

**A G E N D A**  
**NORTH DAKOTA STATE BOARD OF PHARMACY**  
**January 7-8-9, 2019**  
*Wingate by Wyndham 4429 19<sup>th</sup> Ave SW - Fargo ND 58103 (1-701-281-9133)*

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**MONDAY – JANUARY 7, 2019**

**5:00 PM**      CALL TO ORDER – Tanya L Schmidt PharmD, President

**FIRST BUSINESS SESSION**

***Recite: Mission Statement***

Review and approval of agenda **AGENDA TAB**

Review and approval of Minutes of November 15, 2018 **MINUTE TAB**

Assign members to review all paid invoices and  
Reconciled Bank Statements

Grant Lifetime Licenses and Sign certificates = 23 **TAB 1**  
Sign Pharmacist and RPhTech Original Licenses

**\*\* Addition:** CE Request for Great Plains Conference by NutriDyn attendees

**6:30 PM – Dinner– Porter Creek – Barrel Room 1555 44th St S Fargo ND 701-369-3669**

Chairperson:	Tracy Lindsey	<a href="mailto:tlindsey101@yahoo.com">tlindsey101@yahoo.com</a>
President:	Twana Dick	<a href="mailto:dakdrug@gmail.com">dakdrug@gmail.com</a>
Vice President:	Arlene Monson	<a href="mailto:monsonized30@gmail.com">monsonized30@gmail.com</a>
	Melissa Krava – NDSCS	<a href="mailto:melissa.krava@ndscs.edu">melissa.krava@ndscs.edu</a>

**Discussion Items:**

Expanding Role of Technicians in ND  
Technician Educational and Certification potential rule changes  
Recruitment of Technicians  
Discussion by NAPT Officers of items of interest to NAPT

**TUESDAY - JANUARY 8, 2019**

**8:00 AM**      CALL TO ORDER – Tanya L Schmidt PharmD, President

**8:30 AM**      Jayme L Wolf - RPh5459

**Relocation:** Thrifty White Pharmacy #059 Phar600 – Valley City

**10:00 AM**      Teri Udem R.Ph. Director, Advanced Pharmacy Practice Experience/  
Pharmacy Practice - NDSU School of Pharmacy Portfolio

**11:30- 12:45**      Lunch Break - Lucky 13

**1:00PM**      Proposed Rule Revisions to NDAC 61-02-07.1-03 (Pharmacy Technician) **TAB 2**  
Educational Preparation – Invited Representatives from PTCB and NHA

**2:30PM Potential Rule Changes:****TAB 3**

61-01-01-01	Organization of Board of Pharmacy [email update]
61-02-01-03	Pharmaceutical Compounding Standards
61-02-02	Building Standards for Pharmacies
61-02-04-02	Handling of Hazardous Drugs (USP800) proposal from Jesse Rue, PharmD for creation of documents for compliance
61-02-06-02	Computer Pharmacy Regulations
61-02-07.1	Pharmacy Technician
61-03-02	Consultant Pharmacist Regulations for LTC Facility
61-03-03	Internship
61-03-04-04	CE Advisory Board [repeal/remove]
61-04-03	Destruction of Controlled Substances
61-08-01-08	Out-of-State Pharmacy – Administrative Inspection
61-12	Prescription Drug Monitoring Program [PDMP]
61-13-01-03	Controlled Substances Schedules – Scheduling [repeal/remove]

**TAB 4**

Discussion Items: Takeback Program Update  
Update on PCMA-vs - Tufte [Potential Executive Session]  
Legislative Session Update  
Compliance Officer Updates

Year to date Financial Report      Budget comparisons

**BUDGET TAB**

Approval of Paid Invoices and Reconciled Bank Statements

Board Member Reports

Executive Director's Report

Consider approval of all legal action of the Executive Director

Preparations for May 20-22, 2019 Exams -

**3:30 PM      Investigating Committee Work****5:30 PM School of Pharmacy Dinner– Porter Creek – Barrel Room****1555 44th St S Fargo ND 701-369-3669 [13]**

Dean Charles Peterson, Cynthia Naughton, PharmD, Daniel Friesner; David A. Lindell, Board Attorney

Discussion Items:      Revisions to Admissions criteria  
Reporting of intern/student conduct issues  
ACPE Accreditation changes  
Sudro Hall Expansion

**WEDNESDAY – January 9, 2019****7:30 AM**      Breakfast

**8:00 AM**      Simonne F Gori – Reciprocity Candidate for Licensure for the purpose of  
Purchasing LifeScript Pharmacy PLLC Phar567 in Fargo

**TAB 5**

Continuing discussion:      Proposed Rule Changes  
Other discussion items

Vouchers – Adjourn

President Tanya Schmidt, PharmD called the meeting to order on Monday January 7, 2019 at 5:05 PM in the Wingate by Wyndham 4429 19<sup>th</sup> Ave SW - Fargo ND .

