

STATE OF CONNECTICUT
DEPARTMENT OF CONSUMER PROTECTION
COMMISSION OF PHARMACY
WEDNESDAY, October 25, 2006
Minutes

10:00 a.m.

The regular meeting of the Commission of Pharmacy was called to order by Commissioner Summa. The meeting was held in Room #126 of the State Office Building located at 165 Capital Avenue, Hartford, CT 06106

Commissioners Present:

Stephen Beaudin, R. Ph.

Robert S. Guynn R. Ph

Frederick Vegliante, R. Ph

Edith G. Good master

Jean C. Mulvihill, R.Ph

William Summa Jr. R.Ph

Staff Present:

Anne-Christine Vrakas, Board Administrator

Others Present:

Peter D'Aprile

Jennifer Mitrano

Kevin Chamberlin

Michael Lewis

Heather JMcHeart

Peter Tyczkowski

Giarcardo Maranzano

Neil Mills

Daniel Shapiro, AAG

Krishy Tabada

Art Green

Pharmacy Commission Schedule:

Office of the Attorney General: Attorney Dan Shapiro regarding:

Mr. John Tuite

In the matter of Mr. John Tuite, the office of the Attorney General sent a memorandum of decision to the Commission of Pharmacy via e-mail. The Commission recessed to look over the memorandum.

The Commission reconvened.

Commission Action: Commissioner Summa moved to accept the decision in the memorandum. Commissioner Beaudin seconded and passed by a vote of (6-0) to accept the decision in the matter of Mr. John Tuite. Commissioner Robert Guynn recused as he was originally involved in the case.

10:10 a.m.

Interview of Reciprocity Candidates

Anita Marie Stolle (Pending MPJE)	From Michigan
Brian Essenter (pending MPJE)	From MA
Brain Eric Steger	From Ohio
Sandip Sheth (pending MPJE)	From Indiana

Commissioner Summa briefly addressed the reciprocity candidates explaining why the reciprocity candidates meet before the Board. Each candidate was sworn under oath, interviewed and asked some of the following three basic questions.

Why do you want to be licensed as a pharmacist in the State of Connecticut? Have you ever been before the Board for any disciplinary problems? Have you ever had any problems with drugs or alcohol in the past? What are the continuing education requirements for pharmacists in the State of Connecticut.

Commission Action: Commissioner Stephen Beaudin moved, seconded by Commissioner Jean Mulvihill and passed by a vote of (6-0) to accept the above applications for licensure by reciprocity.

First Time Managers

Steve Papadoulas PCT.0345	Walgreen's #1977
Soukaina Ayoub PCT.10369	Brooks/Ekert PCY.1475
Curtis Jensen PCT. 10376	Walgreen's #9432
Ching Chiang PCT.	Walgreen's #1826
Harvy Houle III PCT.10236	CareMark Pharmacy

Commissioner Summa gave a short address to the first time managers and stressed that now they would be responsible not only for themselves but for those they are going to be managing. He also urged the managers to be very vigilant about the pharmacy technicians that will be working under them and assuring that their licenses were up to date and current.

The first time managers were given the first time manager instructions sheet by the Board Administrator.

Commissioner Robert Guynn addressed the first time managers and encouraged the new managers to participate in the FDA's MedWatch program, which he explained acts like a clearinghouse for tracking post marketing surveillance activity. This tracks adverse drug reactions for scope and frequency.

APPLICATION FOR PHARMACY INTERN:

There were no pharmacy intern applications before the Board Of Pharmacy this month.

Heying Qian foreign pharmacy school graduate from China wanted to address the Board Of Pharmacy about the current TSE score standards because they were lagging behind the accepted standards of NABP.

Attorney Steven Schwane stated that this TOEFL-ibt issue should be approved by the Regulation and Review Committee on November 28, 2006. He also mentioned that he would try and file this regulation with the Secretary of State as soon as possible.

Miscellaneous

Utilization of central processing, workload balancing, technology.

The Commission requested that the Board Administrator look back into Minutes to see if this had already been approved in the past.

Several people felt that Walgreen's had already done a presentation in this matter in the past. Once this could be ascertained, the issues in the memo would be addressed.

New Pharmacy Applications

Canaan Apothecary
91 Main Street
North Canaan, CT 06108 PCY.1978

Commission action: The pharmacy was approved with the provision that a temporary half wall would be installed at this location between the waiting area and the sink. A motion was made to accept by Commissioner Frederick C. Vegliante. The motion was seconded by Commissioner Edith G. Goodmaster. The motion was passed by a vote of 6-0.

Caremark Connecticut Care Center Pharmacy, LLC
68 Elmcroft Road
Stamford, CT 06926 PCY. 2077

Commission Action: A motion was made to accept the new pharmacy by Commissioner Edith G. Goodmaster. The motion was seconded by Commissioner Jean Mulvihill. The motion was passed by a vote of 6-0.

