

A G E N D A
NORTH DAKOTA STATE BOARD OF PHARMACY
JANUARY 7-8-9-, 2008

MONDAY – JANUARY 7, 2008 - CANDLEWOOD SUITES

1831 NDSU Research Park Drive - Fargo ND 58102 (1 –701-235-8200)

A. 5:00 PM CALL TO ORDER – President Laurel Haroldson, R.Ph.

FIRST BUSINESS SESSION

1. Review and approval of agenda
2. Review and approval of Minutes of
3. Grant Lifetime Licenses and Sign certificates = 19
Sign RPh Original Licenses
Sign RPhTech Original Licenses
4. CE Request – Amy Simon, PharmD
5. Application for Re-instatement – Laura Schaar ND #4653

AGENDA TAB
MINUTE TAB
TAB 1

6:30 PM Dinner – Emerald Room of the Fargo Green Mill (3340 13th Ave S) Dean Peterson – President Joe Chapman [invited] and Provost Craig Schnell –

TUESDAY - JANUARY 8, 2008

6:30 AM Working Breakfast –

Remodeling:

8:30 AM Reaffirm St Alexius expansion plans – originally on January 3, 2006
New Pharmacy –Tara's Thrifty White, LLC- Oakes – Tara Schmitz, PharmD
Telepharmacy Request – New clinic & building for Gwinner telepharmacy
Aasen Drug expansion/remodel - Mayville

Collaborative Agreement – St Alexius medical Center Pharmacists/Doctors
Implementing Guidelines for Compounding – Steve Irsfeld & Rick Detwiller

Administrative Guidelines for Practitioner Dispensing in North Dakota **TAB 2**

ExCPT and PTCB are options in North Dakota – putting ExCPT on our forms

10:00 AM Genoa Healthcare, Egan, MN Explanation of Company Services and discussion of licensure options. Tina Meyeraan

11:00 AM Conference Call to Dean's Office to discuss Hospital Telepharmacy Project
[231-9409]

12:00 NOON – Lunch

TUESDAY - JANUARY 8, 2008 Exam Schedule

[3= Matthew Frye and Kyle Schwandt and Kristen Sperle]

- | | | |
|-------------|----|---|
| 1:15 - 1:30 | PM | Roll Call and Orientation of Candidates |
| 1:30 - 3:00 | PM | Laboratory Section 1 |
| 3:00 - 3:30 | PM | Errors and Omissions 1 |
| 3:30 - 4:00 | PM | Oral Examination |

Rule Changes - Rule Hearing Dates(s)

Mandatory Original License for Reciprocity
Expedited Partner Therapy – Unprofessional Conduct (internet prescriptions)
Tech-check-Tech

TAB 3

Review and Approval of paid invoices

Board Member Reports

Approval of all legal action of the Executive Director

Year to date Financial Report - Budget comparisons

BUDGET TAB

Auditor's Report - Depositories

Consideration to setting the amount spent for equipment which requires depreciation at \$2,500 to \$5,000. Anything under this amount would be expensed

Review Howard's Employment Agreement for Auditor

TAB 4

Board Member Reports

Update on ND Prescription Drug Monitoring Program (NDPDMP)

Preparations for May 12-13-14-15, 2008 Exams / August 2008 Exam (?) **TAB 5**

6:30 PM–Dinner–Lone Star Steakhouse (4328 13th Ave SW)

Tech-Check-Tech Rules – Titles

Michael Schwab, Executive Vice-President, ND Pharmacists Association

Jerome Wahl, President, ND Pharmacists Association

Wanda Kearny - Experiential Program NDSU - Preceptors

Ken Strandberg and Barbra Lacher - NDSCS

Technician Advisory Committee:

Brittany Muchow president of NAPT britrcough@yahoo.com

Vice-President (Jodi Hart) jhart@primecare.org

Past-President (Danika Braaten) danika.braaten@northlandcollege.edu

1.) NAPT and the NDPhA academy structure

2.) Registered Pharm Tech on the Board of Pharmacy

Wednesday – January 9, 2008

7:00 AM Breakfast

New Business

8:30 AM Application for a new Telepharmacy in Towner – White Drug #69

Subclass C added to Class D Long Term Care White Drug #52

Separate White Drug #61 + Telepharmacy (separate In-Charges)

