

**STATE OF CONNECTICUT
DEPARTMENT OF CONSUMER PROTECTION
COMMISSION OF PHARMACY
August 30, 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 Gwynn, R.Ph.	William Summa, Jr., R.Ph.
Frederick Vegliante, R.Ph.	

- Commissioner Jean Mulvihill was not in attendance due to a family vacation.

Staff Present:

Michelle Sylvestre, Drug Control Agent
Anne-Christine Vrakas, Board Administrator

Others Present:

Gillian Burns	Adam Davies
Rashesh Desai	Rebecca Devlin
Marghie Giuliano	Naomi Sharon Goldberg
Stephen Long	Jodie Lucie
Owen McMahon	Colleen Miller
Vincent Milo	Noppawan Morano
Angela Nelson	Rebecca Neville
Karl A. Nieforth	Mahesh Patel
Rees Pinney	Jed Podoloff
Way Qiu	Vera Trestman Rigali
Rose Rizzo	Troy J. Ruff
Michael Szewczyk	Ann Valen
Kris Venables	Robyn J. Wahl
Tammy Winterboer	Kristin Yarrish
John D. Zaretski	

Chairman Summa introduced Anne-Christine Vrakas, the new Board Administrator for the Commission of Pharmacy.

Assistant Attorney General Daniel Shapiro appeared before the Commission of Pharmacy to discuss a case with the Commission.

Commission Action: Commissioner Beaudin moved, seconded by Commissioner Goodmaster and passed by a vote of (5-0) to go into Executive Session with Assistant Attorney General Daniel Shapiro for the provision of legal advice.

- Commissioner Guynn did not go into Executive Session since he was a witness in the matter to be discussed.

The Commission of Pharmacy came out of Executive Session at 10:28 a.m. The Commission of Pharmacy meeting was called back to order by Chairman Summa.

- Chairman Summa clarified that the suspension of John F. Tuite's Connecticut pharmacist license was based upon the information provided to the Commission of Pharmacy on or about April 26, 2006.
 - The suspension of John F. Tuite's Connecticut pharmacist license was not based upon the pending criminal or civil actions in other states.
 - The Commission of Pharmacy, based upon the evidence it received during the hearing on May 31, 2006, voted to revoke the license of John Tuite.
 - The Final Order and Decision will be drafted by the Office of the Attorney General, and the Commission of Pharmacy will approve and sign of the Final Decision at a subsequent meeting of the Commission.

Commission Action: Commissioner Goodmaster moved, seconded by Commissioner Beaudin and passed by a vote of (4-0) to revoke John F. Tuite's Connecticut pharmacist license.

- Commissioner Guynn abstained from all votes since he was a witness in the case.

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?

Rashesh Yogesh Desai
Colleen Ann Miller

From Illinois
From Ohio

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.

Tammy Marie Winterboer

From Virginia

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

Teck Huat Gan did not appear before the Commission of Pharmacy.

'First Time' Pharmacy Managers

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

Gillian Burns	Target Pharmacy – Waterbury, CT
Rebecca Devlin	Rite Aid Pharmacy – Milford, CT
Naomi Goldberg	CVS/Pharmacy – Stamford, CT
Jodie Lucie	Walgreens Pharmacy – Darien, CT
Vincent Andrew Milo	Wal-Mart Pharmacy – Southington, CT
Vera Trestman Rigali	Wal-Mart Pharmacy – Hamden, CT
Ann M. Valen	Wal-Mart Pharmacy – Newington, CT
Kristin Yarrish	Rite Aid Pharmacy – Ansonia, CT
John Zaretski	Arrow Pharmacy & Nutrition Center – Berlin

Jed Podoloff did not appear before the Commission of Pharmacy because he was not a 'first time' pharmacy manager.

Charlene Newman and Erica Lee Nunes failed to appear before the Commission of Pharmacy.

Application for Pharmacy Internship

Noppawan Morano appeared before the Commission of Pharmacy to request permission to apply for a pharmacy internship.

Commission Action: The Commission of Pharmacy granted Noppawan Morano permission to apply for a pharmacy intern registration. The Commission informed Noppawan Morano that she will need a minimum TSE score of 55 to be eligible for pharmacist licensure in the State of Connecticut.

Mahesh Patel appeared before the Commission of Pharmacy to request permission to apply for a pharmacy internship.

Commission Action: The Commission of Pharmacy granted Mahesh Patel permission to apply for a pharmacy intern registration. The Commission informed Mahesh Patel that he will need a minimum TSE score of 55 to be eligible for pharmacist licensure in the State of Connecticut.

