

Minnesota Board of Pharmacy

SEVEN HUNDRED AND NINETY FIFTH MEETING

At approximately 9:00 a.m., December 3, 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 with the exception of Mr. Ikram-UI-Huq. Dr. Stacey Jassey did not attend in person but did listen via the telephone. Also in attendance were the Board's Executive Director, Dr. Cody Wiberg; and Board of Pharmacy staff, Ms. Candice Fleming, Mr. Stuart Vandenberg, Ms. Karen Olson, Mr. Leslie Kotek and Ms. Patricia Eggers. Board President Mr. Thomas Dickson 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. Lyndon Schultz, who petitioned to have an unrestricted license reinstated. Dr. Wiberg presented the Board with background information regarding Mr. Schultz's case. After a brief discussion, Ms. Kay Hanson moved and Ms. Karen Bergrud seconded that Mr. Schultz's petitioned be granted and that Dr. Wiberg should sign an Order of Reinstatement 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 Ms. Marjorie Jordan, who has indicated that she wants to voluntarily surrender her license. Ms. Andrews presented the Board with background information regarding Ms. Jordan's chemical dependency and unprofessional conduct. After a discussion, Ms. Karen Bergrud moved and Mr. Carleton Crawford seconded that the Board accept Ms. Jordan's Voluntary Surrender. The motion passed.

The Board next returned to its open session.

The Board next discussed the minutes of the October 15, 2008 meeting. Mr. Gary Schneider moved and Ms. Karen Bergrud seconded that the minutes of that meeting be approved. The motion passed.

Mr. Gary Schneider moved and Mr. Carleton Crawford seconded to approve the items on the consent agenda and to approve the consent agenda. The motion passed.

- New Pharmacy Applications
 - There are no new applications for consideration on the consent agenda.
- Variances

- [Variance Committee Report](#) - approve
- Continuing Education
 - Programs reviewed by CEATF between 10/15/2008 and 11/18/2008 – Approve those recommended for approval and deny those recommended for denial.
- Examination Committee
 - Exam Candidates Report – approve

Name	Original Licensure Date	Registration Number
Jason Allan Cohen	10/17/2008	119541
Amanda L Pedretti	11/14/2008	119551
Anh Van Tran	11/21/2008	119554
Lesley M Caldwell	10/17/2008	119540
Lara J Riis	10/28/2008	119546
Mounia Radouani	10/08/2008	119538
Tia Paulson	10/27/2008	119543
Tracy R Betterley	10/10/2008	119539
Lynnee Louise Spiker	11/04/2008	119550

- Reciprocity Candidates Report – approve

Name	Original Licensure Date	Registration Number
Carolyn M O'Donnell	10/28/2008	119544
Monica W Paper	11/03/2008	119549
Michael J. Clairmont	10/28/2008	119545
Christopher Fello	11/19/2008	119552
Mary Ann Johnston	11/03/2008	119548
Michael Hudak	11/03/2008	119547
Jamie S Kaya	11/19/2008	119553

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

The Board next reviewed requests for continuing education extension that have been received and reviewed by the Executive Director since the last meeting. Mr. Carleton Crawford moved and Ms. Kay Hanson seconded that the Board approve those recommended for approval and deny those recommended for denial. The motion passed.

The Board next discussed adopting standard civil penalties for certain violations of the laws and rules. After much discussion, Ms. Karen Bergrud moved and Ms. Kay Hanson seconded that Board of Pharmacy staff begin working on a rule change to implement this. The motion passed.

Ms. Karen Bergrud moved and Mr. Carleton Crawford seconded to approve the following new pharmacy application. The motion passed, with Mr. Gary Schneider abstaining.

