

A G E N D A - September 15, 2022
NORTH DAKOTA STATE BOARD OF PHARMACY
1906 East Broadway – Conference Room – Bismarck, ND

Join Zoom Meeting: <https://us02web.zoom.us/j/85498411223>

THURSDAY – September 15, 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 July 21, 2022
Sign Pharmacist and RPhTech Original Licenses

Remodeling: Phar838 Sanford Medical Center Broadway – Katie Galbreath, PharmD

10:15 AM Request Thrifty White #53 – Cavalier, ND TAB 1

11:00AM Presentation: Mr. Yogesh Gala, PharmD- Specialty Technician Certification Board

12:00 PM **LUNCH**

Discussion Items:	Technician Rule Revision	TAB 2
	Office Remodel/Relocation	
	Attorney General Board Training Seminar	TAB 3
	District V NABP/AACP meeting	
	DSCSA – National Licensing Standards for Wholesalers/TPLs	TAB 4
	Law Book	
	Legislative session	

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

President Steven Irsfeld, RPh called the Board Meeting to order at 10:00 AM on Thursday September 15, 2022, in the Conference Room at the Board of Pharmacy Office in Bismarck, North Dakota.

Present in the Room were Executive Director Mark J Hardy, PharmD, Board Members: Steven Irsfeld, RPh; Tyler Lannoye, PharmD; Shane Wendel, PharmD; Tanya Schmidt, PharmD; Public Member Ron Horner; Carolyn Bodell, RPh and Attorney David A. Lindell, JD.

Absent: Technician Member Diane Halvorson

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 Schmidt and seconded by Pharmacist Wendel to approve the agenda with the addition of a request from Thrifty White #53 in Cavalier, ND. On vote by roll call, Pharmacist Shane Wendel -Aye; Pharmacist Tyler Lannoye -Aye; - Public Member Ron Horner -Aye; - Pharmacist Tanya Schmidt -Aye;- Pharmacist Carolyn Bodell -Aye; Pharmacist Steve Irsfeld -Aye. The motion carried.

It was moved by Pharmacist Bodell and seconded by Pharmacist Schmidt to approve the July 21, 2022 Board Meeting Minutes as presented. On vote by roll call, Pharmacist Shane Wendel -Aye; Pharmacist Tyler Lannoye -Aye; - Public Member Ron Horner -Aye; - Pharmacist Tanya Schmidt -Aye;- Pharmacist Carolyn Bodell -Aye; Pharmacist Steve Irsfeld -Aye. The motion carried.

Jessica Adams, PharmD representing Cardinal Health and Jeff Shorten, PharmD representing Thrifty White Pharmacies joined the meeting via Zoom.

The submitted plans for the Sanford Medical Center Broadway Phar838 were reviewed. It was noted that the remodeling included office space but not within the compounding area.

It was moved by Pharmacist Schmidt and seconded by Pharmacist Bodell to approve the submitted remodeling plans for Phar838 Sanford Pharmacy Medical Center Broadway located at 801 Broadway North in Fargo, ND. On vote by roll call, Pharmacist Shane Wendel -Aye; Pharmacist Tyler Lannoye -Aye; - Public Member Ron Horner -Aye; - Pharmacist Tanya Schmidt -Aye;- Pharmacist Carolyn Bodell -Aye; Pharmacist Steve Irsfeld -Aye. The motion carried.

Executive Director Mark Hardy directed the Board Members to a communication from Thrifty White Pharmacies and Pharmacist Jeff Shorten, relative to their difficulty in finding a replacement for the departing Pharmacist at Thrifty White #53 in Cavalier. Pharmacist Shorten indicated there was a great need for pharmacists in the northeast area and that they have openings in Grafton, Devils Lake, Grand Forks as well as Cavalier. He indicated they have stable and dedicated Registered Technicians in Cavalier, but a good quality pharmacist is still needed in that

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community. He proposed operating Phar503 as a temporary Class K for Pharmacy while recruiting a full time pharmacist. They are also requesting a Subclass K be issued to Phar424 Thrifty White Pharmacy #085 in Fargo to supervise Cavalier in this interim. The Board Members asked questions and voiced concerns that a pharmacy of this volume operate as a Class K

Telepharmacy. Pharmacist Shorten agreed and stress that this would be only until they can obtain a full-time pharmacist. Until then, Pharmacist Justin Richard will make the site visits in accordance with the Telepharmacy rules and regulations.

Pharmacist Tanya Schmidt disclosed that she is employed by Thrifty White and unless there was an objection she intended to vote, no objections were made. It was moved by Pharmacist Bodell and seconded by Pharmacist Lannoye allow Phar503 in Cavalier to temporarily operate as a Class K Telepharmacy, requiring them to report back in six months on their situation, if they are still looking for a full-time pharmacist for that pharmacy. On vote by roll call, Pharmacist Shane Wendel -Aye; Pharmacist Tyler Lannoye -Aye; - Public Member Ron Horner -Aye; - Pharmacist Tanya Schmidt -Aye;- Pharmacist Carolyn Bodell -Aye; Pharmacist Steve Irsfeld -Aye. The motion carried.

