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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: 9:02 A.M.

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

August 22, 2017

State Board of Pharmacy  
August 22, 2017

BOARD MEMBERS:

Janet Getzey Hart, R.Ph., Chairperson  
Kathryn Waters, Deputy Commissioner of Professional  
and Occupational Affairs - Absent  
Terry Talbott, R.Ph., Vice Chairperson  
Robert Frankil, R.Ph., Secretary  
Gayle Cotchen, Pharm.D., R.Ph.  
Patrick M. Greene, Esquire, Office of Attorney  
General  
Kishor S. Mehta, Public Member - Absent  
Mark Zilner, R.Ph.

BUREAU PERSONNEL:

Kerry Maloney, Esquire, Board Counsel  
Ray Michalowski, Esquire, Board Prosecution Liaison  
Melanie Zimmerman, R.Ph., Executive Secretary

ALSO PRESENT:

Bailey Colvin, Philadelphia College of Pharmacy  
Amber Dietrich, Wilkes University  
Yosef Nissim, Philadelphia College of Pharmacy  
Faith Kerr, CVS Specialty  
Denise Getgen, Director, Pennsylvania Department of  
Aging, Protective Services Office  
Tina Kotsalos, Director, Investor Education and  
Consumer Outreach, Department of Banking and  
Securities  
Theresa Rossetti, CVS Health  
Pat Epple, Pennsylvania Pharmacists Association  
Leigh Shirley, Giant Pharmacy  
Lauren Shirley, University of Pittsburgh/Hershey  
Medical Center, Advanced Pharmacy Practice  
Experience  
Andrew Trivino, Doylestown Hospital  
Christy Vu, ACME Sav-On Pharmacy  
Makindree Nicolosi, Doylestown Hospital  
Andrew Harvan, Pennsylvania Medical Society  
Jeenu Philip, Walgreens  
Jeff Stuby, Pennsylvania Pharmacists Association  
Steve Sheaffer, Pennsylvania Society of Health-System  
Pharmacists

State Board of Pharmacy  
August 22, 2017

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Jenna McCarthy, Malady & Wooten  
Greg Smith, Central Admixture Pharmacy Services  
Bob Grobinski, Cardinal Health  
Brian Sesack, UPMC Hillman Cancer Center  
Jim Reed, Walgreens

1 \*\*\*

2 State Board of Pharmacy

3 August 22, 2017

4 \*\*\*

5 The regularly scheduled meeting of the State  
6 Board of Pharmacy was held on Tuesday, August 22,  
7 2017. Janet Getzey Hart, R.Ph., Chairperson, called  
8 the meeting to order at 9:02 a.m. The Pledge of  
9 Allegiance was recited. A quorum was noted to be  
10 present.

11 \*\*\*

12 Introduction of Board Members

13 {Chairperson Hart requested the introduction of Board  
14 members.}

15 \*\*\*

16 [Cell phones were requested to be silenced.]

17 \*\*\*

18 Evacuation Announcement

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

22 \*\*\*

23 Agenda Amendments

24 [Chairperson Hart proposed changes to the posted  
25 agenda.]

1 CHAIRPERSON HART:

2 We would like to add under  
3 Miscellaneous, the application for an  
4 intern from Colorado. We would like to  
5 add some requests for the Cancer Drug  
6 Repository Program related to REMS.  
7 And also the consideration of the  
8 application for Geriscript, LLC.

9 So do I have a motion to amend the  
10 agenda with those items

11 MS. TALBOTT:

12 I'll make that motion to amend the  
13 agenda with those items.

14 DR. COTCHEN:

15 Second.

16 CHAIRPERSON HART:

17 All in favor? Thank you.

18 [The motion carried unanimously.]

19 \*\*\*

20 Introduction of Audience

21 {Chairperson Hart requested the introduction of  
22 audience in attendance.}

23 \*\*\*

24 Report of Prosecutorial Division

25 [Chairperson Hart noted VRP Consent Agreements for

1 File No. 17-54-04854 and File No. 17-54-05345 to be  
2 discussed during Executive Session.]

3 \*\*\*

4 [Ray Michalowski, Esquire, Board Prosecutor, discussed  
5 the Prescription Drug Monitoring Program (PDMP) and  
6 its coordinated efforts with the Department of Health  
7 to develop reports to identify improper prescribing  
8 and dispensing patterns.]

9 \*\*\*

10 [Terry Talbott, R.Ph., Vice Chairperson, exited the  
11 meeting at 9:14 a.m. and reentered at 9:15 a.m.]

12 \*\*\*

13 New Business

14 Appointments

15 Elder Financial Abuse Prevention Awareness

16 [Denise Getgen, Director, Pennsylvania Department of  
17 Aging, Protective Services Office, and Tina Kotsalos,  
18 Director, Investor Education and Consumer Outreach,  
19 Department of Banking and Securities, presented before  
20 the Board to discuss elder financial exploitation. A  
21 video regarding the matter was shown.

