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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  
VIA VIDEOCONFERENCE**

TIME: 10:32 A.M.

PENNSYLVANIA DEPARTMENT OF STATE

November 2, 2021

1                               State Board of Pharmacy  
2                               November 2, 2021

3  
4  
5 BOARD MEMBERS:

6  
7 Janet Getzey Hart, R.Ph., Chairperson  
8 K. Kalonji Johnson, Commissioner, Bureau of  
9 Professional and Occupational Affairs  
10 Christine Roussel, Pharm.D., BCOP, BCSCP, Secretary  
11 Patrick M. Greene, Esquire, Office of Attorney  
12 General  
13 John R. Slagle, R.Ph. - Absent  
14 Terry M. Talbott, R.Ph.  
15

16  
17 BUREAU PERSONNEL:

18  
19 Juan A. Ruiz, Esquire, Board Counsel  
20 Carole Clarke Smith, Esquire, Senior Board Counsel  
21 Carolyn DeLaurentis, Deputy Chief Counsel, Prosecution  
22 Division  
23 Ray Michalowski, Esquire, Senior Board Prosecution  
24 Liaison  
25 Glenn P. Masser, Esquire, Board Prosecutor  
26 Caroline A. Bailey, Esquire, Board Prosecutor  
27 Alice Glasser, Esquire, Board Prosecutor  
28 Melanie Zimmerman, R.Ph., Executive Secretary  
29 Marc Farrell, Deputy Director of Policy  
30

31 ALSO PRESENT:

32  
33 Alicia Palombo, Pharm.D., Pharmacy Regulatory Affairs  
34 Advisor at CVS Health  
35 Cheryl McChesney, Pharm.D., Genoa Healthcare  
36 Christopher Miller, Pharm.D., Giant Eagle  
37 Christine Renfer, Pharm.D., Director of Professional  
38 Practices & Pharmacist in Charge, CVS/Caremark  
39 Pharmacy  
40 Amanda Brancato  
41 Elizabeth Shipula, Pharm.D., Chewy  
42 Heather Coy, AllianceRx Walgreens Prime  
43 Jenna McCarthy, Malady & Wooten  
44 Josh Finger, Pharm.D.  
45 Kerry E. Maloney, Esquire, Post & Schell, P.C.  
46 Larry Jones, Executive Director, Pennsylvania  
47 Society of Health-System Pharmacists  
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State Board of Pharmacy  
November 2, 2021

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ALSO PRESENT: (cont.)

- Laura Romeo, Pharmacist-in-Charge at ConnectiveRx, Careform Pharmacy
- Leigh Shirley, Director of Pharmacy Operations, Giant Food Stores
- Margaret Barco
- Matthew Roesch, R.Ph., Pharmacist-in-Charge, Vetsource Pharmacy
- Samantha Chessie
- Steven L. Sheaffer, Pharm.D., Pennsylvania Society of Health-System Pharmacists
- Victoria Elliott, R.Ph., MBA, CAE, CEO, Pennsylvania Pharmacists Association
- Catherine Lutz, Pharmacy Inspector, Bureau of Enforcement and Investigation, Department of State
- Barbara Knightly, Executive Vice President of Regulatory Affairs and Quality Operations, Pentec Health & International Academy of Compounding Pharmacists
- Jacquelyn Sassaman, Pentec Health
- Charles Hartwell, Esquire, Dethlefs-Pykosh Law Group
- Michael West, Albertsons Pharmacy
- Derek Richmond
- Paul Drake
- Kerri Johnson
- Gail Groves Scott
- Tejal Patel
- Dennis Giorno
- Megan McCall
- Brian Chin
- Christopher Razor
- Jermaine Smith
- Jim Reed

1 \*\*\*

2 State Board of Pharmacy

3 November 2, 2021

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 Juan A. Ruiz, Esquire, Board Counsel, to receive  
8 legal advice and engage in quasi-judicial  
9 deliberations. The Board returned to open session at  
10 10:32 a.m.]

11 \*\*\*

12 The regularly scheduled meeting of the State  
13 Board of Pharmacy was held on Tuesday, November 2,  
14 2021. Janet Getzey Hart, R.Ph., Chairperson, called  
15 the meeting to order at 10:32 a.m.

16 \*\*\*

17 Introduction of the Board Members

18 [Chairperson Hart requested an introduction of Board  
19 Members.]

