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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: 10:30 A.M.

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

as well as

**VIA MICROSOFT TEAMS**

June 28, 2022

1                                   State Board of Pharmacy  
2                                   June 28, 2022

3  
4  
5 BOARD MEMBERS:  
6

7 Janet Getzey Hart, R.Ph., Chairperson  
8 Arion R. Claggett, Acting Commissioner, Bureau of  
9 Professional and Occupational Affairs  
10 Christine Roussel, Pharm.D., BCOP, BCSCP, Vice Chair  
11 Amber Sizemore, Esquire, Office of Attorney General,  
12 on behalf of Patrick M. Greene, Esq.  
13 John R. Slagle, R.Ph.  
14 Terry M. Talbott, R.Ph.  
15

16  
17 BUREAU PERSONNEL:  
18

19 Ariel O'Malley, Esquire, Board Counsel  
20 Carole Clarke Smith, Esquire, Senior Board Counsel  
21 Ray Michalowski, Esquire, Senior Board Prosecution  
22 Liaison  
23 Glenn P. Masser, Esquire, Board Prosecutor  
24 Alice Glasser, Esquire, Board Prosecutor  
25 Melanie Zimmerman, R.Ph., Executive Secretary  
26 Marc Farrell, Deputy Policy Director, Department of  
27 State  
28 Andrew LaFratte, MPA, Executive Policy Specialist,  
29 Department of State  
30 Eli Yemzow, Legal Intern, Department of State  
31 Patrick, Legal Intern, Department of State  
32

33  
34 ALSO PRESENT:  
35

36 Richard E. Morrisette, Deputy Director, Bureau of  
37 Enforcement and Investigation, Department of State  
38 Catherine Lutz, Pharmacy Inspector, Bureau of  
39 Enforcement and Investigation, Department of State  
40 Danie Bendesky, Director of Intergovernmental  
41 Affairs, Department of State  
42 Steven Zahn, Pharmacy Inspector, Bureau of  
43 Enforcement and Investigation, Department of State  
44 and Investigation, Department of State  
45 Larry Jones, Executive Director, Pennsylvania  
46 Society of Health-System Pharmacists  
47 Shawn D. Parekh, PharmD, MHA, FACHE, DPLA,  
48 VP Pharmacy, Temple University  
49 Carl Harting, Pharmacist Supervisor, CVS Health  
50 Jacquelyn Sassaman, Pentec Health

State Board of Pharmacy  
June 28, 2022

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ALSO PRESENT: (cont.)

- Nicole Kruczek, R.Ph., MPBA, CVS/Caremark Pharmacy
- Nikolas Norman, Pharmacy Technician, The GIANT Company
- Judy Kutchman, AllianceRx Walgreens Prime
- Lawrence Carey, Pharm.D., Assistant Dean for Assessment/Accreditation/Quality and Professor of Pharmacy Practice, Temple University School of Pharmacy
- Misha Patel, M.D., Curriculum Education Assistant, Geisinger Commonwealth School of Medicine
- Leigh Shirley, Director of Pharmacy Operations, Giant Food Stores
- Joshua Finger, Pharm.D., Enclara Pharmacia
- Cassandra Coombe, Wilkes Pharmacy
- Christopher Miller, Pharm.D., Giant Eagle
- Valerie
- Victoria Elliott, R.Ph., MBA, CAE, CEO, Pennsylvania Pharmacists Association
- Cheryl McChesney, Pharm.D., Genoa Healthcare
- Jenna McCarthy, Malady & Wooten
- Christine Renfer, Pharm.D., Director of Professional Practices & Pharmacist in Charge, CVS/Caremark Pharmacy
- Charles Hartwell, Esquire, Dethlefs Pykosh & Murphy

1 \*\*\*

2 State Board of Pharmacy

3 June 28, 2022

4 \*\*\*

5 [Pursuant to Section 708(a)(5) of the Sunshine Act, at  
6 9:00 a.m., the Board entered into Executive Session  
7 with Ariel E. O'Malley, Esquire, Board Counsel, for  
8 the purpose of conducting quasi-judicial deliberations  
9 and to receive the advice of Board Counsel. The Board  
10 returned to open session at 10:30 a.m.]

