



[Minnesota Board of Pharmacy.](#)  
[Minutes.](#)

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MINNESOTA STATE BOARD OF PHARMACY

Four Hundred Twenty-Fourth Meeting

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January 4, 1968. At 1:15 o'clock P.M., President J. E. Quistgard called the meeting to order. In attendance were President Quistgard, Vice President Max Bearman, Mrs. Kitty Alcott, Secretary Grussing and General Counsel, Mr. Harry P. Strong Jr.

Since the meeting was called to consider proposed revisions of various regulations and since the secretary announced no special new business to be considered before the regular January 15th meeting, President Quistgard proceeded with a discussion of a series of revised regulations and designated as "Proposed New Regulations 1 through 21". The discussion was based on a series of work sheets prepared by the secretary showing the proposed new regulation together with old regulations upon the same subject, together with reasons for proposed changes.

Proposed new Regulation No. 1:

"No pharmacy shall conduct business in the State of Minnesota unless it is licensed and registered by the Board of Pharmacy. Upon each change of ownership of a pharmacy its license and registration shall immediately become null and void. A change of ownership shall mean:

- a. The sale of a pharmacy by a sole proprietor.
- b. The addition or subtraction of one or more partners in a pharmacy partnership.
- c. The change of ownership of 30% or more of the voting stock of a corporation pharmacy.

A fee of \$20.00 shall be charged for each license and registration."

There was consensus that proposed new Regulation No. 1 is suitable for consideration at a public hearing. There was consensus that all proposed regulations should be submitted to the Minnesota State Pharmaceutical Association for comment before final approval of the Board and a subsequent public hearing.

Proposed new Regulation No. 2:

"The license shall register the pharmacy to which it is issued and shall not be transferable. A license shall be required for each separate location of a pharmacy. If the location or place of business in which the profession of pharmacy is being conducted exceeds \_\_\_\_\_ thousand square feet, or contains more than one floor level, in that event a location shall mean that area therein which shall be used exclusively for the display, sale, compounding and dispensing of drugs, medicines, chemicals, poisons and other items or merchandise used in the cure, mitigation, treatment or prevention of disease in man or other animals, which area shall include within it the prescription department, all of which such exclusive area shall contain at least 400 square feet. All sales covered by this regulation must be made and completed in their entirety within the pharmacy location by or under the personal supervision of a pharmacist or of an assistant pharmacist."

There was consensus that the words "and completed" should be deleted from the last sentence and that the following words be added to the sentence "or of a pharmacist-intern under the personal supervision of a pharmacist".

Proposed new Regulation No. 3:

"Each license for a pharmacy shall be issued only in the name of its registered Pharmacist in Charge who shall be designated in the application for the pharmacy license and each renewal thereof."

There was consensus that proposed new Regulation No. 3 is suitable.

Proposed new Regulation No. 4:

"The registered Pharmacist in Charge of each pharmacy shall be a duly licensed pharmacist in the State of Minnesota and it shall be his duty and responsibility, consistent with the highest standard of professional conduct and practice and in compliance with all applicable laws and regulations:

- a. To establish policies and procedures for the employees of the pharmacy.
- b. To supervise all of the professional and non-professional employees of the pharmacy.

- c. To procure all of the drugs and equipment used in the pharmacy.
- d. To establish and supervise the method and manner for the storing and safekeeping of drugs.
- e. To establish and supervise a record keeping system for the sale, possession, storage, safekeeping and return of drugs.
- f. To establish policies and procedures and the supervision thereof of the compounding and dispensing of prescription drugs."

There was consensus that responsibility for supervision of non-professional employees under "b" relate to the storage and sale of drugs and that this regulation is suitable with that modification by counsel.

Proposed new Regulation No. 5:

"No pharmacist shall be designated Pharmacist in Charge of more than one pharmacy location provided, however, that a pharmacist may be designated as a Pharmacist in Charge of two pharmacy locations if the hours which each of the pharmacy locations is open for business do not conflict with one another."

There was consensus that a more suitable word be substituted for the word "conflict" and that this proposed new regulation is suitable with such a modification.

Proposed new Regulation No. 6:

"When, for any reason, the Pharmacist in Charge ceases to actually be the Pharmacist in Charge the license and registration of the pharmacy shall immediately become null and void. The Pharmacist in Charge shall notify the State Board of Pharmacy immediately upon his knowledge that he will no longer be the Pharmacist in Charge and the owner of the pharmacy shall notify the State Board of Pharmacy immediately upon knowledge that it has no Pharmacist in Charge, and in no event shall a pharmacy carry on its pharmacy business until a new Pharmacist in Charge has been duly recorded by the State Board of Pharmacy, at which time the license and registration of the pharmacy shall be reinstated."

There was consensus that proposed new Regulation No. 6 is suitable.

Proposed new Regulation No. 7:

"If the State Board of Pharmacy, after proper notice and hearing as required by law, shall determine that a Pharmacist in Charge is not actually the Pharmacist in Charge or is not fulfilling his duties and responsibilities as Pharmacist in Charge, the license and registration of the pharmacy shall become null and void upon receipt by the pharmacy in writing of the determination of the State Board of Pharmacy."

There was consensus that proposed new Regulation No. 7 is suitable.

Proposed new Regulation No. 8:

"Each pharmacy shall have at least one registered pharmacist on duty and present at its location at all times that the pharmacy is open for business."

There was consensus that the regulation read "and physically present" and that with this modification the proposal is suitable.

Proposed new Regulation No. 9:

"Each pharmacy shall post its license in a conspicuous place at its place of business."

There was consensus that the regulation should be rewritten by counsel to the effect that each pharmacy shall post its pharmacy license and pharmacist licenses or renewals thereof in a conspicuous place at its place of business.

Proposed new Regulation No. 10:

"Each pharmacy license shall expire on June 30 of each year and shall be renewed annually by filing an application therefor, together with a check in the amount of \$20.00."

There was consensus that the word "fee" should replace the word "check" since any form of legal tender is acceptable, and that the regulation is suitable with that modification.

Proposed new Regulation No. 11:

"Before a duly licensed and registered pharmacy changes the location of its business, it shall first submit to the State Board of Pharmacy an application for an amendment to its license and registration to cover the new location,

and shall submit therewith the information and documents required in an initial application for license and registration. The State Board of Pharmacy shall have the right to deny the application for amendment if the new location does not comply with other provisions of these Rules and Regulations. However, if the State Board of Pharmacy approves such application for amendment, no additional charge shall be made therefor."

There was consensus that proposed new Regulation No. 11 is suitable.

Proposed new Regulation No. 12:

"No duly licensed and registered pharmacy shall change its physical dimensions or elements of physical security until such changes are approved in writing by the State Board of Pharmacy. The State Board of Pharmacy shall have the right to require the submission to it of documents and plans of the proposed changes."

There was consensus that proposed new Regulation No. 12 is suitable.

Proposed new Regulation No. 13:

"All registered pharmacists and registered assistant pharmacists shall notify the Board of Pharmacy immediately of any change in location of their employment and any change of their residence address."

There was consensus that proposed new Regulation No. 13 is suitable.

Proposed new Regulation No. 14:

"No pharmacy shall be licensed unless (1) the space which it occupies has an entrance which affords the public reasonable access to the pharmacy, (2) the space which it occupies is separated from the remainder of the building by walls extended from the floor to the ceiling, which walls may contain doors to the interior of the building which may be closed and locked when the pharmacy is not in charge of a registered pharmacist and (3) the space which the pharmacy occupies contains not less than 400 square feet. If the State Board of Pharmacy determines, under exceptional conditions, that it is in the public interest, it may at its discretion waive one or more of the foregoing requirements."

There was consensus that; the words "and locked when the pharmacy is not open for business" appear after the word pharmacist in 14 - (2),

and that the last sentence be stricken, and that the regulation is suitable with those modifications.

Proposed new Regulation No. 15:

"The State Board of Pharmacy may refuse to grant licenses and registration or renewal for the operation of a pharmacy in the State of Minnesota if the owner or a partner or shareholder:

- a. Has submitted an application for such license containing fraudulent, deceptive or untrue statements or documents in connection therewith.
- b. Has been convicted in any Court of a felony.
- c. Has been convicted in any Court of an offense involving moral turpitude.
- d. Habitually indulges in the use of narcotics or intoxicating liquors.
- e. Has owned or operated other pharmacies in such a manner as would establish to the satisfaction of the State Board of Pharmacy of a pattern of willful and purposeful violation of the applicable laws and regulations or inconsistent with the highest professional standard of conduct and practice.
- f. Has been convicted of petty theft of drugs."

There was consensus that: this proposal be considered in addition to existing Regulation 14, that the words officer, director or 30% shareholder appear in the first sentence, and that the regulation is suitable with those modifications. There was additional discussion about the need for considering physical or mental incapacitation as a condition for granting pharmacy licenses to pharmacy owners.

Proposed new Regulation No. 16:

"No pharmacy shall be left open for business more than 56 hours per week unless at least two registered pharmacists are employed in such pharmacy on a schedule which will assure the presence of one registered pharmacist at all times. This regulation shall not apply where the owner of a pharmacy is a registered pharmacist and is continuously and personally present on duty during the business hours of such pharmacy."

The secretary was instructed to review recent disciplinary cases to determine if errors in professional judgment might be attributed to excessive working hours and fatigue.

Proposed new Regulation No. 17:

"It shall be unlawful to distribute, dispense or vend any drug by automatic or vending machine, except in a hospital if:

- a. Drugs stored in the machine are dispensed from the hospital's licensed pharmacy.
- b. The quantity of medication in each container is that quantity intended for a single patient's course of treatment, and
- c. A record of the drugs dispensed to the machine is filed in the pharmacy before dispensing."

There was consensus that since the pharmacist interpretation of the physician's original order and the transcription of the dosage schedule instructions to the labels of individual prescription medications is a desirable goal for hospital pharmacy practice, and that since the Brewer system is not capable of storing and vending individual prescription medications, that the subject of automatic vending machines be considered at a time when specific regulations for hospital pharmacy practice might be considered by the Board in the future.

Proposed new Regulation No. 18:

"Applications for the licensing and registration and renewal thereof of a pharmacy shall be on such form or forms as the State Board of Pharmacy may from time to time prescribe and the licenses and registration of such pharmacy shall be issued by the State Board of Pharmacy in such form as it may from time to time prescribe."

There was consensus that new Regulation 18 is suitable.

Proposed new Regulation No. 19:

"The act of public promotion or the advertising in any manner by a pharmacy of prescriptions or drugs requiring a prescription, including the advertising of prices, percentiles of prices or discounts, shall be unprofessional conduct by the Pharmacy in Charge."

The secretary was instructed to provide counsel with examples of regulations and statutes prohibiting the promotion of dangerous drugs in any manner to the public.

Proposed new Regulation No. 20:

"Return of Prescriptions, Drugs and Medical Supplies

In order to protect the public health, pharmacies and pharmacists are prohibited from accepting the return for refund or otherwise of:

- a. Unused portions of drugs, whether dispensed under prescription or otherwise.
- b. Unused sickroom supplies, hygienic and surgical appliances or garments, or other devices or products used upon or applied to the human body.

The prohibition in (a) and (b) above shall not apply to drugs, articles or appliances sold under warranty or guarantee when returned products are destroyed or returned to the manufacturer, supplier or wholesaler by the retailer for refund to the consumer or user and not offered to the public for reuse.

The prohibition in (a) and (b) above also shall not apply to surgical appliances, dressings or garments or therapeutic devices commonly returned to hospital pharmacies or related departments for sterilization and reuse according to the best professional practices, or to unused portions of in-patient medications in hospitals with licensed pharmacies on the premises, provided the prescription medications are not handled by the patients, and their storage in hospital areas other than the pharmacy is under the supervision of the Pharmacist in Charge."

There was consensus that the words "and other devices" be substituted for the words "or other devices" in proposed Regulation No. 20, b and that the regulation is suitable with these modifications.

Proposed new Regulation No. 21:

"Meprobamate

Subject to the provisions of M.S. 152.041, the following drugs and substances are considered by the Minnesota State Board of Pharmacy to have shown a potential for abuse and injurious to health because of their depressant or stimulant effects upon the central nervous system or their hallucinogenic effects, and are therefore declared to be Depressant or Stimulant Drugs subject to the provisions of M.S. 152.041."

There was consensus that the regulation is suitable subject to the addition of language which would include all dosage forms of

Meprobamate in any quantity, to the inclusion of STP and other dangerous hallucinogens, and the possible inclusion of items to come under Federal regulations in the near future. The secretary is to contact the Bureau of Drug Abuse Control.

The Board then discussed old Regulations Nos. 15 and 16 and there was general consensus that they should be deleted at the next public hearing.

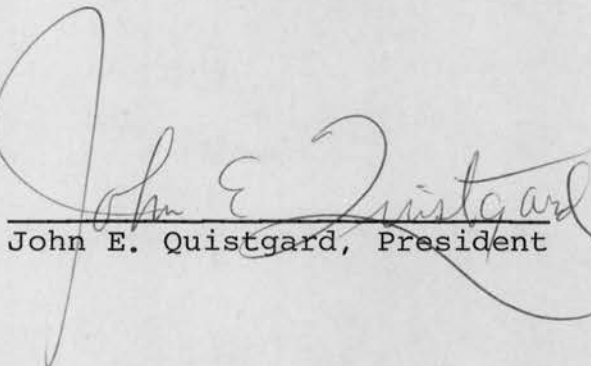
Counsel explained that the numbers assigned to the proposed new regulations were assigned arbitrarily for draft purposes only and that the proposals could be rearranged into a topical relationship.

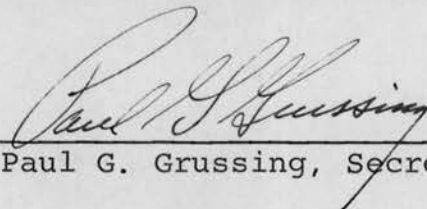
The Board discussed the need for additional control of manufacturers and wholesalers and agreed that the secretary and counsel should prepare some legislative proposals to that end.

Counsel discussed contents of a meeting in the office of Attorney General Head earlier this date which was attended by Deputy Attorney General William Hempel and the Board's secretary.

The secretary discussed the nature of a forthcoming meeting with the Legislative Interim Commission on administrative rules and was instructed to prepare an outline for an opening statement describing the Board's progress in new legislation, new regulations and current progress in considering changes in existing regulations.

After a brief planning discussion for the forthcoming January 15 regular Board meeting, Mr. Seifert moved and Mrs. Alcott seconded that the meeting adjourn. Motion passed. Adjournment 5:25 o'clock P.M.

  
John E. Quistgard, President

  
Paul G. Grussing, Secretary

MINNESOTA STATE BOARD OF PHARMACY

Four Hundred Twenty-Fifth Meeting

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At approximately 8:00 o'clock P.M., Sunday, January 14, 1968, President John E. Quistgard called the meeting to order in the Holiday Inn Central Motor Hotel, Minneapolis. Members in attendance were: President John E. Quistgard, Vice-President Max Bearman, Mrs. Kitty Alcott and Mr. John H. Nelson. Also in attendance was the Board's secretary, Paul G. Grussing.

The first item of business was the election of officers. Mr. Nelson moved and Mrs. Alcott seconded that Mr. Bearman be nominated as president. There being no other nominations, the president called for the question. Motion passed.

President Bearman took the chair. Mr. Quistgard moved and Mr. Nelson seconded that Mrs. Alcott be nominated for the office of vice-president. Motion passed.

The Board then discussed the agenda and schedule for this meeting.

At approximately 8:45 o'clock P.M., Mr. Donald A. Dee, Executive Secretary of the Minnesota State Pharmaceutical Association, reported to the Board on proposed pharmaceutical services by the Federal Office of Economic Opportunity and the Association's activities in response to the proposals.

After a review and discussion of the minutes of the 423rd meeting, Mrs. Alcott moved and Mr. Nelson seconded that the words "to reaffirm its earlier denial of his qualifications to reciprocate" be stricken from the second sentence in paragraph three, page 3, and that the minutes of the 423rd meeting be accepted with this modification. Motion passed.

After a thorough discussion of the internship requirements for candidates for licensure by reciprocity, Mr. Nelson moved and Mr. Quistgard seconded that all candidates for reciprocity must now and hereafter show evidence of one year pre-licensure internship time, that no post-licensure time be accepted in lieu of this requirement, that candidates not meeting this be so notified by the secretary. Motion passed.

At approximately 11:15 o'clock P.M., President Bearman dismissed the meeting until 8:45 A.M., the next day.

January 15, 1968. The Board met at the College of Pharmacy, University of Minnesota at 8:45 o'clock A.M. Members present were: President Max Bearman, Vice-President Kitty Alcott, Ben J. Seifert, John H. Nelson and John E. Quistgard. Also present was the Board's secretary, Paul G. Grussing.

The following individuals having fulfilled the legal requirements for examination and having submitted properly executed applications were present to take the practical examination:

*Picconatto, Mary Catherine	Martinetto, John A.
*Ploeger, Gary W.	Nykanen, Douglas E.
Allguire, Robert M.	Opatz, Kenneth J.
Bieraugel, Ronald C.	Renner, Richard J.
Bloom, Richard J.	Rushenberg, David C.
Carver, Loren L.	Sanger, James M.
Cherek, Don R.	Saumweber, Catherine A. (Mrs.)
Dahl, Barbara Mae	Seaburg, Thomas M.
Dean, Gerald L.	Strand, Thomas D.
Gayner, Stephen N.	Streit, Richard J.
Groves, James R.	Swanson, Edwin M.
Herrmann, Margaret A.	Varnado, Jean M.
Isaksen, William R.	Woxland, Stephen D.
Kritzer, John H.	Zweber, Richard J.
Majeski, Martha M. (Mrs.)	

(\*Practical Retake)

The practical examination was completed in the afternoon, the total number of candidates taking the practical being 29.

At approximately 8:00 o'clock P.M., the Board reconvened in its rooms at the Holiday Inn Central Motel. All members, the secretary and general counsel were present.

After a thorough review of the file of Mr. Donald J. Malloy, together with the evidence produced in his behalf during the 423rd meeting, his educational qualifications, and the opinion of counsel, Mr. Nelson moved and Mr. Quistgard seconded that Mr. Malloy be notified by the secretary that the Board has not found him, for educational or other valid reasons, qualified to apply for licensure as a pharmacist or to practice pharmacy in Minnesota, that that he should refrain from the practice of pharmacy in this state. Motion passed unanimously.

The Board then reviewed the minutes of the 424th meeting which contain principally proposed changes in Board regulations. After a thorough review of proposed Regulations 2,4,5,9,14,15,16,17,19 and 21, Mrs. Alcott moved and Mr. Nelson seconded that the minutes of the 424th meeting be accepted with the following changes and corrections.

