

A G E N D A - July 21, 2022
NORTH DAKOTA STATE BOARD OF PHARMACY
1906 East Broadway – Conference Room – Bismarck, ND

Join Zoom Meeting: <https://us02web.zoom.us/j/85943396462>

THURSDAY – JULY 21, 2022

9:30 AM CALL TO ORDER – Steven Irsfeld, RPh - President

Recite: Mission Statement

Review and approval of agenda **AGENDA**

Review and approval of Minutes of May 16-18, 2022 **Minutes**

Sign Pharmacist and RPhTech Original Licenses

Stipulation & Settlement: Brayden Trontvet – RPh6231 **TAB 1**

Remodeling: Phar954 PSJ Acquisition dba Prairie St John’s Pharmacy – Fargo **TAB 2**
Phar782 Neumann Drug Inc. - Cando

Request for CE Credit: North Dakota Immunization Conference – UND **TAB 3**

Exam Schedule - 3 **Candidates**

11:30 AM	Roll Call and Orientation of all Candidates - Video
11:45 - 12:45 PM	Laboratory Section 1
1:00 - 1:30 PM	Errors and Omissions 1
1:30 – 2:00 PM	Oral Examination - 1

12:00 PM LUNCH

Discussion Items: Technician Advancement **TAB 4**

Update on PCMA vs Wehbi
District V Annual Meeting - Custer, SD – August 3-5, 2022 **Hand Out**

Office Remodel/Relocation
*** Biennial Inventory Form

*** NABP Programs & Services – CPE Monitoring

Board Member Reports
Executive Director’s Report

Consider approval of all legal action of the Executive Director

Year to date Financials **Budget Tab**

Vouchers – Adjourn

July 21, 2022 1906 East Broadway – Board Conference Room – Bismarck, ND Page 2

President Steven Irsfeld, RPh called the Board Meeting to order at 9:30 AM on Thursday July 21, 2022, in the Conference Room at the Board of Pharmacy Office in Bismarck, North Dakota.

Present in the Room were Executive Director Mark J Hardy, PharmD, Board Members: Technician Member Diane Halvorson; Steven Irsfeld, RPh; Shane Wendel, PharmD; Tanya Schmidt, PharmD; Public Member Ron Horner; Attorney David A. Lindell, JD; and Howard C Anderson, Jr, RPh, Senior Compliance Officer. Also present are Haley Pajunen, PharmD Student Intern on rotation with Board Member Wendel

Present via Zoom Meeting: Tyler Lannoye, PharmD and Oliva Hinojosa, PharmD Student on rotation with IHS ; Carolyn Bodell, RPh, and Trisha Scheid, Pharm D representing Prairie St. John's.

President Irsfeld 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 use until the next meeting.

President Irsfeld said one of his goals as President was to include a review of one NABP program at each meeting. All agreed this was a good idea and CPE was chosen as the first, for this meeting.

It was moved by Technician Diane Halvorson and seconded by Pharmacist Tanya Schmidt to approve the agenda with the addition of Biennial Inventory Form and NABP Programs & Services – CPE Monitoring as discussion items. On vote by roll call, Pharmacist Tanya Schmidt -Aye- Public Member Ron Horner -Aye- Pharmacist Shane Wendel -Aye- Technician Diane Halvorson -Aye- Pharmacist Steve Irsfeld -Aye- Pharmacist Tyler Lannoye -Aye- Pharmacist Carolyn Bodell -Aye. The motion carried.

It was moved by Pharmacist Tanya Schmidt and seconded by Public Member Ron Horner to approve the minutes of May 16-18, 2022 meeting as presented. On vote by roll call, Pharmacist Tanya Schmidt -Aye- Public Member Ron Horner -Aye- Pharmacist Shane Wendel -Aye- Technician Diane Halvorson -Aye- Pharmacist Steve Irsfeld -Aye- Pharmacist Tyler Lannoye -Aye- Pharmacist Carolyn Bodell -Aye. The motion carried.

Dr. Hardy and Attorney David Lindell reviewed the Stipulation and Settlement Agreement which has been signed by Brayden Trontvet, RPh6231.

It was moved by Technician Diane Halvorson and seconded by Pharmacist Tanya Schmidt to approve the Stipulation and Settlement Agreement for Brayden Trontvet RPh6231 as presented. On vote by roll call, Pharmacist Tanya Schmidt -Aye- Public Member Ron Horner -Aye- Pharmacist Shane Wendel -Aye- Technician Diane Halvorson -Aye- Pharmacist Steve Irsfeld -Aye- Pharmacist Tyler Lannoye -Aye- Pharmacist Carolyn Bodell had stepped out and did not vote. The motion carried.

At about 10:00 AM Pharmacist Britni Gapp and Registered Technician Cynthia Hoy, both of Sanford Pharmacy in Fargo arrived at the meeting.

July 21, 2022 1906 East Broadway – Board Conference Room – Bismarck, ND Page 3

Executive Director Mark Hardy and Trisha Scheid PharmD explained the floor plans of Prairie St. John's Pharmacy in Fargo. It was noted this facility will open in January 2023 and will have the same physical address.

It was moved by Pharmacist Tanya Schmidt and seconded by Pharmacist Tyler Lannoye to approve the pharmacy floor plans for Phar954 PSJ Acquisition dba Prairie St. Johns at 510 4th Street South in Fargo. On vote by roll call, Pharmacist Tanya Schmidt -Aye- Public Member Ron Horner -Aye- Pharmacist Shane Wendel -Aye- Technician Diane Halvorson -Aye- Pharmacist Steve Irsfeld -Aye- Pharmacist Tyler Lannoye -Aye- Pharmacist Carolyn Bodell -Aye. The motion carried.

