

A G E N D A - November 16, 2023
NORTH DAKOTA STATE BOARD OF PHARMACY
1838 E Interstate Ave- Conference Room – Bismarck, ND

THURSDAY – November 16, 2023

10:00 AM CALL TO ORDER – Shane Wendel, President

Recite: Mission Statement

Review and approval of agenda

AGENDA

Review and approval of Minutes of September 21, 2023

MINUTES

10:00 AM Gateway Pharmacy #6 New Pharmacy Application

10:30 AM Sanford Medical Center Pharmacy, Fargo Remodel (Phar315)

TAB 1

11:00 AM Request Thrifty White Hettinger, Amanda Stippich (Tech1984)

TAB 2

Discussion Items:

- Update on Administrative Rule Changes
- 2023 Inspections
- 2021-2022 Audit
- Long Term Care Emergency Prescription Pilot
- Carolyn- NABP Member Forum
- Tech in Training Online Application
- Stipulation & Settlement Agreement

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

Vouchers – Adjourn

President Shane Wendel, PharmD called the Board Meeting to order at 10:06 AM on Thursday November 16, 2023.

Present in the Room were Executive Director Mark J Hardy, PharmD, President Shane Wendel, PharmD, Technician Member Diane Halvorson, RPhTech; Carolyn Bodell, RPh. Public Member Ron Horner; Tyler Lannoye, PharmD and Steven Irsfeld, RPh. Also present was Whitney Thomas, an intern working with Pharmacist Shane Wendel.

Present on Zoom: Tanya Schmidt, PharmD, Howard C Anderson Jr RPh and Pharmacist Jeff Shorten of Thrfty White.

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.*

It was moved by Technician Diane Halvorson and seconded by Pharmacist Carolyn Bodell to approve the agenda with the additions of discussion on the Tech in Training online application, Carolyn -NABP Member Forum and a consideration of a stipulated settlement agreement. On vote by roll call Technician Diane Halvorson -Aye- Pharmacist Steve Irsfeld -Aye- Public Member Ron Horner -Aye- Pharmacist Tyler Lannoye -Aye- Pharmacist Carolyn Bodell -Aye- Pharmacist Tanya Schmidt -Aye- and Pharmacist Shane Wendel -Aye-. The motion carried.

It was moved by Pharmacist Tanya Schmidt and seconded by Pharmacist Steve Irsfeld to approve the Minutes of the September 21, 2023 meeting as printed. On vote by roll call Technician Diane Halvorson -Aye- Pharmacist Steve Irsfeld -Aye- Public Member Ron Horner -Aye- Pharmacist Tyler Lannoye -Aye- Pharmacist Carolyn Bodell -Aye- Pharmacist Tanya Schmidt -Aye- and Pharmacist Shane Wendel -Aye-. The motion carried.

At 10:20AM Nano Stiffarm, a P4 intern from Montana, doing a rotation with Dr. Lannoye at Belcourt -IHS, joined the meeting via Zoom.

Briana Fluhrer, PharmD-Gateway Pharmacy joined the board to discuss the plans for their Central Fill site at 1838 E Interstate Ave Suite C. to serve their four locations in Bismarck-Mandan. Board members asked many operational questions, all answered by Dr. Fluhrer. They plan to roll out the service gradually by adding one of their pharmacies per month. It was suggested by Pharmacist Tanya Schmidt that the board visit the operation during the March 2024 board meeting.

It was moved by Pharmacist Steve Irsfeld and seconded by Technician Diane Halvorson to approve the application and plans for Gateway Pharmacy #6 at 1838 E Interstate Ave Suite C. On vote by roll call Technician Diane Halvorson -Aye- Pharmacist Steve Irsfeld -Aye- Public Member Ron Horner -Aye- Pharmacist Tyler Lannoye -Aye- Pharmacist Carolyn Bodell -Aye- Pharmacist Tanya Schmidt -Aye- and Pharmacist Shane Wendel -Aye-. The motion carried.

There being time before the next agenda item in December, Dr. Hardy reported on the pending Administrative Rule changes. The Attorney General has approved them as to legality. They will need to go before the Administrative Rules Committee, but everything is on track for them to be effective as of January 1, 2024.

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At 10:30 AM Pharmacists Jocelyn Mohs and Melissa Highness joined the Board via Zoom to discuss the remodeling project proposed for Sanford Medical Center Pharmacy Phar315, at 5225 23rd Ave South in Fargo. There are plans to move the home infusion and sterile compounding services from the Broadway Pharmacy location to the new campus. Questions were asked and addressed about the USP 797 compounding standards compliance in the designs.

It was moved by Pharmacist Carolyn Bodell and seconded by Pharmacist Tyler Lannoye to approve the plans for remodeling the Sanford Medical Center Pharmacy at 5225 23rd Ave South, Fargo, ND. On vote by roll call Pharmacist Steve Irsfeld -Aye- Public Member Ron Horner -Aye- Pharmacist Tyler Lannoye -Aye- Pharmacist Carolyn Bodell -Aye- Pharmacist Tanya Schmidt -Aye- and Pharmacist Shane Wendel -Aye-. Technician Diane Halvorson abstained due to her employment at the pharmacy. The motion carried.

Dr. Hardy reported the inspectors have made good progress. All are done except about 25 that Pharmacist Rick Detwiller has left. He should finish in a week or two. They have discussed the Drug Supply Chain Security Act to be sure pharmacies are thinking about it and planning their compliance. No major issues have surfaced yet. Board members discussed moving the inspection into the spring given fall is the time of year when pharmacies are busy with RSV, flu and Medicare Part D enrollments. Retailers are also getting ready for the holidays.

Board members reviewed the auditor's report for the 2021-2022 fiscal year.

