

STATE OF MAINE
DEPARTMENT OF PROFESSIONAL
AND FINANCIAL REGULATION
OFFICE OF PROFESSIONAL AND OCCUPATIONAL REGULATION
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 June 1, 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 8:37 a.m.

MEMBERS PRESENT

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

MEMBERS ABSENT

Abdifatah Ahmed, PharmD, R.Ph., Independent Pharmacist
Bradley Hamilton, R.Ph., Chain Pharmacist, Complaint Officer

STAFF PRESENT

Geraldine L. Betts, Administrator
Thomas Avery, Chief Field Investigator
Adam Wood, Regulatory Health Compliance Agent
Jennifer Willis, Assistant Attorney General, Board Counsel
Jessica Gowell, Comprehensive Health Planner II
Dominic Cotone, Comprehensive Health Planner I
Meagan McLaughlin, Comprehensive Health Planner I

MINUTES REVIEW AND APPROVAL

March 28, 2023, Workshop

Norberg moved to accept the minutes of March 28, 2023, as presented, seconded by White.
Unanimously voted.

May 4, 2023

Norberg moved to accept the minutes of May 4, 2023, as presented, seconded by Haar.
Unanimously voted.

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OFFICE LOCATION: GARDINER ANNEX
76 NORTHERN AVENUE, GARDINER, MAINE

COMPLAINT PRESENTATION(S) AND BOARD ACTION

2022-PHA-18620

White recused and was placed in the waiting room.

McCormack moved to schedule 2022-PHA-18620 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)(C), 2) Warning, and 3) Completion of two (2) hours of continuing education on avoiding vaccine administration errors to be completed within ninety days of the execution of the Consent Agreement and proof of completion submitted within thirty (30) days of completion. The continuing education credits may not be used to fulfill the continuing education required for relicensure, seconded by Norberg. Norberg, Kane, McCormack, Haar in favor. White recused.

2022-PHA-18656

Norberg moved to schedule 2022-PHA-18656 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)(C), 2) Censure, 3) \$750.00 fine and 4) Completion of six (6) hours of continuing education which three (3) hours must be completed on avoiding prescription errors and three (3) hours in managing appropriate work flow to ensure proper filling and dispensing of prescriptions to be completed within ninety days of the execution of the Consent Agreement and proof of completion submitted within thirty (30) days of completion. The continuing education credits may not be used to fulfill the continuing education required for relicensure, seconded by Haar. Unanimously voted.

2022-PHA-18691

White moved to table action and requested further investigation, seconded by Norberg. Unanimously voted.

2022-PHA-18715

Haar moved to schedule 2022-PHA-18715 for an adjudicatory hearing and to offer a Consent Agreement to include the following: 1) Admission to violation of 5 M.R.S. Section 5301(2)(B), 2) Reprimand and 3) Revocation, seconded by Norberg. Unanimously voted.

2022-PHA-18750

Norberg moved to schedule 2022-PHA-18750 for an adjudicatory hearing and to offer a Consent Agreement to include the following: 1) Admission to violation of 10 M.R.S. Section 8003(5-A)(A)(5) and Board Rules Chapter 11, § 3, 2) Warning and 3) \$1,000.00 fine, seconded by Haar. Unanimously voted.

2022-PHA-18769

Haar moved to dismiss 2022-PHA-18769 with no evidence of a violation of the Board's Laws and Rules, seconded by Norberg. Unanimously voted.

2022-PHA-18771

McCormack moved to schedule 2022-PHA-18771 for an adjudicatory hearing and to offer a Consent Agreement to include the following: 1) Admission to violation of 10 M.R.S. Section 8003(5-A)(A)(5) and Board Rules Chapter 13, § 2(1), 2) Warning and 3) \$7,500.00 fine, seconded by Haar. Unanimously voted.

2022-PHA-18772

McCormack moved to schedule 2022-PHA-18772 for an adjudicatory hearing and to offer a Consent Agreement to include the following: 1) Admission to violation of 10 M.R.S. Section 8003(5-A)(A)(5) and Board Rules Chapter 11, § 5, 2) Warning and 3) \$3,000.00 fine, seconded by Haar. Unanimously voted.

2023-PHA-18828

Norberg moved to dismiss 2023-PHA-18828 with no evidence of a violation of the Board's Laws and Rules, seconded by Haar. Unanimously voted.

2023-PHA-18849

White recused and was placed in the waiting room

Haar moved to dismiss 2023-PHA-18849 with no evidence of a violation of the Board's Laws and Rules, seconded by Norberg. Haar, Norberg, Kane and McCormack in Favor, White recused.

2023-PHA-18857

Norberg moved to schedule 2022-PHA-18857 for an adjudicatory hearing and to offer a Consent Agreement to include the following: 1) Admission to violation of 10 M.R.S. Section 8003(5-A)(A)(5) and Board Rules Chapter 12, § 5, 2) Warning and 3) \$1,500.00 fine, seconded by McCormack. Unanimously voted.

2023-PHA-18896

White moved to dismiss 2023-PHA-18896 with no evidence of a violation of the Board's Laws and Rules, seconded by Haar. White, Haar, Kane and Norberg in favor, McCormack opposed.

McCormack moved to amend the motion to include a Letter of Guidance, motion failed for the lack of a second.

2023-PHA-18922

McCormack moved to schedule 2023-PHA-18922 for an adjudicatory hearing and to offer a Consent Agreement to include the following: 1) Admission to violation of 10 M.R.S. Section 8003(5-A)(A)(5) and Board Rules Chapter 11, § 3, 2) Warning and 3) \$250.00 fine, seconded by Harr. McCormack, Haar, Norberg and Kane in favor, White opposed.

White moved to amend the motion to include a Letter of Guidance, motion failed for the lack of a second.

2023-PHA-18923

White moved to schedule 2023-PHA-18923 for an adjudicatory hearing and to offer a Consent Agreement to include the following: 1) Admission to violation of 10 M.R.S. Section 8003(5-A)(A)(5) and Board Rules Chapter 11, § 3, 2) Warning and 3) \$1,000.00 fine, seconded by McCormack. Unanimously voted.

APPLICATION REVIEW AND BOARD ACTION

Logan Sharp, PT60015317 (Renewal)

Norberg moved to grant licensure to Logan Sharp, PT60015317 and issue a Letter of Guidance regarding 10 M.R.S. § 8003-G regarding the requirement to report convictions within the required 10 days, seconded by White. Unanimously voted.

Kaitlin C. Kelley, PT60018018 (Initial)

Haar moved to preliminarily deny licensure to Kaitlin C. Kelley, PT60018018 without the offer of a Consent Agreement pursuant to 5 M.R.S. §5301 and 5302, seconded by White. Unanimously voted.

MAINE PROFESSIONALS HEALTH PROGRAM (UPDATE)

Norberg moved to table until the next board meeting, seconded by White. Unanimously voted.

NABP ANNUAL MEETING UPDATE – CASSANDRA WHITE

Cassandra White provided the Board an update on the NABP Annual Meeting that was held May 10-12, 2023, in Nashville, TN and updated the Board on the resolutions passed. White congratulated Bradley Hamilton as he was elected Treasurer on the NABP Executive Committee.

PUBLIC OPPORTUNITY TO COMMENT

No comments.

ADJOURN

There being no further business Haar moved to adjourn at 11:15 a.m., seconded by Norberg. Unanimously voted.

*Prepared By: Jessica Gowell, Comprehensive Health Planner II
Board approved: August 3, 2023*