<u>Page</u>	<u>Par.</u>	<u>Proposed No.</u>	<u>Change</u>
2	1	2	<u>3rd sentence</u> - "----exceeds 10,000 square feet---" <u>last sentence</u> - "----All sales covered by this regulation must be conducted in their entirety within the pharmacy location by or under the supervision of a pharmacist or an assistant pharmacist or by a pharmacist-intern under the personal supervision of a pharmacist; however this requirement shall not apply to the method of the payment of purchase price for such sales."
2	2	4	<u>Revise points a - f as follows:</u> "a. To establish policies and procedures for the employees of the pharmacy. b. To continually supervise all of the professional employees of the pharmacy. c. To continually supervise all of the non-professional employees of the pharmacy in so far as their duties relate to the sale and/or storage of drugs. d. To establish policies and procedures for the procurement of all of the drugs and equipment used in the pharmacy. e. To establish and continually supervise the method and manner for the storing and safe-keeping of drugs. f. To establish and continually supervise the record keeping system for the sale, possession, storage, safekeeping and return of drugs. g. To establish policies and procedures and the continuous supervision thereof of the compounding and dispensing of prescription drugs."
3	1	5	<u>Delete</u> the words "hours which each of the pharmacy locations is open for business do not conflict with one another." <u>Add</u> "business hours or any part thereof of one pharmacy location do not coincide with the business hours or any part thereof of the second pharmacy location."

<u>Page</u>	<u>Par.</u>	<u>Proposed No.</u>	<u>Change</u>
6	2	15	<u>Should read as follows:</u> <u>"Ownership Requirements</u> The State Board of Pharmacy may refuse to grant a pharmacy license if the owner in a sole proprietorship or a partner in a partnership or in the case of a corporation, an officer, director or a shareholder owning 30% or more of the voting stock: <ul style="list-style-type: none"><li>a. Has submitted an application for such license containing fraudulent, deceptive or untrue statements or documents in connection therewith.</li><li>b. Has been convicted in any court of a felony.</li><li>c. Has been convicted in any court of an offense involving moral turpitude.</li><li>d. Habitually indulges in the use of narcotics, stimulants or depressant drugs; or habitually indulges in intoxicating liquors in a manner which would cause incompetence in the practice of pharmacy.</li><li>e. Has owned or operated other pharmacies in such a manner as would establish to the satisfaction of the State Board of Pharmacy of a pattern of willful and purposeful violation of the applicable laws and regulations or inconsistent with the highest professional standard of conduct and practice.</li><li>f. Has been convicted of theft of drugs or the unauthorized use thereof."</li></ul>
6	3	16	<u>Delete</u>
7	1	17	<u>Table</u> , retain existing regulation until possible hospital practice regulations are contemplated.
7	2	19	<u>Table</u> , secretary to continue research.
8	2	21	<u>Change to the following:</u> <u>"Depressant and Stimulant Drugs</u> The following drugs and substances are hereby defined as having a potential for abuse and are injurious to health because of their depressant or stimulant effects upon the central nervous system or their hallucinogenic effects and are,

therefore, subject to the provisions of  
Minnesota Statutes, Chapter 152:

Meproamate  
STP."

Additions:

Proposed New Regulation No. 22

"Each pharmacist shall post his or her license or  
renewal thereof in a conspicuous place in the  
pharmacy in which they are practicing their profession."

After the changes and corrections reviewed by Mrs. Alcott  
were thoroughly discussed, President Bearman called for the  
question. Motion passed.

The secretary reviewed an outline of his planned present-  
ation to the Legislative Interim Commission on Administrative  
Rules, Regulations and Practices, scheduled for 10:45 A.M.,  
Friday, January 19th.

At approximately 10:50 o'clock P.M., President Bearman  
dismissed the meeting until 9:00 o'clock A.M., the next morning.

January 16, 1968. The Board met in Room 201, Wesbrook  
Hall, University of Minnesota at 9:00 o'clock A.M. Members  
present were: President Max Bearman, Vice-President Kitty  
Alcott, Ben J. Seifert, John H. Nelson and John E. Quistgard.  
The Board's secretary was also present. Written examinations  
in the following subjects were administered by the Board:  
Pharmacology, Pharmacy, Pharmaceutical Chemistry, Pharmaceutical  
and Chemical Mathematics and Jurisprudence.

Twenty-seven candidates who had met all requirements and  
had presented properly executed applications were present to  
write examinations in the above subjects. The examinations  
lasted the entire day.

At 1:30 o'clock P.M., the following candidates who had sub-  
mitted properly executed applications joined the candidates taking  
the entire examination - these candidates seeking registration by  
reciprocity wrote the examination in Jurisprudence. All members  
and the secretary were present.

J. Ray Harchanko	North Dakota
Dennis D. Miller	Iowa
Jane L. Stegman (Mrs.)	Iowa
Duane C. Westermann	North Dakota
Warren R. Williams	Iowa

At approximately 7:00 o'clock P.M., the Board met with the Executive Committee of the Minnesota State Pharmaceutical Association to discuss legislative planning. President Bearman who became ill earlier could not attend the meeting.

At approximately 8:45 o'clock P.M., the Board reconvened for correcting and posting grades on the practical examination.

January 17, 1968. At 9:30 o'clock A.M., the Board met in the Chapman Building, 1965 Ford Parkway, St. Paul and addressed all of the candidates for licensure by examination and by reciprocity. President Bearman was ill and could not attend the meeting. Each Board member presented a professional topic, and a general discussion followed the meeting. Mr. Duane Leiter, Federal Bureau of Drug Abuse Control and Mr. Donald Dee, Executive Secretary of the Minnesota State Pharmaceutical Association discussed law enforcement and professional topics respectively.

The Board reconvened in its office conference room.

At approximately 11:00 o'clock A.M., Mrs. Jane L. Stegman, a candidate for registration by reciprocity from the state of Iowa, appeared before the Board for an oral examination in Jurisprudence.

At approximately 11:30 o'clock A.M., Mr. Duane C. Westermann, a candidate for registration by reciprocity from the state of North Dakota, appeared before the Board for an oral examination in Jurisprudence.

At approximately 12:00 o'clock noon, Mr. J. Ray Harchanko, a candidate for registration by reciprocity from the state of North Dakota, appeared before the Board for an oral examination in Jurisprudence.

At approximately 12:30 o'clock P.M., Mr. Dennis D. Miller, a candidate for registration by reciprocity from the state of Iowa, appeared before the Board for an oral examination in Jurisprudence.

At approximately 1:00 o'clock P.M., Mr. Warren R. Williams, a candidate for registration by reciprocity from the state of Iowa, appeared before the Board for an oral examination in Jurisprudence.

Mrs. Alcott dismissed the Board for lunch and it reconvened at 3:00 o'clock P.M., at the Holiday Inn Central Motor Hotel, Minneapolis.

Mr. Quistgard moved and Mr. Seifert seconded that having passed the Jurisprudence examination and any other examination that may have been requested of them for reason, the following candidates for registration by reciprocity be granted registration on the basis of the state listed with their names. Motion passed.

<u>Cert. No.</u>		<u>State</u>
1384	Miller, Dennis D.	Iowa
1385	Stegman, Jane L. (Mrs.)	Iowa
1386	Westermann, Duane C.	North Dakota
1387	Williams, Warren R.	Iowa

Mr. Quistgard moved and Mr. Nelson seconded that after a review of the application, records and examinations in the case of Mr. J. Ray Harchanko, that the privilege of reciprocity be denied him at this time. Motion passed.

The Board then completed the grading and posting of grades for all examinations written by candidates for licensure by examination.

After thoroughly reviewing the performance of the candidates in the examination for licensure, and the qualifications of the candidates, Mr. Nelson moved and Mr. Seifert seconded that the 26 candidates who received a general average of 75% or better, not below 60% in any one subject, and not below 75% in the practical examination, and the 2 students repeating the practical examination and receiving a grade average of not lower than 75% be granted registration as pharmacists. Motion carried. The list of 28 names follows:

<u>Cert. No.</u>	<u>Name</u>	<u>Cert. No.</u>	<u>Name</u>
1356	Allguire, Robert M.	1370	Nykanen, Douglas E.
1357	Bieraugel, Ronald C.	1371	Picconatto, Mary C.
1358	Bloom, Richard J.	1372	Ploeger, Gary W.
1359	Carver, Loren L.	1373	Renner, Richard J.
1360	Cherek, Don R.	1374	Rushenberg, David C.
1361	Dahl, Barbara M.	1375	Sanger, James M.
1362	Dean, Gerald L.	1376	Saumweber, Catherine A.
1363	Gayner, Stephen N.	1377	Seaburg, Thomas M.
1364	Groves, James R.	1378	Strand, Thomas D.
1365	Herrmann, Margaret A.	1379	Streit, Richard J.
1366	Isaksen, William R.	1380	Swanson, Edwin M.
1367	Kritzer, John H.	1381	Varnado, Jean M.
1368	Majeski, Martha M.	1382	Woxland, Stephen D.
1369	Martinetto, John A.	1383	Zweber, Richard J.

After a general discussion of examination procedures, Mr. Nelson moved and Mr. Quistgard seconded that candidates receiving a grade of at least 75% in the practical examination, but who receive a grade of less than 60% in any one subject and an over-all average of less than 75%, be required to retake the entire written examination only. Motion passed.

At approximately 9:20 o'clock P.M., Vice-President Alcott dismissed the meeting until 9:30 o'clock A.M., the next day.

Thursday, January 18, 1968. At approximately 9:15 o'clock A.M., Vice-President Alcott called the meeting to order. All members of the Board were present except President Bearman who was ill. The secretary was also present.

After careful review of the application and investigation file in the case of the Minnesota Masonic Home, Bloomington, Mr. Quistgard moved and Mr. Nelson seconded that the license be granted subject to (1) a meeting conducted by the secretary for the pharmacist-in-charge and all staff pharmacists for the purpose of reviewing all elements of compliance with pharmacy laws and regulations and Health Department Regulation 10614, (2) a physical inventory of all stimulant, depressant and narcotic drugs upon the opening date of the pharmacy, (3) evidence that an adequate drug kit has been prepared to preclude emergency access to the pharmacy by unauthorized personnel, (4) transfer of all bulk drug stocks to the area proposed to be licensed as a pharmacy, (5) a meeting conducted jointly by the secretary and a representative of the Health Department which should be attended by the administrator, chief nurse, and pharmacist-in-charge, for the purpose of reviewing all applicable laws and regulations, and (6) physical inspection of the premises. Motion passed.

After a review of the application for a license to operate a pharmacy submitted by the Redwood Falls Municipal Hospital, Mr. Quistgard moved and Mr. Seifert seconded that the license be granted subject to physical inspection. Motion passed.

After a review of the application for a license to operate a pharmacy submitted by the Community Memorial Hospital, Spring Valley, Mr. Seifert moved and Mr. Quistgard seconded that a license be issued subject to physical inspection. Motion passed.

After a review of the application to operate a pharmacy submitted by Mr. Bruce R. Prichard of Thief River Falls, Mr. Seifert moved and Mr. Nelson seconded that a license be issued subject to physical inspection. Motion passed.

The secretary reported that the "night coverage" problem at Methodist Hospital Pharmacy, St. Louis Park, had been corrected by the employment of a registered pharmacist rather than pharmacist-interns. The secretary was instructed to bulletin hospital pharmacies concerning unsupervised intern employment.

The secretary explained some losses of stimulant and depressant drugs which occurred when the Emporium Pharmacy went into receivership. He described inventories taken when the Emporium Pharmacy reopened and again returned to receivership. 850 Dolophine tablets are unaccounted for during the brief time the pharmacy reopened. The Narcotic Bureau and the Bureau of Drug Abuse Control have been requested to seize appropriate drugs from the stock now held in receivership. There was consensus that the pharmacist-in-charge should be called before the Board to discuss the loss of Dolophine.

At 12:00 o'clock Vice President Alcott dismissed the Board for lunch. The Board reconvened at 1:30 o'clock P.M.

The secretary reported on action taken by the Winona County attorney in the disposition of drugs held in receivership by the First National Bank of Winona.

The secretary reported on drug accountabilities being accomplished at Stadium Drug and Harvard Drug, Minneapolis. These pharmacies were reported by the father of an addicted student to have dispensed prescriptions for stimulant drugs.

After discussing the secretary's participation in the fall regional meetings of the M.S.Ph.A., Mr. Seifert moved and Mr. Nelson seconded that he be authorized to report for reimbursement banquet expenses incurred in connection with his required participation as a speaker at the M.S.Ph.A. meetings, and that approval for such expense in excess of the amount allowed for meals be requested from the Department of Administration. Motion passed.

Mr. Nelson moved and Mr. Seifert seconded that the date of the 1969 winter Board examination be January 13, 1969. Motion passed.

The secretary listed the existing fees collected by the Board as follows:

Minnesota State Board of Pharmacy - 425th Meeting - January 1968

Pharmacist Renewal	\$10.00
Asst. Pharmacist Renewal	\$ 3.00
Wholesaler's License	\$50.00
Manufacturer's License	\$50.00
Pharmacy License	\$20.00
Household Drug License	\$ 5.00
Examination Fee	\$20.00
Reciprocity Fee	\$50.00
Registration Fee	\$10.00

Mr. Seifert moved and Mr. Nelson seconded that the fees listed by the secretary be set for the following year. Motion passed.

Mr. Quistgard moved and Mr. Nelson seconded that the required bond for the secretary be prepared. Motion passed.

Mr. Nelson moved and Mr. Quistgard seconded that the required \$25.00 membership fee to the N.A.B.P. be paid. Motion passed.

Mr. Quistgard moved and Mr. Seifert seconded that all Board members and the secretary be elected as delegates to the annual meeting of the National Association of Boards of Pharmacy in May, and that counsel attend the meeting. Motion passed.

Mr. Seifert moved and Mr. Quistgard seconded that Paul G. Grussing and Mrs. Edna A. DeRubis be elected as secretary and assistant secretary for the coming year. Motion passed.

The secretary reported that attorney for the defendant in the case of Tiny's Pool Hall, Northfield, arrested for selling prophylactic devices, has filed a demurrer objecting on the grounds of constitutionality and vagueness of statute.

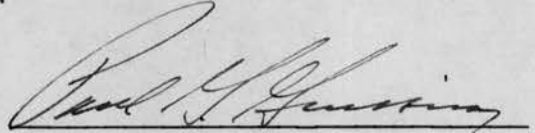
Mr. Quistgard moved and Mrs. Alcott seconded that the annual funds turned over to the Minnesota State Pharmaceutical Association under M.S. 151.28 be delayed until the Association provides a report indicating the use of last year's funds as they relate to the advancement of the science and art of pharmacy. Motion passed.

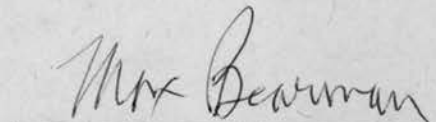
Mr. Quistgard moved and Mr. Nelson seconded that the next special meeting of the Board be set for February 27, that a meeting be planned for early April for the purpose of examining candidates by reciprocity and that during Thursday of the June meeting time be set aside for a conference with the Dean of the College of Pharmacy, University of Minnesota. Motion passed.

Mr. Quistgard moved and Mr. Nelson seconded that the previous policy of compensating Board members for their services in preparing the laboratory and written examinations be continued by compensation of one day's per diem for such services. Motion passed.

At approximately 9:15 o'clock P.M., Mr. Seifert moved and Mr. Quistgard seconded that the meeting be adjourned. Motion passed.

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Paul G. Grussing, Secretary

  
Max Bearman, President

MINNESOTA STATE BOARD OF PHARMACY

Four Hundred Twenty-Sixth Meeting

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February 27, 1968. At approximately 9:50 o'clock A.M., President Max Bearman called the meeting to order. In attendance were President Bearman, Mr. Ben J. Seifert, Mr. John E. Quistgard, Secretary Grussing and General Counsel, Mr. Strong.

At approximately 10:00 A.M., Pharmacist George Sirott appeared before the Board in response to a letter sent to him by the secretary on February 16, 1968. He explained loss of a narcotic drug during the brief period of time the DeKoven Drug Company operated the Emporium pharmacy department. After brief questioning Mr. Sirott departed. Mr. Seifert moved and Mr. Quistgard seconded that the secretary be instructed to write Mr. Sirott indicating that the Board accept his explanation of the loss. Motion passed.

At approximately 10:20 o'clock A.M., Pharmacist Wilford M. Schneider appeared before the Board in response to a letter sent to him by the secretary on February 16, 1968. An accountability taken of stimulant drugs revealed shortages which Mr. Schneider was asked to explain. After some discussion of possible security and non-professional personnel reasons for the shortage, Mr. Schneider was asked to review his prescription files before February 1, 1966 to attempt to account for some of the shortages. Mr. Seifert moved and Mr. Quistgard seconded that the informal hearing be tabled until the next meeting and that Mr. Schneider report to the secretary with facts accounting for the shortage. Motion passed.

After a review of the minutes of the 425th meeting, Mr. Quistgard moved and Mr. Seifert seconded that the minutes be accepted. Motion passed.

The secretary reported on a complaint concerning a pharmacist practicing while being intoxicated at Ideal Northbrook Drug, Brooklyn Center. An investigation revealed that a middle-aged clerk was found intoxicated and drinking when on duty. No pharmacist is suspected. The secretary related facts concerning the investigation to Mr. David J. Strate, Pharmacist-in-Charge, and outlined the serious implications for the pharmacy. Mr. Strate will report back to the secretary regarding his handling of the matter. The secretary was instructed

to maintain surveillance of this clerk's activities in the pharmacy.

After reviewing a letter from the Minnesota State Pharmaceutical Association describing disposition of funds turned over to the M.S.Ph.A. for the advancement of the art and science of pharmacy, Mr. Quistgard moved and Mr. Seifert seconded that \$2,000 be turned over to the M.S.Ph.A. per M.S. 151.28. Motion passed.

The secretary reviewed a letter from Thro's Pharmacies indicating that Mr. John Thro would not meet with the Board today because he would be out of town. The secretary was instructed to write Mr. Thro requesting that he meet with the Board at its next special meeting and that the problem of non-compliance be explained to Mr. Thro.

The secretary reported that during a special investigation of Doctors Building Pharmacy, Minneapolis, Mr. Donald J. Malloy, NR, was observed compounding and dispensing prescriptions. The secretary was instructed to write Mr. Paul Denn ~~Mr. Malloy~~ requesting that he meet with the Board at its next meeting to discuss a violation of M.S. 151.20.

The secretary reported on a visit to Family Drug Center, Willmar, re a violation of Regulation No. 21.

Counsel and secretary reported on two meetings with Counsel and Executive Secretary for the Minnesota State Pharmaceutical Association regarding revision of Board regulations. The secretary was instructed to summarize the suggested changes by M.S.Ph.A. Counsel and Executive Secretary, attach them to the current Board proposals, forward both to M.S.Ph.A. with a request for comments by the next special Board meeting and for discussion at the annual M.S.Ph.A. meeting.

At 12:00 o'clock noon, President Bearman dismissed the Board for a luncheon with Dr. Lawrence Weaver, Dean, College of Pharmacy, University of Minnesota.

