

Big Y Pharmacy 8, Southwick (Reg. No. 3198)

Brigham & Women's Hospital Nuclear Pharmacy, Boston (Reg. No. 16)

CVS/pharmacy 1867, Manomet (Reg. No. 2073)

CVS/pharmacy 1026, Springfield (Reg. No. 2824)

CVS/pharmacy 2172, Grafton (Reg. No. 2817)

CVS/pharmacy 4471, Springfield (Reg. No. 3552)

CVS/pharmacy 130, Arlington (Reg. No. 2535)

New England Life Care, Woburn (Reg. No. 3513)

Rite-Aid Pharmacy 10202, Fall River (Reg. No. 2387)

Rite-Aid Pharmacy 10162, Somerville (Reg. No. 3142)

Rite-Aid Pharmacy 10153, Boston (Reg. No. 3099)

Rite-Aid Pharmacy 10165, Chelsea (Reg. No. 3104)

Rite-Aid Pharmacy 10169, West Medford (Reg. No. 3260)

Rite-Aid Pharmacy 10129, Lynn (Reg. No. 3118)

Rite-Aid Pharmacy 10070, Great Barrington (Reg. No. 2394)  
Rite-Aid Pharmacy 10071, Lee (Reg. No. 2553)  
Rite-Aid Pharmacy 10143, Norwell (Reg. No. 2421)  
Rite-Aid Pharmacy 10157, Hyde Park (Reg. No. 3114)  
The Whittier Pharmacist Inc., Bradford (Reg. No. 3587)  
Walgreens Pharmacy 2309, Woburn (Reg. No. 1876)  
Walgreens Pharmacy 2977, Brockton (Reg. No. 02301)  
West River Pharmacy, Inc. Marlborough (Reg. No. 3572)  
Target Pharmacy T-1232, Holyoke (Reg. No. 2915)

Renovation/Expansion

Brigham and Women's Hospital Nuclear Pharmacy, Boston (Reg. No. 16)  
Cambridge Health Alliance, Cambridge (Reg. No. 3051)  
CVS/pharmacy 1130, Springfield (Reg. No. 1690)  
CVS/pharmacy 159, Melrose (Reg. No. 16605)  
CVS/pharmacy 929, Franklin (Reg. No. 2946)  
CVS/pharmacy 810, Leominster (Reg. No. 3243)  
CVS/pharmacy 1012, Watertown (Reg. No. 1570)  
North Shore Pharmacy Services, Wakefield (Reg. No. 3458)

Pharmacy Transfer of Ownership

The Medicine Shoppe, 17 Depot St., Adams 01220 (Reg. No. 22759)  
TO Big Y Foods, Inc. d/b/a Big Y Pharmacy #25, 17 Depot St., Adams 01220

Wholesale Distributor Transfer of Ownership

Dunnington Drug Wholesale, Inc., 1123 Pearl St., Brockton (Wholesale  
Distributor Reg. No. 359/Schedule VI Controlled Substances)  
TO Pharmacy Corporation of America, Inc. d/b/a PharMerica

Relocation - Pharmacy/Pharmacy Department

CVS/pharmacy 859, 310 Springfield St., Agawam (Reg. No. 3582)  
TO 287 Springfield St., Agawam 01001  
Pelham Community Pharmacy, 280 Lincoln St., Allston (Reg. No. 3492)  
TO 196 Bear Hill Rd., Waltham 02452  
Stop and Shop Pharmacy 60, 30 Commercial St., Medford (Reg. No. 2131)  
TO 760 Fellsway, Medford 02155  
Walgreens 10940, 230 Main St., Middleton (Reg. No. 2031) TO 235 South  
Main St., Middleton 01949

Motion/Cayer to approve above applications, subject to compliant  
inspections and noted conditions. Second/Walczyk. All in favor,  
DeVita and Tocco recused from all above CVS applications.  
Trifone recused from all above Walgreens applications.

4. 8:45 a.m. UPDATES - Dir. Coffey  
✓ RPH renewals  
✓ CE Programs

5. 8:50 a.m. REPORT OF OFFICE OF INVESTIGATIONS  
File Review - Samuel J. Penta, R.Ph., Supervisor/Investigator;  
James C. Emery, Investigator; Cheryl Latham, Pharm.D., R.Ph.,  
Investigator; Leo A. McKenna, Pharm.D., R.Ph., QA Coordinator

6. 9:30 a.m. REPORT OF OFFICE OF GENERAL COUNSEL  
Pending Legal Matters - Susan Manning, Board Counsel  
**Closed Session** (M.G.L. c. 112, s. 65C and c. 30A, s. 11A)

9:35 a.m. - Motion/Pasedis to enter Closed Session. Second/Tocco.  
All in Favor.

