

A G E N D A
THURSDAY – SEPTEMBER 20th, 2012
ND STATE BOARD OF PHARMACY OFFICE
1906 E BROADWAY AVE – BISMARCK, ND 58501

10:00 AM Call to Order: Senior Member Gary Dewhirst, R.Ph. **AGENDA**

Review & Sign Minutes of July 19, 2012 Board Meeting **MINUTES**

Remodeling: Hillsboro Medical Center Pharmacy

Change of Location: Kenmare Drug Co.

Collaborative Agreement – Sanford’s Anticoagulation Clinic
Sanford’s Dialysis

Re-instatement request: Jackie L Wicks ND Tech615 [cancelled for non-payment 2011]

11:00 AM Derek Gaffney – Intern #477 **TAB 1**

Dispensing Machines in LTCs – Possible Class L Pharmacy Permit **TAB 2**

Humana contract amendment letter & response from Humana **TAB 3**

Board Financials and Budget Adjustments **BUDGET**

Great Plains Rehab Services – Chair Lift/installation

Request for Sponsorship of Dakota Night Reception at ASHP-Las Vegas

Enhancement to PDMP Direct Access

Advertisements for Pharmacist’s Month

Assign Board Members to Review Invoices Paid since May 2012 Meeting

Examinations: (2 Candidates) Zachary Marty – Michael Miller **CANDIDATES**

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

Senior Board Member Gary W. Dewhirst called the meeting to order at 10:06 AM on Thursday September 20th, 2012 in the Conference Room of the Office North Dakota State Board of Pharmacy located at 1906 East Broadway Ave in Bismarck, ND.

Present were: Gary W. Dewhirst, R.Ph. – Public Member Fran Gronberg – Technician Member Diane M Halvorson, RPhTech – Shane R. Wendel, R.Ph. – Gayle D. Zieger, R.Ph. – Assistant Executive Director Mark J Hardy, PharmD and two PharmD Student Interns doing their rotation at the Board Office Jenna Midgarden and Trisha Laub.

Absent were: Bonnie J. Thom, R.Ph., who is attending an NABP meeting on behalf of the Board; President Laurel Haroldson, R.Ph. who is attending to a personal medical issue and Executive Director Howard C. Anderson and Board Attorney David A. Lindell, JD.

The minutes of the July 19, 2012 Board of Pharmacy meeting were reviewed.

It was moved by Technician Halvorson and seconded by Pharmacist Ziegler to approve the July 19, 2012 Board meeting minutes as printed. All Board Members present voted aye. The motion carried.

Assistant Executive Director Hardy presented the remodeling plans submitted for the Hillsboro Medical Center Pharmacy – owned by Sanford and located in Hillsboro, ND. It was noted that this pharmacy does not currently appear to be doing any sterile compounding, but this should be verified by a letter from the Board Office to their pharmacist-in-charge, Kenneth Strandberg, R.Ph.

It was moved by Technician Halvorson and seconded by Public Member Gronberg that contingent upon verification no sterile compounding will be conducted, to approve the remodeling plans submitted for Hillsboro Medical Center Pharmacy located at 12 3rd Street SE in Hillsboro, ND. Board Member Gayle Ziegler disclosed that she is employed with Sanford Health Systems and she intended to vote. No objections were made. All Board Members present voted aye. The motion carried.

It was moved by Public Member Gronberg and seconded by Pharmacist Wendel that contingent upon the receipt of a completed and compliant lease agreement for the new location, to approve the submitted plans for the relocation of Kenmare Drug Co currently located at 109 1st Ave NW to a new structure just 100 feet north, utilizing the same street address in Kenmare, ND. All Board Members present voted aye. The motion carried.

It was moved by Public Member Gronberg and seconded by Technician Halvorson to approve the amended collaborative agreements of Sanford’s Anticoagulation Clinic physicians and pharmacists; and to support the requested variance of the ratio of 5 pharmacists per physician. The pharmacists and physicians are as follows:

<i>Pharmacist</i>	<i>Physician</i>
<i>Allison Frank, PharmD</i>	<i>David Clardy, MD</i>

Anna Meyer, PharmD

Lisa Richter, PharmD

Heather Strawsell, PharmD

Hanna Surma, PharmD

Cornelius Dyke, MD

Susan Farkas, MD

Thomas Haldis, MD

Shashank Jolly, MD

JoEllen Kohlman-Petrick, MD

Heeraimanglore Manjunath, MD

Christina McDowell, MD

Roxanne Newman, MD

Manual Otero-Cagide, MD

Christopher Pierce, MD

Wallace Radkte, MD

Craig Rouba, MD

Rawa Sarji, MD

Joshua Wynne, MD

Board Member Gayle Ziegler disclosed that she is employed with Sanford Health Systems and she intended to vote. No objections were made. All Board Members present voted aye. The motion carried.

