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COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

**F I N A L M I N U T E S**

MEETING OF:

**STATE BOARD OF PHARMACY**

TIME: 8:56 A.M.

PENNSYLVANIA DEPARTMENT OF STATE  
Board Room B  
One Penn Center  
2601 North Third Street  
Harrisburg, Pennsylvania 17110

November 27, 2018



State Board of Pharmacy

November 27, 2018

ALSO PRESENT: (Continued)

- Lawrence P. Carey, B.S. Pharm, Pharm.D., Pennsylvania Society of Health-System Pharmacists/Temple School of Pharmacy
- Steve L. Sheaffer, Pharm.D., FASHP, Pennsylvania Society of Health-System Pharmacists
- Jenna L. McCarthy, Malady & Wooten
- Christine Roussel, Pharm.D., BCOP, Pennsylvania Society of Health-System Pharmacists, Doylestown Hospital
- Charles Hartwell, Esq.

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2 State Board of Pharmacy

3 November 27, 2018

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5 The regularly scheduled meeting of the State  
6 Board of Pharmacy was held on Tuesday, November 27,  
7 2018. Janet Getzey Hart, R.Ph., Chairperson, called  
8 the meeting to order at 8:56 a.m. Katelin Lambert,  
9 Deputy Commissioner of Professional and Occupational  
10 Affairs, was not present at the commencement of the  
11 meeting.

12 The Pledge of Allegiance was recited.

13 \*\*\*

14 Introduction of Board Members, Board Staff, and  
15 Audience

16 [Chairperson Hart requested the introduction of Board  
17 members, Board staff, and audience members in  
18 attendance. She also requested that all cell phones  
19 and mobile devices be silenced. A quorum was noted to  
20 be present.]

21 \*\*\*

22 Evacuation Announcement

23 [Melanie Zimmerman, R.Ph., Executive Secretary,  
24 reviewed the emergency evacuation procedures for One  
25 Penn Center.]

1 \*\*\*

2 Amendments to the Agenda

3 MR. MALONEY:

4 I'm looking for a motion to amend the  
5 agenda to include the following: Case  
6 No. 18-54-01079, Robert M. Shutty, R.Ph.,  
7 a review of a final A&O; Case No. 18-54-  
8 004429, Blake Kelley Armstrong, Motion  
9 for Entry of Final Order; and Case No.  
10 18-54-007549, Lori Lynn Rings, a Motion  
11 to Deem Facts Admitted.

12 Although the Board announced at its  
13 last meeting in public session that we  
14 would be doing a regulatory work session  
15 today on compounding, I wanted formally  
16 to put that on the agenda also.

17 MS. TALBOTT:

18 Madam Chair, I will make that motion as  
19 requested by Counsel.

20 DR. COTCHEN:

21 Second.

22 CHAIRPERSON HART:

23 Any discussion? All in favor?

24 [The motion carried unanimously.]

25

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1 Approval of Minutes of the August 28, 2018 meeting

2 CHAIRPERSON HART:

3 We need to approve the minutes from the  
4 previous meeting.

5 MS. TALBOTT:

6 Madam Chair, I will make the motion to  
7 approve the minutes, including where it  
8 says Robert Brian Frankil.

9 DR. COTCHEN:

10 Second.

11 CHAIRPERSON HART:

12 Any discussion? All in favor, aye? Any  
13 opposed?

14 [The motion carried unanimously.]

15 \*\*\*

16 Report of Prosecutorial Division

17 [Heather J. McCarthy, Esquire, Board Prosecution  
18 Liaison, on behalf of Julia Feld-Caralle, Esquire,  
19 Board Prosecutor, presented the Consent Agreements for  
20 File No. 18-54-03901 and File No. 15-54-12860.

21 Patrick M. Greene, Esquire, recused himself from  
22 the discussion on both consent agreements.]

23 \*\*\*

24 [Heather J. McCarthy, Esquire, Board Prosecution  
25 Liaison, presented the Consent Agreement for File No.

1 18-54-007710.]

2

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3 [Keith E. Bashore, Esquire, Board Prosecutor,  
4 presented the Consent Agreement for File No. 17-54-  
5 013664.]

