

**NEW JERSEY STATE BOARD OF PHARMACY  
MINUTES OF THE OPEN SESSION  
FEBRUARY 11, 2009**

**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 February 11, 2009 at 9:11 a.m. All members were duly notified of the time and place and all pertinent materials were provided to the members.

**II. SUNSHINE LAW ANNOUNCEMENT**

Edward McGinley, President read a statement to the effect that the newspapers and appropriate elected officials had been notified of the meeting according to the requirement of the Open Meetings Act N.J.S.A., Chapter 231, PL 1975,/C. 10:4-8

**III. ROLL CALL**

Edward G. McGinley, R.Ph. President  
Thomas Bender, R.Ph. Vice President  
Pamela Allen, R.Ph.  
Margherita LaFragola , R.Ph. (Arrived at 9:16 am)  
Elvy T. Paiva, R.Ph.  
Richard Palombo, R.Ph.

**OTHERS IN ATTENDANCE**

Joanne Boyer, R.Ph. Executive Director  
Jodi Krugman, Esq. Deputy Attorney General

**EXCUSED**

Peter Halecky, R.Ph.  
Marc Sturgill, R.Ph.

**IV. UPDATE BY EXECUTIVE DIRECTOR**

The Executive Director announced that \$8,105.50 was collected in fines and penalties during January, 2009. The following permits/licenses/registrations were issued during the month of January, 2009:

- Technicians – 1,426
- Pharmacists – 20 (19 by examination/score transfer, 1 by reciprocity)
- Out of state pharmacies – 15
- In state pharmacies – 7

**V. OLD BUSINESS**

1) John Giampolo, CEO, IPA, Cranbury, NJ – Regarding offers of free antibiotics to consumers by Stop & Shop, Wegmans and Shop Rite pharmacies

Richard Palombo moved, seconded by Elvy Paiva to go into Executive Session for advice of counsel. The Board will report out on their decision regarding this matter at a future meeting. The motion passed unanimously.

## VI. NEW BUSINESS

1) David Schwed, R.Ph., Woodruff's Drugs, Bridgeton, NJ – Board's intent in defining "intake" in regards to prescription handling NJAC 13:39 – 4.18 and the status of pharmacy personnel gathering demographic information at point of service when a patient presents a prescription for filling

Richard Palombo moved, seconded by Pamela Allen to refer the following recommendation to the Rules & Regs Committee for review and possible amendment of the regulation: That a clerk may gather and input the following information into a database as long as their access in the system is limited to those fields:

- demographic data ( name, address, date of birth, telephone number & email address)
- allergies
- medical conditions
- other medications the consumer is taking
- clarify prescriber
- insurance information

The Board cautions that this is a recommendation only to the Committee and that as of now NJAC 13:39 – 4.18 stands as written. The motion passed unanimously.

Richard Palombo moved, seconded by Elvy Paiva to have the Rules & Regulations Committee review NJAC 13:39 – 6.15(b), NJAC 13:39 – 4.18 and other regulations as identified by the Committee to carve out tasks that non-registered personnel may perform in regards to data entry. The motion passed unanimously.

2) Saul Greenberger, owner, Pharmscript, Mountainside, NJ – Request to maintain same permit number upon transfer of ownership

Elvy Paiva moved, seconded by Margherita LaFragola to allow Mr. Greenberger to maintain the same permit number upon transfer of ownership. The motion passed unanimously.

3) Ravi C. Maddali, owner, Vineha Pharma, Livingston, NJ – Request to maintain same permit number upon transfer of ownership

Thomas Bender moved, seconded by Elvy Paiva to allow Mr. Greenberger to maintain the same permit number upon transfer of ownership. The motion passed unanimously.

## VII. MITIGATION/ HEARING REQUESTS

1) Sanchita Das, RPIC, CVS, Pequannock, NJ

The Chair directed that Mr. Das clarify that what was submitted for review was the entire biennial inventory and submit Certification form.

## VIII. COMMITTEE REPORTS

## IX. APPROVAL OF MINUTES

1) January 28, 2009

Elvy Paiva moved, seconded by Margherita LaFragola to approve the minutes as amended. The motion passed 5 – 1(abstained).

## X. ADJOURNMENT

At 10:32 am Elvy Paiva moved, seconded by Margherita LaFragola to move into Executive Session for the

review of 5 Complaints, 4 Old Business items, 1 New Business item, Secretary's Report and Recommendation on Retail and Institutional Permits, Secretary's Report and Recommendation on Inspection Reports, conduct 1 Investigative Inquiry and approval of minutes. The motion passed unanimously