

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 February 1, 2024, 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, RPh, Pharmacist, Vice President
Bradley Hamilton, R.Ph., Chain Pharmacist, Complaint Officer
Nicholas Haar, PharmD, R.Ph., Hospital Pharmacist
Timothy McCormack, Esq., Public Member
Cassandra White, PharmD, R.Ph., Pharmacist
Abdifatah Ahmed, PharmD, R.Ph., Independent Pharmacist (*Via Zoom*)

STAFF PRESENT

Geraldine L. Betts, Administrator
Thomas Avery, Chief Field Investigator
Adam Wood, Regulatory Health Compliance Agent
Jennifer Willis, Assistant Attorney General, Board Counsel
Meagan McLaughlin, Comprehensive Health Planner II
Diane Perry, Comprehensive Health Planner II
Dominic Cotone, Comprehensive Health Planner I
Heather Bronish, Senior Consumer Assistance Specialist

Licensing (207)624-8620
Main Receptionist (207)624-8603
TTY users call Maine relay 711



PRINTED ON RECYCLED PAPER
www.maine.gov/professionallicensing

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

APPLICATION, REVIEW AND BOARD ACTION – *Presenter, Dominic Cotone, Comprehensive Health Planner I*

1. Megan A. Monfiletto (Initial Application) – White motioned to grant licensure to Megan A. Monfiletto, seconded by Haar. Unanimously voted. Complaint Officer Hamilton abstained.

2. Quintin O. Pringle (Initial Application) – McCormack motioned preliminarily deny licensure of Quintin O. Pringle and offer a Consent Agreement to include the following 1) Admission to 10 M.R.S § 8003(5-A)(A)(3) and 32 M.R.S § 13742-A(1)(A), 2) Obtain at applicant’s own expense, an evaluation from a pre-approved, licensed professional provider with training in substance misuse diagnosis and treatment, and if ongoing treatment or monitoring is recommended, applicant agrees to submit the treatment and monitoring terms to the Board. Applicant agrees to ensure that quarterly reports of compliance will be submitted to the Board and agrees to follow all terms of the proposed treatment and monitoring requirements until its completion. Applicant agrees to execute all waivers to all practitioners and to share required information with the Board, seconded by White. Unanimously voted.

3. Deanna N. Gamache (Initial Application) – McCormack motioned to preliminarily deny licensure of Deanna N. Gamache and offer a Consent Agreement to include the following 1) Admission to 32 M.R.S § 13742-A(1)(A) , 5 M.R.S § 5301(2)(B), and 10 M.R.S § 8003(5-A)(A)(3) 2) Obtain at applicant’s own expense, an evaluation from a pre-approved, licensed professional provider with training in substance misuse diagnosis and treatment, and if ongoing treatment or monitoring is recommended, applicant agrees to submit the treatment and monitoring terms to the Board. Applicant agrees to ensure that quarterly reports of compliance will be submitted to the Board and agrees to follow all terms of the proposed treatment and monitoring requirements until its completion. Applicant agrees to execute all waivers to all practitioners and to share required information with the Board, seconded by Hamilton. Kane, Norberg, Haar, McCormack, and Ahmed in favor, Board Member White opposed.

4. Laura M. Coyne (Initial Application) – White motioned to preliminarily approve the application subject to licensee entering a Consent Agreement addressing potential grounds for license denial or discipline within six months pursuant to 5 M.R.S. §5301 (2)(B), and 32 M.R.S. § 13742-A(1)(A). Consent Agreement to include the following 1 Obtain at applicant’s own expense, an evaluation from a pre-approved, licensed professional provider with training in substance misuse diagnosis and treatment, and if ongoing treatment or monitoring is recommended, applicant agrees to submit the treatment and monitoring terms to the Board. Applicant agrees to ensure that quarterly reports of compliance will be submitted to the Board and agrees to follow all terms of the proposed treatment and monitoring requirements until its completion. Applicant agrees to execute all waivers to all practitioners and to share required information with the Board, seconded by Haar. Unanimously voted.

