



Minnesota Board of Pharmacy.
Minutes.

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MINNESOTA STATE BOARD OF PHARMACY

Four Hundred - Forty-Second Meeting

January 5, 1970. At 7:30 o'clock A.M., the board at the Leamington Hotel, Minneapolis, Minnesota. Members in attendance were: Vice President Ben J. Seifert, Mr. John H. Nelson, Mr. Jack E. Quistgard, Mr. Lowell J. Anderson and Mr. Roy H. Olson. Also in attendance was the board's secretary, Mr. Paul G. Grussing.

The board met for a breakfast meeting for the purposes of election of officers and review of the agenda for the days examinations. Mr. Quistgard moved and Mr. Anderson seconded that Mr. Ben J. Seifert be elected as president of the board for the year 1970 and that Mr. John H. Nelson be elected as vice-president. The motion passed unanimously.

The board members and secretary then joined in welcoming Mr. Roy H. Olson to the board and congratulated him on his recent appointment by Governor Harold LeVander.

The board then proceeded to the University of Minnesota Campus for purposes of administering written examinations. Written examinations in the following subjects were presented at approximately 8:45 o'clock A.M., in Westbrook Hall: Pharmacology, Pharmacy, Pharmaceutical Chemistry, Pharmaceutical and Chemical Mathematics and Jurisprudence. The following individuals having fulfilled the legal requirements for examination and submitted properly executed applications were present to take the written examination.

*Ahachich, Louis J.
Beaulieu, Thomas J.
Beezley, Richard L.
Borchert, Ronald D.
Burger, Mary Cay
Cassida, Steven W.
Chan, Paulette J.
Chan, Thomas M.
Christianson, Ordean A.
Diers, William F.
Domeyer, Bruce E.
Ferrell, Richard J.
Goudge, David R.
Greenfield, Gerald J.
Hartmann, Ronald J.
Hauff, Karen J.

Jacobson, Stanley J.
Kalinoff, Louise J.
Kassekert, Vernon A.
Kelley, Michael V.
Kelley, Richard P.
Kirby, Patrick N.
Koelbl, Robert J.
Kremer, Kenneth F.
*Majerus, Thomas C.
Mandel, Myron B.
Mann, Sheldon E.
McCormick, James P.
McGuigan, Kathleen M.
McLaughlin, Michael C.
Neubert, Patricia F.
Offenhauser, Richard L.

Minn. State
Board of
Pharmacy

MINUTES OF
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MEETINGS

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Puckett, Walter W.
Raines, Gary A.
Ringold, John W.
Ruzanic, Arthur L.
Samuelson, John T.
Schmutter, Elisabeth H.
Beck, Thomas J.

Snyder, James L.
*Sunderland, Constance K.
Trezona, William G.
Williamson, Robert E.
Wolff, Leslie E.
Kusz, James A.

(*Written retake)

At 1:30 o'clock P.M., the following candidates who has submitted properly executed applications joined the candidates taking the entire written examination -- these candidates seeking registration by reciprocity wrote only the examination in Jurisprudence.

Beckman, Earl L. -----	North Dakota
Bjornson, Darrel C. -----	Illinois
Engebretson, Allen D. -----	Illinois
Gahley, John M. -----	North Dakota
Iverson, Elaine M. -----	South Dakota
Jeans, Ray T. -----	Illinois
Liddicoat, Donald E. -----	Iowa
Lucas, William -----	Pennsylvania

All members and the secretary were present for the afternoon session.

January 6, 1970. The board met at the College of Pharmacy, University of Minnesota at 8:45 o'clock A.M. All members and the board's secretary were present.

The practical examination was administered to all candidates who were present to take the entire written and practical examinations. The practical examination was completed in the afternoon, the total number of candidates taking the examination being 41.

The board members spent the entire Tuesday evening meeting session correcting the practical examination and posting grades.

January 7, 1970. (Wednesday) The board met at its offices for the purpose of examining candidates for licensure by reciprocity in the subject of Pharmaceutical Jurisprudence.

At approximately 8:20 o'clock A.M., Mr. Earl L. Beckman, a candidate for registration by reciprocity from the state of North Dakota, appeared before the board for an oral examination in Jurisprudence.

At approximately 8:40 o'clock A.M., Mr. Darrel C. Bjornson, a candidate for registration by reciprocity from the state of Illinois, appeared before the board for an oral examination in Jurisprudence.

At approximately 9:00 o'clock A.M., Mr. Allen D. Engebretson, a candidate for registration by reciprocity from the state of Illinois, appeared before the board for an oral examination in Jurisprudence.

At approximately 9:20 o'clock A.M., Mr. John M. Gahley, a candidate for registration by reciprocity from the state of North Dakota, appeared before the board for an oral examination in Jurisprudence.

At approximately 9:40 o'clock A.M., Mrs. Elaine M. Iverson, a candidate for registration by reciprocity from the state of South Dakota, appeared before the board for an oral examination in Jurisprudence.

At approximately 10:00 o'clock A.M., Mr. Ray T. Jeans, a candidate for registration by reciprocity from the state of Illinois, appeared before the board for an oral examination in Jurisprudence.

At approximately 10:20 o'clock A.M., Mr. Donald E. Liddicoat, a candidate for registration by reciprocity from the state of Iowa, appeared before the board for an oral examination in Jurisprudence.

At approximately 10:40 o'clock A.M., Mr. William Lucas, a candidate for registration by reciprocity from the state of Pennsylvania, appeared before the board for an oral examination in Jurisprudence.

At approximately 11:30 o'clock A.M., the board met in the banquet room of the Chapman Building for the purpose of presenting certain professional and regulatory topics to all of the candidates by examination and by reciprocity. The board then invited questions from the candidates and a general discussion of practice topics followed the presentation by individual board members. All board members, its secretary and all candidates then attended a luncheon sponsored by the Minnesota State Pharmaceutical Association. Mr. John H. Nelson, vice-president of the board, spoke after the luncheon on the topic of "Relationships between Practitioners and the Board in Cases of Non-compliance".

At approximately 2:00 o'clock P.M., the board met in four successive meetings with four candidates by examination who had submitted incomplete and improper pharmacy internship experience reports. The portion of the reports requiring authentication

of prescriptions compounded by the intern did not contain information indicating that the prescriptions had actually been compounded. Some of these contained fictitious names, dates, and prescription numbers. After making inquiry into the interns reasons for the deficiencies the following actions were taken by the board in motions made and passed in the presence of each intern.

Mr. Nelson moved and Mr. Quistgard seconded that Mr. Michael V. Kelley be required to show evidence of having compounded 20 new prescriptions and that this evidence be submitted to the board for review by its next meeting in approximately thirty days. Motion passed.

Mr. Quistgard then moved and Mr. Anderson seconded that if the prescriptions were properly submitted and if Mr. Kelley successfully passed the examinations that this deficiency in internship reporting and this meeting with the board not be recorded in his personal record jacket. Motion passed.

Mr. Olson moved and Mr. Anderson seconded that Mr. Richard L. Offenhauser be requested to send examples of ten prescriptions (new) compounded to the board within fifteen days for a review by the secretary. If the prescriptions are properly authenticated and if Mr. Offenhauser successfully passes the required examinations any record of deficiency in internship reporting shall be removed from his personal record jacket and he shall be notified of his successful passing of the board examinations. Motion passed. Mr. Offenhauser was informed that he may include bulk compounding in his report if proper bulk compounding records are maintained.

Mr. Nelson moved and Mr. Quistgard seconded that Mr. Vernon A. Kassekert be requested to submit examples of ten newly compounded prescriptions within fifteen days and that such prescriptions be presented to the secretary for review. If such prescriptions are properly presented and if Mr. Kassekert successfully passes the required examinations he is then to be notified by the secretary of such passage and his deficiencies in intern reporting are not to be made a part of his permanent record in his personnel jacket. Motion passed.

Mr. Olson moved and Mr. Anderson seconded that Mr. Gerald J. Greenfield be requested to furnish ⁱⁿexamples of twenty new or refill prescriptions compounded with the next fifteen days and that such examples if properly presented to the secretary be received and authenticated and if Mr. Greenfield properly passes the required examinations that he be notified of such successful passage at the end of fifteen days and that no record be made of the noted deficiencies in internship reporting. Motion passed.

The board then generally reviewed the written and oral examination grades for the various candidates for licensure by reciprocity.

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

The names of the candidates and their corresponding states of registration are listed as follows:

<u>Cert. No.</u>	<u>Name</u>	<u>State</u>
1642	Darrel C. Bjornson	Illinois
1643	Allen D. Engebretson	Illinois
1644	John M. Gahley	North Dakota
1645	Elaine M. Iverson	South Dakota
1646	Ray T. Jeans	Illinois
1647	William Lucas	Pennsylvania

Mr. Nelson moved and Mr. Anderson seconded that after a review of the application, records and examinations in the case of Mr. Earl L. Beckman, that the privilege of reciprocity be denied to him at this time. Motion passed.

Mr. Nelson moved and Mr. Quistgard seconded that after a review of the application, records and examination in the case of Mr. Donald E. Liddicoat, that the privilege of reciprocity be denied to him at this time. Motion passed.

The board then entered into executive session for purposes of considering items on its business docket. The first item of business concerned new pharmacy license applications. The board reviewed an application for a license to operate a pharmacy in Rosemount, submitted by the Snyder Bros. Drug Company. After this review Mr. Nelson moved and Mr. Anderson seconded that the license be granted subject to physical inspection of the pharmacy. Motion passed.

The board reviewed an application for a license to operate the R & S Pharmacy, Red Wing, submitted by Mr. George Klabunde. After this review Mr. Quistgard moved and Mr. Anderson seconded that the license be granted subject to physical inspection of the pharmacy. Motion passed.

The board reviewed an application for a license to operate the Morris Prescription Center, Morris, submitted by Mr. Michael A. Jacoby. Mr. Quistgard moved and Mr. Olson seconded that the license be granted subject to physical

inspection of the pharmacy. Motion passed.

After a review of the application for a license to operate a pharmacy in the Wadena Hospital - Wesley Hospital Pharmacy - submitted by Mr. Sam Phillips, Mr. Nelson moved and Mr. Anderson seconded that the license be granted pending completion of the application as outlined by the secretary and pending physical inspection of the premises. Motion passed.

The board then entered into a discussion of license applications previously submitted to the board by the Dayton Corporation. The secretary reported that he had met with Pharmacist Fred Weeks and Mr. George Harding, counsel for the Dayton Corporation, in the matter of clarifying the intent of the applications which essentially were designed to reduce the size of the Dayton Pharmacies. The discussion with Mr. Weeks and Mr. Harding included questions about the practice of pharmacy and whether the proposed new pharmacies would contain all drugs required in the practice of pharmacy, whether these drugs would be dispensed subsequent to a prescription or to a patient's request and also questions about whether or not a pharmacist would include in his practice responsibility for dispensing over-the-counter drugs or for consulting in connection with the contents, values, uses and misuses of non-prescription drugs stored outside of the pharmacy. The secretary also questioned whether or not the Dayton Company would provide assurances that the non-pharmacy area would then cease from advertising as being a pharmacy or a drug store or that it would avoid advertising that it sells drugs. The Dayton representatives indicated that they would communicate with the board in these matters.

It was noted that such a communication had not been received.

Mr. Nelson then moved and Mr. Quistgard seconded that the applications from the Dayton Corporation be tabled until correspondence from the Corporation be received amplifying and clarifying the applications. Motion passed.

The board then entered into a general discussion of internship and Mr. Anderson moved and Mr. Nelson seconded that the secretary write a letter to the preceptors related to the previously named interns outlining the responsibilities of preceptors in the internship program and indicating that the preceptors share a responsibility for proper execution of the program. Motion passed.

The secretary was instructed to communicate with the Deans of all Colleges in District V, indicating the requirements of the internship program generally and relating specifically the deficiencies which led to disciplinary action in the case of certain interns recently.

The secretary then reviewed for the board several legislative topics which might be considered in planning before the 1971 session.

It was noted that a requested increase in per diem for board members was removed from the large and lengthy amendments to the practice act during the last session. It was generally ^{agreed} that this increase should be requested in an amount equivalent to other healing arts sciences.

It was also agreed that the language of the practice act should be modified enabling board members to be reimbursed for official board business other than regular meetings.

The matter of injunctive relief was discussed and the necessity for it, particularly in connection with the prevention of marketing of adulterated or misbranded drugs.

The secretary then noted that the first draft of the proposed uniform dangerous substances act prepared by the State Commission on Uniform Drug Laws had been sent to this office by the NABP. A second draft will not be ready until approximately August. The secretary pointed out the importance of maintaining constant liaison with all law enforcement and health-science groups so that legislative planning efforts can be coordinated in a manner which produces uniform legislation in the interest of the public and allowing good medical and pharmaceutical practice.

It was generally agreed that the concept of individual licensure both by the Justice Department and by any possible future state agency is unnecessary for the purpose of controlling drugs within pharmacies by pharmacists. The current system of pharmacy licensure in the name of the pharmacist-in-charge should suffice in the opinion of the board.

The board then briefly discussed the topic of citizenship and held that it should remain a firm requirement in the practice act.

The secretary then reported on the 1969 attempts by the Medical Association to authorize non-professional persons to accomplish professional acts under supervision and related current efforts toward that end in the 1971 session.

The secretary also indicated that evidence may be mounting to suggest that the salvage drug portion of the practice act will have to be modified to require that shipments of drugs subject to fire and flood out of this state be accompanied by certificates from corresponding pharmacies or health agencies certifying as to the consumability of the distressed drug products.

The secretary then reported on surveys intended to establish whether or not certain retail pharmacies are acting as drug wholesalers. Guidelines for establishing this were discussed and incidental, informal exchange of drugs between pharmacies to meet emergency requirements are not to be considered as drug wholesaling.

The secretary reported on an investigation of the Mackwin Company, Winona, Minnesota, a licensed manufacturer of drugs. This investigation was conducted jointly by representatives of the Food and Drug Administration, the State Department of Agriculture and the Minnesota State Board of Pharmacy. Essentially the problem stems from the fact that the firm's major effort is in the packaging of insecticides and rodenticides while the same area or tangent areas within the plant are used for the manufacture of pharmaceuticals. These unrelated and incompatibilities have produced serious evidence of cross contamination of insecticides and herbicides in the drug products.

The Food and Drug Administration has proceeded with a request for an injunction to cease manufacture. Such injunction has not been granted promptly but assurances have been given that it is to be issued quite soon.

The secretary reviewed a proposal from the Leamington Hotel for providing accommodations for board members during the calendar year 1970. He was instructed to negotiate the price for such services for a more reasonable amount and to seek comparable services on a competitive basis from other hotels.

The secretary discussed NABP's plans for a second school on law enforcement for board members, secretaries and inspectors to be held somewhere in the midwest. The possibility of conducting such a school at Nolte Center for Continuing Education was discussed and rejected by the board. It was suggested that the inspectors should not attend directly but that perhaps sending one person, the secretary, would be economical since information obtained could be used in local training programs.

The board then discussed reciprocity generally and Mr. Nelson moved and Mr. Anderson seconded that the current fee of \$75 for examination by reciprocity be raised to \$100 effective

at the next quarterly reciprocity examination. Motion passed.

The board then continued its discussion on internship and recognized the need for demonstration projects or pilot programs which would measure the quality of the present internship and also demonstrate new techniques for internship training. The topic was tabled until after the February 1 meeting of the NABP internship committee. It was generally agreed that Minnesota would not be able to accept a demonstration project at this time because of the press of other board responsibilities.

The secretary demonstrated the use of a portable tape recorder which he had purchased after polling the board for their permission. Mr. Nelson moved and Mr. Anderson seconded that the records show that the board had been polled for purposes of authorizing the purchase of this machine at an expense not to exceed \$100. Motion passed.

The secretary described the problems with the old mimeograph machine now in use. Mr. Nelson moved and Mr. Quistgard seconded that the secretary be instructed to investigate and purchase on a competitive bid basis according to state procedure a new mimeograph machine suitable for use by this office. Motion passed.

The secretary reviewed the performance record of the senior inspector, Mr. Earl J. Schlekau, and also explained that the Civil Service Department will not allow a merit increase in January. It was agreed that the consideration of the merit increase for Mr. Schlekau, and other staff persons, must wait for consideration at the June meeting of the board.

The board discussed generally the advantages of obtaining unmarked cars for the inspectors and it recognized the fact that such purchase must await an Attorney General's opinion on the legality of unmarked cars for the use of this agency. The matter was tabled by the chairman until such time as an opinion is rendered.

Mr. Nelson moved and Mr. Anderson seconded that the NABP membership dues be authorized for payment by the secretary and also that all members of the board and its secretary be elected as delegates both to the annual meeting of NABP in Washington, D.C., and to the District V-NABP meeting in Winnipeg.

Mr. Anderson moved and Mr. Olson seconded that the following schedule of fees be authorized: pharmacist renewal - \$15, assist pharmacist renewal - \$3, wholesaler's annual registration - \$50, manufacturer's annual registration - \$50, annual pharmacy registration - \$35, household permit - \$5 (on a permissive basis),

examination fee - \$30, and a registration fee of \$10. Motion passed.

The board then discussed a memo from the secretary suggesting he should speak to students at the Schools of Pharmacy at both North Dakota and South Dakota, Mr. Quistgard moved and Mr. Olson seconded that such a speaking engagement should be arranged. Motion passed.

The secretary related to the board an offer by Mrs. Kitty Alcott to assist the staff of the board in monitoring the internship program by making visits to preceptors. Because of the uncertain future of standards for internship, the board instructed the secretary to contact Mrs. Alcott to find out if her offer to be of such assistance might be utilized at such time when a measurement of internship in Minnesota might be more timely and more feasible in connection with a national study.

The board then entered into a general discussion of existing board Regulation No. 12. Mr. Anderson moved and Mr. Olson seconded that a proposal to repeal Regulation No. 12 be removed from the table and that the proposal to repeal Regulation No. 12 be rescinded and that all affected interested parties and agencies be so notified. Motion passed.

After thoroughly reviewing the performance of the candidates in the examination for licensure, and the qualifications of the candidates, Mr. Nelson moved and Mr. Anderson seconded that the 40 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 the 40 names follows:

<u>Cert. No.</u>	<u>Name</u>
1602	Ahachich, Louis J.
1603	Beaulieu, Thomas J.
1604	Beck, Thomas J.
1605	Beezley, Richard L.
1606	Borchert, Ronald D.
1607	Burger, Mary Cay
1608	Cassida, Steven W.
1609	Chan, Paulette J.
1610	Chan, Thomas M.
1611	Christianson, Ordean A.
1612	Diers, William F.
1613	Domeyer, Bruce E.
1614	Goudge, David R.
1615	Greenfield, Gerald J.
1616	Hartmann, Ronald J.
1617	Hauff, Karen J.

<u>Cert. No.</u>	<u>Name</u>
1618	Jacobson, Stanley J.
1619	Kalinoff, Louise J.
1620	Kassekert, Vernon A.
1621	Kelley, Michael V.
1622	Kelley, Richard P.
1623	Kirby, Patrick N.
1624	Koelbl, Robert J.
1625	Kremer, Kenneth F.
1626	Kusz, James A.
1627	Majerus, Thomas C.
1628	Mandel, Myron B.
1629	Mann, Sheldon E.
1630	McCormick, James P.
1631	McLaughlin, Michael C.
1632	Neubert, Patricia F.
1633	Offenhauser, Richard L.
1634	Puckett, Walter W.
1635	Raines, Gary A.
1636	Ringold, John W.
1637	Samuelson, John T.
1638	Schmotter, Elisabeth H.
1639	Snyder, James L.
1640	Williamson, Robert E.
1641	Wolff, Leslie E.

Mr. Nelson moved and Mr. Anderson seconded that the secretary be instructed to continue to pay board members one day per diem for research and preparation of both the laboratory and written examinations. Motion passed.

The secretary was instructed to make payment to any board member who had prepared a practical examination in the past but had elected to use the standardized national examination.

The secretary then reviewed several items which students found objectionable in Books 3 and 4 of the pharmacy internship experience reports and also items which were criticized by the secretary. Modifications are to be made according to board instructions.

The secretary was instructed to keep pharmacy internship experience reports for approximately one year so that they can be utilized by students who wish to reciprocate to other states but so that their contents will not be copied by other interns in the future.

It was generally agreed that the practical section of the June examination would be reviewed by the board at its March or April meeting and that the following prescription topics will be assigned as shown below:

Mr. Seifert ----- a simple "count and pour preparation" with four different strength prescriptions and four different strength drugs;
Mr. Nelson ----- ophthalmic preparation with overdose and an internal liquid with overdose;
Mr. Quistgard ----- one internal liquid and another prescription of his choice;
Mr. Anderson ----- one internal liquid and one external liquid;
Mr. Olson ----- one capsule and one ointment prescription.

Each of the board members also agreed to bring an additional prescription of this category for consideration and possible substitution and use with the therapeutic incompatibility testing system.

January 8, 1970 (Thursday). 8:30 o'clock A.M. Mr. Robert J. Kenner, pharmacist-in-charge of the Snyder's Drug, Duluth, Minnesota, appeared before the board in response to a letter sent to him by the secretary on December 22, 1969. The purpose of the investigatory hearing was to make inquiry into an investigation which revealed that this pharmacy had charged the St. Louis County Welfare Department more than private patients for several prescriptions which were identical. Mr. Kenner was properly reminded of his rights by counsel, Mr. Strong, and a recording of the hearing was made. At approximately 10:20 A.M., Mr. Kenner departed.

At approximately 10:35 A.M., Pharmacist Seymour Milavetz appeared before the board in response to a letter sent to him by the secretary on December 23, 1969. Mr. Milavetz was accompanied and represented by counsel, Mr. Paul Ravich, of St. Paul. Mr. Milavetz appeared before the board to respond to the board's questions concerning a report that he had charged the Welfare Department for drugs which had not been delivered. Mr. Milavetz was warned of his rights by Counsel Strong and a recording of the investigatory was made. At approximately 11:10 A.M., Mr. Milavetz and Mr. Ravich departed.

At 11:15 o'clock A.M., Pharmacist Kenneth E. Schroeder, pharmacist-in-charge of Schrader Drug in Duluth, appeared before the board in response to a letter sent to him by the secretary on December 22, 1969. Mr. Schroeder was not represented by

counsel and after he was properly warned of his rights by counsel, Mr. Strong, the investigatory hearing proceeded and a recording of the hearing was made. The purpose of the hearing was for the board to make inquiry into reports that Mr. Schroeder's pharmacy had charged the St. Louis County Welfare Department more than private patients for the same prescriptions. At approximately 12:00 noon, Mr. Schroeder departed.

At 12:05 o'clock P.M., Pharmacist Donald G. Gronlund appeared before the board in response to a letter sent to him by the secretary on December 22, 1969. Mr. Gronlund was accompanied by counsel, Mr. Beade of Minneapolis. The purpose of the investigatory hearing was to make inquiry into reports that the Target Pharmacy, Duluth, had charged the St. Louis County Welfare Department more than private patients for the same prescription. After being properly warned by Counsel Strong, Mr. Gronlund responded to questions put to him by the board and a recording was made. At approximately 12:40 P.M., Mr. John T. Sernett, Pharmacist-Director of Target Stores, Inc., entered the room and responded to questions put to him by the board about the over-all policy of Target Stores Inc., in this matter. At 12:50 o'clock P.M., Mr. Gronlund, Mr. Beade and Mr. Sernett departed.

Mr. Irwin Livon, Drug Buyer for Snyder's Drug, Inc., appeared immediately after Mr. Robert J. Kenner to explain to the board the policy of Snyder's Drug, Inc. Mr. Livon appeared at his own request.

President Seifert then dismissed the board for lunch.

At approximately 2:00 P.M., President Seifert called the meeting to order and the board reconsidered evidence obtained at the investigatory hearings during the morning session.

Mr. Nelson moved and Mr. Anderson seconded that the Milavetz matter be tabled until the next meeting and that the secretary and counsel be instructed to investigate further and report to the board before its next meeting. Motion passed.

Mr. Nelson moved and Mr. Anderson seconded that strict letters of reprimand be sent to Mr. Kenner, Mr. Schroeder and Mr. Gronlund and that these letters call attention to the Welfare laws and regulations, that the pharmacists be reminded of the violations noted during the investigation and also their promise to remain in compliance in the future, and further, that the pharmacists might expect further audits by various governmental agencies, and that other governmental agencies might elect to pursue the violations to greater length some of the details of matters reported at these hearings, that

the Departments of Public Welfare and the chain store headquarters be notified of the actions taken by copies of these letters. Motion passed.

The secretary was also instructed to write a letter to Mr. Ralph Burkhead, Medical Services Administrator of the St. Louis County Department of Public Welfare reminding Mr. Burkhead that a hearing was held, a transcript made and that the pharmacists involved now clearly understand the law and their professional responsibilities and that they have committed themselves to full compliance in the future.

Counsel, Mr. Strong, then made several suggestions for the improvement of the informal "call-in" type hearing for the intermediate investigatory type hearing and for the formal citation. He has agreed to develop a suggested procedure to be followed in each of these cases.

Secretary and counsel then reviewed the Kachina matter heard at the November meeting and a lengthy discussion followed. Mr. Olson moved and Mr. Nelson seconded that the secretary and counsel complete the investigation, that they file a complaint with the Hennepin County Attorney or report the findings of the investigation to the Federal Bureau of Narcotics and Dangerous Drugs within ten days with the understanding with Mr. Kachina that if Mr. Kachina agrees to a polygraph test that the filing with the County Attorney or the reporting to the Federal agency will be postponed until the results of the polygraph test are known, and further, that if the results of the polygraph test are adverse that they be used in further proceedings and that if the results of the polygraph test are negative that no further legal action be taken. Motion passed.

The secretary was instructed to contact the Polygraph Unit at the University of Minnesota with respect to schedules, cost and preparation of questions, etc.

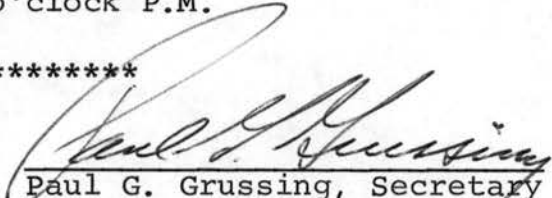
The secretary then reviewed a annual financial report based on the calendar year and presented comparative figures for categories of receipts and disbursements for both years.


The board then entered into a general discussion of existing Regulation No. 12 with the thought of possibly modifying it. Mr. Nelson moved and Mr. Quistgard seconded that the previous motion be reconsidered. Motion passed. After some further discussion concerning a modification of existing Regulation No. 12, Mr. Quistgard moved and Mr. Anderson seconded that the matter again be tabled for further discussion and for research by the secretary and counsel. Motion passed.

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After discussing several items of a general nature, Mr. Anderson moved and Mr. Olson seconded that the meeting be adjourned. Motion passed.

Adjournment at 5:10 o'clock P.M.


Paul G. Grussing, Secretary


Ben J. Seifert, President

MINNESOTA STATE BOARD OF PHARMACY

Four Hundred - Forty Third Meeting

April 6, 1970 (Monday). At 1:30 o'clock P.M., President Ben J. Seifert called the meeting to order. Members in attendance were: President Ben J. Seifert, Vice President John H. Nelson, Mr. John E. Quistgard, Mr. Lowell J. Anderson and Mr. Roy H. Olson. Also present were the board's secretary and the board's legal counsel, Mr. Harry P. Strong, Jr.

The secretary reviewed the minutes of the 442nd meeting. Mr. Quistgard moved and Mr. Anderson seconded a motion that the minutes be approved as written. Motion passed.

Counsel, Mr. Strong, was requested to explain for the board's consideration a revised procedure for handling minor disciplinary matters. He described the problems with the so-called "investigatory call-in" which consumes a good deal of board members time to collect facts which possibly had not been collected by the staff or admitted to by the pharmacist involved. Counsel has recommended that after investigation by the secretary and counsel if a matter is found by them to be of a minor professional nature and which according to board policy could possibly be handled without issuing a citation that such a matter be recommended to the board members for an informal hearing (call-in). The board members at that time would either confirm the suggestion to proceed with an informal hearing or either instruct the staff to seek more evidence or proceed with a citation. The question was raised concerning whether or not the board could still proceed to a citation after such an informal hearing. Counsel explained that if there was an admission during such a hearing or other evidence collected during such an informal hearing that this could not itself be used in subsequent hearings, however, it was mentioned, that separate additional outside evidence could be used subsequent to a call-in in the preparation of a citation. After much discussion on the subject Mr. Anderson moved and Mr. Olson seconded that such a procedure be instituted. It was noted that this largely constitutes a return to the former informal method of handling disciplinary actions before the so-called "investigatory call-in" utilizing warnings, etc., was instituted. The motion passed.

Counsel, Mr. Strong, then proceeded with an explanation of the Attorney General's Manual governing a new form of citation procedures involving the issuance of a complaint, a prehearing conference, the appointment of a hearing officer and then final board review of the findings of the hearing officer. The attorney for the board pointed

out that board members are, of course, welcome to sit in on all of these proceedings before the final citation. Counsel also explained to the board that the board would have to authorize counsel in connection with any possible areas of negotiation of penalties in possible prehearing conferences with the accused and his defense attorney.

At approximately 2:00 o'clock P.M., Mr. James Wall, Administrator of the St. Therese Nursing Home in New Hope, Minnesota, appeared before the board in connection with misrepresentations in an application for a license to operate a pharmacy. The secretary reviewed the entire file pointing out where the area of misrepresentation occurred. Mr. Wall explained his actions in the matter of placing the proposed new pharmacy in an area which had not been approved by the board according to the blueprint submitted with his application. The matter of conflicting jurisdiction or instructions from other state agencies was thoroughly discussed and it was clear that Mr. Wall was not instructed by the Health Department or by the State Fire Marshal to either avoid the placement of the pharmacy in the original site or was given instructions to specifically place it in the alternate site without the Board of Pharmacy approval. Mr. Wall explained thoroughly by the use of blueprints the site to the board. At approximately 3:00 P.M., Mr. Wall departed.

At approximately 3:00 o'clock P.M., Mr. Theodore Desnick appeared before the board in response to a letter previously sent to him by the secretary. Mr. Desnick was accompanied by two attorneys, Mr. Kenneth J. Maas, Jr., and Mr. Howard Kleyman. Counsel, Mr. Strong, explained to Mr. Desnick the reasons why a citation was not issued at this time. Mr. Desnick responded with reasons for the missing drugs and was reprimanded by the board members for lack of proper professional supervision in areas of drug security. His competence to practice and his lack of responsibility was generally discussed. Mr. Desnick has no immediate plans to return to the practice of pharmacy and was told that any application to operate a pharmacy would be thoroughly scrutinized by the board in light of his past performance. At approximately 3:20 P.M., Mr. Desnick and his counselors departed.

The secretary and counsel then discussed an investigation of Pharmacist Harold R. Borchert and reported their completion of the investigation in the matter. Mr. Nelson moved and Mr. Quistgard seconded that the following resolution be passed by the board:

"RESOLVED that Paul G. Grussing, Secretary of the Board of Pharmacy, be and hereby is granted the authority and directed to serve notice of initiation of a contested case in the matter of Harold R. Borchert as well as

perform any and all acts incidental thereto including to sign the notice of initiation of a contested case setting the time and place for the prehearing conference and to appoint a hearing examiner".

Motion passed unanimously.

After a second review of the evidence in the case the board members instructed its legal counsel, Mr. Strong, in the penalty limits which Mr. Strong might use in the prehearing conference. Such limits were noted by counsel and secretary.

At approximately 3:45 o'clock P.M., Pharmacist Jack Koch appeared before the board in connection with his plans to become pharmacist-in-charge of the Gibson Pharmacy in New Ulm. Mr. Koch was accompanied by Mr. Franklin Woodhouse, the proposed owner of the new pharmacy. The secretary reviewed correspondence in connection with the application noting that non-compliance with Wyoming Board of Pharmacy regulations were noted and noting further that Mr. Woodhouse had informed the Minnesota Board office by telephone that he owned and operated pharmacies in nine states. The secretary reported that he had contacted Boards of Pharmacy in two of those states, Colorado and Nebraska, and learned from the secretaries of the respective boards there that Mr. Woodhouse was also in violation in those states.

Mr. Woodhouse stated that he only operated in six states and the board members questioned him concerning the discrepancy. Some concern was noted about possible withholding of information from the board because of possible non-compliance in other states.

