

PUBLIC MINUTES

January 18, 2017

MEETING CALLED TO ORDER AT 8:30 AM

ROBERT STOUT, PRESIDENT PRESIDING

MEMBERS PRESENT:

ROBERT STOUT

MIKE BULLEK

HELEN PERVANAS

CHARLES FANARAS

CANDACE BOUCHARD

JOHN GENOVESE

MEMBERS ABSENT:

GARY MERCHANT

1—PUBLIC MINUTES FROM MEETING ON December 21ST, 2017

DISCUSSION THAT THE MEETING REFERRED TO REGARDING NORTHEAST PHARMACY SERVICES WAS DURING THE SEPTEMBER MEETING AND THE INITIAL APPLICATION LOCATED IN PARAGRAPH 2; MOTION TO ACCEPT WITH STATED CHANGE:

MOTION: GENOVESE SECOND: BULLEK MOTION PASSES: 6-0-1 (MERCHANT ABSENT)

2—ANAZAO HEALTH AND WELLS PHARMACY

BOARD REVIEWED THE INFORMATION PROVIDED; WE STILL HAVE A NUMBER OF QUESTIONS REGARDING THEIR BUSINESS MODELS; BULK COMPOUNDING, PATIENT SPECIFIC, HIGH RISK, ETC

BOARD WANTED TO INVITE THEM TO APPEAR BEFORE THE BOARD IN FEBRUARY OR CONFERENCE CALL IN TO PROVIDE INFORMATION AND ANSWER QUESTIONS BEFORE THE BOARD DECIDES ON APPROVING LICENSES.

3—NORTHEAST PHARMACY SERVICES RELOCATION

PRESIDENT STOUT TURNED THE MEETING OVER TO VICE PRESIDENT BULLEK AS HE IS THE PHARMACIST IN CHARGE; COMMISSIONER FANARAS ALSO LEDFT THE TABLE AND JOINED STOUT AT THE PUBLIC TABLE AS HE IS THE OWNER;

STOUT REQUESTED THE GRANTING OF A NEW LICENSE AS HE WOULD BE UNABLE TO GET THE NEW LOCATION INSPECTED WITHIN THE 60 DAY EXTENSION GRANTED IN NOVEMBER; HE TESTIFIED THAT HE KNEW THE BOARD HAD DENIED A SECOND EXTENSION TO A PERMIT HOLDER IN THE PAST SO WANTED TO SUBMIT A NEW APPLICATION TO MAKE SURE HE DID NOT COMPROMISE THE BOARD'S POLICIES;

MOTION TO GRANT TEMPORARY LICENSE; MOTION: PERVANAS SECOND: GENOVESE
MOTION PASSES: 4-0-3 (MERCHANT ABSENT; STOUT AND FANARAS RECUSED)

4—COLLABORATIVE PRACTICE AGREEMENTS

THERE WERE 9 COLLABORATIVE PRACTICE AGREEMENTS PRESENTED FOR REVIEW FROM PHARMACISTS AT ELLIOT HOSPITAL; MOLLY MORTIMER ANSWERED SOME QUESTIONS FROM THE BOARD; SHE STATED ELLIOT HAD BEEN USING IN PATIENT PROTOCOLS TO MANAGE THEIR ANTICOAGULATION CLINICS AND THOUGHT IT WOULD BE PRUDENT TO CONVERT

THOSE TO COLLABORATIVE PRACTICE AGREEMENTS TO ELIMINATE ANY POTENTIAL CONFLICTS AND ALLOW FOR BOTH IN PATIENT OR CLINIC PRACTICES; WE ASKED WHY ONLY 2 OF THE 9 PHARMACISTS INCLUDED THEIR CE CERTIFICATES; SHE WAS NOT SURE AND SAID SHE WOULD FORWARD THE REST OF THEM TO THE BOARD WITHIN THE NEXT DAY OR TWO; WE ASKED IF IT WOULD INTERRUPT ANY PRACTICES IF WE WAITED ON THOSE UNTIL THE FEBRUARY MEETING AND SHE STATED NO;

MOTION TO APPROVE COLLABORATIVE PRACTICE AGREEMENTS FOR:

- (1) RYAN WARREN, AND
- (2) CARA HAY

MOTION: STOUT SECOND: BULLEK. MOTION PASSES: 6-0-1 (MERCHANT ABSENT)

5—SUSAN LASO RHH #2301---REQUEST FOR WAIVER OF FEES FOR RPH LICENSE RENEWAL

AFTER MOVING TO NON PUBLIC FOR DISCUSSION THE BOARD RESUMED THE PUBLIC MEETING TO HAVE THE MOTION AND VOTE RECORDED;

MOTION TO GRANT THE EXTENSION FOR VALIDATING PAYMENT UNTIL FEBRUARY 28TH AND NO REDUCTION IN LICENSE FEE;

MOTION: FANARAS SECOND: BOUCHARD MOTION PASSES: 6-0-1 (MERCHANT ABSENT)

7—NABP INSPECTION BLUEPRINT

THE BOARD DISCUSSED THE PROS AND CONS OF THE NABP BLUEPRINT; EVERYONE SAW THE ADVANTAGE OF STANDARDIZING THE INSPECTIONS AND HOW THAT WOULD AID BOARDS IN EVALUATING NON RESIDENT PHARMACIES AND THEIR COMPLIANCE WITH COMPOUNDING RULES AND REGULATIONS; THE CONCERN WAS MANDATES AND CONTROL THAT MIGHT BE GIVEN TO THE NATIONAL BOARD TAKING AWAY THE AUTONOMY OF THE STATE AND IT'S OWN REQUIRMENTS;

