

A G E N D A

NORTH DAKOTA STATE BOARD OF PHARMACY

January 6-7-8, 2020

Wingate by Wyndham 4429 19th Ave SW - Fargo ND 58103 (1-701-281-9133)

MONDAY – JANUARY 6, 2020

5:00 PM CALL TO ORDER – Gayle D Ziegler, President

Recite: *Mission Statement*

Review and approval of agenda

AGENDA TAB

Review and approval of Minutes of November 21, 2019

MINUTE TAB

Assign members to review all paid invoices and

Reconciled Bank Statements

Grant Lifetime Licenses and Sign certificates = **18**

TAB 1

Sign Pharmacist and RPhTech Original Licenses

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

Chairperson: Tracy Lindsey tlindsey101@yahoo.com

President: Arlene Monson monsonized30@gmail.com

Vice President: Lindsay Cizek-Cribb lindsaycizek@hotmail.com

NDSCS Melissa Krava melissa.krava@ndscs.edu

Discussion Items:

Expanding Role of Technicians in ND

Rule Change on Technician Education and Certification Standards

Recruitment of Technicians

Discussion by NAPT Officers of items of interest to NAPT

TUESDAY - JANUARY 7, 2020

8:30 AM CALL TO ORDER – Gayle D Ziegler, President

~~**CE Credit Request:** Cynthia A. Gunderson, PharmD RPh5042 [IHS Bemidji, MN]~~

New Pharmacy: Prosperity Health Pharmacy LLC – Virginia Howe, RPh5632
5180 Prosperity Way in Fargo, ND 58104

Temporary Relocation: Lisbon Area Health Services Pharmacy Phar582
Jill McRitchie, PharmD

10:00 AM Teri Udem R.Ph. Director, Advanced Pharmacy Practice Experience/ **TAB 2**

Pharmacy Practice - NDSU School of Pharmacy and Lisa M. Richter PharmD, BCPS, BCCCP

~~Director of Experiential Outreach and Assessment/Assistant Professor of~~

~~Practice – School of Pharmacy NDSU ---~~ **Discussion on Portfolios and Experiential Sites**

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

1:00 PM National Coalition for Drug Quality & Security – Accreditation presentation **TAB 3**

Denise M. Frank, RPh, Director of Accreditation and Inspection Services

Discussion Items: Attorney General’s Office recommendations for Administrative **TAB 4**

Rule Changes - modifications

Takeback Program Update

Update on PCMA-vs - Tufte [Potential Executive Session]

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 18-19 -20, 2020 Exams - Howard Anderson, Jr, RPh

**** 3:30 PM Investigating Committee Work**

5:30 PM Pharmacy Profession Dinner– Porter Creek – Barrel Room

NDSU - Provost Margaret Fitzgerald, Dean Charles Peterson, Daniel Friesner, Amy Werremeyer

ND PSC - David Olig

NDSHP & About the Patient – Maari Loy, PharmD

NDPhA - Jeffrey Jacobson, PharmD

Board Members and staff

Discussion Items: Professional Advancement Collaborations
 Updates from each organization
 Upcoming ACPE Accreditation
 Aldevron Tower update

WEDNESDAY – January 8, 2020

7:30 AM Breakfast

9:00 AM Pending Stipulation/Settlement Agreement

*** Tour of Aldevron Tower - NDSU

Continuing discussions:

Other discussion items

Vouchers – Adjourn

.....

President Gayle D Ziegler, RPh called the meeting to order on Monday January 6, 2020 at 5:00 PM in the meeting room of the Wingate by Wyndham located at 4429 19th Ave SW in Fargo, ND.

Present were: President Gayle D Ziegler, RPh - Steven Irsfeld, RPh - Diane M. Halvorson, Technician and Senior Member - Tyler Lannoye, PharmD- Tanya Schmidt, PharmD – Public Member Fran Gronberg - Shane Wendel, PharmD; Executive Director Mark J Hardy, PharmD; Howard C Anderson, Jr, RPh.

President Ziegler 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.*

Board members signed original certificates for future use as the meeting progressed.

It was moved by Pharmacist Schmidt and seconded by Pharmacist Wendel to approve the agenda with the addition of a tour of Aldevron Tower. On vote by roll call Technician Member Diane Halvorson-Aye- Pharmacist Steve Irsfeld-Aye- Pharmacist Tanya Schmidt-Aye- Public Member Fran Gronberg-Aye- Pharmacist Shane Wendel-Aye- Pharmacist Tyler Lannoye -Aye- Pharmacist Gayle Ziegler-Aye. The motion carried.