9:45 AM Bryan D. Miller – 4th Year Intern

10:00 AM **HEARINGS**

Kyle Schwandt

10:45 AM **Review Active Cases:** DEA actions against pharmacies & wholesalers

11:00 AM Nathan Wilson

11:15 AM Edward Jergens – Director of Medicare Part D – Omnicare Inc

Facility Specific Formularies

Noon –

1:00 PM

Vouchers

Adjourn

JANUARY 7-9, 2008

CANDLEWOOD SUITES – FARGO, ND

President Laurel Haroldson called the Board of Pharmacy Meeting to order at 5:00 PM on Monday, January 7th, 2008 at the Candelwood Suites located at 1831 NDSU Research Park Drive in Fargo, North Dakota.

Present at this meeting were: Laurel Haroldson, R.Ph. – Gary W. Dewhirst, R.Ph. – Rick L. Detwiller, R.Ph. – Bonnie J. Thom, R.Ph. - Executive Director Howard C. Anderson, Jr, R.Ph. and Curtis Larson, R.Ph. District Manager of CVS Pharmacies
Absent: Dewey Schlittenhard, RPh.

President Haroldson welcomed Pharmacist Larson as an observer to the meeting. Pharmacist Larson asked some questions about the District V NABP/AACP Meeting which will be held August 7-9, 2008 in Fargo, North Dakota. He indicated that CVS may be interested in sponsoring some of the activities at the District V Meeting and that he planned to attend the meeting.

It was moved by Pharmacist Detwiller and seconded by Pharmacist Thom to approve the Agenda as printed. All Board Members present voted aye – motion carried.

It was moved by Pharmacist Thom and seconded by Pharmacist Dewhirst to approve the Minutes of the July 26, 2007 Board Meeting as printed. All Board Members present voted aye – motion carried.

It was moved by Pharmacist Dewhirst and seconded by Pharmacist Thom to grant Certificates of Lifetime Licensure to the following Pharmacists: Originally issued on June 14, 1957

- | | | | |
|------|--|------|--|
| 2343 | Dennis J Buchholz, R.Ph.
P O Box 113
Lisbon ND 58054-0113 | 2359 | Mary D. Lashway, R.Ph.
53-567 Kam Hwy #212
Hauula HI 96717 |
| 2348 | Paul L Irsfeld, Jr, R.Ph.
3315 S Crestline Street
Spokane WA 99203 | 2363 | Theodore e. Warren, R.Ph.
3351 Adams Street SW
Fargo ND 58104-6932 |
| 2349 | Duane L Irvine, R.Ph.
5910 CR 293
Oakwood TX 75855 | 2364 | Kenneth o Wedul, R.Ph.
1440 Crestview Ave
Seal beach CA 90740 |
| 2352 | Arthur J. Kautzmann, R.Ph.
103 Ave B
Billings MT 59101-0634 | 2365 | Richard O Alstatt, R.Ph.
904 Oak Street
Breckenridge MN 56520 |
| 2356 | Harvey J Lillestol, Jr, .Ph.
8046 E Via De Los Libros
Scottsdale AZ 85258-3056 | 2366 | Carl O Benson, R.Ph.
324 S Columbia
Morris MN 56267 |
| 2357 | Donald L Ljungren, RPh.
10034 W Ocotillo Drive
Sun City AZ 85373 | 2375 | William L. Schalker, R.Ph.
1917 Mariposa Ct
Cool CA 95614-2550 |

2377 JoAnn Steffen McMullen, RPh
232 5th Ave NE
Osseo MN 55369-1310

2378 Lowell C Van Berkomp, R.Ph.
5991 Ridge Creek Road
Shorview MN 55126

2379 N. Arvid Vasenden, RPh
195 Rocky Branch Road
Athens GA 30605-4510

Originally issued on November 14, 1957

2385 Curtis E Larson, RPh.
10929 E Spring Creek Road
Sun Lakes AZ 85248-7942

2389 RJ (Jerry) Ronholm, R.Ph.
P O Box 1060
Jamestown ND 58402-1060

2388 Harold F Nilles, RPh
1450 N Central Ave
Valley City ND 58072-2142

2391 Eugene R. Sele, R.Ph.
8335 SW Ridgeway
Portland OR 97225

All Board Members present voted aye – motion carried. Certificates of Lifetime Licensure were signed for the above listed Pharmacists and will be forwarded to the Governor for his signature.