Present were: President Tanya Schmidt, PharmD - Public Member Fran Gronberg - Diane M. Halvorson, R.Ph. Tech, - Steven Irsfeld, RPh - Tyler G Lannoye, PharmD. - Shane Wendel, Pharm D, Gayle D Ziegler, R.Ph. – Executive Director Mark J Hardy, PharmD

President Schmidt read the mission statement: *The Board of Pharmacy protects, preserves and promotes the public health and welfare of the citizens of North Dakota by assuring that the highest quality pharmaceutical care is delivered and that appropriate use of pharmaceuticals is upheld through education, communication, licensing, legislation, regulation, and enforcement.*

***It was moved by Technician Member Halvorson and seconded by Pharmacist Irsfeld to approve the agenda with the addition of CE Credit for a Great Plains Conference and Jayme L Wolf - RPh5459 meeting on Tuesday at 8:30 AM. On vote by roll call: Public Member Fran Gronberg, Aye; Pharmacist Steve Irsfeld, Aye; Pharmacist Tyler Lannoye, Aye; Pharmacist Gayle Ziegler, Aye; Pharmacist Shane Wendel, Aye; Technician Diane Halvorson, Aye and Pharmacist Tanya Schmidt, Aye. The motion carried.***

***It was moved by Pharmacist Irsfeld and seconded by Pharmacist Ziegler to approve the minutes of November 15, 2018 meeting as printed. On vote by roll call: Public Member Fran Gronberg, Aye; Pharmacist Steve Irsfeld, Aye; Pharmacist Tyler Lannoye, Aye; Pharmacist Gayle Ziegler, Aye; Pharmacist Shane Wendel, Aye; Technician Diane Halvorson, Aye and Pharmacist Tanya Schmidt, Aye. The motion carried.***

President Schmidt assigned Pharmacist Gayle Ziegler and Pharmacist Tyler Lannoye to review all paid invoices and Reconciled Bank Statements.

The Board Members signed Technician Registration Certificates and Pharmacist Original Certificates for use in the future.

The Board also signed 2019 “Lifetime Certificates” for 50 consecutive years of licensure to those who had achieve this honor.

***It was moved by Pharmacist Wendel and seconded by Pharmacist Irsfeld to grant Lifetime Licenses to the following Pharmacists: ISSUED: June 6, 1968***

RPh2885 Alvin E Arneson, RPh  
P O Box 5462  
Missoula MT 59806-5462

RPh2911 Gene H Skaare, RPh  
P O Box 934  
Dickinson ND 58602-0934

RPh2890 Karen I Morse, RPh  
485 Zuni Drive  
Del Mar CA 92014

RPh2914 Thomas N Tharldson, RPh  
2313 38<sup>th</sup> Street South  
Moorhead MN 56560

15661 Fjord Ave  
Apple Valley MN 55124

5316 97<sup>th</sup> Street Cir East  
Bradenton FL 34211-3782

RPh2904 Dennis P Johnson, RPh  
6100 Kings View Drive Unit 2  
Grand Forks ND 58201

RPh2916 Terrence L Wilner, RPh  
P O Box 2112  
Kearney NE 68848-2112

RPh2905 Joseph R Kellogg, RPh  
271 Calle Palacio Street  
Henderson NV 89012-4899

RPh2918 Russel C Kruger, RPh  
902 3<sup>rd</sup> Street NW  
Mandan ND 58554

RPh2907 Dallas W Lang, RPh  
2802 El Paso Drive  
Bismarck ND 58503

ISSUED: **June 14, 1968**

RPh2924 Darlene L Gast, RPh  
2834 Newberry Ave  
Green Bay WI 54302-5214

RPh2927 Orland O Amundson, RPh  
7660 W Farm Rd64 Box 90  
Willard MO 655781-0090

RPh2942 Robert Sterton, RPh  
804 35 Inverness Court  
Indo CA 92201-8925

RPh2931 Ronald M Skarperud, RPh  
1801 South 7<sup>th</sup> Street  
Fargo ND 58103-4942

