



NEW HAMPSHIRE BOARD OF PHARMACY

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

PUBLIC MEETING MINUTES - January 15, 2020

Meeting convened at 9:03 a.m. with the following Commissioners present:

Commissioner Pervanas, Commissioner Genovese, Commissioner Rochefort, Commissioner Bouchard,
Commissioner Harrington, Commissioner Laliberte, Commissioner Peicker

Absent: None

Roll Call verifies a quorum.

Agenda Review:

Move Off:

Add on: #17 Public – Control Drug Loss Summary
Consent Agenda – Granite State & Sugar River PIC Change
Non-Public – Q – Licensing Issue

Commissioner Committee Reports:

Pervanas – No updates this month

Genovese – Licensed Advanced Practice Technician (LAPT) workgroup next meeting January 27, 2020.

Rochefort – no changes to Hazardous Drug rules. The Non-Sterile rules will begin review in February.

Bouchard – LSR's have now officially been given bill numbers.

Harrington – No updates this month

Laliberte –Ph 700 rules will be discussed and voted on at today's meeting.

Peicker – New Board Member

1. Consent Agenda – On motion from Commissioner Bouchard with a second from Commissioner Harrington to approve all items on the consent agenda. Vote 7-0-0.
 - a. Minutes of public meeting of December 18th, 2019
 - b. FYI — current licensee summary
 - c. Pseudoephedrine report for December
 - d. PIC change Infusion Services/Bioscript Infusion —Dominic Giammichele R. Ph
 - e. PIC change CVS Pharmacy Salem — Katelynn Bussiere R.Ph.
 - f. PIC change Bedford Pharmacy — Daniel Herbert R.Ph.
 - g. PIC change CVS Pharmacy #639 Nashua- Lakshmi Buddhineni R.Ph.
 - h. PIC change CVS Pharmacy #1003 Nashua- Emma Som R.Ph.
 - i. PIC change Walgreens Concord — Katie Blais R.Ph.
 - j. PIC change Alice Peck Day Hospital- Lebanon — Suzy Dai Wah Chan R.Ph.
 - k. ADDED – Granite State Pharmacy & Sugar River Pharmacy PIC Change

2. Collaborative Practice application from Indian Stream Pharmacy – Sergio Zulich, RPh Anti-Coagulation Therapy – On motion from Commissioner Rochefort with a second from Commissioner Genovese to approve. Vote 7-0-0.

3. Collaborative Practice application from Wentworth Douglass Hospital – Maureen Brady, RPh Diabetes Therapy – On motion from Commissioner Genovese with a second from Commissioner Rochefort to approve. Vote of 7-0-0.

4. Ph 300 – On motion from Commissioner Genovese with a second from Commissioner Rochefort to approve and move to JLCAR. Vote of 7-0-0.

5. Ph 700 – On motion from Commissioner Genovese with a second from Commissioner Rochefort to approve and move to JLCAR with the changes as discussed. Vote 7-0-0.

Changes:

- a. Review the whole document to be certain the title of the *Licensed Advanced Pharmacy Technician* is exactly that wording through the whole document.
- b. **“Fit Place to Practice”** means: **the permit holder has provided a facility, processes, policies and procedures necessary so that an employee can complete a task safely without presenting a risk to their patients, themselves, their colleagues, the company, or a third party in compliance with the rules and statutes of the board to fulfill their professional and clinical duties.**
- c. **Ph 702.03 g** – Add in. The paragraph should read in part “After 3 significant losses within a 12-month period and after investigation, the pharmacist in charge and permit holder will present to the board an action plan to remedy this issue.”
- e. **Ph 703.02 e** – Strike out E whole paragraph
- f. **Ph703.08 c** - The paragraph should read “Pharmacist shall verify all Schedule II hard copy prescriptions from out of state providers and note on the System of Record.”
- g. **Ph 705.01 c (3)** – Delete this word “Idiosyncrasies; and”
- h. **Ph 705.03 a (3)** – Add a 3 to include “Opioid Medications include Risk & Overdose”

6. Ph 1900 – On motion from Commissioner Rochefort and a second from Commissioner Laliberte to approve and move to JLCAR with the changes as discussed. Vote 7-0-0.

Changes:

- a. All references to the 700’s will be removed before Administrator Bullek sends these off.
- b. Ph 1900.02 (a) – Delete “this area shall not include,....continue to end of this paragraph”
- c. Ph 1900.02 (b) – Delete “To prevent,.....continue to end of paragraph”
- d. Ph 1900.02 (c) – Delete this whole paragraph
- e. Ph 1900.02 (e) – Delete this whole paragraph
- f. Ph 1900.02 (h) – Delete this whole paragraph
- g. Ph 1900.02 (j) – Delete this whole paragraph
- h. Ph 1900.02 (m) – ADD in after the Pharmacist-in-charge or Permit Holder
- i. Ph 1900.02 (n) – Delete this whole paragraph
- j. Ph 1902.01 (c) – Renewal fee is now \$500.00
- k. Ph 1904.01 (b) – Add on a (c) and the wording should be: “Private enclosed consultation room of adequate size and design to ensure patient confidentiality and privacy where required by statute.
- l. Ph 1904.05 B (5) – Delete this whole section