The Board reconvened at 1:45 o'clock P.M., and discussed miscellaneous items on the docket.

At 2:00 o'clock P.M., Pharmacist George Ahlers appeared before the Board in response to a letter sent to him by the secretary on February 16, 1968. Mr. Ahlers explained losses of several drugs discovered in a recent accountability investi-

gation of stimulant and depressant drugs. He indicated that refills were marked in a daily log but not on the rear of the prescription per Board Regulation No. 25. Mr. Ahlers was instructed to bring his prescription refill records up to date by posting entries from his daily refill log. This is to be accomplished by April 1 and reported to the Board's secretary. Mr. Quistgard moved and Mr. Seifert seconded that this informal hearing be tabled until the next special meeting of the Board. Motion passed.

The Board recessed for five minutes.

At 3:10 o'clock P.M., Pharmacist Morton B. Gross appeared before the Board in response to a letter sent to him by the Secretary on February 16, 1968. Mr. Gross is Pharmacist-in-Charge of Ross Pharmacy, Minneapolis, which was mentioned in a lead from the Federal Bureau of Drug Abuse Control. Mr. Gross attempted to explain an "overage" in Seconal Sodium discovered in a recent accountability investigation. He has purchased several stocks of prescription drugs from closed pharmacies and may not have added these purchases to the required records of receipt of stimulant and depressant drugs. Mr. Ross was instructed to review his records and inventory then report to the Secretary in thirty days with an explanation of the discrepancy. Mr. Seifert moved and Mr. Quistgard seconded that this informal hearing be tabled until the next special meeting of the Board.

Counsel and Secretary described a meeting with Dean Lawrence Weaver. It was reported that an analysis of pharmacist involvement in over-the-counter drug distribution could not be accomplished by the Task Force on Health Resource Planning. It was recommended that incidents of pharmacist involvement resulting in: prevention of contraindicated use of OTC drugs with prescription drugs, denial of a sale of drugs masking symptoms, denial of sale of drugs when in the pharmacist's judgment suggested necessary medical diagnosis and treatment and other incidents avoiding passive compliance with patron's requests, be collected and recorded for possible use in regulatory, legislative or litigatory approaches to the over-the-counter drug distribution problem. No action was taken on the recommendation.

Counsel reported on the tax exempt status of public hospitals and suggested type of pharmaceutical services which would not jeopardize the tax exempt status.

The secretary read a letter from Mr. Ernest Neve requesting that he be allowed to appear before the Board at its next special meeting. Counsel was instructed to draft a reply to Mr. Neve requesting that he appear at the next special meeting.

After some discussion the next special meeting of the Board was set for 9:30 A.M., April 16, 1968.

The secretary described completed license applications for the following pharmacies.

1. Glenwood Community Hospital Pharmacy
2. Littlefork Municipal Hospital Pharmacy
3. Gibson Prescription Shop
4. ~~Onamia Hospital Pharmacy~~ \* See 427th Minutes
5. Zumbrota Hospital Pharmacy

Mr. Quistgard moved and Mr. Seifert seconded that these five licenses be granted subject to physical inspection. Motion passed.

The secretary described incomplete applications for the following pharmacies and was instructed to communicate with the prospective pharmacist-in-charge to arrange completion of the applications by April 16.

1. Clarkfield Hospital Pharmacy
2. Pipestone County Hospital

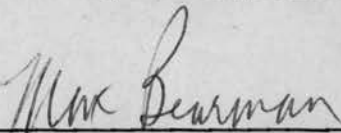
The secretary described the current office workload and personnel plus merit increase recommendations for the end of this fiscal year. The duties performed by Mrs. Alice Hummer are to be re-evaluated to request reclassification at a higher level commensurate with her duties.

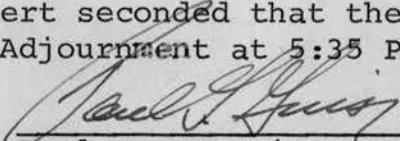
After demonstrating comparative costs and performance of the existing Xerox office copier with the new Pitney-Bowes copier the secretary was instructed to continue the current lease with Xerox.

Mr. Seifert moved and Mr. Quistgard seconded that Board members attending intra- and inter-professional and regulatory meetings on behalf of the Board for official Board business be paid expenses according to M.S. Chapter 151, but not to include per diem.

The date of the regular summer examination meeting was reconfirmed to be June 24, 1968.

Mr. Quistgard moved and Mr. Seifert seconded that the meeting be adjourned. Motion passed. Adjournment at 5:35 P.M.

  
Max Bearman, President

  
Paul G. Grussing, Secretary

MINNESOTA STATE BOARD OF PHARMACY

Four Hundred and Twenty-Seventh Meeting

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April 17, 1968. At 9:30 o'clock A.M., President Bearman called the meeting to order. In attendance were: President Max Bearman, Vice President Kitty Alcott, Mr. Ben J. Seifert, Mr. John E. Quistgard, the Board's secretary and counsel, Harry P. Strong Jr. Mr. John H. Nelson did not attend.

At approximately 9:35 o'clock A.M., Pharmacist Morton Gross entered to appear before the Board in the continuation of the informal hearing initiated at the last meeting. Mr. Gross offered an explanation to account in part for the discrepancies in record-keeping for certain stimulant and depressant drugs. After some general questioning concerning the discrepancies Mr. Gross departed.

Mr. Quistgard moved and Mr. Seifert seconded that the secretary be instructed to write Mr. Gross requesting that he accomplish a complete inventory of all stimulant and depressant drugs immediately and furnish a copy of the inventory to the Board by May 1, 1968, further that this investigation be tabled until January 1, 1969 for reconsideration of an inventory and accountability to be accomplished in December, 1968. The motion also included the suggestion that a narcotic inventory be taken as of May 1, 1968. Motion passed.

At approximately 10:05 o'clock A.M., Pharmacist George Ahlers appeared before the Board in the matter of a continuation of the informal hearing concerning shortages in stimulant and depressant drugs. Mr. Ahlers produced an insurance record book but indicated that he did not post all of the refills to the rear of prescription records as directed by the Board during its last meeting. He did offer an explanation for part of the missing drugs. After some general questioning by the Board Mr. Ahlers departed.

Mr. Seifert moved and Mr. Quistgard seconded that the secretary be directed to write a letter to Mr. Ahlers requiring him to accomplish a complete inventory of all stimulant, depressant and narcotic drugs and that a copy of such inventory be furnished to the Board by May 1, 1968, further that the matter be tabled until the January, 1969 meeting after a complete accountability of stimulant and depressant drugs

is to be accomplished in December 1968. Motion passed.

At approximately 10:30 o'clock A.M., Pharmacist Wilford M. Schneider appeared before the Board in the continuation of the of the investigation of discrepancies in drug accountabilities at the Harvard Drug, Minneapolis. Mr. Schneider produced a prescription issued several years before the advent of the Drug Abuse Control Amendments. The refills on this prescription accounted for most of the missing drugs. After a brief discussion with the Board Mr. Schneider departed. The secretary was instructed to write Mr. Schneider reminding him of his responsibilities in record-keeping for stimulant and depressant drugs.

At approximately 11:05 o'clock A.M., Pharmacist Morris Gjessing, pharmacist-in-charge of Goldfine's Pharmacy, Duluth, appeared before the Board in response to a letter from the secretary written on April 9, 1968. The problem of adequate store coverage as it relates to adequate security was thoroughly discussed with Mr. Gjessing. A violation of Board's Regulation No. 21 was called to Mr. Gjessing's attention and the meaning of this regulation was explained to him. After some general discussion about security around the pharmacy, Mr. Gjessing departed.

Mr. Quistgard moved and Mrs. Alcott seconded that a letter of explanation of the requirements of Regulations Nos. 17 and 21 be sent to Mr. Gjessing with blind copies to the owners of the pharmacy. Motion passed.

After a review of the minutes of the 426th meeting, Mr. Quistgard moved and Mr. Seifert seconded that the name of Mr. Donald J. Malloy be stricken in paragraph three, page 2, line 4 and that the name of Mr. Paul Denn be inserted, further that the name of the Onamia Hospital be stricken from the list of licenses issued on page four. Motion passed.

The secretary described a series of applications to operate licensed pharmacies in hospitals for the following:

Meeker County Memorial Hospital Pharmacy, Litchfield  
Community Hospital Pharmacy, Clarkfield  
Cook Co. North Shore Hospital Pharmacy, Grand Marais  
Fosston Municipal Hospital Pharmacy, 900 S.Hilligoss Blvd.,  
Fosston  
Community Mercy Hospital Pharmacy, Onamia  
Minnesota Masonic Home Pharmacy, 11400 Normandale Road, Mpls.  
Memorial Hospital Pharmacy, International Falls  
Douglas Co. Hospital Pharmacy, 1617 Broadway, Alexandria  
Pipestone Co. Hospital Pharmacy, 911-5th Ave.S.W., Pipestone  
Appleton Municipal Hospital Pharmacy, Appleton

Bethesda Hospital Pharmacy, Crookston  
Paynesville Community Hospital Pharmacy, Paynesville

Mrs. Alcott moved and Mr. Seifert seconded that licenses be issued to these pharmacies, with the exception of the Pipestone Hospital Pharmacy, subject to physical inspection. Motion passed.

The application for the Pipestone Hospital Pharmacy was tabled until later in the meeting for possible receipt of additional information.

After a review of the White Hospital and the Fromm Hospital pharmacies applications, Mrs. Alcott moved and Mr. Quistgard seconded that these applications be tabled for completion.

After a review of an application by Snyder Drugs Inc., to operate a pharmacy on South Robert Street, West St. Paul, Mrs. Alcott moved and Mr. Seifert seconded that the license be issued subject to physical inspection of the premises. Motion passed.

After a review of the application for a license to operate a pharmacy by the Gibson Prescription Shop, Winona, the application was tabled until consideration of the pharmacist-in-charge as a candidate for reciprocity.

After a review of the application for a license to operate a pharmacy submitted by Pharmacist Alex Altshuler, Mr. Seifert moved and Mrs. Alcott seconded that the license be granted subject to a visit by the secretary and president with Mr. Altshuler to remind him specifically of the requirements of the Drug Abuse Control Amendments and the State's Prohibited Drugs Law. Motion passed.

The secretary described the internship file of Mr. Robert Pickett and a letter from him explaining that he would be two weeks short of the required one year of internship by the June 24, 1968 Board examinations. Mrs. Alcott moved and Mr. Quistgard seconded that, based on a war-time precedent for interns unable to receive deferments, and based on two weeks of Christmas and Easter internship experience to be substantiated to the Board office, that Mr. Pickett's internship time be considered to be substantially in compliance with the required one year. Motion passed.

The secretary reviewed the letter from Intern Michael Beugen who was a pre-veterinary student at the time the present internship program went into effect. Mr. Seifert moved and Mr. Quistgard seconded that because Mr. Beugen was in a different field of study and may not have received adequate warning from the Board office, that internship time experience prior to April 15, 1967 be credited if properly authenticated on the required forms. Motion passed.

The secretary discussed the necessity of raising the pharmacists' renewal fee from the present level of \$10 to the statutory ceiling of \$15 beginning in 1969. He also suggested that a higher ceiling be requested during the Legislature to accommodate expanded programs and for salary requirements. The fee was not increased to the \$15 statutory limit this year in order to reduce to a low level the operating balance of the Board.

The secretary described a visit to the Houston Rexall Drug to make inquiry into the possible habitual indulgence in the use of alcohol by Mr. Bob W. Bedore. On this visit and on a subsequent visit, Mr. Bedore was not under the influence of alcohol.

The secretary reported on a visit to the Red Wing Hospital in the matter of the voluntary commitment of Pharmacist Lester Schriever of Pine Island for alcoholism. The secretary will follow Mr. Schriever's progress with his personal physician.

The secretary reported on an investigation being conducted by an agent of the Minnesota Bureau of Criminal Apprehension relating to teenage sale of drugs allegedly obtained from the Iltis Pharmacy. A drug accountability is to be accomplished when the Crime Bureau completes its investigation.

The secretary reported on three visits to the Northbrook Drug, Brooklyn Center, in the matter of checking for the possible use of alcohol by a clerk, Mr. Lou Markert. All three visits were negative.

The secretary reported on visits to the Doctors Building Pharmacy to view the activities of Mr. Donald J. Malloy. On the first visit Mr. Malloy was doing pre-packaging of medications and three subsequent visits have produced negative findings.

Mr. Quistgard moved and Mrs. Alcott seconded that the secretary be instructed to pay the premium for the risk and loss of property insurance coverage. Motion passed.

After some discussion of the forthcoming annual NABP meeting, the secretary was instructed to budget for an additional day's expenses for out-of-state travel.

The NABP change in by-laws requiring three months post-graduate internship experience was discussed and the matter will be tabled and reconsidered at the first Board meeting after the next annual NABP meeting. The secretary is to immediately notify the regional colleges of pharmacy of the Board's action.

The secretary discussed a request from NABP Executive Director Mahaffey for questions from the various Boards to be used in a question pool. The matter is to be tabled until the June, 1968 meeting.

The secretary discussed a questionnaire from the NABP office requesting the opinion of the Minnesota Board of Pharmacy about a proposed change in the Uniform Narcotic Law which would require personal sale by pharmacists of exempt narcotics. The secretary was instructed to communicate with Mr. Mahaffey indicating that the point is moot in Minnesota since the federally exempt narcotics are already restricted to prescription status here but that the principle of pharmacist involvement for these drugs should be advocated for these states which allow clerk sale.

The secretary read a memorandum from Miss Marie Perreault, Chief Pharmacist, University of Minnesota Hospitals. The hospital pharmacy staff has invited the Board to meet with it, tour the facilities and discuss some proposals for pharmacist involvement in compounding and dispensing outside of the main hospital pharmacy. The secretary was instructed to reply to Miss Perreault regretting that the Board could not attend during the current meeting but indicating that an arrangement would be made during the next monthly meeting.

The secretary described briefly suggested modifications to the proposed regulations based on the April 4, MSPHA committee meeting. The secretary was instructed to arrange for a meeting with MSPHA representatives on Wednesday evening, April 18.

At approximately 12:30 o'clock P.M., President Bearman dismissed the Board for lunch.

At approximately 1:15 o'clock P.M., the following candidates appeared to take a written examination in Jurisprudence:

Beck, Phillip G.	Glassman, Gary A.
Dobbins, Ronald V.	Hall, Ruth M. (Mrs.)
Fairfield, Wallace L.	Harchanko, J. Ray
Fitzgerald, John L.	Quinn, William
	Schugel, Richard T.

Secretary Grussing briefed the candidates concerning the examination which was monitored by Mrs. Hummer.

At approximately 1:30 o'clock P.M., Pharmacist Dean Rolig appeared in response to a letter sent him by the secretary on April 9, 1968. President Bearman discussed with Mr. Rolig discrepancies in record-keeping for stimulant and depressant drugs. Mr. Rolig believes the accountability is partly caused by failure to adequately record refills on the rear of prescription blanks. After a thorough discussion of Mr. Rolig's record-keeping procedures, he departed.

The secretary was instructed to write Mr. Rolig indicating that the Board requests that he post prescription refills from his daily refill log on to the rear of prescriptions and that he tabulate all stimulant and depressant drugs so posted and submit the totals of these tabulations to the Board by June 15 in order to account for the shortages in the drug accountability. The investigation is to continue during the June meeting.

At approximately 1:45 o'clock P.M., Pharmacist John Thro, owner of three pharmacies in Mankato, appeared before the Board after being unable to meet with the Board during its last meeting. The Board discussed with Mr. Thro a series of violations of Regulation No. 21 in his pharmacies and which were reported to the pharmacist-in-charge. After a general discussion of the meaning of the regulation, Mr. Thro was informed that the secretary would write him, with copies to the pharmacists-in-charge, explaining the meaning of the regulation and requesting that ads be thoroughly scrutinized to insure full compliance in the future.

At approximately 2:00 o'clock P.M., Mr. Norman Swendson of the Norman Swendson Company, wholesale druggists, appeared before the Board in response to a letter written him by the secretary on April 9, 1968. Discrepancies in record-keeping were discussed with Mr. Swendson before he departed. The secretary is to arrange for another inventory to corroborate the present figures and the matter is to be tabled until the next special meeting of the Board.

Pharmacist Ernest Neve did not appear before the Board in response to the certified letter sent to him by the secretary. Later in the afternoon Mr. Quistgard moved and Mrs. Alcott seconded that counsel be instructed to prepare a citation to be issued to Mr. Neve in the matter of illegal sale of legend drugs, and that this formal proceeding be scheduled for the June meeting. Motion passed.

At approximately 3:00 o'clock P.M., each of the reciprocity candidates appeared before two Board members and completed an oral examination consisting of 20 questions in Jurisprudence. The grades received in the oral examinations were furnished to Mr. Bearman who average them together with the grades of the written examination in Jurisprudence.

At approximately 4:25 o'clock P.M., Pharmacist Dennis Groteboer, Pharmacist-in-Charge, Osco Drug, Mankato, appeared before the Board in the matter of the violation of Board regulation No. 21. The Board's interpretation of the regulation was discussed with Mr. Groteboer who promises full compliance in the future. Mr. John Street, representing the management of Osco Drug, also visited with the Board and promised full compliance in the matter of this regulation and other regulations.

At approximately 5:25 o'clock P.M., the Board, counsel and secretary met with Mr. Donald A. Dee, Executive Secretary of the Minnesota State Pharmaceutical Association and Mr. Robert Mattson, counsel for the MSPhA, in the matter of considering suggested changes to the proposed regulations based on discussions during an April 4, 1968 MSPhA meeting.

At approximately 7:45 o'clock P.M., President Bearman dismissed the Board until the next day.

April 18, 1968. At approximately 9:25 o'clock A.M., President Bearman called the meeting to order. All members were in attendance except Mr. Nelson. Also in attendance were the Board's secretary and legal counsel, Mr. Strong.

The secretary reported on a letter received from the pharmacist-in-charge, on the proposed Pipestone Hospital Pharmacy which brings the application for the license into compliance. Mr. Seifert moved and Mrs. Alcott seconded that the license be issued. Motion passed.

At approximately 9:45 o'clock A.M., Pharmacist Edward Langer, Lincoln Drug, Minneapolis, appeared before the Board in response to a letter sent to him on April 9, 1968. President Bearman discussed with Mr. Langer various discrepancies in record-keeping of stimulant and depressant drugs based on an accountability accomplished on March 26, 1968. The Board questioned Mr. Langer on the possible involvement of Mr. Max Engal, N.R, and part-owner, the problem of excessive samples in the pharmacy and other matters of compliance and record-keeping. Mr. Langer maintains no daily log of prescription refills and admits that not all

refills are recorded. After a thorough discussion of the problems relating to the discrepancies, Mr. Quistgard moved and Mrs. Alcott seconded that the hearing be closed. Mr. Langer departed at approximately 10:42 o'clock A.M. The secretary was instructed to contact the police department to determine if there have been any leads concerning possible leaks in drug distribution from this pharmacy.

