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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: 9:03 A.M.

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

May 31, 2017

1                                    State Board of Pharmacy

2  
3                                    May 31, 2017

4  
5 BOARD MEMBERS:

6  
7 Janet Getzey Hart, R.Ph., Chairperson  
8 Kathryn L. Waters, Deputy Commissioner of  
9 Professional and Occupational Affairs  
10 Terry Talbott, R.Ph., Vice Chairperson  
11 Robert Frankil, R.Ph., Secretary  
12 Gayle Cotchen, Pharm.D., R.Ph.  
13 Patrick M. Greene, Esquire, Office of Attorney General  
14 Kishor S. Mehta, Public Member  
15 Mark J. Zilner, R.Ph. - Absent  
16

17  
18 BUREAU PERSONNEL:

19  
20 Kerry Maloney, Esquire, Board Counsel  
21 Ray Michalowski, Esquire, Board Prosecution Liaison  
22 Andrea Costello, Esquire, Board Prosecutor  
23 Julia Feld-Caralle, Esquire, Board Prosecutor  
24 Keith Bashore, Esquire, Board Prosecutor  
25 Melanie Zimmerman, R.Ph., Board Administrator  
26 Joan Miller, Esquire, Board Prosecutor  
27 Margaret Sheaffer, Esquire, Prosecuting Attorney  
28

29 ALSO PRESENT:

30  
31 Michael Kenney, Nova Southeastern University  
32 Theresa Rossetti, CVS Health  
33 Carl Harting, CVS Health  
34 Christine Roussel, Pennsylvania Society of Health-  
35 Systems Pharmacists  
36 Lawrence Carey, Pennsylvania Society of Health-Systems  
37 Pharmacists  
38 Makindree Nicolosi, Pennsylvania Society of Health-  
39 Systems Pharmacists  
40 Kelly Chambers, Pennsylvania Society of Health-Systems  
41 Pharmacists  
42 Katlyn Spivak, Pennsylvania Society of Health-Systems  
43 Pharmacists  
44 Samantha Clevenstine, Pennsylvania Society of Health-  
45 Systems Pharmacists  
46 Lauren Miller, Pennsylvania Society of Health-Systems  
47 Pharmacistsy  
48 Robert Grobinsici, Cardinal Health  
49 Leigh Shirley, Giant  
50 Nicholas Koch, Giant

State Board of Pharmacy

May 31, 2017

ALSO PRESENT: (Continued)

- John Loxterman, Enclara Pharmacia
- Brian Sesack, UPMC Hillman Cancer Center
- Jeff Stuby, Pennsylvania Pharmacists Association
- Jim Reed, Walgreens
- Christine Renfer, CVS Health
- Bruce G. Baron, Esquire, Geriscript Pharmacy, LLC
- Tamre Joyce, CVS health
- Jeenu Philip, Walgreens
- Christy Vu, New Albertson, Inc.
- Beverly Masiello, Geriscript, LLC

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2 State Board of Pharmacy

3 May 31, 2017

4 \*\*\*

5 The regularly scheduled meeting of the State  
6 Board of Pharmacy was held on Tuesday, May 31, 2017.  
7 Janet Getzey Hart, R.Ph., Chairperson, called the  
8 meeting to order at 9:03 a.m. The Pledge of  
9 Allegiance was recited. Kathryn L. Waters, Deputy  
10 Commissioner, was not present at the commencement of  
11 the meeting. It was noted that a quorum of Board  
12 members was present.

13 \*\*\*

14 Introduction of Board and Audience Members

15 {Chairperson Hart requested the introduction of Board  
16 Members and staff and audience members in attendance.]

17 \*\*\*

18 Evacuation Announcement

19 [Melanie Zimmerman, R.Ph., Board Administrator,  
20 reviewed the emergency evacuation procedures for One  
21 Penn Center.]

22 \*\*\*

23 Approval of Agenda

24 CHAIRPERSON HART:

25 Do we have a motion to approve the

1 agenda?

