

**NEW JERSEY STATE BOARD OF PHARMACY  
OPEN SESSION MINUTES JANUARY 11, 2006**

**I. CALL TO ORDER**

The open meeting of the New Jersey Board of Pharmacy was called to order by Board President Pamela Allen in the Somerset Room, 6th floor at 124 Halsey Street, Newark, New Jersey on January 11, 2006 at 9:05 a.m. All members were duly notified of the time and place and all pertinent materials had been provided.

Ms. Allen welcomed new Board Member Peter Halecky. Mr. Halecky has replaced Ira Katz whose term had expired. Ms. Allen publicly thanked Mr. Katz for his service and dedication to the Board.

**II. SUNSHINE LAW ANNOUNCEMENT**

Pamela Allen read a statement that the newspapers and appropriate elected officials had been notified of the meeting according to the requirements of the Open Public Meetings Act N.J.S.A. Chapter 231, PL 1975,/C. 10:4-18.

**III. ROLL CALL**

Pamela Allen, R.Ph President  
Edward McGinley, R.Ph Vice-President  
Margherita Lafragola, R.Ph  
Thomas Bender, R.Ph  
Marc Sturgill, Pharm. D  
Elvy T. Paiva, R.Ph  
Sy Larson, PH.D Public Member  
Thomas Egan, Pharm.D 9:15 a.m.  
Axel Miranda  
Peter Halecky, R.Ph.

**OTHERS IN ATTENDANCE:**

Joanne Boyer Executive Director  
Paula Alvarez Deputy Attorney General  
Olga Bradford Deputy Attorney General  
Susan Flores Principal Clerk  
Kiran Shamlall Clerk Typist

**EXCUSED:**

Jennifer L. Barron Government Member  
Marianne Greenwald Deputy Attorney General

**IV. SECRETARY'S REPORT AND RECOMMENDATION FOR REGISTRATION BY RECIPROCITY, EXAMINATION and GRADE TRANSFER**

Margherita Lafragola moved, seconded by Elvy Paiva to accept the Secretary's Report and Recommendation for Registration by Reciprocity, Examination and Grade Transfer. The motion passed unanimously.

**V. CONTINUING EDUCATION REPORT**

N/A

## **VI. VIOLATIONS PAID FOR THE MONTH OF DECEMBER**

N/A

## **VII. OLD BUSINESS**

1) Paul E. DelloRusso, Senior Attorney, Medco Health Solutions – Communication regarding Board’s request for information

Elvy Paiva moved, seconded by Margherita Lafragola to approve the Joint Application to Conduct a Centralized Prescription Handling Pharmacy Service. The motion passed 8 to 1. The Board also provided Mr. DellRusso further guidance as to the Board’s request for information concerning customer service issues.

2) Kenneth Rizzo – Request for modification of Provisional Order of Discipline This item was originally before the Board on 10/26/05 at which time the Board requested information regarding Mr. Rizzo’s probationary status and the status of his New York pharmacy license

Edward McGinley moved, seconded by Marc Sturgill to modify his current Provisional Order from a revocation to a 3 year suspension concurrent with New York’s suspension at which time he can seek reinstatement of his license. This will be filed as a Final Order of Discipline. The motion passed unanimously.

3) Chakkarin Burudpakdee – Request for modification of his Consent Order

Elvy Paiva moved, seconded by Sy Larson to approve his request to decrease his urine testing to randomly two times per month. The motion passed unanimously.

4) Narendra Dalal – Notification to withdraw his appeal of the Provisional Order to revoke his license to practice pharmacy

The Board accepted it as informational. The Deputy Attorney General will move forward with the Consent Order.

5) Satish Shah – Request for modification of Consent Order

Edward McGinley moved, seconded by Sy Larson to modify the Order to remove Paragraph 5 ( c ) and he may not request any more modifications until conclusion of his court ordered probationary period. The motion passed unanimously.

6) Recognition of Edith Micale and Sophie Heymann

Neither Edith Micale or Sophie Heymann were able to attend.

## **VIII. NEW BUSINESS**

1) James T. DeVita, R.Ph., Manager Regulatory Compliance, CVS Pharmacy – Presentation of CQI Program

James DeVita and Nicole Minder of CVS Pharmacy were present to provide an overview of the CVS CQI Program.

