

New Jersey Board of Pharmacy

Open Session Minutes of March 13, 2002

I. CALL TO ORDER

The open meeting of the New Jersey State Board of Pharmacy was called to order by Board Member Richard Palombo, in the Hudson Room, 6th Floor at 124 Halsey Street, Newark, New Jersey on March 13, 2002 at 9:35 A.M. Board President Anthony Alexander was delayed and Board Treasurer McGinley was excused. All members were duly notified of the time and place and all pertinent materials had been provided.

II. SUNSHINE LAW ANNOUNCEMENT

Richard Palombo 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, RP, President-arrived at 10:00 A.M.
Pamela Allen, RP
Ira Katz, RP-arrived at 9:45 A.M.
Sophie Heymann
Richard Palombo, RP
Edith Tortora Micale, RP
Mona Doyle, RP - left at 2:55 P.M. (Executive Session)

EXCUSED:

Ed McGinley, RP
Robert Kowalski, RP

OTHERS IN ATTENDANCE

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

IV. APPROVAL OF OPEN SESSION MINUTES OF FEBRUARY 27, 2002

Sophie Heymann moved, seconded by Pam Allen, to approve the Open Session Minutes of February 27, 2002 as amended. The motion passed unanimously.

(A) MEMORANDUM OF FINES COLLECTED DATED MARCH 1, 2002

Sophie Heymann moved, seconded by Pam Allen, to approve the memorandum of the fines collected. The motion passed unanimously.

V. SECRETARY'S REPORT AND RECOMMENDATION FOR APPLICATION BY EXAMINATION AND GRADE TRANSFER

Sophie Heymann moved, seconded by Pam Allen, to approve the report. The motion passed unanimously.

VI. SECRETARY'S REPORT AND RECOMMENDATION FOR APPLICATION FOR REGISTRATION BY RECIPROCITY

Sophie Heymann moved, seconded by Pam Allen, to approve the report. The motion passed unanimously.

VII. EXECUTIVE DIRECTOR'S REPORT

(1) Response to Board Members regarding travel

Sophie Heymann moved, seconded by Edith Micale, to recommend via a memorandum of justification that the Executive Director attend the NABP Annual Meeting along with 3 Board members, due to the seriousness of issues being discussed especially HIPAA & technician certification that will have a major impact for both the pharmacists and the public. The motion passed unanimously.

(2) A briefing for understanding Licensing 2000 System

The Executive Director explained that she had attended a meeting of the Executive Directors and it was indicated that, while there are some complications with the system at the moment, they were working on it to make the process a little easier in the future.

The Board is interested in having more information regarding this issue so the chair requested that the Executive Director make arrangements to have June Levy attend a future meeting.

VIII. NEW BUSINESS

(1) Letter from Innovative Pharmaceutical Marketing re: substitution issues related to Accutane/Isotretinoin

The chair directed that this item be referred to the Drug Utilization and Review Council.

(2) Letter from NABP re: Pharmacy Technician Certification Board

The chair directed the Executive Director to write a memorandum to Deputy Director Anthony Miragliotta and request this information be reviewed to see if he thinks it has any impact on the New Jersey Proposed Pharmacy Technician Regulations and if they need to be revised.

(3) Letter from Russell L. McIntyre, Th.D., Robert Wood Johnson Medical School re: PRIM-E Program

The Chair directed the Executive Director to respond that the Board would be interested, if a course is offered geared to non-physicians.

(4) Letter from William H. Constad, MD, Hudson Eye Physicians and Surgeons re: Rules and Regulations regarding the writing and signing of prescriptions in the state

The chair directed the Executive Director to write a letter informing him that there are regulations drafted by both the Board of Medical Examiners and Board of Pharmacy to address electronic transmission of prescriptions.

(5) Nicholas Pirovolos re: Reinstatement request

Richard Palombo moved, seconded by Mona Doyle, to schedule him for a Reinstatement Hearing. Motion passed unanimously.

(6) John Stuart Walker re: Letter from Medical Society of New Jersey

Edith Micale moved, seconded by Mona Doyle to schedule him for a Reinstatement Hearing. Motion passed unanimously.

(7) Medication Errors - Discussion

This item is to be referred to the CQI Committee.

The Board recommended that when it appears a medication error has been made, the letter asking for a response will include instructions to have the dispensing pharmacist respond in writing and for the permit holder to describe the process currently in place and what changes, if any, have been implemented. It is also important that a process be put in place to monitor for trends and patterns.

(8) New York Guidelines for Misbranding v. Return Drugs to Stock

Pam Allen moved, seconded by Sophie Heymann, to adopt the New York Board of Pharmacy's Policy Guidelines with appropriate changes and to notify the Enforcement Bureau. Also, to notify Deputy Director Tony Miragliotta and Acting Director Sharon Joyce of this adoption of policy and refer to the Rules and Regulations Committee. Motion passed unanimously.

IX. OLD BUSINESS

(1) Letter from Sam N. Veltri, Senior Vice President, Neighborcare, re: Long-Term Care

Edith Micale moved, seconded by Richard Palombo, that the Executive Director draft a letter to Mr. Sam Veltri informing him that provided that they comply with NJAC 13:39-9.3(b) and (c), they may develop a formulary in long-term care facilities and implement specific procedures as approved by the facility's Pharmacy and Therapeutics Committee. The motion passed unanimously.

X. CORRESPONDENCE

(1) Conference - NMHCC - April 15-18, 2002

None of the Board members present were interested in attending this conference.

(2) Conference - NCPA - May 19-21, 2002

Edith Micale moved, seconded by Richard Palombo that Board Member Mona Doyle should represent the Board at the NCPA conference.

XI. ADDITIONS TO AGENDA

CONTINUING EDUCATION APPLICATIONS SUBMITTED - EDITH MICALE

Board Member Edith Micale presented to the Board two continuing education applications requesting 28 continuing education credits for two burn conferences for which she needed the Board's opinion as to how to

approve them.

Sophie Heymann moved, seconded by Edith Micale, to create a form letter asking for a summary of the courses that impact the practice of pharmacy. The summary should not be longer than one page. The motion passed unanimously.

CONTINUING EDUCATION PROGRAM SUBMITTED BY LOUIS GRECO - IRA KATZ

Board Member Ira Katz presented to the Board a continuing education application that was submitted by Louis Greco requesting credit for a game show that is played in the form of Jeopardy whereby the questions and answers are related to pharmacy.

Mona Doyle moved, seconded by Pam Allen, to grant him the two credits requested. The motion passed unanimously.

RICHARD PALOMBO'S ELECTION TO THE NABP EXECUTIVE COMMITTEE

The Board, by acclamation, voted to support Board Member Richard Palombo's nomination and to provide a letter of support as well as to lobby on behalf of his candidacy to the NABP Executive Committee.

XII. RECESS TO EXECUTIVE SESSION

At 11:15 A.M., Richard Palombo moved, seconded by Pamela Allen, for the Board to enter Executive Session for the purpose of four Investigative Inquiries, and to receive advice and counsel in regard to these matters, to review 6 retail and IV permits, 15 inspections (from 2/27/02) and 14 inspections (from 3/13/02), and 9 consumer complaints. The motion passed unanimously.

XIII. ADJOURNMENT

Edith Micale moved, seconded by Pam Allen, to adjourn the meeting at 4:30 P.M. The motion passed unanimously.

Respectfully submitted,

Debora C. Whipple
Executive Director