



Pharmacy Board Meeting Minutes

Pharmacy Board

Aug 17, 2022 at 9:00 AM EDT







Attendance

Members Present:

John Genovese, Nicole Harrington, Eric Lessard, Karl Peicker, David Rochefort

Members Absent:

Lindsey Laliberte

- I. Call To Order
- II. Review and Approval of Agenda
- III. Approval of Public Minutes- Commissioner Lessard made a motion to approve the minutes from the meetings listed below. Commissioner Rochefort seconded and motion passes 5-0-0
 -  [a- draft 7-20-public minutes.doc](#)
 -  [Pharmacy 7-26 meeting.docx](#)
- IV. Public Appearances- Commissioner Rochefort made a motion to approve A through F, H and I. Commissioner Lessard seconded and motion passes 5-0-0
 - A. PIC Changes
 - CVS, Dover #0798- Nathan Young #4039
 -  [1-PIC CHNG CVS DOVER LIC 0798.pdf](#)
 - B. PIC Change
 - CVS, Somersworth, #0688- Kristine Colby #2955
 -  [2-PIC CHNG CVS Somersworth Lic 0688.pdf](#)
 - C. PIC Change
 - Hannaford Pharmacy, Dover #0741-Melissa Mears
 -  [3- PIC CHNG HANNAFORD DOVER LIC 0741.pdf](#)
 - D. PIC Change
 - Oscos Pharmacy, Windham #0686
 -  [4- PIC CHNG OSCO Lic#0677 Windham.pdf](#)
 - E. PIC Change
 - Walmart, West Lebanon 0549- Kaitlin Latta

 [PIC Chng- WalMart West Lebanon 0549-Kaitlin Latta 04322.pdf](#)

F. PIC Change

CVS, Nashua 0646- Vijayant Rekhi

 [PIC CHNG CVS LIC 0646 Nashua- Vijayant Rekhi 04413.pdf](#)

G. Collaborative Practice application

Anna Lee Wehrly, PHCY-01342

 [PHCY-01342anna Lee Wehrly.pdf](#)

This application will need to be reviewed at the next meeting. Appears to be missing information.

H. Collaborative Practice application

Kelly DeMoura, 3966

 [17-Col Practice-Kelly DeMoura.pdf](#)


I. PIC Change

Hannaford, Raymond-0309-Lindsey Laliberte- 3245

 [PIC CHNG HANNAFORD Lic 0309 Raymond.pdf](#)

V. OPLC and/or Board Administration Updates

A. Workgroup / Initiatives

1. Commissioner Lessard-Unused Prescription Drugs, Drug Supply Chain Security Act (DSCSA) –Discussed a few key areas; routine inspections, samples from 3rd parties and reporting changes to the state.
Commissioner Rochefort made a motion to approve the statements as presented. Commissioner Peicker seconded and motion passes 5-0-0
 [Drug Supply Chain.pdf](#)
2. Commissioner Genovese- Ph 1800 will be discussed today
3. Commissioner Rochefort- Sterile and Non-Sterile Compounding rules- a draft copy is being reviewed and will be discussed at a later meeting., Ph 400- Spoke about the rules revision project, finalizing objectives and next week will solidify the objectives. Rules should not be an instruction manual, should be for public safety. Vermont has also done a revision of the rules.
4. Commissioner Harrington- Pharmacy Quotas, Workflow and vaccine sites, PDMP Advisory Committee- discussed changes the PDMP advisory would like to make mandatory; use of ID's of patient, use of ID's on drop off of a

prescription and ID upon pick up. Ph 703.06(b) requires an ID. The issue of those with no ID's isn't addressed. With regards to PDMP information, its better to pull information that is needed than to have everything sent and then try to analyze it. Also discussed the workflow survey. Board will review information in non-public and then share with the public at an upcoming meeting. A draft of results has been sent to Commissioner Genovese, Commissioner Rochefort and Attorney Phillips. Received 500+ responses to the survey.

