

**Board of Pharmacy**  
Secretary of State, Office of Professional Regulation  
National Life Building, North, Floor 2, Montpelier, VT 05620-3402  
**Unapproved Minutes**  
**Meeting of January 27, 2010**

1. The meeting was called to order at 9:00 A.M.

Members present: Steven M. Vincent, R.Ph., Chairman; Julie A. Eaton, R.Ph., Vice-Chair; Jeffrey P. Firlik, R.Ph.; Earl W. Pease, Pharm.D.; Larry Labor, R.Ph.; Emma J. Pudvah and Raymond McCandless, Ad Hoc Member. Absent: Ann Overton, Secretary.

OPR Personnel present: Larry S. Novins, Board Counsel; Gregg Meyer, State Prosecuting Attorney, Inspector Daniel Vincent, Carla Preston, Unit Administrator; and Kristy Kemp, Administrative Assistant.

Others present: Anthony Otis, Esq. representing the Vermont Community Retail Pharmacy Coalition; Ron Ferrara representing the Vermont Pharmacist Association, Dave Flashover, R.Ph. with Rite Aid Pharmacies; Kerri Ryan, with CVS Pharmacies, Mike Fish, Robert Carpenter, and Jason Brower with Hannafords, and Audrey McGregor-Reardon, Robert F. O'Neill, Esq. and Michele Kartschoke with McGregor's Medicine-On-Time.

The Board acknowledged Ann Overton's letter of resignation due to health reasons. With sadness, the Board accepted her resignation. Ms. Pudvah made a motion to formally thank Ann for her friendship and the wonderful job she did for the Board. She will be missed. Chairman Vincent seconded the motion which passed unanimously. The Board wishes her well.

2. The Chair called for approval of the Minutes of the December 2<sup>nd</sup> meeting. Ms. Eaton made a motion, seconded by Ms. Pudvah, to approve the Minutes of the December 2, 2009 meeting as presented. Motion passed unanimously.

3. **Guests:**

A. At about 11:30 A.M. Wm. Douglas Poulter, Associate Director of Experiential Education, Instructor from the Albany College of Pharmacy attended the meeting to discuss the college and student issues. Mr. Poulter said students come to him with questions regarding internship and registering as Interns. He mentioned his concerns about the process given the school setting. He said according to the application and rules, interns need to register and state where they will be working. He explained that as part of a student's rotation, while attending college, they work in various types of pharmacies. He said some may sit for the examination in another state. He understood that if a pharmacy is inspected, all persons in the pharmacy need to provide licensure or registration.

The Board verified that all students need to register as interns if they will be working in pharmacies located in Vermont, regardless of where they would be sitting for the exams. To earn hours, regardless of pay, they need to register as an intern or pharmacy technician. The Board explained that the issue is access to prescription drugs. The Rules state that preceptors must register and may only supervise two students at a time.

Mr. Poulter said they have 70 students and start in assignments, one to three weeks or more. He said this summer they will be participating in rotations but would not know who their preceptor is. He said the students want to proactively register as preceptors that time or at what pharmacy. He said the applications are clear that all preceptors and interns must register.

The Board acknowledged that the new rules do not clearly address intern registration, preceptors, and internships for a school setting while participating in rotations as part of the college curriculum. The rules are clear with regard to the registration requirement and procedure for documenting the 500 non-school internship hours. The Board will develop a policy for this purpose.

The Board agreed that all interns (students) must register but would not need to identify their preceptor at that time, while on rotations as part of the college. When a student begins to earn internship hours toward the 500 non-school requirements, the student must identify the Preceptor, where the internship would occur, and timely report any changes. The question is how to make that scenario fit with the current rules.

Mr. Poulter said the college ensures that pharmacists are registered (academic) preceptors. He said they do not track that information since it is not required academically to ensure that preceptors are registered with the state. He suggested that all students or interns register and list his name as a supervising preceptor.

Attorney Novins asked how that solution fits with the requirement of no more than two students under the supervision of one preceptor. The Rules require students to register before beginning their internship.