Miscellaneous

Larry Sobol from Omnicare of Connecticut asked that the issue regarding bar code technology for final check be tabled to the September 27, 2006 Commission of Pharmacy meeting.

The Commission of Pharmacy discussed Nalinbhai Patel's letter asking how to comply with the TSE requirement of 55 when ETS does not offer the TSE anymore.

Commission Action: Unfortunately, Nalinbhai Patel must wait for the proposed regulations that have been submitted to recognize the TOEFL iBT to become effective before he can continue with the process to reciprocate his New Jersey pharmacist license to the State of Connecticut.

New Pharmacy Applications

Oscos Pharmacy #7647
11 East High Street
East Hampton, CT 06424
PCY.2072

Kris Venables
Pharmacy Manager
PCT.8391

Pharmacy Manager Kris Venables appeared before the Commission of Pharmacy to represent Oscos Pharmacy #7647. Pharmacy Manager Venables stated that she can physically staff this pharmacy without any issues.

Commission Action: Commissioner Goodmaster moved, seconded by Commissioner Vegliante and passed by a vote of (5-0) to accept the above new pharmacy application provided all the requirements set forth in the Connecticut Pharmacy and Drug Laws as enforced by the Commission of Pharmacy are met. The pharmacy was classified as a community pharmacy.

Target Pharmacy T-2156
300 Chase Avenue
Waterbury, CT 06704
PCY.2069

Gillian Marie Burns
Pharmacy Manager
PCT.10397

Pharmacy Manager Gillian Marie Burns appeared before the Commission of Pharmacy to represent Target Pharmacy T-2156. Pharmacy Manager Burns stated that she can physically staff this pharmacy without any issues.

Commission Action: Commissioner Goodmaster moved, seconded by Commissioner Vegliante and passed by a vote of (5-0) to accept the above new pharmacy application provided all the requirements set forth in the Connecticut Pharmacy and Drug Laws as enforced by the Commission of Pharmacy are met. The pharmacy was classified as a community pharmacy.

Target Pharmacy T-2213
1075 Kennedy Road
Windsor, CT 06095
PCY.2070

Scott R. DeCesare
Pharmacy Manager
PCT.8812

Pharmacy Manager Scott R. DeCesare appeared before the Commission of Pharmacy to represent Target Pharmacy T-2213. Pharmacy Manager DeCesare stated that he can physically staff this pharmacy without any issues

Commission Action: Commissioner Goodmaster moved, seconded by Commissioner Vegliante and passed by a vote of (5-0) to accept the above new pharmacy application provided all the requirements set forth in the Connecticut Pharmacy and Drug Laws as enforced by the Commission of Pharmacy are met. The pharmacy was classified as a community pharmacy.

Walgreens Home Care
410 Woodland Avenue
Bloomfield, CT 06002
PCY.2074

Robyn J. Wahl
Pharmacy Manager
PCT.7368

Pharmacy Manager Robyn J. Wahl appeared before the Commission of Pharmacy to represent Walgreens Home Care. Pharmacy Manager Wahl stated that she can physically staff this pharmacy without any issues.

Commission Action: Commissioner Goodmaster moved, seconded by Commissioner Vegliante and passed by a vote of (5-0) to accept the above new pharmacy application provided all the requirements set forth in the Connecticut Pharmacy and Drug Laws as enforced by the Commission of Pharmacy are met. The pharmacy was classified as an infusion therapy pharmacy.

Pharmacy Relocations

Coram Alternate Site Services, Inc.

From:
27 Village Lane
Wallingford, CT 06492
PCY.1335

To:
2 Barnes Industrial Park Road
Suite A
Wallingford, CT 06492
PCY.1335

Stephen Long, Pharmacy Manager

Pharmacy Manager Stephen Long appeared before the Commission of Pharmacy to represent Coram Alternate Site Services, Inc.

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.

CVS/Pharmacy #1152

From:	To:
60 Pennsylvania Avenue	58 Pennsylvania Avenue
Niantic, CT 06357	Niantic, CT 06357
PCY.1392	PCY.1392
Way Qiu, Pharmacy Manager	

Pharmacy Manager Way Qiu appeared before the Commission of Pharmacy to represent CVS/Pharmacy #1152.

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. Please note that the prescription department will be the licensed pharmacy premise. The licensed pharmacy premise must meet all "partial closing" requirements and the store must obtain a non-legend drug permit.

Legal Matters

Docket Number 06-1985

[Grade-A-Market Pharmacy, 360 Connecticut Avenue, Norwalk, CT 06854 – PCY.1440]

Commissioner Mulvihill "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 civil penalty to the pharmacy.

