

**THURSDAY - JUNE 22, 2006 - SPECIAL MEETING - Board of Pharmacy Office – Bismarck**

President Rick Detwiller called the special meeting to order on Thursday, June 22, 2006 in the office of the Board of Pharmacy located at 1906 E Broadway Ave in Bismarck at 7:40 PM. Present in the officer were:

Rick Detwiller, R.Ph. – Dewey Schlittenhard, R.Ph. – Bonnie Thom, R.Ph. – Laurel Haroldson, R.Ph. and Executive Director Howard C. Anderson, Jr, R.Ph. and on the telephone via speaker phone was Gary D. Dewhirst, R.Ph.

Also present were: Terry Kristensen, R.Ph. and Lance Mohl, R.Ph.

President Detwiller asked for review of the Agenda. **It was moved by Pharmacist Thom and seconded by Pharmacist Haroldson to approve the Agenda, with the addition of a request for licensure of BioMed Plus by the representative of the Bankruptcy Court Receiver; MPJE possibility the Board Members will take the exam; update on the Grafton situation and District V Meeting registrations/information. All Board members voted aye – motion carried.**

An Application for Pharmacy Permit, Stock Affidavit and floor plans for [Wal-Mart] Prairie Pharmacy South B1 at 2717 Rock Island Place in south Bismarck were reviewed. Pharmacist Terry Kristensen was present to discuss this Pharmacy Application and answer any questions for the Board Members. **It was moved by Pharmacist Dewhirst and seconded by Pharmacist Thom to approve the floor plans and Application for Pharmacy Permit, contingent upon the receipt of the signed lease agreement, which is indicated by Pharmacist Kristensen to be identical to the lease now being used for the Fargo Prairie Pharmacy, except for rent considerations. All Board Members voted aye – motion carried.**

An Application for Pharmacy Permit, Stock Affidavit and floor plans for [Wal-Mart] Prairie Pharmacy G1 at 2551 32<sup>nd</sup> Ave South in Grand Forks were reviewed. Pharmacist Terry Kristensen was still present to discuss this Pharmacy Application and answer any questions for the Board Members. **It was moved by Pharmacist Schlittenhard and seconded by Pharmacist Haroldson to approve the floor plans and Application for Pharmacy Permit, contingent upon the receipt of the signed lease agreement, which is indicated by Pharmacist Kristensen to be identical to the lease now being used for the Fargo Prairie Pharmacy, except for rent considerations. All Board Members voted aye – motion carried.**

Floor plans for the remodeling of the Family Healthcare Pharmacy at NDSU were reviewed. **It was moved by Pharmacist Haroldson and seconded by Pharmacist Schlittenhard to approve the remodeling plans as presented. All Board Members voted aye – the motion carried.**

An Application for Pharmacy Permit for B & B Northwest Pharmacy in Minot was reviewed, Pharmacist Lance Mohl was present to explain to the Board Members, that it was the intention for B & B Drug -100 S Main , a North Dakota Grandfathered Corporation and permit holder, to purchase the assets of Northwest Pharmacy, and to then relocate B & B Drug to 20 Burdick Expressway West [Northwest's present location] and to rename the pharmacy B & B Northwest Pharmacy in Minot. Pharmacist Mohl explained that B & B Drug has been experiencing declining business in their downtown location for several years. The extensive out-front store-merchandise is finding more and more difficult time competing with mass marketers and discounters and that the store is no longer profitable at that location. **It was moved by Pharmacist Dewhirst and seconded by Pharmacist Haroldson to approve the consolidation of B & B Drug and Northwest Pharmacy and the relocation of the combined B & B Northwest Pharmacy to 20 Burdick Expressway West in Minot, ND. All Board Members voted aye – motion carried.**

**It was moved by Pharmacist Dewhirst and seconded by Pharmacist Thom to approve the granting of a SubClass K Telepharmacy Pharmacy Permit to Lisbon-Sheyenne Pharmacy. All Board Members voted aye – motion carried.**

The Agenda item of a possible Telepharmacy in Regent was discussed. Executive Director Anderson stated that he had talked with Pharmacist Mary Pat Schwartz on the telephone and advised her that we would need a completed Application for Pharmacy Permit, Fee, Affidavit of Stock Ownership and a Lease Agreement before we could proceed. No action was taken on this item at this time.

Plans, Application for Pharmacy Permit and Affidavit of Stock Ownership for Selfridge Telepharmacy was reviewed by the Board. **It was moved by Pharmacist Thom and seconded by Pharmacist Dewhirst to approve the plans and Application for Pharmacy Permit for a Telepharmacy in Selfridge, which will be operated in conjunction with the free clinic now conducted in Selfridge by Dr. Herbert Wilson and Chiropractor Ev Haunson and a dentist, Dr. Dohme. To begin with, this Telepharmacy will operate on Fridays when the clinic is open. All Board Members voted aye – the motion carried.**

Executive Director Anderson reported on the CHI Nighthawk Study, out of Colorado, where Catholic Health Initiatives is working on a pilot project to provide 24 / 7 Telepharmacy type coverage for hospitals, which, do not have full staffing. They are considering a location for a central site to serve their hospitals in this region and that site may turn out to be in Fargo, North Dakota.

