

FINAL

**NEW JERSEY STATE BOARD OF PHARMACY
MINUTES OF THE OPEN SESSION OF FEBRUARY 11, 2004**

I. CALL TO ORDER

The Open meeting of the New Jersey State 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 February 11, 2004 at 9:03 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 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

Present:

Edward McGinley, R.Ph. President
Edith Micale, R.Ph. Treasurer
Anthony Alexander, R.Ph.
Pamela Allen, R.Ph.
Sophie Heymann Public Member
Ira Katz, R.Ph. (Arrived at 9:20 a.m., left at 3:35 p.m.)
Robert Kowalski, R.Ph. (Left at 3:30 p.m.)
Richard Palombo, R.Ph (Left at 3:50 p.m.)

OTHERS IN ATTENDANCE:

Marianne Greenwald Deputy Attorney General
Joanne Boyer, R.Ph. Executive Director
Shonnette Messiah Principal Clerk Stenographer
Kiran Shamlall Assistant Clerk Stenographer

EXCUSED:

Mona Doyle Public Member

IV.1 APPROVAL OF DRAFT MINUTES OF JANUARY 14, 2004

Anthony Alexander moved, seconded by Edith Micale, to accept the draft minutes of January 14, 2004 as amended. The motion passed unanimously.

IV.2 APPROVAL OF FINAL MINUTES OF DECEMBER 10, 2003

Robert Kowalski moved, seconded by Edith Micale, to accept the minutes of December 10, 2003 as amended. The motion passed unanimously.

V. SECRETARY'S REPORT AND RECOMMENDATION FOR REGISTRATION BY RECIPROCITY, EXAMINATION AND GRADE TRANSFER

Robert Kowalski moved, seconded by Richard Palombo to accept the Secretary's Report. The motion passed unanimously.

VI. CONTINUING EDUCATION REPORT

Robert Kowalski moved, seconded by Richard Palombo to accept the Continuing Education Report as amended for January 28, 2004. The motion passed unanimously. Pamela Allen was recused from the first three reports for her affiliation with Saint Barnabas Health Care System.

Robert Kowalski moved, seconded by Anthony Alexander to accept the Continuing Education Report as amended for February 11, 2004. The motion passed unanimously.

VII. VIOLATIONS PAID FOR THE MONTH OF JANUARY

Sophie Heymann moved, seconded by Robert Kowalski to accept the Violations Paid for the month of January. The motion passed unanimously.

Richard Palombo moved, seconded by Sophie Heymann to issue a follow-up letter to Pharmacies who do not submit a letter of correction. The motion passed unanimously.

VIII. FINAL ORDERS

Richard Madeline, RPh
Tiffany Facchine, RPh
Kent Eagleton, RPh
Frank DeGroot, RPh
Warren Gordon, RPh
Usama S. Edris, RPh

Sophie Heymann moved, seconded by Richard Palombo to accept the Final Orders. Robert Kowalski was recused due to his son's affiliation with Eckerd Drugs. The motion passed unanimously

IX. OLD BUSINESS

(1) Prescriptive Authority

This item has been tabled until the February 25, 2004 meeting.

(2) Nicole Skyer

After review of the documentation and recordings presented, Richard Palombo moved, seconded by Robert Kowalski to grant reciprocity based upon the time and experience she has put into her employment at PharmQuest. Ira Katz was opposed to this decision. The motion passed by majority vote.

X. NEW BUSINESS

(1) Randa Abbo

Ms. Abbo has forwarded to Board member Edith Micale a complaint against NABP regarding the handling of her

application for reciprocity.

The Chair directed the Executive Director to contact Dr. Carmen Catizone of the NABP to expedite all the requirements Ms. Abbo must meet in order to be eligible to take the FPGEC examination.

(2) Duane Reade

Duane Reade advised the Board of an anticipated change of ownership from public stockholders to a group of owners that privately hold the stock of the corporation.

Duane Reade needs to be informed that they must fill out 1 Transfer of Ownership application listing all of their stores, pay a fee for each store and there must be a CDS inventory conducted at each site.

(3) Access to Needles

Added to agenda at the request of Board Member Mona Doyle.

This item has been tabled for the February 25, 2004.

(4) Rich Baudisch, R.Ph.

Requesting waiver from the 10 credit didactic CE requirement, N.J.A.C. 13:39-3A.1 (a).

Robert Kowalski moved, seconded by Richard Palombo to grant the waiver, due to his hearing impairment.. The motion passed unanimously.

(5) Assembly No. 1834-Requires healthcare facilities to report certain information about their healthcare staff to their respective professional boards or DHSS.

Richard Palombo moved, seconded by Ira Katz to approve the concept of the Bill. However there are flaws in the actual bill and the same goals can be achieved on a more limited and specific basis. The motion passed unanimously.

XI. ADJOURNMENT

At 10:03 a.m., Robert Kowalski moved, seconded by Ira Katz to adjourn the open session. The motion passed unanimously.

At 10:20 a.m., Sophie Heymann moved, seconded by Richard Palombo to go back into the open session for the purpose of reviewing (6) Final Orders. The motion passed unanimously.

At 10:22 a.m. Anthony Alexander moved, seconded by Ira Katz to move into the Executive session for advice of counsel regarding the holding of the Retreat. The motion passed unanimously.

At 10:40 a.m., Richard Palombo moved, seconded by Anthony Alexander to move back into the open session to review Bill No. 1834. The motion passed unanimously.

At 11:09 a.m., Ira Katz moved, seconded by Anthony Alexander to move back into the Executive session to review (24) complaints, (15) Retail and I.V. permits for January 28, 2004 and (17) inspection reports for February 11, 2004. The motion passed unanimously.