

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
Unofficial Draft Minutes of November 1, 2023, Board Meeting

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

CALL TO ORDER

President Kane called the meeting to order at 8:30 a.m.

MEMBERS PRESENT

Edward Kane, Esq., Public Member, Board President
Eric Norberg, RPh., Pharmacist, Vice President
Bradley Hamilton, RPh., Chain Pharmacist, Complaint Officer
Nicholas Haar, PharmD, RPh., Hospital Pharmacist
Cassandra White, PharmD, RPh., Pharmacist
Timothy McCormack, Esq., Public Member

STAFF PRESENT

Geraldine L. Betts, Administrator
Thomas Avery, Chief Field Investigator
Jennifer Willis, Assistant Attorney General, Board Counsel
Heather Bronish, Senior Consumer Assistant Specialist

ADJUDICATORY HEARING

8:00 a.m. 2022-PHA-18225 Kwaku Boateng

DELIBERATION (Board Member Bradley Hamilton Recused)

Allegation 1:

McCormack moved to find that the Licensee violated a standard of professional behavior that has been established in the practice of pharmacy by touching Patient A's breast repeatedly while administering a COVID-19 vaccine, subjecting him to discipline pursuant to 32 M.R.S. § 13742-A(1)(C), seconded by White. Norberg, McCormack, White, Haar in favor, Kane opposed.

Allegation 2:

Norberg moved to find that allegation is not supported by preponderance of evidence, seconded by McCormack. Unanimously voted.

*Prepared by Heather Bronish, Senior Consumer Assistant Specialist
Board Approved:*

Allegation 3:

McCormack moved that the allegation that the Licensee violated a standard of professional behavior defined in Board Rule Chapter 30 § 1(15), by failing to establish or maintain effective controls to prevent prescription errors or misfills, by improperly reconstituting approximately 127 doses of Pfizer COVID-19 vaccines with sterile water instead of normal saline was supported by preponderance of the evidence, seconded by Norberg. Unanimously voted.

Allegation 4:

Norberg moved to find that the allegation is not supported by preponderance of evidence, seconded by McCormack. Unanimously voted.

SANCTIONS

Allegation 1: White moved to deny renewal of Administration of Vaccine License, seconded by McCormack. McCormack, Kane, White Haar in favor, Norberg opposed.

Allegation 3: White moved for a Reprimand and \$500 monetary penalty, to be paid within 90 days, seconded by McCormack. Unanimously voted.

DELEGATION OF AUTHORITY

McCormack moved to delegate authority to the President to sign the Decision and Order, seconded by White. Unanimously voted.

ADJOURN