

A G E N D A - September 19, 2024
NORTH DAKOTA STATE BOARD OF PHARMACY
1838 E Interstate Ave – Conference Room – Bismarck, ND

10:00 AM CALL TO ORDER – Tanya Schmidt-President

Recite: Mission Statement

Review and approval of Agenda

Review and approval of Minutes of July 18, 2024

10:15 AM Amanda Bannor Tech2052

***Stipulated Settlement Agreement – Bhaumik Diversified LLC dba Texas Star Pharmacy**

10:45 AM Thrifty White-Darrell Eddins, Tech2115 Telepharmacy Technician Request

CE Request for Pharmacists for NAPT Conference

Discussion Items:

-DSCSA

-Attorney General Training

-District V Meeting

-2025 Legislative Session

12:00 PM **LUNCH**

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 10:00 AM on Thursday September 19, 2024.

Present in the Room Were Executive Director Mark J Hardy, PharmD, Technician Member Diane Halvorson, RPh Tech; Tanya Schmidt, PharmD; Carolyn Bodell, RPh; Kevin Oberlander, RPh, and Public Member Ron Horner; Howard C Anderson Jr RPh; Inspector Rick Detwiller, R.Ph., Rose Stahl PharmD Candidate, on rotation with Pharmacist Shane Wendel and Mandy Chase, R.Ph Tech were also present.

Present on Zoom: Shane Wendel, PharmD and Tyler Lannoye, PharmD.

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 Pharmacist Carolyn Bodell and seconded by Public Member Ron Horner to approve the agenda with an addition of consideration of the Stipulation signed by Raman Bhaumik, R.Ph. for Bhaumik Diversified, LLC, dba Texas Star Pharmacy. On vote by roll call Pharmacist Kevin Oberlander -Aye -Public Member Ron Horner -Aye-Pharmacist Carolyn Bodell -Aye-Technician Diane Halvorson -Aye-Pharmacist Shane Wendel -Aye-Pharmacist Tanya Schmidt -Aye. Nays none. The motion carried.

It was moved by Technician Diane Halvorson and seconded by Pharmacist Kevin Oberlander to approve the Minutes of the July 18, 2024 meeting, as printed. On vote by roll call Pharmacist Kevin Oberlander -Aye -Public Member Ron Horner -Aye-Pharmacist Carolyn Bodell -Aye-Technician Diane Halvorson -Aye-Pharmacist Shane Wendel -Aye-Pharmacist Tanya Schmidt -Aye. Nays none. The motion carried.

Pharmacist Tyler Lannoye joined the meeting via Zoom.

At 10:05 AM Amanda Bannor, RPhTech2052 joined via Zoom, Kelly Brodsho, Pharm D representing the PharmAssist Committee also joined via Zoom.

Dr. Hardy reviewed Amanda's case and asked her for her report to the Board. She received a DUI which took some time to be reported to the Board. Her blood alcohol was 0.197 per the police report. She was referred to the PharmAssist Committee by Dr. Hardy. They have had an evaluation done, with her urine screens being negative. The PharmAssist Committee recommends no further action on the case of Amanda Bannor.

It was moved by Pharmacist Carolyn Bodell and seconded by Pharmacist Kevin Oberlander to follow the PharmAssist Committee's recommendation and take no further action, at this time, on the registration of Amanda Bannor, RPhTech2052. On vote by roll call Pharmacist Kevin Oberlander -Aye -Public Member Ron Horner -Aye-Pharmacist Carolyn Bodell -Aye-Technician Diane Halvorson -Aye-Pharmacist Shane Wendel -Aye- Pharmacist Tyler Lannoye -Aye-Pharmacist Tanya Schmidt -Aye. Nays none. The motion carried.

Being a little ahead on the agenda, President Schmidt suggested we take up the Stipulation signed by Raman Bhaumik, R.Ph. for Bhaumik Diversified, LLC, dba Texas Star Pharmacy.

She asked Dr. Hardy and Attorney Lindell to explain the charges and stipulation. We learned via a report of the Texas Board of Pharmacy that Texas Star Pharmacy had been sending prescriptions into North Dakota without a North Dakota License.

It was moved by Technician Diane Halvorson to approve the stipulation signed by Raman Bhaumik, R.Ph. for Bhaumik Diversified, LLC, dba Texas Star Pharmacy, as presented. The motion was seconded by Pharmacist Kevin Oberlander. On vote by roll call Pharmacist Kevin Oberlander -Aye -Public Member Ron Horner -Aye-Pharmacist Carolyn Bodell -Aye- Technician Diane Halvorson -Aye-Pharmacist Shane Wendel -Aye- Pharmacist Tyler Lannoye -Aye-Pharmacist Tanya Schmidt -Aye. Nays none. The motion carried.

At 10:45 AM The Board considered the request of Thrifty White in Ashley to utilize-Darrell Eddins, Tech2115 as a Telepharmacy Technician. LeAnn Helm, PIC of Thrifty White in Ashley and Technician Darrell Eddins joined the Board via Zoom. Board members asked several questions of Pharmacist Helm and Technician Eddins. Tanya Schmidt recused herself as she is an employee of Thrifty White.