Mr. Woodhouse was reported to operate a mail order operation in Wyoming and when questioned about the professional practices there, responded by indicating that his primary concern for his patients was economic. When questioned if he placed economics ahead of patient care Mr. Woodhouse responded that the patient's dollar was his first consideration.

The board members noted that Mr. Koch appeared voluntarily as the proposed new pharmacist-in-charge of this pharmacy although he owns and operates a pharmacy in Fairmont some forty miles away from New Ulm. They questioned whether or not possibly "fronting" for the securing of this new license and that he would subsequently transfer professional control of the pharmacy to another pharmacist-in-charge. For that reason he stipulated to notification of the selection of such a possible successor pharmacist-in-charge so that the board might properly review the meaning of Board Regulation No. 37 with his possible successor. It was suggested to Mr. Koch that commuting such a distance to his place of practice would not provide adequate after hours pharmaceutical services and that he

should post the telephone number of his residence on the pharmacy door.

Mr. Woodhouse was informed by the board that because of the discrepancy in his report to the board versus the report to the secretary that additional inquiry would be made in connection with his record of compliance in states where he operates pharmacies and that he would be notified after the NABP meeting next week. At approximately 4:25 o'clock P.M., Mr. Koch and Mr. Woodhouse departed.

The secretary was instructed to contact the Boards of Pharmacy of other states in areas where Mr. Woodhouse might operate pharmacies. The secretary did so by wire.

At approximately 4:35 o'clock P.M., Pharmacist Lawrence G. Johnston appeared before the board in connection with his interest in having his license to practice pharmacy reinstated. Mr. Johnston was accompanied by his father, Mr. Frank J. Johnston. Mr. Johnston was reported by the press to have mysteriously disappeared from the Duluth, Minnesota area approximately two years ago when he was in the employment of Merck Sharp & Dohme as a pharmaceutical detail man. It was generally assumed by all interested agencies and by members of his family that Mr. Johnston had committed suicide. Later he made contact with society from his California residence and subsequently contact^{ed} the board office seeking reinstatement of his license to practice in Minnesota. He had let his license lapse during 1969 when he broke contact with society. Mr. Johnston had been employed as a messenger for the Bank of America and as a printer for Custom Paper Products and as of last week he announced to the board he had been named head of the printing department with that firm.

Mr. Johnston was requested to outline the reasons for his disappearance and generally respond to questions put to him by the secretary in earlier correspondence. Speaking from prepared notes Mr. Johnston outlined his own attempts at self-rehabilitation, his employment practices and some of his social contacts and presented some letters of reference. Board members concern for his capabilities to practice pharmacy safely was aired and most of the discussion made inquiry into his allegations that he is now fit to practice and that he is now a sane, rational and competent professional person.

Mr. Johnston spoke of his contacts with a psychiatrist in San Francisco by the name of Dr. Dresser. His connection with him was in research into the reasons for attempted "pseudo-cide". When asked if he would sign a medical release authorizing the board to make inquiry with Dr. Dresser he responded that he did not have

an ordinary patient relationship with Dr. Dresser and that at the moment he would not allow certain information which he confided to Dr. Dresser to be known to the board. The board members pointed out the importance of sharing this information with the board so that it may attempt to qualify him to once again practice pharmacy. Mr. Johnston volunteered to undergo a complete psychiatric evaluation by another practitioner. Mr. Anderson moved and Mr. Olson seconded that the secretary contact Mr. Johnston inviting him to undertake such an evaluation and to report such findings to the board. Motion passed. Mr. Johnston was also requested to furnish a medical release to the board in connection with his voluntary psychiatric evaluation examination and report.

At approximately 5:20 o'clock P.M., Mr. Lawrence G. Johnston and his father departed.

Mr. Quistgard moved and Mr. Anderson seconded that Mr. Johnston's request for reinstatement be tabled for further consideration by the board. Motion passed.

The secretary described an application for a license to operate a pharmacy in the Extendicare Nursing Home in Rochester, Minnesota. The application was submitted by Apothecare, Inc., 501 S.E. 8th Ave., Rochester, Minnesota, Mr. Ronald V. Dobbins, pharmacist-in-charge. The secretary indicated that he had reviewed a proposed procedures manual for operating the nursing home, that he had interviewed the pharmacist-in-charge in necessary modifications of the operational procedure and such modifications were willingly made and submitted in writing to the board office. Mr. Anderson moved and Mr. Olson seconded that a license to operate a pharmacy be granted to Mr. Dobbins subject to physical inspection and approval of the premises by an agent of the board. Motion passed.

After some discussion of the level of quality of pharmaceutical services in nursing homes, Mr. Quistgard moved and Mr. Olson seconded that all nursing home licenses hereafter issued by the board be issued for inpatient care only. Motion passed.

The secretary indicated that it might be feasible for such a status to be stipulated voluntarily by the applicant.

The secretary presented an application for a license to operate a pharmacy submitted by Mr. Jack H. Berttula. The name of the pharmacy is to be Heritage Pharmacy Inc., and its address is 2321-37th Avenue Northeast, Minneapolis. After a discussion of the application, Mr. Quistgard moved and Mr. Anderson seconded that the license be issued subject to physical inspection of the premises and the completion of the police record check on the non-pharmacist owners who may own more than 30% of the corporation. Motion passed.

The secretary presented an application for a license to operate a pharmacy submitted by Mr. Thomas J. Beck on behalf of the Waconia Ridgeview Hospital. The application is in order and Mr. Quistgard moved and Mr. Anderson seconded that license be issued subject to a physical inspection of the premises. Motion passed.

After a continued discussion of the types of pharmaceutical services now available to patients in nursing homes the secretary was instructed to conduct some research into the legal limits of outpatient dispensing by nonprofit hospitals. He will contact certain local pharmacist-administrators.

The secretary presented an application for a license to operate a pharmacy submitted by Mr. Emerson M. Lewer, pharmacist-in-charge of the proposed Snyder Bros. Drug in Oak Park Heights, Minnesota. The license application was in order and the physical inspection has been satisfactorily completed, consequently Mr. Nelson moved and Mr. Anderson seconded that the license to operate the pharmacy be immediately granted. Motion passed.

The secretary described an application for a license to operate a pharmacy submitted by Mr. George W. Vedder, Jr., on behalf of the Cambridge Memorial Hospital. The application was in order and Mr. Quistgard moved and Mr. Anderson seconded that the license be granted for purposes of dispensing to inpatients only and subject to physical inspection of the premises. Motion passed. The secretary indicated that it may be possible for the applicant to agree upon this limitation voluntarily.

The secretary described a communication from an investigator for the Internal Revenue Service in connection with furnishing information relating to possible "kick-backs" from a pharmacist to five nursing homes plus one attorney. It was subsequently discovered that the federal agent was prevented by federal law from sharing this information. The secretary reviewed this with legal counsel and suggested to the board that he contact the state tax commissioner hoping to seek his cooperation for spot check review of isolated tax returns involving certain pharmacists suspected of this practice. This approach was favored by the board.

A request from Mr. Doyle Potter Jr., for consideration of certain internship time was described by the secretary. The matter was tabled for consideration of more information on the next day when the office staff is available.

The board then entered into a discussion of the practice of certain interns attempting to apply registered time in the state of California toward internship time required to take the Minnesota board. The experience has been that some of this time may not be

properly supervised and may be in pharmacies which do not provide the quality, quantity and variety of experiences deemed to be adequate for internship training purposes. The matter was tabled for discussion after the NABP meeting because of possible discussion of this topic at the NABP meeting.

The secretary described a communication from Mr. Sanford Borlaug in which he requested board approval to file certain internship time which was completed in violation of the requirement for both registration and reporting. Mr. Quistgard moved and Mr. Nelson seconded that Mr. Borlaug's request be denied. Motion passed.

The secretary reviewed a previous poll of the board members authorizing the purchase of a Friden letter opener. This device had been rented by the secretary for a charge of \$40 during the time of license renewals. Mr. Anderson moved and Mr. Olson seconded that the minutes reflect the action taken by the board via the poll and that the secretary be authorized to purchase the letter opener for \$192.75. Motion passed.

The secretary referred to the financial statement for the calendar year 1969 previously reviewed by the board. The end of year 1969 balance of that report shows \$23,480.70. It was pointed out that because of the conversion of the state payroll system from a manual system to an automated one, one payroll period was inadvertently omitted from the salary section of the annual report. This effects the salaries, retirement system, social security, employees insurance, total disbursements and final balance entries as follows. The following corrections were noted by the secretary:

Salaries (permanent employees)	\$51,821.06
Retirement System (state employees)	2,274.54
Social Security	1,915.86
Employee's Insurance	921.33
Total Disbursements:	89,018.83
Balance:	\$21,517.47

Mr. Quistgard moved and Mr. Nelson seconded that the corrections be noted and approved. Motion passed.

The secretary reported to the board an error discovered in connection with the ceiling for reciprocity fees. This was discovered during the proof reading of the law pamphlet including the 1969 amendments. Before the 1969 legislature the board had passed a motion instructing the secretary to raise certain fees including the fee for reciprocity to the amount of \$100. These fee increases were included in a large bill containing many amendments to the pharmacy practice act. In the closing days of the legislature, because of lack of progress with the large and complicated amendments the secretary obtained board approval to "lift" the fee increase sections

in an attempt to insure the fee increase passage because of the financial condition of the board. In the secretary's judgment only the major revenue producing increases were lifted, namely: the proposed fee increases for pharmacist and pharmacy renewals. The fee increase bill for these two increases passed and became law. The secretary apologized to the board for failing to properly advise the board in connection with its initial motion to raise the reciprocity fee from \$50 to \$75 and also in connection with its subsequent motion to raise the reciprocity fee from \$75 to \$100. The secretary indicated that both of these increases exceeded the legislative ceiling and refund would have to be made. Mr. Quistgard moved and Mr. Anderson seconded that the secretary be instructed to refund applicants who were improperly charged amounts in excess of the statutory ceiling of \$50. Motion passed.

The secretary then described large expenditures in the board budget as well as anticipated losses in income. For this reason Mr. Quistgard moved and Mr. Nelson seconded to table the consideration of furnishing an amount to the Minnesota State Pharmaceutical Association for the Advancement of the Science and Art of Pharmacy until such time as payment could be made without jeopardizing the financial position of the board. Motion passed.

The secretary described the condition of the current postal meter as well as a proposal for replacing it with a unit that would amortize itself in three years. The value of the replacement was recognized but the secretary was instructed to delay purchase of the new postal meter until a time when the financial situation of the board can be reappraised.

The secretary described visits to various hotels as possible sites for future board meetings and was instructed to enter into a one-year agreement with the Sheraton Hotel in Bloomington, at the rates discussed.

The reference book "Drugs of Choice" was presented to one of the board inspectors as a possible accepted reference for a pharmacy library. The secretary described its contents to the board. Mr. Quistgard moved and Mr. Nelson seconded that this text book be accepted as an equivalent reference for the purposes of Regulation No. 7. Motion passed.

The secretary described a request from the Minnesota Bureau of Criminal Apprehension for modifying slightly the legal definition of LSD. This was necessary to avoid proving identification of the salt in its dextro-form. He also described proposed new federal regulations for considering certain stimulants without medical usage as controlled drugs. Mr. Quistgard moved and Mr. Nelson seconded that the secretary be instructed to initiate all necessary proceedings in compliance with the manual of Rule Making Procedures of the office of the Attorney General for the purpose of conducting public hearings in these matters. Motion passed.

The board members discussed a proposal by the Julius Schmid Company to make available open displays of contraceptive devices in pharmacies. The application of this practice/MS 617.251 was discussed and the secretary was instructed to visit with the licensed drug wholesalers in this state to inform them that such display by pharmacies would be considered unprofessional conduct.

At approximately 7:45 o'clock P.M., President Seifert adjourned the board meeting until the next morning.

April 7, 1970 (Tuesday). At approximately 9:00 o'clock A.M., President Ben J. Seifert reconvened the board meeting in its offices. All members and the secretary were present as well as the board's counsel, Mr. Harry P. Strong, Jr.

At approximately 9:05 o'clock A.M., Pharmacist Lawrence D. Hylden appeared in response to a letter sent to him by the secretary. Mr. Hylden responded to the board in connection with reported improprieties in customer communications in connection with the sale of feminine hygiene products. After a proper professional reprimand by the board Mr. Hylden departed at approximately 9:35 A.M.

Mr. Nelson moved and Mr. Anderson seconded that the secretary be instructed to write a letter of reprimand to Mr. Hylden and further that he be instructed to telephone the complainant's attorney indicating that an informal professional disciplinary session had been completed in this matter. Motion passed.

At approximately 9:45 o'clock A.M., Pharmacist Francis W. Hogan appeared before the board in response to a letter sent to him by the secretary. Mr. Hogan responded to the board in connection with a series of episodes of operating his pharmacy without benefit of a registered pharmacy on duty. Several ways to remedy this problem were suggested by board members in order that Mr. Hogan could remain in complete compliance. He promised the board full cooperation before he departed at approximately 10:10 o'clock A.M. Mr. Hogan also promised to notify the board concerning any modification in store hours to bring his pharmacy into compliance.

Mr. Nelson moved and Mr. Quistgard seconded that the secretary be instructed to issue a letter of reprimand to Mr. Hogan. Motion passed.

Secretary and counsel then described to the board their investigation in connection with a pharmacy operated by James V. French. After a thorough review of the evidence presented in the matter, Mr. Nelson moved and Mr. Quistgard seconded that the following resolution be adopted by the board:

"RESOLVED that Paul G. Grussing, Secretary of the Board of Pharmacy, be and hereby is granted the authority and directed to serve notice of initiation of a contested case in the matter of James V. French as well as perform any and all acts incidental thereto including to sign the notice of initiation of a contested case setting the time and place for the prehearing conference and to appoint a hearing examiner".

Motion passed.

The secretary then described a letter from Mr. Seymour Milavetz explaining discrepancies in record-keeping. The board discussed a report concerning possible substitution by the Kenesaw Drug Company and Mr. Nelson moved and Mr. Olson seconded that the secretary be instructed to accomplish an investigation in connection with the substitution charges and report to the board in thirty days. If no non-compliance develops during the investigations the secretary is to drop the Kenesaw investigation, if evidence develops it is to be presented to counsel for consideration of a citation. Motion passed.

Counsel, Mr. Strong, described in detail a continued investigation of the Kachina matter in which various hospital personnel were interviewed for evidence of drug abuse or sub-standard practice. No evidence which can be utilized in a citation was produced. The board was in general agreement that the entire matter is grossly improper from a professional standpoint. Mr. Quistgard moved and Mr. Nelson seconded that the secretary immediately institute a system requiring Mr. Kachina to prepare complete drug accountabilities on a weekly basis for submission to the board, further that Mr. Kachina prepare a drug accountability on all involved drugs beginning the date of the last inventory by the Board of Pharmacy and continuing to date. Motion passed.

The secretary then described a proposed modification to existing Regulation No. 12. This regulation was recently considered for repeal but was not repealed subsequent to the public hearing. Because of the timing involved it was the general consensus of the board that the matter could best be handled legislatively during the 1971 session.

The following candidates having met all of the requirements for reciprocity as well as presented properly executed applications were present to write an examination in Jurisprudence at 9:30 A.M., and appeared at the following times for oral examinations in Jurisprudence:

Minnesota State Board of Pharmacy - 443rd Meeting - April, 1970

	<u>Name</u>	<u>State</u>	<u>Time of Appearance</u>
1.	Orval B. Bernhoft	North Dakota	11:00 A.M.
2.	David J. Bettison	Colorado	11:15 A.M.
3.	James L. Boese	Illinois	11:30 A.M.
4.	Joan M. Telfer	Washington	11:45 A.M.
5.	Carol M. Comiskey	Illinois	1:45 P.M.
6.	Douglas L. Crocker	Wisconsin	2:00 P.M.
7.	Verne D. Hoggatt	Indiana	2:15 P.M.
8.	Sister David McMahon	Illinois	2:30 P.M.
9.	Robert S. Claxton	Iowa	2:45 P.M.
10.	Ellsworth P. Gast	Wisconsin	3:00 P.M.

Mr. Quistgard moved and Mr. Olson 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.

<u>Cert. No.</u>	<u>Name</u>	<u>State</u>
1649	David J. Bettison	Colorado
1650	James L. Boese	Illinois
1651	Robert S. Claxton	Iowa
1652	Ellsworth P. Gast	Wisconsin
1653	Sister David McMahon	Illinois
1654	Joan M. Telfer	Washington

Mr. Nelson moved and Mr. Quistgard seconded that the consideration of the application to practice by reciprocity submitted by Mr. Douglas L. Crocker be tabled. Motion passed.

Mr. Anderson moved and Mr. Olson seconded that after a review of the application, records and examinations in the case of Orval B. Bernhoft, that the privilege of reciprocity be denied to him at this time. Motion passed.

Mr. Anderson moved and Mr. Olson seconded that after a review of the application, records and examinations in the case of Carol M. Comiskey, that the privilege of reciprocity be denied at this time. Motion passed.

Mr. Anderson moved and Mr. Olson seconded that after a review of the application, records and examinations in the case of Verne D. Hoggatt, that the privilege of reciprocity be denied to him at this time. Motion passed.

Mr. Quistgard presented the board a communication which had been furnished to him by the assistant secretary in connection with Pharmacist Bruce Prichard. Mr. Quistgard moved and Mr. Nelson seconded that the secretary initiate an investigation in connection with alleged drug abuse problems with Mr. Prichard. Motion passed.

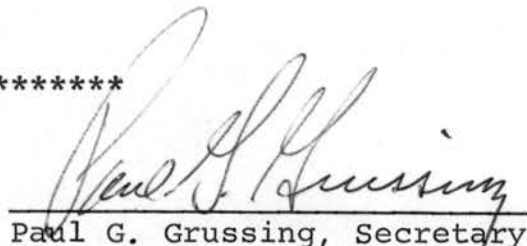
Mr. Quistgard moved and Mr. Nelson seconded that the application for a pharmacy to be operated in the St. Therese Nursing Home be tabled pending the secretary contacting the Minnesota Department of Health and further review by the board. Motion passed.


The secretary announced that a message had been received from counsel from Mr. Jack Koch that he was enroute to the board office. Mr. Koch then appeared with an application for a license to operate a pharmacy in Minnesota. He also presented a letter from Mr. Franklin Woodhouse indicating that Mr. Koch would be purchasing the Gibson Pharmacy in New Ulm, Minnesota. After a thorough review of the application and a check with the counsel, Mr. Strong, concerning the legal implications of the transaction, Mr. Quistgard moved and Mr. Anderson seconded that the license to operate a pharmacy, formerly operated by Mr. Knutson of New Ulm, be granted pending submission of the required \$35 license fee. Motion passed.

After a thorough discussion of the investigations in connection with the Desnick Pharmacy in Minneapolis, Mr. Quistgard moved and Mr. Nelson seconded that the secretary be instructed to issue a letter of severe reprimand to Mr. Desnick. Motion passed.

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

Adjournment at 4:10 P.M.


Paul G. Grussing, Secretary


Ben J. Seifert, President

MINNESOTA STATE BOARD OF PHARMACY

Four Hundred - Forty-Fourth Meeting

June 21, 1970. At 9:00 o'clock P.M., the board met at the Sheraton Motor Inn, Bloomington, Minnesota. Members in attendance were: President Ben J. Seifert, Vice President John H. Nelson, Mr. Jack E. Quistgard, Mr. Lowell J. Anderson, and Mr. Roy H. Olson. Also in attendance was the board's secretary, Mr. Paul G. Grussing.

The purpose of this evening meeting was to review the week's agenda and to make final arrangements for the details of the written and practical examinations. The examination schedule for June 22 was set with Mr. Seifert, Mr. Nelson, and Mr. Olson scheduled for the morning written examinations and Mr. Anderson and Mr. Quistgard to be present for the afternoon written examinations.

The secretary discussed problems with the formerly used procedure of sending telegrams to announce the results of board examinations. He suggested mailing form letters and the consensus was that this should be accomplished. The secretary was instructed to insert a post card to be returned by the applicants indicating the time of delivery of notification of pass or fail letters.

The board then discussed the practical examination and the secretary was instructed to arrange future prescriptions so that each examiner would present one prescription in the morning session.

The secretary then described a letter from Mr. Theodore C. Reichmann, who is a graduate of South Dakota State University and presently a full-time student in the College of Veterinary Medicine. He wishes to obtain the board's permission to file concurrent time while he is in the College of Veterinary Medicine.

The board entered into a lengthy discussion concerning the granting of concurrent time for graduate students, medical students and other professional students. After the discussion Mr. Nelson moved and Mr. Anderson seconded that the board's present policy of allowing the secretary to grant concurrent time to graduate students in pharmacy, medical students, dental students, veterinary students, seminary students or others who have completed their B.S. in Pharmacy, be maintained and that the secretary review any problems with this policy with the board if necessary in the future. Motion passed.

The secretary then reported that Professor Wendle Kerr, Secy.-Treas. of NABP District V, had reported that a deficit in the October 1969 District V meeting budget had been personally covered by Dr. John McRae of the University of Minnesota. The board instructed the secretary to obtain permission from appropriate state authorities to charge all of the expenses involved in the rental of a suite in the Leamington Hotel to the board rather than to charge part of them to the NABP District V budget. Payment is then to be made to NABP District V so that Professor McRae can be reimbursed for an unnecessary personal contribution to the official meeting. A motion to that effect was made by Mr. Nelson and seconded by Mr. Anderson and passed unanimously by the board.

The board then reviewed previous action taken by a poll of its membership in connection with plans for employing an assistant secretary. The secretary described his efforts in obtaining names of pharmacists to be contacted and the board members suggested several names for the secretary to contact in connection with the position. The memorandum of June 15, 1970 requesting the Dept. of Civil Service to create this new position was discussed and it was noted by the secretary that the Department of Civil Service may require a lower beginning salary in order to make this assistant secretary class conform with similar positions elsewhere in state government. The secretary then contacted the Civil Service Dept. and it was learned that the range suggested by Civil Service is \$11,400 to \$15,000 annually. The secretary further noted that it was stipulated between the Civil Service Dept. and the secretary that a strong statement will appear in the job description indicating that the board may consider a higher beginning salary for persons with desirable qualifications. The salary previously suggested by the board on the basis of a poll of metropolitan area salaries was \$12,828.00 to \$15,000 annually.

The secretary then described how the device of an oral interview might be used by the Civil Service Dept. and the names of several pharmacists were suggested by the board for oral review board membership should this device be necessary in the selection process.

It was agreed that the secretary would contact certain highly qualified persons for recruiting purposes and further, that when names of applicants are certified to the Board of Pharmacy by the Civil Service Dept. that the secretary will interview each candidate making a confidential report to the board for their use in the board's ultimate decision on the selection of an assistant secretary.

The duties of the position described in the secretary's letter of June 15 to the Civil Service Dept. were discussed and it was generally agreed that the position of assistant secretary now held by Mrs. DeRubis would be maintained. Her duties are those of assistant secretary for administrative affairs. The duties

of the new position are assistant secretary for professional affairs.

The secretary then reviewed the personnel status of Inspector H.D. Howard and specifically called to the attention of the board the summary of the April 27 visit with Mr. H.D. Howard and Mr. Roy H. Olson, board member, with the secretary. The termination date of August 4 was noted and the secretary was urged to continue to cooperate with the Civil Service Dept. and the Dept. of Employment and Security in attempting to secure continuous state employment for Mr. Howard. Mr. Nelson moved and Mr. Anderson seconded that the minutes reflect the discussion of the April 27 visit between Mr. Howard, the secretary and Mr. Olson and further, noting the termination date of Mr. Howard to be August 4, 1970. Further that the board express its appreciation to Mr. Howard for his faithful services rendered during the past six years. Motion passed.

The secretary then discussed the cost-of-living increases authorized by the 1969 Legislature for all classified employees. He further stated that although provision was made in the law for withholding such increases under unusual cases that no such recommendation was made by the secretary. Mr. Nelson moved and Mr. Anderson and Mr. Quistgard seconded a motion noting the increase authorized by the Legislature and instructing the secretary to write the Dept. of Civil Service together with the Chairman of appropriate legislative committees indicating that the Minnesota State Board of Pharmacy strongly favors pay systems involving merit increases rather than cost-of-living increases alone. The board recognizes the incentives created by merit pay programs and feels very strongly that work of merit should not be limited by cost-of-living increases alone. Motion unanimously passed.

The board then discussed the scheduling of a fall examination. Mr. Nelson moved and Mr. Olson seconded that the date for the fall, 1970 examination be September 13 and 14 with the written examination to be scheduled on Sunday the 13th and the practical examination on the 14th. Reciprocity oral examinations will be scheduled on the 15th and miscellaneous board business is to be minimized during this meeting. Motion passed.

The secretary also noted that he authorized the certification of Mrs. Nancy Verby on July 1, 1970.

The board then discussed the utilization of the printed NABP standardized examinations. The president entertained a motion to pay for this examination on a voluntary basis until required by all NABP members. Mr. Nelson moved and Mr. Anderson seconded that the secretary be instructed to consult with counsel and to draft legis-

lation raising the present examination fees by the amount of \$25.00 to cover future expenses of written and practical standardized examinations of the National Association of Boards of Pharmacy, further, that the secretary be instructed to pay the NABP, on a voluntary basis, an amount not to exceed \$5.00 per candidate taking written examinations during the June, 1970 examination. (This is one-half of the planned cost for the examination). Motion passed.

The secretary reported that the license to practice pharmacy previously withheld from Mr. Robert Ries by stipulation was issued upon the satisfactory completion of Mr. Ries' B.S. in Pharmacy. Mr. Nelson moved and Mr. Quistgard seconded that the minutes reflect this action taken by the secretary and previously authorized by the board. Motion passed.

Mr. Quistgard moved and Mr. Anderson seconded that the minutes reflect the poll of the board authorizing the issuance of a pharmacy license to the St. Therese Nursing Home, New Hope, Minnesota, noting that such action was not precedent setting with respect to granting licenses in unfavorable locations within licensed nursing homes. Motion passed.

Mr. Nelson moved and Mr. Anderson seconded that the minutes of this meeting reflect the action of the board taken by its membership in the decision to grant licensure by reciprocity to Mr. Douglas Crocker of Wisconsin, this action being based upon clarification of his grade of 70 in the practical examination by both the Wisconsin Board and the NABP, further, that possible future candidates from Wisconsin with practical grades of 70 authorized by the National Association of Boards of Pharmacy be accepted for examination in Minnesota pending verification by NABP. Motion passed.

Mr. Quistgard moved and Mr. Anderson seconded that the minutes reflect the action taken by secretary and counsel according to the instructions previously issued to them by the board in the matter of the suspension of the license to practice pharmacy previously issued to Mr. Harold Borchert. Such license was suspended for a period of six months effective May 25, 1970 and terminating not before November 25, 1970 or until such time as sufficient medical evidence would be presented to the board by a medical authority approved by the board certifying as to Mr. Borchert's physical and mental capacity to practice safely and his maintenance of a drug-free condition. Motion passed.

The secretary noted that such suspension was stipulated to by Mr. Borchert in the presence of his attorney in a proceeding pursuant to Minnesota Statutes Chapter 15 and the Manual for Contested Cases issued by the office of the Attorney General which proceeding was properly transcribed and filed.

Mr. Nelson moved and Mr. Anderson seconded that per diem for board members' attendance at prehearing conferences or attendance at special investigatory meetings in connection with contested cases be authorized, further, that such authorization be made retroactive in the case of Mr. Roy Olson's attendance at a prehearing conference on May 25, 1970 in the Borchert matter, and in the case of President Ben Seifert's attendance at an investigatory meeting on June 2, 1970 in the Henry W. Prottengier Jr., matter. Such conferences and investigatory hearings replace partially hearings attended by the full board in previous procedures for formal disciplinary matters. Motion passed.

Mr. Quistgard moved and Mr. Olson seconded that all of the board members and the secretary be authorized as delegates to the NABP-AACP District V meeting to be held in Winnipeg, Manitoba on October 4 and 5, 1970. Motion passed.

Mr. Anderson moved and Mr. Olson seconded that the secretary be authorized to pay annual dues not to exceed \$25 to District V of the NABP-AACP. Motion passed.

After a discussion of the records in connection with the following named pharmacists, Mr. Quistgard moved and Mr. Anderson seconded that the names of the following pharmacists be dropped from the roles for failure to renew their licenses for years 1968 and 1969:

8656	Ahern, John H.	7381	Miller, Wiley E.
4923	Bergman, Clarence F.	4487	Olson George
4023	Binek, Paul J.	3690	Paquin, Ella M.
4558	Brown, Martha G.	4470	Paul, Geo.G.C.
10981	Cook, Grover E.	3660	Peterson, Carl O.
3036	Danielson, Anna M.	9415	Putney, Blake F.
4273	Distad, G. Raymond	4538	Robinson, C.D.
7096	Goldner, Thor H.	7302	Schultenover, L. H.
9876	Hadley, Willard J.	2006	Schwartz, R. F.
2667	Herbert, Luther M.	3472	Snyder, Harold H.
9217	Jahr, Ernest C.	4148	Stoppel, A.W.
8050	Koehler, Martin H.	8536	Tidball, Nial
10088	Mahler, Alan F.	9773	Wong, Donald G. (M.D.)
9226	McMillan, Mary C.		
4740	Mike, Chas. W.		
4201	Miller, Floyd O.		

Assistant Pharmacists dropped from the roles for failure to renew their licenses for years 1968 and 1969:

3775	Johnson, Archie O.	7530	Lowther, Louise W.
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Motion passed.

The board then discussed suggested topics for discussion at the NABP-AACP V District meeting in October. The secretary was instructed to route the report of the NABP committee on district meetings.

The secretary reported that the Sadoff Pharmacy in Minneapolis had been closed. Mr. Sadoff was ill and was involved in the indiscriminate sale of exempt narcotics, specifically elixir terpin hydrate and codeine.

The board then discussed the action taken at the NABP meeting in connection with improving the quality of internship before making determinations of its length. Mr. Quistgard, Vice President of NABP, indicated that future action would depend upon the receipt of a grant to support the employment of a national internship director.

At approximately 11:45 o'clock P.M., President Seifert dismissed the board until 8:45 o'clock the next morning.

June 22, 1970. At 8:45 o'clock A.M., the board met in Westbrook Hall for the purpose of administering written examinations. All board members and the secretary were present. Written examinations in the following subjects were presented at approximately 9:00 o'clock A.M.: Pharmacology, Pharmacy, Pharmaceutical Chemistry, Pharmaceutical and Chemical Mathematics and Pharmaceutical Jurisprudence. The following individuals having fulfilled the legal requirements for examination and having submitted properly executed applications were present to take the written examination.

Ahlf, Kentner J.
Anderson, Robert P.
Belau, Richard W.
Beugen, Michael R.
Bjornberg, Bruce B.
Blissenbach, Henry F.
Breckner, Suzanne E.
Brown, Perry W.
Carlson, Albert J.
Cavanaugh, Jacalyn E.
Eastep, Roger D.
Fa, Eva M.
Gjendahl, Curtis E.
Gustafson, Glen A.
Hall, Craig T.
Hanson, James L.
Harjamaki, Arnold D.
Hendrix, John M.
Hensgens, Guillaume G.
Herron, James P.
Highland, Robert M.
Jones, Dennis M.
Kath, Steven R.

Koski, James H.
Kriz, Thomas E.
Kurth, James A.
Lange, Phillip G.
Laudon, Curtis M. Jr.
LeBert, Renee E.
Lewis, Robert L.
Martinson, Barry W.
**McGuigan, Kathleen M.
Mickelsen, Peggy D.
Nerstad, Darrel O.
Opitz, Stanley H.
Pederson, David R.
Peine, Gerald E.
Polifka, Owen R.
Rodman, John H.
**Ruzanic, Arthur L.
Smaciarz, Richard J.
Yonekawa, Diane Y.
Loch, John
*Michelich, John
*Sunderland, Constance K.
*Trezona, William G.

(*written retake)

(**entire retake)

Dr. Darwin Sarnoff, who had previously failed the entire examination, (Jan.1970), was properly notified of the board after advising he wished to appear at the June board examination, did not appear.

