

**VERMONT BOARD OF PHARMACY– Approved Minutes**  
Secretary of State, Office of Professional Regulation  
89 Main Street, 3<sup>rd</sup> Floor, Montpelier, VT 05620-3402  
**January 25, 2017 at 9:00 AM**

1. The meeting was called to order at 9:03 a.m., by Mr. Carpenter, RPh, Vice-Chair.

Members Present: Mr. King Milne, RPh,; Mr. Robert Carpenter, RPh, Vice Chair; James Arisman, Esq., public member; Corey Duteau, RPh; Michael Carroll, RPh and Ms. Judith Wernecke, Secretary, public member

Member(s) Absent: Stephanie Ibey, RPh, Chair

OPR Personnel Present: Mr. Gabriel Gilman, General Counsel and Aprille Morrison, Licensing Board Specialist

Guests: Luca Pompei, Joe Lavino and Jeff Cohen

2. The Vice-Chair called for approval of the Minutes of the December 13, 2016 meeting. Ms. Wernecke provided a couple grammar corrections to sections 4 and 8. There being no additional changes or comments Mr. Carpenter stated the minutes were approved with amendments.
3. **Case Manager's Report:** There are currently one hundred and eighteen (118) cases. Two (2) are ready for closing, eighty (80) are ready for Investigative Team meetings, twenty-nine (29) are under investigation, two (2) are pending a hearing and five (5) are pending charges being filed.
4. **Hearings/Stipulations/Reports of Concluded Investigation et al:**

Petition to Modify Board Conditions in the matter of Jeff Cohen, docket #2016-516, follow-up case # M2012-147. The Board heard testimony from the State and Mr. Cohen regarding modifying conditions of his current order. The State opposed the petition. After deliberative session the Board informed Mr. Cohen that they agreed with the state in regards to modifying the supervision requirement set forth in his current Order. Michael Kupersmith, Administrative Law Officer, informed Mr. Cohen a written decision would be sent to him. Ms. Ibey was the Investigative Team Member and was not in attendance at the meeting.

Order for Removal of Conditions in the matter of Medisca, Inc., docket #'s 2015-77. 2016-324 and 2016-325, follow-up case # M2016-90. Ms. Wernecke made a motion to approve the order as presented. Mr. Duteau seconded the motion. Motion passed. Mr. Milne did not participate in the vote as he was the Investigative Team member.

Summary Suspension Hearing in the matter of Daniel Brouwer, docket #2016-654. The Board heard testimony from OPR Prosecutor, Elizabeth St. James and OPR Inspector, Michael Desjardins. After a brief deliberative session the Board voted unanimously to summarily suspend Mr. Brouwer's Vermont pharmacist license. Mr. Milne did not participate in the hearing as he was the Investigative Team member.

Stipulation and Consent Order in the matter of Stephen C. Green, docket # 2016-654. Mr. Arisman made a motion to accept the order as presented. Mr. Carroll seconded the motion. Motion passed.

5. **Discussion Items:**

At the December 2016 meeting the Board had rescheduled the 2017 dates for the May and December meetings. The dates were not available on the Office calendar following the meeting. The updated meeting dates are as follows:

Tuesday, May 16<sup>th</sup> at 9:00 am

Tuesday, December 12<sup>th</sup> at 9:00 am

Mr. Gabriel Gilman informed members present that he will be the new General Counsel for the Pharmacy Board. He requested a discussion with members present regarding the current pharmacy technician rules. Mr. Gilman told members that he would work with Executive Officer, Robert Enos and Inspector, Daniel Vincent, to come up with a clear proposal to try to present to the Board at their February meeting.

6. **Public Comment:**

Mr. Joe Lavino, representative from CVS, introduced himself to the Board. He requested clarification of registered pharmacy technician duties regarding the dispensing process. Mr. Carpenter informed Mr. Lavino that the Board's intent is to allow registered pharmacy technicians to complete the cashing out process and giving customers their prescriptions, as the Board does not look at these actions as part of the dispensing process..

7. The next meeting is scheduled for Wednesday, February 22, 2017, at 9:00 a.m.

8. Mr. Duteau made a motion to adjourn the meeting at 11:50 am. Mr. Milne seconded the motion. Motion passed.