

**BOARD OF REGISTRATION IN PHARMACY  
PHARMACY BOARD MEETING  
TUESDAY MARCH 6, 2007  
239 CAUSEWAY STREET  
SECOND FLOOR, ROOM 206  
BOSTON, MA 02114**

Present: James DeVita, R.Ph., Pres., Sophia Pasedis, R.Ph., Pharm.D.,  
Pres. Elect, Karen Ryle, R.Ph., M.S., Sec., Joel Berman, R.Ph., Kathy  
Fabiszewski, Ph.D., R.N., Steven Budish, Public Member, William Gouveia,  
R.Ph., M.S., Marilyn Barron, MSW, Public Member, Michael Tocco, R.Ph.,  
M.Ed.

Absent: George Cayer, R.Ph., Donald Accetta, M.D., MPH  
Staff: James D. Coffey, R.Ph., Interim Director, Susan Manning, Counsel,  
Leo McKenna, R.Ph., Pharm.D., CQI Surv., Carolyn Reid, Adm. Asst.,  
Samuel Penta, R.Ph., Inv. Superv.

1. 8:30 a.m. – Pres. DeVita called meeting to order.
2. 8:35 a.m. – Review of Board Minutes  
Motion/Pasedis to accept December 12, 2006 minutes.  
Second/DeVita. All in favor.
3. 8:40 a.m. - Pharmacy Applications

Revised Applications:

New Pharmacy/Pharmacy Dept. & Change of Manager

Nuclear Pharmacist: Julie Zadecky, R.Ph. (Pharmacist Reg. No. 26973  
(2/20/07)

New Pharmacy

Walgreens Pharmacy #09152, 937 W. Boylston St., Worcester

CVS/pharmacy #38, 142 Worcester Road, Charlton

CVS/pharmacy #1576, 6 Head of the Bay, Bourne

(DeVita recused from both above)

Eaton Apothecary #2080, 266 Waverly St., Framingham

#### Relocation

CVS/pharmacy #1174, 68 Main St., Andover to same address  
(Pharmacy area moving from front to rear of existing structure)  
(Reg. No. 2019)  
(DeVita recused)

#### Closing

BJ's Pharmacy #159, 2085 Bay St., Taunton (2/20/07; transfer of  
business records and inventory to Walgreens Pharmacy #2781,  
38 Main St., Taunton (Reg. No. 3468)  
BJ's Pharmacy #50, 85 Cedar St., Stoneham (2/20/07; transfer of  
business records and inventory to Walgreens Pharmacy #3548,  
225 Main St., Stoneham (Reg. No. 2713)  
BJ's Pharmacy #30, 6 Hutchinson Dr., Danvers (2/21/07; transfer of  
business records and inventory to Walgreens Pharmacy #9011,  
107 High St., Danvers (Reg. No. 3347)  
BJ's Pharmacy #113, 105 Shops at 5 Way, Plymouth (2/21/07; transfer  
of business records and inventory to Walgreens Pharmacy #7734,  
165 Samoset St., Plymouth (Reg. No. 3411)  
BJ's Pharmacy #34, 901 Technology Center Dr., Stoughton (2/22/07;  
transfer of business records and inventory to Walgreens Pharmacy  
#4535, 170 N. Main St., Stoughton (Reg. No. 2837)

#### Renovation / Expansion

Sullivan's Pharmacy, One Corinth St., Roslindale (Reg. No. 1243)

#### Change of Manager

Family Health Mart Pharmacy, Athol (Reg. No. 3840)  
Big Y Pharmacy #50, South Hadley (Reg. No. 3178)  
CVS/pharmacy #765, Southbridge (Reg. No. 2910)  
Brooks Pharmacy #396, Pepperell (Reg. No. 2971)  
Brooks Pharmacy #503, N. Attleboro (Reg. No. 3365)  
Osco Pharmacy #7603/584, E. Falmouth (Reg. No. 3063)  
Walgreens Pharmacy #6349, Dorchester (Reg. No. 3062)  
Walgreens Pharmacy #3090, New Bedford (Reg. No. 2350)  
Walgreens Pharmacy #2309, Woburn (Reg. No. 1876)  
Walgreens Pharmacy #2738, Fitchburg (Reg. No. 2095)  
Wal-Mart Pharmacy 10-5278, Chicopee (Reg. No. 3351)  
Wal-Mart Pharmacy 10-2139, Lynn (Reg. No. 2752)

Motion/Pasedis approve above listed applications. Second/Ryle. All in favor.

4. 8:45 a.m. – Report of Office of Investigations  
a) File Review – Inv. Penta and CQI Coordinator McKenna

1	SA PH 07 013	Dismissed
2	DS 07 028 PH 07 086	Advisory Letter Advisory Letter
3	SA PH 07 012	Dismissed
4	PH 07 067	Legal

- b) Review/discussion of Matter of Plaza Pharmacy II (Registration No. 2820, One Pearl St., Brockton, Massachusetts.  
(DeVita and Tocco recused – exited meeting room)

Gbolahan Diyaolu, R.Ph., Owner, was present during presentation of matter and provided information regarding the operations of Plaza Pharmacy II.

Motion/Berman to seek surrender of pharmacy registration.  
Second/Pasedis. All in favor.

DeVita and Tocco returned to meeting room.

