

AGENDA
July 16, 2020
Board of Pharmacy Office –
1906 E Broadway Ave - Bismarck, ND
[701-328-9535]

Join Zoom Meeting: <https://us02web.zoom.us/j/86866416538>

Call in line: 1-312-626-6799

Meeting ID: 868 6641 6538

The Board encourages those attending to join by videoconference. If you desire to be at the Board office, the Board requests that you wear a mask for everyone's protection given the space restraints in the Board office.

9:30 AM – Call to Order – President Gayle Ziegler, RPh

AGENDA

Recite Mission Statement

Review and sign May 18-20, 2020 Board Minutes

MINUTES

Sign original Pharmacist and Technician Certificates

9:45 AM Call in Joseph P Nelson – Int680 P3 [Academic Misconduct]

TAB 1

10:00 AM Hearing - Abby J Keller – Tech1312

TAB 2

10:15 AM License Transfer Request: Robert Gerland from OH – Disciplinary Actions

TAB 3

10:45 AM Academic Misconduct:
Aaron B Mennis – Int1010 NDSU P3s

TAB 4

11:15 AM National Coalition for Drug Quality & Security – Follow up on presentation and request during January 2020 meeting for recognition of QAS accreditation

TAB 5

CE Credit Request: Articles published by Michael Riepl, RPh3819

TAB 6

12:00 Lunch Break

Discussion Items:

Update on PCMA-vs - Tuft
NABP/AACP District V Meeting
2020 Inspection Discussion
Drug Disposal Update

TAB 7

** NDSU Covid Testing Project
2019-2020 Year End Financial Report
2020-2021 Financials to Date

Budget Tab

President Gayle D Ziegler, RPh called the meeting to order on Thursday July 16, 2020 at 9:30 AM

Present on the Zoom Meeting were: President Gayle D Ziegler, RPh - Diane M. Halvorson, Technician and Senior Member -Tanya Schmidt, PharmD –Shane Wendel, PharmD along with his intern, Laura McCroskey - Howard C Anderson, Jr, RPh; Joseph P. Nelson-Int680; Aaron B Mennis-Int1010 and Denise Frank of the National Coalition for Drug Quality and Security was on the Zoom call. **Present in the Board Conference Room** were Executive Director Mark J Hardy, PharmD; Steven Irsfeld, RPh - Attorney David A. Lindell, J.D. and NDSU PharmD Student Bradley Kelly on rotation at the Board Office.

Absent: Tyler Lannoye, PharmD was out of state on vacation and Public Member Fran Gronberg called in sick today.

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.*

It was moved by Pharmacist Tanya Schmidt and seconded by Pharmacist Steven Irsfeld to approve the agenda with the addition of a report on the drug disposal program by Brad Kelly, a modification in the timing of the agenda to accommodate persons as they arrive or are present at the meeting and a Covid-19 project Testing and vaccination discussion of a joint project with NDSU. On vote by roll call Pharmacist Tanya Schmidt -Aye- Pharmacist Steven Irsfeld -Aye- Pharmacist Shane Wendel -Aye- Technician Member Diane Halvorson -Aye- Pharmacist Gayle Ziegler -Aye. Nays none. The motion carried.

It was moved by Technician Member Diane Halvorson and seconded by Pharmacist Steven Irsfeld to approve the minutes of the May 18-20, 2020 Board Meeting as printed. On vote by roll call Pharmacist Tanya Schmidt -Aye- Pharmacist Steven Irsfeld -Aye- Pharmacist Shane Wendel -Aye- Technician Member Diane Halvorson -Aye- Pharmacist Gayle Ziegler -Aye. Nays none. The motion carried.

Though there are enough certificates on hand to last a while. Dr. Hardy encouraged Board Members to stop at the office, if in town, or he could catch them in Fargo as more are needed.

