

AGENDA
March 15, 2018

Board of Pharmacy Office – 1906 E Broadway Ave - Bismarck, ND

Past President Shane Wendel, PharmD presiding at meeting

9:30 AM – Call to Order – recite Mission Statement **AGENDA**
Review and sign January 8-10, 2018 Board Minutes **MINUTES**

CE Credit Request - Nathan Leedahl, PharmD RPh5386
Society for Healthcare Epidemiology of America [SHEA]: Antimicrobial Stewardship
Sandra Offutt, RPh RPh4235 *Sanford Diabetes Symposium*

Add Class K Telepharmacy to permit: Phar955 Altru Specialty Center – Grand Forks
Jesse Lunde, PharmD

Remodeling/ Relocation: Wall's LTC Pharmacy Inc Phar961
Economy Drug in Mott Phar552
NDSU Concept pharmacy – Sudro Hall addition
First Care Health Center – Park River, ND

10:00 AM HEARING Teri Evers RPhTech1244

10:30 AM – Ross Martin Derozier Alves – Foreign Pharmacy Grad

11:00 AM ~~Tiara Jones RPhTech1454~~_____

Collaborative Agreement Stacy Belehar, PharmD Sanford Dialysis Fargo

12:00 Lunch Break

Legal update: PCMA -vs- Tufte (potential executive session)

Discussions: May 5-8, 2018 Meeting preparations
NABP Annual Meeting plans
USP 800
NC Dental Board vs FTC legislative study
NDSU PharmD Intern licensing update
Opioid Statement from ND Regulatory Boards *[draft]* **TAB 1**
Prescribing for Self / Family Member Statement *[draft update]* **TAB 2**
Take Back Program update

Year to date Financial Report - Budget comparisons **BUDGET TAB**

Investigative Committee

Presiding Past President Shane Wendel, PharmD called the meeting to order on Thursday March 15, 2018 at 9:35 AM in the Conference Room of the Board of Pharmacy Office, 1906 East Broadway in Bismarck, ND. Due to President Irsfeld's absence, Past President Shane Wendel presided over the meeting.

President Wendel 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.*

Present were: Past President Shane Wendel, Pharm D, Public Member Fran Gronberg - Tanya L. Schmidt, PharmD - Diane M. Halvorson, R.Ph. Tech, - Gayle D Ziegler, R.Ph. - Executive Director Mark J Hardy, PharmD, Howard C Anderson, Senior Compliance Officer and Board Attorney David Lindell.

Also present: PharmD Student Interns: Gina Trosen and Hannah Grotsun with the board Office; Stephanie Hoff with Board Member Wendel and Jamie Vander Vorste with the NDPhA office. Jesse Rue, PharmD, About the Patient Clinical Coordinator of NDPhA, Foreign Graduate Ross Martin Derozier Alves, and Teri Evers RPhTech1244.

Absent: Gary W. Dewhirst, R.Ph. and Steven P. Irsfeld, R.Ph.

It was moved by Public Member Fran Gronberg and seconded by Pharmacist Tanya Schmidt to approve the minutes of the January 8-10, 2018 meeting as printed. On vote by roll call: Pharmacist Ziegler – Aye, Technician Halvorson – Aye, Public Member Gronberg – Aye, Pharmacist Schmidt – Aye, Pharmacist Wendel – Aye Nays none – the motion carried.

It was moved by Technician Diane Halvorson and seconded by Pharmacist Gayle Ziegler to approve the agenda as presented above. On vote by roll call Pharmacist Ziegler – Aye, Technician Halvorson – Aye, Public Member Gronberg – Aye, Pharmacist Schmidt – Aye, Pharmacist Wendel – Aye. Nays none – the motion carried.

Executive Director Mark Hardy and Attorney Lindell met with Teri Evers, RPhTech 1244. They set up a meeting with a Pharm-Assist Committee Member, Michael Riepl, who came to the office and met with Ms. Evers. The Board agreed with her to consider a stipulation for the next board meeting. The Hearing was postponed and would be moved to the May 2018 Board Meeting.

At 10:10 AM Ross Martin Derozier Alves – Foreign Pharmacy Grad was present at the meeting. Acting President Wendel asked him to explain his request to the board. He stated he has a BS degree from the Federal University of São Paulo, Brazil. He has passed the Foreign Pharmacy Graduate Equivalent Exam, the Test of English As a Foreign Language and holds the commensurate certificate from NABP. He has secured employment with Thrifty White in Fargo and is seeking an Intern License.

