



Board of Pharmacy

Office of Professional Regulation, Vermont Secretary of State

89 Main Street, 3rd Floor • Montpelier, VT 05620-3402
Tel. (802) 828-2373 • [//sos.vermont.gov/opr/](https://sos.vermont.gov/opr/)

Approved Special Meeting Minutes **Thursday, May 28, 2020 at 12:00p.m.**

1. Call to Order

The meeting was called to order at 12:07 P.M., by Ms. Stephanie Ibey, RPh, Chair

Members Present: Stephanie Ibey, RPh, Chair (via phone); James Arisman, Esq., public member (via phone); Michael Carroll, RPh (via phone); Robert Carpenter, RPh, Vice Chair (via phone); Judith Wernecke, Secretary, public member (via phone); William Chatoff, RPh (via phone); Catherine Haraden, CPhT (via phone); and Corey Duteau, RPh (via phone)

OPR Personnel Present: Carrie Phillips, Executive Officer (via phone); Gabriel Gilman, General Counsel (via phone); Corey Young, Licensing Administrator I (via phone); Aprille Morrison, Licensing Administrator III (via phone); Agatha Kessler, Assistant Director (via phone temporarily); and Elizabeth St. James, Chief Prosecutor (via phone temporarily).

Guests: Lisa Legelle (via phone); and Jeenu Phillip (via phone).

2. Approval of previous minutes:

The board unanimously approved the minutes of February 26th and March 16th.

3. Public Comment:

None.

4. Topics for discussion:

Ms. Phillips and Mr. Gilman gave an overview of all the documents regarding the Pharmacist COVID-19 testing that were included as links in the agenda.

Mr. Chatoff, Mr. Carpenter, Mr. Arisman, Ms. Ibey and Mr. Carroll spoke of their concerns regarding the absence of Board involvement in, or advance notice of, new guidance concerning pharmacy-based COVID testing. Mr. Gilman advised that testing and related requirements were governed by the United States Department of Health & Human Services assertion of preemption under the PREP Act, together with requirements of the Vermont Department of Health under the Reportable Diseases Rule. VDH guidance was finalized hours before VDH intended to transmit the same guidance in a Health Alert Network (HAN) message. Mr. Gilman advised that special meetings are not called in the absence of business to transact. Several members expressed that they would have liked an informational meeting at which to process new information. Mr. Gilman advised that this would have introduced unacceptable delay in this particular case, but assured the Board that efforts are made to provide advance notice whenever possible.

Mr. Carpenter moved to make COVID-related guidance documents concerning pharmacy known to the Board of pharmacy in advance of publication with sufficient time to process and discuss. Mr. Arisman Seconded the motion. Motion passed.

5. Adjournment:

Mr. Carpenter made a motion to adjourn the meeting at 1:32 P.M. Mr. Arisman seconded the motion. Motion passed.

Next Scheduled Meeting – Wednesday, June 24th, 2020

Please check the [OPR Meeting Calendar](#) for updates