6

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7 [J. Karl Geschwindt, Esquire, Board Prosecutor, on  
8 behalf of Ray Michalowski, Esquire, Board Prosecutor,  
9 presented the Consent Agreement for File No. 18-54-  
10 006184.]

11

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12 [J. Karl Geschwindt, Esquire, Board Prosecutor,  
13 presented the Consent Agreement for File No. 18-54-  
14 010769.]

15

Terry Talbott and Chairperson Janet Getzey Hart  
16 recused themselves from discussion on the matter.]

17

\*\*\*

18 [Tara J. Smith, Esquire, Board Prosecutor, on behalf  
19 of Erin Fure, Esquire, Board Prosecutor, presented the  
20 Consent Agreement for File No. 18-54-005967.]

21

Patrick M. Greene, Esquire, recused himself from  
22 the discussion on the matter.]

23

\*\*\*

24 [Tara J. Smith, Esquire, Board Prosecutor, presented  
25 the Consent Agreement for File No. 18-54-02558.]

1 \*\*\*

2 [Alissa Harrison, Esquire, Board Prosecutor, presented  
3 the Consent Agreement for File No. 18-54-007777.]

4 \*\*\*

5 Report of Board Counsel

6 [Kerry E. Maloney, Esquire, Board Counsel, discussed  
7 completing revisions to the compounding regulations,  
8 as well as noting the naloxone exception. He reviewed  
9 the naloxone exception where a prescription filled for  
10 naloxone can now be left with someone other than the  
11 identified patient coming out of prison.

12 Mr. Maloney noted that an exception was also made  
13 for naloxone in the same circumstances for the  
14 prospective drug review (PDR) requirement. The  
15 exception passed as a final omitted because of the  
16 opioid crisis as well as being an identified  
17 initiative of the Governor in his emergency  
18 declaration.

19 Mr. Maloney reported that the Independent  
20 Regulatory Review Commission (IRRC) had concerns  
21 regarding where the PDR exception was placed in the  
22 draft. He informed IRRC of the General Revisions  
23 still being considered by the Board, and IRRC voted  
24 unanimously to approve the naloxone exception.

25 Mr. Maloney informed the Board that Mr. Mizner,



1 Vice Chairman of IRRC, thanked the Board for its  
2 forward thinking and not neglecting this part of the  
3 population. Mr. Maloney also stated that these  
4 changes all stemmed from Melanie Zimmerman's comments  
5 and input. He noted that the naloxone exception will  
6 be published on December 1, 2018 in the Pennsylvania  
7 Bulletin and become final.

8 Mr. Maloney requested the Board hold a General  
9 Revisions and Immunization Regulation work session  
10 after the next Board Meeting.]

11 \*\*\*

12 Change in the Intern Hours Requirement

13 [Chairperson Hart referred to the Change in the Intern  
14 Hours Requirement and the letter of support from the  
15 PA Pharmacy School Deans. She requested a discussion  
16 from the deans who are present in the audience  
17 regarding their letter and moving forward with this  
18 initiative.

19 Edward Foote, Pharm.D., FCCP, BCPS, Dean of the  
20 Philadelphia College of Pharmacy at the University of  
21 the Sciences; and Rebecca S. Finley, Pharm.D., MS,  
22 FASHP, Dean of the Jefferson College of Pharmacy,  
23 Thomas Jefferson University, introduced themselves and  
24 offered their support of the initiative. Dr. Foote  
25 and Dr. Finley outlined their experiences and the

1 circumstances that support the change in the intern  
2 hours requirement, as well as answered questions from  
3 the Board. Mr. Maloney requested a separate verbatim  
4 transcript of the discussion be prepared.

5 Kerry E. Maloney, Esquire, Board Counsel,  
6 requested a motion for a draft annex for the change to  
7 the intern hours requirement which will be separate  
8 from other regulation packages.]

9 MS. TALBOTT:

10 I would make a motion that we run this as  
11 a separate package from the General  
12 Revisions and do it expeditiously, and we  
13 include the Board stakeholders, et  
14 cetera.

