

NEW HAMPSHIRE BOARD OF PHARMACY

7 Eagle Square  
Concord, NH 03301

**PUBLIC MINUTES**

**January 19, 2022 – 9:00 a.m.**

The NH Board of Pharmacy meeting was held in person and via zoom, which was called to order by Board President John Genovese on **January 19, 2022** at 9:00 a.m. Board members present; Commissioner Genovese, Commissioner Laliberte, Commissioner Rochefort, Commissioner Peicker, Commissioner Lessard and Commissioner Harrington. Roll Call verifies a quorum of 6-0-0.

Absent Commissioner Bouchard.

**Workgroup/Initiatives**

Commissioner Lessard – Unused Prescription Drugs

Commissioner Genovese –

Commissioner Bouchard – Legislative Review for anything that would affect the Board of Pharmacy. Board discussed upcoming legislative hearings. Commissioner Harrington made a motion to support the Bill to allow Certified Techs to administer Covid vaccines as well as other vaccines. Commissioner Laliberte seconded and motion passes 6-0-0

Commissioner Rochefort will speak at the hearing.

Commissioner Rochefort – Sterile and Non-Sterile Compounding Rules Ph 400

Commissioner Harrington – Pharmacy Quotas, workflow and vaccine sites, PDMP Advisory Committee

Commissioner Laliberte – Pharmacy Quotas, workflow and vaccine sites, Pharmacy Technicians

Commissioner Peicker – Canadian Importation, Importer and Exporter possibilities

1. Board Agenda Review
  - a. Items Off: remove item 2e
  - b. Items On: PIC change Rite Aid, Exeter
  
2. Consent Agenda Commissioner Harrington made a motion to approve the consent agenda with the 1 removal. Commissioner Peiker seconded and motion passes 6-0-0
  - a. Draft Meeting Minutes – December 15, 2021
  - b. Draft Meeting Minutes -January 4, 2022
  - c. Pic Change- CVS, Keene-Charlotte Mbundu
  - d. Pic Change- Eastern States-Christian Greene
  - e. Pic Change- Wentworth Douglas- Robert Theriault-Commissioner Rochefort made a motion to approve this PIC Change. Commissioner Lessard seconded and motion passes 6-0-0
  - f. Pic Change- Rite Aid, Rochester- Nasreen Kouki
  - g. Pic Change- Rite Aid, Meredith- Chelsea Kuzio
  - h. Pic Change- Walgreens, Manchester- Michelle Moraros
  - i. Pic Change- Walmart, Plaistow- Vadim Evstifeev
  - j. Pic Change- Walmart, West Lebanon- Laurel Baerman
  - k. Pic Change- CVS, West Lebanon- Michelle Massey
  - l. Pic Change-Walmart, Hindsdale- Michael Mathers
  - m. Pic Change- Pharmerica- Debra Nickerson
  - n. Pic Change- Hannaford, Rochester- Alexander Pelkey
  - o. NABP- Critical Point SCIT Training
  - p. NABP-MPJE 2022 Workshop Announcement
  - q. NABP-Registration is open for FDA's 2022 Compounding Quality Center
  - r. NABP-FDA Letter on Ivermectin
  - s. NABP-CDC Opioid Prescribing Guideline
  - t. NABP-Advisory Committee on Examinations
  - u. NABP- National Alert in Response to Age-Related COVID-19 Vaccine mix-ups
  - v. NABP- Opioid Regulatory Collaborative Summit, March 2022
  - w. Tri-Regulator Symposium-Save the Date

- x. Final Clozapine Letter to State Medical and Pharmacy Boards
- y. NABP- USP Presentation-CMPEC Updates

3. Public Hearing scheduled for January 19, 2022 at 9:30 a.m

- a. Ph 903.01 Mail Order Pharmacy

There were no public comments. The public hearing was closed at 9:54 a.m.