22 Ms. Kotsalos discussed the roles of the  
23 Department of Aging and Banking and Securities in  
24 working to fight elder financial abuse. Ms. Kotsalos  
25 stated grant funding has made training available to

1 frontline professionals.

2 Ms. Getgen noted a significant increase in elder  
3 abuse over the past ten years. She discussed red  
4 flags such as isolation, medication issues, change in  
5 behavior, and self-neglect.

6 Ms. Getgen stated concerned citizens should  
7 contact their local area Agency on Aging to assess the  
8 situation and initiate a comprehensive and thorough  
9 investigation. She stated all aging-related services  
10 are lottery funded, which helps with transportation,  
11 meals, medical needs, and additional services for  
12 older adults.

13 Ms. Kotsalos offered educational materials,  
14 including contact information.]

15 \*\*\*

16 Report of Board Counsel

17 [Kerry Maloney, Esquire, Board Counsel, noted items  
18 for discussion, including the Compounding Regulation  
19 (16A-5419) and the cancer drug repository regulation.

20 Mr. Maloney also noted a Proposed Adjudication  
21 and Order, a hearing transcript for the Board's  
22 review, and additional documents to be discussed  
23 during Executive Session.

24 Mr. Maloney referred members to the Compounding  
25 Regulation (16A-5419) and the Independent Regulatory

1 Review Commission (IRRC) comments for further  
2 discussion.

3 He reviewed comments with regard to the  
4 Regulatory Analysis Form (RAF) and the attached  
5 inspection form; protection of public health, safety,  
6 and welfare; House Professional Licensure Committee  
7 concerns regarding Section 27.12 relating to the  
8 delegation of duties and label information required in  
9 Section 27.620; Section 27.603 bulk drug substances;  
10 Section 27.604, dispensing compounded drugs for office  
11 use, and Section 27.605, resale of compounded drug  
12 products; Section 27.606(1), pharmacists may not  
13 compound drugs identified by the FDA as withdrawn or  
14 removed from the market; Section 27.608 protective  
15 apparel; Section 27.617 (c) standard operating  
16 procedures required; Section 27.620 DEA number  
17 requirements; Section 27.622 master formula record and  
18 27.623 production record for drugs compounded in bulk  
19 quantities; and clarification of the term "bulk."]

20 \*\*\*

21 [Janet Getzey Hart, R.Ph., Chairperson, exited the  
22 meeting at 10:22 a.m. and reentered at 10:27 a.m.]

23 \*\*\*

24 Miscellaneous

25 [Kerry Maloney, Esquire, Board Counsel, discussed



1 three types of Delegation Orders and the Draft General  
2 Delegation Order.

3 With the proposed Delegation Order, Mr. Maloney  
4 noted that the Prothonotary's Office would then need  
5 to refer to only one document.]

6 MS. TALBOTT:

7 I move that we approve this General  
8 Delegation Order as proposed in the  
9 agenda.

10 DR. COTCHEN:

11 I second that.

12 CHAIRPERSON HART:

13 Discussion? All in favor? Opposed?  
14 [The motion carried unanimously.]

15 \*\*\*

16 Report of Board Chairperson

17 [Chairperson Hart discussed her attendance at the  
18 Chicago Tri-Regulator Symposium which pharmacists,  
19 prescribers, and nurses attended, representing the  
20 Federation of State Medical Boards, National  
21 Association of Boards of Pharmacy, and National  
22 Council of State Boards of Nursing.]

23 Chairperson Hart also attended the National  
24 Association of Boards of Pharmacy (NABP) Task Force  
25 meeting on long-term care regarding changes to

1 long-term care model rules.]

2 \*\*\*

3 Report of Probable Cause Committee - No Report

4 \*\*\*

5 Report of Deputy Commissioner - No Report

6 \*\*\*

7 Report of the Executive Secretary

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

9 discussed pharmacy renewals. Less than 10% of

10 pharmacies still need to renew. She informed the

11 Board that the Information Technology (IT) Department

12 was aware of and working to resolve online issues.]

13 \*\*\*

14 New Business

15 [Chairperson Hart noted the presentation on elder

16 abuse earlier this morning and the NABP/AACP District

17 I & II Meeting - Roundtable Topic Suggestions. The

18 topic list is already comprehensive and no additions

19 to the list were suggested.]

20 \*\*\*

21 [Pursuant to Section 708(a)(5) of the Sunshine Act, at

22 10:57 a.m., the Board entered into Executive Session

23 with Kerry Maloney, Esquire, Board Counsel, to receive

24 legal advice and engage in quasi-judicial

25 deliberations. The Board returned to open session at

1 11:58 a.m.]

2 \*\*\*

3 MOTIONS

4 CHAIRPERSON HART:

5 The Board of Pharmacy met in Executive  
6 Session to discuss and review consent  
7 orders and other legal documents. Are  
8 there any motions regarding these  
9 discussions?

10 DR. COTCHEN:

11 Madam Chairwoman, I move that we  
12 approve the VRP Consent Agreements for  
13 File No. 17-54-04854 and File No. 17-  
14 54-05345.

