

**A G E N D A**  
**NORTH DAKOTA STATE BOARD OF PHARMACY**  
**MAY 16-17-18-19, 2011**

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**MONDAY-MAY 16, 2011- CANDLEWOOD SUITES 1831 NDSU Research  
Park Drive - Fargo ND 58102 1-701-235-8200)**

**5:00 PM - Call to Order – President Rick Detwiller**

**A. BUSINESS SESSION**

Seat new member(s) – administer Oath of Office

Review and Approval of Agenda

**AGENDA TAB**

Make final preparations for tomorrows exams

**Candidate TAB**

Review Candidate Files = 52

Review Intern Portfolios

Review & Approval of Minutes of the January 10-12, 2011 and March 31, 2011 Meetings

**MINUTE TAB**

MOU with NABP for NAPLEX and MPJE

**TAB 1**

Appoint two Board Members to review all paid expenses.

Sign Certificates – RPh & Technicians

Election of President for the July 1, 2011 to July 1, 2012 Board Year

NEW PHARMACY or REMODELING:

Request for Sub-Class K – Telepharmacy Permits

**TAB 2**

Jacobson Memorial Hospital Pharmacy - Elgin

Sakakawea Medical Center Pharmacy - Hazen

CE Request: Janel Agnes, R.Ph. #4415

Stephanie Glessing, R.Ph. #5309

James Vachal, R.Ph. #3563

Application for Re-instatement: Michelle A. Sletvold - ND Tech #514  
[cancelled for non-payment]

Collaborative Agreement Changes=Sanford-Rob Nelson, Pharm. D

**TAB 3**

Year to date financial reports-2011-2012 Budget

**BUDGET TAB**

Asset Depreciation Report

Possible Future Exam Dates: [candidates] \_\_\_\_\_

\*\*\* Move things out of Room for Breakfast

**TUESDAY-MAY 17, 2011 COLLEGE OF PHARMACY-**

**NDSU Sudro Hall - Room 21**

8:00 - 8:30	AM	Roll Call and Orientation of Candidates
8:30 - 9:30	AM	Laboratory Section 1
8:45 - 9:15	PM	Errors and Omissions Section 1
9:45-10:15	PM	Errors and Omissions Section 2
10:45-11:15	PM	Errors and Omissions Section 3
9:45 -10:45	PM	Laboratory Section 2
11:00-12:00	PM	Laboratory Section 3
1:00- 2:00	PM	Laboratory Section 4
2:15- 3:15	PM	Laboratory Section 5
3:30- 4:30	PM	Laboratory Section 6
4:45- 5:45	PM	Laboratory Section 7

Review Intern Portfolios

**6:30 Dinner –Willow Room – Passages Café of the Radisson Hotel**

**& Preparations for Oral Exam - 201 N 5<sup>th</sup> Street – (1 –701-232-7363)**

Dean Charles Peterson, PharmD, R.Ph., Provost Craig Schnell, President Dean Bresciani (Invited but cannot attend) Mike Schwab Executive VP NDPhA, Brad Morrison, R.Ph. NDPhA President, Brian Ament, R.Ph. President NDSHP; Judy Swisher, R.Ph.

**WEDNESDAY - MAY 18, 2011**

7:00 AM Board Breakfast

**CANDLEWOOD SUITES Board Room 1831 NDSU Research Park Drive - Fargo**

**ORAL EXAMINATION SCHEDULE**

9:00 -	AM	SECTION 1	FOLLOW THIS SEQUENCE FOR EACH SECTION:	
9:20 -	AM	SECTION 2		
9:40 -	AM	SECTION 3		
10:00 -	AM	BREAK	To Room	_____
10:20-	AM	SECTION 4		
10:40-	AM	SECTION 5	To Room	_____
11:00-	AM	SECTION 6		
			To Room	_____
1:20 -	PM	SECTION 7		
1:40 -	PM	SECTION 8		
2:00 -	PM	SECTION 9		
2:20 -	PM	SECTION 10		
2:40 -	PM	SECTION 11		
3:00 -	PM	SECTION 12		
3:20 -	PM	SECTION 13		
3:40 -	PM	SECTION 14		