RPh2943 Lee R Strandberg, RPh  
2872 NW Monterey Place  
Corvallis OR 97330-3436

RPh2932 Kathryn A Schultz, RPh  
2419 Lilac Lane  
Fargo ND 58102-2123

RPh2944 Jerome J Wahl, RPh  
2291 110<sup>th</sup> Ave SW  
Dickinson ND 58601-8375

RPh2934 G M Dennis Amoth, RPh  
P O Box 373  
Afton MN 55001-0373

RPh2946 Stephen C Semling, RPh  
35212 Hazel Street  
St Helens OR 97051

*RPh2935 Howard C Anderson, Jr, RPh  
2107 7<sup>th</sup> Street NW  
Turtle Lake ND 58575-9667*

RPh2948 Rita St Croix, RPh  
P O Box 132  
Kenmare ND 58746-0132

RPh2937 Dennis J Greben, RPh  
4725 Judd Road  
Gilbert MN 55741-8278

***On vote by roll call: Public Member Fran Gronberg, Aye; Pharmacist Steve Irsfeld, Aye; Pharmacist Tyler Lannoye, Aye; Pharmacist Gayle Ziegler, Aye; Pharmacist Shane Wendel, Aye; Technician Diane Halvorson, Aye and Pharmacist Tanya Schmidt, Aye. The motion carried.***

Pharmacist Irsfeld presented the Agenda and material to request CE credit for the Great Plains Conference. After review and discussion of the material:

***It was moved by Public Member Gronberg and seconded by Pharmacist Lannoye to approve 7 CE Credits to the attendees who furnish proof of attendance of the Great Plains Conference held December 7-8, 2018, which was provided by NutriDyn and titled "The Underlying Causes of Inflammation". On vote by roll call: Public Member Fran Gronberg, Aye; Pharmacist Tyler Lannoye, Aye; Pharmacist Gayle Ziegler, Aye; Pharmacist Shane Wendel, Aye; Technician Diane Halvorson, Aye and Pharmacist Tanya Schmidt, Aye. Pharmacist Steve Irsfeld recused himself as he was an attendee at the conference. The motion carried.***

***It was moved by Pharmacist Ziegler and seconded by Pharmacist Wendel to approve the plans for relocation of Phar 600 Thrifty White #059 from 239 2<sup>nd</sup> Ave NW to 120 West Main Street in Valley City, ND. Pharmacist Schmidt disclosed that while she is employed with Thrifty White, she intends to vote, no objections were voiced. On vote by roll call: Public Member Fran Gronberg, Aye; Pharmacist Steve Irsfeld, Aye; Pharmacist Tyler Lannoye, Aye; Pharmacist Gayle Ziegler, Aye; Pharmacist Shane Wendel, Aye; Technician Diane Halvorson, Aye and Pharmacist Tanya Schmidt, Aye. The motion carried.***

In preparation for the dinner meeting with the NAPT Officers, the Board Members reviewed and discussed NDAC 61-02-07.1 relative to Pharmacy Technician Educational Preparation for Registration and ratio changes being considered.

At 6:30 the Board Member met for dinner with Melissa Krava, North Dakota State College of Science [NDSCS] Technician Program Director and Northland Association of Pharmacy Technicians [NAPT] Chairperson Tracy Lindsey, RPhTech at Porter Creek restaurant in Fargo, ND. Also in attendance was Jessica Langley, Executive Director of Education at National Healthcareer Association [NHA] for the ExCPT Exam.

NDSCS PATSIM Program Director Melissa Krava reported on the activities at NDSCS including the enrollment numbers for Pharmacy Technicians in the various programs offered at NDSCS. It was noted that enrollment numbers continue to be a struggle. However, they will continue to offer the program in various avenues. Director Krava indicated she was still learning her position with the recent retirement of Barbara Lacher.

NAPT Chairperson, Technician Tracy Lindsey provided an update on NAPT activities including a well-attended fall conference and their work in the creation of a recruitment video to utilize for parties to inform the potential individuals of the opportunities of becoming a Pharmacy Technician in North Dakota.

There was a productive discussion on various methods of Pharmacy Technician candidate recruitment, the areas of shortages and some of the reasons for this shortage. It was generally felt that technician shortages has been fairly limited to some the larger communities. Discussion moved to the changes proposed in the rule change draft for the education certification, as well as the ratio component. A vigorous discussion ensued on allowance of the ExCPT exam as well as the requirement to maintain certification. It was the consensus of the Board the changes were appropriate on certification and there was a need to increase the ratio in retail settings.

