

**A G E N D A**  
NORTH DAKOTA STATE BOARD OF PHARMACY  
**July 18, 2024**  
NORTH DAKOTA STATE BOARD OF PHARMACY  
*1838 East Interstate Ave Suite D-Conference Room-Bismarck, ND*

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**THURSDAY-July 18, 2024**

**10:00 AM** CALL TO ORDER – Tanya Schmidt, President  
Recite: Mission Statement

Review and approval of agenda  
Review and approval of Minutes of May 20-22, 2024 meeting

**10:15 AM** Ashley Muscha RPh5237 DUI  
Central Pharmacy (Phar787 and Phar786) Class K Addition Request  
CE Consideration ND Immunization Conference Natalie Koch, PharmD

**Exam Schedule - Three Candidates**

**11:30 AM** Roll Call and Orientation of all Candidates – Video  
**11:45 -12:45 PM** Laboratory Section 1  
**1:00 - 1:30 PM** Errors and Omissions 1  
**1:30 - 2:00 PM** Oral Examination 1

**12:00 PM LUNCH**

**Discussion Items:** -2022-2023 Audit report  
-DSCSA  
-District V NABP/AACP meeting  
-NAPT Pharmacy Technician advancement items

Board Member Reports  
Executive Director's Report

Consider approval of all legal action of the Executive Director

Year to date Financials

Vouchers - Adjourn

President Tanya Schmidt, PharmD called the Board Meeting to order at 10:04 AM on Thursday, July 18, 2024.

**Present in the Room** were Executive Director Mark J Hardy, PharmD, Technician Member Diane Halvorson, RPh Tech; Tanya Schmidt, PharmD; Carolyn Bodell, RPh; Shane Wendel, PharmD; Kevin

Oberlander, Rph, and Public Member Ron Horner; Howard C Anderson Jr RPh Also present was Kalya Kenninger, (Int294) a pharmacy intern on rotation with Pharmacist Shane Wendel.

Tyler Lannoye, PharmD could not be present today.

**Present on Zoom:** John Long, R.Ph. representing CVS, Ashley Muscha R.Ph.

President Schmidt read the mission statement: *The Board of Pharmacy protects, preserves and promotes the public health and welfare of the citizens of North Dakota by assuring that the highest quality pharmaceutical care is delivered, and that appropriate use of pharmaceuticals is upheld through education, communication, licensing, legislation, regulation, and enforcement.*

**It was moved by Technician Diane Halvorson and seconded by Pharmacist Carolyn Bodell to approve the agenda. On vote by roll call Public Member Ron Horner -Aye- Pharmacist Kevin Oberlander- Aye-Pharmacist Carolyn Bodell -Aye- Technician Diane Halvorson -Aye- Pharmacist Shane Wendel -Aye- Pharmacist Tanya Schmidt -Aye-. The motion carried.**

**It was moved by Pharmacist Carolyn Bodell and seconded by Pharmacist Shane Wendel to approve the Minutes of the May 20-22, 2024, meeting as printed. On vote by roll call Public Member Ron Horner -Aye- Pharmacist Carolyn Bodell -Aye- Technician Diane Halvorson -Aye- Pharmacist Shane Wendel -Aye- Pharmacist Kevin Oberlander-Aye- Pharmacist Tanya Schmidt -Aye-. The motion carried.**

**It was moved by Pharmacist Shane Wendel and seconded by Technician Diane Halvorson to grant 11.5 hours of continuing education credit, at the request of Natalie Koch Pharm D and Alexis Waldoch Pharm D for their attendance and to any other pharmacist or technician who attended the June 18-19, 2024 North Dakota Immunization Conference held at the Bismarck Event Center. On vote by roll call Public Member Ron Horner -Aye- Pharmacist Carolyn Bodell -Aye- Technician Diane Halvorson -Aye- Pharmacist Shane Wendel -Aye- Pharmacist Kevin Oberlander-Aye- Pharmacist Tanya Schmidt -Aye-. The motion carried.**

Pharmacist Shane Wendel disclosed he is a principal owner of Central Pharmacy Phar787 and Phar786, stated he would not vote on the application for a Subclass K license for the two pharmacies. He went on to explain the request saying it was to allow Telepharmacy services to continue patient care when an employee needs a few hours off to tend to their children's health or activities at their New Rockford store. Their Carrington location would be the central location overseeing and would not operate as a Telepharmacy.

**It was moved by Technician Diane Halvorson and seconded by Pharmacist Carolyn Bodell to approve Subclass K permits for both Central Pharmacies, Phar 786 and Phar787. On vote by roll call Public Member Ron Horner -Aye- Pharmacist Carolyn Bodell -Aye- Technician Diane Halvorson -Aye- Pharmacist Shane Wendel did not vote, Pharmacist Kevin Oberlander-Aye- Pharmacist Tanya Schmidt -Aye-. The motion carried.**

Pharmacist Andrea White and Pharmacist Kelly Brodsho joined the Board via Zoom to represent the Pharm-Assist Committee in the case of Ashley Muscha, RPh5237.

Dr. Hardy invited Ashley Muscha to explain to the Board the circumstances of her DUI which she has self-reported to the Board. She explained to the Board a fender bender in a parking lot which led to her conviction of a DUI. Andrea White explained she has a contract with the Pharm-Assist Committee and is compliant with her contract. All random screens have been negative. Kelly Brodsho said she is working the 12 steps within the program. She has never come to work impaired, and her employer has said she has not been impaired at work.

