

# **New Jersey Board of Pharmacy**

## **Open Session Minutes of March 27, 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 27, 2002 at 9:35 A.M. Board President Anthony Alexander was excused and Board Treasurer Edward McGinley was delayed. 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:**

Pamela Allen, RP  
Richard Palombo, RP  
Edith Tortora Micale, RP - left at 12:05 P.M. (Executive Session)  
Mona Doyle - left at 1:55 P.M. (Executive Session)  
Ed McGinley, RP, Treasurer -arrived at 11:05 A.M.

#### **EXCUSED:**

Anthony Alexander RP, President  
Sophie Heymann  
Robert Kowalski, RP  
Ira Katz, 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 MARCH 13, 2002**

In the absence of a quorum of the full Board at this time in the meeting, the following was done by committee.

Pamela Allen moved, seconded by Mona Doyle, to approve the Open Session Minutes of March 13, 2002 as amended. The committee unanimously approved the motion.

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

In the absence of a quorum of the full Board at this time in the meeting, the following was done by committee.

Pamela Allen moved, seconded by Mona Doyle, to approve the report. The committee unanimously approved the motion.

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

In the absence of a quorum of the full Board at this time in the meeting, the following was done by committee.

Pamela Allen moved, seconded by Edith Micale, to approve the report. The committee unanimously approved the motion.

## **VII. EXECUTIVE DIRECTOR'S REPORT**

### **I. Explanation of Licensing 2000 - June Levy, Assistant Director, Division of Consumer Affairs**

Ms. Levy was not able to appear. We will contact her office to re-schedule.

## **VIII. NEW BUSINESS**

### **(1) IDEC Pharmaceuticals Corporation re: PDMA Regulation**

The chair directed that this item be referred to the Department of Health because it is not in the Board's jurisdiction.

### **(2) Healthsouth re: Request to have medication dispensed temporarily from Toms River location**

In the absence of a quorum of the full Board at this time in the meeting, the following was done by committee.

Edith Micale moved and seconded by Richard Palombo to approve their request since the two facilities are part of a joint venture that falls within the definition of a health system. The committee approved the motion unanimously. Pamela Allen was recused from the vote because of her affiliation with her employer, St. Barnabas Health Care System.

### **(3) Kennedy Health System re: Question regarding being in compliance with our regulations**

In the absence of a quorum of the full Board at this time in the meeting, the following was done by committee.

Mr. Thomas Egan, Corporate Director of Pharmacy for Kennedy Health Systems appeared to answer any questions the Board may have. After discussion, the Board decided that they could put their procedure in place immediately without awaiting the approval of the full Board.

Pamela Allen moved, seconded by Mona Doyle to find it acceptable to proceed with their plan as long as it is within the confines of NJAC 13:39-9.18. The committee approved the motion unanimously.

## **IX. OLD BUSINESS**

(I) **Nevoqa** - Response to Board's request for additional information

This item is considered as an FYI.

## **X. ADDITIONS TO AGENDA**

### **NEWSLETTER**

Edward McGinley had requested information from the Board members for the upcoming newsletter. The Board decided the following information should be submitted: informing pharmacists that there are proposed Continuing Education Regulations; website for proposed regulations; "Fact Sheet" from NABP regarding HIPAA; and information as submitted by Edith Micale per her involvement as Chairman of the Rutgers College of Pharmacy Intern/Extern Committee.

### **PROPOSED CONTINUING EDUCATION AMENDMENTS AND REGULATIONS - NJAC 13:39-1.3, 3.15 and 3A**

Edith Micale requested review and comment.

### **NEW YORK TIMES ARTICLE**

Mona Doyle requested that an article from the New York Times titled "When Hospitals' Buyer Has Stake in Drug Maker" be copied and agendized at the next Board meeting.

## **XII. RECESS TO EXECUTIVE SESSION**

Pamela Allen moved, seconded by Richard Palombo, for the committee of the Board to enter Executive Session at 11:00 A.M. for the purpose of one Investigative Inquiry and to receive advice of counsel in regard to this matter, to review II retail and IV permits, 15 inspections and 4 consumer complaints. The motion passed unanimously

The Board went back into Open Session at 11:15 after the arrival of Board member, Edward McGinley at 11:05 A.M. for the purpose of ratifying the above committee decisions. A Quorum of the Board approved the above unanimously with the exception of Quorum approval of "Healthsouth" as Board member, Pamela Allen had recused herself. The Board returned to Executive Session at 11:30 A.M.

## **XIII. ADJOURNMENT**

Pamela Allen moved, seconded by Richard Palombo, to adjourn the meeting at 2:15 P.M. The motion passed unanimously.

Respectfully submitted,

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Debora C. Whipple  
Executive Director