

A G E N D A - November 21, 2024
NORTH DAKOTA STATE BOARD OF PHARMACY
1838 E Interstate Ave- Conference Room – Bismarck, ND

THURSDAY – November 21, 2024

10:00 AM CALL TO ORDER – Shane Wendel, Member

Recite: Mission Statement

Review and approval of agenda

Review and approval of Minutes of September 19, 2024

10:15 AM Hailey Floberg – NDSU Intern **TAB 1**

10:45 AM NCDQS Presentation, Michelle Woosley **TAB 2**

Darjen Inc dba AllMedRx Specialty Pharmacy - Stipulated Agreement **TAB 3**

CE Request: Great Lakes Conference – Steve Irsfeld, RPh **TAB 4**

12:00 PM **LUNCH**

Discussion Items:

- Proposed Administrative Rule Changes **TAB 5**
- Legislative Session
- 2023-2024 Audit review

Board Member Reports

Executive Director’s Report

Consider approval of all legal action of the Executive Director

Year to date Financials **BUDGET**

Vouchers – Adjourn

Present in the Room were Executive Director Mark J Hardy, PharmD, Shane Wendel, PharmD; Kevin Oberlander, Rph, Public Member Ron Horner; Howard C Anderson Jr RPh; David A. Lindell, JD Board Attorney, Trey Rosenau, P4 intern on rotation with Shane Wendel and Tyler Lannoye, PharmD. Also present was Michelle Woolsey, Pharm D. Representing NCDOS.

Present on Zoom: Technician Member Diane Halvorson, RPh Tech; Carolyn Bodell, RPh, John Long R.Ph. representing CVS Health, Andrew Funk, Pharm D, representing NABP, and Christina Antoun.

President Wendel 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 Kevin Oberlander, R.Ph. and seconded by Public Member Ron Horner to approve the agenda with the removal of the remodeling plans for Irsfeld Pharmacy and the change in meeting chair to Pharmacist Shane Wendel, as Pharmacist Tanya Schmidt had a recent knee replacement and Technician Diane Halvorson and Carolyn Bodell were on Zoom today due to weather. On vote by roll call Public Member Ron Horner – Aye- Pharmacist Carolyn Bodell -Aye- Pharmacist Tyler Lannoye -Aye- Pharmacist Kevin Oberlander -Aye- Pharmacist Shane Wendel -Aye- and Technician Diane Halvorson -Aye-. The motion carried.

It was moved by Pharmacist Carolyn Bodell and seconded by Technician Diane Halvorson to approve the Minutes of the September 19, 2024 meeting, as printed. On vote by roll call Public Member Ron Horner – Aye- Pharmacist Carolyn Bodell -Aye- Pharmacist Tyler Lannoye -Aye- Pharmacist Kevin Oberlander -Aye- Pharmacist Shane Wendel -Aye- and Technician Diane Halvorson -Aye-. The motion carried.

At 10:25 AM Haley Floberg, (Int3108) NDSU P1 Intern joined the Board via Zoom. Dr. Hardy explained that Intern Floberg self-reported a minor in consumption, and that this was her third one. Dr. Hardy asked Haley to explain the situation to the Board. She explained that she was out with friends and one of the girls called a friend to drive them home. None of them realized the person that they had called had been drinking with his family. When he was pulled over for swerving and cited with a DUI, the others in the car all blew positive and those underage were all cited for minor in consumption. Haley said she has had two previous incidents related to alcohol. Dr. Hardy asked her to contact Agnes Harrington of the PharmAssist Committee. Agnes joined via phone and said she has met with Haley and believes Haley has learned her lesson. Haley volunteered that she and several nursing students in her Sorority have decided their education is too important to risk further drinking.

It was moved by Technician Diane Halvorson and seconded by Pharmacist Carolyn Bodell to take no action against the license of Haley Floberg at this time, but to ask her to continue to meet monthly with Agnes Harrington until the end of this academic year. On vote by roll call Public Member Ron Horner – Aye- Pharmacist Carolyn Bodell -Aye- Pharmacist Tyler Lannoye -Aye- Pharmacist Kevin Oberlander -Aye- Pharmacist Shane Wendel -Aye- and Technician Diane Halvorson -Aye-. The motion carried.

November 21, 2024 Board Office Meeting Room 1838 E Interstate Ave Bismarck Page 3

Dr. Hardy and David Lindell JD presented a stipulated agreement with Darjen Inc dba AllMedRx Specialty Pharmacy. They explained the pharmacy had shipped prescriptions into North Dakota without proper licensure. This is the standard agreement we have used in these cases, with a \$1000 civil penalty plus costs of the investigation. The pharmacy has signed the agreement and processed the paperwork to get licensed here.