15 MS. TALBOTT:

16 Second.

17 CHAIRPERSON HART:

18 Any discussion? Call for a vote.

19

20 Frankil, aye; Greene, aye; Zilner, aye;  
21 Hart, aye; Cotchen, aye; Talbott, aye.

22 [The motion carried unanimously.]

23 \*\*\*

24 DR. COTCHEN:

25 I move that we approve the Memorandum

1 and Order for Craig Moon at File No. 17-  
2 54-05783.

3 MS. TALBOTT:

4 Second.

5 CHAIRPERSON HART:

6 Any discussion? Call for a vote.

7

8 Frankil, aye; Greene, aye; Zilner, aye;

9 Hart, aye; Cotchen, aye; Talbott, aye.

10 [The motion carried unanimously.]

11 \*\*\*

12 DR. COTCHEN:

13 I move that we deny the request  
14 submitted by Michael G. Kenney for File  
15 No. 17-54-05554 and direct Board Counsel  
16 to write an Adjudication and Order  
17 consistent with the Executive Session  
18 Discussion.

19 MR. GREENE:

20 Second.

21 CHAIRPERSON HART:

22 Any discussion? Call for a vote.

23

24 Frankil, nay; Greene, aye; Zilner, aye;

25 Hart, aye; Cotchen, aye; Talbott, nay.

1 [The motion carried. Mr. Frankil and Ms. Talbott  
2 opposed the motion.]

3 \*\*\*

4 DR. COTCHEN:

5 I move that we deny the request for  
6 modification of Board Order submitted by  
7 Deric T. Perkins.

8 MS. TALBOTT:

9 Second.

10 CHAIRPERSON HART:

11 Call for discussion? Call for a vote.

12

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

15 [The motion carried unanimously.]

16 \*\*\*

17 DR. COTCHEN:

18 I move that we approve the nonresident  
19 application submitted by Geriscript for  
20 File No. 17-54-04152.

21 CHAIRPERSON HART:

22 We need a second.

23 MS. TALBOTT:

24 Second.

25 CHAIRPERSON HART:

1 Any additional discussion? Call for a  
2 vote.

3  
4 Frankil, aye; Greene, aye; Zilner, aye;  
5 Hart, aye; Cotchen, aye; Talbott, aye.

6 [The motion carried unanimously.]

7 \*\*\*

8 DR. COTCHEN:

9 I move that we approve the out-of-state  
10 intern experience submitted by Jeannette  
11 Bouchard.

12 MS. TALBOTT:

13 Second.

14 CHAIRPERSON HART:

15 Any discussion? Call for a vote.

16  
17 Frankil, aye; Greene, aye; Zilner, aye;  
18 Hart, aye; Cotchen, aye; Talbott, aye.

19 [The motion carried unanimously.]

20 \*\*\*

21 Adjournment

22 CHAIRPERSON HART:

23 Any additional business? Meeting  
24 concluded.

25 MS. TALBOTT:

1 Move to adjourn.

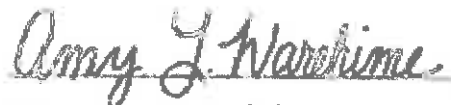
2 \*\*\*

3 [There being no further business, the State Board of  
4 Pharmacy meeting adjourned at 12:04 p.m.]

5 \*\*\*

6  
7 CERTIFICATE

8  
9 I hereby certify that the foregoing summary  
10 minutes of the State Board of Pharmacy meeting, was  
11 reduced to writing by me or under my supervision, and  
12 that the minutes accurately summarize the substance of  
13 the State Board of Pharmacy meeting.

14  
15  
16 

17 Amy L. Warehime,

18 Minute Clerk

19 Sargent's Court Reporting  
20 Service, Inc.

STATE BOARD OF PHARMACY  
REFERENCE INDEX

August 22, 2017

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| 9  | 9:02  | Official Call to Order                            |
| 10 |       |   |
| 11 | 9:02  | Pledge of Allegiance                              |
| 12 |       |   |
| 13 | 9:03  | Roll Call   |
| 14 |       |   |
| 15 | 9:04  | Introduction of Board Members                     |
| 16 |       |   |
| 17 | 9:04  | Evacuation Announcement                           |
| 18 |       |   |
| 19 | 9:05  | Introduction of Audience                          |
| 20 |       |   |
| 21 | 9:06  | Report of Prosecutorial Division                  |
| 22 |       |   |
| 23 | 9:16  | Appointments - Denise Getgen<br>and Tina Kotsalos |
| 24 |       |   |
| 25 |       |   |
| 26 | 9:34  | Report of Board Counsel                           |
| 27 |       |   |
| 28 | 10:52 | Report of Board Chairperson                       |
| 29 |       |   |
| 30 | 10:54 | Report of Executive Secretary                     |
| 31 |       |   |
| 32 | 10:57 | Executive Session                                 |
| 33 | 11:58 | Return to Open Session                            |
| 34 |       |   |
| 35 | 11:59 | Motions   |
| 36 |       |   |
| 37 | 12:04 | Adjournment                                       |
| 38 |       |   |
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