

**New Jersey State Board of Pharmacy  
Minutes of The Open Session of  
February 26, 2003**

FINAL

**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 Somerset Room, 6th Floor at 124 Halsey Street, Newark, New Jersey on February 26, 2003 at 9:20 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, RPh, President  
Edward McGinley, RPh, Treasurer  
Richard Palombo, RPh  
Ira Katz, RPh  
Mona Doyle- left at 2:55 P. M. - Executive Session  
Pamela Allen, RPh

**OTHERS IN ATTENDANCE**

Marianne Greenwald, Deputy Attorney General  
Debora Whipple, Executive Director  
Marie Wondeh, Principal Clerk Stenographer

**EXCUSED:**

Sophie Heymann  
Edith Micale, RPh  
Robert Kowalski, RPh

**IV. 1. APPROVAL OF FINAL OF OPEN SESSION MINUTES OF JANUARY 22, 2003**

Anthony Alexander moved, seconded by Richard Palombo to accept the minutes of January 22, 2003 as amended. The motion passed unanimously.

**IV. 2. APPROVAL OF DRAFT OF OPEN SESSION MINUTES OF FEBRUARY 5, 2003  
MINUTES**

Edward McGinley moved, seconded by Mona Doyle to accept the minutes of February 5, 2003 meeting as amended. The motion passed unanimously.

**V. SECRETARY'S REPORT AND RECOMMENDATION FOR REGISTRATION BY**

## **RECIPROcity, EXAMINATION AND GRADE TRANSFER**

Pamela Allen moved, seconded by Richard Palombo, to approve the Secretary's Report and Recommendation for Registration by Reciprocity, Examination and Grade Transfer. The motion passed unanimously.

## **VI. LEGISLATION**

### **(1) Central Fill issues raised - Maryann Sheehan, Anthony Miragliotta**

Deputy Director Anthony Miragliotta and Regulatory Analyst, Maryann Sheehan presented to the Board concerns that should be addressed regarding the central fill. The Chair directed the Executive Director to survey four states and report to the Board so either the Rules and Regulations Committee or the Board can review this material and consider the use of waivers if allowable.

### **(2) A-3222 - Requires that the Executive Director of the Board of Pharmacy be a registered pharmacist**

This bill requires that an executive director of the New Jersey Board of Pharmacy, appointed thereby, be a registered pharmacist in the State. Current New Jersey statutes and regulations do not provide for an executive director to the Board of Pharmacy. However, the Board has an appointed executive director who is assigned to handle all of the day-to-day operations of the Board.

Richard Palombo moved, seconded by Ira Katz not to support this bill.

The Board does support having a pharmacist "on staff" but feels that it is not mandatory that the Executive Director be a pharmacist. Richard Palumbo asked that it go on record that the decision to support a pharmacist on staff is in no way a reflection of any dissatisfaction with the work performed by Debora Whipple as the Executive Director. He noted the Board acknowledges her good work and is pleased with her efforts. The motion passed unanimously.

### **(3) A-3230 - Requires photographs on identification cards for health care professionals issued by professional licensing boards**

This bill provides a means of photographic identification for health care professionals practicing in this State to enable them to better identify themselves at the scene of a public health emergency generally, and more specifically in order to render assistance during such an emergency at a hospital at which the health care professional is not employed or affiliated.

The bill requires that the Director of the Division of Consumer Affairs in the Department of Law and Public Safety adopt procedures to ensure that each health care professional, who is licensed or otherwise authorized to practice in this State by a professional and occupational licensing board within the Division of Consumer Affairs, is issued an identification card by the appropriate board, which includes: the person's name, status of licensure or other authorization to practice; and a photograph of the health care professional, which the health care professional is to furnish to the appropriate board in a manner to be prescribed by the director.

The bill stipulates that a health professional licensed or otherwise authorized to practice in this State on the effective date of the bill will be issued an identification card that meets the requirements of the bill upon renewal of that person's license or other authorization to practice by the appropriate board.

Richard Palombo moved, seconded by Mona Doyle to support this bill. The motion passed unanimously.

## **VIII. NEW BUSINESS**

### **(1) Open discussion on electronic signatures and problems arising with Medicaid**

The Chair directed that this is not a Board of Pharmacy issue and that Medicaid is responsible for addressing this

concern.

**(2) John Vaughn, Director of Business Development, DDN Pharmaceutical Logistics, Germantown, WI - Re: Direct to Patient - Patient Assistance Programs**

The Chair directed the Executive Director to refer this matter to the Board of Medical Examiners.

**(3) Memo from Mr. H. Stern - Re: Prescriptions**

The Chair directed the DAG to contact Mr. Stern to discuss the substance of his inquiry.

**(4) Richard Alter, Meridian Pharmacy - Re: Dispensing Drug Assistance Program Medication**

The Chair directed the Executive Director to obtain more information.

**(5) Dawn Schultz, HM2, USN, Pharmacy Department, BMC Lakehurst, NAES, Lakehurst, NJ**

The Chair directed the Executive Director to refer this matter to the New Jersey Prescription Blank Unit.

**(6) K-Mart Pharmacy, Clementon, NJ - Re: Advertisement from ABA Canadian Pharmacy in regards to a coupon for a discount on prescriptions**

This item was referred to Executive Session.

## **IX. CONFERENCES**

**(1) NABP's 99th Annual Meeting - May 3-7, 2003, Philadelphia Marriott Hotel, Philadelphia, PA**

Anthony Alexander moved, seconded by Richard Palombo to recommend Edith Micale attend as a representative of the Board. The motion passed unanimously.

**(2) Memo from Carmen Catizone, Executive Director/Secretary, NABP - Delegate's Certificate for NABP's 99th Annual Meeting, May 3-7, 2003, Philadelphia, PA**

Edward McGinley moved, seconded by Richard Palombo to approve Anthony Alexander as the delegate to the Annual Meeting as a representative of the Board. The motion passed unanimously.

Edward McGinley moved, seconded by Pamela Allen to approve that Richard Palombo attend the Annual Meeting as the alternate to represent the Board. The motion passed unanimously.

## **X. ADDITIONS TO THE AGENDA**

**(1) Letter from Carlo P. Lupano, President, New Jersey Society of Health-System Pharmacists - Re: Attendance at their Annual Meeting and Installation of Officers as a Guest**

The Chair directed the Executive Director to inform them that we appreciate their invitation but the Board cannot accept their invitation as guests.

**(2) Russell Becker - Re: Reinstatement Request**

The Chair directed the Executive Director to write a letter to Mr. Becker referring him to NJSA 45:1-7.2(a-d) which delineates what the Board is requiring.

**(3) Ira Katz - Regarding his representing the Board at the NABP Item Review in Florida**

Pamela Allen moved, seconded by Richard Palombo, to officially acknowledge the Board's appreciation of the arduous task of Item Writing Review that Mr. Katz completed on behalf of the Board. The motion passed unanimously.

## **XI. EXECUTIVE SESSION**

At 12:20 P.M., Pamela Allen moved, seconded by Edward McGinley for the Board to enter Executive Session to review 5 retail and IV permits and 18 inspections, 10 complaints and 2 investigative inquiries. The motion passed unanimously.

## **XII. ADJOURNMENT**

Edward McGinley moved, seconded by Pamela Allen, to adjourn the meeting at 3:55P.M. The motion passed unanimously.

Respectfully submitted,

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Debora C. Whipple  
Executive Director