

FINAL

**NEW JERSEY STATE BOARD OF PHARMACY
MINUTES OF THE OPEN SESSION OF APRIL 14, 2004**

I. CALL TO ORDER

The Open meeting of the New Jersey State Board of Pharmacy was called to order by Board President Edward McGinley at The Ernest Mario School of Pharmacy in the William Levine Hall, Room 413, 160 Frelinghuysen Rd., Piscataway, New Jersey on April 14, at 9:30 a.m. All members were duly notified of the time and place and all pertinent materials had been provided.

II. SUNSHINE LAW ANNOUNCEMENT

Edward McGinley 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., Chapter 231, PL 1975, C. 10:4-18.

III. ROLL CALL

Present:

Edward McGinley, R.Ph. President
Edith Micale, R.Ph. Treasurer
Pamela Allen, R.Ph.
Sophie Heymann Public Member
Ira Katz, R.Ph.
Robert Kowalski, R.Ph.

Others in Attendance:

Joanne Boyer, R.Ph. Executive Director
Marianne Greenwald Deputy Attorney General

Excused:

Richard Palombo, R.Ph.
Mona Doyle
Anthony Alexander, R.Ph.

IV. APPROVAL OF MINUTES

(1) DRAFT OF MARCH 10, 2004 MINUTES

Robert Kowalski moved, seconded by Edith Micale, to approve the draft minutes of March 10, 2004 as amended. The motion passed unanimously.

(2) FINAL OF FEBRUARY 11, 2004 MINUTES

Sophie Heymann moved, seconded by Pamela Allen, to accept the final minutes of February 11, 2004 as amended. The motion passed unanimously.

V. SECRETARY'S REPORT AND RECOMMENDATION FOR REGISTRATION BY RECIPROCITY, EXAMINATION AND GRADE TRANSFER

Edith Micale moved, seconded by Robert Kowalski to approve the Secretary's Report and Recommendation for Registration by Reciprocity, Examination and Grade Transfer. The motion passed unanimously.

VI. CONTINUING EDUCATION REPORT

Robert Kowalski moved, seconded by Sophie Heymann to accept the Continuing Education report as amended except for those 2 courses sponsored by the New Jersey Pharmacist Association for Science and Technology (NJPhAST). The Executive Director is to contact ACPE to inquire how these types of courses are viewed. The motion passed unanimously.

VII. VIOLATIONS PAID FOR THE MONTH OF MARCH

Sophie Heymann moved, seconded by Edith Micale to accept Violations Paid for the month of March, 2004. The total paid was \$38,550. The motion passed unanimously.

VIII. OLD BUSINESS

(1) Randa Abbo - Issue with NABP

The Executive Director reported that she had spoken with NABP and that they requested that Ms. Abbo submit her documentation for review. NABP stated that many candidates from Syria have been successful in obtaining licensure to practice pharmacy in the US. Ms. Boyer also read portions of a memo from NABP dated April 2, 2004, dealing with FPGEC program requirements.

(2) Duane Reade Pharmacy Kiosk Proposal

This item was moved to the Executive Session for the advice of counsel.

IX. NEW BUSINESS

(1) Jack Bradley, RPh - Candidate who did not renew license for 2003-2005 period, was not compliant with CE requirement and now wishes to renew his license

Sophie Heymann moved, seconded by Ira Katz to have Mr. Bradley submit an affidavit of employment and to provide the Board a listing of CE programs he has presented during the 2001-2003 license renewal period. The motion passed unanimously.

(2) Christopher G. Rosario, RPh - Candidate who did not renew license for 2003-2005 period, was not compliant with CE requirement and now wishes to renew his license

The Chair directed the Executive Director to obtain an affidavit of employment from Mr. Rosario.

(3) Stop & Shop Pharmacy, Ridgewood, NJ - Requesting approval to temporarily relocate pharmacy to trailer during supermarket renovations

Pamela Allen moved, seconded by Robert Kowalski to accept the request pending inspection of the temporary location site (trailer). The motion passed unanimously.

(4) NABP Resolution Review

Resolution No. 100-1-04 Support
100-2-04 Support
100-3-04 Decision of Delegate
100-4-04 Support
100-5-04 Support
100-6-04 Support
100-7-04 Support
100-8-04 Support
100-9-04 Support
100-10-04 Support
100-11-04 Oppose
100-12-04 Support
100-13-04 Support
100-14-04 Decision of Delegate
100-15-04 Support
100-16-04 Support
100-17-04 Support
100-18-04 Oppose
100-19-04 Support
100-20-04 Support
100-21-04 Support
100-22-04 Support with provision that it applies to other drugs also and that it is a recommendation and not a requirement
100-23-04 Support
100-24-04 Support

(5) John Sisto, Director of Regulatory Affairs, Medco Health -Proposal regarding working off-site

John Sisto, Nevin Okay and Jeff Sinko presented their proposal to Board members and answered questions. This item was moved to executive session for advice of counsel.

(6) Senate Bill No. 1428 - Review and comment by Board Members

Sophie Heymann moved, seconded by Pamela Allen to approve the concept presented in the Bill but felt that it may capture conduct that should not be criminalized, that the language needs to be consistent, and that the definitions need to be amended. Specifically, the definition of "Practitioner" needs to include pharmacists, and the "Manufacture" definition should be clarified so that it is clear that it does not include retail compounding pharmacies. Section 8 should include the phrase "or other authorized individual" after the word "dentist". Section 8b needs to define penalty for crime of a fourth degree. The motion passed unanimously.

X. CONFERENCES

(1) University of Utah School on Alcoholism and Other Drug Dependencies - 53rd Annual Session, June 20-25, 2004, Salt lake City, UT

Edith Micale moved, seconded by Ira Katz to accept as an FYI since no Board member expressed interest in attending this conference. The motion passed unanimously.

(2) Practical Application of USP to Pharmaceutical Compounding, Packaging and Dispensing - May 14-15, 2004, USP Headquarters, Rockville, MD

Edith Micale moved, seconded by Edward McGinley to approve Richard Palombo attending this conference. The motion passed unanimously.

(3) Immunization Implementation Summit: Operationalizing Chain Pharmacy-Based Vaccine Delivery - May 17-19, 2004, Ritz Carlton, Pentagon City, Arlington, VA

Sophie Heymann moved, seconded by Ira Katz to approve either Anthony Alexander, Edward McGinley or Ira Katz attending this conference. The motion passed unanimously.

XI. COMMITTEE REPORTS

(1) Pharmacy Practice Act - Technicians Workgroup

Reagendized to the May 12, 2004 Board Meeting.

(2) Pharmacy Practice Act - Collaborative Practice Workgroup

No update at this time.

(3) Pharmacy Practice Act - Immunization Workgroup

Robert Kowalski moved, seconded by Edith Micale to accept draft regulation as amended. The Executive Director will forward an amended version to the Director's office for review. The motion passed unanimously.

XII. ADJOURNMENT

At 12:55 p.m. Edith Micale moved, seconded by Robert Kowalski to move into Executive session to review 20 complaints, 38 inspection reports, 24 retail, institution and IV permits and 2 Investigative Inquiries.