All Board Members present signed Original Certificates for the licensure of pharmacists and the registration of Pharmacy-Technicians to last until the next scheduled meeting.

It was moved by Pharmacist Detwiller and seconded by Pharmacist Dewhirst to grant Amy Simon, PharmD her request for 13 hours of Continuing Pharmaceutical Education for the program she attended: “Sixth Annual Mid-West Pain Management Symposium Retreat in Aberdeen South Dakota”. All Board Members present voted aye – motion carried.

It was moved by Pharmacist Thom and seconded by Pharmacist Detwiller to approve the Application for Reinstatement of Pharmacist Laura J. Schaar #4653 - All Board Members present voted aye – motion carried.

President Haroldson appointed Pharmacist Thom and Pharmacist Detwiller to review the paid invoices and vouchers.

President Haroldson asked that we skip ahead to the review and consideration of the Collaborative Agreement submitted by St. Alexius Medical Center – there being no objection, the request was reviewed. **It was moved by Pharmacist Thom and seconded by Pharmacist Dewhirst to approve the Collaborative Agreement between:**

Pharmacist
Dawn Mayer

Daniel McPherson

Carrie Sorenson

Doctor
Bopp, Timothy

Carlson, Joseph W

Dahl, Charles P

Hart, Mark B

Larson, David H.

Pierce, Troy D

of St. Alexius Medical Center. President Haroldson called for a vote – Pharmacist Detwiller wanted to disclose for the record that he works for St. Alexius, but if there was no objection, he intended to vote on the motion. No objections were made. All Board Members present voted aye – motion carried.

At 6:00 PM President Haroldson recessed the meeting until the planned dinner at 6:30 PM at the Green Mill to meet with Dean Dr Charles Peterson, and Provost Dr. Craig Schnell. President Joe Chapman was out of town and unable to attend this dinner meeting.

At dinner Dean Peterson shared the progress report on NDSU College of Pharmacy, which he had submitted as an interim report to the Accreditation Council on Pharmacy Education. Discussions at the University have continued on how to expand the College of Pharmacy to take in more pharmacy students, nursing students and other allied health professionals. Recourses such as adequate space and adequate faculty are key components of the ability of the University to expand.

In response to the question on how the Board and profession of pharmacy could help the College, the Dean discussed President Chapman's efforts to increase the diversity at the college and University and the Dean expressed interest in the profession helping assimilate students from different cultures and who might have language barriers as English would be their second language. Helping these individuals find expectable rotations, as well as employment, should they need that, would be very much appreciated. It was pointed out to the Dean, that North Dakota does not have any residency requirements, neither for North Dakota residency nor United States residency or citizenship to be granted an Intern or Pharmacist License. The Board Members stressed that efforts by the University to be sure that students that needed extra help speaking English got the extra help or training with special classes where needed. It was also pointed out that during these students's orientation to North Dakota State University, they might be encouraged to speak English when conversing with one another or with their families, if their families are living in the area, rather than reverting to their native tongue when talking amongst themselves, and failing to learn adequate English to converse with others.

Dr. Schnell pointed out that Governor Hoeven has a working committee which has recommended that the University set a goal of significantly increasing their enrollment in the next very few years to 16,000 students. Of course, this will require a significant effort to obtain resources both in plant and faculty to accommodate such an increase. Dr. Schnell indicated that the university was committed to working with the State Legislators and the Governor in accomplishing their goals.

Dean Peterson discussed the hospital telepharmacy project, which was being developed between Thrifty White, the state's critical access hospitals and the College of Pharmacy at NDSU. The Dean reiterated that "thanks" went to Senator Dorgan for continuing to ear-mark funds with the help of the United States Congress for this important Telepharmacy effort.

President Haroldson thanked Dean Peterson and Provost Schnell for their reports and their willingness to work with the Board of Pharmacy and recessed the meeting until 7:00 AM for breakfast.

After breakfast, the Board Members gathered in the Board Room of the Candlewood at 8:00 AM.

President Haroldson called the meeting to order at 8:30 AM on Tuesday January 8th, 2008 with the four Board Members, Executive Anderson and Pharmacist Curtis Larson, R.Ph. District Manager of CVS Pharmacies all present.