Mr. Poulter said he would assign a preceptor to a student when applicable. He explained that there are two different kinds of rotations, one is a pass/fail and the other is a graded rotation (A, B, C). He said it becomes part of the students' grade point average. He said the rotations vary at different levels (intro to advanced), and in the amount of time required. He said the American College of Pharmacy Education (ACPE) is raising the bar. He said the hours (approximately 300) are divided equally between community, institutional Pharmacy Education (ACPE) is raising the bar. He said the hours (approximately 300) are divided equally between community, institutional and hospital, consisting of about three weeks. The internship hours occur early on and are tracked by the school. He said advanced practice is later on in the student's career which is more like the type of rotation with which preceptors are familiar. He said by the fourth professional year, the student has earned approximately 1040 hours, 720 in community and 720 in hospital pharmacy settings. He said he assigns them and noted that the hesitations have been vetted and are controlled by the Albany College of Pharmacy.

Mr. Poulter noted that the possible solution discussed earlier which would allow students to register without identifying a preceptor at that time, while on rotations as part of the college, will get them through the first year. However, the issue may come up again next year. He said the college will be placing faculty members in various hospitals around the state. He said part-time faculty will be placed at the Rutland Regional Medical Center within the next four to five weeks. He explained that faculty members oversee a student's advanced practice. He said one faculty member is responsible for four students (50 percent under the hospital and 50 percent under the college). He described it as an independent study during advanced practice which is reported to a group of physicians. He said the preceptor may or may not be present for these presentations. He asked how to handle it when the advanced practice would not be 100 percent under the direct oversight or supervision of a preceptor. He said it would be another healthcare provider in that scenario. He asked if they should list pharmacy professionals as part of their package.

The Board verified that a licensed pharmacist (preceptor) at those facilities need to be part of the package and work with the students and these types of projects. The pharmacist at the institution need to be involved. It would be good for all involved.

Mr. Poulter asked what students should do if they decided to do an internship outside of Vermont. He said the college would make it possible.

The Board indicated that students must comply with the other jurisdiction's requirements. The Board explained the reporting requirements if the interns' hours are to be considered as part of the 500 non-school hours needed for Vermont licensure. The program would have to be verified by either the student, the board in that jurisdiction or verified by the preceptor.

B. At 2:30 P.M. Robert F. O'Neill, Esq. with Grave and Shea, Audrey McGregor-Reardon owner of McGregor's Medicine-On-Time Pharmacy (MOT) and Michelle Kartschoke, R.Ph., attended the meeting to discuss the status of their application. It was their understanding that an application had been submitted around July of 2009 requesting a change in the designation of their license to include long term care. Kristy Kemp, OPR Administrative Assistant, informed them that an application for a long term care pharmacy had not been developed at that time since the rules had not addressed long term care facilities until the revised rules that went into effect on October 1, 2009. Ms. Kemp determined that the application that was completed to reflect the licensed designation change was a renewal application rather than a new application. Ms. Kemp explained that a renewal application does not meet the requirements for a change in license type and that a new application would need to be submitted.

Mr. O'Neill asked when a new application would be created to allow for a licensed designation change. Mr. Firlik informed them that an updated application was on the agenda for review and would be voted on by the Board later on. Mr. Firlik invited the guests to take a look at the application to give them a better idea of what would be required to change their license type, while making it clear that the application had not yet been approved and adopted by the Board. The new application has a list of the different types of pharmacies for which one may apply. Only one pharmacy type may be chosen per application since the criteria and rules governing the practices differ. Included in the list are two different types of long term care pharmacies, a Community Based Long Term Care Pharmacy (subject to the rules pertaining to retail pharmacies) and an Institutional Long Term Care Pharmacy (subject to the rules pertaining to institutional pharmacies).

Based on the definitions of the two types of long term care pharmacies, Ms. Kartschoke asked if it were possible for MOT to hold both designations for their current location. Mr. Firlik agreed that based on the information the guests provided to the Board, MOT could apply for both credentials for the one location but that they would need to submit two separate applications. The applications would be independent of each other and must meet applicable criteria for the service being offered. **(See 19(a) regarding the Board's review of the updated in-state pharmacy application.)**

Ms. Kartschoke asked when the new application would be available to the public. Ms. Kemp advised that as long as the Board approved the applications without change they could be available as early as the next business day.

Mr. O'Neill began asking questions regarding a pharmacy's ability to take back drugs. Attorney Novins advised Mr. O'Neill to submit their question in writing to avoid confusion. Mr. O'Neill agreed and will follow-up with a letter at a later date.