2 MS. TALBOTT:

3 So moved.

4 DR. COTCHEN:

5 Second.

6 CHAIRPERSON HART:

7 Any discussion? All in favor, say aye?

8 All opposed?

9 [The motion carried unanimously].

10 \*\*\*

11 Approval of Minutes of April 18, 2017 meeting

12 CHAIRPERSON HART:

13 At this point, we're going to approve

14 the April 18, 2017 minutes. Any

15 changes?

16 DR. COTCHEN:

17 I make a motion that we approve the

18 minutes as presented.

19 MR. MEHTA:

20 Second.

21 CHAIRPERSON HART:

22 Any discussion? All in favor, say aye?

23 Any opposed?

24 [The motion carried unanimously].

25 \*\*\*

1 Report of Prosecutorial Division

2 [Andrea Costello, Esquire, Board Prosecutor, presented  
3 VRP Consent Agreements for File No. 16-54-11768, File  
4 No. 17-54-00173, File No. 17-54-00282, File No. 17-54-  
5 02441, and File No. 17-54-03008.]

6 \*\*\*

7 [Julia Feld-Caralle, Esquire, Board Prosecutor,  
8 presented a Consent Agreement for File No. 15-54-  
9 13340.]

10 \*\*\*

11 [Kathryn L. Waters, Deputy Commissioner, entered the  
12 meeting at 9:10 a.m.]

13 \*\*\*

14 [Keith Bashore, Esquire, Board Prosecutor, presented  
15 Consent Agreements for File Nos. 15-54-10257 and 16-  
16 54-02029.]

17 \*\*\*

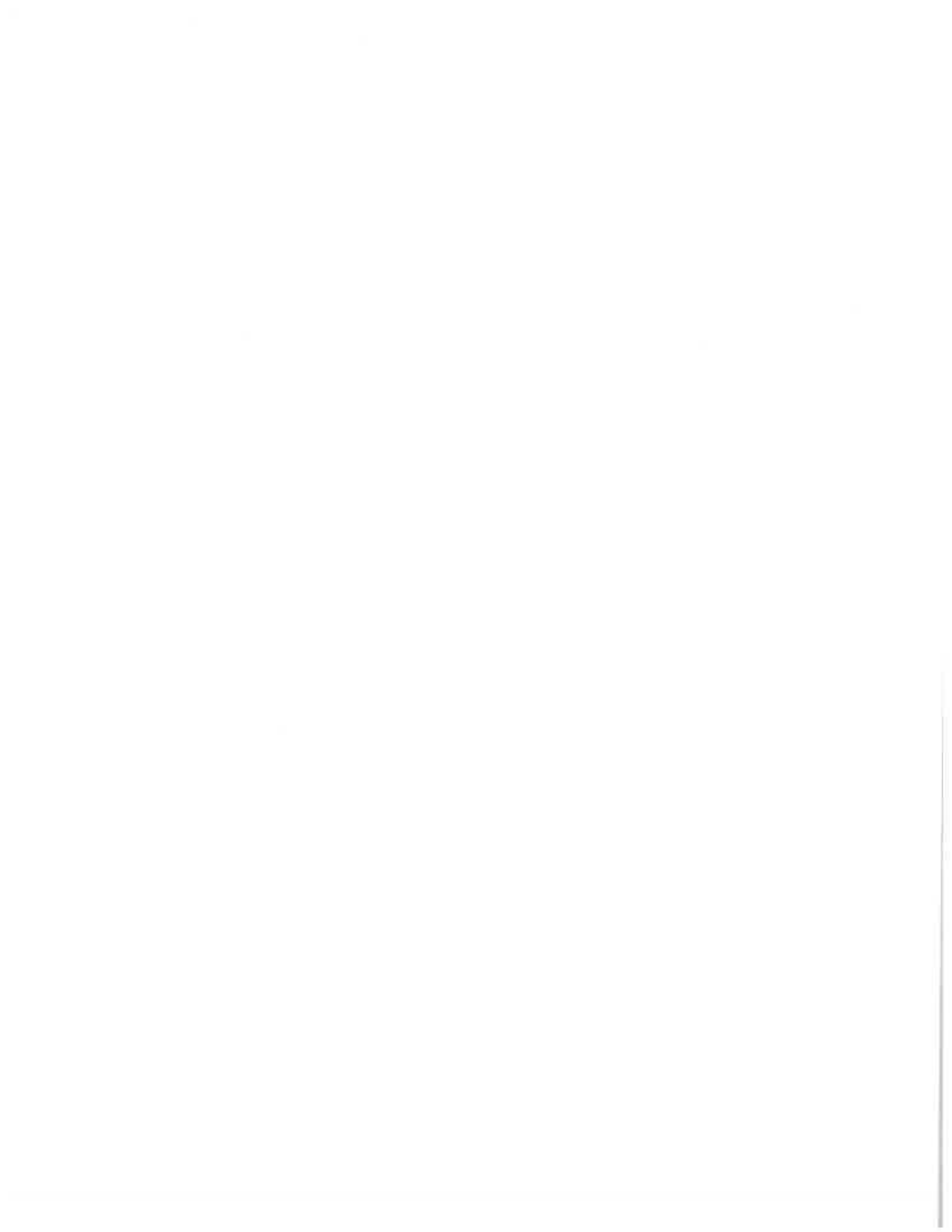
18 [Joan Miller, Esquire, Board Prosecutor, presented a  
19 Consent Agreement for File No. 17-54-03451.]