15 DR. COTCHEN:

16 Second.

17 CHAIRPERSON HART:

18 I have a second. Anymore discussion?

19 Call for a vote. All in favor? Opposed?

20 [The motion carried unanimously.]

21 \*\*\*

22 Report of Board Counsel - Act 96 of 2018

23 [Kerry E. Maloney, Esquire, Board Counsel, had nothing  
24 to add regarding Act 96 of 2018.

25 Chairperson Hart addressed e-Prescribing

1 applications and confusion regarding the application  
2 process, noting states require eCertification to be  
3 sent every two years. She stated many of the e-  
4 Prescribing certifications by companies are  
5 proprietary.

6 Mr. Maloney advised the Board there was no  
7 requirement for it to take immediate action on any  
8 regulations. He discussed making revisions to the  
9 regulations to reflect how the Department of Health  
10 chooses to handle the e-Prescribing applications.

11 Mr. Maloney and Ms. Heather McCarthy met with  
12 Prescription Drug Monitoring Program (PDMP) staff at  
13 the Department of Health who requested that a penalty  
14 be added for pharmacies that do not report to the PDMP  
15 under the Schedule of Civil Penalties under Act 48,  
16 which is under the purview of the Commissioner. He  
17 stated the penalty for each violation under Act 48 can  
18 be up to \$1,000 for each day not reported.

19 Mr. Maloney asked the Board for input regarding  
20 whether to request the Commissioner to include failure  
21 to provide zero reports on the Schedule of Civil  
22 Penalties.

23 Ms. Talbott commented that the violation would be  
24 only if controlled drugs were dispensed and not  
25 reported. Mr. Maloney also commented that some

1 pharmacies can get a waiver from submitting zero  
2 reports. He noted that, after reviewing the Achieving  
3 Better Care by Monitoring All Prescriptions Program  
4 (ABC-MAP) Act, the Pharmacy Act, and Act 48, there may  
5 not be a legal basis for a citation for zero reports.

6 Chairperson Hart noted the importance of giving  
7 pharmacies a notice for not reporting, because it  
8 could be due to failed transmissions, which should not  
9 count as a violation.

10 Mr. Maloney explained that the PDMP system will  
11 contact pharmacies with issues. He stated another  
12 safeguard was that the Prosecution Division can use  
13 some discretion in looking at those issues, and  
14 ultimately, the pharmacy can appeal the citation.

15 Mr. Maloney informed PDMP that the Board would  
16 consider the matter, and the Commissioner's Office  
17 would have to initiate the inclusion of such a  
18 violation as one of the Act 48 Regulations. He also  
19 noted that, under Act 48, the Commissioner would seek  
20 approval of the Board.

21 Chairperson Hart noted instances where data was  
22 actually sent, but there was not a valid match with  
23 the patient and the PDMP. She discussed occurrences  
24 with interoperability and with the National  
25 Association of Boards of Pharmacy (NABP), where there

1 are greater issues from state to state.

2 Mr. Maloney referred to the Michael Kenney case  
3 where a Petition for Review was filed because the  
4 respondent wanted out of the Disciplinary Monitoring  
5 Unit (DMU) early, and the Board decided not to grant  
6 the request. He noted that the terms of the DMU ended  
7 in December anyway and that the respondent signed the  
8 Consent Agreement knowing its content. A written  
9 opinion is anticipated in another month or so,  
10 probably after the DMU ends.

11 Mr. Maloney discussed the Lena Lasher case which  
12 is in Federal Court, where the judge issued a deadline  
13 for discovery to end in March 2019. Mr. Maloney is in  
14 contact with the Deputy Attorney General, who is  
15 representing the Board and the members who were named,  
16 and does not expect another update until March or  
17 April 2019.

18 Mr. Maloney noted his attendance at the American  
19 Society for Pharmacy Law (ASPL) Conference.  
20 Interesting sessions included pharmacists having a  
21 corresponding responsibility with diversion. He noted  
22 discussion regarding buprenorphine for opiate  
23 addiction treatment, ethics in pharmacy, telepharmacy,  
24 and substance abuse in the workplace.

25 Mr. Maloney commented that the telemedicine bill

1 and pharmacy technician bill were not going anywhere  
2 in this legislative session.]

