



## Board of Pharmacy Public Meeting

Pharmacy Board

Sep 21, 2022 at 12:00 AM EDT to Sep 21, 2022 at 1:00 AM EDT

OPLC, 7 Eagle Square, Concord NH 03301

Members Present:

John Genovese, David Rochefort, Lindsey Laliberte, Eric Lessard and Karl Peicker

Not Present: Nichole Harrington

### Minutes

**I. Call To Order** – Commissioner Genovese called the meeting to order at 9:04 a.m.

**II. Review and Approval of Agenda-** Removed item “d” and the minutes from the consent agenda.

**III. Approval of Public Minutes-** Commissioner Lessard made a motion to approve the minutes from the August meeting. Commissioner Peicker seconded, Commissioner Laliberte abstained, and motion passes 4-0-1

#### IV. OPLC and/or Board Administration Updates

##### A. Workgroup Initiatives

**1. Commissioner Genovese- PH 1800 Licensed Advanced Pharmacy Technicians-** these will be adopted today.

**2. Commissioner Rochefort-Sterile and Non-Sterile Compounding Rules, Ph 400-** reviewed the Tenets for the sub-committee. Patient safety is the number 1 priority when reviewing the rules. there are 25 chapters of the rules, the most under OPLC. Would like to condense that down, make it more user friendly. Trying to get to 7 chapters. Working to make sure there is no repetition, seeing where everything fits. Will be working with compliance and the public. Working to make sure compliance has the inspection tools it needs.

**3. Commissioner Lessard- Drug Supply Chain Security Act-** submitted the Boards feedback on this.

**4. Commissioner Harrington- Pharmacy Quotas, Workflow and Vaccine Sites, PDMP Advisory Committee-** not present

**5. Commissioner Laliberte- Pharmacy Quotas, Workflow and Vaccine Sites, Pharmacy Technicians-** results of the survey will be discussed at the next meeting.

**6. Commissioner Peicker- Canadian Imports, Importer and Exporter Possibilities, CEAC-** no update

**B. Officer Elections-** Commissioner Lessard made a motion to keep the officers as they currently are. Commissioner Peicker second and motion passes 5-0-0.

**C. Consent Agenda Items** – Commissioner Peicker made a motion to approve c-l. Commissioner Rochefort seconded and motion passes 5-0-0

##### 1. PIC Changes

**a. Genoa Healthcare LLC, Derry #0744-** Commissioner Rochefort made a motion to approve this PIC Change, Commissioner Lessard seconded, Commissioner Peicker abstained, and motion passes 4-0-1

Renee Tavares #3843

**b. Genoa Healthcare LLC, Exeter #01000-** Commissioner Rochefort made a motion to approve this PIC Change, Commissioner Lessard seconded, Commissioner Peicker abstained, and motion passes 4-0-1

Tyler Masson # 3924

**c. Alice Peck Day Memorial Hospital, Lebanon #0064**

Amanda Lamkins # Phcy 01232

**d. Littleton Regional Hospital, Littleton # 0048**

David Chase #3486

**e. CVS Pharmacy, Manchester # 0177**

Lori Wozniak #3718

**f. Walgreens, Exeter # 0446**

Steven Klidas # 2695

**g. Walgreens, Pelham # 0733**

Nancy Veillette # 3336

**h. Rite Aid, Concord # 0495**

Erin Murray, #Phcy-01134

**i. Frisbie Memorial Hospital, Rochester #00961**

Kimberly Benjamin #Phcy-0133

**j. BioScrip Infusion Services, Bedford #0471**

Vi Dinh #3935

**k. Exeter Hospital, Exeter # 0206**

Mary Anne Lefebvre, R2174

**l. Hannaford, Manchester # 0377**

Sine Chea

**2. Collaborative Practice-** Commissioner Lessard made a motion to approve these applications. Commissioner Peicker seconded and motion passes 5-0-0

Also noted the address is incorrect on the applications.

**a. Samuel Breiner**

2 collaborative practice areas

**b. Gregory Wolfe**

**c. Ricki Nero**

**3. PIC Waiver Extensions-** Commissioner Rochefort made a motion to approve the PIC waiver extension. Commissioner Lessard seconded, Commissioner Peicker abstained, and motion passes 4-0-1

**a. Genoa Healthcare, Plymouth**

**4. NABP-** Commissioner Peicker made a motion to approve items a-h. Commissioner Rochefort seconded and motion passes 5-0-0

**a. Seeking Nomination for the District 4 Open Member Position on the NABP Executive Committee**

**b. Business e-Profile Clarification**

**c. Committee and Task Force Appointments**

**d. DEA Policy on Schedule II Controlled Substance Prescriptions-** Commissioner Rochefort read this for everyone to hear. It was requested that this be posted on the website.

