

**STATE OF CONNECTICUT
DEPARTMENT OF CONSUMER PROTECTION
COMMISSION OF PHARMACY
July 26, 2006**

10:00 a.m. The regular meeting of the Commission of Pharmacy was called to order by Chairman Summa. The meeting was held in Room #126 of the State Office Building located at 165 Capitol Avenue, Hartford, CT 06106.

Commissioners Present:

Steve Beaudin	Edith G. Goodmaster
Robert Guynn, R.Ph.	William Summa, Jr., R.Ph.
Frederick Vegliante, R.Ph.	

- Commissioner Jean Mulvihill was not in attendance.

Staff Present:

Michelle Sylvestre, R.Ph. [Drug Control Agent/Board Administrator]

Others Present:

John Astles	Erica Baker
Katie Boyne	Chris Castillo
Sandra Daniell	Dave Doiron
Jamie Durkin	Barbara M. Ferguson
Carolyn Gelineau	Mariana Gjonaj
Judith Jorgensen	Juliette J. Kim
Robert Kovalchik	Mimi Liu
Gina Maurina	George Pappas
Janice Pare	Jennifer Ruda
Chris Ryan	Zelma Woodson
Michael H. Wright	

Interview of Reciprocity Candidates

The following candidates were sworn in and interviewed by the Commissioners. Various questions were asked of the individual candidates. A few of the questions were as follows:

1. Why do you want to be licensed in Connecticut?
2. What are Connecticut's requirements for continuing education?
3. Have you ever had a problem with drugs and/or alcohol?

4. Have you ever been before a Board of Pharmacy in the past?

John Drew Astles	From South Carolina
Christopher Benito Castillo	From Maryland
Robert Dennis Kovalchik	From Ohio
Christopher William Ryan	From Massachusetts

Commission Action: Commissioner Guynn moved, seconded by Commissioner Beaudin and passed by a vote of (5-0) to accept the above applications for licensure by reciprocity.

Erica L. Baker	From Delaware
Sandra Daniell	From New York
Carolyn Theresa Gelineau	From Massachusetts
Juliette Joo Hyun Kim	From Maryland
Gina M. Maurina	From New York

Commission Action: Commissioner Guynn moved, seconded by Commissioner Beaudin and passed by a vote of (5-0) to accept the above applications for licensure by reciprocity pending successful completion of the MPJE Examination.

'First Time' Pharmacy Managers

The following individuals appeared before the Commission of Pharmacy as 'first time' pharmacy managers:

Katie Boyne	CVS/Pharmacy – Hamden, CT
Jamie Durkin	CVS/Pharmacy – Newtown, CT
Barbara Ferguson	Griffin Pharmacy & Gifts
Carolyn Theresa Gelineau	Target Pharmacy – Enfield, CT
Mariana Gjonaj	Shop Rite Pharmacy
Janice Pare	Big Y Pharmacy
Jennifer Ruda	Walgreens Pharmacy
Christopher Ryan	Drug Assist Health Solutions – Enfield

Jodie Lucie and Charlene Newman did not appear before the Commission of Pharmacy as 'first time' pharmacy managers.

Miscellaneous

Rocco S. Cingari appeared before the Commission of Pharmacy to discuss the use of a metal grate "ceiling" at the Shop Rite Pharmacy of Commerce Park located at 1990 West Main Street, Stamford, CT 06902.

Commission Action: Commissioner Guynn moved, seconded by Commissioner Beaudin and passed by a vote of (5-0) to accept the use of a metal grate "ceiling" at Shop Rite Pharmacy of Commerce Park located at 1990 West Main Street, Stamford, CT 06902 PROVIDED the metal grate "ceiling" installed is the same as the metal grate "ceiling" presented to and on file with the Commission of Pharmacy.

The Commission of Pharmacy discussed John F. Tuite's letter requesting reinstatement of his Connecticut pharmacist license.

Commission Action: There have been no substantial changes since the Commission of Pharmacy summarily suspended John F. Tuite's Connecticut pharmacist license on April 26, 2006 and continued that suspension following a hearing on May 31, 2006. Consequently, the Commission of Pharmacy cannot consider any modifications at this time.

Pharmacy Relocations

CVS/Pharmacy #1268

From:

131 Boston Post Road

Waterford, CT 06385

PCY.1489

To:

106 Boston Post Road

Waterford, CT 06385

PCY.1489

Michael Wright, Pharmacy Manager

Pharmacy Manager Michael Wright and District Manager Dave Doiron appeared before the Commission of Pharmacy to represent CVS/Pharmacy #1268.

Commission Action: Commissioner Goodmaster moved, seconded by Commissioner Beaudin and passed by a vote of (5-0) to accept the above pharmacy relocation application provided all the

requirements set forth in the Connecticut Pharmacy and Drug Laws as enforced by the Commission of Pharmacy are met.