3 \*\*\*

4 [Janet Getzey Hart, R.Ph., Chairperson, exited the  
5 meeting at 9:45 a.m. and reentered the meeting at  
6 9:47 a.m.]

7 \*\*\*

8 Report of Board Chairperson - Election of Officers and  
9 Selection of Committee Members

10 CHAIRPERSON HART:

11 One of our things to do this particular  
12 session is to elect a new Chairperson,  
13 Vice Chair, and Secretary.

14 Do I have any motions?

15 MR. FRANKIL:

16 I nominate Terry Talbott for Chair.

17 MR. GREENE:

18 Second.

19 CHAIRPERSON HART:

20 Any discussion? All in favor? So noted.

21 So moved.

22 [The motion carried unanimously.]

23 \*\*\*

24 CHAIRPERSON HART:

25 Do I have any nominations for Vice Chair?

1 MS. TALBOTT:

2                   Madam Chair, I'll nominate Robert Brian  
3                   Frankil to be the Vice Chair.

4 CHAIRPERSON HART:

5                   I second. Any discussion? All in favor?

6 [The motion carried unanimously.]

7   \*\*\*

8 MS. TALBOTT:

9                   I nominate Janet Hart to be Secretary.

10 CHAIRPERSON HART:

11                   Do I have a second?

12 MR. GREENE:

13                   Second.

14 CHAIRPERSON HART:

15                   Any discussion? All in favor? Opposed?

16 [The motion carried unanimously.]

17   \*\*\*

18 [Mr. Maloney will inquire as to the re-nomination of  
19 Mark Zilner and nomination of the public members.

20                   The Board discussed committee assignments and  
21 the following changes were noted: Terry Talbott will  
22 serve as the ADA Committee with Janet Getzey Hart  
23 serving as the alternate and Gayle Cotchen will serve  
24 as the chair of the Pharmacy Application Review  
25 Committee with Janet Getzey Hart replacing Mark Zilner

1 as a member of this committee. The Probable Cause  
2 Screening Committee and the CPR/Injectable Training  
3 Approval Committee will remain the same except for the  
4 Board Member whose term has expired.]

5 \*\*\*

6 CHAIRPERSON HART:

7 Do we have a motion for all of that?

8 MS. TALBOTT:

9 Yes.

10 DR. COTCHEN:

11 Second.

12 CHAIRPERSON HART:

13 Any discussion? All in favor? Opposed.

14 [The motion carried unanimously.]

15 \*\*\*

16 Report of Probable Cause Screening Committee

17 [Patrick M. Greene, Esquire, Office of Attorney

18 General, noted the Probable Cause Screening Committee

19 signed orders for mental and physical examinations and

20 for an immediate temporary suspension.]

21 \*\*\*

22 Report of Commissioner - No Report

23 \*\*\*

24 Report of Executive Secretary

25 [Melanie Zimmerman, R.Ph., Executive Secretary,



1 informed the Board that newsletter articles must be  
2 provided soon if the Board desires to publish a  
3 newsletter in January.

4 Dr. Cotchen questioned whether PDMP should be  
5 addressed regarding fines and compliance.

6 Mr. Maloney noted that he is hesitant to draft an  
7 article concerning PDMP since it is a Department of  
8 Health program rather than a Board of Pharmacy  
9 program. If the PDMP would be willing to provide an  
10 article, it could be published.

11 Mr. Frankil suggested an update on the status of  
12 regulations which could be prepared by Board Counsel  
13 Maloney.

14 Steve Sheaffer, Pharm.D., Pennsylvania Society of  
15 Health-System Pharmacists, noted that the Department  
16 of Health developed a Memorandum of Understanding  
17 (MOU) for community pharmacy access to a pandemic flu  
18 vaccine. He stated the Pennsylvania Pharmacists  
19 Association (PPA) facilitated this opportunity and  
20 that he and Pat were working with the Department of  
21 Health to obtain updates for submission.

22 Mr. Maloney mentioned the recent CVS waiver that  
23 the Board granted in part and denied in part regarding  
24 prescription labels which could be distributed after  
25 an internal review is completed. Information could be

1 included on the naloxone exception and the intern  
2 hours requirements waiver.