It was moved by Technician Halvorson and seconded by Public Member Gronberg to approve the Sanford Renal Dialysis collaborative agreement between the following physicians and pharmacists, with the amendment of the addition of Dr. Eram Shahira:

Pharmacist

David Anderson, PharmD

Stacy Belehar, PharmD

Elise Carlson, PharmD

Andrea Plath, PharmD

Monte Roemmich, PharmD

Physician

Gopal Chemiti, MD

Binaya Khanal, MD

Teresa Levitski-Heikkila, MD

Daniel Louvar, MD

Adit Mahale, MD

Gautam Phadke, MD

Ahmer Quarni, MD

Eram Shahira, MD

Jeffrey Skogen, MD

Board Member Gayle Ziegler disclosed that she is employed with Sanford Health Systems and she intended to vote. No objections were made. 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 Jackie L Wicks, ND Pharmacy Technician Registration 615, which had been cancelled for non-payment of the renewal fee in 2011. Senior Member Dewhirst disclosed that Ms Wicks would be working with him at White Drug #55 in Hettinger and he intended to vote. No objections were made. All Board Members present voted aye. The motion carried.

At 11:00 AM Derek L Gaffney, ND Intern #477 and 4th Year NDSU PharmD Student joined the Board Meeting to explain the circumstances of his suspension from the PharmD Program at

NDSU College of Pharmacy. Mr Gaffney explained the steps that he is taking to get back into the PharmD Program. He discussed the communication issues that he had during his first rotation and the reasons that he was failed from that rotation. Board members asked questions regarding his future and what steps he was taking to correct the issues that led to his suspension from the Program.

It was moved by Pharmacist Wendel and seconded by Public Member Gronberg to suspend Derek L Gaffney intern license #477 until December 31, 2012. He is to meet with the Board at our January 2013 Meeting to update the Board on his progress toward reenrollment into the PharmD Program at NDSU. He is to submit monthly reports, by email to Assistant Executive Directory Hardy, as to the stipulations made by Dr. Daniel Friesner on his progress towards compliance. All Board Members present voted aye. The motion carried.

Pharmacist Keith Horner and PharmD Student Jared Binstock on rotation at St Alexius Medical Center joined the Board Meeting to participate in the discussion regarding dispensing machines in Long-Term-Care facilities and the possibility of creating a Class L Pharmacy Permit.

Assistant Executive Directory Hardy followed up on a previous discussion at the July Board Meeting about the possibility of a Class L Pharmacy Permit to address dispensing devices located within Long-Term-Care facilities. Board Member addressed questions as how such a rule would work and the intentions behind this Pharmacy Permit Class. Assistant Executive Directory Hardy explained that he had been approached by Thrifty White Drug about the possibility of adding a dispensing device into a facility within North Dakota and briefed the Board on how the DEA treats these kinds of devices. Assistant Executive Directory Hardy expressed that he thought a Pharmacy Permit Class would be the appropriate way to handle these dispensing devices and thus the intention for the Class Permit addition. The Board Members all felt that it was important to move this to a rule hearing to gather the public and professional opinions and to work on the language that is in draft form.

A discussion about the multiple complaints about the Humana contract amendment that the office has received in the past month ensued. Assistant Executive Directory Hardy explained the amendment and the conversations that he has had with pharmacists relative to the possible restrictions on retail pharmacies from mailing prescriptions to their patients. Assistant Executive Directory Hardy reported receiving a response from a Humana representative after seeing the item on our Agenda. The representative indicated there was a revision to the amendments that removed the prohibition on mailing out Humana patient prescriptions and provided this to the Board. Assistant Executive Director Hardy distributed copies of the amendment and the revision for the Board to review and express any concerns to Assistant Executive Director Hardy.

Assistant Executive Director Hardy then presented the financials and budget to the Board Members for their review. It was noted that we received a grant from the National Association of Boards of Pharmacy [NABP] to help defray the costs of the Prescription Drug Monitoring Program interconnect project for the next two years in the form of the \$30,000 grant.

The Board moved on to Budget adjustments, the first being the purchase and installation of a chair lift from Great Plains Rehabilitation.