11 \*\*\*

12 The regularly scheduled meeting of the State Board of  
13 Pharmacy was held on Tuesday, June 28, 2022. Janet  
14 Getzey Hart, R.Ph., Chairperson, called the meeting to  
15 order at 10:30 a.m.

16 \*\*\*

17 Pledge of Allegiance

18 [The Pledge of Allegiance was recited.]

19 \*\*\*

20 [Ariel E. O'Malley, Esquire, Board Counsel,  
21 reminded everyone that the meeting was being recorded,  
22 and those who continued to participate were giving  
23 their consent to be recorded.]

24 \*\*\*

25 Introduction of the Board Members/Audience

1 [Janet Getzey Hart, R.Ph., Chairperson, requested an  
2 introduction of Board members, Board staff and the  
3 audience.]

4 \*\*\*

5 Evacuation Announcement

6 [Melanie Zimmerman, R.Ph., Executive Secretary,  
7 reviewed the emergency evacuation procedures for One  
8 Penn Center.]

9 \*\*\*

10 Approval of Agenda

11 CHAIRPERSON HART:

12 Do I have approval of the agenda?

13 MS. TALBOTT:

14 I will make a motion to approve the  
15 agenda.

16 DR. ROUSSEL:

17 I would like to second that.

18 CHAIRPERSON HART:

19 Roll call vote.

20  
21 Roussel, aye; Hart, aye; Claggett, aye;  
22 Talbott, aye; Slagle, aye; Sizemore,  
23 abstain.

24 [The motion carried. Amber Sizemore abstained from  
25 voting on the motion.]

1 \*\*\*

2 Approval of Minutes

3 CHAIRPERSON HART:

4 Approval of the minutes.

5 MS. TALBOTT:

6 I make a motion that we approve the  
7 minutes from the May 10, 2022, meeting.

8 DR. ROUSSEL:

9 I'd like to second that.

10 CHAIRPERSON HART:

11 Call for a vote.

12

13 Roussel, aye; Hart, aye; Claggett, aye;  
14 Talbott, aye; Slagle, aye; Sizemore,  
15 abstain.

16 [The motion carried. Amber Sizemore abstained from  
17 voting on the motion.]

18 \*\*\*

19 Report of Board Prosecution

20 [Alice Glasser, Esquire, Board Prosecutor, presented  
21 the Consent Agreement for Case No. 21-54-015948.]

22 \*\*\*

23 [Glenn P. Masser, Esquire, Board Prosecutor, presented  
24 the Consent Agreements for Case No. 22-54-006376 and  
25 Case No. 21-54-017967.]

1 \*\*\*

2 [Ray Michalowski, Esquire, Senior Board Prosecution  
3 Liaison, presented the VRP Consent Agreements for Case  
4 No. 22-54-006860 and Case No. 22-54-007438.

5 Mr. Michalowski commented that a consent  
6 agreement with the Attorney General's Office on the  
7 national level flooded his email box and would provide  
8 more information at the next meeting. He noted an  
9 increase in citation cases presently and at least one  
10 or two immediate temporary suspension (ITS) matters.]

11 \*\*\*

12 Report of Board Counsel

13 [Ariel E. O'Malley, Esquire, Board Counsel, notified  
14 the Board of a current scam, particularly with the  
15 health boards, where individuals are reaching out to  
16 licensees threatening to suspend licenses if the  
17 licensee does not provide information. She reminded  
18 everyone that BPOA will not contact anyone by phone  
19 for payment and to not give any personal or financial  
20 information over the phone.

21 Ms. O'Malley informed Board members that BPOA  
22 will not threaten anyone and initiates disciplinary  
23 action through an administrative process through  
24 certified mail and/or personal service. She mentioned  
25 that anyone who is affected by the scam could reach

1 out to the department.

2 Ms. Talbott suggested Ms. Elliott and Mr. Jones  
3 inform their members of the scam.

4 Ms. Sizemore stated the Office of Attorney  
5 General has a Scam Unit, and anyone who experiences a  
6 scam should bring that to their attention, either at  
7 the Health Care Section or the Bureau of Consumer  
8 Protection.