20 \*\*\*

21 Announcements

22 [Melanie Zimmerman, R.Ph., Executive Secretary  
23 provided a general meeting announcement regarding the  
24 muting of microphones while Board Counsel Juan Ruiz  
25 notified the audience that the meeting was being

1 recorded and their continued participation is consent  
2 to be recorded.

3 \*\*\*

4 Introduction of Attendees

5 [Melanie Zimmerman, R.Ph., Executive Secretary,  
6 provided an introduction of those in attendance.]

7 \*\*\*

8 Approval of Agenda

9 CHAIRPERSON HART:

10 The next item would be to approve the  
11 agenda.

12 Do I have a motion to approve the  
13 agenda?

14 MS. TALBOTT:

15 So moved.

16 MR. GREENE:

17 Second.

18 CHAIRPERSON HART:

19 All in favor, aye? Opposed? Recusals?

20 [The motion carried unanimously.]

21 \*\*\*

22 Approval of Minutes

23 CHAIRPERSON HART:

24 The next item would be the approval of  
25 the minutes, and I believe the minutes

1 are from the July 29, 2021 meeting.

2 Is there a motion to approve the  
3 minutes?

4 MS. TALBOTT:

5 I'll make that motion.

6 CHAIRPERSON HART:

7 Do I have a second?

8 DR. ROUSSEL:

9 Second.

10 CHAIRPERSON HART:

11 Call for discussion? Call for a vote?

12 All in favor, aye? Opposed? Abstained?

13 [The motion carried unanimously.]

14 \*\*\*

15 Report of Prosecutorial Division

16 [Glenn P. Masser, Esquire, Board Prosecutor, presented  
17 the Consent Agreements for Case No. 20-54-000786 and  
18 Case No. 21-54-014911.]

19 \*\*\*

20 [Caroline A. Bailey, Esquire, Board Prosecutor,  
21 presented the Consent Agreements for Case Nos. 19-54-  
22 007683 & 20-54-006998 and Case No. 20-54-006369.]

23 \*\*\*

24 [Alice Glasser, Esquire, Board Prosecutor, presented  
25 the Consent Agreements for Case No. 20-54-007483 and

1 Case No. 21-54-014862.]

2

\*\*\*

3 [Ray Michalowski, Esquire, Senior Board Prosecution  
4 Liaison, presented the VRP Consent Agreement for Case  
5 No. 21-54-011538.

6 Mr. Michalowski addressed a discussion he had  
7 with the Department of Health's Prescription Drug  
8 Monitoring Program (PDMP) liaison. He informed the  
9 Board that Ms. Glasser, Ms. Bailey, and their law  
10 clerk, Jessica Zukowski, have been working on  
11 compliance issues with the PDMP and doing an extensive  
12 job.

13 Mr. Michalowski mentioned the liaison reported  
14 the new PDMP computer program has been pushed back,  
15 possibly into the new year as far as being  
16 implemented. He mentioned being granted some beta  
17 testing abilities to look at the new system but could  
18 not really give much of a response as far as how it  
19 works from a pharmacy perspective.

20 Chairperson Hart commented that there should be a  
21 delay in implementation because pharmacies are pressed  
22 with COVID and flu vaccines right now and would have  
23 difficulty in learning and adapting to a new system.

24 Mr. Michalowski noted he expressed the Pharmacy  
25 Board's concerns to the Department of Health through

1 formal channels.]

2

\*\*\*

3 [Juan A. Ruiz, Esquire, Board Counsel, asked whether  
4 any of the Board members wished to go back into  
5 Executive Session to discuss any of the consent  
6 agreements.]

7

\*\*\*

8 Report of Board Counsel

9 [Juan A. Ruiz, Esquire, Board Counsel, noted three  
10 motions to enter default and deem facts admitted were  
11 discussed during Executive Session prior to the start  
12 of the meeting.]

13 Mr. Ruiz noted attaching the Commonwealth Court  
14 decision from the Norman Steinberg v. State Board of  
15 Pharmacy case; Mr. Steinberg's lawsuit was also placed  
16 on the agenda for the Board's review.

17 Mr. Ruiz reminded everyone of a regulatory work  
18 session at the end of this meeting to discuss the  
19 General Revisions to the Board's regulations.

