

Minnesota Board of Pharmacy

EIGHT HUNDRED EIGHTY FIRST MEETING

At approximately 9:00 a.m. on July 24, 2019, 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. Members of the Board that attended were Dr. Stacey Jassey, Dr. Mary Phipps, Mr. Stuart Williams, Dr. Joseph Stanek, Dr. Amy Paradis, Mr. Andrew Behm, Ms. Samantha Schirmer, and Mr. James Bialke. Also in attendance were the Board's Executive Director, Dr. Cody Wiberg; Deputy Director, Dr. Beth Ferguson; Assistant Attorney General, Mr. Hans Anderson, and Board staff members, Ms. Tami Wier, Ms. Ame Carlson, Ms. Sarah Favour, Mr. Steve Huff, and Ms. Michele Mattila.

President Jassey called the meeting to order. A quorum was confirmed. The Board went into open session.

President Jassey's opening statements explained the Board's new meeting format. The Board has moved the open session to the beginning of their meeting and the closed session to the end of the Board's meeting. President Jassey welcomed Dr. Paradis to the Board. She replaces Mr. Kurt Henn. Mr. Williams and Ms. Schirmer were congratulated on their re-appointment to the Board.

The Board then discussed the minutes of the June 24, 2019 business meeting. After discussion, President Jassey declared the minutes approved as distributed.

Next, the Board considered the Consent Agenda. Mr. Bialke moved to approve the Consent Agenda. Mr. Williams seconded the motion. The motion passed unanimously.

The Board then considered the Remainder of the Agenda. Mr. Bialke moved, and Dr. Phipps seconded that the Remainder of the Agenda be approved. The motion passed unanimously.

The first variance on the agenda was a request from Mr. Ali Alsmadi, a potential applicant for pharmacist licensure. Mr. Alsmadi asked for a variance to Minn. Rule 6800.1300, supp. 4, asking to be allowed to be licensed by reciprocity without taking the NAPLEX. After Board discussion, Mr. Williams moved to approve the request with the condition that Mr. Alsmadi complete an internship of 400 hours at a Minnesota pharmacy and pass the MPJE exam prior to being licensed. Mr. Bialke seconded the motion. The motion passed unanimously.

The next variance and policy reviews concerned CVS/Pharmacy Central Services, specifically Lincoln, RI, Coram Specialty Infusion Services; Mendota Heights; and Moorhead, MN locations. The Board reviewed several variances and policies related to central service pharmacy arrangements between the three pharmacies. Ms. Tanyia Abel, Mr. John Long, and Mr. Bill Bolgar from CVS presented to the Board to answer questions and address concerns on the variance. Mr. Mike Campfield approached the Board and asked the panel about the availability of the program to pharmacies outside of the CVS contract. After discussion, Mr. Williams moved to approve a 12-month variance with the following stipulations: staff concerns on labor, down-time, and quality assurance are addressed within 30 days of

the variance approval and the Board receives an error or event report at the six-month mark. Dr. Stanek seconded the motion. The motion passed with six board members in favor and two opposed.

The next variance and policy reviews were deferred to the full Board so that members can recuse themselves.

Allina Pharmacies asked the Board to approve a variance for twelve Allina Pharmacy locations and the Buffalo Hospital Pharmacy, to allow registered pharmacy technicians and interns to verify controlled substance waste with a licensed individual instead of two licensed individuals. After review, the recommendations of the Variance and Policy Review Committee (Committee) were accepted unanimously by the Board. These were placed on the agenda so that Mr. Nahas could recuse himself, but he was not at the meeting.

Dr. Stanek recused himself and left the room prior to the following variance request.

The next variance request concerned HealthEast and St. Joseph's Hospital Pharmacy and HealthEast Bethesda Hospital Pharmacy. The request was to allow remote pharmacy after hours order review and entry of physician medication orders by both pharmacies when the hospital pharmacy is closed. After review, the recommendations of the Committee were accepted unanimously by the Board.

Dr. Stanek returned to the meeting and Dr. Paradis recused herself for the following variance.

The final variance request before the Board was from Sterling Specialty Pharmacy to allow the pharmacy to utilize two separate but adjacent areas under one license. After review, the recommendations of the Committee were accepted unanimously by the Board.

Dr. Paradis returned to the meeting.

With no other variance and policy review before the Board, Mr. Bill Cover and Mr. Gregg Jones from the National Association of Boards of Pharmacy presented, "Wholesale Drug Distributor and Third-Party Logistics Provider Inspections." This presentation was informational only, no action was necessary.

The next agenda item for the Board was Statutes, Rules and Guidances. Dr. Wiberg provided the Board with extensive information concerning legislation that was passed by the Legislature related to the Board's jurisdiction. Dr. Wiberg updated the Board on fee increases effective July 1, 2019 and Board actions to comply with the new mandates. Dr. Wiberg summarized additional changes that included staff reorganization, a remodel, and the creation of the Controlled Substances Registration Section. Since this was informational only, no action was necessary.

Dr. Wiberg next discussed CBD testing requirements and the challenge to ensure that CBD is safe, and the public is protected against fraudulent claims. Effective January 1, 2020, under state law, if certain requirements are met, sellers would not be considered illegally selling CBD. Dr. Wiberg summarized the law and discussed what the Board's role may be in the regulation of the product after January 1, 2020. Since this was informational only, no action was necessary.

Office updates were covered in Dr. Wiberg's legislative summary in Statutes, Rules and Guidances.

Next, Dr. Wiberg gave a brief update on the Prescription Monitoring Program. Dr. Wiberg reviewed the new branding of the department and getting staff in place to accommodate legislative changes. Funding appropriation was discussed. Since this was informational only, no action was

necessary.

Dr. Wiberg mentioned the availability of the Pharmacist Licensure Report and CE Report. The reports are informational only, so no action was necessary.

With no other business before the Board, President Jassey declared Open Session to be adjourned the at approximately 12:55 p.m. She noted that the Board would be going into closed session to consider disciplinary matters.