9 Ms. O'Malley commented that Ms. DeLaurentis  
10 ensures their agencies work together regarding any  
11 scams and provided a link to the scam alert in the  
12 chat.

13 Ms. O'Malley informed Board members that the  
14 injectables regulation would be published on July 9  
15 and thanked Ms. Clarke Smith for her effort getting  
16 that approved.]

17 MS. TALBOTT:

18 We had waived the education requirements  
19 till July 1. There will be an eight-day  
20 gap until those regs are finalized. I  
21 would make the motion that we extend the  
22 waiver that waives the education  
23 requirements for immunization for 2 years  
24 to 3 years through July 9, (when) those  
25 regulations are published.



1 DR. ROUSSEL:

2 I'd like to second that motion.

3 CHAIRPERSON HART:

4 Any discussion? Call for a vote.

5

6 Roussel, aye; Hart, aye; Claggett, aye;

7 Talbott, aye; Slagle, aye; Sizemore, aye.

8 [The motion carried unanimously.]

9

\*\*\*

10 Report of Board Counsel - Regulatory Report

11 [Ariel E. O'Malley, Esquire, Board Counsel, referred  
12 to 16A-5432 regarding the proposed annex and preamble  
13 for Act 41 licensure by endorsement. She noted  
14 modifications to § 27.25 licensure by endorsement,  
15 which altered the prohibited acts and discipline,  
16 determining whether a disciplinary action is an  
17 impediment to licensure. She noted it to be general,  
18 where an application may not be approved if the  
19 applicant had been disciplined in another state,  
20 territory, or jurisdiction.

21 Ms. O'Malley referred to a comment requesting  
22 more information regarding what sort of discipline  
23 would disqualify an application. She noted that  
24 disciplinary actions may have different names in other  
25 states and therefore thought it would be better to

1 provide a list of factors the Board would consider  
2 when reviewing disciplinary matters.

3 Ms. O'Malley referred to another comment  
4 regarding the provisional endorsement license section,  
5 where it should also include what would terminate the  
6 license, which would be the natural expiration of a  
7 license, and included that in the section. She noted  
8 the preamble is just an explanation of the regulation.

9 Ms. O'Malley provided a summary of Act 41, noting  
10 it to be a piece of legislation that passed, where all  
11 boards are required to provide an additional pathway  
12 for licensure by endorsement for individuals who have  
13 a license in another state or territory who desire to  
14 come to Pennsylvania.]

15 MS. O'MALLEY:

16 If you guys don't have anything else you  
17 want to change about it, I would be  
18 looking for a motion to promulgate this  
19 as proposed.

20 MS. TALBOTT:

21 So moved.

22 DR. ROUSSEL:

23 Second.

24

25 CHAIRPERSON HART:

1 Any discussion? Call for a vote.

2

3 Roussel, aye; Hart, aye; Claggett, aye;

4 Talbott, aye; Slagle, aye; Sizemore, aye.

5 [The motion carried unanimously.]

6

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7 Report of Board Counsel - Miscellaneous Items

8 [Ariel E. O'Malley, Esquire, Board Counsel, noted the

9 Recusal Guidelines for the Board's review.]

10

\*\*\*

11 Report of Board Chairperson

12 [Janet Getzey Hart, R.Ph., Chairperson, requested

13 Christine Roussel discuss her attendance at the NABP

14 Annual Meeting.

15 Dr. Roussel stated the main education at the  
16 National Association of Boards of Pharmacy's (NABP's)  
17 Annual Meeting focused on workplace burnout, Drug  
18 Supply Chain Security Act information and update, and  
19 discussion about the overdose crisis, where  
20 amphetamines are now playing a role in addition to  
21 opioids.

22 Dr. Roussel noted national elections took place  
23 and Janet Hart was elected to the NABP Executive Board  
24 for a term of three years representing District 2.  
25 Dr. Roussel announced that she was asked to serve as

1 the Committee on Resolutions delegate for District 1 &  
2 2.

3 Dr. Roussel stated one of the resolutions that  
4 passed was to have a definition of a pharmacist as a  
5 healthcare provider and have that definition in the  
6 Model State Pharmacy Act.

