



# **Board of Pharmacy**

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

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## **UnApproved Minutes**

**Tuesday, December 12, 2017 at 9:00 a.m.**

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

The meeting was called to order at 9:03 a.m., by Mr. Robert Carpenter, RPh, Vice Chair.

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

Member(s) Absent: Mr. King Milne, RPh and Ms. Stephanie Ibey, RPh, Chair

OPR Personnel Present: Kara Shangraw, Licensing Administrator I; Gabriel Gilman, General Counsel; Carrie Phillips, Executive Officer; Beth St. James, Prosecutor and Lora Nielsen, Assistant OPR Director

Guests: Lisa LeGette

### **2. Changes to the agenda.** There were no additions to the agenda.

### **3. Approval of minutes from August 23, 2017 meeting**

The Vice Chair called for approval of the Minutes of the October 25, 2017 meeting. Mr. Carroll made a motion to approve the minutes with the correction to 5e and 5f. Mr. Arisman seconded the motion. Motion passed.

### **4. Disciplinary Matters**

#### **a. Stipulation and Consent Orders**

i. Daniel Brouwer, docket # 2016-680. Mr. Milne is the Investigative Team member and was not in attendance at the meeting. Mr. Carroll moved the Board go into deliberative session. Mr. Arisman seconded. The deliberative session lasted from 9:42 am to 9:53 am. Mr. Duteau made a motion to accept the stipulation and consent order as presented. Mr. Carroll seconded the motion. Motion passed.

ii. Thomas French, docket # 2017-421. Mr. Milne is the Investigative Team member and was not in attendance at the meeting. Mr. Duteau recused from participation in review of the Order. Mr. Arisman made a motion to accept the stipulation and consent order as presented. Mr. Carroll seconded the motion. Motion passed.

- b. Closing Reports / Enforcement Report
  - i. Carla Preston, Case manager, was unavailable to give the case report. This item is tabled until the January 24, 2018 meeting.

## 5. Correspondence

- a. Communication regarding Compounded and Repackaged Medications of Office use
  - i. Ms. Phillips discussed the communication with Board members present and found that Administrative Rule 10.23 addresses acceptable practices for compounding medications for office use.

## 6. Topics for Discussion

- a. Review Draft notice re: expected USP <800> compliance.
  - i. Ms. Phillips presented a draft of the notice that will be sent to Vermont Pharmacist Managers regarding compliance with USP <800>. Mr. Arisman made a motion to approve the communication being sent. Mr. Duteau seconded the motion. Motion passed.
- b. Executive Officer Report.
  - i. Ms. Phillips informed members present of the meetings, trainings and events attended since the August meeting.
- c. Partial fill of CII's at patient or prescriber request.
  - i. Ms. Phillips discussed with the Board possible barriers retail pharmacies could encounter with partial fills of CII's at the patients or prescribers request. In September of this year, BOP/OPR received a request to consider State-wide implementation of the 2016 amendment to the CSA, the "Reducing Unused Medications Act" that allows for partial fills of CII's at patient or prescriber request, if widely implemented, pharmacies could experience a significant increase in such fills, which previously were allowed only if the pharmacy had insufficient stock to fully dispense an Rx for a CII and, therefore, occurred infrequently. Discussion revealed limitations with pharmacy Rx processing software and health insurance rules that currently pose logistical barriers with processing partial fills of CII's, such issues need consideration before efforts to fully implement this Act.
- d. Overview of Rules and potential Statute revision plans.
  - i. Mr. Gilman and Ms. Phillips discussed changes they are working on implementing in the draft of the Administrative Rules and possible statute changes. Among these revisions are removing redundant language from Statute 26 and creation of licensing categories for compounding, home infusion and nuclear pharmacies. Mr. Gilman and Ms. Phillips also discussed with the Board revisions to Title 18 regarding substitution of biosimilars for reference product biologics.

**7. Administrative Updates.**

- a. Board members were informed of Board member portal information as well as accessibility in the new NGLP licensing system

**8. Education Course Review:**

- a. **“Controlled Substances: Preventing Diversion and Promoting Patient Safety with Opioids.”** Submitted by Pharmacist’s Letter/Therapeutics Research Center. Requesting 2 credits of continuing pharmacist education for the online course. Mr. Carroll made a motion to approve the request. Mr. Arisman seconded the motion. Motion passed.

**9. Other Business:** None

**10. Public Comment:** None

**11. Adjournment**

- a. As there was not additional business to attend to the meeting adjourned at 11:35 am.

Next Scheduled Meeting – Wednesday, January 24, 2018  
Please check the office [website](#) for updates