

A G E N D A

BOARD OF PHARMACY MEETING

MAY 18-19-20, 2020

Monday – May 18, 2020 5:00 PM via Zoom Videoconference
Zoom Meeting link - <https://us02web.zoom.us/j/82299723947>
Call in, if needed: +1 312 626 6799 US (Chicago)

Meeting ID: 822 9972 3947

5:00 PM - Call to Order – President Gayle Ziegler

Recite 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.

Review and Approval of Agenda

Review & Approval of Meeting Minutes of: March 19th, 2020

April 22, 2020 – Special Meeting

May 11th, 2020 – Special Videoconference

**** New Pharmacy** floor plans for My Pharmacy LLC in Costco store being built on the north edge of Bismarck. Ricardo Reyes, North Dakota RPh6203 will be the owner.

Meeting dates 2020-2021 fiscal year

Discussion items: Update on Board's actions on COVID pandemic
Update on PCMA vs Tuftes [potential Executive Session]
Inspection cycle 2020-2021 – Focuses and Direction

**** Updated FDA** Memorandum of Understanding release

Budget and Financials

Executive Director Contract

Consider Approval of the actions of the Executive Director

Election of President for the July 1, 2020 – June 30, 2021 year

Make final preparations for tomorrow's exams

Review Intern Portfolios 52 [6 Out-of-State PharmD Candidates]

Review Candidate Files = 58

Appoint Audit Committee and representative for PDMP Advisory Board

Investigational Committee case reviews

Tuesday MAY 19TH 2020 Examination Schedule Zoom Videoconference
8:00 AM **ALL CANDIDATES** <https://us02web.zoom.us/j/83493438231>
Roll Call and Orientation

Sterile Compounding Video / Case
Non-Sterile Compounding Case
Errors and Omissions

9:30 AM – 2:00 PM Patient Cases

Central Room - <https://us02web.zoom.us/j/83493438231>

Room A - <https://us02web.zoom.us/j/83305041781>

Room B - <https://us02web.zoom.us/j/85978194984>

Room C - <https://us02web.zoom.us/j/82856712649>

Room D - <https://us02web.zoom.us/j/85674388080>

Room E - <https://us02web.zoom.us/j/86144148585>

Wednesday MAY 20th 2020

8:30 AM – 4:30 PM Oral Examinations

Room 1 - <https://us02web.zoom.us/j/87422061717>

Room 2 - <https://us02web.zoom.us/j/81329428637>

Room 3 - <https://us02web.zoom.us/j/81295301051>

Board to reconvene after exam in Room 1 - <https://us02web.zoom.us/j/87422061717>

Final Scoring of Exams

Other Business

Complete Vouchers

Adjournment

BOARD OF PHARMACY MEETING

Zoom Video Conference

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5:00 PM – The meeting was called to Order via Zoom Conference by President Gayle Ziegler

Present on the call were: Technician Member Diane Halvorson, Pharmacist Tanya Schmidt, Pharmacist Steve Irsfeld, Public Member Fran Gronberg and Pharmacist Gayle Ziegler. Also present were Mark Hardy, PharmD, Executive Director, Treasurer and Chief Compliance Officer, Howard C. Anderson Jr, RPh, Special Assistant Attorney General David A. Lindell, Kathy Zahn, RPhTech and Dennis Pathroff, JD representing Prime Therapeutics.

Pharmacist Shane Wendel and Pharmacist Tyler Lannoye were not present at the start of the meeting.

President Ziegler recited 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 Public Member Fran Gronberg and seconded by Pharmacist Tanya Schmidt to approve the agenda with the addition of the review of plans for a new pharmacy in the Costco store being built on the north edge of Bismarck. Recently licensed, as of today, Pharmacist Ricardo Reyes,

North Dakota RPh6203 will be the owner. Also, an addition to the discussion items of a new Memorandum of Understanding (MOU) with the Food and Drug Administration (FDA), related to compounding pharmacies. On vote by roll call: Public Member Fran Gronberg-Aye- Technician Diane Halvorson -Aye- Pharmacist Tanya Schmidt -Aye- Pharmacist Steve Irsfeld -aye- Pharmacist Gayle Ziegler -Aye- Nays none. The motion carried.

It was moved by Pharmacist Steve Irsfeld and seconded by Technician Diane Halvorson to approve the minutes of March 19th, 2020 with a correction showing technician Diane Halvorson left the meeting on page five of the minutes, not on both page 4 and 5 as printed. On vote by roll call: Public Member Fran Gronberg-Aye- Technician Diane Halvorson -Aye- Pharmacist Tanya Schmidt -Aye- Pharmacist Steve Irsfeld -aye- Pharmacist Gayle Ziegler -Aye- Nays none. The motion carried.