**At 8:00 AM on Tuesday January 8<sup>th</sup>, 2019** the Board Meeting reconvened once again at the Wingate by Wyndham. President Schmidt asked that the members spend some time reading and familiarizing themselves with the proposed rule changes that would be discussed later in the day.

Also present at this time were Dennis McAllister, RPh representing Express Scripts and Ryan Burke, PharmD of PTCB.

At 8:30 Pharmacist Jayme L Wolf, RPh5459 appeared before the Board to discuss adjustments to her current Order and Stipulated Agreement. She reported that her family would be relocating to the Bismarck / Mandan area at the end of the school year. She discussed her work situation and her arrangement with the Pharm-Assist Committee. Pharmacist Wolf requested a change in her terms of employment, requiring any employer to conduct monthly Controlled Substance Inventory. After discussion the Board determined that this was not an adjustment they were willing to grant at this time. However, Board Members stressed that after she has transitioned to the Bismarck / Mandan area and things continue to be positive, there may be allowance in the future and requested that she petition the Board at a later date.

Executive Director Hardy reported on a request from the Dickinson Community Action Partnership, which is a Title X Clinic, to allow pharmacists to be present at the facility to dispense and counsel on oral contraceptives that would be provided to patients. It was noted that the current status at the facility was that they were between providers and in a situation where they were not able to dispense to their patients. The Board felt this was a good extension of pharmaceutical services that is limited to a short amount of time. The Board requested Executive Director Hardy communicate to the pharmacists willing to become involved at the clinic that it was permissible.

Teri Udem RPh, Director, Advanced Pharmacy Practice at NDSU School of Pharmacy arrived at the meeting to discuss the Board of Pharmacy's expectations regarding the review of the candidate's portfolios relative to licensure requirements. Pharmacist Udem indicated some changes have been made to meet the accreditation standards. The Board Members reviewed and discussed the different sections the candidates are required to complete, as well as the discrepancies the Board requires relative to the portfolios. It was the consensus of the Board that the important components would be the objectives of each rotation, the reflection, evaluation and a copy of the best work; also an overall public work project completed by the candidate should be documented during that year. The need to have soap notes documented was not considered a necessary requirement, which matched the College's desire to move away from those. The Board Members thanked Pharmacist Udem for attending the meeting and clarifying the requirements so we may work in tandem to accomplish the best outcomes. We are grateful for her expertise and cooperation in such matters.

President Schmidt acknowledged Dennis McAllister, RPh, representing Express Scripts, who approached the Board with a request for consideration of a rule change regarding "Prescriptive Adaptiveness". Pharmacist McAllister explained this would be the desire to have a pharmacist be allowed to make minor modifications on prescriptions, which would be in accordance with the prescriber's intent to help minimize the time the dispensing pharmacist has to contact the prescriber for clarifications. He felt this would be better patient care and allow pharmacists to use professional discretion in making these minor changes. After back and forth clarifications, the Board Members were generally supportive of the idea. Pharmacist McAllister indicated he would send Executive Director Hardy proposed language for the Board's consideration.

Executive Director Hardy gave an update on the "*Take-Back Program*" – indicating there was steady growth and interest.

Executive Director Hardy provided an update on the status of PCMA –vs- Tufte lawsuit - Indicating that the state is currently in the process of providing a response to PCMA's brief to the 8<sup>th</sup> Circuit Court of Appeal. He indicated that this was due soon.

Executive Director Hardy provided an update on the current Legislative Session – indicating that the Board's Controlled Substance Bill – HB 1113 was heard on Monday morning by the House Judiciary Committee. He also updated a few of the other bills of interest that the Board would be tracking throughout the 2019 Legislative Session. He reported that there are a few weeks left in which bills could be introduced and that he intended to monitor them for the Board of Pharmacy.

Executive Director Hardy provided an update on the Compliance Officer Inspections completed throughout the year. He indicated that while overall great progress has been made, there were a few issues that still needed to be addressed. Compliance Officers expressed to him that the pharmacy Inspections went well and there were very few still to be completed.

***It was moved by Technician Member Halvorson and seconded by Public Member Gronberg to approve the financial reports as presented. On vote by roll call: Public Member Fran Gronberg, Aye; Pharmacist Steve Irsfeld, Aye; Pharmacist Tyler Lannoye, Aye; Pharmacist Gayle Ziegler, Aye; Pharmacist Shane Wendel, Aye; Technician Diane Halvorson, Aye and Pharmacist Tanya Schmidt, Aye. The motion carried.***

The Board meeting recessed for lunch at Lucky 13. Joining the Board for lunch was Mr. Ryan Burke of PTCB.

