

Minnesota Board of Pharmacy

EIGHT HUNDRED AND SIXTH MEETING

At approximately 9:00 a.m., on July 14, 2010, 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, Assistant Attorney General Geoffrey Karls, and Board of Pharmacy staff, Ms. Candice Fleming, Mr. Stuart Vandenberg, Ms. Michele Mattila, and Ms. Patricia Eggers. The Board's President, Ms. Karen Bergrud, 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 Pharmacist Thomas Kris, who has completed the requirements of his 2008 Order. Mr. Kris was present at the meeting. Dr. Wiberg presented the Board with background information regarding Mr. Kris' case. After a brief discussion, Mr. James Koppen moved and Dr. Stacey Jassey seconded that Mr. Kris be granted his petition for unrestricted license and that Executive Director Wiberg be empowered to sign an Order of Reinstatement for Unconditional License on the Board's behalf. The motion passed. The Board wished Mr. Kris well in future endeavors.

The second item of a quasi-judicial nature to come before the Board was the case of Pharmacist Julie Connell. The Board tabled this item due to the fact that Ms. Connell did not appear.

The Board returned to general session.

The Board next discussed the minutes of the May 12, 2010. Mr. Ikrum-UI-Huq moved and Dr. Stacey Jassey seconded that the minutes of the meeting be approved. The motion passed.

Mr. Ikrum-UI-Huq moved and Ms. Laura Schwartzwald seconded to approve the items on the consent agenda and to approve the consent agenda. The motion passed.

- ◆ Consent Agenda

- New Pharmacy Applications.

- CVS Pharmacy
316-15th Avenue SE
Minneapolis, MN 55455

Temporary PIC Veljko Gucic

Approve pending final inspection and naming of permanent PIC

- DegDeg's Carepoint Pharmacy
2711 Franklin Avenue
Minneapolis, MN 55406

Temporary PIC Mowlid Balayah
Approve pending final inspection

- Lake Region Cancer & Research Center
3908 South Cascade
Fergus Falls, MN 56537

Temporary PIC Brett Leitch
Approve pending final inspection and naming of permanent PIC

- North Memorial Pharmacy – Maple Grove
9825 Hospital Drive
Maple Grove, MN 55369

Permanent PIC Candace Nguyen
Approve pending final inspection

- Parkview Pharmacy @ WSU
175 Mark Street - WSU
Winona, MN 55987

Permanent PIC Dan Sullivan
Approve pending final inspection

- Variances
 - **Variance Committee Report** - approve
- Continuing Education. CEATF Reports for the periods 03/10/2010 – 06/08/2010. Approve those recommended for approval and deny those recommended for denial
- Examination Committee
 - Exam Candidates Report – approve

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Certificate Number	Name	Registration Number
10652	Christa M Nordlum	120031
10660	Chelsey L Carlson	120039
10676	Aaron George Brummer	120055
10591	Lucas Bradley Glarum	119968
10602	Ilya M Danelich	119979
10653	Beth Ann Zerr	120032
10657	Kari Ann Gaalswyk	120036
10675	Cara Rae Counter	120054
10674	Jonica Jean Hazaert	120053
10636	Ling Xu	120016
10596	Delford Ilara Doherty	119973
10604	Marit C Lindquist	119981
10594	Allison Jo Boddy	119971
10601	Nicole K Olson	119978
10603	Kari Lynn Eason	119980
10622	Jennie Marie Walby	120001
10654	Heidi E Schultz	120033
10658	Corey J Leinum	120037
10659	Kari Ann S Torma	120038
10621	Jennifer M Wilson	119999
10651	Michael Max Zyvoloski	120030
10590	Beau Brenden Haugrud	119967
10663	Robert J Choiniere	120042
10640	Tasha N Bekkerus	120020
10647	Kristen R Chisholm	120026
10619	Sean Nicholas McLister	119997
10613	Jacob Langness	119989
10605	Alexander Kindem Berg	119982
10588	Sofia A Byman	119965
10617	Kyle Jay Heller	119995
10626	Julie Ann Anderson	120005
10633	Brent James Vesta	120012
10599	Mathew K Hupila	119976
10600	Shawn B Zander	119977
10611	Preethi Krishnan	119991
10638	Meghan M Kelly	120018
10631	David Peter Reardon	120010
10656	Wade Michael Strop	120035
10661	Ryan Wesley Milbrandt	120040
10649	Brianne Marie Burmeister	120028

