

Board of Pharmacy
Secretary of State, Office of Professional Regulation
National Life Building, North, Floor 2, Montpelier, VT 05620-3402
Unapproved Minutes
Meeting of June 22, 2011

1. The meeting was called to order at 9:05 A.M.

Members present: Julie A. Eaton, R.Ph., Chair; Jeffrey P. Firlik, R.Ph., Vice-Chair; Judith Wernecke; Earl W. Pease, Pharm.D.; and Larry Labor, R.Ph.

Members absent: Steven M. Vincent, R.Ph. and Emma J. Pudvah.

OPR Personnel present: Larry S. Novins, Board Counsel; Peter Comart, Unit Administrator; Carla Preston, Case Manager and Kristy Kemp, Administrative Assistant.

Others Present: Crystal Bousquet from Anthony Otis' Office, representing the Vermont Community Retail Pharmacy Coalition.

2. The Chair called for approval of the Minutes of the May 18th meeting. Item 19(c) was amended to read as follows:

The Board reviewed the May 17, 2011 email from Grant Chester asking if Vermont allows unit dose or modified unit dose drugs to be repackaged multiple times. The Board indicated that no Vermont Rule addresses repackaging. Vermont follows federal guidelines for repackaging.

Mr. Labor made a motion, seconded by Ms. Wernecke, to approve the Minutes of the May 18, 2011 meeting as amended. Motion passed unanimously.

3. **Guests:**

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

a. The Board considered a Stipulation and Consent Order in the matter of Jeffrey B. Waite, Docket Number 2010-314. Larry S. Novins presided for the Board. Prosecuting Attorney, Gregg Meyer presided for the State. The Respondent and his Attorney were present. The Chair made a motion, seconded by Mr. Firlik, to accept the Stipulation and Consent Order. The question was called and the motion passed. Mr. Labor, Investigating Member, did not participate in the vote.

5. **Reports:** (None)

6. **Follow-up Cases**

Carla Preston, Case Manager, provided updates on current and follow-up cases. There are currently 73 pending cases.

7. **Legislation/Rulemaking:**

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

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

2010-187 - The Board reviewed the Report of Concluded Investigation. Mr. Firlik made a motion, seconded by Mr. Labor, to accept the Investigative Team's recommendation and conclude the case without formal prosecution. Motion passed. Mr. Pease, Investigating Member, did not participate in the vote.

2010-314 - The Board reviewed the Report of Concluded Investigation. The Board determined that it could not accept the Report in its present form. Mr. Pease recused. An Ad Hoc Member was the Investigating Member on this case.

9. **Applications for Licensure as Pharmacists:**

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

Michael A. Biddle, Jr., PharmD (Endorsement)
Adam D. Christophe, PharmD (Endorsement)
Allan C. Haddad, Jr., PharmD (Examination)
Megan A. Vogel, PharmD (Endorsement)
Heidrun F. Warburton, R.Ph. (Endorsement)

Emad Sedrak – The Board reviewed and discussed Mr. Sedrak's application for licensure as a pharmacist.

Applications for Registration of Out of State Telepharmacy Pharmacists: (None)

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

The Board reviewed the following applications for in-state pharmacies and took action as indicated.

- a. **AADCO Medical Inc.**, 2279 Vermont Route 66, Randolph, VT, submitted an Application for Licensure for Wholesale Distribution of Drugs. An initial inspection is required.
- b. Kinney Drugs, Inc., **d/b/a Kinney Drugs, Inc. #105**, 16 Church Street, Barton, VT, submitted an application for a new remote pharmacy pilot project. The facility has successfully passed its initial inspection. A temporary license has been issued and is set to expire on August 15, 2011. Passed initial inspection on June 15, 2011. Affidavit and proof of DEA registration is required.

- c. Pharmacy Network, LLC, **d/b/a Community Health Pharmacy**, 4 Slapp Hill, Hardwick, VT, submitted an application for a new remote pharmacy pilot project. The facility has successfully passed its initial inspection. A temporary license has been issued and is set to expire on June 30, 2011. Final inspection performed on June 14, 2011. Affidavit and proof of DEA registration is required. The Board voted to extend the temporary license until July 31, 2011.

11. Change in Pharmacist Managers:

Mr. Pease made a motion, seconded by Ms. Wernecke, to approve the following changes in pharmacist managers. The question was called and the motion passed unanimously.

- a. **Hannaford Food & Drug #8129**, (038-3339), located at 456 South Barre Road, Barre, Vermont, submitted an application for change in pharmacist manager from Alan D. McCampbell to Deanna C. Sargent.

12. Non-Resident Pharmacies:

The Board reviewed the following applications with prior disciplinary action. Based on the information provided, Mr. Labor made a motion, seconded by Mr. Pease, to approve the non-resident pharmacies for licensure. Motion passed unanimously.

Butler Schein Animal Health Supply – Richmond, VA.
Medco Pharmacy, LLC, D/b/a Catalyst Mail – Las Vegas, NV.
Medco Pharmacy, LLC, D/b/a Catalyst Mail – Columbus, OH.

13. Non-Resident Wholesaler/Manufacturer Drug Outlets:

A non-resident wholesale distributor application with no record of prior disciplinary actions was approved since the last meeting based on its completed applications. The Board was provided with the name of the facility and found no issues.

