



Board of Pharmacy Public Meeting

Pharmacy Board

Nov 16, 2022 at 9:00 AM EST to Nov 16, 2022 at 1:00 PM EST

OPLC, 7 Eagle Square, Concord NH 03301

Members Present: John Genovese, Nichole Harrington, Lindsey Laliberte, Karl Peicker and Eric Lessard

Not Present: David Rochefort

Minutes

I. Call to Order- Commissioner Genovese called the meeting to order at 9:04 a.m.

II. Prior to beginning the regular session, the Board went into non-public session. Commissioner Lessard made a motion to enter non-public session at 9:06 a.m. Commissioner Peicker seconded and motion passes 5-0-0

Board returned to public session at 9:08 a.m.

III. Review and Approval of Agenda

IV. OPLC and/or Board Administration Updates

A. Workgroup Initiatives

1. Commissioner Genovese- none

2. Commissioner Rochefort- Rules Subcommittee, Legislative Committee-not present

3. Commissioner Laliberte- Pharmacy Quotas-no updates

4. Commissioner Lessard- Drug Chain Security Act-remove item

5. Commissioner Harrington- Pharmacy Quotas, PDMP Advisory Committee-discussion to follow with Director Courtney with questions on handling complaints from the workload survey. Then the concern would be how does the Board handle the information. Need to be aware of patient safety.

Board asked Attorney Phillips about the PHP audits and if they have the statutory authority to gather the information. It appears they are entitled to the information. The information is gathered for grants, general reports

Also asked about the Ph 700 requiring a photo ID which may potentially conflict with other rules.

6. Commissioner Peicker- Canadian Imports, importer Exporter Possibilities, CEAC- no updates

V. Consent Agenda Items

A. Approval of Public Minutes-Commissioner Harrington made a motion to approve the minutes from the October 19, 2022 meeting. Commissioner Peicker seconded, Commissioner Lessard abstains, and motion passes 4-0-1

B. PIC Changes- Commissioner Harrington made a motion to approve all the PIC changes except #7. Commissioner Peicker seconded and motion passes 5-0-0

1. CVS Manchester #0776

Bianca Malaspina, PHCY-01245

2. Hannaford Pharmacy, Alton, ##0684

Jessica Pelkey, R2759

3. Osco Pharmacy, Center Conway, #0582

Lawrence Matthew Nowak, Phcy-04578

4. Price Chopper Pharmacy, Lebanon, #227

Gnoleba Digbeu, Phcy-01272

5. Rite Aid, Keene, #0715

Eric Conte, Phcy-01261

6. Rite Aid, Nashua, #0701

Nana Frimpong, Phcy-01290

7. Walgreens Pharmacy, Bedford, #0670-application no longer valid. Erica Chapman no longer works for Walgreens. She will need to notify licensing of this.

Erica Chapman, Phcy-01050

8. Walgreens Pharmacy, Lancaster, 00902

Ryan Rossitto, #3950

9. Wal-Mart, Seabrook, #0360

Fatemeh Tahajoud, R1361

C. Collaborative Practice- Commissioner Harrington made a motion to approve the collaborative practice applications. Commissioner Peicker seconded and motion passes 5-0-0

1. Amanda Manning, #4056

2. Suzanne Stevens, R1887

3. Morgan Simpson, Phcy-01154

D. NABP- Commissioner Harrington made a motion to approve items 1 & 3. Commissioner Peicker seconded and motion passes 5-0-0

1. Nominations for the 2023 NABP Leadership Awards

2. Changes Pharmacists May Make to Schedule II Paper Prescriptions-there has been a lot of questions and concerns so DEA is drafting guidelines to address the concerns.

3. PTCB CE Requirements

VI. Public Appearances

A. Cheshire Medical Center- discussion with the Board regarding the reports for Ernst & Young. Many procedures are in place to make sure there will be no issues moving forward. Huddles to address questions, mandatory training, teamwork to make sure everything is accounted for, daily safety huddles and educating. There are Speak up for Safety posters throughout the hospital.

To handle staffing issues- there is a leader on call everyday. Great amount of support from hospital.

Discussion on discrepancies and loss reporting. Board will clarify when it's a loss and needs to be reported. Losses need to be reported within 24 hours. In a hospital setting there are a number of steps to go through to determine if it's a loss. For example; staff interviews, chart reviews, other involved staff, dates worked, other losses from nurse, videos.

Loss and discrepancy are 2 different things.

B. Lindsey Courtney-

Board asked if it is feasible to add a Pharmacy Tech position to the Board. this would require a statute change; trend is to reduce Board size not increase. Public member position is a valuable perspective and can't be removed. This topic will be added to the next agenda for further discussion.

From comments in the workload survey, the Board would like to know if there is a way for pharmacy licenses to be able to file anonymous complaints. This may be hard to manage because all complaints go through enforcement. Some complaints wouldn't be within the Board purview and would need to be transferred to the correct agency. This would be supported but need to know map out how. A PHP blast could educate licensees that there is a way to submit issues and how to file a complaint.

Board wanted to make sure a newsletter would be ok for the Board to do. NABP does a newsletter and Boards information would be added to that. Articles would need to be reviewed by OPLC before submission.

Discussion on SB 330 and the Plc 300's- Board is there to protect the public, OPLC is there to set fees and licensing, but who advocates for the licensees.

VII. Rules and Other Legislative Topics

A. Ph 1100 Collaborative Practice- discussion to make sure comments are incorporated. Tina Kelley will have an initial proposal at the next meeting.

1. SB335- Final Version

B. Ph2600 Pharmacist Initiation and Dispensing of Nicotine Cessation-reviewed the comments to add what Board would like incorporated. New forms need to be created, need to review standing orders to be sure there is consistency.

1. Enforcement Public- Comments

2. Grace Sesi, CVS Health- Comments

3. VillageMD - Comments

C. Ph 601.10 Security- revisions- Commissioner Harrington made a motion to open up rulemaking on Ph 601.10. Commissioner Peicker seconded and motion passes 5-0-0

VIII. Licensure Approval (if applicable)

A. Deborah Heim, Reinstatement R1406- Tabled. Staff will send her rules for reinstatement.

IX. New Business

A. CVS Pharmacy, Concord, #841- remodel- Compliance is handling this.

B. NABP State Report-October 2022- FYI to the Board

C. BioMatrix Specialty Pharmacy, NR0196-renewal inspection exception request- Board doesn't have the authority to waive rules. they will need to complete the inspection.

D. Anita Jacobson- Question for the Board- discussion tabled until next month. Board would like her to come to the meeting to discuss with the Board exactly what business is and what they would need to do.

X. Public Comments

Individuals who have PIC changes, Applications, questions for the Board need to show to the meetings to answer questions from the Board. Staff will work with licensing to make sure people are aware they need to show up at the meetings.

Disappointment with OPLC licensing this year. Upload issues, vaccine certification renewal confusion. No return calls.

Commissioner Lessard spoke about the PIC legislative changes, permit holder definition and separating permit holder and licensee discipline. Will have language for the Board to review next month.

XI. Non-Public Session

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.

Commissioner Lessard made a motion to enter non-public session at 11:47 a.m. Commissioner Laliberte seconded and motion passes 5-0-0.

Upon return to public session at 2:06 p.m. Commissioner Laliberte made a motion to seal the minutes from the non-public session. Commissioner Harrington seconded and motion passes 5-0-0

XII. Adjournment-Board adjourned at 2:07 p.m with a roll call vote.