3 Ms. Talbott suggested a statement regarding the  
4 number of licensed pharmacists, pharmacies,  
5 nonresidents, and the percentage that renewed on time  
6 in Pennsylvania.

7 Chairperson Hart suggested an article from the  
8 Department of Health concerning medical marijuana.  
9 This prompted a discussion where it was determined  
10 that Janet Getzey Hart will continue to serve as the  
11 Board's designee on the Medical Marijuana Advisory  
12 Board.]

13 \*\*\*

14 New Business

15 [Kerry E. Maloney, Esquire, Board Counsel, addressed  
16 the Food and Drug Administration's (FDA's) Draft  
17 Memorandum of Understanding. Mr. Maloney noted  
18 Pennsylvania-specific issues, including the  
19 requirement of the Prosecutorial Division to report to  
20 the FDA the notice of a complaint against a pharmacy  
21 within three days.

22 Mr. Maloney also noted an issue on the legal side  
23 related to Act 25 that deals with confidentiality of  
24 investigative files. He explained that the agency is  
25 not permitted to provide investigative files to any

1 entity other than law enforcement, specifically noting  
2 that the Food and Drug Administration was not law  
3 enforcement. He noted two letters on the agenda  
4 regarding this issue and invited discussion.

5       Barbara Knightly, Executive Vice President of  
6 Pharmacy, Pentec Health, explained this was a draft  
7 guidance from the FDA asking for comments. She  
8 encouraged the Board of Pharmacy to have their legal  
9 concerns on file by December 10, 2018. She noted a  
10 meeting between NABP and the FDA, where approximately  
11 45 states would agree to sign it.

12       Ms. Knightly stated the FDA was working closely  
13 with NABP to understand the difference between the  
14 traditional compounder 503A as opposed to the 503B.  
15 For those acting like a manufacturer, they are trying  
16 to make it easier and trying to ask for states to  
17 identify those pharmacies that are dispensing more  
18 than 50 percent so that the FDA could put them on a  
19 risk base section schedule with regard to sterile  
20 compounding.

21       Mr. Maloney commented that the Department of  
22 Health handles 503B, and the Board does not track the  
23 dispensing or distinguish between a retail pharmacy  
24 and a compounding pharmacy. He also stated, even with  
25 503A, the system and statute does not allow the Board

1 to distinguish or track the dispensing.

2 Dr. Cotchen commented that the Board of Pharmacy  
3 has been very active in attending the FDA meetings.  
4 She stated Pennsylvania has been very well represented  
5 concerning MOU and believes that the Governor and  
6 Commissioner do not want any businesses leaving  
7 because the MOU has not been signed.

8 John Sisto, Express Scripts, Incorporated,  
9 commented that the FDA clarified at a recent meeting  
10 that they are going to interpret it as 50 percent of  
11 the compounding scripts, not the total scripts.

12 Mr. Maloney will present recommendations to the  
13 Commissioner on this matter since an MOU would be  
14 signed by the Commissioner or at a higher level.]

15 \*\*\*

16 [Chairperson Hart stated the Board will pass on  
17 nominations for National Association of Boards of  
18 Pharmacy Awards.

19 \*\*\*

20 [Chairperson Hart noted correspondence from Sharon  
21 Abraczinskas concerning the scope of practice of  
22 pharmacists. Board Members commented that Ms.  
23 Abraczinskas needed to be more assertive and suggested  
24 responding to Ms. Abraczinskas as a Board, reminding  
25 her that it is not within the Board's purview to pass

1 legislation allowing individuals to administer flu  
2 shots. It was also noted that pharmacists have the  
3 ability to refuse a request based on having a valid  
4 reason and professional discretion.

5 Mr. Maloney offered to write a response letter  
6 conveying references to the regulations and statutes  
7 to address Ms. Abraczinskas' concerns given that the  
8 Board cannot provide advisory opinions or interpret  
9 the Pharmacy Act or the Board Regulations.]