Joseph P Nelson – Int680 P3 [Academic Misconduct] case was reviewed by Dr. Hardy. Intern Nelson asked to state the facts from his perspective. Board members then asked questions about what the college was requiring and made suggestions about how he could help fellow students avoid such a mistake in this online testing environment.

It was moved by Pharmacist Tanya Schmidt and seconded by Pharmacist Shane Wendel to reinforce what NDSU School of Pharmacy has done to require retaking of courses and assist in helping fellow students avoid similar temptations by keeping Joseph P Nelson-current Int680 licensed as an intern through his completion of his academic program. On vote by roll call Pharmacist Tanya Schmidt -Aye- Pharmacist Steven Irsfeld -Aye- Pharmacist Shane Wendel -Aye- Technician Member Diane Halvorson -Aye- Pharmacist Gayle Ziegler -Aye. Nays none. The motion carried.

Aaron B. Mennis Int1010 [Academic Misconduct] was asked to explain the facts in his case from his perspective. He said that similarly to Intern Nelson the pandemic presented an opportunity to discuss questions on a test that would not have been available under ordinary testing circumstances and that he made the mistake of discussing the questions with others while taking the test. The colleges required actions, the one-year delay in completion of the program and their

own loss of trust and respect of peers. The faculty and others will serve to make them work hard to regain that trust and respect. It was suggested they write a short piece, vetted by the college, and then used with their permission to give others the incentive to avoid similar temptations in the future.

It was moved by Pharmacist Tanya Schmidt and seconded by Pharmacist Steven Irsfeld to reinforce what the college has done to require retaking of courses, make up intern rotations and assist in helping fellow students avoid similar temptations by keeping Aaron B. Mennis Int 1010 licensed as an intern through his completion of his academic program. On vote by roll call Pharmacist Tanya Schmidt -Aye- Pharmacist Steven Irsfeld -Aye- Pharmacist Shane Wendel -Aye- Technician Member Diane Halvorson -Aye- Pharmacist Gayle Ziegler -Aye. Nays none. The motion carried.

10:00 AM is the time scheduled for the hearing of a Hearing for - Abby J Keller – Tech1312. Technician Keller came to the office today, but had not contacted the office since being served with the Hearing Notice. Attorney David Lindell and Dr. Hardy met with her and recommended the hearing be postponed until the September meeting.

It was moved by Technician Member Diane Halvorson and seconded by Pharmacist Steven Irsfeld to postpone the hearing for Abby J. Keller-Tech 1312 until the September meeting. On vote by roll call Pharmacist Tanya Schmidt -Aye- Pharmacist Steven Irsfeld -Aye- Pharmacist Shane Wendel -Aye- Technician Member Diane Halvorson -Aye- Pharmacist Gayle Ziegler -Aye. Nays none. The motion carried.

Dr. Hardy reviewed the License Transfer Request of Robert Gerland who has Disciplinary Actions on his licensure taken by the Ohio Board of Pharmacy. Pharmacist Gerland reviewed his case from his perspective. He has gotten his license reinstated in Ohio and is current licensed and working in Montana. He wished to work for Thrifty White, perhaps in Williston. He responded to Board Member questions. Board Members expressed they had perceived a bit of a lack of responsibility by Pharmacist Gerland, to which he said he accepted full responsibility for what had happened as he had pushed himself too hard and worked longer hours than he should have. President Ziegler encouraged him to reach out to Dr. Hardy or any of the Board Members if he felt the need.

It was moved by Pharmacist Steven Irsfeld and seconded by Technician Member Diane Halvorson to approve Pharmacist Gerland to take the MPJE exam and accept his reciprocity upon successful completion of the exam. On vote by roll call Pharmacist Tanya Schmidt disclosed she is employed with Thrifty White, but she did not know Pharmacist Gerland and intend to vote. On vote by roll call Pharmacist Tanya Schmidt -Aye- Pharmacist Steven Irsfeld -Aye- Pharmacist Shane Wendel -Aye- Technician Member Diane Halvorson -Aye- Pharmacist Gayle Ziegler -Aye. Nays none. The motion carried.

