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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: 10:33 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

December 6, 2022

State Board of Pharmacy
December 6, 2022

BOARD MEMBERS:

Janet Getzey Hart, R.Ph., Chairperson
Arion R. Claggett, Acting Commissioner, Bureau of
Professional and Occupational Affairs
Christine Roussel, Pharm.D., BCOP, BCSCP, Vice
Chairperson
Patrick M. Greene, Esquire, Office of Attorney
General, Secretary
John R. Slagle, R.Ph.
Terry M. Talbott, R.Ph.
Eric Esterbrook, R.Ph.

BUREAU PERSONNEL:

Carole Clarke Smith, Esquire, Senior Board Counsel
Ariel O'Malley, Esquire, Board Counsel
Carolyn DeLaurentis, Deputy Chief Counsel,
Prosecution Division
Ray Michalowski, Esquire, Senior Board Prosecution
Liaison
Glenn P. Masser, Esquire, Board Prosecutor
Caroline A. Bailey, Esquire, Board Prosecutor
Alice Glasser, Esquire, Board Prosecutor
Ashley P. Murphy, Esquire, Board Prosecutor
Jared Hinsey, Esquire, Department of State
Nicole L. Van Order, Esquire, Board Prosecutor
Melanie Zimmerman, R.Ph., Board Administrator
Marc Farrell, Deputy Policy Director, Department of
State
Andrew LaFratte, MPA, Executive Policy Specialist,
Department of State
Jessica Zukoski, Senior Legal Analyst, Prosecution
Division

ALSO PRESENT:

Danie Bendesky, Director of Intergovernmental
Affairs, Department of State
Amanda Richards, Acting Fiscal Chief, Bureau of
Finance and Operations, Department of State
Michelle Witmer, Fiscal Management Specialist 1,
Bureau of Finance and Operations, Department of
State

State Board of Pharmacy
December 6, 2022

ALSO PRESENT: (Cont.)

Catherine Lutz, Pharmacy Inspector, Bureau of
Enforcement and Investigation, Department of State
Timothy Black, R.Ph., Pharmacy Inspector, Bureau of
Enforcement and Investigation, Department of State
Steven Zahn, Pharmacy Inspector, Bureau of
Enforcement and Investigation, Department of State
Victoria Elliott, R.Ph., MBA, CAE, CEO, Pennsylvania
Pharmacists Association
Larry Jones, Executive Director, Pennsylvania
Society of Health-System Pharmacists
Jessica Adams, Director of Regulatory Affairs,
Cardinal Health
Jacquelyn Sassaman, Pentec Health
Jenna McCarthy, Associate, Malady & Wooten
Judy Kutchman, AllianceRx Walgreens Prime
Joshua Finger, Pharm.D., Enclara Pharmacia
Nicole Kruczek, R.Ph., MPBA, CVS/Caremark Pharmacy
Matthew Roesch, R.Ph., Pharmacist-in-Charge,
Vetsource Pharmacy
Nicole Sidle, Republican Executive Director, House
Professional Licensure Committee
David Klinger, System Director, Operations
& Compliance, Geisinger Health System
Laura Romeo, Pharmacist-in-Charge at ConnectiveRx,
Careform Pharmacy
Timothy Kaylor, Regional Pharmacy Manager, The GIANT
Company
Misha Patel, M.D., Curriculum Education Assistant,
Geisinger Commonwealth School of Medicine
Sarah Everingham, MJ, CCEP, CPhT, Cardinal Health
Thomas E. Brenner, Esquire, Caldwell & Kerns, P.C.
Alice Palombo
Raymond Vellky
Mary Tran
Gino Cordisco
Caroline Cordisco

1 ***

2 State Board of Pharmacy

3 December 6, 2022

4 ***

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

12 ***

13 The regularly scheduled meeting of the State
14 Board of Pharmacy was held on Tuesday, December 6,
15 2022. Janet Getzey Hart, R.Ph., Chairperson, called
16 the meeting to order at 10:33 a.m.

17 ***

18 Pledge of Allegiance

19 [The Pledge of Allegiance was recited.]

