

BOARD OF PHARMACY
Secretary of State, Office of Professional Regulation
89 Main Street, 3rd Floor, Montpelier, VT
Approved Minutes
February 24, 2016 at 9:00 A.M.

1. The meeting was called to order by Mr. Milne, RPh, Chair, at 9:02 a.m.

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

OPR Personnel Present: Mr. Larry Novins, General Counsel; Mr. Robert Enos, Executive Officer; Mr. Daniel Vincent, Inspector; Ms. Lauren Hibbert, Chief Prosecutor; Beth Jarvis, Prosecutor; Rachel Allen, Prosecutor, Terry Gray, Licensing Administrator.

Guests: Lea Sporzynski, public and Heather Shouldice, Vermont Association of Chain Drug Stores.

2. Approval of the Minutes of the January 27, 2015 Board meeting.

Ms. Wernecke made a motion to approve the minutes with the following amendments, 5. Mr. Arisman made a motion to issue a preliminary denial for licensure to Kinney Drugs, Mr. Milne seconded. The motion was called by hand vote. Mr. Arisman and Mr. King approved the motion; Ms. Wernecke and Mr. Carpenter voted to deny (insert the word nay) and Mr. Duteau and Ms. Ibey recused. 2-2-2 a tie vote. Motion seconded by Mr. Arisman. Motion passed unanimously.

3. Case Manager's Report: Carla Preston, Case Manager, to report on current cases.

There are currently seventy seven (77) cases. Three (3) are ready for investigative team meeting. Eight (8) are recommended for closing. Four (4) are pending hearing, One (1) case charges filed, 22 with investigator and one (1) pending charges. The remaining 38 cases are discipline reported from other reporting agencies during our renewal cycle. Primarily the majority of the cases are Non-resident Wholesale Pharmacies and Wholesale Distributors.

Prosecutor, Lauren Hibbert and Case Manager Carla Preston will get a general list of the discipline issues and bring back to the board for the March meeting.

4. Hearings/Stipulations et al:

9:15 am – Stipulation and Consent Order:
Summary Suspension – John W. Mcavoy, Docket # 2015-560
Summary Suspension – Brian T. Badgley, Docket # 2016-100
Summary Suspension – Holly J. Russin, Docket # 2016-92

5. Applications/Legislation/Rulemaking:
Motion was made by Mr. Carpenter to accept the Pharmacy Technician Certification Board (PTCB) as the nationally accredited certification and recertification program for Vermont pharmacy technicians. Motion seconded by Mr. Duteau. Motion passed unanimously.

Larry Novins, Board Counsel gave the board an overview of the bill H.821.

6. Continuing Education Requests:
Motion was made by Mr. Carpenter to accept the Vermont Geriatrics Conference – UVM Continuing Medical Education 7.25 Credits requesting the Ms. Morin, UVM Continuing Medical Education Coordinator to provide the board with the CV's on the presenters. When this information is received and emailed to board members for review and approval. Seconded by Mr. King. Motion passed unanimously.
7. Discussion Items:
The board discussed the available dates for the November/December 2016 dates. All agreed to cancel the November 23rd and December 28th meeting and to schedule and move to December 13, 2016.

Executive Officer, Robert Enos gave the board an update on the new rules implementation. The Office send out an email to all licensed Pharmacy Technicians and Pharmacist of the upcoming new rules and the effective date of 2017 on the "Certified" technician designation.

8. Public Comment:
Ms. Heather Shouldice with the Vermont Association of Chain Drug Stores presented the board with two issues she is asking the board to consider. 1. Allow pharmacy technicians to be able to move between locations by amending the current rule grandfather clause and 2. To allow and approve the companies' certification through approved corporate programs as well as the national program. The suggested language to the grandfather clause to read as follows: "certified by a national certification program approved by the Board or a Board approved company certification program". The board will take the matter under consideration.
9. Audit Review - none
10. Other Business:

MPJE meeting will be hosted by NABP on March 15-16, 2016 in Mount Prospect, Illinois.

Question asked of the Board regarding filling multiple refills at one time. It was the Board's decision that this would constitute making a change to the original prescription and would be allowed only after consultation with and agreement of the prescribing practitioner. Such consultations and corresponding changes should be noted by the pharmacist on the prescription.

Mr. Carpenter asked how to get the process started on the reviewing the laws/statutes. General Counsel, Mr. Novins gave the board an overview of the statutory process. The board suggested the creation of a sub-committee be formed to review any and all possible changes needed. Mr. Carpenter was elected as Subcommittee Chair. Recommended the board members to email Mr. Carpenter with their suggested changes. Mr. Carpenter will organize and bring to the board for review

11. The next meeting is scheduled for Wednesday, March 23, 2016, at 9:00 a.m.
12. The meeting adjourned at 1:23 p.m.

2016 Meeting Dates

February 24, March 23, April 27, May 25, June 22, July 27, August 24, September 28, October 26, November 30 and December 13