Pharmacy Remodels

Wal-Mart Pharmacy #10-2282
69 Prospect Hill Road
East Windsor, CT 06088
PCY.1632

Judith Jorgensen
Pharmacy Manager
PCT.5272

Pharmacy Manager Judith Jorgensen and District Manager Zelma Woodson appeared before the Commission of Pharmacy to represent Wal-Mart Pharmacy #10-2282.

Commission Action: Commissioner Goodmaster moved, seconded by Commissioner Beaudin and passed by a vote of (4-1) to accept the above pharmacy remodel revisions provided all the requirements set forth in the Connecticut Pharmacy and Drug Laws as enforced by the Commission of Pharmacy are met. The temporary pharmacy was approved to have a “chicken wire” ceiling for no more than a two-week period with the provision that the temporary pharmacy be properly secured.

- Commissioner Guynn was opposed to the use of a “chicken wire” ceiling in the temporary pharmacy for the two-week period since the use of “chicken wire” ceilings have not been approved in the past.

Legal Matters

Docket Number 06-1050

[Arrow Specialty Pharmacy #47, One Mohegan Sun Boulevard, Uncasville, CT 06382 – PCY.1934]

Commissioner Beaudin ‘stepped down’. Attorney Schwane presented this case involving a pharmacy that breached patient confidentiality by giving a customer a prescription actually intended for a different person. The agreement provides for a \$500.00 civil penalty to the pharmacy.

Commission Action: Commissioner Goodmaster moved, seconded by Commissioner Guynn and passed by a vote of (4-0) to accept the above-mentioned settlement agreement.

Docket Number 06-1055

[Daniel M. Vaughan – PCT.6824]

Commissioner Vegliante 'stepped down'. Attorney Schwane presented this case involving a pharmacist who agreed to surrender his license after testing positive on a drug screen taken by his employer. Based on its review and an evaluation by a drug counselor, the department does not believe that this pharmacist has a drug addiction problem. The department is recommending that the license be reinstated and placed on probation for two years with drug screen requirements.

Commission Action: Commissioner Guynn moved, seconded by Commissioner Beaudin and passed by a vote of (4-0) to accept the above-mentioned settlement agreement.

Docket Number 05-1930

[Amy S. Proulx – PCT.6705]

Attorney Schwane presented this case involving a pharmacist who committed two prescription errors within a three-year period. The agreement requires a Letter of Reprimand and the continuing education course concerning prescription errors.

Commission Action: Commissioner Vegliante moved, seconded by Commissioner Guynn and passed by a vote of (5-0) to accept the above-mentioned settlement agreement.

Pharmacists Who Have Completed the Continuing Education Course on Prescription Errors

Attorney Schwane presented the following cases involving pharmacists who have committed a prescription error. These pharmacists have completed a USP Practitioners' Reporting Network error form and taken the continuing education program concerning prescription errors. The Department recommends that the Commission vote to dismiss the following cases.

2005-6722

2005-55

2006-2732

2006-2808

Commission Action: Commissioner Beaudin moved, seconded by Commissioner Guynn and passed by a vote of (5-0) to dismiss the above-mentioned pharmacy files.

Legislative Update

- The proposed influenza vaccine regulations were approved by the Attorney General's Office. The proposed regulations have been forwarded to the Legislative Regulation Review Committee for discussion at their September 26, 2006 meeting. If approved on September 26, 2006, the proposed regulations should become effective one week later.
- Public hearings were held on Tuesday, July 25, 2006 for the proposed "TOEFL and TSE" regulations and proposed nuclear pharmacy regulations.
 - There was no opposition to the proposed regulations.
 - Attorney Schwane will place the proposed regulations in the proper legal format and forward to the Attorney General's Office for their review.

The Commission of Pharmacy discussed licensing just the prescription department as the licensed pharmacy premise in establishments where currently the entire premise is the licensed pharmacy (i.e. Brooks Pharmacy, CVS/Pharmacy, Rite Aid Pharmacy, Walgreens Pharmacy, etc.).

- Attorney Steve Schwane referenced Section 20-576-15 of the Regulations of Connecticut State Agencies and stated that he found no reason why the Commission of Pharmacy could not license just the prescription department as the licensed pharmacy premise in establishments where currently the entire premise is the licensed pharmacy.
- The Commission of Pharmacy stated that licensing just the prescription department as the licensed pharmacy premise in establishments where currently the entire premise is the licensed pharmacy will eliminate the need for "partial closing" approvals since the pharmacy would be open only when a Connecticut licensed pharmacist was present and in direct charge.

Commission Action: The Commission of Pharmacy will entertain applications to license just the prescription department as the licensed pharmacy premise. If the Commission of Pharmacy approves such an application, the business establishment will have to:

1. obtain a non-legend drug permit to sell non-legend drug items.

2. consider issues with signage so as not to imply that the entire premise is the pharmacy.

Commissioner Robert Guynn presented his report regarding the equivalency of the ExCPT examination to the PTCB examination.

