

New Jersey Board of Pharmacy

Open Session Minutes of January 23, 2002

I. CALL TO ORDER

The open meeting of the New Jersey State Board of Pharmacy was called to order by Board President Anthony Alexander in the Hudson Room, 6th Floor at 124 Halsey Street, Newark, New Jersey on January 23, 2002 at 9:30 A.M. All members were duly notified of the time and place and all pertinent materials had been provided.

II. SUNSHINE LAW ANNOUNCEMENT

Anthony Alexander read a statement that 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. 10:4-6.

III. ROLL CALL

PRESENT:

Anthony Alexander, RP, President
Edward McGinley, RP, Treasurer
Pamela Allen, RP
Edith Tortora Micale, RP
Richard Palombo, RP
Ira Katz, RP
Mona Doyle
Sophie Heymann

ABSENT:

Robert Kowalski, RP

OTHERS IN ATTENDANCE:

Marianne Greenwald, Deputy Attorney General
Bernadette Dudek, Director's Office
Debora Whipple, Executive Director
Kathy Pierce, Clerical Assistant
Marie Wondeh, Principal Clerk Stenographer

IV. APPROVAL OF OPEN SESSION MINUTES OF DECEMBER 12, 2001

Pamela Allen moved, seconded by Edward McGinley, to approve the Open Session Minutes of January 9, 2002 as amended. The motion passed unanimously.

V. SECRETARY'S REPORT AND RECOMMENDATION FOR APPLICATIONS OF REGISTRATION BY EXAMINATION AND GRADE TRANSFER

Sophie Heymann moved, seconded by Richard Palombo, to approve the Secretary's Report and

Recommendation for Applications of Registration by Examination. The motion passed unanimously.

Sophie Heymann moved, seconded by Richard Palombo, to approve the Secretary's Report and Recommendation for Applications of Registration by Grade Transfer. The motion passed unanimously.

VI. SECRETARY'S REPORT AND RECOMMENDATION FOR APPLICATION FOR REGISTRATION BY RECIPROCITY

Sophie Heymann moved, seconded by Richard Palombo, to approve the Secretary's Report and Recommendation for Applications of Registration by Reciprocity. The motion passed unanimously.

VII. WAIVER REPORT

Sophie Heymann moved, seconded by Mona Doyle, to accept the waiver report given by Board Member Ira Katz. Waivers were requested by Mr. Vinod Gupta and Mr. Mohammad I. Farooqi. Both were denied. The motion passed unanimously.

VIII. NEW BUSINESS

1. Board's position being sought for out-of-state company to provide infusion therapy- law firm of Kalison, McBride, Jackson & Murphy, P. A. This item was moved to Executive Session for advice of counsel.

2. Formulary Development and Therapeutic Substitution in Long-Term Care Facilities-- Neighborcare question re: operational dilemma-the Board requested formal advice from the Deputy Attorney General and assigned the matter to the next agenda.

This item was tabled by the President until additional information can be obtained and for advice of counsel.

IX. OLD BUSINESS

I. E-Physician - question as to legality of this - per Ira Katz

This item was moved to Executive Session for conference call with E-Physician and presentation by Horizon Blue Cross-Blue Shield.

X. EXECUTIVE DIRECTOR

I. Letter from Jeffrey Cohen, R.Ph.

Mr. Cohen responded to the Board's letter regarding his October 29, 2001 letter in which he asked a question concerning the refilling of a prescription prior to authorization by a physician and holding the medication until the authorization was received. The Board wanted him to be more specific about the matter that motivated his inquiry.

Based on his response, the President directed the Executive Director to inform him that that the Board of Pharmacy regulations do not allow pharmacists to insert refills of prescriptions into the pharmacy computer without prior physician documentation. The information in the computer must be an exact match of the information on the hard copy of the prescription.

2. Texas requirements re: Statute and Regulations

This is an FYI item.

XI. MAY MEETING DATES

The Board decided to have the meeting on May 29th instead of May 18th at the NJSHP meeting because too many members may be attending the Annual Meeting of the National Association of Boards of Pharmacy on May 18th.

XIV. RECESS TO EXECUTIVE SESSION

Ed McGinley moved, seconded by Pamela Allen, to go into Executive Session for the purpose of discussion of confidential matters relating to investigations of licensees and to receive advice and counsel in regard to these matters, and to review retail and IV permits and six consumer complaints.

XV. ADJOURNMENT

Sophie Heymann moved, seconded by Ed McGinley, that the meeting was adjourned at 3:45 pm.

Respectfully submitted,

Debora C. Whipple
Executive Director