It was moved by Public Member Fran Gronberg and seconded by Technician Member Diane Halvorson to approve the minutes of November 21, 2019 as printed. On vote by roll call Technician Member Diane Halvorson-Aye- Pharmacist Steve Irsfeld-Aye- Pharmacist Tanya Schmidt-Aye- Public Member Fran Gronberg-Aye- Pharmacist Shane Wendel-Aye- Pharmacist Tyler Lannoye -Aye- Pharmacist Gayle Ziegler-Aye. The motion carried.

President Ziegler appointed pharmacist Shane Wendel and pharmacist Tanya Schmidt to review the paid invoices and the reconciled bank statements.

It was moved by Technician Diane Halvorson and seconded by Pharmacist Irsfeld to grant Lifetime Licenses to the following Pharmacists:

LIFETIME PHARMACISTS

ISSUED: **June 6, 1968**

RPh2909 Thomas M Seaburg, RPh
130 N 5th Street
Carrington ND 58421-1428

Issued **June 7, 1969**

RPh2959 Leo H Hoffer, RPh
17100-B Bear Valley Rd #443
Victorville CA 92395

RPh2962 J. Lyle Lamoureux, RPh
7290 Butte Visita
Prescott Valley AZ 86315-9770

RPh2967 Fredric R Olafson, RPh
448 Charing Cross Road
Irmo SC 29063

RPh2971 Gerald W Robinson
343 Regent Circle
Shavano Park TX 78231

RPh2972 Mike R Sather, RPh
PO Box 1750
Tijeras NM 87059-1750

RPh2974 Walter F Spiese, RPh
220 3rd Ave NE- Box 175
LaMoure ND 58458-0175

RPh2977 Gary D Triebold, RPh
3209 121st Ave SE
Valley City ND 58072-9411

RPh2985 Kay M Larson, RPh
3022 Peterson Parkway
Fargo ND 58102-1734

RPh2988 Camille K Wissmann, PharmD
315 G 14th Street
Windsor CO 80550

Issued **November 14, 1969**

RPh2993 Edward J Berki, RPh
1333 W Guadalupe Road #216
Gilbert AZ 85233

RPh2995 Kaaren C Rougeux, RPh
400 Raynolds Ave
Las Vegas NM 87701

RPh2997 Charles F Gress, RPh
483 SW Pemberly Loop
McMinnville OR 97128

RPh2998 Susan K Hallen, RPh
P O Box 808
Hettinger ND 58639-0808

RPh2999 Curtiss A Hautala, RPh
41465 State Hwy 65
Nashwauk MN 55769

RPh3002 Karen R Lang, RPh
2802 El Paso Drive
Bismarck ND 58503

RPh3006 Ronald J Pado, RPh
66105 Juniper Court
Montrose CO 81403

RPh3011 John T Samuelson, RPh
710 Meadow Lane
Starbuck MN 56381-4504

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

At 6:30 PM the Board was joined by the Technician Advisory Committee for dinner at Porter Creek-Barrel Room, 1555 44th St S in Fargo. Present in addition to the board members, Dr. Hardy and Howard Anderson were NAPT Chairperson: Tracy Lindsey - Vice President: Lindsay Cizek-Cribb
NDSCS Melissa Krava President Arlene Monson was not able to attend.

Discussion Items: Expanding Role of Technicians in ND
Rule Change on Technician Education and Certification Standards
Recruitment of Technicians
Discussion by NAPT Officers of items of interest to NAPT

Melissa Krava, Director of the Technician Training Program at North Dakota State College of Science reported this is her second year of teaching at NDSCS and she has reviewed all the coursework and tests and is planning on revamping the Pharmacist Assisted Technician Instruction Modules (PATISM) which is their entry level program with new materials and tests. They are making plans for Advanced Level Programs in line with the new accreditation model. She stated that one of their goals was to hire an instructor just for the PATISM program.

Howard Anderson, RPh suggested that we work toward college credit for the modules. Director Krava put the cost of an Associate Degree in Pharmacy Technology at around \$9000.

Executive Director Hardy suggested that NDSU students could be used to help rewrite the modules. He also asked how the changes in accreditation were affecting the program and how accredited programs being used by chain pharmacies were affecting program viability.

