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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

F I N A L M I N U T E S

MEETING OF:

STATE BOARD OF PHARMACY

TIME: 10:32 A.M.

Held at

PENNSYLVANIA DEPARTMENT OF STATE

2601 North Third Street

One Penn Center, Board Room C

Harrisburg, Pennsylvania 17110

as well as

VIA MICROSOFT TEAMS

January 31, 2023

State Board of Pharmacy
January 31, 2023

BOARD MEMBERS:

Theresa M. Talbott, R.Ph., Chairperson
Arion R. Claggett, Acting Commissioner, Bureau of
Professional and Occupational Affairs - Absent
Christine Roussel, Pharm.D., BCOP, BCSCP, Vice
Chairperson
Eric Esterbrook, R.Ph., Secretary
John R. Slagle, R.Ph. - Absent
Janet Getzey Hart, R.Ph.
Patrick M. Greene, Esquire, Office of Attorney
General

BUREAU PERSONNEL:

Carole Clarke Smith, Esquire, Senior Board Counsel
Ariel O'Malley, Esquire, Board Counsel
Carolyn A. DeLaurentis, Esquire, Executive Deputy
Chief Counsel, Department of State
Ray J. Michalowski, Esquire, Senior Board Prosecutor
Glenn P. Masser, Esquire, Board Prosecutor
Caroline A. Bailey, Esquire, Board Prosecutor
Alice R. Glasser, Esquire, Board Prosecution Liaison
Timothy J. Henderson, Esquire, Board Prosecutor
Ashley P. Murphy, Esquire, Board Prosecutor
Nicole L. VanOrder, Esquire, Board Prosecutor
Melanie Zimmerman, R.Ph., Board Administrator
Christina Townley, Department of State, BPOA - Health
Licensing Division
Deena Parmelee, Legal Office Administrator 1,
Department of State
David Leshik, Intern, Department of State
Ryan Dumbroff, Student Intern, Office of General
Counsel
Jessica Zukoski, Law Clerk, Department of State
Andrew LaFratte, MPA, Executive Policy Specialist,
Department of State
Marc Farrell, Deputy Policy Director, Department of
State

ALSO PRESENT:

Jacquelyn Sassaman, Pentec Health

State Board of Pharmacy
January 31, 2023

ALSO PRESENT: (cont.)

Patrick Lavella, R.Ph., President, Pennsylvania Pharmacists Association
Catherine Lutz, Pharmacy Inspector, Bureau of Enforcement and Investigation, Department of State
Steven Zahn, Pharmacy Inspector, Bureau of Enforcement and Investigation, Department of State
Misha Patel, M.D., Curriculum Education Assistant, Geisinger Commonwealth School of Medicine
David Klinger, System Director, Operations & Compliance, Geisinger Health System
Steven L. Sheaffer, Retired, Pennsylvania Society of Health-System Pharmacists
Laura Romeo, Pharmacist-in-Charge at ConnectiveRx, Careform Pharmacy
Robert B. Frankil, R.Ph., Executive Director, Philadelphia Association of Retail Druggists
Judy Kutchman, AllianceRx Walgreens Prime
Sarah Everingham, MJ, CCEP, CPhT, Cardinal Health
Jenna McCarthy, Associate, Malady & Wooten
Grace Fisher, Regional Pharmacy Manager, Giant Food Stores, LLC
Suzanne Brown
Matthew Pawlowski, Pharmacy Intern, Lumicera Health Services
Susan DelMonico, R.Ph., JD
Walter McCulloch, Business Development Manager, Wholesale Drug Distributor
William Johnson
Larry Jones, Executive Director, Pennsylvania Society of Health-System Pharmacists
David Mihalic, Director of Pharmacy Services, Einstein Healthcare Network
Alison Apple, R.Ph., MS, Chief Pharmacy Officer, Hospital of the University of Pennsylvania
JoAnn Fitch, R.Ph., Pharmacy Manager at Cardinal Health
Natalie D'Amico, Pharmacy Intern, DeCaria Brothers Pharmacies
Raymond Velky
Charlotte Harris
Natalie Brown

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State Board of Pharmacy
January 31, 2023

ALSO PRESENT: (cont.)
Geoffrey Christ, Chewy
Nicole Sidle
Alicia Palombo
Stephanie Monterio
Mary Tran, Pennsylvania Pharmacists Association
James Reed, Healthcare Supervisor, Walgreens

1 ***

2 State Board of Pharmacy

3 January 31, 2023

4 ***

5 [Pursuant to Section 708(a)(5) of the Sunshine Act,
6 at 9:30 a.m., the Board entered into Executive
7 Session with Ariel E. O'Malley, Esquire, Board
8 Counsel, for the purpose of conducting quasi-judicial
9 deliberations and to receive the advice of Board
10 Counsel. The Board returned to open session at 10:30
11 a.m.]

