

**A G E N D A - November 17, 2022**  
NORTH DAKOTA STATE BOARD OF PHARMACY  
1906 East Broadway – Conference Room – Bismarck, ND

<https://us02web.zoom.us/j/83090157840>

**THURSDAY – November 17, 2022**

**AGENDA**

**10:00 AM**    CALL TO ORDER – Steven Irsfeld, President

***Recite: Mission Statement***

Review and approval of agenda

Review and approval of Minutes of September 15, 2022

**Minutes**

Sign Pharmacist and RPhTech Original Licenses

**10:30 AM**    Brayden Trontvet – RPh6231 - Reinstatement Request

**Tab 1**

**Discussion Items:**    Rule Revisions

**Tab 2**

11:30 AM                      Office Relocation  
                                    Attorney General Board Training Seminar  
                                    Legislative session  
                                    NABP – NAPLEX Error  
                                    NABP Program Review

***Hand Out***                      Technician Survey and National Advocacy

**12:00 PM**    **LUNCH**

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 10:00 AM on Thursday November 17, 2022.

**Present in the Room** were Executive Director Mark J Hardy, PharmD, Public Member Ron Horner; Shane Wendel, PharmD; and Attorney David A. Lindell, JD.

**Present on Zoom** were Board Members: Steven Irsfeld, RPh; Technician Member Diane Halvorson, RPhTech; Tanya Schmidt, PharmD; Carolyn Bodell, RPh. Also present via Zoom were PharmD Candidate Samantha Tomberlin on rotation with Board Member Shane Wendel and Jessica Adams representing Cardinal Health.

**Absent:** Tyler Lannoye, 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 Tanya Schmidt and seconded by Technician Member Diane Halvorson to approve the agenda with the additions, by request of Technician Member Halvorson, of the Technician Survey/Advocacy, an update on Inspection progress, questions from Inspector Gayle Ziegler and by request of President Irsfeld compounding issues. On vote by roll call Public Member Ron Horner -Aye- Pharmacist Shane Wendel -Aye- Pharmacist Tanya Schmidt -Aye- Technician Member Diane Halvorson -Aye- Pharmacist Carolyn Bodell -Aye- Pharmacist Steve Irsfeld -Aye- Nays none. The motion carried.**

**It was moved by Pharmacist Shane Wendel and seconded by Pharmacist Tanya Schmidt to approve the minutes of the September 15, 2022 meeting as distributed. On vote by roll call Public Member Ron Horner -Aye- Pharmacist Shane Wendel -Aye- Pharmacist Tanya Schmidt -Aye- Technician Member Diane Halvorson -Aye- Pharmacist Carolyn Bodell -Aye- Pharmacist Steve Irsfeld -Aye- Nays none. The motion carried and the Minutes approved.**

Dr. Hardy reported on the move to our new office. It appears construction will be completed, and we plan to move sometime in December. All the furniture items we no longer need or want, have been submitted to the state surplus property department. They want only the mechanical chair lift we had installed in the stair well and will send someone to retrieve it. We will dispose of the other items or leave them behind. We will hire a moving company to move the things we want at the new office and our faithful vendor, Fireside, will move some desks and technology items.

Attorney Dave Lindell and Howard Anderson reported on attendance at the Attorney General's Board Training Seminar. Tag Anderson of the risk management office had suggestions for leases and insurance for the new office which Dr. Hardy has implemented in the new lease.

Dr. Hardy commented on the upcoming legislative session. We will have the usual updates to the controlled substance act. With many new legislators and some bills planned for board governance it looks to be a busy session. The thought of converting technicians' registration to a licensure, will be prepared but may not put forth as a separate bill.

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Dr. Hardy reported on the progress of inspections, with about 70 of the 270 total pharmacies left to be done. Compliance Officer Dennis DelaBarre has completed his assigned pharmacies. Technician Member Diane Halvorson brought two items on behalf of Inspector Gayle Ziegler, RPh. She asked about the counseling done through a stapled shut paper bag. Pharmacist Tanya Schmidt said it should be instructed pharmacists or technicians open the bag when addressing the customer. The second issue was whether we intend to make some indication on the Technician Registration if they are

immunization certified. Dr. Hardy explained we are expecting the pharmacist with whom the technician is working to ensure compliance. Board Members agreed that to be the best, instead of a separate process to be required.

President Irsfeld asked for the Compliance Officers / Inspectors to be invited to the January meeting and we will get a full report once the inspections are completed. Also, we can plan for the 2023 Inspection cycle.

Pharmacist Steve Irsfeld brought up the issue of the FDA telling pharmacies they could no longer use desiccated thyroid in compounding as the products are considered biological drugs. Pharmacist Irsfeld will continue to follow this and report back. He also spoke about the pending adoption of the USP 800, hazardous substance requirements which seem to be a good improvement.