MOTION IN FAVOR OF THE NABP BLUEPRINT; MOTION: GENOVESE SECOND: BULLEK

MOTION PASSES: 4-2-1 (MERCHANT ABSENT; FANARAS AND BOUCHARD AGAINST)

8—OUTSOURCING FACILITIES AND NON RESIDENT LICENSES PRESENTED FOR REVIEW

THE BOARD PUBLICLY THANKED AND COMPLIMENTED THE COMPLIANCE UNIT, JAMES QUEENAN, ROBERT ELDER AND ELSA CROTOEAU FOR THEIR INCREDIBLE WORK IN REVIEWING THESE APPLICATIONS; THERE WAS WELL OVER 1000 PAGES OF DOCUMENTS AND THEY PAINSTAKENLY REVIEWED AND MADE RECOMMENDATIONS. THEY FOUND MAJOR ISSUES WITH SOME, REQUESTED FOLLOW UP INFORMATION TO BE BETTER INFORMED ON OTHERS AND PUT TOGETHER A SHEET WITH RECOMMENDED ACTION; JAY ANSWERED A FEW QUESTIONS WE HAD ON SOME OF THE INFORMATION PRESENTED; OVER THEY LAST FEW YEARS THE COMPLIANCE TEAM HAS BECOME EXTREMELY WELL EDUCATED IN EVALUATING THE WORTHINESS OF COMPOUNDERS;

MOTION TO ACCEPT THE RECOMMENDATIONS OF THE COMPLIANCE UNIT PRESENTED ON THEIR SUMMARY SHEET FOR: ADVANCED PHARMA, HOUSTON, TX; AMEX PHARMACY, MELBOURNE FL (BOTH NR AND 503B); CARIE BOYD'S PRESCRIPTION SHOP, HURST, TX (BOTH NR AND 503B); US COMPOUNDING, CONWAY,AR (BOTH NR AND 503B); BROOKFIELD PHARMACY, BROOKFIELD, CT; DIABETIC CARE RX, POMPANO BEACH, FL; IMPRIMIS RX, LEDGEWOOD, NJ;

KENNEBEC PHARMACY, AUGUSTA, ME; MASTERPHARM, SOUTH RICHMOND HILL, NY; NUTRISHARE, ELK GROVE, CA;
OMNICARE OF MAINE, WESTBROOK, ME; SOUTH MAIN PHARMACY, MIAMI, FL;

MOTION: STOUT SECOND: GENOVESE MOTION PASSES: 6-0-1 (MERCHANT ABSENT)

10—PDMP REPORT; MICHELLE RICCO-JONAS

MICHELLE PRESENTED HER MONTHLY REPORT; SHE BROKE AWAY TO MEET WITH MEMBERS OF THE VETERINARY BOARD, THEIR LOBBYISTS AND OTHERS TO DISCUSS HB 291-FN TO WITHDRAW FROM THE PDMP PROGRAM; THEY DISCUSSED INFORMATION THEY THOUGHT THAT CAME FROM THE BOARD REGARDING THE NUMBER OF CONTROLLED SUBSTANCE PRESCRIPTIONS WRITTEN BY VETERINARIANS O PREVENT HAT MADE THEM LOOK BAD DURING TESTIMONY; WE DISCUSSED WITH THEM AND STATED THE REPORT DID NOT COME FROM THE BOARD OF PHARMACY; WE HAD RECEIVED NO REPORTS REGARDING THE NUMBER OF PRESCRIPTIONS WRITTEN BY VETERINARIANS; MICHELLE MENTIONED SHE THOUGHT THE NUMBERS CAME FROM TESTIMONY DURING INITIAL HEARINGS ON THE BILL A NUMBER OF YEARS AGO; WE ASSURED THEM OUR ROLE WAS TO IMPROVE THE PROGRAM, MAKE IT MORE USER FRIENDLY AND USEFUL AND DO WHAT WE CAN TO PREVENT DIVERSION OF ANY CONTROLLED SUBSTANCES. DR STOWE SPOKE AND SAID THIS BILL WAS A SURPRISE TO THE BOARD AND ALTHOUGH HE IS NOT HAPPY WITH THE CURRENT REQUIREMENTS IS OPEN TO PARTICIPATING IF PARTICIPTION WAS DEVELOPED IN A WAY TO ALLOW FOR EASIER PARTICIPATION. HE MENTIONED A POSSIBLE SOLUTION WOULD BE TO REQUIRE VETERINARIANS TO WRITE PRESCRIPTIONS FOR CONTROLLED SUBSTANCES IF MORE THAN A 48 HOUR SUPPLY WAS NEEDED. THIS WOULD THEN ALLOW THE PHARMACY TO QUERY THE PDMP PROGRAM AND NOTIFY THE VETERINARIAN OF ANY POTENTIAL ISSUES. WE DISCUSSED THE NEED FOR PHARMACIES TO PROVIDE UNIFORM INFORMATION WHEN UPLOADING RX INFORMATION FOR A PET SO RETRIEVAL IS EASIER BASED ON CONSISTENT PARAMETERS FOR UPLOAD. THEIR LOBBYIST NOTED HE FELT THEY HAD THE VOTES TO PASS THIS BILL SO WAS NOT SURE AT THIS TIME IF A COMPROMISE OF SOME SORT WOULD BE CONSIDERED.

NO MOTION NEEDED;

12-OMNICARE OF MAINE- ADDITIONAL INFORMATION RECEIVED BY COMPLIANCE

MOTION TO APPROVE LICENSE:

MOTION: STOUT SECOND: GENOVESE MOTION PASSES: 6-0-1 (MERCHANT ABSENT)

MOTION TO GO INTO NON-PUBLIC:

MOTION: BULLEK SECOND: GENOVESE VOTE: 6-0-1 (MERCHANT ABSENT)

Respectfully,

Robert J. Stout