12 ***

13 The regularly scheduled meeting of the State
14 Board of Pharmacy was held on Tuesday, January 31,
15 2023. Theresa Talbott, R.Ph., Chairperson, called
16 the meeting to order at 10:32 a.m.

17 ***

18 [Theresa Talbott, R.Ph., Chairperson, noted 37 people
19 are in attendance virtually. She informed everyone
20 that the meeting was being recorded, and those who
21 continued to participate were giving their consent to
22 be recorded.]

23
24 ***

25 Pledge of Allegiance

1 [The Pledge of Allegiance was recited.]

2 ***

3 Introduction of the Board Members/Staff/Audience

4 [Board Members, Board staff and the in-person
5 audience introduced themselves with the names of
6 those attending virtually being recited for the
7 record.]

8 ***

9 Evacuation Announcement

10 [Melanie Zimmerman, R.Ph., Board Administrator,
11 reviewed the emergency evacuation procedures for One
12 Penn Center.]

13 ***

14 Turn Off Electronic Devices

15 [Chair Talbott requested electronic devices be turned
16 off.]

17 ***

18 Approval of Agenda

19 CHAIRPERSON TALBOTT:

20 I need an approval to accept the agenda
21 as presented.

22 DR. ROUSSEL:

23 I'll make a motion to accept the agenda.

24 MR. GREENE:

25 Second.

1 CHAIRPERSON TALBOTT:

2 Any discussion? Call for a vote.

3

4 Hart, aye; Greene, aye; Roussel, aye;

5 Talbott, aye; Esterbrook, aye.

6 [The motion carried unanimously.]

7

8 Approval of Minutes

9 DR. ROUSSEL:

10 I'd like to make a motion to approve the

11 meeting minutes for both November 1 and

12 December 6, 2022.

13 CHAIRPERSON TALBOTT:

14 We have a motion to accept both the

15 November and December minutes. Do I have

16 a second?

17 MR. GREENE:

18 Second.

19 CHAIRPERSON TALBOTT:

20 Any discussion?

21 [The Board discussed corrections to the November

22 minutes.]

23 CHAIRPERSON TALBOTT:

24 Any other discussion? All in favor?

25

1 Hart, aye; Greene, aye; Roussel, aye;
2 Talbott, aye; Esterbrook, aye.

3

4 Any opposed?

5 [The motion carried unanimously.]

6

7 Appointment - Prosecution Division Annual Report
8 Presentation

9 [Carolyn A. DeLaurentis, Esquire, Executive Deputy
10 Chief Counsel, Department of State, informed Board
11 members that she is now the executive deputy chief
12 counsel for the Department of State but is presenting
13 to the Board on behalf of the prosecution division in
14 her former role to provide the presentation.

15 Chair Talbott congratulated Ms. DeLaurentis on
16 her promotion.

17 Ms. DeLaurentis presented to the Board to provide
18 a summary of the prosecution division's role and
19 present annual numbers for 2022. She informed Board
20 members that the Bureau of Professional and
21 Occupational Affairs provides administrative and
22 legal support to all 29 licensing boards and
23 commissions and the legal support comes from the
24 prosecution division, counsel division, and hearing
25 examiners. She noted the mission is to protect the

1 health and safety of the public and the integrity of
2 the profession.

3 Ms. DeLaurentis explained that the Office of
4 Chief Counsel is under the Governor's Office of
5 General Counsel and assigned to the Department of
6 State, noting the prosecution division is one
7 division under the Office of Chief Counsel. She
8 noted the prosecution division works with the Bureau
9 of Enforcement and Investigation (BEI), along with
10 the Professional Compliance Office (PCO).

