

**NEW JERSEY STATE BOARD OF PHARMACY MINUTES OF
THE OPEN SESSION FOR JULY 13, 2005**

I. CALL TO ORDER

The Open meeting of the New Jersey Board of Pharmacy was called to order by Board President Pamela Allen in the Monmouth Room, 7th floor at 124 Halsey Street, Newark, New Jersey on July 13, 2005 at 9:06 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 the 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
Thomas Bender, R.Ph.
Marc Sturgill, Pharm. D.
Ira Katz, R.Ph.
Axel Miranda Public Member
Thomas Egan, PharmD.
Sy Larson Public Member

OTHERS IN ATTENDANCE:

Marianne Greenwald Deputy Attorney General
Joanne Boyer Executive Director
Kimberly Deschamps Assistant Clerk Stenographer
Susan Flores Clerk Stenographer

EXCUSED:

Elvy Paiva, R.Ph
Jennifer Barron Government Member

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

Margherita Lafragola moved, seconded by Thomas Egan to accept the Recommendation for Registration for Registration by Reciprocity, Examination and Grade Transfer. The motion passed unanimously.

V. CONTINUING EDUCATION REPORT

Thomas Egan moved, seconded by Margherita Lafragola to accept the Continuing Education Report for July 13, 2005. The motion passed unanimously.

VI. VIOLATIONS PAID FOR THE MONTH OF JUNE

Thomas Egan moved, seconded by Margherita Lafragola to accept the Violations Paid for the month of June. The motion passed unanimously.

VII. OLD BUSINESS

- 1) Draft Regulation for review – Registration of out of state pharmacies Edward McGinley moved, seconded by Ira Katz to approve as amended the draft regulation for the Registration of out of state pharmacies. The motion passed unanimously.
- 2) Draft Regulation for review – Waiver rule Ira Katz moved, seconded by Thomas Egan to approve the draft regulation for Waiver rule. The motion passed unanimously.
- 3) Resolutions Passed and Defeated at NABP's 101st Annual Meeting The Board accepted as informational.
- 4) Formal Hearing conducted by Tara Ragone, Deputy Attorney General, in the matter of the suspension or revocation of the license of Steven Dolgoff (11:00 a.m.) The formal hearing has been rescheduled for the August 10, 2005 meeting.
- 5) Michael Wolf, Pharm., PhD, President, Wald Drugs, Flemington, NJ – Regarding proposed storefront drop off The Board determined that Mr. Wolf should submit an application as previously requested and appear before the Board in order to answer questions regarding his proposal.
- 6) TSE Waiver for Jobek Kim Marc Sturgill moved, seconded by Edward McGinley to deny the request for a TSE waiver. The Board's concerns were Jobek Kim's ability to be understood over the telephone and ability to respond to impromptu questioning. The motion passed unanimously.

VIII. NEW BUSINESS

- 1) Review and comment on Senate Bill No. 2597 – Requires drug manufacturers to offer their drugs to purchasers on terms and conditions offered to most favored purchaser Sy Larson moved, seconded by Axel Miranda to support Senate Bill No. 2597. Pamela Allen opposed. The motion passed 8 to 1.
- 2) Request for waivers
 - a) Augustine F. Aworuwa – requesting waiver of FPGEE Ira Katz moved, seconded by Edward McGinley to deny the request for a waiver of FPGEE in support of the NABP requirement that an applicant needs to obtain license in the country where they are educated. The motion passed unanimously.
 - b) Harshilkumar S. Patel – requesting waiver of TSE Margherita Lafragola recused for her affiliation with Rite Aid Pharmacy. Edward McGinley moved, seconded by Ira Katz to deny the request for a waiver of TSE. Mr. Patel is to retake the TSE now that he has completed the Syllan Learning Center course. The motion passed unanimously.
 - c) Dipti Dobariya – requesting waiver of intern hours Edward McGinley moved, seconded by Margherita Lafragola to deny the waiver request of intern hours. Ms. Dobariya must complete the 1000 hours as required by the Board's regulations. Marc Sturgill opposed. The motion passed.
 - d) Cathy Formica – apply for reciprocity, requesting a waiver of practicum hours as stated in NJAC 13:39 – 3.2(a)3 Edward McGinley moved, seconded by Ira Katz to approve an extension until September 30, 2005 in order for Ms. Formica to complete the 500 hours. The motion passed unanimously.
 - e) Krina A. Patel – requesting a waiver of NJAC 13:39 – 8.4(a)3 Thomas Egan moved, seconded by Margherita Lafragola to deny the request for a waiver of N.J.A.C. 13:39-8.4(a)3. The motion passed unanimously.
 - f) Ankit Shah – applying for reciprocity, requesting a waiver of TSE Ira Katz moved, seconded by Edward McGinley determined to deny the request for a waiver of TSE. Ms. Shah needs to take an English as a Second Language course and then retake the TSE examination. The motion passed unanimously.

g) Alpesh Patel – applying for reciprocity, requesting a waiver of NJAC 13:39 – 2.9(a) (passed FPGEE in 1998, did not acquire FPGEC certificate at that time because did not take TSE exam; has now passed TSE but has exceeded 2 year time frame so cannot get FPGEC certificate unless he takes FPGEE and TOEFFEL again) Thomas Egan moved, seconded by Margherita Lafragola to deny the request for the waiver. The motion passed unanimously.

3) Assembly Bill 4281 Ira Katz moved, seconded by Thomas Bender to support Assembly Bill 4281. The motion passed unanimously.

4) Assembly Bill 4037 Edward McGinley moved, seconded by Marc Sturgill to support Assembly Bill 4037 if pharmacies and pharmacists are included in the definition of "health care provider". The motion passed unanimously.

IX. CONFERENCES

1) American College of Clinical Pharmacy 2005 Annual meeting, October 23-26, 2005, San Francisco, Ca The Board accepted the materials as informational.

2) ACPE's 11th Conference on Continuing Pharmacy Education, September 29 - October 2, 2005, Chicago, Ill The Board accepted the materials as informational.

X. COMMITTEE REPORTS

N/A

XI. APPROVAL OF MINUTES

1) June 22, 2005 Edward McGinley moved, seconded by Ira Katz to accept the minutes of June 22, 2005 as amended. The motion passed unanimously.

XII. ADJOURNMENT

At 11:15 a.m., Edward McGinley moved, seconded by Thomas Egan to enter the Executive Session to review (11) complaints, (3) New Business, (5) mitigations, (3) retail IV permits, and (20) inspection reports. The motion passed unanimously.