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Governor

KIM GUADAGNO
Lt. Governor

New Jersey Office of the Attorney General

Division of Consumer Affairs
Board of Pharmacy
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NEW JERSEY STATE BOARD OF PHARMACY MINUTES OF THE OPEN SESSION FEBRUARY 24, 2010

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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 24, 2010 at 9:15 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
Margherita LaFragola, R.Ph.	
Elvy T. Paiva, R.Ph.	
Richard Palombo, R.Ph.	
Marc Sturgill, R.Ph.	
Peter Halecky, R.Ph.	

OTHERS IN ATTENDANCE

Joanne Boyer, R.Ph.	Executive Director
Megan Cordoma, Esq.	Deputy Attorney General
Maria Bertorelli	Administrator Assistant

IV. UPDATE BY EXECUTIVE DIRECTOR

1. The Executive Director reported that \$20,441.54 was collected in fines and penalties during January 2010.

The following permits/licenses/registrations were issued during the month of January 2010:

- Technicians - 208
- Pharmacists - 21 (12 by examination/score transfer, 9 by reciprocity)
- Out of state pharmacies - 6
- In state pharmacies - 6
- Pharmacists receiving immunization approval - 36
- Interns (foreign graduates) - 5

V. OLD BUSINESS

1) Angelo Cifaldi, Esq. representing Morabito's Pharmacy, Kenilworth, NJ – Requesting Board opinion regarding potential mail order operation

This matter was last before the Board on 10/14/2009 at which time the Board requested additional information

Thomas Bender moved, seconded by Marc Strugill to send Mr. Cifaldi a letter advising that according to the submitted information on the operational procedures for the potential mail order component of Morabito's Pharmacy, nothing precludes them from operating the mail order operation, as long as the Board of Pharmacy Rules and Regulations are followed. **Motion passed unanimously.**

2) John L. Sisto, Sr. Director of Regulatory Affairs, Medco Health Solutions, Franklin Lakes, NJ – Request for approval for a Technician Work at Home Program

This matter was last before the Board on 9/9/09 at which time the Board requested a draft addendum to the current Pharmacist Work at Home Program pilot

Richard Palombo was recused due to his affiliation with Medco.

Elvy Paiva moved, seconded by Margherita LaFragola to approve the draft as amended. **Motion passed unanimously.**

VI. NEW BUSINESS

1) Gary Sekulski, Owner, Prescription Corporation of America, Denville, NJ – Regarding his application for a new pharmacy

Peter Halecky was recused due to his wife's affiliation with Englewood Hospital.

Elvy Paiva moved, seconded by Marc Sturgill to approve the Pharmacy Permit Application for Prescription Corporation of America. **Motion passed 5 – 1.**

2) Dema A. Rejjal – Reciprocity candidate requesting that 500 hours worked in King Fahad Medical City, Riyadh, Saudi Arabia be counted toward the 1,500 hours required

Peter Halecky moved, seconded by Marc Sturgill to approve the 500 clinical hours worked in Saudi Arabia by applicant. **Motion passed 5-2.** (Mr. Bender opposed)

3) Michael Tursi and Emmett Mcvey, R.Ph., owners, Stokes Pharmacy, Mt. Laurel, NJ – Regarding the potential of a satellite pharmacy under a retail permit

Elvy Paiva moved, seconded by Marc Sturgill to approve considering the concept as presented. Mr. Tursi is to submit a draft of a pilot program for the Board to review. **Motion passed 6 – 1.**

4) Thomas Puleo, R.Ph., Director, Newton Memorial Hospital, Newton, NJ – Requesting a waiver of registration of a temporary pharmacy technician

Elvy Paiva moved, seconded by Margherita LaFragola to deny request to waive registration of a temporary pharmacy technician. **Motion passed unanimously.**

VII. MITIGATION/ HEARING REQUESTS

1) Neha Parikh, RPIC, Walgreens, Warren, NJ

Elvy Paiva and Thomas Bender were recused due to their affiliation with Walgreens.

Peter Halecky moved, seconded by Margherita LaFragola to deny mitigation request for the \$1000.00 fine imposed pursuant to N.J.A.C. 13:39-6.6. **Motion passed unanimously.**

2) Kimberly Roskey, RPIC, Sav-on, Lincroft, NJ

Richard Palombo moved, seconded by Elvy Paiva to deny the mitigation request for the \$400.00 fine imposed pursuant to N.J.A.C. 13:39-6.2(f)7. **Motion passed unanimously.**

3) Catherine Hankel, RPIC, Omnicare, Edison, NJ

Marc Sturgill moved, seconded by Thomas Bender to mitigate the \$500.00 fine imposed pursuant to N.J.A.C. 13:39-11.17(g). **Motion passed unanimously.**

4) Ali Hassanzadeh, RPIC, Walgreens, Boonton, NJ

Elvy Paiva and Thomas Bender were recused due to their affiliation with Walgreens.

Richard Palombo moved, seconded by Marc Sturgill to mitigate the \$750.00 fine imposed pursuant to N.J.A.C. 13:39-6.15(f)2. **Motion passed unanimously.**

5) Alex Chebishev, RPIC, Bleeding Disorders Resource Network, Riverdale, NJ

Richard Palombo moved, seconded by Elvy Paiva mitigate the \$100.00 fine imposed pursuant to N.J.A.C.13:39-4.14(c)3. **Motion passed unanimously.**

VIII. COMMITTEE REPORTS

The Rules & Regs committee will meet on 3/3/2010.
The Compounding Committee will meet on 3/17/2010.

IX. APPROVAL OF MINUTES

1) January 13, 2010

Marc Sturgill moved, seconded by Margherita LaFragola to approve the January 13, 2010 Open Session Minutes as amended. **Motion passed unanimously.**

X. ADJOURNMENT

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At 11:40 a.m. Elvy Paiva moved, seconded by Marc Sturgill to move into Executive Session for review of 10 Complaints, 2 Old Business items, 7 New Business items, Secretary's Report and Recommendation on Retail and Institutional Permits, Secretary's Report and Recommendation on Inspection Reports, conduct 2 Investigative Inquiries and Approval of Minutes.