11 Ms. DeLaurentis stated BEI, PCO, and prosecution
12 are all tasked with receiving complaints,
13 investigating allegations, ensuring public safety,
14 and enforcing compliance with the acts and
15 regulations governing the 29 licensing boards and
16 commissions.

17 Ms. DeLaurentis stated the prosecution division
18 is the largest division under the Office of Chief
19 Counsel for the Department of State. She explained
20 that there are five senior prosecuting attorneys
21 assigned to teams. She informed Board members that
22 Ray Michalowski is the senior prosecutor for their
23 Board, along with Paul Jarabeck; Heather McCarthy;
24 William Newport; and acting senior prosecutor, Karl
25 Geschwindt for the other boards and commissions. She

1 mentioned there are 32 prosecuting attorneys serving
2 under the senior attorneys, including Board liaisons.

3 Ms. DeLaurentis addressed the complaint process,
4 noting complaints are received from many sources but
5 the preferred method of submission is through the
6 Pennsylvania Licensing System (PALS) at pals.pa.gov
7 because it is the most efficient. She noted
8 prosecution also accepts complaints from sister
9 agencies, federal agencies, law enforcement, and
10 through media reports.

11 Ms. DeLaurentis discussed levels of review,
12 including jurisdiction checks, noting administrative
13 assistants review every complaint to see if it falls
14 under one of the 29 boards and commissions. She
15 mentioned complaints are referred to the appropriate
16 agency if prosecution does not have jurisdiction.

17 Ms. DeLaurentis stated prosecution works with BEI
18 inspectors and investigators to determine the most
19 efficient use of resources. She noted investigations
20 may include interviewing witnesses and gathering
21 documents. She addressed the various levels of
22 review and whether there was a violation. She
23 explained that matters could be closed if there is
24 not a violation of the act or regulation and direct
25 attention to other cases.

1 Ms. DeLaurentis discussed the post-investigation
2 process, where attorneys may need to make charging
3 decisions based on evidence by filing an order to
4 show cause or a citation. She noted there is a
5 hearing process, which is similar to a regular trial,
6 where both sides are able to present evidence and
7 legal arguments.

8 Ms. DeLaurentis noted that if it goes to a
9 hearing examiner, the hearing examiner usually issues
10 a proposed adjudication and then it goes to the
11 boards and commissions for review because the boards
12 and commissions have the ultimate authority when
13 determining the final sanction. She addressed
14 consent agreements, where both sides are conducting
15 negotiations and trying to reach a resolution and
16 present that to the Board, where the Board could
17 accept or reject the agreement.

18 Ms. DeLaurentis addressed the prosecution
19 division's role at Board meetings, including
20 presenting consent agreements and listening to
21 concerns of the Board. She pointed out that
22 prosecution has a confidentiality statute that
23 applies to their files, where all of the content
24 within their files is confidential under the law
25 unless presented publicly and that is why prosecution

1 cannot speak on some matters except for the final
2 action.

3 Ms. DeLaurentis stated BEI conducts
4 investigations and interviews, gathers evidence, and
5 conducts inspections for certain boards. She noted
6 the role of the investigators is fact gathering and
7 serving subpoenas, orders, and letters. She
8 mentioned that prosecution has subpoena authority,
9 but BEI does not have search warrant authority and is
10 limited. She noted BEI also testifies to the results
11 of their investigations and inspections. She also
12 noted they have inspection authority but do not have
13 statutory authority and cannot remain at that
14 location if asked to leave.

15 Ms. DeLaurentis addressed providing documents
16 upon request, where some boards and commissions have
17 regulations that require cooperation but not everyone
18 complies and charges may be filed for failure to
19 comply. She stated all of the evidence gathered is
20 presented to the teams and reviewed by prosecuting
21 attorneys and legal analysts to determine whether
22 there was a violation of the act or regulation to
23 decide whether to close the case or file charges.

24 Ms. DeLaurentis addressed immediate temporary
25 suspensions, where someone is an immediate and clear

1 danger to the health and safety of the public, and is
2 different than charging documents with an order to
3 show cause, where the licensee may continue to
4 practice throughout the pending litigation. She
5 noted automatic suspensions include 302 commitments,
6 orders for examination, and drug act violations. She
7 also noted petitions for appropriate relief are when
8 someone has violated a board order.