20 ***

21 Introduction of the Board Members/Audience

22 [Janet Getzey Hart, R.Ph., Chairperson, requested an
23 introduction of Board members, Board staff and the
24 audience.]

25 ***

1 [Ariel E. O'Malley, Esquire, Board Counsel, informed
2 everyone that the meeting was being recorded, and
3 those who continued to participate were giving their
4 consent to be recorded.]

5 ***

6 Approval of Agenda

7 CHAIRPERSON HART:

8 Approval of the agenda.

9 MS. TALBOTT:

10 I move that we approve the agenda as
11 presented.

12 MR. GREENE:

13 Second.

14 CHAIRPERSON HART:

15 Any discussion? Call for a vote.

16

17 Greene, aye; Hart, aye; Claggett, aye;
18 Talbott, aye; Esterbrook, aye; Roussel,
19 aye; Slagle, aye.

20 [The motion carried unanimously.]

21 ***

22 Approval of Minutes

23 CHAIRPERSON HART:

24 I do believe as part of the agenda we
25 have approval of minutes from the

1 September 27 meeting. Any discussion on
2 the minutes, changes?

3 MS. TALBOTT:

4 I will make a motion that we approve the
5 minutes as presented.

6 MR. GREENE:

7 Second.

8 CHAIRPERSON HART:

9 Call for discussion? Call for a vote.

10

11 Greene, aye; Hart, aye; Claggett, aye;

12 Talbot, aye; Esterbrook, recuse;

13 Roussel, aye; Slagle, aye.

14 [The motion carried. Eric Esterbrook recused himself
15 from deliberations and voting on the motion.]

16 ***

17 Report of Board Prosecution

18 [Caroline A. Bailey, Esquire, Board Prosecutor,
19 presented the Consent Agreements for Case No. 20-54-
20 004605, Case Nos. 21-54-012692 & 21-54-017778, and
21 Case Nos. 20-54-007700, 20-54-007701 & 20-54-007702.]

22 ***

23 [Glenn P. Masser, Esquire, Board Prosecutor,
24 presented the Consent Agreement for Case Nos. 21-54-
25 019186 & 21-54-014771.]

1 ***

2 [Ray Michalowski, Esquire, Senior Board Prosecutor,
3 presented the Consent Agreements for Case No. 22-54-
4 016287 and Case No. 22-54-016621.

5 Mr. Michalowski provided an update regarding the
6 prosecution division and informed Board members that
7 Alice Glasser would be the Board liaison going
8 forward but that he would be there whenever Ms.
9 Glasser was not available.

10 Ms. Talbott asked whether the Board could receive
11 a case update for January, and Mr. Michalowski
12 offered to provide the update.]

13 ***

14 [A Formal Hearing was held from 10:53 a.m. until
15 11:29 a.m. in the Matter of the Petition for
16 Reinstatement of Gino S. Cordisco, R.Ph., Case No.
17 22-54-016270.]

18 ***

19 Appointment - Bureau of Finance and Operations

20 Annual Budget Presentation

21 [Amanda Richards, Acting Chief of Fiscal Management,
22 Bureau of Finance and Operations, Department of
23 State, referred to licensee population over the past
24 seven years, along with the last four budget periods
25 broken out by license class. She noted the Board had

1 40,329 licensees which is a decrease from last year
2 of 682 licensees. She reported an increase of
3 another 41 licensees as of this morning for a total
4 of 40,370 licensees.

5 Ms. Richards noted the revenue for FY20-21 and
6 FY21-22, as well as the biennial total. She noted 95
7 percent of revenue comes from renewals and
8 applications. She stated that revenue is received
9 from other categories but is not consistent and
10 cannot be used as a main source of revenue.

11 Ms. Richards stated that expenses are broken down
12 into administrative costs and legal costs and hit the
13 Board through direct charges, timesheet-based
14 charges, and license population charges. She
15 reported on the expenses in FY20-21, FY21-22, and as
16 of November 23, 2022. She noted the budget was more
17 than adequate to cover the fiscal year.