10592	Amanda Kathleen Boo	119969
10637	Matthew P Lillyblad	120017
10632	Tien M Vuong	120011
10612	Lucas Alan Darling	119990
10593	Paul Alan Karow	119970
10664	Abigail Eileen Frank	120043
10589	Alyssa Rose Carlson	119966
10662	Thomas J Lofgren	120041
10648	Alex Leo Burchill	120027
10618	Matthew John Schille	119996
10620	Jacalyn Ann Laketa	119998
10630	Katherine Joan Hines	120009
10671	Anthony Baokim Tran	120050
10655	Melissa Medina Palomo	120034
10650	Carla Dawn Meyer	120029
10668	Amanda Marie Pasche	120047
10665	Benjamin W Fritchman	120044
10628	James Edgar Bischoff	120007
10597	Barbara Jean Egan	119974
10584	Virginia Eliason	119961
10579	Eric Graham Dorr	119956
10616	Jessica A Grassmann	119994
10623	Taya Marie Staples	120002
10644	Troy Harold Anderson	120023
10645	Amarnath Reddy Malladi	120024
10666	Alison Rapacz Knutson	120045
10669	Virginia Talcott Howe	120048
10635	Beth Marie Kauffman	120015
10634	Jenifer Lynn Morgan	120013
10629	LaNell G Staroba	120008
10624	Margaret Wallace	120003
10615	Stacy Louise Bates	119993
10614	Paul Heim	119992
10643	Elizabeth Mary Brisk	120022
10667	Kelly M Sederstrom	120046
10642	Jesse Earl Bandelin	120021
10677	Nicole Ann Engelmeyer	120000
10625	Jacob Carl Nelson	120004
10678	Laura E Brinster	120014
10639	Casey Charles Halcrow	120019
10646	Nellie E Berkenpas	120025

10595	Stacey Lynn Rewitzer	119972
10598	Megan Witucki	119975
10679	Jenna L Bryce	119988
10670	Diane Michelle Deslauriers	120049
10672	Jacob Michael Maderich	120051
10673	Amanda Leigh Erslund	120052

- Reciprocity Candidates Report - approve

Certificate Number	Name	Registration Number
10585	Jonathan O Schock	119962
10627	Melissa Goff	120006
10582	Jill M Mader	119959
10610	Darcy Kay Fuehrer	119987
10580	Matthew Jason Thunselle	119957
10587	Beata J Przebinda	119964
10609	Candace Louise Haugtvedt	119986
10608	Cassidy Beach	119985
10606	Brandon Haas	119983
10586	Martine H Antell	119963
10607	Daniel P Blakeley	119984
10583	Sarah Ann Cooper	119960
10581	Jamie L Jacobson	119958

The Board reviewed the remaining agenda for this meeting. Dr. Stacey Jassey moved and Ms. Kay Hanson seconded that the remaining agenda be approved. The motion passed.

The Board next discussed variances and policies deferred to the Board.

- ◆ Delora Pufall

- Request for variance to M.R. 6800.1250

Due to the fact that Ms. Pufall did not attend the meeting, the motion was not reconsidered.

- ◆ Ken Buckley

- Request for exemption to Board Internship reporting policy
After a discussion, Jr. James Koppen moved and Mr. Carleton Crawford seconded that the variance be approved pending Mr.