Final Scoring of Exams

**6:30 Dinner with Attorney Lindell, Inspector Swisher**

Investigating committee meetings

**THURSDAY – May 19, 2011**

**7:30 AM** CALL TO ORDER - President Rick Detwiller, R.Ph.

**7:45 AM** New Pharmacy in the Heart of America Clinic-Rugby Erik Christenson and Tallie Schneider

**8:00 AM** Freedom of Choice in Long Term Care-Proprietary Packaging Systems - Sample

**8:30 AM** Nathan Beckman 1<sup>st</sup> Year NDSU Intern #487  
Placed on Academic Suspension for a minimum of two terms

**9:00 AM** Minot Air Force Base Request to Use Dispensing Kiosk in Minot-Major Mary Stewart

**10:00 AM** North Dakota DOCR Pharmacy – ND Permit # 170 - Relocation  
Valerie Sturlaugson, R.Ph. – Pharmacist-In-Charge

**\*\*\*** Call 1-800-423-1988 –Conference #1532136 [Howard Anderson]

**10:15 AM** Continuum of Care for Hospital IV Patients going Home: Rick Boehm – **TAB 4**  
Pharmacist- In-Charge, St Joseph's Hospital & Health Center Pharmacy –  
Dickinson Shelly Johnson & others Original Prescription for Walk in Clinic  
Patients - Sanford South- Robert Biberdorf

Contrast Media Dispensing by Laboratorians

**11:00 AM** Continuation of rule hearing on Compounding Rules: **TAB 5**

**Review open Cases**

Ryan Sannes-Progress Report

Mark Pajala

Review Administrative Settlements/Investigative Committee Actions

Consider Approval of the actions of the Executive Director  
Approval of all paid expenses.

Review Future Meeting Dates

Consideration for adoption of regularly scheduled bimonthly Board Meetings

Preparation for implementation of SB 2080- Veterinary Dispensing outlets and Veterinary  
Dispensing Technicians **TAB 6**

Other business

Complete Vouchers

**ADJOURNMENT**

The meeting was called to order at 5:35 PM on Monday May 16<sup>th</sup>, 2011 by Senior Member Gary Dewhirst in the Board Meeting Room of the Candlewood Suites in Fargo, ND. President Rick Detwiller was absent as he had to stay in Bismarck to fight the floodwaters of the Missouri River.

Present were: 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.

The Oath of Office was administered to newly appointed Pharmacy Technician Diane M Halvorson by Pharmacist Dewhirst. All Board Members present congratulated Technician Halvorson and welcomed her to the Board of Pharmacy.

Pharmacist Ziegler announced that she had received her reappointment letter from the Governor's Office.

***It was moved by Pharmacist Thom and seconded by Pharmacist Haroldson to seat Diane M. Halvorson, R.Ph.Tech on the Board of Pharmacy. All Board Members present voted aye – motion carried.***

***It was moved by Pharmacist Ziegler and seconded by Pharmacist Thom to approve the Agenda with the following changes and additions: Since Beverly Adams, representing Sanford was already present – we will move the Collaborative Agreement between Pharmacists and Physicians at Sanford Health to the top of the agenda and to add two items. On the bottom of page 1 add Technician Certification and PTCB or ExCEPT Certification along with a discussion on the process for in-active status. Add an item on Central Fill with Chad Nelson, PharmD . at 10:00 AM on Thursday May 19, 2011. All Board Members present voted aye – the motion carried.***

Pharmacist Ziegler disclosed that she is employed by Sanford, but that Beverly Adams was present to answer any questions, should there be any. There were none forthcoming from the Board members.