**At 1:00 PM on Tuesday January 8<sup>th</sup>, 2019** the Board Meeting reconvened once again at the Wingate by Wyndham with Mr. Burke still in attendance, along with Jessica Langley representing National Healthcareer Association [NHA], Pharmacy Technician Alexandra Spilman with Sanford Hospital in Fargo, ND.

Executive Director Hardy gave a quick introduction to the potential rule changes and the proposed language in the changes in NDAC 61-02-07.1-03 for Pharmacy Technician education preparations.

The representative of each National Certification Testing organization, both PTCB and ExCPT gave their perspective and advocated for their particular program. Both exam representatives agreed that it was important to maintain the Certification requirement for Technicians. It was noted that both had similar requirements for maintaining Certification, including providing Continuing Education and cost. While both tests have very similar standards, PTCB had a stronger accreditation standard to meet verses the NHA. The Board Members asked about ExCPT testing sites within North Dakota and the cost for taking the exam. Technician Member Halvorson made the request for both exams to explain to the Board their specific value to technicians for holding their specific certification.

Technician Alex Spilman voiced that in her opinion ASHP Accreditation was a necessary component and the requirement of national certification was a testing measurement for registration. However, she felt with North Dakota's CE Requirements, that maintaining national certification was redundant and just an added expense without much value.

The Board expressed gratitude to all those present for their input and would take it into  
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consideration when proceeding with the proposed rule changes.

***It was moved by Pharmacist Wendel and seconded by Public Member Gronberg to approve the invoices as paid and reviewed by Board Members Ziegler and Lannoye . On vote by roll call: Public Member Fran Gronberg, Aye; Pharmacist Steve Irsfeld, Aye; Pharmacist Tyler Lannoye, Aye; Pharmacist Gayle Ziegler, Aye; Pharmacist Shane Wendel, Aye; Technician Diane Halvorson , Aye and Pharmacist Tanya Schmidt, Aye. The motion carried.***

***It was moved by Technician Member Halvorson and seconded by Pharmacist Ziegler to approve the bank statements as presented and reviewed by Board Members Ziegler and Lannoye. On vote by roll call: Public Member Fran Gronberg, Aye; Pharmacist Steve Irsfeld, Aye; Pharmacist Tyler Lannoye, Aye; Pharmacist Gayle Ziegler, Aye; Pharmacist Shane Wendel, Aye; Technician Diane Halvorson , Aye and Pharmacist Tanya Schmidt, Aye. The motion carried.***

President Schmidt called for any Board Member Reports – none were forthcoming. Discussion did commence around the different practice scenarios and follow ups to previous conversations.

Executive Director Hardy gave a report, indicating that the office had been working on the PDMP to implement a NarxCare product that will foster enhanced viewing of the Prescription Drug Monitoring Program. He indicated that it has been taken up well and has been funded through a Department of Health CDC Grant. Board Members were impressed with the functionality and complimentary of the new upgrade.

***It was moved by Technician Member Halvorson and seconded by Pharmacist Irsfeld to approve all legal actions of Executive Director Hardy since the last meeting. On vote by roll call: Public Member Fran Gronberg, Aye; Pharmacist Steve Irsfeld, Aye; Pharmacist Tyler Lannoye, Aye; Pharmacist Gayle Ziegler, Aye; Pharmacist Shane Wendel, Aye; Technician Diane Halvorson , Aye and Pharmacist Tanya Schmidt, Aye. The motion carried.***

At 2:30 Attorney Lindell arrived at the meeting and President Schmidt began the review and discussion on the following proposed rule changes, many being modifications to simply bring the practice standards to the current form, as prepared by Executive Director Hardy:

**61-01-01-01 Organization of Board of Pharmacy [remove email address] – It was moved by Public Member Gronberg and seconded by Pharmacist Ziegler to address the language removal of the email address listing as it is outdated and could change again in the future, and to move forward with the rule revision process and public hearings. On vote by roll call: Public Member Fran Gronberg, Aye; Pharmacist Steve Irsfeld, Aye; Pharmacist Tyler Lannoye, Aye; Pharmacist Gayle Ziegler, Aye; Pharmacist Shane Wendel, Aye; Technician Diane Halvorson , Aye and Pharmacist Tanya Schmidt, Aye. The motion carried.**