20 Ms. Talbott requested information regarding the  
21 status of the immunization regulations. Mr. Ruiz noted  
22 these were just returned to him from regulatory  
23 counsel for revision.

24 Mr. Ruiz provided an update regarding the  
25 pharmacy technician regulations. He mentioned



1 receiving about 10 comments on the exposure draft so  
2 far, stating that he would continue to accept comments  
3 but would appreciate receiving those by Thanksgiving  
4 for Board discussion at the next meeting.]

5 \*\*\*

6 Report of Board Chairperson

7 [Janet Getzey Hart, R.Ph., Chairperson, announced she  
8 is running for the National Association of Boards of  
9 Pharmacy (NABP) District 2 seat and is entering Ms.  
10 Talbott's name for the honorary president of NABP. She  
11 expects a lot of activity around Pennsylvania at the  
12 next annual meeting in May.]

13 \*\*\*

14 Report of Probable Cause Committee - No Report

15 \*\*\*

16 Report of Executive Secretary

17 [Melanie Zimmerman, R.Ph., Executive Secretary,  
18 informed the Board that continuing education (CE)  
19 audit notices would be sent out in the near future.  
20 She explained that each licensee would have to obtain  
21 a CPE Monitor activity transcript and submit it to the  
22 Board office in response to the audit notice.

23 Ms. Talbott asked whether it would be clear in  
24 the audit notice, where certificates would not have to  
25 be sent.

1 Ms. Zimmerman commented that she would be  
2 attending a meeting soon to discuss the audit details.  
3 She noted not being 100 percent sure of exactly what  
4 information would be provided at this point, but they  
5 would accept the CPE Monitor activity transcript.  
6 She emphasized that it has to be the activity  
7 transcript because some of the other reports from the  
8 CPE Monitor do not have a person's name on the  
9 document.

10 Ms. Zimmerman noted that CPE Monitor activity  
11 transcripts are accepted in lieu of individual CE  
12 certificates; the only official CE certificates have  
13 to be generated through the CPE Monitor. She  
14 mentioned that a lot of the certificates given out by  
15 program providers will say "this is not official proof  
16 of completion and you need to go to the CPE Monitor."  
17

18 Ms. Talbott mentioned prior discussion regarding  
19 pulling the information from NABP's CPE Monitor and  
20 then sending a notification to the licensee regarding  
21 their audit results.

22 Ms. Zimmerman commented that there are standard  
23 procedures that all of the boards follow as part of a  
24 centralized agency, and that would be separating  
25 pharmacy out of the standard procedure. She noted

1 staff has the ability to pull transcripts through  
2 NABP's website if there is a problem with the  
3 information that someone submits, but there is no  
4 current procedure in place where the Board could ask  
5 NABP to do an audit for the Board.

6 ]

7 \*\*\*

8 Report of Commissioner

9 [K. Kalonji Johnson, Commissioner, Bureau of  
10 Professional and Occupational Affairs, addressed the  
11 extension of virtual meetings through March 31, 2022.  
12 He recommended everyone submit in-person travel  
13 requests to national or regional conventions through  
14 the Commonwealth Out-of-State Travel Application  
15 (COSTA) portal as soon as possible for processing.

16 Commissioner Johnson addressed House Bill 1535.  
17 He noted the bill would expand the immunization age.

18 Commissioner Johnson stated the department has  
19 been engaging with the Governor's Office regarding  
20 Board Member vacancies and the Board's concerns  
21 regarding quorums. He recommended stakeholders  
22 forward candidates to the Governor's Office. He also  
23 mentioned the need for public members provided they  
24 meet the basic prerequisites for serving on the Board.

25 He was hopeful that the transition to some type of

1 streaming platform would ease some of the burden on  
2 public members.

3 Ms. Talbott clarified that the open professional  
4 member seat is the independent retail seat.]

5 \*\*\*

6 New Business

7 [Melanie Zimmerman, R.Ph., Executive Secretary, asked  
8 whether any Board Members would be interested in  
9 attending the NABP Interactive Member Forum in  
10 Northbrook, IL, January 26-27, 2022. She noted she  
11 would take care of the travel request when she  
12 receives the agenda.

13 Chairperson Hart commented that she has to attend  
14 a task force meeting in early January 2022 and could  
15 also attend that meeting. Dr. Roussel was also  
16 interested in attending the NABP Interactive Member  
17 Forum.