***It was moved by Pharmacist Thom and seconded by Pharmacist Haroldson to approve the changes made to the Collaborative Agreement between the physicians and pharmacists at Sanford Health in Fargo as requested by Rob Nelson, PharmD. All Board Members present voted aye – the motion carried.***

The Board Members commenced the review of the 52 Candidates for tomorrow's Examinations.

At 7:10 PM Pharmacist Dewhirst recessed the meeting for a quick supper. The Board returned by 8:00 PM to resume the Agenda.

***It was moved by Pharmacist Ziegler and seconded by Pharmacist Haroldson to approve the January 10-12, 2011 and March 31, 2011 meetings as printed in the Minute Book. All Board Members voted aye – the motion carried.***

***It was moved by Pharmacist Haroldson and seconded by Pharmacist Thom to authorize Executive Director Anderson to execute a Memorandum of Understanding with the National Association of Boards of Pharmacy [NABP] to conduct the North American Pharmacy Licensure Examination [NAPLEX] and Multistate Pharmacy Jurisprudence Examination [MPJE] for North Dakota. All present Board Members voted aye – the motion carried.***

Senior Member Dewhirst appointed Technician Halvorson, with the assistance of all the Board Members to review all paid invoices.

Board Members signed Original Certificates for pharmacists and pharmacy technicians. It is notable that this is the first time that Diane Halvorson's name will appear on a Board of Pharmacy Certificate, representing Pharmacy Technicians.

The Board members deferred the election of a president for the July 1, 2011 to July 1, 2012 year until such time as Pharmacist Detwiller is in attendance.

No Applications requesting the subclass K – Telepharmacy Permits were received from Jacobson Memorial Hospital Pharmacy in Elgin or Sakakawea Medical Center Pharmacy in Hazen so no action was taken on the potential requests.

#### Requests for CE Credit

***It was moved by Pharmacist Ziegler and seconded by Pharmacist Thom to grant Janel Agnes, R.Ph. # 4415 13.75 hours of Continuing Education for attending "Billings Ovulation Method Teacher Training." All Board Members present voted aye – the motion carried.***

***It was moved by Pharmacist Thom and seconded by Pharmacist Haroldson to grant Stephanie Olson Glessing, PharmD #5309 10.5 hours of Continuing Education for the "Advanced Cardiac Life Support" program. All Board Members present voted aye – the motion carried.***

***It was moved by Pharmacist Ziegler to allow James Vachal, R.Ph. #3563 13.75 hours of Continuing Education for attending the Medical Group Management Association seminar. This motion was then withdrawn.***

***It was moved by Pharmacist Ziegler and seconded by Pharmacist Haroldson to allow James Vachal, R.Ph. #3563 5.75 hours of Continuing Education for attending the Medical Group Management Association seminar, after review of the details of the programs on the MGMA website. All Board Members present voted aye – the motion carried.***

***It was moved by Technician Halvorson and seconded by Pharmacist Ziegler to approve the Application for Reinstatement of Michelle A. Sletvold, ND Technician #514 who was cancelled for non-payment. All Board Members present voted aye – the motion carried.***

Board Members reviewed the year to date and budget comparisons for the first 10 months of this fiscal year.

***It was moved by Pharmacist Haroldson and seconded by Pharmacist Thom to approve the contract with Health Information Designs for the Prescription Drug Monitoring Program interconnect project [PDMPi] for both implementation and maintenance over the next four years. It is understood that the maintenance amount will be billed monthly along with the regular monthly billing. 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.***

The Board recessed at approximately 11:00 PM with plans to meet again at 7:30 AM to begin the licensure examinations at NDSU College of Pharmacy.

### **Tuesday – May 17, 2011**

At 7:45 AM the Board Members left for NDSU College of Pharmacy to begin administering the licensure examinations. President Detwiller has joined the Board Meeting, after arriving late last night. During Orientation Executive Director Anderson introduced the Members of the Board of Pharmacy to the candidates. The Board answered what questions the candidates chose to ask and immediately proceeded with the Laboratory and Errors and Omissions examinations.

