



State of North Dakota
Doug Burgum, Governor

OFFICE OF THE EXECUTIVE DIRECTOR
1906 E Broadway Ave
Bismarck ND 58501-4700
Telephone (701) 328-9535
Fax (701) 328-9536
STATE BOARD OF PHARMACY
Email= Mhardy@ndboard.pharmacy
www.ndboard.pharmacy

Mark J. Hardy, PharmD
Executive Director

June 7, 2021

- NDCC 28-32-08 - Regulatory Analysis relative to amendments and adoption of rules in NDAC 61**
- 61-02-07.1-07 Pharmacy Technician Registration Requirements – modifies administrative code based upon Senate Bill 2175 for a provisional registration for military members
- 61-03-01-04 Licensure Transfer - modifies administrative code based upon Senate Bill 2175 for a provisional license for Military members
- 61-04-04-01 Unprofessional conduct – adds provision for concerning marketing practices in pharmacies
- 61-04-11 Administration of Medications and Immunizations – implements Senate Bill 2279 providing operational standards for a registered pharmacy technician to assist a pharmacist in administering medications and immunizations
- 61-04-14 Limited Prescription Authority for Immunizations – creates administrative code according to Senate Bill 2221 to allow limited prescriptive authority for pharmacists for immunizations based on a statewide protocol
- 61-04-15 Limited Prescription Authority for Tobacco Cessation Therapies - creates administrative code according to Senate Bill 2221 to allow limited prescriptive authority for pharmacists for tobacco cessation medications based on a statewide protocol

Neither the Governor, nor a member of the Legislative Assembly has filed a written request for a Regulatory Analysis for these rules.

The proposed rules are not expected to have an impact on the regulatory community as a whole in excess of \$50,000. The regulated community consists of pharmacies, pharmacists, interns and pharmacy technicians engaged in the practice of Pharmacy in the State. These rules are intended to change the Administrative Code mostly in response to Legislative Bills passed in the 2021 67th Legislative Assembly.

Many of the proposed rules and amendments will affect pharmacists and pharmacy technicians in a positive way to allow them to expand in the professional practice outlined in the rules. The addition of Unprofessional Conduct is meant to address concerns from the public and healthcare professionals encountered in a small number of pharmacies.

The Board of Pharmacy will be impacted specifically in its implementation of the rules for the licensure and registration of military members. The Board will need to adjust licensure and registration Application processes to accommodate the rule changes. The Board will need to develop a Statewide protocol and update it on a regular basis for the purposes of the Limited Prescriptive Authority for Immunization and Tobacco Cessation Therapies. We anticipate the cost to be minimal and will not have any effect on State Revenue or licensure fees collected by the State Board of Pharmacy.

A handwritten signature in black ink, appearing to read 'Mark J. Hardy', written over a horizontal line.

Mark J. Hardy, PharmD
Executive Director