

VERMONT BOARD OF PHARMACY– Approved Minutes

Secretary of State, Office of Professional Regulation
89 Main Street, 3rd Floor, Montpelier, VT 05620-3402

April 29, 2015 at 9:00 AM

1. The meeting was called to order at 9:03 AM, by Larry Labor, Chair.

Members Present: Mr. Larry Labor, RPh, Chair; Mr. King Milne, RPh, Vice Chair; Ms. Stephanie Ibey, RPh; Mr. Robert Carpenter, RPh; Mr. Corey Duteau, RPh and Ms. Mimi Kevan, Ad-Hoc public member.

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

Guests: Paul Naum, Nate Sides, Mike Fish, Joe Lavino, Jeff Cohen and R. Palumbo

2. The Chair called for approval of the Minutes of the March 25, 2015 meeting. Hearing no corrections to the minutes, the Chair approved the minutes as written.

3. **Case Manager's Report:** There are currently 33 cases. Seven (7) are ready for closing (to be presented at today's meeting), five (5) are ready for Investigative Team meetings, two (2) have had charges filed, ten (10) are under investigation, one (1) is pending a hearing and eight (8) are pending charges being filed.

Report of Concluded Investigation 2013-471. Mr. Carpenter made a motion to accept the report as presented. Ms. Ibey seconded the motion. Motion passed. Mr. Duteau recused from voting as he was the Investigative Team member.

Report of Concluded Investigation 2014-432. Mr. Carpenter made a motion to accept the report as presented. Mr. Duteau seconded the motion. Motion passed. Mr. Milne recused from voting as he was the Investigative Team member.

Report of Concluded Investigation 2014-602. Mr. Duteau made a motion to accept the report as presented. Mr. Milne seconded the motion. Motion passed. Mr. Carpenter recused from voting as he was the Investigative Team member.

Report of Concluded Investigation 2014-651. Ms. Kevan made a motion to accept the report as presented. Mr. Carpenter seconded the motion. Motion passed. Mr. Labor recused from voting as he was the Investigative Team member.

Report of Concluded Investigation 2015-16 and 2015-17. Mr. Milne made a motion to accept the report as presented. Mr. Duteau seconded the motion. Motion passed. Mr. Carpenter recused from voting as he was the Investigative Team member.

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

George Belcher introduced himself to the Board members present. He will be the Administrative Law Officer for a contested disciplinary matters before the Board.

9:30 am – Modification request – Jeff Cohen M2012-147 (docket # 2011-516). Mr. Cohen requested the Board review his request to modify one of his current restrictions to practice for his pharmacist license. The Board, after a brief deliberative session, denied Mr. Cohen's request.

George Belcher, Administrative Law Officer, informed Mr. Cohen the Board would issue a decision on the matter.

9:30 am – Stipulation and Consent Order, Gregory Danyow, docket # 2015-162. Mr. Carpenter made a motion to accept the order as presented. Mr. Milne seconded the motion. Motion passed. Mr. Duteau did not participate in the vote as he was the Investigative Team member.

9:30 am – Stipulation and Consent Order, Owens & Minor Distribution, Inc., docket #'s 2015-94 and M2011-140. Mr. Milne made a motion to accept the order as presented. Mr. Duteau seconded the motion. Motion passed. Mr. Carpenter did not participate in the vote as he was the Investigative Team member.

5. **Guests:**

10:00 am – Paul Naum from Roadrunner Pharmacy. Mr. Naum spoke to the Board regarding the compounding limitations for drugs used specifically by veterinarians and the struggles Veterinarians are having with as compounded drugs, according to pharmacy laws, must be patient specific which limits the Veterinary facilities from having a compounded drug for clinic use. Mr. Naum will be returning to a future Board meeting as he is seeking an exemption to the Rules for Veterinary clinics to be able to hold a minimum storage of these compounded drugs.

6. **Legislation/Rulemaking:**

The Board holding a public hearing today at 1:00 pm to discuss the public comments to the proposed changes to the administrative rules, that have been made, in writing, thus far as well as hear comments from anyone choosing to attend the hearing.

7. **Continuing Education Requests:**

Mr. Carpenter made a motion to approve the following requests for continuing education credit. Mr. Milne seconded the motion. Motion passed.

- Lisa Jackman, University of Vermont Medical Center, requests approval for one half (.5) hours of live (didactic) continuing pharmacy technician education credits for the course “**Drug Allergies**” that was held on April 21, 2015.
- Lisa Jackman, University of Vermont Medical Center, requests approval for one half (.5) hours of live (didactic) continuing pharmacy technician education credits for the course “**New Formulary Medications**” that will be held on May 4, 2015.

8. **Newsletter Topics:**

The Board will prepare articles for submission for the September newsletter.

9. **Discussion Items:**

Mr. Novins received a question from an individual regarding substitutions of generics for name brand drugs. Any pharmacist who has a question regarding a substitution on a prescription should contact the prescriber for verification. Mr. Novins will respond.

10. The next meeting is scheduled for Wednesday, May 27, 2015 at 9:00 am.

11. Mr. Carpenter made a motion to adjourn at 10:50 am. The motion was seconded by Mr. Duteau. Motion Passed.