Pharmacist Wendel asked about feedback he had heard that on-the-job programs are a better training option. Program Director Krava reinforced that working while training was the best choice allowing students to best gain experience. All felt this reinforced the procedure to register enrolled individuals as Technicians-In-Training.

Pharmacist Wendel spoke about potential national model changes and questioned whether hours alone were enough. Shane said he felt classroom time was important as it broadened the student's perspective and gave them confidence to make their own decisions. Technician Tracy Lindsey felt that some didactic programming was important.

Technician Tracy Lindsey reported on the NAPT fall conference attended by 75 people. They have donated \$3000 toward the ND Career Builders, which will be matched by that program. When asked about the videos prepared by NAPT, she responded that a letter will be sent to high schools along with a copy of the videos. They have both recruitment and advanced practice videos.

Technician Member Halvorson reported on the tech-check-tech pilot project work. NAPT is taking the project into pharmacy practices and gathering outcome data. Six sites are in the project with a minimum of 8 hours of training, then audits, before being ready to implement. Weekly audits are done on activities along with further audits every six months to retain proficiency.

On request from Executive Director Hardy the committee expressed their support for Registered Technicians doing vaccinations as long as training was provided and the pharmacy where they are employed supports the role.

Pharmacist Schmidt suggested further allowances for technicians to participate in administration of medications as a possibility and President Ziegler spoke about use of technicians in medication reconciliation.

There was some discussion about the possibility of change in the terminology of the law and rule from registration to licensure to facilitate portability across state lines. President Ziegler thanked the committee for their work and attendance and recessed the meeting until 8:30 AM tomorrow.

The Board came reconvened at 8:30 AM on January 7th, 2020. An ad hoc discussion of the new federal veterinary medication rules began. There is some discussion that certain antibiotic medication now available over-the-counter may soon be required to be obtained directly from the veterinarian or via prescription through licensed businesses.

Discussion followed about the CE request by Cynthia A. Gunderson, PharmD RPh5042 [IHS Bemidji, MN]. Executive Director Hardy has not yet received all the information from Pharmacist Gunderson and Pharmacist Lannoye could not reach her by text. Therefore, President Ziegler suggested we place the request on the agenda for the March meeting.

Virginia Howe RPh5632, joined the meeting to discuss her request for approval of her plans and application for Prosperity Health Pharmacy LLC at 5180 Prosperity Way in Fargo, ND 58104. She indicated it is her vision to partner with or employ a nurse practitioner and provide full-service nutrition and health care out of her new pharmacy.

It was moved by Public Member Fran Gronberg and seconded by Technician Member Diane Halvorson to approve the Application for a Class A Pharmacy Permit for Prosperity Health Pharmacy located at 5180 Prosperity Way in Fargo and the floor plans contingent upon receipt by Executive Director Hardy of a signed lease and acceptable dimensions for the pharmacy. On vote by roll call Technician Member Diane Halvorson-Aye- Pharmacist Steve Irsfeld-Aye- Pharmacist Tanya Schmidt-Aye- Public Member Fran Gronberg-Aye- Pharmacist Shane Wendel-Aye- Pharmacist Tyler Lannoye -Aye- Pharmacist Gayle Ziegler-Aye. The motion carried.

It was moved by Pharmacist Tyler Lannoye and seconded by Pharmacist Tanya Schmidt to approve the temporary relocation of Lisbon Area Health Services Pharmacy, Phar582, during construction of their new facility. On vote by roll call Technician Member Diane Halvorson-Aye- Pharmacist Steve Irsfeld-Aye- Pharmacist Tanya Schmidt-Aye- Public Member Fran Gronberg-Aye- Pharmacist Shane Wendel-Aye- Pharmacist Tyler Lannoye -Aye- Pharmacist Gayle Ziegler-Aye. The motion carried.

It was moved by Pharmacist Steve Irsfeld and seconded by Pharmacist Tanya Schmidt to approve all of the paid invoices reviewed at this meeting. On vote by roll call Technician Member Diane Halvorson-Aye- Pharmacist Steve Irsfeld-Aye- Pharmacist Tanya Schmidt-Aye- Public Member Fran Gronberg-Aye- Pharmacist Shane Wendel-Aye- Pharmacist Tyler Lannoye -Aye- Pharmacist Gayle Ziegler-Aye. The motion carried.

