



Board of Pharmacy

Office of Professional Regulation, Vermont Secretary of State

89 Main Street, 3rd Floor • Montpelier, VT 05620-3402

<https://sos.vermont.gov/opr/>

Approved Meeting Minutes

Remote Meeting

Wednesday, May 25th, 2022 at 9:00 a.m.

1. Call to Order

The meeting was called to order at 9:01 A.M., by Michael Carroll, RPh, Chair

Members Present: Stephanie Ibey, RPh, Secretary (via web); James Arisman, Esq. public member (via web); Robert Carpenter, RPh, Vice Chair (via web); Linda Retchin, AD-HOC (via web); Corey Duteau, RPh (via web-left prior to adjournment); and Michael Carroll, RPh, Chair (via web).

Members Absent: Catherine Haraden, CPhT

OPR Personnel Present: Carrie Phillips, Executive Officer (via web); Gabriel Gilman, General Counsel (via web); Agatha Kessler, Assistant Director of OPR (via web); Kassandra Diederich, Staff Attorney (via web); Lauren Layman, Staff Attorney (via web); and Corey Young, Licensing Administrator I (via web).

Guests: Sandra Rosa (via web); John Long (via web); Melinda Paquette (via web); Savannah Cheeseman (via web); Stephanie Winters (via web); Dale Masten (via web); Jessica Adams (via web); and Lisa Le Gette (via web).

2. Changes to the Agenda:

3. Approval of previous minutes:

Mr. Carroll approved the minutes for the April 23rd meeting as amended by Mr. Young checking on adjournment information from previous meeting.

4. Discipline: None

5. Topics for discussion:

- **Executive Officer Report:**
 - The Board had no questions on the EO report.
 - Attorney Gilman updated the Board on the status of H.353 and explained H.655 in detail.
- **Inspector Everett's Quarterly Report**
 - Mr. Everett presented his quarterly inspection report to the Board.
- **Open Meeting Law/Notice requirements**
 - Attorney Gilman informed the Board of the Open Meeting Law and OPR's notice requirement.
 - All members will be sent only the agenda one week prior to the meeting, and all other documents to be found on the Board members portal.
- **Investigative and Research Project license type**
 - Ms. Phillips spoke about two Investigative and Research Project licensees and whether they need to be licensed in Vermont.
 - Tabled to June meeting to assign to a small work group.
- **Request from VPA to waive Rule 10.35e(1), tabled from April 27**
 - The Board took up VPA's request, tabled from a previous meeting to allow for stakeholder input. Counsel advised that the request, though framed as a waiver request, could be addressed without waiving the rule, but by finding that compliance with its first duty,

registry use, fulfilled its second, notification to the primary care provider. Following debate and discussion, Mr. Carpenter moved:

That the Board of Pharmacy find that the Immunization Registry has achieved a consistency and reliability that make contemporaneous recording in the Registry a permissible means of satisfying the Rule 10.35(e)(1) obligation to “provide a notification to the patient’s primary health care provider of the immunization administered.” If circumstances lead a pharmacist to reasonably question whether Registry entries will be accessible to and accessed by the primary health care provider, the pharmacist must provide notification by other means.

Mr. Duteau seconded the motion; motion passed unanimously.

- **USP <800> Rulemaking Discussion – Possible applicability to non-compound pharmacies**
 - The Board requested that OPR reach out to Vermont Occupational Safety and Health Administration for their input.
- **Report about NABP Annual Meeting**
 - Ms. Phillips and Mr. Carroll provided an overview of the National Association of Boards of Pharmacy annual meeting held in Phoenix, Arizona on May 19-21, 2022.
- **Well-being index reports, conducted by NASPA and APhA, provided by NABP**
 - Ms. Phillips presented the 2021 APhA/NASPA National State-Based Pharmacy Workplace Survey final report.

6. Public Comment:

7. Next Meeting topics:

- Review language regarding annual update of patient records in draft rules’ revisions
- Workplace conditions draft rule review
- USP <800> Rulemaking Discussion

8. Adjournment:

With the lack of further business, Ms. Retchin moved to adjourn the meeting at 10:51am. Mr. Carpenter seconded the motion, motion passed unanimously.

Next Scheduled Meeting –Wednesday June 22nd, 2022
Please check the [OPR Meeting Calendar](#) for updates