It was moved by Technician Diane Halvorson and seconded by Pharmacist Tyler Lannoye to approve the Stipulated Agreement signed by Darjen Inc. dba AllMedRx Specialty Pharmacy. On vote by roll call Public Member Ron Horner – Aye-Pharmacist Carolyn Bodell -Aye-Pharmacist Tyler Lannoye -Aye-Pharmacist Kevin Oberlander-Aye-Pharmacist Shane Wendel -Aye- and Technician Diane Halvorson -Aye-. The motion carried.

Dr. Hardy introduced Michelle Woolsey, Pharm D representing the National Coalition of Drug Quality and Security. (NCDQS). Denise Frank who previously met with our Board on several occasions passed away earlier this last year, and Michelle has taken her position, although Michelle has no ownership in the company, as Denise did. Dr. Woolsey handed out two information packets to the Board. One outlined their Accreditation Program Policy and the other their Conflict-of-Interest Policy. She answered several questions from the Board.

Dr. Hardy explained that the current VAWD Accreditation program requirement was in our law, the Board could by rule, approve a second accreditation program, or if we would need to change the law. He thanked Dr. Woolsey for taking the time to meet with us and share the program and promised to keep her informed.

Pharmacist Steve Irsfeld, past Board of Pharmacy member, joined the Board via Zoom to request nine hours of continuing education credit for attendance at the Function Forward Great Lakes Conference, "Exploring Innovation in Functional Nutrition". The conference had 22.5 hours of CE for Doctors of Chiropractic and Steve felt 9 hours were appropriate for pharmacist and technician CE. Board members reviewed the program packet.

It was moved by Technician Diane Halvorson and seconded by Pharmacist Kevin Oberlander to grant 9 hours of continuing education credit for those attending the conference, Exploring Innovation in Functional Nutrition. On vote by roll call Public Member Ron Horner – Aye-Pharmacist Carolyn Bodell -Aye-Pharmacist Tyler Lannoye -Aye-Pharmacist Kevin Oberlander-Aye-Pharmacist Shane Wendel -Aye- and Technician Diane Halvorson -Aye-. The motion carried.

At noon Board members dispersed for lunch and the investigating committee met to review several pending cases.

At 1:00 PM Board members reviewed proposed telepharmacy rule changes. Technician Diane Halvorson had expressed that the year requirement before a Telepharmacy technician can work alone might be too restrictive. No decision was made on rule changes, as we likely will wait for the completion of the legislative session to determine if other changes are needed.

Dr. Hardy talked about the upcoming legislative session. The revisions to the controlled substances act is the only changes he has planned at this time.

November 21, 2024 Board Office Meeting Room 1838 E Interstate Ave Bismarck Page 4

Copies of the 2023-2024 audit report were handed out. Findings were similar to previous audits where our small staff necessitates the Board members take an active role in reviewing invoices and accounts as well as journal entries.

It was moved by Pharmacist Tyler Lannoye and seconded by Public Member Ron Horner to accept the findings of the auditor's report and approve the report. On vote by roll call Public Member Ron Horner – Aye-Pharmacist Carolyn Bodell -Aye-Pharmacist Tyler Lannoye -Aye-Pharmacist Kevin Oberlander-Aye-Pharmacist Shane Wendel -Aye- and Technician Diane Halvorson -Aye-. The motion carried.

Dr. Hardy reported that the law book was done after the October rule changes and offered a printed copy to anyone who wanted one. Most seem happy to find what they need online at our website.

Dr. Hardy asked Andrew Funk of NABP to talk about the Interstate Practice Privilege initiatives NABP is working on. Pharmacist Funk said the work is ongoing and making some progress with the states.

Shane Wendel reported that the Universal MPJE exam is progressing, as well and what North Dakota is currently doing should be consistent with future plans.

It was moved by Pharmacist Tyler Lannoye 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-Pharmacist Tyler Lannoye -Aye-Pharmacist Kevin Oberlander-Aye-Pharmacist Shane Wendel -Aye- and Technician Diane Halvorson -Aye-. The motion carried.

It was moved by Public Member Ron Horner and seconded by Pharmacist Tyler Lannoye to approve the year-to-date financials as presented. Noting there were no journal entries, the general ledger accounts were reviewed and the changes in the net asset accounts were reviewed. On vote by roll call Public Member Ron Horner – Aye-Pharmacist Carolyn Bodell -Aye-Pharmacist Tyler Lannoye -Aye-Pharmacist Kevin Oberlander-Aye-Pharmacist Shane Wendel -Aye- and Technician Diane Halvorson -Aye-. The motion carried.

President Wendel called for any further business. There being no further business forthcoming and the meeting was adjourned at 2:30 PM.

November 21, 2024 Board Office Meeting Room 1838 E Interstate Ave Bismarck Page 5

**President
Tanya Schmidt, PharmD**

**Technician & Senior Member
Diane M. Halvorson, RPhTech**

**Member
Tyler G Lannoye, PharmD**

**Member
Carolyn R Bodell, RPh**

Member

Public Member

Shane R Wendel, PharmD

Ron J Horner

Member

Kevin J Oberlander, RPh

Executive Director

Mark J. Hardy, PharmD