

## Minnesota Board of Pharmacy

### SEVEN HUNDRED AND EIGHTY-NINTH MEETING

At approximately 8:30 a.m., March 5, 2008, the Minnesota Board of Pharmacy met in the 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. Also in attendance were the Board's Executive Director, Dr. Cody Wiberg; the Board's Legal Counsel, Mr. Peter Krieser; and Board of Pharmacy staff, Mr. Stuart Vandenberg, Ms. Candice Fleming, Ms. Karen Olson, 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. Timothy Snyder. Dr. Wiberg presented the Board with background information regarding his chemical dependency and with a proposed Stipulation and Consent Order (SCO), which was developed subsequent to this matter being settled by mail rather than by conference. The proposed SCO has been agreed to and signed by Mr. Snyder. After a discussion, Ms. Betty Johnson moved and Mr. Gary Schneider 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. Miles Bullerman. Dr. Wiberg 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. Bullerman on December 19, 2007, to discuss allegations of chemical dependency. Mr. Carleton Crawford 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 January 30, 2008 meeting. Mr. Gary Schneider moved and Ms. Betty Johnson seconded that the minutes of that meeting be approved. The motion passed.

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

Consent Agenda:

○ New Pharmacy Applications

- CVS Pharmacy #7172  
2001 Nicollet Avenue  
Minneapolis, MN 55404

Approve  
Permanent Pharmacist-in-charge Aaron Jennissen  
Inspected/approved by Board Surveyor Byron Opstad

- Walgreen's #11916  
1221 West Lake Street  
Minneapolis, MN 55408

Approve  
Temporary Pharmacist-in-charge Michelle Aytay  
Pending final inspection by a Board Surveyor and  
naming of permanent PIC

- Walgreen's #11690  
121 Depot Drive  
Waconia, MN 55387

Approve  
Permanent pharmacist-in-charge Beth Mallek  
Pending final inspection by a Board Surveyor

○ Variances

- [Variance Committee Report](#)

Approve

○ Continuing Education

- Programs reviewed by CEATF from 1/9/08 through  
2/12/08

Approve those recommended for approval and  
deny those recommended for denial

- Approve the *Pharmacist's Letter* three part CE program  
for preceptors as being acceptable for meeting the

requirement of Minnesota Rules 6800.5350 – with preceptors required to complete all three parts for credit.

- Examination Committee
  - Exam Candidates Report – approve

**NAME**                      **CERTIFICATE #REGISTRATION #**

Mohammed A Harfoush	9808	119188
---------------------	------	--------

- Reciprocity Candidates Report – approve

**CERTIFICATE #**                      **NAME**                      **STATE OF ORIGINAL LICENSURE**

9813	David J Lynch	NY
9810	Lance John Lundstad	MT
9814	Michelle Marie Siech Faust	IA
9812	Cynthia L. Batchlor	OH
9809	Zhiying Yang	IL
9811	Katherine Denise Hoiness	WI
9815	Jennifer Layton Arnold	ME
9816	Nathaniel Forrest McCormick	CO

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

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

- Rochester Methodist Hospital Pharmacy (Rochester), PIC Karen Bergrud, requested permission to allow pharmacists the capability to review and profile scanned orders for both St. Mary's Hospital and Rochester Methodist Hospital patients utilizing Pyxis Connect technology. Ms. Betty Johnson moved and Mr. Carleton Crawford seconded that the variance be deferred until policies are updated to address the following: how the involved pharmacists are initially and continuously trained to demonstrate competencies, clinical responsibilities, and qualifications to service both facilities, and; that this service will not be used to reduce present staffing or hours of the pharmacies. The motion passed with Ms. Karen Bergrud abstaining.