18 Ms. Zimmerman will inquire into whether the  
19 invitation is for more than one Board Member.

20 Chairperson Hart would rather participate than  
21 not participate since she was running for the District  
22 2 seat but would defer to Dr. Roussel.]

23 \*\*\*

24 MS. TALBOTT:

25 I will make the motion that we send Janet

1 Hart and Christine Roussel to the NABP  
2 Interactive Forum if we can send two  
3 people.

4 If we can only send one person, then  
5 Janet will be the first person and  
6 Christine would be the understudy.

7 MR. GREENE:

8 Second.

9

10 CHAIRPERSON HART:

11 We have a motion and a second, so I will  
12 call for discussion? No discussion. Any  
13 nays? So let's call for a vote.

14

15 Roussel, aye; Greene, aye; Talbott, aye;  
16 Hart, aye; Johnson, aye.

17 [The motion carried unanimously.]

18 \*\*\*

19 [Janet Getzey Hart, R.Ph., Chairperson, noted the NABP  
20 notification of fee increase for the North American  
21 Pharmacist Licensure Examination (NAPLEX) and  
22 Multistate Pharmacy Jurisprudence Exam (MPJE) for the  
23 Board's information.]

24 \*\*\*

25 MOTIONS

1 CHAIRPERSON HART:

2 We met in Executive Session to discuss  
3 and review consent orders and other legal  
4 documents.

5 Are there any motions regarding these  
6 discussions?

7 MR. GREENE:

8 At agenda item 2, I make the motion that  
9 we approve the Consent Agreement at Case  
10 No. 20-54-000786.

11 MS. TALBOTT:

12 Second.

13 CHAIRPERSON HART:

14 Call for discussion? Call for a vote.

15

16 Roussel, aye; Greene, aye; Talbott, aye;

17 Hart, aye; Johnson, aye.

18 [The motion carried unanimously. The Respondent's  
19 name is Northern VA Compounders, PLLC t/d/b/a Akina  
20 Pharmacy.]

21

\*\*\*

22 DR. ROUSSEL:

23 I would like to make a motion to approve  
24 the Consent Agreement for agenda item 3,  
25 which is Case No. 21-54-014911.

1 MS. TALBOTT:

2 Second.

3 CHAIRPERSON HART:

4 Any discussion? Call for a vote.

5

6 Roussel, aye; Greene, recuse; Talbott,  
7 aye; Johnson, aye; Hart, aye.

8 [The motion carried. Mr. Greene recused himself from  
9 deliberations and voting on the motion. The  
10 Respondent's name is Stephanie J. Carney, R.Ph.]

11

\*\*\*

12 MR. GREENE:

13 At agenda item 4, I make the motion that  
14 we approve the Consent Agreements at Case  
15 No. 19-54-007683 & 20-54-006998.

16 MS. TALBOTT:

17 Second.

18 CHAIRPERSON HART:

19 Call for discussion? No discussion.

20 Call for a vote.

21

22 Roussel, aye; Greene, aye; Talbott, aye;  
23 Johnson, aye; Hart, aye.

24 [The motion carried unanimously. The Respondent's  
25 name is Rapid Equine Solutions LLC.]

1 \*\*\*

2 MR. GREENE:

3 At agenda item 5, I make the motion that  
4 we approve the Consent Agreement at Case  
5 No. 20-54-006369.

6 MS. TALBOTT:

7 Second.

8 CHAIRPERSON HART:

9 Call for discussion? No discussion.

10 Call for a vote.

11

12 Roussel, aye; Greene, aye; Talbott, aye;

13 Johnson, aye; Hart, aye.

14 [The motion carried unanimously. The Respondent's  
15 name is College Pharmacy.]

16 \*\*\*

17 MR. GREENE:

18 At agenda item 6, I make the motion that  
19 we approve the Consent Agreement at Case  
20 No. 20-54-007483.

21 MS. TALBOTT:

22 Second.

23 CHAIRPERSON HART:

24 Call for discussion? Call for a vote.

25



1               Roussel, aye; Greene, aye; Talbott, aye;  
2               Johnson, aye; Hart, aye.

3 [The motion carried unanimously. The Respondent's  
4 name is Lake Erie Pharmacy.]

