

Minnesota Board of Pharmacy

SEVEN HUNDRED AND NINIETH MEETING

At approximately 9:00 a.m., April 16, 2008, 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; the Board's Legal Counsel, Ms. Karen Andrews; and Board of Pharmacy staff, Mr. Byron Opstad, Ms. Candice Fleming, Ms. Karen Olson, and Ms. Patricia Eggers. Board President Mr. Thomas Dickson called the meeting to order.

Dr. Wiberg first introduced new Board member Dr. Stacey Jassey.

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 Berglund. Ms. Andrews presented the Board with background information regarding his chemical dependency and with a proposed Stipulation and Consent Order (SCO), which was developed subsequent to a conference held with Mr. Berglund on December 19, 2007, to discuss allegations of chemical dependency. The proposed SCO has been agreed to and signed by Mr. Berglund. After a discussion, Mr. Ikram-UI-Huq moved and Ms. Karen Bergrud 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 second item of a quasi-judicial nature to come before the Board was the case of Mr. John Samuelson. Ms. Andrews presented the Board with background information on the case and with a proposed Stipulation and Consent Order (SCO), which was developed subsequent to a conference held with Mr. Samuelson on October 1, 2007, to discuss allegations of unprofessional conduct. Mr. Gary Schneider moved and Ms. Kay Hanson 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 Board returned to its open session.

The Board next discussed the minutes of the March 5, 2008 meeting. Mr. Gary Schneider moved and Mr. Ikram-UI-Huq seconded that the minutes of that meeting be approved. The motion passed.

Mr. Carleton Crawford moved and Ms. Karen Bergrud seconded to approve the items on the consent agenda. The motion passed.

Consent Agenda:

- New Pharmacy Applications
 - CVS Pharmacy #6040
1110 Hennepin Avenue
Minneapolis, MN 55404

Approve
Permanent Pharmacist-in-charge Reena B. Patel
Pending final inspection
 - CVS Pharmacy #3313
1471 Robert Street
West St. Paul, MN 55118

Approve
Permanent Pharmacist-in-charge Kristin
Lamprecht
Pending final inspection by a Board Surveyor
 - Fairview New Brighton Pharmacy
1151 Silver Lake Road
New Brighton, MN 55112

Approve
Temporary pharmacist-in-charge Cynthia Zappa
Pending final inspection by a Board Surveyor and
naming of a permanent PIC
- Variances
 - Variance Committee Report - approve
- Continuing Education
 - Programs reviewed by CEATF between 02/13/2008 and 03/11/2008 – Approve those recommended for approval and deny those recommended for denial
- Examination Committee
 - Exam Candidates Report – approve

| <u>NAME</u> | <u>CERTIFICATE #</u> | <u>REGISTRATION #</u> |
|----------------------|-----------------------------|------------------------------|
| Jeffrey Shorten | 9822 | 119199 |
| Jennifer Ann Mueller | 9831 | 119208 |
| Sarah Jane Wersal | 9818 | 118863 |
| Stacy Marie Ferderer | 9824 | 119201 |
| David John Holmquist | 9821 | 119198 |
| Adam R Bennett | 9830 | 119207 |
| Mona Murad | 9819 | 119196 |
| Ryan T Fevold | 9820 | 119197 |

- Reciprocity Candidates Report – approve

| <u>NAME</u> | <u>CERTIFICATE #</u> | <u>STATE OF ORIGINAL LICENSURE</u> |
|------------------------|-----------------------------|---|
| Franz E Schmelzer | 9829 | MI |
| Melody Lee Berg | 9826 | IL |
| Elise R Carlson | 9817 | ND |
| Salvatore L Marascalco | 9823 | LA |
| Jennifer L Geller | 9828 | IL |
| Trisha D Scheid | 9827 | ND |

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

The Board next welcomed Dean Marilyn Speedie, Dr. Rod Carter, and Dr. Raquel Rodriguez from the University of Minnesota, College of Pharmacy to discuss Introductory Pharmacy Practice Experiences. Dr. Speedie listed several potential rule changes that the College would like the Board to consider. She explained that June, 2009 is the date by which some of the rules would need to be changed. The rules that need to be addressed are 1:1 ratio of intern to pharmacist; description of hours, traditional versus non-traditional; and preceptor qualification. Dr. Wiberg explained that if students completing IPPE's in the first year are involved in "hands on" training, then the rule for when an individual can become an intern will need to be changed. The Board determined that they would like the Internship Committee to begin working on this issue.

