



Board of Pharmacy, Public Meeting

Pharmacy Board

Jun 21, 2023 at 9:00 AM EDT to Jun 21, 2023 at 12:00 PM EDT

Board Members Present: John Genovese, Nicole Harrington, Karl Peicker, David Rochefort, Eric Lessard and Lindsey Laliberte via Zoom.

Minutes

I. Call to Order- Commissioner Genovese called the meeting to order at 9:00 a.m. He thanked Helen Pervanas and MCPHS for hosting the June meeting.

II. Review and Approval of the Agenda

III. OPLC and/or Board Administration Updates

A. Workgroup Initiatives

1. Commissioner Genovese

2. Commissioner Rochefort- Board will discuss the USP800's next month. Board will need to work on removing references to the PIC in the rules. Testosterone limit increase has passed. Board should consider separate rules for pharmacists and pharmacies.

3. Commissioner Laliberte

4. Commissioner Harrington- working on the draft for Xylazine. Once complete she will send to Board council for review. Discussed electronic prescribing and that 96% are using the correct codes. In October it will be mandatory to use the correct coding. Discussed the 2022 PDMP annual report. Board would like to see 2023 data to see if the trends are continuing to go down. Would like to consider if more requirements for dispensing should be considered. Board will explore this once they have current information. Does the shortage of Adderall have an impact on the results.

5. Commissioner Lessard-Table of Contents is included in agenda below. Would like to get feedback from public and Board members. DSCSA will be discussed at the meeting next month.

6. Commissioner Peicker

IV. Consent Agenda Items

A. Approval of the Minutes- Commissioner Harrington made a motion to approve the minutes from the May 17, 2023 meeting. Commissioner Lessard seconded, Commissioner Rochefort abstains and motion passes 5-0-1

B. PIC Changes-Commissioner Rochefort made a motion to approve PIC changes 1-4 and 6-8. Commissioner Harrington seconded and motion passes 6-0-0.

1. Pharmerica, Concord, Lic # 0659

2. Rite Aid, Manchester, Lic # 0522

3. Walmart Pharmacy, Hudson, Lic # 0394

4. Rite Aid, Derry, Lic # 0695

5. Rite Aid, Keene, Lic # 0715- after discussion with the pharmacy manager and once corrected hours are submitted, Commissioner Lessard made a motion to approve this PIC change. Commissioner Rochefort seconded and motion passes 6-0-0.

6. Speare Memorial Hospital, Lic # 0057

7. Hannaford Pharmacy, Meredith, Lic # 0788

8. Harbor Care, Nashua, Lic # 0812

C. Collaborative Practice

1. Jacqueline Nguyen, Lic # Phcy-01440- This application is still not complete. Commissioner Lessard made a motion to have a show cause hearing on this application. Commissioner Harrington seconded and motion passes 6-0-0.

D. Automated System Registration- Commissioner Rochefort made a motion to approve the automated system registrations. Commissioner Harrington seconded and motion passes 6-0-0.

1. Omnicare-16 Registrations

E. NABP- Commissioner Rochefort made a motion to approve NABP notices. Commissioner Harrington seconded and motion passes 6-0-0.

1. DEA Issues Guidance Document Describing COVID-19-Related Flexibilities That Will Remain in Place During the Ongoing Opioid Public Health Emergency

2. Live Continuing Education Webinar on Drug Development for Rare Diseases Hosted by FDA's Division of Drug Information

3. FDA Provides Updated Drug Shortage and Compounding Information for Medications Containing Semaglutide Marketed for Type 2 Diabetes or Weight Loss

4. NABP's DSCSA Interoperability Summit

5. Intravenous Hydration Clinics: Federal and State Regulatory Perspectives

6. MPJE State-Specific Review Survey

7. Resolutions Passed at the 119th NABP Annual Meeting

8. Open Executive Director/Secretary Position – Texas State Board of Pharmacy

F. PIC Waiver Extensions-none

G. Additional Consent Items- Commissioner Rochefort made a motion to approve 2-4. Commissioner Harrington seconded and motion passes 6-0-0.

1. 2022 NH PDMP Annual Report- discussed above in the work group section.

2. May 2023 Monthly Report for Board of Pharmacy

3. Cheshire Controlled Substance Audit Report 10

4. Rite Aid, Manchester-#1 Inspection

V. Public Appearances

A. Show Cause Hearing- 9:30 a.m.- Mercedes Blinn-Began hearing at 9:39 a.m. Licensee did not appear on Zoom or in-person. Commissioner Harrington made a motion to deny the reinstatement. Commissioner Lessard seconded, and motion passes 6-0-0.