It was moved by Public Member Gronberg and seconded by Pharmacist Wendel to add the \$3,356 cost of the chair lift and installation to the current budget. On a roll call vote: Gary W. Dewhirst, R.Ph. – Aye Public Member Fran Gronberg – Aye Technician Member Diane M Halvorson, RPhTech– Aye Shane R. Wendel, R.Ph.– Aye Gayle D. Zieger, R.Ph. – Aye The motion Carried.

It was moved by Technician Halvorson and seconded by Pharmacist Ziegler to approve the request from NDSU College of Pharmacy to cover ¼ of the expenses of the Dakota Night Reception at ASHP to be held on December 3, 2012 in Las Vegas. The estimated cost will be \$1,700. On a roll call vote: Gary W. Dewhirst, R.Ph. – Aye Public Member Fran Gronberg – Aye Technician Member Diane M Halvorson, RPhTech– Aye Shane R. Wendel, R.Ph.– Aye Gayle D. Zieger, R.Ph. – Aye The motion Carried.

At this time the Board Members broke for lunch brought in from Quiznos. During lunch they reviewed the two candidate files of Zachary J Marty and Michael A. Miller and discussed the examination protocols.

Pharmacists Anton P Welder and Daniel M Churchill came to the Board Office to announce that New Salem Pharmacy had been purchased from Pharmacist Welder by Pharmacist Churchill and that they would be working through the appropriate paperwork to transfer ownership.

At 1:10 PM both candidates were present and met with the Board Members for their orientation session. During the rest of the afternoon the Board administered the examinations.

While the candidates took the examinations discussion returned to the Budget adjustments. Assistant Executive Director Hardy brought forward the request to adjust the budget off the enhancement to the PDMP for direct access.

It was moved by Pharmacist Wendel and seconded by Pharmacist Ziegler to add the difference between the cost from the enhancement Health Information Designs of \$10,200 minus the \$1,750 grant that was received to cover this expense for a budget adjustment of \$8,450 for the enhancement. On a vote by roll call: Gary W. Dewhirst, R.Ph. – Aye Public Member Fran Gronberg – Aye Technician Member Diane M Halvorson, RPhTech– Aye Shane R. Wendel, R.Ph.– Aye Gayle D. Zieger, R.Ph. – Aye The motion Carried.

Board Member reviewed all the invoices paid since our May 2012 meeting.

It was moved by Technician Halvorson and seconded by Public Member Gronberg to approve all the paid invoices since the May 2012 Board Meeting. On a vote by roll call: Gary W. Dewhirst, R.Ph. – Aye Public Member Fran Gronberg – Aye

Technician Member Diane M Halvorson, RPhTech– Aye Shane R. Wendel, R.Ph.– Aye Gayle D. Zieger, R.Ph. – Aye The motion Carried.

Assistant Executive Director Hardy presented drafted legislative changes and explained where the process is at this date. Changes in Schedule I are to help address the bath salts and isomers of many of the spice cannabinoids. Also changes have been made to accommodate DEA rescheduling of a few substances along with the proposed addition of tramadol as a Schedule IV Controlled Substance in North Dakota. He also presented proposed changes to Justin's Law, which included middleman legislation that has been discussed at previous Board Meetings.

The Oral Examinations were then conducted and the examination scores were tabulated. Both of the candidates were successful.

Assistant Executive Director Hardy then presented the Board with a specific proposal from the North Dakota Pharmacist Association Executive Vice President Michael Schwab to assist in the cost of advertisements to be run on the radio in conjunction with October being National Pharmacists Month. The Board discussed the possible messages that should be relayed to the public.

It was moved by Technician Halvorson and seconded by Pharmacist Ziegler to approve the participation in a state wide announcement in conjunction with the North Dakota Pharmacist Association of not more than \$3,000. On a roll call vote: Gary W. Dewhirst, R.Ph. – Aye Public Member Fran Gronberg – Aye Technician Member Diane M Halvorson, RPhTech– Aye Shane R. Wendel, R.Ph.– Aye Gayle D. Zieger, R.Ph. – Aye The motion Carried.

Assistant Executive Director Hardy reported that he would have the specific amount that would have to be added to the budget would be available at our next meeting.

Expense vouchers were submitted and paid.

The meeting adjourned.

Laurel A. Haroldson, R.Ph.
President

Gary W. Dewhirst, R.Ph.
Senior Member

Member
Bonnie J. Thom, R.Ph.

Member
Gayle D. Ziegler, R.Ph.

Member
Diane M. Halvorson, RPhTech

Member
Shane R. Wendel, R.Ph.

Member
Fran Gronberg

Assistant Executive Director
Mark J. Hardy, PharmD