**61-02-01-03 Pharmaceutical Compounding Standards - It was moved by Pharmacist Ziegler and seconded by Pharmacist Lannoye to update the USP chapters, as well as the hazardous compounding section to reference USP 800 and to move forward with the rule revision process and public hearings. On vote by roll call: Public Member Fran Gronberg, Aye; Pharmacist Steve Irsfeld, Aye; Pharmacist Tyler Lannoye, Aye; Pharmacist Gayle Ziegler, Aye; Pharmacist Shane Wendel, Aye; Technician Diane Halvorson , Aye and Pharmacist Tanya Schmidt, Aye. The motion carried.**



**61-02-02-01 Building Standards for Pharmacies – It was moved by Pharmacist Ziegler and seconded by Technician Halvorson to address the proper storage of medications and to move forward with the rule revision process and public hearings. On vote by roll call: Public Member Fran Gronberg, Aye; Pharmacist Steve Irsfeld, Aye; Pharmacist Tyler Lannoye, Aye; Pharmacist Gayle Ziegler, Aye; Pharmacist Shane Wendel, Aye; Technician Diane Halvorson, Aye and Pharmacist Tanya Schmidt, Aye. The motion carried.**

**61-02-04-02 Handling of Hazardous Drugs (USP800) It was moved by Technician Member Halvorson and seconded by Pharmacist Ziegler to move forward with the draft language, rule revision process and public hearings. On vote by roll call: Public Member Fran Gronberg, Aye; Pharmacist Steve Irsfeld, Aye; Pharmacist Tyler Lannoye, Aye; Pharmacist Gayle Ziegler, Aye; Pharmacist Shane Wendel, Aye; Technician Diane Halvorson, Aye and Pharmacist Tanya Schmidt, Aye The motion carried.**

Executive Director Hardy presented a proposed contract proposal from Jesse Rue, PharmD and Owner of Challenger Healthcare Consulting LLC to develop and provide operational documents and guidance for pharmacies to utilize to comply with USP 800 as the standards move forward. These would be various template forms for Policy & Procedures and assessment risk, among other deliverables. It was noted that while these forms will be developed for retail pharmacies, many of the principles could be applied to other pharmacy practice settings as well.

***It was moved by Public Member Gronberg and seconded by Pharmacist Wendel to approve the contract for the development and provision of operational documents and guidance for pharmacies to utilize to comply with USP 800 with Jesse Rue, PharmD. On vote by roll call: Public Member Fran Gronberg, Aye; Pharmacist Steve Irsfeld, Aye; Pharmacist Tyler Lannoye, Aye; Pharmacist Gayle Ziegler, Aye; Pharmacist Shane Wendel, Aye; Technician Diane Halvorson, Aye and Pharmacist Tanya Schmidt, Aye The motion carried.***

**61-02-06-02 Computer Pharmacy Regulations - It was moved by Technician Member Halvorson and seconded by Pharmacist Wendel to address the changes and move forward with the rule revision process and public hearings. On vote by roll call: Public Member Fran Gronberg, Aye; Pharmacist Steve Irsfeld, Aye; Pharmacist Tyler Lannoye, Aye; Pharmacist Gayle Ziegler, Aye; Pharmacist Shane Wendel, Aye; Technician Diane Halvorson, Aye and Pharmacist Tanya Schmidt, Aye The motion carried.**

**61-02-07.1 Pharmacy Technician – The Board reviewed the comments and suggestions made by the various agencies and the Technician Advisory Board. There was a consensus on 61-02-07.1-03 the Educational and Certification portion; update 61-02-07.1-10 Continuing Education language to include the CPE monitor. *It was moved by Technician Member Halvorson and seconded by Pharmacist Wendel to allow the draft language regarding education/certification discussed to move forward with the rule revision process and public hearings. On vote by roll call: Public Member Fran Gronberg, Aye; Pharmacist Steve Irsfeld, Aye; Pharmacist Tyler Lannoye, Aye; Pharmacist Gayle Ziegler, Aye; Pharmacist Shane Wendel, Aye; Technician Diane Halvorson, Aye and Pharmacist Tanya Schmidt, Aye The motion carried.***

Board Members had a vigorous discussion on 61-02-07.1-04 relative to the ratio of pharmacists to pharmacy technicians. ***It was moved by Pharmacist Irsfeld and seconded by Public Member***

**Gronberg to allow the draft language presented to move forward with the rule revision process and public hearings. On vote by roll call: Public Member Fran Gronberg, Aye; Pharmacist Steve Irsfeld, Aye; Pharmacist Tyler Lannoye, No; Pharmacist Gayle Ziegler, No; Pharmacist Shane Wendel, Aye; Technician Diane Halvorson, Aye and Pharmacist Tanya Schmidt, No The motion carried 4-3.** It was noted that the public hearings would provide further input on the right ratio, if any, for their settings.

