



Board of Pharmacy Public Meeting

Pharmacy Board

Mar 29, 2023 at 9:00 AM EDT to Mar 29, 2023 at 1:00 PM EDT

OPLC, 7 Eagle Square, Concord NH 03301

Board Members Present: John Genovese, David Rochefort, Lindsey Laliberte and Eric Lessard

Board Members Not Present: Nicole Harrington and Karl Peicker

Minutes

I. Call To Order- Commissioner Genovese called the meeting to order at 9:09 a.m.

II. Review and Approval of Agenda

III. OPLC and/or Board Administration Updates

A. Workgroup Initiatives

1. Commissioner Genovese

2. Commissioner Rochefort- Board will need to open up rulemaking on compounding. Board will review information from Commissioner Rochefort at the next meeting.

3. Commissioner Laliberte

4. Commissioner Lessard- is working on mapping out the table of contents for the statutes to cross reference with the rules. Commissioner Lessard will review, get feedback and then input the feedback that he receives.

Recently participated in a call with NABP on DSCSA. He will check any related rules to see if the Board needs to address anything.

5. Commissioner Harrington

6. Commissioner Peicker

IV. Consent Agenda Items

A. Approval of the Public Minutes from the February 15, 2023 Meeting- Commissioner Lessard made a motion to approve the minutes from the February 15, 2023 meeting. Commissioner Rochefort seconded and motion passes 4-0-0.

B. PIC Changes- Commissioner Lessard made a motion to approve all PIC changes. Commissioner Rochefort seconded and motion passes 4-0-0

1. Genoa Healthcare, LLC, Rochester Lic# 0809

Robin Cafazzo. Lic # R1037

2. Osco Pharmacy, Woodsville, Lic # 04365

Wayne Dipietro, Lic # R1043

3. Rite Aid, Hillsboro Lic# 0419

Zachary Haber, Lic # PHCY-01150

4. Rite Aid, Manchester, Lic # 0707

Aliandra Chiampa, Lic # PHCY-04483

5. Valley Regional Hospital, Claremont, Lic # 0044

Stephanie Sance, Lic # 3725

6. Walgreens, Manchester, Lic# 04689

Melissa Jacob, Lic # PHCY-01184

7. Walgreens, Rochester, Lic # 0494

Steven Klidas, Lic # 2695

8. Walmart Pharmacy, Seabrook, Lic # 0360

Jennifer Damato, Lic # PHCY-01430

9. Price Chopper Pharmacy, Lebanon, Lic# 0755

Christopher Ross Lic # 3959

C. Collaborative Practice- Commissioner Lessard made a motion to approve the collaborative practice applications. Commissioner Rochefort seconded and motion passes 4-0-0

1. Kevin Laliberte, Lic # PHCY-01445

2. Kevin Laliberte, Lic # PHCY-01445

D. PIC Waiver Extensions- Commissioner Lessard made a motion to approve the PIC waiver extensions. Commissioner Rochefort seconded and motion passes 4-0-0

1. PIC Extension Rite Aid Pharmacy 4993 - Allenstown, NH

2. Rite Aid PIC Extension 4871 - Woodsville, NH

E. NABP- Commissioner Lessard made a motion to approve the NABP notifications. Commissioner Rochefort seconded and motion passes 4-0-0

1. Open Compliance Officer Position – Arizona State Board of Pharmacy

2. New Clearinghouse Alerts Feature

3. Burt's Pharmacy, LLC and Westchester Compounding Pharmacy Inc.

4. Drug Enforcement Administration (DEA) Proposed Regulations

5. NABP Seeking Volunteers for 2023-2024 Committees and Task Forces

6. Proposed Resolutions, NABP 119th Annual Meeting, May 10-12, 2023, Nashville, TN

7. Additional Proposed Resolutions

8. CDC Notice of Funding Opportunity

F. Additional Consent Agenda Items- Commissioner Lessard made a motion to approve items 1 and 3. Commissioner Rochefort seconded and motion passes 4-0-0

1. Renovation Notice- Mark Hitchcock Memorial Hospital Pharmacy license # 0011

2. Well-Being Index for Pharmacy Personnel, State Report District 1- concern with the low ranking of NH. Board needs to be mindful with the rules to not add extra burdens on licensees. Commissioner Rochefort is working on removing outdated rules and to let professionals be professionals. A step towards this is eliminating the PIC position, an outdated position. A few states have already done this. Commissioner Peicker will be

working on this section of the rules. By eliminating the PIC position, it will put responsibility back onto the permit holder.

