

**New Jersey State Board of Pharmacy  
Minutes of The Open Session of  
April 30, 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 April 30, 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, R.Ph, President  
Edward McGinley, R.Ph, Treasurer  
Mona Doyle, Public Member  
Edith Micale, R.Ph  
Sophie Heymann, MBA, Public Member  
Robert Kowalski, R.Ph  
Pamela Allen, R.Ph

**EXCUSED:**

Richard Palombo, R.Ph  
Ira Katz, R.Ph

**OTHERS IN ATTENDANCE**

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

**IV. 1. APPROVAL OF FINAL OF OPEN SESSION MINUTES OF MARCH 26, 2003**

Pamela Allen moved, seconded by Edith Micale to accept the minutes of March 26, 2003 as amended. The motion passed unanimously.

**IV. 2. APPROVAL OF DRAFT OF OPEN SESSION MINUTES OF APRIL 9, 2003**

Sophie Heymann moved, seconded by Edward McGinley to accept the minutes of April 9, 2003 as amended. The motion passed unanimously.

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

## **RECIPROCITY, EXAMINATION, AND GRADE TRANSFER**

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

## **VI. CONFERENCES**

### **(1) National Disease Management Summit, May 11-13, 2003**

Mona Doyle moved, seconded by Sophie Heymann that the Executive Director write a letter to NABP regarding the Board's concern that this Disease Management Summit does not include any pharmacists with a copy to all professional pharmacy organizations. The motion passed unanimously.

### **(2) Citizen Advocacy Conference - San Francisco, CA, July 17-18, 2003**

Pamela Allen moved, seconded by Edward McGinley, to allow Sophie Heymann to attend to represent the Board. The motion passed unanimously.

## **VII. NEW BUSINESS**

### **(1) Attorney Gregory B. Hook, from Blank Rome, Counsellors-at-large, Trenton, NJ - Re: Partners Pharmacy, Quality Service Pharmaceuticals, LLC, Solutions**

The Chair directed the Executive Director to write a letter asking for the names of each and every person who is involved in the new corporation whether an owner or individual in an entity who has an ownership interest.

### **(2) Richard Alter, Meridian Pharmacy, Neptune, NJ - Re: Dispensing/Drug Assistance Program**

The Chair directed the Executive Director to request Mr. Alter's appearance before the Board in order to address questions and concerns posed by the Board.

### **(3) Pamela Mandel - Re: Whether penalty letters constitute Adverse Licensure Acts**

The Chair directed the DAG to inform Ms. Mandel that it depends on the substance of the Uniform Penalty Letter and that signing the acknowledgment is an admission to the alleged conduct.

### **(4) Marianne Skolek and Chelly Griffith - Re: Purdue Pharma Marketing of Oxycontin**

The Chair directed the Executive Director to write her a letter thanking her for her concern and to share with her a copy of the previous Board newsletter that addressed the use of Oxycontin.

### **(5) Vincent A. Maressa, Executive Director, Medical Society of New Jersey - Re: Complaints from physicians that pharmacists demand their DEA number when they are prescribing non-controlled substance medications**

The Chair directed the Executive Director to explain to Mr. Maressa that, in order to receive payment for the medication, the pharmacist must provide the third-party payor the DEA number of the prescriber. Refer this letter to the BME.

### **(6) Memo from Debora C. Whipple, Executive Director - Re: NABP Constitution and Bylaws - Proposed Amendments**

Executive Director Whipple supplied proposed amendments to the Board members so they could provide comments, if any, to Anthony Alexander for submission at the NABP Annual Meeting. Comments were provided by Robert Kowalski.

### **(7) Diana Vamos - Requesting continuing education credit for her Pharm.D. courses**

Sophie Heymann moved, seconded by Robert Kowalski, to grant three 3 C.E. credits per each course credit of her Pharm.D. courses that were earned during the previous reporting period. The motion passed unanimously.

**(8) Linda Dayer-Berenson, UMDNJ-School of Osteopathic Medicine - Requesting continuing education credit of a course**

Sophie Heymann moved, seconded by Robert Kowalski, to grant her nine C. E. credits for the course, "Principles and Practice of Interdisciplinary Health Care Delivery." The motion passed unanimously.

**(9) Diane M. Greeley - Requesting continuing education credit for her attendance at two programs**

Sophie Heymann moved, seconded by Edward McGinley, to grant her 21.5 C.E. credits for the two programs she attended. The motion passed unanimously.

**(10) Jaime O. Martinez - Requesting continuing education credits for her medical school studies**

The Chair directed the Executive Director to request documentation (e.g., the syllabus) to identify which courses he/she believes are relevant to the practice of pharmacy.

## **VIII. OLD BUSINESS**

**(1) Lawrence Byrd - Re: Considering a business to offer Canadian-filled prescriptions**

The Chair directed the Executive Director to inform Mr. Byrd that the conduct is in violation of Federal laws and that he should make contact with the Food and Drug Administration who oversees such conduct.

**(2) Jim Nikrant, Lil Drug Store Products, Inc. - Re: Using their company logo on their packaging in the State of New Jersey**

The Chair directed to inform Mr. Nikrant that the Board stands by the original decision of February 5, 2003, which states, "there is no statute that would prohibit them from using the name."

**(3) Pamela Mandel - Re: Reinstatement of Lawrence Holtzberg's license**

Edward McGinley moved, seconded by Robert Kowalski to reinstate his license provided that all fines have been paid and he signs a Consent Order agreeing that he cannot serve as RPIC for two years or be a permitholder for five years. The motion passed unanimously.

## **IX. LEGISLATION**

**(1) Memo from Anthony Miragliotta, Deputy Director - Re: Notice of Adoption of CE Regulations**

This item has been considered as FYI.

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

**(1) Positions with NABP Executive Committee**

Anthony Alexander moved, seconded by Mona Doyle to actively support Richard Palombo's request to be nominated for one of the positions on the NABP Executive Committee if it opens up at the upcoming District II meeting. The motion passed unanimously.

**(2) Corinne Chahine - Requests reconsideration of Board's denial of waiver**

Robert Kowalski moved, seconded by Edward McGinley that her ASHP accredited residency is substantially equivalent to the required 1,000 hours and shall suffice. The motion passed unanimously.

## **XI. EXECUTIVE SESSION**

At 11:05 A.M., Edward McGinley moved, seconded by Pamela Allen for the Board to enter Executive Session to review 15 retail and IV permits, 18 inspections, and 14 complaints. The motion passed unanimously.

## **XII. ADJOURNMENT**

Edward McGinley moved, seconded by Pamela Allen, to adjourn the meeting at 3:50 P.M. The motion passed unanimously.

Respectfully submitted,

---

Debora C. Whipple  
Executive Director