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**DIVISION OF HEALTH SERVICES REGULATION
RHODE ISLAND BOARD OF PHARMACY**

Minutes of Meeting

Thursday October 21, 2010

OPEN-SESSION

The Open Session Meeting of the Board of Pharmacy was called to order at 8:30 am on the above date in Conference Room 401, Rhode Island Department of Health, PURSUANT TO THE APPLICABLE PROVISIONS OF THE General Laws of Rhode Island, as amended Jonathan Mundy, Chairperson.

Members Present

Jonathan Mundy (Chairperson), Chris Albanese (Secretary); Kathy Kettle, Michael Cacchiotti, Karen DiStefano, Richard Hathaway, Susan DelMonico, Kelly Orr.

Staff Present

Catherine Cordy, Linda Phillips, Pamela Schultz

Call to Order

Chairperson Jonathan Mundy called the meeting to order at 8:30 a.m.

1.0 Minutes

The minutes of the Open Session Meeting held on September 16, 2010 were reviewed. Chris Albanese moved that the minutes be approved. Kathy Kettle seconded the motion. The motion carried on unanimous consent.

2.0 Administrative Issues

- Announcements:

District I & II Meeting will be in Cooperstown, NY 10/29-10/31/10

- Communications:

None

- Continuing Education Inquiries:

Margaret McGraw-RPh02916 requested waiver of 5 live credits for 2009-2010 due to a broken leg. She did

indicate on her renewal that she did not complete the five live credits.

A motion was made by Michael Cacchiotti and seconded by

Kathleen Kettle to grant the request and Margaret will need to complete ten live CE credits in addition to the ten non-live CE credits required for July 1st, 2010-June 30th, 2011 period. The motion carried on unanimous consent.

- Issued Registrations (NAPLEX™/TOS/REC Candidates):

None

- Issued Pharmacy Licenses – As Attached

A list of new pharmacy licenses was distributed to the Board for review. On a motion made by Richard Hathaway and seconded by Kathleen Kettle, the list of licenses was approved by unanimous consent.

3.0 Old Business :

DEA Policy Statement-Authorized Agents: Nurses in Long Term Care Facilities, if they are contracted with the prescribing practitioner as their authorized agent, may transmit a practitioner-signed prescription to a pharmacy via facsimile, or communicate the prescription orally to a pharmacy on behalf of the practitioner for schedule III-V medications.

Emergency Department Dispensing-Out Patient Prescriptions: Medical Society had some concerns that they expressed to Dr.

Gifford regarding a letter sent from the Board of Pharmacy to Emergency Departments regarding dispensing of prescription medication by non-pharmacists to patients being discharged. Their concerns will be looked at during regulation review.

4.0 New Business

Utilization of Drop Boxes-Drug Disposal: President Obama signed into law the Secure and Responsible Drug Disposal Act (S 3397) on Oct12, 2010. The law amends the CSA to give the Attorney General authority to promulgate regulations to allow patients to deliver unused prescription controlled substances “to appropriate entities for disposal in a safe and effective manner consistent with effective controls against diversion.” The law also allows for the authorization of controlled substance disposal by long-term care facilities on behalf of their patients.

Controlled Substance Prescriptions from Florida Pain Clinics: In the state of Florida there has been numerous pain clinics opened from which excessive number of prescriptions for controlled substances have been written. Most often these prescriptions are unable to be verified directly by the prescribing prescriber. The Florida Medical Board has recently adopted language that these clinics must be licensed and abide by minimum standards of practice. Some of the patients have brought these prescriptions back north with them to fill locally. RI Board of Pharmacy discussed ways which it could advise

our pharmacists regarding such prescriptions, perhaps putting an advisory statement on our website.

Policy Statement RE Schedule II Rx Days' Supply Limit: Board discussed that occasionally in RI some patients may need to fill several months' worth of schedule II medications because of leaving the country for an extended time. Since RI law limits the dispensing of schedule II medications to maximum of a thirty days supply, this poses a dilemma for the patient. The Board discussed that a reasonable solution may be for the patient to simply have the prescription filled in Connecticut where the 30 day limit does not exist.

NABP Symposium Report-Karen DeStefano: Board member Karen DeSefano attended the NABP Symposium in Chicago on September 23rd, 2010. Control Substances Act was a topic with panel discussions including "Long-term Care Facility Registration", "Medical Marijuana", "Drug Disposal" and "Prescription Drug Abuse". Another topic was how NABP could provide services to State Boards facing dwindling state resources. Panel discussions included "Inspection Services", "Accreditation Programs" and "Prescription Monitoring Program Interface".

5.0 PIC Appearances

The following new Pharmacist-in-Charge (PIC) appeared before the Board of Pharmacy to receive advice from Board members and also receive a current copy of Rules and Regulations governing the practice of Pharmacy in Rhode Island:

Jenalee DiCarlo (Walgreens, Atwells Ave, Providence)

Kristin Lato (CVS, Boston Neck Road, Narragansett)

Nicole Stoothoff (CVS at Thundermist, Woonsocket)

Marisa Botelho (St. Joseph Hlth Services, North Providence)

6.0 Adjourn to Executive Session

Pursuant to Sections 42-46-4 and 46-45-5 of the RI General Laws for the purpose of discussing job performance, character, physical or mental health of applicants for licensure and licenses; and investigatory proceedings regarding allegations of civil or criminal misconduct. Said individuals have been notified in advance by writing that they may request that the discussion be held in an open meeting.

On a motion made by Richard Hathaway and seconded by Kathleen Kettle, Mr. Hathaway moved to closed the Open Meeting and adjourn

**to Closed Session in accordance with Sections 42-46-5(a)(1) and (4).
The motion passed by unanimous consent.**

The Open Meeting session adjourned at 9:27 a.m.

6.0 Return to Open Session

Susan Delmonico made a motion to open the Open Session. The motion was seconded by Kathleen Kettle. The motion carried on unanimous consent. The Board returned to Open Session at 11:00 a.m.

7.0 Final Actions:

Elizabeth Durnan (RPH03933) - Amended C/O – practice with restrictions

Furia, Melanie (Ph102456) – Diversion of Controlled Substances-Revocation

8.0 Statutory Review:

Board discussed Collaborative Practice. Discussed looking at examples of collaborative practice, such as the PONI Program, to determine beneficial outcomes of collaborative practice and what impediments to collaborative practice may exist so as to determine if any modification to the statutes are needed.

9.0 Adjourn

Being no other business before the Board, Richard Hathaway made a motion to adjourn the meeting at 11:40a.m. Susan DeIMonico seconded the motion. The motion carried on unanimous consent.

Respectfully submitted,

Chris M. Albanese

Chris M. Albanese, R.Ph.

Secretary, Board of Pharmacy