

BOARD OF PHARMACY
Secretary of State, Office of Professional Regulation
89 Main Street, 3rd Floor, Montpelier, VT
Approved Minutes
January 27, 2016 at 9:00 A.M.

1. The meeting was called to order by Mr. Milne, R.Ph., Chair, at 9:03 a.m.

Members Present: Mr. King Milne, R.Ph., Chair; Mr. Robert Carpenter, R.Ph., Vice Chair; Ms. Stephanie Ibey, R.Ph.; James Arisman, Esq., public member; Mr. Corey Duteau, R.Ph. 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: Anne Fellows, Luca Polipei, Michael Duleue, David Adsit, Tom Stuna and Theo Kennedy, David Adsit, Mike Duteau, and Theo Kennedy.

2. Approval of the Minutes of the December 16, 2015 Board meeting.

Ms. Wernecke made a motion to approve the minutes with the following amendments, 1. Reflect the previous docket case information; 2. Cancel the November 23rd, 2016 meeting that is on the calendar; and 3. Provide alternative dates for the December. 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 thirty three (33) cases. Seven (7) are ready for investigative team meeting. Three (3) are recommended for closing. Three (3) are pending hearing, 1 case charges filed, 15 with investigator, 4 pending charges.

4. Hearings/Stipulations et al:

9:30 am – Stipulation and Consent Order: Paul R. Carroll, Docket # 2015-181 (Robert Carpenter, the Investigative Team member, recused himself). Lauren Hibbert presented for the state.

Ms. Wernecke made a motion, seconded by Mr. Duteau to approve the Stipulation and Consent Order as written. Motion passed unanimously.

Stipulation and Consent Order: Kimberly S. Blanchard, Docket #2015-33 (Judith Wernecke, the Investigative Team member and recused herself).

Mr. Carpenter made a motion, seconded by Mr. Arisman to approve the Stipulation and Consent Order as written. Motion passed unanimously.

Stipulation and Consent Order: Katelynne E. Abutt, docket # M2012-101 (Stephanie Ibey, the Investigative Team member and recused herself).

Mr. Arisman made a motion to accept the amended Stipulation and Consent Order with the revised page 2, seconded by Mr. Carpenter. Motion passed unanimously.

The Board suggested that all future Hearings/Stipulations be scheduled on the agendas for 9:15 am vs. 9:30 am.

5. Applications/Legislation/Rulemaking:

License application from Kinney Drugs #112 (license #: 038-0089285) in Waitsfield, VT. Request to terminate the current retail license and request to license this location as a remote pharmacy per Vermont Board of Pharmacy Administrative Rules Part 19. (Bob Enos)

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 and Mr. Duteau and Ms. Ibey recused. 2-2-2 a tie vote.

The board recommended to table the application and asked Kinney Drugs to reach out to the community members and the Town of Waitsfield and come back to the board in a month or two with any feedback they are able to gather to help board on their decision.

7. Continuing Education Requests:

Introduction to Cancer and Chemotherapy: How Knowledge Improves Patient Care – Lisa Jackman
Bob Enos recommended the Board approve this request. Mr. Carpenter made the motion, seconded by Mr. Duteau. Motion carries.

8. Discussion Items:

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.

NABP newsletter will include the same information. Bob will also include CPE Monitoring letter notice for the February 1st deadline for the newsletter.

Mr. Enos will be checking difference in the cost of sending a hardcopy newsletters out to all licensees by mail or an electronic version and will report back to the board at the February meeting.

Reviewing the email from the Vermont Pharmacist Association, the suggestion was made to have the annotated version of the new rules uploaded to the Board of Pharmacy website so other are able to see what changes were made.

10. Audit Review

The Board reviewed the remaining CE audits.

11. Other Business – The Board signed certificates.

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.

12. The next meeting is scheduled for Wednesday, February 24, 2016, at 9:00 a.m.
13. The meeting adjourned at 11:15 a.m.

2016 Meeting Dates

February 24, March 23, April 27, May 25, June 22, July 27, August 24, September 28, October 26,
(cancelled November 23 meeting) possible date of November 30 and December 28