At approximately 10:45 o'clock A.M., Pharmacist W.L. Dickey, Dickey Drug, Worthington, appeared before the Board in response to a letter sent to him by the secretary on April 9, 1968. Mr. Dickey sold his pharmacy to Mr. J. Ray Harchanko in November but Mr. Harchanko failed the January Board examination in Jurisprudence and Mr. Dickey has been forced to continue as pharmacist-in-charge and be responsible for store coverage. Dickey admits that the store has not been properly covered for long periods of time. After a thorough discussion of the meaning of this part of the law, Mr. Dickey departed. The secretary was instructed to write a letter to Mr. Dickey reminding him of his responsibilities in this area.

Mr. Bearman reported that all candidates for registration by reciprocity passed the oral and written Jurisprudence examinations and recommended a motion granting them licensure, Mr. Seifert moved and Mr. Quistgard seconded that the following candidates having satisfactorily completed the required examination in Jurisprudence be granted licensure to practice pharmacy in Minnesota based upon the license issued by the state listed below with the candidates name. Motion passed.

<u>Cert. No.</u>		<u>State</u>
1388	Beck, Phillip Glen	Nebraska
1389	Dobbins, Ronald V.	Iowa
1390	Fairfield, Wallace L.	Iowa
1391	Fitzgerald, John L.	Iowa
1392	Glassman, Gary A.	Massachusetts
1393	Hall, Ruth M. (Mrs.)	North Dakota
1394	Harchanko, J. Ray	North Dakota
1395	Quinn, William	Illinois
1396	Schugel, Richard T.	Illinois

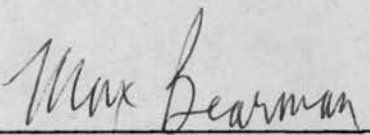
After a lengthy discussion of the informal hearing in the matter of Pharmacist Edward Langer, Mr. Quistgard moved and Mr. Seifert seconded that the matter be continued, that the secretary be instructed to accomplish a complete accountability of the pharmacy on June 15 for consideration by the Board during

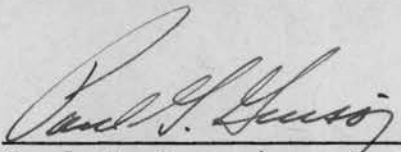
its June meeting, that the secretary write Mr. Langer reminding him of his responsibilities in complying with the law, but that the date of the accountability be omitted from the letter to Mr. Langer. Motion passed.

The secretary was instructed to prepare for the secretary's report to the MSPhA convention delegates, a reprint of the proposed new regulations together with the corresponding old regulations and reasons for the Board's proposed changes.

Mrs. Alcott moved and Mr. Seifert seconded that a license be issued to the Gibson Prescription Shop of Winona. Motion passed.

After a general discussion of plans for the forthcoming NABP meeting President Bearman adjourned the Board meeting at 11:35 o'clock A.M.

  
Max Bearman, President

  
Paul G. Grussing, Secretary

MINNESOTA STATE BOARD OF PHARMACY

Four Hundred and Twenty-Eighth Meeting

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May 8, 1968 (Eden Roc Hotel, Miami Beach, Florida). President Max Bearman called the meeting to order at approximately 11:00 A. M. In attendance were: President Max Bearman, Vice President Kitty Alcott, Mr. Ben J. Seifert, Mr. John E. Quistgard, the Board's secretary and counsel, Mr. Strong.

The secretary reported on an application for a license to operate a pharmacy by Mr. Holmes F. Timmons of Brainerd, Minnesota. He also related that an employee of the Korner Kut Rate Pharmacy, where Timmon's was formerly employed, related to the secretary that Timmon's had sold stimulant and depressant drugs without benefit of prescription to his friends. After some discussion the Board ordered that an accountability investigation be accomplished at once and tabled the application pending the results of the accountability investigation at the Korner Kut Rate Pharmacy.

The secretary described an application for a license to operate a pharmacy by Thrifty Drug of New Ulm, Minnesota. Mr. Seifert moved and Mrs. Alcott seconded that the license be granted subject to inspection. Motion passed.

The secretary reviewed an application for a license to operate a pharmacy in the Tyler Minnesota Hospital, submitted by Pharmacist Roger Vadheim. The proposed pharmacy facility has already been inspected and approved. Mr. Quistgard moved and Mrs. Alcott seconded that the license be issued. Motion passed.

The secretary discussed the license application for the Fromm Hospital Pharmacy in Granite Falls which was tabled from the last meeting. Mr. Fromm has written and clarified the hours of the pharmacy but it has been learned that the narcotic purchasing, storage and distribution will not be given to the pharmacist in this proposal. It was agreed that handling of narcotics by the administrator does not constitute a violation of the Federal law and that the license should be granted. The secretary was instructed to visit with the administrator and the pharmacist to suggest a procedure for transferring narcotic control to the pharmacy. Mrs. Alcott moved and Mr. Seifert seconded that the license be granted. Motion passed. The pharmacy has already been inspected and recommended for approval.

The Board then discussed draft copies of a revised application for a license to operate a pharmacy form which was developed by counsel and secretary. After some discussion the Board suggested three changes to the proposed form: (1) add language promising compliance in both the applicant's certificate and the certificate of the pharmacist-in-charge; (2) add explanatory language waiving certain material for successor pharmacies and (3) add a section listing the names and registration numbers of pharmacist-interns to be employed in new or successor pharmacies.

The secretary reported on a newspaper violation of Regulation No. 21 by Snyder's Drug Stores. Mr. Irwin Livon has assured the Board office that the ad would not be repeated.

At approximately 12:05 o'clock P.M., President Bearman dismissed the Board until the next day.

At approximately 1:00 P.M., May 9, 1968, President Bearman reconvened the meeting of the Board. In attendance were: President Max Bearman, Vice President Kitty Alcott, Mr. Ben J. Seifert, the secretary and counsel, Mr. Strong.

The secretary noted that the NABP had not altered the requirements in the by-laws which require three months post-graduation internship as a qualification for licensure beginning January 1, 1973. Mr. Seifert moved and Mrs. Alcott seconded that three months of the required internship be obtained after graduation from college to be consistent with the NABP by-laws enacted in 1967. Motion passed. The secretary was directed to notify the Deans of colleges in the midwest of the Board's action.

The secretary reviewed a revised memorandum of agreement between the Bureau of Narcotics and Dangerous Drugs and the Minnesota State Board of Pharmacy. This revision was prepared to accommodate this Board's objection to the original memorandum which required a fixed number of pharmacy investigations as a condition of participating in the joint Federal-State program. There was consensus that this modified agreement should be signed by the secretary and returned to the District Field Office of BNDD.

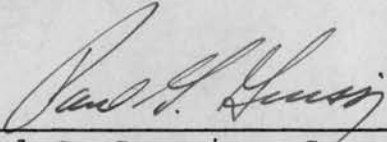
The Board discussed at length some existing problems in the practice of pharmacy in hospitals today. It recognized the need for discussion of these problems with hospital pharmacists. Accordingly, a committee was appointed for the

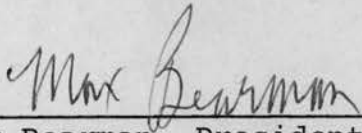
the purpose of advising the Minnesota State Board of Pharmacy in matters of current problems in hospital pharmacy practice and compliance. The Advisory Committee is to be composed of the following representatives:

1. Sister Torello, St.Mary's Hospital, Rochester
2. Richard Misgen, Northwestern Hospital Pharmacy, Mpls.
3. Richard Kienzle, St.Mary's Hospital Pharmacy, Duluth
4. W. Edward Petersen, Rice Co.District Hospital #1,  
Faribault
5. Donald Krueger, Our Lady of Mercy Hospital Pharmacy,  
Alexandria
6. John T. Bush, Univ. of Minn. Hospital Pharmacy, Mpls.
7. Patrick Callahan, Fairview Hospital Phcy., Mpls.
8. Ed Patula, Miller Hospital Pharmacy, St. Paul

The committee is to meet with the Board at the next meeting and the secretary is to write the committee members notifying them of their appointment immediately.

There being no further discussion, Mr. Seifert moved and Mrs. Alcott seconded that the meeting be adjourned. Motion passed. Adjournment at 2:15 o'clock P.M.

  
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Paul G. Grussing, Secretary

  
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Max Bearman, President

MINNESOTA STATE BOARD OF PHARMACY

Four Hundred Twenty-Ninth Meeting

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June 6, 1968. At 9:30 o'clock A.M., President Max Bearman called the meeting to order in the Chapman Building, 1965 Ford Parkway, St. Paul. Members in attendance were: President Max Bearman, Vice-President Kitty Alcott and Ben J. Seifert. Also present was the Board's secretary and the following members of the Hospital Pharmacy Advisory Committee: John T. Bush, Patrick Callahan, Richard Kienzle, Richard Misgen, Ed Patula, W. Edward Petersen and Sister Torello.

President Bearman opened the meeting with a welcome to the members of the Hospital Pharmacy Advisory Committee. He stated the committee's purpose - the identification of: problems in hospital pharmacy practice, standards of practice in the problem areas, and recommendations for solutions to the problems.

The secretary presented a chronology of Board activity in the regulation of hospital pharmacy practice.

The President then requested comments from the committee members. The following topics were discussed and were summarized briefly.

Unit-Dose Dispensing - The NABP and ASHP are to meet soon to define the concept and examine its safety features.

Dispensing vs Administration - The classic definitions were discussed as a basis for defining professional roles and fixing professional responsibility. Several pharmacists indicated that dispensing surely involves more than the mechanical act of transfer; that it involves the reading and interpretation of the physician's order, checking the final label and communication with the patient as well.

Vending Machines - The secretary described use of vending machines coupled with certain pharmacy controls and standards as a system which would provide control equal to that found in certain floor stock systems. The committee reacted in opposition to the use of vending machines because they preclude the principle of pharmacist interpretation of the original order. This principle was suggested as a standard of good practice which should embody various legal means of communicating the original order for pharmacist interpretation, i.e., television.

Emergency Access - The need for good record-keeping and control systems was noted. Limited withdrawal of sufficient doses to meet the patient's needs until the pharmacy reopens is a good standard. The use of "night cabinets" was discussed. Federal and State legal requirements for record-keeping were discussed.

Automatic Stop Orders - Dispensing of drugs beyond the time limit in the stop order policy is recognized as a violation and unprofessional conduct. The establishment of policy is largely prescriber-oriented but should involve the pharmacy.

Patient Medications Brought into the Hospital - The pharmacy is responsible for the quality of drugs dispensed, labeled and administered. There is need for more discussion concerning this problem.

Standards for Prepackaging and Manufacturing - These processes involve professional judgments and acts and usually involve supervision of non-professional functions. Errors are very consequential since they involve more than one patient or one dose. The pharmacist should select the label, the drug and the container before delegating the non-professional duties to supervised laymen. Laymen should be prevented from making any professional judgments.

Record-Keeping in the Pharmacy - The necessity for complete accountability for all drugs dispensed was discussed from the professional and legal standpoints. The pharmacy which is not in compliance or which is below accepted practice standards creates a liability for the hospital.

Specifications for Quality of Drugs Purchased - Problems of sub-standard quality in situations where lay persons select drug vendors were discussed. The prescriber's prerogative to select specific brands for reasons of clinical effectiveness was recognized. Quality determination and vendor selection is part of professional pharmacy practice and only the administrative element of the procurement function can be delegated.

Security - The pharmacy is a licensed place for the storage and dispensing of drugs by pharmacists. Proper security is an element of good practice and is the responsibility of the chief pharmacist.

President Bearman invited the committee members to submit additional statements or recommendations in writing before the next regular meeting of the Board on June 24, 1968. The Board will review remedies for some of the problems discussed and continue to involve the Advisory Committee in additional recommendations and reactions to possible Board proposals. At 12:25 P.M., the meeting was dismissed for lunch for additional discussions of professional practice.

At approximately 1:35 o'clock P.M., Pharmacist Holmes F. Timmons appeared before the Board in response to a letter sent to him by the secretary on May 28, 1968. President Bearman explained the nature of this meeting and the citation procedure. Mr. Schlekau read a summary report describing discrepancies in a drug accountability accomplished at the Korner Kut Rate Drug, Brainerd, on May 13, 1968.

Inquiry was made into recording of refill authorizations, handling of samples, wholesaling of drugs, and the practice of obtaining refill authorization. Mr. Timmons admitted non-compliance with Regulation 25(7). He has removed some prescription files from the premises of the Korner Kut Rate Pharmacy. The secretary produced a letter from a physician which does not account for all the refills recorded on a prescription. His pharmacy was not registered with the F.D.A. as a wholesaler and jobber.

At approximately 4:15 o'clock P.M., Mr. Timmons departed and the president closed the hearing.

Mr. Rex Askerooth previously scheduled to appear at 1:00 o'clock P.M., was excused by the secretary after consulting with the president. Mr. Askerooth claimed that he could not obtain a relief pharmacist and was asked to appear before the Board at its next regular meeting.

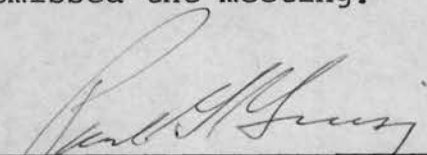
At 4:35 o'clock P.M., the Board met with Dr. Lawrence Weaver, Dean, College of Pharmacy, University of Minnesota, at his request. Dean Weaver described a proposal for establishing a pharmacy dispensing laboratory in the community of St. Anthony Village. The educational objectives and proposed teaching methods were discussed.

At 5:10 o'clock P.M., the Board met with Miss Marie Perreault, Chief Pharmacist, University of Minnesota Hospital Pharmacy. A tour of the main pharmacy, out-patient pharmacy and Heart Hospital Satellite Pharmacy was conducted. Involvement of the pharmacist (in new roles) beyond the four walls of the pharmacy was demonstrated.

Minnesota State Board of Pharmacy - 429th Meeting, June 6, 1968

A medication profile system plus a facility for parenteral admixture of solutions was reviewed. After a general discussion the Board joined Miss Perreault, Mr. Thomas Jones, Assistant Director, and other hospital pharmacists for dinner. At approximately 7:30 P.M., the tour of the hospital terminated.

The secretary outlined miscellaneous business which he was then instructed to handle by mail a poll of the Board. At 7:40 o'clock P.M., President Bearman dismissed the meeting.

  
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Paul G. Grussing, Secretary

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Max Bearman, President

MINNESOTA STATE BOARD OF PHARMACY

Four Hundred Thirtieth Meeting

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June 23, 1968. At 7:30 o'clock P.M., President Max Bearman called the meeting to order. In attendance were: President Bearman, Vice President Kitty Alcott, Mr. Ben J. Seifert, Mr. John H. Nelson and Mr. J. E. Quistgard. Also in attendance was the Board's secretary.

After a review of minutes of previous meetings, Mrs. Alcott moved and Mr. Nelson seconded that the minutes of the 427th, 428th and 429th meetings be approved as written. Motion passed.

The secretary informed the Board that Mr. Marvin Knutson, who received a letter requesting him to appear before the Board during this regular meeting, has requested postponement of his meeting with the Board. Mr. Nelson moved and Mr. Quistgard seconded that the secretary phone Mr. Knutson informing him that the Board has not excused him from appearing during this meeting. Motion passed.

The secretary then reviewed the agenda generally and particularly all informal disciplinary actions and investigations in process. The secretary was instructed to contact Mr. Harold Rosen and Mr. Sam Grais informing them of the Board's desire to meet with them in connection with specific violations.

After describing the follow-up inspection to the Norman L. Swendson Company, drug wholesaler, Mr. Nelson moved and Mrs. Alcott seconded that a drug accountability be accomplished at the Norman L. Swendson Wholesale Drug Company, White Bear Lake, in approximately one year. Motion passed.

The secretary described the results of a drug accountability investigation at the Family Drug Center, Willmar, Minnesota - Donald Collins, Pharmacist-in-Charge. The discrepancies appeared to be very moderate and normal consisting only of one or two typical refill quantities. The secretary was instructed to write Mr. Collins notifying him that the drug accountability appears to be substantially in order.

Minnesota State Board of Pharmacy - 430th Meeting, June, 1968

The secretary described three suggested changes for the 1969-1970 pharmacy license application based on experience with the <sup>new</sup> 1968-1969 application form. Changes were approved by the Board.

The secretary described a report from Inspector Schlekau indicating that Pharmacist Clifton Haagenson of Cosmos, maintains pharmacy hours only on Monday, Wednesday and Friday at the present time. The secretary was instructed to write Mr. Haagenson indicating that it is the Board's opinion that these intermittent hours do not adequately provide pharmaceutical services to the community and that he should reschedule his hours so that pharmaceutical services can be provided for at least a portion of each working day. A motion to that effect was made by Mr. Quistgard and seconded by Mr. Nelson. Motion passed.

The Board then discussed Resolution No. 6 from the last meeting of the NABP. After considerable discussion Mrs. Alcott moved and Mr. Nelson seconded that the secretary contact the Executive Director of NABP indicating that the Minnesota Board prefers that the annual NABP meeting be scheduled immediately before and in conjunction with the annual APhA meeting. Motion passed.

In response to a request from the chairman for the September meeting of District V-NABP, the Board listed several program recommendations which the secretary is to communicate to the District V chairman.

After discussing items of a general nature President Bearman dismissed the Board at approximately 8:55 o'clock P.M.

June 24, 1968. The Board met at the College of Pharmacy, University of Minnesota at 8:45 o'clock A.M. Members present were: President Bearman, Vice President Alcott, Mr. Ben J. Seifert, Mr. John H. Nelson and Mr. John E. Quistgard. Also present was the Board's secretary, Paul G. Grussing.

The following individuals having fulfilled the legal requirements for examination and submitted properly executed applications were present to take the practical examination:

Ahachich, Louis J.  
Anderson, Bradly R.  
Anderson, Marlene L.  
Anderson, Richard L.  
Arneson, David R.  
Bainbridge, Charles V.

Beaulieu, John T.  
Brand, Barbara L.  
Buchholz, Karen L.  
Galland, John R.  
Gangness, Janice K.  
Harlander, Ronald S.

Helgeson, David J.  
Higgs, Robert W.  
Hirschorn, Merlin H.  
Hunter, John D.  
Jacobson, Ernie J.  
Johnson, Vernon L.  
Kostick, Joseph P.  
Linden, James B.  
Lindow, John D.  
Livon, Robert J.  
Lovsted, Elsie M.  
Macko, Richard A.  
Moede, William D.  
Nelson, Barbara M.  
Nord, Pamela J.  
Peterson, Gerald J.  
Poissant, Joseph A.  
Reinschmidt, John H.  
Rogge, Diane M.