2) Scott Karasinski – Applying for reciprocity and is requesting approval of current position in pharmaceutical industry for 1,000 hours of pharmacy practice

Elvy Paiva moved, seconded by Edward McGinley to approve his request for approval of current position in pharmaceutical industry for 1,000 hours of pharmacy practice. The motion passed 8 to 2.

3) NABP – Correspondence notifying of the suspension of Disease State Management (DSM) examinations

The Board accepted it as informational.

4) Joseph F. Gerace, PharmD, Pharmacy Clinical Coordinator, AtlantiCare Regional Medical Center, Pomona, NJ – Requesting approval to dispense Tikosyn upon patient’s discharge from hospital consistent with manufacturer’s recommendation

The Chair directs that a response be sent indicating that the Board had previously reviewed this issued when Tikosyn was first approved by the FDA and had determined that it was acceptable for a hospital to dispense a 7 day supply of Tikosyn at time of discharge. Elvy Paiva recused since she consults with AtlantiCare.

## **IX. MITIGATIONS**

1) Wendy Tuosto, R.Ph. – Regarding CE audit

Sy Larson moved, seconded by Marc Sturgill to mitigate the \$1,000 portion of the penalty. The motion passed unanimously. Post Board decision, Ms. Tuosto submitted additional credits that were acceptable and the UPL initially issued to her was rescinded.

2) Thomas J. Simpson, R.Ph. – Regarding CE audit

Edward McGinley moved, seconded by Elvy Paiva to mitigate the \$1,000 portion of the penalty. The motion passed unanimously.

3) Joni Seeger, R.Ph. – Regarding CE audit

Elvy Paiva moved, seconded by Edward McGinley to mitigate the \$1,000 portion of the penalty. The motion passed unanimously.

4) Ajit S. Grewal, R.Ph., Eckerd Drugs, Ft. Lee, NJ

Edward McGinley moved, seconded by Thomas Bender to deny Mr. Grewal’s request for mitigation. The motion passed unanimously.

5) Jodi M. Sullivan, R.Ph. – Regarding CE audit

Edward McGinley moved, seconded by Thomas Bender to mitigate the \$1,000 portion of the penalty if she can prove her cable was cut. The motion passed unanimously.

6) Bhavna Thakral-Chandwani, R.Ph. – Regarding CE audit

Edward McGinley moved, seconded by Elvy Paiva to mitigate the \$1,000 portion of the penalty. The motion passed unanimously.

7) Richard C. Fordham, RPIC, The Center Pharmacy, Cherry Hill, NJ

Marc Sturgill moved, seconded by Elvy Paiva to mitigate the \$200 for the "current" version of a reference text for IV compounding, \$500 for the tracking document, \$1,000 for the specific labels for sterile product preparations, \$200 for the policy that was not available for "Packaging and Delivery" of sterile admixture products, \$200 for the Glove Box and the warning for the two digital electronic balances. The Executive Director is to have the Enforcement Bureau review the submitted Policy and Procedure Manual for completeness. If it is determined that the manual is acceptable, the \$3,000 fine is to be mitigated.

8) Gregg Jones, R.Ph., Stop & Shop Pharmacy  
Laurel Springs, NJ  
Cherry Hill, NJ  
Mt. Laurel, NJ

Cherry Hill, NJ

Edward McGinley moved, seconded by Marc Sturgill to deny Mr. Jones' request for mitigation. The motion passed unanimously.

9) Robert Schaefer, R.Ph. – Regarding CE audit

This will be rescheduled for the next meeting

10) Arthur Watson, R.Ph. – Regarding CE audit

Marc Sturgill moved, seconded Sy Larson to mitigate the \$1,800 penalty. The motion passed unanimously.

11) Lyle B. Shaw, R.Ph. – Regarding CE audit

This will be rescheduled for the next meeting.

## **X. CONFERENCES**

N/A

## **XI. COMMITTEE REPORTS**

N/A

## **XII. APPROVAL OF MINUTES**

1) December 14, 2005

Elvy Paiva moved, seconded by Marc Sturgill to approve the December 14, 2005 Open Minutes as amended. The motion passed unanimously.

## **XII. ADJOURNMENT**

At 11:42 a.m., Marc Sturgill moved, seconded by Thomas Egan to enter into Executive Session to review (7) consumer complaints, (7) New Business, (21) Retail IV Permits and (21) Inspection Reports. The motion passed unanimously.