5. Jaijujjit Kang (Unlicensed) – Applicant withdrew request, no action needed.

COMPLAINT PRESENTATION(S) AND BOARD ACTION

2022-PHA-18533

McCormack motioned to schedule 2023-PHA-18533 for an adjudicatory hearing and to offer a Consent Agreement to include the following: 1) Admission to violation of 32 M.R.S. § 13742-A(1)(C) and Board Rule Chapter 30, §15, 2) Warning, 3) \$500.00 Civil Penalty and 4) Completion of three (3) hours of continuing education in preventing prescription errors and misfills to be completed within ninety (90) days of the execution of the Consent Agreement and proof of completion submitted within thirty (30) days of completion. The continuing education credits may not be used to fulfill the continuing education required for re-licensure, seconded by Haar. Unanimously voted. Complaint Officer Hamilton abstained.

2022-PHA-18531

White motioned to schedule 2023-PHA-18531 for an adjudicatory hearing and to offer a Consent Agreement to include the following: 1) Admission to violation of 32 M.R.S. § 13742-A(1)(C) and Board Rule Chapter 30, §15, 2) Warning, 3) \$500.00 Civil Penalty and 4) Completion of three (3) hours of continuing education in preventing prescription errors and misfills to be completed within ninety days of the execution of the Consent Agreement and proof of completion submitted within thirty (30) days of completion. The continuing education credits may not be used to fulfill the continuing education required for re-licensure, seconded by Norberg. Unanimously voted. Complaint Officer Hamilton abstained; President Kane absent.

2022-PHA-18685

White motioned to dismiss 2022-PHA-18685 with a Letter of Guidance with language drafted by Assistant Attorney General. Letter of Guidance is to remain on file for a period of ten (10) years, seconded by Haar. Unanimously voted. Complaint Officer Hamilton abstained. President Kane absent.

2023-PHA-18593

White motioned to dismiss 2023-PHA-18593 with Letter of Guidance to offer counseling on new prescriptions. Letter of Guidance is to remain on file for a period of ten (10) years, seconded by McCormack. Unanimously voted. Complaint Officer Hamilton abstained. President Kane absent.

2023-PHA-19103

McCormack motioned to dismiss 2023-PHA-19103 with Letter of Guidance on importance of providing accurate information. Letter of Guidance is to remain on file for a period of ten (10) years, seconded by Haar. Unanimously voted. Complaint Officer Hamilton abstained. President Kane absent.

2023-PHA-19487

White motioned to dismiss 2023-PHA-19487 with Letter of Guidance to double check prescriptions to prevent medication errors. Letter of Guidance is to remain on file for a period of ten (10) years, seconded by Haar. Unanimously voted. Complaint Officer Hamilton abstained. President Kane absent.

2023-PHA-19179

McCormack motioned to schedule 2023-PHA-19179 for an adjudicatory hearing and to offer a Consent Agreement to include the following: 1) Admission to violation of Board Rule Chapter 13 § 3(1), 2) Reprimand, 3) Civil penalty in the amount of \$500.00. Seconded by Ahmed. Unanimously voted. Complaint Officer Hamilton abstained; President Kane absent.

2023-PHA-19261

McCormack motioned to dismiss 2023-PHA-19261 with no evidence of a violation of the Board's Laws and Rules, seconded by White. Unanimously voted. Complaint Officer Hamilton abstained. President Kane absent.

2023-PHA-19386

White motioned to dismiss 2023-PHA-19386 with no evidence of a violation of the Board's Laws and Rules, seconded by McCormack. Unanimously voted. Complaint Officer Hamilton abstained. President Kane absent.

2023-PHA-19268

White motioned to dismiss 2023-PHA-19268 with no evidence of a violation of the Board's Laws and Rules, seconded by Haar. Unanimously voted. Complaint Officer Hamilton abstained.

2023-PHA-19334

Haar motioned to dismiss 2023-PHA-19334 with Letter of Guidance to include that it is inadvisable to share Pharmacists in Charge-level credentials with other employees, only pharmacists can counsel patients, Pharmacists in Charge are responsible for direct supervision of legal and professional responsibilities in the pharmacy and should avoid employing close family members who the Pharmacist in Charge cannot directly supervise and be legally and professionally responsible for, and that pharmacy technicians cannot provide counseling. It is not advisable for Pharmacists in Charge to supervise family members. Letter of Guidance is to remain on file for a period of ten (10) years, seconded by Norberg. Unanimously voted. Complaint Officer Hamilton abstained.

