

Minnesota Board of Pharmacy

SEVEN HUNDRED AND FIFTY-THIRD MEETING

At approximately 8:30 a.m., February 26, 2003, 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 was the Board's Executive Director, Mr. David Holmstrom.

After reviewing, amending, and approving the agenda for this meeting, the Board addressed the minutes of the meeting of January 14, 2003. Mr. Vern Kassekert moved and Ms. Jean Lemberg seconded that the Minutes be approved as written. The motion passed.

The Board next turned its attention to applications to conduct new pharmacies, which it has received since its last meeting. The first application to conduct a new pharmacy, to be reviewed by the Board, was submitted on behalf of Fairview Richfield Pharmacy, in Richfield, Minnesota, by Mr. William Schommer, temporary pharmacist-in-charge. After carefully reviewing this application, and a diagram of the proposed pharmacy, Mr. Vern Kassekert moved and Mr. Gary Schneider seconded that the application be approved and a license issued subject to the naming of a permanent pharmacist-in-charge for the pharmacy, and subject also to the successful completion of an on-site inspection by a member of the Board's staff, to assure compliance with Pharmacy Board rules dealing with licensure. The motion passed.

The second application to conduct a new pharmacy, to be reviewed by the Board, was submitted on behalf of Pamida Pharmacy #150, in Crookston, Minnesota, by Mr. Darcy Johnson, Pharmacist-in-charge. After carefully reviewing this application, and the diagram of the proposed pharmacy, Mr. Gary Schneider moved and Mr. Vern Kassekert seconded that the application be approved and a license issued subject to the successful completion of an on-site inspection by a member of the Board's staff, to assure compliance with Pharmacy Board rules dealing with licensure. The motion passed.

The third application to conduct a new pharmacy, to be reviewed by the Board, was submitted on behalf of Sam's Pharmacy #10-4787, in Bloomington, Minnesota, by Mr. James Martin, temporary pharmacist-in-charge. After carefully reviewing this application, and the diagram of the proposed pharmacy, Mr. Tom Dickson moved and Mr. Vern Kassekert seconded that the application be approved and a license issued subject to the naming of a permanent pharmacist-in-charge for the pharmacy, subject to the adherence by that pharmacist-in-charge to the Board's requirement for a quality assurance double-check, and subject also to the successful completion of an on-site inspection by a member of the Board's staff, to assure compliance with Pharmacy Board rules dealing with licensure. The motion passed.

The fourth application to conduct a new pharmacy, to be reviewed by the Board, was submitted on behalf of Sam's Pharmacy #10-6311, in Shakopee, Minnesota, by Mr. James Martin, temporary pharmacist-in-charge. After carefully reviewing this application, and the diagram of the proposed pharmacy, Ms. Jean Lemberg moved and Mr. Tom Dickson seconded that the application be approved and a license issued subject to the naming of a permanent pharmacist-in-charge for the pharmacy, subject to the adherence by that pharmacist-in-charge to the Board's requirement for a quality assurance double-check, and subject also to the successful

completion of an on-site inspection by a member of the Board's staff, to assure compliance with Pharmacy Board rules dealing with licensure. The motion passed.

The fifth application to conduct a new pharmacy, to be reviewed by the Board, was submitted on behalf of Snyder's Drug Store #5020, at 600 Hennepin Avenue, in Minneapolis, Minnesota, by Mr. Brad Roesler, Pharmacist-in-charge. After carefully reviewing this application, and the diagram of the proposed pharmacy, Ms. Carol Peterson moved and Mr. Chuck Cooper seconded that the application be approved and a license issued subject to the successful completion of an on-site inspection by a member of the Board's staff, to assure compliance with Pharmacy Board rules dealing with licensure. The motion passed.

The sixth application to conduct a new pharmacy, to be reviewed by the Board, was submitted on behalf of Snyder's Drug Store #5022, at 1221 East Franklin Avenue, in Minneapolis, Minnesota, by Mr. Jerry Grooters, Pharmacist-in-charge. After carefully reviewing this application, and the diagram of the proposed pharmacy, Mr. Chuck Cooper moved and Ms. Carol Peterson seconded that the application be approved and a license issued subject to the successful completion of an on-site inspection by a member of the Board's staff, to assure compliance with Pharmacy Board rules dealing with licensure. The motion passed.