20 \*\*\*

21 [For purposes of recusal, Patrick M. Greene, Esquire,  
22 exited the meeting at 9:17 a.m. and reentered the  
23 meeting at 9:19 a.m.]

24 \*\*\*

25 Report of Board Counsel



1 [Janet Getzey Hart, R.Ph., Board Chairperson,  
2 requested Gayle Cotchen, Pharm.D., R.Ph., speak on the  
3 subject of the recent annual NABP meeting.

4 Dr. Cotchen noted new ACPE topic designators will  
5 be implemented on July 1, 2017, including 06 for  
6 immunizations and 07 regarding compounds.

7 She noted presentations by the NABP Executive  
8 Committee with the focus on services provided by NABP.  
9 Ms. Cotchen noted a discussion regarding the percent  
10 of prescriptions presently referred to as specialty  
11 drugs. She noted that 8,000 comments were received  
12 with regard to the USP 797, compounding standards and  
13 preparations revision.

14 A continuing education program on telehealth was  
15 noted to be interesting. There was discussion  
16 regarding inspections and fines related to  
17 inspections. It was suggested that the Board visit  
18 the National Practitioner Data Bank for information  
19 regarding reportable citations or fines.

20 Chairperson Hart discussed resolutions from the  
21 meeting regarding best practices for veterinary  
22 compounding, the definition of a patient/pharmacist  
23 relationship, a task force for long-term care rules,  
24 and the resolution recognizing former Board Member  
25 Pauline Montgomery.]



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Report of Probable Cause Screening Committee

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- No Report

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Report of Deputy Commissioner - No Report

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Report of Board Administrator

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

9 reminded Board members that newsletter articles were  
10 due today.]

11

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12

New Business

13

[NABP District I and II Meeting to be held September

14

14-16, 2017 in Connecticut.]

15

DR. COTCHEN:

16

I make a motion that we send Janet

17

Getzey Hart to the district meeting in

18

September.

19

MR. FRANKIL:

20

I will second that motion.

21

CHAIRPERSON HART:

22

Any discussion? All in favor? Opposed?

23

[The motion carried unanimously].