At 1:30 o'clock P.M., the following candidates who had submitted properly executed applications joined the candidates taking the entire written examination - these candidates seeking registration by reciprocity wrote only the examination in Pharmaceutical Jurisprudence:

Bassing, Charles H. -----	South Dakota
Bolich, Genia J. -----	Nebraska
Kroshus, Larry M. -----	Iowa
McOmber, Frank L. -----	Illinois
Pearman, Dianne, (Mrs.) -----	North Dakota
Rezac, Eugene J. -----	South Dakota
*Schuhmacher, Alan J. -----	North Dakota
Smith, Kay P. -----	North Dakota
Szymanski, Norbert R. -----	Illinois
*Hoggatt, Verne D. -----	Indiana
*Comiskey, Carol M. -----	Illinois
Neary, Richard W. -----	South Dakota
Hovde, John M. -----	North Dakota

(*2nd appearance)

All members and the secretary were present for the afternoon session.

At 7:30 o'clock P.M., the board met in its rooms at the Sheraton Inn Motor Hotel for the purpose of correcting written examinations.

June 23, 1970. The entire board and the secretary met at the College of Pharmacy, University of Minnesota at 8:45 o'clock A.M., for the purpose of administering the practical examinations. These examinations were administered to all candidates who were present to take the entire written and practical examinations. The practical examinations were completed in the afternoon, the total number of taking the examinations being 43.

The board members spent the entire Tuesday/^{evening} meeting session correcting the practical examinations and posting grades for both the written and practical examinations.

June 24, 1970. The board met in its conference room at 1965 Ford Parkway. All members were present as well as the secretary and legal counsel, Mr. Harry Strong, Jr.

The secretary and counsel reviewed items for consideration in 1971 legislative planning. Several "housekeeping" changes to the pharmacy practice act were reviewed by the secretary for the board's consideration and the secretary reviewed an analysis of the proposed Model State-Control Dangerous Substances Act. Counsel and the secretary working together with counsel and executive secretary for the State Pharmaceutical Association will continue research and make appropriate proposals to the board for their consideration before the 1971 session. The secretary indicated he would be involved coordinating all types of drug legislation on behalf of Governor LeVander's commission on drug abuse.

The secretary and counsel described an investigation involving Pharmacist Henry J. Prottengeier, Jr. This matter was brought to the attention of the board office by Hopkins Police Department and involved illegal dispensing and possession of stimulant drugs. After a thorough discussion of the evidence presented as well as a transcript of an investigation session conducted by counsel, Mr. Olson moved and Mr. Quistgard seconded that Mr. Paul G. Grussing, Secretary of the Minnesota State Board of Pharmacy, be and he hereby is granted the authority and is directed to serve notice of initiation of a contested case in the matter of Henry J. Prottengeier, Jr. as well as perform any and all acts incidental thereto including to sign the notice of initiation of a contested case, setting the time and place for the prehearing conferences, and to appoint a hearing examiner. Motion passed.

The board then discussed limits of a possible suspension which might be discussed by counsel and counsel for Mr. Prottengeier at a possible prehearing conference.

The secretary described a report from the State Public Examiner's Department in which Pharmacist Perry Zenk of Montevideo, Minnesota, admitted defrauding the Welfare Departments of Chippewa and Lac Qui Parle Counties and in which he reportedly made restitution for monies collected for items which were billed but never delivered. After a thorough discussion of all of the evidence and the reports presented, Mr. Roy Olson moved and Mr. Jack Quistgard seconded the following resolution:

RESOLVED, that Paul G. Grussing, Secretary of the Board of Pharmacy, be and he hereby is granted the authority and directed to serve notice of initiation of a contested case in the matter of Perry A. Zenk, as well as perform any and all acts incidental thereto including to sign the notice of initiation of a contested case, setting the time and place for the prehearing conferences and to

appoint a hearing examiner.

Motion passed.

The board then instructed counsel, Mr. Strong, in the matter of limits of a possible suspension which might arise out of a stipulation during a prehearing conference and also instructed Mr. Strong to enter into the stipulation that Mr. Zenk shall pay all legal and stenographic costs in connection with the suspension upon termination of the suspension.

Counsel, Harry Strong, Jr., reported on conversations with counsel representing James V. French in the matter of a complaint issued to him previously. Mr. Strong reported that counsel for Mr. French requested certain rewording of charges and set forth a suggested suspension to be accepted on a "no contest" basis. The board discussed this offer, rejected it and instructed Mr. Strong to contact counsel for Mr. French to obtain another compromise on a suspension.

At approximately 11:05 o'clock A.M., Pharmacist Charles H. Bassing, a candidate for registration by reciprocity from the state of South Dakota, appeared before the board for an oral examination in pharmaceutical jurisprudence.

Counsel, Mr. Strong, reported that he had contacted counsel for Mr. James V. French in the matter of a compromise suspension term. After contacting his client, counsel for Mr. French will contact Mr. Strong next week.

At approximately 11:25 o'clock A.M., Miss Genia J. Bolich, a candidate for registration by reciprocity from the state of Nebraska, appeared before the board for oral examination in jurisprudence.

At approximately 11:35 o'clock A.M., the board met in the banquet room of the Chapman Building for the purpose of presenting professional and regulatory topics to all of the candidates by examination and by reciprocity. The board then invited questions from the candidates and a general discussion of practice topics and topics of jurisprudence followed the presentation by individual board members. Difficulties in compounding and dispensing drugs in the practical examination were discussed. All board members, its secretary and all candidates then attended a luncheon sponsored by the Minnesota State Pharmaceutical Association. The president and the executive secretary of the State Pharmaceutical Association addressed the group. Mr. John H. Nelson, vice president of the board, spoke after the luncheon on the topic of "Relationships Between Practitioners and the Board in Cases of Non-compliance".

At 1:30 o'clock P.M., Mr. Larry M. Kroshus, a candidate for registration by reciprocity from the state of Iowa, appeared before the board for oral examination in jurisprudence.

At 1:50 o'clock P.M., Mr. Frank L. McOmber, a candidate for registration by reciprocity from the state of Illinois, appeared before the board for oral examination in jurisprudence.

At 2:00 o'clock P.M., Mrs. Dianne Pearman, a candidate for registration by reciprocity from the state of North Dakota, appeared before the board for oral examination in jurisprudence.

At 2:15 o'clock P.M., Mr. Eugene J. Rezac, a candidate for registration by reciprocity from the state of South Dakota, appeared before the board for oral examination in jurisprudence.

At 2:30 o'clock P.M., Mr. Alan J. Schuhmacher, a candidate for registration by reciprocity from the state of North Dakota, appeared before the board for oral examination in jurisprudence.

At 2:50 o'clock P.M., Mr. Verne D. Hoggatt, a candidate for registration by reciprocity from the state of Indiana, appeared before the board for oral examination in jurisprudence.

At 3:15 o'clock P.M., Miss Kay P. Smith, a candidate for registration by reciprocity from the state of North Dakota, appeared before the board for oral examination in jurisprudence.

At 3:40 o'clock P.M., Mr. Norbert R. Szymanski, a candidate for registration by reciprocity from the state of Illinois, appeared before the board for oral examination in jurisprudence.

At 4:05 o'clock P.M., Mrs. Carol M. Comiskey, a candidate for registration by reciprocity from the state of Illinois, appeared before the board for oral examination in jurisprudence.

At 4:20 o'clock P.M., Mr. Richard W. Neary, a candidate for registration by reciprocity from the state of South Dakota, appeared before the board for oral examination in jurisprudence.

At 4:45 o'clock P.M., Mr. John M. Hovde, a candidate for registration by reciprocity from the state of North Dakota, appeared before the board for oral examination in jurisprudence.

The board's Wednesday evening session was spent completing the posting of grades.

Minnesota State Board of Pharmacy - 444th Meeting - June, 1970

June 25, 1970. At 9:00 o'clock A.M., the board met in its conference room. All members were present in addition to the secretary and counsel, Mr. Harry Strong, Jr.

At 9:00 o'clock A.M., Pharmacist Robert W. Irwin appeared before the board in response to a letter sent to him by the secretary on June 12, 1970. The purpose of the meeting was to discuss with Mr. Irwin certain assertions of professional superiority presented in a letter written by himself to guardians of patients in a Mankato nursing home. After a thorough discussion of the duties of a pharmacist-consultant, the meaning of board Regulation No. 37, Mr. Irwin departed. The secretary was instructed to write Mr. Irwin a letter of reprimand and offer the full resources of the board office to assist him in remaining in compliance in the future.

At 10:00 o'clock A.M., Pharmacists Allen D. Engebretson and Maurice W. Gintz appeared before the board in response to letters sent to them by the secretary on June 12, 1970. Mr. Engebretson appeared on behalf of Mr. Leske who was on vacation. These gentlemen were accompanied by Mr. Max Jenkins, director of Professional Services of Osco Drug. The secretary outlined for the board certain violations of Regulations Nos. 37 and 33 in connection with a newspaper advertisement by the Osco Pharmacies in Rochester, Minnesota. All of the elements of various violations were discussed thoroughly by the board and assurance of full compliance in the future was promised by Mr. Engebretson, Mr. Gintz and Mr. Jenkins. The secretary was instructed to issue letters of reprimand to the two pharmacists-in-charge concerned.

The secretary described an application for a license to operate a pharmacy submitted by Mr. Eugene Daly. He related that the application when received was not accompanied by a proper copy of the required articles of incorporation. He related also that the applicant referred to a certain franchise agreement and reported that he requested the applicant to furnish a copy of the articles of incorporation together with a copy of the franchise agreement. Such copies were received Wednesday, June 24 at the board office. After a review of the application and of the franchise agreement, Mr. Nelson moved and Mr. Anderson seconded that the application and the franchise agreement be referred to the secretary and attorney for additional study and for recommendations to the board. This is necessary because of questions about the possible effect of the franchise agreement upon the practitioner's practice prerogatives and upon compliance with Minnesota law and regulations. Comments by legal counsel are to be circulated to the board who will act upon the license application by a poll of its members before its next special meeting. Motion passed.

Mr. Jack Quistgard reported that examination candidate, John Michelich (retaking written examination), had discussed with him the feasibility of taking the jurisprudence examination for purposes of reciprocating into Minnesota. Mr. Quistgard reported that he reasserted to Mr. Michelich the board's policy of denying opportunity for taking the examination via reciprocity to applicants who have failed the full examination.

After a discussion of the date for the next special meeting for purposes of interviewing candidates for the position of assistant secretary it was agreed that August 11 would be selected as the next board date for such purposes and for other special business.

The secretary described applications for licenses to operate pharmacies at Inver Grove Heights and Bloomington, Minnesota, submitted by Snyder's Drug Stores Inc. Mr. Olson moved and Mr. Anderson seconded that the licenses be granted subject to physical inspection of the premises. Motion passed.

The secretary described an application for a license to operate a pharmacy in the Bemidji Hospital. After a review of the application, Mr. Nelson moved and Mr. Olson seconded that the license be granted subject to physical inspection of the premises. Motion passed.

The secretary described receipt of several accountabilities submitted by Pharmacist Stephen Kachina. He requested that permission be granted to conduct an accountability to verify Kachina's records against actual invoices and dispensing records. Mr. Quistgard moved and Mr. Olson seconded that the secretary be instructed to conduct an accountability at the Unity Hospital Pharmacy in Fridley, covering only the drugs in question in the disciplinary matter involving Mr. Kachina. Motion passed.

The secretary described an investigation of the Thompson Drug, Montevideo, Minnesota, involving non-coverage of the pharmacy during hours when it is open for business. Mr. Quistgard moved and Mr. Olson seconded that the secretary be instructed to write pharmacist-in-charge, Mr. Virgil Thompson, a letter requesting his assurance that the store will be properly covered with a registered pharmacist at all times in the future, further that the pharmacy be inspected from time to time in the early morning hours. Motion passed.

Counsel, Mr. Strong, reported on a meeting with the Assistant County Attorney, County of Ramsey, in the matter of instituting proceedings against Group Health Mutual for operating a pharmacy without a license. The County Attorney has indicated that action could not be taken against the Group Health Mutual Corporation because the furnishing of drugs by nurses would be contemplated as a logical extension of the practice of medicine and claimed to be under the supervision of the medical practitioner. It was stated, however, that if such a facility would dispense prescriptions from outside practitioners or if they would dispense drugs in a manner which would be considered unprofessional conduct to the Minnesota State Board of Nursing or unprofessional conduct to the Board of Medical Examiners or constitute a hazard to the public that the County Attorney would be interested in prosecuting the case.

Mr. Olson moved and Mr. Anderson seconded that the minutes show that the board confirms its action previously taken by a poll of the membership in connection with the issuance of a license to practice pharmacy to the Willmar Clinic Pharmacy, Willmar, Minnesota.

The board then entered into a general discussion of policies it might follow in case of a strike of pharmacists working for a large chain or working in various hospitals. Several alternatives were discussed and it is the general consensus that this time that such pharmacies would have to maintain a registered pharmacist on duty for the purpose of giving out copies to patients and furnishing information to physicians. This topic is to be discussed at future special meetings and the secretary will discuss alternatives with the State Labor Relations Board after contacting the Minnesota State Pharmaceutical Association. Extreme care must be taken to avoid actions which could be viewed as arbitrary from either the side of management or of labor in such disputes.

After reviewing the performance and the applications submitted for all of the candidates for licensure by reciprocity, Mr. Nelson moved and Mr. Olson seconded that having passed the jurisprudence examination and any other examination that may have been requested of them for reason, that the following candidates for registration by reciprocity now be granted registration on the basis of the state listed with their names below. Motion passed.

The names of the candidates and their corresponding states of registration are listed as follows:

Cert. No.

1693	Bolich, Genia J. -----	Nebraska
1694	Comiskey, Carol M. (Mrs.)--	Illinois
1695	Hovde, John M. -----	North Dakota

Cert. No.

1696	Kroshus, Larry M. -----	Iowa
1697	McOmber, Frank L. -----	Illinois
1698	Neary, Richard W. -----	South Dakota
1699	Pearman, Dianne (Mrs.) -----	North Dakota
1700	Rezac, Eugene J. -----	South Dakota
1701	Smith, Kay P. -----	North Dakota
1702	Szymanski, Norbert R. -----	Illinois
1703	Crocker, Douglas L. -----	Wisconsin

Mr. Anderson moved and Mr. Nelson seconded that after a review of the application, records, and examinations in the case of Mr. Charles H. Bassing, that the privilege of reciprocity be denied to him at this time. Motion passed.

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

Mr. Anderson moved and Mr. Olson seconded that after a review of the application, records, and examinations in the case of Mr. Verne D. Hoggatt, that the privilege of reciprocity be denied to him at this time. Motion passed.

After thoroughly reviewing the performance of the candidates in the examination for licensure and the qualifications of the candidates, Mr. Nelson moved and Mr. Anderson seconded that the 38 candidates who received a general average of 75% or better, not below 75% in the practical examination and not below 60% in any one written subject, be granted registration as pharmacists. Motion passed. The list of the 38 candidates follows:

Cert. No.

1655	Anderson, Robert P.
1656	Belau, Richard W.
1657	Beugen, Michael R.
1658	Bjornberg, Bruce B.
1659	Blissenbach, Henry F.
1660	Breckner, Suzanne E.
1661	Brown, Perry W.
1662	Carlson, Albert J.
1663	Eastep, Roger D.
1664	Fa, Eva M.
1665	Gjendahl, Curtis E.
1666	Hall, Craig T.
1667	Harjamaki, Arnold D.
1668	Hendrix, John M.

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Cert. No.

1669	Hensgens, Guillaume G.
1670	Herron, James P.
1671	Highland, Robert M.
1672	Kath, Steven R.
1673	Koski, James H.
1674	Kriz, Thomas E.
1675	Kurth, James A.
1676	Lange, Phillip G.
1677	Laudon, Curtis M. Jr.
1678	Lewis, Robert L.
1679	Loch, John J.
1680	Martinson, Barry W.
1681	McGuigan, Kathleen M.
1682	Mickelsen, Peggy D.
1683	Nerstad, Darrel O.
1684	Opitz, Stanley H.
1685	Pederson, David R.
1686	Peine, Gerald E.
1687	Polifka, Owen R.
1688	Rodman, John H.
1689	Ruzanic, Arthur L.
1690	Smaciarz, Richard J.
1691	Sunderland, Constance K.
1692	Yonekawa, Diane Y.

Mr. Richard J. Ferrell, who had advised he would appear to retake the practical examination did not appear on June 23.

The secretary reported that at the time of roll call for the written examination on Monday, June 22, Mr. William Horoshak, a 1970 graduate of North Dakota State University College of Pharmacy, appeared to take the board examination. The secretary noted that he had not completed an application and Mr. Horoshak indicated that he had not received any. He further stated that in the state of North Dakota applications were not used and that applicants merely took the board. The secretary interviewed Mr. Horoshak and took notes concerning contents of the interview. At the end of the interview Mr. Horoshak requested a draft deferment until the month of September. The secretary asked Mr. Horoshak to write the Minnesota State Board of Pharmacy requesting such a letter and indicated that such a letter would indicate all of the facts in the case including the fact that Mr. Horoshak had not properly applied to take the June board.

After a discussion of the limited pharmaceutical services now being provided to the citizens of Floodwood, Minnesota, Mr. Quistgard moved and Mr. Nelson seconded that the secretary immediately notify Mr. Richard W. Neary that he successfully passed the examinations in jurisprudence and that he can immediately

provide pharmaceutical services in Floodwood. Motion passed.

After a lengthy discussion of certain internship deficiencies Mr. Nelson moved and Mr. Olson seconded that certain interns who have completed one year of internship as of June, 1970 but who are otherwise not qualified because they have failed to register as interns in Minnesota or have failed to properly report such time on forms required in Minnesota, be allowed to apply for the September 1970 board providing they promptly file all past internship time and complete Book 4 of the pharmacy internship experience reports covering the time from June thru September, 1970. Motion passed. The secretary will contact all such interns so effected.

The secretary was instructed to write the secretary of the North Dakota board requesting information concerning interns registered in North Dakota and filing time in North Dakota but who are actually accomplishing their internship in Minnesota.

The secretary discussed the application of Mr. Theodore Westley for reciprocity to Minnesota. He reviewed the fact that Mr. Westley's application to take a board examination in Minnesota a year ago was denied because part of his internship was accomplished in a college dispensary where the scope of drugs dispensed did not exceed or meet the scope of drugs dispensed in community or hospital pharmacies. The reciprocity application includes that sub-standard time according to Minnesota standards and according to current board policy Mr. Westley would not be acceptable for reciprocity.

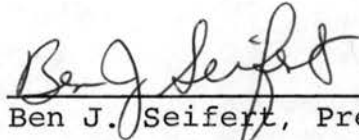
After a long and thorough discussion of the elements of the Westley application and similar applications considered in the past, Mr. Quistgard moved and Mr. Anderson seconded that all previous policies in the minutes of this board relating to strict adherence to the requirements of one year of internship for reciprocity candidates be abolished in favor of a policy in agreement with the NABP. This policy holds that any reciprocity candidate from a member state who has substantially one year of internship as interpreted by the original state of reciprocity be allowed to reciprocate into Minnesota provided he has completed one year of practice in some state for the purpose of covering any minor deficiencies in internship. Motion passed. It was understood that this interpretation does not cover six months internships but only minor deficiencies in internships such as might be caused by allowing small amounts of concurrent time during vacations, etc.

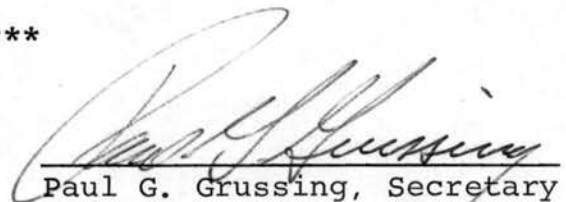
The secretary reviewed the internship records of Mr. Doyle Potter, Jr. After a discussion of the records Mr. Quistgard moved and Mr. Anderson seconded that Mr. Potter be allowed to apply for the September, 1970 board provided all past unregistered and improperly recorded time be brought up to date and provided

he completes book 4 of the pharmacy internship experience reports covering the time from June to September, 1970. Motion passed.

The secretary described an application for a license to operate a pharmacy in the Ortonville Municipal Hospital. Mr. Anderson moved and Mr. Olson seconded that the license be granted subject to clarification of the access procedure and the physical inspection of the premises. Motion passed.

At approximately 12:30 o'clock P.M., Mr. Anderson moved and Mr. Olson seconded that the meeting be adjourned. Motion passed.


Ben J. Seifert, President


Paul G. Grussing, Secretary

MINNESOTA STATE BOARD OF PHARMACY

Four Hundred - Forty-Fifth Meeting

August 11, 1970. At approximately 9:05 o'clock A.M., the board met in its offices at 1965 Ford Parkway, St. Paul, Minnesota. Members in attendance were: President Ben J. Seifert, Vice President John H. Nelson, John E. Quistgard, Lowell J. Anderson and Roy H. Olson. Also in attendance were the board's secretary, Paul G. Grussing and the board's legal counsel, Harry P. Strong, Jr.

After a review of the minutes of the June, 1970 meeting Mr. Quistgard moved and Mr. Nelson seconded that the minutes be approved as written. Motion passed.

The secretary described a deficiency in the intern records of Mr. Michael Vettel. After a discussion of the problem, Mr. Olson moved and Mr. Nelson seconded that only three months of the six months of internship which was not properly reported be credited to the required one year of internship, provided that Mr. Vettel be requested to promptly bring all of his delinquent records up to date. Motion passed.

The secretary described an investigation of Pharmacist Richard John Miller at the Gibson Pharmacy, Winona, Minnesota. After a thorough discussion of the violations described in the secretary's report, Mr. Nelson moved and Mr. Olson seconded that the board adopt the following resolution:

"RESOLVED that Paul G. Grussing, Secretary of the Minnesota State Board of Pharmacy, be and he hereby is granted the authority and directed to serve notice of initiation of a contested case in the matter of Richard J. Miller, pharmacist, and Gibson Pharmacy, Winona, Richard J. Miller, pharmacist-in-charge, as well as perform any and all acts incidental thereto including to sign the notice of initiation of contested cases setting the time and place for the prehearing conferences and to appoint a hearing examiner".

Motion passed.

The secretary reported that he had made arrangements for any possible hearing resulting from the investigation to be scheduled within the city of Winona for the inconvenience of the cooperating physician and local witness. It was the general consensus of the board that the fact that a board hearing would be scheduled in Winona should be given local and professional publicity without mentioning the nature of the meeting and the personal aspects of the disciplinary proceeding.

The secretary and counsel, Mr. Strong, reported on stipulations and suspensions in the James V. French and the Perry A. Zenk cases. After a thorough discussion of the proceedings, Mr. Nelson moved and Mr. Quistgard seconded that the minutes of this meeting reflect the action reported by the secretary and counsel based on instructions previously given to them by the board. Mr. French has stipulated and agreed that his license to practice pharmacy shall be suspended for a period of 21 days, that the suspension begin on August 24, 1970 provided however, that upon written request by Mr. French that the entry of such order may be stayed until September 24, 1970. Mr. Perry A. Zenk has stipulated and agreed that his license to practice pharmacy shall be suspended commencing July 19, 1970 and to be reinstated on August 18, 1970. Motion passed. Both persons shall pay the costs of reinstatement as provided by law.

At approximately 10:05 o'clock A.M., Pharmacist Eugene E. Daly appeared before the board in response to a request by counsel, Mr. Strong, Jr. Mr. Daly's appearance was for the purpose of reviewing with him amendments to a franchise agreement relating to the operation of Union Prescription Center Pharmacy. Mr. Daly was accompanied by Mr. George G. Lorinczi, Attorney at Law, and Mr. Donald Jones, Pharmacist. A recording of the hearing was made and at approximately 10:55 o'clock A.M., Mr. Daly, Mr. Lorinczi and Mr. Jones departed.

Prior to the appearance of Mr. Daly, Mr. Stanley Markson contacted the secretary indicating that he wished to open three Union Prescription Center franchise pharmacies in the Minneapolis area and indicating that he hoped the board would approve such licenses today. Mr. Markson did not have applications for the operation of such pharmacies and was told by the secretary that applications would be necessary before the board could take action. Mr. Lorinczi requested the board to consider Mr. Markson's request in lieu of written applications.

At approximately 11:00 o'clock A.M., Pharmacist Floyd L. Schmidgall of Morris, Minnesota, appeared before the board in response to a letter sent to him by the secretary on July 24, 1970. President Seifert reviewed several violations of Board Regulation No. 37(k) and the board members discussed the meaning of that regulation with Mr. Schmidgall. Mr. Schmidgall indicated that he understands the meaning of the regulation and that full compliance can be expected from him in the future.

The matter of improper store coverage was not discussed with Mr. Schmidgall and the secretary informed Mr. Schmidgall that the results of his investigation revealing this violation would be presented to the board later during this meeting.

At approximately 11:25 o'clock A.M., Mr. Schmidgall departed.

The secretary then described to the board the elements of his investigation of the Johnson Pharmacy in Morris, revealing it was for a time operating without the benefit of a pharmacist-in-charge and that prescriptions were being compounded by Pharmacist-Intern Doyle Potter Jr., without the supervision of a registered pharmacist. After a thorough discussion of the evidence presented by the secretary, Mr. Nelson moved and Mr. Olson seconded the following resolution:

"RESOLVED that Paul G. Grussing, Secretary of the Minnesota State Board of Pharmacy, be and he hereby is granted the authority and directed to serve notice of initiation of a contested case in the matter of Floyd L. Schmidgall, as well as perform any and all acts incidental thereto including to sign the notice of initiation of a contested case setting the time and place for the prehearing conferences and to appoint a hearing examiner".

Motion passed.

The board also instructed the secretary and counsel in the matter of the limits of a suspension which might be authorized by the board in a stipulation at a prehearing conference.

After a thorough discussion of the violation involving Pharmacist-Intern Doyle Potter Jr., at the Johnson Drug Company, Morris, Mr. Nelson moved that because of the violation of State Pharmacy Law by Mr. Potter that he be denied the privilege of taking the examination for licensure in September and allowed to apply for the January, 1971 examination.

The motion was not seconded.

Mr. Anderson moved that Mr. Potter be notified that because of the violation that he be denied the privilege of taking the September examination, further that he be allowed to apply for the examination for licensure as a pharmacist one year after the date of the violation. The motion was not seconded.

Mr. Nelson moved and Mr. Olson seconded that the secretary be instructed to write Mr. Potter indicating that because of his violation in the Johnson Pharmacy, Morris, that he be denied the privilege of taking the September board examination and be allowed to take the examination only after satisfactory completion of an additional three months of internship. Motion failed.

Mr. Nelson moved and Mr. Anderson seconded that the secretary be instructed to write Mr. Potter Jr., indicating that because of his violation in the Johnson Drug Company, Morris, that he be denied the privilege of taking the September board examination and that an additional six months of internship beyond September, 1970, be completed in lieu of the internship which is in violation. Motion passed.

The secretary described license applications for the:

Isle Pharmacy, Isle, Minnesota
Princeton Hospital Pharmacy, Princeton, Minnesota
Children's Hospital Pharmacy, St. Paul, Minnesota.

After a review of the applications, Mr. Nelson moved and Mr. Quistgard seconded that the licenses be granted subject to physical inspection of the premises, further that the secretary seek stipulation from the hospital pharmacies that regular pharmaceutical services be limited to in-patients only. Motion passed.

After a thorough discussion of the application to operate a pharmacy submitted by Pharmacist Eugene E. Daly, Mr. Olson moved that, subject to physical inspection of the premises, a license to practice pharmacy be issued to the Union Prescription Center, Rice Street, St. Paul. President Seifert turned over the chair to Vice President Nelson and Mr. Seifert seconded the motion. Motion passed. The secretary was instructed to notify Mr. Daly of the board's action.

President Seifert dismissed the board for lunch. During the noon luncheon break the board members conducted a luncheon in honor of Mr. H. Duane Howard, inspector, who is being transferred to the State Department of Taxation. Mr. Howard received the personal congratulations of the board members and their appreciation for a job well done.

At approximately 1:30 o'clock P.M., President Seifert reconvened the meeting. All members plus the board's secretary were in attendance.

The secretary reported that three incomplete applications to operate Union Prescription Center Pharmacies in Fridley, Crystal and Hopkins were received from Mr. Stanley H. Markson via special delivery mail. It was noted that the applications do not contain the names of proposed staff pharmacists, that the applications are not complete with respect to certain qualifications of the applicant and that the applications do not contain the required certificates of the designated pharmacists-in-charge. The chair instructed the secretary to return the applications to Mr. Markson indicating that they cannot be considered by the board until such time as the applications are completed and returned to the secretary before the board's next special meeting. The secretary noted that the applications were marked "preliminary application" and that they were not accompanied by the required \$35 fee.

The board then discussed the September, 1970 examination and agreed that the examiners would prepare the same category of practical prescription and that such prescriptions would be submitted to the board office not later than September 1. It was also generally agreed that a breakfast meeting for candidates would be arranged for Tuesday, September 15. The written examination is to be given on Sunday, September 13. Mr. Anderson, Mr. Olson, Mr. Quistgard and Mr. Grussing will monitor this examination and will be joined by Mr. Seifert and Mr. Nelson on Sunday for administering the practical examination on Monday.

board

The final dates for the January, 1971/were discussed. Mr. Quistgard moved and Mr. Anderson seconded that the examination be scheduled the week of January 11 through 15, 1971. Motion passed.

After a thorough discussion of a proposed June, 1971 board examination, Mr. Quistgard moved and Mr. Olson seconded

that the secretary be instructed to request the Dean of the College of Pharmacy to conduct a poll of students to determine how many students would be qualified for the June and September, 1971 board examinations, further that the secretary inform the Dean of the College of Pharmacy that completed applications including certifications from the College of Pharmacy should be furnished to the board by June 18th for consideration for a June 21st examination, further that if properly certified applications cannot be received by that date that the examination be given in September. Motion passed.

The board then discussed the general matter of per diem for board activities other than attendance at regular board meetings. The secretary is to discuss this with counsel and to consider changes in the pharmacy practice act allowing for per diem to be paid for attendance at board meetings other than regularly scheduled meetings.

The board also discussed utilization of motor pool vehicles for the assistant secretary and for the inspector.

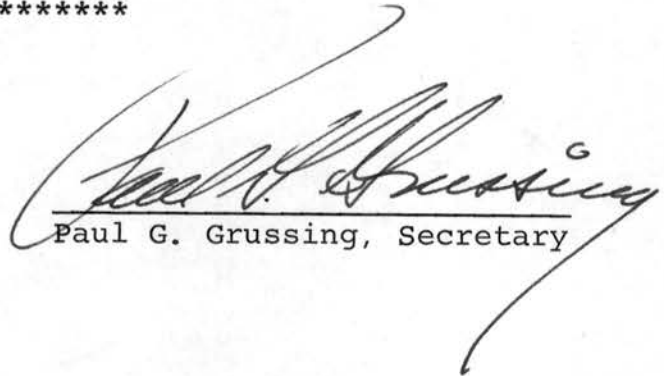
The secretary then indicated the motion made at the previous meeting raising the examination fee by the amount of \$25 may not be necessary since a legislative ceiling of \$50 per examination already exists. Mr. Quistgard moved and Mr. Anderson seconded that for all future examinations that a fee of \$50 per examination be required and that the previous motion which would have effectively raised the ceiling for examination fees to \$55 be disregarded. Motion passed.

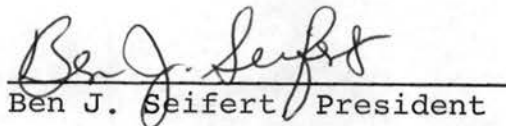
The secretary then reviewed the financial report for the months of January through June, 1970 and after a thorough discussion of the report together with the budget of the board for the months of July through December, 1970 and after a consideration of existing and future board programs, Mr. Quistgard moved and Mr. Nelson seconded that the financial statement be approved as presented. Motion passed.

After a thorough discussion of the financial report, Mr. Nelson moved and Mr. Quistgard seconded that the secretary be instructed to contact the Minnesota State Pharmaceutical Association indicating that because of increased staff expenses, increased legal fees, increased operating costs, all of which consume increased revenues created by fee increases, that the board not grant the Minnesota State Pharmaceutical Association any funds for the "Advancement of Science of Pharmacy" per M.S. 151.28 during the calendar year 1970. Motion passed.

The board then entered into a general discussion of alternative methods for creating additional revenues necessary to maintain existing levels of services to the public and to the profession.

At approximately 2:30 o'clock P.M., President Seifert dismissed the board after completion of its old and new business.


