

VERMONT BOARD OF PHARMACY– Approved Minutes

Secretary of State, Office of Professional Regulation
89 Main Street, 3rd Floor, Montpelier, VT 05620-3402
August 23, 2017 at 9:00 AM

1. The meeting was called to order at 9:01 a.m., by Ms. Stephanie Ibey, RPh, Chair.

Members Present: Mr. King Milne, RPh; Mr. Robert Carpenter, RPh, Vice Chair; Mr. Corey Duteau, RPh; Ms. Stephanie Ibey, RPh, Chair; Ms. Judith Wernecke, Secretary, public member; Mr. James Arisman, Esq., public member, and Mr. Steven Vincent, RPh, Ad-Hoc member.

Member(s) Absent: Mr. Michael Carroll, RPh

OPR Personnel Present: Carrie Phillips, MS, PharmD, Executive Officer; Aprille Morrison, Licensing Board Specialist; Daniel Vincent, Inspector and Gabriel Gilman, Esq., General Counsel

Guests: Lisa LeGette, Jeenu Philip, Mike Fish, Tiffany Bartke, Luca Pompei and Daniel Finnegan

2. **Welcome Executive Officer Carrie Phillips.** Ms. Ibey introduced Ms. Phillips to the Board members present and public attendees. Mr. Gilman and Ms. Phillips spoke to the Board regarding the immediate goals as a team. A full re-write of the Board's administrative rules is a top priority. Ms. Phillips is reviewing and comparing the statutes, administrative rules and NABP Model Rules, beginning with definitions and types of licensure. Mr. Gilman and Ms. Phillips encouraged Board members to identify desired changes and new issues for inclusion in a running list. Priority areas clear to the Office include compounding, clinical practice, remote pharmacies and pharmacy technician registration.

Ms. Phillips will be attending several meetings in September and October and will therefore miss the next two Board meetings. For the September Board meeting, she and Mr. Gilman will be at the FDA Inter-Governmental Working Meeting on Pharmacy Compounding. In early September, she will be attending an Executive Officer training with NABP, and in October she will be attending a sterile compounding training through NABP.

3. **Additions or Deletions to the Agenda:** None

4. The Chair called for approval of the Minutes of the July 26, 2017 meeting. Mr. Carpenter made a motion to approve the minutes with one grammatical correction to the Case Manager's report. Mr. Duteau seconded the motion. Motion passed.

5. **Case Manager's Report:** There are currently two hundred and sixty-eight (268) cases. Twenty-six (26) cases the Investigative Team has recommended closing and those reports are pending, twenty-one (21) cases are under investigation, one (1) is pending charges being filed, eight (8) have had charges filed and four (4) are pending a hearing. The remaining two hundred and eight (208) cases are primarily related to the reciprocal discipline cases that the Investigative Teams are working through.

6. **Hearings/Stipulations/Reports of Concluded Investigation:**

Summary Suspension Petition: *In re: Thomas P. French*, Docket No. 2017-421. The Board moved into deliberative session from 9:48 am to 9:54 am. Mr. Arisman made a motion to approve the petition. Mr. Vincent seconded the motion. Motion passed. Mr. Milne was recused, as he was the Investigative Team member. Ms. Ibey and Mr. Duteau also were recused.

Stipulation and Consent Order, *In Re: Julie A. Francis*, Docket No. 2016-519. Mr. Arisman made a motion to accept the stipulation and consent order as presented. Mr. Milne seconded the motion. Motion passed. Mr. Carroll was the Investigative Team member for this case and not in attendance. Ms. Ibey and Mr. Duteau were recused.

Stipulation and Consent Order, *In Re: KeySource Acquisition, LLC*, Docket No. 2016-608. The Board reviewed the revised stipulation and consent order presented. Mr. Arisman made a motion to accept the stipulation and consent order as presented. Mr. Carpenter seconded the motion. Motion passed unanimously.

7. **Public Comment:** None

8. **Other Business:**

Ms. Ibey posed the question regarding Pharmacy Technicians who were grandfathered for national certification; specifically, whether a grandfathered technician may continue to work on the basis of grandfathering at a location that has changed ownership. Mr. Gilman agreed with the Board that the current Administrative Rules allow any person, whether or not grandfathered, to claim technician-in-training status for eighteen (18) months, and to continue with the same duties, under Pharmacist supervision, in that eighteen-month window. Well before the eighteen-month window closes, the Board expects to have adopted revised administrative rules offering greater clarity and simplicity in respect to technician registration obligations.

Mr. Duteau and Mr. Carpenter informed members present that the location for the 2019 NABP Conference, that Vermont will host, will be the Hilton on the waterfront in Burlington. They have invited any member who wishes to participate in structuring the conference to contact either one of them.

7. The next meeting is scheduled for Wednesday, September 27, 2017, at 9:00 a.m.

8. Mr. Carpenter made a motion to adjourn the meeting at 10:25 am. Mr. Arisman seconded the motion. Motion passed.