9 Ms. DeLaurentis stated levels of discipline
10 include revocations, suspensions, probations,
11 reprimands, fines, remedial education, and cost of
12 the investigation. She mentioned that some cases
13 could have more than one type of discipline and can
14 be found in more than one category in the report.

15 Ms. DeLaurentis referred to the confidentiality
16 statute under 63 Pa.C.S. § 3109, where prosecution and
17 investigative files are deemed privileged and
18 confidential under the law. She explained that
19 Department of State investigative files are deemed
20 noncriminal investigative records under the Right-to-
21 Know Law.

22 Ms. DeLaurentis stated that information could be
23 shared with other agencies in furtherance of
24 investigative efforts but only their final action
25 could be shared publicly, including final

1 adjudications and orders, final consent agreements,
2 and final letters.

3 Ms. DeLaurentis provided data as of January 3,
4 2023, where the number of open cases for the
5 prosecution division was 13,154, which is down from
6 2022 at 15,141. She stated 16,084 cases were opened
7 in 2022 and is down from 2021 at 18,363 cases. She
8 reported closing 17,826 files in 2022 and is up from
9 2021, where 15,994 cases were closed. She thanked
10 the prosecution division, counsel division, and Board
11 for their group effort.

12 Ms. DeLaurentis informed Board members that an
13 annual report is issued to the General Assembly,
14 which includes a breakdown of case categories, and
15 would be available soon for review.

16 Ms. DeLaurentis addressed specific information
17 for the State Board of Pharmacy, noting 840 cases
18 were opened in 2022, which was down from 2021 at 982.

19 She reported 886 cases were closed in 2022 and is an
20 increase from 2021 at 841. She noted 595 cases were
21 open as of January 3, 2023.

22 Ms. DeLaurentis referred to disposition of closed
23 cases, including discipline and non-discipline. She
24 reported 60 Act 48 fines, 11 probation cases, and 12
25 reprimands which is up from the prior year at 9. She

1 mentioned that non-disciplinary actions are called Z
2 codes in their system, where prosecution was not
3 warranted.

4 Ms. DeLaurentis addressed warning letters, noting
5 311 warning letters in 2022 and 295 in 2021. She
6 explained that warning letters are not discipline but
7 help maintain the integrity of the profession by
8 attempting to correct any behavior that may become an
9 issue and are given for de minimis violations.

10 Chair Talbott was pleased to see the Board is
11 consistent with cases opened and closed and thanked
12 prosecution for their great job.]

13 ***

14 Report of Board Prosecution

15 [Caroline A. Bailey, Esquire, Board Prosecutor,
16 presented the Consent Agreement for Case No. 22-54-
17 009721.]

18 ***

19 [Glenn P. Masser, Esquire, Board Prosecutor,
20 presented the Consent Agreements for Case No. 22-54-
21 006687, Case No. 22-54-008333, Case No. 21-54-020128,
22 Case No. 20-54-006589, and Case No. 21-54-019600.]

23 ***

24 [Alice R. Glasser, Esquire, Board Prosecution
25 Liaison, presented the Consent Agreement for Case

1 Nos. 22-54-004725 & 22-54-004726.]

2 ***

3 [Ray J. Michalowski, Esquire, Senior Board
4 Prosecutor, presented the Consent Agreement for Case
5 No. 22-54-017655.]

6 ***

7 Report of Board Counsel - Regulatory Report
8 [Ariel E. O'Malley, Esquire, Board Counsel, addressed
9 the pharmacy technician regulations, noting the annex
10 has all of the updates discussed at the last
11 meeting.]

12 MS. O'MALLEY:

13 I would be looking for a motion to
14 promulgate the regulation as proposed?

15 CHAIRPERSON TALBOTT:

16 Do I have such a motion?

17 DR. ROUSSEL:

18 I would like to make a motion to
19 promulgate the regulation as proposed.

20 MR. ESTERBROOK:

21 Second.

22 CHAIRPERSON TALBOTT:

23 Any discussion?

24 [Ms. O'Malley provided an overview of the regulatory
25 process. She noted there is still time for everyone

1 to make any comments concerning the regulation.]

2 Any other discussion? Let's call the
3 vote.

4

5 Hart, aye; Greene, aye; Roussel, aye;
6 Talbott, aye; Esterbrook, aye.

7 [The motion carried unanimously.]