At 10:30 AM Brayden Trontvet, Pharm D. RPh6231 joined by Zoom along with Tim Carlson RPh of the PharmAssist Committee to support Dr. Trontvet's reinstatement request. Dr. Hardy reviewed the original order with Dr. Trontvet and then asked him to speak to the board. He has been doing well, is under contract with the PharmAssist Committee and is in very good compliance. He is ready to go back to work under whatever restrictions the board requires. Tim Carlson supported his application saying he is fully cooperative, in a place of rigorous honesty and ready to go back to work.

**It was moved by Pharmacist Shane Wendel and seconded by Technician Member Diane Halvorson to modify his Order and approve the license reinstatement of Braden Trontvet, Pharm D. RPh 6231 with the restriction that his employer do monthly inventories of narcotic drugs and that he reports back to the Board in 6 months [May 2023 Meeting] along with PharmAssist Member Tim Carlson. On vote by roll call Public Member Ron Horner -Aye- Pharmacist Shane Wendel -Aye- Pharmacist Tanya Schmidt -Aye- Technician Member Diane Halvorson -Aye- Pharmacist Carolyn Bodell -Aye- Pharmacist Steve Irsfeld -Aye- Nays none. The motion carried.**

Bill Cover, R.Ph., the NABP Associate Executive Director of State Pharmacy Affairs joined the board via Zoom. He explained the recent NAPLEX scoring error involving some software calculations resulting in failing scores which were not accurate. This affected only one North Dakota Candidate who has been contacted and the issue resolved satisfactorily. Pharmacist Cover then provided a slide presentation explaining the many accreditation and inspection programs offered by NABP.

NABP does have a new Verify Program to assist states and pharmacists wishing to work in various states for non-dispensing purposes. This seemed to be a program the Board may look at further leveraging.

Dr. Hardy discussed some possible rule revisions. We may need to expand the rule allowing pharmacists to prescribe naloxone as new narcotic reversal agents are being approved and should be **November 17, 2022 1906 East Broadway - Board Conference Room - Bismarck, ND Page 4**

included in the authority. The law is broad and includes about narcotic reversal agents in general.

The State of Michigan has adopted a rule allowing licensure of Canadian graduates and Howard has prepared a similar rule for us. The concept of this was discussed and implication of how this could impact need in North Dakota. We will discuss the implications with NABP and consider this at the January meeting.

Technician Member Diane Halvorson reviewed the results of the recent Technician Survey, asked the board members to review it in more detail and we will discuss it further as part of the January meeting agenda.

Technician Member Diane Halvorson also reviewed three resolutions in rough draft form her peer Technician Board Members are thinking about submitting to NABP in the spring. They may need Boards to help as NABP is checking on whether the technician group can submit resolutions or if they need to come through a NABP Board Member.

President Irsfeld asked Board Members if they had any reports. Each Member indicated their concerns have been discussed along with previous business items.

Dr. Hardy reported he has been traveling to National Meetings of FDA, NABP and ASPL. The year 2023 looks to be a busy year.

**It was moved by Technician Member Diane Halvorson and seconded by Pharmacist Tanya Schmidt to approve all legal actions of the Executive Director. On vote by roll call Public Member Ron Horner -Aye- Pharmacist Shane Wendel -Aye- Pharmacist Tanya Schmidt -Aye- Technician Member Diane Halvorson -Aye- Pharmacist Carolyn Bodell -Aye- Pharmacist Steve Irsfeld -Aye- Nays none. The motion carried.**

**It was moved by Technician Member Diane Halvorson and seconded by Public Member Ron Horner to approve the year-to-date financials as presented and reviewed by Dr. Hardy. It was noted there were no journal entries made since the last meeting. On vote by roll call Public Member Ron Horner -Aye- Pharmacist Shane Wendel -Aye- Technician Member Diane Halvorson -Aye- Pharmacist Carolyn Bodell -Aye- Pharmacist Steve Irsfeld -Aye- Nays none. The motion carried.**

President Irsfeld invited board members to tune into his podcast found on his website.

President Irsfeld called for any further business, none was forthcoming, the Board meeting adjourned at 1:50 PM.

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President  
Steven P Irsfeld, RPh

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Technician Member & Senior Member  
Diane M. Halvorson, RPhTech

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Member  
Tyler G Lannoye, PharmD

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Member  
Tanya L Schmidt, PharmD

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Member  
Shane R. Wendel, PharmD

Public Member  
Ron J Horner

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Member  
Carolyn R Bodell, RPh

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Executive Director  
Mark J. Hardy, PharmD