7. Opioid RX Label RSA 318-B:16-a – The Board’s interpretation of this statute is; affix an orange sticker, which states “*Opioid*” must be placed on the cap or the dispenser. An additional warning label which states “*risk of addiction and overdose*” can be either on the cap or the dispenser. The warning label does not have to be orange. Both Opioid and Warning Label could be combined to fit on the cap using easily legible font. Additionally, there will be a handout, from the Governor’s Commission on alcohol and drug abuse, prevention, treatment, and recovery included. On motion from Commissioner Laliberte with a second from Commissioner Peicker. Vote of 7-0-0.
8. Ph 900 – Interpretation of Inspection Requirements – On motion from Commissioner Bouchard with a second from Commissioner Rochefort in Ph 903.01(F) 4 to change this section to read “*a copy of an inspection report, created within the last 12 months*”. Vote of 7-0-0.
9. Review current legislation (as of 1/9/2020)
 - a. **HB1223** – On motion from Commissioner Bouchard with a second from Commissioner Harrington “*to vote against*” it is Federally Prohibited. Vote 7-0-0.
 - b. **HB1278** – On motion from Commissioner Pervanas with a second from Commissioner Peicker “*to support*” this bill. Vote 7-0-0.
 - c. **HB1280** – On motion from Commissioner Rochefort with a second from Commissioner Laliberte to “*take no position*” on this bill. Vote 7-0-0.
 - d. **HB1281** – On motion from Commissioner Genovese with a second from Commissioner Laliberte to “*take no position*” regarding this bill. Vote 7-0-0.
 - e. **HB1287** – On motion from Commissioner Genovese with a second from Commissioner Rochefort to have Administrator Bullek “*follow and keep the Board apprised of any changes*”. Vote 7-0-0.
 - f. **HB1294** – On motion from Commissioner Rochefort with a second from Commissioner Genovese “*to support*” this bill. Vote 7-0-0.
 - g. **HB1332 & SB 547** – On motion from Commissioner Genovese with a second from Commissioner Laliberte for Administrator Bullek to “*follow and keep the Board apprised of any changes*”. Vote 7-0-0.
 - h. **HB1404** – On motion from Commissioner Bouchard with a second from Commissioner Harrington for Administrator Bullek to “*follow and keep the Board apprised of any changes*”. Vote 7-0-0.
 - i. **HB1536** – On motion from Commissioner Rochefort with a second from Commissioner Laliberte to “*Support with Amendments*” Administrator Bullek to *speak against the PIC wording, remove 2x and take line 27 & 28 out. RSA 318 B-7 Triplicate prescriptions needs to be removed. Partial fill of C-II prescriptions.* Vote 7-0-0.
 - j. **HB1581** – On motion from Commissioner Genovese with a second from Commissioner Rochefort for Administrator Bullek to “*follow and keep the Board apprised of any changes*”. Vote 7-0-0.
 - k. **HB1600** – On motion from Commissioner Genovese with a second from Commissioner Laliberte to “*Support*” the bill. Vote 7-0-0.
 - l. **HB1610** – On motion from Commissioner Harrington with a second from Commissioner Laliberte to “*Support*” the bill. (Commissioner Harrington) Administrator Bullek, “*to follow*” so that whatever is implemented doesn’t affect the medications coming into the state and patient care. Vote 7-0-0.
 - m. **HB1623** – On motion from Commissioner Bouchard with a second from Commissioner Genovese to “*Support*” this bill. Vote 7-0-0.

- n. **HB1655** – On motion from Commissioner Genovese with a second from Commissioner Laliberte to have Administrator Bullek “*follow*” this bill. Vote 7-0-0.
 - o. **SB447** — On motion from Commissioner Laliberte with a second from Commissioner Genovese “*to support*”. Vote 6-0-1 Commissioner Rochefort ‘Recused’
 - p. **SB507** – On motion from Commissioner Laliberte with a second from Commissioner Rochefort “*to follow*”. Vote 7-0-0.
 - q. **SB522** – On motion from Commissioner Laliberte with a second from Commissioner Genovese “*to support*”. Vote 7-0-0.
 - r. **SB544** – FYI-OPLC Bills
 - s. **SB546** – On motion from Commissioner Rochefort with a second from Commissioner Genovese “*to oppose*” clinically negligent. Vote 7-0-0.
 - t. **Chapter 126 Title 10 Public Health – Primary Care workforce project** – On motion from Commissioner Bouchard with a second from Commissioner Rochefort to have Administrator Bullek be the representative for the Clear project. Vote 7-0-0.
 - u. **SB226** – On motion from Commissioner Rochefort with a second from Commissioner Genovese “*to support*”. Vote 7-0-0.
 - v. **SB120** – About data sharing – FYI there will be a lot of references back to this.
 - w. **SB568** – Oversight Committee – On motion from Commissioner Rochefort with a second from Commissioner Genovese “*to follow*”. Vote 7-0-0.
 - x. **SB576** – OPLC Bill
10. FYI – Harm Reduction Education – Syringe Availability.
 11. Review of Ph 405 – Commissioner Peicker has volunteered to oversee this rule review process.
 12. Seacoast Cancer Center – New Pharmacy Application – On motion from Commissioner Rochefort with a second from Commissioner Genovese to approve with a Board Vote of 7-0-0.
 13. Stephanie Kochan – Request for Extension – Internship – On motion from Commissioner Rochefort with a second from Commissioner Genovese to grant a 3-month extension. Vote 7-0-0.
 14. Dartmouth-Hitchcock – Request for Medication Trial Containing Controlled Drug. FYI
 15. Compounding Inspections – Guidance Document Development – On motion from Commissioner Genovese and a second from Commissioner Bouchard to accept the guidance documents as submitted. Vote 7-0-0.
 16. SNHMC – Pharmacy Services to another licensed facility. The Board would like to invite them to come in and meet with the Board at the next meeting.
 17. Summary of Controlled Drug Loss – FYI

On motion from Commissioner Rochefort with a second from Commissioner Harrington to move into Non-Public session at 2:17 p.m. Board Vote of 7-0-0. Roll Call supported a quorum.

**At the end of the Public Session, the Board went 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 Pervanas to Seal the Non-Public Meeting Minutes with a Board Roll Call Vote of 7-0-0.

Chair Signature _____ Date _____