

A G E N D A

WEDNESDAY - JUNE 22RD 2011

ND STATE BOARD OF PHARMACY OFFICE
1906 E BROADWAY AVE - BISMARCK, ND 58501
Phone 701-328-9535

1:00 PM -CALL TO ORDER

Review and approval of agenda
Review and Approval of Board Minutes – May 16-19, 2011
Examination Candidates for Licensure [2]

**Agenda
Minute Tab
Candidates**

WEDNESDAY - JUNE 22, 2011 Exam Schedule (2 Candidate)

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

CALL 1-800-423-1988 Under the Name HOWARD Conference #1538003

4:00 PM Review of Application for USAF 5th Medical Group-Major Mary Stewart **TAB 1**

Review and final decision on ExCept vs PTCB or both Certification exams for pharmacy technicians. Revised Application for Registration **TAB 2**

Revised floor plans for Bismarck Center for Medicine (CFM) Pharmacy [?] **TAB 3**
Remodeling Plans and SubClass K for McKenzie County Healthcare Systems.....

Review Financials and establish Budget **BUDGET TAB**
Audit Committee Report [Secure auditor for the 2010-2011 Fiscal Year]

Executive Director - review and salary negotiations

Report of interim rule hearing – 6-9-2011 **TAB 4**
Review Rule drafts and consider future adoption.
Update on Compounding Rules

Discussion on possible changes to the Board of Pharmacy rules regarding ambulance services purchasing and inventorying drugs **TAB 5**

Collaborative Agreement personnel update for Sanford Circulate

Updated State License Variance for RMCC to operate under Broadway’s SBOP license, with the “Sanford” name on it? **TAB 6**

Gina Goehring – Consideration for registration as a Technician-In-Training Circulate

President Detwiller called the meeting to order at 1:07 PM in the conference room of the Board of Pharmacy Office located at 1906 E Broadway in Bismarck ND 58501.

Present were: Rick L. Detwiller, R.Ph.; Gary W. Dewhirst, R.Ph.; Laurel Haroldson, R.Ph.; Bonnie J. Thom; Gayle D. Ziegler, R.Ph.; Diane M Halvorson, R.Ph.Tech and Executive Director Howard C Anderson, Jr, R.Ph.

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

It was moved by Pharmacist Thom and seconded by Pharmacist Haroldson to approve the minutes of the May 16-19, 2011 Board Meeting as printed. All Board Members voted aye – the motion carried.

Orientation was conducted with the two candidates for examination, Andrea Bestul, PharmD and Ashley Cox, PharmD. Board Members immediately began to administer the laboratory section of the examinations.

While the candidates were working on their patient scenario portion of the examination, President Detwiller continued with the Agenda.

The request by the US Air Force 5th Medical Group to locate a kiosk in the city of Minot to allow their eligible patients to pick up their medications within the city of Minot, thus not having to travel to the Minot Air Force Base, was discussed and considered. Major Mary Stewart had called earlier in the day to explain that the three individuals planning to attend the Board Meeting would not be able to attend with the flooding considerations occurring in Minot.

Since our previous discussions were held, an Application for a Class K Pharmacy Permit and an assurance that an audio link would be established with the Minot Air Force Base Pharmacy to allow questions and consultations with the patient has been received. Due to the security concerns with video communications, the Air Force could not make the video link available at this time.

It was moved by Pharmacist Dewhirst and seconded by Technician Halvorson to grant a variance and a Class K – Telepharmacy Permit, for the US Air Force 5th Medical Group to establish a kiosk to allow patients to pick up refill medications in the City of Minot, North Dakota, making an exception for the absence of the video link due to the Air Force Base communication security requirements. This approval is contingent upon the receipt of the Pharmacy Permit Fee and a specific approvable location for the Kiosk. All Board Members voted aye – the motion carried.

The requested review of the final decision on approving the ExCPT, PTCB, or both certification examinations for pharmacy technicians to be eligible for Registration in North Dakota was discussed. Pharmacy Technician Halvorson reported that she had taken both of the examinations, at the request of the Board of Pharmacy, without studying and had successfully passed both exams. Technician Halvorson reported that she was not impressed with the quality of questions on the ExCpt exam, with their process for registration, nor sighting for the exam. She also reported that the security for the examination, in her opinion, was very inadequate. The PTCB Examination was proctored, proper identification was required and requested,

questions on the examination were crisp with definable answers. By comparison the ExCPT Exam security was very lax, with identification questionable and when Technician Halvorson completed the examination she could not find anyone within the examination facility, to report her completion.

It was moved by Pharmacist Haroldson and seconded by Pharmacist Thom that the North Dakota State Board of Pharmacy accept only the Pharmacy Technician Certification Board [PTCB] examination as one of the qualifications for Registration as a Pharmacy Technician in North Dakota. Those who already have ExCPT certification may continue and will be in compliance. All Board Members voted aye – the motion carried.

At this time Pharmacist Thom began administering the Errors and Omissions Examination to the two candidates for licensure, while the rest of the Board Members reviewed the remaining Agenda items.

At 3:30 PM the Board Members conducted the oral examination with the two candidates and finalized their scores.

At 4:00 PM Ms Jodi Myrvik arrived at the meeting to explain the revisions made to the floor plans for the pharmacy planned in the new Center for Family Medicine [CFM Pharmacy] to be located at 701 East Rosser Ave in Bismarck.

