

Minnesota Board of Pharmacy

SEVEN HUNDRED AND NINETY-EIGHTH MEETING

At approximately 9:00 a.m., April 1, 2009, 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 Dr. Stacey Jasley. Also in attendance were the Board's Executive Director, Dr. Cody Wiberg; the Board's legal counsel, Ms. Karen Andrews; and Board of Pharmacy staff, Ms. Candice Fleming, Mr. Stuart Vandenberg, Mr. Leslie Kotek, Ms. Karen Olson, and Ms. Patricia Eggers. Board President Mr. Gary Schneider called the meeting to order.

The Board went into a closed session to discuss matters of a quasi-judicial nature.

The first item of a quasi-judicial nature to come before the Board was the case of Mr. Daniel Astrup. Mr. Astrup is petitioning the Board to have the probation removed from his license and to have an unrestricted license reinstated. Mr. Astrup was present at the meeting. Ms. Andrews and Dr. Wiberg presented the Board with background information on the case. After a discussion, Mr. Tom Dickson moved and Mr. Carleton Crawford seconded that the Board reinstate Mr. Astrup's license to an unrestricted status and that the Board issue an order of reinstatement and empower Dr. Wiberg to sign it. The motion passed.

The second item of a quasi-judicial nature to come before the Board was the case of Mr. Craig Scott. Mr. Scott is petitioning to have his license reinstated. Mr. Scott was present at the meeting. Ms. Andrews and Dr. Wiberg presented the Board with background information on the case. After a discussion, Mr. Tom Dickson moved and Ms. Karen Bergrud seconded that the Board rescind its previous order, require Mr. Scott to register as an intern and to complete 800 hours of internship. During the internship he will need to have an HPSP evaluation and complete 60 hours of continuing education and he will need to pass the Multistate Pharmacy Jurisprudence Examination prior to having his pharmacist license reinstated. Once the above requirements have been met, Mr. Scott will need to appear before the Board for another review. The motion passed with Ms. Kay Hanson abstaining.

The third item of a quasi-judicial nature to come before the Board was the case of Mr. Timothy Hayenga. Ms. Andrews and Dr. Wiberg presented the Board with background information on the case and with a proposed Stipulation and Consent Order (SCO). The SCO was developed subsequent to a conference held with Mr. Hayenga on March 11, 2009, at which allegations of chemical dependency were considered. The proposed SCO has been agreed to and signed by Mr. Hayenga. After a discussion, Mr. Tom Dickson moved and Mr. Ikram-UI-Huq seconded that the Board accept the proposed SCO and that Dr. Wiberg be empowered to sign the order on the Board's behalf. The motion passed.

The fourth item of a quasi-judicial nature to come before the Board was the case of Mr. Thomas Ploszay. Mr. Ploszay is petitioning to have his probation removed from his license and to have an unrestricted license reinstated. Ms. Andrews and Dr. Wiberg presented the Board with background information on the case. After a discussion, Mr. Ikram-UI-Huq moved and Mr. Tom Dickson seconded that the Board reinstate his license to an unrestricted status. The motion passed with Ms. Kay Hanson abstaining.

The Board returned to its open session.

The Board next discussed the minutes of the February 18, 2009 meeting. Mr. Tom Dickson moved and Ms. Karen Bergrud seconded that the minutes of that meeting be approved. The motion passed.

Ms. Kay Hanson moved and Mr. Ikram-UI-Huq seconded to approve the items on the consent agenda and to approve the consent agenda. The motion passed.

◆ Consent Agenda

○ New Pharmacy Applications

- Park Nicollet Pharmacy
15800-95th Avenue North
Maple Grove, MN 55369

Approve
Temporary PIC – Erika Milne
Pending final inspection and naming of permanent
PIC

- Rainbow Foods Pharmacy #8803
5370-16th Street
St. Louis Park, MN 55416

Approve
Temporary PIC – Michael Haag
Pending final inspection and naming of permanent
PIC

- Seip Prescription Shoppe
101 E 4th Street
Park Rapids, MN 56470

Approve
Temporary PIC – Nathan Seip
Pending final inspection and naming of permanent
PIC

- Specialized Treatment Services, Inc./Central
1132 Central Avenue NE
Minneapolis, MN 55413

Approve
Permanent PIC – Ronald Johnson
Pending final inspection and submission of required
variances

- Walgreen’s Pharmacy #12404
3141 S Service Drive
Red Wing, MN 55066

Approve
Permanent Pharmacist-in-charge Jodene Rectenwald
Pending final inspection

- Walgreen’s Pharmacy #12131
1301-1st Street South
Willmar, MN 56201-4201

Approve
Permanent PIC – Kevin Bartels
Already inspected and approved for opening

- Variances

- [Variance Committee Report](#) - approve

- Continuing Education. CEATF Report for the period 01/21/2009 – 03/10/2009. Approve.

