

A G E N D A
NORTH DAKOTA STATE BOARD OF PHARMACY
JANUARY 5, 6, 7, 2015
Wingate by Wyndam 4429 19th Ave SW - Fargo ND 58103 (1-701-281-9133)

MONDAY - JANUARY 5, 2015

5:00 PM CALL TO ORDER – President Diane Halvorson, RPhTech

Distribute new Legislative Books to Board Members

FIRST BUSINESS SESSION

Review and approval of agenda

Review and approval of Minutes of November 20, 2014

Assign members to review all paid invoices

Grant Lifetime Licenses and Sign certificates = 8

Sign Pharmacist and RPhTech Original Licenses

Request for CE Approval: Lorraine Rohde Tech839 – NW Human Services

“Antipsychotic (AP) Medications” given December 27, 2014

**AGENDA TAB
MINUTE TAB**

TAB 1

6:30 PM – Dinner– Old Chicago 2551 45th St SW Fargo ND 701-356-8277

President: Sharon Kupper - dskup@wil.midco.net

Vice-President: Brittany Butler britjsmith@hotmail.com

Barbra Lacher – NDSCS - barbara.lacher@ndscs.edu

Ken Strandberg NDSCS kenneth.strandberg@ndsu.edu

Discussion Items:

Expanding Role of Technicians in ND: NDAC Chapters 61-02-07.1-05 & 61-02-07.1-06

Standards for registration: Technicians + Technicians-in-Training

Discussion by NAPT Officers of items of interest to NAPT

NDSCS plans for the future and accreditation updates

TUESDAY - JANUARY 6, 2015

10:00 AM Judy Swisher, R.Ph. Compliance Visitation update

Exam Schedule Candidates: Kyle Schwandt

9:15 - 9:30 PM Roll Call and Orientation of Candidates

9:30 - 11:00 PM Laboratory Section 1

11:00 -11:30 PM Errors and Omissions 1

11:30 -12:00 PM Oral Examination

Lunch Break

2:00 PM Asem NT Taha – Foreign Graduate [Hours]

TAB 2

3:00 PM Sanford Medical Center pharmacy – Fargo – Jesse Breidenbach, PharmD

Year to date Financial Report Budget comparisons

BUDGET TAB

Board Member Reports

Executive Director’s Report – database changes

Consider approval of all legal action of the Executive Director

Preparations for May 2015 Exams -

3:30 PM **Investigating Committee Work**

6:30 PM Dinner– Holiday Inn – 3803 13th Ave S Fargo, ND Club Room 1 & 2 (701-282-2700) [20 total]

NDSU President Dean Bresciani; Dean Charles Peterson, Provost Beth Ingram, Mike Schwab

Executive VP NDPhA, Maari Loy, PharmD. President NDSHP; Steve Boehning, Ph. for NDPhA; David

J. Olig, R.Ph. for NDPhA; ; David A. Lindell, Board Attorney

Discussion Items:

Updates from the College of Pharmacy

About the Patient update

Other pharmacy practice issues or concerns

WEDNESDAY – January 7, 2015

8:00 AM Breakfast

Hearings: Meetings with Licensees and Registrants:

9:00 AM – Kelly Brodsho RPH4301 **TAB 3**

9:00 AM - Chad Hartje – Tech536 [moved from Nov Meeting] **TAB 4**

9:20 AM – Bradley Lende NDSU Intern - DUI

Discussion Items – Compounding

NDAC Chapters 61-02-07.1-05 Tasks Technicians *MAY* perform **TAB 5**

61-02-07.1-06 Tasks Technicians may *NOT* perform

61-03-01-04 Licensure ~~without examination~~ - Transfer

Vouchers – Adjourn

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January 5-7, 2015

Wingate by Wyndam

Fargo, North Dakota

President Halvorson called the Board Meeting to order at 5:00 PM on Monday January 5th, 2015 in the Meadowlark Room of the Wingate by Wyndam located at 4429 19th Ave SW in Fargo, North Dakota. Present were: Gary W. Dewhirst, R.Ph. - Diane M. Halvorson, RPhTech - Laurel Haroldson, R.Ph. – Steven P. Irsfeld, R.Ph. - Shane Wendel, PharmD - Gayle D Ziegler, R.Ph. and Executive Director Mark J Hardy, PharmD.

