

Minnesota Board of Pharmacy

EIGHT HUNDRED AND THIRTEENTH MEETING

At approximately 9:00 a.m., on June 15, 2011, 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 Karen Andrews, and Board of Pharmacy staff, Ms. Candice Fleming, Ms. Michelle Matilla, Ms. Karen Schreiner, Ms. Patricia Eggers, and Mr. Leslie Kotek. The Board's President, Dr. Stacey Jassey, called the meeting to order.

The Board went into a closed session to discuss quasi-judicial cases. After concluding the quasi-judicial session, the Board returned to general session.

The Board first discussed the minutes of the May 11, 2011 business meeting. Ms. Karen Bergrud moved and Mr. James Koppen seconded that the minutes of the meeting be approved. The motion passed.

Mr. Ikram-Ul-Huq moved and Ms. Laura Schwartzwald seconded to approve the items on the Consent Agenda and to approve the consent agenda. The motion passed. The Consent Agenda for this meeting was as follows:

- Variances
 - Variance Committee Report – Approve

Ms. Karen Bergrud asked that the agenda be modified to include a discussion of an issue concerning recent changes in policy made by the FDA that relate to the registration of certain pharmacies as manufacturers. Ms. Kay Hanson asked that the agenda be modified to include a discussion of the Governor's Board appointments. Ms. Kay Hanson moved and Ms. Karen Bergrud seconded that the remaining agenda be approved, as modified. The motion passed.

Dr. Rod Carter, representing the University Of Minnesota College Of Pharmacy, next gave a presentation regarding the College's request that the Board consider making certain changes to the internship rules found in Minnesota Rules Chapter 6800. Mr. Carleton Crawford moved to have the issue referred to the Internship Advisory Committee for review, with instructions to report back to the Board recommendations for rule changes. Ms. Karen Bergrud seconded the motion. The motion passed.

The Board next considered variances and pharmacy license applications that were deferred to the Board by the Variance Committee:

- Bigfork Pharmacy Telepharmacies in Northome, Floodwood, and Big Falls. (Plus variances for the hub pharmacy in Bigfork).

Ms. Michele Mattila provided the Board with information concerning the variance requests. Mr. Ikram-UI-Huq moved and Ms. Karen Bergrud seconded that the variance requests be approved on condition that dedicated space is licensed as a pharmacy, with access limited to pharmacy personnel and that revised policies and procedures are submitted regarding technician duties and the limited access to the pharmacy. (With approval to be for 12 months). The motion passed. .

- Rajini Sree Variance

Ms. Sree was present at the meeting. Ms. Sree is petitioning the Board to be allowed to sit for an examination for a fourth time. Mr. James Koppen moved and Ms. Karen Bergrud seconded that the variance request be approved. The motion passed.

The Board next turned its attention to Statutes and Rules.

- ◆ Chapter 152 – Dr. Wiberg provided information to the Board concerning changes to Minnesota Statutes Chapter 152 that were passed by the Legislature and signed into law by Governor Dayton. No action was necessary.
- ◆ 2012 – 2013 Biennial Budget & Potential State Shutdown – Dr. Wiberg provided information to the Board about the Board’s biennial budget requests and the possible state shutdown. No action was necessary.
- ◆ General Rules Package - Dr. Wiberg provided information to the Board concerning the package of general rule changes that the Board has been working on. No action was necessary.
- ◆ Work Condition Rules –Dr. Wiberg requested direction from the Board concerning the proposed work condition rule change that former Governor Tim Pawlenty told the Board to remove from the package of general rule changes. Mr. Jim Koppen moved and Mr. Carleton Crawford seconded that Dr. Wiberg be directed to form an advisory committee to work on this issue. The motion passed.
- ◆ New Controlled Substance Rules Package – Dr. Wiberg requested permission from the Board to begin work on changes to the parts of Minnesota Rules Chapter 6800 that deal with controlled substance scheduling. Mr. Ikram-UI-Huq moved and Ms. Karen Bergrud seconded that Dr. Wiberg form an advisory committee to work on this rule change. The motion passed.
- ◆ Discussion of potential for rules relating to immunizations, protocols, and related clinical services. Ms. Kay Hanson moved and Ms. Laura

Schwartzwald seconded that Dr. Wiberg form an advisory committee to work on potential rule changes in this area. The motion passed.

Dr. Jassey next updated the Board on the CPD Project. No action was required.

Dr. Wiberg next informed the Board that MN Management and Budget approved expenditure of the funds needed for attendance of the Executive Director and several Board members at the District V meeting in August, 2011. No action was necessary.

Ms. Karen Bergrud provided the Board with information about changes that the FDA is in the process of implementing that concern that agency's handling of pharmacies that engage in certain types of compounding. After discussion it was the consensus of the Board to direct staff to send out a new letter to the affected pharmacies to inform them that the Board would delay its actions in this matter until after the FDA has issued new guidelines.

Dr. Stacy Jassey announced that she needed to immediately resign as President of the Board and also sever all ties with the Board within 30 – 60 days (at the request of her new employer). Consequently, the Board next accepted nominations for the purpose of electing a member to fill out the remainder of Dr. Jassey's term. Ms. Kay Hanson nominated Mr. James Koppen for the office of President and Mr. Ikram-UI-Huq seconded the nomination. There being no other candidates nominated, the Board elected Mr. Koppen to fill out the remainder of Dr. Jassey's term as President.

Mr. Koppen took over as President and thanked Dr. Jassey for the service that she has provided to the Board and to the citizens of the State of Minnesota.

Mr. Koppen's election as President created a vacancy for the office of Vice President. Consequently, the Board next accepted nominations for the purpose of electing a member to fill out the remainder of Mr. Koppen's term as Vice President. Ms. Kay Hanson nominated Ms. Laura Schwartzwald for the Office of Vice President and Dr. Stacey Jassey seconded the nomination. There being no other nominations, the Board elected Ms. Schwartzwald to fill out the remainder of Mr. Koppen's term as Vice President.

There being no further business requiring action by the Board, Ms. Kay Hanson moved to adjourn the meeting. The motion occurred at approximately 11:55 AM. Ms. Karen Bergrud seconded the motion. The motion passed.

PRESIDENT

EXECUTIVE DIRECTOR