The expansion plans for St. Alexius Out-Patient Pharmacy were reviewed. Pharmacist Rick Detwiller explained that due to budgetary constraints and other projects, they were not able to complete the planned expansion of their Out-Patient Pharmacy within the one-year time frame that the Board allows after approval of floor plans. Therefore, he was requesting reaffirmation of the approval of those expansion plans, no changes were made in the floor plans since the original approval on January 3, 2006. The Board Members reviewed the file and the plans. Pharmacist Detwiller explained that he works for St. Alexius and is in fact In-Charge of the Out-Patient Pharmacy. But, with no objections he planned to vote on the proposal.

It was moved by Pharmacist Dewhirst and seconded by Pharmacist Thom to reaffirm the approval of the expansion plans for St. Alexius Out-Patient Pharmacy. All Board Members present voted aye – motion carried.

An Application for Pharmacy Permit, Stock Affidavit and floor plans for a new pharmacy called Tara's Thrifty White, LLC to be located at 610 Main Ave in Oakes, North Dakota were reviewed and explained by Tara Schmitz, PharmD, R.Ph. Pharmacist Schmitz presented a stock affidavit indicating that she was 100% owner of the membership and ownership rights of Tara's Thrifty White, LLC and explained that she would have an operating agreement, as well as a member control agreement and lease for the building, which she and Drs Rupkumar and Vani Nagala would own 50%each. Pharmacist Schmitz explained that the pharmacy would not have floor to ceiling security around the dispensing area so, if the pharmacist was not able to be present, the entire pharmacy would be closed.

It was moved by Pharmacist Detwiller and seconded by Pharmacist Thom to approve the Application for Pharmacy Permit and the floor plans, contingent upon the receipt of operating agreement, member control agreement and lease for the building from Pharmacist Tara Schmitz. All Board Members present voted aye – motion carried.

Pharmacist Schmitz asked if she could discuss with the Board continuing education for Pharmacy Technicians. She stated that ACPE is now approving what is called ACPE-P continuing education for Pharmacists and ACPE-T for Pharmacy Technicians. She asked if Pharmacy Technicians would continue to be eligible for both levels of continuing education. The Board responded that they would be eligible for both at the present time. They are also eligible for continuing education approved by the Technician Program at Wahpeton.

After review of the submitted plans, it was moved by Pharmacist Detwiller and seconded by Pharmacist Dewhirst to approve the new location for the telepharmacy in Gwinner, North Dakota. All Board Members present voted aye – motion carried.

It was moved by Pharmacist Dewhirst and seconded by Pharmacist Thom to approve the remodeling and expansion plans for Aasen Drug located at 15 East Main in Mayville, North Dakota. All Board Members present voted aye – motion carried.

The Administrative Guidelines for Practitioner Dispensing were reviewed by the Board of Pharmacy. Suggestions made by nursing were reviewed and the alternative language drafted by Executive Director Anderson to accommodate the nurse handing the prescription to the patient after the physician's review of the actual product and provision of Patient education and information was complete was also reviewed. Executive Director Anderson indicated that if there were no objections from the Board of Pharmacy, he would continue discussion with the Board of Nursing and Board of Medical Examiners and see what the Board of Medical Examiners had to say about the Board of Nursing's proposed revisions before arriving at a final Administrative Guideline to be agreed upon by the three Boards. President Haroldson indicated that our concern should be "what is the best way to protect the patient" in this process.

Discussion followed on the ExCPT Exam verses the PTCB Exam. It appears that both exams seem to be quality examinations, which can be taken by technicians once their training programs have been completed. We will discuss this issue more this evening when we meet with the Technician Advisory Committee and the representatives of the North Dakota State College of Science Technician Program.

Pharmacist Curt Larson of CVS Pharmacies expressed that he would like to compliment Director Ken Strandberg and Assistant Director Barbara Lacher and the NDSCS Technician Program on the quality of the technicians which they are turning out. He indicated that these technicians are able to go to work in the CVS Pharmacies with no quality considerations and very little orientation needed, once they have completed the program.

At 10:00 AM Pharmacist Steven Irsfeld of Dickinson called into the Board Meeting to discuss the regulation and potential accreditation of compounding pharmacies doing non-sterile products. Pharmacist Irsfeld indicated that he was most concerned with USP 795 Guidelines and situations where pharmacists were compounding using raw chemicals and preparing those products which required considerable technical expertise and using advanced mediums, or making controlled release products. Pharmacist Irsfeld indicated that he felt the survey process should be more robust and that perhaps pharmacists actively practicing or with knowledge of current compounding practices should be utilized in inspections.