Commission Action: Commissioner Beaudin moved, seconded by Commissioner Goodmaster and passed by a vote of (5-0) to accept the ExCPT examination as an equivalent to the PTCB examination for a two-year probationary period. The Commission of Pharmacy will:

1. monitor the progress of the ExCPT examination and
2. re-evaluate BOTH the ExCPT and PTCB examinations after one year.

Attorney Schwane informed the Commission of Pharmacy that he received 8 new cases from the Drug Control Division since the June 28, 2006 Commission of Pharmacy meeting.

- 4 prescription error cases
- 2 pharmacy/pharmacy manager – unregistered pharmacy technicians, pharmacy technician ratios, controlled substance records not on pharmacy premise
- 1 pharmacy exceeded maximum number of allowed emergency closings
- 1 confidentiality case

Request for CE Program Approval

“Interdisciplinary and Technological Prevention of Controlled Substance Diversion”

Approval Number:	2006-07
Date of Program:	October 13, 2006
Credit(s):	1.5 Live Law

Commission Action: Commissioner Guynn moved, seconded by Commissioner Goodmaster and passed by a vote of (5-0) to approve the above-mentioned continuing education program provided that the Connecticut Society of Health System Pharmacists (CSHP) is not an approved ACPE* provider. If CSHP is an approved ACPE provider then the Commission of Pharmacy will

not approve the above-mentioned continuing education program.
CSHP will have to seek ACPE accreditation.

* ACPE = Accreditation Council for Pharmacy Education

Request for CE Waivers, etc.

Sherry L. Laporte	Accept the continuing education credits obtained in the 2005 calendar year toward her license renewal
Andrew H. Ly	Accept the eight (8) hours of live continuing education credits he received for his optometry license towards his 2006 continuing education requirement
Ethan M. Stier	Accept his attendance at both the Annual Meeting of the American Association of Pharmaceutical Sciences and the course on statistical analysis towards his 2006 continuing education requirement ONLY UPON RECEIPT OF THE CERTIFICATES DOCUMENTING HIS ATTENDANCE
Suzanne J. Tschida	Accept four (4) written credits on the subject matter of pharmacy law or drug law in lieu of the two (2) live credits on the subject matter of pharmacy law or drug law required for the 2005 calendar year

Commission Action: Commissioner Guynn moved, seconded by Commissioner Vegliante and passed by a vote of (5-0) to approve the above-mentioned continuing education requests.

Application to Close the Prescription Department of a Licensed Pharmacy Pending An Affirmative Inspection Report

CVS/Pharmacy #1268, 106 Boston Post Road, Waterford, CT 06385

Commission Action: Commissioner Guynn moved, seconded by Commissioner Beaudin and passed by a vote of (5-0) to accept the above-mentioned application to close the prescription department of a licensed pharmacy pending an affirmative inspection report.

Approval of Minutes

Commissioner Goodmaster moved, seconded by Commissioner Guynn and passed by a vote of (5-0) to accept the minutes from the June 28, 2006 Commission of Pharmacy meeting.

Non-Resident Pharmacy Applications

GlobalNet Pharmacies

Boca Raton, FL 33432

Commission Action: Commissioner Guynn moved, seconded by Commissioner Goodmaster and passed by a vote of (5-0) to approve the above-mentioned non-resident pharmacy application.

Charleston Pharmacy

South Charleston, OH 45368

Pending Copy of Current Pharmacy License

University Pharmacy

Salt Lake City, Utah 84102

Pending Copy of Current Pharmacy License

Commission Action: Commissioner Guynn moved, seconded by Commissioner Goodmaster and passed by a vote of (5-0) to approve the above-mentioned non-resident pharmacy applications pending receipt of the required documentation.

New Business

Billy announced that the Department of Consumer Protection recently received approval to hire a full-time Board Administrator for the Commission of Pharmacy. This individual will be in the Commission of Pharmacy office five days a week for forty hours. The Department of Consumer Protection has interviewed the candidates and made a selection. An offer is being mailed to the selected candidate.

The Commission of Pharmacy discussed the two pharmacy calculations examination questions challenged by two of the individuals who failed the pharmacy calculations examination on June 22, 2006.

Commission Action: The Commission of Pharmacy would not issue any credit (partial or full) for the two questions answered incorrectly by two of the individuals who failed the pharmacy calculations examination on June 22, 2006.

The Commission of Pharmacy discussed the current practice of allowing applicants to review their failed pharmacy calculations examination.

Commission Action: Commissioner Guynn moved, seconded by Commissioner Goodmaster and passed by a vote of (5-0) to cease review of any and all pharmacy calculations examinations by applicants who may have failed or passed.

There being no further business, Chairman Summa adjourned the meeting.

Respectfully Submitted,

William J. Summa, Chairman

Prepared by:

Michelle Sylvestre, Drug Control Agent/Board Administrator