



# **Board of Pharmacy**

## **Office of Professional Regulation, Vermont Secretary of State**

89 Main Street, 3<sup>rd</sup> Floor • Montpelier, VT 05620-3402  
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### **Approved Meeting Minutes**

#### **\*Remote Meeting\***

**Wednesday, April 28, 2021, at 9:00 a.m.**

#### **1. Call to Order**

The meeting was called to order at 9:01 A.M., by Michael Carroll, RPh, Vice Chair

**Members Present:** Stephanie Ibey, RPh (via web); James Arisman, Esq., public member, Secretary (via web); Michael Carroll, RPh, Vice Chair (via web); Corey Duteau, RPh (via web); and Judith Wernecke, public member (via web).

**Member(s) Absent:** Catherine Haraden, CPhT; Robert Carpenter, RPh; and William Chatoff, RPh Chair.

**OPR Personnel Present:** Carrie Phillips, Executive Officer (via web); Gabriel Gilman, General Counsel (via web); Corey Young, Licensing Administrator I (via web); Tara Grenier, Licensing Administrator III (via web); and Derek Everett, License Board Inspection Coordinator (via web)

**Guests:** Emma Shouldice (via web); Andrew Cartmell (via web); Stephanie Winters (via web); Tiffany Bartke (via web); Jessica Adams (via web); Sandra Rosa (via web); Jeenu Philip (via web); Krenda Croker (via web); Denise Frank (via web); Matt Fisher (via web); Michele Corriveau (via web); Dan Parisi (via web); Lisa Hurteau (via web); and Ernie Gates (via web).

#### **2. Approval of previous minutes:**

Mr. Arisman made a motion to approve the minutes for the **March 24<sup>th</sup>, 2021 meeting** as amended. Mr. Duteau seconded the motion, motion approved.

#### **3. Discipline: None**

#### **4. Topics for discussion:**

- a. Ms. Phillips presented to the board her Executive Officer report and the recent pharmacy license approvals.
- b. Ms. Denise Frank presented Gates Healthcare Inspection services to the Board. The board will table the vote until the next (May) Board meeting to allow absent Board members' review of the information.
- c. Mr. Everett requested clarification on the intent of Rule 10.22(c)(4), identification of pharmacies involved in the remote processing of prescription drug orders on labels.
  - Mr. Duteau moved that the Board provides the following clarification: for purposes of Rule 10.22(c)(4), in the context of centralized prescription processing, a "mechanism to identify on the prescription label all pharmacies involved in dispensing the prescription drug order" is in place so long as a label contains information sufficient for a regulator or interested consumer to readily identify all pharmacies involved in dispensing the prescription drug order. This may occur by applying label information to an electronic record held by the dispensing pharmacy. A label listing all pharmacies is not required.

Ms. Ibey seconded the motion, motion passed unanimously.

- d. Ms. Phillips provided legislative updates regarding the following Bills:
- H.289 -- *An act relating to professions and occupations regulated by the Office of Professional Regulation (The OPR Bill)*
  - H.225 – *An act relating to possession of therapeutic dosage of Buprenorphine.*
  - H.212 – *An act relating to expanding the distribution and availability of opioid antagonists.*
  - H.353 – *An act relating to pharmacy benefit management.*
  - H.50 - *An act relating to Pharmacists providing information on proper disposal of unused regulated drugs.*
  - H.85 – *An act relating to requiring employment breaks.*
- e. Request from BCBSVT: Discuss definition and scope of “accessory-type devices” addressed by 26 V.S.A. § 2023(b)(3), particularly in reference to continuous glucose monitors.
- Ms. Stephanie Winters asked the Board to clarify “accessory devices”, and if this includes continuous glucose monitors.
  - The Board tabled this until the next (May) Board meeting.
- f. Waiver requests for Rule 6.2(a) regarding required 2 years’ experience for pharmacy manager at two different Walgreens locations.
- Winooski location #17485 – Jessica Tardie
    - Ms. Wernecke moved to accept the waiver for Jessica Tardie. Mr. Duteau seconded the motion. Ms. Ibey, Mr. Arisman and Mr. Carroll voted against the waiver. The waiver was not granted.
  - Morrisville location #18977 – Mobahil Ahmad
    - Mr. Carroll requested Walgreens submit a revised waiver request documenting the hardship on the pharmacy to find a suitable pharmacist.
- g. Administrative Rule Revision
- Pharmacy Technician Rule Revision
    - The Board tabled this until the next (May) Board meeting, given the absence of Ms. Haraden and Mr. Carpenter, the Board members working on this topic.
  - Registration requirement for technicians working for a 503B outsourcer
    - Mr. Carroll requested that the Board learn more information about 503B outsourcers prior to discussing this topic further
  - MPJE
    - Mr. Carroll moved that the Board to complete a straw poll on this topic. The question posed to each Board member was whether they favor terminating the MPJE requirement. Mr. Arisman seconded the motion. Motion passed. Results of the straw poll were:
      - Mr. Carroll: In favor of removal
      - Mr. Duteau: In favor of removal
      - Ms. Ibey: In favor of removal
      - Ms. Wernecke: In favor of removal
      - Mr. Arisman: In favor of removal

- Mr. Carroll moved that the Board seeks public comment about the elimination of the MPJE requirement during May's Board meeting. Ms. Ibey seconded the motion, motion passed.
- h. Review of state protocol – Self Administered Hormonal Contraceptives
  - Ms. Ibey made a motion to approve the recommended proposed language presented on state protocol: **Self-Administered Hormonal Contraceptives**. Mr. Duteau seconded the motion, motion passed unanimously. The protocol shall now be sent along with those for opioid antagonists and influenza vaccines to VDH for the commissioner's consideration, approval and signing.
- i. July Board of Pharmacy meeting cancellation, consideration the biennial pharmacy renewal in July
  - Mr. Arisman moves to support OPR's decision to cancel July's Board of pharmacy meeting. Ms. Ibey seconded the motion. Motion passed.
- j. UVM white bagging update – this topic will be considered next month, however no plans for the Board to opine on Rule 9.18 is planned
- k. NABP correspondence – Ms. Phillips shared with the Board NABP's memo about submitting applications for their task forces and committees

#### 5. Other business:

- The Board decided to place the following topics on the agenda for the May 26<sup>th</sup> board meeting:
  - Gates Healthcare Inspection decision
  - BCBSVT clarification of 26 V.S.A. § 2023(b)(3) re “accessory devices”
  - Walgreens Waiver requests
  - White-bagging
  - Pharmacy Rule Revisions
    - Pharmacy Technician Rules (*discuss Tech/check/tech*)
    - MPJE Discussion
    - Home Infusion Rule Discussion – example rules brought to the Board
    - Nuclear Rule Discussion – example rules brought to the Board
    - 503B outsourcer discussion re registration of their technicians
  - Clinical Pharmacy Prescribing protocol – Tobacco Cessation Products, first draft

6. **Public Comment:** Michele Corriveau spoke either the Board on Tech-Check-Tech and white bagging. While Sandra Rosa spoke about the MPJE.

#### 7. Adjournment:

Mr. Arisman made a motion to adjourn the meeting at 1:07pm; Ms. Ibey seconded the motion. Motion passed.

Next Scheduled Meeting –Wednesday May 26<sup>th</sup>, 2021  
Please check the [OPR Meeting Calendar](#) for updates