**61-03-02 Consultant Pharmacist Regulations for LTC Facility – 61-03-02-04 Distribution and Control relative to the destruction of drugs clarification. It was moved by Pharmacist Irsfeld and seconded by Public Member Gronberg to allow the draft changes to move forward in the rule revision process and public hearings. On vote by roll call: Public Member Fran Gronberg, Aye; Pharmacist Steve Irsfeld, Aye; Pharmacist Tyler Lannoye, Aye; Pharmacist Gayle Ziegler, Aye; Pharmacist Shane Wendel, Aye; Technician Diane Halvorson, Aye and Pharmacist Tanya Schmidt, Aye The motion carried.**

**61-03-03 Internship - 61-03-03.1-01 definition of Intern clarification It was moved by Pharmacist Lannoye and seconded by Technician Member Halvorson to allow the draft to move forward with the rule revision process and public hearings. On vote by roll call: Public Member Fran Gronberg, Aye; Pharmacist Steve Irsfeld, Aye; Pharmacist Tyler Lannoye, Aye; Pharmacist Gayle Ziegler, Aye; Pharmacist Shane Wendel, Aye; Technician Diane Halvorson, Aye and Pharmacist Tanya Schmidt, Aye The motion carried.**

**61-03-04 Continuing Pharmaceutical Education It was moved by Pharmacist Irsfeld and seconded by Pharmacist Lannoye to allow the draft repeal/removal of the CE Advisory Board, as well as updating the record retaining processes to be consistent with the CPE monitor to move forward with the process and public hearings. On vote by roll call: Public Member Fran Gronberg, Aye; Pharmacist Steve Irsfeld, Aye; Pharmacist Tyler Lannoye, Aye; Pharmacist Gayle Ziegler, Aye; Pharmacist Shane Wendel, Aye; Technician Diane Halvorson, Aye and Pharmacist Tanya Schmidt, Aye The motion carried.**

**61-04-03 Destruction of Controlled Substances - update language and clarification of who can destroy reflecting DEA regulations. It was moved by Pharmacist Lannoye and seconded by Public Member Gronberg to allow the revised draft to move forward with the rule change process and public hearings. On vote by roll call: Public Member Fran Gronberg, Aye; Pharmacist Steve Irsfeld, Aye; Pharmacist Tyler Lannoye, Aye; Pharmacist Gayle Ziegler, Aye; Pharmacist Shane Wendel, Aye; Technician Diane Halvorson, Aye and Pharmacist Tanya Schmidt, Aye The motion carried.**

**61-08-01-08 Out-of-State Pharmacy – Administrative Inspection modifications. It was moved by Pharmacist Ziegler and seconded by Pharmacist Irsfeld to allow the revised draft to move forward with the rule revision process and public hearings. It was moved by Technician Member Halvorson and seconded by Pharmacist Wendel to approve the draft and move forward with the rule revision process and public hearings. On vote by roll call: Public Member Fran Gronberg, Aye; Pharmacist Steve Irsfeld, Aye; Pharmacist Tyler Lannoye, Aye; Pharmacist Gayle Ziegler, Aye; Pharmacist Shane Wendel, Aye; Technician Diane Halvorson, Aye and Pharmacist Tanya Schmidt, Aye The motion carried.**

**61-12 Prescription Drug Monitoring Program [PDMP] to codify the position policy of the Board and remove the language “for the treatment of pain or anxiety” for mandating the use of the PDMP**  
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and implementing NarxCare to replace the current NarxCheck. ***It was moved by Technician Member Halvorson and seconded by Pharmacist Lannoye to allow the draft to move forward with the rule revision process and public hearings. On vote by roll call: Public Member Fran Gronberg, Aye; Pharmacist Steve Irsfeld, Aye; Pharmacist Tyler Lannoye, Aye; Pharmacist Gayle Ziegler, Aye; Pharmacist Shane Wendel, Aye; Technician Diane Halvorson, Aye and Pharmacist Tanya Schmidt, Aye The motion carried.***

**61-13-01-03 Controlled Substances Schedules – Scheduling** to repeal/remove the language that has been codified in previous legislative sessions relative to the addition to or rescheduling of substances and changes. ***It was moved by Pharmacist Wendel and seconded by Technician Member Halvorson to allow the draft to move forward with the process and public hearings. On vote by roll call: Public Member Fran Gronberg, Aye; Pharmacist Steve Irsfeld, Aye; Pharmacist Tyler Lannoye, Aye; Pharmacist Gayle Ziegler, Aye; Pharmacist Shane Wendel, Aye; Technician Diane Halvorson, Aye and Pharmacist Tanya Schmidt, Aye The motion carried.***

The meeting recessed at 4:45 and the Investigating Committee met to discuss current cases.