It was moved by Technician Diane Halvorson and seconded by Pharmacist Tyler Lannoye to approve the remodeling plans for Phar782 Neumann Drug at 412 Main Street in Cando, ND. On vote by roll call, Pharmacist Tanya Schmidt -Aye- Public Member Ron Horner -Aye- Pharmacist Shane Wendel -Aye- Technician Diane Halvorson -Aye- Pharmacist Steve Irsfeld -Aye- Pharmacist Tyler Lannoye -Aye- Pharmacist Carolyn Bodell -Aye. The motion carried.

It was moved by Pharmacist Tanya Schmidt and seconded by Pharmacist Carolyn Bodell to approve up to 8.75 hours of continuing education credit for the attendees of the North Dakota Immunization Conference as requested. On vote by roll call, Pharmacist Tanya Schmidt -Aye- Public Member Ron Horner -Aye- Pharmacist Shane Wendel -Aye- Technician Diane Halvorson -Aye- Pharmacist Steve Irsfeld -Aye- Pharmacist Tyler Lannoye -Aye- Pharmacist Carolyn Bodell -Aye. The motion carried.

Discussion followed on whether we were going to continue to approve CE on a case-by-case basis or move to only ACPE approved CE. Technician Diane Halvorson reported that the CE for the Technicians fall conference this year is costing \$4,500 through an ACPE approved provider. No action was taken.

A discussion on Technician advancements was opened with Chief Compliance Officer Howard C Anderson, Jr, RPh providing a rule draft for consideration based on the last meeting, where the topic of involvement of technicians-in-training in a Tech-Check-Tech [TCT] process was discussed. Board Members enlisted the expertise of Technician Member Diane Halvorson, as well as received information and suggestions from Sanford Representative on their request on this topic. It was generally agreed to consider modifying the rule to allow technicians-in-training to be a "filler" but not a "checker" in the Tech-Check-Tech process. Board Members also considered changing the nomenclature, for a Technician to a "Licensed" Technician rather than "Registered" Technician and to also clarify language on educational and posting of certificates in Chapter 61-02-07.1 Pharmacy Technician. Chief Compliance Officer Anderson and Executive Director Hardy will make the suggested modifications and bring it to the next Board Meeting scheduled for September 2022.

The three Candidates for Exam arrived and were introduced to the Board Members:

- 1) Elizabeth N Emerson – SD State University Grad
- 2) Matthew R Freidel–U of Colorado Grad
- 2) Jessica A Weldon – University of MT

The candidates were assigned to separate offices to conduct their case review while the Board Members broke for lunch.

July 21, 2022 1906 East Broadway – Board Conference Room – Bismarck, ND Page 4

After lunch the Board Members conducted the remainder of the examinations. It was noted that all three candidates did pass.

Executive Director Hardy gave an update on PCMA vs Wehbi case, indicating that PCMA did not file an appeal to the US Supreme Court, so as we understand it, the case is done, and the State

largely prevailed. The Board Members expressed appreciation to all those involved in the successful conclusion of the case.

Executive Director Hardy handed out the schedule for the District V Meeting with the reminder that it is to be held on August 3-5, 2022 in Custer, South Dakota. Five Board Members indicated they would be in attendance.

Executive Director Hardy updated the Board on remodeling of the new office space, which is currently taking place. It is possible we could be able to meet there in September. However, he will keep the Board Members apprised of the moving date once it has been established.

Pharmacist Schmidt explained the modified Biennial Inventory Form, which will allow Inspectors / Compliance Officers to share with pharmacies that may be missing certain elements of the required documentation. This will be a sharable form that the Board of Pharmacy will furnish for Pharmacy and Compliance Officers use.

Pharmacist Tyler Lannoye rejoined the meeting and requested guidance on the appropriate education for Pharmacy Technicians to obtain the ability to assist Pharmacists in Immunization established by the Board's Rule *61-04-11-01(2)*. It was noted that there were a few accredited programs used by Pharmacy Technicians – most commonly, CE Impact, and they all offer hands on technician training. It was reported that there will be educational programs incorporated into the Pharmacy Technician Training Programs so that as the technician complete the educational program, they will have the training to implement this authority. The training needs to meet the standards in the rule.

Executive Director Hardy reviewed the various programs available on the NABP website and suggested we begin at this meeting with CPE Monitor, explaining the Board's utilization of this service as well as how it functions for our Pharmacists and Technicians.

It was moved by Technician Member Diane Halvorson and seconded by Pharmacist Tanya Schmidt to approve all legal actions of the Executive Director since this was last done. On vote by roll call, Pharmacist Tanya Schmidt -Aye- Public Member Ron Horner -Aye- Pharmacist Shane Wendel -Aye- Technician Diane Halvorson -Aye- Pharmacist Steve Irsfeld -Aye- Pharmacist Tyler Lannoye -Aye- Pharmacist Carolyn Bodell-Aye. The motion carried.

It was moved by Technician Member Diane Halvorson and seconded by Public Member Ron Horner to approve the financials as presented and journal entries made. On vote by roll call, Pharmacist Tanya Schmidt -Aye- Public Member Ron Horner -Aye- Pharmacist Shane Wendel -Aye- Technician Diane Halvorson -Aye- Pharmacist Steve Irsfeld -Aye- Pharmacist Tyler Lannoye -Aye- Pharmacist Carolyn Bodell-Aye. The motion carried.

July 21, 2022 1906 East Broadway – Board Conference Room – Bismarck, ND Page 5

President Irsfeld called for any further business, none was forthcoming, the Board meeting adjourned at 3:05 PM.

Member
Tyler G Lannoye, PharmD

Member
Shane R. Wendel, PharmD

Member
Carolyn R Bodell, RPh

Member
Tanya L Schmidt, PharmD

Public Member
Ron J Horner

Executive Director
Mark J. Hardy, PharmD