It was moved by Technician Member Diane Halvorson and seconded by Pharmacist Shane Wendel to approve the reconciliation of the bank statements reviewed at this meeting. On vote by roll call Technician Member Diane Halvorson-Aye- Pharmacist Steve Irsfeld-Aye- Pharmacist Tanya Schmidt-Aye- Public Member Fran Gronberg-Aye- Pharmacist Shane Wendel-Aye- Pharmacist Tyler Lannoye -Aye- Pharmacist Gayle Ziegler-Aye. The motion carried.

Denise M. Frank, RPh, Director of Accreditation and Inspection Services for the National Coalition for Drug Quality & Security was present at the meeting to give a presentation about their offering an alternative to VAWD accreditation by NABP and requesting a subsequent law change to be inclusive of their Accreditation. She answered board member questions explaining the similarities and differences

they offered. The coalition is made up of wholesalers looking to have an alternative due to the long delays in getting fully accredited through VAWD. They concentrate more on suspicious order monitoring and OTC Venders. It is a 3 year accreditation. There is an Advisory Board but veto power exists with Pharmacist Frank on accreditation decisions. They also have a separate inspection process.

President Ziegler thanked Pharmacist Frank for her attendance at the meeting and her presentation.

At 10:00 AM, Teri Udem RPh, Director, Advanced Pharmacy Practice Experience/Pharmacy Practice at NDSU School of Pharmacy joined the board for a Discussion on Portfolios and Experiential Sites. Pharmacist Udem discussed preceptor training which is available through the School via Pharmacist Letter and the Education of the Patient Care process to the Preceptors.

Discussion followed about what should be in or out of the student portfolios. It was a consensus the student should do a short reflection for each rotation for the Board to monitor the sites to ensure quality. A Pre-APPE, Mid-Year and Year-End reflection will also be required for a summary review to include more than one rotation each time it is done.

Executive Director Hardy explained the Attorney General's Office recommendations for changes to our Administrative Rules. After the Board Members review of the proposed recommendation:

It was moved by Pharmacist Tanya Schmidt to accept the suggested changes in NDAC 61-02-07.1. Provisional Technician Registration for a Military spouse as defined in NDCC 43-51-01 was seconded by Pharmacist Steve Irsfeld. On vote by roll call Technician Diane Halvorson-Aye- Pharmacist Steve Irsfeld-Aye-Pharmacist Tanya Schmidt-Aye- Public Member Fran Gronberg-Aye- Pharmacist Shane Wendel-Aye- Pharmacist Tyler Lannoye -Aye-Pharmacist Gayle Ziegler-Aye. The motion carried.

It was moved by Technician Member Diane Halvorson and seconded by Pharmacist Tanya Schmidt to move forward with NDAC 61-03-01 Provisional licensure for a Military spouse as defined in NDCC 43-51-01 as suggested. On vote by roll call Technician Member Diane Halvorson-Aye- Pharmacist Steve Irsfeld-Aye-Pharmacist Tanya Schmidt-Aye- Public Member Fran Gronberg-Aye- Pharmacist Shane Wendel-Aye- Pharmacist Tyler Lannoye -Aye- Pharmacist Gayle Ziegler-Aye. The motion carried.

It was moved by Pharmacist Steve Irsfeld and seconded by Technician Diane Halvorson to move forward with NDAC 61-04-11 Administration of Medications and Immunization as suggested. On vote by roll call Technician Diane Halvorson-Aye- Pharmacist Steve Irsfeld-Aye- Pharmacist Tanya Schmidt-Aye- Public Member Fran Gronberg-Aye- Pharmacist Shane Wendel-Aye- Pharmacist Tyler Lannoye -Aye-Pharmacist Gayle Ziegler-Aye. The motion carried.

Executive Director Hardy presented an update on the take back program which has been very successful. We have over 135 pharmacies participating and continue to pick up a few more as inspectors promote it on their visits. The program costs us around \$7000 dollars per month and seems well worth the cost.

Executive Director Hardy spoke briefly about the PMP Interconnect program with the PDMP. There is still pressure from the Bureau of Justice Assistance on states to make a connection to RxCheck hub against many states wishes. We continue to advocate our position to policy makers.

Executive Director Hardy updated the board on the PCMA vs Tuftes law suit. The Solicitor General of the United States has recommended to the Supreme Court that they review the 8th circuit decision relative to preemption of ERISA. This decision may affect our case.