8

9 Report of Board Counsel - Regulatory Report

10 [Ariel E. O'Malley, Esquire, Board Counsel, informed
11 Board members that the 2023 Regulatory Report
12 provides a summary of the status of regulatory
13 packages and would be on the agenda every meeting
14 going forward.

15 Ms. O'Malley noted 16A-5430 regarding child abuse
16 reporting requirements is still being worked on by
17 Deputy Chief Counsel, Cynthia K. Montgomery.

18 Ms. O'Malley noted Ms. Montgomery is also still
19 working on the regulatory package for Achieving
20 Better Care by Monitoring All Prescriptions Program
21 (ABC-MAP) concerning opioid education.

22 Ms. O'Malley referred to the Act 41 regulation
23 regarding licensure by endorsement, which has been
24 drafted and sent to regulatory counsel to begin the
25 internal review process.

1 Ms. O'Malley commented that now that the pharmacy
2 technician regulation at 16A-5433 has been
3 promulgated as proposed that it would be moving as
4 fast as possible.

5 Ms. O'Malley stated she would be focusing on 16A-
6 5454 regarding COVID-19 and flu immunizations, noting
7 an adjustment was made to the Pharmacy Act, but she
8 should be able to get that done relatively easily.

9 Ms. O'Malley addressed Senate Bill 81, which was
10 introduced last session as Senate Bill 223 to allow
11 an emergency medical services provider to dispense a
12 dose package of naloxone.

13 Ms. O'Malley addressed Senate Bill 62 proposing
14 to amend the Pharmacy Act d, where pharmacists would
15 have to provide the full retail price of medication,
16 the individuals copay when applicable, comparison of
17 full retail price, cost-sharing information, and
18 information as to how and where the consumer could
19 purchase an insurance plan that has the median cost-
20 sharing amount or provides comparable coverage.]

21 ***

22 Report of Board Chairperson

23 [Theresa Talbott, R.Ph., Chairperson, announced that
24 the Public Health Emergency would end May 11, 2023.

25]

1 ***

2 Report of Acting Commissioner - No Report

3 ***

4 Report of Board Administrator - No Report

5 ***

6 Report of Board Members

7 [Patrick Greene, Esq., Probable Cause Screening
8 Committee, had no report this month.

9 Christine Roussel, Pharm.D., BCOP, BCSCP, Vice
10 Chairperson, the Board's representative on the
11 Medical Marijuana Advisory Board, informed Board
12 members that Act 16 through the Medical Marijuana
13 Program for the state of Pennsylvania was being
14 updated and is going through the regulatory review
15 process. She noted the information relates to
16 pharmacists and is available from the Independent
17 Regulatory Review Commission (IRRC) and is also
18 published in the *Pennsylvania Bulletin*.]

19 ***

20 Discussion Items

21 [Theresa Talbott, R.Ph., Chairperson, stated the
22 National Association of Boards of Pharmacy (NABP)
23 District 2 Well-Being Index for November and December
24 2022 were relatively unchanged.

25 Chair Talbott addressed correspondence from

1 Olivia Nichols requesting the Board adopt new
2 guidelines to improve workplace conditions and safety
3 similar to the Virginia State Board of Pharmacy. She
4 mentioned Virginia has a larger scope of authority
5 than Pennsylvania and Ms. Zimmerman would be
6 responding to Ms. Nichols because such changes would
7 require statutory changes.

8 Chair Talbott noted Ms. Getzey Hart would be
9 attending the National Association of Boards of
10 Pharmacy Annual Meeting in Nashville, TN May 10-12 as
11 the NABP District II Executive Committee Member.
12 Chair Talbott indicated her own attendance through
13 her day job and asked whether anyone from the Board
14 wished to attend.]

15 MR. GREENE:

16 I make a motion that the Board send Eric
17 Esterbrook, Christine Roussel, and
18 Melanie Zimmerman to the NABP Meeting May
19 10-12.

20 CHAIRPERSON TALBOTT:

21 Do I have a second?

22 MS. GETZEY HART:

23 Second.

24 CHAIRPERSON TALBOTT:

25 Any discussion? Let's call the vote

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Hart, aye; Greene, aye; Roussel, aye;
Talbott, aye; Esterbrook, aye.