7 Dr. Roussel mentioned that NABP resolved to  
8 conduct a survey of states and US jurisdictions to  
9 collect data regarding pharmacy e-Prescribing concerns  
10 and the need to appoint a task force to further study  
11 this and make recommendations to e-Prescribing  
12 functionality, specifically how to cancel  
13 prescriptions.

14 Dr. Roussel addressed a resolution on multistate  
15 pharmacist licensure, where it was looking for  
16 efficient interstate portability of state licensure  
17 via compacts highlighting the success of compacts for  
18 other professions. She also noted a second resolution  
19 looking for a national pharmacy licensure exam, so  
20 NABP resolved to develop an Examination Committee to  
21 look at the competencies for licensure, noting the  
22 importance of expeditious licensure in different  
23 states similar to Pennsylvania.

24 Dr. Roussel discussed a resolution regarding the  
25 Food and Drug Administration's (FDA) National

1 Licensing Standards for the Licensure of Wholesale  
2 Drug Distributors and Third-Party Logistics Providers.  
3 She noted NABP was hopeful that the FDA provides  
4 timely guidance to states on how to assess state  
5 licensing statutes and regulations and make sure the  
6 process is consistent with the national licensing  
7 standards. She noted the importance of providing  
8 feedback to the FDA on the proposed regulation.

9 Dr. Roussel addressed the resolutions regarding  
10 the Ryan Haight Act and Drug Enforcement  
11 Administration (DEA) Telepharmacy Regulations. She  
12 noted NABP educates the DEA and Congress around state  
13 regulations in telepharmacy and some of the potential  
14 negative impacts the DEA regulation could have on  
15 patient care access, so NABP is putting together  
16 information to educate the DEA and help them  
17 understand telepharmacy.

18 Dr. Roussel mentioned there were a couple of  
19 proposed resolutions that were not passed and that  
20 information is all available on NABP's website.

21 Chairperson Hart delegated Dr. Roussel to serve  
22 on the Medical Marijuana Advisory Board on behalf of  
23 the Board.]

24 \*\*\*

25 Report of Acting Commissioner - No Report

1 \*\*\*

2 Report of Executive Secretary

3 [Melanie Zimmerman, R.Ph., Executive Secretary,  
4 informed Board members that the continuing education  
5 (CE) audit was completed with 14.94 percent  
6 noncompliance. She noted the agency moved to release  
7 renewals approximately 60 days prior to the expiration  
8 date, probably around August 1, 2022.

9 Acting Commissioner Claggett commented that  
10 licensees will receive a notification of the renewal  
11 period, along with reminder emails.

12 Ms. Zimmerman addressed how CE would count  
13 because of the waiver that extended the 2020 renewal  
14 period to 12/29/2020. She informed everyone of a  
15 notice on Board's website, where individuals who  
16 successfully renewed by September 30, 2020 and CE was  
17 completed by September 30, 2020 can start counting CE  
18 from October 1, 2020 through September 30, 2022.

19 Ms. Zimmerman explained that those who delayed  
20 their renewal or did not complete their CE until the  
21 extended expiration date of December 29, 2020 can only  
22 start counting CE for the 2022 renewal as of December  
23 30, 2020 through September 30, 2022.

24 She reported noncompliance for the 2020 CE audit  
25 was primarily seen in individuals missing specialty

1 topics, whether it is patient safety or maybe opioid-  
2 related and a few people who did not do any and did  
3 not bother responding.]

4 \*\*\*

5 Discussion Items

6 [Janet Getzey Hart, R.Ph., Chairperson, referred to  
7 the Pennsylvania Pharmacists Association's (PPA)  
8 Annual Conference and an invitation to provide a  
9 presentation at it. She noted prior discussion  
10 concerning overlap with other meetings and Board  
11 members not having availability to participate.

12 Victoria Elliott, R.Ph., MBA, CAE, CEO,  
13 Pennsylvania Pharmacists Association, noted it to be  
14 disappointing that there are not more Board members  
15 available and thanked the Board for considering the  
16 request.

