

## NEW HAMPSHIRE BOARD OF PHARMACY

121 South Fruit Street, Ste 401

Concord, New Hampshire 03301-2412

603-271-2350



### PUBLIC MEETING MINUTES September 20, 2017

The Board of Pharmacy meeting convened at 8:30 a.m. with the following Commissioners present; Commissioner Merchant, Commissioner Pervanas, Commissioner Fanaras, Commissioner Genovese, Commissioner Bouchard, Commissioner Rochefort, Commissioner Laliberte.

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Agenda Review: no items added to the public agenda. Three items added to the non-public meeting. The Board would like to welcome our newest Commissioner, Ms. Lindsey Laliberte.

The Board nominated Commissioner Merchant to hold the **President** position with a motion from Commissioner Pervanas and Seconded by Commissioner Genovese. The Board nominated Commissioner Pervanas to hold the **Vice President** position with a motion from Commissioner Genovese and a second from Commissioner Merchant. The Board nominated Commissioner Rochefort to hold the **Secretary** position with a motion from Commissioner Merchant and a second from Commissioner Genovese. The Board nominated Commissioner Genovese to hold the **Treasurer** position with a motion from Commissioner Merchant and a second from Commissioner Bouchard. All nominations called a vote of 6-0-0.

Consent Agenda: the Board voted to approve items A through H with a motion from Commissioner Merchant and a second from Commissioner Bouchard, 6-0-0.

#### Unfinished Business:

- 1) Financial Interest/Secretary of State forms not submitted in 2012 & 2015. The Board voted to ratify all actions and uphold all decisions made by the Board from January 1, 2012 through January 1, 2013 and January 1, 2015 through January 1, 2016. A motion from Commissioner Merchant with a second from Commissioner Pervanas has a vote of 6-0-0.
- 2) The request to hold a hearing for CVS pharmacy in October was approved by a motion from Commissioner Merchant and seconded by Commissioner Fanaras with a vote of 6-0-0.
- 3) 9:00 A.M. Commissioner Merchant opened the two hearings for Ph 1200 Central Prescription Processing and also Ph 209 Explanation of adopted rules. Mr. Lavino from CVS, Corporate office signed the proponents to speak in regards to the Ph 1200 rules and also submitted written comment. The hearing was closed at 11:15 A.M.

#### New Business:

Mr. Ingalls requested to speak to the Board to request a secondary system be set up at the state level so when a pharmacist has damaged products, there is a proper system in place to address the damaged products and the proper procedures on how to handle the products. Considering all the storms and natural disasters that are happening around the world we should have a system in place to deal with this issue.

\*Pic Change to Katherine Frank, R.Ph effective September 20, 2017 was approved with a motion from Commissioner Rochefort and a second from Commissioner Fanaras 6-0-0.

\*Pic Change to Troy Miller, R.Ph effective September 20, 2017 was approved with a motion from Commissioner Rochefort and a second from Commissioner Bouchard, 6-0-0.

\*Pic Change to Rebecca Sanford, R.Ph effective September 22, 2017 was approved with a motion from Commissioner Rochefort and a second from Commissioner Bouchard, 6-0-0.

\*Pic Change to Paul A. Martin, Jr. R.Ph, effective September 20, 2017 was approved with a motion from Commissioner Rochefort and a second from Commissioner Bouchard, 6-0-0 with amendments to the application.

\*Pic Change to Jennifer Wirtz, R.Ph effective September 20, 2017 was approved with a motion from Commissioner Rochefort and a second from Commissioner Bouchard, 6-0-0.

\*Pic change to Greg Girard, R.Ph effective September 20, 2017 was approved with a motion from Commissioner Rochefort and a second from Commissioner Bouchard, 6-0-0.

\*Pic Change to Douglas Libby, R.Ph effective September 20, 2017 was approved with a motion from Commissioner Rochefort and a second from Commissioner Bouchard, 6-0-0.

\*Pic Change to Tina Easley, R.Ph effective September 20, 2017 was approved with a motion from Commissioner Rochefort and a second from Commissioner Bouchard, 6-0-0 with amendments to the application.

\*Pic Change to Christopher Hughes, R.Ph effective September 20, 2017 was approved with a motion from Commissioner Rochefort and a second from Commissioner Bouchard, 6-0-0.