[The motion carried unanimously.]

FYI Items

[Theresa Talbott, R.Ph., Chairperson, referred to the
En-Vision America and Mainstreaming Addiction
Treatment Act items for the Board's information.]

Public Comment

[Theresa Talbott, R.Ph., Chairperson, noted a
question in the chat asking whether the current draft
of the pharmacy technician regulation could be found
on the Board's website.

Ms. Zimmerman noted that individuals could submit
a PALS ticket to request a copy as they are not
posted on the Board's website.]

MOTIONS

CHAIRPERSON TALBOTT:

The Board met in Executive Session and
discussed and reviewed consent orders and
other official documents.

Are there any motions regarding

1 these discussions?

2 MR. GREENE:

3 At agenda item 4, I make a motion that we
4 approve the Consent Agreement at Case No.
5 22-54-009721.

6 DR. ROUSSEL:

7 I would like to second that.

8 CHAIRPERSON TALBOTT:

9 We have a motion and a second. Any
10 discussion? Call the vote.

11

12 Hart, aye; Greene, aye; Roussel, aye;
13 Talbott, aye; Esterbrook, aye.

14 [The motion carried unanimously. The Respondent's
15 name is Hetal N. Chudasama, R.Ph.]

16

17 DR. ROUSSEL:

18 I'd like to make a motion to accept the
19 agreement put forth for Case No. 22-54-
20 006687.

21 MR. ESTERBROOK:

22 Second.

23 CHAIRPERSON TALBOTT:

24 We have a motion and a second. Any
25 discussion? Call the vote.

1

2

Hart, aye; Greene, recuse; Roussel, aye;

3

Talbott, aye; Esterbrook, aye.

4

[The motion carried. Patrick Greene recused himself

5

from deliberations and voting on the motion. The

6

Respondent's name is Kim Robert Brumbaugh.]

7

8

MR. GREENE:

9

At agenda item 6, I make a motion that we

10

approve the Consent Agreement at Case No.

11

22-54-008333.

12

DR. ROUSSEL:

13

I'd like to second that motion.

14

CHAIRPERSON TALBOTT:

15

Any discussion? Call the vote.

16

17

Hart, aye; Greene, aye; Roussel, aye;

18

Talbott, recuse; Esterbrook, aye.

19

[The motion carried. Theresa Talbott recused herself

20

from deliberations and voting on the motion. The

21

Respondent's name is Zilpa O. Odera.]

22

23

MR. GREENE:

24

At agenda item 7, I make a motion that we

25

approve the Consent Agreement at Case No.

1 21-54-020128.

2 DR. ROUSSEL:

3 I'd like to second that motion.

4 CHAIRPERSON TALBOTT:

5 We have a motion and a second. Is there
6 any discussion? Call the vote.

7

8 Hart, aye; Greene, aye; Roussel, aye;
9 Talbott, aye; Esterbrook, aye.

10 [The motion carried unanimously. The Respondent's
11 name is Sunshine Community Rx of Sarasota LLC DBA
12 PrecisionMed Pharmacy.]

13

14 MR. GREENE:

15 At agenda item 8, I make a motion that we
16 approve the Consent Agreement at Case No.
17 20-54-006589.

18 DR. ROUSSEL:

19 I'd like to second that motion.

20 CHAIRPERSON TALBOTT:

21 We have a motion and a second. Any
22 discussion? Call the vote.

23

24 Hart, aye; Greene, aye; Roussel, aye;
25 Talbott, aye; Esterbrook, aye.

1 [The motion carried unanimously. The Respondent's
2 name is Universal Pharmacy Services, LLC t/d/b/a
3 Greater Philadelphia Pharmacy.]

4 ***

5 MR. GREENE:

6 At agenda item 9, I make a motion that we
7 approve the Consent Agreement at Case No.
8 21-54-019600.

9 DR. ROUSSEL:

10 I second the motion.

11 CHAIRPERSON TALBOTT:

12 We have a motion and a second. Any
13 discussion? Call the vote.

14

15 Hart, aye; Greene, aye; Roussel, aye;
16 Talbott, aye; Esterbrook, aye.

17 [The motion carried unanimously. The Respondent's
18 name is Michael A. Lacey.]

