

STATE OF CONNECTICUT
DEPARTMENT OF CONSUMER PROTECTION
COMMISSION OF PHARMACY
April 20, 2016

10:00 a.m. The regular meeting of the Commission of Pharmacy was called to order by Commissioner William Summa. The meeting was held in Room 126, of The State Office Building 165 Capitol Avenue, Hartford, CT 06106

Commissioners Present: William Summa, Chairperson
Steve Beaudin
Richard Carbray
Debbie Chisolm
Angelo DeFazio
Edith G. Goodmaster
Mary Inguanti

Staff Present: Heather Hoynes, Board Administrator

Interview of Reciprocity Candidate(s)

The following candidate(s) were interviewed over the telephone and attested that the information provided was true and accurate to the best of their belief and understood that any misrepresentation of the facts could result in a fine and/or denial of pharmacist licensure in Connecticut.

Kingsley Adu-Gyamfi	Reciprocity from New Hampshire
Oriyomi Alimi	Reciprocity from Pennsylvania
Kate Campagnola	Reciprocity from Massachusetts
Christy Cosmano	Reciprocity from Illinois
Antonia Demarinis	Reciprocity from New York
Michael Holbrook	Reciprocity from Virginia
Amy Kang	Reciprocity from Massachusetts
Tania Kent	Reciprocity from California
Samantha Kim	Reciprocity from Illinois
Richard Oakley	Reciprocity from Massachusetts
Rukayat Olaniyi	Reciprocity from Virginia
Heather Rosenblum	Reciprocity from New York
Shally Sinha	Reciprocity from New Jersey
Gaynell Smith-Gray	Reciprocity from Virginia
Bhavesh Thakrar	Reciprocity from New York
Anil Vinjamuri	Reciprocity from Vermont

Commission Action: Commissioner Beaudin moved, seconded by Commissioner DeFazio and passed by a vote of 6-0 to accept the above application(s) for licensure by reciprocity.

'First Time' Pharmacy Manager(s)

Commissioner Summa provided a summary of the responsibilities that a first-time pharmacy manager has and appreciated their appearance before the Commission. Commissioner Summa emphasized the importance of the pharmacy manager's role in contrast to the front-store manager (in many retail settings). Some responsibilities include leadership, technician registration, license renewals, and prescription error reporting.

Commissioner Inguanti provided a brief overview of the Med Watch program and discussed properly reporting prescription errors.

Manish Garg	Stop & Shop Pharmacy - New Haven
Alexandria Mooney	ShopRite Pharmacy - Milford
Andrew Smith	Stop & Shop Pharmacy – Hartford
Lynda Rowland	Medical Arts Pharmacy – Trumbull
Joseph Soutatatos	Apex Pharmacy - Hamden
Elaine Owusu-Afriyie	CVS Pharmacy – Stamford

Request(s) for Pharmacy Internship(s)

Suganthee Pounraj appeared before the Commission of Pharmacy to request a pharmacy internship. The Commission of Pharmacy granted Suganthee Pounraj permission to apply for a pharmacy internship.

New Pharmacy Application(s)

ShopRite Pharmacy of Milford
935 Boston Post Road
Milford, CT 06460
Alexandria Mooney, Pharmacy Manager

Commission Action: Commissioner DeFazio moved, seconded by Commissioner Carbray and passed by a vote of 6-0 to approve the above request for a new pharmacy premise provided all the requirements set forth in the Connecticut Pharmacy and Drug Laws as enforced by the Commission of Pharmacy are met.

Medical Arts Pharmacy
15 Corporate Drive Ste. 1-1
Trumbull, CT 06611
Lynda Rowland, Pharmacy Manager

Commission Action: Commissioner DeFazio moved, seconded by Commissioner Carbray and passed by a vote of 6-0 to approve the above request for a new pharmacy premise provided all the requirements set forth in the Connecticut Pharmacy and Drug Laws as enforced by the Commission of Pharmacy are met.

Pharmacy Relocation(s)

Peoples Medical & Pharmacy

From:
375 Washington Ave.
North Haven, CT
06473

To:
445 Washington Ave.
North Haven, CT
06473

Suruchi Patel, Pharmacy Manager

Commission Action: Commissioner Carbray moved, seconded by Commissioner Goodmaster and passed by a vote of 6-0 to approve the above relocation request provided all the requirements set forth in the Connecticut Pharmacy and Drug Laws as enforced by the Commission of Pharmacy are met.

CVS Pharmacy #1244

From:
73 Waterbury Road
Prospect, CT
06712

To:
26 Waterbury Road
Prospect, CT
06712

Dieu Le, Pharmacy Manager

Commission Action: The above Pharmacy did not show for the meeting.