18 Ms. Richards addressed revenue and expenses
19 showing a projected balance at the end of FY22-23.
20 She mentioned the revenue showed a decrease in FY24-
21 25 and FY25-26 and did take into account the
22 anticipated first-time applications for pharmacy
23 technicians and pharmacy technician trainees but that
24 it is not enough to increase revenue because expenses
25 are starting to exceed revenue.

1 Ms. Richards noted a fee package is already in
2 progress but asked Board members to provide a renewal
3 fee amount for pharmacy technicians to be able to
4 proceed.

5 Ms. Talbott requested more time for Board
6 discussion concerning the renewal fee.

7 Ms. Richards informed Board members that she would
8 return to present the fee package at the end of this
9 year or beginning of next year.]

10 ***

11 Report of Board Counsel - Regulatory Report

12 [Ariel E. O'Malley, Esquire, Board Counsel, noted the
13 Act 53 document regarding consideration of criminal
14 convictions is for the Board's review and informed
15 Board members that it was published as proposed in
16 the Pennsylvania Bulletin on November 19 and
17 available for public comment.

18 Ms. O'Malley reminded Board members that there is
19 a regulatory work session directly following the
20 Board meeting.

21 She also directed the Board to the recusal
22 guidelines.]

23 ***

24 Report of Board Chairperson - No Report

25 ***

1 Report of Acting Commissioner - No Report

2 ***

3 Report of Board Administrator - No Report

4 ***

5 Report of Board Members

6 [Christine Roussel, Pharm.D., BCOP, BCSCP, Vice
7 Chairperson, addressed her attendance as the
8 Pennsylvania representative at the Food and Drug
9 Administration (FDA) Intergovernmental Working
10 Meeting on Compounding. She noted receiving
11 education and updates from the FDA with significant
12 focus on insanitary conditions in 503As and 503Bs and
13 mentioned an in-depth discussion of infusion clinics
14 that are not regulated.

15 Dr. Roussel informed everyone that she is the
16 Board of Pharmacy representative to the Medical
17 Marijuana Advisory Board. She noted the Medical
18 Marijuana Advisory Board meets every two months and
19 there have been petitions to evaluate the limits for
20 microbial contamination and fungal and yeast
21 contamination of products. She informed Board
22 members that the United States Pharmacopeia has
23 published a cannabis monograph addressing those
24 levels of contamination, which would be a federal
25 standard. She reported that would be open for

1 comment until the end of December 2022.]

2

3 MOTIONS

4 CHAIRPERSON HART:

5 The Board met in Executive Session to
6 discuss and review consent orders.

7 Are there any motions regarding
8 those discussion?

9 MR. GREENE:

10 At agenda item 4, I make a motion that we
11 approve the Consent Agreement at Case No.
12 20-54-004605.

13 MS. TALBOTT:

14 Second.

15 CHAIRPERSON HART:

16 Any discussion? Call for a vote.

17

18 Greene, aye; Hart, aye; Claggett, aye;
19 Talbott, aye; Esterbrook, aye; Roussel,
20 aye; Slagle, aye.

21 [The motion carried unanimously. The Respondent's
22 name is John Timothy Bianco, R.Ph.]

23

24 MR. GREENE:

25 At agenda item 5, I make a motion that we

1 approve the Consent Agreement at Case
2 Nos. 21-54-016292 & 21-54-017778.

3 MS. TALBOTT:

4 Second.

5 CHAIRPERSON HART:

6 Any discussion? Call for a vote.

7

8 Greene, aye; Hart, aye; Claggett, aye;
9 Talbott, aye; Esterbrook, aye; Roussel,
10 aye; Slagle, aye.

11 [The motion carried unanimously. The Respondent's
12 name is Aids Healthcare Foundation d/b/a AHF
13 Pharmacy.]

14

15 MR. GREENE:

16 At agenda item 6, I make a motion that we
17 approve the Consent Agreement at Case
18 Nos. 20-54-007700, 20-54-007701 & 20-54-
19 007702.

20 MS. TALBOTT:

21 Second.

22 CHAIRPERSON HART:

23 Any discussion? Call for a vote.

24

25 Greene, aye; Hart, aye; Claggett, aye;

1 Talbott, aye; Esterbrook, aye; Roussel,
2 aye; Slagle, aye.

3 [The motion carried unanimously. The Respondents'
4 names are Savage Family Pharmacy, Rodger William
5 Savage & Thomas Anthony Gossert.]

