NEW JERSEY STATE BOARD OF PHARMACY MINUTES OF
THE OPEN SESSION FOR JUNE 22, 2005

I. CALL TO ORDER

The Open meeting of the New Jersey State Board of Pharmacy was called to order by Board President Pamela Allen in the Hudson Room, 6th Floor at 124 Halsey Street, Newark, New Jersey on June 22, 2005 at 9:05 a.m. All members were duly notified of the time and place and all pertinent materials had been provided.

II. SUNSHINE LAW ANNOUNCEMENT

Pamela Allen 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

Pamela Allen, R.Ph. President
Edward McGinley, R.Ph Vice-President
Margherita R. Lafragola, R.Ph
Elvy Paiva, R.Ph
Thomas Bender
Marc Sturgill, Pharm. D.
Ira Katz

OTHERS IN ATTENDANCE:

Marianne Greenwald Deputy Attorney General
Joanne Boyer, R.Ph. Executive Director
Marie Wondeh Principal Clerk Stenographer

EXCUSED:

Axel Miranda Public Member
Jennifer Barron Government Member
Thomas Egan
Sy Larson Public Member

IV. SECRETARY’S REPORT AND RECOMMENDATION FOR REGISTRATION BY RECIPROCITY, EXAMINATION and GRADE TRANSFER

Elvy Paiva moved, seconded by Marc Sturgill, to accept the Secretary’s Report and Recommendation for Registration by Reciprocity, Examination and Grade Transfer. The motion passed unanimously.

V. CONTINUING EDUCATION REPORT

Edward McGinley moved, seconded by Margherita R. Lafragola to accept the Continuing Education Report for June 8, 2005 as amended. The motion passed unanimously.

VI. VIOLATIONS PAID FOR THE MONTH OF MAY

N/A

VII. OLD BUSINESS
1) Formal Hearing conducted by Hakima Bey, Deputy Attorney General, in the matter of the suspension or revocation of the license of Steven Dolgoff (ll:00 a.m.) The Formal Hearing has been re-scheduled for the July, 13, 2005 meeting.

2) Review of disciplinary guidelines for failure to complete continuing education (CE) requirements. The Chair directed Edward McGinley and Elvy Paiva to draft a proposal for disciplinary guidelines for failure to complete continuing education (CE) requirements. The ten (10) live credits should be included in the guidelines along with the three (3) law credits indicated on the ll to 20 line of the current grid.

3) N.J.A.C.13:39-7.3(b)- Phrase "reduce to writing" Elvy Paiva moved, seconded by Ira Katz that the Board shall adopt as a policy, to be later refined and drafted during the regulatory process, that the phrase "reduced to writing" as set forth in NJAC 13:39-7.3, shall include any expression by letters, numbers, or characters, including handwriting, printing, typewriting, lasered, electronic or other tangible form of recording. The motion passed unanimously.

VIII. NEW BUSINESS

1) James Cammarata, R.Ph., Valley Pharmacy, Pluckemin, NJ - Regarding Aetna Pharmacy Management correspondence to physician This item was moved to Executive Session for the advice of counsel and the respondent was informed that this item would be placed on the August 10, 2005 agenda.

2) Dean O. Graziano, Pharm.D., Executive Director, FDG Educational Services LLC - Requesting Board review and approval of Pharmacy Technician Certification Program

The Chair directed that the respondent be informed that the Board does not have the authority to approve Certification programs. If he wishes to submit his program as a training program he can do so and he is to be provided with a copy of the training grid, which outlines what elements have to be in the program.

3) Review of Assembly Bill No. 4080 - Caps noneconomic damages in medical malpractice actions arising from emergency care at $250,000

Ira Katz moved, seconded by Elvy Paiva, to support Assembly Bill No. 4080 as proposed. The motion passed unanimously.

4) Pedran Pahlavan, Pharm.D., Director of Professional Services, Chartwell Diversified Services, Pine Brook, NJ - Requesting a waiver of NJAC 13:39-4.10(a)

Elvy Paiva moved, seconded by Marc Sturgill to deny his request since he failed to demonstrate good cause to waive N.J.A.C.13:39-4.10(a). The motion passed unanimously.

5) Correspondence from Kimberly Ricketts, Acting Director, Division of Consumer Affairs This item was considered for informational purposes. The Chair, Pamela Allen, explained that Ms. Ricketts had expressed that she would like to attend a Board of Pharmacy meeting when her schedule permits.

6) Permit Consent Order submitted by Marianne Greenwald for Board review and approval The Chair directed that this item be referred to the Licensing Permit Committee, which consists of Joanne Boyer, Margherita Lafragola, and Elvy Paiva. The Committee will draft a template for an affidavit and email comments and changes to the Deputy Attorney General, Marianne Greenwald and then report back to the Board for final approval.

7) "Health Care Professional Responsibility and Reporting Enhancement Act" signed into law by Acting Governor Codey on 5/3/05

This item was considered for informational purposes only.

8) Jane Shin - Regarding her application
Elvy Paiva moved, seconded by Ira Katz, that the respondent must complete the required one thousand (1000) hour internship, prior to being considered for licensure. The motion passed unanimously.

IX. CONFERENCES
N/A

X. COMMITTEE REPORTS
N/A

XI. APPROVAL OF MINUTES
1) June 8, 2005

Ira Katz moved, seconded by Edward McGinley to accept the minutes of June 8, 2005 as amended. The motion passed unanimously.

XII. ADJOURNMENT

At 10:20 a.m., Edward McGinley moved, seconded by Marc Sturgill to enter into the Executive Session to review (8) complaints, (7) New Business, (14) mitigations, (3) retail IV permits, and (13) inspection reports. The motion passed unanimously.