Paul G. Grussing, Secretary


Ben J. Seifert President

MINNESOTA STATE BOARD OF PHARMACY

Four Hundred - Forty-Sixth Meeting

September 13, 1970. At approximately 8:45 o'clock A.M., Mr. Roy H. Olson, Mr. Lowell Anderson and Secretary Grussing conducted a briefing for candidates who would be taking the examination for licensure as pharmacists. The examination was administered at the College of Pharmacy, University of Minnesota, Minneapolis. Written subjects in the field of Pharmacy, Pharmacology, Pharmaceutical Calculations, Pharmaceutical Chemistry and Pharmaceutical Jurisprudence were included in the examination.

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

Beloy, Bruce C.	Roth, Michael A.
Benson, Lana R.	Schulze, Joel C.
Cacini, William Jr.	Smaciarz, Gretchen L.
Eisenach, Gary E.	Steinke, Jodell L.
Hewett, Ronald D.	Swartz, Lynda J.
Kolari, Dennis R.	Urbaniak, Richard J.
Larson, David A.	Van Moer, John J.
Nystuen, Gail M.	Zotaley, Theresa L.
Palm, Patricia M.	Shaffer, Janice R.
Pearson, Terryl A.	Kretzschmar, Gene K.
Peterson, Richard A.	*Cavanaugh, Jacalyn E.
Reichmann, Theodore C.	

*Jacalyn E. Cavanaugh was present to retake the written and practical examinations.

The following candidates were present to retake the written examination only:

LeBert, Renee E.
Michelich, John J.
Trezona, William G.

At approximately 7:30 o'clock P.M., Mr. Ben J. Seifert, Mr. John H. Nelson and Mr. John E. Quistgard joined the other members and the secretary for the purpose of correcting examinations on written subjects. The examination process continued throughout the evening.

The board discussed items of a general nature including administration of future examinations. Mr. Quistgard moved and Mr. Nelson seconded that in the future reciprocity candidates take the law examination together with the candidates for licensure by examination. Motion passed.

At approximately 8:45 o'clock A.M., Monday, September 14, the board met at the College of Pharmacy, University of Minnesota, Minneapolis, for the purpose of administering the practical examination.

The following candidates appeared to retake the practical examination:

Ahlf, Kentner J.
Gustafson, Glen A.
Hanson, James L.
Jones, Dennis M.

Donald E. Briggs, a reciprocity candidate, appeared to take the practical examination since he had not been active in pharmacy for the past five years.

The examination lasted the entire day and the board members spent the evening correcting the examination papers and prescriptions.

At approximately 8:00 A.M., Tuesday, September 15, 1970, Secretary Grussing administered the required examination in Jurisprudence to those candidates for licensure by reciprocity whose names appear later in the minutes of this meeting.

At approximately 9:00 o'clock A.M., the board, together with all of the candidates for licensure by both examination and reciprocity were guests of the Minnesota State Pharmaceutical Association at a breakfast. In connection with this breakfast meeting the board members explained certain deficiencies in prescriptions compounded during the examination; the secretary reviewed administrative relationships between practitioners and the board office, and Mr. Nelson addressed the group on "relationships between the board and practitioners in cases of non-compliance".

At 10:40 o'clock A.M., Mr. Charles H. Bassing, a candidate for registration by reciprocity from the state of South Dakota, appeared before the board for oral examination in jurisprudence.

At 10:55 o'clock A.M., Mr. John T. Matoushek, a candidate for registration by reciprocity from the state of Missouri, appeared before the board for oral examination in jurisprudence.

At 11:15 o'clock A.M., Mr. Theodore A. Westley, a candidate for registration by reciprocity from the state of South Dakota, appeared before the board for oral examination in jurisprudence.

At 11:25 o'clock A.M., Mr. Paul J. Schneider, a candidate for registration by reciprocity from the state of Illinois, appeared before the board for oral examination in jurisprudence.

At 11:50 o'clock A.M., Mr. Jack W. Whorley, a candidate for registration by reciprocity from the state of Colorado, appeared before the board for oral examination in jurisprudence.

At 12:10 o'clock P.M., Mr. Kenneth M. Shockman, a candidate for registration by reciprocity from the state of North Dakota, appeared before the board for oral examination in jurisprudence.

At 12:20 o'clock P.M., Mr. Dale L. Stafford, a candidate for registration by reciprocity from the state of Kansas, appeared before the board for oral examination in jurisprudence.

At 12:35 o'clock P.M., Mr. Jerome K. Sayler, a candidate for registration by reciprocity from the state of North Dakota, appeared before the board for oral examination in jurisprudence.

The board recessed for lunch.

At 1:35 o'clock P.M., Miss M. Ruth Moll, a candidate for registration by reciprocity from the state of North Dakota, appeared before the board for oral examination in jurisprudence.

At 1:45 o'clock P.M., Mr. Donald E. Briggs, a candidate for registration by reciprocity from the state of Indiana, appeared before the board for oral examination in jurisprudence.

At 2:00 o'clock P.M., Miss Janet E. Blessing, a candidate for registration by reciprocity from the state of Washington, appeared before the board for oral examination in jurisprudence.

At 2:10 o'clock P.M., Mr. Gary M. Armstrong, a candidate for registration by reciprocity from the state of North Dakota, appeared before the board for oral examination in jurisprudence.

At 2:30 o'clock P.M., Mr. Douglas H. Carnahan, a candidate for registration by reciprocity from the state of Illinois, appeared before the board for oral examination in jurisprudence.

After reviewing the performance and the applications submitted for all of the candidates for licensure by reciprocity, Mr. Lowell J. Anderson moved and Mr. Roy H. Olson seconded that having passed the jurisprudence examination and any other examination that may have been requested of them for reason, that the following candidates

for registration by reciprocity now be granted registration on the basis of the state listed with their names below. Motion passed.

Cert. No.

1726	Armstrong, Gary M.....	North Dakota
1727	Bassing, Charles H.....	South Dakota
1728	Blessing, Janet E.....	Washington
1729	Briggs, Donald E.....	Indiana
1730	Carnahan, Douglas H.....	Illinois
1731	Moll, M. Ruth.....	North Dakota
1732	Sayler, Jerome K.....	North Dakota
1733	Schneider, Paul J.....	Illinois
1734	Stafford, Dale L.	Kansas
1735	Wesley, Theodore A.	South Dakota
1736	Whorley, Jack W.	Colorado

Mr. Quistgard moved and Mr. Anderson seconded that after a review of the application, records and examinations in the case of Mr. John T. Matoushek, that the privilege of reciprocity be denied to him at this time. Motion passed.

Mr. Olson moved and Mr. Anderson seconded that after a review of the application, records and examinations in the case of Mr. Kenneth M. Shockman, that the privilege of reciprocity be denied to him at this time. Motion passed.

After a general discussion of the administration of examinations for reciprocity, Mr. Nelson moved and Mr. Quistgard seconded that no examinations in jurisprudence for reciprocity candidates be administered during the standard January, 1971 board and that the board plan on administering such reciprocity examinations only every six months, preferably not to coincide with the standard examinations which are to be administered every six months. Motion passed.

Mr. Anderson discussed repeated violations of Regulation No. 37(k) by the Lillis Drug in St. Paul. The file of the pharmacy was reviewed and it was agreed that voluntary compliance was not being obtained. Mr. Anderson moved and Mr. Quistgard seconded that the secretary be instructed to write a letter to the pharmacist-in-charge, Mr. Frank J. Windisch, requesting him to appear before its next special meeting on an informal basis for the purpose of responding to questions concerning violations of Regulation No. 37(k). Motion passed.

The board discussed future meetings and agreed that it would meet briefly in early October before the NABP - District V meeting for the purpose of deciding on the employment of an assistant secretary.

The secretary also reminded the board of the MSPhA, board legislative conference to be scheduled November 19.

The secretary described an application for a license to operate a pharmacy submitted by Stanley H. Markson, and Bruce A. Determan, pharmacist-in-charge, at 6237 University Ave., N.W., Fridley, MN. He explained that the pharmacist-in-charge had been interviewed by the secretary to insure that he understands the meaning of the Franchise Agreement with its addendums attached to the application. After a review of the application Mr. Olson moved and Mr. Anderson seconded that the license (Union Prescription Center) be granted subject to physical inspection of the premises. Motion passed.

The secretary described an application for a license to operate a pharmacy submitted by Stanley H. Markson, pharmacist-in-charge, at 2736 Douglas Drive, Crystal, MN. He explained that the pharmacist-in-charge had been interviewed by the secretary to insure that he understands the meaning of the Franchise Agreement with its addendums attached to the application. After a review of the application Mr. Olson moved and Mr. Anderson seconded that the license (Union Prescription Center) be granted subject to physical inspection of the premises. Motion passed.

The secretary described an application for a license to operate a pharmacy submitted by Stanley H. Markson, and Ellis W. Abrahamson, pharmacist-in-charge, at 1814 Excelsior Blvd., Hopkins, MN. He explained that the pharmacist-in-charge had been interviewed by the secretary to insure that he understands the meaning of the Franchise Agreement with its addendums attached to the application. After a review of the application Mr. Olson moved and Mr. Anderson seconded that the license (Union Prescription Center) be granted subject to physical inspection of the premises. Motion passed.

The secretary described an application for a license to operate a pharmacy submitted by Mr. Jack R. Koch, Fairmont, MN. The proposal was for a pharmacy to be located in Owatonna, MN, to be known as Gibson Pharmacy. The board noted that the application listed Mr. Koch as pharmacist-in-charge and that he is currently listed as pharmacist-in-charge of another pharmacy. Noting the board regulation preventing a pharmacist-in-charge assuming responsibility for more than one community pharmacy the license was denied until completion of a certificate or professional responsibility by a pharmacist not presently covering another pharmacy.

Mr. Anderson moved and Mr. Olson seconded that the license application requested by Mr. Koch be denied. Motion passed.

The secretary described an application for a license to operate a pharmacy submitted by the University of Minnesota,

Morris, Minnesota, and Pharmacist Michael Jacoby. It was noted that there was conflict in the hours and an apparent attempt to "legalize" existing dispensing practices. The deficiencies in the application were called to the attention of the Assistant Provost of the college who replied with a request to table the application request pending further study of the pharmaceutical services needs of the University of Minnesota, Morris. The application was not considered by the board.

The secretary reviewed violations in the Huffer Drug, Hibbing, Minnesota. Mr. Olson moved and Mr. Nelson seconded that the board reaffirm its position arrived at unanimously during a recent poll of the members by the secretary, namely, that Mr. William Horoshak, pharmacist-intern, be denied the privilege of taking the examination for licensure as a pharmacist in September, that he be required to spend an additional six months of internship because of observed violations, and further that the secretary be instructed to prepare a Notice of Complaint and initiate proceedings in the case of the pharmacist-in-charge, Mr. William Huffer. Further, that the following resolution be adopted by the board.

"RESOLVED that Paul G. Grussing, Secretary of the Minnesota State Board of Pharmacy, be and he hereby is granted the authority and directed to serve notice of initiation of a contested case in the matter of William F. Huffer, as well as perform any and all acts incidental thereto including to sign the notice of initiation of a contested case setting the time and place for the prehearing conferences and to appoint a hearing examiner".

Motion passed.

The secretary described a communication from Pharmacist Donald E. Sampsel, who was recently hospitalized at the Veterans Administration Hospital in St. Cloud, but who reported to the board office that he was fishing in another state. Recognizing that this is a technical violation of a board regulation and recognizing that Mr. Sampsel has a pattern of sporadic employment and may have a physical or mental condition possibly effecting his ability to practice, the board instructed the secretary to visit with his physician at the Veterans Administration Hospital in St. Cloud, inquiring whether or not Mr. Sampsel would benefit as a patient from a confrontation with the board with regard to reporting requirements as well as his personal capability to practice. The secretary will report to the board on his findings based on the discussion with the psychiatrist in the VA Hospital.

The secretary described violations of Regulation No. 37(k) by ten pharmacists-in-charge of Walgreen's Pharmacies in the Minneapolis area. He related a letter sent to the pharmacists-in-charge and a response prepared on their behalf by the District Manager of the Walgreen Company. After a review of the correspondence Mr. Quistgard moved and Mr. Nelson seconded a motion requiring the secretary to respond to the pharmacists-in-charge of all Minneapolis area pharmacies requesting them to act affirmatively in the matter of compliance with Regulation No. 37(k) within their own pharmacies by responding furnishing the board definite and clear information indicating preventative steps taken to police their pharmacy and to police the advertising provided to their pharmacy. Further, that if the responses are not clear and responsible that the individual pharmacist be called before the board for an informal hearing. Motion passed.

The secretary reviewed the final draft of the BNDD-Board of Pharmacy memorandum of understanding to replace the existing memorandum. The board agreed that the secretary contact the office of the Governor and arrange for a signing of the document in connection with signing by representatives of BNDD.

The secretary reported on successful efforts to modify Civil Service job description for pharmacy technicians within state hospitals. The modification as it now exists is not in conflict with state law. The secretary has bulletined pharmacists-in-charge of all state hospitals reminding them of the legal requirements.

The board discussed general plans for transportation to the District V - NABP meeting in Winnipeg, Manitoba.

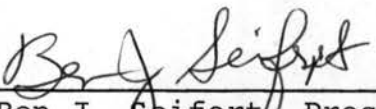
After thoroughly reviewing the performance of the candidates in the examination for licensure and the qualifications of the candidates, Mr. Anderson moved and Mr. Nelson seconded that the 22 candidates who received a general average of 75% or better, not below 75% in the practical examination and not below 60% in any one written subject, be granted registration as pharmacists.


Minnesota State Board of Pharmacy - 446th Meeting, September, 1970

Motion passed. The list of the 22 candidates follows:

<u>Cert. No.</u>		<u>Cert. No.</u>	
1704	Ahlf, Kent J.	1715	Pearson, Terry L. A.
1705	Benson, Lana R.	1716	Peterson, Richard A.
1706	Cacini, William Jr.	1717	Reichmann, Theodore C.
1707	Cavanaugh, Jacalyn E.	1718	Roth, Michael A.
1708	Eisenach, Gary E.	1719	Schulz, Joel C.
1709	Gustagson, Glen A.	1720	Shaffer, Janice R.
1710	Hanson, James L.	1721	Smaciarz, Gretchen L.
1711	Kretzschmar, Gene K.	1722	Steinke, Jodell L.
1712	Larson, David A.	1723	Swartz, Lynda J.
1713	Nystuen, Gail M.	1724	Van Moer, John J.
1714	Palm, Patricia M.	1725	Zotaley, Theresa L.

At approximately 3:30 o'clock P.M., Mr. Nelson moved and Mr. Olson seconded that the meeting be adjourned. Motion passed.


Ben J. Seifert, President


Paul G. Grussing, Secretary

MINNESOTA STATE BOARD OF PHARMACY

FOUR HUNDRED - FORTY-SEVENTH MEETING

October 4, 1970. At 12:15 o'clock P.M., the board met in its rooms at the International Inn, Winnipeg, Manitoba, Canada. All members of the board were in attendance as was the secretary.

The secretary described a communication from Mr. Kenneth Shockman, Marshall, Minnesota. Mr. Shockman had failed the September jurisprudence examination for purposes of reciprocity and requested the board that he be permitted to retake the examination. After some discussion Mr. Nelson moved and Mr. Olson seconded that the secretary be instructed to write Mr. Shockman indicating that he would be permitted to retake the examination, that the NABP fee for reciprocity would cover additional examinations during the period of one year from original filing and the next date for jurisprudence examinations for reciprocity to Minnesota would be in March, 1971. Motion passed.

The secretary described a communication from Pharmacist Tracy Hafner of Slayton, Minnesota, in response to a letter from the secretary pointing out a violation of board regulation No. 37(k). It was the consensus of the board that the secretary should write Mr. Hafner indicating that his response should be made a part of the record and that compliance would be expected in the future.

The secretary described a newspaper advertisement by the Fischer Drugs, New Ulm, involving multiple violations of board Regulation No. 37(a). The secretary had previously written to Mr. Fischer pointing out the nature of these violations. After a thorough discussion of the problem it was the consensus of the board that the ad be sent to the Ethics and Grievance Committee of the Minnesota State Pharmaceutical Association for handling on an intra-professional basis.

The secretary described a newspaper advertisement by the Thrifty-Snyder Drug in New Ulm, Minnesota. The advertisement was in violation of board Regulation No. 37(k). Mr. Nelson moved and Mr. Olson seconded that the secretary be instructed

to write the pharmacist-in-charge requesting that he appear before the board to discuss the violation. Motion passed.

An application for a license to operate a pharmacy in Owatonna, Minnesota, submitted by Pharmacist Jack Koch on behalf of Gibson Pharmacies, was considered by the board. Mr. Anderson moved and Mr. Olson seconded that, subject to physical inspection of the premises, the license be granted. Motion passed.

The board then discussed the scheduling of a board representative to attend the prehearing conferences scheduled for October 23 in the Richard J. Miller and Floyd L. Schmidgall matters. The secretary is to arrange for representation by one board member at the prehearing conferences.

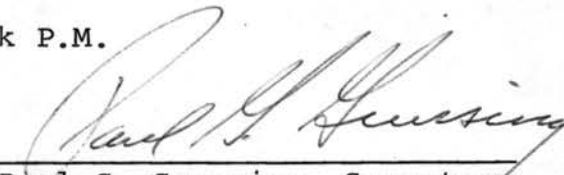
Activities of the newly formed American Society of Consultant Pharmacists toward the establishment of a National Accrediting Agency for the purpose of setting apart certain pharmacists as "consultants" qualified to be reimbursed under Medicare for providing pharmaceutical services was discussed. The secretary was instructed to prepare a resolution to be presented to District V of NABP-AACP opposing the proliferation of unnecessary accrediting agencies ostensibly to perform certification duties already properly handled by schools, associations and boards of pharmacy.

The board then discussed the report from the State Public Examiner's office that according to an Attorney General's Opinion and rendered in connection with the Dental Board attendance at professional meetings, the Minnesota State Board of Pharmacy would not be qualified to be paid per diem for attendance at NABP meetings. The legitimate governmental nature of NABP meetings was discussed and reaffirmed by the board and the secretary was instructed to request an Attorney General's Opinion to clarify this point because of the fact that NABP meetings are indeed board meetings and not meetings of the profession. Such request for an opinion is to be made retroactive to the Winnipeg board meeting if possible.

The secretary described arrangements with the Minnesota State Auditor in which the board could assume responsibility for payment of rental for a meeting room previously paid for by the NABP in connection with the October, 1969 district meeting.

At 2:05 o'clock P.M., President Seifert dismissed the board to attend the afternoon session of the District V - NABP-AACP.

Meeting adjourned at 2:05 o'clock P.M.


Paul G. Grussing, Secretary


Ben J. Seifert, President

MINNESOTA STATE BOARD OF PHARMACY

FOUR HUNDRED - FORTY EIGHTH MEETING

November 19, 1970. At 10:00 o'clock A.M., President Ben J. Seifert called the meeting to order. Members in attendance were: Ben J. Seifert, John H. Nelson, Vice President, Jack E. Quistgard, Lowell J. Anderson and Roy H. Olson. Also in attendance were the secretary, Paul G. Grussing and the board's legal counsel, Harry P. Strong, Jr.

At approximately 10:10 o'clock A.M., Pharmacist Phillip J. Richter appeared before the board in response to a letter sent to him by the secretary on November 5, 1970. The purpose of the visit was for the board to make inquiry into excessive sales by Richter of gelatin capsules as noted during routine inspections of wholesale registrants. Mr. Richter pointed out the lack of a specific statutory prohibition and the supposed condoning of the practice by various law enforcement agencies. The board members pointed out to Richter the fact that a higher standard than a legal prohibition exists in the case of pharmacists who should make inquiry into the need for gelatin capsules before sale. Pharmacist Richter admitted poor judgment in the matter and promised that he would deny requests for empty gelatin capsules in cases of suspected drug abuse and would also deny requests for other drug abuse paraphernalia such as cigarette papers and lactose. After a series of severe reprimands by individual members of the board, Mr. Richter departed at approximately 10:40 A.M.

The secretary described a violation of Regulation No. 10 by Frank Hogan, Hogan Drugs, Foley, Minnesota. The investigation is to be continued.

The secretary described a license application by Herbert I. Pomish for Kenesaw Drugs, 2 East Lake Street, Minneapolis, Minn. The license application was delayed by the secretary upon the approval of the board for reasons of an arson investigation being conducted in case of the pharmacy previously located upon the same location. The secretary was instructed to check for violations of Regulation No. 35, MS 617.215 as well as MS 151.40.

The secretary described a "secret formula" complaint and a partial investigation in the case of Doctors Building Pharmacy and Dr. Cedar. The board agreed that the problem was caused largely by the physician and that the investigation should be

completed by a visit with the pharmacist-in-charge, the physician and the executive secretary of the Hennepin County Medical Society toward turning the material over to the Medical Board and reporting back to the Board of Pharmacy.

The secretary described an investigation of the former Thorson Drug in Jasper, Minnesota, involving violations of Regulations 35 and 36(b). Mr. Nelson moved and Mr. Olson seconded that the following resolution be adopted by the board.

"RESOLVED that Paul G. Grussing, Secretary of the Minnesota State Board of Pharmacy, be and he hereby is granted the authority and is directed to serve notice of initiation of a contested case in the matter of John L. Crawford, as well as perform any and all acts incidental thereto including to sign the notice of initiation of a contested case setting the time and place for the prehearing conferences and to appoint a hearing examiner".

Motion passed.

The secretary described a letter from Henry W. Prottengeier, Jr., requesting the reinstatement of his license before the completion of his current six months suspension. After considerable discussion by the board, Mr. Nelson moved and Mr. Olson seconded that Mr. Prottengeier be requested to meet with the board at its next special meeting or during a quorum of board members attending a hearing in connection with a contested case, and that after this meeting that Mr. Prottengeier's license be reinstated on December 11, 1970 with the stipulation that he be placed on one year of probation in lieu of completing the second three months of the six months suspension, and with the further stipulation that subsequent violations and convictions will cause the reinstatement of the balance of the current suspension plus whatever penalty may be imposed by the board upon any subsequent finding of guilty in connection with future violations. Motion passed.

The secretary described a request from Mr. William P. Horoshak, intern, to take the January board. Mr. Nelson moved and Mr. Anderson seconded that Mr. Horoshak be denied the opportunity of taking the January board because of his violation of the pharmacy practice act as previously decided by the board. Motion passed.

The board then discussed the public hearing in connection with Regulation No. 51 which was scheduled on October 9, 1970.

Mr. Quistgard moved and Mr. Anderson seconded that the following resolution be adopted by the board.

WHEREAS, a public hearing was held on October 9, 1970, in the conference room of the board offices, concerning the adoption of proposed rules and regulations, and

WHEREAS, such public hearing was held after proper notice required by Minnesota Statutes, 1969, Section 15.0412, was served upon all persons, associations and other interested groups registered with the Secretary of State for that purpose, and

WHEREAS, all members of the Minnesota Legislature were mailed a copy of the proposed regulations, and

WHEREAS, all interested persons were afforded an opportunity before and during the public hearing to present written and oral data, statements and arguments, and

WHEREAS, all interested persons were afforded an opportunity to present further written material, data, arguments and briefs through November 19, 1970, and

WHEREAS, all members of the State Board of Pharmacy have considered all of the evidence presented at the public hearing and have considered all of the written material, data, statements, arguments and briefs submitted at the said public hearing, and

WHEREAS, all of the members of the State Board of Pharmacy have determined the need for each of the Rules contained in Exhibit A attached hereto and made a part thereof, and

WHEREAS, such need has been set forth in a document marked Exhibit B attached hereto and made a part hereof,

NOW THEREFORE,

"BE IT RESOLVED, That the Rules and Regulations marked Exhibit A attached hereto and made a part hereof be and hereby are approved and adopted pursuant to authority vested in us by Minnesota Statutes, 1969, Section 151.06.

BE IT FURTHER RESOLVED, That upon the filing of such rules and regulations with the office of the Secretary of State of the State of Minnesota, and with the office of the Commissioner of Administration of the State of Minnesota, that the regulation relating to depressant and stimulant drugs, Regulation No. 51, is hereby approved and adopted, pursuant to authority vested in us by MS 152.041, and that Paul G. Grussing, secretary of the board be and hereby is authorized to sign an order adopting these rules and regulations.

BE IT FURTHER RESOLVED, That Paul G. Grussing be and hereby is authorized to execute a Certificate certifying the passage of this Resolution and he is further directed to submit to the office of the Attorney General of the State of Minnesota all of the necessary papers, documents and transcriptions, and further to serve notice upon those persons who objected to the legality of one or more of the proposed Regulations of the day upon which the said Rules and Regulations will be submitted to the Attorney General for his approval."

Motion passed.

The secretary then reviewed the correspondence in the case of Mr. Frank J. Windisch, who, by a poll of the board members was excused from attendance at this meeting with the stipulation that a letter of reprimand be sent to him in connection with violations of board Regulation No. 34. Mr. Quistgard moved and Mr. Nelson seconded that based on the poll of the board members a letter of reprimand be issued to Mr. Windisch in connection with the violations. Motion passed.

At approximately 2:15 o'clock P.M., Mr. Gilmore K. Granat, pharmacist-in-charge of the Erickson Drug, Northfield, Minnesota

appeared before the board in response to a letter sent to him by the secretary on November 10, 1970. The purpose of the meeting was for the board to make inquiry into repeated violations of board Regulation No. 37(k). The meaning of the regulation was explained to Mr. Granat who responded by promising his full cooperation. At approximately 2:45 P.M., Mr. Granat departed. Mr. Olson moved and Mr. Nelson seconded that a letter of reprimand be sent to Mr. Granat. Motion passed.

The secretary described a reinstatement request by Mr. Fred J. Sackett and indicated that he had written Mr. Sackett requesting a medical certificate for the board's consideration at this meeting. The certificate has not been received and by consensus of the board the matter has been tabled until the next special meeting of the board.

The secretary described several instances of unprofessional conduct in connection with advertising relating to the Union Prescription Centers. The matter was thoroughly discussed by the board and the secretary was instructed to write an appropriate letter to each pharmacist in charge and to the attorney for the franchisor.

The board discussed the format of the letter sent to registrants in the case of informal visits. The secretary was instructed to change the format of this letter deleting the paragraph which indicates that it is not the board's intention to proceed with formal action in the case of violations observed before the informal meeting or possibly admitted during the informal meeting.

The secretary then described a fiscal planning budget for the calendar year 1971. This was preceded by a description of the 1970 calendar year expenses based on January through October expenses and an estimate for November and December expenses. Justifications for increases in various budget areas were presented and it was the consensus of the board that it would not be necessary to increase the pharmacist renewal during 1971, and that the only fee increase contemplated is a legislative request to increase the reciprocity fees to \$100 and a possible inclusion of a \$15.00 registration fee for interns. It was decided that on the basis of a decreased end of the year surplus for 1971 that the board would not plan to turn over funds for the advancement of the science of pharmacy to the Minnesota State Pharmaceutical Association at this time or during 1971.

After a discussion of the interest by reciprocity candidates in a possible January examination, the board agreed to sustain its previous motion requiring that the next examination for candidates

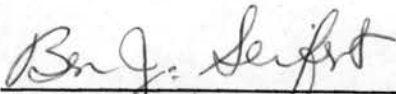
by reciprocity be scheduled in March, 1971.

The secretary reported on a poll of the students at the University of Minnesota plus statistics gathered by the assistant secretary from interested candidates from other schools concerning the eligibility to take the June, and September, 1971 boards examinations when offered. Thirty-six candidates will be eligible for the June examination and nineteen candidates will be eligible for the September examination. After a thorough discussion of this problem and in consideration of the legal requirement for offering examinations at least every six months it was the consensus of the board that a June 21, 1971 examination be scheduled provided the University of Minnesota can certify as to the graduation of its candidates by that time. It was also the consensus of the group that a January-June board examination schedule should be followed until the required spring-fall sequence after the NABP post-licensure internship requirement is initiated in 1973.

The secretary described licenses to operate pharmacies submitted by the Oscos Drug Company in Austin, Minnesota; by James Stradtman for the Hoffman Corner Drug, Hoffman, Minnesota; by Curtis Lauden, Jr. for the Luverne Community Hospital Pharmacy, Luverne, Minnesota and by Gary Eisenach for the Gobal Medicare Inn Pharmacy of Duluth. Mr. Nelson moved and Mr. Olson seconded that the licenses for the Oscos Drug, Austin, Hoffman Corner Drug and Luverne Community Hospital Pharmacy be issued immediately since their physical inspection has been completed and that the license for the Gobal Medicare Inn Pharmacy in Duluth, be issued pending completion of physical inspection. Motion passed.

The secretary reported that upon a license application for a change of ownership of the former Greeman Pharmacy in Bloomington to the Greeman Apothecary, Inc., it was noted that the pharmacy did not have a sink. The secretary indicated that he has warned the applicant that unless the sink would be installed properly the board would proceed with a hearing requiring the applicant to show cause why the application for the license under the new ownership should not be denied. The applicant has written a letter promising the immediate installation of a sink. The consensus of the board was that the license be granted upon physical inspection of the newly installed sink.

At 4:00 o'clock P.M., President Seifert dismissed the board to attend a joint intra-professional meeting with the executive committee of the Minnesota State Pharmaceutical Association. Meeting adjourned.


Ben J. Seifert, President

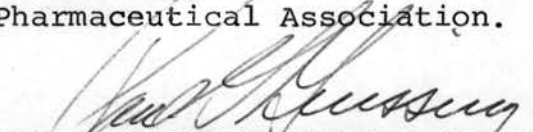

Paul G. Grussing, Secretary

Exhibit A

MINNESOTA STATE BOARD OF PHARMACY

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the Matter of the Proposed
Adoption of Regulations of the
State Board of Pharmacy

NOTICE OF HEARING

Notice is hereby given that a public hearing will be held pursuant to M.S. 1967, Section 15.0412, Subdivision 4, in the above entitled matter in the conference room of the offices of the Minnesota State Board of Pharmacy, 1965 Ford Parkway, St. Paul, Minnesota, on October 9, 1970 commencing at 9:00 A.M., and continuing until all representatives of associations or other interested groups have had an opportunity to be heard concerning the adoption of the proposed regulations by submitting either oral or written data, statements or arguments. Statements or briefs may be submitted without appearing at the hearing.

A copy of the proposed regulations is attached hereto.

The first four items constitute existing Regulation 51. The additions are necessary to control additional dangerous substances now controlled under federal regulation and which have potential for abuse in this state. d-lysergic acid diethylamide (LSD) appears in M.S. 152.01 Subd. 5. The definition of the drug appearing in this proposal includes the l-(levo-rotatory) isomer and thus facilitates chemical identification without the necessity of separating and identifying the dextro-rotatory form.

MINNESOTA STATE BOARD OF PHARMACY

By

James S. Kussing
Secretary

Regulation Number 51 shall be amended as follows:

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:

Established Name

DOM

Methylphenidate

Phencyclidine

Tetrahydrocannabinol

Lysergic Acid Diethylamide, including its salts and isomers.

Meprobamate, except when in combination with the following drugs in the following or lower concentrations:

conjugated estrogens 0.4 mg
tridihexyl chloride 25 mg
pentaerythritol tetranitrate 20 mg.

MDA, its salts, and isomers, and all the salts thereof,

MMDA, its salts, and isomers, and all the salts thereof.

TMA, its salts, and isomers, and all the salts thereof.

JB-318, its salts, and position isomers, and all the salts thereof.

JB-336, its salts, and position isomers, and all the salts thereof.

Some Trade and Other Names

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

Ritalin, Plimasin, Ritonic

Sernyl

THC

LSD

Equanil, Miltown, Equagesic, Equalysen

3,4-methylenedioxy amphetamine (MDA) or
4,5-methylenedioxy amphetamine.
2,3-methylenedioxy amphetamine or
5,6-methylenedioxy amphetamine.

5-methoxy-3,4-methylenedioxy amphetamine
(MMDA) or 3-methoxy-4,5-methylenedioxy
amphetamine.

6-methoxy-3,4-methylenedioxy amphetamine or
2-methoxy-4,5-methylenedioxy amphetamine.

2-methoxy-3,4-methylenedioxy amphetamine or
6-methoxy-4,5-methylenedioxy amphetamine.

6-methoxy-2,3-methylenedioxy amphetamine or
2-methoxy-5,6-methylenedioxy amphetamine.