24

\*\*\*

25

NABP's Member Benefits Statement

1 [Melanie Zimmerman, R.Ph., Executive Secretary,  
2 referred Board Members to the statement regarding the  
3 services offered by NABP. Dr. Cotchen noted that she  
4 would like to provide a presentation on Board of  
5 Pharmacy updates at the upcoming PSHP conference. ]

6 MS. TALBOTT:

7 I make a motion requesting Board approval  
8 for Gayle Cotchen to attend the  
9 Pennsylvania Society of Health System  
10 Pharmacists Conference, which will be  
11 held October 2017 at Seven Springs,  
12 Pennsylvania.

13 MR. MEHTA:

14 Second.

15 CHAIRPERSON HART:

16 Any discussion? All in favor?

17 [The motion carried unanimously].

18 \*\*\*

19 Tri-Regulator Symposium - July 25-26, 2017

20 [Melanie Zimmerman, R.Ph., Board Administrator,  
21 provided additional information regarding the  
22 symposium.]

23 DR. COTCHEN:

24 I make a motion that we send Terry  
25 Talbott to the Tri-Regulator Symposium.

1 MR. FRANKIL:

2                   Second.

3 CHAIRPERSON HART:

4                   Can we try to send a second person?

5 DR. COTCHEN:

6                   I'd like to amend that motion approving  
7 Ms. Hart to also attend pending state  
8 approval.

9 MR. FRANKIL:

10                   I'll second the amended motion.

11 CHAIRPERSON HART:

12                   Any discussion? All in favor? Opposed?

13 [The motion carried unanimously.]

14   \*\*\*

15 Miscellaneous Discussion

16 [Gayle Cotchen, Pharm.D., R.Ph., discussed the  
17 Pharmacy Regulation 16A-5419 comments, including  
18 pharmacy compounding, changes to the inspection form,  
19 changes related to nonsterile compounding, United  
20 States Pharmacopeia (USP), technician protocol and  
21 training, label information, bulk drug substances,  
22 specific patient versus individual patient, drugs for  
23 investigational purposes, sterile gowning, control  
24 procedures, master formula record and production  
25 record, as well as the use of the term "bulk."]

1 \*\*\*

2 [The Board recessed from 10:21 a.m. until 10:32 a.m.  
3 Deputy Commissioner Waters exited the meeting during  
4 this time.]

5 \*\*\*

6 [A formal hearing was held from 10:32 a.m. until 11:02  
7 a.m. In the Matter of the Application of Nonresident  
8 Pharmacy Registration of Geriscript, LLC, File No. 17-  
9 54-04152, Docket No. 0736-54-2017.]

10 \*\*\*

11 [Pursuant to Section 708(a)(5) of the Sunshine Act, at  
12 11:04 a.m. the Board entered into Executive Session  
13 with Kerry Maloney, Esquire, Board Counsel, for the  
14 purpose of conducting quasi-judicial deliberations.  
15 The Board returned to open session at 12:05 p.m.]

16 \*\*\*

17 MOTIONS:

18 CHAIRPERSON HART:

19 The Board of Pharmacy met in Executive  
20 Session to discuss and review Consent  
21 Orders and other legal documents. Are  
22 there any motions regarding these  
23 discussions?

24 DR. COTCHEN:

25 I move that we approve the Consent

1                   Agreements for File Nos. 16-54-11768,  
2                   17-54-00173, 17-54-00282, 17-54-02441,  
3                   and 17-54-03008.

4 MR. MEHTA:

5                   Second.

6 CHAIRPERSON HART:

7                   Any discussion? Call for the vote.

8  
9                   Frankil, aye; Cotchen, aye; Hart, aye;  
10                  Mehta, aye; Greene, aye; and Talbott,  
11                  aye.

12 [The motion carried unanimously.]

13   \*\*\*

14 DR. COTCHEN:

15                   I move that we deny the Consent  
16                   Agreement for File No. 15-54-13340  
17                   because it is too harsh.

18 MR. MEHTA:

19                   Second.

20 CHAIRPERSON HART:

21                   Any discussion? Call for the vote.

22  
23                   Frankil, aye; Cotchen, aye; Hart, aye;  
24                   Mehta, aye; and Talbott, aye.

