

On Thursday, January 6th, the Maine Board of Pharmacy held its (sometimes) regular monthly meeting at their office complex in Gardiner.

Minutes of the November 15, 2010 meeting were approved.

It was a packed house for a 9am Public Hearing regarding rule-making on the sale of Prescription Medical Gases and Prescription Medical Devices, by medical equipment dealers who sell directly with the public. Despite the crowd, only two people provided testimony, both in favor of the rule with changes suggested by both parties. When the hearing concluded around 9:45am, a majority of the attendees exited and the board set up for the first of two adjudicatory hearings.

The adjudicatory hearings ran from 10am to about 1:30pm w/a 30 minute break for lunch. Both hearings were regarding pharmacists who had their licenses revoked in the past year or two and were now seeking reinstatement. One pharmacist had his license reinstated w/conditions (limited work hours, cannot be a PIC, etc) and the other did not...the board feeling that he had not been completely honest with them. Remember, adjudicatory hearings are very much like a court hearing, with a hearing officer and attorneys (usually) representing both the licensee and the State and the MEBOP acting as judge and jury.

There were only three complaints on the agenda. A pharmacy tech involved in drug diversion had their license immediately suspended and a hearing was set seeking license revocation. A pharmacist who created a profile for herself under an assumed name (creating a false document) to fill scripts, received a \$100 fine and a letter of reprimand. Listed under its original complaint number(s), a pharmacist sought to change certain portions of their consent agreement regarding urinalysis, practitioner visits, counseling and OKing a mentor. Some of the provision changes were approved, as well as the mentor and some were left the same.

There were #33 license renewals (mostly chain) that required MEBOP action...all were granted licenses except a pharmacist who had been convicted of OUI (on the way to work). The board will require completion of the Maine Professionals Health Program (MPHP) before considering re-licensure.

The board reviewed and granted seven pharmacy waiver requests (changes to standard licensure) for in-state and out-of-state businesses.

The MEBOP granted six initial pharmacy/pharmacist license requests and rejected one pharmacist seeking reciprocity when it was revealed that the prospective licensee had been disciplined in another state for unlicensed practice and fined \$1,500.

The meeting adjourned at 3:45pm.