

# Minnesota Board of Pharmacy

## EIGHT HUNDRED AND TWENTY THIRD MEETING

At approximately 9:00 a.m., on September 19, 2012, 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 with the exception of Mr. James Koppen and Mr. Stuart Williams. Also in attendance were the Board's Executive Director, Dr. Cody Wiberg, and Board of Pharmacy staff, Ms. Candice Fleming, Ms. Karen Schreiner, Mr. Steven Huff, Mr. Timothy Litsey, and Ms. Patricia Eggers. The Board's Vice-President, Ms. Laura Schwartzwald, called the meeting to order.

Ms. Laura Schwartzwald stated that she would recuse herself from the discussion on the Guidepoint variance.

The Board then went into a closed session.

At the conclusion of the closed session, the meeting was reopened to the public.

The Board then discussed the minutes of the August 1, 2012 business meeting. Mr. Ikram-UI-Huq moved and Mr. Bob Goetz seconded that the minutes be approved as amended. The motion passed.

Dr. Wiberg pointed out that Ms. Bergrud requested that two variances be moved from the Variance Committee Report and the Consent Agenda and be considered under the Variance and Policy Review Section of the main Agenda. Mr. Bob Goetz moved and Mr. Ikram-UI-Huq seconded to approve the remaining items on the Consent Agenda and to approve the Consent Agenda. The motion passed. The Consent Agenda for this meeting is as follows:

- Variances
  - Variance Committee Report: approve, as amended by removal of variances from Methodist and St. Mary's Hospitals in Rochester, Minnesota.

Dr. Wiberg requested that a Board member add to the Miscellaneous portion of the Agenda, discussions of an American Society of Pharmacy Law meeting and of the 2013 meeting dates. Ms. Kay Hanson moved and Ms. Karen Bergrud seconded to amend the Agenda to include those items and to approve the Agenda as amended. The motion passed.

Dr. Wiberg next provided the Board with information concerning continuing education programs. Specifically, he discussed the need for some continuing education programs that were recently reviewed by members of the CEATF to be added to the CEATF Report. (Due to the fact that the current biennial CE reporting cycle was due to

end on September 30th and some pharmacists were relying on approval of recently submitted programs to meet their 30 hour CE requirement). Mr. Bob Goetz moved and Mr. Ikram-UI-Huq seconded that the recently reviewed CE programs be added to the CEATF Report and that the amended report be approved. The motion passed

Dr. Wiberg next asked the Board for authority to approve or disapprove continuing education extension requests for the 2010-2012 CE reporting period. Ms. Karen Bergrud moved and Ms. Kay Hanson seconded that Dr. Wiberg be authorized to review and to approve or disapprove such requests, with approval being given only when the pharmacist has experienced a significant illness, has had a family member experience a significant illness or pass away or been faced with some other major adverse event. The motion passed

Dr. Wiberg next provided information to the Board concerning a guidance document related to approval of automated drug distribution systems. Ms. Kay Hanson moved and Ms. Karen Bergrud seconded that the “Guidance Concerning Approval of Automated Drug Distribution Systems that will be used in Long Term Care Facilities” be tabled until later in the meeting. The motion passed.

The Board next discussed the variances that the Variance Committee deferred to the full Board.

It was the general consensus of the Board that in the future, if a tele-pharmacy variance has been approved in the past, it can be placed in the Variance Committee Report and be considered as part of the Consent Agenda unless the Committee decides that it should be removed from the report and deferred to the full Board.

- ◆ Thrifty-White variance request
  - Renewal of variances to allow operation of four tele-pharmacies
    - Variance and Policy Review Committee Recommendation - Approve

Ms. Karen Bergrud moved and Mr. Bob Goetz seconded that the variance be approved for one year. The motion passed.

- ◆ Beth Anne-Szkudlarek Brown
  - Variance to the rule that individuals seeking licensure by reciprocity, who have not worked as a pharmacist during the past two years, be required to pass the NAPLEX. (See Minnesota Rules 6800.1300, subp. 4).

Mr. Bob Goetz moved and Ms. Kay Hanson seconded that the variance request be approved on condition that Ms. Brown obtain 480 hours of internship. The motion passed.

- ◆ Julian Peters
  - Variance to the requirement that individuals have 4,000 hours of experience as a pharmacist prior to registration as a preceptor.

Ms. Kay Hanson moved and Mr. Bob Goetz seconded that the variance request be denied but that the Board provide Ms. Peters with alternatives. The motion passed.

- ◆ Becky Twamley
  - Variance to the rule that requires submission of a CE program approval form within 90 days of participating in a CE experience that was not provided by an ACPE or Board approved provider.

Ms. Kay Hanson moved and Ms. Karen Bergrud seconded that the variance be denied but that the Board grant her an extension of 90 days to meet her continuing education requirement. The motion passed.

- ◆ Guidepoint Pharmacy #104 - Worthington, MN
  - To allow telepharmacy services to Fulda, MN

Present at the meeting were Mr. Jason Turner, Pharmacist-in-charge at Guidepoint Pharmacy #104 in Worthington; Mr. Darwin Kruse, President of the Fulda Economic Development Association; Ms. Renee Logan, CFO at Murray County Medical Center; and Mr. Ron Kellen member of the Fulda City Council. Dr. Cody Wiberg, Ms. Karen Schreiner and Ms. Candice Fleming asked questions of Mr. Turner and suggested changes that he should make to his policies and procedures. After much discussion, Ms. Karen Bergrud moved and Mr. Bob Goetz seconded that the variance request be approved on condition that changes are made to the Policy and Procedures as discussed and that workload data be provided if a renewal request is submitted to the Board. The motion passed.

