

**NEW JERSEY BOARD OF PHARMACY  
OPEN SESSION MINUTES NOVEMBER 8, 2006**

**I. CALL TO ORDER**

The open meeting of the New Jersey 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 November 8, 2006 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**

Edward McGinley 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**

Edward McGinley, R.Ph President  
Thomas Bender, R.Ph. Vice President  
Elvy T. Paiva, R.Ph.  
Pamela Allen, R.Ph.  
Jennifer Barron Government Member Peter Halecky, R.Ph.  
Margherita Lafragola, R.Ph.  
Marc Sturgill, PharmD Arrived 9:11 a.m.

**OTHERS IN ATTENDANCE**

Joanne Boyer Executive Director  
Marianne Greenwald Deputy Attorney General  
Susan Flores Principal Clerk  
Kiran Shamlall Clerk Typist

**EXCUSED**

Thomas Egan, Pharm.D  
Axel Miranda Public Member

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

Elvy Paiva moved, seconded by Jennifer Barron, to accept the Secretary's Report and Recommendation for Registration by Reciprocity. The motion passed unanimously.

**V. CONTINUING EDUCATION REPORT**

Peter Halecky moved, seconded by Elvy Paiva, to accept the Continuing Education report for November 8, 2006. The motion passed unanimously.

**VI. VIOLATIONS PAID FOR THE MONTH OF OCTOBER**

Peter Halecky moved, seconded by Jennifer Barron, to accept the Violations Paid for the Month of October, 2006. The motion passed unanimously.

**VII. OLD BUSINESS**

1) Julie Mindnich, Genoa Healthcare, Red Bank, NJ– Requesting a waiver of NJAC 13:39 – 7.18 This item was last before the Board on 7/26/06 at which time the Board requested additional information Jennifer Barron moved, seconded by Elvy Paiva, to approve the program, with the specifics limited to the circumstances as outlined in the proposal and that the products would be limited to the CPC formulary and treatment of mental health disorders, due to patients receiving the medications they need in a timely fashion and increasing compliance and decreasing complications. The motion passed 6 to 1. There was one abstention.

2) Mohamed Bassiouni, R.Ph. – Submission of Ethics Course materials The Board accepted it as informational.

## **VIII. NEW BUSINESS**

1) Denise Gonsberry – Request for reinstatement

The Chair directs that this matter be tabled until Board receives the psychological evaluation and the DAG obtains additional information regarding the 10/24/06 lab work. .

2) Tenzin K. Dhashi – Request for waiver of NJAC 13:39 – 8.2(a)

Pamela Allen moved, seconded by Marc Sturgill, to approve Ms. Dhashi’s request for waiver of NJAC 13:39-8.2(a) inasmuch as Mr. Zaurov who is the preceptor reciprocated to New Jersey and is only five months short of being licensed in New Jersey for two years or more and it is difficult to find employers who are willing to sponsor individuals with a working visa. The motion passed 6 to 2.

3) Prescription Drug Price Registry – Division Draft Regulation

Elvy Paiva moved, seconded by Jennifer Barron to accept the Prescription Drug Price Registry draft regulations as amended. The motion passed unanimously.

4) Imrana Siddiqui – Foreign graduate requesting credit for intern hours that occurred prior to making application with the Board

Jennifer Barron moved, seconded by Peter Halecky, to deny Ms. Siddiqui’s request for credit for intern hours obtained prior to making application with the Board since she did not show good cause. The motion passed unanimously.

5) Mehulkumar Sureja – Foreign graduate requesting credit for intern hours that occurred prior to making application with the Board

Elvy Paiva moved, seconded by Marc Sturgill, to deny Mr. Sureja’s request for credit for intern hours that occurred prior to making application with the Board since he did not show good cause. The motion passed unanimously.

## **IX. MITIGATIONS** 1) Paul K. Otchere, RPIC, King’s Choice Pharmacy, Irvington, NJ

The Board determined to mitigate NJAC 13:39-5.3(a) (\$50.00 penalty); NJAC 13:39-5.5 (warning and letter of correction) and NJAC 13:39:4.14(b)4 (\$100.00 penalty); and to deny NJAC 13:39-4.14(b)1 (\$1,000 penalty) since the window could not be locked at time of inspection.

2) Paul M. Cannoe, RPIC, Super Fresh Pharmacy, Cape May Court House, NJ

The Board determined to deny NJAC 13:39-5.8(a)1 (\$100.00 penalty) since it was the only reference he was aware of and used by himself when necessary.

3) Joseph Tarallo, RPIC, Park Plaza Pharmacy, Matawan, NJ

The Board determined to mitigate \$250.00 of the \$500.00 penalty of NJAC 13:39-7.19(c) and NJAC 13:39-7.19(c)1.

4) Phyllis Kuo, R.Ph. – Regarding CE audit

Pictures of Ms. Kuo's son will be available for Board review The Board determined to mitigate NJAC 13:39-3.A1(a) (\$3,600 penalty) and to deny NJSA 45:1-21(a) (\$1,000.00 penalty).

5) Elisa Ragozzino, R.Ph. – Regarding CE audit

This item was last before the Board on 4/26/06 at which time the Board requested documentation concerning her mother's illness and employment history The Board determined to mitigate NJAC 13:39-3A(a) (\$800.00 penalty) and NJSA 45:1-21(a) (\$1,000.00 penalty) based on hardship.

Pamela Allen moved, seconded by Peter Halecky, to accept the actions in the above mitigations. The motion passed unanimously.

## **X. FILED ORDERS FOR THE MONTHS OF OCTOBER**

N/A

## **XI. COMMITTEE REPORTS**

N/A

## **XII. APPROVAL OF MINUTES**

1) October 25, 2006

Elvy Paiva moved, seconded by Jennifer Barron, to approve the Open Session Minutes of October 25, 2006 as amended. The motion passed unanimously.

## **XIII. ADJOURNMENT**

At 10:37 a.m., Margherita Lafragola moved, seconded by Jennifer Barron to adjourn the Public Session Agenda and enter into Executive Session to review (4) consumer complaints, (2) Old Business items, (2) New Business items, (7) Retail IV Permits; (18) Inspection reports and (2) Investigative Inquiries. The motion passed unanimously.