



Board of Pharmacy Public Meeting Minutes

Pharmacy Board

Jul 19, 2023 at 9:00 AM EDT

@ OPLC, 7 Eagle Square, Concord NH 03301

Attendance

Present:

Members: Lindsey Laliberte, John Genovese, Nicole Harrington, Eric Lessard, Karl Peicker, David Rochefort

I. Call to Order

Commissioner Genovese called the meeting to order at 9:05 am

II. Review and Approval of the Agenda

III. OPLC and/ or Board Administration Updates

A. Workgroup Initiatives

1. Commissioner Genovese

2. Commissioner Rochefort

3. Commissioner Laliberte

4. Commissioner Harrington

Board reviewed the letter drafted by Commissioner Harrington. If Board could make any changes, they feel are necessary and then it will be submitted to Attorney Goulet for review. A draft of this letter was also sent to the Veterinary Board for them to review.

5. Commissioner Lessard-

In the rules section the Board will review progress made to the rules project. The Ph 1000 rules will also be reviewed.

6. Commissioner Peicker

The rules relating to the PIC will be reviewed in the rules section below.

IV. Consent Agenda Items

A. Approval of the Minutes

Commissioner Harrington made a motion to approve the minutes of June 21, 2023 meeting. Commissioner Peicker seconded, and motion passes 6-0-0.

B. PIC Changes

Commissioner Harrington made a motion to approve the PIC changes below. Commissioner Peicker seconded, and motion passes 6-0-0.

1. PIC Change-Rite Aid, Milford, Lic # 0121
Margaret Braasch, Lic # Phcy-04400
2. PIC Change-New England Life Care, Concord Lic # 0275
Michael Hebert, Lic # 4072

C. Collaborative Practice-none

D. Automated System Registration

Commissioner Harrington made a motion to approve the automated system registration below. Commissioner Peicker seconded, and motion passes 6-0-0.

1. Merriman House, North Conway

E. NABP

Commissioner Harrington made a motion to approve the NABP items below. Commissioner Peicker seconded, and motion passes 6-0-0.

1. FDA Announces New FAQs Addressing Compounding Inspections and Oversight; Two On-Demand Webinars Addressing FDA Compounding Inspections
2. FDA Issues Draft Guidance Addressing Prohibitions of Compounded Drug Wholesaling
3. Open Executive Director Position – Oregon Board of Pharmacy
4. Subscriptions for USP-NF and Compounding Compendium for Boards of Pharmacy
5. Email Newsletter Report
6. Pharmacy Workforce Summit Announcement
7. National Advisory Council for the Agency for Healthcare Research and Quality
8. DEA Response to Industry Inquiry Regarding Prescription Sales of Scheduled Listed Chemical Products
9. DSCSA Webinar Series to Be Held for Regulators
10. Intravenous Hydration Clinics: Federal and State Regulatory Perspectives
11. 2023 Innovations Delivery Preference
12. Update – CMEA Rx Limits and Scheduled Listed Chemical Products
13. MPJE State-Specific Review Survey

F. PIC Waiver Extensions

Commissioner Harrington made a motion to approve the PIC waiver extension below. Commissioner Peicker seconded, and motion passes 6-0-0.

G. Additional Consent Items

Commissioner Harrington made a motion to approve the additional consent agenda item below. Commissioner Peicker seconded, and motion passes 6-0-0.

1. PHMP June 2023 Report

V. Public Appearances

1. Cheshire Controlled Substance Report and Quarterly Check in with the Board- Board had no questions at this time. Cheshire discussed what the outreach for the \$10,000 was for the past year. Bringing awareness to the unconscious bias towards those with addiction, using radio and print to do this. At the 1-year mark, Cheshire needs to report quarterly to the Board and the audits will be sent quarterly. Employees are completing mandatory training and a corrective action plan is done with employees if it is not completed within a set time.

A. Non-Disciplinary Hearing- 10:00am- Jacqueline H. Nguyen

Commissioner Lessard made a motion to approve Attorney Brenda GoldenHallisey as the hearing officer. Commissioner Laliberte seconded and motion passes 6-0-0.

Hearing officer Attorney Brenda GoldenHallisey began the hearing at 10:05 am. The licensee was not present. The application from this licensee is missing information to complete the application. Proper notice to the applicant was confirmed by hearings clerk, Thomas Pappas. Hearing closed at 10:16 am.

B. Rite Aid, Pelham, Lic # 0545

They have replaced the PIC, hired new techs and have a greater accountability process. They are doing blind audits and have more cameras. Since hiring the new PIC there have been no signs of further losses. Board discussed the process for reporting losses to the Board and that it needs to be quicker. Pharmacy has trainings with everyone on the audit process, why they are done and why. This is being done with new hires and annually for all. It is tracked to make sure everyone completes. Board would like to see an updated action plan with the items discussed included in it.