The Board of Pharmacy consensus was to convene a group of compounding pharmacists, including those who compounded only infrequently as well as those who made a business of compounding, and to attempt to arrive at some quality control measures and inspection criteria that would benefit the patients being served by the compounders.

Ms. Tina Meyeraan of Genoa Healthcare of Egan, Minnesota was present to discuss her company's type of business. They typically contract with clinics or long-term-care facilities to place pharmacies within those facilities or to provide medications through a delivery process to those facilities. In their in-house facilities they typically help with the paperwork for the indigent drugs and the sample management for the physicians serving those facilities. They can also provide an on-site person to help with coordination of care relative to the pharmaceutical products being utilized by the patient. The Board Members explained that the pharmacies in North Dakota would need to be owned 51% by a North Dakota License Pharmacist to comply with the ownership Law and to keep the pharmacist in control of decisions in the best interest of the patient. The Board promised to look into the potential licensing of an on-site care coordinator who is working for the pharmacy and steering prescriptions to the Genoa facilities

for delivery to the nursing homes.

At 11:00 AM on Tuesday January 8th, 2008 the Board Members went to the Dean's Office at NDSU College of Pharmacy for a meeting on the North Dakota Hospital Telepharmacy Project. Present at this meeting were: Laurel Haroldson, R.Ph. – Gary W. Dewhirst, R.Ph. – Rick L. Detwiller, R.Ph. – Bonnie J. Thom, R.Ph. - Executive Director Howard C. Anderson, Jr, R.Ph., PharmD Student Matthew Frye, Thrifty White Representatives Tim Weippert and Gary Boehler, along with their software programmer David Peterson. Present from the College were Dean Charles Peterson, Ann Rathke and Dr. David Scott. Also present Ryan Jelik from Custom Data. Since the other parties outside of the Board of Pharmacy had been meeting since 8:00 AM Pharmacist Boehler described what he called “their standard operating procedure” for feedback from the Board Members. He explained that in order to overcome the various computer systems, or lack of computer systems entirely at the hospitals, the physician's order would be scanned in at each of the hospitals, transmitted to the central pharmacy site, which at this point is intended to be a 24 hour operation in the Econo location in Fargo. The pharmacist at this central site would approve the orders based on the scanning review. These scanned documents would be maintained for six-years and be indexed to the patient. Once the orders were approved by the pharmacist and signed off by the pharmacist, a standard form would be sent back to the hospital from which they could enter their orders.

John Linnell of the North Country Hospital Group had indicated that they are working with Orion to provide an interface between the hospitals. These discussions are ongoing and a decision has not been reached, as yet.

Board Members explained that a medication administration record at the hospital should be printed and should contain the orders that the pharmacist has approved for the patient at the hospital. If this medication administration record was printable either in filled form or blank form, the hospital could use a consistent MAR for administration of the medications at the hospital for either in-patients, which will be included in this program, or swing-bed patients which could be included as an add on to the program.

Board Members stressed that it is very important that the research component be very strong since it was necessary that this model be exportable to the rest of the country and that exportability would only come with quality research and publication of data on safety and effectiveness, as well as some economic data from the hospital showing this was a cost effective approach. Quality assurance will be an important component. The College of Pharmacy is currently negotiating along with Thrifty White Drug and Second Story Health to provide a quality assurance data gathering piece, which could be used to review all quality related events and errors to make improvements in the system for the benefit of the patients of these hospitals.

The College of Pharmacy has been successful in obtaining some earmarked funds through Senator Dorgan's efforts. These funds will be used to provide the initial central site financing as well as some of the equipment for the remote hospitals.

Board Members were in agreement that the standard operating procedure and the model as discussed should work effectively. Thrifty White assured the Board that the pharmacists hired to run this operation would have hospital experience and would receive additional training, when necessary, in the nuances of the telepharmacy operation.

Board Members then returned to the Candlewood Suites where the three PharmD Students and Candidates for Exam, namely: Matthew Frye and Kyle Schwandt and Kristen Sperle were waiting to begin the examination protocols. Between 1:00 PM and 4:00 PM the Pharmacy Practice Examination was administered. All three candidates successfully passed the North Dakota portion of the examinations.

