



# **Board of Pharmacy**

## **Office of Professional Regulation, Vermont Secretary of State**

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### **Approved Meeting Minutes**

#### **\*Remote Meeting\***

**Wednesday, December 2, 2020, at 9:00a.m.**

#### **1. Call to Order**

The meeting was called to order at 9:01 A.M., by Mr. William Chatoff, RPh, Chair

Members Present: Stephanie Ibey, RPh (via web); James Arisman, Esq., public member, Secretary (via web); Michael Carroll, RPh, Vice Chair (via web); Robert Carpenter, RPh, (via web, left prior to adjournment); William Chatoff, RPh Chair (via web); Corey Duteau, RPh (via web); Catherine Haraden, CPhT (Via web); and Judith Wernecke, public member (via web).

OPR Personnel Present: Carrie Phillips, Executive Officer (via web); Gabriel Gilman, General Counsel (via web); Corey Young, Licensing Administrator I (via web); Aprille Morrison, Licensing Administrator III (via web); Tara Grenier, Licensing Administrator III (via web); Elizabeth St. James, Chief Prosecutor (via web, left prior to adjournment); and Agatha Kessler, Assistant Director (via web).

Guests: Emma Shouldice (via web); Denise Frank (via web); Ron Lanton(via web); Elizabeth Shepard (via web); Kerri Ryan (via web); Nate Awrich (via web); Leah Giambarresi (via web); Jeenu Philip (via web); Rita Baglini (via web); Elizabeth Sheehan (via web); Casey Betourney (via web); Jessica Adams (via web); Rob Geddes (via web); Theodore Studdert-Kennedy (via web); Sharon Zhou (via web); Lauren Bode (via web); Allyson Snow (via web); Mark Boesen (via web); Melissa Madigan (via web); and William Cover (via web).

#### **2. Approval of previous minutes:**

Mr. Carpenter moved to approve the minutes from the October 29<sup>th</sup>, 2020 board meeting, with corrections. Ms. Ibey seconded the motion, motion passed.

#### **3. Discipline:**

- *At 10:30* - Stipulation and Consent Order for Docket No. 2020-82, In Re GenRX Pharmacy

Mr. Carroll made a motion that the board go into deliberative session, Mr. Chatoff seconded the motion. Motion passed.

Mr. Arisman made a motion to not approve the stipulation. Mr. Carrol seconded the motion, motion passed.

Ms. St. James brought forth a revised stipulation for the board to review.

Ms. Wernecke moved to accept the revised stipulation; Ms. Ibey seconded the motion. Mr. Arisman, Mr. Chatoff & Mr. Carroll were not in favor of this motion, motion passed with a 4-3 count.

**4. Topics for discussion:**

- a. Ms. Phillips presented to the board her Executive Officer report and the recent pharmacy license approvals.
- b. Ms. Melissa Madigan from NABP, spoke to the board about the compounding pharmacy information sharing project for reporting requirements of the FDA's MOU.

Mr. Carpenter made a motion to accept the following regarding Vermont BOP's position regarding the State signing the FDA's MOU:

*The Board of Pharmacy has considered the costs and benefits to the State of Vermont of agreeing to the terms of the FDA's final MOU on compounding data collection. On balance, the Board concludes that the people of the State are best served by Vermont agreeing to the MOU terms. Having further heard from NABP as to the electronic reporting system under development for use as a vehicle to collect the data required by the MOU, the Board believes participation in the NABP system is likely to be the most efficient and advisable means of executing the State's responsibilities under the MOU. For these reasons, the Board recommends that responsible State officials approve the Memorandum of Understanding Addressing Certain Distribution of Compounded Human Drug Products, and the Board presumes the Compounding Pharmacy Information Sharing Project operated by NABP will be the most efficient and least burdensome means of collecting the information required.*

Ms. Haraden seconded the motion, motion passed. Mr. Chatoff recused himself.

- c. Ms. Phillips spoke to the board about a Walgreens requesting a waiver to appoint a temporary pharmacist manager with less than 2 years' experience. Mr. Carpenter made a motion to accept the waiver, Mr. Duteau seconded the motion. Motion passed.
- d. The board reviewed draft rule revisions regarding workplace conditions. Mr. Chatoff appointed Ms. Ibey, Mr. Carpenter & Ms. Haraden to work on the drafting of such Rules with Ms. Phillips ahead of January's BOP meeting.
- e. The board tabled the National Coalition for Drug Quality & Security vote, until the January 27<sup>th</sup> board meeting. NCDQS will be present to present to the board.

**5. Other business:**

- The Board decided to place the following topics on the agenda for the January 27<sup>th</sup> board meeting;
  - NCDQS
  - Clinical pharmacy prescribing protocols – Opioid antagonists & Influenza vaccination.
  - Draft Rule 6.8 Workplace conditions
  - USP Chapters <800> & <825>

- 6. Public Comment:** The Board heard from clinical pharmacist, Lauren Bode, and pharmacy manager, Sharon Zhou. Ms. Zhou provided her boots-on-the-ground perspective regarding certain workplace conditions, relaying the myriad competing duties that a sole pharmacist in the retail chain pharmacy setting faces and the impact

that has upon their taking the required 30 minute break. She recommended the Board consider rules requiring all pharmacies to close their doors daily for 30 minutes to allow pharmacy staff to adhere to the Rule about such breaks.

**7. Adjournment:**

Mr. Chatoff adjourned the meeting at 1:59 P.M.

Next Scheduled Meeting –Wednesday January 27<sup>th</sup>, 2020  
Please check the [OPR Meeting Calendar](#) for updates