It was moved by Technician Diane Halvorson and seconded by Pharmacist Shane Wendel to grant a waiver for Darrell Eddins, Tech2115, to work alone as a telepharmacy technician in Ashley, ND. On vote by roll call Pharmacist Kevin Oberlander -Aye -Public member Ron Horner -Aye-Pharmacist Carolyn Bodell -Aye-Technician Diane Halvorson -Aye-Pharmacist Shane Wendel -Aye- Pharmacist Tyler Lannoye -Aye-Pharmacist Tanya Schmidt did not vote. Nays none. The motion carried.

Technician Diane Halvorson suggested we look at the rule, so we do not get so many waiver requests.

Technician Mandy Chase of the Northland Association of Pharmacy Technicians and Technician Diane Halvorson, coordinator of the program for their fall conference presented their request for approval of the 10 hours of continuing education for pharmacists. They already have ACPE approval for technicians, but did not want to spend the money to get ACPE approval for pharmacists. They anticipated two to three pharmacists would be in attendance.

It was moved by Pharmacist Carolyn Bodell and seconded by Pharmacist Kevin Oberlander to approve 10 hours of continuing education credit for those pharmacists who receive a completion certificate from NAPT for attendance at the conference. On vote by roll call Pharmacist Kevin Oberlander -Aye -Public Member Ron Horner -Aye-Pharmacist Carolyn Bodell -Aye-Technician Diane Halvorson chose not to vote, as she is the coordinator of the CE program, Pharmacist Shane Wendel -Aye- Pharmacist Tyler Lannoye -Aye-Pharmacist Tanya Schmidt -Aye. Nays none. The motion carried.

President Schmidt proceeded into the discussion items on the agenda.

The Drug Supply Chain Security Act (DSCSA) has been under discussion for a couple of years. Inspector Rick Detwiller reported the inspectors have been promoting compliance for at least two inspection cycles. Dr. Hardy explained the small dispenser exemption by the FDA where those with

25 or fewer employees will have some exemptions from the DSCSA for a certain amount of time, but still must comply with other components. Some manufactures appear to be behind in compliance and we will need to see how things work out for those who must comply the end of November 2024. Dr. Hardy mentioned NABP is planning to put together a primer for pharmacies soon to aid in compliance.

Dr. Hardy reported the Attorney General's training for boards is to be held October 15, 2024. Any Board member wishing to go should let Dr. Hardy know.

The District V meeting in Omaha was very good. There was appropriate programing, technician Diane Halvorson was nominated to run for the NABP Executive Committee. The only downside was the storm cancellation of the first evening program due to power outages at the colleges. We will need to follow closely the ACPE changes anticipated for college accreditation and continuing education programs.

The 2025 legislative session may prove to be important for pharmacy as the Association has plans for some legislation. For the Board the possible move to schedule Kratom may impact us and Dr. Hardy would like to work out a way to use our extra fund balance to provide loan forgiveness for pharmacists willing to work in shortage areas in North Dakota.

Board Member Reports:

President Schmidt reported 2274 pharmacies have closed in the US just this last year. We need to do all we can to maintain access to pharmacy services for North Dakota patients.

No other Board members had anything not already discussed. Dr. Hardy felt the same.

It was moved by Technician Diane Halvorson and seconded by Public Member Ron Horner to approve all the legal actions of the Executive Director. On vote by roll call Pharmacist Kevin Oberlander -Aye -Public Member Ron Horner -Aye-Pharmacist Carolyn Bodell -Aye- Technician Diane Halvorson -Aye-Pharmacist Shane Wendel -Aye- Pharmacist Tyler Lannoye -Aye-Pharmacist Tanya Schmidt -Aye. Nays none. The motion carried.

It was moved by Technician Diane Halvorson and seconded by Pharmacist Carolyn Bodell to approve the financial reports as presented. It was noted that there were no known journal entries since last reviewed. On vote by roll call Pharmacist Kevin Oberlander -Aye -Public Member Ron Horner -Aye-Pharmacist Carolyn Bodell -Aye-Technician Diane Halvorson -Aye-Pharmacist Shane Wendel -Aye- Pharmacist Tyler Lannoye -Aye-Pharmacist Tanya Schmidt -Aye. Nays none. The motion carried.

Dr. Hardy reported the auditors were here last week and hoped to provide the audit report by the end of November.

President Schmidt called for any further business. There being no further business forthcoming the meeting was adjourned at 12:10 PM. She announced the investigating committee would meet in the Board conference room immediately after lunch.

President
Tanya Schmidt, PharmD

Member
Tyler G Lannoye, PharmD

Member
Shane R Wendel, PharmD

Member
Kevin J Oberlander, RPh

Technician & Senior Member
Diane M. Halvorson, RPhTech

Member
Carolyn R Bodell, RPh

Public Member
Ron J Horner

Executive Director
Mark J. Hardy, PharmD