**e. DSCSA Webinar-Save the Date Reminder**

**f. NABP Comments Regarding FDA National Licensing Standards**

**g. Open Deputy Executive Director Position**

**h. NABP District 1 September Well-Being Index**

**V. Public Appearances**

**A. Cheshire Medical Center**

Week 6 and 7 reports- noted

**Cheshire Auditor Information-** After discussion and review of the materials presented to the Board, Commissioner Rochefort made a motion to approve Ernst & Young as the 3<sup>rd</sup> party oversight. Commissioner Laliberte seconded and motion passes 5-0-0. With this approval, OPLC compliance will no longer need to do audits at Cheshire. Board did request 35 audits be done every 2 weeks for the first portion of the settlement agreement. Then as the agreement states the audits will be less. Will have a new PIC application at the October meeting.

**B. Cardinal Health**

Show Cause Hearing Notice and Initial Application- after discussion and the presentation, Commissioner Laliberte made a motion to approve this application. Commissioner Rochefort seconded and motion passes 5-0-0.

**VI. Rules Review and Other Legislative Topics**

Ph 700 will be reviewed next meeting.

**A. Rules in Process**

**1. Public Hearing PH 401.06 at 9:30-** hearing opened at 9:46 a.m. with no comments. Hearing closed at 10:10 a.m.

Ph 401.06 Reinstatement

**2. PH 807.02 and Ph 808.01 Certify Proofread rules-** Commissioner Genovese signed letter.

**3. Ph 903.01 Certify Proofread Rules-** Commissioner Genovese signed letter.

**4. Ph 1300 Final Proposal Draft-** Commissioner Rochefort made a motion to approve the Ph 1300 final proposal draft. Commissioner Peicker seconded and motion passes 5-0-0.

Administration of Vaccines

**5. PH 1800 Adopted Text-** Commissioner Rochefort made a motion to approve the Phs1800s. Commissioner Laliberte seconded and motion passes 5-0-0.

Licensed Advanced Pharmacy Technicians

**6. Ph 2500 Conditional Approval request-** Commissioner Rochefort made a motion to approve the conditional approval request after confirming requested changes were made. Commissioner Lessard seconded and motion passes 5-0-0

Ph2500 Automated Pharmacy Items

## 7. Rules Spreadsheet- noted

**B. Legislative Committee Discussion and Potential Vote**-Commissioner Rochefort is looking to form a legislative committee to explore a pathway to modifying RSA 318 to eliminate the PIC position in the rules. Would like to get stakeholder and compliance involvement. There is an opportunity to get new LSRs when the new member legislative session starts.

Commissioner Rochefort made a motion to create this committee. Commissioner Laliberte seconded and motion passes 5-0-0. Commissioner Rochefort will head the committee. If anyone is interested, please let staff know and they will forward the information to Commissioner Rochefort.

**C. Robert Stout comments and Form regarding NH Contraceptive Questionnaire and Algorithm** – at a previous meeting the Board chose not to include this chart.

**VII. Licensure Approval (if applicable)**- Commissioner Rochefort made a motion to approve both the name change and the change of ownership for this application. Commissioner Lessard seconded and motion passes 5-0-0.

### A. Hampstead Hospital and Residential Treatment Facility

Change or Ownership

### B. Hampstead Hospital and Residential Treatment Facility

Change of Name

## VIII. New Business

**Item d from PIC changes- Littleton Regional Hospital, Littleton # 0048**- Commissioner Rochefort made a motion to approve this PIC change. Commissioner Lessard seconded and motion passes 5-0-0.

David Chase #3486

**A. NH Board of Pharmacy Workload survey**- tabled until next meeting

**B. Emergency Rule-Termination of Pharmacy Operations**- tabled until next month. This has a few edits and changes to be made.

**C. Updated Guidance on Electronic Prescriptions**- would like this to go out as an email blast.

**D. USP General Chapter 825**- Commissioner Rochefort made a motion to table this until the next meeting. Commissioner Laliberte seconded and motion passes 5-0-0

**E. NH Pharmacy CLIA Procedures**- he will need to do a declaratory ruling request.

Question from Ron Lanton

**F. Update on FDA Center for Veterinary Medicine's GFI 256- regarding animal compounding**- this has been withdrawn. No discussion is needed.

**G. FDA Center of Excellence - States Compounding Quality Training**-noted as an FYI.

**H. CE Webinar " Development and US Regulation of Preventative Vaccines"**- noted as an FYI.

**I. Public Comments**- Asked for item C4d to be posted on the website. Also mentioned that vaccine administration may have conflicting rules within the different chapters.

## IX. Non-Public Session

*RSA 91-A:3, II(c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of this board, unless such person requests an*

*open meeting. This exemption shall extend to include any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant.*

**A. Roll Call Vote to Enter Non-Public Session-** Commissioner Lessard made a motion to go into non-public at 11:32 a.m. Commissioner Peicker seconded and motion passes 5-0-0

**B. Roll call Vote to Seal the Minutes of the Non-Public Session-** Upon return to public session at 1:08 p.m., Commissioner Peicker made a motion to seal the minutes from the non-public session. Commissioner Rochefort seconded and motion passes 5-0-0.

**X. Adjournment-** Commissioner Rochefort made a motion to adjourn at 1:15 p.m. Commissioner Peicker seconded and motion passes 5-0-0.