#### 4. **Hearings/Stipulations et al.**

a. The Board considered the State's request for a Summary Suspension in the matter of Travis B. Hightower, Docket Number 2009-573. The Respondent was not present. Messrs. Firlik and Vincent noted that they work for Kinney Drugs Inc. but not at its long term care pharmacies, and have no conflict of interest to participate in this matter. Larry Novins presided for the Board. Gregg Meyer was present for the State. Questions were raised about notice to the Respondent, which was very recent, and the emergency of this matter. The State's position is that it is an emergency situation and must be dealt with as soon as possible because the Respondent could seek a position elsewhere, noting that this condition of release had no restriction about the type of employment he could obtain. The Respondent admitted to diverting drugs for his own use. Attorney Meyer called his witness Leah Rosenthal, Pharmacist Manager of Kinney Drugs Inc. Long Term Care, who appeared by phone and provided testimony about the incident. The Board voted to go into deliberative session at 9:18 A.M. and out at 9:28 A.M.

- The Board voted to grant the State's request for pharmacy technician registration. Ms. Eaton, Investigating Member, did not participate in the votes.
- b. The Board considered a Stipulation and Consent Order in the matter of Kinney Drugs, Inc. #93, Docket Number 2008-219 (RX72-0608). Larry Novins presided for the Board. Gregg Meyer was present for the State. Mr. Firlik and Chairman Vincent recused themselves since they work for this company's retail pharmacies. Mr. Pease made a motion, seconded by Ms. Pudvah, to accept the Stipulation and Consent Order as presented. The question was called and the motion passed. Ms. Eaton, Investigating Member, Mr. Firlik and Chairman Vincent did not participate in the vote.
- c. The Board considered a Stipulation and Consent Order in the matter of Margaret Elizabeth Morris, Docket Number 2009-93. Larry Novins presided for the Board. Gregg Meyer was present for the State. Mr. Firlik and Chairman Vincent recused themselves since they work for this company's retail pharmacies. The Order was revised to conform with V.S.A. § 129(3) versus 129a. Mr. Laborn made a motion, seconded by Mr. Pease, to accept the Stipulation and Consent Order as revised. The question was called and the motion passed. Ms. Eaton, Investigating Member, Mr. Firlik and Chairman Vincent did not participate in the vote.
- d. The Board considered a Stipulation and Consent Order in the matter of Barton Pharmacy, Docket Number RX23-1208. Larry Novins presided for the Board. Gregg Meyer was present for the State. Mr. Vincent made a motion, seconded by Ms. Pudvah, to accept the Stipulation and Consent Order as presented. The Board voted to go into deliberative session at 9:42 A.M. and out at 10:48 A.M. The question was called and the motion passed. Mr. Firlik, Investigating Member, did not participate in the votes.
- e. The Board held a Default Hearing in the matter of Benjamin P. Mackin, Docket Number 2009-143. Larry Novins presided for the Board. Gregg Meyer was present for the State. Mr. Firlik made a motion, seconded by Ms. Pudvah, to find the Respondent in default. Motion passed. Attorney Meyers said the State recommends revocation of the Respondent's Pharmacy Technician Registration. The question was called and the motion passed. Ms. Eaton, Investigating Member, did not participate in the votes.
- f. The Board held a Default Hearing in the matter of Rene C. Meyer, Docket Number 2009-329. Larry Novins presided for the Board. Gregg Meyer was present for the State. Ms. Eaton recused herself. Mr. Laborn made a motion, seconded by Ms. Pudvah, to find the Respondent in default. Motion passed. Attorney Meyers said the State recommends revocation of the Respondent's Pharmacy Technician Registration. The question was called and the motion passed. Mr. Firlik, Investigating Member, and Ms. Eaton did not participate in the votes.
- g. The Board held a Default Hearing in the matter of John McEachern Walters, Docket Number 2009-42. Larry Novins presided for the Board. Gregg Meyer was present for the State. It was noted that the notice was sent to correctional facility where the Respondent is being held. The Respondent had not responded to the charges filed in October. Since there was no evidence that the Respondent was practicing pharmacy at the time of his arrest, members questioned that charge regarding an anticipated conviction to which Attorney Meyer explained his reasoning for but agreed to dismiss that charge.
- Based on the information presented, the Board voted to dismiss the case without prejudice. The Board voted to go into deliberative session at 10:29 A.M. and out at 10:45 A.M. Attorney Meyer said that as a matter of law it is a default and requested a motion to reconsider dismissing the case. The question was called and the motion passed. Ms. Eaton, Investigating Member, and Mr. Firlik did not participate in the votes. The Board went back into deliberative session at 10:47 and out at 11:07 A.M.

