

# Minnesota Board of Pharmacy

## EIGHT HUNDRED AND THIRTY THIRD MEETING

At approximately 9:00 a.m., on December 11, 2013, the Minnesota Board of Pharmacy met in Conference Room A, at the University Park Plaza Building, 2829 University Avenue Southeast, Minneapolis, Minnesota, for the purpose of conducting a general business meeting. All members of the Board were in attendance. Also in attendance were the Board's Executive Director, Dr. Cody Wiberg; Deputy Director, Dr. Beth Ferguson; Legal Counsel, Mr. Bryan Huffman; and Board of Pharmacy staff, Ms. Candice Fleming, Mr. Timothy Litsey, Ms. Michele Mattila, Ms. Ame Carlson, and Ms. Patricia Eggers. The Board's President, Ms. Laura Schwartzwald, called the meeting to order.

The Board first discussed the minutes of the October 30, 2013 business meeting. Mr. Justin Barnes noted that the minutes should reflect that he was not present at the meeting. Mr. Bob Goetz moved and Mr. Justin Barnes seconded that the minutes be approved with the above noted correction. The motion passed.

Mr. Rabih Nahas moved and Ms. Karen Bergrud seconded that the Consent Agenda be approved. The motion passed.

The Consent Agenda for this meeting was as follows:

- Variance Committee Report – Approve
- Continuing Education Report – Approve
- Membership and Licensure Issues for 2014 – Approve
  - ◆ Continue Membership in NABP
  - ◆ Continue to require graduates of foreign pharmacy schools to pass the FPGEE and to receive FPGEC certification
  - ◆ Continue to require graduation from an approved college of pharmacy and continue to approve and adopt the accreditation standards of the Accreditation Council on Pharmacy Education (ACPE) and the list of approved colleges of pharmacy established by ACPE as the list of colleges from which the Board will accept graduates as candidates for licensure.

Mr. Stuart Williams moved and Mr. Bob Goetz seconded to approve the remainder of the agenda as amended. The motion passed.

The Board next turned its attention to election of officers and designation of officials for the year of 2014.

For the office of President, Mr. Bob Goetz nominated Mr. Stuart Williams. Ms. Kay Hanson seconded the nomination. There being no further nominations, the

nominations were closed and Mr. Stuart Williams was elected to the office of President by a unanimous ballot.

For the office of Vice President, Mr. Bob Goetz nominated Ms. Karen Bergrud. Mr. Rabih Nahas seconded the nomination. There being no further nominations, the nominations were closed and Ms. Karen Bergrud was elected to the office of Vice President by a unanimous ballot.

For the office of Secretary (Executive Director), Mr. Stuart Williams nominated Dr. Cody Wiberg. Ms. Karen Bergrud seconded the nomination. There being no further nominations for the position, the nominations were closed and Dr. Wiberg was elected as the Secretary (Executive Director) by a unanimous ballot.

For the position of Deputy Director, Mr. Stuart Williams nominated Ms. Beth Ferguson. Mr. Bob Goetz seconded the nomination. There being no further nominations for the position, the nominations were closed and Ms. Ferguson was designated as the Deputy Director by a unanimous ballot.

For the position of Associate Director for Compliance, Mr. Stuart Williams moved that Ms. Candice Fleming be continued in that position. Mr. Justin Barnes seconded the motion. The motion prevailed and Ms. Candice Fleming was continued in the position of Associate Director for Compliance by a unanimous ballot.

For the position of Assistant Director for Administrative Affairs, Mr. Stuart Williams moved that Ms. Patricia Eggers be continued in that position. Mr. Rabih Nahas seconded the motion. The motion prevailed and Ms. Patricia Eggers was continued in the position of Assistant Director for Administrative Affairs by a unanimous ballot.

President Schwartzwald next began a discussion of appointments to the Board's standing committees. After a brief discussion, the following committee appointments were made:

Ms. Karen Bergrud moved and Mr. Bob Goetz seconded that Ms. Kay Hanson and Ms. Laura Schwartzwald be appointed to the Continuing Education Advisory Task Force (CEATF) committee. The motion passed.

Mr. Stuart Williams moved and Ms. Kay Hanson seconded that all members of the Board will rotate through the Committee on Professional Standards (COPS, formerly CRP) with two members present at each meeting. The motion passed.

Mr. Stuart Williams moved and Ms. Kay Hanson seconded that all members of the Board will rotate through the Complaint Review Panel (CRP, formerly COPS) with two members present at each meeting. The motion passed.

Mr. Stuart Williams moved and Ms. Kay Hanson seconded that all members of the Board will rotate through the Variance and Policy Review Committee, with two

members present at each meeting and with the Board's Pharmacy Surveyors rotating as well, two Surveyors present at each meeting. The motion passed.

Mr. Stuart Williams moved and Mr. Bob Goetz seconded that Ms. Laura Schwartzwald, Mr. Bob Goetz, and Dr. Beth Ferguson serve on the Internship Advisory Committee. The motion passed.

Mr. Stuart Williams moved and Mr. Justin Barnes seconded that Mr. Rabih Nahas be the Board's representative and Ms. Kay Hanson will be the alternate to the Program Committee of the Health Professionals Services Program. The motion passed.

Ms. Kay Hanson moved and Mr. Stuart Williams seconded that Ms. Betty Johnson be the Board's representative on the Prescription Monitoring Program Advisory Committee.

Mr. Justin Barnes moved and Mr. Bob Goetz seconded that Mr. Rabih Nahas and Ms. Beth Ferguson be the representatives and Ms. Kay Hanson will be the alternate to the Minnesota Alliance for Patient Safety. The motion passed.

