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NDCC 28-32-08.1 – Small Entity Economic Impact and Regulatory Statement Pertaining to adoption of NDAC

- 61-02-07.1-07 Pharmacy Technician Registration Requirements - creates administrative code based upon Senate Bill 2306 for a provisional registration for current members of the military or their spouses
- 61-03-01-04 Pharmacist Licensure Transfer - creates administrative code based upon Senate Bill 2306 for a provisional licensure for current members of the military or their spouses
- 61-04-08 Limited Prescriptive Practices - Repealed based on changes made by Senate Bill 2231
- 61-04-11 Administration of Medications and Immunizations – revised the standards and authorities based on changes made by House Bill 1498

Although the Board of Pharmacy, as a professional or regulatory Licensing Board authority is exempt from the sections on Small Entity Economic Impact and Regulatory Analysis, I believe it is prudent to describe some potential impacts, so the regulated parties will understand the rule implications.

The Board of Pharmacy is very aware of the impact on small entities to comply with these rules and believes these rules will actually take steps to minimize the impact and could be viewed as deregulation.

The Board of Pharmacy does not believe there will be any financial impact on small entities with these rule changes. The rules will actually ease regulatory conditions for pharmacies to operate within.

These rules relative to military members or their spouses are meant to ease the licensure and registration process for pharmacists and pharmacy technicians. While there will be a distinct process for provisional licensure under both professions, the impact will be minimal, with each individual situation dealt with independently. The Board will need to modify the applications to identify military members or their spouses. However, the number of military spouses the Board currently deals with is just 2 or 3 annually.

The repeal of the Limited Prescriptive Practices section is in response to Senate Bill 2237, removing the regulatory burden of the Board of Pharmacy and other regulatory Boards from reviewing collaborative practice agreements. In lieu of the changes the Board felt it appropriate to repeal this section and allow our licensees to operate under the law's revisions.

The revisions to the Administration of Medications rule will open the authority of a Pharmacist to provide further administrations and removes the regulatory burden of obtaining and renewing certification. The Law and proposed rule still maintain that the individual Pharmacist must obtain authority by designating that they are knowledgeable about the medications they intend to administer within the scope of the law.

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