

## **VERMONT BOARD OF PHARMACY– Approved Minutes**

Secretary of State, Office of Professional Regulation  
89 Main Street, 3<sup>rd</sup> Floor, Montpelier, VT 05620-3402  
**December 13, 2016 at 9:00 AM**

1. The meeting was called to order at 9:04 a.m., by Ms. Ibey, RPh, Chair.

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

OPR Personnel Present: Mr. Larry Novins, General Counsel and Aprille Morrison, Licensing Board Specialist

Guests: Luca Pompei, Mike Fish and Heather Shouldice

2. The Chair called for approval of the Minutes of the September 28, 2016 meeting. Mr. Arisman made a motion to approve the minutes with a couple grammatical changes. Mr. Duteau seconded the motion. Motion passed.
3. **Case Manager's Report:** There are currently one hundred and thirteen (113) cases. Two (2) are ready for closing, two (2) are in the Intake process, seventy-five (75) are ready for Investigative Team meetings, twenty-five (25) are under investigation, one (1) has had charges filed, four (4) are pending a hearing and four (4) are pending charges being filed.
4. **Budget Review:** Colin Benjamin, Director of OPR, informed the Board where their current budget stands and gave the Board the administration's recommendation of keeping fees where they are currently, monitoring it over the next fiscal year, and then reassessing in 2017. Mr. Carpenter made a motion to accept the administration's recommendation. Mr. Duteau seconded the motion. Motion passed.
5. **Hearings/Stipulations/Reports of Concluded Investigation et al:**

Hearing in the matter of Brian Badgley, docket # 2016-100. Mr. Badgley and his attorney, Robert Backus attended the hearing. The Board went into deliberative session from 10:40 am to 11:04 am. Mr. Arisman made a motion to accept the Order introduced by prosecution as written. Mr. Carpenter seconded the motion. Motion passed. Mr. Duteau did not participate in the hearing as he was the Investigative Team member.

Summary Suspension Order in the matter of Sarah Dunbar, docket # 2016-536. Mr. Arisman made a motion to accept the Order summarily suspending Ms. Dunbar's pharmacy technician registration. Mr. Carroll seconded the motion. Motion passed. Mr. Carpenter did not participate in the vote as he was the Investigative Team member.

Stipulation and Consent Order in the matter of Medisca, Inc., docket #'s 2015-77, 2016-324 and 2016-325. Mr. Arisman made a motion to accept the Order as presented. Mr. Carpenter seconded the motion. The Board went into deliberative session from 11:34 am to 11:40 am. Motion passed. Mr. Milne did not participate in the vote as he was the Investigative Team member.

Order to Remove Conditions in the matter of College Pharmacy, Inc., docket # 2011-367 and follow-up case # M2011-145. Mr. Arisman made a motion to accept the Order as presented. Mr. Duteau seconded the motion. Motion passed.

6. **Applications/Legislation/Rule Making:**

Mr. Novins informed members present that he has been working with Mr. Enos and Mr. Vincent on creating a working draft of the updated Administrative Rules. They plan to meet again on Friday, December 16<sup>th</sup>.

Mr. Novins requested the Board members review the Department of Health Rules regarding opiate prescribing. The Board had no objections to the Rules presented by the Department of Health. Mr. Novins will inform Mr. David Englander of the Board's decision.

7. **Continuing Education Requests:**

The Board reviewed several requests for the Getaway Seminars and being that these seminars either already have or are pending ACPE approval, and the Board automatically accepts all ACPE approved programs, they deemed these programs acceptable.

**"Pharmacy Ethics and Professionalism Course"** – Submitted by Professional Boundaries, Inc. Requesting twenty-two (22) hours of live (didactic) continuing pharmacy education credits. The conference will be held November 5-6, 2016; February 25-26, 2017 and June 3-4, 2017. **Mr. Carpenter made a motion to approve the request. Mr. Arisman seconded the motion. Motion passed.**

8. **Discussion Items:**

2017 Meeting Schedule. The Board reviewed the 2017 meeting dates and there will be four changes. Ms. Morrison will make the changes to the calendar.

May 24<sup>th</sup> will be changed to May 31<sup>st</sup>  
The November 22<sup>nd</sup> and December 27<sup>th</sup> meetings will be removed from the schedule  
The Board will meet on December 6<sup>th</sup>

VPMS Required Reporting. Mr. Novins wanted to check with the Board regarding language received from the Health Department being added to the Board's website. The Board agreed this information should be added. Ms. Morrison will take care of the additions.

Controlled Substance Prescription Printing. Mr. Novins informed members that he received communication from Boston Children's Hospital regarding a prescription that was written for a Vermont patient and the refusal of a pharmacy to fill the prescription as they did not feel it met Vermont's requirements. The Board reviewed the prescription and agreed with Mr. Novins that this prescription was acceptable. Mr. Novins will speak to Mr. Enos regarding contacting the pharmacy in question and assuring them of its validity.

9. **Public Comment:**

Mr. Mike Fish from Hannaford Pharmacy addressed the Board regarding vaccine administration. Mr. Novins requested that Mr. Fish submit the questions to Ms. Morrison so they may be addressed officially at a future Board meeting.

10. The next meeting is scheduled for Wednesday, January 25, 2017, at 9:00 a.m.

12. Mr. Carpenter made a motion to adjourn the meeting at 12:08 pm. Mr. Arisman seconded the motion. Motion passed.