



NEW HAMPSHIRE BOARD OF PHARMACY

121 South Fruit Street, Ste 401
Concord, New Hampshire 03301-2412
603-271-2350

PUBLIC MEETING MINUTES September 18, 2019

Meeting convened at 8:38 a.m. with the following Commissioners present;
Commissioner Merchant, Commissioner Genovese, Commissioner Rochefort, Commissioner Laliberte,
Commissioner Harrington, Commissioner Pervanas

Absent: Commissioner Bouchard

Roll Call verifies a quorum.

Agenda Review:

Move Off:

Add on: #17 – Opioid Taskforce
#18 – License Summary Report
#19 – Drug Take Back
#20 Penicillin Antigen Testing

Commissioner Committee Reports:

Merchant – Chronic Pain meeting update.

Pervanas – CEAC – recently had a CE program for Immunizing that was approved.

Genovese – They had some changes with the Licensed Advanced Practice Technician workgroup the rules are not ready yet. Commissioner Merchant and Commissioner Genovese went to NABP initiative for Licensed Advanced Practice Technicians taskforce and NABP is working to come up with CE's and Education and the standardizing of technicians across multiple states. They had a Document showing that NABP started this back in 1999, with the same titles, same descriptions, but no reasons why it did not move forward.

Rochefort – Agenda item 11 regarding sterile and non-sterile compounding. There is some controversy in the industry and at least 2/3 groups have opposed 797 and 795 and things are on hold & further review in the industry is happening.

Bouchard – Not many LSR's to talk about right now.

Harrington – PDMP Some of the advisory council members are due to get off the council. They are working through a process that will ease the transition.

Laliberte - Ph 700 rules are still being reviewed

1. Consent Agenda - Commissioner Pervanas requests Public minutes of 8/21/19 be removed. On motion from Commissioner Genovese to approve the remaining items on the consent agenda with a second from Commissioner Laliberte and a Board Vote of 6-0-0.
- 1-a. Public minutes of 8/21/19 on motion from Commissioner Genovese with a second from Commissioner Laliberte to approve the meeting minutes with a Board vote of 4-0-2. Commissioner Harrington and Commissioner Pervanas abstained.

Remaining Approved Consent Agenda items;

- a. PIC Change Application – Hannaford, Meredith – Katrine Dionne, RPh
 - b. PIC Change Application – WalMart, West Lebanon – Craig Lozier, RPh
 - c. PIC Change Application – Littleton Regional Hlthcare Pharmacy, Littleton-Jeffrey s. Poirier
 - d. PIC Change Application – Price Chopper Pharmacy, Lebanon – Jim Kern, RPh
 - e. PIC Change Application – Osco Pharmacy, Hillsborough – Elizabeth A. Fellows, RPh
 - f. PIC Change Application – CVS Pharmacy, Laconia – Cheryl Ann Legg, RPh
 - g. PIC Change Application – CVS Pharmacy, Concord – Kristin Silveria, RPh
 - h. PIC Change Application – CVS Pharmacy, Manchester – Sarah Gallagher, RPh
 - i. PIC Change Application – Hannaford Pharmacy, Rochester – Bethany V. Fletcher, RPh
 - e. NR/Mail Order Pharmacy Attestation – Lack of DEA Schedule II – IV Controlled Substance Registration
- 2-a Preliminary Objection to Ph 807.02 changes - On motion from Commissioner Laliberte with a second from Commissioner Rochefort to bring the rules back to JLCAR and discuss with them in October. A Board Vote of 6-0-0.
- 2-b PDMP discussion on Data Sharing - FYI. There is a meeting next Wednesday.
3. “Natural Pharmacy” title – On motion from Commissioner Rochefort with a second from Commissioner Harrington to deny the request. Cannot waive the Law. Board Vote of 6-0-0.
4. Resignation from Joint Pharmaceutical Formulary and Credentialing Committee for the Board of Optometry it’s a 3 year appointment – The Board of Pharmacy will post on the Board’s website.
5. Legislative Initiatives for 2020 – FYI
6. Request to lift restrictions and balance of fine for Andrew Gyorda, RPh – On motion from Commissioner Pervanas to waive the outstanding balance and lift all restrictions with a second from Commissioner Genovese and a Board Vote of 5-0-1. Commissioner Harrington abstained.
7. Pharmacy Intern discussion – addition of Nicotine replacement to updated legislation on Contraception, Alexandria Saladino, Intern. **Tabled**
8. Board Council opinion - Moved to Non-Public.
9. New procedure for NH drug loss form reporting – in the testing phase, to submit online. A notice will go out in December to begin the new process in January. The Board office will also put directions onto the Board’s website.
10. Certified Pharmacy Technician discussion. Moved to non-public.
11. Hazardous Drug Compounding Ph 400 Update (First Read) – Tabled until October.
12. Manufacturer Rules updates – Ph 1000 On motion from Commissioner Genovese with a second from Commissioner Pervanas to approve the final review and move to JLCAR for Fiscal Impact Statement. A Board Vote of 6-0-0.

13. Ph 2500 Drug or Device Distribution Agent Rules. On motion from Commissioner Pervanas with a second from Commissioner Genovese to approve the final review and move to JLCAR for Fiscal Impact Statement. A Board Vote of 6-0-0.
14. Ph 2700 Wholesale Distributors Rules. Moved from Ph 1000. On motion from Commissioner Genovese with a second from Commissioner Pervanas to approve the final review and move to JLCAR for Fiscal Impact Statement. A Board Vote of 6-0-0.
15. Board Officer Vote – Tabled.
16. NHPA/NHSHP Newsletter discussion.
17. Opioid taskforce discussion.
18. License Summary Report - FYI
19. Drug Take Back request. On motion from Commissioner Pervanas to approve the waiver with a second from Commissioner Rochefort and a Board Vote of 6-0-0.
20. Penicillin Antigen Testing. FYI.

**At the end of the Public Agenda, the Board will go into a Non-Public meeting under 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.*

On motion from Commissioner Rochefort with a second from Commissioner Genovese to **seal the minutes per 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.**

On motion from Commissioner Genovese with a second from Commissioner Pervanas to adjourn the meeting at 1:58 p.m.

The Board recessed at 10:29 a.m. and reconvened at 10:40 a.m. A roll call vote showing Commissioner Merchant was excused from the Board Meeting at 10:30 a.m. with the remaining Board Members present; Commissioner Rochefort, Commissioner Genovese, Commissioner Laliberte, and Commissioner Pervanas, Commissioner Harrington. On motion from Commissioner Rochefort with a second from Commissioner Genovese to enter into Non-Public session with a Board Vote of 5-0-0.

Chair Signature of Approval _____ Date _____