The Board asked about the Respondent's competency at that time. Attorney Meyer reported that there was no information available regarding the Respondent's competency.

The Board continued to deliberate at 11:16 AM and came out at 11:22 AM. The Board reconsidered and found Respondent Walter to be in Default. The charges were dismissed. Mr. Pease, Investigating Member, did not participate in the votes.

- h. The Board considered Sheril L. Buckley's (formerly Tofani) Petition for Reinstatement regarding, Docket Number 2004-355 (RX01-0704). Attorney Meyer indicated that the Investigative Team recommended reinstatement with conditions. The group discussed how to best deal with the matter procedurally. Attorney Meyer reported that the Respondent was agreeable to the Team's conditions which included but may not be limited to: within the next six months successful completion of a course in pharmacy ethics; acknowledgment by her supervisor that she has read the Order and prior disciplinary action taken against the Respondent; monthly status reports from her supervisor regarding her progress for the first year, and then quarterly status reports by her supervisor regarding job performance and overall progress for the next two years; and copies of monthly narcotics inventory submitted to the Board for a period of one year, and then quarterly for a period of two years. Attorney Meyer said he would prepare a Stipulation and Consent Order with the Board's approval stating the conditions as described. Attorney Novins indicated that the Board could authorize the Chair to sign off on the Order when received reflecting that information. Attorney Meyer said he would prepare the Stipulation and Consent Order for the reinstatement of Ms. Buckley's pharmacy technician registration and send it to the Respondent for her signature. Once she signed, a copy is returned; it would be forwarded to the Chairman for his signature.

5. **Reports:**

Inspector Daniel Vincent attended the meeting to discuss a few issues. He asked for clarification regarding a pharmacy that had a gate configuration from the ceiling to the top of the counter. He said it would prevent access. The Board indicated that that would be acceptable for security purposes.

Inspector Vincent asked about the procedure for inspections due to a change in ownership. The Ruler regarding changes in ownership does not really address an initial inspection of the pharmacy. He said it is different than the inspection of new pharmacies since the structure, alarm systems, etc. are in place. He had the Board to consider an administrative function that would be acceptable versus a full inspection for changes in ownership of an existing pharmacy. He said this administrative function could be based on certain criteria, such as the facility had been inspected within the last two years, no renovations would occur within 30 days (or more), computers systems, no other major changes, etc. He said that would allow the new owner to obtain a temporary permit (90-day), order drugs, and still operate. He said he would put together a proposal for an administrative procedure for changes in ownership of an existing pharmacy with a list of criteria for Board consideration.

Inspector Vincent said the last topic concerns "Sharps Compliance Corp.," a company out of Houston, Texas that disposes of expired or unused patient medications and medical waste. He provided a copy of an October 27, 2009 News Release from that company. He said this company takes back dispensed medications, controlled and provides them to a company that provides services to licensed pharmacies. He asked if this or other companies could be licensed with the Drug Enforcement Administration to regulate the disposal of legend drugs. The Board does not establish standards for reversed distributors.

The Board indicated that reversed distributors must be licensed with the Drug Enforcement Administration. It is a question for the DEA whether the Board does not establish standards for reversed distributors.

The Board believes that these companies should be regulated. Pharmacies are not permitted to take back drugs. Reversed distributors do not take back patient medications.

Inspector Vincent said he would contact the DEA and/or Food and Drug Administration for more information. He will update the Board regarding his findings.

**6. Follow-up Cases**

Review of follow-up cases was tabled to the next meeting.

**7. Legislation/Rulemaking:**

Anthony Otis and Ron Ferrara updated the Board regarding pharmacy related legislation that had been proposed. They provided copies of testimony from the Office of Vermont Health Access (OVHA) regarding its proposed 2010 policy initiative and the Medicaid Budget Document for FY 2011. They also provided copies of documents from the Vermont Community Retail Pharmacy Coalition, Pharmacy Medicaid Reimbursement and Vermont Facts & Figures. Attorney Otis said they are meeting with Committee members and will keep the Board apprised of what's happening.

