

**NEW JERSEY STATE BOARD OF PHARMACY  
OPEN SESSION MINUTES OF JANUARY 24, 2007**

**I. CALL TO ORDER**

The open meeting of the New Jersey Board of Pharmacy was called to order by Board President Edward McGinley in the Somerset Room, 6th floor at 124 Halsey Street, Newark, New Jersey on January 27, 2007 at 9:10 a.m. All members were duly notified of the time and place and all pertinent materials had been provided.

**II. SUNSHINE LAW ANNOUNCEMENT**

Edward McGinley 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**

Edward McGinley, R.Ph President  
Thomas Bender, R.Ph. Vice President  
Elvy T. Paiva, R.Ph.  
Pamela Allen, R.Ph.  
Peter Halecky, R.Ph.  
Marc Sturgill, PharmD  
Margherita Lafragola, R.Ph.  
Axel Miranda Public Member - Arrived 9:22 a.m.

**OTHERS IN ATTENDANCE**

Joanne Boyer Executive Director  
Marianne Greenwald Deputy Attorney General  
Susan Flores Principal Clerk  
Kiran Shamlall Clerk Typist

**EXCUSED**

Thomas Egan, Pharm.D  
Jennifer Barron Government Member

**IV. UPDATE BY EXECUTIVE DIRECTOR**

N/A

**V. CONTINUING EDUCATION REPORT**

N/A

**VI. OLD BUSINESS**

1) Open Session Minutes of January 10, 2007 -  
Thomas Bender moved, seconded by Elvy Paiva, to accept the actions of the  
Committee. The motion passed unanimously.

**VII. NEW BUSINESS**

1) Prairie Stone Pharmacy, Plymouth, MN & Medco Health Solutions, Franklin Lakes, NJ – Submission of Joint Application to Conduct a Centralized Prescription Handling Service Pamela Allen moved, seconded by Elvy Paiva, that future joint applications submitted are to be reviewed and approved by the Executive Director and made part of the monthly Executive Director’s report. The motion passed unanimously.

Elvy Paiva moved, seconded by Marc Sturgill, to approve the Joint Application to Conduct a Centralized Prescription Handling Service. The motion passed unanimously.

2) Harris Teeter, Matthew, NC and Medco Health Solutions, Franklin Lakes, NJ – Submission of Joint Application to Conduct a Centralized Prescription Handling Service Elvy Paiva moved, seconded by Marc Sturgill, to approve the Joint Application to Conduct a Centralized Prescription Handling Service. The motion passed unanimously.

3) Family Fare, Inc., Grand Rapids, MI & Medco Health Solutions, Franklin Lakes, NJ – Submission of Joint Application to Conduct a Centralized Prescription Handling Service Elvy Paiva moved, seconded by Marc Sturgill, to approve the Joint Application to Conduct a Centralized Prescription Handling Service. The motion passed unanimously.

4) Seaway Foodtown Inc, Grand Rapids, MI & Medco Health Solutions, Franklin Lakes, NJ – Submission of Joint Application to Conduct a Centralized Prescription Handling Service Elvy Paiva moved, seconded by Marc Sturgill, to approve the Joint Application to Conduct a Centralized Prescription Handling Service. The motion passed unanimously.

5) The Pharm of Michigan, Inc., Grand rapids MI & Medco Health Solutions, Franklin Lakes, NJ – Submission of Joint Application to Conduct a Centralized Prescription Handling Service Elvy Paiva moved, seconded by Marc Sturgill, to approve the Joint Application to Conduct a Centralized Prescription Handling Service. The motion passed unanimously.

6) Prevo’s Family Market, Grand Rapids, MI & Medco Health Solutions, Franklin Lakes, NJ – Submission of Joint Application to Conduct a Centralized Prescription Handling Service Elvy Paiva moved, seconded by Marc Sturgill, to approve the Joint Application to Conduct a Centralized Prescription Handling Service. The motion passed unanimously.

7) David Samuels – Request for reinstatement Pamela Allen moved, seconded by Elvy Paiva, to schedule Mr. Samuels for an Investigative Inquiry to discuss his intent and to have an understanding of what his competence will be going back into practice. The motion passed unanimously.