Absent were: Public Member Fran Gronberg and Chief Compliance Officer / Treasurer Howard C. Anderson Jr, R.Ph who are involved in the 64th Legislative Assembly of the State of North Dakota.

The Board Members present signed the original certificates for future technicians.

It was moved by Pharmacist Dewhirst and seconded by Pharmacist Ziegler to approve the Agenda with the modification of moving the discussion on compounding to Tuesday and discussing the NABP interactive member forum during the Board Member Reports on Tuesday afternoon. All Board Members present voted aye – motion carried.

It was moved by Pharmacist Ziegler and seconded by Pharmacist Haroldson to approve the minutes of our November 20th, 2014 meeting as presented. All Board Members present voted aye – motion carried.

President Halvorson appointed Pharmacist Irsfeld and Pharmacist Haroldson to review the paid invoices.

It was moved by Pharmacist Wendel and seconded by Pharmacist Haroldson to grant certificates of Lifetime Licensure to the following pharmacists:

2701 Linn J Danielski, R.Ph.
15107 Oak Spur Street
San Antonio TX 78232-4618

2714 Paul J Lawson, R.Ph.
9900 E Paseo San Rosendo #0
Tucson AZ 85747-9182

2705 Dell J Dustrud, R.Ph.
1538 N Paseo Cerca
Green Valley AZ 85614

2715 David A. Milbrath, R.Ph.
7725 Dufort Road
Sagle ID 83860

2710 Ruth Ann Held, RPh.
6547 NE 89th Street
Bisbee ND 58317-9581

2721 Lemoyne D Propp, R.Ph.
14404 Xeon Street NW
Andover MN 55304-8421

2711 Mary Lou Wacek, R.Ph.
14521 SE Vista Laine
Milwaukie OR 97267-1726

2727 Robert J. Kellogg, R.Ph.
737 Baker Avenue
Mankota MN 56001

All Board Members present voted aye – motion carried.

It was moved by Pharmacist Ziegler and seconded by Pharmacist Haroldson to approve the request for Continuing Education credit of 3 hours to Lorraine Rohde, ND Tech839 for attending the “Antipsychotic (AP) Medications” seminar given by the Department of Human Services on December 27, 2014. All Board Members present voted aye – motion carried.

Executive Director Hardy informed the Board Members that during the evening meeting with the Technician Advisory Group, he would be presenting the proposed rule changes to 61-02-07.1-05 Tasks Technicians *MAY* perform and 61-02-07.1-06 Tasks Technicians may *NOT* perform that he had drafted at the direction of the Board, allowing technicians to screen patients for counseling by pharmacists. The Board members felt that counseling is essential and that it was important to have an interaction with the patient, including those patients that get their prescriptions by mail. The Board members reiterated that they felt the screening standards in the rule should be allowed for registered technicians and not for technicians-in-training.

At 6:05 PM the Board members left the Wingate to go to the Old Chicago for the dinner meeting with the Technician Advisory Group. The Northland Association of Pharmacy Technicians [NAPT] was represented by their President Sharon Kupper and past President Donna Kisse. NDSCS was represented by Program Director Ken Strandberg. Assistant Director Barbara Lacher was unable to attend due to an accreditation visit she was overseeing in Minnesota.

After dinner, Executive Director Hardy presented copies of the proposed rule changes to 61-02-07.1-05 Tasks Technicians *MAY* perform and 61-02-07.1-06 Tasks Technicians may *NOT* perform, allowing technicians to screen patients for counseling by pharmacists. It was felt that this was a good starting point for discussions to be held with the profession of pharmacists and pharmacy technicians moving forward. The Advisory Board felt that this is an acceptable proposal.