**8. Complaints/Reports of Concluded Investigations**

The Board reviewed the following Reports of Concluded Investigations and took action as indicated.

2009-331, 2009-353 and 2009-354—The Board reviewed the Report of Concluded Investigation. Mr. Laborn made a motion, seconded by Mr. Vincent, to accept the Investigative Team's recommendation and conclude the case without formal prosecution. Motion passed, 4 for, 2 opposed. Mr. Firlik, Investigating Member, did not participate in the vote.

2009-183 and 2009-222—The Board reviewed the Report of Concluded Investigation. Chair Vincent made a motion, seconded by Ms. Eaton, to accept the Investigative Team's recommendation and conclude the case without formal prosecution. Motion passed. Mr. Firlik, Investigating Member, did not participate in the vote.

**9. Applications for Licensure as a Pharmacist**

Mr. Firlik made a motion, seconded by Ms. Pudvah, to approve the following applicants for licensure as pharmacists. Motion passed unanimously.

Amit Balakrishnan, R.Ph. (Score Transfer)	Daniel P. Blakeley, R.Ph. (Endorsement)
Ryan C. Bushey, PharmD (Endorsement)	Molly M. Lewis, R.Ph. (Endorsement)
Luana L. Nedich, R.Ph. (Endorsement)	Hang T. Nguyen, R.Ph. (Endorsement)
Paul K. Pickering, III, R.Ph. (Endorsement)	

**Applications for Registration of Out-of-State Telepharmacy Pharmacists**

Ms. Eaton made a motion, seconded by Mr. Firlik, to approve the following applicants for licensure as Out-of-State Telepharmacy Pharmacists. Motion passed unanimously.

Tricia E. Klug (Applying from Illinois)  
James Woznicki (Applying from Illinois)

10. **In-State Drug Outlets:**

- a. **Kinney Drugs, Inc. #94**, 407 Board Street, Lyndonville, VT, submitted a new application to reflect a change in location (formerly Route 5 Memorial Drive, Lyndonville, VT). The Temporary license is set to expire on March 2, 2010. Based on the results of the final inspection, Mr. Labor made a motion, seconded by Ms. Pudvah, to approve this pharmacy for full licensure. Motion passed unanimously.
- b. **Kinney Drugs, Inc. #101**, 80 South Main Street, Waterbury, VT, submitted a new application to reflect a transfer of ownership from Vincent's Rexa II Drugs. A Temporary license has been issued and is set to expire on April 15, 2010. Further action is pending final inspection.
- c. **Johnson's Harvest Pharmacy LLC**, 18 Clark Avenue, Johnson, VT, submitted an Application for License to Conduct an In-State Pharmacy (Drug Outlet). The Board found that the bay window in the proposed pharmacy area would be a security issue and it was unclear as to how it would be addressed. The Board found that the plans provided are incomplete and security and access issues still need to be addressed. There is an application (faxed) to show a change in ownership must be submitted with the original signatures. The applicant will be notified of these and other items needed to complete the application.

11. **Change in Pharmacist Manager:**

Mr. Firlik made a motion, seconded by Ms. Pudvah, to approve the change in pharmacist managers as indicated below. The question was called and the motion passed unanimously.

- a. **Costco Pharmacy #314**, (038-3117), located at 218 Lower Mountain View Drive, Colchester, Vermont, changed pharmacist managers from Christine S. Dutil to Marcie Jorgensen.
- b. **Hannaford Food & Drug #161**, (038-3334), located at 1127 North Avenue, Burlington, Vermont, changed pharmacist managers from Christopher J. Dickson to Eric D. Prong.
- c. **Hannaford Food & Drug #8398**, (038-3275), located at 78 Marshall Avenue, Williston, Vermont, changed pharmacist managers from Janet R. Goodell to Patricia Fogg.
- d. **Rite Aid Pharmacy #10309**, (038-3378), located at 12 North Main Street, Randolph, Vermont, changed pharmacist managers from Robert L. Orleck to Diana Putney.
- e. **Rite Aid Pharmacy #10317**, (038-3365), located at 158 Cherry Street, Burlington, Vermont, changed pharmacist managers from Timothy J. Luneau to Grant D. Nolan.