3. Cheshire Controlled Substance Audit Reports

4. Board also discussed the PH 1700 rules and eliminating the CQI from the rules. Board will revisit the Statute. There is no requirement to have rule for CQI. Discussion will be at next months meeting.

5. Also at next months meeting the Board will discuss increasing the refills for testosterone

G. Automated Pharmacy System Registration Form- Commissioner Lessard made a motion to approve items 1 and 2. Commissioner Rochefort seconded and motion passes 4-0-0

1. Littleton Hospital

2. Concept Pharmacy

V. Public Appearances- none

VI. Rules Review and Other Legislative Topics

A. Public Hearing at 9:30 a.m. on Ph 601.10 Security- re-scheduled for the April meeting.

B. Ph 1100 Final Proposal- Board reviewed the comments. Commissioner Rochefort made a motion to approve as amended. Commissioner Lessard seconded and motion passes 4-0-0.

C. Ph 2000 Inspections Initial Proposal- Board would like to see the reports before they are put in the rules.

D. Ph 1506- Review and Reporting of Prescription Drug Monitoring Information- Does the Board have the authority to enforce these rules not that PDMP is not under the Board of Pharmacy.

VII. Licensure Approval (if applicable)

A. New Pharmacy Application-Elliot Pharmacy at Solinsky Center- Commissioner Rochefort made a motion to approve the permit for this new pharmacy. Commissioner Lessard seconded and motion passes 4-0-0.

B. New Pharmacy Application-Genoa Healthcare, Littleton- Commissioner Laliberte made a motion to approve the permit for this new pharmacy. Commissioner Lessard seconded and motion passes 4-0-0.

VIII. New Business

A. Question on Retirees Paying into Health Programs- this payment is part of the rules for applicants and the Board doesn't have the authority to waive their laws and rules.

B. Is it legal for pharmacists in New Hampshire to sell fentanyl test strips? He will be referred to RSA 318:B Controlled Drug Act

C. Sharps Compliance Declaratory Ruling Request- Attorney Phillips should have this for by the end of the week.

D. Request for a Declaratory Ruling- The Board discussed his request and it is clear in the rules under collaborative practice.

E. Cheshire Medical Center letter to the Board- Commissioner Lessard made a motion to accept this letter. Commissioner Rochefort seconded and motion passes 4-0-0.

F. April 2023 DEA National Take Back Day- Commissioner Laliberte made a motion to accept the waiver request. Commissioner Lessard seconded and motion passes 4-0-0.

G. Commissioner Laliberte added 3 things to next month's agenda. Control Inventory and when to do, Rules getting the information to NABP and input from the Board on the resolutions that will be discussed at the annual meeting.

IX. Public Comments

A. Kathy Bizzarro-Thunberg spoke to the Board about the agenda online not being the same as what the Board was following. Staff spoke to this. Once we post the agenda, we can't make changes even when we have to make changes. We try to keep it current but sometimes things get added.

X. Non-Public Session

Commissioner Rochefort made a motion to enter non-public session at 10:21 a.m. Commissioner Lessard seconded and motion passes 4-0-0.

Upon return to public session at 11: 45 a.m., Commissioner Rochefort made a motion to seal the minutes from the non-public session. Commissioner Laliberte seconded and motion passes 4-0-0.

*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*

XI. Adjournment-Commissioner Laliberte made a motion to adjourn at 11:55 a.m. Commissioner Rochefort seconded and motion passes 4-0-0.