It was moved by Pharmacist Gayle Ziegler and seconded by Public Member Fran Gronberg to grant an intern license to Ross Martin Derozier Alves and require him to obtain 1500 hours of internship before he will be eligible for the North Dakota and NABP examinations. On vote by roll call Pharmacist Ziegler – Aye, Technician Halvorson – Aye, Public Member Gronberg – Aye, Pharmacist Schmidt recused herself

as she is employed by Thrifty White, Pharmacist Wendel – Aye. Nays none – the motion carried.

Discussion of the addition of a Class K Telepharmacy permit for Phar955 Altru Specialty Center in Grand Forks was resolved by disclosure by Executive Director Hardy that their current permit includes the subclass K permit although it was not showing in the Board's database. They will be doing some different things which are still currently authorized under their permit, such as outreach to Altru satellites. A letter will be sent acknowledging this designation.

At 10:10 AM Michael Schwab, Executive Vice President of the ND Pharmacists Association [NDPhA] arrived and joined the meeting.

It was moved by Pharmacist Tanya Schmidt and seconded by Public Member Fran Gronberg to approve a request by Pharmacist Nathan Leedahl, ND RPh5386 12.5 continuing education hours for attendance at the Society for Healthcare Epidemiology of America: Antimicrobial Stewardship workshop in Chicago, IL November 15-16, 2017. On vote by roll call Pharmacist Ziegler disclosed that she also works for Sanford Health – Aye, Technician Halvorson – Aye, Public Member Gronberg – Aye, Pharmacist Schmidt – Aye, Pharmacist Wendel – Aye. Nays none – the motion carried.

It was moved by Technician Diane Halvorson and seconded by Pharmacist Tanya Schmidt to approve a request by Pharmacist Sandra Offutt, ND RPh4235 for 6 continuing education hours for attendance at a Sanford Diabetes Symposium. On vote by roll call Pharmacist Ziegler – Aye, Technician Halvorson – Aye, Public Member Gronberg – Aye, Pharmacist Schmidt – Aye, Pharmacist Wendel – Aye. Nays none – the motion carried.

It was moved by Public Member Fran Gronberg and seconded by Pharmacist Gayle Ziegler to approve the plans for the relocation of Wall's LTC Pharmacy Inc Phar961 at 1322 8th Ave South in Grand Forks . On vote by roll call Pharmacist Ziegler – Aye, Technician Halvorson – Aye, Public Member Gronberg – Aye, Pharmacist Schmidt – Aye, Pharmacist Wendel – Aye. Nays none – the motion carried.

It was moved by Pharmacist Tanya Schmidt and seconded by Technician Diane Halvorson to approve the plans and relocation of Economy Drug in Mott Phar552 from 216 Brown Ave to 118 East 2nd Street in Mott, ND. On vote by roll call Pharmacist Ziegler – Aye, Technician Halvorson – Aye, Public Member Gronberg – Aye, Pharmacist Schmidt – Aye, Pharmacist Wendel – Aye. Nays none – the motion carried.

Executive Director Hardy explained the answers to the questions the board asked the School of Pharmacy relative to the new Concept Pharmacy in the Sudro Hall expansion, after the January meeting. The access points to the anti-room are explained by the fire code requirements at the facility. An egress door is necessary although access will not be available from that door, when students are working in the area. The Concept Pharmacy will not be USP 797 and USP 800 compliant due to the high cost of installing primary engineering controls for air handling. Those areas will be used for teaching only.

It was moved by Public Member Fran Gronberg and seconded by Pharmacist Gayle Ziegler to approve the remodel plans for the NDSU School of Pharmacy Concept Pharmacy within the Sudro Hall expansion at NDSU for its intended purpose in educating pharmacy students. On vote by roll call Pharmacist Ziegler – Aye, Technician Halvorson – Aye, Public Member Gronberg – Aye, Pharmacist Schmidt – Aye, Pharmacist Wendel – Aye. Nays none – the motion carried.

It was moved by Pharmacist Tanya Schmidt and seconded by Technician Diane Halvorson to approve the new floor plans for the relocation of class B pharmacy permit Phar202 for the new USP 797 and USP 800 compliant pharmacy within the new First Care Health Center at 115 Vivian Street in Park River, ND. On vote by roll call Pharmacist Ziegler – Aye, Technician Halvorson – Aye, Public Member Gronberg – Aye, Pharmacist Schmidt – Aye, Pharmacist Wendel – Aye. Nays none – the motion carried.

