

**BOARD OF REGISTRATION IN PHARMACY
PHARMACY BOARD MEETING
TUESDAY, JANUARY 22, 2002
239 CAUSEWAY STREET, ROOM 206
BOSTON, MASSACHUSETTS 02114**

The meeting was called to order by President Harold B. Sparr at 9:30 a.m.

The following Board members were present: Harold B. Sparr, R.Ph., MS, President, Karen M. Ryle, R.Ph., MS, James T. DeVita, R.Ph., and Dr. Robert P. Paone, R.Ph., Pharm. D. Barron (10:30a.m.). Absent: Donna Horn & Dan Sullivan

The following Board staff were present: Charles R. Young, R.Ph., Executive Director, James D. Coffey, R.Ph., Associate Director, James C. Emery, C.Ph.T., Healthcare Investigator and Leslie S. Doyle, R.Ph., Healthcare Supervisor and Investigator.

AGENDA ITEMS

1. 9:30 a.m.

Call to order: Business Meeting.

Minutes for September 25, 2001: approve ___ amend X

Motion/Paone to approve the minutes as amended (last name correction).
Second/DeVita. The motion carried.

Minutes for October 02, 2001: approve ___ amend ___

Vote: Tabled.

Minutes for November 06, 2001: approve ___ amend ___

Vote: Tabled.

2. 9:45 a.m. - 11:45 a.m.

Strategic Planning Meeting.

Jim DeVita distributed a strategic planning worksheet reflecting fiscal year prioritization and task assignments for discussion.

- a. President Sparr inquired of counsel as to authority to license non-resident pharmacy/wholesale distributors and require VIPPS credentialing for out of state internet pharmacies
- b. President Sparr asked Dr. Paone to facilitate a review of current nuclear pharmacy regulations to determine if there is a need for change. Sparr suggested that Paone consult with Dr. George Matelli (MCPHS) and Dr. Ronald Callahan (MGH).
- c. President Sparr suggested the Board convene a task force to develop compounding regulations. Sparr requested that standards for compounding practice should be added to the strategic planning worksheet.

- d. Exec. Dir. Chuck Young noted Board is working with DPH on the final policy for return and reuse in long-term care and that the Board should consider excluding refrigerated/compounded medications from the policy.
- e. Young distributed a draft mission statement for consideration. Board revised deleted last two sentences of the draft statement. Mission statement to be voted on for adoption at February 05, 2002 meeting.

**3. 11:45 a.m. - 12:30 p.m. -
Technician Registration Discussion**

Discussion of pharmacy technician registration issues. The Board developed "frequently asked questions" (FAQs) to be incorporated into Board and Professional Credential Services (PCS) websites.

MPHA Exec. VP Carmelo Cinqueonce stated that their Board-approved pharmacy technician competency examination would be made available to pharmacy employers for purchase. Multiple choice versions of the approved examination would be submitted to such employers. MPHA would also publish the FAQs in an upcoming newsletter. Young recommended that MPHA track the parties to whom the examination is distributed.

The Board approved the MPHA examination was approved for a two year period and requested that MPHA note the 2-year approval on the exam cover sheet .

Pharmacy Technician Registration FAQs/Board Decisions

First and second year pharmacy students will be required to register as pharmacy technicians if they intend to work in a pharmacy in such capacity and or work greater than 1000 hours as a pharmacy technician trainee.

Topics to be included in FAQs: how to apply for registration; description of registration and renewal fees; CE requirements; options for assessment examinations in addition to PTCB; passing score for assessment examination; complaint jurisdiction; and grandparent provision limited scope statement.

**4. 12:30 p.m. - 1:30 p.m.
Lunch**

**5. 1:30 p.m. to 2:15 p.m.
Application for a New Retail Pharmacy Department.
BJ's Wholesale Club, Inc. D.B.A. BJ's Pharmacy #50, 85 Cedar Street,
Stoneham, Massachusetts 02180**

The applicant was represented by Christos Tzelias, the proposed Manager of Record (License #17713) and Martin S. Kovick, BJ's Wholesale Club Vice

President, Specialty Business.