- Examination Committee

- Exam Candidates Report – approve

Certificate Number	Name	Registration Number
10199	Raeanna Nerpel	119576
10200	Justin Grueneich	119577
10201	Sherif Fanous	119578

- Reciprocity Candidates Report - approve

Certificate Number	Name	Registration Number
10197	Maria Rudis	119573

10198	Oscar Benavidez	119575
10202	James Sheahan, Jr	119579
10203	Phemelo Tshane	119580
10204	Richard Geller	119581
10205	Daniel Fronczek	119582
10206	Stefanie Nyman	119583

The Board reviewed the remaining agenda for this meeting. Ms. Kay Hanson moved and Mr. Carleton Crawford seconded that the remaining agenda be approved. The motion passed.

The Board next turned its attention to variances that the Variance Committee deferred to the Board:

- Fairmont Medical Center
 - ◆ To allow remote “After Hours Order Entry”. After some discussion, Mr. Ikram-UI-Huq moved and Ms. Kay Hanson seconded that the variance be approved for six months. The motion passed with Ms. Karen Bergrud abstaining.
- Community Memorial Hospital Pharmacy
 - ◆ To allow remote “After Hours Order Entry”. After some discussion, Mr. Ikram-UI-Huq moved and Ms. Kay Hanson seconded that the variance be approved for six months. The motion passed with Mr. Tom Dickson abstaining.
- Onamia Drug
 - ◆ To allow provision of telepharmacy services to Garrison Drug, Garrison, MN. After some discussion, Mr. Carleton Crawford moved and Ms. Karen Bergrud seconded that the variance be approved for one year. The motion passed.

Dr. Wiberg next presented the Board with a letter he received from Ms. Brianne Wilcox requesting that she receive a variance from the regulation requiring her to be licensed in another state for one year prior to reciprocating to Minnesota. After some discussion, Mr. Tom Dickson moved and Ms. Kay Hanson seconded that the variance be granted. The motion passed.

Dr. Wiberg next presented the Board with a letter he received from Ms. Evelina Maciuoeviciute requesting that she receive a variance from the regulation requiring her to be licensed in another state for one year prior to reciprocating to Minnesota. After

some discussion, Mr. Ikram-UI-Huq moved and Mr. Tom Dickson seconded that the variance be granted. The motion passed with Ms. Karen Bergrud abstaining.

Mr. Thomas Dickson next presented the Board with an update on the Executive Director Evaluation Committee report. Mr. Dickson advised the Board that he will bring it to the next meeting.

Dr. Wiberg and Ms. Patricia Eggers gave an update on the Financial Management Forum. No action was taken at this time.

Dr. Wiberg next gave the Board an update on the proposed rule changes. No action was taken at this time.

Dr. Wiberg next gave the Board an update on legislative issues. He first explained the provisions of S.F. 29/H. F. 53 (concerning changes to the definition of the practice of pharmacy) and S.F. 30/H.F. 145 (concerning changes to the requirements for methamphetamine precursor sales logs). No action was taken at this time.

Dr. Wiberg next explained the provisions of S.F. 339/H. F. 410, the “Plasma Protein Therapies Act”. After some discussion, Mr. Tom Dickson moved and Ms. Kay Hanson seconded that the Board oppose this legislation. The motion passed.

Dr. Wiberg next explained S.F. 895/H.F. 1640 (concerning establishment of a “counter-detailing” program), S.F. 1044/H.F. 491 (prohibiting the disclosure or use of prescription data for marketing purposes) and S.F. 1462/H.F. 1554 (granting the Commissioner of Health greater authority to distribute drugs during public health emergencies). No action was taken at this time.

Dr. Wiberg next explained S.F. 1375/H.F.1707 (concerning an appropriation for the Rural Pharmacy Planning and Transition Grant Program). After some discussion, Mr. Tom Dickson moved and Mr. Ikram-UI-Huq seconded that the Board oppose any attempt to amend these bills to transfer money from the Board’s surplus in the Special Revenue Fund to cover the appropriation. The motion passed.

Dr. Wiberg next explained S.F. 1709/H.F. 1947, which would require the Board to provide tamper-resistant prescription pads to all state prescribers at no charge. After a very brief discussion, Mr. Tom Dickson moved and Ms. Karen Bergrud seconded that the Board oppose this legislation. The motion passed.

Dr. Wiberg explained S.F. 1921/H. F. 1764 (requiring the Board to annually report to the Legislature any changes made to the state’s controlled substances schedules). No action was taken at this time.

Dr. Wiberg next gave the Board an update on CSPERS. No action was taken at this time.

Mr. Gary Schneider next gave the Board an update on the Council of Health Boards meeting. The Board determined that it would not oppose the e-licensing initiative being developed by the Office of Enterprise Technology.

The Board next discussed the resolutions to be voted on at the National Association of Boards of Pharmacy Annual Meeting in May. The Board did not object to any of the resolutions.

There being no further business requiring action by the Board, Mr. Tom Dickson moved to adjourn the meeting. The motion occurred at approximately 12:20 pm and Mr. Ikram-UI-Huq seconded the motion. The motion passed.

PRESIDENT

EXECUTIVE DIRECTOR