10:00 a.m. - Motion/Gouveia to return to Open Session. Second/Acetta.  
All in Favor.

In the Matter of **Lynn Kellerman**, R.Ph. (Docket No. 20081010-PH-049),  
Reg. No. 22990 (Exp. 12/31/08). Kellerman surrendered license to Board  
with admission statements (10/14/08).

Motion/Cayer to accept surrender; possible review after MPRS evaluation  
received. Second/Tocco. All in favor.

In the Matter of **Hai Huynh**, R.Ph. (Docket No. PH-07-064), Reg. No. 24888.  
Board reviewed information provided by Huynh related to disposition of  
pending matter.

Motion/DeVita to proceed with sanction hearing and final decision following  
adjudicatory process. Second/Walczyk. All in favor.

7. 10:00 a.m. NEW PHARMACY APPLICATION/Appearance  
**Central Pharmacy Boston, Inc.** - Proposed: 1304 Commonwealth Ave.,  
Boston, MA 02134  
Proposed MOR - Inna Rizhanovskaya, R.Ph. (Pharmacist No. 27128)

Present: Owner - Liliya Bepalko, Rizhanovskaya, Paul M. Garbarini, Esq.

Motion/Cayer to approve application upon inspection. Second/Walczyk.  
All in favor.

8. 10:30 a.m. NEW PHARMACY APPLICATION/Appearance  
**Integrity Pharmacy Solutions, LLC d/b/a Integrity Pharmacy** -  
Proposed: 45 South St., Suite 2, Hopkinton 01748  
Proposed MOR: Andrew W. Tsapatsaris, R.Ph. (Pharmacist No. 17345)

Present: Tsapatsaris, R.Ph., Peter Day, R.Ph., COO, Chief Pharmacist

Motion/Tocco to review operations plan and submit revised application.  
Second/Gouveia. All in favor.

9. 11:00 a.m. MEETING WITH NEW MPHA EXECUTIVE VICE PRESIDENT

David Johnson, new Ex. V.P. of Massachusetts Pharmacists Association, provided overview of MPHA Initiatives.

10. 11.15 a.m. PRESENTATION

**CVS/pharmacy Centralized Pharmacy (Rhode Island) Call Center Proposal**

Present: CVS representatives William Irvin, R.Ph., Dir., Regulatory Compliance; Peter D. Simmons, R.Ph., Dir., Pharmacy Operations, and Brent Tafoya, R.Ph., Dir., Pharmacy Operations

Bill Irvin provided overview of the CVS/pharmacy Centralized Call Center located in Woonsocket, Rhode Island. The call center principle was described as designed to manage all inbound telephone calls pertaining to refill authorizations, new prescription orders, status checks, transfers of prescriptions, general inquiries, clinical issues, inventory/price checks and insurance related matters.

11. 11.45 a.m. INVESTIGATIVE CONFERENCES

Investigative Conferences (3)

DS-08-117 and PH-08-004

In the matters of **Louis and Clark Drug Store, Inc.** (Pharmacy No. 2543) 490 Page Blvd., Springfield; MOR: James Muzzy, R.Ph. (Pharmacist No. 22318)

Complaint, alleged that on April 9, 2008, Registrant dispensed a blister card labeled Trifluoperazine 5mg tablets (as prescribed for a geriatric patient) but containing Trihexyphenidyl 5mg tablets.

Present: Muzzy, Robert Churchill, R.Ph., Dir. of Pharmacy, Clark Matthews, Jr., Pres., Clark E. Matthews, Sr., Director/Owner, Paul Levinson, Esq.

Muzzy acknowledged error, stating pharmacist did not scan medication and that pharmacy did not have a formal procedures to flag for look alike drugs at that time.

Motion/Pasedis take matter under advisement. Second/Gouveia. All in favor.

DS-08-120

In the matter of **Louis and Clark Drug Store, Inc.** (Pharmacy No. 2543) 490 Page Blvd., Springfield; MOR, James M. Muzzy, R.Ph. (Pharmacist No. 22318)

Complaint alleged Pharmacy dispensed lorazepam with incorrect prescriber name and failed to label prescriptions properly (medications identified solely as "fiber therapy" and "anti-diarrhea therapy" from August 07 - January 08.

Present: Muzzy, Churchill, Matthews, Jr., Matthews, Sr., Atty. Levinson

Investigator: Cheryl Latham, Pharm.D., R.Ph.

Muzzy stated the labeling was appropriate and authorized.

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

DS-08-060, DS-08-053 and DS-08-059

In the matters of **Louis and Clark Drug Store, Inc.** (Pharmacy No. 2365)  
Two Medical Dr., Springfield; **Louis and Clark Drug Store, Inc.** (Pharmacy  
No. 3244), 300 Birnie St., Springfield; **Louis and Clark Drug Store, Inc.**  
(Pharmacy No. 1563), 471 Breckwood Blvd., Springfield

Present: Churchill, Matthews, Jr., Matthews, Sr., Atty. Levinson

Atty. Levinson stated that the Pharmacy has reported the incidents and  
Completed corrective actions.