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

Docket Number 06-1150

[Julia B. Shore – PCT.8214]

Attorney Schwane presented this case involving a pharmacist who committed multiple prescription errors within a three-year period. The agreement calls for a one year probation, a Letter of Reprimand and the continuing education course concerning prescription errors.

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

Docket Number 06-2020

[Michael D. Greaves – PCT.5219]

Commissioner Mulvihill “stepped down”. Attorney Schwane presented this case involving a pharmacist license that was suspended by agreement on February 22, 2006. The Department is satisfied that this pharmacist has taken the necessary steps to regain his license. He has a record of drug counseling, negative drug screens and a letter from his counselor recommending reinstatement. The proposed agreement is typical for this kind of situation.

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

Docket Number 04-984

[Alan M. Dudley – PCT.5083]

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

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

Docket Number 05-1825

[Gerard J. Roy – PCT.7171]

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 CE course.

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

Docket Number 06-1988

[Brooks Pharmacy #767, 12 South Main Street, Putnam, CT 06260 – PCY.1107]

Commissioner Vegliante “stepped down”. Attorney Schwane presented this case involving a pharmacy that permitted a Massachusetts pharmacist to train as a Connecticut pharmacist prior to being licensed in Connecticut. The agreement requires the pharmacy to pay a \$1,000 civil penalty.

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

Pharmacy File Numbers BC2381 and BC2431

Attorney Schwane presented these cases involving two pharmacy technicians who renewed their pharmacy technician registrations with checks that did not clear (“bounced” checks). Attorney Schwane asked the Commission if they would like to handle these cases like similar cases in the past and proceed to a hearing.

Commission Action: Commissioner Vegliante moved, seconded by Commissioner Goodmaster and passed by a vote of (5-0) to proceed to a formal hearing.

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.

2006-2782 2004-70006 2006-2707 2004-69359 2005-1951
2006-3059 2006-1604 2006-2781 2006-2652 2004-67238
2006-1035 2003-13

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

Regulatory Update

- The proposed influenza vaccine regulations were sent to the Legislative Regulation Review Committee for their September 26, 2006 meeting. If approved, the influenza vaccine regulations should be effective approximately one week later.
- The proposed "TOEFL and TSE" regulations were sent to the Attorney General's Office on August 01, 2006. By statute, the Attorney General's Office has a thirty day period to review the proposed regulations.
- The proposed nuclear pharmacy regulations were sent to the Attorney General's Office on August 07, 2006. By statute, the Attorney General's Office has a thirty day period to review the proposed regulations.

Attorney Schwane informed the Commission of Pharmacy that he received 3 new cases from the Drug Control Division since the July 26, 2006 Commission of Pharmacy meeting.

- 2 prescription error cases
- 1 pharmacy technician diversion

Request for CE Waivers, etc.

Maha O. Kebir
Jenny A. Mabie

Transcript needed from PharmD Program
The Commission of Pharmacy cannot approve a continuing education program retroactively. All requests must be submitted prior to a program's presentation. Ms. Mabie needs to check with the provider to inquire what accrediting body, if any, "signed off" on the continuing education program in

question. If an approved accrediting body (ACPE, CME, CNE or a state board of pharmacy) does not "sign off" on the program then the Commission will not accept the program towards the annual continuing education requirement.

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

Pharmacies Requesting that the Licensed Pharmacy Premise be the Prescription Department versus the Entire Premise

Brooks Pharmacy #129, 27 Broadway Street, Colchester, CT 06415
Brooks Pharmacy #135, 2175 Dixwell Avenue, Hamden, CT 06514
Brooks Pharmacy #230, 1619 Post Road, Fairfield, CT 06430
Brooks Pharmacy #255, 37 South Broad Street, Pawcatuck, CT 06379
Brooks Pharmacy #262, 280 Branford Road, North Branford, CT 06471
Brooks Pharmacy #278, 1395 Middletown Avenue, Northford, CT 06472
Brooks Pharmacy #280, 82 Hoyt Street, Stamford, CT 06905
Brooks Pharmacy #293, 1032 Hope Street, Stamford, CT 06907
Brooks Pharmacy #301, 25 East High Street, East Hampton, CT 06424
Brooks Pharmacy #357, 227 Main Street, Portland, CT 06480
Brooks Pharmacy #372, 20 Prospect Street, Moosup, CT 06354
Brooks Pharmacy #5116, 10 School Street, East Hartford, CT 06108
Brooks Pharmacy #635, 3680 Main Street, Stratford, CT 06497
Brooks Pharmacy #705, Midway S/C, Route 32, Uncasville, CT 06353
Brooks Pharmacy #882, 125 Westbrook Road, Essex, CT 06426
Eckerd #5692, 125 Danbury Road, Ridgefield, CT 06877
Eckerd #5693, 880 Boston Post Road, Guilford, CT 06437

Commission Action: Commissioner Beaudin moved, seconded by Commissioner Guynn and passed by a vote of (5-0) to license the prescription department as the licensed pharmacy premise versus the entire premise.

