

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
Unofficial Draft Minutes of May 4, 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
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

April 6, 2023

Norberg moved to accept the minutes of April 6, 2023, as presented, seconded by Haar. Kane, Norberg, Haar and McCormack in favor. White abstained.

COMPLAINT PRESENTATION(S) AND BOARD ACTION

2021-PHA-17176

Haar moved to issue an Administrative Dismissal without Prejudice and flag the license in the

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Main Receptionist (207)624-8603
TTY users call Maine relay 711



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

event the individual reapplies for licensure in the future, seconded by McCormack. Unanimously voted.

2021-PHA-17285

McCormack moved to issue an Administrative Dismissal without Prejudice and flag the license in the event the individual reapplies for licensure in the future, seconded by Norberg. Unanimously voted.

2021-PHA-17884

McCormack moved to issue an Administrative Dismissal without Prejudice and flag the license in the event the individual reapplies for licensure in the future, seconded by White. Unanimously voted.

2022-PHA-18154

McCormack moved to issue an Administrative Dismissal without Prejudice and flag the license in the event the individual reapplies for licensure in the future. Motion withdrawn.

McCormack moved to table and keep the complaint open, requested staff to continue to try and contact the licensee, seconded by White. Unanimously voted.

2022-PHA-18277

White moved to issue an Administrative Dismissal without Prejudice and flag the license in the event the individual reapplies for licensure in the future, seconded by McCormack. Unanimously voted.

2022-PHA-18296

McCormack moved to schedule 2022-PHA-18296 for an adjudicatory hearing and to offer a Consent Agreement in include the following: 1) Admission to violation of Board Rule Chapter 13, Section 2(1), 2) Warning and 3) \$2,000.00 fine, seconded by Haar. Unanimously voted.

2022-PHA-18312

White moved to dismiss 2022-PHA-18312 with no evidence of a violation of the Board's Laws and Rules, seconded by Norberg. Unanimously voted.

2022-PHA-18675

McCormack moved to reoffer the same Consent Agreement with an admission to Board Rule Chapter 8, § 6, a warning and a fine of \$250.00, seconded by Harr. Kane, Norberg, Haar and McCormack in favor. White opposed.

2022-PHA-18693

White moved to dismiss 2022-PHA-18693 with no evidence of a violation of the Board's Laws and Rules, seconded by Haar. Unanimously voted.

2022-PHA-18779

McCormack moved to schedule 2022-PHA-18779 for an adjudicatory hearing and to offer a Consent Agreement in include the following: 1) Admission to violation of 32 M.R.S. § 13742-

A(1)(C), 2) Warning, 3) \$500.00 fine and 4) Completion of three (3) hours of continuing education on avoiding prescription errors and misfills. The continuing education credits may not be used to fulfill the continuing education required for relicensure, seconded by White. Unanimously voted.

2023-PHA-18847

This complaint will be presented to the Board at a future meeting.

2023-PHA-18904

White moved to schedule 2023-PHA-18904 for an adjudicatory hearing and to offer a Consent Agreement in include the following: 1) Admission to violation of 32 M.R.S. § 13742-A(1)(C), 2) Warning, 3) \$500.00 fine and 4) Completion of three (3) hours of continuing education on avoiding prescription errors and misfills. The continuing education credits may not be used to fulfill the continuing education required for relicensure, seconded by Norberg. Unanimously voted.

2023-PHA-19065

Haar moved to schedule 2023-PHA-19065 for an adjudicatory hearing and to offer a Consent Agreement in include the following: 1) Admission to violation of 32 M.R.S. § 13742-A(1)(A) and (1)(C) and Board Rules Chapter 30 Section 17, 2) Reprimand and 3) License Revocation, seconded by Norberg. Unanimously voted.

2023-PHA-19131

Assistant Attorney General, Jennifer Willis provided the Board with an update regarding 2023-PHA-19131, the case will be presented to the Board at a future meeting.

ELECTION OF OFFICERS FOR 2023

White moved to table, seconded by Haar. Unanimously voted.

BOARD MEMBER REMOTE PARTICPATION POLICY – DRAFT

Norberg moved to adopt the policy as written, seconded by McCormack. Unanimously voted.

An opportunity for the public to comment regarding the policy was provided and no comments were received.

MAINE PROFESSIONALS HEALTH PROGRAM (UPDATE)

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

PUBLIC OPPORTUNITY TO COMMENT

No comments.

ADJOURN

There being no further business McCormack moved to adjourn at 10:40 a.m., seconded by Norberg. Unanimously voted.

Prepared By: Jessica Gowell, Comprehensive Health Planner II
Board approved:

DRAFT