Review and discussion related to proposed consent agreement

12. 12:30 p.m. LUNCH

13. 1.30 p.m. NEW PHARMACY APPLICATION/Appearance  
**Home Solutions Infusion Therapy** – Proposed: 780 Dedham St.,  
Canton 02021  
Proposed MOR: John Norcross, R.Ph. (Pharmacist No. 27663),

Present: Norcross and Joseph Jesuele, Jr., R.Ph., V.P., Pharmacy  
Operations (Pharmacist No. 27438)

Motion/Cayer to approve application upon inspection. Second/Tocco.  
All in favor.

14. 2.00 p.m. PATIENT SAFETY SUBCOMMITTEE MEETINGS

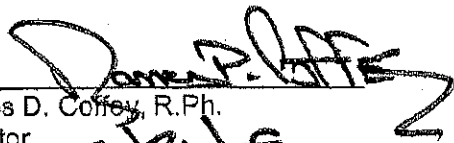
15. FLEX DISCUSSION - New Business

- a) **Amitkumar Haribhai Patel** Pharmacy Intern Applicant  
Motion/DeVita to approve application. Second/Tocco. All in favor.
- b) **Dorothy Anne Theriault** Pharmacy Technician Applicant  
Motion/DeVita to approve application. Second/Walczyk. All in favor.
- c) **Samuel Michael Mathers** Pharmacy Intern Applicant  
Motion/DeVita to approve application. Second/Gouveia.  
Motion carried. Opposed: Pasedis

- d) NABP/AACP Districts 1 & 2 Annual Meeting, Seaview Marriott, Galloway Township, NJ; October 16-18, 2008: Follow up discussion.
- e) In the matter of Complaint Docket No. PH-07-129/Sarah H. Read, R.Ph., Pharmacist Lic. No. 26884 / Exp. 12/31/2008) - Petition for termination of Suspension.  
Motion/Cayer to convert to Probation. Second/Gouveia. All in favor.

16. 3:30 p.m. – Motion/Pasedis to adjourn meeting. Second/Cayer. All in favor.

Respectfully submitted by:

  
James D. Coffey, R.Ph.  
Director  
Date: 3/31/09

Reviewed by Counsel: January 26, 2009  
Draft approved: January 26, 2009  
Board approved: March 31, 2009

**BOARD OF REGISTRATION IN PHARMACY  
ADJUDICATORY SESSION MINUTES  
TUESDAY, OCTOBER 21, 2008  
239 CAUSEWAY STREET, ROOM 206  
BOSTON, MASSACHUSETTS 02114**

9:35 a.m. Motion/Pasedis to enter Closed Session. Second/Tocco.  
All in Favor.

In the Matter of [REDACTED]  
[REDACTED] surrendered license to Board  
with admission statements (10/14/08). Kellerman previously involved in  
medical oversight arrangement with Board regarding issues related to prior  
complaint.

Motion/Cayer to accept surrender; possible review after MPRS evaluation  
received. Second/Tocco. All in favor.

In the Matter of **Hai Huynh**, R.Ph. (Docket No. PH-07-064), Reg. No. 24888.  
Board reviewed information provided by Huynh related to disposition of  
pending matter.

Motion/DeVita to proceed with sanction hearing and final decision following  
adjudicatory process. Second/Walczyk. All in favor.

In the Matters of **Meetinghouse Pharmacy** (License No. 2313) and **Baldwin  
Ihenacho**, R.Ph. (Lic. No. 19176) – Dir. Pontikas and Board Counsel advised  
Board of ongoing investigation of pharmacy Internet operations. U.S. DOJ Office  
of the U.S. Atty. to provide sealed affidavit (federal investigator) regarding  
investigation findings. Board advised to vote to summarily suspend pharmacist  
registration of owner/MOR Baldwin Ihenacho (Docket No. PH 2008 1023 PH 054)  
and pharmacy registration of Meetinghouse Pharmacy (248 Bowdoin St.,  
Dorchester – Docket No. 2008-1023 DS 024) on receipt of investigation affidavit  
detailing activity as reported. Matter is not subject to disclosure related to federal  
proceedings.

Motion/Walczyk to summarily suspend personal registration of Baldwin Ihenacho;  
pharmacy registration, and related controlled substance registrations, pursuant to  
Mass. Genl. Laws c. 94C, s. 14 and 247 CMR 10.07 and 11.15. Second/DeVita.  
All in favor.

10:00 a.m. - Motion/Gouveia to return to Open Session. Second/Acetta.  
All in Favor.