At 6:00 PM the Board Members went directly to the Radisson Hotel for the scheduled dinner with Dean Charles Peterson, PharmD, R.Ph., and Provost Craig Schnell, of NDSU College of Pharmacy, Nursing and allied Sciences. [Invited but unable to attend = Mike Schwab Executive VP NDPhA, Brad Morrison, R.Ph. NDPhA President, Brian Ament, R.Ph. President NDSHP and NDSU President Dean Bresciani]

Dean Peterson gave a summary of activities at the College of Pharmacy over the past year and updated the Board Members on the progress of the self study for the anticipated ACPE Accreditation visit in April of 2012.

Dr Schnell provided an overview of activities and progress the University was making and pointed out that President Bresciani was well received and that he was working hard to guide the University through the difficulties related to some of the funding issues that were criticized by the Legislature. NDSU did receive an 8.8% tuition increase, supported by the students and which will help provide some of the funding lacking at NDSU through discrepancies in the equity funding between North Dakota Universities.

Board Members thanked Dr Schnell for his long service, beginning with Vice President and transitioning into the title of Provost at NDSU. Much has been accomplished during this time during which Dr Schnell worked with four different University presidents.

Board Members reconvened in the Board Room of the Candlewood Suites at 7:00 AM Wednesday May 18<sup>th</sup>, 2011 to make final preparations for the Oral Examinations to be given to the 52 Candidates.

At approximately 6:00 PM the Board Members began tabulating the scores from the last two days of the North Dakota Examination with all 52 Candidates for licensure receiving passing scores.

Investigating committee sessions were held during the evening with compliance officer Judith Swisher, R.Ph, Executive Director Anderson, one board member for each case and David Lindell, JD.

President Detwiller called the Board Meeting back into session at 7:30 AM on Thursday May 19, 2011.

Pharmacist Erik Christenson and Pharm.D candidate Tallie Schneider were present to discuss plans for their new pharmacy envisioned in Rugby, North Dakota.

***It was moved by Pharmacist Ziegler and seconded by Pharmacist Haroldson to approve the Application for Pharmacy Permit for a Class A Permit to Heart of America Clinic Pharmacy located at 800 South Main Ave in Rugby, ND 58368. A subclass K – Telepharmacy permit is also granted to allow the pharmacists to work back and forth with Heart of America Medical Center hospital pharmacy. All Board Members voted aye – the motion carried.***

ND Registered Pharmacy Technician #502 Jennifer Joyce employed with Arthur Drug was present to discuss Freedom of Choice in Long-Term-Care with the Board Members. Chad Nelson, PharmD of Metro Drug in Fargo was also present for this discussion. During the discussion Technician Joyce pointed out that Thrifty White Drug had been very helpful in working with them to obtain the necessary products to comply with the request of the Good Samaritan Home in Arthur for their particular medication administration system.

***It was moved by Pharmacist Thom and seconded by Technician Halvorson that a proprietary system for medication dispensing and administration which is available only through a competing provider pharmacy does not offer compliance with the "Freedom of Choice" requirements in North Dakota Law, for residents of Long Term Care Facilities. Pharmacist Dewhirst disclosed that he was employed with Thrifty White Drug. All Board Members voted aye – the motion carried.***

Intern #487 - Nathan Beckman NDSU P1 student, who has been placed on Academic Suspension for a minimum of two terms met with the Board of Pharmacy. Nathan explained that he had been under some financial duress and had not been attending classes last fall, which resulted in his poor performance and the eventual Academic Suspension. He believes he has these items resolved and is looking forward to working in a pharmacy to continue to resolve these issues. Thrifty White Drug has offered him an intern position and indicated that he could continue working when he returns to school. He is required to contact Dr. Cynthia Naughton in early June to make Application for early return to school next fall, so he will not miss another year of college. He does hope to complete his pharmacy education and has resolved to communicate frequently with his advisor, his professors and Dr. Naughton to resolve any outstanding issues.