19 ***

20 MR. GREENE:

21 At agenda item 10, I make a motion that
22 we reject as too lenient the Consent
23 Agreement at Case Nos. 22-54-004725 & 22-
24 54-004726.

25 DR. ROUSSEL:

1 I second the motion.

2 CHAIRPERSON TALBOTT:

3 Any further discussion on this one? Call
4 the vote.

5

6 Hart, aye; Greene, aye; Roussel, aye;
7 Talbott, aye; Esterbrook, aye.

8 [The motion carried unanimously.]

9

10 MR. GREENE:

11 At agenda item 11, I make a motion that
12 we approve the VRP Consent Agreement at
13 Case No. 22-54-017655.

14 DR. ROUSSEL:

15 I second the motion.

16 CHAIRPERSON TALBOTT:

17 Motion and a second. Any discussion?
18 Call the vote.

19

20 Hart, aye; Greene, aye; Roussel, aye;
21 Talbott, aye; Esterbrook, aye.

22 [The motion carried unanimously.]

23

24 DR. ROUSSEL:

25 I make a motion to delegate to a hearing

1 examiner for agenda item 14 at Case Nos.
2 22-54-010814 & 22-54-010815, Sanatoga
3 Pharmacy, Inc., t/d/b/a Sanatoga Pharmacy
4 and Nicholas Tini.

5 CHAIRPERSON TALBOTT:

6 Do we have a second?

7 MR. GREENE:

8 Second.

9 CHAIRPERSON TALBOTT:

10 Any discussion? Call the vote.

11

12 Hart, aye; Greene, aye; Roussel, aye;

13 Talbott, aye; Esterbrook, aye.

14 [The motion carried unanimously.]

15

16 Adjournment

17 CHAIRPERSON TALBOTT:

18 We will adjourn the meeting and move to
19 our regulation session.

20

21 [There being no further business, the State Board of
22 Pharmacy Meeting adjourned at 11:36 a.m.]

23

24 [A State Board of Pharmacy Regulatory Meeting was
25 held immediately following the regular Board

1 meeting.]

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CERTIFICATE

6

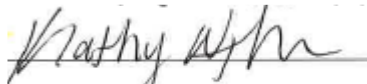
7

I hereby certify that the foregoing summary
8 minutes of the State Board of Pharmacy meeting, was
9 reduced to writing by me or under my supervision, and
10 that the minutes accurately summarize the substance
11 of the State Board of Pharmacy meeting.

12

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14



15

Kathryn Witherow,

16

Minute Clerk

17

Sargent's Court Reporting

18

Service, Inc.

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STATE BOARD OF PHARMACY
REFERENCE INDEX

January 31, 2023

| | TIME | AGENDA |
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| 6 | | |
| 7 | TIME | AGENDA |
| 8 | | |
| 9 | 9:30 | Executive Session |
| 10 | | |
| 11 | 10:30 | Return to Open Session |
| 12 | | |
| 13 | 10:32 | Official Call to Order |
| 14 | | |
| 15 | 10:32 | Pledge of Allegiance |
| 16 | | |
| 17 | 10:33 | Introduction of Board |
| 18 | | Members/Staff/Audience |
| 19 | | |
| 20 | 10:35 | Emergency Evacuation Announcement |
| 21 | | |
| 22 | 10:36 | Approval of Agenda |
| 23 | | |
| 24 | 10:37 | Approval of Minutes |
| 25 | | |
| 26 | 10:39 | Appointment - Carolyn A. DeLaurentis, |
| 27 | | Esquire, Executive Deputy Chief |
| 28 | | Counsel, Department of State, Annual |
| 29 | | Prosecutorial Division Presentation |
| 30 | | |
| 31 | 11:07 | Report of Board Prosecution |
| 32 | | |
| 33 | 11:19 | Report of Board Counsel |
| 34 | | |
| 35 | 11:27 | Report of Board Chairperson |
| 36 | | |
| 37 | 11:31 | Report of Board Members |
| 38 | | |
| 39 | 11:32 | Discussion Items |
| 40 | | |
| 41 | 11:33 | FYI Items |
| 42 | | |
| 43 | 11:34 | Public Comment |
| 44 | | |
| 45 | 11:35 | Motions |
| 46 | | |
| 47 | 11:36 | Adjournment |
| 48 | | |
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