5   \*\*\*

6 DR. ROUSSEL:

7               For agenda item 7, I would like to make a  
8               motion to approve the Consent Agreement  
9               for Case No. 21-54-014862.

10 MS. TALBOTT:

11               Second.

12 CHAIRPERSON HART:

13               Call for discussion? Call for a vote.

14

15               Roussel, aye; Greene, recuse; Talbott,  
16               aye; Johnson, aye; Hart, aye.

17 [The motion carried. Mr. Greene recused himself from  
18 deliberations and voting on the motion. The  
19 Respondent's name is Martin Brian, R.Ph.]

20   \*\*\*

21 MR. GREENE:

22               At agenda item 8, I make the motion that  
23               we approve the VRP Consent Agreement at  
24               Case No. 21-54-011538.

25 MS. TALBOTT:

1                   Second.

2 CHAIRPERSON HART:

3                   Call for discussion? No discussion.

4                   Call for a vote.

5

6                   Roussel, aye; Greene, aye; Talbott, aye;

7                   Johnson, aye; Hart, aye.

8 [The motion carried unanimously.]

9

\*\*\*

10 MR. GREENE:

11                   At agenda items 10, 11, and 13 with  
12                   regards to Thomas Betteridge (Case No.  
13                   19-54-011614), PRN Rx LLC (Case No. 20-  
14                   54-001466), and Rosica Pharmacy (Case No.  
15                   19-54-009807), I make a motion that we  
16                   grant the Motions to Enter Default and  
17                   Deem Facts Admitted and direct Board  
18                   counsel to draft Adjudications and Orders  
19                   consistent with discussions in Executive  
20                   Session.

21 MS. TALBOTT:

22                   Second.

23 CHAIRPERSON HART:

24                   Call for discussion? Call for a vote.

25

1                 Roussel, aye; Greene, aye; Talbott, aye;  
2                 Johnson, aye; Hart, aye.

3 [The motion carried unanimously.]

4   \*\*\*

5 Applications

6 MR. GREENE:

7                 At agenda items 16 and 17, I make the  
8                 motion that we approve the request of  
9                 Hussein Albu Mohammed and Justin Vaidian  
10                to sit for the NAPLEX.

11 MS. TALBOTT:

12                 Second.

13 CHAIRPERSON HART:

14                 Call for discussion? No discussion.

15                 Call for a vote.

16

17                 Roussel, aye; Greene, aye; Talbott, aye;  
18                 Johnson, aye; Hart, aye.

19 [The motion carried unanimously.]

20   \*\*\*

21 MR. GREENE:

22                 At agenda items 18 and 19, I make the  
23                 motion that we approve the request of  
24                 Nermeen Abdelmegeed and Sourashish Nag  
25                 for a reduction in the number of intern

1           hours required of a graduate of a foreign  
2           pharmacy school from 1,500 hours to 1,000  
3           hours.

4

5 CHAIRPERSON HART:

6           I need a second.

7 DR. ROUSSEL:

8           Second.

9 CHAIRPERSON HART:

10           Call for discussion? Call for a vote.

11

12           Roussel, aye; Greene, aye; Talbott,  
13           recuse; Johnson, aye; Hart, aye.

14 [The motion carried. Ms. Talbott recused herself from  
15 deliberations and voting on the motion.]

16

\*\*\*

17 Adjournment

18 MS. TALBOTT:

19           I make a motion to adjourn and move into  
20           the regulation session.

21 MR. GREENE:

22           Second.

23 CHAIRPERSON HART:

24           All in favor, aye?

25 [The motion carried unanimously.]

\*\*\*

[There being no further business, the State Board of Pharmacy Meeting adjourned at 11:20 a.m. The Board held a public regulation work session following the meeting.]

\*\*\*

## 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.



Derek Richmond,

Minute Clerk

Sargent's Court Reporting  
Service, Inc.

STATE BOARD OF PHARMACY  
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TIME	AGENDA
9:00	Executive Session
10:30	Return to Open Session
10:32	Official Call to Order
10:32	Introduction of Board Members
10:33	Announcements and Introduction of Attendees
10:37	Approval of Agenda
10:37	Approval of Minutes
10:37	Report of Prosecutorial Division
10:53	Report of Board Counsel
10:57	Report of Board Chair
10:58	Report of Executive Secretary
11:01	Report of Commissioner
11:06	New Business
11:16	Motions
11:20	Adjournment