***It was moved by Pharmacist Dewhirst and seconded by Pharmacist Ziegler to grant an exception for Nathan Beckman to continue his Intern License #487 – while***

***awaiting his re-entry into the NDSU PharmD Program. All Board Members voted aye – the motion carried.***

Major Mary Stewart, Coronel Karlan Hoggan and Staff Sergeant Christopher Harris met with the Board of Pharmacy to request a Permit to place a dispensing kiosk in a location within the city of Minot, ND so that base personnel, retirees and other eligible patients could pick up their medications without having to take the 15 mile trip to the kiosk or pharmacy on the Air Force base.

***It was moved by Pharmacist Dewhirst and seconded by Pharmacist Ziegler to state that the Board was receptive to the request made by the Minot Air Force Base personnel. However, the Board would prefer that audio and video capabilities be included in any kiosk, and once the location has been determined, an Application for a Class H – Government Pharmacy Permit, with a subclass K Telepharmacy be applied for and the appropriate fee submitted. All Board Members voted aye – the motion carried.***

Valerie Sturlaugson, Pharmacist-In-Charge at the ND State Penitentiary Pharmacy dba North Dakota DOCR Pharmacy – Pharmacy Permit #170 was present to discuss the relocation plans and new facility. Board Members reviewed the floor plans and asked questions of Pharmacist Sturlaugson.

***It was moved by Pharmacist Haroldson and seconded by Technician Halvorson to approve the submitted plans for the new facility and pharmacy location, as long as the provisions continue to be made for future sterile products preparation, including air quality control being built into the area adjacent to the pharmacy, where the sterile products preparations area could be added. In addition Board Members request that telepharmacy provisions be included in the pharmacy plans so that this technology could be utilized to allow the pharmacist to communicate with patients at the various facilities being served, as well as to consult with the prescribers and nurses at the various locations, thus doing everything we can to promote proper use of medications and patient safety. All Board Members voted aye – the motion carried.***

Pharmacist Chad Nelson asked to discuss with the Board his plans for a central fill out of Steele Drug - 101 W Broadway in Steele, ND location. Board Members asked several questions of Pharmacist Nelson and referred him to the central fill guidance published by the Board of Pharmacy and available on our website. The guidance requires that both pharmacies involved in the filling of a prescription have a record of that prescription for that specific patient, that the labeling be complete as required and that the location of the Talyst machines with their appendent inventory, require a Pharmacy Permit under the telepharmacy requirements.

Pharmacists Rick Boehm, Jerry Wahl, Brian Ament and Brian Moe were present for the discussion revolving around how critical access hospitals, such as St Joseph's in Dickinson or Mercy Hospital in Williston could best provide injectable medication services to hospital patients and others within the community. Pharmacists Shelly Johnson and Robert Biberdorf were also present for



this discussion. Pharmacist Joel Aukes arrived at the meeting for the Sterile Products hearing and was able to participate in this discussion as well.

The discussion ended with a consensus by Board Members that Executive Director Anderson write to Pharmacist Boehm and copy the others, explaining how a pharmacy could be set up and operated in these situations and be in compliance with North Dakota Laws, while serving either inpatients or out-patients, who may not have been patients at either particular hospital.

The hospital pharmacists present were asked for their opinions about how the dispensing of contrast media by laboratory personnel should be handled. The consensus was that laboratory personnel, with the exceptions of the physicians/radiologists should not be dispensing contract media and these orders should come to the pharmacy, or a prescription should be written, if there is not a pharmacy on site, so the patients can receive their medications, be properly counseled about their use and the interactions with any other medications the patient might take.