Executive Director Hardy indicated three of the inspectors have completed their work with one pharmacy left to inspect. The electronic tablets and online inspections have worked well and the electronic process seems to have been well accepted by almost all pharmacies. Dr. Hardy has planned a conference call with the Compliance Officer to get feedback on their experiences.

It was moved by Pharmacist Tyler Lannoye and seconded by Pharmacist Steve Irsfeld to deny the request of Denise M. Frank, RPh, Director of Accreditation and Inspection Services for the National Coalition for Drug Quality & Security to advance inclusion of their accreditation to our standards for licensure.

Pharmacist Lannoye expressed that he felt the accreditation standards are not as strong as VAWD and the financial interests of the organization conflict with a meaningful accreditation body.

It was moved by Pharmacist Shane Wendel and seconded by Public Member Fran Gronberg to table the motion for 6 months. On vote by roll call Technician Diane Halvorson-Aye- Pharmacist Steve Irsfeld-Aye-Pharmacist Tanya Schmidt-Aye- Public Member Fran Gronberg-Aye- Pharmacist Shane Wendel-Aye- Pharmacist Tyler Lannoye -Aye-Pharmacist Gayle Ziegler-Aye. The motion carried.

After review of the financials by Executive Director Hardy.

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

Discussion followed on the exam competencies list and associated questions with Howard Anderson, RPh taking notes and promising to bring back the updated product to the March meeting.

Board Members and Executive Director Hardy all agreed that their concerns were all taken care of during Board discussion on the topics of the agenda.

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

Attorney David Lindell was now present at the meeting and the board recessed while the investigating committee met.

5:30 PM Pharmacy Profession Dinner– Porter Creek – Barrel Room with NDSU - Provost Margaret Fitzgerald, Dean Charles Peterson, Associate Dean Daniel Friesner; ND PSC - David Olig; NDSHP – Maari Loy; NDPhA - Jeff Jacobson; Board Members and staff

Provost Margaret Fitzgerald spoke for the administration as President Bresciani is out of town. She has had only a couple of weeks on the job but has worked at the University for many years as a Dean. She

looks forward to an excellent future for the university and welcomes her work with the College of Health Professions.

Dr. Friesner spoke about the challenges in recruitment for pharmacy students with 70 in the new class and application numbers down across the country. Other disciplines in the college are holding up well. He sees some challenges for students in pharmacy regarding salaries and burnout among graduates working long hours at some pharmacies to avoid hiring more staff. Debt load of graduates is having an effect as well.

Pharmacist Maari Loy spoke for NDSHP outlining an active program of continuing education and plans to meet in the annual meeting along with the Pharmacists Association.

Dean Peterson spoke about the success at opportunities night jointly hosted by the associations and the college. He was impressed by the number of students who expressed an interest in owning their own pharmacy.

Dr. Hardy asked “on which things can we work together” in which a vibrant discussion ensued.

Dr. Lannoye suggested managing things in all clinics to utilize the pharmacist to the full extent of their training and abilities.

Pharmacist Dave Olig suggested we train and utilize pharmacists to let the technicians fill the prescriptions and use the pharmacist to better care of the patient.

Dr. Shane Wendel shared with the group the medication assisted treatment program he has instituted along with a local practitioner to provide withdrawal and maintenance therapy for opiate use disorders.

All discussion focused on utilizing the pharmacist to the full extent of their potential.

President Ziegler thanked everyone for their participation and recessed until morning.

The Board reconvened at 8:00 AM on Wednesday January 8th, 2020. They discussed items from the previous night’s discussion before traveling to Sudro Hall to meet Dean Charles Peterson and staff for a tour of the recently completed Aldevron Tower. The new addition will provide tremendous opportunities for the profession to continue to flourish as well as stimulate advances in the professional models of patient care. Board Members enjoyed a thorough tour of the new NDPhA Concept Pharmacy, where they will administer practical exams in May 2020. The Board met with Dr. Amy Werremeyer and Dr. Mark Strand to discuss OneRx and it’s increasing impact to patients.

The Board completed the tour and adjourned at 11:00 AM.

President
Gayle D. Ziegler, RPh.

Technician Member & Senior Member
Diane M. Halvorson, RPhTech

Member
Steven P Irsfeld, RPh

Member
Tanya L Schmidt, PharmD

Public Member
Fran Gronberg

Member
Shane R. Wendel, PharmD

Member
Tyler G Lannoye, PharmD

Executive Director
Mark J. Hardy, PharmD