It was moved by Pharmacist Wendel and seconded by Pharmacist Lannoye to grant Phar424 Thrifty White Pharmacy #085 a SubClass K – Telepharmacy permit to supervise Phar503 in Cavalier while operating as a full time Telepharmacy. On vote by roll call, Pharmacist Shane Wendel -Aye; Pharmacist Tyler Lannoye -Aye; - Public Member Ron Horner -Aye; - Pharmacist Tanya Schmidt -Aye;- Pharmacist Carolyn Bodell -Aye; Pharmacist Steve Irsfeld -Aye. The motion carried.

Mr. Yogesh Gala of the Specialty Technician Certification Board joining the meeting along with Joseph Ahenkerd from PTCB. Mr Gala explained the certificate for technicians they are developing for Specialty Pharmacy practices. Board Members listened and engaged in questions with Mr Gala. They did not have any formal action that they thought would be necessary and appreciated the information presented.

Executive Director Hardy presented on the technician rule revision based on feedback from the last board meeting. He presented three options for accomplishing the goal of allowing a technician-in-training to participate as the initial filler in a Tech-Check-Tech process. Board Members gave feedback on their preferred proposal and the Board Members discussed at length the goal. It was a consensus of the Board to require a Registered Pharmacy Technician to be the final checker in the process. Executive Director Hardy gave an update on the other provisions that were changed in the rule, which included reinstatement standard changes and posting of registrations in the pharmacy. It was noted that there are other rule revisions that may come up based on the legislative session so Board Members decided to hold off on initiating a rule change process based on those anticipated needs.

Executive Director Hardy gave an update on the Board Office relocation and indicated that the Board Members could view the construction site this afternoon. Board members looked forward to that opportunity. Executive Director Hardy indicated that the move would likely take place in November 2022 and we'll be working on plans to execute a smooth transition.

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Executive Director Hardy provided information on the Attorney General's training seminar. He asked the Board Members who would be able to attend the seminar to which they responded for the purposes of providing the attendee list to the Attorney General's office.

The District V NABP/ AACP Meeting was held in South Dakota. Board Members that were able to attend gave their review of the meeting, which had a census that it was a positive experience. All agreed it was nice to have an in-person meeting of the group to discuss common issues and opportunities between the Boards and Colleges. Executive Director Hardy gave an update on the

2023 meeting which will be held in Medora, ND indicating that he is working with NDSU on planning for a successful meeting. Board Members gave recommendations on speakers and events.

Lunch was delivered and provided.

Executive Director Hardy gave a copy of the comments submitted to the FDA on the national licensing standards for wholesale distributors and third-party logistic providers.

Executive Director Hardy indicated a new law book has been published and will be distributed to pharmacies according to the Board's wishes of it being emailed instead of a paper copy being printed and mailed.

Executive Director Hardy provided a short expectation of the legislative session that will be coming in 2023. His belief is that it will be a busy session with many legislative bills that will involve pharmacy in some way. Interim committees are discussing various legislation as well as legislative agendas are being prepared by other groups. The Board intends to submit a controlled substance bill for changes, however does not anticipate any other bill submissions at this time.

Board Members provided reports with President Irsfeld talking about a guidance from the FDA animal use compounding that has created concerns in the compounding industry as well as with the veterinary providers. Pharmacist Bodell indicated she had recently attended a NABP session about rogue pharmacies. Executive Director Hardy then gave a understanding about some of the efforts that NABP has engaged in on that issue, including the *dot.pharmacy* initiative and the efforts to crackdown on Internet websites that prey on the public.

It was moved by Pharmacist Wendel and seconded by Pharmacist Schmidt to approve the legal actions of the Executive Director . On vote by roll call, Pharmacist Shane Wendel -Aye; Pharmacist Tyler Lannoye -Aye; - Public Member Ron Horner -Aye; - Pharmacist Tanya Schmidt -Aye;- Pharmacist Carolyn Bodell -Aye; Pharmacist Steve Irsfeld -Aye. The motion carried.

It was moved by Pharmacist Schmidt and seconded by Pharmacist Lannoye to approve the financial statements to date. It was noted there was no journal entries made since the last meeting. On vote by roll call, Pharmacist Shane Wendel -Aye; Pharmacist Tyler Lannoye -Aye; - Public Member Ron Horner -Aye; - Pharmacist Tanya Schmidt -Aye;- Pharmacist Carolyn Bodell -Aye; Pharmacist Steve Irsfeld -Aye. The motion carried.

Board members signed original certificates for use until the next meeting.

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President Irsfeld called for any further business, none was forthcoming, the Board meeting adjourned at 1:05 PM.

The Investigative Committee met to discuss cases.

The Board Members. who were able to go, departed to the new office location to view the construction.

President
Steven P Irsfeld, RPh

Technician Member & Senior Member
Diane M. Halvorson, RPhTech

Member
Tyler G Lannoye, PharmD

Member
Shane R. Wendel, PharmD

Member
Carolyn R Bodell, RPh

Member
Tanya L Schmidt, PharmD

Public Member
Ron J Horner

Executive Director
Mark J. Hardy, PharmD