2023-PHA-19350

Norberg motioned to dismiss 2023-PHA-19350 with no evidence of violation of the Board's Laws and Rules, seconded by McCormack. Unanimously voted. Complaint Officer Hamilton abstained.

2023-PHA-19408

McCormack motioned to dismiss 2023-PHA-19408 with no evidence of violation of the Board's Laws and Rules, seconded by Haar. Unanimously voted. Complaint Officer Hamilton abstained.

2023-PHA-18847

McCormack motioned to dismiss 2023-PHA-18847 with no evidence of violation of the Board's Laws and Rules, seconded by Norberg. Unanimously voted. Complaint Officer Hamilton recused.

2023-PHA-18947

White motioned to dismiss 2023-PHA-18947 with no evidence of violation of the Board's Laws and Rules, seconded by Haar. Unanimously voted. Complaint Officer Hamilton recused.

2023-PHA-19021

White motioned to dismiss 2023-PHA-19021 with letter of guidance to include pharmacists and Pharmacists in Charge to maintain effective controls in order to avoid misfills and prescription errors. Letter of Guidance is to remain on file for a period of ten (10) years, seconded by Haar. Unanimously voted. Complaint Office Hamilton recused.

2023-PHA-19172

Norberg motioned to schedule 2023-PHA-19172 for an adjudicatory hearing and to offer a Consent Agreement to include the following: 1) Admission to violation of 32 M.R.S. § 13742-A(1)(C) and Board Rule Chapter 30, §15, 2) Warning, 3) \$500.00 Civil Penalty and 4) Completion of three (3) hours of continuing education in preventing prescription errors and misfills to be completed within ninety days of the execution of the Consent Agreement and proof of completion submitted within thirty (30) days of completion. The continuing education credits may not be used to fulfill the continuing education required for re-licensure, seconded by White. Unanimously voted. Complaint Officer Hamilton recused.

2023-PHA-19342

Norberg motioned to dismiss 2023-PHA-19342 with no evidence of violation of the Board's Laws and Rules, seconded by Haar. Unanimously voted. Complaint Officer Hamilton recused.

2023-PHA-19369

McCormack motioned to dismiss 2023-PHA-19369 with no evidence of violation of the Board's Laws and Rules, seconded by Norberg. Unanimously voted. Complaint Officer Hamilton recused.

2023-PHA-19427

McCormack motioned to dismiss 2023-PHA-19427 seconded by Norberg. Kane, Norberg, Haar, McCormack, and Ahmed in favor. Complaint Officer Hamilton recused, Board Member Cassandra White absent.

TRAVEL –

120th NABP Annual Meeting, May 14-17, 2024, Fort Worth, Texas.

White motioned to table discussion until next meeting seconded by McCormack. Unanimously voted.

RULEMAKING

Subcommittee Draft Rule Recommendations for Board Review and Consideration –

Presenter, Board Member Dr. Cassandra White, PharmD

Licensure by Endorsement

McCormack motioned to table discussion until April 2024 Board Meeting, seconded by Norberg. Unanimously voted. Complaint Officer Hamilton absent from room.

TRAVEL

White motioned to table Travel until April 2024 meeting, seconded by McCormack.
Unanimously voted. Complaint Officer Hamilton absent from room.

WAIVER REQUEST

St. Joseph Hospital, HOS32 – Waiver request to deviate from specified requirements of Board Rule Chapter 20, Subchapter 2 for the hospital’s automated pharmacy system(s) and update the 2016 waiver granted by Board.

McCormack motioned to take no action at this time and have staff to request more information regarding the request. Seconded by Hamilton. Unanimously voted. Board Member Cassandra White absent.

PUBLIC OPPORTUNITY TO COMMENT

No comments.

ADJOURN

There being no further business McCormack motioned to adjourn at 12:51p.m., seconded by Hamilton. Unanimously voted. Board Member Cassandra White absent.

Prepared By: Diane Perry, Comprehensive Health Planner II
Board approved: June 6, 2024