

A G E N D A
March 16, 2023
NORTH DAKOTA STATE BOARD OF PHARMACY
1838 East Interstate Ave Suite D – Conference Room – Bismarck, ND
Zoom: <https://us02web.zoom.us/j/83475162981>

THURSDAY – MARCH 16, 2023

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

Recite: Mission Statement

Review and approval of agenda

Review and approval of Minutes of January 11-13, 2023

Minutes

Sign Pharmacist and RPhTech Original and Lifetime Licenses

10:00 AM McCall Zenker RPh5233 Stipulation and Settlement Agreement

Tab 1

11:00 AM Kyrsten Karsky RPh5861

Tab 2

11:30 AM **NDSU Change to Rotation Management System**

Teri Udem MS, RPh and Michael Kelsch, PharmD

CE Request: Mental Health Conference, February 3rd, 2023 - Michael Fisher

Tab 3

12:00 PM **LUNCH**

Discussion Items: Prepare for May 2023 Exams

Tab 4

NABP Annual Meeting – May 10-12, 2023 - Nashville TN

NAPT Request for Support for NABP Poster

Tab 5

Compounding – GFI 256 discussion

Tab 6

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

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President Steven Irsfeld, RPh called the Board Meeting to order at 9:30 AM on Thursday March 16, 2023.

Present in the Room were Executive Director Mark J Hardy, PharmD, Public Member Ron Horner; Howard C Anderson Jr, R.Ph and Attorney David A. Lindell, JD.

Present on Zoom: President Steven Irsfeld, RPh; Technician Member Diane Halvorson, RPhTech; Carolyn Bodell, RPh.; Shane Wendel, PharmD; Tyler Lannoye, PharmD. Also Present on Zoom was John Long, RPh representing CVS Health, P4 students from NDSU Brooklyn Vollmer and Elvis Jumkonda, on rotation with Board Members.

Absent: Pharmacist Tanya Schmidt, PharmD

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.*

It was moved by Pharmacist Shane Wendel and seconded by Technician Diane Halvorson to approve the Agenda with the addition of a legislative update and review of the 2021 audit report. On vote by roll call Public Member Ron Horner -Aye- Pharmacist Shane Wendel -Aye- Pharmacist Carolyn Bodell -Aye- Pharmacist Tyler Lannoye -Aye- Technician Diane Halvorson -Aye- Pharmacist Steve Irsfeld -Aye-. Nays none. The motion carried.

It was moved by Technician Diane Halvorson and seconded by Pharmacist Tyler Lannoye to approve the minutes of January 11-13, 2023 as printed. On vote by roll call Public Member Ron Horner -Aye- Pharmacist Shane Wendel -Aye- Pharmacist Carolyn Bodell -Aye- Pharmacist Tyler Lannoye -Aye- Technician Diane Halvorson -Aye- Pharmacist Steve Irsfeld -Aye-. Nays none. The motion carried.

No certificates were signed today as most of the Board Members were present on Zoom.

Executive Director Hardy reported that after interviewing the best two candidates from the application pool, Bonnie Balkowitsch was hired as the new Executive Assistant. Eileen Heidrich has announced her intention to retire soon.

Dr. Hardy reported on plans for the NABP Annual Meeting and asked how many Board Members planned to attend. There will be three poster presentations by NDSU students supported by the Board. Dr. Hardy asked for suggestions, options for who could represent the Board at the Hooding ceremony at NDSU, given the conflict in scheduling. If Board Member Tanya Schmidt was not available, past Board Member, Pharmacist Gayle Ziegler was suggested.

Dr. Hardy and Technician Diane Halvorson presented a request from NAPT to help support two students attendance and poster presentations at NABP's Meeting.

It was moved by Pharmacist Carolyn Bodell and seconded by Pharmacist Shane Wendel to allow up to \$1,000 to support NAPT's attendance at the NABP annual meeting. On vote by March 16, 2023 Board Office Meeting Room 1838 E Interstate Ave Bismarck Page 3

roll call Public Member Ron Horner -Aye- Pharmacist Shane Wendel -Aye- Pharmacist Carolyn Bodell -Aye- Pharmacist Tyler Lannoye -Aye- Technician Diane Halvorson -Aye- Pharmacist Steve Irsfeld -Aye-. Nays none. The motion carried.

At 10:00 AM McCall Zenker RPh5233, joined the Board Meeting via Zoom. Dr. Hardy gave the background of her case and Attorney David Lindell explained the stipulation and settlement

agreement she has signed. Many questions were asked of Dr. Zenker by the Board, and she responded to the Board Member questions. Dr Zenker admitted to taking a controlled substance for personal use without a prescription. Some of the Board Members were concerned that in her responses she deflected the blame to others. She has been very cooperative with the PharmAssist Committee and is committed to continuing to work with them to comply with her contract with the committee.

It was moved by Pharmacist Carolyn Bodell and seconded by Pharmacist Shane Wendel to approve the Stipulation and Settlement Agreement signed by McCall Zenker RPh5233. On vote by roll call Public Member Ron Horner -Aye- Pharmacist Shane Wendel -Aye- Pharmacist Carolyn Bodell -Aye- Pharmacist Tyler Lannoye -Aye- Technician Diane Halvorson -Aye- Pharmacist Steve Irsfeld -Aye-. Nays none. The motion carried.

At 10:35 AM the Board discussed preparation for the May exams. We will use the format from last May which seemed to work well. Pharmacist Tanya Schmidt and Dr. Hardy will select cases to be used at a later date.

At 10:55 AM Kyrsten Karsky RPh5861 joined the Board via Zoom. Dr. Hardy asked her to share her story with the Board. She had a DUI on a weekend in Minnesota. Her blood alcohol was 0.17 and she spent the weekend in jail, a very humbling experience, before she saw the judge on Monday morning. She has been evaluated by the PharmAssist Committee who thought it a bad judgment issue and not an addiction problem. She has been cooperative with the Committee and the Minnesota court.