5-methoxy-2,3-methylenedioxy amphetamine or
3-methoxy-5,6-methylenedioxy amphetamine.

4-methoxy-2,3-methylenedioxy amphetamine or
4-methoxy-5,6-methylenedioxy amphetamine.

3,4,5-trimethoxy amphetamine (TMA).

2,4,5-trimethoxy amphetamine or
3,4,6-trimethoxy amphetamine.

4,5,6-trimethoxy amphetamine or
2,3,4-trimethoxy amphetamine.

2,3,5-trimethoxy amphetamine. 3,5,6-trimethoxy
amphetamine. 2,3,6-trimethoxy amphetamine.

2,5,6-trimethoxy amphetamine.

2,4,6-trimethoxy amphetamine.

N-ethyl-3-piperidyl benzilate (JB-318).

N-ethyl-2-piperidyl benzilate.

N-ethyl-4-piperidyl benzilate.

N-methyl-3-piperidyl benzilate (JB-336).

N-methyl-2-piperidyl benzilate.

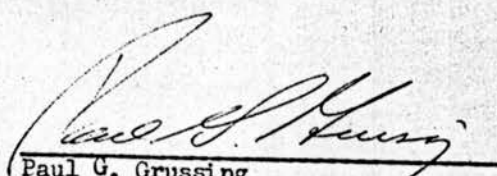
N-methyl-4-piperidyl benzilate.

Exhibit B

STATEMENT OF NEED IN SUPPORT OF REGULATION 51

Regulation number 51 is amended because:

1. The statutory definition of LSD includes only its dextrorotatory form and requires extensive proof of identity as that form vs. the racemic mixture as defined in this proposal.
2. Other drugs proposed for inclusion are being abused or have potential for abuse within this state and are not controlled under the federal law. Control under state law would effect necessary uniformity.


Paul G. Grussing
Secretary
MINNESOTA STATE BOARD OF PHARMACY

MINNESOTA STATE BOARD OF PHARMACY

FOUR HUNDRED-FORTY NINTH MEETING

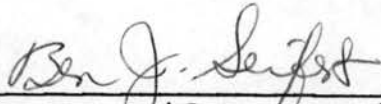
December 9, 1970. The board, having met in connection with a hearing involving the suspension of the license of Pharmacist Richard J. Miller, was convened by President Ben J. Seifert at the site of the hearing in Winona, Minnesota, for the purpose of two items of business.

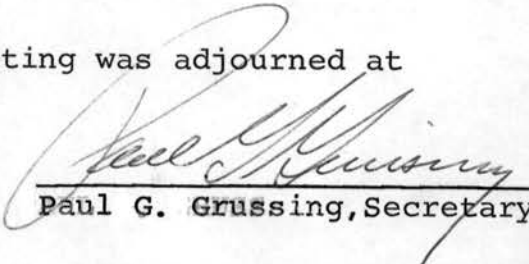
President Ben J. Seifert called the meeting to order at approximately 2:30 o'clock P.M. Members in attendance were: President Ben J. Seifert, Vice President John H. Nelson, Mr. Lowell J. Anderson and Mr. Roy H. Olson. Also in attendance were the board's secretary, Mr. Paul G. Grussing and the board's legal counsel, Mr. Harry P. Strong, Jr.

The secretary described the first item of business as an application by the International Health of Minnesota, Inc., to operate a pharmacy at 1025 Hudson Road, St. Paul. The secretary described numerous deficiencies in the application. Mr. Nelson moved and Mr. Olson seconded that the license be granted subject to physical inspection and numerous administrative deficiencies to be outlined in a letter by the secretary. Motion passed.

Counsel, Mr. Strong, also described a letter from counsel for Mr. Floyd L. Schmidgall in the matter of a stipulation concerning a suspension for previously noted violations. After a discussion of the matter, Mr. Nelson moved and Mr. Anderson seconded that Mr. Strong be instructed to contact counsel for Mr. Schmidgall indicating that his offer is rejected and indicating the period of time decided by the board at this meeting, further, that the matter of the qualifications of an intern at Mr. Schmidgall's pharmacy not be considered in the stipulation re the time of the suspension. Motion passed.

At 2:50 o'clock P.M., the meeting was adjourned at Winona, Minnesota.


Ben J. Seifert, President


Paul G. Grussing, Secretary

MINNESOTA STATE BOARD OF PHARMACY

FOUR HUNDRED-FIFTIETH MEETING

The board met in its rooms at the Sheraton Inn Motor Hotel in Bloomington, Minnesota, on Sunday, January 10. President Ben J. Seifert called the meeting to order at 8:45 o'clock P.M. Members in attendance were: President Ben J. Seifert, Vice President John H. Nelson, Mr. John E. Quistgard, Mr. Lowell J. Anderson and Mr. Roy H. Olson. Also in attendance was the board's secretary, Mr. Paul G. Grussing.

The board reviewed the minutes of the 448th and 449th meetings. Mr. Olson moved and Mr. Nelson seconded that the minutes of the 448th and 449th meetings be approved. Motion passed.

President Seifert suggested that the next item of business should be the election of new officers for the calendar year 1971. He entertained motions for new officers.

Mr. Quistgard moved and Mr. Olson seconded that John H. Nelson be nominated for the office of president. Mr. Anderson moved that a unanimous ballot be cast for Mr. Nelson as the board's new president. Motion passed.

Mr. Nelson moved and Mr. Olson seconded that Mr. John E. Quistgard be nominated for the office of vice-president. Mr. Anderson moved that a unanimous ballot be cast in favor of Mr. Quistgard for the office of vice-president. Motion passed.

The secretary described an application from Mr. Richard G. Chernaugh who became registered in North Dakota in November, 1970 and who completed his internship in the month of December as a registered pharmacist under supervision in the Veterans Hospital in Fargo, North Dakota. Mr. Nelson moved that because Mr. Chernaugh did not possess the required one year of internship time that the privilege of applying for the examination for registration be denied to him. The motion died for the lack of second. Mr. Quistgard moved and Mr. Olson seconded that Mr. Chernaugh be allowed to take the board by allowing the approximate three weeks of registered supervised

time in lieu of similar internship time. The secretary was instructed to communicate with the Secretary of the North Dakota board concerning the early examination date there and the possible effect of this examination date upon registrants who might work on an unsupervised basis in the future while claiming to credit supervised internship time. The motion passed.

Mr. Nelson assumed the chair.

The mechanics of the administration of the examination were reviewed and it was decided to limit the written examinations to one hour rather than the suggested eighty minutes as indicated in the standard examinations.

The secretary presented a request for reinstatement from Mr. Fred J. Sackett, and read a medical certificate attesting to the hearing capabilities of Mr. Sackett. Mr. Nelson moved and Mr. Seifert seconded that Mr. Sackett be reinstated and that the secretary be instructed to write him informing him of the necessity of paying renewal fees in arrears.

The secretary reported on several licenses issued to drug manufacturers and drug wholesalers in recent months and suggested that the board review the policy for such licensure. The secretary was instructed to continue to license qualified manufacturers and wholesalers after conducting an investigation but that unique problems should continue to the board's attention for action.

The secretary then described the details of several inspections of licensed drug wholesalers. The secretary was instructed to write the Twin City Wholesale Drug Company reminding them of the requirement to make records more accessible to the board and was instructed to confer with the president of Northwestern Drug Company in the matter of illegal sale of certain items to non-pharmacy outlets. The result of this meeting with the Northwestern Drug Company president is to be reported to the board.

The secretary reported that arrangements have been made with the Dean of the College of Pharmacy, University of Minnesota, for the certification of graduates to the board so that applications could be processed by June 21 and the board examination given on that date. The matter of the next examination date was tabled until the secretary could provide statistics indicating the relative input in June versus September. Reference was then made to the November, 1970 minutes in which it was reported that 36 candidates will be eligible for the June examination and 19 candidates will be eligible for the September examination.

This is based on information from several schools of pharmacy. The board then noted the November, 1970 action and took no action to alter the June 21, 1971 examination date.

After a thorough discussion of the plan to phase into a spring-fall examination sequence, Mr. Quistgard moved and Mr. Anderson seconded that in addition to the June 21, 1971 examination, an examination be offered in September, 1971 and also in March, 1972, thus instituting the spring-fall sequence in preparation for the NABP requirement. Further, the secretary is instructed to issue immediate publicity of this proposed schedule to all schools of pharmacy in the region and to the Minnesota State Pharmaceutical Association for publication in the "Minnesota Pharmacist". Motion passed.

After discussing possible dates for a March, 1971 examination for candidates in reciprocity, Mr. Seifert moved and Mr. Anderson seconded that an examination for candidates for examination by reciprocity be scheduled on March 7 and 8 of 1971 - the written jurisprudence examination to be administered by Mr. Grussing and Mr. Reinseth at 3:00 o'clock P.M. on the 7th, graded by the secretary and the assistant secretary, and that the oral examinations be scheduled on Monday, March 8th. The written examinations are to be scheduled at Appleby Hall of the University of Minnesota. Motion passed. The board then discussed the review of pharmaceutical weights and balances by the Weights and Measures Division of the Public Service Commission. The secretary was instructed to write a follow-up letter to all pharmacies with reported deficiencies requiring the pharmacist-in-charge to reply indicating that the deficiencies had been corrected. This was put in the form of a motion by Mr. Quistgard, seconded by Mr. Seifert and passed.

The secretary, at the suggestion of Mr. Anderson, prepared a report on ten pharmacists who had appeared before the board at various times and whose cases had been disposed of in a rehabilitative rather than a punitive procedure.

It was suggested that after a pharmacist has been called before the board for a disciplinary problem that the secretary report to the board in six months indicating the nature of follow-up work by the board office to make sure that the pharmacist remains in compliance.

The board discussed the pharmacy operated by Mr. William A. Scrimgeour of Lester Prairie. The secretary was instructed to write Mr. Scrimgeour indicating that since his pharmacy has been closed for several months that the board would not intend to renew his pharmacy license in June if he does actually not intend to operate it.

The secretary reported on the efforts of the Special Legislative Advisory Committee to the Governor's Commission on Drug Abuse in the matter of revising Chapters 618 and 152. It was the feeling of the board that after consensus has been obtained by all groups, particularly the Bar Association, the County Attorneys' Association and the Medical Association, that the proposed bills as drafted by MSPHA and the board be introduced as soon as possible.

The secretary inquired of the board whether the policy of sending letters to draft boards indicating that a shortage of pharmacists exists should be continued. After a discussion of the manpower picture the secretary was instructed to discontinue such letters indicating that a shortage exists at this time. The secretary will, however, continue to seek to obtain deferments for interns since provision for this exists in the federal regulations.

At approximately 12:10 o'clock P.M., President Nelson dismissed the board until the following morning.

January 11, 1971. The board met at Westbrook Hall, University of Minnesota, at 8:45 o'clock A.M. Members present were: President John H. Nelson, Vice President John E. Quistgard, Mr. Lowell J. Anderson, Mr. Roy H. Olson and Mr. Ben J. Seifert. Also present was the board's secretary, Mr. Paul G. Grussing. Written examinations in the following subjects were administered by the board: Pharmacology, Pharmacy, Pharmaceutical Chemistry, Pharmaceutical and Chemical Mathematics and Jurisprudence. The following individuals having fulfilled the legal requirements for examination and having submitted properly executed applications were present to take the written examination.

Clobes, Dennis P.
Freed, Thomas J.
Garner, Mary Pat
Heim, Roscoe D.
Hinck, Paul E.
Jacobsen, Thomas E.
Janssen, Lowell L.
Kaner, James S.
Kellenberger, Thomas A.
Lahr, Miles R.
Lillestol, Michael J.
Love, Michael W.
Mandt, Richard E.
Opoien, Jeanne L.
Paddock, Bruce G.

Rein, Gary E.
Rochlin, Melvin
Roles, Richard J.
Ryan, Stephen M.
Ryan, Susan
Salmon, Sandra S.
Schotzko, Craig A.
Selleck, Alvin C.
Soine, William H.
Stanis, Bradley G.
Stock, Jeanette A.
Vinall, James R.
Wadd, Wallace B.
Woida, Sharon F.
Chernaugh, Richard G.

*Kolari, Dennis R.
*LeBert, Renee E.
*Urbaniak, Richard J.

(*Written retake)

The written examination was completed in the afternoon. The total number of candidates completing the written examination being 33.

At 7:30 o'clock P.M., the board met in its rooms at the Sheraton Motor Inn, Bloomington, to correct written examinations and to post grades.

January 12, 1971. The board met at the College of Pharmacy, University of Minnesota, at 8:45 o'clock A.M. Members present were: President John H. Nelson, Vice President John E. Quistgard, Mr. Lowell J. Anderson, Mr. Roy H. Olson and Mr. Ben J. Seifert. Also present was the board's secretary, Mr. Paul G. Grussing.

Thirty candidates who had met all requirements and had presented properly executed applications were present to take the laboratory examinations. The examinations lasted the entire day. The group was joined by the following individuals who were present to retake the practical examination.

Beloy, Bruce C.
Hewett, Ronald D.
Jones, Dennis M.

The practical examinations continued throughout the entire day.

At 7:30 o'clock P.M., the board met in its rooms at the Sheraton Motor Inn, Bloomington, to complete the correction of practical examinations and to post the grades for the laboratory examinations.

January 13, 1971. At 9:45 o'clock A.M., Pharmacist Joseph M. Greeman appeared before the board in response to a letter sent to him by the secretary on December 31, 1970. The purpose of the meeting with Mr. Greeman was for the board to make inquiry into some of the statements made in a publication by Greeman entitled "Nutritional Demands of the Young Athlete". Greeman was requested to provide scientific evidence of the claims made in the document and was unable to do so to the

satisfaction of the board. Numerous unscientific statements by Greeman were criticized by the board and Greeman was instructed to make reference only to sources of information which are accepted in the scientific community. Greeman was reminded of the demeaning effect upon the entire profession produced by this kind of untrue literature. After being reprimanded by several board members, Mr. Greeman departed at approximately 10:30 o'clock A.M.

The board inquired about the status of the disciplinary action referred to the Ethics and Grievance Committee in the Minnesota State Pharmaceutical Association. The secretary reported that the Minnesota State Pharmaceutical Association expects to dispose of the matter within thirty days. The matter is to be discussed by the board at its March, 1971 meeting.

At approximately 10:50 o'clock A.M., Pharmacist Jay E. Shapiro appeared before the board in response to a letter sent to him by the secretary on December 31, 1970. The purpose of this meeting was to make inquiry into several violations of board Regulation No. 37k. The board discussed the meaning of the regulation with Mr. Shapiro who promised full compliance with the regulation. At approximately 11:10 o'clock A.M., Mr. Shapiro departed.

The secretary described a request by the Minnesota Mining and Manufacturing Company in St. Paul, to do some research in connection with a new dispensing device designed to release unit doses of medications at the bedside of the patient. The proposal involves total pharmacy input and control at the time of release. A prototype machine will be available for review at the 3M Company soon. Mr. Anderson and Mr. Olson expressed an interest in viewing the device and a visit will be made when the device is ready for review. Field testing of the device in a hospital would be possible only upon the submission of a research protocol to the board containing a description of the research and the control features involved.

The secretary described a letter from Sister Kathleen VanGroll, Chief Pharmacist of the St. Mary's Hospital Pharmacy in Rochester, Minnesota, in which she requests the board's opinion about the installation of three Brewer dispensing machines in her hospital. Sister Kathleen's intended purpose for the machines is strictly as a night cabinet for the dispensing of single unit doses only under the control of the automated meditol system which is pharmacy-based. She is aware of the

total prohibition against dispensing devices and is desirous that the board will consider the limited application of the devices as night cabinets since there would be no true dispensing involved and since total control would be maintained by the pharmacy. The secretary was instructed to write Sister Kathleen indicating that the matter of automated dispensing devices is being studied by the board at the moment and the necessity of amending the existing regulation or giving sanction for limited special use of dispensing devices will be made after the review of another device under study by the board and manufactured by the 3M Company.

The secretary described a letter from Dr. R. C. Gaebe, M.D., Fargo, North Dakota, in the matter of the reinstatement of the license to practice pharmacy previously issued to Mr. Harold R. Borchert, 734-11th Street No., Moorhead, Minnesota. After a review of the letter, Mr. Quistgard moved and Mr. Olson seconded that the secretary be instructed to write Mr. Borchert indicating that upon payment of the costs and the renewal fee that his license to practice pharmacy would be reinstated. Motion passed.

At approximately 11:30 o'clock A.M., the candidates for licensure by examination met with members of the board in the Chapman Building, 1965 Ford Parkway, St. Paul. The purpose of the meeting was to review the administrative requirements for the maintenance of a pharmacy license, review the various sections of the board examination, and communicate to the prospective new registrants the relationships between registrants and the board in cases of non-compliance. The candidates and the board were guests of the Minnesota State Pharmaceutical Association for a luncheon during which the field secretary, executive secretary and president of the State Pharmaceutical Association discussed various professional topics. The meeting continued until approximately 1:55 o'clock P.M.

The secretary reported the educational progress of Intern Donald Malloy. Malloy will be required to continue to report to the board concerning his educational progress.

The board discussed reported pharmaceutical activities at the Cedar-Riverside Medical Center. The secretary reported on a visit to the center and it was agreed that progress should be made toward licensure of the premises as a pharmacy if true pharmaceutical services are proposed. An inspection is to be conducted with heavy emphasis placed upon recordkeeping and security.

The secretary described current policies for the filing of board examinations and requested a clarification of the policy. There was consensus that sample copies of all examinations should be maintained in a secure place for five years and that the actual examinations, other than those returned to the National Association of Boards of Pharmacy, be kept on file for one year.

The board discussed generally the process of keeping the standardized examinations of the NABP up-to-date. Vice President Quistgard suggested that copies of old examinations personally prepared by board members be sent to Dr. Greising of the NABP staff for review and possible inclusion in the the standardized examinations.

The secretary requested review of existing policy concerning the privilege of candidates to discuss examinations which they had failed. Mr. Olson moved and Mr. Seifert seconded that the secretary may counsel with students in a general way concerning examinations they have failed but that actual review of questions in the examination is a prerogative of the examiner and that students wishing to review in detail examinations which they failed must wait for approval for such review to be communicated to the secretary from the respective board member. Motion passed.

The board discussed at length various proposals for studying existing internship programs. There was general consensus that an internship advisory committee to the board be established. The committee should have representation from the University of Minnesota College of Pharmacy and from the Minnesota State Pharmaceutical Association. It should be administered by the board and because of the unique qualifications of one of the board members serving on the National Internship Committee, Mr. Anderson should serve as the chairman of the Advisory Committee. The Advisory Committee should be clearly mandated to study the current system in depth, to recommend goals for future internship programs and to recommend a plan for achieving those goals. The services of an educational psychologist as consultant to the committee should be arranged for by the secretary. The philosophy of the establishment of this committee is that a quality program is desired in Minnesota irrespective of the efforts of other states and the delays in establishing national guidelines for such a quality program. Mr. Olson moved that subsequent to the return of Mr. Anderson from a national committee meeting on internship, that such a committee be established. Motion seconded by Mr. Quistgard and passed.

The board discussed possible revisions of its practical examination and elected to table the discussion until after the next meeting of the Blue Ribbon Committee of the NABP which may undertake the development of a revised practical examination.

The secretary requested permission to subscribe to the Phillips Legislative Service. Mr. Anderson moved and Mr. Seifert seconded that the secretary be authorized to expend an amount not to exceed \$190.00 for the service during the present legislative term. The secretary is to route the service to the board. Motion passed.

After a discussion of the fees and disbursements for the calendar year 1970, Mr. Seifert moved and Mr. Quistgard seconded that the following items be approved: (1) payment of NABP membership dues in the amount of \$100.00, (2) that all of the members of the board and its secretary be elected as delegates to NABP for its annual meeting, (3) that the assistant pharmacists license renewal fees be set at \$3.00, (4) that the pharmacist renewal fee be set at \$15.00, (5) that the examination fee be set at \$50.00, (6) that the registration fee be set at \$15.00, (7) that the license fee for drug manufacturers and drug wholesalers be set at \$50.00, and (8) that the license fee for pharmacies be set at \$35.00. Motion passed.

Mr. Anderson moved and Mr. Olson seconded that the following action be taken by the board: that the required bond for the secretary and other employees be authorized including coverage for Mr. Reinseth for activities taken in the absence of the secretary, that fees for reciprocity be raised to \$100.00 subject to legislative action, and that the household license renewals be deleted subject to legislative action, otherwise that they be set at \$5.00. Motion passed.

After a discussion of the so-called "housekeeping" amendments to the pharmacy practice act, Mr. Anderson moved and Mr. Olson seconded that the secretary proceed with the final preparation of those amendments with the Revisor of Statutes and with the introduction of legislation jointly with the Minnesota State Pharmaceutical Association. Motion passed.

The board noted the utility of an answer sheet overlay template prepared by Mrs. Alice Hummer for the jurisprudence examination. The secretary was instructed to make the overlay available to the National Association of Boards of Pharmacy as a suggested service to be sent out with all of the standardized examinations.

The secretary reported that one of the owners of a proposed pharmacy to be operated by Robert Blomberg, offered a "kickback" to another pharmacist. The secretary is to visit with the pharmacist concerned and Mr. Blomberg to insure that there are no illegal activities embodied in the proposed license as submitted by Blomberg.

At approximately 2:40 o'clock P.M., the board met with Pharmacist John Goldner and Pharmacist William Shutte of the Hennepin County General Hospital Pharmacy. These gentlemen appear^{ed} on their own behalf for the purpose of describing to the board a proposal for utilizing pharmacist-interns as medication assistants for the purpose of administering medications to patients. Their goal is to seek board approval for a portion of this experience as internship. After a lengthy discussion the board decided to table the request until after the next meeting of the NABP Internship Committee and to hear the final description of the project and to receive the final written proposal of the project at its March meeting at which time a decision will be made. The project is to be approached as research item set up for a limited time for reporting to the board.

At approximately 3:45 o'clock P.M., Mr. Henry W. Prottengeier, Jr., appeared before the board in response to a telegram sent to him by the secretary. The purpose of the meeting was to communicate to Mr. Prottengeier the intentions of the board in reinstating his license after reducing his suspension from six to three months. Mr. Prottengeier has been unable to raise the money required to pay the reinstatement fee.

After a thorough discussion of the Greeman matter, Mr. Olson moved and Mr. Seifert seconded that the secretary be instructed to write a letter of severe reprimand to Mr. Greeman and by furnishing him the expert opinion of the member of the University of Minnesota Nutrition Department and pointing out the fallacies in his publication. Motion passed.

After a thorough discussion of the visit with Mr. Jay E. Shapiro, Mr. Seifert moved and Mr. Anderson seconded that the secretary write a letter of reprimand to Mr. Shapiro. Motion passed.

After thoroughly reviewing the performance of the candidates in the examination for licensure, and the qualifications of the candidates, Mr. Anderson moved and Mr. Olson seconded that the 25 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 carried. The list of 25 names follows:

Cert.No.

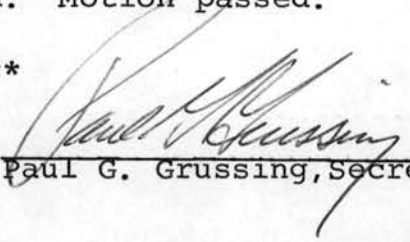
1738	Clobes, Dennis P.
1739	Freed, Thomas J.
1740	Graner, Mary Pat
1741	Heim, Roscoe D.
1742	Hewett, Ronald D.
1743	Hinck, Paul E.
1744	Jacobsen, Thomas E.
1745	Janssen, Lowell L.
1746	Jones, Dennis M.
1747	Kaner, James S.
1748	Kellenberger, Thomas A.
1749	Lahr, Miles R.
1750	Mandt, Richard E.
1751	Opoien, Jeanne L.
1752	Paddock, Bruce G.
1753	Rein, Gary E.
1754	Roles, Richard J.
1755	Ryan, Stephen M.
1756	Salmon, Sandra S.
1757	Selleck, Alvin C.
1758	Soine, William H.
1759	Stanis, Bradley G.
1760	Urbaniak, Richard J.
1761	Wadd, Wallace B.
1762	Woida, Sharon F.

The secretary described an application to operate a pharmacy submitted by Mr. John R. Andrews and Mr. Robert L. Meister, pharmacists, Fergus Falls. Mr. Quistgard moved and Mr. Olson seconded that the license be issued subject to physical inspection of the premises. Motion passed.

The secretary reported on a meeting with the State Labor Concilator in the matter of emergency measures to be invoked in cases of strikes. The meeting was favorable. The board's concerns are to be put in writing and discussed again with the Concilator with the results of the meeting to be reported to the board.

At 5:00 o'clock P.M., Mr. Anderson moved and Mr. Olson seconded that the meeting be adjourned. Motion passed.


John H. Nelson, President


Paul G. Grussing, Secretary

MINNESOTA STATE BOARD OF PHARMACY

FOUR HUNDRED FIFTY-FIRST MEETING

February 23, 1971. At approximately 11:00 o'clock A.M., President John H. Nelson called the meeting to order. Other members in attendance were: Mr. Lowell J. Anderson, Mr. Roy H. Olson and Mr. Ben J. Seifert as well as the board's legal counsel, Mr. Robert T. Stich and the board's secretary.

The secretary described an offense reported to this office by the Ramsey County Sheriff involving Pharmacist Michael Robert Beugen. The offense report involves un-professional conduct, illegal dispensing and illegal sale of Seconal. After a thorough discussion of the evidence and after discussion with legal counsel, Mr. Anderson moved and Mr. Seifert seconded that the following resolution be adopted by the board:

"RESOLVED that Paul G. Grussing, Secretary of the Minnesota State Board of Pharmacy, be and he hereby is granted the authority and directed to serve notice of initiation of a contested case in the matter of Michael Robert Beugen, as well as perform any and all acts incidental thereto including to sign the notice of initiation of a contested case setting the time and place for the prehearing conferences and to appoint a hearing examiner".

Motion passed.

After considerable discussion, Mr. Anderson moved and Mr. Seifert seconded that the board's legal counsel be instructed to inform counsel for Mr. Beugen during the prehearing conference that the board will not stipulate to less than a license revocation in this matter. Motion passed.

After some discussion of the Department of Public Welfare prescription fee schedule the secretary was instructed to contact a county welfare official and obtain a "dummy" welfare recipient's card to be used for the purpose of conducting investigations to determine if certain pharmacists are complying with the welfare's fee schedule.

The secretary is further instructed to request the cooperation of the county welfare official in the matter of accomplishing billing for purchases made in the course of such investigations.

The board discussed disposition of the Schmidgall and Huffer matters. Counsel is to contact the attorneys for these two pharmacists and dispose of the matter promptly.

The board discussed a rumor that drugs could be purchased on an illicit basis from the Richter Drug Company, Minneapolis. The secretary reported that he had arranged for an interview with the informer in this case.

The board discussed its policy with respect to reporting suspensions and revocations statistics to the profession without the use of the defendants' names. This matter is to be put on the agenda for the special March meeting.

The secretary described a cooperative venture with a Minneapolis physican for the purpose of initiating ten investigations to determine if certain pharmacists are dispensing medications without benefit of refillers' authorization. The secretary will inform the board as to the initiation of such investigations in the future.

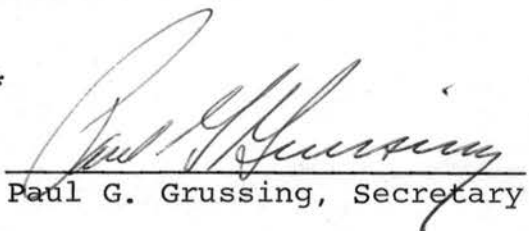
The board discussed with counsel the contents of past NABP meeting programs for attorneys to boards of pharmacy. The secretary will route a copy of the 1971 program to the board and to Mr. Stich.

After a discussion of the Prottengeier matter the secretary was instructed to journalize in the Board of Pharmacy Reports in the Minnesota Pharmacist urging pharmacists to check with the board office to determine whether or not pharmacists are indeed registered before offering employment.

At approximately 12:50 o'clock P.M., Mr. Olson moved and Mr. Seifert seconded that the meeting adjourn. Motion passed.



John H. Nelson, President



Paul G. Grussing, Secretary

MINNESOTA STATE BOARD OF PHARMACY

FOUR HUNDRED FIFTY-SECOND MEETING

March 7, 1971, Sunday 3:00 P.M. Mr. Lowell J. Anderson, Mr. Paul G. Grussing and Mr. Jens Reinseth administered an examination in jurisprudence at Appleby Hall, University of Minnesota and the following candidates who presented proper applications for registration by reciprocity were present:

Johnson, Keith W.	Smith, James M.
Bernhoft, Orval B.	Shockman, Kenneth M.
Considine, Edward T.	Varner, Linda L.
Ertel, Thomas A.	Vanderberg, Stuart P.
Flora, Steven R.	Schwartzwald, Ronald H.
Hathaway, Bert G.	Dooley, Andrew G.
Mulder, Richard D.	Nichols, Roger E.
Pado, Ronald J.	Hemmingsen, Lester A.
Schimke, Cecil M.	

The examination lasted at least 75 minutes, and was corrected by Mr. Anderson.

At 9:00 A.M., Monday, March 8, the board met in its offices. Members present were, President John H. Nelson, Mr. Lowell J. Anderson, Mr. Roy H. Olson and Mr. Ben J. Seifert. Also present was the board's secretary, Paul G. Grussing and assistant secretary, Mr. Jens Reinseth.

At approximately 9:00 o'clock A.M., Keith W. Johnson, a candidate for reciprocity from the state of Nebraska, appeared before the board for an oral examination in pharmaceutical jurisprudence.

At approximately 9:15 o'clock A.M., Orval B. Bernhoft, a candidate for reciprocity from the state of North Dakota, appeared before the board for an oral examination in pharmaceutical jurisprudence.

At approximately 9:30 o'clock A.M., Edward T. Considine, a candidate for reciprocity from the state of New York, appeared before the board for an oral examination in pharmaceutical jurisprudence.

At approximately 9:45 o'clock A.M., Thomas A. Ertel, a candidate for reciprocity from the state of Illinois, appeared before the board for an oral examination in pharmaceutical jurisprudence.

At approximately 10:00 o'clock A.M., Steven R. Flora, a candidate for reciprocity from the state of Wyoming, appeared before the board for an oral examination in pharmaceutical jurisprudence.

At approximately 10:15 A.M., Bert G. Hathaway, a candidate for reciprocity from the state of Washington, appeared before the board for an oral examination in pharmaceutical jurisprudence.

At approximately 10:30 o'clock A.M., Richard D. Mulder, a candidate for reciprocity from the state of Iowa, appeared before the board for an oral examination in pharmaceutical jurisprudence.

At approximately 10:45 o'clock A.M., Donald J. Pado, a candidate for reciprocity from the state of Maryland, appeared before the board for an oral examination in pharmaceutical jurisprudence.

At 11:00 o'clock A.M., Cecil M. Schimke, a candidate for reciprocity from the state of North Dakota, appeared before the board for an oral examination in pharmaceutical jurisprudence.

At approximately 11:15 o'clock A.M., James M. Smith, a candidate for reciprocity from the state of Wyoming, appeared before the board for an oral examination in pharmaceutical jurisprudence.

At approximately 11:45 o'clock A.M., Kenneth M. Shockman, a candidate for reciprocity from the state of North Dakota, appeared before the board for an oral examination in pharmaceutical jurisprudence.

At approximately 1:30 o'clock P.M., Mrs. Linda L. Varner, a candidate for reciprocity from the state of Illinois, appeared before the board for an oral examination in pharmaceutical jurisprudence.

At approximately 1:45 o'clock P.M., Stuart P. Vanderberg, a candidate for reciprocity from the state of Illinois, appeared before the board for an oral examination in pharmaceutical jurisprudence.

At approximately 2:00 o'clock P.M., Ronald H. Schwartzwald,
a candidate for reciprocity from the state of Iowa, appeared
before the board for an oral examination in pharmaceutical
jurisprudence.

At approximately 2:15 o'clock P.M., Mr. Andrew G.
Dooley, a candidate for reciprocity from the state of Iowa,
appeared before the board for an oral examination in pharmaceutical
jurisprudence.

At approximately 2:30 o'clock P.M., Roger E. Nichols,
a candidate for reciprocity from the state of North Dakota,
appeared before the board for an oral examination in pharma-
ceutical jurisprudence.