VI. Rules Review and Other Legislative Topics

A. Public Hearing 9:30 a.m.- PH 200 initial proposal

The rules hearing began at 9:32 am. the hearing was closed at 9:58 am.

Compliance Inspector Katelynn Simmoneau spoke to the Board about 2 outstanding waivers that are currently being used. Her comments will be given to Tina Kelley in writing.

B. Ph 1000 Standards of Practice for Manufacturers, Wholesalers and Distributors

Commissioner Lessard let everyone know this section is ready for public comments.

C. USP- 800

Commissioner Rochefort discussed the USP 800 standards. These are not enforceable by the Board unless laws and rules were created. If you are a national organization accreditation then you need to follow the USP 800s.

D. Reorganized TOC

Commissioner Rochefort discussed the reorganized table of contents with the Board Letting the everyone know the intent is group like areas together. An example, all licensing in one chapter

not in many different chapters. The rules project group is looking for feedback from everyone. The goal is to cut the sections in half to make the rules more refined.

E. Ph 2100 Inspection Reports

Tina Kelley asked the Board who would be filling out the forms when the PIC position is removed. Board gave her new language to put in the rules for this area.

Tina also mentioned to the Board that definitions in the rules go in the Ph 100s section unless the definition is specific to only one area.

Tina is also ready to look at the rules with the PIC position is removed and to start this process.

F. Compounding Draft Rules

Commissioner Rochefort will work with Tina on this section. This section will be laws based and not standards based. Board will discuss at next months meeting.

Commissioner Rochefort will be setting a date for a stakeholder meeting and will let staff know when that will be.

G. Pic Change references in rules

Board discussed the number of areas in the rules that reference the changes. Board would like to start this change to the rules in preparation to the Governor signing the Bill removing the PIC position. Tina Kelley is ready to start work on this.

Compliance Inspector Jay Queenan asked the Board if there will be adequate notice to the public when this happens. He was assured this would happen. He also asked who will be responsible for former PIC duties. Board let him know this will be addressed in the rule's changes.

VII. Licensure Approval (if applicable)

Board discussed the issue of when an initial license has expired and you no longer live/ work-in that state. HB 594 will address this however, that goes in effect the suggestion is to apply for a temporary license that is good for 120 days.

A. James Phillips, Reinstatement

The Ph 401.06 rules for reinstatement have been updated but Board recommended that he apply for a temporary license. this will be the easiest way for him to get licensed.

B. Parkland Medical Center, Plaistow- Temporary Permit

Commissioner Rochefort made a motion to approve this permit. Commissioner Laliberte seconded, and motion passes 6-0-0.

C. Pharmacy Remodel- Genoa, Nashua Lic # 0805

Commissioner Rochefort made a motion to approve this remodel. Commissioner Harrington seconded, Commissioner Pecker abstains, and motion passes 5-0-1.

D. New Application- FinVector Oy

Commissioner Rochefort made a motion to deny this application. Commissioner Laliberte seconded, and motion passes 6-0-0.

E. Lucy M. Hoff, Temp Pharmacist EL11910

After discussion and review of her submitted documents, the Board approved her the military extension that is for 180 days. Commissioner Rochefort made a motion to grant her the waiver. Commissioner Pecker seconded, and motion passes 6-0-0.

Commissioner Lessard leaves the meeting at 11:16 am.

F. Cherie Ann Beando, Lic. # R2132

Commissioner Laliberte made a motion to approve this application for reinstatement. Commissioner Peicker seconded, and motion passes 6-0-0.

G. Precision Compounding Pharmacy & Wellness, Inc, lic # NR2290

Commissioner Rochefort made a motion to approve this application. Commissioner Harrington seconded, and motion passes 6-0-0.

VIII. New Business

A. NABP State Report- Dist.1 July 2023

This is an FYI to the Board.

IX. Public Comments- none

X. Non-Public session

***RSA 91-A:3, II(c)** Matters which, if discussed in public, would likely affect adversely the reputation of any person, **other than a member of this board**, unless such person requests an open meeting. This exemption shall extend to include any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant*

Commissioner Rochefort made a motion to enter non-public session at 11:30 am. Commissioner Harrington seconded and the motion passes 5-0-0.

Upon return to public session at 1:42 pm, Commissioner Rochefort made a motion to seal the minutes from the non-public session. Commissioner Harrington seconded and the motion passes 6-0-0.

XI. Adjournment

Commissioner Harrington made a motion to adjourn at 1:45 pm. Commissioner Rochefort seconded and the motion passes 6-0-0.