25 [The motion carried. Patrick Greene, Esquire, was not

1 present for deliberations and recused from voting on  
2 the motion.]

3 \*\*\*

4 DR. COTCHEN:

5 I move that we approve the Consent  
6 Agreement for File No. 15-54-10257.

7 MR. MEHTA:

8 Second.

9 CHAIRPERSON HART:

10 Any discussion? Call for the vote.

11

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

15 [The motion carried unanimously. The Respondent's  
16 name is Alex Bernstein.]

17 \*\*\*

18 DR. COTCHEN:

19 I move that we approve the Consent  
20 Agreement for File No. 16-54-02029.

21 MR. MEHTA:

22 Second.

23 CHAIRPERSON HART:

24 Any discussion? Call for the vote.

25

1 Frankil, aye; Cotchen, aye; Hart, aye;  
2 Mehta, aye; and Talbott, aye.

3 [The motion carried. Patrick Greene, Esquire, was not  
4 present for deliberations and recused from voting on  
5 the motion. The Respondent's name is Kristen M.  
6 Stocklos, R.Ph.]

7 \*\*\*

8 DR. COTCHEN:

9 I move that we approve the Consent  
10 Agreement for File No. 17-54-03451.

11 MR. MEHTA:

12 Second.

13 CHAIRPERSON HART:

14 Any discussion? Call for the vote.

15

16 Frankil, aye; Cotchen, aye; Hart, aye;  
17 Mehta, aye; and Talbott, aye.

18 [The motion carried. Patrick Greene, Esquire, was not  
19 present for deliberations and recused from voting on  
20 the motion. The Respondent's name is James T. Josiah,  
21 R.Ph.]

22 \*\*\*

23 DR. COTCHEN:

24 I move that we approve the final  
25 Adjudication and Order In the Matter of

1                    the Application for the Nonresident  
2                    Pharmacy Registration of CVS/Specialty  
3                    #48036, File No. 17-54-00401.

4 MR. MEHTA:

5                    Second.

6 CHAIRPERSON HART:

7                    Any discussion? Call for the vote.

8

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

11 [The motion carried. Terry Talbott was not present  
12 for deliberations and recused from voting on the  
13 motion.]

14

\*\*\*

15 DR. COTCHEN:

16                    I move that we approve the final  
17                    Adjudication and Order In the  
18                    Application for a License to Practice  
19                    Pharmacy of Jennifer Hayes, R.Ph., File  
20                    No. 17-54-02340

21 MR. MEHTA:

22                    Second.

23 CHAIRPERSON HART:

24                    Any discussion? Call for the vote.

25



1                   Greene, aye; Mehta, aye; Hart, aye;  
2                   Cotchen, aye; and Frankil, aye.

3 [The motion carried. Terry Talbott was not present  
4 for deliberations and recused from voting on the  
5 motion.]

6   \*\*\*

7 DR. COTCHEN:

8                   I move that we approve the final  
9                   Adjudication and Order with  
10                  modifications In the Application for  
11                  Licensure of Matthew Salkovitz, for File  
12                  No. 17-54-03459.

13 MR. MEHTA:

14   Second.

15 CHAIRPERSON HART:

16                   Any discussion? Call for the vote.

17  
18                   Frankil, aye; Cotchen, aye; Hart, aye;  
19                   Mehta, aye; Green, aye; and Talbott,  
20                   aye.

21 [The motion carried unanimously.]

22   \*\*\*

23 MS. COTCHEN:

24                   I move that we grant the Application for  
25                   a Nonresident Pharmacy Registration of

1 Geriscript, LLC, File No. 17-54-04152  
2 and direct that Board Counsel draft an  
3 Adjudication and Order consistent with  
4 terms discussed during Executive  
5 Session.

6 MR. MEHTA:

7 Second.

8 CHAIRPERSON HART:

9 Any discussion? Call for the vote.

10

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

14 [The motion carried unanimously.]