12. **Non-Resident Pharmacies:**

Mr. Labor made a motion, seconded by Ms. Pudvah, to approve the following non-resident pharmacies for licensure. Items (m), (p) and (q) were approved pending receipt of missing information. The question was called and the motion passed unanimously.

- a. BioRx, LLC, dba BioRx, 3821 71<sup>st</sup> Street, Urbandale, IA.
- b. Compounding Pharmacies of Louisiana, dba Professional Arts Pharmacy, 620 Guilbeau Road, Lafayette, LA.
- c. Costco Wholesale Corporation, dba Costco Pharmacy # 562, 215 Deininger Circle, Corona, CA.
- d. Costco Wholesale Corporation, dba Costco Pharmacy # 570, 215 Deininger Circle, Corona, CA.
- e. Diamond Drugs, Inc., dba Diamond Pharmacy Services, 645 Kolter Drive, Indiana, PA.

- f. Fresenius Medical Care Rx, LLC, dba Fresenius Medical Care Rx, 220 Athens Way, Nashville, TN.
- g. Lynnfield Drug, Inc., dba Hemophilia of the Sunshine State, 4035 Tampa Road, Oldsmar, FL.
- h. Medco Health Solutions of Indiana, LLC, 4750 E 450 South, Whitestown, IN.
- i. NextRx, LLC, dba Precision Rx Specialty Solutions, 2825 W. Perimeter Road, Indianapolis, IN.
- j. NextRx, Inc., 5450 North Riverside Drive, Fort Worth, TX.
- k. One Stop Pharmacy, Inc., 3193 Tech Drive, St. Petersburg, FL.
- l. Precision Pharmacy, 4000 Empire Drive, Bakersfield, CA.
- m. PVPLtd., dba PVPL Pharmacy, 3640 Sandhurst Drive, York, PA. (approved pending receipt of copy of its DEA license)
- n. Select Rx LLC, 1500 Horizon Drive, Chalfont, PA.
- o. United Pharmacy Services, Inc., 5744 W. Irving Park Road, Chicago, IL.
- p. Omnicare of Connecticut, CT. (approved pending receipt of documents with original signatures)
- q. Omnicare of New Hampshire, NH (approved pending receipt of documents with original signatures)

**13. Non-Resident Wholesaler/Manufacturer Drug Outlets:**

Mr. Firlik made a motion, seconded by Mr. Labor, to approve the following non-resident wholesale distributors and/or manufacturers for licensure based on their completed applications. Motion passed unanimously.

- a. Apothecary Shop Wholesale, 23620 North 20<sup>th</sup> Drive, Phoenix, AZ.
- b. Atlantic Biologicals Corp., 133 South Center Court, Morrisville, NC.
- c. BioForm Medical, Inc., 4133 Courtney Road, Franksville, WI.
- d. Cardinal Health, 6012 Molloy Road, Syracuse, NY.
- e. Core Pharma, LLC, 236 Lackland Drive, Middlesex, NJ.
- f. Epic Pharma, LLC, dba Epic Pharma, 227-15 North Conduit Avenue, Laurelton, NY.
- g. Glenwood, LLC, 111 Cedar Lane, Englewood, NJ.
- h. Kenco VPI, 350 Corporate Place, Chattanooga, TN.
- i. MDC Acquisition Co., dba Meyer Distributing Company; Milliken Medical, 1810 Summit Commerce Park, Twinsburg, OH.
- j. Merck Sharp & Dohme Corp., 770 Sumneytown Pike, West Point, PA.
- k. RGH Enterprises, Inc., dba Edgepark Medical Supplies; Independence Medical, 1810 Summit Commerce Park, Twinsburg, OH.
- l. RPK Pharmaceuticals, Inc., dba Pharmedix, 3281 Whipple Road, Union City, CA.
- m. Safco Dental Supply Co., 1111 Corporate Grove Drive, Buffalo Grove, IL.
- n. UPS Supply Chain Solutions Inc., 1545 Worldwide Boulevard, Hebron, KY.
- o. Young Acquisitions Company, dba Panoramic Corporation; Sav-A-Life, Inc., 4334 W. Washington Center Road, Fort Wayne, IN.
- p. Associated Pharmacies, Inc.

**14. Drug Outlet remodeling, changes in Officers/Directors, hours of operation, closures, etc.:**

**15. Continuing Pharmacy Education Requests:**

Ms. Eaton made a motion, seconded by Mr. Firlik, to approve the following continuing pharmacy education requests as indicated. The question was called and the motion passed unanimously.