- St. Mary's Hospital Pharmacy (Rochester), Pharmacist-in-charge Kevin Dillon, requested permission to allow pharmacists the capability to review and profile scanned orders for both St. Mary's Hospital and Rochester Methodist Hospital patients utilizing Pyxis Connect technology. Ms. Betty Johnson moved and Mr. Carleton Crawford seconded that the variance be deferred until policies are updated to address the following: how the involved pharmacists are initially and continuously trained to demonstrate competencies, clinical responsibilities, and qualifications to service both facilities, and; that this service will not be used to reduce present staffing or hours of the pharmacies. The motion passed with Ms. Karen Bergrud abstaining.
- Bigfork Valley Pharmacy (Bigfork), Pharmacist-in-charge Keith Pearson requested permission for the prepackaging of various prescription drugs to be dispensed by physicians in the Northome and Big Falls Clinics and also in the Four Rivers Clinic located in Floodwood via telepharmacy. Mr. Gary Schneider moved and Ms. Betty Johnson seconded that the variance be approved for one year. The motion passed.
- Onamia Drug Inc (Onamia), Pharmacist-in-charge Edward Huppler, requested permission for the utilization of a telepharmacy. Mr. Carleton Crawford moved and Ms. Betty Johnson seconded that the variance be approved for one year. The motion passed.

Dr. Wiberg next presented the Board with information regarding the Introductory Pharmacy Practice Experience that ACPE has set up. No action was required at this time.

Dr. Wiberg next presented the Board with information regarding the fact that the Minnesota Pharmacist's Association (MPhA) is supporting legislation to "create greater patient access to immunizations and reduce administrative barriers that inhibit the collaboration of pharmacists and physicians in assisting patients in achieving their health care goals". The legislation would allow pharmacists to administer influenza vaccine to younger patients and to administer a wider variety of vaccines to adults. It also seeks to clarify the boundaries of collaborative practice agreements by eliminating the phrase "case-by-case basis". Dr. Julie Johnson, the Executive Vice President and CEO of MPhA presented additional information. After discussion, Ms. Betty Johnson moved and Ms. Karen Bergrud seconded that the Board support this legislative venture. The motion passed.

Dr. Wiberg next presented the Board with information regarding the frequency with which the Board office receives complaints from pharmacists about the quality of the electronic prescribing systems that are currently being used in this state. Problems noted with the prescriptions generated by some of the systems include: two sets of conflicting instructions included on the prescription, wrong strength of drug selected, and electronically generated prescriptions that are printed on paper and then not manually signed by the prescriber. Board surveyors found one instance in which the

prescriptions were being sent to a nursing home and then entered into a system by a nurse for transmission to pharmacies, with no verification by the prescriber that the data had been entered correctly. Board staff and MPhA have worked together on a draft of possible legislation that would address this issue. Mr. Gary Schneider moved and Ms. Kay Hanson seconded that Board staff continue working on this issue. The motion passed.

Dr. Wiberg next presented the Board with information on House File 2639, which concerns valid patient-practitioner relationships. This bill received a hearing in the House Health and Human Services Policy Committee. It passed on a voice vote and was referred directly to the floor of the House. The companion bill in the Senate is scheduled to be heard and is also expected to pass. No action was required at this time. Ms. Betty Johnson moved and Mr. Gary Schneider seconded that the Board support the language of this bill. The motion passed.

Dr. Wiberg next presented the Board with information on the Controlled Substance Prescription Monitoring Program. A required report has been submitted to the Legislature and a grant application has been submitted to the U.S. Department of Justice, Bureau of Justice Assistance. No action was required at this time.

Dr. Wiberg next presented the Board with information on potential rule changes. No action was required at this time.

President Dickson next informed the Board that due to the bad weather the Executive Director Evaluation Committee did not meet. The report of the EDEC was deferred to the next meeting.

By consensus, the Board approved a staff request to change the start time of future meetings to 9:00AM.

There being no further business requiring action by the Board, Mr. Carleton Crawford moved to adjourn the meeting at approximately 11:27 a.m., Ms. Karen Bergrud seconded the motion. The motion passed.

---

PRESIDENT

---

EXECUTIVE DIRECTOR