Salisbury, Wade M.  
Saumweber, Robert J.  
Showalter, Sandra H.  
Silver, Alan A.  
Skartvedt, John R.  
Skyles, Ronald  
Slater, Larry J.  
Stone, Carol J.  
Sunderland, Constance K.  
Sundin, John F.  
Sundt, Richard L.  
Sweeney, Stephen J.  
Swenson, Craig H.  
Thelen, Donald C.  
Wandmacher, Wayne E.  
Wilner, Terrance L.  
Zemmers, Dace  
Zenk, Bruce C.  
Freese, Roberta D.

The practical examination was completed in the afternoon; the total number of candidates taking the examination being 50.

At approximately 8:00 o'clock P.M., Monday, June 24, President Bearman reconvened the meeting in the Board's rooms at the Holiday Inn-Central Hotel in Minneapolis. All members and the Board's secretary were present.

The secretary described license applications from hospital pharmacies at Grand Rapids, Milaca, Stillwater, and Waseca. Mrs. Alcott moved and Mr. Seifert seconded that these license applications be granted subject to physical inspection of the premises. Motion passed.

It has been reported that there are quantities of the hallucinogenic substance DOM in the metropolitan area and for this reason the Board discussed promulgating proposed Regulation No. 51 as soon as possible so that the substance would be declared a depressant or stimulant under the state law. Mrs. Alcott moved and Mr. Nelson seconded a motion to conduct a public hearing at the time of the next special meeting of the Board and instructed the secretary to make preparations for the hearing. Motion passed. The proposed regulation is as follows:

PROHIBITED DRUGS

(Regulations 51 - 60)

Regulation No. 51: Depressant and Stimulant Drugs

The following drugs and substances are hereby defined as having a potential for abuse and are injurious to health because of their depressant or stimulant effects upon the central nervous system or their hallucinogenic effects and are, therefore, subject to the provisions of Minnesota Statutes, Chapter 152:

DOM (4-Methyl-2, 5-dimethoxyamphetamine)

Mr. Quistgard moved and Mrs. Alcott seconded that the next special meeting of the Board be scheduled for August 14, 1968 and that the next special meeting be set tentatively for the day following the District V-NABP meeting in Des Moines, Iowa. Motion passed.

The secretary then evaluated the performance of all staff personnel, explaining the employment of Mrs. Lynn Risch and the proposed change in job classification for Mrs. Alice Hummer. The following monthly salary rates were proposed for staff employees as indicated:

Mrs. Edna DeRubis, \$616  
Mrs. Alice Hummer, \$433  
Mrs. Lynn Risch, \$342  
Mr. Earl Schlekau, \$667  
Mr. H. Duane Howard, \$569

Mr. Quistgard moved and Mrs. Alcott seconded that the proposed salary increases presented by the secretary be approved effective July 3, 1968. Motion passed.

Mr. Nelson questioned whether or not the Loretto Hospital in New Ulm, has a licensed hospital pharmacy. P.G. reported that it did not. Mr. Nelson recalled that the hospital may employ a pharmacist who reciprocated to Minnesota approximately four years ago. The secretary is to investigate the pharmaceutical services at the hospital.

The secretary presented a feasibility report on the subject of employing a pharmacist to assist the secretary generally and to assume inspection duties. This report had been requested by the Board at an earlier meeting. Report

described the need for such a position, duties of the pharmacist and proposed job specifications. The secretary pointed out that this would not be feasible until more money would be made available by a raise in the fee ceiling by the Legislature. The report advocated the employment of a pharmacist before the retirement of Mr. Schlekau. Mr. Quistgard suggested that the employment might be considered as a replacement for Mr. Schlekau only. The Board then discussed proposed fee increases necessary to meet the expanding budget and the future possibility of employment of a staff pharmacist.

The secretary pointed out the necessity of raising the pharmacist renewal fee from the present \$10 to the Legislative ceiling of \$15 for the next renewal beginning March 4, 1969. This will be necessary to avoid an operating deficit in the 1969 year since the Board has deliberately reduced its operating balance rather than increase the pharmacist license renewal in 1968. Mr. Quistgard moved and Mr. Nelson seconded that the annual pharmacist renewal fee be raised to the amount of \$15 beginning March 4, 1969 according to M.S. 151.13. Motion passed.

After a discussion of present and future programs of the Board, Mr. Quistgard moved and Mrs. Alcott seconded that the secretary be instructed to prepare legislation requesting changes in the license fee structure as follows:

Pharmacists	\$25
Pharmacies	\$50
Wholesalers	\$100
Manufacturers	\$100

Motion passed.

At approximately 11:00 o'clock P.M., President Bearman dismissed the Board until the next day.

Tuesday, June 25, 1968. The Board met in Room 201, Wesbrook Hall, University of Minnesota at 9:00 o'clock A.M., members present were: President Bearman, Vice President Alcott, Mr. Ben J. Seifert, Mr. John H. Nelson and Mr. John E. Quistgard. The Board's secretary was also present. Written examinations in the following subjects were administered by the Board: Pharmacology, Pharmacy, Pharmaceutical Chemistry, Pharmaceutical and Chemical Mathematics and Jurisprudence.

Fifty-one candidates who had met all requirements and had presented properly executed applications were present to write examinations in the listed subjects. The examinations lasted the entire day.

Mr. Kenneth J. Opatz was present to retake the written examination as he failed to pass the written in January, 1968.

At 1:30 o'clock P.M., the following candidates who had submitted properly executed applications joined the candidates taking the entire examination - these candidates seeking registration by reciprocity wrote the examination in Jurisprudence. All members and the secretary were present.

Anderson, Gary A. -----Nebraska  
Berger, Maynard F.-----North Dakota  
Breyer, Robert A.-----North Dakota  
Davis, Marshall B.-----South Dakota  
Irizarry, Delia M. (Mrs.)----Puerto Rico  
Jacoby, Michael A.-----North Dakota  
Swanson, Kenneth M.-----North Dakota  
Webb, Stuart G.-----Iowa

At approximately 8:00 o'clock P.M., the Board and its secretary met in its rooms at the Holiday Inn-Central Hotel in Minneapolis, for the purpose of correcting examinations.

Wednesday, June 26, 1968. At 9:30 o'clock A.M., the Board met at 1965 Ford Parkway, St. Paul, to present five separate individually presented professional topics to the candidates for licensure by examination. The Board then invited questions from the candidates and a general discussion followed the meeting. The secretary reviewed the administrative relationships between registrants and the Board office and Mr. Donald Dee, Executive Secretary of the Minnesota State Pharmaceutical Association, spoke to the prospective registrants concerning Association membership.

Mr. Ben J. Seifert was excused from the meeting to see a physician because of illness.

At 10:40 o'clock A.M., the following candidates for licensure by reciprocity appeared before teams of two Board members for the purpose of responding to oral questions in the field of pharmaceutical Jurisprudence.

Minnesota State Board of Pharmacy - 430th Meeting, June, 1968

Anderson, Gary A.  
Berger, Maynard F.  
Breyer, Robert A.  
Davis, Marshall B.

Irizarry, Delia M.  
Jacoby, Michael A.  
Swanson, Kenneth M.  
Webb, Stuart G.

At approximately 12:15 o'clock P.M., President Bearman dismissed the Board for lunch.

At 1:45 o'clock P.M., Pharmacist Rex Askerooth appeared before the Board in response to a letter sent to him by the secretary. The Board reviewed deficiencies in: stimulant and depressant drug inventories, disposition of bankrupt retail drug stock, disposition of sample drugs, refill records for county nursing homes and the presence of legend drugs on nursing home premises. Mr. Askerooth responded with corrective action taken and programs for correcting all of the deficiencies.

At approximately 2:10 o'clock P.M., Mr. Askerooth departed.

At approximately 2:20 o'clock P.M., Pharmacist Edward Langer appeared before the Board in response to a letter sent to him by the secretary. The Board reviewed the results of the second drug accountability investigation conducted at his pharmacy and informed Mr. Langer that the accountability indicates that drug record-keeping procedures are notably improved. The secretary described a consumer complaint in the case of having received samples of Renese-R on prescription from the Lincoln Drug Company. The tablets had been adulterated to the degree that the word "sample" was filed away from the tablet mass. The samples were sent to the manufacturer for analysis but the analyst's results were not complete at the time of the Board meeting. The Board outlined for Mr. Langer the problems of loss of lot number and loss of potency in the improper handling of samples and suggested to Mr. Langer that he discontinue this practice. Mr. Langer responded by indicating that he would destroy existing samples and would not accept additional samples from physicians.

When questioned about the involvement of a non-registered owner, Mr. Langer responded by saying that Mr. Max Engal, NR, only types labels in the prescription department and performs no other related duties.

At approximately 2:40 o'clock P.M., Mr. Langer departed.

Mr. Quistgard moved and Mrs. Alcott seconded that the secretary be directed to write Mr. Rex Askerooth indicating the areas in which compliance has been or should be obtained and that the pharmacy be re-inspected at a later date. Motion passed.

After a discussion of the file of Mr. Edward Langer, Mrs. Alcott moved and Mr. Nelson seconded that the secretary write Mr. Langer indicating the Board's observation that drug accountability has improved at his pharmacy and that the secretary poll the Board after the results of the laboratory tests on the adulterated samples. Motion passed.

At approximately 2:45 o'clock P.M., Pharmacist Marvin Knutson, pharmacist-in-charge of the Gibson Prescription Shop, New Ulm, Minnesota, appeared before the Board in response to a letter sent to him by the secretary. President Bearman reviewed for Mr. Knutson the language and meaning of Board Regulation No. 21. Mr. Knutson responded by indicating he was unaware that the particular mailing in question was considered to be in violation. He promised full compliance with the regulation in all media in the future.

At approximately 3:00 o'clock P.M., Mr. Knutson departed.

President Bearman dismissed the Board for fifteen minutes.

At approximately 3:15 o'clock P.M., Pharmacist Alex H. Altshuler, Seldale Drug, St. Paul, appeared before the Board in response to a letter sent to him by the secretary. Mr. Altshuler was asked to explain the source of a narcotic drug compounded and dispensed at a time when his pharmacy did not have a Federal narcotic license. He was also asked to explain the presence of numerous quantities of various brands of "federally exempt" codeine containing cough mixtures. Mr. Altshuler responded by indicating that one prescription for Empirin Compound No. 3 was compounded using medication from his wife's personal prescription at their home. He offered no explanation for the presence of the codeine containing cough preparations in his pharmacy.

At approximately 3:45 o'clock P.M., Mr. Altshuler departed.

At approximately 3:50 o'clock P.M., the Board discussed the citation scheduled for 9:30 A.M., Thursday, June 27 in the case of Pharmacist Ernest Neve. Counsel, Mr. Strong, indicated the witnesses to be called for the case and the general procedural outline for the conduct of the hearing.

At approximately 4:35 o'clock P.M., Pharmacist Sam Grais, St. Paul, appeared before the Board in response to a telephone call from the secretary as directed by the Board. The Board reviewed with Mr. Grais a report from the Health Department that the Gray's Pharmacy at 1552 W. Larpenteur Avenue, St. Paul, had refilled quantities of legend drugs for a nursing home patient without benefit of obtaining the prescriber's permission. A statement was presented from the prescriber indicating that permission had not been authorized. It was pointed out to Mr. Grais that pharmacists cannot rely on any nursing home personnel outside of a staff physician, for the authority to refill medications. The meaning of Health Department Regulation No. 10614 was reviewed with Mr. Grais together with alternative methods for obtaining the prescriber's authorization to refill legend drug prescriptions. Mr. Grais assured the Board he would review prescription authorization and record-keeping requirements with his staff pharmacists.

At approximately 5:00 o'clock P.M., Mr. Grais departed.

At approximately 9:30 o'clock A.M., June 27, 1968, President Bearman called the meeting to order. All members of the Board were present. Also present was the Board's secretary and legal counsel and a court reporter. The president noted the absence of Mr. Ernest Neve and proceeded with a hearing in the matter of a citation issued to him previously. A duly constituted hearing was conducted and a transcript made by a court reporter. Mr. Fermer Adair, Minneapolis District FDA, and Mr. William Streiff, Agent for the Chicago District of the Bureau of Narcotics and Dangerous Drugs, were also present to testify. At approximately 10:45 o'clock A.M., the hearing was closed.

At approximately 11:00 o'clock A.M., Pharmacist Dean Rolig appeared before the Board in response to a letter sent to him by the secretary. Pharmacist Rolig was asked to explain shortages in a previous drug abuse accountability and he produced records posted from daily prescription refill logs which substantially account for the missing doses.

At approximately 11:15 o'clock A.M., Mr. Rolig departed.

The Board then entered into a general discussion of the evidence presented in the hearing in the case of Mr. Ernest Neve. After considerable discussion and review of the evidence, Mr. Seifert moved and Mrs. Alcott seconded that charges numbered 8,9,10 and 11 in the citation issued to Mr. Neve be dismissed because the Federal agent performing the investigation was unavailable for testimony. Motion passed.

Mr. Nelson moved and Mr. Quistgard seconded that Mr. Neve be found guilty of charges numbered 1,2,3,4,5,6 and 7. Motion passed.

Mr. Nelson moved and Mrs. Alcott seconded that whereas Mr. Ernest Neve is found by this Board to be guilty of charges numbered 1,2,3,4,5,6 and 7 and whereas such charges constitute unprofessional conduct in the practice of pharmacy and endangering public health, that the license to practice pharmacy previously issued to Mr. Ernest Neve be revoked effective August 1, 1968. Motion passed.

The secretary was instructed to arrange for personal service of the Notice of Revocation by the sheriff of the county in which Mr. Neve resides.

The Board discussed the 1969 summer Board examination and Mrs. Alcott moved that the examination be given on June 23 and 24, 1969. Seconded by Mr. Seifert. Motion passed.

At approximately 11:35 o'clock A.M., Pharmacist Harold Rosen appeared before the Board in response to a notice from the secretary as directed by the Board. Pharmacist Rosen was asked to respond to evidence produced by the Board that he had sold a quantity of Tetracycline without benefit of prescription. Mr. Rosen had previously been warned of his rights in matter by President Bearman and by counsel, Mr. Strong.

The Board reviewed the personal file of Mr. Rosen and that of the Humboldt Pharmacy and reminded him of the past violations. Mr. Rosen admitted to the evidence indicating that he did sell the Tetracycline in the instance reported and he was reprimanded severely by the Board for this action.

At approximately 11:55 o'clock A.M., Mr. Rosen departed.

President Bearman dismissed the Board until Friday, June 28.

At approximately 9:00 o'clock A.M., Friday, June 28, 1968, the entire Board met in its suite at the Holiday Inn-Central Hotel, Minneapolis. Also present was the Board's secretary, Mr. Paul G. Grussing.

After discussing generally the progress toward promulgation of revised Board of Pharmacy regulations, Mrs. Alcott moved and Mr. Seifert seconded that the Board set a September hearing deadline for all proposed changes to Board of Pharmacy regulations and all proposed new regulations including regulations for the practice of hospital pharmacy, further that a one-day meeting be planned for late July or early August for the purpose of discussing such proposed regulations, and that the president, vice-president, secretary, and counsel meet with Mr. Patula, Mr. Misgen and Mr. Callahan from the Hospital Advisory Committee for the purpose of preparing a draft set of hospital regulations to be considered by the Board at its next special meeting. Motion passed.

The Board then reviewed generally the examination administered earlier in the week. The vice-president and secretary were instructed to consult with Dean Weaver of the College of Pharmacy for the purposes of arranging a discussion of the Board of Pharmacy examination with the Dean and whichever faculty members he might elect to participate in the discussion.

After a discussion of the internship notebooks, Mrs. Alcott moved and Mr. Quistgard seconded that the practice of having the secretary grade the notebooks be continued and that this be accomplished at the end of each summer internship period. Further, that the secretary write a letter to each intern pointing out any deficiencies in his notebook. Motion passed.

After a discussion of the evidence produced in the investigation concerning Pharmacist Harold Rosen, Mr. Nelson moved and Mrs. Alcott seconded that the secretary be instructed to issue a letter of severe reprimand to Mr. Rosen. Motion passed.

After a discussion of the evidence produced in the meeting with Pharmacist Marvin Knutson, New Ulm, Mr. Nelson moved and Mrs. Alcott seconded that the secretary be instructed to write a letter of severe reprimand to Mr. Knutson outlining the meaning of Board Regulation No. 21. Further, that the Gibson Prescription Shop be checked for pharmacist "coverage". Motion passed.

Mr. Nelson moved and Mr. Seifert seconded that in the letter to the pharmacists called before the Board via a telephone message that the secretary refer to the Board's direction that the pharmacist be summoned before the Board via telephone. Motion passed.

After a review of the evidence in the matter of narcotic

dispensing by Pharmacist Alex H. Altshuler, Mr. Nelson moved and Mrs. Alcott seconded that the secretary issue to him a letter of reprimand. Motion passed.

Mr. Nelson moved and Mrs. Alcott seconded that the secretary write Mr. Sam Grais referring to the requirement that prescriptions for patients in nursing homes are subject to the requirements of physician refill authorization and furnishing Mr. Grais a copy of Board of Health Regulation No. 10614. Motion passed.

After reviewing the explanation furnished by Pharmacist Dean Rolig for the discrepancies in record-keeping uncovered in his pharmacy, Mrs. Alcott moved and Mr. Quistgard seconded that the secretary write Mr. Rolig indicating that it is the Board's opinion that the missing doses are substantially accounted for. Motion passed.

After thoroughly reviewing the performance of the candidates in the examination for licensure, and the qualifications of the candidates, Mrs. Alcott moved and Mr. Seifert seconded that the forty-four candidates who received a general average of 75% or better, not below 75% in the practical examination and not below 60% in any one subject, be granted registration as pharmacists. Motion passed. The list of names follows:

<u>Cert. No.</u>	<u>Name</u>
1398	Anderson, Marlene L.
1399	Anderson, Richard L.
1400	Arneson, David R.
1401	Bainbridge, Charles V.
1402	Beaulieu, John T.
1403	Brand, Barbara L.
1404	Buchholz, Karen L.
1405	Freese, Roberta G.
1406	Galland, John R.
1407	Gangness, Janice K.
1408	Harlander, Ronald S.
1409	Helgeson, David J.
1410	Higgs, Robert W.
1411	Hirschorn, Merlin H.
1412	Hunter, John D.
1413	Jacobson, Ernie J.
1414	Johnson, Vernon L.
1415	Kostick, Joseph P.
1416	Linden, James B.

<u>Cert. No.</u>	<u>Name</u>
1417	Lindow, John D.
1418	Livon, Robert J.
1419	Lovsted, Elsie M.
1420	Macko, Richard A.
1421	Nelson, Barbara M.
1422	Nord, Pamela J.
1423	Opatz, Kenneth J.
1424	Peterson, Gerald J.
1425	Poissant, Joseph A.
1426	Rogge, Diane M.
1427	Salisbury, Wade M.
1428	Saumweber, Robert J.
1429	Showalter, Sandra H.
1430	Silver, Alan A.
1431	Skartvedt, John R.
1432	Skyles, Ronald A.
1433	Slater, Larry J.
1434	Stone, Carol J.
1435	Dundin, John F.
1436	Sundt, Richard L.
1437	Sweeney, Stephen J.
1438	Thelen, Donald C.
1439	Wilner, Terry L.
1440	Zemmers, Dace
1441	Zenk, Bruce C.