At 4:00 PM Board Members gathered to score the examinations and Pharmacist Curt Larson was again present.

After review and discussion it was moved by Pharmacist Dewhirst and seconded by Pharmacist Thom to proceed with rule making on Expedited Partner Therapy in conjunction with the Board of Medical Examiner and the Board of Nursing. All Board Members present voted aye – motion carried.

After review of the draft of the possible Tech-check-Tech rule it was moved by Pharmacist Detwiller and seconded by Pharmacist Thom to present the proposal to the NDPhA Convention for review and input from the profession. All Board Members present voted aye – motion carried.

On follow up discussion the Board Members established a consensus that we would convene a group of compounders to study necessary regulations for USP 795 Compounding Standards and a second group to study necessary regulations for USP 797 Compounding Standards.

It was moved by Pharmacist Thom and seconded by Pharmacist Detwiller to approve all paid invoices – on vote by roll call: Rick L. Detwiller, R.Ph.– Aye Gary W. Dewhirst, R.Ph. – Aye Laurel Haroldson, R.Ph.- Aye - Bonnie J. Thom, R.Ph.- Aye The motion carried.

President Haroldson called for Board Member Reports.

Pharmacist Bonnie Thom reported that she had heard at the ASHP Meeting that some Colleges were pushing for mandatory residencies after receiving your PharmD Degree and before employment. Other Colleges were providing preferential admissions for those students who had received their bachelor degree prior to entering the professional program.

It was moved by Pharmacist Detwiller and seconded by Pharmacist Thom to allow one mandatory and one elective rotation to be precepted by a non-pharmacist, such as a physician, nurse practitioner, or a physician assistant. All Board Members present voted aye – motion carried.

Pharmacist Dewhirst discussed disposal service providers, relative to the information that had been forwarded on British Columbia. He encouraged Executive Anderson to continue working to ascertain an environmentally friendly, safe and DEA compliant process for the return and destruction of unused prescription drugs.

It was moved by Pharmacist Detwiller and seconded by Pharmacist Thom to approve all legal actions of the Executive Director since this motion was last passed. All Board Members present voted aye – motion carried.

The Board Members reviewed the auditors report. **It was moved by Pharmacist Detwiller and seconded by Pharmacist Thom to accept and approve the financial reports as presented. All Board Members present voted aye – motion carried.**

It was moved by Pharmacist Dewhirst and seconded by Pharmacist Detwiller to set the minimum of \$3,000 for capital items, before they would need to be capitalized and under \$3,000 they would be expensed. All Board Members present voted aye – motion carried.

It was moved by Detwiller and seconded by Pharmacist Dewhirst to approve the employment agreement of Howard C. Anderson, Jr, R.Ph. as Executive Director of the Board of Pharmacy. All Board Members present voted aye – motion carried.

The Board Meeting was recessed at 5:30 PM until dinner with the Technicians, Technicians Advisory Group and Technician Program Directors.

The Board met with Michael Schwab, Executive Vice President of the North Dakota Pharmacists Association; Jerome Wahl, President of the Pharmacists Association; Wanda Kearny of the Experiential Program at NDSU; Ken Strandberg and Barbra Lacher Directors of the Technician Program at NDSCS and Brittany Muchow, Jodi Hart and Angela Buchanan for Danika Braaten of the Technician Advisory Committee to discuss the NAPT and NDPhA Academy structure. A ballot was sent out to the members of NAPT and while the return was not overwhelming the vote was, with only a few technicians, less than 10, voting against the academy structure. The NAPT is currently working on the requirements in their by-laws preparing to submit an academy application to the board of NDPhA.

Plans for a registered pharmacy technician on the Board of Pharmacy were discussed. The Technicians have not yet discussed in detail a possible scenario for selecting this individual. A process whereby three names would be nominated by the NAPT membership and sent to the governor is a possibility.

The plans for a public member on the Board of Pharmacy and a process for selection and appointment by the governor were discussed. It was pointed out that the NDPhA had voted in favor of this inclusion of a public member. It is most probable that the governor would simply appoint this person based on nominations from either that individual or others around the state.

