

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  
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Anne L. Head, Esq.  
Commissioner

Geraldine L. Betts  
Administrator

Maine Board of Pharmacy  
Minutes of March 2, 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 8:30 a.m.

**MEMBERS PRESENT**

Edward Kane, Esq., Public Member, Board President (*left meeting at 9:15 a.m.*)  
Bradley Hamilton, R.Ph., Chain Pharmacist, Complaint Officer  
Eric Norberg, R.Ph., Pharmacist, Vice President  
Nicholas Haar, PharmD, R.Ph., Hospital Pharmacist  
Cassandra White, PharmD, R.Ph., Pharmacist  
Timothy McCormack, Esq., Public Member  
Abdifatah Ahmed, PharmD, R.Ph., Independent Pharmacist

**STAFF PRESENT**

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

**AGENDA MODIFICATION**

Hamilton moved to add to the agenda a correspondence from Nichole Cover, RPh., Director, Pharmacy Affairs, Walgreens Co., regarding clarification related to board rules on central fill and Walgreen's central fill model, seconded by McCormack. Unanimously voted.

**MINUTES REVIEW AND APPROVAL**

*February 2, 2023*

Norberg moved to accept the minutes of February 2, 2023, as presented, seconded by Hamilton. Kane, Norberg, Haar, McCormack, Ahmed, and Hamilton in favor. White abstained.

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76 NORTHERN AVENUE, GARDINER, MAINE

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

### *1. Chapter 42, Compounding Drugs for Veterinary Office Use (New)*

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

## **CORRESPONDENCE**

*Nichole Cover, RPh., Director, Pharmacy Affairs, Walgreens Co., regarding clarification related to board rules on central fill and Walgreen's central fill model*

The Board discussed the correspondence regarding Board Rule Chapter 21 Section 5 that states the central fill drug outlet, and the retail drug outlet or other health care facility shall both perform a final check. The Board is holding a workshop on March 28, 2023, the board requested this topic be added for discussion.

## **COMPLAINT PRESENTATION(S) AND BOARD ACTION**

### *2022-PHA-18460*

White moved to dismiss 2022-PHA-18460 with no evidence of a violation of the Board's Laws and Rules and for staff to investigate the pharmacy involved, seconded by Ahmed. Kane, Norberg, Haar, McCormack, Ahmed and White in favor. Complaint Officer Hamilton abstained.

### *2022-PHA-18508*

White moved to dismiss 2022-PHA-18508 with no evidence of a violation of the Board's Laws and Rules, seconded by McCormack. Kane, Norberg, Haar, McCormack, Ahmed and White in favor. Complaint Officer Hamilton abstained.

### *2022-PHA-18643*

White moved to dismiss 2022-PHA-18643 with no evidence of a violation of the Board's Laws and Rules, seconded by Haar. Kane, Norberg, Haar, McCormack, Ahmed and White in favor. Complaint Officer Hamilton abstained.

### *2022-PHA-18668*

White moved to dismiss 2022-PHA-18668 with no evidence of a violation of the Board's Laws and Rules, seconded by McCormack. Kane, Norberg, Haar, McCormack, Ahmed and White in favor. Complaint Officer Hamilton abstained.

### *2022-PHA-18672*

White moved to dismiss 2022-PHA-18672 with no evidence of a violation of the Board's Laws and Rules, seconded by McCormack. Kane, Norberg, Haar, McCormack, Ahmed and White in favor. Complaint Officer Hamilton abstained.

### *2022-PHA-18738*

McCormack moved to dismiss 2022-PHA-18738 with no evidence of a violation of the Board's Laws and Rules, seconded by Haar. Kane, Norberg, Haar, McCormack, Ahmed and White in favor. Complaint Officer Hamilton abstained.

### *2022-PHA-18778*

Postponed at the request of the licensee, this case will be presented at the April 6, 2023, Board Meeting.

*2022-PHA-18787*

White moved to dismiss 2022-PHA-18787 with no evidence of a violation of the Board's Laws and Rules, seconded by Ahmed. Kane, Norberg, Haar, McCormack, Ahmed and White in favor. Complaint Officer Hamilton abstained.

*2022-PHA-18797*

White moved to dismiss 2022-PHA-18797 with a Letter of Guidance regarding the importance of being aware of reporting requirements. The Letter of Guidance is to remain on file for a period of ten (10) years, seconded by McCormack. Kane, Norberg, Haar, McCormack, Ahmed and White in favor. Complaint Officer Hamilton abstained.

Assistant Attorney General, Andrew Black provided the Board with an update regarding 2023-PHA18862 and 2023-PHA-18955, these cases will be presented to the Board at a future meeting.

**APPLICATION REVIEW AND BOARD ACTION**

*Shania Armstrong, PT60015512 (Renewal)*

White moved to accept staff's recommendation at to preliminarily deny licensure to Shania Armstrong and offer a Consent Agreement to include the following: 1) Admission to 10 M.R.S. § 8003-G; 2) Warning, and 3) \$250.00 fine, seconded by Harr. Unanimously voted.

*Kathleen Hill, PT60017549 (Initial)*

*Hamilton recused, audio and video was turned off.*

White moved to grant licensure to Kathleen Hill, PT60017549, seconded by Harr. Kane, Norberg, Haar, McCormack, Ahmed and White in favor. Hamilton recused.

**TRAVEL**

*119<sup>th</sup> NABP Annual Meeting, May 10-12, 2023, Renaissance Nashville Hotel, Nashville, TN.*

Harr moved to have Cassandra White attend the 119<sup>th</sup> NABP Annual Meeting as the voting delegate, seconded by McCormack. Unanimously voted.

**PUBLIC OPPORTUNITY TO COMMENT**

Nichole Cover thanked the Board and Administrator Bett's and appreciates the topic of her correspondence being added to the Pharmacy Workshop for discussion on March 28, 2023.

**ADJOURN**

There being no further business McCormack moved to adjourn at 10:19 a.m., seconded by White. Unanimously voted.

*Prepared By: Jessica Gowell, Comprehensive Health Planner II  
Board approved: April 6, 2023*