Executive Director Hardy also discussed the registration requirements for technicians-in-training and the adjustments made at the last Board Meeting, November 20th, 2014, in which the technicians-in-training enrolled in the PATSIM program through NDSCS must complete four modules to be eligible to renew their technician-in-training registration for the second year. Those present thought that this was a positive step to ensure that progress was being made in the education and set a threshold for the technicians-in-training and preceptor pharmacists to meet.

NAPT President Sharon Kupper discussed initiatives that they were working on, including their recent conference, their desire to better educate technicians on the changes in the PTCB test and the resources that NAPT provides by way of a letter sent to all new pharmacy technician registrations. Executive Director Hardy agreed to continue to enclose their updated letter to each new registrant, as we have done in the past.

Program Director Ken Strandberg discussed the changes to the NDSCS program and ASHP accreditation; and the methods in which they will attempt to meet the accreditation standards for the PATSIM program. He also reported on the discussions with Bismarck State College about the prospect of having a branch of the technician program in the western part of the state. All agreed this would be a positive step. Lastly, he discussed the proposal to expand the footprint of their Fargo campus, with the possibility of moving the technician program to Fargo, to help encourage future growth.

President Halvorson thanked all for attending and their participation in the discussions.

On Tuesday – January 6th, 2015 President Halvorson called the Board to order at 8:30 AM to review and discuss the file of exam candidate Kyle Schwandt, a December 2007 NDSU PharmD Graduate who appeared before the Board.

While candidate Schwandt was taking the examinations, the Board Members discussed the increase of break-ins and burglaries in North Dakota Pharmacies. Executive Director Hardy reported that he wanted to provide information to our pharmacies about protocols that may prevent burglaries and the steps that need to be taken if a burglary does occur. All Board Members expressed support for this education and thought it was a positive tool and that it could potentially be presented at the NDPhA convention.

President Halvorson and Pharmacist Ziegler discussed their attendance at the NABP interactive member forum, which was held in December at NABP. They presented multiple topics which other states were struggling with, including compounding, inspections and general operations of the Boards of Pharmacy.

Compliance Officer Judith Swisher joined the meeting at 9:45 AM to discuss the inspection cycle of the past year, to report on some of the issues she encountered and some of the progress that was being made in compounding and in compliance with the first dose review in our hospitals. The Board members discussed compounding compliance and the possibility of adopting 795 & 797 standards instead of continuing to change the rules that are currently in our administrative code.

Executive Director Hardy presented various proposals on how to best provide inspections for those pharmacies conducting compounding. The Board members felt that it was important for the inspectors to have a good working knowledge of the 795 standards and furthermore we should probably be looking into training an individual inspector to be the expert at the 797 standards.

The Board members administered the Oral examination to candidate Schwandt. Candidate Schwandt provided a verbal report describing the internship experience of the past year, including his interaction with the Pharm-Assist Committee. The Board Members questioned Mr. Schwandt and inquired about his future plans in the profession.

The Board met at Lucky's 13 restaurant for lunch, then returned to the Wingate by Wyndam meeting room.

At 2:00 PM Asem NT Taha, a foreign pharmacy graduate met with the Board to explain his internship experience in Saudi Arabia and request credit be given. For the past year he has been at St Alexius Hospital in Bismarck attempting to acquire the 1,500 hours necessary to sit for the examinations.

It was moved by Pharmacist Dewhirst and seconded by Pharmacist Ziegler to accept 400 hours of the total number of hours Mr Asem NT Taha submitted from his time of internship at Saudi Arabia, he would be required to acquire the balance of the 1500 hours from St. Alexius pharmacies to meet the 1500 hour requirement. All Board Members present voted aye – motion carried.

Pharmacist Irsfeld asked a question about the PDMP invoice for the attendance at the NASCA convention held in Savannah, Georgia that Kathy Zahn attended. He asked why the trip was booked so late. Board members requested that Executive Director Hardy instruct the staff that if trips are known, they should be booked as far in advance as possible to ensure the lowest fare is received.