B. Show Cause Hearing- 10:00 a.m.- Brian Connelly, CPHT-126580- Began hearing at 10:05 after Attorney Frye opened the hearing, Board went into non-meeting with council. Upon

return at 10:15 a.m. the hearing continued and after discussion the hearing closed at 10:25 a.m. Commissioner Harrington made a motion to renew his license. Commissioner Rochefort seconded and motion passes 6-0-0.

At the close of the hearings, Commissioner Harrington made a motion to go into non-public at 10:25 a.m. Commissioner Rochefort seconded and motion passes 6-0-0.

Upon return to public session at 10:40 a.m. Commissioner Lessard made a motion to seal the minutes from the non-public session. Commissioner Rochefort seconded and motion passes 6-0-0.

VI. Rules Review and Other Legislative Topics

A. Chapter Ph 1000 revisions based on the FDA's Drug Supply Chain and Security Act- Board will review for discussion at the July meeting. 11/27/2023 the new DSCSA changes take effect.

Compliance inspector Jay Queenan mentioned to the Board that he has heard of a “gray market” for selling diabetic test strips.

B. Ph 1100- Adopted Text- Commissioner Rochefort made a motion to adopt the Ph 1100's. Commissioner Lessard seconded and motion passes 6-0-0.

C. Ph 2000-Inspection Report- Tina Kelley reviewed each section with the Board.

D. Ph 601.10 Adopted Text- Commissioner Rochefort made a motion to adopt Ph 601.10. Commissioner Lessard seconded and motion passes 6-0-0.

E. Ph 200- Public Hearing on July 19, 2023 at 9:30 a.m.-noted

F. Next month the Board will begin work on removing references to the PIC in the rules. this will begin formal rulemaking.

VII. Licensure Approval (if applicable)

A. Initial Out of Country- Avent S.de R.L. de CV., Magdalena, Sonora, Mexico

Commissioner Lessard made a motion to deny this application based on they are out of country and the Board would have no jurisdiction over them. Commissioner Rochefort seconded and motion passes with a 6-0-0.

B. Initial Out of Country-Avent S. de R.L. de CV, Nogales, Colonia, Obrera, Mexico-

Commissioner Lessard made a motion to deny this application based on they are out of country and the Board would have no jurisdiction over them. Commissioner Rochefort seconded and motion passes with a 6-0-0.

C. Initial Out of Country-Avent S. de R.L. de CV, Nogales II, Colonia, Obrera, Mexico-

Commissioner Lessard made a motion to deny this application based on they are out of country and the Board would have no jurisdiction over them. Commissioner Rochefort seconded and motion passes with a 6-0-0.

D. Dick Hall's House of Pharmacy, Hanover- Commissioner Lessard made a motion to accept a revision to the type of pharmacy and to approve the request from them.

Commissioner Harrington seconded and motion passes 6-0-0. They would need to change the type to other for inpatient/outpatient services.

E. Parkland Medical Center- extension request for temporary permit- They will need to reapply for another permit to be reviewed at the July meeting.

VIII. New Business

A. Walgreens, Keene, Lic #03154-this item has been removed from the agenda.

B. Rite Aid Pharmacy, 4741, Rite Aid Pharmacy, 4741-these items will be discussed at the July meeting.

C. Board of Pharmacy Rules Table of Contents Discussion- Commissioner Harrington made a motion to proceed with rulemaking. Commissioner Rochefort seconded and motion passes 6-0-0. Board will need to discuss Ph 900. DHHS has rules for this so does the Board need to have them. Any rules changes the Board makes will need to coincide with the OPLC rules changes.

D. DSCSA Interoperability Summit- after discussion, this information will be sent to the compliance officers to see if one of them would be able to attend.

E. SB35 for the RSV vaccine has passed.

F. The Board structure is not changing with HB2

G. Commissioner Rochefort spoke with someone about being a public member of the Board.

IX. Public Comments

X. Non-Public session

Commissioner Rochefort made a motion to enter non-public session at 11:47 a.m.

Commissioner Harrington seconded and motion passes 6-0-0.

Upon return to public session at 1:37 p.m. Commissioner Rochefort made a motion to seal the minutes from the non-public session. Commissioner Peicker seconded and motion passes 5-0-0.

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 Rochefort made a motion to adjourn at 1:38 p.m.

Commissioner Harrington seconded and motion passes 5-0-0.