Pharmacy Remodel(s)

Rite Aid Pharmacy #10376
3680 Main Street
Stratford, CT 06614

Commission Action: The above Pharmacy did not show for the meeting.

Beacon Prescriptions
543 West Main Street
New Britain, CT 06053

Commission Action: Commissioner Carbray moved, seconded by Commissioner DeFazio and passed by a vote of 6-0 to approve the above pharmacy remodel plans provided all the requirements set forth in the Connecticut Pharmacy and Drug Laws as enforced by the Commission of Pharmacy are met.

Miscellaneous Legal Matters

Attorney Antonio Santoro requested that three new dockets 15-585, 16-47, and 16-166, be added to the agenda. Commissioner DeFazio moved, seconded by Commissioner Carbray and passed by a vote of 6-0 to accept the above mentioned dockets to the agenda.

There was a high level discussion with Attorney Antonio Santoro and Legal Director Julianne Avallone, about the future procedures of step-down's with the commission.

Legal Matters

Docket Number 15-585 and 16-47 Vital Care of Connecticut, Inc. and Leyla K. Sokmen

Attorney Antonio Santoro presented this case. Commissioner Inguanti 'stepped down'. This case involved The Licensees have been investigated for the following:

- (a) failing to conduct a biennial inventory of all controlled substances on hand;
- (b) failing to maintain effective controls against theft or diversion evidenced by an audit showing controlled substance losses;
- (c) failing to follow prescription requirements by not filing chronologically the date of dispensing on the sticker/label placed on the prescriptions;
- (d) failing to sell or dispense controlled substances in good faith in that there were inconsistencies in the date dispensed listed in the computer records in regards to the date data was entered and the date billed to the insurance company; the date the prescription was prepared and the date documented on the prescription record itself;
- (e) performed or was a party to a fraudulent or deceitful practice or transaction in that several Schedule II controlled substance prescriptions were not filed chronologically by date;
- (f) performed or was a party to a fraudulent or deceitful practice or transaction in that the dates of prescriptions dispensed were altered;
- (g) performed or was a party to a fraudulent or deceitful practice or transaction in that prescriptions were dispensed prior to the date indicated by the prescribing practitioner thereby being invalid;
- (h) performed or was a party to a fraudulent or deceitful practice or transaction in that several Schedule II prescriptions from out of state practitioners were dispensed;
- (i) performed or was a party to a fraudulent or deceitful practice or transaction in that several Schedule II drugs were dispensed earlier than legally permitted;
- (j) performed or was a party to a fraudulent or deceitful practice or transaction in that several of the same Schedule II prescriptions, as prescribed by the practitioner, were dispensed twice on the same day;
- (k) performed or was a party to a fraudulent or deceitful practice or transaction in that several Schedule II prescriptions were dispensed by practitioners who recently voluntarily surrendered their Connecticut controlled substance registration;
- (l) failed to submit a DEA 106 Theft/Loss of controlled substance form, and;
- (m) failed to obtain a fictitious trade name certificate.

This agreement calls for a \$60,000 civil penalty

Commission Action: Commissioner DeFazio moved, seconded by Commissioner Beaudin and passed by a vote of 5-0 to accept and approve the aforementioned settlement agreement.

Docket Number 15-766 CVS #1060

Attorney Antonio Santoro presented this case. No Commissioner 'stepped down'. This case involved licensee has been investigated by the Drug Control Division of the Department of Consumer Protection for failing to file controlled substance prescriptions chronologically and sequentially.

This agreement calls for a \$6,000 civil penalty.

Commission Action: Commissioner DeFazio moved, seconded by Commissioner Carbray and passed by a vote of 6-0 to accept and approve the aforementioned settlement agreement.

Docket Number 16-58 VaxServe, Inc.

Attorney Antonio Santoro presented this case. No Commissioner 'stepped down'. This case involved Registrant has been investigated by the Drug Control Division of the Department of Consumer Protection related to a situation involving certain products delivered by a carrier performing deliveries in the state of Connecticut on behalf of the registrant being stored, kept or held by the carrier under conditions contrary to the cautionary label statements on the package. This agreement calls for a \$2,000 civil penalty.

Commission Action: Commissioner DeFazio moved, seconded by Commissioner Beaudin and passed by a vote of 6-0 to accept and approve the aforementioned settlement agreement.