After some discussion of the Korner Kut Rate Drug in Brainerd, and the involvement of Mr. Holmes F. Timmons in discrepancies in record-keeping, the secretary and counsel were instructed to meet and proceed with the issuance of a citation if in the belief of counsel the evidence would support such a citation.

After a general discussion of the Board finances the secretary was instructed to survey the laws of the other professional boards and report indicating the amount of per diem allowed for those boards.

Mr. Nelson moved and Mrs. Alcott seconded that for the next fiscal year the monthly salary rate for the secretary be established at \$1,250.00, and that the secretary be instructed to personally call on all of the licensed hospital pharmacies in the state plus any appropriate intermittent calls on other community pharmacies throughout the state. Motion passed.

The Board then discussed the possibility of a strike by pharmacists employed by Snyder's Drug Stores. Counsel and secretary were instructed to prepare the necessary investigatory and legal plans to be invoked in case the strike materializes.

The secretary reported that the applications for licenses to operate pharmacies in the Moose Lake, Sandstone (Pine County), and St. James Hospitals are now complete. Mr. Nelson moved and Mrs. Alcott seconded that licenses be granted to these pharmacies subject to physical inspection of the premises. Motion passed.

The secretary was instructed to record in the minutes the results of the June 12 memorandum poll of the Board members resulting in the following actions:

1. Credit for six months internship is to be issued to Intern William Moede.
2. A letter is to be written to Mr. Gunbhir indicating that he is not presently qualified for licensure.
3. A letter is to be written to Mr. William Wargin indicating that the Board will not accept time spent in an industrial pharmacy in lieu of compounding and dispensing time in a registered community or hospital pharmacy.
4. A letter is to be written to Mr. Robert Pickett Jr. indicating that a deficiency remains in his internship time and that he is not qualified to take the June 1968 Board.

Mr. Seifert moved and Mrs. Alcott seconded that having passed the Jurisprudence examinations and any other examination that may have been requested of them for reason, the following candidates for registration by reciprocity be granted registration on the basis of the state listed with their names. Motion passed.

The list of names and states of registration are as follows:

<u>Cert. No.</u>		<u>State</u>
1442	Anderson, Gary A.	Nebraska
1443	Berger, Maynard F.	North Dakota
1444	Breyer, Robert A.	North Dakota
1445	Davis, Marshall B.	South Dakota
1446	Irizarry, Delia	Puerto Rico

<u>Cert. No.</u>		<u>State</u>
1447	Jacoby, Michael A.	North Dakota
1448	Swanson, Kenneth M.	North Dakota
1449	Webb, Stuart G.	Iowa

Mr. Quistgard moved and Mr. Nelson seconded that all members of the Board and its secretary be named as delegates to the next meeting of District V-NABP to be held in Des Moines, Iowa.

After a review of the records indicating pharmacists who have not paid their license renewals for a period of two years (1966 & 1967), Mrs. Alcott moved and Mr. Seifert seconded that the following pharmacists and assistant pharmacists be dropped from the active records. Motion passed.

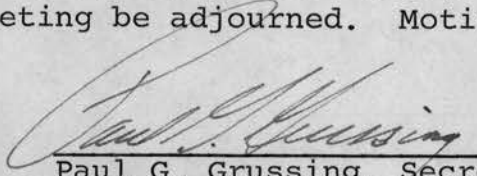
8122 - Becker, Jesse C.	4388 - Lillienskiold, A.
10114 - Beste, Donald F. Sr.	5015 - Olson, Oscar B.
4157 - Bromme, William L.	2009 - Orth, Chas. H.
9312 - Dahlquist, Vernon M.	8713 - Rieland, Inno J.
1372 - Fjeldstad, A.H.	4144 - Salisbury, D.W.
8342 - Fostvedt, Gerald (Dr.)	7920 - Sikoparija, Sophia
7053 - Freeman, R.W.	7259 - Smith, M. H.
4520 - Gardner, J.T.	8182 - Sullivan, W.J.
4158 - Gill, Theo. L.	7704 - Thomes, Loran F.
4462 - Ilk, James A.	10583 - Underhill, Barbara F.
8208 - Johnson, Ben C.	8080 - Whitehouse, Olive W.
8265 - Johnson, Raymond P.	4799 - Olson, Carl G. (Asst.)
4193 - Jorgensen, William O.	7121 - Salveson, Geo.W. (Asst.)
7163 - Koenig, Laura E.	4151 - Whitacre, John D. (Asst.)
8318 - Lieberman, Martin J.	3200 - Kurth, A. F.
8406 - Lieberman, Selma	

Mr. Seifert moved and Mr. Quistgard seconded to pay the \$25 membership dues to the District V-NABP for 1968-69. Motion passed.

The secretary was instructed to indicate to Mr. Webb in his letter reporting passage of the examination, that he should attempt to keep current with the practice of pharmacy if he indeed intends to return to active practice intermittently or permanently.

At approximately 3:15 o'clock P.M., Mr. Seifert moved and Mrs. Alcott seconded that the meeting be adjourned. Motion passed.

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Paul G. Grussing, Secretary

Max Bearman, President

MINNESOTA STATE BOARD OF PHARMACY

Four Hundred Thirty-First Meeting

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August 14, 1968. At 9:45 o'clock A.M., the Board met in Room "B" Veterans Service Building, St. Paul, for the purpose of conducting a hearing on a proposal for regulating the substance DOM as a stimulant and depressant drug under Chapter 152, Minnesota Statutes. All Board members and the secretary were present. President Bearman called the meeting to order and turned the hearing over to counsel, Mr. Strong. A duly constituted hearing was conducted and a transcript made by a court reporter. At approximately 10:10 A.M., President Bearman closed the hearing and dismissed the Board until 10:45 o'clock A.M., at the Board office.

At 10:45 o'clock A.M., President Bearman re-convened the meeting at the Board office. All members, the secretary and counsel were present. The agenda was discussed.

At 11:00 o'clock A.M., Mr. Murry C. Ewalt appeared before the Board in response to a letter sent to him by the secretary on August 7, 1968. Mr. Ewalt was requested to explain: discrepancies in record-keeping for stimulant and depressant drugs, improper security and access to the pharmacy, improper transmission of prescriptions by a nurse, non-compliance with Regulation No. 25 (7) and inadequate coverage of the pharmacy by a registered pharmacist. He produced a written report which substantially accounted for missing doses of stimulant and depressant drugs as reported by the inspectors. He has now removed all non-drug items from the pharmacy and transferred the administrator's office from the pharmacy to another part of the nursing home.

The Board warned Mr. Ewalt of the consequences of non-compliance in these areas. At approximately 11:45 A.M., Mr. Ewalt departed.

At 11:50 o'clock A.M., Mr. Keith Verthein appeared before the Board in response to a letter sent to him by the secretary on August 7, 1968. Mr. Verthein was asked to explain: the nature and scope of his manufacturing and wholesaling activities, the degree of scrutiny placed upon salvaged drugs he has purchased and dispensed and discrepancies in record-keeping for stimulant and depressant drugs. Mr. Verthein admitted refilling prescriptions without recording them according to Regulation No. 25(7). He did not explain the discrepancies in record-keeping and was instructed

to prepare a report of refills from private and welfare charge records to attempt to account for the missing drugs reported by the inspectors. At approximately 12:35 o'clock P.M., Mr. Verthein departed.

President Bearman dismissed the Board for lunch.

The Board was reconvened at 1:50 o'clock P.M.

After discussing the evidence and testimony presented at the public hearing, Mr. Nelson moved and Mr. Seifert seconded that the Board recommend to the Attorney General that the substance DOM be regulated as a stimulant and depressant drug. Motion passed.

After a discussion of the investigation of Hillcrest Nursing Home Pharmacy, Mr. Quistgard moved and Mrs. Alcott seconded that the secretary issue a letter of reprimand to Mr. Murry C. Ewalt. Motion passed.

After a review of the investigation of the Morgan Pharmacy, Mr. Quistgard moved and Mrs. Alcott seconded that the secretary be instructed to write Mr. Verthein outlining how he should prepare a report accounting for prescription refills charged but not properly recorded on the rear of the prescription, and that such report should be furnished to the secretary before the next special meeting of the Board.

After a review of the minutes of the 430th meeting, Mr. Nelson moved and Mr. Quistgard seconded that the minutes be accepted as written. Motion passed.

The Board then entered into a lengthy discussion of proposed new and modified regulations. The following proposed regulations were considered and the secretary was instructed to issue them to The Hospital Pharmacy Advisory Committee and the Minnesota State Pharmaceutical Association for comment before scheduling a Public Hearing:

Proposed Regulations 1-12, 21-25, 32-35, 38, 71-74 and 81-90.

Several existing regulations will be renumbered.

The Board discussed the provision of pharmaceutical services to small communities and hospitals and established the policy that daily service should be rendered from licensed pharmacies.

The secretary presented applications for licenses to operate the following pharmacies:

Ely Bloomenson Community Hospital Pharmacy  
328 W. Conan Street, Ely  
Lake City Hospital Pharmacy  
904 S. Lakeshore Drive, Lake City  
Chippewa County-Montevideo Hospital Pharmacy  
7th St. and Washington Ave., Montevideo  
Loretto Hospital Pharmacy  
1324 North Fifth Street, New Ulm  
Renville County Hospital Pharmacy  
300 S. 7th Street, Olivia  
St. Francis Hospital Pharmacy  
Shakopee  
Minnewaska Hospital Pharmacy  
Starbuck  
Village Square Pharmacy  
4631 Hodgson Road, St. Paul  
Brainerd Pharmacy, Inc.  
216 Kingwood, Brainerd

After a review of the applications, Mr. Nelson moved and Mr. Seifert seconded that licenses be issued to the following applicants, subject to inspection:

Ely Bloomenson Community Hospital Pharmacy, Ely  
Lake City Hospital Pharmacy, Lake City  
Chippewa County-Montevideo Hospital Pharmacy, Montevideo  
Loretto Hospital Pharmacy, New Ulm  
Renville County Hospital Pharmacy, Olivia  
St. Francis Hospital Pharmacy, Shakopee  
Minnewaska Hospital Pharmacy, Starbuck  
Village Square Pharmacy, 4631 Hodgson Road, St. Paul

Motion passed.

Mr. Quistgard moved and Mr. Nelson seconded that the application from Mr. Holmes Timmons for Brainerd Pharmacy Inc., be denied because it fails to comply with Regulation No. 14. Motion passed.

The Board discussed the presence of an excessive quantity of Prinadol stored in the Wayzata Pharmacy for legal dispensing to a bona fide patient. No action was taken in excess of a letter already written to the pharmacist-in-charge, Mr. Connelly, by the secretary.

The secretary reported on the voluntary surrender of various stimulant and depressant drugs by Mr. Erwin Yaeger, Sanborn. Mr. Yaeger had closed his pharmacy and continued to purchase and dispense a few prescriptions without benefit of a pharmacy license. No additional action was taken.

The secretary reported on the closing of Sharretts Raymond Avenue Pharmacy, St. Paul, relating that after the pharmacy was closed, legend drugs were sold on a few occasions. The secretary and president had contacted Mr. Ben Rose, former pharmacist-in-charge and urged him to remove the legend drugs from the premises and transfer them to another pharmacy.

The secretary reported on a violation of Regulation 21 by Loop Pharmacy, Inc. The violation involved a mailing to physicians and was immediately acknowledged and corrected by Mr. Jack Beugen, pharmacist-in-charge. Mr. Beugen's pharmacy was also discovered to be wholesaling drugs without benefit of a license. A license was later applied for.

The secretary reported on a violation at Leed's Drug, Anoka, Garfield Johnson, pharmacist-in-charge, involving compounding and dispensing by a non-registered person. The secretary was instructed to write Mr. Johnson and Mr. Gaw relating the seriousness of the violation.

The secretary related the practice of Dr. Austin, D.D.S., of stamping the name of Lillis Drug on all prescriptions he issues. This practice effectively circumvents the intent of Regulation 23. Mr. Frank Windisch, pharmacist-in-charge, will request the dentist to refrain from this unethical practice.

The Board re-affirmed its policy established by a poll of members, that invoices for stimulant and depressant drugs may be filed in a central pharmacy of a multi-pharmacy organization provided the records are maintained separately for each pharmacy and are readily available for inspection in a Minnesota pharmacy.


The Board also re-affirmed its policy established by a poll of the members that in the case of married females, duplicate licenses may be issued in their married name upon request and surrender of the license issued in the pharmacists' maiden name.

The secretary related that a wholesale license had been issued to the Dofs Pharmacal Company and that firms selling drugs to persons or firms other than the ultimate consumer would be candidates for licensure as drug wholesalers. Pharmacies

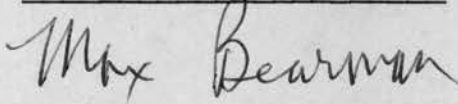
selling intermittent and incidental quantities of drugs to physicians for administration in the course of their practice would not be considered for licensure according to established Board policy and practice.

At approximately 5:45 o'clock P.M., President Bearman adjourned the meeting.

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Paul G. Grussing, Secretary

Max Bearman, President



MINNESOTA STATE BOARD OF PHARMACY

Four Hundred Thirty - Second Meeting

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September 25, 1968. At approximately 4:45 o'clock P.M., President Max Bearman called the meeting to order at the Board's rooms in the Holiday Inn-South Motel, Des Moines, Iowa. The Board scheduled this special meeting in connection with the District V meeting of the NABP. The following members were in attendance: President Max Bearman, Vice President Kitty Alcott and Mr. John E. Quistgard. Also in attendance was the Board's secretary, Mr. Paul G. Grussing.

After a review of the minutes Mr. Quistgard moved and Mrs. Alcott seconded that the minutes of the 431st meeting be approved as written. Motion passed.

The secretary presented applications for licenses to operate a pharmacy for the following applicants:

Shopper's City Drug Company, Inc., 4308 Central Avenue  
N.E., Minneapolis,  
Watertown Community Hospital Pharmacy  
Waconia Ridgeview Hospital Pharmacy.

The applications were described as being in order and Mrs. Alcott moved followed by a second by Mr. Quistgard that the licenses to operate pharmacies for these applicants be approved pending physical inspection and approval of the premises by an agent of the Board. Motion passed.

The secretary then explained several violations indicating that scheduling "call-ins" for these violations for the September 27 meeting was not contemplated because of the combined length of the meeting together with the District V - NABP meeting. He described a violation of Regulation No. 21 by the Valu Drugs, Inc., of Red Wing, a similar violation by the Merwin Drug Company of 700 Broadway, Minneapolis, and another violation of Regulation No. 21 by the Walgreen Drug Company of 8308 Highway 7, Knollwood. The secretary was instructed to schedule call-ins for the pharmacists-in charge of these three pharmacies during the Board's next special meeting.

The secretary described a report prepared by Pharmacist Keith Verthein in response to the instructions from the Board concerning certain deficiencies in stimulant and depressant drugs discovered during a meeting with Mr. Verthein and during an inspection of his pharmacy. Mr. Verthein's report substantially accounts for the missing doses and it is presumed he neglected to properly record refills of certain medications upon the rear of prescriptions. The secretary was instructed to run another accountability examination in Verthein's Pharmacy in approximately six months but not to notify Verthein in advance of the accountability. A letter is to be written to Verthein reminding him of the record-keeping requirements and acknowledging receipt of his explanation for the discrepancy.

The secretary read a letter from Dr. Hugh F. Kabat, Associate Professor of Pharmaceutics, College of Pharmacy, U of M, Minneapolis, indicating that three candidates concurrently involved in academic work leading to an M.S. degree in hospital pharmacy are not graduates of colleges of pharmacy approved by the American Council on Pharmaceutical Education. It is likely that these candidates will return to their native countries and will never actively pursue an undergraduate degree here for the purposes of practice. It would thus be impossible to grant an internship card to these three individuals. The Board also discussed the status of graduates of ACPE accredited schools who are not licensed to practice in Minnesota but who are participating in the residency program in hospital pharmacy. Mr. Quistgard moved and Mrs. Alcott seconded that the following guidelines be applied to candidates for the M.S. in hospital pharmacy who are currently undergoing a residency program.

1. Graduates of ACPE accredited schools shall be required to:
  - (a) Register as an intern and complete internship as a requirement for licensure or,
  - (b) if registered in another state, register as an intern until the candidate may elect to become registered in Minnesota either by examination or by reciprocity.
2. Graduates of foreign schools who plan to practice in Minnesota should be encouraged to make progress toward completion of the B.S. degree in pharmacy and should be encouraged to register as pharmacist-interns. Graduates of foreign schools who do not plan to practice in Minnesota after their residency program should not be required to register as interns provided the College of Pharmacy notifies the Board office of the individuals concerned, their place of original licensure, the pharmacy in which

they are obtaining their residency practice and their registered pharmacist preceptor. It is understood that the practice of pharmacy by these persons will be in connection with their official residency program only.

Motion passed. The secretary is to so notify the University of Minnesota College of Pharmacy and to write the graduate of foreign schools indicating that their practice in Minnesota is limited to the official residency program only.

President Bearman then dismissed the Board until 9:30 o'clock A.M., Friday, September 27.

September 27, 1968. At 8:00 o'clock A.M., the following candidates appeared at the Board office for the purposes of writing an examination in pharmaceutical jurisprudence as a condition to obtaining licensure by reciprocity.

Buchholz, Dennis J. -----	North Dakota
Johnson, Lola R. (Mrs.)-----	South Dakota
McClannahan, William G.-----	Iowa
Miller, Richard J. -----	Nebraska
Mueller, Richard C.-----	Wisconsin
Staba, Joyce E. (Mrs.)-----	Connecticut
Todd, Susan H. -----	Iowa
Wall, Robert F.-----	Wisconsin

The examination was administered and monitored by the secretary who turned the examinations over to President Bearman who is responsible for the jurisprudence examination.

At 9:30 o'clock A.M., President Bearman called the Board to order. Members in attendance were: President Bearman, Vice President Alcott, Mr. Ben J. Seifert, Mr. John H. Nelson and Mr. J. E. Quistgard. Also in attendance were the Board's secretary, Mr. Grussing and counsel, Mr. Harry Strong Jr. President Bearman turned the meeting over to counsel, Mr. Strong, who reviewed some suggested changes in the Board's proposed regulations as they were discussed by Mr. Truhn from the office of the Attorney General. Mr. Nelson moved and Mrs. Alcott seconded that present Regulations No. 14, 15 and 16 not be renumbered for inclusion in the proposed new and recodified regulations. Motion passed.

Mr. Quistgard moved and Mr. Nelson seconded that the Board approve for consideration at a public hearing the revised

and new regulations as discussed by Counsel Strong and that such approved regulations be made a part of the minutes of this meeting. Motion passed.