The purpose of the meeting was to discuss the merits of an application for licensure as a new retail pharmacy department. BJ's Wholesale Club is a publicly held company with 14 MA locations. Pharmacy department is approx. 566 sq. ft. No corporate officers have prescribing privileges. Pharmacy has a private counseling area with appropriate pharmacy signage to be installed. Pharmacy department hours of operation: 9 a.m. - 9 p.m. Monday-Saturday and 9 a.m.- 6 p.m. on Sunday. Pharmacy department would be separately alarmed with motion detectors and surveillance equipment; gate will surround the pharmacy when the pharmacy is closed and when the pharmacist is on lunch break.

Board Decision: **Motion**/Paone to approve the application subject to compliant inspection. Second/DeVita. The motion carried.

6. **2:15 p.m. - 4:15 p.m.** – Board reviewed correspondence and took the following actions.
- a) Wal-Mart Stores East, Inc., petition for change of pharmacy business hours on Saturdays from 9 a.m. to 7 p.m. to 9 a.m. to 6 p.m. for Lunenburg, Gardner, North Reading, Chelmsford and Methuen:
The Board reviewed the correspondence and entertained discussion on the matter. **Motion**/DeVita to approve Wal-Mart's request for change of pharmacy business hours. Second/Paone. The motion carried.
 - b) MSHP's January 04, 2002 correspondence regarding Senate Bill 395 - An Act for the Greater Consumer Protection in Pharmacies: in Pharmacist Retraining. The Board reviewed the correspondence and entertained discussion on the matter. MSHP Legislative Chair Dave Seavers expressed the MSHP's concerns regarding proposed legislative fines for pharmacist misconduct.
 - c) Texas Board of Pharmacy Newsletter (Fall 2002): Policies and Procedures Regarding the Handling of Complaints Involving Dispensing Errors. The Board reviewed the newsletter. The Board suggested that the Board's Quality Assurance Surveyor should review resolved medication error complaints and categorize such in grid format for future strategic planning consideration.
 - d) Massachusetts Coalition for the Prevention of Medical Errors: agenda and papers related to patient safety principles of shared accountability. The Board advised staff to list the matter as a discussion item on the February 02, 2002 Meeting Agenda and invite Paula Griswald to discuss "shared accountability".
 - e) Board Counsel provided an update with regard to administrative matters and pending disciplinary matters.

In the Matter of Andrea Hilse (PH-98-057): **Motion**/Sparr to offer the Registrant (Alexander) a consent agreement with reinstatement conditions to be determined subject to MPRS assessment. Second/Ryle. The motion carried. President Sparr

requested the Board to provide the NH Board with a copy of the final consent agreement.

In the Matter of Greg Cannon (PH-01-023): Board Counsel provided an overview of the matter. **Motion**/Paone to issue the Registrant a strong Advisory Letter with MPJE requirement. Second/Ryle. Vote: In support; Paone, Ryle, Barron and DeVita, Opposed; Sparr. The motion carried.

- f) Application for Registration as Intern (Candidate Charles E. Raynor): Board review of disciplinary action. **Motion**/DeVita to approve the application for internship registration. Second/Ryle. The motion carried.
- g) The Board and Exec. Dir. Chuck Young signed duplicate wall certificates of pharmacist registration.
- h) Pharmacist Reinstatement: The Board requested that staff reference "supervised work experience" reinstatement conditions rather than "internship" in correspondence to pharmacists.
- i) Investigator Leslie Doyle provided overview of a special assignment regarding unlicensed pharmacist practice (individual allegedly practiced as a pharmacist for approx. 20 years without a license). Doyle stated that the matter was referred to DPL General Counsel Peter Larkovich for review and that he planned to refer the matter to the Office of Attorney General for appropriate action.

7) 4:15 p.m.

Motion/Barron to adjourn. Second/Paone. The motion carried. Meeting adjourned.

Respectfully submitted by:


Executive Director

12.6.02
Date

Printed Name

Reviewed by counsel: November 26, 2002

Draft approved: November 26, 2002

Board adopted: December 05, 2002