At approximately 2:45 o'clock P.M., Lester A. Hemmingsen,
a candidate for reciprocity from the state of Oregon, appeared
before the board for an oral examination in pharmaceutical
jurisprudence.

President Nelson tabled the application from Mr.
Lester Alvin Hemmingsen for completion of the application,
particularly his past record of employment.

After reviewing the performance and the applications
submitted for all of the candidates for licensure by reciprocity,
Mr. Lowell J. Anderson moved and Mr. Ben J. Seifert seconded
that having passed the jurisprudence examination and any other
examination that may have been requested of them for reason,
that the following candidates for registration by reciprocity
now be granted registration on the basis of the state listed
with their names below. Motion passed.

<u>Cert. No.</u>	
1771	Johnson, Keith W.Nebraska
1766	Bernhoft, Orval B.North Dakota
1768	Ertel, Thomas A.Illinois
1769	Flora, Steven R.Wyoming
1770	Hathaway, Bert G.Washington
1772	Mulder, Richard D.Iowa
1775	Shockman, Kenneth M.North Dakota
1777	Varner, Linda L. (Mrs.)Illinois
1776	Vanderberg, Stuart P.Illinois
1774	Schwartzwald, Ronald H.Iowa
1767	Dooley, Andrew G.Iowa
1773	Nichols, Roger E.North Dakota

After a general discussion of the problem of authenticating practitioners in the problem of forged prescriptions, the secretary was instructed to contact the Minnesota Department of Health which edits the Minnesota directory of licensed practitioners for the purpose of urging them to include dental practitioners in the directory.

Mr. Anderson moved and Mr. Olson seconded that the board add to the approved list of texts and references the State of Minnesota licensed physicians and surgeons, midwives, masseurs, physical therapists, osteopaths, chiropractors, certified public health nurses, optometrists, psychologists, and podiatrists. Motion passed. The board also discussed the placement of this directory in a required list of publications for each pharmacy.

The secretary was instructed to record in the minutes the elements of a conversation with Dr. Richard D. Mulder. Dr. Mulder stated that it was not his intention to practice pharmacy, that he was not intending to make application for a licensed pharmacy in the hospital in Ivanhoe, Minnesota, because he did not have any time to do this. Dr. Mulder indicated that it was not his intention to "sell his single" to the hospital for purposes of complying with the pharmaceutical service requirements of Medicare. Dr. Mulder is encouraging local pharmacists to make proposals for the establishment of a part-time on-premises hospital pharmacy.

President Nelson discussed board member representation at the pre-hearing conferences scheduled for March 18.

After some discussion of the proposed joint meeting with the Executive Committee of the Minnesota State Pharmaceutical Association on April 17, Mr. Olson moved and Mr. Seifert seconded that the secretary make arrangements to schedule the meeting for 3:30 P.M., if possible and that per diem be paid to participating board members only if official board business is discussed as a principal part of the meeting. Motion passed.

The board noted the eligibility of Mr. Quistgard to attain the office of president of the National Association of Boards of Pharmacy at the next NABP meeting. The board members discussed appropriate methods of recognizing Mr. Quistgard for this signal honor which he brings to himself, the board and the state of Minnesota.

The board members discussed the advisability of the board's new Special Assistant Attorney General attending the NABP meeting program for attorneys to boards of pharmacy. After some discussion Mr. Olson moved and Mr. Seifert seconded that the secretary contact Mr. Stich indicating that the board would be desirous of his attendance at the attorneys section of the NABP meeting, further that the board would pay for one round trip coach fare and one night's lodging to Mr. Stich. Motion passed.

After some discussion concerning reciprocity Mr. Anderson moved and Mr. Olson seconded that the date of the next special examination for candidates by reciprocity be held during the week of January 10, 1972 and annually thereafter. Motion passed.

The secretary described a violation of Regulation No. 37(k) by Pharmacist Nathan Goldstone of St. Louis Park. The secretary was instructed to meet with Mr. Goldstone pointing out the nature of the violation.

The secretary described a problem in drug distribution in the Samaritan Hospital, St. Paul. He reviewed a warning letter written by the secretary and the board elected to take no additional action concerning the violation.

The secretary described two disciplinary problems which were handled by the Ethics and Grievance Committee of the Minnesota State Pharmaceutical Association. The board members responded favorably to this disposition of the problems and instructed the secretary to place this matter on the agenda for the next joint meeting with the Executive Committee of the State Association.

After discussing the suspension in the case of Henry Prottengeier, Jr., Mr. Seifert moved and Mr. Olson seconded that the board record in the minutes the action taken by poll of its members in rescinding the November, 1970 motion and continuing the original six months suspension in the case of Mr. Prottengeier until March 11, 1971. Motion passed.

The secretary described the internship file of Susan F. Segar. After some discussion of the internship file, Mr. Olson moved and Mr. Seifert seconded that because Mrs. Segar has not recorded any advanced internship time, that at least three months of internship time shall be recorded with the board office before Mrs. Segar is considered to have completed a year of internship consistent with NABP and board standards. Motion passed.

The secretary described a request for reconsideration of a denial of internship time to Mr. Thomas H. Wiser. Mr. Wiser had failed to report some internship time acquired in 1964. After some discussion, Mr. Anderson moved and Mr. Olson seconded that the board's previous denial be sustained. Motion passed.

The secretary described the internship file of Mr. William A. Parker and problems with his employment as a medication-technician in a nursing home. Mr. Parker was an intermediate intern at the time of this employment. After some discussion, Mr. Anderson moved and Mr. Olson seconded that the board allow internship credit for only the number of hours which Mr. Parker spent in the pharmacy performing duties according to the NABP preceptor's guide during the summer, 1971, internship. Motion passed.

Following a procedure set at the last board meeting the secretary prepared a report of follow-up action taken on 15 disciplinary matters initially reported to the board during the period from June through September, 1970. All the matters have been disposed of. Mr. Seifert moved and Mr. Olson seconded that the report be received. Motion passed.

The secretary reported on the satisfactory performance of the assistant secretary, Mr. Reinseth. Mr. Reinseth has spent a least 80% of his time making routine surveys of pharmacies and manufacturers and appears to enjoy his contacts in these duties. The secretary is confident that the board is being well represented by Mr. Reinseth and reported favorably on his performance.

The secretary described some suggested policies for part-time practice by staff pharmacists. The board endorsed a policy which would allow the assistant secretary to seek employment at a place with a minimum public exposure, probably a hospital and with the understanding that in the case of emergency duties on behalf of the Board of Pharmacy, that the board responsibilities would take precedence. The board also stated its preference that such part-time practice will not exceed more than 30 hours per month leaving sufficient time and energy for special requirements of board duties. The board also noted that some observation and practice would be of benefit to the secretary and recognized that he would not be able to do this in excess of eight hours per month consistent with the priority of official board duties.

The secretary described a revised license application for hospital pharmacies and plans to affix the scope of pharmaceutical services to the license renewals when issued. He also described in detail a recent ruling of the Internal Revenue Service in connection with what constitutes legitimate out-patient dispensing for non-profit hospitals.

The secretary described efforts by the Special Assistant Attorney General, Mr. Robert T. Stich, to dispose of the Schmidgall and Huffer matters.

The board considered an application to operate a pharmacy in the Slayton hospital, submitted by Mr. Trace L. Hafner. Mr. Seifert moved and Mr. Olson seconded that subject to a determination of the legal scope of services proposed and completion of one part of the application and a physical inspection of the premises, that the license be granted. Motion passed.

The secretary described an application submitted by Mr. Gifford E. Arntson, Sr., to operate a pharmacy within the St. Elizabeth's Hospital in Wabasha, Minnesota. After a review of the application, Mr. Olson moved and Mr. Anderson seconded that the license be issued subject to the receipt of a stipulation describing legal scope of pharmaceutical services, receipt of a sketch of the proposed pharmacy area and a copy of the proposed emergency access procedure, and physical inspection of the premises. Motion passed.

After discussing a suggestion by Mr. Anderson that the filing of blueprints for all new Minnesota pharmacies would constitute a security hazard, Mr. Anderson moved and Mr. Seifert seconded that the secretary be instructed to review all files of pharmacies with the intent of destroying as many blueprints as possible with the exception of keeping pertinent portions of the blueprint relating to prescription drug area and major elements of security. Motion passed.

The secretary described an application from Mr. Randall R. Pommerening, pharmacist-in-charge designate of a proposed Target Stores Pharmacy in North St. Paul. The sketch of the proposed pharmacy area does not properly describe the security features of the pharmacy. The secretary was instructed to request that a modified blueprint be submitted to the board office for consideration at a special meeting of the board on the 25th of March.

The secretary described problems with the Stenorette dictating equipment which is over five years old. Mr. Olson moved and Mr. Anderson seconded that the secretary be authorized to pay not more than \$300.00 for a second dictation unit. Motion passed.

The secretary described a license application from Mr. Dennis J. Greben, who proposes to operate a pharmacy in Bemidji, Minnesota. The description of the pharmacy area is not clear and after a conversation with Mr. Greben, he agreed to submit to the board a clarification of the proposal. The board has tabled this request until its next meeting on March 25.

The secretary described a visit to the Lynville Alcoholic Treatment Center in Chaska, Minnesota and drug handling deficiencies by the Jordan Drug Co. A letter has been received from the pharmacist-in-charge of the Jordan Drug Co., Mrs. Barbara Wolf, indicating that drug handling practices within the institution have been brought into compliance.

At approximately 5:45 o'clock P.M., Mr. Olson moved and Mr. Seifert seconded that the meeting adjourned until the following morning. Motion passed.

At approximately 9:00 A.M., Tuesday, March 9, 1971, the board met in its offices at 1965 Ford Parkway, St. Paul. Members in attendance were: President John H. Nelson, Mr. Lowell J. Anderson, Mr. Roy H. Olson and Mr. Ben J. Seifert. Also in attendance were the board's secretary and assistant secretary.

Mr. George Miser of the Minnesota Mining and Manufacturing Company, presented a research protocol for the review of a mechanical dispensing device. Mr. Miser's presentation last approximately one and one-half hours.

After a thorough review of the research protocol presentation, Mr. Olson moved and Mr. Seifert seconded the following resolution.

Whereas the Minnesota State Board of Pharmacy is responsible for the regulation of drug distribution within the state and,

Whereas Regulation No. 31 prohibits the use of vending machines for the distribution of legend drugs, and,

Whereas the research protocol describes a system of distribution which may remove some of the drug control problems necessitating Regulation No. 31 in its present form and,

Whereas the board is interested in the fostering of research which would facilitate the development of unit dose distribution systems and the development of improved control over drug distribution at times when hospital pharmacies are closed,

Now, therefore, be it resolved that the Board of Pharmacy instruct its secretary to communicate to the Minnesota Mining and Manufacturing Company approval for its research protocol request subject to the naming of a pharmacist-in-charge of a licensed Minnesota hospital pharmacy to be the research investigator for the study and subject to notification to the board of the approximate timetable for the termination and completion of the study and subject to the board's review after termination of the study.

Motion passed.

At approximately 10:50 o'clock A.M., Pharmacist John Goldner and Pharmacist William Shutte of Hennepin County General Hospital Pharmacy appeared before the board to present a proposal for the inclusion of experience as medication-technicians into the internship program. After a thorough discussion of the proposal and consensus by members of the board, President Nelson responded with the following stipulation which was agreed to by Mr. John Goldner, pharmacist-in-charge.

Personnel selection should involve the office of the secretary to determine that interns are at the proper educational internship level.

Interns involved in the medication-technician program will be supervised by pharmacists on a one-to-one ratio as provided by Regulation No. 61 and such supervision will occur only during the hours when the pharmacy is open.

The board has granted permission to conduct this type of internship program on a research basis for the summer of 1971 only with the requirement that the board may interview the supervising pharmacists, and the interns or otherwise evaluate the program at the end of this summer period.

This proposal shall not include more than three months of special medication-technician internship experience for each intern.

The pharmacist-in-charge should communicate to the prospective applicants in the program that interns must complete at least one quarter of advanced internship in a compounding and dispensing activity. This proposal will not allow the substitution of medication-technician experience for traditional compounding and dispensing in the advanced internship level.

The intern must have completed his junior year in college in order to be considered an advanced professional intern and therefore, acceptable for this special program.

The elements of this stipulation apply to interns whether or not they are receiving credit for their internship experience.

It is stipulated that the Minnesota board will guarantee internship credit for the summer months of 1971 only and that this guarantee should not be construed to mean other boards of pharmacy will, on a reciprocal basis, accept this special program internship time as part of the required one year of internship. It is further agreed that this fact is to be communicated to applicants by the pharmacist-in-charge.

It is understood that the program is entirely based in the pharmacy department with exclusive pharmacy department supervision.

It is also stipulated that the intern will receive approximately two hours per day of traditional internship experiences within the pharmacy and in clinical conferences concerning drug utilization by patients.

It is further stipulated that the Board of Pharmacy will share the contents of this proposal with the Minnesota State Board of Nursing and with the Minnesota Department of Health to determine if it is in conflict with other state laws or practice act governing the profession of nursing.

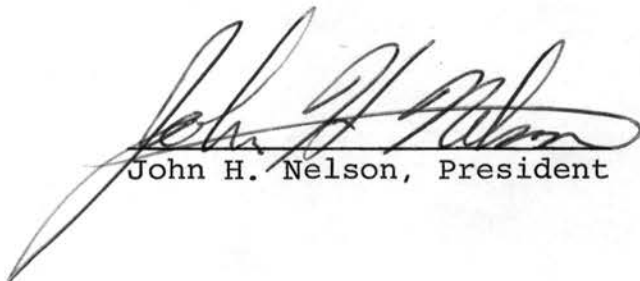
At approximately 11:45 o'clock A.M., the board met with Representative Charles Weaver of Anoka, Minnesota, for the purposes of interpreting to him the specific needs

Minnesota State Board of Pharmacy - 452nd Meeting, March, 1971


of the board in requesting certain amendments to M.S. 151, the Pharmacy Practice Act.

The secretary noted that he failed to record the following action taken by the board at its January 1971 meeting. "Mr. Anderson moved and Mr. Olson seconded that Paul G. Grussing and Edna A. DeRubis be elected as secretary and assistant secretary respectively. Motion passed".

At approximately 1:15 o'clock P.M., the board entered into a general discussion of legislative matters and at approximately 2:30 o'clock P.M., Mr. Anderson moved and Mr. Seifert seconded that the meeting be adjourned. Motion passed.



John H. Nelson, President



Paul G. Grussing, Secretary

MINNESOTA STATE BOARD OF PHARMACY

FOUR HUNDRED FIFTY - THIRD MEETING

March 27, 1971, Saturday, 11:30 o'clock A.M., the board met at the Sheraton-Palace Hotel in San Francisco, California. The meeting occurred during a break in the annual program of the National Association of Boards of Pharmacy. Members in attendance were: President John H. Nelson, Vice President Jack E. Quistgard, Mr. Lowell J. Anderson, Mr. Roy H. Olson and Mr. Ben J. Seifert. Also in attendance was the board's secretary, Mr. Paul G. Grussing.

The secretary discussed participation in a meeting of the Coordinating Commission of Family Life, Family Planning, and Birth Control Services, an Advisory Committee to the State Health Department Programs in these areas. The secretary had been invited to explain the position of the Board of Pharmacy with respect to M.S. 617.251. Members of various public and private family planning agencies were in attendance and pressed the secretary for information with respect to the board's policy in considering the open display of contraceptive drugs and devices to be in violation of 617.251. The secretary explained the legislative history and the board policy. After some discussion the secretary requested that the group send a letter to the board indicating how contraceptive drugs and devices are distributed professionally and non-professionally by the various health and welfare agencies represented.

The secretary presented a letter to the board which did not describe the contraceptive drug and device distribution practices of these agencies. It was general consensus that the board could not discuss the issue without proper information and the secretary was instructed to contact the health and welfare agencies requesting information concerning their modes of distribution of these drugs and devices.

The secretary described a letter from Robert W. Ehrke, chairman of the District V-NABP-AACP 1971 meeting. The dates of this meeting have been rescheduled for September 25, 26, and 27.

The secretary presented an application from Target Stores, Inc., to operate a pharmacy in North St. Paul, Minnesota. The application was incomplete in that certain aspects of the blueprint were unclear. Mr. Olson moved and Mr. Seifert seconded that the license be approved subject to the secretary's review of the completed proper application and physical inspection of the premises. Motion passed.

The secretary described a request by the Nabors Drug Company, and Mr. Dennis J. Greben to operate a pharmacy in Bemidji, Minnesota. This request was tabled from last meeting of the board. The applicant has properly clarified all of the aspects of the application and after a brief discussion, Mr. Olson moved and Mr. Seifert seconded that the license be granted subject to physical inspection of the premises. Motion passed.

The secretary described arrangements for a meeting with the Executive Committee of the Minnesota State Pharmaceutical Association and the board discussed the necessity in meeting in connection with the Association Convention.

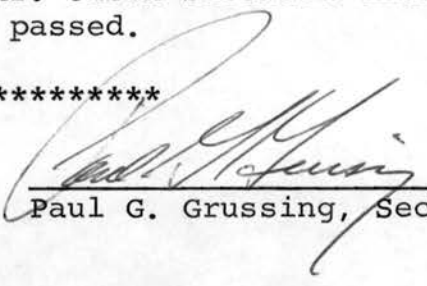
The secretary indicated that arrangements had been made for Mr. Michael R. Beugen to appear before the board at 4:00 o'clock P.M., on Monday, April 19 to present mitigating circumstances in connection with his admitted violations of the pharmacy practice act. Arrangements will be made for this meeting to be held at the Holiday Inn-Central Hotel in Minneapolis.

President Nelson dismissed the board until the board's attorney, Mr. Robert T. Stich could join the board for a discussion.

Mr. Stich joined the board meeting and explained to the board the basic elements of the prehearing conference in the Michael R. Beugen matter. After hearing Mr. Stich's description of the prehearing conference the board decided not to discuss the matter until after hearing mitigating circumstances described by Mr. Beugen.

Mr. Anderson moved and Mr. Olson seconded that the meeting be adjourned. Motion passed.


John H. Nelson, President


Paul G. Grussing, Secretary

MINNESOTA STATE BOARD OF PHARMACY

FOUR HUNDRED FIFTY FOURTH MEETING

At 1:00 o'clock p.m., Sunday, April 18, 1971, President John H. Nelson called the meeting to order at the Holiday Inn Central Motel in Minneapolis. Members in attendance were: President John H. Nelson, Vice President Jack E. Quistgard, Mr. Lowell Anderson, Mr. Roy Olson and Mr. Ben J. Seifert. Also in attendance was the Board's Secretary, Paul G. Grussing.

The secretary reviewed the Board's policy allowing examiner - candidate review of examinations of reciprocity candidates who failed the jurisprudence examination. After a thorough discussion of this topic Mr. Quistgard moved and Mr. Olson seconded that all examination papers of persons failing regular examinations and reciprocity examinations not be reviewed with candidates by the examiner or by the secretary. Motion passed.

The secretary described a license application submitted by Mr. Ted Smith for the Our Lady of Peace Hospital Pharmacy in New Prague. Mr. Quistgard moved and Mr. Anderson seconded that the license be approved subject to physical inspection of the premises. Motion passed. The secretary described an application for Mr. Michael J. Gardner to operate the Fairmont Clinic Pharmacy in Fairmont. After a review of the application Mr. Nelson moved and Mr. Quistgard seconded that the license to operate a pharmacy be approved subject to physical inspection of the premises. Motion passed.

The secretary described a series of violations involving operating a pharmacy without benefit of a pharmacist-in-charge in the case of Mr. Francis W. Hogan of Foley, Minnesota. After a thorough discussion of the evidence and after a discussion with legal counsel, Mr. Olson moved and Mr. Quistgard seconded that the following resolution be adopted by the Board:

RESOLVED that Paul G. Grussing, Secretary of the Minnesota State Board of Pharmacy, be and he hereby is granted the authority and directed to serve notice of initiation of a contested case in the matter of Francis W. Hogan, as well as perform any and all acts incidental thereto including to sign the notice of initiation of a contested case setting the time and place for the pre-hearing conferences and to appoint a hearing examiner.

Motion passed.

The secretary then described violations of M.S. 151.211 by Pharmacist Saul Amdur of Snyder's Drug, 18th and Nicollet Ave., Minneapolis. After a thorough discussion of the evidence and after discussion with legal counsel, Mr. Seifert moved and Mr. Anderson seconded that the following resolution be adopted by the Board:

RESOLVED that Paul G. Grussing, Secretary of the Minnesota State Board of Pharmacy, be and he hereby is granted the authority and directed to serve notice of initiation of a contested case in the matter of Saul Amdur, as well as perform any and all acts incidental thereto including to sign the notice of initiation of a contested case setting the time and place for the pre-hearing conferences and to appoint a hearing examiner.

Motion passed.

The secretary described some violations of M.S. 151.211 and M.S. 151.37 by Pharmacist Jim Brady of Savage, Minnesota. After a thorough discussion of the evidence and after discussion with legal counsel Mr. Nelson moved and Mr. Anderson seconded that the secretary be authorized to conduct additional investigation of Mr. Brady and that the following resolution be adopted by the Board:

RESOLVED that Paul G. Grussing, Secretary of the Minnesota State Board of Pharmacy, be and he hereby is granted the authority and directed to serve notice of initiation of a contested case in the matter of James M. Brady, as well as to perform any and all acts incidental thereto including to sign the notice of initiation of a contested case setting the time and place for the pre-hearing conferences and to appoint a hearing examiner.

Motion passed.

The secretary then described a series of violations involving Pharmacist Alex Altshuler and the Seldale Drug of St. Paul. After a thorough discussion of the evidence presented and after discussion with legal counsel Mr. Nelson moved and Mr. Quistgard seconded that the following resolution be adopted by the Board:

RESOLVED that Paul G. Grussing, Secretary of the Minnesota State Board of Pharmacy, be and he hereby is granted the authority and directed to serve notice of initiation of a contested case in the matter of Alex Altshuler and Seldale Drug, as well as to perform any and all acts incidental thereto including to sign the notice of initiation of a contested case setting the time and place for the pre-hearing conferences and to appoint a hearing examiner.

Motion passed.

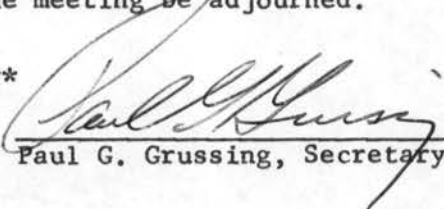
After discussing items of a general nature, President Nelson dismissed the Board until 4:00 o'clock p.m., Monday, April 19, 1971.

At 4:00 o'clock p.m., Monday, April 19, 1971, the entire Board and its secretary and legal counsel met at the Holiday Inn Central Motel in Minneapolis to hear mitigating circumstances in the case of Michael Robert Beugen. Mr. Beugen was represented by his counsel, Mr. Henry Feikema and was accompanied by his wife and father, Pharmacist Sam Beugen. The meeting lasted approximately one hour after which Mr. Beugen and others departed.

After a thorough review of the evidence and the mitigating circumstances presented in the Michael R. Beugen matter, Mr. Quistgard moved and Mr. Seifert seconded that the license to practice pharmacy previously issued to Mr. Michael R. Beugen be revoked effective May 2, 1971. Motion passed.

Mr. Olson moved and Mr. Anderson seconded that the meeting be adjourned. Motion passed. Adjournment at 5:45 o'clock p.m.


John H. Nelson, President


Paul G. Grussing, Secretary

MINNESOTA STATE BOARD OF PHARMACY

FOUR HUNDRED FIFTY FIFTH MEETING

June 11, 1971, Friday, 11:45 o'clock a.m., the board met in its offices in response to a call for a special meeting ordered by President Nelson. Members in attendance were: President John H. Nelson, Vice President Jack E. Quistgard, Mr. Ben J. Seifert, Mr. Lowell Anderson and Mr. Roy Olson. Also in attendance was the Board's Secretary, Mr. Paul G. Grussing.

The purpose of the meeting was to discuss the administration of the standardized practical laboratory examination sponsored by the N.A.B.P. The board entered into a general discussion of the administration of the June 22 practical examination and concluded that discussion at approximately 1:45 o'clock p.m.

After the June 22 examination the board members agreed to write individual critiques of the examination for forwarding to the N.A.B.P. office.

The Board then entered into a general discussion of the charges in the Seldale drug matter.

After a review of the revocation of the license to practice pharmacy previously issued to Michael Robert Beugen, the secretary was instructed to arrange for a meeting before the board of Mr. Beugen at any time when he might request reinstatement of his license.

The Board then entered into a general discussion of its policies with respect to maintaining confidentiality in cases of pharmacist license suspensions or revocations. Mr. Quistgard then moved and Mr. Seifert seconded that in the future all persons involved in contested cases be notified that absolute confidentiality is maintained with respect to the proceedings and that the names of persons whose licenses have been suspended or revoked are, at the time of suspension, furnished to the Executive Committee of the Minnesota State Pharmaceutical Association in confidence. Motion passed.

After discussion of an advertisement in conflict with Regulation No. 37 written by the Shopper's City Pharmacies, the secretary was instructed to write a letter to Mr. Rodger Jackson requesting him to appear before the board at its next special meeting.

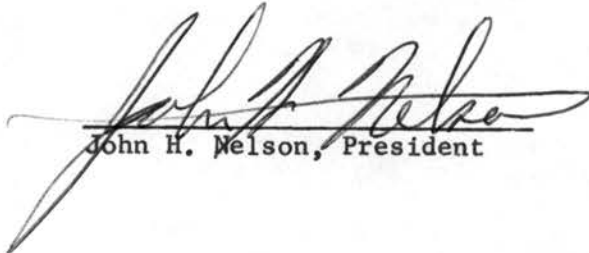
After a discussion involving violations of Regulation No. 37 by Mr. Clarence Willardson, Mr. Richard LaLonde and Mr. Leonard Astrup, the secretary was instructed to write them pointing out areas of conflict in the advertisements.

The secretary then reported that he had communicated with Mrs. Rosie Callan of Lewiston, Minnesota in connection with closing her pharmacy and in connection with problems of keeping the pharmacy properly covered. Mrs. Callan has planned to close her pharmacy on June 15 and because of those plans the secretary recommended to the board that no further informal action be taken in connection with her problems in properly staffing the pharmacy with

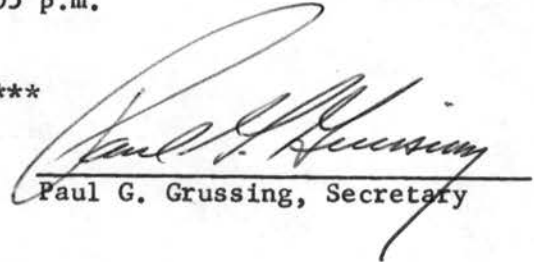
MINNESOTA STATE BOARD OF PHARMACY - FOUR HUNDRED FIFTY FIFTH MEETING

pharmacists. The secretary was instructed to write the secretary of the Board of Pharmacy in which state Mrs. Callan will practice in the future pointing out problems of non-compliance in her case.

After discussing some items of a general nature involving the next regular board meeting, Mr. Olson moved and Mr. Anderson seconded that the meeting be adjourned. Motion passed. Adjournment at 3:05 p.m.



John H. Nelson, President



Paul G. Grussing, Secretary

MINNESOTA STATE BOARD OF PHARMACY

FOUR HUNDRED FIFTY-SIXTH MEETING

June 21, 1971. The board met at the College of Pharmacy, University of Minnesota at 8:30 o'clock A.M., (Monday). Members present were: President John H. Nelson, Vice President John E. Quistgard, Mr. Lowell J. Anderson, Mr. Roy H. Olson and Mr. Ben J. Seifert. Also present was the board's secretary, Mr. Paul G. Grussing.

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

Alsleben, Jerel L.	Marttila, James K.
Baribeau, Charles R.	Moegle, Ellen L.
Berberich, Bruce J.	Nelson, Eljorn D.
Blissenbach, Thomas J.	Nelson, William J.
Burns, Jon C.	Parks, Janet E.
Calhoun, Larry P.	Patterson, Linda G.
Chernugal, Richard G.	Pederson, Ted D.
Crahan, Barbara S.	Plihal, Thomas L.
Eaton, Gregory M.	Potter, Doyle D.
Emry, Julie	Prahl, Leslie E.
Fordice, John J.	Ryan, Susan
Frederick, Michele A.	Rylander, Mark L.
Frisch, Allan S.	Saathoff, Susan K.
Garaas, Wayne A.	Sarnoff, Darwin
Hammel, Richard J.	Schaeffer, Randall P.
Goeddaeus, George W. Jr.	Schneider, Gary S.
Hartfiel, Donna R.	Shima, Mary Sue
Hendrickson, Peter J.	Spehar, Richard D.
Hodgin, Carol L.	Stein, Susan L.
Horoshak, William P.	Suppalla, William J.
Houtkooper, Arlin L.	Trumbull, Brian N.
Jarrels, William A.	Undem, Allen N.
Jensen, James C.	VanDamme, Douglas M.
Johnson, Darrel D.	Volkman, Gail J.
Johnson, Gary L.	Vollers, Linda Sue
Johnson, Owen W.	Weier, Richard A.
Kelly, Raymond L.	Weisflock, James T.
Kitzmann, Ronald G.	Wise, George E. Jr.
Konsor, Gary A.	Wulf, Nadine J.
Kuhlmann, Thomas P.	Zoss, Barry D.
Larson, Linda L.	Kolari, Dennis R. (written retake)
Larson, Lowell E.	Love, Michael W. (written retake)
Lindroth, Barbara J.	Trezona, William G. (written retake)

After candidate numbers were assigned the instructions for the examination were given and the members of the board were introduced. Mr. Jens Reinseth, Assistant Secretary, was present to proctor the written examinations in Pharmacology, Pharmacy, and Jurisprudence.

At approximately 9:15 o'clock A.M., the board retired to the conference room at the College of Pharmacy and the executive session of the board was called to order by President Nelson. President Nelson observed that on page 2 of the minutes of the 454th meeting his name appears twice as having made certain motions. Mr. Olson indicated that he had made the motions and the secretary was instructed to make the changes on the office copy of the minutes.

After a review of the minutes of the 450th, 451st, 452nd, 453rd, 454th and 455th meetings, Mr. Olson moved and Mr. Anderson seconded that they be approved as written and corrected. Motion passed.

At approximately 9:30 o'clock A.M., Pharmacist Rodger N. Jackson appeared before the board in response to a letter sent to him by the secretary on June 14. The purpose of the meeting was to make inquiry into a violation of Board Regulation No. 37k. The history of non-compliance in the area of Regulation No. 37k was reviewed for Mr. Jackson by President Nelson. Mr. Jackson responded with his reasons for the violation. The members of the board stressed the responsibility of the pharmacist-in-charge including the responsibility for professional advertising. The board discussed Mr. Jackson's statement that his pharmacy dispensed 300-350 prescriptions per day with two pharmacists and discussed the problem of alleviating medication errors in general. Mr. Jackson admitted setting up a gift program as an incentive to reduce medication errors. He also admitted that a lay person contacts physicians for refill authorization. After receiving the stern admonition of several board members in connection with the problems discussed, Mr. Jackson departed at about 10:05 o'clock A.M.

After a thorough discussion of the problems discussed with Mr. Jackson, Mr. Quistgard moved and Mr. Seifert seconded that the secretary be instructed to issue a letter of severe reprimand to Mr. Jackson, further that a similar letter be written to the pharmacists-in-charge of all Shopper's City pharmacies. Motion passed.

The secretary then reviewed the board's policy in the matter of issuing press releases to major newspapers at the time of registration of pharmacists. These releases have produced negative responses. He suggested that press releases be prepared in advance of other significant board actions such as regulations in connection with drug abuse drugs, salvage drugs, appointments to national office, etc. There was general consensus that press releases with more readability should be issued after board approval of the contents.

The secretary described a communication from Mr. Robert Buchanan of the Northwestern Drug Company, in which it was suggested that wholesalers not offer volume discounts for controlled substances. Such an action was advocated by certain members of the National Wholesale Druggists Association. After a discussion of such a policy the board agreed to instruct the secretary to contact Mr. Buchanan indicating that such a restriction on the distribution of controlled substances is not within the scope of board regulation and that the board encourages individual pharmacists to use his good judgment in limiting the procurement of such substances so as to avoid security problems.