17 Chairperson Hart referred to the NABP/AACP  
18 District 1 & 2 Meeting scheduled for October 5-7, 2022  
19 in Newport, RI, and the need for delegates to attend.]

20 MS. TALBOTT:

21 I'll make a motion that we send Christine  
22 and Janet. Christine will be the  
23 delegate. Janet, only if NABP does not  
24 pay for her to go. I'll serve as the  
25 alternate delegate.

1                   Pay for the two of them if we can if  
2                   Janet is not being paid for by NABP, and  
3                   if she is, then just pay for Christine,  
4                   but Christine will be the delegate and  
5                   I'll be the alternate.

6 DR. ROUSSEL:

7                   I second that motion.

8 CHAIRPERSON HART:

9                   Call for discussion? Call for a vote.

10

11                   Roussel, aye; Hart, aye; Claggett, aye;

12                   Talbott, aye; Slagle, aye; Sizemore, aye.

13 [The motion carried unanimously.]

14

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15 Discussion Items - 2021 APhA/NASPA National State-  
16                   Based Pharmacy Workplace Survey - Final Report April  
17                   2022

18 [Terry M. Talbott, R.Ph., stated the American  
19 Pharmacists Association (APhA) and the National  
20 Alliance of State Pharmacy Associations (NASPA)  
21 released their National State-Based Pharmacy Workplace  
22 Survey and Final Report. APhA's Well-Being Index for  
23 NABP District II for May and June 2022 are also on the  
24 agenda. She mentioned there was discussion about the  
25 Well-Being Index at NABP and that the dissatisfaction



1 rate went down but was based on the number of people  
2 who responded.

3 Ms. Talbott also noted APhA released their  
4 Workforce Summit Report as well and it is on the APhA  
5 website. She commented that one of the things found  
6 was an increase of customer harassment to pharmacists  
7 and pharmacy personnel, especially during the  
8 pandemic.

9 Dr. Roussel commented that there was a lot of  
10 talk about mental health stress and body overload  
11 stress but no suggestions were provided to improve  
12 that stress. She mentioned there was not really a lot  
13 of good things to take away for Pennsylvania from a  
14 regulatory perspective other than the shortage of  
15 pharmacy technicians preventing pharmacists from being  
16 able to delegate some of their work.

17 Chairperson Hart requested the August 16 Board  
18 meeting be changed to August 30 due to an Executive  
19 Committee Meeting she has on August 16, 2022.]

20 MS. TALBOTT:

21 I will make the motion that we change the  
22 meeting date from August 16 to August 30.

23 DR. ROUSSEL:

24 I will second that motion.

25 CHAIRPERSON HART:

1 Any discussion? Call for a vote.

2

3 Roussel, aye; Hart, aye; Claggett, aye;

4 Talbott, aye; Slagle, aye; Sizemore, aye.

5 [The motion carried unanimously.]

6

\*\*\*

7 MOTIONS

8 CHAIRPERSON HART:

9 The Board of Pharmacy met in Executive

10 Session to discuss and review consent

11 orders and other legal documents.

12 Are there any motions regarding these  
13 discussions?

14 MS. TALBOTT:

15 I make a motion that we approve the

16 Consent Agreement and Order at Case No.

17 21-54-015948.

18 DR. ROUSSEL:

19 I second the motion.

20 CHAIRPERSON HART:

21 Any discussion? Call for a vote.

22

23 Roussel, aye; Hart, aye; Claggett, aye;

24 Talbott, aye; Slagle, aye; Sizemore, aye.

25 [The motion carried unanimously. The Respondent's

1 name is Andrea Lynne Spano, R.Ph.]

2 \*\*\*

3 MS. TALBOTT:

4 Concerning item 3 on the agenda, a  
5 Consent Agreement and Order for Case No.  
6 22-54-006376, I make a motion that we  
7 reject that Consent Agreement as too  
8 lenient.

9 DR. ROUSSEL:

10 I second that motion.

11 CHAIRPERSON HART:

12 Any additional discussion? Call for a  
13 vote.

14

15 Roussel, aye; Hart, aye; Claggett, aye;  
16 Talbott, aye; Slagle, aye; Sizemore, aye.

17 [The motion carried unanimously.]

