

FINAL

**NEW JERSEY STATE BOARD OF PHARMACY
MINUTES OF THE OPEN SESSION OF SEPTEMBER 10, 2003**

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 September 10, 2003 at 9:10 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.
Mona Doyle Public Member (left at 3:50 pm, Executive Session)
Sophie Heymann Public Member
Ira Katz, R.Ph. Arrived 9:45 a.m.
Robert Kowalski, R.Ph. Government Member (left at 3:30 pm, Executive Session)
Richard Palombo, R.Ph. (left at 3:15 pm, Executive Session)

OTHERS IN ATTENDANCE:

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

EXCUSED:

Anthony Alexander, R.Ph.

III. A. INTRODUCTION OF NEW EXECUTIVE DIRECTOR

Anthony Miragliotta, Deputy Director of the Division of Consumer Affairs, introduced the new Executive Director, Joanne Boyer, RPh to the Board.

IV. 1. APPROVAL OF DRAFT MINUTES FOR OPEN SESSION OF August 13, 2003

Robert Kowalski moved, seconded by Edith Micale, to accept the minutes of August 13, 2003 as amended. The motion passed unanimously.

IV. 2 APPROVAL OF FINAL MINUTES FOR OPEN SESSION OF JULY 23, 2003

Edith Micale moved, seconded by Sophie Heymann, to accept the minutes of July 23, 2003 as amended. The motion passed unanimously.

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

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

V.B CONTINUING EDUCATION REPORT

Edith Micale moved, seconded by Richard Palombo to approve Continuing Education request except for Universal Home Healthcare. Robert Kowalski requested that these reports be included as part of the packet sent to Board members prior to meeting. The motion passed unanimously.

V.C MEMORANDUM OF FINES FOR AUGUST 2003

Robert Kowalski moved, seconded by Sophie Heymann, to accept the Memorandum of Fines for August 2003 with corrections. The motion passed unanimously.

VI. CONFERENCES

(1) NCPDP News Release- "NCPDP Presents Educational Forum in November," November 11, 2003, Hyatt Regency O'Hare, Rosemont, IL

This matter was considered as FYI. No one was interested in attending.

(2) NASCSA - 19th Annual Educational Conference, October 21-25, 2003, Biloxi, MS

No one was interested in attending due to scheduling conflict with NABP District II meeting. Pamela Allen moved, seconded by Robert Kowalski to recommend that Tonya Knoll from Drug Control attend and provide a report to Board. The motion passed unanimously.

(3) NABP District II Meeting, October 19-21, 2003, Richmond, Va.

Robert Kowalski moved, seconded by Ed McGinley that Ed McGinley, Edith Micale, Richard Palombo, Joanne Boyer, and Sophie Heymann, to attend the meeting as representatives of the Board, if approved by the Division of Consumer Affairs. The Executive Director was to follow-up with Anthony Alexander and Ira Katz to find out if they would like to attend. The motion passed unanimously.

(4) Citizen Advocacy Center (CAC) Annual Meeting, November 13-15, 2003, Arlington, Va.

Richard Palombo moved, seconded by Pamela Allen to allow Mona Doyle, and Sophie Heymann as the alternate, to attend as representatives of the Board, if approved by the Division of Consumer Affairs. The motion passed unanimously.

VII. NEW BUSINESS

(1) Joyce DeVitt, RN, C-CPC Behavioral Healthcare

The Chair directed the Executive Director to refer this to the Board of Medical Examiners.

(2) David Miller, RP, Miller's community Pharmacy Center - Request for Board direction as to meeting qualifications for closed-shop pharmacy.

Pamela Allen moved, seconded by Edith Micale to table this item until an Inspection Report is available. The motion passed unanimously.

(3) Ajay Patel - Transfer of Pharmacist License

The Chair directed that this item be referred to Sophie Heymann and Ira Katz of the TOEFL/Waivers Committee of the Board.

(4) Irv Hartman - Consideration of Reinstatement Fees

Sophie Heymann moved, seconded by Edith Micale to advise Mr. Hartman that he is to pay fees as presented and complete CE credits. The motion passed unanimously.

(5) Ben Thankachan, RP, Wal-Mart Pharmacy Professional Services - Re: Allowing pharmacists to administer Flu-Mist vaccine

The Board directed that under our current regulations pharmacists cannot administer medications.

(6) Bob Mernar, RP, Pharmaceutical Care Administrator, Wakefern Food Corporation - Regarding Flu-Mist administration

The Chair directed the Executive Director to obtain detailed information regarding their program and reagendaize the matter at the next available meeting.

(7) Janice K. Van Dyne, Squire Sanders & Dempsey LLP - Re: Requirements for electronic transmission of prescription information

The Chair directed the Executive Director to inform Ms. Van Dyne that regulations regarding this issue are to be adopted by the end of the month.

(8) Recognition that Richard Palombo, RP of the New Jersey Board of Pharmacy has been selected to be on National Association of Boards of Pharmacy Government Affairs Subcommittee of the Executive Committee.

The Board recognized the importance of this position and congratulated Mr. Palombo.

(9) Task Force on Medication Shortages - November 20, 2003

Sophie Heymann was appointed to the NABP Task Force and will be attending the meeting.

(10) Consumer's Report, October 2003 issue

The Chair directed the Executive Director to obtain this report for distribution at the next Board meeting.

VIII. OLD BUSINESS

(1) Web-assisted Conference Calls Entitled, "Monitoring the Health Care Safety Net", September 23-25, 2003

This item is to be reported at the Board meeting of October 8, 2003 by the Continuous Quality Improvement Committee (CQI).

(2) Technology Committee

The Technology Committee is to report to the Board on November 5, 2003 on the Pyxis Envoy Medication System by

Cardinal Health.

(3) Enforcement Liaison

Richard Palombo and Robert Kowalski are to confer with the Enforcement Bureau as Liaisons in regards to standardization of an application process for automated dispensing systems and report back to the Board on November 5, 2003.

IX. FYI

(1) NABP - "Standards for Electronic Prescribing"

It was noted that page 2 was missing. The Chair directed the Executive Director to obtain page 2 and make available to Board Members for September 24, 2003 meeting.

(2) PTCB - PTCB Activities

The Chair directed the Executive Director to forward this article on to MaryAnn Sheehan, Regulatory Analyst for the Board and Anthony Miragliotta, Deputy Director.

(3) NABP - Internet and mail order Pharmacy Accreditation Commission (IMPAC)

(4) InforPress - FDA's New Regulation to Speed Access to Lower Cost Generic Drugs About to Take Effect

(5) NCPA Newsletter

Items IX 3-5 were considered as informational.

X. ADJOURNMENT

Robert Kowalski moved, seconded by Pamela Allen, to enter into the Executive Session at 10:50 a.m. to review (20) permits and (15) inspection reports and for advice of counsel. The motion passed unanimously.

Richard Palombo moved, seconded by Edith Micale, to return to the Open Session at 11:36 am for discussion of the correspondence from Bob Mernar regarding pharmacists dispensing Flu-Mist. The motion passed unanimously.

Mona Doyle moved, seconded by Ira Katz, to move back into the Executive Session at 11:44 a.m. . The motion passed unanimously.