The secretary reported on the lease negotiation which had been accomplished by Mr. Olson, reporting that a letter of intent had been sent to the landlord followed a lease drafted by the Department of Administration and reviewed by counsel. The landlord has not yet returned the lease and discussion of alternative lease sites was tabled until it was determined that the landlord would confirm her intention to extend the lease as negotiated.

The secretary also discussed accommodations for the board during its regular and special meetings and was instructed to request the Decathlon Club to allow the board additional thirty days to consider its offer for renting rooms for special meetings. Mr. Seifert is in custody of an offer by the Decathlon Club for room accommodations which are lower in price than those currently used by the board.

The board discussed in a general manner its plans for attending the fall district meeting of NABP in Rapid City, South Dakota. The secretary will write the local chairman to determine particulars of the schedule so that exact travel arrangements can be made.

The secretary described a bill for renewing insurance on records within the office and office equipment property. After considerable discussion Mr. Quistgard moved and Mr. Olson seconded that the \$3,000 coverage on office equipment be approved but

raised to \$5,000.00 and that the secretary study the state's policies with respect to insuring records and report the findings of such study to the board. Motion passed.

The secretary described a bill from the Department of Administration for reglueing and refinishing the wooden office furniture. Mr. Quistgard moved and Mr. Seifert seconded that the secretary be authorized to spend \$66.00 for this purpose. Motion passed.

Mr. Anderson moved and Mr. Quistgard seconded that all of the members of the board and its secretary be elected as delegates to attend the fall District V meeting of NABP in Rapid City, South Dakota. Motion passed.

Mr. Olson moved and Mr. Seifert seconded that the secretary be instructed to pay the annual dues of \$25.00 to District V. Motion passed.

The secretary reported that a list of persons who had been delinquent in payment of their pharmacist license renewal during the last two years had been prepared but left at the office. This matter was tabled.

The secretary described an application from Pharmacist Kathleen G. Monico to operate the St. Joseph's Hospital Pharmacy in Park Rapids, Minnesota. He described the application and after a brief discussion Mr. Quistgard moved and Mr. Olson seconded that the license be granted subject to clarification of a portion of the application and actual physical inspection of the premises. Motion passed.

The secretary described an application from Mr. Patrick F. Wiewel to operate a pharmacy in Nisswa, Minnesota. After a review of the application Mr. Olson moved and Mr. Seifert seconded that the license be granted subject to physical inspection of the premises. Motion passed.

The secretary described an application from Pharmacist Donald K. Lord to operated a proposed Madsen's Pharmacy in Mankato, Minnesota. After a discussion of the application Mr. Olson moved and Mr. Anderson seconded that the application be approved subject to a police record check on the applicants, clarification of some aspects of the application itself, and a physical inspection of the premises. Motion passed.

The secretary described an application from Mr. Harold Rosen to operate a proposed Brooksville Drug Store in Prior Lake, Minnesota. After a review of the application Mr. Olson moved and Mr. Seifert seconded that the application be approved subject to physical inspection. Motion passed.

The secretary described an application from Sister Rita Claire Engel to operate a proposed pharmacy at St. Benedict's Convent and College Health Service in St. Joseph, Minnesota. After a review of the application which contained some deficiencies the chairman tabled the application instructing the secretary to visit with Sister Engel to clarify portions of the application.

Mr. Roy Olson reported that Intern Terrence Schoening had uttered a forged prescription for Talwin in the Olson Bros. Pharmacy in Edina. The secretary will obtain offense reports from the police and report to the board later during this meeting.

At approximately 11:20 o'clock A.M., President Nelson dismissed the board to return to the examination room.

At 12:00 noon, President Nelson dismissed the board for lunch.

At 1:30 o'clock P.M., the examination resumed with 66 candidates being in attendance. Members of the board proctored the examination and began grading the examinations which were administered in the forenoon. At 3:30 o'clock P.M., the examination process was terminated and the board members returned to their rooms at the Sheraton Motor Inn for the purposes of continuing the grading of examinations.

The board conducted a 7:30 o'clock P.M., evening session for completing the grading of the written examinations and for posting the grades.

Tuesday, June 22, 1971. The board met at the College of Pharmacy for the purpose of administering the practical examination to candidates who had taken the written examination on the previous day. The following named individuals joined the group for taking the practical examination:

Beloy, Bruce C.
Lillestol, Michael J.
Stock, Jeanette A.

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The examination lasted the entire day. Mr. Jens Reinseth assisted members of the board and the secretary in the examination process.

During the evening the board conducted a 7:30 o'clock P.M., meeting to complete the correction of the laboratory examination and to post them into the records.

Wednesday, June 23, 1971. The entire board and the secretary met in the board's rooms at the Sheraton Motor Inn in Bloomington. After a discussion of the practical examination Mr. Quistgard moved and Mr. Anderson seconded that the secretary be instructed to notify Mr. Mahaffey of NABP, pointing out the importance of avoiding similar examinations in border states. Motion passed.

The board members and secretary then entered into a lengthy critique of the NABP standardized practical examination. A transcription of the critique was made and the secretary was instructed to provide copies of the written critique to Mr. Mahaffey, Dr. Greising and Mr. McLain of NABP.

At approximately 11:10 o'clock A.M., President Nelson dismissed the board to return to the board office.

At 11:30 o'clock A.M., the board and its secretary and all candidates who took the examination were guests of the Minnesota State Pharmaceutical Association at a luncheon in the Chapman Building, 1965 Ford Parkway, St. Paul, Minnesota. Before the luncheon the examination was reviewed by Mr. Quistgard and the secretary made various remarks concerning administrative relationships of registrants to the board office. After the luncheon Mr. Nelson discussed "Relationships between Registrants and the Board in Cases of Noncompliance" and officers and staff members of the Minnesota State Pharmaceutical Association made presentations in connection with the importance of belonging to the State professional association.

At approximately 1:25 o'clock P.M., the board reconvened in its conference room for the purpose of listening to a pre-hearing conference.

At approximately 1:30 o'clock P.M., Pharmacist Francis W. Hogan appeared for a pre-hearing conference before Mr. William Kampf, hearing officer. A court reporter prepared a transcript of the entire proceedings which lasted until approximately 2:30 o'clock P.M.

The results of the pre-hearing conference resulted in a stipulation involving a one year suspension of the Hogan Drug Pharmacy license to be stayed for one year upon a record of non-compliance during the year, and a one week's suspension of the personal license to practice pharmacy previously issued to Pharmacist Francis W. Hogan to begin not later than 45 days from June 23, 1971.

Counsel, Mr. Stich, reported that counsel for Mr. Alex H. Altshuler had informed him that it would be impossible to be in attendance at the previously scheduled 2:30 P.M., pre-hearing conference. Arrangements have been made for a date certain of July 20, 1971, when the Altshuler matter will be re-scheduled and when the pre-hearing conferences in the Brady and the Owings matters will also be heard.

The secretary reported in the case of the closed pharmacy owned by William Scrimgeour and after a general discussion the secretary was encouraged to work informally with pharmacists in neighboring towns to encourage them to obtain the stock and if this fails, to work enformally with licensed licensed wholesalers notifying them of the availability of the stock. If a license application is received and if Mr. Scrimgeour intends to operate the pharmacy no action will be taken.

The secretary reviewed the progress of the file of Mr. Lawrence G. Johnston since the most recent hearing of Mr. Johnston before the board. After a thorough discussion of the file, Mr. Seifert moved and Mr. Olson seconded that Mr. Johnston's request for reinstatement of his license be denied. Motion passed.

Counsel, Mr. Stich, reported on the stipulations in the Schmidgall and Huffer matters. He reported that a stipulation satisfactory to the board had been completed in the Schmidgall matter and that a satisfactory negotiation had been completed in the Huffer matter but that a signed stipulation had not yet been returned to him.

The secretary described an application for a license to operate a pharmacy submitted by the East Range Clinic in Virginia, Minnesota. After a thorough discussion of the ethical implications for both pharmacy and medicine and of the unprofessional conduct implications for the pharmacist applicant, the matter was tabled until a representative of the board, Mr. Lowell Anderson, and the secretary, could make arrangements with the Board of Medical Examiners to confer in connection with the ethical implications of this application. The secretary is to arrange a meeting with

representatives of the Medical Board as quickly as possible so that a license will not be delayed.

Counsel, Mr. Stich, reported on his conversations with the Attorney General concerning the furnishing of a hearing officer by the Attorney General's office. Mr. Stich reported that the Attorney General has denied the board's request for reasons of conflict of interest in that the Attorney General would then be furnishing two staff members in a contested case and for reasons that no personnel are presently available.

The secretary and counsel are to investigate the availability of a regular hearing officer and to report to the board.

The application to operate a pharmacy submitted by the East Range Clinic was lifted from the table and the secretary reported that a conference had been arranged with the secretary of the Medical Board for 4:00 o'clock P.M., Thursday, June 24. The board again discussed the matter and recognized the clear need for interprofessional dialogue to avoid serious problems of ethics and non-compliance and Mr. Anderson moved and Mr. Olson seconded that the application be tabled based on the need for making inquiry into the ethical and compliance aspects of the regulation and that Mr. Anderson and Mr. Grussing report to the board the results of their interprofessional conference with representatives of the Board of Medical Examiners.

The secretary then presented an application from Mr. Lester A. Hemmingsen which was tabled from the last examination for reciprocity candidates because the application was incomplete. Mr. Hemmingsen has attempted to reconstruct his long and sporadic employment record in a manner which answers some of the questions posed by the secretary at the previous meeting. After a discussion of the application and the grades received in the examinations at the previous meeting, Mr. Olson moved and Mr. Seifert seconded that the secretary be instructed to notify Mr. Hemmingsen that his application was considered complete and that he failed to receive passing grades on the examination in jurisprudence at the previous meeting, and that he may retake the examination in September. Motion passed.

The secretary reported on office Personnel and the board discussed various proposals by the legislature for establishing civil service salaries for the coming biennium. The report was favorable in all cases and some of the highlights included: A very satisfactory report in connection with the performance of Mr. Reinseth who seems to be well received by the pharmacies he has visited; recognition of the extra work-load for Mrs. DeRubis caused by careful attention to internship registration, etc.

The secretary reported that he has encouraged Mrs. DeRubis to take some well earned vacation time during the summer. The secretary also reported on plans to modify the work-load of the steno in keeping with the kind of duties she performs well.

In the absence of the secretary the board entered into a discussion. When the secretary reentered the meeting, Mr. Olson moved and Mr. Anderson seconded that the secretary's salary be increased to \$17,544.00 annually, effective June 30. Motion passed.

The secretary reported on telephone conversations with two police departments in connection with the attempted forgery by Intern Terrence Schoening. After a discussion of the incidents as reported by the secretary, Mr. Quistgard moved and Mr. Seifert seconded that the following resolution be adopted by the board:

RESOLVED that Paul G. Grussing, Secretary of the Minnesota State Board of Pharmacy, be and he hereby is granted the authority and directed to serve notice of initiation of a contested case in the matter of intern Terrence Schoening, as well as to perform any and all acts incidental thereto including to sign the notice of initiation of a contested case setting the time and place for the prehearing conferences and to appoint a hearing examiner.

Motion passed. Mr. Olson abstained from voting.

The secretary then reported on the progress of a series of pharmacists who had been called before the board in a series of informal hearings during the first six months approximately, of 1971.

The secretary also reviewed the status of numerous pharmacists who had had involvements with the board and who, for the most part, were undergoing a period of rehabilitation.

The secretary reported that in connection with the Seldale Drug investigation, two illegal refills were discovered to have been accomplished by Pharmacist John MacDonald. The secretary was instructed to reinstitute the investigation attempting at least two more/^{illegal}refills, discussing the problem with the psychiatrist and reporting to the board indicating whether a rehabilitative or a punitive approach is preferred.

The secretary reported that in the case of Pharmacist Lester Schriever, that he had been telephoned during the board meeting by Mr. Schriever's successor in his Pine Island store saying that several narcotic drugs were ordered by Mr. Schriever prior to transferring ownership but the drugs were absent from the inventory. The secretary was instructed to relate this observation to the secretary of the board in the state to which Mr. Schriever is moving.

The secretary described legislation passed during the 1971 session which provides that nothing in Chapter 151 shall interfere with the provision of a discount on prescription drugs to persons over 65. The board is of the opinion that the new law does absolutely nothing since nothing in the chapter interfered with individual pharmacists making such judgments to grant discounts to individuals in the past. The secretary will discuss this with counsel for the Minnesota State Pharmaceutical Association and with board counsel and file informal opinions for possible future use.

The secretary reported on Chapter 937 of the laws of 1971, the new Controlled Substances Act which names the Board of Pharmacy as the administrative agency responsible for enforcement under the act. He described the largest new feature of the act - the formation of an advisory committee to the Board of Pharmacy. The secretary described the names and qualifications of certain people to be members of the advisory committee and the board instructed the secretary to consult with experts in various drug abuse fields and to circulate a list of recommended committee members to the board for approval and appointment.

The secretary described an investigation in the case of Pharmacist Saul Amdur involving a prescription which was believed to be from a deceased physician. Further checking indicated that the physician was retired. The secretary will obtain a letter from the retired physician indicating that he did or did not authorize the specific refills. Because of the nature of the drug the secretary was instructed to reinvestigate the case involving drugs with more abuse potential and providing greater risk to the patient when used without proper medical supervision.

The secretary reported that no application had been received from the Minnesota Mining and Manufacturing Company for the establishment of a research program involving the Meditrol System as modified to meet the board's approval. After a discussion of this research protocol, Mr. Seifert moved and Mr. Olson seconded that the secretary be instructed to notify the 3M Company that if a research protocol application has not been received within 90 days

that the application is to be canceled by the board.

The secretary reviewed briefly two existing legitimate unit dose dispensing systems in Minnesota hospitals and described briefly a proposal from the Drustar Corporation for operating a modified unit dose system in certain retail pharmacies for providing pharmaceutical services to nursing homes. The secretary distributed to the board a proposed set of guidelines for judging the safety of complete unit dose systems. After a brief discussion of these guidelines they were tabled in the interest of time.

At approximately 6:30 o'clock P.M., President Nelson dismissed the board until 8:30 o'clock A.M., the following morning.

Thursday, June 24, 1971. The board and its secretary met in the board's rooms at the Sheraton Motor Inn in Bloomington.

At approximately 8:15 o'clock A.M., the board entered into a continuation of the critique of the NABP practical examination. This critique lasted for approximately for one and one-half hours.

Mr. Anderson then led a discussion of internship and pointed out his plans as chairman of both the National and State internship committees for instituting an internship advisory committee in Minnesota. He stated that this committee is not to be referred to as a tripartite committee in Minnesota, but as the State Board of Pharmacy Internship Advisory Committee. The secretary reported on contacts made with an educational psychologist at the University of Minnesota who will be available to measure existing internship and offer appropriate professional consultation in the development of new programs. Further commitments and relationships to the educational psychologist will be a matter of board policy and will depend upon the scope of the study envisioned and recommended by the internship committee itself.

President Nelson then lifted from the table of the proposed guidelines for review of unit dose systems prepared by the secretary. After a continued discussion of this matter the secretary was instructed to put the same report on the route for comment and action by the board.

The board then entered into a discussion in connection with dates for the next examination for candidates by examination and by reciprocity. It was agreed that the next examinations would be scheduled on the 9th, 10th and 11th of September.

Plans will be made so the board members can conduct all reciprocity examinations on the same day that board staff members are proctoring the other written subjects for candidates by examination. This will require the reciprocity examinees to take the written law examination one day earlier under the supervision of the secretary or assistant secretary. It was also noted that insofar as practicable an attempt should be made to limit the reciprocity candidates on a first come - first serve basis to those which can be scheduled for oral examinations in one day.

The board members then discussed the design of the September examination and agreed that for the written portion, the standardized examination would be used except for jurisprudence and that for the practical portion, five prescriptions written by Minnesota board members would be dispensed in the morning and that part "C" would be administered in the afternoon. It was agreed that one of the morning prescriptions would be in writing, four would be telephoned. The board members have agreed to send in new prescriptions, all of them being discriminators with overdoses. The secretary is to select three of the most discriminating prescriptions with overdoses to be used in the examination.

The board then returned to a continuation of the critique of the new NABP practical examination.

After thoroughly reviewing the performance of the candidates in the examination for licensure, Mr. Quistgard moved and Mr. Seifert seconded that the 58 candidates who had 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 carried.

The list of 58 names is as follows:

<u>Cert. No.</u>		<u>Cert. No.</u>	
1781	Baribeau, Charles R.	1796	Horoshak, William P.
1782	Beloy, Bruce C.	1797	Houtkooper, Arlin L.
1783	Berberich, Bruce J.	1798	Jarrells, William A.
1784	Blissenbach, Thomas J.	1799	Jensen, James C.
1785	Burns, Jon C.	1800	Johnson, Gary L.
1786	Calhoun, Larry P.	1801	Johnson, Owen W.
1787	Chernugal, Richard G.	1802	Kelly, Raymond L.
1788	Eaton, Gregory M.	1803	Kitzmann, Ronald G.
1789	Fordice, John J.	1804	Konsor, Gary A.
1790	Frederick, Michele A.	1805	Larson, Linda L.
1791	Frisch, Allan S.	1806	Larson, Lowell E.
1792	Hammel, Richard J.	1807	Lillestol, Michael J.
1793	Hartfiel, Donna R.	1808	Lindroth, Barbara J.
1794	Hendrickson, Peter J.	1809	Love, Michael W.
1795	Hodgin, Carol L.	1810	Marttila, James K.

Minnesot State Board of Pharmacy - 456th Meeting - June, 1971

<u>Cert. No.</u>		<u>Cert. No.</u>	
1811	Nelson, Eljorn D.	1825	Spehar, Richard A.
1812	Nelson, William J.	1826	Stein, Susan L.
1813	Parks, Janet E.	1827	Stock, Jeanette A.
1814	Patterson, Linda G.	1828	Supalla, William J.
1815	Pederson, Ted D.	1829	Trumbull, Brian N.
1816	Plihal, Thomas L.	1830	Undem, Allen N.
1817	Prahl, Leslie E.	1831	VanDamme, Douglas M.
1818	Ryan, Susan	1832	Volkman, Gail J.
1819	Rylander, Mark L.	1833	Vollers, Linda S.
1820	Saathoff, Susan K.	1834	Weier, Richard A.
1821	Sarnoff, Darwin	1835	Weisflock, James T.
1822	Schaeffer, Randall P.	1836	Wise, George E. Jr.
1823	Schneider, Gary S.	1837	Wulf, Nadine J.
1824	Shima, Mary S.	1838	Zoss, Barry D.

The secretary described two applications from Snyder Drug Stores, Inc., to operate pharmacies in Hibbing and Virginia. After a discussion of the opening dates Mr. Olson moved and Mr. Quistgard seconded that the applications be tabled until the July 20 meeting because the same pharmacist-in-charge is proposed in both applications and because the hours of operation are not stated in the applications. Motion passed.

The secretary reported on conversations with the Bureau of Medication Services concerning methods of providing pharmaceutical services in case of a strike involving pharmacists. A draft resolution was distributed and discussed thoroughly. Mr. Anderson moved and Mr. Olson seconded that the resolution be adopted as modified below and that the secretary discuss the resolution with the Bureau of Medication Services to insure that it is not in conflict with law.

WHEREAS, regulation of the practice of pharmacy and the distribution of drugs in Minnesota is the responsibility of the State Board of Pharmacy, and

WHEREAS, a strike by pharmacists would cause interruption in the delivery of pharmaceutical services, thus endangering public health.

NOW THEREFORE, be it resolved that the following guidelines be established for prompt implementation in the case of emergencies caused by possible strikes involving pharmacists. The term "pharmacy" as it is used in this resolution refers to the total area licensed as a pharmacy and not only to the prescription compounding area.

1. The pharmacist-in-charge shall notify the Minnesota State Board of Pharmacy of his intention to strike at the time he is required to notify management.

2. The State Board of Pharmacy shall instruct the pharmacist-in-charge to provide pharmaceutical services by any of the following methods or combinations thereof:

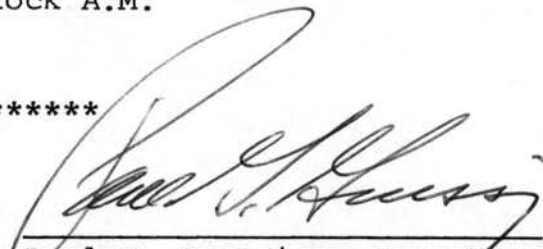
a. Maintenance of pharmaceutical services by staffing the pharmacy during regular posted business hours on file at the board office with pharmacists on a full-time basis for the purpose of furnishing copies of prescriptions to patients, their agents, their physicians, or other pharmacies designated by the patient, or

b. Maintenance of pharmaceutical services by staffing the pharmacy with pharmacists on either a full or part time basis, as approved by the board, at all times when the pharmacy is open to adequately meet the pharmaceutical need of the public.

3. Upon notification to the pharmacist-in-charge of these requirements for providing pharmaceutical services in case of a strike, the pharmacist-in-charge shall, in case of a strike, respond promptly to the board stating a plan for providing uninterrupted pharmaceutical services in compliance with Chapter 151 and this resolution.

Mr. Seifert moved and Mr. Olson seconded that the meeting be adjourned. Motion passed.

Adjournment at 9:45 o'clock A.M.



Paul G. Grussing, Secretary

John H. Nelson, President

MINNESOTA STATE BOARD OF PHARMACY

FOUR HUNDRED FIFTY-SEVENTH MEETING

July 20, 1971. At 1:05 o'clock p.m., the Board met in its offices at 1965 Ford Parkway. Members present were: President John H. Nelson, Vice President John E. Quistgard, Mr. Lowell J. Anderson, Mr. Roy H. Olson and Mr. Ben J. Seifert. Also present was the Board's Attorney, Mr. Robert T. Stich and the Board's Secretary, Mr. Paul G. Grussing.

The secretary announced that a pre-hearing conference previously scheduled for 1:30 o'clock p.m., in the case of a complaint issued to Mr. Raymond K. Owings had been cancelled by Mr. Owings' attorney one day previous to the hearing. The Board utilized this time to conduct various business.

The secretary called the Board members attention to the minutes of the June meeting and Mr. Olson moved and Mr. Seifert seconded that these minutes be approved as written. Motion passed.

The secretary described a request from Michael Beugen to appear before the Board in connection with an application for the reinstatement of his license. After a brief discussion Mr. Anderson moved and Mr. Quistgard seconded that the secretary be instructed to contact Mr. Beugen informing him that he may appear before the Board in connection with a reinstatement request at the Board's September meeting. Motion passed.

The secretary then described a revision of the June meeting resolution involving an emergency plan in the case of pharmacy strikes. This revision was suggested by the Bureau of Mediation Services. After some discussion of the resolution Mr. Anderson moved and Mr. Olson seconded that the following resolution be adopted as written below. Motion passed.

B O A R D R E S O L U T I O N

WHEREAS, regulation of the practice of pharmacy and the distribution of drugs in Minnesota is the responsibility of the State Board of Pharmacy, and

WHEREAS, a strike by pharmacists would cause interruption in the delivery of pharmaceutical services, thus endangering public health,

NOW THEREFORE, be it resolved that the following guidelines be established for prompt implementation in the case of emergencies caused by possible strikes involving pharmacists. The term "pharmacy" as it is used in this resolution refers to the total area licensed as a pharmacy and not only to the prescription compounding area.

1. The pharmacist-in-charge shall, at least ten days before a strike is contemplated, notify the Minnesota State Board of Pharmacy of his intention to strike, and, when applicable, notify the Board of any intention on the part of the pharmacy owner to "lock-out".
2. The State Board of Pharmacy shall instruct the pharmacist-in-charge to provide pharmaceutical services by any of the following methods or combinations thereof:
 - a. Maintenance of pharmaceutical services by staffing the pharmacy during regular posted business hours on file at the Board office with pharmacists on a full-time basis for the purpose of furnishing copies of prescriptions to patients, their agents, their physicians, or other pharmacies designated by the patient, or

b. Maintenance of pharmaceutical services by staffing the pharmacy with pharmacists on either a full or part time basis, as approved by the Board at all times when the pharmacy is open to adequately meet the pharmaceutical needs of the public

3. Upon notification to the pharmacist-in-charge of these requirements for providing pharmaceutical services in case of a strike, the pharmacist-in-charge shall, in case of a strike, respond promptly to the Board stating a plan for providing uninterrupted pharmaceutical services in compliance with Chapter 151 and this resolution.

The board then entered into a discussion of the resolution and how it might be publicized to the profession. Mr. Olson moved and Mr. Seifert seconded that at the time of the next regular bulletin to be sent to all pharmacies, that a bulletin be prepared including this emergency strike plan resolution to be sent to all pharmacists-in-charge, and, further that simultaneous with the bulletin the resolution should be discussed in the next Board of Pharmacy Reports in the "Minnesota Pharmacist". Motion passed.

After a brief discussion concerning bulletin procedures the secretary was instructed to send a draft of all bulletins to Board members in advance of distributing the bulletin. This is desirable not only from the standpoint of possible controversial bulletins affecting policy but also for the information of Board members in the case of non-controversial routine bulletins.

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The secretary presented a list of persons who are delinquent in paying their/1970 renewal fees for their various licenses to practice pharmacy in Minnesota. The following named individuals having been properly notified concerning these deficiencies were ordered to be dropped from the rolls in a motion by Mr. Olson which was seconded by Mr. Seifert. The motion passed.

Almgren, Chester A.	9240	Naegeli, Otto R.	4240
Baker, John A.	3807	Nelson, Otto J.	5012
Becker, Dorothy B.	7470	Owen, John F.	9904
Bilden, Joseph C.	9081	Quast, William J.	4880
Brown, Henry E.	6047	Roberts, Merrill D.	4250
Bryan, Riley L.	8736	Romig, Paul W. Jr.	10233
Burmeister, A.F.	2611	Ryan, Harold G.	7252
Carpenter, Glenn A.	7866	Saunderson, N.A.	8174
Evander, Edwin S.	7009	Scharf, Benjamin M.	7567
Fredell, Helen W.	8352	Schmidt, Arthur R.	8718
Fredell, Walter G.	7743	Schwandt, Bernhard E.	8648
Friberg, Verle B.	7083	Scott, Julius C.	10550
Gaul, Hermina J.	8964	Segal, William M.	7342
Gidley, William W.	8462	Shaw, John M.	8178
Glissman, Hugo R.	9078	Silk, Ruth	10656
Halbeisen, Joseph G.	8276	Smits, Lloyd M.	7345
Halvorson, Howard J.	8419	Sommer, G.H.	2255
Hansen, Wallace G.	10417	Sonnen, Carl A.	7397
Hanson, Bernt M.	2176	Stegman, Jane L.	11074
Jewell, Rita A.	9165	Terrill, James L.	9142
Kihne, George D.	9884	Theilmann, Blenda J.	6048
Koenig, Gladys D.	8430	Wahlstrom, E.A.	3441
Laue, Edwin R.	4196	Wardwell, W.B.	3124
LeBlanc, Floyd J.	5061	Williams, David A.	10587
Lee, Orrin	8157	Willmert, Merdes B.	9050
McMahon, Glen M.	10304	Wishnev, Barbara A.	10923
Miller, Ruby L.	10501	Zuelsdorf, Otto A.	8974
Miller, William H.	8161	-2- Zwerenz, C.J.	3857

The secretary described an advertisement from the Johnson Drug Company in Bemidji which appeared to be in violation of Board Regulation No. 37A and 37K. The secretary was instructed to write the Pharmacist-in-charge, Mr. Vernon A. Schanilec informing him that the Board finds the ad to be in violation and that compliance is expected.

The secretary then announced the next NABP school for pharmacy inspectors to be scheduled in Denver, Colorado on November 7 through 11, 1971. The Board members discussed attendance of members and the assistant secretary and after the completion of the discussion Mr. Quistgard moved and Mr. Anderson seconded that in the future, junior Board members be encouraged each year to attend this NABP school, further that Mr. Reinseth be required to attend the school in 1971 and that Mr. Seifert, Mr. Olson and other interested Board members be encouraged to attend. Motion passed. Mr. Reinseth's attendance at this school is to be in lieu of attendance at the District V NABP meeting.

The secretary described correspondence with the director of the State Motor Pool and discussed the problem of transportation for Board staff. It was the consensus of the Board that once full time motor vehicles could be assigned that they be assigned to both Mr. Reinseth and Mr. Schlekau on a full time basis and that the secretary be required to use Motor Pool vehicles for his part time out of town travel. The Board also instructed the secretary to further communicate with the Motor Pool Division indicating that if a permanent assignment can not be made that the Board will consider that a car is not available and will pay its employees ten cents per mile until an assignment of a vehicle can be made on a permanent basis.

The Board members then inquired of the secretary as to a typical itinerary for out-state travel. The secretary presented Mr. Reinseth's current out-state travel plans and the Board members instructed the secretary to furnish such travel plans to the Board members in the future.

The secretary then described various nominations for appointments to the Controlled Substances Advisory Committee to the State Board of Pharmacy as outlined in Chapter 937 of the session laws of 1971. The first four names listed were physicians who, according to the law, are to be nominated by the State Board of Medical Examiners. These names include Dr. Robert Maslansky, Dr. James Janeczek Jr., Dr. Dale Dodson, and Dr. Wilbert J. Henke. The secretary suggested the name of Roy Pickens, Ph.D. as the pharmacologist member, related that the State Pharmaceutical Association nominated Mr. James Remes as the pharmacist member, nominated Mr. Gary Nelson, head of the State Narcotics Unit in the Bureau of Criminal Apprehension as the corrections and law enforcement member, District Judge David Marsden as the judiciary member, and nominated Dr. David Hancock, D.D., as the member representing counseling and treatment facilities. Mr. Leonard Boche, Chairman of the Governor's Commission on Drug Abuse recommended the name of Dr. James Kincannon, Ph.D., as a representative of treatment agencies. He also nominated the name of Mrs. Margaret Weisser as a health professional with a former drug involvement representing the former drug user. Mr. Julius E. Gernes, Winona County Attorney, nominated Mr. Steven P. Johnson, a Winona newspaper reporter as a representative of persons with former drug involvements. The secretary nominated Mr. Carl Knudsen, Minnesota Department of Education as the representative from the field of education and indicated that Dean Lawrence Weaver was contemplating recommending the name of a pharmacy student to serve on this committee.

After a discussion of the nominated persons and a review of their qualifications Mr. Anderson moved and Mr. Quistgard seconded that the topic be tabled.

The Board members discussed compensation for members of the Controlled Substances Advisory Committee and after checking the statutes the secretary reported that the members of the committee shall serve without compensation.

President Nelson recessed the Board for 15 minutes.

After a thorough discussion of the proposed nominees to the Advisory Committee on controlled substances Mr. Quistgard moved and Mr. Anderson moved that the following individuals be appointed to the Advisory Committee.

Dr. Robert Maslansky,
Dr. James Janecek Jr.,
Dr. Dale Dodson,
Dr. Wilbert J. Henke,
Dr. Roy Pickens,
Mr. Gary Nelson,
Judge David Marsden,
Dr. David Hancock,
Mrs. Margaret Weisser, R.N., B.S.,
Mr. Carl Knudsen,
The student designated by Dean Lawrence Weaver
of the College of Pharmacy,
Mr. Maurice Hillestad, Pharmacist member on an interim
appointment until January 1, 1972, and
the most recently retired State Board of Pharmacy member
serving in one year terms thereafter.

Further that the secretary be instructed to write letters of invitation to those candidates nominated by this Board and letters of announcement to those candidates nominated by the Medical Board and that the Minnesota State Pharmaceutical Association be informed of the Board's decision with respect to the pharmacist representative based upon past regulatory and enforcement experience. Motion passed.

Mr. Robert Stich entered the meeting. The Board members discussed generally the procedures of notification involving a complaint. It was agreed that future notices of initiation of proceeding would contain an announcement that the defendant's attorney is requested to contact the State Board of Pharmacy in connection with his appearance not later than five days before the announced pre-hearing conference.

At approximately 2:30 o'clock p.m., the Board discussed the complaint and notice of initiation of proceedings previously issued to Pharmacist James Brady. The Board was recessed while counsel for the Board discussed the case with counsel for Mr. Brady. At approximately 3:35 o'clock p.m. Mr. James Brady appeared before the Board with his Attorney, Mr. Hetland. A duly recorded pre-hearing conference was conducted before the Hearing Officer, Mr. William Kampf. A date certain of 9:00 o'clock a.m., Friday, July 30th was set for the full hearing at the Board office. At approximately 3:50 o'clock p.m. Mr. Brady and his attorney departed.