The Board next considered the variances that the Variance Committee deferred to the Board.

- EconoDrug Ottertail (Ottertail), Pharmacist-in-charge Paula Steeves, requested permission for the continued operation of a telepharmacy. Mr.

- Carleton Crawford moved and Mr. Gary Schneider seconded that the variance be approved for six months on the condition that any verbal prescription orders will be taken at the central pharmacy and entered into the computer by a pharmacist. The motion passed.
- Thrifty White Drug, #763 (Moorhead), Pharmacist-in-charge Janine I. Schaffer, requested permission to allow a technician to pharmacist ratio of 4:1 to provide supervision of remote telepharmacies. Mr. Tim Weippert explained that there are two pharmacists at the central fill pharmacy and each pharmacist is supervising the operations at two remote sites where there are two technicians working at each site. Mr. Gary Schneider moved and Mr. Ikram-UI-Huq seconded that to table this issue until a group of the Board members can personally visit the central and some of the remote Thrifty-White telepharmacy sites. The motion passed.
 - Mr. Weippert requested clarification of the Board's conditions on the use of audiovisual devices (cameras and audio functionality) at remote telepharmacies. Ms. Kay Hanson moved and Ms. Karen Bergrud seconded that the conditions of the previously granted variance be modified to require two cameras in each remote site but to not require continuous audio monitoring. The motion passed.

Dr. Wiberg next presented the Board with a letter from Oluwaseyi Faseemo, in which she requests a variance to Minnesota Rules 6800.1300, subpart 2.A., which requires an individual to work as a licensed pharmacist in another state before being eligible for licensure by reciprocity. After much discussion Mr. Carleton Crawford moved and Ms. Kay Hanson seconded that the Board approve her variance request. The motion passed with Ms. Karen Bergrud abstaining.

Dr. Wiberg next presented the Board with a letter from Dana Johnson, in which she requests a variance to Minnesota Rules 6800.1300, subpart 2.A., which requires an individual to work as a licensed pharmacist in another state before being eligible for licensure by reciprocity. After much discussion Ms. Kay Hanson moved and Ms. Karen Bergrud seconded that the Board approve her variance request. The motion passed.

Dr. Wiberg next presented the Board with a letter from Mr. Ahmed Bahagt, in which he requests a variance to Minnesota Rules 6800.5400, subpart 6, which requires applicants for licensure to complete 1,600 hours of internship. After much discussion, Mr. Carleton Crawford moved and Mr. Gary Schneider seconded that the motion be denied. The motion passed with Ms. Karen Bergrud abstaining.

Dr. Wiberg next presented the Board with a letter from Mr. Steven A. Williams, an applicant for licensure by reciprocity, who is requesting that his work for Eli Lilly be considered as "practice of pharmacy" experience. After much discussion, Ms. Kay Hanson moved and Mr. Ikram-UI-Huq seconded that the Board require Mr. Williams to complete 480 hours of internship prior to being allowed to sit for the MPJE. The motion passed.

Dr. Wiberg next presented the Board with a letter from Ms. Debra Larkin, who became licensed in the state of Minnesota on August 18, 2006 and who is requesting that a continuing education course that she completed on June 23, 2006 and another course she completed on July 29, 2006, together totaling 80 hours, be counted towards the CE requirement that she needs to meet for the period from August 18, 2006 to September 30, 2008. After much discussion Dr. Stacey Jassey moved and Ms. Kay Hanson seconded that the request be denied. The motion passed.

Dr. Wiberg next presented the Board with updated information regarding internet pharmacy legislation. No action was required.

Dr. Wiberg next presented the Board with an update on the Controlled Substance Prescription Electronic Reporting System legislation. No action was required.

Dr. Wiberg next presented the Board with a draft on potential rule changes. No action was required.

President Dickson, in his role as Chair of the Executive Director Evaluation Committee, next provided the Board with the results of a staff survey concerning the performance of Dr. Wiberg. Based on the recommendation of the EDEC, Mr. Carleton Crawford moved and Ms. Karen Bergrud seconded that the maximum allowed \$0.40 per hour increase be granted Dr. Wiberg for his Performance-Based Salary increase. Ms. Kay Hanson moved and Mr. Gary Schneider seconded that a \$2,000 achievement award also be granted to Dr. Wiberg.

There being no further business requiring action by the Board, Mr. Carleton Crawford moved to adjourn the meeting at approximately 12:32 p.m. Mr. Ikram-UI-Huq seconded the motion. The motion passed.

PRESIDENT

EXECUTIVE DIRECTOR