Mr. Quistgard then moved the following resolution, duly seconded by Mr. Nelson and passed unanimously:

"RESOLVED, That the Regulations attached hereto, marked Exhibit A and made a part hereof, be and hereby are approved as to form for submission at a duly called public hearing, and

BE IT FURTHER RESOLVED, That it is the intention of this Board that the said Regulations set forth in Exhibit A are a complete revision of all of the Regulations of the State Board of Pharmacy and that, unless provided to the contrary in said Exhibit A, all past Regulations of the State Board of Pharmacy are to be repealed, and

BE IT FURTHER RESOLVED, That Paul G. Grussing, Secretary of the State Board of Pharmacy, be and hereby is authorized to call a public hearing for the purpose of promulgating the Regulations set forth in said Exhibit A as well as perform any and all acts incidental thereto, including but not limited to signing an Order for Hearing and Notice of Hearing, and

BE IT FURTHER RESOLVED, That Harry P. Strong, Jr., General Counsel of the State Board of Pharmacy, be and hereby is appointed to act as the presiding officer at the said hearing."

Mr. Quistgard then moved and Mr. Nelson seconded that the secretary be directed to prepare an Order for Hearing and a Certificate of Board's authorizing Resolution and to otherwise proceed with the public hearing to be scheduled at 9:00 A.M., November 13, 1968. Motion passed.

At 11:30 o'clock A.M., the candidates for licensure by reciprocity appeared before the Board to respond to questions in an oral examination. The oral examinations were concluded at approximately 12:45 o'clock P.M.

The secretary presented applications for licenses to operate pharmacies presented by:

Sandstrom's Inc., Walker, Minnesota,  
Walgreen Company, Mankato, Minnesota,  
Mattson Pharmacy, Roseau, Minnesota.

Mr. Nelson moved and Mr. Seifert seconded that the application for a license to operate a pharmacy requested by Mattson Pharmacy, Roseau, be granted subject to physical inspection of the premises. Motion passed.

Mr. Nelson moved and Mrs. Alcott seconded that the application for a license to operate a pharmacy requested by the Walgreen Company, Mankato, be approved subject to physical inspection. Motion passed.

After a discussion of the application to operate a pharmacy in Walker, Minnesota, submitted by Sandstrom's Inc., Mr. Seifert moved and Mr. Nelson seconded that the license be denied on the basis that the sketch submitted with the application does not propose one continuous drug area which shall be used exclusively for the display, sale, compounding and dispensing of drugs. Motion passed. The secretary was instructed to write the pharmacist-in-charge reminding him that the location of a door between the two separate drug areas should be corrected to be brought into compliance.

The secretary distributed a suggested list of legislative objectives based upon problems encountered by the Board based on the current Statute. It was suggested that the secretary and counsel meet with the Executive Secretary of the MSPhA and its counsel for the purpose of drafting proposed legislation.

After discussing the subject of pharmacy internship, Mrs. Alcott moved and Mr. Nelson seconded that the president appoint a tripartite committee to study existing laws, regulations and practices concerning internship and make recommendations to the Board for modification of the existing internship program. Such committee is to be composed of one member from the Minnesota State Pharmaceutical Association, one from the College of Pharmacy and one from the Board, all to be appointed by the president. Motion passed.

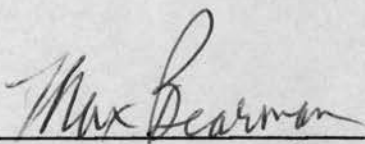
The secretary reported that pharmacies in Wanamingo and Good Thunder, Minnesota, are currently operating without benefit of a license having been reminded for the third time that their 1967-68 pharmacy license had expired. The secretary was instructed to write a letter to all licensed wholesalers and manufacturers indicating that these pharmacies no longer hold a valid license to practice and, therefore, to order and receive drugs.

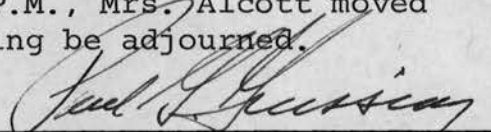
President Bearman reported that grading of the written jurisprudence examinations had been completed and the Board considered the grades together with the grades during the oral examinations. Mr. Seifert moved and Mrs. Alcott seconded that having passed the jurisprudence examination and any other examination requested of them for reason, the following candidates for registration by reciprocity be granted registration on the basis of the state listed with their names. Motion carried. The list of names and states of registration as follows:

<u>Cert. No.</u>		<u>State</u>
1450	Buchholz, Dennis J.	North Dakota
1451	Johnson, Lola R. (Mrs.)	South Dakota
1452	McClannahan, William G.	Iowa
1453	Miller, Richard J.	Nebraska
1454	Mueller, Richard C.	Wisconsin
1455	Staba, Joyce E. (Mrs.)	Connecticut
1456	Todd, Susan H.	Iowa
1457	Wall, Robert F.	Wisconsin

At approximately 2:15 o'clock P.M., Mrs. Alcott moved and Mr. Nelson seconded that the meeting be adjourned.

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Max Bearman, President

  
Paul G. Grussing, Secretary

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## PHARMACIES

### Regulation 1

#### PHARMACY DEFINED

The term "Pharmacy" means a drug store or other established place regularly registered by the State Board of Pharmacy, in which prescriptions, drugs, medicines, chemicals and poisons are compounded, dispensed, vended or sold at retail and shall also mean an owner thereof, whether said owner is a sole proprietor, partnership, association, corporation or otherwise.

### Regulation 2

#### LICENSE REQUIRED

No person shall conduct a pharmacy in the State of Minnesota unless it is licensed and registered by the State Board of Pharmacy. A fee, set by the Board but not to exceed that prescribed by statute, shall be charged for each license and registration.

### Regulation 3

#### FORM OF APPLICATION AND LICENSE

Applications for the licensing and registration and renewal thereof of a pharmacy shall be on such form or forms as the State Board of Pharmacy may from time to time prescribe and the license and registration of such pharmacy shall be issued by the State Board of Pharmacy in such form as it may from time to time prescribe.

Each license registers the pharmacy for which application for licensing and registration was made, but shall be issued only in the name of its registered pharmacist-in-charge who shall be designated in the application for the pharmacy license and each renewal thereof.

### Regulation 4

#### LICENSES, ANNUAL REGISTRATION DATE AND FEES

Each pharmacy license shall expire on June 30 of each year and shall be renewed annually by filing an application therefore, on or before June 1 of each year, together with a fee set by the Board but not to exceed that prescribed by statute.

## Regulation 5

### POSTING OF LICENSE

Each pharmacy license shall be posted in a conspicuous place at the place of business of each pharmacy.

## Regulation 6

### SEPARATE LICENSE REQUIRED

A separate license shall be required for each pharmacy and is not transferable. The following shall be deemed a transfer:

- a. The sale of a pharmacy,
- b. The addition of one or more partners in a pharmacy partnership,
- c. The change of ownership of 30% or more of the voting stock of a corporation pharmacy since the issuance of the license or the last renewal thereof. This shall not apply to publicly owned corporations, the stock of which are actively traded on any national or local stock exchange.

A licensed pharmacy in a hospital may utilize additional locations within the hospital without the necessity of securing additional licenses, provided, however, that the pharmacist-in-charge of any such hospital pharmacy shall designate another licensed pharmacist to assume professional responsibility, in accordance with Regulation 21, for the practice of pharmacy in each such additional location.

## Regulation 7

### ACCESS, SPACE AND SECURITY REQUIREMENTS

No person shall be issued a license to operate a pharmacy unless such pharmacy:

- (1) has an entrance which affords the public reasonable access to the pharmacy,
- (2) contains more than 400 and less than 10,000 square feet,
- (3) contains only one floor level devoted to the compounding, dispensing or sale of drugs,
- (4) is surrounded by a continuous partition or wall extending from floor to ceiling, which wall shall contain doors capable of being securely locked to prevent entry when the pharmacy is closed.

#### Regulation 7 (continued)

In the interest of public health the Board may waive any of these provisions for pharmacies located in hospitals. Any pharmacy, except a pharmacy located in a hospital, which has been granted a license prior to the effective date hereof and which does not comply with one or more of the requirements set forth in Subdivision (1) through (4) above, shall be given one year from the date hereof to comply therewith. Noncompliance by such pharmacies within said stated period of time shall be deemed to be conducting a pharmacy without license and registration.

#### Regulation 8

##### CHANGE IN LOCATION, DIMENSION, OR SECURITY

Before a duly licensed and registered pharmacy changes the location of its business or its physical dimensions or elements of physical security, it shall first submit to the State Board of Pharmacy a new application for a license and registration setting forth such changes, and shall submit therewith the information and documents required in an initial application for license and registration. The State Board of Pharmacy shall grant such license unless the said changes do not comply with other provisions of these rules and regulations. If the State Board of Pharmacy approves such application, no additional charge shall be made for such new license.

#### Regulation 9

##### QUALIFICATIONS OF APPLICANT

The State Board of Pharmacy may refuse to issue a pharmacy license when the sole proprietor, partnership or member of the partnership, association, corporation or officer, director or shareholder owning 30% or more of the voting stock of such corporation:

- a. Has submitted an application for such license containing fraudulent, deceptive or untrue statements or documents in connection therewith,
- b. Has been convicted in any Court of a felony,
- c. Has been convicted in any Court of an offense involving moral turpitude,
- d. Habitually indulges in the use of narcotics, stimulant or depressant drugs; or habitually indulges in intoxicating liquors in a manner which could cause incompetency in the practice of pharmacy,

### Regulation 9 (continued)

- e. Has owned or operated other pharmacies in such a manner as would establish to the satisfaction of the State Board of Pharmacy a pattern of willful and purposeful violation of the applicable laws and regulations or acts inconsistent with accepted professional standards of conduct and practice,
- f. Has been convicted of theft of drugs or the unauthorized use, possession or sale thereof,
- g. Has had his pharmacist license, or a pharmacy license, revoked under Minnesota Statutes, Section 151.06, Subdivision (6), or 151.20.

### Regulation 10

#### PHARMACIST ON DUTY

Each pharmacy shall have at least one registered pharmacist on duty and physically present at its location at all times that the pharmacy is open for the transaction of business.

### Regulation 11

#### MINIMUM EQUIPMENT REQUIRED IN PHARMACIES

Each pharmacy must have on file the latest edition or revision of at least two of the following references:

- a. U.S. Pharmacopeia
- b. National Formulary
- c. U.S. Dispensatory
- d. Remington's Pharmaceutical Sciences
- e. American Hospital Formulary Service
- f. Physician's Desk Reference
- g. Facts and Comparisons
- h. Merck Manual
- i. Pharmindex
- j. The Pharmacological Basis to Therapeutics
- k. An equivalent reference approved by the Board in writing

In addition, each pharmacy must also have the following minimum equipment:

- a. One prescription balance, class "A" as specified in regulations of the Department of Weights and Measures.
- b. One set of accurate Apothecary weights 1/2 grain to two drams.
- c. One set of accurate Metric weights from 50 mg. to 20 Gm.

Regulation 11 (continued)

- d. Counter scale and weights.
- e. Graduates---capable of accurately measuring volumes from one minim to at least one pint; and from lcc. to at least 500cc.
- f. Mortars and Pestles---at least one 2 oz.; at least one 8 oz.; and at least one pint size.
- g. Spatulas---stainless steel, at least three assorted sizes; and one non-metallic medium size.
- h. Funnels---glass, one 2 oz.; one 8 oz.; one 16 oz.
- i. Stirring rods---at least one each, glass and rubber.
- j. Heating apparatus.
- k. One prescription counter with sufficient drawers and storage space.
- l. Suitable refrigeration.
- m. Narcotic drug locker or safe.
- n. Proper sanitary conditions must be maintained and must contain plumbing (sanitary), sink with running water and towels.

Regulation 12

SALE OF DRUGS RESTRICTED FOR LIMITED AREA UNDER SUPERVISION

Present regulation number 18 is re-numbered as number 12.

Regulation 13

SELF-SERVICE OF DRUGS

Present regulation number 19 is re-numbered as number 13.

## PHARMACISTS

### Regulation 21

#### PHARMACIST-IN-CHARGE, DEFINITION AND DUTIES

The term "Pharmacist-in-Charge" means a duly licensed pharmacist in the State of Minnesota who has been designated pharmacist-in-charge pursuant to Regulation 3 or Regulation 23, and it shall be his duty and responsibility consistent with the accepted standards of professional conduct and practice and in compliance with all applicable laws and regulations:

- a. To establish for the employees of the pharmacy, policies and procedures for the procurement, storage, compounding and dispensing of drugs,
- b. To supervise all of the professional employees of the pharmacy,
- c. To supervise all of the non-professional employees of the pharmacy in so far as their duties relate to the sale and/or storage of drugs,
- d. To establish and supervise the method and manner for the storing and safekeeping of drugs,
- e. To establish and supervise the record keeping system for the purchase, sale, possession, storage, safekeeping and return of drugs,
- f. To notify the Board immediately upon his knowledge that his services as pharmacist-in-charge have been or will be terminated.

### Regulation 22

#### PHARMACIST-IN-CHARGE, MORE THAN ONE LOCATION

No pharmacist shall be designated pharmacist-in-charge of more than one pharmacy. In the interest of public health the Board may waive this requirement for a pharmacy located in a hospital.

### Regulation 23

#### PHARMACIST-IN-CHARGE, TERMINATION OF SERVICE

Each pharmacy shall notify the State Board of Pharmacy immediately upon knowledge of the termination of the services of the pharmacist-in-charge and further, shall immediately designate a successor pharmacist-in-charge and immediately notify the State Board of Pharmacy of such designation. The State Board of Pharmacy upon receiving such notice shall furnish

### Regulation 23 (continued)

the successor pharmacist-in-charge such form or forms as it may from time to time prescribe which form or forms must be completed by the successor pharmacist-in-charge and filed with the State Board of Pharmacy within 10 days after receipt thereof. The failure to designate a successor pharmacist-in-charge, and notify the State Board of Pharmacy of such designation shall be deemed to be operating a pharmacy without a license.

### Regulation 24

#### NOTIFICATION OF CHANGE OF BUSINESS OR RESIDENCE ADDRESS

Each pharmacist, assistant pharmacist, and registered pharmacist-intern shall notify the Board of Pharmacy immediately of any change in location of his employment or any change of his residence address.

### Regulation 25

#### POSTING OF LICENSE

Each pharmacist shall post his license or renewal thereof in a conspicuous place in the pharmacy location in which he is practicing his profession.

#### PROFESSIONAL PRACTICE

### Regulation 31

#### VENDING MACHINES

Present regulation number 22 is re-numbered as 31.

### Regulation 32

#### RETURN OF DRUGS AND DEVICES PROHIBITED

Pharmacists and pharmacies are prohibited from accepting for reuse, reissue or resale any drugs, medicines, chemicals, poisons or devices; except that in a hospital with a licensed pharmacy, drugs, devices or other items may be returned to the pharmacy for disposition by the pharmacist-in-charge in accordance with good professional practice. A pharmacist may accept for reuse, resale or re-rental a medical device provided that proper sanitary procedures are used prior to the reuse, resale or re-rental thereof.

Regulation 33

MAIL ORDER SALE

Present regulation number 20 is re-numbered as number 33.

Regulation 34

PRESCRIPTION BLANKS

No licensed pharmacy, or pharmacist, shall accept, furnish, or cause to be furnished to any practitioner authorized by law to prescribe drugs and medicines, prescription blanks referring to any specific licensed pharmacy or pharmacist in any manner whatsoever. No licensed pharmacy, or pharmacist shall actively or passively participate in any arrangement or agreement whereby prescriptions are prepared, written or issued in a manner which refers to a specific pharmacy or pharmacist.

Regulation 35

ACCEPTANCE OF PRESCRIPTION ORDER AND DISTRIBUTION OF PRESCRIPTION MEDICATION

Present regulation number 24 is re-numbered as number 35.

Regulation 36

COMPOUNDING AND DISPENSING

Present regulation number 25 is re-numbered as number 36.

Regulation 37

UNPROFESSIONAL CONDUCT

Unprofessional conduct shall include, but is not limited to, the following acts of a pharmacist or pharmacy:

- (1) The assertion or inference in a public manner of professional superiority in the practice of pharmacy,
- (2) The publication or circulation of false, misleading or otherwise deceptive statements concerning the practice of pharmacy,
- (3) Refusing to compound and dispense prescriptions which may reasonably be expected to be compounded or dispensed in pharmacies by pharmacists,

Regulation 37 (continued)

- (4) Participation in agreements or arrangements with any person, corporation, partnership, association, firm, or others involving rebates, "kickbacks", fee-splitting, or special charges in exchange for professional pharmaceutical services,
- (5) Discriminating in any manner between patients or groups of patients,
- (6) Refusing to consult with patrons or patients concerning contents, therapeutic values and uses of non-prescription drugs, chemicals or poisons,
- (7) Requiring an individual to be a member of any organization, association or other group as a condition for obtaining the professional services of a pharmacist,
- (8) The violation of any law, rule, regulation or ordinance of the State or any of its political subdivisions, including the State Board of Pharmacy, or the United States government or any agency thereof relating to the practice of pharmacy.
- (9) Divulging or revealing to others the nature of professional pharmaceutical services rendered to a patient without his expressed consent orally or in writing. This shall not prevent pharmacies from providing information copies of prescriptions to other pharmacies or to the person to whom the prescription was issued and shall not prevent pharmacists from providing drug therapy information to physicians for their patients.
- (10) Participation in Institutional Drug Distribution as a consultant without providing pharmaceutical services in accordance with accepted principles of pharmacy practice and in compliance with Federal and State laws or regulations.
- (11) The public promotion, direct or indirect, including but not limited to advertisement through any of the media of drugs requiring a prescription, narcotics, depressants or stimulants is hereby declared to be an act of unprofessional conduct by a pharmacist causing such public promotion or by the pharmacist-in-charge of a pharmacy engaged in such public promotion. The reference in any advertisement in any media or other means of price, percentile of prices or by the use of the terms "cut rate", "discount", "bargain" or terms of a similar connotation in connection with drugs requiring a prescription, narcotics, depressants or stimulants or for pharmaceutical services related thereto shall be included within the meaning of public promotion.

### Regulation 38

#### PRE-PACKAGING

Pharmacies may ~~pre-package~~ and label drugs in convenient quantities for subsequent complete labeling and dispensing. Such drugs shall be pre-packaged by or under the direct supervision of a pharmacist. The supervising pharmacist shall cause to be prepared a packaging control record containing the following information:

- a. Date
- b. Identification of drug
  1. Name
  2. Dosage form
  3. Manufacturer
  4. Manufacturer's lot number
  5. Strength
  6. Expiration date (if any)
- c. Container specification
- d. Copy of the label
- e. Initials of the packager
- f. Initials of the supervising pharmacist
- g. Quantity per container
- h. Internal control number or date

Each prepackaged container shall bear a label containing the following information:

- a. Name
- b. Dosage form
- c. Strength
- d. Quantity per container
- e. Internal control number or date
- f. Expiration date (if any)
- g. Auxiliary instructional labels, as needed.