10

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11 [Pursuant to Section 708(a)(5) of the Sunshine Act, at  
12 10:15 a.m., the Board entered into Executive Session  
13 with Kerry E. Maloney, Esquire, Board Counsel, to  
14 receive legal advice and to engage in quasi-judicial  
15 deliberations. The Board returned to open session at  
16 11:15 a.m.]

17

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18 [Katelin Lambert, Deputy Commissioner of Professional  
19 and Occupational Affairs, entered the meeting at  
20 11:06 a.m., during Executive Session]

21

\*\*\*

22 MOTIONS

23 CHAIRPERSON HART:

24 The Board of Pharmacy met in Executive  
25 Session to discuss and review consent

1 orders and other legal documents. Are  
2 there any motions regarding these  
3 discussions?

4 DR. COTCHEN:

5 Madam Chairperson, I move that we approve  
6 the Consent Agreement for File No. 18-54-  
7 03901.

8 MS. TALBOTT:

9 Second.

10 CHAIRPERSON HART:

11 Call for discussion. Call for a vote.

12

13 Frankil, aye; Greene, recuse; Hart, aye;  
14 Cotchen, aye; and Talbott, aye.

15 [The motion carried. Patrick Greene recused himself  
16 from deliberations and voting on the motion.

17 The pharmacist's name is Mary Uhl Huminski,  
18 R.Ph.]

19

\*\*\*

20 DR. COTCHEN:

21 I move that we approve the Consent  
22 Agreement for File No. 18-54-010769.

23 MR. FRANKIL:

24 Second.

25 CHAIRPERSON HART:

1 Any discussion? Call for a vote.

2

3 Frankil, aye; Greene, aye; Hart, recuse;  
4 Cotchen, aye; Talbott, recuse; and  
5 Lambert, aye.

6 [The motion carried. Janet Getzey Hart and Terry  
7 Talbott recused themselves from deliberations and  
8 voting on the motion.

9 The pharmacist's name is Ha Thi Huynh, R.Ph.]

10

\*\*\*

11 DR. COTCHEN:

12 I move that we table the request  
13 submitted by Magdy Hassan pending more  
14 information about her request for reduced  
15 intern hours.

16 MR. FRANKIL:

17 Second.

18 CHAIRPERSON HART:

19 Call for discussion. Call for a vote.

20

21 Frankil, aye; Greene, aye; Lambert, aye;  
22 Hart, recuse; Cotchen, aye; and Talbott,  
23 recuse.

24 [The motion carried. Janet Getzey Hart and Terry  
25 Talbott recused themselves from deliberations and

1 voting on the motion.]

2

\*\*\*

3 [Katelin Lambert, Deputy Commissioner of Professional  
4 and Occupational Affairs, exited the meeting at 11:17  
5 a.m.]

6

\*\*\*

7 DR. COTCHEN:

8

I move that we approve the Consent

9

Agreement for File No. 15-54-12860.

10 MS. TALBOTT:

11

Second.

12 CHAIRPERSON HART:

13

Call for discussion. Call for a vote.

14

15

Frankil, aye; Greene, recuse; Hart, aye;

16

Cotchen, aye; and Talbott, aye.

17

[The motion carried. Patrick Greene recused himself  
18 from deliberations and voting on the motion.

19

The pharmacist's name is Maryann P. Shawaluk,

20 R.Ph.]

21

\*\*\*

22 DR. COTCHEN:

23

I move that we approve the Consent

24

Agreement for File No. 17-54-013664.

25 MS. TALBOTT:



1                   Second.

2 CHAIRPERSON HART:

3                   Any discussion? Call for a vote.

4

5                   Frankil, aye; Greene, aye; Hart, aye;

6                   Cotchen, aye; and Talbott, aye.

7 [The motion carried unanimously. The pharmacy's name  
8 is Wells Pharmacy Network, LLC.]

9

\*\*\*

10 DR. COTCHEN:

11                   I move that we approve the Consent

12                   Agreement for File No. 18-54-006184.

13 MS. TALBOTT:

14                   Second.

15 CHAIRPERSON HART:

16                   Any discussion? Call for a vote.

17

18                   Frankil, aye; Greene, aye; Hart, aye;

19                   Cotchen, aye; and Talbott, aye.

20 [The motion carried unanimously. The pharmacist's  
21 name is Edward W. Sweeney, R.Ph.]