5. 9:45 a.m. – Appearance  
A.J. Sarvin, R.Ph. – Pharmacist reciprocity application.  
Motion/Gouveia to grant waiver request. Second/Pasedis. All in favor.
6. 10:00 a.m. – Appearance  
Abel T. Moua - regarding application for pharmacist licensure.  
Motion/Berman to approve separate testing room and additional time accommodations for each examination. Second/Gouveia. All in favor.
7. 10:15 a.m. – Proposed Revisions to 247 CMR 6.00 and 10.00  
Board Counsel Susan Manning reviewed proposed regulation revisions after review of hearing comments; specifically, section

6.13: delete "10" and insert "15 business"; and section 10.03(1): delete list of licensees and insert "individuals and entities licensed by the Board".

Motion/Pasedis to adopt proposed Revisions to 247 CMR 6.00 and 10.00, as revised, and promulgate regulations in accordance with required procedures. Second/Gouveia. All in favor.

8. 10:45 a.m. – Report of Office of General Counsel  
Pending legal matters - Board Counsel Manning

10:45 a.m. - Motion/Berman to enter Closed Session (G.L. c. 112, s. 65C and G.L. c. 30, s. 11A). Second/Barron. All in favor.

(DeVita recused – exited meeting room).

Motion/Gouveia to exit Closed Session. Second/Budish. All in Favor.

a) CVS Agreement dated February 9, 2006 - Director Pontikas provided an update regarding March 5, 2007 quarterly meeting with CVS representatives. Director Pontikas and Board staff will present additional information regarding the Agreement quarterly meeting to the Board at the next Board meeting.

(DeVita recused – not present in meeting room).

b) In the Matter of Melynda Matsch, Pharm. Tech. (PH/PT Reg. No. 7121) - Docket No. PH-07-042.

Motion/Berman to adopt Final Decision and Order by Default and revoke pharmacy technician registration. Second/Gouveia. All in favor.

(DeVita recused – not present in meeting room).

DeVita returned to meeting room.

c) In the Matter of Hai H. Huynh, R.Ph. (Reg. No. PH-24888) – Docket No. PH-07-064). Motion/Pasedis to seek surrender of license and update as to pending related matters. Second/Berman. All in favor.

9. 11:30 a.m. - New Wholesale Distributor "BROKER" Application  
Sirius Laboratories, Inc. (wholly owned subsidiary of DUSA  
Pharmaceuticals Inc.), to be located at 25 Upton Dr., Wilmington, MA  
01887. Applicant proposes to broker Schedule VI legend drug and OTC  
products transactions without taking physical possession.

Present: Scott Lundahl, V.P., Joanne LaValle, Dir.

Motion/DeVita - approve Broker application. Second/Pasedis. All in  
favor.

10. New Business

- a) Michael Spiro, R.Ph. (No. 19400) – CE Advisory request.  
Motion/DeVita complete 21 CEs for 2005 by September 1, 2007  
(6 mos). Second/Berman. All in favor.
- b) Susan O'Donoghue (June 2004 Pharm.D. graduate MCPHS –  
licensure applicant seeks extension of 2/14/06 MPJE score results.  
Motion/Berman to grant 90 day extension to May 30, 2007.  
Second/Pasedis. All in favor.
- c) Pacific University School of Pharmacy - Pharm.D. program  
Int. Dir, Coffey to advise ACPE approval required.
- e) Vincent P. Le – Intern applicant.  
Motion/Berman to accept application. Second/Gouveia.  
All in favor.
- f) Lawrence A. Dailey, Jr., R.Ph. – Reciprocity applicant.  
Motion/Berman approve application. Second/Gouveia. All in favor.
- g) October 11-13, 2007 NABP/AACP District I Conference (VT Board  
of Pharmacy) – discussion topics identified.

Old Business

Marie E. Alfson, R.Ph. (No. 18832/ Exp. 00 – reinstatement request.  
Motion/DeVita to complete Module I/Charter Oak. Second/Pasedis.  
All in favor.

11. 12:45 p.m. – Motion/DeVita to adjourn. Second/Ryle. All in favor.  
Meeting adjourned.

Respectfully submitted by:



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James D. Coffey, R.Ph.

Interim Director

Date:

Reviewed by counsel: April 2, 2007

Draft approved: April 2, 2007

Board approved: April 10, 2007

**BOARD OF REGISTRATION IN PHARMACY  
ADJUDICATORY SESSION MINUTES  
TUESDAY, MARCH 06, 2007  
239 CAUSEWAY STREET, ROOM 204  
BOSTON, MASSACHUSETTS 02114**

Present: James DeVita, R.Ph., Pres., Sophia Pasedis, R.Ph., Pharm.D., Pres. Elect, Karen Ryle, R.Ph., M.S., Sec., Joel Berman, R.Ph., Kathy Fabiszewski, Ph.D., R.N., Steven Budish, Public Member, William Gouveia, R.Ph., M.S., Marilyn Barron, MSW, Public Member, Michael Tocco, R.Ph., M.Ed.

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Staff: James D. Coffey, R.Ph., Interim Director, Susan Manning, Counsel, Leo McKenna, R.Ph., PharmD., CQI Surv., Carolyn Reid, Adm. Asst., Samuel Penta, R.Ph., Inv. Superv.

Review and discussion - *Proposed Final Decision and Order by Default* in the Matter of Melynda Matsch (PH/PT Reg. 7121), Docket No. PH-07-042. (DeVita recused – not present in meeting room)

Review and discussion of matter of Hai H. Huynh, R.Ph. (Reg. No. 24888), Docket No. PH-064.