5. Commissioner Laliberte- Pharmacy Quotas, Workflow and vaccine sites, Pharmacy Technicians- not present
 6. Commissioner Peicker- Canadian Imports, Importer and Exporter possibilities, CEAC – no report this month.
- B. NABP information – Commissioner Rochefort made a motion to approve items 1 through 10 as noted. Commissioner Lessard seconded and motion passes 4-0-0
1. NABP-DSCSA Webinar, Save the date 10/4/2022 -
[!\[\]\(6302aad5aed157b291fddf37b4870784_img.jpg\) NABP - DSCSA Webinar Save the Date October 4 2022.pdf](#)
 2. NABP-Save the Date Exc. Officer Forum and New Leadership Academy
[!\[\]\(a9ca2c237943a6d0a9f22252f295b6f3_img.jpg\) NABP - EOF and Leadership Academy Save the Date.pdf](#)
 3. NABP-FDA Compounding Quality Center of Excellence Panel registration coming soon
[!\[\]\(9a01a64e0b4ff865df7d32ee7991fe8b_img.jpg\) NABP - FDA Compounding Quality Center of Excellence Annual Conference and FDA Expert Q&A Panel Registration.pdf](#)
 4. NABP- DEA Offering Diversion Pharmaceutical Awareness Training Webinars
[!\[\]\(6aefe9a3d997eb8b55c40ecd5fa7053f_img.jpg\) NABP- DEA Offering Complimentary Diversion Pharmaceutical Awareness Training Webinars for CPE Credit.pdf](#)
 5. NABP- Save the Date for FDA's Virtual Intergovernmental Working meeting on Drug Compounding
[!\[\]\(baa8f8ba8c970db55300f5bb45bb3460_img.jpg\) NABP- FDA to Host Virtual Inter-Governmental Working Group on Drug Compounding in November.pdf](#)
 6. NABP- 2022 MBE State-Specific Review
[!\[\]\(a6e28495607b2299466d3d5d3193848c_img.jpg\) NABP- 2022 MPJE State Specific Review and Standard Setting Notification.pdf](#)
 7. NABP- District 1 Open Member Position

 [NABP- District 1 Nomination.pdf](#)

8. NABP-2022 MPJE State Specific Review and standard Setting Notification

 [NABP- 2022-MPJE State Specific Review and Standard Setting Notification.pdf](#)

9. NABP-FDA National Licensing Standards

 [NABP-FDA National Licensing Standards.pdf](#)

10. NABP-State Report-District 1 August

 [NABP State Report - District 1 - Aug 2022.pdf](#)

VI. Old Business- none

VII. New Business

A. Remote Processing Training – Commissioner Lessard made a motion to approve this training. Commissioner Rochefort seconded and motion passes 5-0-0

 [11- Remote Processing Training.pdf](#)

B. 2022 Tri-Regulator Symposium- noted

 [2022 Tri-Regulator Symposium.pdf](#)

C. Drug Take Back Letter – Commissioner Rochefort made a motion to approve the waiver. Commissioner Harrington seconded and motion passes 5-0-0

 [Drug Take Back letter.pdf](#)

D. PIC Change Waiver- ratify approvals Commissioner Rochefort made a motion to approve the PIC waivers. Commissioner Lessard seconded, Commissioner Peicker abstains and motion passes 4-0-1

 [PIC Change waiver-S-Armiento rite-aid-Lee .pdf](#)

 [PIC change waiver-A.Tipton-Genoa Healthcare Derry.pdf](#)

E. Med-Safe Brochure/ discussion- after discussion about the program and the timesaving benefits, the statutes and rules that would need to be changed. The Board can't approve this program because of the required changes that have to take place. Someone would need to sponsor a Bill to change the Statutes. Commissioner Rochefort mentioned possibly reaching out to Gary Merchant.

 [Medsafe-brochure.pdf](#)

 [Med-safe info from J-Queenan.pdf](#)

 [Wanda Voight-DEA-Compliant Drug Takeback Programs in LTCF.pdf](#)

- F. Bob Stout questions on Ph800's- Commisioner Rochefort will draft a letter to answer Bob Stouts questions on the PH 800's
[📎 Bob Stout questions on Ph800's.pdf](#)
- G. Bob Stout question on the Ph700's - Commisioner Rochefort will draft a letter to answer Bob Stouts questions on the PH 700's
[📎 Bob Stout -question on the 700s.pdf](#)
- H. Question Regarding Licensure for MTM services in NH- Board would need more information. Staff wil request them to come to the next meeting.
[📎 Question regarding licensure for MTM services in New Hampshire.pdf](#)
- I. PIC Discussion – Kathy Bizarro-Thunberg discussed with the Board about removing a PIC. Does it fit in NH anymore. This role is outdated in todays age. This change would require statute changes, rules changes and changes to the MPJE.Commissioner Rochefort and Commissioner Lessard will work with Kathy. She has already started having conversations with constituants to help gain support and understanding of making this change.
A reminder of the MPJE exam review is coming up in September.
Comments from Kathy Bizarro-Thunberg
[📎 PIC-discussion.pdf](#)
- J. Question From Art Tipton- Board suggested to Art Tipton that he submit a declatroy ruling request
[📎 question from- Art Tipton.pdf](#)
- K. Question From Carson Von Alst – this is tabled until next meeting.
[📎 question from- Carson Von Alst.pdf](#)
- L. Question From Jaclynne Gowen - Board suggested to Jaclynne Gowen that she submit a declatroy ruling request
[📎 question from Jaclynne Gowen.pdf](#)
- M. Question from Jane Farnham – her question is addressed in rule Ph 301.01c. refer her to those rules.
[📎 question from Jane Farnham-Licensing for Pharmacist.pdf](#)
- N. Question from Niki Srachan – after discussion the Board informed Ms. Strachan that this in the nursing scope of pracice not the pharmacy scope of practice. She would need to address her concerns with the Board of nursing.
[📎 Questions from Niki Strachan-meds to patients on release.pdf](#)