The first variance request to come before the Board concerned the TCGRx Remote Tablet Packager system that Omnicare – Minnesota in Brooklyn Center is using. This variance was deferred to the Board to obtain approval to move forward with an accuracy study and due to the fact that the policies need to address a negative list of drugs that are NOT allowed in the system. Present at the meeting were Ms. Sharon Rosenblum from Omnicare, Ms. Katie White from TCGRx, and Alison Sinclair from Omnicare. After much discussion, Mr. Stuart Williams moved and Mr. Justin Barnes seconded that the Board provisionally approve Omnicare – Minnesota's policy and procedures, which would allow them to conduct the 30 day study, on condition that they resubmit the study design to the Board staff for approval. When the study is completed it will be brought back to Board. The motion passed.

The second item to come before the Board was a policy review request from St. Peter Regional Treatment Center in St. Peter to use the Omnicell Model MDA-FRM-001. Present at the meeting was Ms. Melissa Lembke, Director of Pharmacy at St. Peter Regional Treatment Center. After some discussion, Mr. Stuart Williams moved and Mr. Rabih Nahas seconded that the policies be approved to the extent that they are not inconsistent with Minnesota Statutes §151.58. The motion passed.

The third variance to come before the Board was a request from GuidePoint Pharmacy #110 in Slayton, MN to allow the utilization of a tele-pharmacy in Edgerton. At this time Ms. Schwartzwald excused herself from the meeting and Mr. Stuart Williams took over as president. Present at the meeting were Mr. Jason Turner who is the pharmacist-in-charge and owner of GuidePoint Pharmacy in Slayton, Mr. Ross Brands of the City of Edgerton EDA, Ms. Rachelle Vandegriend, Director of Nursing at Edge Brook Care Center, Mr. Bruce Kooiman the Pipestone County Commissioner, Mr. Mike

Drooger of the Chamber of Commerce, Mr. Ross Fey of the Chamber of Commerce (and President), Mr. Dave Hulsten a small business owner, Mr. Denny Bleyenbug from the City Counsel, Mr. Denny Turner an observer of Jason Turner, and Mr. Brad Bruxvoort the Vice President of the 1st State Bank SW. After much discussion, Ms. Karen Bergrud moved and Mr. Justin Barnes seconded that the policies and procedures and the concept of a tele-pharmacy in Edgerton be approved, but that final approval of a tele-pharmacy would be pending approval of the plans and an inspection of the remote site by the surveyors. The motion passed with Ms. Schwartzwald abstaining. Ms. Schwartzwald returned to the meeting and resumed chairing the meeting.

The fourth variance to come before the Board was from Walgreens Pharmacies to allow the utilization of the VISION imaging and workload balancing system. Mr. Bob Goetz excused himself from the meeting. Present at the meeting were Mr. Bill Cover, Manager of Pharmacy Affairs for the Walgreens Company; Mr. Rick Engelka, Market Pharmacy Director; Mr. Greg Boll, District Pharmacy Supervisor; and Ms. Michele Aytay, Market Clinical Services. After much discussion, Mr. Stuart Williams moved and Mr. Justin Barnes seconded that the variance be approved until the next Board meeting on condition that Walgreen staff work with Board of Pharmacy staff for clarifications in the policies. The motion passed with Mr. Bob Goetz abstaining.

The fifth variance to come before the Board was from Walgreens Pharmacies requesting an extension of time for technicians to complete the required training. After much discussion, Ms. Kay Hanson moved and Mr. Rabih Nahas seconded that the request be granted. The motion passed with Mr. Bob Goetz abstaining. Mr. Goetz returned to the meeting.

The sixth variance and policy review issue to come before the Board was from Mercy Hospital Pharmacy (Allina) Coon Rapids to allow remote pharmacy after hours order review and entry of physician medication orders by Mercy Hospital Pharmacy for Grand Itasca Clinic & Hospital and the new addition of Rice County District One Hospital when the hospital pharmacies are closed for normal business hours of operation. Mr. Rabih Nahas excused himself from the meeting. Mr. Stuart Williams moved and Ms. Karen Bergrud seconded that the variance request be approved as per the recommendations of the Variance and Policy Review Committee. The motion passed with Mr. Nahas abstaining. Mr. Rabih Nahas returned to the meeting.

The seventh variance and policy review request to come before the Board was from Coborn's for an extension of time for technicians to complete their required training. Mr. Stuart Williams moved and Ms. Karen Bergrud seconded that the variance be approved. The motion passed.

The eighth policy review request to come before the Board was a request from Hy-Vee regarding their central services wherein they are requesting that the pharmacists do not need to be licensed in the state of Minnesota. After a lengthy discussion, Mr. Stuart Williams moved and Mr. Justin Barnes seconded that this item be tabled until the next meeting. The motion passed.

At this time Ms. Monica Feider from Health Professionals Services Program presented the Board with information regarding this program. No action was necessary.

Dr. Wiberg and Mr. Stuart Williams next presented the Board with information from the Practice Act Revision Task Force. After some discussion, Mr. Stuart Williams moved that Dr. Wiberg seek passage of the proposed language in the packet of materials that were handed out at the meeting, recognizing that changes may be necessary as the bill makes the way through the legislative process. The motion passed.

Dr. Wiberg next presented the Board with a request for an interpretation of MN Rules 6800.6700 – Drugs for Use in Emergency Kits. The consensus of the Board was that warfarin cannot be stored in emergency kits.

Dr. Wiberg next provided the Board with an update concerning the office remodeling. No action was taken at this time.

Dr. Wiberg next gave an update on the Prescription Monitoring Program. No action was taken at this time.

There being no further business requiring action by the Board, Mr. Stuart Williams moved to adjourn the meeting. The motion occurred at approximately 12:50 PM and Ms. Karen Bergrud seconded the motion. The motion passed.

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PRESIDENT

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EXECUTIVE DIRECTOR