Docket Number 16-87 The Medicine Shoppe

Attorney Antonio Santoro presented this case. No Commissioner 'stepped down'. This case involved Licensee has been investigated by the Drug Control Division of the Department of Consumer Protection for the following:

- a.) The name of the pharmacist manager was not conspicuously posted within the prescription department of the pharmacy, or in immediate proximity to it;
- b.) A written copy of the quality assurance program was not maintained on the pharmacy premise and readily available to all pharmacy personnel and the Department of Consumer Protection;
- c.) A sign stating "This pharmacy may be able to substitute a less expensive drug product which is therapeutically equivalent to the one prescribed by your doctor unless you do not approve" was not posted;
- d.) Non-legend drugs were sold at retail in the absence of an approved pharmacy license or a permit to sell non-legend drugs; and
- e.) An inventory of all stocks of controlled substances on hand was not taken on the date the licensee first engaged in the dispensing of controlled substances.

This agreement calls for a \$1,000 civil penalty.

Commission Action: Commissioner Beaudin moved, seconded by Commissioner DeFazio and passed by a vote of 6-0 to accept and approve the aforementioned settlement agreement.

Docket Number 16-91 CVS #1080

Attorney Antonio Santoro presented this case. No Commissioner 'stepped down'. This case involved Licensee has been investigated by the Drug Control Division of the Department of Consumer Protection for the following:

- a.) a pharmacist to pharmacy technician ratio greater than that permitted by Regulations of Connecticut State Agencies; and
 - b.) failed to have all pharmacy technicians wear name tag or similar form of identification that clearly identified them to the public as pharmacy technicians.
- This agreement calls for a \$10,000 civil penalty.

Commission Action: Commissioner DeFazio moved, seconded by Commissioner Beaudin and passed by a vote of 6-0 to accept and approve the aforementioned settlement agreement.

Docket Number 16-118 CVS #1060

Attorney Antonio Santoro presented this case. No Commissioner 'stepped down'. This case involved Licensee has been investigated by the Drug Control Division of the Department of Consumer Protection for failing to have all pharmacy technicians wear name tag or similar form of identification that clearly identified them to the public as pharmacy technicians.

This agreement calls for a \$1,000 civil penalty.

Commission Action: Commissioner Beaudin moved, seconded by Commissioner DeFazio and passed by a vote of 6-0 to accept and approve the aforementioned settlement agreement.

Docket Number 16-166 Gerald H. Ringel

Attorney Antonio Santoro presented this case. No Commissioner 'stepped down'. This case involved Licensee was investigated for failing to close and properly secure the prescription Department during the times when the pharmacist was not present. This agreement calls for a civil penalty of \$2,000

Commission Action: Commissioner DeFazio moved, seconded by Commissioner Carbray and passed by a vote of 6-0 to accept and approve the aforementioned settlement agreement.

Request(s) for Non-Resident Pharmacy Approval

Affordable Pharmacy – Texas City, TX

AllCare Specialty – Little Rock, AR

Benevi Health – Cary, NC

Broadway Family Pharmacy – New York, NY

Carolina Compounding Pharmacy & Health Center – Cary, NC

CGS Pharmacy – Rockville, MD

Commons Community Pharmacy – Prospect, KY

Coram CVS/specialty Infusion Services – Norwood, MA

DaVita Rx – Chandler, AZ

Equi-Tox Pharma – Dresden, TN

Geriscript – Pompton Plains, NJ

Healthy Living Pharmacy – Troy, MI

Innoveix Pharmaceuticals – Addison, TX

Pharmacare Plus – Houston, TX

Premier Pharmacy Services – Baldwin Park, CA
RSVP Pharmacy #701 – Lubbock, TX
SP2, LLC – Jacksonville – FL
Specialty Med Services – Inglewood, CA

Commission Action: Commissioner Beaudin moved, seconded by Commissioner DeFazio and passed by a vote of 6-0 to accept the above non-resident pharmacy applications.

Coram CVS/specialty Infusion Services – Malvern, PA
Hybrid Pharma – Deerfield Beach, FL
Medline Pharmacy – Libertyville, IL
SMA Pharmacy #20 – Dallas, TX
Smart Meds Pharmacy – Hoffman Estates, IL
Solera Specialty Pharmacy – Pompano Beach, FL
VLS Pharmacy – Brooklyn, NY
Windsor Pharmacy East – Syosset, NY
Wingate's Pharmacy – Nashua, NH

Commission Action: Commissioner Inguanti is requesting additional documents for the above non-resident pharmacy applications for further review.

Approval to Accept Commission of Pharmacy Meeting Minute(s)

March 16, 2016

Commission Action: Commissioner Beaudin moved, seconded by Commissioner DeFazio and passed by a vote of 6-0 to accept the above Commission of Pharmacy Meeting Minutes.

There being no further business, Commissioner Summa adjourned the meeting.

Respectfully Submitted,

William Summa
William Summa, Chairperson

Prepared by,
Heather Hoynes
Heather Hoynes, Board Administrator