The Board reviewed the following applications with prior disciplinary action. Based on the information provided, The Chair made a motion, seconded by Mr. Labor, to approve the non-resident pharmacies for licensure. Motion passed unanimously.

Butler Schein Animal Health Supply – Middletown, PA.
Butler Schein Animal Health Supply – Albany, NY.
Butler Schein Animal Health Supply – Sandston, VA.
Butler Schein Animal Health Supply – Columbus, OH.

The Board reviewed the following applications with prior disciplinary action. The applicants will be notified of the Board's decision.

Medline Industries, Inc. – Mundelein, IL.
Medline Industries, Inc. – Libertyville, IL.
Medline Industries, Inc. – Mansfield, MA.

Medline Industries, Inc. – Havre de Grace, MD.
Owens & Minor Distribution, Inc., D/b/a Owens & Minor HealthCare Logistics –
Redlands, CA.

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

(None)

15. **Continuing Pharmacy Education Requests:**

Mr. Labor made a motion, seconded by the Chair, to approve the following continuing pharmacy education requests. The question was called and the motion passed unanimously.

- a. **“Is Modern Society Killing Us”** submitted by James Marmar, R.Ph., requesting approval for fourteen (14) live (didactic) continuing pharmacy education credit. The seven two hour lectures were held on the following dates: March 29th, April 5th, April 26th, May 3rd, May 10th, May 17th and May 24th. The Board issued approval number CPE-057(L)-0611.

16. **Intern/Preceptor application(s):**

- a. Angela A. Aubin – The Board reviewed Ms. Aubin’s Intern’s Evaluation of Internship Period and Preceptor’s Affidavit of Internship Hours regarding the 248.5 hours she earned from March 12, 2011 through June 18, 2011, while working at McGregor’s Medicine on Time Pharmacy, located in Winooski, Vermont, with Michele Kartschoke as her Preceptor. Mr. Labor made a motion, seconded by Mr. Pease, to approve the **248.5** internship hours Ms. Aubin has earned. Motion passed unanimously.
- b. Alexandra M. Jones – The Board reviewed Ms. Jones’ Intern’s Evaluation of Internship Period and Preceptor’s Affidavit of Internship Hours regarding the 209 hours she earned from September 28, 2010 through May 5, 2011, while working at Kinney Drugs Inc. #29, located in Burlington, Vermont, with Theresa Shangraw as her Preceptor. Mr. Labor made a motion, seconded by Mr. Pease, to approve the **209** internship hours Ms. Jones has earned. Motion passed unanimously.
- c. Brittany M. Striegel – The Board reviewed Ms. Striegel’s Intern’s Evaluation of Internship Period and Preceptor’s Affidavit of Internship Hours regarding the 365.35 hours she earned from June 14, 2010 through April 28, 2011, while working at Kinney Drugs Inc. #29, located in Burlington, Vermont, with Stephen Sopchak as her Preceptor. Mr. Labor made a motion, seconded by Mr. Pease, to approve the **365.35** internship hours Ms. Striegel has earned. Motion passed unanimously.
- d. Amanda L. Valentin – The Board reviewed Ms. Valentin’s Intern’s Evaluation of Internship Period and Preceptor’s Affidavit of Internship Hours regarding the 267 hours she earned from September 24, 2010 through March 1, 2011, while working at Wal-Mart Pharmacy #10-2224, located in Williston, Vermont, with Thomas P. Ryan as her Preceptor. Mr. Labor made a motion, seconded by Mr. Pease, to approve the **267** internship hours Ms. Valentin has earned. Motion passed unanimously.

17. **Pharmacy Technicians:** Total number of Active Registered Technicians is **1, 637** (1,505 Resident, 132 Non-Resident).

18. **Newsletter Topics!**

The Board noted that the next Newsletter is due to be sent in September.

19. **Miscellaneous Correspondence**

- a. The Board reviewed the May 20, 2011 email from David Herlihy. Mr. Herlihy had several questions about prescription dispensing. A response will be sent to Mr. Herlihy.
- b. The Board reviewed the June 03, 2011 email from John Chesarek regarding refill protocols. Mr. Chesarek asked if a specific protocol was acceptable. The Board is seeking input from the Vermont Board of Medical Practice.
- c. The Board reviewed the June 08, 2011 email from Meika Zilberberg with The Vermont Prescription Monitoring System at the Vermont Department of Health regarding identification requirements for patients picking up a controlled substance. The Board will consider this during its next Rule rewrite.
- d. The Board reviewed the June 15, 2011 letter from Dr. Harry L. Chen, Commissioner of the Vermont Department of Health, regarding recommendations to add substances to the Regulated Drugs rule. The Board expressed its support on the recommendations. A letter will be sent to Mr. Chen asking that the Board of Pharmacy be kept updated on this issue.

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

The Board reviewed various documents from the NABP.

21. **Public Comment:** (None)

22. **Other Business Introduced**

23. The next meeting of the Board is scheduled for **Wednesday, July 27, 2011 at 9:00 A.M.**

Meeting dates for 2011 are as follows: August 24th, September 28th, October 26th and December 7th.

24. There being no further business, the meeting was adjourned at 3:23 P.M.

Respectfully submitted,

Kristy Pirie, Administrative Assistant
Office of Professional Regulation