

NEW HAMPSHIRE BOARD OF PHARMACY

121 South Fruit Street, Ste 401

Concord, New Hampshire 03301-2412

603-271-2350



PUBLIC MEETING MINUTES December 18th, 2017

The Board of Pharmacy emergency telephone meeting convened at 10:45 a.m. with the following Commissioners present; Commissioner Merchant, Commissioner Fanaras, Commissioner Rochefort, and Commissioner Laliberte.

Also present, Michael Bullek, Administrator/Chief of Compliance

Commissioners Genovese, Pervanas and Bouchard –Absent

Meeting called to order at 10:45 by President Merchant stating this is an emergency telephone meeting due to constraints of bringing Board together for physical meeting. Meeting is concerning a motion for emergency stay order applying to Atlantic Digestive Services (ADS) for an extension on violation notice request denied at regular board meeting of December 11th, 2017, and those affected by the November Board order as presented by counsel for ADS.

Motion by Commissioner Rochefort, seconded by Commissioner Fanaras for discussion.

The Board first discussed extending the original Board order dated November 17th, 2017 from January 1st, 2018 to February 1st, 2018 in order to provide adequate time for patients to find alternative means to obtain medication. A letter stating this will be composed by Administrator Bullek and sent to board counsel for approval. The Board would also solicit comment during this time, both written, to be sent to the Board office no later than January 10th, 2018, and at the next regular scheduled board meeting of January 17th, 2018. The Board will hold a hearing and requested a 1 hour time limit on the hearing with testimony limited to 10 minutes. Administrator Bullek will schedule as part of Board agenda.

President Merchant called for a vote to approve as stated by roll call: Commissioners Merchant, Fanaras, Rochefort, and Laliberte vote yes. Motion passes 4-0 with 3 absent.

The second request for an extension to submit a response for a violation notice given to Atlantic Digestive Specialists on November 2nd, 2017 and requested November 13th, 2017 by their counsel was discussed. A motion was placed by Commissioner Laliberte to deny request for an extension and require ADS to submit response by December 26th, 2017. ADS can request a hearing as stated in statute.

Seconded by Commissioner Rochefort.

Roll call vote: Commissioners Laliberte, Rochefort, Merchant and Fanaras voted YES. Motion passes 4-0 with 3 absent.

Administrator Bullek will compose and send letter to Atlantic Digestive Services counsel.

No further business discussed, Motion to adjourn by Commissioner Rochefort, seconded by Commissioner Laliberte voted 4-0, motion passed, meeting adjourned at 11:12am.

Meeting minutes taken by Administrator Bullek.