### Regulation 39

#### BULK COMPOUNDING

For each drug product compounded in bulk quantities, a master formula record shall be prepared containing the following:

- a. Name of the product
- b. Specimen or copy of label
- c. List of ingredients, quantities and lot numbers
- d. Description of container used
- e. Compounding instructions, procedures and specifications.

### Regulation 39 (continued)

For each batch of drug product compounded, a production record shall be prepared containing the following information:

- a. A copy of the information on the master formula record.
- b. Records of each step in the compounding process including:
  - 1. Dates
  - 2. Identification of ingredients
  - 3. Quantities of ingredients used
  - 4. Initials of person preparing each process
  - 5. Initials of pharmacist supervising each process
- c. A batch number
- d. Total yield

For each batch of drug product compounded, labels shall be prepared and affixed to each container containing the following information:

- a. Identifying name or formula
- b. Dosage form
- c. Strength
- d. Quantity per container
- e. Internal control number or date
- f. Expiration date (if any)
- g. Auxiliary instructional labels, as needed

### Regulation 40

#### PRESCRIPTION LABELING

All drugs dispensed by a pharmacy pursuant to a prescription shall be labeled with the following information:

- a. Patient's name
- b. Prescription number
- c. Directions for use
- d. Name of prescribing physician
- e. Name of drug if specified by prescriber
- f. Auxiliary labels, as needed
- g. For narcotic drugs:
  - 1. Address of patient
  - 2. Address and registry number of prescriber
  - 3. Address and registry number of pharmacy
- h. Name of pharmacy

## PROHIBITED DRUGS

### Regulation 51

#### DEPRESSANT AND STIMULANT DRUGS

The following drugs and substances are hereby defined as having a potential for abuse and are injurious to health because of their depressant or stimulant effects upon the central nervous system or their hallucinogenic effects and are, therefore, subject to the provisions of Minnesota Statutes, Chapter 152:

DOM (4-Methyl-2,5-dimethoxyamphetamine)

(A public hearing was held on August 14, 1968, and a transcript of that hearing filed with the office of the Attorney General and pursuant thereto the Board adopted the regulation which was filed with the Secretary of State on **OCT 4 1968**)

### Regulation 61

#### INTERNSHIP

Present regulation number 26 is re-numbered as number 61.

#### PHARMACEUTICAL SERVICES TO PATIENTS IN NURSING HOMES AND BOARDING CARE HOMES

The provisions of Regulations 71 through 80 are applicable to pharmaceutical services provided to patients in nursing homes and boarding care homes, provided however, that Regulations 1 through 70 shall also be applicable to such pharmaceutical services, unless specifically exempted by Regulations 71 through 80 or are in direct conflict therewith, in which case Regulations 71 through 80 shall apply.

## Regulation 71

### PRESCRIPTION ORDER COMMUNICATION

Pharmacies and pharmacists are prohibited from dispensing or refilling prescriptions based on communication from any employee or agent of a nursing home or boarding care home unless such communication is from the practitioner licensed to prescribe drugs or from the practitioner through his agent at his primary place of practice. A facsimile copy of the prescriber's medication order may be accepted and filed as a prescription by the pharmacy.

## Regulation 72

### PRESCRIPTION LABELING

All prescription containers shall be properly labeled with the following information:

- a. Name of patient
- b. Address of patient (Narcotic Drugs only)
- c. Physician's name
- d. Name of drug
- e. Directions for use
- f. Quantity of drug
- g. Potency of drug
- h. Prescription number
- i. Date of original issue or in the case of a refill the most recent date thereof
- j. Name of pharmacy
- k. Address of pharmacy
- l. Telephone number of pharmacy
- m. Expiration date when applicable

## Regulation 73

### LABELING OF INSULIN

Insulin, if sold without a prescription shall be dispensed with a label showing the patient's full name and expiration date of the drug.

## Regulation 74

### DRUGS FOR USE IN EMERGENCY KITS

Pharmacies may dispense upon written or oral order from a practitioner licensed to prescribe drugs, limited supplies of drugs for use in an emergency kit maintained by the physician in compliance with Board of Health Regulations.

### PHARMACEUTICAL SERVICES TO PATIENTS IN HOSPITALS

The provisions of Regulations 81 through 100 are applicable to pharmaceutical services provided to patients in hospitals, provided however, that Regulations 1 through 70 shall also be applicable to such pharmaceutical services, unless specifically exempted by Regulations 81 through 100 or are in direct conflict therewith, in which case Regulations 81 through 100 shall apply.

### FUNCTIONS OF THE HOSPITAL PHARMACY

In the interest of good patient care, the functions of the hospital pharmacy include, but are not limited to the following:

1. Procurement, manufacture, identification, security, storage, record keeping, compounding, and dispensing of all drugs in compliance with Federal and State laws and regulations.
2. Inspection of drugs throughout the hospital for evidence of proper storage, labeling, potency and use.
3. Provisions for product information and drug education service.
4. Maintenance of a policy and procedure for emergency pharmaceutical services.
5. Preceptor supervision in the training of pharmacist-interns.
6. Participation in the hospital's Pharmacy and Therapeutics Committee.
7. Orientation of new professional hospital personnel in matters pertaining to pharmacy policy.

### Regulation 82

#### HOURS OF OPERATION

The hours of operation shall be sufficient to adequately provide all of the professional pharmacy services required by Regulation 81 and such services shall be provided daily and not less than six days out of each calendar week.

Regulation 83

SECURITY AND EMERGENCY ACCESS

Only a pharmacist may have access to the pharmacy except in the following situations and under the following conditions set forth below:

- a. In case of disaster the hospital administrator may allow access for purposes of emergency maintenance, disaster prevention and control, and patient safety, and he may possess a key to the pharmacy for such emergency access.
- b. For purposes of withdrawing limited doses of drugs for administration in emergencies when the pharmacy is closed, if the drugs are not available in floor or emergency drug supplies, a designated registered nurse may make emergency withdrawal of sufficient doses required by a patient until the pharmacy reopens. Only a designated registered nurse in any given shift may have emergency access.

The person withdrawing the limited doses for administration shall leave in the pharmacy, on a form developed by the pharmacy, a record of the drugs withdrawn showing:

1. The patient's name
2. The name of the drug and dose prescribed
3. Drug strength
4. The amount taken
5. The time and date
6. The signature of nurse or physician

The person withdrawing the drug shall place upon the record of withdrawal the container from which the limited doses were taken so that the withdrawal may be verified by the pharmacy.

The pharmacist-in-charge shall develop an emergency access procedure, and may pre-package drugs for emergency withdrawal provided the number of doses does not exceed the number usually required by a patient during the time the pharmacy is closed.

Regulation 84

REQUIRED RECORDS

The following records shall be filed and maintained by the pharmacy for a period of time as required by law:

- a. All records of procurement required by Federal or State laws or regulations.
- b. All drug orders, requisitions, prescriptions or other suitable forms initiated by the prescriber from which drugs are dispensed.
- c. All control records of packaging, bulk compounding or manufacturing.
- d. All records of drug recalls.

Regulation 85

AUTOMATIC STOP ORDERS

Drugs shall be dispensed for individual patients in limited quantities in compliance with the automatic stop order policy set by the medical staff.

Regulation 86

RESPONSIBILITY FOR QUALITY OF DRUGS DISPENSED

The pharmacist-in-charge shall be responsible for the quality of drugs dispensed and shall establish written procedures and records to control product specifications.

Regulation 87

PHARMACEUTICAL SERVICES TO HOSPITALS FROM OFF-PREMISES PHARMACIES

Off-premises pharmacies may compound and dispense drugs to a hospital with a drug room where drugs are stored prior to administration. In such case the pharmacy shall maintain records of all drugs dispensed, which records shall include a written authorization from a member of the medical staff of the hospital designating an agent or agents of the hospital authorized to order drugs from the off-premises pharmacy. Such dispensing shall not be considered to be drug wholesaling. The services offered to the hospital by the off-premises pharmacy shall include, but shall not be limited to, those enumerated in regulation 81.

Regulation 88

LABELING

All drugs dispensed by the pharmacy shall be labeled with the following information:

a. In-patient prescriptions:

1. Patient location
2. Name of patient
3. Date
4. Drug and dosage form
5. Strength
6. Internal control number (if prepackaged) or date
7. Number of doses dispensed
8. Auxiliary labels as needed
9. Expiration date, if any
10. Name of pharmacy

b. Labels for out-patient prescriptions shall comply with Regulation 40. Labels for out-patient non-prescription drugs shall comply with the Federal labeling regulations.

c. Floor stock:

1. Floor Designation
2. Name of drug or list of ingredients
3. Strength or amount of ingredients
4. Average dose
5. Control number
6. Expiration date, when applicable
7. Auxiliary labels as needed
8. Quantity in container

MINNESOTA STATE BOARD OF PHARMACY

Four Hundred Thirty - Third Meeting

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At 7:05 o'clock P.M., November 12, 1968 the Board met in its offices at 1965 Ford Parkway. Members in attendance were: President Max Bearman, Vice President Kitty Alcott, Mr. John H. Nelson and Mr. John E. Quistgard. Also in attendance were the Board's counsel, Mr. Harry P. Strong, Jr., and its secretary, Mr. Paul G. Grussing.

The Board reviewed the minutes of the 432nd meeting. Mrs. Alcott moved and Mr. Quistgard seconded that the minutes be approved as written except that the words "part-time" in the third line of the last paragraph on page 5 should be "tripartite". Motion passed.

President Bearman then called on Counsel to discuss the agenda for the public hearing and to review the procedures developed in the manual for public hearings furnished by the office of the Attorney General. Mr. Strong distributed copies of a procedure to be followed during the forthcoming hearing and described how this procedure was based on the manual from the office of the Attorney General. The discussion of procedures continued until approximately 8:10 o'clock P.M., when President Bearman dismissed the Board until 9:00 o'clock A.M., the next morning.

8:45 o'clock A.M., Wednesday, November 13, 1968, the Board met in Conference Room "B" of the Veterans Service Building, Capitol Complex, St. Paul, Minnesota. Members in attendance were: President Max Bearman, Vice President Kitty Alcott, Mr. John H. Nelson, Mr. John E. Quistgard, General Counsel, Mr. Strong, Jr., the Board's Secretary, Mr. Grussing, Mrs. Edna DeRubis, Assistant Secretary and Mrs. Alice Hummer.

Mr. Harry P. Strong, Jr., Hearing Officer for the Board, after noting that all interested parties had arrived, and that they had signed the speaking sheet as required by the Attorney General's manual, opened the hearing at approximately 9:10 o'clock A.M. A duly constituted hearing was held which was closed at approximately 6:00 o'clock P.M. Mr. Ben J. Seifert joined the Board before the discussion of proposed Regulation 2.

At 9:30 o'clock A.M., Thursday, November 14, 1968, President Bearman called the Board to order in its offices at 1965 Ford Parkway. The secretary reviewed the issuance of three licenses to operate pharmacies which were issued subsequent to a written poll of the Board members. Mr. Nelson moved and Mr. Seifert seconded that the minutes show the Board approval of these licenses via the written poll. The licenses were issued to:

Hanson Drug, Bloomington  
Medical Center Pharmacy, St. Louis Park  
Brainerd Pharmacy, Brainerd.

The secretary then described three applications for licenses to operate pharmacies as follows:

Community Hospital Pharmacy, Elbow Lake  
Warren Hanson, Pharmacist-in-Charge  
Madison Hospital Pharmacy, 820-3rd Ave., Madison,  
Richard Oftedahl, Pharmacist-in-Charge  
Sandstrom's Pharmacy, Walker,  
Robert H. K. Sandstrom, Pharmacist-in-Charge.

The secretary reviewed a report from the Bureau of Criminal Apprehension which indicates that there is no evidence to suspect that stimulant and depressant drugs were obtained from the Iltis Pharmacy for eventual illicit sale. No drug accountability is to be conducted at this time.

The secretary described a letter from Mrs. Ethel Blaustone Kopple, who was dropped in 1967 for non-payment of dues and who wishes reinstatement. The secretary was instructed to review her record of practice in California and if she has been in active practice within the last five years to grant reinstatement upon payment of the fee. Mr. Seifert moved and Mrs. Alcott seconded that she be reinstated subject to these conditions. Motion passed.

The secretary related a violation of Regulation 21 by the Snyder Bros. Drug of Brookdale Center, on page six of the yellow pages in the Brooklyn Center telephone directory. The secretary is to contact the pharmacist-in-charge and place a letter in his file reminding him of this violation.

The secretary described a violation of Board Regulation 21 by Pharmacist Richard Miller, Pharmacist-in-Charge of the Gibson Pharmacy in Winona. A letter is to be written to Mr. Miller reminding him of the importance of compliance with this regulation.

The secretary gave a brief financial report indicating that based on the average rate of expenditure during the first four months of the fiscal year 1968 the Board's operating balance would be consumed in late February. He also explained that in anticipation of this the pharmacist license renewal cards have already been obtained for early distribution which should be accomplished in late December rather than early February, as in past years. The amount of the renewal has been increased from \$10 to the \$15 statutory limit by the Board during a previous meeting. This increase will provide a sufficient working balance until the end of the fiscal year when it is anticipated that, based on increased legislative ceilings, the Board may also adjust the fees for pharmacy licenses and other license renewals.

The secretary described the current probationary periods of Mrs. Lynn Risch and Mrs. Alice Hummer in her new classification. Both employees are entitled to a merit increase at the time of their certification date and the secretary so recommended. Mrs. Alcott moved and Mr. Seifert seconded that as of December 10, 1968 a one-step increase to \$356.00 per month be granted to Mrs. Risch and that a one-step increase to \$450.00 a month be granted to Mrs. Hummer. Motion passed.

At approximately 11:05 o'clock A.M., Pharmacist John Arnold met with the Board in response to a letter sent to him by the secretary on November 5, 1968. Mr. Arnold had previously been scheduled to appear before the Board at 4:00 P.M., November 14. President Bearman explained the nature of the meeting and informed Mr. Arnold of his legal rights during the discussion. The importance of maintaining proper security around the pharmacy next to the other commercial establishment owned by Mr. Arnold was made clear by President Bearman. Mr. Arnold indicated to the Board that within 30 days he would open an alternate door to the store-room previously entered indirectly through the uncovered pharmacy.

At approximately 11:20 o'clock A.M., Mr. Arnold departed. Mr. Seifert moved and Mr. Nelson seconded that the secretary be instructed to write a letter of reprimand to Mr. Arnold indicating that improved security would be expected within 30 days and that a sign bearing the word "prescriptions" should be removed from the area which is no longer licensed as a pharmacy.

At approximately 1:35 o'clock P.M., Pharmacist James V. French appeared before the Board. Mr. French was accompanied by Mr. Elliot Kaplan, Attorney at Law. Mr. French was requested by the Board's secretary to appear to explain certain deficiencies in record-keeping of stimulant and depressant drugs. Counsel,

Mr. Strong, explained the procedures of the informal hearing and also reminded Mr. French of his legal rights during the hearing proceedings. Mrs. Edna DeRubis, Assistant Secretary, assisted the secretary in the recording of certain testimony.

Mr. French and his attorney, Mr. Kaplan, offered reasons for the discrepancies and provided material to the Board in evidence to support these reasons. After thoroughly questioning Mr. French in this matter President Bearman indicated that the investigation would remain open, that the hearing would be continued and the secretary was instructed to write a letter to Mr. French outlining to him how he might post refill information from family record cards to the rear of the prescription and how this information might be used to partially account for missing doses of stimulant and depressant drugs. This procedure was also explained to Mr. French who was informed that the Board may take final action in this matter at its January meeting and who was requested to provide a written summary of the posted refill information by January 5, 1969.

At approximately 3:15 o'clock P.M., Mr. French and Mr. Elliot Kaplan departed. The secretary was instructed to arrange for an accountability check using a beginning date of 4-1-1968 based on the records of the initial investigation.

At approximately 3:20 o'clock P.M., Pharmacist Robert D. Elliot, pharmacist-in-charge of Merwin Drug Company, 700 West Broadway, Minneapolis, entered in response to a letter sent to him by the secretary. Mr. Elliot was reminded of his legal rights in the hearing and was also reminded of four previous violations of Board Regulation 21. He was informed of the true meaning of pharmacist-in-charge and Mr. Elliot responded by offering full cooperation in compliance with this regulation in the future. President Bearman offered the services of the Board office in the interpretation of any advertising material which might be questionable.

At approximately 3:45 o'clock P.M., Mr. Elliot departed.

Inspector Earl Schlekau, who assisted the secretary in the review of evidence in the matter of the investigations, indicated that his search of required invoices from certain wholesalers revealed deficiencies in compliance with the prohibited drugs law requirement for filing of invoices for a period not to exceed three years. The secretary was instructed to bulletin all drug manufacturers and wholesalers reminding them of this requirement.

At 3:45 o'clock P.M., Pharmacist Walter H. Anderson appeared before the Board in response to a letter sent to him by the secretary. Mr. Anderson was reminded of the nature of the investigatory hearing and also of his legal rights in this procedure. Mr. Anderson admitted to two violations of Board Regulation 21 and promised full compliance with them in the future.

At approximately 4:00 o'clock P.M., Mr. Anderson departed.

Mrs. Alcott moved and Mr. Seifert seconded that the secretary be instructed to write letters of reprimand to Mr. Robert D. Elliot and Mr. Walter H. Anderson. Motion passed.

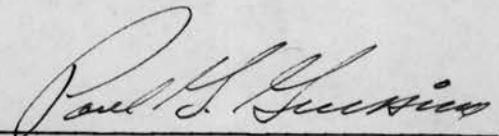
The secretary described a violation of Board Regulation 21 in connection with the Walgreen Drug at 8308 Highway 7, Mr. Leonard P. Martens, pharmacist-in-charge. He was instructed to visit with and write Mr. Martens reminding him of the need for compliance.

The Board discussed plans for the NABP District V meeting to be held in the Twin Cities in the fall of 1969. Vice President Alcott, Secretary Grussing and Dr. John McRae of the University of Minnesota, College of Pharmacy, will plan details of the meeting and coordinate with the Board and the College of Pharmacy.

After some discussion of the need for conducting a special Board meeting after the planned 20 day waiting period after the public hearing, it was agreed that a mid-December meeting might not provide sufficient time for Board members to thoroughly review all of the details of the transcript of the Board hearing together with certain material also made part of the record of the hearing. Consequently the consensus was that the final action by the Board in connection with the proposed revision and recodification of Board regulations presented at the public hearing on November 13 be accomplished during the Board's regular January meeting.

Mr. Nelson moved and Mr. Quistgard seconded that the meeting be adjourned at approximately 4:10 o'clock P.M. Motion passed.

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Paul G. Grussing, Secretary

Max Bearman, President