**At 5:30 PM** The Board met for a working dinner with NDSU faculty at Porter Creek in the Barrel Room. In attendance with the Board of Pharmacy Members were: Board Attorney David Lindell; Dean Charles Peterson; Cynthia Naughton, PharmD, Senior Associate Dean; Daniel Friesner, Assistant Dean for Student Affairs.

The Board expressed appreciation for being able to meet, exchange ideas and suggestions in an open dialogue with the faculty relative to the challenges and issues.

Dr. Daniel Friesner reported on the admissions criteria and the Board Members felt it was a positive step for the School of Pharmacy and a path to entice and encourage students to work towards the profession of Pharmacy. He also discussed student conduct issues and the reporting to the Board. The Board reiterated that we all have to keep lines of communication open to deal with conduct issues and corrective actions taken to ensure our future pharmacists are equipped to practice.

Senior Associate Dean Naughton discussed the challenges with implementing the new ACPE accreditation standards. The Board was happy to hear the detailed explanation of what has been accomplished and what still needs to be done to ensure accreditation. The Board thanked her for her diligence in this important endeavor.

Dean Peterson updated the Board on the buildings addition to Sudro Hall and the generous donations and naming rights of the tower by Aldevron. The Board was excited to hear of the addition to Sudro Hall and the advantage it will provide the students.

The evening concluded about 8:30 PM

President Schmidt reconvened the Board Meeting at 8:00 AM - those present with the Board Members were: Board Attorney David Lindell and reciprocity candidate Simonne F Gori and Pharmacist Lance LeClair Pharmacist-in-Charge and current owner of LifeScript Pharmacy Phar567 in Fargo.

Executive Director Hardy was on the phone as he was in route back to Bismarck to attend Legislative meetings.

President Schmidt called on Pharmacists Gori and LeClair to explain and clarify the partnership they have proposed, where Pharmacist Gori becomes the majority Owner of Phar567 LifeScript Pharmacy PLLC. It was noted that Pharmacist Gori declared she intended to operate in the non-sterile compounding space, as well as providing mail order medications to other states in the future. However, her intention is to grow the business in the current location to make a sustainable business model. Board Members and Executive Director Hardy asked questions about the operations and it was made clear that Pharmacist Gori would be the definite owner of the business. It was explained that if she wished to maintain the current pharmacy permit, Phar567 issued to LifeScript Pharmacy PLLC, Pharmacist Gori would have to purchase the majority shares of the corporation. If she intended to form her own corporation a new Application for a Pharmacy Permit was be required. All wished the pharmacists well on their future business endeavor.

The Board Members discussed future preparations for the May 2019 Examinations and noted they would continue the discussion at the March 2019 meeting.

Executive Director Hardy reported on two pieces of legislation that could potentially affect the Board, Senate Bill 2126 and Senate Bill 2127 – both relating to licensure exemptions for Boards in North Dakota. Particularly, SB2126 appears to require the automatic granting of licensure after 7 previous years of licensure. His concern is SB 2126 would have a detrimental effect on the current practice of electronic “License Transfer” system through NABP currently utilized by all the Boards. The Board directed Executive Director Hardy to properly educate the legislators of the facts and consequences to the Board of Pharmacy. However, they would entertain the prospect of accelerated licensure of military spouses, provided the candidate met all requirements and the Board retained the power to issue or deny accordingly.

President Schmidt called for any further business – none forthcoming. The Board Members submitted their expense vouchers for the meeting.

The meeting adjourned at 9:00 AM on Wednesday January 9<sup>th</sup>, 2019.

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President  
Tanya L Schmidt, PharmD

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Senior Member  
Gayle D. Ziegler, RPh.

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Technician Member  
Diane M. Halvorson, RPhTech

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Member  
Steven P Irsfeld, RPh.

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Public Member  
Fran Gronberg

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Member  
Shane R. Wendel, PharmD

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Member  
Tyler G Lannoye, PharmD

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Executive Director  
Mark J. Hardy, PharmD