It was moved by Pharmacist Tanya Schmidt and seconded by Public Member Fran Gronberg to approve the collaborative agreement submitted by Stacy Blehar, Pharm D for the pharmacists and practitioners at the Sanford Dialysis Center in Fargo. On vote by roll call Pharmacist Ziegler recused herself as she works for Sanford Health, Technician Halvorson – Aye, Public Member Gronberg – Aye, Pharmacist Schmidt – Aye, Pharmacist Wendel – Aye. Nays none – the motion carried.

Presiding Past President Shane Wendel asked Mike Schwab, Executive Vice President of the Pharmacist's Association to explain the plans for a potential cooperative project between the NDPhA, the Attorney General and the Board to provide information on naloxone availability from pharmacists, the take back program in ND and efforts to combat the narcotic epidemic. Mr. Schwab indicated there will be ads and public service announcements on these issues. The Board expressed a willingness to help in these efforts. He also reported the memorial service at the convention has been moved to just prior to the Saturday evening dinner.

Dr. Hardy gave an update on the PCMA vs Tuftes law suit explaining the state's response has been filed on behalf of the state, asking for the judge to issue a summary judgement in the case.

There was a long discussion of the NC Dental Board vs FTC study being done by the legislative interim rules committee. Board members recognize the need to take action to protect the public when pharmacies, wholesalers and DME suppliers are acting without licenses, especially when the public is at immediate risk. Individual licenses are a lesser concern as they occur less often. The referral of cases to local state attorneys could be a difficult proposition as they have many things on their plate from everyone's perspective.

The Board broke for a lunch of sandwiches brought into the office.

Dr. Hardy pointed out that the May meeting and exams will be May 21-23, 2018 in Fargo. Preparations for the exams are pretty much planned. Pharmacist Gary Dewhirst will be in attendance and if we have a new board member they will be working with Gary to learn the protocols for the wet lab.

Plans for the NABP annual meeting were discussed. Each board member is making their own registration and travel plans. We are waiting to see what students will be accompanying us for the poster presentations as the meeting is the week before exams. The registration for the student preceptors is comped by NABP.

Emails have been sent out to everyone asking for volunteers to serve on the USP 800 taskforce. Seventeen positive responses have been received and President Irsfeld will appoint 6 or 8 to the group in the near future. Executive Director Hardy will work with President Irsfeld on this task force.

Dr. Hardy explained that NABP has discontinued the PILAR program so students now license using our database. Some of the license numbers may have changed when the data was uploaded to our database. Gayle asked that a note be sent to pharmacies so they know to check for the new numbers when verifying intern licenses.

Dr. Hardy reviewed the Opioid Statement being developed jointly between the ND Boards of Medicine, Nursing and Pharmacy. Board members offered some suggestions saying they liked the bulleted presentation better than the long paragraph. A formal document will be presented for Board review and consideration once finalized.

Dr. Hardy also presented a draft update of the guidance for practitioners when prescribing for themselves or family members. The updates are stylistic and bring the documents to the current form.

An update of the takeback program reveals so far about 1500 pounds have been shipped back for destruction and much more located throughout the state will be sent back in partially filled containers which have not been replaced as yet.

There was some discussion about a law or rule change to allow pharmacists to decide whether a 90 day supply can be dispensed when 30 days plus refills have been written. Many states now allow this as third party payers insist upon it in some plans. Executive Director Hardy will check into what change may be needed.

Year to date financials with budget comparisons were reviewed. The legal costs associated with PCMA vs Tufte was suggested to be listed on a separate line in the financials.

It was moved by Technician Diane Halvorson and seconded by Pharmacist Tanya Schmidt to approve the financials as presented. On vote by roll call Pharmacist Ziegler - Aye, Technician Halvorson - Aye, Public Member Gronberg - Aye, Pharmacist Schmidt - Aye, Pharmacist Wendel - Aye. Nays none - the motion carried.

It was moved by Pharmacist Tanya Schmidt and seconded by Technician Diane Halvorson to adjourn. On vote by roll call Pharmacist Ziegler - Aye, Technician Halvorson - Aye, Public Member Gronberg - Aye, Pharmacist Schmidt - Aye, Pharmacist Wendel - Aye. Nays none - the motion carried.

Presiding Past President Shane Wendel, PharmD requested any further business, none forthcoming. He adjourned the meeting at 2:30 PM.

The Investigative Committee met to work on pending cases.

President
Steven P Irsfeld, RPh.

Gary W. Dewhirst, RPh.
Senior Member

Member
Diane M. Halvorson, RPhTech

Member
Gayle D. Ziegler, RPh.

Public Member
Fran Gronberg

Member
Shane R. Wendel, PharmD

Member
Tanya L Schmidt, PharmD

Executive Director
Mark J. Hardy, PharmD