6 ***

7 MR. GREENE:

8 At agenda item 7, I make a motion that we
9 approve the Consent Agreement at Case
10 Nos. 21-54-019186 & 21-54-014771.

11 MS. TALBOTT:

12 Second.

13 CHAIRPERSON HART:

14 Any discussion? Call for a vote.

15

16 Greene, aye; Hart, recuse; Claggett, aye;
17 Talbott, aye; Esterbrook, aye; Roussel,
18 aye; Slagle, aye.

19 [The motion carried. Janet Getzey Hart recused
20 herself from deliberations and voting on the motion.

21 The Respondent's name is Raymond James Ancypowic.]

22 ***

23 MR. GREENE:

24 At agenda items 8 and 9, I make a motion
25 that we approve the following VRP Consent

1 Agreements at Case Nos. 22-54-016621 &
2 22-54-016287.

3 MS. TALBOTT:

4 Second.

5 CHAIRPERSON HART:

6 Any discussion? Call for a vote.

7

8 Greene, aye; Hart, aye; Claggett, aye;
9 Talbot, aye; Esterbrook, aye; Roussel,
10 aye; Slagle, aye.

11 [The motion carried unanimously.]

12 ***

13 MR. GREENE:

14 At agenda item 12 in the Matter of BPOA
15 v. Zilpa Odera, Case No. 22-54-008333, I
16 make a motion that we delegate the matter
17 to a hearing examiner to conduct a
18 hearing and prepare a Proposed
19 Adjudication.

20 DR. ROUSSEL:

21 Second.

22 CHAIRPERSON HART:

23 Any discussion? Call for a vote.

24

25 Greene, aye; Hart, aye; Claggett, aye;

1 Talbott, recuse; Esterbrook, aye;
2 Roussel, aye; Slagle, aye.

3 [The motion carried. Terry Talbott recused herself
4 from deliberations and voting on the motion.]

5 ***

6 MR. GREENE:

7 At agenda item 13 in the Matter of BPOA
8 v. Pharmacy Services American Inc t/d/b/a
9 Pharmacy Services America, Case No. 21-
10 54-016509, I make a motion that we Enter
11 Default Judgment and instruct Board
12 Counsel to draft a Final Adjudication and
13 Order consistent with discussions in
14 Executive Session.

15 MS. TALBOTT:

16 Second.

17 CHAIRPERSON HART:

18 Any discussion? Call for a vote.

19

20 Greene, aye; Hart, aye; Claggett, aye;
21 Talbott, aye; Esterbrook, aye; Roussel,
22 aye; Slagle, aye.

23 [The motion carried unanimously.]

24 ***

25 MR. GREENE:

1 At agenda item 15, I make a motion that
2 we approve the Application of Erjona
3 Magellari for a reduction of intern hours
4 for a graduate of a foreign college from
5 1,500 to 1,000 hours.

6 MS. TALBOTT:

7 Second.

8 CHAIRPERSON HART:

9 Any discussion? Call for a vote.

10

11 Greene, aye; Hart, aye; Claggett, aye;
12 Talbott, aye; Esterbrook, aye; Roussel,
13 aye; Slagle, aye.

14 [The motion carried unanimously.]

15

16 Upcoming Meeting Dates - Change

17 MS. TALBOTT:

18 We have a conflict of the August 2023
19 Board meeting. I will make a motion that
20 we move the August meeting to August 29,
21 2023, as opposed to August 22, 2023.

22 MR. ESTERBROOK:

23 Second.

24 CHAIRPERSON HART:

25 Any discussion? Call for a vote.

1

2

Greene, aye; Hart, aye; Claggett, aye;

3

Talbott, aye; Esterbrook, aye; Roussel,

4

aye; Slagle, aye.

5

[The motion carried unanimously.]

6

7

Discussion Items - Election of Officers

8

DR. ROUSSEL:

9

I would like to make a motion to nominate

10

Terry Talbott to be the Chair for the

11

2023 year.

