

VERMONT BOARD OF PHARMACY– Approved Minutes

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

September 28, 2016 at 9:00 AM

1. The meeting was called to order at 9:00 a.m., by Mr. Milne, RPh, Chair.

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

Members Absent: Michael Carroll, RPh

OPR Personnel Present: Mr. Larry Novins, General Counsel; Mr. Robert Enos, RPh, Executive Officer, and Aprille Morrison, Licensing Board Specialist

Guests: Luca Pompei and Wesley McMillian

2. The Chair called for approval of the Minutes of the August 24, 2016 meeting. Ms. Wernecke made a motion to approve the minutes as presented. Mr. Duteau seconded the motion. Motion passed.

3. **Case Manager's Report:** There are currently eighty (80) cases. Two (2) are ready for closing, fifty-five (55) are ready for Investigative Team meetings, thirteen (13) are under investigation, five (5) are pending a hearing and five (5) are pending charges being filed.

4. **Hearings/Stipulations/Reports of Concluded Investigation et al:**

Stipulation and Consent Order in the matter of Tiffany Pagan, docket # 2016-240. Ms. Ibey made a motion to accept the order as presented. Mr. Duteau seconded the motion. Ms. Ibey, Mr. Duteau, Ms. Wernecke and Mr. Carpenter approve the motion. Mr. Arisman opposed the motion. Motion passed. Mr. Milne did not participate in the vote as he was the Investigative Team member.

5. **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. Their most recent meeting was Monday, September 26th and they worked through Parts 9 and 10 of the Rules. They hope to be able to meet again prior to the October Board meeting to continue updates.

6. **Continuing Education Requests:**

The Board reviewed the following request for Pharmacist Continuing Education:

“Vermont Society of Health-System Pharmacists Clinical Pearls” – Submitted by Erica Facteau of the Vermont Society of Health-System Pharmacists. Requesting one and a half (1.5) hours of live (didactic) continuing pharmacy education credits. The conference will be held October 25, 2016. **Mr. Carpenter made a motion to approve the request. Mr. Duteau seconded the motion. Motion passed.**

Mr. Eric Brewer sent an appeal of a December 2015 denial of a CPR course to be counted toward live CPE credits. Mr. Enos contacted Mr. Brewer and requested additional information regarding the course and whether education on pharmacology was being given. The response

was given to Board members for review. Ms. Ibey made a motion to uphold the denial of the course for live continuing pharmacy education credits. Mr. Arisman seconded the motion. Motion passed.

8. Discussion Items:

10:00 am - Board members held a conference call with David Englander from the Vermont Department of Health regarding a discussion of the mandate in S.243 that the Health Department discuss with the Board, and several other agencies, the role that Vermont Pharmacists could play in the verification of prescription drug abuse. Mr. Englander will draft a list of invitees and is requesting two to three pharmacy Board members to attend a discussion group to discuss options available in pharmacists assisting the fight of the opioid crisis in Vermont. Mr. Englander will contact Ms. Morrison with available times that the group may be available for an in-person meeting.

Comprehensive Addiction and Recovery Act of 2016. Mr. Enos wanted to bring to the Board's attention that there have been amendments to the Controlled Substance Act. The amendments now allow for partial fills of C2 prescriptions for up to 30 days from the fill date. Mr. Enos will work with Mr. Novins to make sure that none of the Vermont rules conflict with the Controlled Substance Act amendments.

Mr. Carpenter attended the NABP District meeting in Greenbriar, West Virginia. He informed members present of the discussion items at the meeting. He also informed members that in 2019 it will be Vermont's job to host the Annual NABP meeting. Planning is already in the works for this.

9. Public Comment:

Mr. Wesley Merriam addressed the Board regarding a current situation at UVM Medical Center regarding patients started on an IV infusion in the Infusion Suite and leaving the institution with an IV solution intended to infuse over several days. Mr. Merriam wanted clarification as to whether the hospital is covered with the institutional license or if they need an additional retail license. Mr. Enos and Board members discussed that while the current rules do not specifically prohibit this process, it would be ideal for the Board to update their definition for institutional pharmacies to include medication administration.

Mr. Luca Pompei asked the Board about generic substitutions for Vicodin. Since other combination products are not of exactly the same strength, generic substitution cannot occur. A new prescription would be required. This could be done orally by contacting the prescriber.

10. Election of Officers

Mr. Carpenter nominated Ms. Ibey for Chair. Mr. Duteau seconded the motion. Motion passed. Ms. Ibey accepted the nomination.

Mr. Arisman nominated Mr. Carpenter for Vice Chair. Ms. Ibey seconded the motion. Motion passed. Mr. Carpenter accepted the nomination.

Mr. Carpenter nominated Ms. Wernecke for Secretary. Mr. Arisman seconded the motion. Motion passed. Ms. Wernecke accepted the nomination.

11. The next meeting is scheduled for Wednesday, October 26, 2016, at 9:00 a.m.

12. Mr. Carpenter made a motion to adjourn the meeting at 11:01 am. Ms. Ibey seconded the motion. Motion passed.