It was moved by Pharmacist Steve Irsfeld and seconded by Pharmacist Tanya Schmidt to approve the minutes of the special meeting held April 22, 2020 as printed. On a voice vote all present voted Aye, the motion carried.

It was moved by Technician Diane Halvorson and seconded by Pharmacist Steve Irsfeld to approve the minutes of the special videoconference meeting held May 11, 2020 as printed. On a voice vote all present voted Aye, the motion carried.

Dr. Hardy showed the plans for My Pharmacy LLC a new pharmacy to be owned by Ricardo Reyes ND RPh6203 by sharing his screen on the Zoom platform.

It was moved by Pharmacist Tanya Schmidt and seconded by Pharmacist Steve Irsfeld to consider the floor plans presented for My Pharmacy, LLC to be located within the new Costco store being built on the north edge of Bismarck, approvable. Ricardo Reyes RPh6203 will be the owner. The approval is contingent on the office receiving an acceptable lease, affidavit of stock ownership and application for pharmacy permit with the appropriate fee. On vote by roll call: Public Member Fran Gronberg-Aye- Technician Diane Halvorson -Aye- Pharmacist Tanya Schmidt -Aye- Pharmacist Steve Irsfeld -aye- Pharmacist Gayle Ziegler -Aye- Nays none. The motion carried.

Pharmacist Tyler Lannoye arrived on the call.

Meeting dates for the 2020-2021 fiscal year were discussed.

2021

EXAMS

January 4-5-6 <u>13-14-15</u> , 2021	Wingate by Wyndam	Fargo, ND	If Requested
March 18, 2021	Board Office	Bismarck, ND	If Requested
NABP is May <u>13-14</u> , 2021	Phoenix AZ		No Exams
<u>NDSU Graduation</u> is May 14 th 2021			
May 17-19, 2021	Wingate by Wyndam	Fargo, ND	May 18- 19 , 2021
July 15 , 2021	Board Office	Bismarck	If Requested
<i>District V August , 2021</i>	?		No Exams
September 16, 2021	Board Office	Bismarck	If Requested
November 18, 2021	Board Office	Bismarck	If Requested

It was moved by Public Member Fran Gronberg and seconded by Pharmacist Tanya Schmidt to approve the suggested meeting dates with the January 2021 meeting changed to January 13, 14 and 15. On vote by roll call: Public Member Fran Gronberg-Aye- Technician Diane Halvorson -Aye-

Pharmacist Tanya Schmidt -Aye- Pharmacist Steve Irsfeld -aye- Pharmacist Tyler Lannoye -Aye- Pharmacist Gayle Ziegler -Aye- Nays none. The motion carried.

Pharmacist Shane Wendel arrived on the call.

Dr. Hardy updated the Board on actions taken in response to the COVID-19 pandemic. A telepharmacy set up has been ordered and is in the board office if needed. Pharmacists have been approved to perform testing for Covid 19. There followed a discussion about the various tests available and which are used in pharmacy settings. Protection of personnel and other patients limits the venue for some of this activity.

Dr. Hardy updated the board on PCMA vs Tufte. The suit is sitting on the docket at the 8th circuit, most likely pending the outcome of the Supreme Court review of the Arkansas case.

Discussion followed on the Inspection cycle 2020-2021 –Board Members felt since we have not discussed focuses and directions with the Compliance Officers, combined with the uncertainty of the Covid 19 pandemic making it risky to send Compliance Officers into stores to conduct inspections unnecessarily, it was agreed to wait until the July meeting to discuss this further.

Dr. Hardy reported the FDA called just one hour before the meeting and discussed a potential MOU with Boards of Pharmacies concerning interstate movement of compounded prescriptions. The suggested MOU would be an information sharing with our Board and FDA and would then allow more than 5% of a compounding pharmacy's sales to be distributed to other state locations. Pharmacist Steve Irsfeld said he and his compounding counterparts had concerns about a 5% cap, especially on the ND-MN border. Therefore, he suggested we take a close look and lean toward signing such an MOU.

Dr. Hardy reviewed and answered questions related to the financials and year to date comparisons with the current budget.

