

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 November 3, 2022, 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  
Bradley Hamilton, R.Ph., Chain Pharmacist, Complaint Officer  
Cassandra White, PharmD, R.Ph., Pharmacist  
Eric Norberg, R.Ph., Pharmacist, Vice President  
Nicholas Haar, PharmD, R.Ph., Hospital Pharmacist  
Timothy McCormack, Esq., Public Member

**MEMBERS ABSENT**

Abdifatah Ahmed, PharmD, R.Ph., Independent Pharmacist

**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

**MINUTES REVIEW AND APPROVAL**

*October 6, 2022*

Norberg moved to accept the minutes of October 6, 2022, as presented, seconded by Haar. Unanimously voted. Hamilton and White abstained.

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

*2022-PHA-18099*

McCormack moved to dismiss 2022-PHA-18099 with no evidence of a violation of the Board's Laws and Rules, seconded by Norberg. Unanimously voted. Complaint Officer abstained.

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

*2022-PHA-18215*

McCormack moved to dismiss 2022-PHA-18215 with no evidence of a violation of the Board's Laws and Rules, seconded by Norberg. Unanimously voted. Complaint Officer abstained.

*2022-PHA-18448*

Haar moved to dismiss 2022-PHA-18448 with no evidence of a violation of the Board's Laws and Rules, seconded by McCormack. Unanimously voted. Complaint Officer abstained.

*2022-PHA-18451*

McCormack moved to schedule 2022-PHA-18451 for an adjudicatory hearing and to offer a Consent Agreement to include the following: 1) Admission to violation of Board Rules Chapter 13, § 2(5); 2) Warning and 3) \$500.00 fine, seconded by Norberg. Unanimously voted. Complaint Officer abstained.

*2022-PHA-18453*

White moved to dismiss 2022-PHA-18453 with a Letter of Guidance regarding prompt compliance with Board Rules Chapter 11 Section 3. The Letter of Guidance is to remain on file for a period of ten (10) years, seconded by Haar. Unanimously voted. Complaint Officer abstained

*2022-PHA-18473*

McCormack moved to dismiss 2022-PHA-18473 with no evidence of a violation of the Board's Laws and Rules, seconded by White. Unanimously voted. Complaint Officer abstained.

**APPLICATION, REVIEW AND BOARD ACTION**

*Karen Medina, PT60017452 (Initial)*

Haar moved to accept staff's recommendation preliminarily deny licensure to Karen Medina, PT60017452 without the offer of a consent agreement, seconded by Hamilton. Unanimously voted.

*Michael Kasztejna, PR71216 (Initial)*

Hamilton moved to accept staff's recommendation and grant licensure to Michael Kasztejna, PR71216, seconded by Norberg. Unanimously voted.

**NABP REPORT BY**

*1. Bradley Hamilton, R.Ph., NABP Executive Committee Member*

*2. Cassandra White, PharmD, R.Ph., Attending Pharmacy Board Member*

Hamilton reported to the Board that attending the NABP meetings is a great opportunity to network with other Boards of Pharmacy to hear what other Boards are doing. Hamilton thanked the Board for the opportunity to attend.

White thanked the Board for the opportunity to represent the Board. White reported it was an excellent meeting that was very productive and organized. There was a lot of discussion concerning the MPJE examination, patient care, patient safety and the role of pharmacy technicians. White informed the Board she was elected as Vice Chair of the planning committee in which Maine will host the NABP meeting in 2026.

## **ADMINISTRATOR'S REPORT**

### *Board delegation agreements subject to renewal*

- *Pharmacist in-charge*
- *Non-disqualifying crimes*
- *Continuing Professional Education*

White moved to extend the delegation regarding pharmacist in-charge until December 31, 2024, seconded by Hamilton. Unanimously voted.

McCormack moved to extend the delegation regarding non-disqualifying crimes until December 31, 2024, seconded by White. Unanimously voted.

White moved to extend the delegation regarding continuing professional education until December 31, 2024, seconded by Norberg. Unanimously voted.

Administrator Bett's introduced Adam Wood as the Regulatory Health Compliance Agent who will be assisting Thomas Avery.

## **RULEMAKING UPDATE ON CHAPTER 41, VENDING MACHINE DRUG OUTLETS (VMO).**

Assistant Attorney General, Jennifer Willis updated the Board that during the Legal Pre-Review several minor changes were proposed as noted in red in the 2<sup>nd</sup> attachment of the Board's materials and provided the Board with the reasoning for the proposed minor changes as well as the Board's decision-making options related to the proposed changes during the upcoming rulemaking process. The public hearing will be held at the next board meeting scheduled for December 1, 2022

## **PUBLIC OPPORTUNITY TO COMMENT**

No comments.

## **ADJOURN**

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

*Prepared By: Jessica Gowell, Comprehensive Health Planner II  
Board approved: December 1, 2022*