- O. DEA Guidance Document as it pertains to C2 Prescriptions – the DEA guidance document on making no changes to prescriptions, wasn't moved to the policy portal by the DEA and this is causing confusion around the country.
- P. Emergency Rule pertaining to termination of pharmacy operation- a draft was presented to the Board. this will be discussed at the next meeting.

VIII. Updates from Cheshire Medical permit #0069- Board discussed the need for assurance that this will not happen again. Assurance of a 3rd party consultants independent view. Would like an open dialogue with the Board each month. Next meeting they will have 3 proposals from independent oversight companies for the Board to review.

Staff is working together to solve problems, communication has become much better, they have controls in place, awareness for all, they have systems to monitor complacency, the diversion specialist is a key component to this. Assured it will not happen again.

IX. Rules Review and Other Legislative Topics

- A. Public Hearing Ph 1300 Administration of Vaccines at 9:30 a.m. Hearing was opened at 9:33 a.m. Hearing closed at 9:51 a.m.

- 1. Ph 1300

-  [Ph1300.pdf](#)

Kathy Bizarro-Thunberg shared her comments with the Board. Comments from Bob Stout were also recognized. Commissioner Lessard will make revisions and send to Tina Kelly.

- B. Ph 1400 Unused Prescription Drug and Medical Devices – Commissioner Lessard made a motion to approve the adopted text. Commissioner Rochefort seconded and motion passes 5-0-0

- Ph 1400-Adopted Text

-  [Ph 1400 - Adopted Text - 8-17-2022.pdf](#)

- C. Ph 1800 Licensed Advanced Pharmacy Technicians – Commissioner Rochefort made a motion to approve with amended changes. Commissioner Peicker seconded and motion passes 5-0-0.

- Ph 1800

-  [Ph 1800-Licensed Advanced Pharmacy Technicians.pdf](#)

- D. Ph 2301.07 drug Control in Ambulatory Patient Treatment Areas – Commissioner Lessard made a motion to approve the adopted text. Commissioner Peicker seconded and motion passes 5-0-0.

Ph 2301.07 adopted text

 [Ph 2301.07 - Adopted Text - 8-17-2022.pdf](#)

- E. Ph 2500 Advanced Pharmacy Systems – Linda Sawyer spoke to the Board about requested changes, Board reviewed JLCARs suggestions. These changes will be made and discussed at the next meeting.

Ph 2500 Final Proposal

 [Ph2500.pdf](#)

- F. Ph 2600 Pharmacist Initiation and Dispensing of Nicotine Cessation Therapy – Commissioner Rochefort made a motion to submit the initial proposal. Commissioner Harrington seconded and motion passes 5-0-0

Ph 2600 Initial Proposal

 [Ph 2600 - Initial Proposal - DRAFT.pdf](#)

- G. Collaborative Practice Proposed Rules Changes – Commissioner Rochefort made a motion to open rulemaking on the Ph 1100's. Commissioner Harrington seconded and motion passes 5-0-0.

 [Collaborative Practice proposad rules changes.pdf](#)

- X. Public Comments – Rosemary Simoneau spoke to the Medsafe request. Spoke about the timesaving feature of this. Board let her know it will require statute and rules changes and the Board can't do waivers.

Commissioner Rochefort leaves the meeting at 12:00 PM

- XI. Non-Public session Commissioner Lessard made a motion to go into non-public session at 12:17 p.m. Commissioner Peicker 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.*

- A. Vote to Seal the Non-Public Minutes- Upon return to public session at 12:42 p.m. Commissioner Peicker made a motion to seal the minutes from the non-public session. Commissioner Harrington seconded and motion passes 4-0-0.

- XII. Adjournment – Commissioner Peicker made a motion to adjourn at 12:42 p.m. Commissioner Harrinton seconded and motion passes 4-0-0.