Executive Vice President of the North Dakota Pharmacists Association, Michael Schwab discussed the upcoming interim Industry Business and Labor (IBL) Committee study as suggested by House Bill 1299. Mike pointed out that anyone who had feelings about any of the issues raised in HB 1299 should be prepared to talk to members of the interim IBL Committee directly or to submit written or oral testimony once the issue is on the Committee's agenda.

Discussion was held on the role of the PTCB and the ExCPT exams in North Dakota. PTCB is now mentioned on one of the forms talking about reciprocity and it was agreed that as certification is voluntary in North Dakota, we would remove reference to PTCB and ExCPT on our forms and either exam would be accepted as part of the application for Registration as a Pharmacy Technician, but neither one would be preferred.

Program Directors Barbra Lacher and Ken Strandberg talked about the number of technicians in the program. They stated that there were 90 now in the module and online program and that they had 20 in the on campus program, at present. A discussion followed about the possibility of Technicians to precept Technicians and the possibility of using sites to train technicians via telepharmacies. This discussion will be ongoing as the Board has not yet been comfortable with placing technicians in a telepharmacy or technician precepted situations at present.

Wanda Kearny of the Experiential Program at NDSU discussed preceptor training with the Board, pointing out that some would occur at the Midwinter Institute and perhaps the NDPhA Convention in April, as well as her going around the state, as time permits. She did say there was an online course for preceptor training and an answer sheet for CE credit. It is anticipated that NDSU will require the completion of this online course for all preceptors in the very near future, as one of the criteria for ACPE Accreditation.

Michael Schwab presented a proposal giving the Board of Pharmacy the opportunity to fund the training for the Medication Therapy Management in the Public Employees Retirement System (PERS) Diabetes Management Program.

It was moved and seconded to approve \$19,900.00 to be paid to the Pharmacist Association to fund the upcoming training of pharmacists for the Medication Therapy Management in the Public Employees Retirement System (PERS) Diabetes Management Program. On a roll call vote: Rick L. Detwiller, R.Ph.– Aye Gary W. Dewhirst, R.Ph. – Aye Laurel Haroldson, R.Ph.- Aye - Bonnie J. Thom, R.Ph.- Aye Nays none - The motion carried.

President Haroldson thanked everyone for their attendance and input at the meeting and recessed the meeting.

On Wednesday January 9th, 2008 the Board Members met for a working breakfast and reconvened the meeting at 8:00 AM. The Board was joined by CVS Pharmacist Curt Larson; Pharmacists Tim Weippert and Gary Boehler of Thrifty White Drug Stores.

President Haroldson asked Pharmacists Weippert and Boehler to explain the submitted plans for a proposed Telepharmacy consultation site in Towner, North Dakota. They explained that there would be approximately 530 square feet within the telepharmacy consultation site and another 250 feet allowed in the common entry ways inside the remodeled clinic building. The prescriptions will be filled at the Rugby Store and delivered to the consultation site in Towner. The consultation will be done out of the central telepharmacy site in Fargo.

It was moved by Pharmacist Detwiller and seconded by Pharmacist Thom to approve the Class K Telepharmacy Permit for White Drug #69 located at #2 3rd Ave SW in Towner, North Dakota. All Board Members present voted aye – motion carried.

President Haroldson then asked Pharmacist Tim Weippert to explain the changes planned for White Drug #52 located at 712 38th Street NW Suite A in Fargo. Pharmacist Weippert explained that with the addition of more nursing home beds with more acute patients, there was a need in the Fargo/Moorhead area for a sterile products pharmacy. Thrifty White has developed plans to place this within White Drug #52 and are requesting a subclass C –Home Health Care Pharmacy to their current Class D – Long-Term-Care Pharmacy Permit.

It was moved by Pharmacist Thom and seconded by Pharmacist Detwiller to approve the addition of a Subclass C to their current Class D Pharmacy Permit for White Drug #52 located at 712 38th Street NW Suite A in Fargo. All Board Members present voted aye – motion carried.

President Haroldson asked the Thrifty White representatives to explain the request for two separate pharmacy permits for their White Drug #61 location. It was explained that Compliance Officer William Grosz indicated that since the Pharmacist-In-Charge for #61 delegated most of the responsibility for the Telepharmacy operation to another pharmacist, that perhaps separate permits would be indicated. After discussion and explanations, it was decided that there was no need to separate the two pharmacies from a regulatory perspective and that it was not uncommon for the Pharmacist-In-Charge to delegate responsibility for specialty areas to other Pharmacists, as long as they understood that the final responsibility was theirs. The additional Application for White Drug #61 was withdrawn by Pharmacists Tim Weippert and Gary Boehler of Thrifty White Drug Stores.