It was moved by Pharmacist Dewhirst and seconded by Pharmacist Haroldson to approve the submitted floor plans for Center for Family Medicine [CFM Pharmacy] to be located at 701 East Rosser Ave in Bismarck, with the understanding that the consultation area would be revised to make it auditory and visually secure and that the revised floor plans reflecting this change would be submitted to the Board of Pharmacy Office. All Board Members voted aye – the motion carried.

It was moved by Pharmacist Dewhirst and seconded by Pharmacist Haroldson to approve the revisions to the Collaborative Agreement for Sanford Health System submitted by Rob Nelson, PharmD, with the variance for 5 pharmacists per physician and the recommendation that pharmacists be allowed to modify dosages based on laboratory tests as Pharmacist Nelson requested. Board Member Ziegler disclosed for the record that she is employed with Sanford Health Systems and she intended to vote. All Board Members voted aye – the motion carried.

Board Members reviewed the proposal submitted by Ken Tupa of APT, Inc representing Ambulance Services in North Dakota. The proposal requests a rule revision to allow ambulance services to have their own drugs through their medical director, including schedule III & IV drugs. Board Members discussed the issues and asked that this item be continued until our next meeting and that ambulance representative be invited to the meeting to answer questions and to discuss more fully how this would be implemented.

Executive Director Anderson referred the Board Members to Tab 4 for the rules that were recently passed and discussed with the Interim Rules Committee of the State Legislature and which will become effective on July 1st, 2011.

Pharmacists Sue Schnase and Mark Plencner joined the meeting via the conference call to discuss the updating of the state licensing variance in the Memorandum of Understanding with Roger Maris Cancer Center to operate under the Broadway Pharmacy ND Pharmacy Permit #309, now that it has changed from Meritcare to Sanford. Apparently one of their wholesalers asked that this variance be updated as they were delivering medication to the Roger Maris Cancer Center location and although it is only 150 feet away within the same building, wholesalers need to keep their business within the law. After discussion, emailing the updated State License Variance presented by Executive Director Anderson and discussion about implications,

It was moved by Technician Halverson and seconded by Pharmacist Thom to approve this updated Memorandum of Understanding as a variance under Sanford Pharmacy Broadway, ND Pharmacy Permit #309. Again, Pharmacist Ziegler disclosed her employment with Sanford and that she intended to vote. All Board Members voted aye – the motion carried.

[A copy of this Memorandum is attached]

It was moved by Pharmacist Ziegler and seconded by Pharmacist Thom to approve the Budget as presented and begin the process of increasing the ND Wholesale License fee another \$100 to a fee of \$300 and to institute a Controlled Substance Registration, preferably through the legislative process. On a vote by Roll Call: Pharmacist Detwiller – Aye Pharmacist Dewhirst – Aye Technician Halvorson – Aye Pharmacist Haroldson – Aye Pharmacist Thom – Aye Pharmacist Ziegler – Aye Nays none – the motion carried.

It was moved, seconded and carried to authorize Executive Director Anderson to execute a Memorandum of Understanding with the Center for Family Medicine [CFM Pharmacy] to be located at 701 East Rosser Ave in Bismarck. All Board Members voted aye – the motion carried.

At 5:00 PM President Detwiller had to leave the meeting for a scheduled appointment and turned the meeting over to the capable hands of Senior Member Dewhirst. Pharmacist Dewhirst reminded himself that he and Pharmacist Detwiller comprised the Audit Committee and were responsible for hiring the auditor. Pharmacist Dewhirst then asked Executive Director Anderson to prepare a solicitation for services to be advertised.

It was moved by Pharmacist Ziegler and seconded by Pharmacist Thom to approve a subclass K – Telepharmacy Permit for McKenzie County Healthcare Systems Pharmacy, located at 516 North Main in Watford City and issued ND Pharmacy Permit #338. This service will be utilized for after hour services, primarily for consultation between the nurses, prescribers and for the pharmacist's first dose review of medication orders. They intend to utilize Avera McKenna for their telepharmacy partner. All Board Members present voted aye – the motion carried.

The remodeling plans for McKenzie County Healthcare Systems Pharmacy, located at 516 North Main in Watford City were reviewed. Board members wanted resolution of questions such as: is the medication room lockable; what kind of IV preparation was going to be anticipated and have the new 797 rules been considered in the design. Executive Anderson will communicate with them for clarification and confirmation on these issues.

After review of the two options presented for the Employment Agreement with Executive Director Anderson, **it was moved by Pharmacist Thom and seconded by Pharmacist Haroldson to adopt the attached Employment Agreement. On a vote by Roll Call: Pharmacist Dewhirst – Aye Technician Halvorson – Aye Pharmacist Haroldson – Aye Pharmacist Thom – Aye Pharmacist Ziegler – Aye Nays none – the motion carried. Pharmacist Detwiller was absent. The motion carried.** [A copy of this Employment Agreement is attached]

An Application for Registration as a Pharmacy Technician-In-Training submitted by Gina Goehring was reviewed. Board members discussed the disclosure that accompanied this Application.

It was moved by Technician Halvorson and seconded by Pharmacist Ziegler to issue a Pharmacy Technician-In-Training Registration to Ms. Gina Goehring. All Board Members present voted aye. The motion carried.

The meeting was adjourned at 6:00 PM.

Rick L. Detwiller, R.Ph
President

Gary W. Dewhirst, R.Ph.
Member

Member
Laurel A. Haroldson, R.Ph.

Member
Bonnie J. Thom, R.Ph.

Member
Gayle D. Ziegler, R.Ph.

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

Member
Diane M. Halvorson, RPhTech