18 \*\*\*

19 MS. TALBOTT:

20 Regarding item 4 on the agenda, I make a  
21 motion that we approve the Consent  
22 Agreement and Order for Case No. 21-54-  
23 017967.

24 DR. ROUSSEL:

25 Second.

1 CHAIRPERSON HART:

2 Any discussion? Call for a vote.

3

4 Roussel, aye; Hart, aye; Claggett, aye;

5 Talbott, aye; Slagle, aye; Sizemore, aye.

6 [The motion carried unanimously. The Respondent's  
7 name is Matthew Alexander Camera, R.Ph.]

8

\*\*\*

9 MS. TALBOTT:

10 I make a motion that we approve items 5  
11 and 6 on the agenda, the VRP Consent  
12 Agreements and Orders, for Case No. 22-  
13 54-006860 and Case No. 22-54-007438.

14 DR. ROUSSEL:

15 Second.

16 CHAIRPERSON HART:

17 Any discussion? Call for a vote.

18

19 Roussel, aye; Hart, aye; Claggett, aye;

20 Talbott, aye; Slagle, aye; Sizemore, aye.

21 [The motion carried unanimously.]

22

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23 Public Session

24 [Lawrence Carey, Pharm.D., Assistant Dean for

25 Assessment/Accreditation/Quality and Professor of

1 Pharmacy Practice, Temple University School of  
2 Pharmacy, placed a message in chat noting appreciation  
3 for the immunization regs passage on behalf of the  
4 schools of pharmacy. He requested information  
5 regarding age groups and types of vaccinations interns  
6 can provide.

7 Ms. Talbott explained that interns could provide  
8 the flu vaccination down to 9 and the Advisory  
9 Committee on Immunization Practices (ACIP) approved 18  
10 and over.

11 Mr. Michalowski offered to provide a presentation  
12 at the PPA Annual Conference since Board members would  
13 not be able to attend.

14 Ms. Elliott noted appreciation and would discuss  
15 the presentation with Mr. Michalowski.

16 Larry Jones, Executive Director, Pennsylvania  
17 Society of Health-System Pharmacists, informed Board  
18 members of a national health systems scam related to  
19 purchasing, where individuals are obtaining buyer  
20 information from the pharmacy personnel and calling  
21 the buyer directly and then the distributor and places  
22 an order on the pharmacy's behalf. He noted the  
23 individual calls back the next day and asks if an  
24 order was received by the pharmacy, and because the  
25 pharmacist did not place the order, a courier is sent

1 to retrieve the order and apologizes like it was a  
2 mistake by the distributor.

3 Mr. Jones announced the National Suicide  
4 Prevention Lifeline goes into effect July 16 under  
5 number 988.]

6 \*\*\*

7 Adjournment

8 MS. TALBOTT:

9 I make a motion we adjourn and move on to  
10 the regulation work session.

11 DR. ROUSSEL:

12 Second.

13 \*\*\*

14 [There being no further business, the State Board of  
15 Pharmacy Meeting adjourned at 11:22 a.m.]

16 \*\*\*

17 [A regulation work session was held immediately  
18 following the regular Board meeting.]

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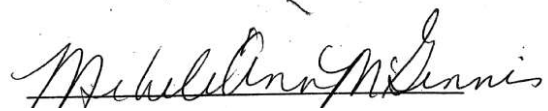
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CERTIFICATE

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.



Michele Ann McGinnis,  
Minute Clerk

Sargent's Court Reporting  
Service, Inc.

STATE BOARD OF PHARMACY  
REFERENCE INDEX

June 28, 2022

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TIME	AGENDA
9:00	Executive Session
10:30	Return to Open Session
10:30	Official Call to Order
10:30	Pledge of Allegiance
10:31	Introduction of Board Members/Staff/Audience
10:32	Approval of Agenda
10:33	Approval of Minutes
10:33	Report of Board Prosecution
10:42	Report of Board Counsel
10:50	Report of Board Chair
10:55	Report of Executive Secretary
11:03	Discussion Items
11:11	Motions
11:15	Public Session
11:22	Adjournment