12

MR. ESTERBROOK:

13

I'll second that.

14

CHAIRPERSON HART:

15

Any discussion? Call for a vote.

16

17

Greene, aye; Hart, aye; Claggett, aye;

18

Talbott, aye; Esterbrook, aye; Roussel,

19

aye; Slagle, aye.

20

[The motion carried unanimously.]

21

22

MS. TALBOTT:

23

I make a motion that Christine Roussel be

24

our Vice Chair for the year.

25

MR. ESTERBROOK:

1 Second.

2 CHAIRPERSON HART:

3 Any discussion? Call for a vote.

4

5 Greene, aye; Hart, aye; Claggett, aye;
6 Talbott, aye; Esterbrook, aye; Roussel,
7 aye; Slagle, aye.

8 [The motion carried unanimously.]

9

10 MS. TALBOTT:

11 I would also make a motion that Eric
12 Esterbrook be our secretary for the year.

13 MR. GREENE:

14 Second.

15 CHAIRPERSON HART:

16 Any discussion? Call for a vote.

17

18 Greene, aye; Hart, aye; Claggett, aye;
19 Talbott, aye; Esterbrook, aye; Roussel,
20 aye; Slagle, aye.

21 [The motion carried unanimously.]

22

23 MS. TALBOTT:

24 The Probable Cause Screening Committee,
25 Pat will be Chair, alternate will be

1 Christine.

2 The Pharmacy Application Review
3 Committee will be Christine, John, and
4 Eric with Janet as the alternate.

5 I'll stay on the CPR/Injectable
6 Training Program Approval Committee.
7 Janet will keep the Act 41 Committee.
8 Christine will stay on the Medical
9 Marijuana Board.

10 The Regulations Committee will be
11 myself as Chair, Eric, and Christine.

12 I move that those be the committees.

13 MR. GREENE:

14 Second.

15 CHAIRPERSON HART:

16 Any additional discussion? Call for a
17 vote.

18
19 Greene, aye; Hart, aye; Claggett, aye;
20 Talbott, aye; Esterbrook, aye; Roussel,
21 aye; Slagle, aye.

22 [The motion carried unanimously.]

23 ***

24 FYI Items

25 [Janet Getzey Hart, R.Ph., Chairperson, referred to

1 Senate Bill 317 and asked whether the associations
2 would be able to publish the bill on their website to
3 notify pharmacists.

4 Ms. O'Malley commented that Senate Bill 317 is
5 now known as Act 147 of 2022.

6 Larry Jones, Executive Director, Pennsylvania
7 Society of Health-System Pharmacists, offered to
8 publish Act 147 on their website.

9 The Board made no comments on the remaining FYI
10 items.]

11 ***

12 Adjournment

13 MS. TALBOTT:

14 I make a motion to adjourn.

15 MR. GREENE:

16 Second.

17 ***

18 [There being no further business, the State Board of
19 Pharmacy Meeting adjourned at 11:50 a.m.]

20 ***

21 [A State Board of Pharmacy Regulatory Work Session
22 was held immediately following the regular Board
23 meeting.]

24 ***

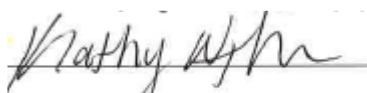
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CERTIFICATE

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.



Kathryn Witherow,

Minute Clerk

Sargent's Court Reporting
Service, Inc.

STATE BOARD OF PHARMACY
REFERENCE INDEX

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TIME	AGENDA
9:30	Executive Session
10:30	Return to Open Session
10:33	Official Call to Order
10:33	Pledge of Allegiance
10:34	Introduction of Board Members/Staff/Audience
10:39	Approval of Agenda
10:40	Approval of Minutes
10:41	Report of Board Prosecution
10:53	Formal Hearing - Gino S. Cordisco, R.Ph.
11:30	Appointment - Bureau of Finance and Operations Annual Budget Presentation
11:41	Report of Board Members
11:43	Motions
11:49	Upcoming Meeting Dates
11:49	Discussion Items
11:50	FYI Items
11:50	Adjournment