22

\*\*\*

23 DR. COTCHEN:

24                   I move that we approve the Consent

25                   Agreement for File No. 18-54-005967.

1 MS. TALBOTT:

2 Second.

3 CHAIRPERSON HART:

4 Any discussion? Call for a vote.

5

6 Frankil, aye; Greene, recuse; Hart, aye;

7 Cotchen, aye; and Talbott, aye.

8 [The motion carried. Patrick Greene recused himself  
9 from deliberations and voting on the motion.

10 The pharmacist's name is Christopher Lee Nowak,  
11 R.Ph.]

12 \*\*\*

13 DR. COTCHEN:

14 I move that we approve the Consent  
15 Agreement for File No. 18-54-007777.

16 MS. TALBOTT:

17 Second.

18 CHAIRPERSON HART:

19 Any discussion? Call for a vote.

20

21 Frankil, aye; Greene, aye; Hart, aye;

22 Cotchen, aye; and Talbott, aye.

23 [The motion carried unanimously. The pharmacist's  
24 name is Donald Alfred Hannon, R.Ph.]

25 \*\*\*

1 DR. COTCHEN:

2 I move that we approve the Consent  
3 Agreement for File No. 18-54-007710.

4 MS. TALBOTT:

5 Second.

6 CHAIRPERSON HART:

7 Any discussion? Call for a vote.

8

9 Frankil, aye; Greene, aye; Hart, aye;  
10 Cotchen, aye; and Talbott, aye.

11 [The motion carried unanimously.]

12

\*\*\*

13 DR. COTCHEN:

14 I move that we approve the Consent  
15 Agreement for File No. 18-54-02558.

16 MS. TALBOTT:

17 Second.

18 CHAIRPERSON HART:

19 Any discussion? Call for a vote.

20

21 Frankil, aye; Greene, aye; Hart, aye;  
22 Cotchen, aye; and Talbott, aye.

23 [The motion carried unanimously. The pharmacist's  
24 name is Gennady Krupnikas, R.Ph.]

25

\*\*\*

1 DR. COTCHEN:

2 I move that we approve the final  
3 Adjudication and Order for Peter M.  
4 Campanella, File No. 17-54-00398.

5 MS. TALBOTT:

6 Second.

7 CHAIRPERSON HART:

8 Any discussion? Call for a vote.

9

10 Frankil, aye; Greene, aye; Hart, aye;  
11 Cotchen, aye; and Talbott, aye.

12 [The motion carried unanimously.]

13

\*\*\*

14 DR. COTCHEN:

15 I move that we approve the final  
16 Adjudication and Order for Harold  
17 Gillung, R.Ph., File No. 18-54-001780.

18 MR. FRANKIL:

19 Second.

20 CHAIRPERSON HART:

21 Any discussion? Call for a vote.

22

23 Frankil, aye; Greene, aye; Hart, aye;  
24 Cotchen, aye; and Talbott, recuse.

25 [The motion carried. Terry Talbott recused herself

1 from deliberations and voting on the motion.]

2 \*\*\*

3 DR. COTCHEN:

4 I move that we adopt the proposed  
5 Adjudication and Order for Stacey Orr  
6 d/b/a Mod Apothecary, File No. 15-54-  
7 08420.

8 MS. TALBOTT:

9 Second.

10 CHAIRPERSON HART:

11 Any discussion? Call for a vote.

12

13 Frankil, aye; Greene, aye; Hart, aye;  
14 Cotchen, aye; and Talbott, aye.

15 [The motion carried unanimously.]

16 \*\*\*

17 DR. COTCHEN:

18 I move that we adopt the proposed  
19 Adjudication and Order for Drug Depot,  
20 Inc., d/b/a APS Pharmacy, File No. 18-54-  
21 03878.

22 MS. TALBOTT:

23 Second.

24 CHAIRPERSON HART:

25 Any discussion? Call for a vote.

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Frankil, aye; Greene, aye; Hart, aye;  
Cotchen, aye; and Talbott, aye.