Executive Director Anderson presented copies of the Prescription Drug Monitoring Program proposed rules, which are still being revised by the working group. We are getting close to a draft that can be taken out for hearing in the next couple of months.

A telephone request by Pharmacist Thomas Hansmann for the possible activation of his In-Active License was discussed. Executive Director Anderson had indicated to him on the telephone that the Board would probably require some Internship and Continuing Education. Pharmacist Hansmann is 73 years old and has been inactive for 7+ years. At this time the Office has not received an official request.

A request received just today, from Pharmacist Laurie Thompson to utilize Pharmacy Technician Thomas Rondeau as a Telepharmacy Technician at Peace Garden Pharmacy in Dunseith, was discussed. Pharmacist Thompson stated that she had a pharmacist going out on maternity leave on June 26<sup>th</sup>, 2006, that she and her husband, Don, both felt comfortable with Thomas Rondeau as the Telepharmacy Technician and that she would be in Dunseith at least once a week. Pharmacy Technician Rondeau has been registered since November 1, 2005. His application had actually come in earlier than that, but he was under review for some of the courses and course work that he had taken at Turtle Mountain Community College and Technician Training Program in Washington State. Once the evaluation by our Program Assistant Director Barbara Lacher was done, Thomas Rondeau was registered. He has also had extensive experience working as a Technician in an Indian Health Service facility both here and in Washington. **It was moved by Pharmacist Dewhirst and seconded by Pharmacist Haroldson to approve Pharmacy Technician Thomas Rondeau as a Telepharmacy Technician based on the recommendation of Pharmacist-In-Charge Laurie Thompson. Technician Rondeau will be allowed to be in charge of the pharmacy under the following conditions:**

- \* That Pharmacist Thompson is in the Pharmacy at least once a week**
- \* That special monitoring be in place, such as a Controlled Substance Inventory be taken and recorded and closely monitored with reports to the Board of Pharmacy by**

**Pharmacist-in-Charge Thompson via the telephone, on a monthly basis. This special monitoring will continue until November 1<sup>st</sup>, 2006.**  
**All Board Members voted aye – motion carried.**

Executive Director Anderson explained the situation with BioMed Plus Inc, a wholesaler that holds North Dakota License #672. We have received information from the Food and Drug Administration that the principals in BioMed Plus, Inc, namely Martin J. Bradley III and Martin J. Bradley, Jr. were convicted on March 29<sup>th</sup>, 2006 of more than 247 criminal counts as a result of an extensive OCI Investigation of an illegal medical products diversion scheme, which defrauded the Medicaid and Medicare Programs of more than 45 million dollars. The government is seeking asset forfeiture of over 39 million dollars and the company is now in the hands of a bankruptcy judge acting as a receiver for the company. Representative of this receiver called recently asking what it would take to continue this licensure pending the sale to another company. Executive Director Anderson indicated that if they sent a letter of request, renewal application along with the appropriate fee and the details of the case against the company and the principals, the Board would consider continuing the licensure under the supervision of the bankruptcy court. **It was moved by Pharmacist Haroldson and seconded by Pharmacist Dewhirst to renew the license of BioMed Plus Inc, should we receive the required renewal application, fee, letter of request and details of the court case from the receiver or the bankruptcy judge, stating that the company would be under the supervision of the court during the transition period to a new owner. Board Members on a roll call vote:**

**Rick Detwiller, R.Ph.– No   Dewey Schlittenhard, R.Ph –Yes   Bonnie Thom, R.Ph. – Yes**  
**Laurel Haroldson, R.Ph.-Yes   Gary D. Dewhirst, R.Ph. – Yes   The motion carried.**

Discussion followed about the Multistate Pharmacy Jurisprudence Examination (MPJE) and the scores being received by the students. It was agreed that Executive Director Anderson and the Board Members who were willing, should register in the usual manner to take the MPJE Exam and the Board of Pharmacy would reimburse each of them for their voucher expenses. This will give them the opportunity to evaluate the exam in the real life atmosphere that the students are experiencing.

Executive Director Anderson gave an update on Grafton Pharmaceuticals Application for Pharmacy Permit. He reported getting a call from Deborah Kvande, PharmD saying that she had been fired by the people she was working with at Grafton, attempting to get a pharmacy up and running. There was no further action on those items at this time. Pharmacist Schlittenhard asked how she could be fired if she was the one who was *supposed* to be in control of the business.

Registration information for the District V Meeting was distributed with a request that they get the information into the office as soon as possible so we can issue one check for support.

It was moved by Pharmacist Dewhirst and seconded by Pharmacist Thom that the meeting be adjourned, the motion carried and the meeting was adjourned.

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President  
Rick L. Detwiller, R.Ph.

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Member  
Gary W. Dewhirst, R.Ph.

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Member  
Dewey Schlittenhard, R.Ph.

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Member  
Bonnie J. Thom, R.Ph.

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Member  
Laurel A. Haroldson, R.Ph.

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