- Innovative Pharmacy Solutions
2421 Enterprise Drive
St. Paul, MN 55120

Approve
Permanent Pharmacist-in-charge Martin Erickson
Pending final inspection

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

- Innovative Pharmacy Solutions. The pharmacy is a closed door pharmacy with a limited number of patients. Compounded prescriptions will be prepared pursuant to a treatment IND approved by the U.S. Food and Drug Administration. The area will be shared with Gallipot R & D when the pharmacy is not in operation. Ms. Kay Hanson moved and Mr. Carleton Crawford seconded to approve a variance (for two years) that allows the pharmacy area to remain open without a pharmacist on duty. The motion passed, with Mr. Gary Schneider abstaining.
- Innovative Pharmacy Solutions. The pharmacy is a closed door pharmacy with a limited number of patients. They don't expect to have patients picking up their medications. Should this change they are prepared to install an appropriate window that will meet Board requirements. At this time, they are requesting a variance to the rule requiring a counseling area that provides an assurance of privacy. Ms. Kay Hanson moved and Mr. Carleton Crawford seconded to approve the variance for two years. The motion passed, with Mr. Gary Schneider abstaining.
- Sterling Drug, Adrian. They are requesting a variance to allow a tele-pharmacy in Adrian, MN. Present at the meeting were Mr. Tim Gallagher from Astrup Drug, Mr. Brian Hagen from Sterling Drug, Mr. Jeremy Johnson from Astrup Drug, Mr. Bruce Heitkamp - the City Administrator of Adrian, and Mr. Mike Coughlin from ScriptPro. Mr. Carleton Crawford moved and Ms. Kay Hanson seconded that the variances be approved for a one year period of time and that the pending license application be approved provided that the design of the tele-pharmacy is changed to include an adequate counseling area, that the tele-pharmacy passes final

- inspection, that a permanent pharmacist-in-charge is named and that adequate policies and procedures are submitted. The motion passed.
- Mayo Clinic Pharmacy. They are requesting a variance that allows the pharmacy to process prescriptions for other licensed pharmacies within the Mayo system in Rochester. Mr. Gary Schneider moved and Mr. Carleton Crawford seconded that the variance be approved for two years. The motion passed with Ms. Karen Bergrud abstaining.
 - Mayo Clinic Pharmacy – Baldwin. They are requesting a variance that allows the pharmacy to have prescriptions processed by another Mayo pharmacy. Mr. Gary Schneider moved and Mr. Carleton Crawford seconded that the variance be approved for two years. The motion passed with Ms. Karen Bergrud abstaining.

Dr. Wiberg next presented the Board with a letter he received from Mr. Jim Rieth requesting that his past work experience allow him to reinstate his pharmacist license even though he has been working in the pharmaceutical industry since 1986. Mr. Carleton Crawford moved and Ms. Karen Bergrud seconded that Mr. Rieth not be required to pass the NAPLEX but instead be required to complete 480 hours of internship, pass the MPJE examination, and complete the reciprocity process. The motion passed.

Dr. Wiberg next presented the Board with a letter he received from Ms. Maria Bybel, a 2005 graduate of the Distance Education Doctor of Pharmacy degree from the University of Minnesota and a licensed pharmacist in Canada since 1993, requesting that her work as a full time pharmacist in Canada since June, 1995 qualify as meeting the 1600 hours of internship required to become licensed as a pharmacist in the state of Minnesota. Ms. Kay Hanson moved and Mr. Gary Schneider seconded that the Board recognize her work in Canada as a pharmacist in lieu of the 1600 hours of internship. The motion passed.

Dr. Kristin Janke next presented the Board with information concerning the University of Minnesota, College of Pharmacy plan for Continuing Professional Development. The Board referred this matter to the CE Advisory Task Force.

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

Dr. Wiberg next informed the Board that recently met with Senator Kathy Sharen concerning legislation that would allow pharmacists to sign legally valid prescriptions per protocol. He also reported that the Health Department Health Care Workforce Shortage Work Group may include a similar recommendation in its report to the Legislature. No action was taken at this time.

Dr. Wiberg next recognized Ms. Liz Carpenter for her work with MPhA. Her employment with MPhA will terminate on December 19, 2008. The Board and audience

acknowledged her hard work for the pharmacy profession.

Dr. Wiberg next presented the Board with an update on the biennial budget process. No action was taken at this time.

Dr. Wiberg next presented the Board with an update on the Controlled Substances Prescription Electronic Reporting System (CSPERS). No action was taken at this time.

Dr. Wiberg provided the Board with information about a recent media report involving technicians. No action was taken at this time.

Dr. Wiberg next presented the Board with information on a meeting with the University of Minnesota College of Pharmacy faculty and staff.

There being no further business requiring action by the Board, Ms. Karen Bergrud moved to adjourn the meeting. The motion occurred at approximately 11:42 a.m. and Mr. Gary Schneider seconded the motion. The motion passed.

PRESIDENT

EXECUTIVE DIRECTOR