

VERMONT BOARD OF PHARMACY—Approved Minutes
Secretary of State, Office of Professional Regulation
89 Main Street, 3rd Floor, Montpelier, VT 05620-3402
February 26, 2014 at 9:00 AM.

1. The meeting was called to order at 9:01 AM, by Jeffrey Firlik, chair.

Members Present: Mr. Jeffrey Firlik, RPh, Chair; Mr. Larry Labor, RPh, Vice Chair; Ms. Judith Wernecke, Public Member, Secretary; Mr. James Arisman, Esq., Public Member; Mr. King Milne, RPh; Ms. Stephanie Ibey, RPh; and Mr. Robert Carpenter, RPh

OPR Personnel Present: Mr. Ronald Klein RPh, Executive Officer; Mr. Dan Vincent, Inspector; Mr. Larry Novins, Board Counsel and Ms. Aprille Morrison, Licensing Board Specialist

Others Present: Todd Pikor

2. The Chair called for approval of the Minutes of the January 22, 2014 meeting as presented. Mr. Arisman made a motion to approve the minutes as written. Mr. Labor seconded the motion. Motion passed.

3. **Hearings/Stipulations *et al*:** None

4. **Report of Concluded Investigation:**

Report of Concluded Investigation 2013-307. Mr. Carpenter made a motion to accept the report of concluded investigation as presented. The motion was seconded by Mr. Labor. Motion passed. Ms. Julie Eaton was the investigative team member on this case.

Report of Concluded Investigation 2013-484. Mr. Carpenter made a motion to accept the report of concluded investigation as presented. The motion was seconded by Mr. Arisman. Motion passed. Mr. King Milne was the investigative team member on this case and did not participate in the vote.

Report of Concluded Investigation 2011-210. Mr. Arisman made a motion to accept the report of concluded investigation as presented. The motion was seconded by Mr. Carpenter. Motion passed. Ms. Julie Eaton was the investigative team member on this case.

Report of Concluded Investigation 2013-435. Mr. Arisman made a motion to hold the case until confirmation from New York regarding the respondents case in New York has been received and a new investigative team is able to review the additional documentation received. Mr. Labor seconded the motion. Motion passed. As Ms. Eaton was the previous investigative team member a new Board member will be assigned to this case.

5. **Case Manager's Report:** There are currently 27 active cases. Thirteen (13) are under investigation, four (4) are pending closing report (three of which were taken care of at today's meeting), three (3) are pending hearing, two (2) are pending charges, four (4) are pending investigative team meeting and one (1) is in the intake process.

6. **Legislation/Rulemaking:**

Mr. Klein informed the Board that the OPR Bill (H.656) appears to be going through as presented to Legislature.

Mr. Klein presented the Board with a copy of Bill S. 236 regarding prescription refill synchronizations. Mr. Labor made a motion that the Board does not support passage of this bill. Motion was seconded by Mr. Milne. Motion passed.

Mr. Novins informed the Board of the next steps regarding the proposed administrative rules. At this time no comments have been received by the Office either by e-mail or in writing. The public hearing is scheduled for Wednesday, March 26th at 1:00 pm, at the Office of Professional Regulation. Mr. Novins expects send the proposed rules to the Legislative Committee on Administrative Rules no later than mid April.

Mr. Carpenter spoke to the Board regarding the status of House Bill 611 sponsored by Representative Lippert. He wanted to inform the Board regarding a few changes that the Vermont Pharmacists Association (VPA) had requested. They wanted the type of drug changed from schedule II to opiate based drugs and to increase the acceptable prescribing area to all of New England, New York, Connecticut and Rhode Island.

Mr. Klein informed the Board of Bill H.595 which establishes an "Agency of Controlled Substances," which has nothing to do with the pharmacy profession. The agency created by this legislation would administer laws relating to alcohol and tobacco, horse racing, the state lottery, boxing, and games of chance.

7. **Review Applications for licensure:** None

8. **Executive Officer Report:**

Mr. Klein informed the Board of Food and Drug Administration (FDA) meeting regarding sterile compounding that will be held March 20th and 21st in Washington, DC. He requested that he and Dan Vincent attend the meeting as they will be performing the sterile compounding inspections in Vermont. Mr. Firlik would like to attend the meeting as well as he has previously attended and found it very informative. Mr. Klein reminded the Board that this will be at the same time as the National Association of Boards of Pharmacy (NABP) Multistate Pharmacy Jurisprudence Examination (MPJE) item writing meeting in Chicago. Mr. Carpenter made a motion for Mr. Firlik, Mr. Klein and Mr. Vincent to attend the FDA meeting and Ms. Ibey to attend the NABP MPJE item writing meeting. Motion was seconded by Mr. Arisman. Motion passed. Mr. Klein will check with the office on covering the fees for one representative for the FDA meeting.

Mr. Klein listed the NABP annual meeting on the agenda as a reminder to the Board regarding reservations and representation at this meeting.

Mr. Klein informed the Board of his meeting with Vermont Prescription Monitoring System (VPMS) representatives. VPMS is stating that there are still a number of pharmacists who have not registered with their system. He informed the Board that this will be a question that Mr. Vincent now asks when conducting his inspections.

The next Board of Pharmacy newsletter will be published on March 1, 2014. The Board requested the requirement for VPMS registration be added to the next newsletter.

Online registration for Pharmacy Technicians is now an option. The applicant would register online, pay online and wait for review to be completed by the office. This would expedite registration of pharmacy technicians as it eliminates the mail time. The office hopes to move forward with initial online registration for all types of registration down the road.

Mr. Klein informed the Board of the Naturopathic Physician prescribing requirements. The Naturopaths will be going from a formulary for prescribing to a requirement of passing a pharmacology examination and a prescription endorsement on their license

The Board discussed the date of the December 2014 meeting. It will be held December 17, 2014.

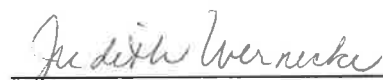
9. **Discussion Items:**

Mr. Labor asked Mr. Klein if the Naturopathic Physicians are required to VPMS. Mr. Klein said yes all prescribing professionals were notified that they needed to register with VPMS.


10. The next meeting is scheduled for **Wednesday, March 26, 2014**, at 9:00 AM, with a public comments session for the proposed Administrative Rules at 1:00 pm.

11. Mr. Carpenter made a motion to adjourn at 10:25 am. The motion was seconded by Mr. Labor. Motion Passed.

Respectfully Submitted:



Judith Wernecke, Secretary
Vermont Board of Pharmacy



Ronald J. Klein, RPh
Executive Officer
Vermont Board of Pharmacy