**It was moved by Technician Diane Halvorson and seconded by Pharmacist Kevin Oberlander to take no further action against the license of Ashley Muscha RPh 5237, at this time. On vote by roll call Public Member Ron Horner -Aye- Pharmacist Carolyn Bodell -Aye- Technician Diane**

**Halvorson -Aye- Pharmacist Shane Wendel -Aye- Pharmacist Kevin Oberlander-Aye- Pharmacist Tanya Schmidt -Aye-. The motion carried.**

Pharmacist John Long, addressed the Board and expressed his appreciation for being able to join via Zoom.

The audit report was passed out and reviewed by Dr. Hardy. Everyone was encouraged to review it over lunch, and we will consider action later today.

The Drug Supply Chain Security Act (DSCSA) was discussed. The FDA has granted an exemption until the fall of 2026 for those employers with less than 25 employees. Implications for compounders and those purchasing drugs in short supply was discussed. GLP 1 products are a particular concern right now with the shortages, the high cost and the many clinics springing up offering treatments. Concern about compounding standards was discussed. Dr. Hardy explained we have no authority over clinics, nurses or physicians, but do work closely with the Board of Nursing and Medicine, when requested. The Boards of Nursing and Medicine have dispensing expectations similar to the Board of Pharmacy.

The NABP District V meeting in Omaha, NE was discussed. Those attending discussed sharing rides and the candidacy of Technician Diane Halvorson for the District V representative on the executive committee of NABP. Members were encouraged to speak with other delegates to be sure and highlight her value to our Board and potential to contribute to the national discussion.

The NABP District V meeting in Omaha, NE was discussed. Those attending discussed sharing rides and the candidacy of Technician Diane Halvorson for the District V representative on the executive committee of NABP. Members were encouraged to speak with other delegates to be sure and highlight her value to our Board and potential to contribute to the national discussion.

Technician Diane Halvorson began the discussion of the Northland Association of Pharmacy Technicians (NAPT) advancement items. She discussed the expanded role of technicians and stated it requires continuing education within the work environment. Diane explained NAPT's goal to have a definition of expanded and advanced roles to move the profession forward. Board Members reviewed these and gave feedback. Diane expressed the intention to bring the definition back to the Board to see if they would support the definition.

At 11:30 AM the Board recessed for orientation of three candidates for the Board exams

At 2:00 PM President Schmidt announced all three candidates had passed the exam, congratulated them, welcomed them into North Dakota pharmacy and wished them well as they take the MPJE and NAPLEX exams.

**It was moved by Pharmacist Carolyn Bodell and seconded by Pharmacist Kevin Oberlander to approve the 2022-2023 audit report as presented and in addition state we have evaluated subsequent events and found no pending legal concerns through July 18, 2024. On vote by roll call Public Member Ron Horner -Aye- Pharmacist Carolyn Bodell -Aye- Technician Diane Halvorson -Aye- Pharmacist Shane Wendel -Aye- Pharmacist Kevin Oberlander-Aye- Pharmacist Tanya Schmidt -Aye-. The motion carried.**

Pharmacist Carolyn Bodell reported she attended her first PDMP Advisory Committee meeting.

Pharmacist Tanya Schmidt reported she had been appointed to a 5-year term on the UPJE committee of NABP.

Dr. Hardy presented his Executive Director's report. The Board office has obtained two new computers. We have a contract with Fireside for a Share Point cloud-based option for our document storage.

The Labor Commissioner's study of Board functioning seems to be going well.

NDSU is working toward an option for students to take the MPJE exam after their law course. Dr. Hardy will be chairing the NABP task force examining this option & others to consider improvements in the licensure process.

Board Members discussed NABP's standard where candidates have 5 opportunities to take the NAPLEX or MPJE exams. The Board expressed their desire not to vary from that standard.

The financial report was reviewed. Dr. Hardy said this is the best financial position of the year for the Board, as most of the income is booked July 1<sup>st</sup> for the upcoming year. He pointed out that we had two inspection cycles in the last fiscal year as we moved up the date when we began inspections this year.

**It was moved by Technician Diane Halvorson and seconded by Public Member Ron Horner to approve the 2023-2024 financials and the 2024-2025 financials to date as reported, noting there were no Journal entries included in the last report. On vote by roll call Public Member Ron Horner -Aye- Pharmacist Carolyn Bodell -Aye- Technician Diane Halvorson -Aye- Pharmacist Shane Wendel -Aye- Pharmacist Kevin Oberlander-Aye- Pharmacist Tanya Schmidt -Aye-. The motion carried.**

**It was moved by Pharmacist Shane Wendel and seconded by Technician Diane Halvorson to approve all legal actions of the executive director since this was last done. On vote by roll call Public Member Ron Horner -Aye- Pharmacist Carolyn Bodell -Aye- Technician Diane Halvorson -Aye- Pharmacist Shane Wendel -Aye- Pharmacist Kevin Oberlander-Aye- Pharmacist Tanya Schmidt -Aye-. The motion carried.**

President Schmidt called for any further business. There being no further business forthcoming and the meeting was adjourned at 3:40 PM.

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President  
Tanya L Schmidt, PharmD

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Technician & Senior Member  
Diane M. Halvorson, RPhTech

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Member  
Tyler G Lannoye, PharmD

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Member  
Carolyn R Bodell, PharmD

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Member  
Kevin Oberlander, RPh

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Public Member  
Ron J Horner

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Member  
Shane Wendel, PharmD

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Executive Director  
Mark Hardy, PharmD