\*Pic Change to John Padmore, R.Ph effective September 24, 2017 was approved with a motion from Commissioner Rochefort and a second from Commissioner Bouchard, 6-0-0.

\*Pic Change to Dominique Lapin, R.Ph effective October 18, 2017 was approved with a motion from Commissioner Rochefort and a second from Commissioner Bouchard, 6-0-0 with amendments to the application.

\*Pic Change to Judson Gilbert, R.Ph effective September 20, 2017 was approved with a motion from Commissioner Rochefort and a second from Commissioner Bouchard, 6-0-0 with amendments to the application.

\*Hannaford Food & Drug – Name Change application was approved to now use the name Hannaford Supermarket & Pharmacy #8373 effective October 21, 2017 with a motion from Commissioner Rochefort and a second by Commissioner Bouchard with a vote of 6-0-0.

\*Speare Memorial Hospital originally requested a waiver for a sink and provided the Board with drawings and details of areas where their pharmacy will be while construction is occurring. But upon review of the documentation, the Board determined a waiver was not necessary and considered this as an FYI. The Board does encourage them to develop a policy and procedure for the compounding while under construction.

\*New Retail Pharmacy application for Osco Pharmacy #7535 in Woodsville, NH was approved for a Temporary Permit with a motion from Commissioner Rochefort and seconded by Commissioner Bouchard with a vote of 6-0-0. The suggestion was made to have a window so there is a line of sight between the pharmacist and the consultation room.

\*Northeast Pharmacy Services request to begin compounding with current sink layout. Because their permit already allows this, the Board considers this as an FYI. The Board encourages the Pharmacist In Charge to develop Best Practice processes and procedures dedicated to the compounding. Mr. Fanaras agreed and stated he would have it submitted to the Board.

\*Inspection Forms: The Board's Administrator/Chief of Compliance is asking the Board to review for inaccuracies, redundancies, corrections and then give back to him for all corrections. The Board inspectors will be using these paper forms until the forms can be integrated into our current MLO program. The goal is to be using our MLO program along with Tablets out in the field. The current timeline could be up to 2 years before this will be in effect. The forms are still in the draft format, so we are going back and looking at the rule changes to implement them into the new forms as well. The suggested changes:

1. Limited Retail Drug Distributor title does not have the correct titled on the form;
2. Take the Methadone and Health Clinic off of the Medical Gases Form;
3. Question putting in Ambulatory Care as another Option;
4. Public Health Clinic as well;
5. Put in a box for N/A (Mike states that the inspectors didn't feel they needed this box);

\*Collaborative Practice rules have a deadline of December so all changes need to be completed between now and the October meeting. The suggested changes are:

1. Delete: Part Ph 1106 Collaborative Practice Advisory Council all together;
2. Delete Ph 1105.02 Informed Consent of Patient or Patient's Authorized Representative;
3. Move Ph 1102.04 to Ph 1105.03;
4. In Ph 1103.01 Qualifications (a) 3 should read "**Have the Current Best Practice**" knowledge base to properly perform the duties in the collaborative agreement. And to delete a – e.
5. Ph 1103.01 (4) Depending on the complexity of services to be provided by the pharmacist the Board shall require additional education credits to meet the needs of the Collaborative Practice Agreement.
6. The Board will audit 10% of the Collaborative Practice Setting.
7. Commissioner Merchant to send a list of Stakeholders as an FYI for the changes that are currently

taking place. This Collaborative Practice rule is in the step where we are answering questions from the Legislative office in regards to the rules, so there is no public forum for comment available. The Board's Administrator is to make the suggested changes and work with the rules attorney and then send back to the Board for final review.

\*Request from the Board to add in Ph 800 to the next month's meeting to review and move forward in the process.

Motion from Commissioner Fanaras to close the Public meeting pursuant to RSA 91-A: 2 and seconded by Commissioner Genovese. Roll Call: All Board members in attendance 11:39 A.M.

Motion from Commissioner Fanaras to move into Non-Public meeting pursuant to RSA 91-A: 2 and seconded by Commissioner Genovese. Roll Call: All Board members in attendance 11: 40.