- a. **“OVHA Pharmacy Benefits Management Program DUR Board Meeting”** submitted by Andrew Miller, was approved for two (2) live (didactic) continuing pharmacy education credits. The meeting was held on November 10, 2009. The approval number issued is CPE010(L)-0110.

16. **Pharmacy Intern and Preceptor Application(s)**

Mr. Laborn made a motion, seconded by Ms. Pudvah, to take action as indicated with regard to Interns and Preceptors as listed below. Motion passed unanimously.

Nicole C. Lewis—Intern (approved)	Sara L. Lutz—Intern (approved)
Helentina L. Pang—Intern, Approved pending receipt of corrected certificate from her school.	
Megan Oster—Intern, Approved pending receipt of Preceptor becoming registered.	

**The following individual(s) submitted an Intern's Preceptor's Affidavit of Internship Hours. Evaluation of Internship Period and**

Manu Malik—The Board approved the 664 hours Ms #10315 in Brattleboro, Vermont, during the period of 2010.	Malik earned at Rite Aid Pharmacy from October 6, 2009 through January 25, 2010.
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**The following individual(s) submitted a request to change their preceptor.**

Xianglian Ni—The Board approved Ni Xianglian's request to start earning hours at two different locations, Central Vermont Medical Center under the supervision of Frank Foti, and Fletcher Allen Health Care under the supervision of Michele Corriveau.	
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**The following individual(s) submitted an Application as a Preceptor.**

The Board approved the following pharmacists as preceptors.

Brian Bryns (approved pending receipt of signature from corporate headquarters)	
John J. Chesarek	Michele P. Corriveau
Thomas P. French	Rick Hogle
Amanda G. Kennedy	

17. **Pharmacy Technicians:** Total number of Active Registered Technicians is **1,213** (1134 Resident, 79 Non-Resident).

18. **Newsletter Topics!**

19. **Miscellaneous Correspondence**

a. The Board reviewed and approved the updated applications listed below.

- Application for License as a Non-Resident Pharmacy (Drug Outlet)
- Application for License to Conduct a Pharmacy (In-State) (only one type of pharmacy may be checked per application)

Note: Applicants offering services pertaining to telepharmacy covering retail and institutional pharmacies may operate the two separate pharmacies from the same building or location. However, each pharmacy operation must be established as a separate pharmacy, each with its own pharmacist manager, separate software, etc. completely independent of each other because different criteria and requirements apply. There are significant differences with regard to purchasing, inventories, prescription records, etc. Each pharmacy must have its own pharmacist manager to oversee the pharmacy and its practice.

The Board tabled its review of the correspondence listed below. The emails and/or letters will be forwarded to Board members for response.

- b. Review newly adopted formulary for naturopathic physicians. (possible newsletter article)
- c. Review email from G. Robert Russell regarding pharmacies that provide medications/services to nursing homes.

20. **Miscellaneous Correspondence** -continued

- d. Review emails from several employees at Rutland Regional Medical Center regarding Rule 11.7 Daily Printouts.
- e. Review letter from Mark Polli, R.Ph. with Hanna Ford Bros. Co., regarding practice of storing and maintaining retail pharmacy records offsite.
- f. Review email from Adele M.K. Gilpin, PhD regarding regulations on attaching material to prescriptions (e.g. sticker-type coupons)

20. **National Association of Boards of Pharmacy (NABP) Correspondence:**

The Board reviewed and noted miscellaneous NABP correspondence.

21. **Public Comment**

Comments from guests were addressed above.

22. **Other Business Introduced**

23. The next meeting of the Board is scheduled for **Wednesday, March 03, 2010**. (The March 24<sup>th</sup> meeting was canceled due to the change in meeting dates.) Meeting dates for 2010 are as follows: April 28<sup>th</sup>, May 26<sup>th</sup>, June 23<sup>rd</sup>, July 28<sup>th</sup>, August 25<sup>th</sup>, September 22<sup>nd</sup>, October 27<sup>th</sup> and December 1<sup>st</sup>.

24. There being no further business, the meeting was adjourned at 3:45 PM.

Respectfully submitted,

Carla Preston, Unit Administrator  
Office of Professional Regulation