It was moved by Pharmacist Haroldson and seconded by Pharmacist Irsfeld to approve all the paid invoices presented for review, through December 31st, 2014. All Board Members present voted aye – motion carried.

Jesse Breidenbach, PharmD and Bob Biberdorf, R.Ph. of Sanford Medical Center arrived at the meeting to discuss the floor plans for the new Sanford Medical Center and Clinic that is currently being built in Fargo, North Dakota and scheduled to open in October 2017. They indicated the facility would be approximately 360 beds in the hospital and that the pharmacy area would have 9902 square feet, which they felt was very adequate amount of space to meet their needs. They also showed plans for satellite pharmacies on the operating room floors, where pharmacy staff will be available to meet the needs of the health system on those floors.

Pharmacist Biberdorf indicated there were still ongoing discussions on what services would be moved from their present downtown location to the new facility and would appear before the Board at a later date to discuss the moving of pharmacy permits.

It was moved by Pharmacist Dewhirst and seconded by Pharmacist Haroldson to approve the floor plans presented for the new Sanford Heath facility to be located at 5225 23rd Ave South in Fargo, North Dakota. Pharmacist Ziegler indicated that since she is employed at Sanford that she would abstain from voting. All other Board Members present voted aye – the motion carried.

Executive Director Hardy presented a proposal that the office staff has for new office furniture for the front area/entry of the Board Office.

It was moved by Pharmacist Irsfeld and seconded by Pharmacist Dewhirst to approve up to \$4,000 for the front area/entry and for public seating in the Board Conference Room. On a vote by Roll Call: Pharmacist Dewhirst – Aye - Technician Halvorson – Aye Pharmacist Haroldson – Aye Pharmacist Irsfeld – Aye Pharmacist Wendel – Aye Pharmacist Ziegler – Aye Nays none – the motion carried.

Executive Director Hardy presented the year to date financials.

It was moved by Pharmacist Wendel and seconded by Pharmacist Irsfeld to approve the financial reports as presented. All Board Members present voted aye – motion carried.

It was moved by Pharmacist Ziegler and seconded by Pharmacist Wendel to approve all legal actions taken by Executive Director Mark Hardy to date. All Board Members present voted aye – motion carried.

The Board Members discussed the May 2015 examination schedule and any need for possible changes in the format of the examinations.

At 6:30 PM the Board Members went to the Holiday Inn to meet with NDSU President Dean Bresciani; Dean Charles Peterson, Provost Beth Ingram, Maari Loy, PharmD. President NDSHP; Steve Boehning, RPh for NDPhA; David J. Olig, R.Ph. for NDPSC; ; David A. Lindell, Board Attorney.

Executive Director Hardy welcomed all on behalf of the Board, thanked them for their attendance and asked President Bresciani for his comments. President Bresciani reported on the progress of NDSU. He complimented the College of Pharmacy, Nursing and Allied Sciences as one of the outstanding colleges on campus and commented on the expansive growth that has occurred. President Bresciani discussed the exciting hire of Provost Beth Ingram and gave a background on her experience and her contributions to NDSU.

Provost Ingram thanked the Board Members for the dinner invitation, the opportunity to meet and discuss issues with them and indicated that she was enjoying her time at NDSU. She expressed that she was impressed with the pharmacy program at NDSU and the outstanding education provided to the students.

Dean Peterson detailed the growth at the college within the past year, including the nursing and masters of public health program. The large growth has led to a concern for lack of space, which was brought to the forefront at the last accreditation visit of the College of Pharmacy. Dean Peterson indicated that there was a proposal to look into expanding Sudro Hall to meet the needs of the increasing enrollment at the college, which is now the largest health professional college in the state. The expansion of the college is not on the current Office of Management & Budget [OMB] list which the governor has approved, so Dean Peterson indicated they would look for other options in which to meet the space requirements of the college. He also discussed a name change proposal of the college to encompass all the health professions that are currently housed under the College of Pharmacy, Nursing and Allied Health Sciences logo, the current proposal would be to call it the "College of Health Professionals".

