

DRAFT

NEW JERSEY STATE BOARD OF PHARMACY
MINUTES OF THE OPEN SESSION OF JULY 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 in the Somerset Room, 6th Floor at 124 Halsey Street, Newark, New Jersey on July 14, 2004 at 9:08 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

Edward McGinley, R.Ph President
Edith Micale, R.Ph Treasurer
Anthony Alexander, R.Ph
Pamela Allen, R.Ph
Mona Doyle Public Member
Sophie Heymann Public Member
Ira Katz, R.Ph (Arrived at 9:50 a.m.)
Robert Kowalski, R.Ph (Left at 3:20 p.m.)
Richard Palombo, R.Ph

OTHERS IN ATTENDANCE:

Joseph Donofrio Deputy Attorney General
Joanne Boyer, R.Ph Executive Director
Shonnette Messiah Principal Clerk Stenographer
Kiran Shamlall Assistant Clerk Stenographer

IV. APPROVAL OF MINUTES

(1) DRAFT OF , 2004 MINUTES

There were no minutes to be approved.

(2) FINAL OF , 2004 MINUTES

There were no minutes to be approved.

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

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

VI. CONTINUING EDUCATION REPORT

Sophie Heymann moved, seconded by Edith Micale to have the Executive Director review each of the Continuing

Education course applications and then present a summary report to the Board for approval. The motion passed unanimously.

Anthony Alexander moved, seconded by Robert Kowalski to accept the Continuing Education Report. The motion passed unanimously.

VII. VIOLATIONS PAID FOR THE MONTH OF JUNE

Robert Kowalski moved, seconded by Anthony Alexander to accept the Violations Paid for the Month of June as amended. The motion passed unanimously.

VIII. OLD BUSINESS

N/A

IX. NEW BUSINESS

(1) Louis E. Baxter, Sr., M.D., FASAM, Executive Medical Director, Physician's Health Program/Healthcare Professionals Program

Dr. Baxter appeared before the Board along with Linda Pleva to make a presentation regarding the monitoring of enrolled healthcare professionals and interpretation of urine screen results.

Pamela Allen Moved, seconded by Edith Micale to appoint a task force to develop recommendations regarding how the urine screen reports should be processed as well as the possible formation of an Impairment Review Committee (IRC). The motion passed unanimously.

(2) Letter sent to pharmacists who answered "no" to question on completing the required CE courses on their renewal application

Sophie Heymann moved, seconded by Mona Doyle to have the CE committee put together a recommendation for the fines and/or penalties for the pharmacists who did not complete their continuing education requirement. The motion passed unanimously.

(3) Frank J. Romean, R.Ph. – Requesting waiver of continuing education requirements (45:14 –11.14)

Edith Micale moved, seconded by Robert Kowalski to refer this item to the CE committee for discussion to develop criteria for responding to CE waiver requests. The motion passed unanimously.

Robert Kowalski moved, seconded by Anthony Alexander to obtain more detailed information regarding the extent of Mr. Romean's handicap as well as his intentions regarding his practice of pharmacy. The Board will respond to his waiver request after this information is received. The motion passed unanimously.

(4) Janet Zuendt – Consumer concerned with hospitalized patients not receiving drug information leaflets

Edith Micale moved, seconded by Pamela Allen that Pam Allen and Edith Micale be appointed to obtain and review a response from the hospital regarding this matter, including finding out what their current policy is on patients receiving drug information. The motion passed unanimously.

The Chair requested that the Executive Director keep track of this item.

(5) Hank Incognito, R.Ph., Avenel Pharmacy, Avenel, NJ – Correspondence received regarding mail order pharmacies

Mr. Incognito was present and spoke regarding this issue. Pamela Allen moved, seconded by Ira Katz, to refer this item to the Department of Banking and Insurance to audit or review the enforcement of the statute that allows any pharmacy to offer the same terms and conditions to patients as mail order pharmacies. The motion passed unanimously.

Richard Palombo was recused due to his affiliation with Medco Health, a mail order pharmacy.

(6) Board Members report on NABP 100th Annual Meeting and Centennial Celebration, April 24-27, 2004, Chicago, Ill.

This item has been accepted as an F.Y.I.

(7) Drug Topics article – Disciplining Pharmacists

The Chair directed the Executive Director to find out if Campbell University offers any online courses and to determine whether this issue should be referred to the CQI Committee for review.

(8) Proposed Readoption with Amendment: NJAC 8:71-1. Interchangeable Drug Products

Sophie Heymann moved, seconded by Ira Katz, to support the proposed readoption but with the following comments. They should change 8:71 - 1.1(c) to state that only medications with an "A" rating are acceptable for interchange and those that have a "B" rating are not acceptable. The FDA website should be included in section 8:71 -1.1(c) since the rating of a medication can appear at this website before it is posted on the Orange Book website. They also need to add that if a generic is manufactured by or under the authority of the NDA holder of the brand product, that it is acceptable for interchange. These medications will not appear in the Orange Book since they are identical to the Brand. Lastly, interchange of any medication not rated or reviewed should be left to the professional judgement of the pharmacist as it is in many other states. Comments on these regulations must be submitted by 8/20/04. The motion passed unanimously.

(9) Junius Baugh – Requesting waiver from renewal fees

Edith Micale moved, seconded by Anthony Alexander, to approve the waiver from renewal fees but he is to take the MPJE. The motion passed unanimously.

(10) Election of Board President and Vice President

Joanne Boyer, Executive Director, called for nominations for the position of President, Board of Pharmacy.

Ira Katz moved, seconded by Edith Micale to nominate Pamela Allen for President of the Board of Pharmacy.

Anthony Alexander moved, seconded by Robert Kowalski to nominate Edward McGinley for President of the Board of Pharmacy.

Robert Kowalski moved, seconded by Anthony Alexander to close the nominations for President of the Board of Pharmacy. The motion passed unanimously.

A closed ballot was conducted by the Executive Director. The ballots were counted by the Executive Director with Pamela Allen receiving 5 votes and Edward McGinley 3 votes. Mona Doyle abstained from voting.

Joanne Boyer, Executive Director, called for nominations for the position of Vice-President, Board of Pharmacy.

Sophie Heymann moved, seconded by Robert Kowalski to nominate Edith Micale for Vice President, Board of Pharmacy. Edith Micale declined the nomination.

Edith Micale moved, seconded by Mona Doyle to nominate Edward McGinley for Vice President, Board of Pharmacy.

Robert Kowalski moved, seconded by Edward McGinley to close the nominations for Vice President of the Board of Pharmacy.

By a show of hands Edward McGinley was unanimously elected to the position of Vice President, Board of Pharmacy.

X. CONFERENCES

N/A

XI. COMMITTEE REPORTS

(1) Pharmacy Practice Act – Technicians Workgroup Anthony Alexander

The technician workgroup had a conference call to develop standardized criteria for evaluating a technician training program and testing program. A summary of the items discussed was distributed. Based on Board input, the committee will present another draft to the Board at the next meeting.

(2) Pharmacy Practice Act – Collaborative Practice Workgroup Pamela Allen

This item has been re-agendized to next meeting.

(3) Pharmacy Practice Act – Immunization Workgroup Ira Katz

The workgroup is scheduled to meet with the Board of Medical Examiners on Friday, July 16 and will present a report at the next meeting.

XII. ADJOURNMENT

At 1:07 p.m., Anthony Alexander moved, seconded by Ira Katz, to enter into the Executive Session to review (17) complaints, (8) retail IV permits, and (10) inspection reports. The motion passed unanimously.