15 \*\*\*

16 DR. COTCHEN:

17 I move that we deny the Reciprocal  
18 Licensure Application for Courtney  
19 Dessell.

20 MR. MEHTA:

21 Second.

22 CHAIRPERSON HART:

23 Any discussion? Call for the vote.

24

25 Talbott, aye; Greene, aye; Mehta, aye;

1 Cotchen, aye; and Frankil, aye.

2 [The motion carried. Janet Getzey Hart was not  
3 present for deliberations and recused from voting on  
4 the motion.]

5 \*\*\*

6 DR. COTCHEN:

7 I move that we approve the Reciprocal  
8 Licensure Application for Daniel White.

9 MR. MEHTA:

10 Second.

11 CHAIRPERSON HART:

12 Any discussion? Call for the vote.

13

14 Frankil, aye; Cotchen, aye; Hart, aye;  
15 Mehta, aye; Green, aye; and Talbott,  
16 aye.

17 [The motion carried unanimously.]

18 \*\*\*

19 DR. COTCHEN:

20 I move that we provisionally deny the  
21 Nonresident Pharmacy Application for ESI  
22 Mail Pharmacy Service, Inc. d/b/a  
23 Express Scripts.

24 MR. MEHTA:

25 Second.

1 CHAIRPERSON HART:

2 Any discussion? Call for the vote.

3

4 Frankil, aye; Cotchen, aye; Hart, aye;  
5 Mehta, aye; Green, aye; and Talbott,  
6 aye.

7 [The motion carried unanimously.]

8

\*\*\*

9 DR. COTCHEN:

10 I move that we provisionally deny the  
11 Nonresident Pharmacy Application for US  
12 Compounding, Inc.

13 MR. MEHTA:

14 Second.

15 CHAIRPERSON HART:

16 Any discussion? Call for the vote.

17

18 Talbott, aye; Greene, aye; Mehta, aye;  
19 Hart, aye; Cotchen, aye; and Frankil,  
20 aye.

21 [The motion carried unanimously.]

22

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23 DR. COTCHEN:

24 I move that we approve the Reactivation  
25 of the Pharmacy Intern Registration for

1 two years for Jonathan Ritter.

2 MR. MEHTA:

3 Second.

4 CHAIRPERSON HART:

5 Any discussion? Call for the vote.

6

7 Frankil, aye; Cotchen, aye; Hart, aye;

8 Mehta, aye; Green, aye; and Talbott,

9 aye.

10 [The motion carried unanimously.]

11 \*\*\*

12 Adjournment

13 CHAIRPERSON HART:

14 Adjourned?

15 MS. TALBOTT:

16 So moved.

17 [The meeting adjourned at 12:15 p.m.]

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## CERTIFICATE

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.

*Chasity Barshinger*

Chasity Barshinger,

Minute Clerk

Sargent's Court Reporting

Service, Inc.

STATE BOARD OF PHARMACY  
REFERENCE INDEX

May 31, 2017

	TIME	AGENDA
1		
2		
3		
4		
5		
6		
7		
8		
9	9:03	Official Call to Order/Pledge of
10		Allegiance
11		
12	9:04	Introduction of Board and Audience
13		Members
14		
15	9:05	Evacuation Announcement
16		
17	9:07	Approval of Agenda
18		
19	9:07	Approval of Minutes
20		
21	9:07	Report of Prosecutorial Division
22		
23	9:26	Report of Board Chairperson
24		
25	9:30	Report of Board Counsel
26		
27	9:34	Report of Board Administrator
28		
29	9:35	New Business
30		
31	10:20	Miscellaneous Discussion
32		
33	10:21	Recess
34	10:32	Return to Open Session
35		
36	10:32	Formal Hearing <u>In the Matter of the</u>
37		<u>Application of Nonresident Pharmacy</u>
38		<u>Registration of Geriscript, LLC</u>
39		
40	11:04	Executive Session
41	12:05	Return to Open Session
42		
43	12:05	Motions
44		
45	12:15	Adjournment
46		
47		
48		
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