At 9:30 AM Intern #1055 - 4th year PharmD Student Bryan D. Miller and his attorney, Mark Freise of the Vogle Law Firm joined the meeting. President Haroldson asked Intern Miller to explain the situation to the Board Members. Bryan explained the circumstances around which he obtained his recent DUI. After discussion, Executive Director Anderson indicated that the Board would need a copy of his evaluation report and would like him to have a consultation with the PharmAssist Committee. Should the evaluation and the consultation with the PharmAssist Committee give them the impression that he should have a Contract Agreement signed with them; he should proceed with that contract. The Board stressed that Intern Miller must make sure that no further such incidents occur prior to his graduation and examination, as he has just three rotations left to complete.

At 10:00 AM – Intern #1074 Kyle M. Schwandt arrived at the meeting with his mother, Linda Schwandt; his father Rod Schwandt and an Aunt. President Haroldson asked Intern Schwandt to explain the situation to the Board, which he did by reading from a written statement. Kyle answered questions from the Board and indicated that he would comply with all the stipulations in the signed Agreement on file.

It was moved by Pharmacist Dewhirst and seconded by Pharmacist Detwiller to approve the signed Stipulated Agreement and to include the \$841.10 legal costs, giving Kyle one year to pay those costs. All Board Members present voted aye – motion carried.

Executive Director Anderson indicated that he would forward a letter with the costs and the payment schedule to Intern Kyle Schwandt.

At 11:00 AM Intern #230, Nathan Wilson arrived at the Board Meeting along with his attorney Jeff Bredahl. President Haroldson asked Intern Wilson, who is currently a P1 PharmD Student, to explain the circumstances surrounding this incident. With help from his Attorney, Intern Wilson discussed the situation with the Board, and the use of Tylenol with codeine, fluoxetine, ambien and doxylamine. Board Members asked Nathan to agree to a stipulation where his intern license would be suspended for a period of three years, with that suspension invoked during the time that he is not in Pharmacy School. As soon as he returns to Pharmacy School, the suspension will be stayed and he will remain on probation for three years. This

probation will continue until he graduates from Pharmacy School and applies for the licensure examinations. During the time of his probation, he will maintain an active contract with the PharmAssist Committee. Upon questioning by Attorney Bredahl about costs which might be assessed, Executive Director Anderson indicated that he did not think it would be productive to apply costs at this time and that none would be included in the stipulated agreement. Intern Wilson and his attorney were asked if they would agree to a stipulated agreement along these lines. The answer was yes.

It was moved by Pharmacist Dewhirst and seconded by Pharmacist Thom to approve a Stipulated Agreement along these guidelines for the signature of Intern Nathan Wilson and President Haroldson. All Board Members present voted aye – motion carried.

Executive Director Anderson and Board Attorney David Lindell will prepare the Stipulated Agreement, as well as send him contact information for the PharmAssist Committee representative.

At 11:30 AM the Board was given an update on the Prescription Drug Monitoring Program by Executive Director Howard Anderson.

Preparations for the May 2008 Examinations were discussed, assignments were made that Pharmacist Rick Detwiller would take care of the compounding, Pharmacist Bonnie Thom would take care of the Errors and Omissions and Executive Director Anderson would email the assignments for the Oral Examination. It is anticipated that we will use the recently acquired Pharmacotherapy Manuals for the examinations. Students will be working out of a current book.

Board travel and reimbursement policies were reviewed and it was moved by Pharmacist Thom and seconded by Pharmacist Detwiller to adopt these policies. All Board Members present voted aye – motion carried.

Expense vouchers were distributed and completed by the Board Members present.

The meeting was adjourned at 12:20 PM on Wednesday January 9th, 2008.

President
Laurel A. Haroldson, R.Ph.

Member
Gary W. Dewhirst, R.Ph.

Member
Dewey Schlittenhard, R.Ph.

Member
Rick L. Detwiller, R.Ph.

Member
Bonnie J. Thom, R.Ph.

Executive Director
Howard C. Anderson, Jr., R.Ph.