CALL TO ORDER
President Bruno called the meeting to order at 8:00 a.m.

MEMBERS PRESENT
Joseph Bruno, R.Ph., Pharmacist, President
Bradley Hamilton, R.Ph., Chain Pharmacist, Vice President
Kevin Holland, R.Ph., Complaint Officer
Shane Savage, R.Ph., Independent Pharmacist
Kirsten Martin, Public Member
Jason Tremblay, R.Ph., Hospital Pharmacist

MEMBERS ABSENT
Linda Varrell, Public Member

STAFF PRESENT
Andrew Black, AAG, Board Attorney
Geraldine L. Betts, Administrator
Thomas Avery, Chief Field Investigator
Kelly McLaughlin, Comprehensive Health Planner I
Jessica Gowell, Senior Consumer Assistant Specialist
AJ Paradis, Planning and Research Associate I

OLD BUSINESS
Review and approval of the minutes of January 5, 2017
In a motion by Hamilton, seconded by Martin, to accept the minutes of January 5, 2017. Unanimously voted. Tremblay abstained.

NEW BUSINESS
Adjudicatory Hearing – Clarice Davis – 2016 PHA 12112
In a motion by Hamilton, seconded by Martin, that sufficient evidence exists to schedule 2016 PHA 12112 for an adjudicatory hearing and to offer an amended consent agreement to include the following: 1) Admission to violation of 32 M.R.S. § 13742-A(1)(C), Board Rules chapter 30
section 1(21) and 22 M.R.S. § 1711-C; 2) Reprimand; and 3) A prohibition against applying for licensure as a pharmacy technician with the Board for a period of three (3) years, which shall commence on February 2, 2017. Unanimously voted.

Complaint Committee’s Report
2016 PHA 12651
In a motion by Savage, seconded by Hamilton, to dismiss 2016 PHA 12651 with no evidence of a violation of the Board’s Laws and Rules. Unanimously voted. Complaint Officer recused.

2016 PHA 12659
In a motion by Hamilton, seconded by Savage, to offer a consent agreement to include the following: 1) Admission to violation of 32 M.R.S. § 13742-A, 32 M.R.S. § 13742-C and Board Rules Chapter 30 § 1 (17); 2) Immediate surrender of his Pharmacist license and certificate to administer drugs and vaccines; and 3) May at appropriate intervals petition the Board for reinstatement of his licenses, but must do so in accordance with 32 M.R.S. § 13743(2). Unanimously voted. Complaint Officer recused.

2016 PHA 12689
In a motion by Savage, seconded by Tremblay, to dismiss 2016 PHA 12689 with a Letter of Guidance regarding avoiding dispensing a controlled substance without a prescription, the pharmacist must make every effort to track down the patient’s subscriber and must encourage the patient to do the same. When facing such a situation, the pharmacist must be extra vigilant and employ due diligence to the fullest extent. The Letter of Guidance is to remain on file for a period of ten (10) years. Unanimously voted. Complaint Officer recused.

2016 PHA 12887
In a motion by Martin, seconded by Savage, to impose an immediate suspension of license in the matter of 2016 PHA 12887 for a period not to exceed thirty (30) days pursuant to 5 M.R.S. § 10004(3); The Board found that continued licensure will pose an immediate jeopardy to the public and failure to suspend the license will fail to adequately respond to the known risk. Unanimously voted. Complaint Officer recused.

In a motion by Martin, seconded by Savage, that sufficient evidence exists to schedule 2016 PHA 12887 for an adjudicatory hearing and to offer a consent agreement to include the following: 1) Admission to violation of 32 M.R.S. § 13742-A(1)(A) and (C), and Board Rules Chapter 30 § 1 (17); 2) Reprimand; and 3) Revocation. Unanimously voted. Complaint Officer recused.

Board Action on Initial Applications
Kara Cyr, PT60012827
In a motion by Martin, seconded by Savage, to preliminary deny pharmacy technician licensure to Kara Cyr, PT60012827 with an offer of a Consent Agreement to include the following: 1) Admission to violation of 10 M.R.S. § 8003(5-A)(A)(1); 2) Warning; and 3) $250.00 fine. Unanimously voted.
Kassaundra Michaud, PT60011759
Hamilton recused and left the room.
In a motion by Holland, seconded by Tremblay, to re-offer the preliminary denial with the consent agreement as originally proposed. Unanimously voted. Hamilton recused.

Sarah Skillin, PT60012813
In a motion by Savage, seconded by Martin, to accept staff’s recommendation and grant licensure to Sarah Skillin, PT60012813, as presented. Unanimously voted.

Tina Miele, PT60012858
Hamilton recused and left the room.
In a motion by Savage, seconded by Martin, to accept staff’s recommendation and grant licensure to Tina Miele, PT60012858, as presented. Unanimously voted. Hamilton recused.

Board Action on Renewal Applications
Orono Pharmacy, PH50001103
In a motion by Savage, seconded by Holland, on the advice of the Assistant Attorney General, Andrew Black, to rescind the preliminary denial with an offer of a consent agreement and grant renewal licensure to Orono Pharmacy, PH50001103. Unanimously voted.

Physician Specialty Pharmacy LLC, MO40001746
In a motion by Martin, seconded by Tremblay, to issue the license upon receipt of the signed Consent Agreement. Unanimously voted.

Correspondence
Brian Kaufman, DO – Request for process fixes
The Board discussed the correspondence and advises Dr. Kaufman that Public Law Chapter 488 (LD 1646 An Act to Prevent Opiate Abuse by Strengthening the Controlled Substances Prescription Monitoring Program) is the Department of Health and Human Services Law not a Board of Pharmacy Law. The Board has no recommendations at this time.

Merideth Norris, DO – Concerns
The Board discussed the correspondence and advises Dr. Norris that Public Law Chapter 488 (LD 1646 An Act to Prevent Opiate Abuse by Strengthening the Controlled Substances Prescription Monitoring Program) is the Department of Health and Human Services Law not a Board of Pharmacy Law. The Board has no recommendations at this time.

Travel – NABP 113th Annual Meeting May 20-23, 2017
The Board discussed sending delegates to this year’s annual meeting. Chair Joseph Bruno and Vice-Chair Bradley Hamilton expressed an interest in attending.

Administrator’s Report
Administrator Betts addressed the board about upcoming legislation and communications she will be sending to the board members. Topics may cover direct and indirect items with impact on the Law.
Administrator Betts asked for an individual board member to communicate with directly, President Bruno volunteered.

Administrator Betts addressed Rulemaking from the previous meeting and let the Board know that the draft was submitted for executive review on January 17, 2017. We are currently waiting for approval to be able to move forward.

Public Comments
Greg Cameron stated that the Maine Pharmacy Association (MPA) conference is coming up and that comments could be included in the lectures if necessary.

ADJOURN
There being no further business Bruno motioned to adjourn at 9:14 a.m., seconded by Hamilton. Unanimously voted.