At this time the guidance document mentioned above was taken from the table for consideration. Mr. Jeff Lindoo, representing Thrifty-White Drug and Mr. Steve Langemo, representing Merwin LTC Pharmacy, made comments concerning the guidance document. Ms. Kay Hanson moved and Mr. Bob Goetz seconded that the Guidance Concerning Approval of Automated Drug Distribution Systems that will be used in Long Term Care Facilities be adopted with one change - adding the handling of wasted drugs as something to be addressed under section 2 as well as section 1. The motion passed.

- ◆ Review of Talyst automated drug distribution systems (ADDS)
  - Consider approval of ADDS pursuant to Minnesota Statutes §151.58.

Matt Sneller, VP of Pharmacy for Talyst was present at the meeting. Mr. Steve Langemo, of Merwin Long-Term Care Pharmacy; Ms. Cindy Kern, of the State of Minnesota, Dept. of Human Services; and Mr. Howard Juni, of Omnicare Pharmacy spoke to this topic. Mr. Bob Goetz moved and Ms. Karen Bergrud seconded that the Talyst system be deferred until the next board meeting and requested that Talyst also advise the board of where each section of the guidance policy is addressed in their variance request. The motion passed.

- ◆ St. Mary's Hospital Pharmacy - Rochester
  - to allow the return of unused, non-controlled medications to a Pyxis drawer/pocket in procedure areas where the Pyxis is used as a floor-stock system and unused medications are returned by licensed surgery staff
- ◆ Rochester Methodist Hospital Pharmacy - Rochester
  - to allow the return of unused, non-controlled medications to a Pyxis drawer/pocket in procedure areas where the Pyxis is used as a floor-stock system and unused medications are returned by licensed surgery staff

Ms. Karen Bergrud recused herself from the discussion. Mr. Kevin Dillon, Director of Pharmacy at Mayo Clinic and Pharmacist-in-charge at Rochester Methodist Hospital Pharmacy in Rochester was present at the meeting and gave a presentation. Mr. Bob Goetz moved and Ms. Kay Hanson seconded that the variances for St. Mary's Hospital Pharmacy and Rochester Methodist Hospital Pharmacy in Rochester be approved for one year on condition that Mayo continue to work with Pyxis in an attempt to change the Pyxis ADDS to include bar code returns. The motion passed.

The Board next received a presentation concerning Walgreen's Well Experience Model. Present at the meeting were Mr. Bill Cover, Walgreens Pharmacy Affairs; Mr. Greg Boll, Pharmacy Supervisor; and Ms. Michelle Aytay, Market 21 Clinical Services. Additional comments were made by Mr. Jason Turner, of Guidepoint Pharmacy and Mr. Jeff Lindoo, of Thrifty White Drug. Dr. Wiberg informed the Board that to further this concept Walgreens will need to submit variances for each pharmacy in which this model will be used. No action was taken by the Board.

Mr. Lowell Anderson, University of Minnesota, College of Pharmacy, Center for Leading Healthcare Change; Ms. Wendy Simenson, Kemper Drug in Elk River; and Mr.

Brent Thompson provided information concerning a report issued by that organization's Working Group on the Pharmacy Practice Act. No Board action was taken at this time.

Mr. Tony Olson presented information to the Board concerning his internship experience in Australia. He had been earlier granted internship credit for that experience on condition that he give the Board such a presentation. No action was necessary.

The Board next discussed a question that had been received by Board staff concerning whether or not pharmacists who supervise interns who are giving immunizations need to be qualified themselves to give immunizations. Ms. Karen Bergrud moved and Ms. Kay Hanson seconded that the board go on record as stating that licensed pharmacists that supervise interns who are giving immunizations must themselves be trained to provide immunizations. The motion passed.

The Board next discussed a recent contract amendment that Humana was requiring member pharmacies to accept. Among the provisions are ones that prohibit a pharmacy from mailing any prescriptions to Humana enrollees and that limit the number of home deliveries that can be made by pharmacies. The board directed Dr. Wiberg to contact Humana and advise them of the concerns of the Board.

Dr. Wiberg next provided the Board with an update concerning the Prescription Monitoring Program. No action was necessary.

Dr. Wiberg next advised the board that he recently became a member of the American Society for Pharmacy Law and requested that the Board approve his attendance at this organization's conference in November of 2012. Ms. Kay Hanson moved and Ms. Karen Bergrud seconded that Dr. Wiberg be allowed to attend the meeting and have his expenses covered by the Board. The motion passed.

Dr. Wiberg next presented the Board with the Surveyor Reports and Pharmacist Licensure Report. No action was required.

There being no further business requiring action by the Board, Ms. Kay Hanson moved to adjourn the meeting. The motion occurred at approximately 4:02 p.m. Mr. Bob Goetz seconded the motion. The motion passed.

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PRESIDENT

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EXECUTIVE DIRECTOR