It was moved by Technician Diane Halvorson and seconded by Pharmacist Carolyn Bodell to take no further action against the Pharmacist license of Kyrsten Karsky RPh5861 at this time. On vote by roll call Public Member Ron Horner -Aye- Pharmacist Shane Wendel -Aye- Pharmacist Carolyn Bodell -Aye- Pharmacist Tyler Lannoye -Aye- Technician Diane Halvorson -Aye- Pharmacist Steve Irsfeld -Aye-. Nays none. The motion carried.

The Board received a continuing education request from Pharmacist Michael Fisher RPh6452 for seven and one-half [7.5] hours for a Mental Health Conference he and others attended on February 3rd, 2023. The Board noted that the program has AMA and nursing credit approval.

It was moved by Pharmacist Shane Wendel and seconded by Public Member Ron Horner to grant seven and one-half [7.5] hours of CE credit for attendees of the Mental Health Conference as requested. On vote by roll call Public Member Ron Horner -Aye- Pharmacist Shane Wendel -Aye- Pharmacist Carolyn Bodell -Aye- Pharmacist Tyler Lannoye -Aye- Technician Diane Halvorson -Aye- Pharmacist Steve Irsfeld -Aye-. Nays none. The motion carried.

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Board Members reviewed the 2021 audit which Dr. Hardy had sent out with the meeting materials. The deficiencies resulting from our limited staff not allowing separation of duties in all cases continue and is overcome by Board Members taking an active role in reviewing invoices, bank statements and journal entries.

It was moved by Technician Diane Halvorson and seconded by Pharmacist Carolyn Bodell to approve the 2021 Audit Report as presented and to authorize Public Member Ron Horner to sign on behalf of the Board. On vote by roll call Public Member Ron Horner -Aye- Pharmacist Shane Wendel -Aye- Pharmacist Carolyn Bodell -Aye- Pharmacist Tyler Lannoye -

Aye- Technician Diane Halvorson -Aye- Pharmacist Steve Irsfeld -Aye-. Nays none. The motion carried.

Dr. Hardy presented a legislative update. It has been a very busy session for Pharmacy and for Boards in general. There is ongoing discussion on clinical administration of drugs, continuing education requirements and two bills have been converted to studies about how Boards function in general and how efficient they are in getting new and reciprocating licensees into practice in North Dakota. The Controlled Substance update bill is moving through with no problems.

At 11:30 AM the Board was joined via Zoom by Teri Udem MS, RPh. And Michael Kelsch, PharmD for a discussion on the changes to the NDSU rotation management system. They are moving away from e value to a product called CORE which is now being used by about 100 of the pharmacy schools. There will be some changes in the way student portfolios are made available to the Board. An extensive discussion followed about the utility of the current portfolio requirement. The Board Members stressed what they wanted to see was their reflection of each rotation and to include what the student thought was their best work on that rotation. PharmD Student Candidates Brooklyn Vollmer and Elvis Jumkonda shared their experiences during this rotation year. Dr. Kelsch and Udem will explore the best way to make available to the Board when reviewing the portfolios.

During Board Member reports, Technician Diane Halvorson asked about any rule changes planned for the USP Chapters, which will be finalized soon. Dr. Hardy responded that we would look at rule changes to account for the updated USP 797 and 795 Chapters.

Technician Diane Halvorson also requested an update on the NDSU Technician Training Program they had envisioned. Dr. Hardy responded saying, from his understanding it was still in the works, but was needing approval in higher education.

At this time Board Member Carolyn Bodell left the meeting.

It was moved by Technician Member Diane Halvorson and seconded by Pharmacist Shane Wendel to approve all the legal actions of the Executive Director. On vote by roll call of Members present: Public Member Ron Horner -Aye- Pharmacist Shane Wendel -Aye - Pharmacist Tyler Lannoye -Aye- Technician Diane Halvorson -Aye- Pharmacist Steve Irsfeld -Aye-. Nays none. The motion carried.

It was moved by Pharmacist Shane Wendel and seconded by Pharmacist Tyler Lannoye to approve the paid invoices and bank deposits, as reviewed in the financial disclosures. On vote by roll call of Members present: Public Member Ron Horner -Aye- Pharmacist Shane Wendel -
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Aye - Pharmacist Tyler Lannoye -Aye- Technician Diane Halvorson -Aye- Pharmacist Steve Irsfeld -Aye-. Nays none. The motion carried.

Dr. Hardy took the Board Members on a video tour of the new offices.

The Board broke for lunch at 12:20 PM.

At 1:05 the Board reconvened and was joined by Pharmacist Kevin Oberlander in the Board Office to discuss the impending challenges that will be caused by the FDA's Guidance for Industry #256 which addresses compounding of animal drugs or bulk substances. Pharmacist Oberlander and Pharmacist Irsfeld indicated that this will have a significant impact on their pharmacy compounding operations, given much of their compounding for animals is done from bulk components. They expressed their deep concern with the impacts from a safety perspective as well and the impacts

on their patients. Board members asked questions of both compounding pharmacists and appreciate their input.

President Irsfeld called for any further business. There being no further business forthcoming and the meeting was adjourned at 1:45 PM.

President
Steven P Irsfeld, RPh

Technician Member & Senior Member
Diane M. Halvorson, RPhTech

Member
Tyler G Lannoye, PharmD

Member
Tanya L Schmidt, PharmD

Member
Shane R. Wendel, PharmD

Public Member
Ron J Horner

Member
Carolyn R Bodell, RPh

Executive Director
Mark J. Hardy, PharmD