The seventh application to conduct a new pharmacy, to be reviewed by the Board, was submitted on behalf of Target Store T-661, in Willmar, Minnesota, by Mr. Andrew Briggs, Pharmacist-in-charge. After carefully reviewing this application, and the diagram of the proposed pharmacy, Mr. Vern Kassekert moved and Mr. Gary Schneider seconded that the application be approved and a license issued subject to the successful completion of an on-site inspection by a member of the Board's staff, to assure compliance with Pharmacy Board rules dealing with licensure. The motion passed.

The eighth application to conduct a new pharmacy, to be reviewed by the Board, was submitted on behalf of Wal-Mart Pharmacy #10-3534, in Red Wing, Minnesota, by Mr. Tim Donovan, Pharmacist-in-charge. After carefully reviewing this application, and the diagram of the proposed pharmacy, Mr. Gary Schneider moved and Mr. Chuck Cooper seconded that the application be approved and a license issued subject to the pharmacist-in-charge adhering to the Board's requirement for a quality assurance double-check required by the Board, and subject also to the successful completion of an on-site inspection by a member of the Board's staff, to assure compliance with Pharmacy Board rules dealing with licensure and with special attention being paid to the adequacy of the patient-counseling area of the pharmacy. The motion passed.

The ninth and final application to conduct a new pharmacy, to be reviewed by the Board, was submitted on behalf of Wal-Mart Pharmacy #10-3513, in Shakopee, Minnesota, by Mr. James Martin, temporary pharmacist-in-charge. After carefully reviewing this application, and the diagram of the proposed pharmacy, Mr. Chuck Cooper moved and Mr. Vern Kassekert seconded that the application be approved and a license issued subject to the naming of a permanent pharmacist-in-charge for the pharmacy, subject to the adherence by that pharmacist-in-charge to the Board's requirement for a quality assurance double-check, and subject also to the successful completion of an on-site inspection by a member of the Board's staff, to assure compliance with Pharmacy Board rules dealing with licensure and with special attention being paid to the adequacy of the patient-counseling area in the pharmacy. The motion passed.

The Board next adjourned to its closed session, in order to discuss matters of a quasi-judicial nature.

The Board now returned to its open session.

The Board next turned its attention to the performance of candidates for licensure by examination that have now completed all parts of the January 2003 Board Examination. For Full Board Examination candidates, the Board determined that, in grading the examinations, the NAPLEX portion of the exam would be weighted at 65% of the total, the Board's Practical Examination weighted at 20% of the total, the Multistate Pharmacy Jurisprudence Examination weighted at 15% of the total, and that the minimum passing score on each of those parts, as well as the minimum overall score, would be 75. With the passing level thus established, Mr. Vern Kassekert moved and Mr. Gary Schneider seconded that the following candidates be granted licensure as pharmacists:

| <u>NAME</u> | <u>CERTIFICATE #</u> | <u>REGISTRATION #</u> |
|------------------------|----------------------|-----------------------|
| Joy R. Bhardwaj | 8281 | 117676-8 |
| Shawn M. Cowell | 8286 | 117681-0 |
| Vijay Vishwanath Gupte | 8282 | 117677-1 |
| Emily Ruth Hajjar | 8288 | 117683-6 |
| Aaliya Kalim Khan | 8283 | 117678-4 |
| Mary E. McMillan | 8290 | 117685-2 |
| David R. Nash | 8279 | 117674-2 |
| Marvin E. Neva, Jr. | 8278 | 117673-9 |
| Kimberly Nguyen | 8274 | 117669-0 |
| Nimish C. Patel | 8277 | 117672-6 |
| Anna Maria Plasch | 8275 | 117670-0 |
| Zach Tester | 8280 | 117675-5 |

The Board next addressed itself to the performance of the candidates for licensure by reciprocity that have taken the Multistate Pharmacy Jurisprudence Examination for Minnesota since the Board's last meeting. After a thorough review of the performance of the candidates for licensure by reciprocity, Mr. Vern Kassekert moved and Mr. Gary Schneider seconded that having passed the Multistate Pharmacy Jurisprudence Examination required of candidates for licensure by reciprocity, the following candidates be granted such licensure based on their current license to practice in the state listed with their name:

| <u>CERTIFICATE #</u> | <u>NAME</u> | <u>STATE OF ORIGINAL LICENSURE</u> |
|----------------------|--------------------|------------------------------------|
| 8270 | Craig David Larson | WA |
| 8271 | Kelli Jo Larson | WA |
| 8272 | Shinoula Yang | PA |
| 8276 | Stanley E. Gierhan | MD |
| 8284 | Steven Ray Grudem | ND |

| <u>CERTIFICATE #</u> | <u>NAME</u> | <u>STATE OF ORIGINAL LICENSURE</u> |
|----------------------|----------------------------|------------------------------------|
| 8285 | Scott Peter Knishka | TX |
| 8287 | Lida R. Etemad | ND |
| 8289 | Christina Marie Sorrentino | IA |

The motion passed.