[The motion carried unanimously.]

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DR. COTCHEN:

I move that we adopt the proposed  
Adjudication and Order for PharmScript,  
LLC, File No. 18-54-006932.

MS. TALBOTT:

Second.

CHAIRPERSON HART:

Any discussion? Call for a vote.

Frankil, aye; Greene, aye; Hart, aye;  
Cotchen, aye; and Talbott, nay.

[The motion carried. Terry Talbott opposed the  
motion.]

\*\*\*

DR. COTCHEN:

I move that we approve the Pharmacist  
Application Review submitted by Thomas  
Andrew Fortier.

MS. TALBOTT:

Second.

1 CHAIRPERSON HART:

2 Any discussion? Call for a vote.

3

4 Frankil, aye; Greene, aye; Hart, aye;

5 Cotchen, aye; and Talbott, aye.

6 [The motion carried unanimously.]

7

\*\*\*

8 DR. COTCHEN:

9 I move that we table the Intern Hours  
10 Evaluation Request from Ravindra Malavia  
11 pending receipt of more information.

12 MS. TALBOTT:

13 Second.

14 CHAIRPERSON HART:

15 Any discussion? Call for a vote.

16

17 Frankil, aye; Greene, aye; Hart, aye;

18 Cotchen, aye; and Talbott, aye.

19 [The motion carried unanimously.]

20

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21 DR. COTCHEN:

22 I move that we approve the Motion to Deem  
23 Facts Admitted and direct Board Counsel  
24 to draft an Adjudication and Order with  
25 terms consistent with those discussed





1 DR. COTCHEN:

2 I move that we approve the Adjudication  
3 and Order for Robert M. Shutty, Case No.  
4 18-54-01079, subject to approval of  
5 Counsel Division.

6 MS. TALBOTT:

7 Second.

8 CHAIRPERSON HART:

9 Any discussion? Call for a vote.

10

11 Frankil, aye; Greene, aye; Hart, aye;  
12 Cotchen, aye; and Talbott, aye.

13 [The motion carried unanimously.]

14

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15 MS. TALBOTT:

16 I motion that we submit a nominee for the  
17 John F. Atkinson Service Award to NABP  
18 and that the nominee be Mr. Maloney.

19 DR. COTCHEN:

20 Second.

21 CHAIRPERSON HART:

22 All in favor? Opposed?

23 [The motion carried unanimously.]

24

\*\*\*

25 Adjournment

1 MS. TALBOTT:

2 Motion to adjourn.

3 MR. FRANKIL:

4 Second.

5 CHAIRPERSON HART:

6 All in favor?

7 [The motion carried unanimously.]

8 \*\*\*

9 [There being no further business, the State Board of  
10 Pharmacy Meeting adjourned at 11:25 a.m. A regulation  
11 work session was held after the Board Meeting.]

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## CERTIFICATE

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I hereby certify that the foregoing summary minutes of the State Board of Pharmacy meeting, was reduced to writing by me or under my supervision, and that the minutes accurately summarize the substance of the State Board of Pharmacy meeting.



Adam Beck,  
Minute Clerk  
Sargent's Court Reporting  
Service, Inc.

STATE BOARD OF PHARMACY  
REFERENCE INDEX

November 27, 2018

	TIME	AGENDA
1		
2		
3		
4		
5		
6		
7		
8		
9	8:56	Official Call to Order
10		
11	8:56	Pledge of Allegiance
12		
13	8:57	Introduction of Board Members, Board
14		Staff, and Audience Members and
15		Evacuation Announcement
16		
17	8:58	Amendment to the Agenda
18		
19	9:00	Approval of Minutes
20		
21	9:00	Report of Prosecutorial Division
22		
23	9:09	Report of Board Counsel
24		
25	9:13	Discussion - Change in the Intern Hours
26		Requirement
27		
28	9:49	Report of Board Chairperson
29		
30	9:52	Report of Committees
31		
32	9:52	Report of Executive Secretary
33		
34	10:00	New Business
35		
36	10:15	Executive Session
37	11:15	Return to Open Session
38		
39	11:15	Motions
40		
41	11:25	Adjournment
42		
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