Denise Frank, a partner in the National Coalition for Drug Quality & Security was present on the Zoom call to follow up on her presentation and request during January 2020 meeting for recognition of QAS accreditation. In response to questions she responded that the owner of 5 Rivers Rx, a wholesale operation started the idea and got her involved as his partner. A thorough discussion followed. Since Board Member Steven Irsfeld has left the meeting to pick up his wife from her medical appointment and Shane Wendel, as a board member of NABP did not feel he should vote on the request for approval of her accreditation program, it was decreed by President Ziegler that the issue would be continued on the September 2020 agenda.

Michael Riepl, RPh3819 joined the Zoom call to discuss his request for CE credit for articles he has written and published. There was much discussion about how such requests should be managed in the future and how the Board could address the CE hours for the work. It was suggested that we could use a measure of how they could be produced as CE programs and how much credit would be given if a CE program was produced. Since all the Board was not present and we have not seen all the articles it was decreed by President Ziegler to consider the topic further at the September meeting.

The board took a ten-minute break and then continued with the agenda.

Dr. Hardy reported no change in the status of the PCMA-vs-Tufte case.

The NABP/AACP District V meeting is scheduled for August 7th, 2020 from 1 to 4 PM using a virtual format. We plan to be in Manitoba for the 2021 meeting.

Discussion of the inspection focus followed. The inspectors have met with Dr. Hardy and it was suggested to have each pharmacy do the online inspection which will be reviewed by the inspector and then the assigned inspector will follow up by telephone with each pharmacy to review the report and make suggestions for improvement, if indicated. Gayle suggested we do a physical visit of new pharmacies. Members agreed with the process for the 2020 Inspections as well as the focuses as indicated in the proposed letter to be sent to all pharmacies that was presented.

Pharmacist Steven Irsfeld returned to the meeting at the Board Office.

Pharm D Student Bradley Kelly with the board on his rotation gave a presentation on the status of the take back program. This is a summary of his findings:

North Dakota BOP MedSafe Summary: As of June 10th, 2020 21,750.47 lbs of medications have been returned. This encompasses 145 pharmacies across the state that are participating. Of those 145 pharmacies, however, 12 appear to have 0% return rate. It will be reasonable to follow up with these pharmacies to inquire about the potential reasoning for this.

It was moved by Pharmacist Tanya Schmidt and seconded by Technician Member Diane Halvorson to approve the financial report and general journal entries for the 2019-2020 fiscal year to date for the 2020 fiscal year. On vote by roll call Pharmacist Tanya Schmidt -Aye- Pharmacist Steven Irsfeld -Aye- Pharmacist Shane Wendel -Aye- Technician Member Diane Halvorson -Aye- Pharmacist Gayle Ziegler -Aye. Nays none. The motion carried.

Dr. Hardy presented a scenario he had prepared along with Dr. Liz Skoy at NDSU School of Pharmacy for preparing pharmacies in North Dakota to assist their patients in response to COVID-19.

It was moved by Pharmacist Steven Irsfeld and seconded by Technician Member Diane Halvorson to amend the budget to include the expenditure of up to \$20,000 under the direction of Executive Director Hardy to work with the NDSU College of Health Professionals to develop training and a start-up kit to get pharmacies into helping patients with COVID-19 testing and vaccinations. On vote by roll call Pharmacist Tanya Schmidt -Aye- Pharmacist Steven Irsfeld -Aye- Pharmacist Shane Wendel -Aye- Technician Member Diane Halvorson -Aye- Pharmacist Gayle Ziegler -Aye. Nays none. The motion carried.

Technician Member Diane Halvorson reported that the Northland Association of Pharmacy Technicians (NAPT) has canceled their fall conference and have arranged with CE Impact to provide access to their technicians as many of them have relied on the fall conference to get their CE.

There being no further business President Ziegler adjourned the meeting at 1:00 PM.

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