It was moved by Pharmacist Tanya Schmidt and seconded by Pharmacist Shane Wendel to approve the financials as presented. On vote by roll call: Public Member Fran Gronberg-Aye- Technician Diane Halvorson -Aye- Pharmacist Tanya Schmidt -Aye- Pharmacist Steve Irsfeld -aye- Pharmacist Tyler Lannoye -Aye- Pharmacist Shane Wendel -Aye- Pharmacist Gayle Ziegler -Aye- Nays none. The motion carried.

Dr. Hardy presented the 2010-2021 proposed budget. Significant changes were the decline in expected interest receipts, a decline to \$125,000 in the amount set aside for the PCMA vs Tufte case, the cost projected for reworking the web site and the PDMP contracting possibilities. Dr. Hardy indicated he hoped to get the office remodeling done to accommodate a larger conference room space for Board Meetings, but would bring that as a budget modification once costs were better determined.

It was moved by Public Member Fran Gronberg and seconded by Technician Diane Halvorson to approve the 2020-2021 budget as presented. On vote by roll call: Public Member Fran Gronberg-Aye- Technician Diane Halvorson -Aye- Pharmacist Tanya Schmidt -Aye- Pharmacist Steve Irsfeld -aye- Pharmacist Tyler Lannoye -Aye- Pharmacist Shane Wendel -Aye- Pharmacist Gayle Ziegler -Aye- Nays none. The motion carried.

It was moved by Technician Diane Halvorson and seconded by Pharmacist Steve Irsfeld to approve the contract for Executive Director Mark Hardy, PharmD as presented. On vote by roll call: Public Member Fran Gronberg-Aye- Technician Diane Halvorson -Aye- Pharmacist Tanya Schmidt -Aye- Pharmacist Steve Irsfeld -aye- Pharmacist Tyler Lannoye -Aye- Pharmacist Shane Wendel -Aye- Pharmacist Gayle Ziegler -Aye- Nays none. The motion carried.

It was moved by Public Member Fran Gronberg and seconded by Technician Diane Halvorson to approve all of the legal actions of the Executive Director since this was last done. On vote by roll call: Public Member Fran Gronberg-Aye- Technician Diane Halvorson -Aye- Pharmacist Tanya Schmidt –

Aye- Pharmacist Steve Irsfeld -aye- Pharmacist Tyler Lannoye -Aye- Pharmacist Shane Wendel -Aye- Pharmacist Gayle Ziegler -Aye- Nays none. The motion carried.

Fran Gronberg nominated Gayle Ziegler for President of the board for the July 1, 2020-June 30, 2021 year. Steve Irsfeld seconded the nomination. Technician Diane Halvorson moved we suspend the rules and cast a unanimous ballot for Gayle Ziegler. The motion was seconded by Pharmacist Steve Irsfeld. On vote by roll call: Public Member Fran Gronberg-Aye- Technician Diane Halvorson -Aye- Pharmacist Tanya Schmidt -Aye- Pharmacist Steve Irsfeld -aye- Pharmacist Tyler Lannoye -Aye- Pharmacist Shane Wendel -Aye- Pharmacist Gayle Ziegler abstained. Nays none. The motion carried.

President Ziegler appointed Board Members Shane Wendel and Fran Gronberg to the audit committee.

President Ziegler appointed Board Member Tyler Lannoye to represent the Board on the Prescription Drug Monitoring Program advisory committee.

Final preparations for tomorrows exams were discussed and made. Dr. Hardy demonstrated how the Zoom and SurveyMonkey tools will work and minor adjustments were made in the time allotments for the various parts of the exam. Assignments for the oral portion on Wednesday were discussed and finalized.

There are 52 NDSU graduates and [6 Out-of-State PharmD Candidates] for a total of 58 candidates taking the exam.

There was no review of Investigational Committee cases.

President Ziegler recessed the meeting at 7:30 PM until 8:00 AM tomorrow, May 19th.

At 8:00 AM all Board Members joined the Zoom meeting. Introductions were made and the 58 candidates all answered “here” for the roll call.

Dr. Hardy welcomed everyone and reviewed the protocols for the exam.

Board members spent the day administering the Errors and Omissions, the Sterile Compounding, the Non-Sterile Compounding and the Patient Case scenarios to the candidates.

The meeting was recessed at 3:00 PM

The Board was called back to order at 8:30 AM on May 20th and spent the day administering the Oral Exams to the 58 candidates.

At 4:30 PM the Board reconvened to review the scores and determined that all candidates passed the exam.

Discussion followed on the procedure to be used next year and lessons learned from this year's candidates.

President Ziegler adjourned the meeting at 5:00 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