Marri Loy, PharmD. President NDSHP spoke on behalf of their efforts to work on legislative language to modify the collaborative agreement process and gave an update of a provider status changes on a federal level and the importance of Pharmacists being recognized as a healthcare provider.

NDPhA President Steve Boehning, RPh discussed the legislative initiatives that the North Dakota Pharmacists Association was considering taking on during the current legislative session, including medication synchronization, expansion of MTM services and the modification of collaborative agreements process. He also mentioned other legislation they will be monitoring, making for a busy legislative session.

Pharmacist David Olig spoke on behalf of the North Dakota Pharmacy Service Corporation [NDPSC] reiterating the A-B-Cs of pharmacy [A= Association – B= Board of Pharmacy - C= College of Pharmacy] in North Dakota. How through the cooperative efforts of the ABCs continue to enhance the treatment of our patients.

Of course the excitement was high for the upcoming National Championship game our Bison will play in Frisco, Texas over the coming weekend. The Bison are going for their 4th straight National Championship. Even UND grad, Board Attorney David Lindell admitted he was impressed.

At 8:00 AM on Wednesday January 7th the Board of Pharmacy's Investigative Committee met to review the pending cases.

At 8:30 AM President Halvorson called the Board Meeting back into session and prepared for the hearing that were scheduled. Board Member Shane Wendel had to leave and would not be present for these last few items.

At 9:00 AM Kelly Brodsho, RPh4301 appeared before the Board with Pharm-Assist Committee Member Larry Nelson, R.Ph. Executive Director Hardy presented the case against Pharmacist Brodsho, in which he was found to have been diverting narcotics from *The Medicine Shoppe* in North Fargo, where he was Pharmacist-in-Charge. The Complaint had been issued and a Stipulation had been reached. Board Attorney Lindell gave an overview of the stipulated agreement.

Board Members asked questions of Pharmacist Brodsho and Nelson. Pharmacist Brodsho voiced the circumstances surrounding the diversion and his progress since entering into a contract with the Pharm-Assist Committee. Pharm-Assist Committee Member Larry Nelson, RPh gave his assessment and experience in working with Pharmacist Brodsho to this point.

It was moved by Pharmacist Dewhirst and seconded by Pharmacist Irsfeld to approve the Stipulated Agreement reached with Kelly Brodsho, RPh4301. All Board Members present voted aye – motion carried.

Chad Hartje, ND Tech 536 was scheduled to appear before the Board, but did not present to the Board Meeting. The Board directed Executive Director Hardy to contact Mr. Hartje and arrange for him to appear before the Board at their March 19th, 2015 meeting.

It was moved by Pharmacist Ziegler and seconded by Pharmacist Dewhirst to approve the Stipulated Agreement reached with Chad Hartje, ND Tech536, however he must appear at the March 19th, 2015 Board Meeting at 11:00 AM. All Board Members present voted aye – motion carried.

NDSU PharmD Intern Bradley Lende appeared before the Board to explain his actions leading to his recent DUI charge.

Pharm-Assist Committee Member Agnes Harrington appeared on behalf of Intern Lende. She reported that she had met with him and gave her impressions after her interactions with him and the evaluation done by a counseling service. In their recommendations, no further treatment was required or necessary for Intern Lende.

It was moved by Pharmacist Haroldson and seconded by Pharmacist Irsfeld that no further actions be taken again NDSU PharmD Candidate Bradley Lende's intern license. All Board Members present voted aye – motion carried.

The Board Members completed their expense vouchers and the meeting was adjourned.

Safe travels & Go *BISON!*

Diane M. Halvorson, RPhTech.
President

Gary W. Dewhirst, R.Ph.
Senior Member

Public Member
Fran Gronberg

Member
Gayle D. Ziegler, R.Ph.

Member
Laurel A. Haroldson, R.Ph

Member
Shane R. Wendel, PharmD.

Member
Steven P Irsfeld, R.Ph.

Executive Director
Mark J. Hardy, PharmD