

STATE OF MAINE  
DEPARTMENT OF PROFESSIONAL  
AND FINANCIAL REGULATION  
OFFICE OF PROFESSIONAL AND OCCUPATIONAL REGULATION  
**BOARD OF PHARMACY**  
35 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333 -0035

Janet T. Mills  
Governor

Anne L. Head, Esq.  
Commissioner

Geraldine L. Betts  
Administrator

Maine Board of Pharmacy  
Minutes of October 5, 2023, Board Meeting

Virtual Meeting Public Notification and Hearing/Viewing Instructions Provided at the Opening of the Meeting by Board President Edward Kane.

**CALL TO ORDER**

President Kane called the meeting to order at 8:00 a.m.

**MEMBERS PRESENT**

Edward Kane, Esq., Public Member, Board President  
Eric Norberg, RPh., Pharmacist, Vice President  
Nicholas Haar, PharmD, RPh., Hospital Pharmacist  
Cassandra White, PharmD, RPh., Pharmacist  
Abdifatah Ahmed, PharmD, RPh., Pharmacist  
Timothy McCormack, Esq., Public Member

**MEMBERS RECUSED**

Bradley Hamilton, RPh., Chain Pharmacist, Complaint Officer

**STAFF PRESENT**

Geraldine L. Betts, Administrator  
Thomas Avery, Chief Field Investigator  
Meagan McLaughlin, Comprehensive Health Planner I  
Jessica Gowell, Project Manager  
Heather Bronish, Senior Consumer Assistance Specialist

**CORRESPONDENCE**

*Amy Downing, Executive Director, Maine Pharmacy Association regarding Public Law 2023 Chapter 170 (L.D. 1151)*

McCormack motioned to adopt the proposed statement as recommended by the Board's legal counsel, "Given the nature of the June 2023 amendments to 32 M.R.S. § 13831, that updated the scope of authorizations for pharmacists to administer vaccines, the Board does not believe rulemaking is required before Maine-licensed and ADV-certified pharmacists can administer vaccines consistent with Section 13831." and to decline to engage in emergency rulemaking, seconded by Ahmed. Unanimously voted.

**RULEMAKING – REVIEW AND ACCEPT THE BASIS STATEMENT AND RESPONSE TO COMMENTS AND VOTE TO ADOPT RULES**

*Repeal of Licensing Opioid Treatment Program and Amend Related Rules  
Chapters 1, 13, 25 and 36*

McCormack moved to accept and adopt the Basis Statement and Response to Comments, seconded by Norberg. Unanimously voted.

McCormack moved to adopt Board Rule Chapter 1, Definitions as amended, seconded by Ahmed. Unanimously voted.

McCormack moved to adopt Board Rule Chapter 13, Operation of Retail Pharmacies as amended, seconded by Ahmed. Unanimously voted.

McCormack moved to adopt Board Rule Chapter 25, Patient Counseling. McCormack as amended, seconded by Norberg. Unanimously voted.

McCormack moved to adopt the repeal of Board Rule Chapter 36, Licensure of Opioid Treatment Programs, seconded by Ahmed. Unanimously voted.

**MINUTES REVIEW AND APPROVAL**

*August 3, 2023*

White moved to accept the minutes of August 3, 2023, as presented, seconded by Haar. Kane, McCormack, Ahmed, Hamilton and White in favor. Norberg recused.

**ADJUDICATION HEARING**

Hearing Officer Rebekah J. Smith, Esq. convened the hearing at 9:10 a.m.

Kwaku Boateng was represented by Michael Feldman, Esq. Assistant Attorney General.

Samantha Morgan represented Board Staff.

Hearing Officer Smith conducted a roll call vote to confirm that Board members had access to the hearing exhibits with all members voting in the affirmative. Hamilton recused.

Following presentation of evidence and witness testimony the hearing adjourned at 4:25 p.m. and scheduled to continue on November 1, 2023.

**ADJOURN**

McCormack moved to adjourn at 4:25 p.m., seconded by Ahmed. Kane, Haar, McCormack, Ahmed, Norberg, and White in favor. Hamilton recused.

*Prepared by Meagan McLaughlin, Comprehensive Health Planner II  
Board Approved: March 7, 2024*