8) Delegate’s Certificate and Travel Grant Program for NABP’s 103rd Annual Meeting, May 19-22, 2007, Portland, Oregon Pamela Allen moved, seconded by Marc Sturgill, to designate Elvy Paiva as delegate and Margherita Lafragola as the alternate delegate. The motion passed unanimously.

9) Srinivasulu Pathuri – Request for waiver of TSE requirement (NJAC 13:39 – 2.9(a)c) Elvy Paiva moved, seconded by Margherita Lafragola, to deny his request for waiver of TSE since Mr. Pathuri has not shown good cause. The motion passed unanimously.

10) Gitendra Bommareddy – Request for waiver of TSE requirement (NJAC 13;39 – 2.9(a)c) Thomas Bender moved, seconded by Elvy Paiva, to deny his request for waiver of TSE since Mr. Bommareddy has not shown good cause. The motion passed unanimously.

11) Miteshkumar J. Patel – Requesting approval to begin internship prior to receiving FPGEC certification (NJAC 13:39 – 8.4(a)1) Pamela Allen moved, seconded by Thomas Bender, to deny Mr. Patel’s request for approval to begin internship prior to receiving FPGEC certification. The motion passed unanimously.

12) Elizabeth K. Murphy, Esq., Epstein, Becker & Green, Washington, DC – Regarding infusion therapy suite in pharmacy space The Chair directs that Ms. Murphy contact the Department of Health & Senior Services for

approval and licensure as a health care facility.

13) Jeffery W. Wadelin, Ph.D., Associate Executive Director & Director Professional Degree Program Accreditation, Accreditation Council for Pharmacy Education, Chicago, IL – Request for Board participation, as an observer, at the ACPE evaluation of the Doctor of Pharmacy program at Rutgers University Elvy Paiva moved, seconded by Margherita Lafragola, to designate Peter Halecky to represent the Board and Pamela Allen to be the alternate representative if Mr. Halecky is unable to fulfill his duties. The motion passed unanimously.

## **VIII. MITIGATIONS**

1) Antonio Feijoo, RPIC, Bell Pharmacy, Edison, NJ

The Chair directs that Mr. Feijoo submit additional information, if available, since from the information submitted it appears as though the inventory of CII's occurred on 4/06 and the inventory of CIII's through CV occurred on the day of the inspection, 8/30/06.

2) Michele DeGennaro, RPIC, CVS, Pequannock, NJ

The Chair directs that the certification form be returned to Ms. DeGennaro and properly executed prior to Board review. In addition Ms. DeGennaro is to submit proof that the technicians have completed the Board approved technician training program, a copy of prescription 378660 and related patient profile, and a copy of the 4 CDS prescriptions that were transmitted electronically and proof that additional prescription validation was obtained as stated in NJAC 13:39 – 7.11(h) and (i).

3) Andrea H. Villare, RPIC, Main Street Apothecary, Mullica Hill, NJ

Marc Sturgill moved, seconded by Peter Halecky, to mitigate \$100.00. The motion passed unanimously.

4) Lewis Bratspis, RPIC, Rite Aid, North Cape May, NJ

Pamela Allen moved, seconded by Thomas Bender, to deny Mr. Bratspis' request for mitigation. Margherita Lafragola was recused due to her affiliation with Rite Aid. The motion passed unanimously.

## **IX. COMMITTEE REPORTS**

## **X. APPROVAL OF MINUTES**

1) December 13, 2006

Pamela Allen moved, seconded by Elvy Paiva, to approve the Open Session Minutes of December 13, 2006 as amended. The motion passed unanimously.

2) January 10, 2007

Elvy Paiva moved, seconded by Marc Sturgill, to approve the Open Session Minutes of January 10, 2007 as amended. The motion passed unanimously.

## **XI. ADJOURNMENT**

At 10:15 a.m., Axel Miranda moved, seconded by Marc Sturgill, to adjourn the Public Session Agenda and enter into Executive Session to review (6) consumer complaints, (4) Old Business items, (5) New Business items, (9) Retail IV Permits; and (23) Inspection reports. The motion passed unanimously.