

NEW HAMPSHIRE BOARD OF PHARMACY

7 Eagle Square
Concord, NH 03301

PUBLIC MINUTES

February 16, 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 **February 16, 2022** at 9:07 a.m. Board members present; Commissioner Genovese, Commissioner Laliberte, Commissioner Peicker, Commissioner Lessard and Commissioner Harrington. Roll Call verifies a quorum of 5-0-0.

Absent Commissioner Bouchard and Commissioner Rochefort

Workgroup/Initiatives

Commissioner Lessard – Unused Prescription Drugs- public hearing

Commissioner Genovese –

Commissioner Bouchard – Legislative Review for anything that would affect the Board of Pharmacy

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- added item to Ph700 discussion

Commissioner Peicker – Canadian Importation, Importer and Exporter possibilities- added CEAC actions

1. Board Agenda Review

- a. Items Off:
- b. Items On:

2. Consent Agenda- Commissioner Lessard made a motion to approve the consent agenda items a-u, except item b. Commissioner Peicker seconded and motion passes 5-0-0.

- a. Draft Meeting Minutes – January 19, 2022
- b. Pic Change- CVS, West Lebanon- Rachel Kemp-00996- after asking Rachel a few questions. Commissioner Peicker made a motion to approve this PIC change. Commissioner Lessard seconded and motion passes 5-0-0
- c. Pic Change- North Country Healthcare Pharm, Colebrook-Jonathan Bradbury-01097
- d. Pic Change- Rite Aid, Manchester- William Ireland-01199
- e. Pic Change- Rite Aid, Milford- Jamie King- 0700
- f. Pic Change- Walmart, Hooksett- Christopher Sylvester-3106
- g. Pic Change- Seacoast Cancer Center, Portsmouth-Suzanne Stevens -1887
- h. Pic Change- Rite Aid, Newport- Nicole Hart-01294
- i. Pic Change- CVS, North Conway-Page Kane-04424
- j. Collaborative Practice App- Alexandra L. Simms
- k. Collaborative Practice App- Chiugo Okeke
- l. Collaborative Practice App- Amber Mercuro
- m. Collaborative Practice App- Katherine Houde
- n. Collaborative Practice App- Katie Karkowski
- o. Collaborative Practice App- Kori Costa
- p. Collaborative Practice App- Laura Hackett
- q. Collaborative Practice App- Maureen L. Brady
- r. Collaborative Practice App- Caitlin Harper
- s. Collaborative Practice App- Gregory R. Wolfe
- t. Collaborative Practice App- Philip Benoit
- u. Collaborative Practice App- Kristen P. Grafenstein

3. NABP Consent Agenda- Commissioner Lessard made a motion to approve the NABP consent agenda. Commissioner Harrington seconded and motion passes 5-0-0.
 - a. NABP- FDA Notification about Texas Starr Pharmacy
 - b. NABP- NABP Verify
 - c. NABP- CDC ASTHO
 - d. NABP- e-LTP Price Increase 2022
 - e. NABP- MPJE 2022 Workshop Announcement
 - f. NABP- NABP DSCSA Pilot Project
 - g. NABP- National Licensing Standards
 - h. NABP- Policy Statement Workplace Safety and Well Being
 - i. NABP- 2022 Program Review and Training
 - j. NABP- Proposed Amendments to NABP's Constitution and Bylaws
 - k. NABP- 2022 Survey of Pharmacy Law
 - l. NABP- Annual Meeting Poster Session Proposals
4. Public Hearings scheduled for February 16, 2022 at 9:30 a.m.
 - a. Ph1400 Unused Prescription Drug and Medical Devices Program. Hearing opened at 9:34 a.m. Comments from enforcement will be sent to the Board for review and discussion at next months meeting. public hearing closed at 9:55 a.m.
 - b. Ph 1800 Licensed Advanced Pharmacy Technicians- Public hearing opened at 9:55 a.m. Comments from Bob Theriault, Jay Queenan, Kaitlin Simoneau and MD Johnston. All comments will be submitted in writing for the Board review and discussion at next months meeting.
Public hearing closed at 10:16 a.m.
5. Rules
 - a. Ph 404- Standards for Compounding and Dispensing Sterile and Non-Sterile Pharmaceuticals-to be reviewed at the March 16, 2022 meeting -noted
 - b. Ph 700-Draft Final Proposal-Further comments from Kathy Bizarro-Thunberg will be reviewed by the Board for next meeting. Board will continue the comparisons with the Ph 2300. Definition comparisons, potential overlaps are areas to review. Possible work group in the future to better clarify pharmacy and the pharmacist duties.
Board discussed when pharmacies close there is no obligation to let the Board know. This has been happening and has caused some issues for those trying to fill prescriptions. John Eddy is going to send the Board an article from Maine that addresses this issue.
 - c. Ph 807.02 and Ph 808.01-Final Proposal- Ph 808.01(4) should remain where it is. Board needs to review and revote. Commissioner Harrington made a motion to approve the changes. Commissioner Laliberte seconded and motion passes 5-0-0.
 - d. Ph 2400- Dispensing of Hormonal Contraceptives-vote to adopt. Commissioner Lessard made a motion to adopt. Commissioner Harrington seconded and motion passes 5-0-0.
 - e. Ph 2301.07- Fiscal Impact Statement has been submitted- noted
 - f. Ph 903.01(c)review final Proposal draft and form. Commissioner Laliberte made a motion to approve the rules and form. Commissioner Lessard seconded and motion passes 5-0-0.
 - g. Ph 1300-Board to review and begin rulemaking process. Due to expire on 9/18/2022- Commissioner Laliberte will review.
 - h. Ph 2109.07 and Ph 2109.08- Tina Kelley is working on reviewing the comments from Admin Rules. This is more work than anticipated and Board may need to pull the rules back and resubmit after a thorough review can be completed.
 - i. Ph 302.04 Initial proposal on rules change relating to the MPJE from Commissioner Rochefort. Tabled until next month.
 - j. Ph 2500 Public Hearing on 3/16/2022 at 9:30 am-noted
 - k. Rules Status Spreadsheet – noted with appreciation to Tina Kelley for this information.

6. Annual Meeting Travel Request and Template-Board completed the form and staff will submit to NABP.
7. NABP- Annual Meeting Official Delegate Certificate and Travel Grant- Commissioner Lessard made a motion to appoint Commissioner Laliberte as the Delegate with Commissioner Genovese and Commissioner Harrington as the alternate delegates. Commissioner Peicker seconded and motion passes 5-0-0
8. NH Model Statewide Protocol for Dispensing Hormonal Contraceptives- noted
9. SB335- Collaborative Practice Pharmacy Agreements- Marylin Hill spoke with the Board. She is testifying next week and was looking for Board support. There have been no issues with the collaborative practice pharmacies.
10. 2021-12-29- iPledge Pharmacy Meeting Notes-noted
11. 2022-1-5 - iPledge Pharmacy Meeting Notes - noted
12. Beginning with next meeting the Board will add a section for public comments on the agenda each month.

Commissioner Peicker made a motion to go into non-public session at 10:22 a.m. Commissioner Laliberte seconded and motion passes 5-0-0.

** 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*

Upon return to public session at 11:35 a.m. Commissioner Laliberte made a motion to seal the minutes from the non-public session. Commissioner Harrington seconded and motion passes 5-0-0

Commissioner Laliberte made a motion to adjourn at 11:35 a.m. Commissioner Harrington seconded and motion passes 5-0-0