It was moved by Pharmacist Steve Irsfeld and seconded by Technician Diane Halvorson to accept and approve the auditor's report for the 2021-2022 fiscal year. On vote by roll call Technician Diane Halvorson -Aye- Pharmacist Steve Irsfeld -Aye- Public Member Ron Horner -Aye- Pharmacist Tyler Lannoye -Aye- Pharmacist Carolyn Bodell -Aye- Pharmacist Tanya Schmidt -Aye- and Pharmacist Shane Wendel -Aye-. The motion carried.

At 11:00 AM Pharmacist Carol Cornelius presented the request from Thrifty White #055 in Hettinger, ND, to use Amanda Stippich, Tech1984 who has been registered since June 2023, as a telepharmacy technician. She began her technician-in-training registration in July of 2022. Pharmacist Carol Cornelius works with her daily and supported that she is ready to assume the role and work by herself via Telepharmacy during the few hours (mostly Saturday) that the pharmacy operates as a Telepharmacy.

It was moved by Technician Diane Halvorson and seconded by Pharmacist Carolyn Bodell to approve the request to allow Amanda Stippich Tech1984 to work alone as a telepharmacy technician for Thrifty White Pharmacy #055 in Hettinger, ND. Pharmacist Tanya Schmidt disclosed that she works for Thrifty White. On vote by roll call Technician Diane Halvorson -Aye- Pharmacist Steve Irsfeld -Aye- Public Member Ron Horner -Aye- Pharmacist Tyler Lannoye -Aye- Pharmacist Carolyn Bodell -Aye- Pharmacist Tanya Schmidt -Aye- and Pharmacist Shane Wendel -Aye-. The motion carried.

Pharmacist Jeff Shorten was invited to join the conversation about the pilot project to utilize Registered Pharmacy Technicians supervised by a pharmacist via computer, audio, and video to enter a ND licensed pharmacy and prepare medication to be delivered to a Long-Term Care facility to be administered by their staff after hours. Dr. Hardy and Pharmacist Steve Irsfeld have each received contacts and phone calls from pharmacists in Dickinson and Grand Forks concerned about the pilot. Concerns highlighted a competitive advantage it might give specific pharmacies in seeking and servicing nursing home patients. Dr. Hardy explained that any pharmacy can use the model even

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connecting from home to supervise the technician or agreeing to work together to provide emergency service on a rotating basis.

President Wendel stated he felt our goal was to ensure the best patient care coupled with consistency in the Board's rules. Dr Hardy articulated that given concerns from the regulated community, he recommends that a rule change would be needed if the Board desires to proceed on the model of care. Board members will look forward to the findings presented at the January meeting and will certainly welcome those offering concerns as well as further perspectives from individuals interested.

The Board broke for lunch at noon. Pharmacist Tanya Schmidt had an appointment and left the meeting. The Board returned at 12:45 for board member reports.

Pharmacist Carolyn Bodell is attending an NABP Member Forum and has been asked to serve on a panel about telepharmacy, the uses of technicians and technology. She asked for help from other board members more familiar with those issues. Board members uttered such various discussion points for her consideration.

Dr. Hardy talked about the office's efforts to get applications online such as the technician-in-training application. Other applications online can help the staff interpret handwriting and speed up the process for some license and registration activities. Board members agreed this to be worthy of moving forward, if practical.

Pharmacist Shane Wendel addressed the law exam, declining pass rates and efforts by some states to discontinue using it. A universal law exam is being considered by NABP as an option to states.

Dr. Hardy reviewed the signed stipulation for Patrick Delvo along with the complaint & detail of the investigation.

It was moved by Pharmacist Steve Irsfeld and seconded by Technician Diane Halvorson to approve the signed stipulation with Patrick Delvo R.Ph. On vote by roll call Technician Diane Halvorson -Aye- Pharmacist Steve Irsfeld -Aye- Public Member Ron Horner -Aye- Pharmacist Tyler Lannoye -Aye- Pharmacist Carolyn Bodell -Aye- and Pharmacist Shane Wendel -Aye-. The motion carried.

Technician Diane Halvorson reported she served as a chair for a NABP task force last week. Pharmacist Shane Wendel reported on the NABP Executive Office and Legal Forum held recently. One day of the meeting was devoted to each group and they also met together to network and share ideas.

Dr. Hardy reported on the recent American Society of Pharmacy Law (ASPL) seminar.

Pharmacist Steve Irsfeld discussed the recent high utilization levels of the diabetic drugs being used for weight loss and concerns he has. Pharmacist Tyler Lannoye echoed some of the concerns and questioned if the long-term consequences to the budget and patient health could be reconciled.

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

It was moved by Pharmacist Steve Irsfeld and seconded by Public Member Ron Horner to approve the financials as presented. On vote by roll call Technician Diane Halvorson -Aye- November 16, 2023 Board Office-1838 E Interstate Ave Suite D—Conference Room—Bismarck, ND Page 5

Pharmacist Steve Irsfeld -Aye- Public Member Ron Horner -Aye- Pharmacist Tyler Lannoye -Aye- Pharmacist Carolyn Bodell -Aye- and Pharmacist Shane Wendel -Aye-. The motion carried.

It was moved seconded and carried to adjourn. President Wendel adjourned the meeting at 1:25 PM.

President
Shane R. Wendel, PharmD

Member
Tyler G Lannoye, PharmD

Member
Steven P Irsfeld, RPh

Member
Carolyn R Bodell, RPh

Technician & Senior Member
Diane M. Halvorson, RPhTech

Member
Tanya L Schmidt, PharmD

Public Member
Ron J Horner

Executive Director
Mark J. Hardy, PharmD