Buckley advising Dr. Wiberg on who his preceptor was so that Dr. Wiberg can request the preceptor to submit a signed and notarized affidavit stating that the preceptor did, in fact, fax the Progress Report Affidavit to the board in a timely manner and that they received a confirmation that the fax was sent. The motion passed with Mr. Carlton Crawford, Ms. Stacey Jassey, and Mr. Ikram-UI-Huq. Ms. Karen Bergrud voted to approve the motion. The motion passed.

◆ Jayne Reading Carter

- Variance to M.R. 6800.1300, subpart 4

After a discussion, Dr. Stacey Jassey moved and Ms. Laura Schwartzwald seconded that the variance request be granted and that Ms. Carter be required to complete 800 hours of internship prior to being allowed to take the MPJE examination. The motion passed.

◆ Susan McDermott

- Variance to M.R. 6800.1300, subpart 4

After a discussion, Mr. James Koppen moved and Mr. Carleton Crawford seconded that the variance request be granted and that Ms. McDermott be required to complete 800 hours of internship prior to being allowed to take the MPJE examination. The motion passed.

◆ PharmaTrust™ MedCenter presentation

Present at the meeting were Mr. Matt Sneller, Vice President of Pharmacy Affairs with PharmaTrust, and Ms. Deborah Keaveny, pharmacy owner who submitted variances to use the PharmaTrust MedCenter System at Keaveny LTC Pharmacy. DirectCare Pharmacy (a subsidiary of PharmaTrust) intends to operate the PharmaTrust MedCenter Systems that are located in hospitals and clinics to dispense outpatient prescriptions directly to the patients. DirectCare Pharmacy intends to open a closed door pharmacy in the Minneapolis-St. Paul area staffed with pharmacists to remotely dispense prescriptions utilizing the PharmaTrust MedCenter System. After much discussion, it was determined that Mr. Sneller should meet with the Executive Director and Board of Pharmacy Surveyors to come up with guidelines for these machines.

◆ Keaveny LTC Pharmacy

- New application and variance request for a telepharmacies in clinics in Belgrade and Eden Valley, MN using PharmaTrust™ MedCenter System.
 1. Keaveny Drug MedCenter #1
505 Nelson Avenue
Belgrade, MN 56313
 2. Keaveny Drug MedCenter #2
248 Park Avenue
Eden Valley, MN 55329

Present at the meeting was Ms. Deborah Keaveny. After much discussion and after asking for Ms. Keaveny's permission, Mr. James Koppen moved and Mr. Ikrum-UI-Huq seconded that the variance request be deferred until the next variance meeting.

◆ Thrifty-White Telepharmacy Variances

- Clearbrook
- Fertile
- Karlstad
- Renville

After a discussion regarding the telepharmacy services to the above locations from the Fargo, ND site, Mr. James Koppen moved and Mr. Carleton Crawford seconded that the variance be approved until the September 2010 Board meeting and direct staff to inform Thrifty White of the deficiencies that were found during the inspection by the inspectors and to inform Thrifty that they will need to present plans to correct these deficiencies prior to the Board meeting. The motion passed.

◆ Rochester Methodist

- Variance to M.R. 6800.3200. Variance Committee recommends approval for 2 years

Present at the meeting were Ms. Karen Bergrud, Pharmacist-in-charge at Rochester Methodist. Presiding over this discussion was Dr. Stacey Jassey. After much discussion, Mr. James Koppen moved and Mr. Carleton Crawford seconded that the variance be approved for six months, during which time Ms. Bergrud will change the policies to eliminate the tech-check-tech wording and work with the Board on alternative scanning. The motion passed with Ms. Karen Bergrud abstaining.

- Variance to M.R. 6800.3950, M.R. 6800.7520. Variance Committee recommends permanent approval on condition that DEA requirements are met.

After some discussion, Mr. James Koppen moved and Mr. Carleton Crawford seconded that the variance be approved permanently on condition that DEA requirements are met. The motion passed with Ms. Karen Bergrud abstaining.

Ms. Bergrud again stepped in as president.