Pharmacy Relocations

none

Pharmacy Remodels

none

Miscellaneous Pharmacy Matters

Question regarding Pharmacy Board's ruling on pharmacy kiosk
Based technology, i.e., an ATM like device.

The Commission of Pharmacy stated we have no decision as yet and that the issue would have to be discussed and looked into. Commissioner Stephen Beaudin stated that a pilot program might consider the issue. Margherita Giuliano, from the Connecticut Pharmacist Association, suggested that since California has already initiated a kiosk program, that the Board of Pharmacy in California might be contacted by the Board to gain some input into the matter.

Legal Matters

PHARMACY AGREEMENTS:

Docket Number 06-2623
Docket Number 06-2624

Attorney Steven Schwane presented the two above listed dockets. These are two pharmacists who committed a prescription error within a three year period. They both completed the c.e. course. This called for a letter of reprimand.

COMMISSION ACTION: Motion was made to accept these two cases by Commission Robert Guynn. The motion was seconded by Commissioner Stephen Beaudin. The motion was passed by a vote of (6-0).

Docket Number 06-2668

Commissioner Edith G. Goodmaster stepped down on this case. This is a pharmacy that permitted a pharmacy technician to work with a lapsed registration. The agreement calls for a \$500.00 (five hundred dollar) civil penalty for the pharmacy.

COMMISSION ACTION: Motion was made to accept this legal agreement by Commissioner Stephen Beaudin. The motion was seconded by Commissioner Robert Guynn. The motion was accepted by a vote of (6-0).

Attorney Schwane was asked by the Board members if there was any way they could be told what cases were coming up on the docket ahead of time as it was difficult to know what cases they were actually involved in because the names are omitted with the docket numbers.

Attorney Schwane responded that he would e-mail the individual commissioners of any cases coming up on the agenda that they were personally involved with so that they would know if they should step down on the motions and the votes.

Docket Number 06-2670

Commissioner Edith G. Goodmaster stepped down on this case. The case involved a pharmacist who was full assigned as pharmacist manager who was not working on a full time basis. The correction action was a civil penalty of \$1000.00 (One thousand dollars).

COMMISSION ACTION: Motion was made by Commissioner Jean Mulvihill to accept. The motion was seconded. The motion was approved by a vote of (6-0).

Update on two cases from last month: Two pharmacy technicians who paid their renewals with bad checks. The first case went into a hearing.

The second did make good with another check. We were waiting for the check to clear. The check did clear so Attorney Schwane requested that we dismiss the complaint. That was docket number 06-2564.

COMMISSION ACTION: Motion was made to dismiss complaint in docket number 06-2564 by Commissioner Robert Guynn. The motion was seconded by Commissioner Stephen Beaudin. The motion passed by a vote of 6-0.

MISC. LEGAL ISSUES:

Commissioner Robert Guynn stated that in lieu of a letter of reprimand being issued to a pharmacist who was on the docket in the past, arrangements were being made for the pharmacist that had taken the prescribed c.e.'s to do a presentation in association with a dismissal of the case on the docket. They requested the Board Administrator to place the pharmacist on the agenda for the following month's Board of Pharmacy meeting.

Attorney Schwane gave an update on the status of the influenza vaccine issue with pharmacists dispensing the vaccine. Request was made that regulations be initiated to alert the consumer that the pharmacist administering the vaccine was certified to dispense the vaccine. Attorney Schwane indicated that by statute the flu vaccination issue had to be resubmitted by November 7, 2006, and that this issue should come up again on November 28, 2006, along with the test of spoken English.

Attorney Schwane recommended a new methodology of assembling similar cases against pharmacists and pharmacies for the larger pharmacy chains and settling agreements, en mass, as opposed to individual cases could be initiated. He stated this would help clean up some of the legal "backlog" of cases.

He mentioned that Commissioner Edith G. Goodmaster would be doing this the following week on some cases and that they would report back to the Commission of Pharmacy as to how this went at the next Board of Pharmacy meeting on November 29, 2006.

Pharmacists who have completed CE course on prescription errors:

2006-2091

This is a pharmacist who committed a prescription error, and has completed the necessary c.e. course.

COMMISSION ACTION: Motion was made to accept the dismissal. The motion to accept the dismissal was seconded. A vote was taken to accept the dismissal by a vote of 6-0.