Mr. Holmstrom next presented the Board with a list of Continuing Education Programs submitted to and reviewed by the Continuing Education Advisory Task Force between the dates of November 12, 2002 and January 21, 2003, and between the dates of January 21, 2003 and February 11, 2003. After reviewing the list of programs submitted to and reviewed by the Continuing Education Advisory Task Force, Ms. Carol Peterson moved and Mr. Vern Kassekert seconded that those programs recommended for approval be so approved and that those programs for which denial of approval was recommended be denied. The motion passed.

Mr. Holmstrom next presented the Board with information relating to issues of interest to the Rules/Legislation Committee. The first such issue involved requests being received by individual pharmacists to compound certain drugs that are no longer available commercially, and the extent to which pharmacists can prepare and distribute those products as pharmacies rather than becoming licensed as drug manufacturers.

No formal action was taken by the Board regarding this issue.

The second item discussed by the Board relating to Rules/Legislation was the Governor's recommendation regarding the Board's biennial budget submission for the FY 2004-2005 biennium. No formal action was taken by the Board on this issue.

Mr. Holmstrom next presented the Board with the report of the Variance Committee. Mr. Holmstrom also presented the Board with additional information regarding a variance request from Care Alliance Pharmacy relating to the Omnicell Dispensing Unit.

After discussing the Variance Committee report and the additional information received from Care Alliance Pharmacy, Mr. Vern Kassekert moved and Mr. Tom Dickson seconded that the Care Alliance Pharmacy request relating to the automated medication dispensing system be approved for a one-year period of time and, with that amendment, the Variance Committee report be adopted. The motion passed.

Mr. Holmstrom next presented the Board with a letter from Mr. John Christopher Stepaniuk, a pharmacist from Canada, who is applying to sit for the Board exam in Minnesota this coming June. Mr. Stepaniuk is requesting that the Board consider his experience as a pharmacist in Canada as meeting the Board's 1,600-hour internship requirement. After reviewing the information provided by Mr. Stepaniuk, Mr. Vern Kassekert moved and Mr. Gary Schneider seconded that the Board accept Mr. Stepaniuk's experience as a pharmacist in Canada as meeting the entire 1,600-hour internship requirement for Minnesota. The motion passed.

Mr. Holmstrom next presented the Board with a letter from Mr. Harold Sadoff, who is seeking to reactivate his license to practice pharmacy. Mr. Sadoff is proposing that he be required to complete 75 hours of continuing education and to take and successfully pass the Multistate Pharmacy Jurisprudence Examination in order to reinstate his license to practice, Mr. Vern Kassekert moved and Ms. Carol Peterson seconded that the Board accept this proposal by Mr. Sadoff. The motion passed.

Mr. Holmstrom next presented the Board with a letter from Mr. Ronald M. Rogers, who currently resides in Washington state and is licensed and in good standing in North Dakota and Washington and is licensed in Minnesota as an emeritus status pharmacist. Mr. Rogers is now requesting that the Board allow him to reactivate his emeritus status license and is requesting guidance from the Board on how he should proceed. After reviewing the fact that Mr. Rogers originally reciprocated to Minnesota based on a license to practice pharmacy in North Dakota, and since his North Dakota license is still active and in good standing, Mr. Rogers could again reciprocate to Minnesota or the Board determined that Mr. Rogers emeritus status license could be converted back to active status through the payment of back fees, providing evidence of being current on continuing education, and successful completion of the Multistate Pharmacy Jurisprudence Examination.

The Board then proceeded to direct Mr. Holmstrom to provide these two options to Mr. Rogers.

There being no further business to come before the Board at this time, President Johnson adjourned the meeting at approximately 2:00 p.m.

PRESIDENT

EXECUTIVE DIRECTOR