Brooks Pharmacy #126, 120 New Canaan Avenue, Norwalk, CT 06850

Commission Action: Commissioner Beaudin moved, seconded by Commissioner Guynn and passed by a vote of (5-0) to license the

prescription department as the licensed pharmacy premise versus the entire premise pending an active non-legend drug permit.

Brooks Pharmacy #418, 27 Main Street, Jewett City, CT 06351
Eckerd #5691, 1203 High Ridge Road, Stamford, CT 06905

Commission Action: Commissioner Beaudin moved, seconded by Commissioner Guynn and passed by a vote of (5-0) to license the

prescription department as the licensed pharmacy premise versus the entire premise pending an affirmative inspection report to close the prescription department of a licensed pharmacy.

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

Brooks Pharmacy #418, 27 Main Street, Jewett City, CT 06351
Eckerd #5691, 1203 High Ridge Road, Stamford, CT 06905

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

Approval of Minutes

Commissioner Goodmaster moved, seconded by Commissioner Vegliante and passed by a vote of (5-0) to accept the minutes from the July 26, 2006 Commission of Pharmacy meeting.

Non-Resident Pharmacy Applications

Amerimed Pharmaceutical Services
College Pharmacy Advanced Medical
Therapeutics
Fallon Wellness Center
Medex BioCare Pharmacy
Oncology Rx Care Advantage
Pacific Pulmonary Services
PharMerica

Pompano Beach, FL 33064
Gastonia, NC 28056

Latham, NY 12110
Memphis, TN 38133
Fort Worth, TX 76177
Tempe, AZ 85284
Plymouth Meeting, PA 19462

Prescription Solutions
Southern Pharmaceutical Corp'n
US Bioservices

Overland Park, KS 66211
Columbus, MS 39701
Englewood, CO 80112

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

Drugstore.com	Bellevue, WA 98004
<i>Pending Copy of Current Pharmacy License</i>	
Partners Healthcare of Massachusetts	Marlborough, MA 01752
<i>Pending Copy of Current Pharmacy License</i>	
PCM Venture 1 LLC	Salt Lake City, UT 84123
<i>Pending Copy of Current Pharmacy License and Most Recent Inspection Report</i>	
Pharmacy 101, LTD	Elmwood, LA 70123
<i>Pending Copy of Current Pharmacy License and Most Recent Inspection Report</i>	
USDrugs.com, Inc.	Moorhead, MN 56560
<i>Pending Copy of Current Pharmacy License</i>	

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

Pending Review of Past Disciplinary Actions

Curascript SP Specialty Pharmacy	Houston, TX 77042
<i>Pending Copy of Current Pharmacy License and Most Recent Inspection Report</i>	

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 pending receipt of the required documentation.

- The Commission reviewed the past disciplinary actions taken against Curascript SP Specialty Pharmacy and noted the following:
 1. All past disciplinary actions have been resolved.

2. There appears to be a pattern of disregard of the laws in states where Curascript SP Specialty Pharmacy conducts business.

New Business

Commissioner Goodmaster reported that she recently attended a collection of unwanted medications in New Hampshire. Her experience in New Hampshire was the complete opposite of her experience in Vermont. She was not happy with the facility and conditions.

Commissioner Goodmaster reported that a collection of unwanted medications will take place during the afternoon of September 30, 2006 at the CVS/Pharmacy located in Simsbury, CT. She will be in attendance. The unwanted controlled substance medications will be turned over to Senior Drug Control Agent Jerry Destefano for destruction.

Commissioner Guynn reported that he received three more applications from pharmacists interested in participating in the two-year pilot program for collaborative drug therapy management in a community pharmacy. The three pharmacists are Jerome Munic, Elizabeth Bragaw and Ruth Lerro. A total of seven pharmacists have applied to participate in the 2-year collaborative practice pilot program. Commissioner Guynn will send a letter to each pharmacist informing him/her that he/she may proceed forward, obtain protocols and hopefully begin collecting data by the end of September 2006.

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

Respectfully Submitted,

William J. Summa, Chairman

Prepared by:

Michelle Sylvestre, Drug Control Agent