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

none

Request for CE Program Approval

Professional Pharmacy,
32 Strawberry Hill Court
Stamford, CT

Application for approval of a pharmacy continuing education
Program-December 10, 2006, Stamford Hospital

PSS EYECARE, LLC, " A Pharmacist's Guide to Glaucoma"
Deepak Gupta, OD, FAAO
Wants approval of CE program

Commission Action: A motion was made to accept the request for CE program approval from Professional Pharmacy in Stamford at Stamford Hospital to be held on December 10, 2006 at Stamford Hospital by Commission Steve Beaudin.

The Commission requested more information and elaboration for the proposed pharmacy continuing education program PSS EYECARE, LLC "A Pharmacist Guide To Glaucoma", in addition to a formal application.

The motion was seconded by Commissioner Edith G. Goodmaster. The (6-0) vote was passed.

Request for CE Waivers, etc.

Leenu Mary Pallickal, R. Ph. M.D.
Wants c.e. waived because she is an M.D.

Commission action: Approved but a transcript will be needed to verify c.e.u. resident program.

Mark Corentin, PCT.9784

Meetings of Board of Pharmacy-Dept. of Health in Florida. ,Would he have satisfied the law component of the c.e. requirement?

Commission action: C.E. waiver approved.

Hall, Steven, AMA PRA credit applied to CE requirements.

Commission action: C.E. waiver approved.

David Gortler, requests exemption from live c.e. units due to scheduling issues. (see letter).

Commission action: This was not approved. Suggestion was made to contact the hospital he is affiliated with. He probably can get credit for grand rounds. He should check with the secretary that schedules.

Brenda Egan, Pharm D. courses at University of Kansas, with proof of enrollment.

COMMISSION ACTION: A motion was made to accept the continuing education waivers by Commissioner Jean Mulvihill. The motion was seconded by Commissioner Edith G. Goodmaster. The motion was passed by a vote of (6-0).

MISC. PHARMACY COMMISSION ITEM:

Pharmacist Thomas E. Buckley PCT. 6003- Commissioner Robert S. Guynn, stated that Thomas Buckley is presently in foreign service in Thailand. As Tom Buckley has been of great service to the Pharmacy Commission and because of his partnership in collaborative practice, he recommended that the Commission of Pharmacy waive Mr. Buckley's c.e. requirements for the current year. In addition, he asked that the Commission of Pharmacy pay his renewal fee as Mr. Buckley would not be at home when his renewal came up and would still be in Thailand.

Question was also raised as to whether his e-mail request would suffice as he could not sign a license renewal. Attorney Steven Schwane stated that electronic media signature was acceptable.

COMMISSION ACTION: A motion was made by Commission Robert S. Guynn to accept the e-mail signature, the waiver of c.e.'s for this year, as well as the Board of Pharmacy

paying the license renewal. The motion was seconded by Commissioner Jean Mulvihill. The motion was passed by a vote of (6-0).

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

None

Approval of Minutes

September 27, 2006

Non-Resident Pharmacy Applications

Incomplete applications:

Access Pharmaceutical Services PCN 815
113 East Sellers Avenue Suite B
Ridley Park, PA 19078
Missing name of manager, most recent inspection report

Complete applications:

Rx Depot, LLC PCN 0812
317 SW Wilshire Blvd Suite 100B
Burleson, TX 76028

Medfusion RX PCN 0816
208 Roxalana Business Park
Dunbar, West Virginia 25064

Duane's Discount Drugs PCN 0814
5175 US Highway 98 North
Lakeland, FL 33509

Legislative and/or Implied Mandates

No later than January 01, 2006, establish and operate a two-year pilot program to allow not more than 10 pharmacists licensed under Chapter 400J of the

Connecticut General Statutes who are determined eligible and employed to enter into a written protocol-based collaborative drug therapy management agreement with one or more physicians to manage the drug therapy of individual patients receiving drug therapy for diabetes, asthma, hypertension, hyperlipidemia, , osteoporosis, congestive heart failure or smoking cessation.

09-28-05 Commission Action –
Commissioner Guynn will be working in conjunction with the
Connecticut Pharmacists Association to establish the
Implementation of this two-year pilot program by January 01, 2006.

No later than December 31, 2008, submit a report of findings and recommendations from the “community based” collaborative drug therapy management pilot program evaluating the data collected with respect to improved medication management and cost savings based on patient outcomes to the General Assembly.

09-28-2005 Commission Action –
No action is required at this time.

Abdel-Halim El-Sayed-Discriminative Action against Foreign Pharmacy Graduates.

09-28-05 Commission Action –
Current statutes and regulations must be changed to reflect the phasing
Out of the TOEFL and TSE and their replacement with the internet based TOEFL (iBT).
Attorney Schwane and the Department are aware of this.

Legislative Proposals:

Proposal to allow the Commission to establish pilot programs.

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

Respectfully submitted,

William J. Summa, Chairman

Prepared by: Anne-Christine Vrakas, RHIT
Board Administrator