4. Rules

- a. Ph 404- Standards for Compounding and Dispensing Sterile and Non-Sterile Pharmaceuticals- these will be discussed in March after the NABP comment period closed.
- b. Ph 700-Final Proposal-Board reviewed in depth all the comments for the Ph 700s. Tina Kelley has incorporated them into the document for next meeting. Tina will also add revision dates to the bottom of the drafts. This will ensure the correct version is being reviewed.  
Board also discussed removing the PIC exam requirement. Possibly make a CEU for the educational purposes of the PIC exam. Compliance Investigator Elsa Croteau would like to keep the exam. It is a valuable tool for the new PIC's. It provides them with education and resources.
- c. Ph 807.02 and Ph 808.01-Final Proposal- After discussion and an amendment, Commissioner Rochefort made a motion to approve Ph807.02 and Ph 808.01 as amended. Commissioner Lessard seconded and motion passes 6-0-0
- d. Ph 2400- Dispensing of Hormonal Contraceptives-Preliminary Objection Response- Commissioner Harrington made a motion to approve the preliminary objection response. Commissioner Rochefort seconded and motion passes 6-0-0
- e. Ph 2301.07- Initial Proposal Draft- Commissioner Harrington made a motion to approve the initial proposal draft. Commissioner Rochefort seconded and motion passes 6-0-0
- f. Ph 2109.07 and Ph 2109.08- Tina Kelley is working on Based on Admin Rules comments
- g. Ph 1800 Public Hearing on 2/16/2022 at 9:30 am- noted
- h. Ph 1400 Public hearing on 2/16/2022 at 9:30 am - noted
- i. Ph 2500 Public Hearing on 2/16/2022 at 9:30 am- noted
- j. Rules Status Spreadsheet- this is a very helpful tool for the Board

5. MOU between DHHS and OPLC discussion - The items requested have been changed and it is all public information. An MOU is no longer necessary. It will now be a data sharing with DHHS-PDMP. The only item the Board would like answered is does DHHS have the statutory authority audit. This can't be answered yet. it is still in discussion with the AG's office. Once Lindsey Courtney knows the result of the discussion, she will let the Board know.

6. NH PHP Quarterly Report- noted

7. NABP WBI Report District 1-January 2022- Board discussed the report and the few discrepancies they noticed.

8. Alliance for Pharmacy Compounding- noted

9. Discussion on Rule Change relating to having to retake the MPJE – Board would like to remove the requirement to take the MPJE if your license lapses. Commissioner Rochefort will have an initial proposal at the next meeting.

10. NABP- Annual Meeting Official Delegate Certificate and Travel Grant- Commissioners Laliberte, Rochefort and Genovese are planning to go to the NABP annual meeting. Commissioner Harrington is hoping to be able to go. Board will appoint a Delegate at the next meeting.

11. Ph704.15 Prescription Refill - Interim Supply- there are rules in place that address this issue. Pharmacists need to be better educated on these rules.

12. Pharmacies Notifying Board when store hours will be different than normal hours of operation such as closing early or not opening- there are no rules for this, it would be a courtesy to let the Board know.

13. Neurotoxin Cosmetic Injections- noted. Board is not taking action. There is current legislation being introduced that will address this issue.

14. PIC Change Rite Aid, Exeter-Commissioner Harrington made a motion to approve this PIC Change.  
Commissioner Laliberte seconded and motion passes 6-0-0

Commissioner Harrington made a motion to go into non-public session at 1:06 p.m. Commissioner Rochefort seconded and motion passes 6-0-0

*\* Motion (in public session) to move into Non-Public session per:*

***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.

*\* Roll Call Vote*

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Upon return to public session at 2:10 p.m. Commissioner Harrington made a motion to seal the non-public minutes. Commissioner Rochefort seconded and motion passes 6-0-0

Commissioner Harrington made a motion to adjourn at 2:12 p.m. Commissioner Laliberte seconded and motion passes 6-0-0