Dr. Stacey Jassey next presented the Board with information on the CPD Steering Committee. No action was taken at this time.

The Board received a request from Mr. Kurt Hanna, a citizen of the state of Minnesota, requesting that the Board engage in the rule-making process for the purpose of rescheduling marijuana from Schedule I to Schedule II. After much discussion, Ms. Laura Schwartzwald moved and Dr. Stacey Jassey seconded that staff has the authorization to deny engaging in the rule-making process.

Dr. Wiberg informed the Board as to the status of the Statement of Need and Reasonableness (SONAR). No action was taken at this time.

Dr. Wiberg then asked the Board to approve a new Authorizing Resolution as follows:

RESOLVED, that Cody Wiberg, the Executive Director of the Board Of Pharmacy, is hereby granted the authority and directed to sign and to give the Notice of the Board's Intent To Adopt Rules using Alternate Notices of whether a hearing will be held governing Pharmacy Practice and Drug Wholesaling, including Definitions, Applications for Pharmacy Licenses, Pharmacy License Categories, Transfers of Pharmacy Ownership, Pharmacy Counseling Areas, Supervision of Pharmacy Areas, Automated Counting Devices, Closing a Pharmacy, Applications for Pharmacist Licensure, Drug Manufacturer and Wholesaler Licensure, Registration of Pharmacy Technicians, Training and Educational Requirements for Pharmacy Technicians, Pharmacy Work Conditions, Unprofessional Conduct, Continuous Quality Improvement Programs, Answering Machines and Electronic Voice Recording Devices, Compounding, Prospective Drug Reviews, Patient Profiles, Transfer of Prescriptions between Pharmacies, Prepackaging and Labeling, Radiopharmaceutical Labeling, Veterinary Prescription Drug Labels, Interns and Preceptors, Consulting Services to Licensed Nursing Homes, Emergency Kits, Pharmaceutical Services Policies, Variances, and Medical Gas Distributor Registrations, Minnesota Rules, 6800.0100 et. seq. to all persons who have registered their names with

the Board for that purpose and publish the Notice and rules in the State Register, and to perform any and all acts incidental thereto.

FURTHER RESOLVED, that, if there are fewer than 25 outstanding hearing requests, Cody Wiberg, the Executive Director of the Board of Pharmacy, is hereby granted the authority and directed to sign the Order Adopting Rules and to perform any and all acts incidental thereto.

FURTHER RESOLVED, that, if there are 25 or more outstanding hearing requests, Cody Wiberg, the Executive Director of the Board of Pharmacy, is hereby granted the authority and directed to act as the Board's representative at the hearing and to perform any and all acts incidental thereto.

After some discussion, Mr. Carleton Crawford moved and Mr. James Koppen seconded that Dr. Wiberg be authorized to make some changes to the rules. The motion passed.

After some more discussion, Ms. Laura Schwartzwald moved and Ms. Kay Hanson seconded that the resolution be approved. The motion passed.

Dr. Wiberg next asked the board for permission to begin the rule-making process for the purpose of amending the state's schedules of controlled substances. After some discussion, Mr. James Koppen moved and Dr. Stacey Jasey seconded that Dr. Wiberg be granted authorization to begin the rule-making process. The motion passed.

Dr. Wiberg next presented the Board with an update on the Board's budget. No action was necessary.

Ms. Eggers next presented the Board with information she has received on a new travel procedure that the state will begin using. No action was necessary at this time.

Mr. Keith Hovland next introduced Ms. Sojourner Killingsworth to the Board and together they updated the Board on the Minnesota Prescription Monitoring Program. No action was taken at this time.

The Board next discussed the NABP/AACP District V Meeting in Iowa. No action was taken at this time.

There being no further business requiring action by the Board, Mr. James Koppen moved to adjourn the meeting. The motion occurred at approximately 2:24 PM. Dr. Stacey Jassey seconded the motion. The motion passed.

PRESIDENT

EXECUTIVE DIRECTOR