Pharmacist Robert Biberdorf, an executive partner at Sanford Health in Fargo was present to discuss the changes that Sanford had made in incorporating their walk-in clinic into a department of the Sanford Hospital. Pharmacist Biberdorf asked for an interpretation of continuum of care so he would have clarification on what is allowed and what is not allowed, relative to providing services to patients of the hospital who might be accessing services of that hospital's walk-in clinic.

***It was moved by Pharmacist Dewhirst and seconded by Pharmacist Thom for Executive Director Anderson to provide Pharmacist Biberdorf with the clarification of continuum of care and to extend it to include the answer to the question the hospital pharmacists were asking about provision of IV or injectable services to those patients leaving the hospital and going home on IV therapy. All Board Members voted aye – the motion carried.***

Several of the injectable service and hospital pharmacists were present to discuss the continuation of the Compounding Rules hearing on compounding for 795 and 797 Compounding Pharmacies. Considerable discussion ensued with several of the discussion items answered. Anderson will prepare a revised rule draft for circulation.

Mark Pajala – ND Pharmacist #3988 – was present to discuss his progress, with the Board of Pharmacy. He feels he is doing quite well. He is working full time, keeping at least bi-monthly visits with Agnes Harrington, weekly visits with Barry Marsch and doing well in his recovery.

One of the administrative actions brought forward from the Investigating Committee Meeting held Wednesday evening was a heads-up on the approach of the Colorado Board of Pharmacy in disciplining those who were not reporting to their Prescription Drug Monitoring Program.

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

***It was moved by Technician Halvorson and seconded by Pharmacist Dewhirst to approve all of the paid invoices since the last meeting including those that had been held over from the January 2011 meeting for clarification. 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.***

Discussion followed about future meeting dates and the Board Members agreed to ***June 22<sup>nd</sup>, 2011 at 1:00 PM*** at the Board of Pharmacy Office in Bismarck to administer examinations to Ashley Cox - Marissa Olson a MT grad and any other candidate.

Board Members also agreed to set meetings every other month on a fixed date so that they and other would have this knowledge well in advance of the anticipated meeting dates.

***It was moved by Pharmacist Dewhirst and seconded by Pharmacist Haroldson to establish the 3<sup>rd</sup> Thursday of March, July, September and November- unless that date fell on a holiday, in which case we would use the 2<sup>nd</sup> Thursday of the month. We will continue our regularly scheduled meeting at the end of school in January and May. All Board Members voted aye – the motion carried.***

Dr Jim Clement, DVM and Guy Halverson of Stockmen's Supply West were present to discuss the implementation of Senate Bill #2080 with the Board of Pharmacy. Dr. Clement asked if Bismarck State College [BSC] might be a possible venue for conducting some online training for the veterinary dispensing technicians. He was encouraged by the Board to contact BSC for their interest. Executive Director Anderson committed to developing a list of competencies necessary, working with Guy Halverson, Rob Jamison and others. An initial training session and competency assessment test for those veterinary technicians currently practicing will also be developed. It was generally agreed that there may be grandfathering granted to those currently working in licensed businesses, giving them one year to complete the training and the assessment test. Subsequently new veterinary dispensing technicians would be required to pass the test before being allowed to go to work.

***It was moved by Pharmacist Dewhirst and seconded by Technician Halvorson to elect Bonnie Thom President of the Board of Pharmacy for the 2011-2012 fiscal year. All Board Members voted aye – motion carried.***

Pharmacist Thom was congratulated by all.

President Detwiller called for any further business, none forthcoming the Board Meeting adjourned.

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Rick L. Detwiller, R.Ph  
President

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Gary W. Dewhirst, R.Ph.  
Member

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Member  
Laurel A. Haroldson, R.Ph.

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Member  
Bonnie J. Thom, R.Ph.

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Member  
Gayle D. Ziegler, R.Ph.

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

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Member  
Diane M. Halvorson, RPhTech