At approximately 3:55 o'clock p.m., Pharmacist Alex Altshuler appeared before the Board for a pre-hearing conference. Mr. Altshuler was accompanied by his Attorney, Mr. Ronald Meshbesh. A duly recorded pre-hearing conference was held and a transcript made by a court reporter. The date certain for the hearing in the Altshuler and Seldale drug case was set for 9:00 o'clock a.m., September 3, 1971. At approximately 4:20 o'clock p.m. the pre-hearing conference heard before

Mr. William Kampf, Hearing Officer, was terminated and Mr. Altshuler together with his attorney, departed.

Counsel, Mr. Stich, described evidence involving a violation of the drug laws by Intern Terrance R. Schoening, who was involved in forging a prescription for Talwin, a legend drug. Based on the resolution of the 456th meeting in this case the attorney will draw up a notice of initiation of proceedings and a complaint to be served upon Mr. Schoening for appearance at a pre-hearing conference on the 30th of July.

President Nelson removed from the table an application by Pharmacist Ronald Harlander to operate a pharmacy within the East Range Clinic in Virginia, Minnesota. The secretary indicated that he had been informed by the Board of Medical Examiners that the question concerning pharmacy ownership versus physician ownership was an ethical question not to be handled by the Medical Board. The Medical Board has reported that the matter has been referred to the Minnesota State Medical Association for handling. Mr. Seifert moved and Mr. Anderson seconded that based on this referral and pending receipt of a response from the Minnesota State Board of Medical Examiners or the Minnesota State Medical Association, that the application be layed on the table. Motion passed.

The Board members discussed with counsel a previous request for an Attorney General's opinion in the matter obtaining per diem for attendance at NABP meetings. After a thorough discussion of the purpose of the request for an opinion Mr. Quistgard moved and Mr. Olson seconded that the secretary and counsel collaborate to obtain such an opinion and that the opinion be requested before the September meeting of this Board. Motion passed.

The secretary described a list of individuals interested in the September reciprocity examinations. He also discussed the schedule for the Board meeting during those examinations. After a thorough discussion of the reciprocity application process and the September meeting schedule Mr. Anderson moved and Mr. Olson seconded that the secretary be instructed to process only those applications for reciprocity which are received from candidates who expressed a definite interest in appearing before the Board at its September meeting before the July 20 meeting, further that the secretary not advertise the September meeting for purposes of examining reciprocity candidates. Motion passed.

The secretary described an advertisement from Target Pharmacy in North St. Paul which was in violation of Board Regulation No. 37K. After a discussion of the violation Mr. Quistgard moved and Mr. Seifert seconded that the pharmacist-in-charge be called in before the Board at its next special meeting. Motion passed.

The secretary reviewed correspondence in the case of Pharmacist Duane Irvine, Pharmacist-in-charge of the Monticello Hospital. He recommended that the problems with narcotic storage and after hours pharmaceutical services have been corrected that a disciplinary hearing would not be necessary. Mr. Quistgard moved and Mr. Olson seconded that the secretary be instructed to write Mr. Irvine reminding him of the importance of compliance in this area. Motion passed.

The secretary described the affects of the new State Controlled Substances Act upon the Board and its administrative responsibilities under the Act. After a thorough discussion of controlled substances and Board's responsibilities under the Act, Mr. Quistgard moved and Mr. Olson seconded that the secretary be instructed to initiate action to develop a proposal for the rescheduling of amphetamine

substances in uniformity with the federal regulations, that the secretary prepare a modification of Regulation No. 51 to repeal the drugs listed therein which are now also contained in Chapter 937 of the session laws, that Board Regulation No. 40 (i) (1) and (2) be deleted in a similar proposal, and that the secretary initiate a study of appropriate controlled substances records in Minnesota hospitals and draft a proposed regulation covering that subject for the Board's consideration. Motion passed.

The secretary described problems with new, so called, unit dose dispensing systems and contrasted them with existing unit dose dispensing systems and guidelines proposed by the Institutional Pharmacy Committee of the NABP. President Nelson lifted from the table a proposed set of guidelines considered by the Board at its June meeting. These guidelines as presented by the secretary for consideration of the Board are as follows:

GUIDELINES FOR UNIT DOSE DISPENSING SYSTEMS

1. Definitions.
 - a. Unit Dose Packaging. Unit dose packaging is the packaging of individual doses of medications in containers which will preserve their identity and integrity from the point of packaging to patient consumption. Such containers are properly labeled with the name of the drug, dosage form and strength, manufacturer's name and lot number.
 - b. Unit Dose System. The unit dose system is that drug distribution system which is pharmacy based and which involved unit dose packaging in a manner which removes traditional drug stocks from patient care areas and enables the selection and distribution of individual doses to be pharmacy based and controlled.
2. Proper utilization of the total unit dose system requires that in as far as practicable all medications be packaged for unit dose dispensing.
3. Packaging of drugs in unit dose packaging within a pharmacy is subject to Board Regulation No. 38.
4. Selection of individual pre-packaged unit doses within the pharmacy shall not constitute dispensing if such selection is properly checked by the pharmacist before the dose is administered. Such a check may occur within the pharmacy or on the floor of the hospital.
5. The total unit dose system requires utilization of a medication profile for all patients.
6. Supervision of the manufacturing, dispensing and administration of drugs in a total unit dose system is pharmacy based.
7. No medication is stored in patient care areas with the exception of pharmacy approved emergency stat doses.
8. Unit dose systems comply with existing state law with respect to provision of pharmaceutical services to hospitals and nursing homes.
9. The pharmacist interprets the original chart order either in the patient area or in the pharmacy.
10. If unit dose packaging is used in a system which does not meet these criteria all of the labeling and dispensing requirements required for traditional drug distribution are utilized.

The Board members discussed generally items 1 through 4. Mr. Anderson suggested and the Board concurred that the second sentence in Item No. 4 be stricken from the guidelines.

After a continued discussion of the guidelines and a comparison of unit dose distribution systems with traditional distribution systems as practiced in community pharmacies, it was suggested that the Board would benefit from a tour of a licensed hospital pharmacy utilizing a true unit dose dispensing system. The secretary was instructed to make arrangements for such a tour and these proposed guidelines were placed on the table until such a tour has been completed, preferably at the next special meeting of the Board.

The secretary informed the Board of his intention to arrange for the printing of a revised law pamphlet based on changes of 1971 legislative session. The Board concurred with this necessary expense.

Mr. Anderson suggested that the secretary critique the elements of the compounding and dispensing process in community practice versus the selection process of individual doses in a bona fide unit dose dispensing system.

The secretary described an application by Pharmacist Robert R. Anderson to operate the Community Health Clinic Pharmacy at 1060 W. Central, St. Paul, Minnesota. This is a so-called "free clinic" pharmacy to be staffed by various community pharmacists in the city of St. Paul whose names appear on the application. After a thorough discussion of the application Mr. Olson moved and Mr. Anderson seconded that the license be granted subject to a physical inspection of the premises. Motion passed.

The secretary described a recent visit with Mrs. Claire Sparber, a pharmacist who is coordinating volunteer services by other pharmacists and interns at the Cedar - Riverside Clinic in Minneapolis. The Board's intent to license the Cedar - Riverside Clinic Pharmacy was described to Mrs. Sparber who expressed concern for proper coverage of the proposed pharmacy area during the hours of clinic operation. The secretary reported that he explained the importance of place licensure and security and recordkeeping standards within the practice of pharmacy for the interest to better patient care and protection of the public health. After a general discussion of the concept of establishing a pharmacy within the clinic Mr. Quistgard moved and Mr. Olson seconded that the secretary be instructed to write Mrs. Sparber furnishing her with an application for a license to operate a pharmacy and explaining that full pharmacist coverage is required and that practice within the licensed place is a requirement. A copy of this letter is to be sent to Dean Weaver of the College of Pharmacy. Motion passed.

The secretary described an application formerly layed on the table involving a proposal to operate a pharmacy in Hibbing, Minnesota, submitted by Snyder Drugs. Mr. Quistgard moved and Mr. Olson seconded, that the Board ratify its previous action in approving the license by a poll of its members. Motion passed.

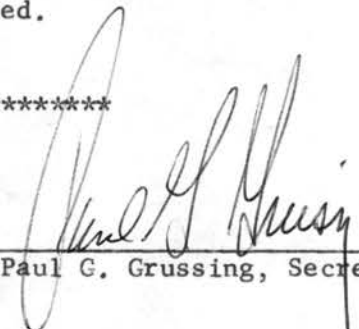
The secretary described a similar application submitted by Snyder Drugs to operate a pharmacy in Virginia, Minnesota. Mr. Olson moved and Mr. Seifert seconded that the license be approved subject to physical inspection and assurance of proper security involving the door leading to the proposed licensed pharmacy area. Motion passed.

The secretary described an application by Shopper's City Drug, Inc. to operate a pharmacy in Coon Rapids, Minnesota. After a brief discussion Mr. Seifert moved and Mr. Quistgard seconded that the license be issued subject to the completion of an interview between the secretary and the pharmacist-in-charge. Motion passed.

After a review of the responsibilities of the pharmacist-in-charge, particularly of those involved in opening a new pharmacy there was general consensus that the secretary be instructed to visit with all pharmacists-in-charge of proposed new pharmacies before licenses for such pharmacies be proved and issued by the Board.

The president removed from the table an application from Sister Rita Claire Engel to operate a pharmacy in St. Benedict's College in St. Joseph, Minnesota. The application had been tabled pending a visit to the site by the secretary. The secretary reported on his findings as described in a poll to the Board members. After a discussion of the application the secretary was instructed to contact the applicant requesting a sketch which would comply with Regulation No. 7, requesting a stated policy in the matter of relief coverage for the proposed pharmacy and also requesting that the secretary establish with the administration of the college something about the tenure of the pharmacist-in-charge in an assurance that on-premises pharmaceutical service is actually contemplated on an ongoing basis.

At approximately 6:40 o'clock p.m. Mr. Olson moved and Mr. Seifert seconded that the meeting be adjourned. Motion passed.



Paul G. Grussing, Secretary

John H. Nelson, President

MINNESOTA STATE BOARD OF PHARMACY

FOUR HUNDRED FIFTY-EIGHTH MEETING

September 8, 1971. The written examinations in the subjects of pharmacology, pharmacy, pharmaceutical chemistry, pharmaceutical and chemical mathematics, and jurisprudence were administered by the board's Secretary, Mr. Paul G. Grussing, at Appleby Hall, University of Minnesota.

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

Alsleben, Jerel L.	Messerli, David M.
Amundson, Joel D.	Paroczai, Shirley L. (Mrs.)
Emry, Julie (Mrs.)	Ridberg, Carolyn S. (Mrs.)
Erickson, William T.	Schneider, Lynn M. (Mrs.)
Hanson, Michael E.	Segar, Susan M.
Johns, Connie L.	Kostynyk, Allan
Kolnes, Candace L. (Mrs.)	Jones, Barbara S. (Mrs.) (written retake)
Macken, Susan E.	Potter, Doyle D. (written retake)
Mattson, Allan L.	Trezona, William G. (written retake)

The written examinations lasted the entire day and the following board members were in attendance at Appleby Hall during the afternoon session: President John H. Nelson, Vice President Jack E. Quistgard, Mr. Lowell Anderson, Mr. Roy Olson and Mr. Ben J. Seifert.

At 1:30 o'clock p.m., the following candidates who had submitted properly executed applications for reciprocal licensure joined the candidates taking the entire examination. The following candidates who were seeking registration by reciprocity wrote the written examination in pharmaceutical jurisprudence:

Beaty, Carol A.	New York
Considine, Edward T.	New York
Correia, James J.	Massachusetts
Coulson, Loes P.	Iowa
Elder, Jack R.	Idaho
Gillund, Ronald G.	North Dakota
Hiland, Steven C.	Iowa
Hoolihan, Robert J.	North Dakota
Lee, Ronald J.	North Dakota
Pado, Ronald J.	Maryland
Schimke, Cecil M.	North Dakota
Anklam, Deanna J.	South Dakota
Smith, James M.	Wyoming
Twedt, Paul E.	Iowa
Wiewel, Patrick S.	Iowa
Van Berkum, Lowell C.	North Dakota
Hunt, Max L. Jr.	Ohio
Schmidt, Marvin P.	Indiana

The examination was completed at approximately 3:30 o'clock p.m.

At 3:50 o'clock p.m. Michael R. Beugen appeared before the board in connection with a request for the reinstatement of the license to practice pharmacy previously issued to him. After listening to a mitigating plea from Mr. Beugen, Mr. Seifert moved and Mr. Olson seconded that the license to practice pharmacy previously issued to Mr. Beugen be reinstated immediately and that Mr. Beugen be instructed to pay the required proceeding's cost and reinstatement fee before obtaining his license and his license renewal from the secretary. Motion passed.

After a brief discussion concerning the administrative procedures for the reinstatement of his license Mr. Beugen departed.

At approximately 4:00 o'clock p.m. Pharmacist James Brady appeared before the Board. Counsel for the board, Mr. Robert Stich reviewed the terms of the stipulation between Mr. Brady and the board and indicated that the charges in the initial citation were agreed to by Mr. Brady. The case involved illegal sale of a legend drug without benefit of a prescription and refilling prescriptions without authorization of the prescriber. The stipulation calls for a 45 day suspension beginning September 1, 1971. Mr. Heetland presented mitigating circumstances in connection with the violations. President Nelson outlined for Mr. Brady professional duties of a pharmacist which must be avoided by Mr. Brady during the term of his stipulated suspension. Mr. Nelson also warned Mr. Brady indicating that undercover agents of the board would be shopping his pharmacy to insure that the terms of the suspension were being complied with. At approximately 5:30 o'clock p.m. Mr. Brady and his attorney departed.

At approximately 5:35 o'clock p.m. Mr. Paul E. Twedt, a candidate for registration by reciprocity from the state of Iowa appeared before the board for an oral examination in jurisprudence.

At 7:30 o'clock p.m. the board met in full session to conduct general business and to correct examination papers.

The secretary described an application from Mr. William Trezona who appeared to take the written examination for the seventh time. The board discussed possible policies for limiting the number of times an examination may be taken by a candidate. In the absence of any regulation to that affect the consensus was that Mr. Trezona might be encouraged to audit some courses at the University before taking the examination again. This discussion was tabled until the board's meeting with counsel later this week.

The secretary described an application for a license to operate a pharmacy submitted by Mr. Jerry A. Claffy, Pharmacist-in-charge of the Proposed Snyder's Drug Store on 17th Ave. in Rochester, Minnesota. After a review of the application together with the attached blueprint Mr. Quistgard moved and Mr. Seifert seconded that the application be denied because the blueprint does not allow for adequate space for dispensing of non-prescription drugs. Motion passed. The secretary was instructed to write the pharmacist-in-charge informing him of this deficiency and requesting him to re-submit a blueprint proposing adequate non-prescription drug storage space for consideration at the next board meeting.

The secretary described an application from Mr. James F. Parkins to operate a pharmacy at 212 No. LaBree Ave. in Thief River Falls. After a discussion of the application together with the attached sketch of the proposed pharmacy area

Mr. Anderson moved and Mr. Seifert seconded that the license be approved subject to moving the refrigerator into a more closely controlled area or the placement of a lock on the refrigerator. Motion passed.

The secretary described a request from N.A.B.P. for board reaction to the concept of proposed regional uniform testing dates for standardized examinations. After a thorough discussion of the proposal the board developed a general consensus that the establishment of a single date would decrease the mobility of pharmacists wishing to take exams in neighboring states, that it would lead to the acceptance of examination results on a national basis, and that it would be preferable to rely upon a greater variety of examinations to avoid duplication than to simply standardize the date. The secretary is to communicate the board's consensus to N.A.B.P.

Mr. Lowell Anderson, Chairman of the board's Advisory Committee on Internship discussed the initial meeting of the Advisory Committee and reviewed for the board some of the goals and objectives of the committee.

The secretary described progress in the appointment of the Advisory Council on controlled substances. All but one of the nominees considered by the board at its previous meeting accepted an appointment and the secretary was instructed by the board to nominate a person for the final position and to obtain board approval for the nomination by a poll of the board.

The secretary indicated that the Scrimgeour Pharmacy in Lester Prairie which is now closed has a definite prospective buyer. Mr. Anderson moved and Mr. Seifert seconded that unless immediate evidence of disposal of the drugs within the pharmacy is obtained, that the secretary be instructed to write the pharmacist-in-charge indicating that, unless proper transfer of the drugs are made, on October 15 the controlled drugs will be seized and charges will be pressed for illegal possession of other legend drugs. A copy of the letter is to be sent to the County Attorney and the Sheriff. Motion passed.

The secretary described an N.A.B.P. Internship Demonstration Project's Conference to be held in St. Louis, Missouri on September 19. Mr. Anderson elaborated on the purposes of the conference and discussions were held on insuring appropriate representation from the Minnesota board and the University of Minnesota, College of Pharmacy.

The board discussed detailed plans for transportation to the District V meeting of the National Association of Boards of Pharmacy to be held in Rapid City, South Dakota on September 25, 26, and 27.

The board entered into a lengthy discussion on the dates of future meetings after which Mr. Anderson moved and Mr. Olson seconded that the next full board examination be administered on March 5, 1972. Motion passed. The secretary will communicate this fact to the Association Journal and to the Colleges of Pharmacy.

Mr. Seifert moved and Mr. Olson seconded that the fall, 1972 full examination be offered on September 10. Motion passed.

The board members discussed future internship standards and there was general consensus that three months post-graduate internship should remain a requirement in Minnesota.

Mr. Anderson moved and Mr. Quistgard seconded that an examination for candidates by reciprocity be offered in January of 1972 and that a definite deadline of December 15, 1971 be established for receiving applications. Motion passed. The secretary

is to so inform all applicants and to advertise the meeting in the "Minnesota Pharmacist".

The secretary furnished the board members with copies of a suggested revision to the A.C.P.E. Accreditation Manual together with some comments by the secretary. President Nelson suggested that the board members study the suggested revisions during the course of the board meeting and that the item be tabled for discussion.

The board then completed the grading of written examinations administered earlier in the day and dismissed its meeting at approximately 10:45 o'clock p.m.

September 9, 1971. The board met at Appleby Hall, University of Minnesota at 8:30 o'clock a.m. Members present were: President John H. Nelson, Vice President John E. Quistgard, Mr. Lowell Anderson, Mr. Roy Olson and Mr. Ben J. Seifert. The board's secretary was also present. Practical examinations were administered throughout the day. Eighteen candidates who had met all requirements and had presented properly executed applications were present to take the practical examination. In addition, Mr. Marvin Schmidt, a candidate for reciprocal licensure from Indiana was present to take the required practical examination because he did not present the required one year internship.

While portions of the practical examination were proctored by the secretary, a board member or a college staff member, the board conducted oral examinations in jurisprudence for reciprocity candidates.

At approximately 10:15 o'clock a.m. Mrs. Carol A. Beaty, a candidate for registration by reciprocity from the state of New York appeared before the board for an oral examination in jurisprudence.

At approximately 10:30 o'clock a.m. Mr. Edward T. Considine, a candidate for registration by reciprocity from the state of New York appeared before the board for an oral examination in jurisprudence.

At approximately 10:45 o'clock a.m. Mr. James J. Correia, a candidate for registration by reciprocity from the state of Massachusetts appeared before the board for an oral examination in jurisprudence.

At approximately 11:00 o'clock a.m. Mr. Lores P. Coulson, a candidate for registration by reciprocity from the state of Iowa appeared before the board for an oral examination in jurisprudence.

At approximately 11:15 o'clock a.m. Mr. Jack R. Elder, a candidate for registration by reciprocity from the state of Idaho appeared before the board for an oral examination in jurisprudence.

At approximately 11:30 o'clock a.m. Mr. Ronald G. Gillund, a candidate for registration by reciprocity from the state of North Dakota appeared before the board for an oral examination in jurisprudence.

At approximately 11:40 o'clock a.m. Mr. Steven C. Hiland, a candidate for registration by reciprocity from the state of Iowa appeared before the board for an oral examination in jurisprudence.

At approximately 12:00 o'clock p.m. Mr. Robert J. Hoolihan, a candidate for registration by reciprocity from the state of North Dakota appeared before the board for an oral examination in jurisprudence.

At approximately 12:15 o'clock p.m. Mr. Ronald J. Lee, a candidate for registration by reciprocity from the state of North Dakota appeared before the Board for an oral examination in jurisprudence.

At approximately 1:45 o'clock p.m. Mr. Ronald J. Pado, a candidate for registration by reciprocity from the state of Maryland appeared before the Board for an oral examination in jurisprudence.

At approximately 2:00 o'clock p.m. Mr. Cecil M. Schimke, a candidate for registration by reciprocity from the state of North Dakota appeared before the Board for an oral examination in jurisprudence.

At approximately 2:15 o'clock p.m. Mrs. Deanna J. Anklaam, a candidate for registration by reciprocity from the state of South Dakota appeared before the Board for an oral examination in jurisprudence.

At approximately 2:30 o'clock p.m. Mr. James M. Smith, a candidate for registration by reciprocity from the state of Wyoming appeared before the Board for an oral examination in jurisprudence.

At approximately 2:45 o'clock p.m. Mr. Patrick S. Wiewel, a candidate for registration by reciprocity from the state of Iowa appeared before the Board for an oral examination in jurisprudence.

At approximately 3:00 o'clock p.m. Mr. Lowell C. Van Berkom, a candidate for registration by reciprocity from the state of North Dakota appeared before the Board for an oral examination in jurisprudence.

At approximately 3:15 o'clock p.m. Mr. Marvin P. Schmidt, a candidate for registration by reciprocity from the state of Indiana appeared before the Board for an oral examination in jurisprudence.

At approximately 3:30 o'clock p.m. Mr. Max L. Hunt, Jr., a candidate for registration by reciprocity from the state of Ohio appeared before the board for an oral examination in jurisprudence.

After a brief discussion the secretary was instructed to send telegrams to the pharmacists-in-charge of the four Union Prescription Center Pharmacies in Minneapolis and St. Paul. The pharmacists-in-charge are to be requested to visit with the board about a professional matter on Friday, September 10, at 2:30 o'clock p.m.

At 4:00 o'clock p.m. the entire board and its secretary toured the St. Joseph's Hospital Pharmacy in St. Paul, Minnesota. The purpose of the tour was to review the unit dose drug distribution system in effect at the hospital.

At 7:30 o'clock p.m. the board met in its rooms at the Sheraton Motor Inn in Bloomington, Minnesota for the purpose of conducting business and correcting examinations.

After a review of the jurisprudence examinations administered to candidates by reciprocity, Mr. Anderson moved and Mr. Quistgard 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 original registration are as follows:

Cert. No.

1857	Beaty, Carol A. (Mrs.)	New York
1858	Considine, Edward T.	New York
1859	Correia, James J.	Massachusetts
1861	Elder, Jack R.	Idaho
1862	Gillund, Ronald G.	North Dakota
1863	Hoolihan, Robert J.	North Dakota
1865	Pado, Ronald J.	Maryland
1866	Schimke, Cecil M.	North Dakota
1856	Anklam, Deanna J. (Mrs.)	South Dakota
1867	Smith, James M.	Wyoming
1868	Twedt, Paul E.	Iowa
1870	Wiewel, Patrick S.	Iowa
1869	Van Berkorn, Lowell C.	North Dakota
1864	Hunt, Max L. Jr.	Ohio

After a discussion of the application submitted by Mr. Lores Palm Coulson, Mr. Olson moved and Mr. Anderson seconded that reciprocity be granted to Mr. Coulson subject to the completion of his application by furnishing affidavits of having practiced pharmacy on a relief basis within the past five years - such affidavits to be furnished to the board for review. Motion passed.

Mr. Quistgard moved and Mr. Anderson seconded that after a review of the application, records, and examinations in the case of Mr. Steven C. Hiland, that the privilege of reciprocity be denied to him at this time. Motion passed.

Mr. Seifert moved and Mr. Anderson seconded that after a review of the application, records, and examinations in the case of Mr. Ronald J. Lee, that the privilege of reciprocity be denied to him at this time. Motion passed.

Mr. Olson moved and Mr. Anderson seconded that after a review of the application, records, law examinations, and practical examination in the case of Mr. Marvin P. Schmidt that the privilege of reciprocity be denied to him at this time. Motion passed.

At approximately 11:50 o'clock p.m., President Nelson dismissed the board.

At 9:30 o'clock a.m., the board met with the candidates for examination at 1965 Ford Parkway, St. Paul, to present some professional topics to the candidates as well as to discuss the entire examination.

At 10:35 o'clock a.m., the board reentered its general session and considered items on its business docket.

The secretary presented a text book to the board for its consideration in connection with Regulation No. 11. Mr. Olson moved and Mr. Quistgard seconded that the board accept the American Medical Association drug evaluation text book of 1971 as an acceptable text in reference with the meaning of Regulation No. 11. The secretary will obtain a copy for board review.

At approximately 11:30 o'clock a.m., Pharmacist Donald Lord appeared before the board in connection with a violation of Regulation No. 37. Mr. Lord was represented by his counsel, Mr. Thomas Hunt. The board entered into a general

discussion of Regulation No. 37a and 37k and Mr. Lord gave his assurances that he would assume full responsibility for compliance with the regulation at the Madsen Pharmacy in Mankato.

President Nelson dismissed the board for lunch.

At approximately 1:30 o'clock p.m. the board reentered its general session and the secretary presented a financial report for the period from January through June, 1971. After a general discussion of the report Mr. Olson moved and Mr. Seifert seconded that the report be received and approved. Motion passed.

At approximately 1:45 o'clock p.m., Pharmacist Ronald Harlander appeared before the full board in connection with an application to operate a pharmacy owned by the East Range Clinic in Virginia, Minnesota. Mr. Harlander was accompanied by Mr. James Vitali, Administrator and Dr. Friedlieb, Medical Director. Dr. Friedlieb read a prepared statement and then made several comments indicating why an on-premises pharmacy would be beneficial to patients. He further stated that the applicant would be a full partner in the professional corporation which would own the proposed pharmacy. After numerous questions by the board Mr. Harlander departed together with Mr. Vitali and Dr. Friedlieb. Mr. Harlander made no statement and did not ask or respond to any questions.

After a discussion of the application and the evidence presented at the meeting with Mr. Harlander Mr. Quistgard moved and Mr. Seifert seconded that counsel and secretary be instructed to conduct further research into the application and report to the board before its next meeting. Motion passed.

President Nelson requested that Mr. Stich remind Attorney General Spannaus of the board's request in connection with obtaining per diem payment for official board business out of state.

President Nelson lifted from the table the previous discussion in connection with Mr. William Trezona and possible limitations on the number of times an examination may be administered to a single candidate. Counsel, Mr. Stich, indicated that such a policy could not be established except without benefit of a full public hearing and the promulgation of a regulation. Secretary and counsel were instructed to prepare the elements of such a regulation for discussion by the board.

The secretary described a meeting with pharmacists at the Cedar Riverside Free Clinic in Minneapolis and a subsequent meeting with Dean Larry Weaver. He reported that the pharmacists and interns who attended the meeting were extremely hostile toward board interference and objected even to the basic minimum standards of place licensure. The secretary explained the reasons for the place licensure and explained that the board was not opposed to the benevolent nature of the pharmacist's duties at the clinic and that the board actively supported the clinical experience which pharmacists and interns were receiving there. He then described a meeting with Dean Lawrence Weaver of the College of Pharmacy in which Mr. Donald Dee, Executive Secretary of the Minnesota State Pharmaceutical Association and the secretary met to request the Dean to cooperate in connection with upholding minimum standards of practice in the Cedar Riverside Free Clinic and elsewhere. Dean Weaver indicated that when he received a copy of the letter sent to the proposed pharmacist-in-charge of the Proposed Cedar Riverside Pharmacy, and he encouraged the young pharmacists and students to resist licensure by the board. After reminding the Dean of the importance of security recordkeeping and equipment in good pharmacy practice he agreed to meet with the students involved and indicated that he supported the board's position solidly and was misinformed about the board's intentions in requiring licensure.

The secretary reported that he expects the Dean to offer full cooperation and that licensure of the Cedar Riverside Pharmacy practice area will be made possible with the Dean's cooperation.

The secretary reported that he had received telegrams from the pharmacists-in-charge of the four Union Prescription Center Pharmacies in the Twin City area indicating that they could not appear before the board because of the short notice. The board discussed problems with Regulation No. 37k in connection with Union Prescription Center Franchisor in Milwaukee and possible involvement of the pharmacists-in-charge in relationship to the violations. The secretary was instructed to continue the investigation and to call in the same pharmacists at the board's next special meeting.

Counsel, Mr. Stich, furnished the board a written memorandum outlining his opinion of the meaning of a recent Supreme Court decision involving confidentiality of quasi judicial matters. This report involves the Seldale Pharmacy and Pharmacist Alex Altshuler and requests by the "Minneapolis Star and Tribune" for certain information in connection with the case. Counsel was instructed to inform the reporter from the Minneapolis newspaper of the board's position in connection with the meaning of the Supreme Court decision and to offer the newspaper reporter cooperation after the terms of the stipulation in this case have been met.

The secretary noted that the record of pharmacists dropped from the rolls on Page 2 of the 467th meeting should have noted that the named individuals were delinquent in their 1969 and 1970 pharmacy license renewals! The secretary was instructed to make an appropriate notation to that effect.

The secretary described correspondence from Target Pharmacy's Inc. and from Mr. Randall Pommerening, Pharmacist-in-charge of the Target Pharmacy in North St. Paul, Minnesota, in which a plan was outlined to insure that the pharmacist-in-charge can fully exercise his prerogatives to scrutinize and approve or disapprove proposed advertising concerning the pharmacy. It was general consensus that the problem had been solved and that it would be unnecessary to request Mr. Pommerening to appear before the board in connection with this current problem.

The board then entered into a general discussion of standards for unit dose dispensing and the secretary was instructed to furnish the board members with copies of policies by other state boards in connection with sanctioning of unit dose dispensing systems.

The secretary described an application submitted by Pharmacist Ronald L. Saurdiff, Pharmacist-in-charge designate of the Proposed White Mart Pharmacy in Alexandria, Minnesota. After a review of the application Mr. Olson moved and Mr. Anderson seconded that the license be granted subject to physical inspection of the premises and to the completion of an interview of the pharmacist-in-charge by the secretary in connection with compliance with Regulation No. 37. Motion passed.

President Nelson then reviewed the elements of the meeting between Mr. James Brady and the board. Mr. Olson moved and Mr. Anderson seconded that the suspension period of 45 days agreed to in the stipulation be reduced to three weeks. After a general discussion the motion failed and the secretary was instructed to write Mr. Brady indicating the board concurs with the term of the suspension agreed to in the stipulation.

After thoroughly reviewing the performance of the candidates in the examination for licensure, and the qualifications of the candidates, Mr. Quistgard moved and Mr. Seifert seconded that the following named 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 pharmacist. Motion carried. The list of names follows:

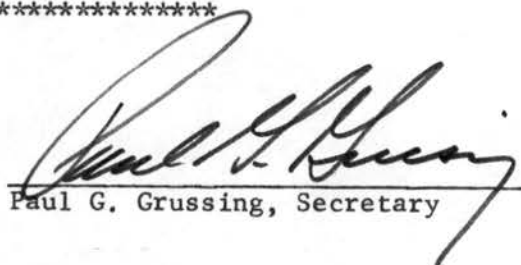
Cert. No.

1840	Alsleben, Jerel L.
1841	Erickson, William T.
1842	Garaas, Wayne A.
1843	Hanson, Michael E.
1844	Johns, Connie L.
1845	Jones, Barbara S. (Mrs.)
1846	Kostynyk, Allan N.
1847	Kuhlmann, Thomas P.
1848	Macken, Susan E.
1849	Mattson, Allan L.
1850	Moegle, Ellen L. (Mrs.)
1851	Paroczai, Shirley L. (Mrs.)
1852	Potter, Doyle D.
1853	Ridberg, Carolyn S. (Mrs.)
1854	Schneider, Lynne M. (Mrs.)
1855	Segar, Susan M. (Mrs.)

Mr. Nelson indicated that it was the consensus of the Board that the position of Assistant Secretary not be filled for a period of four months and that the secretary place highest priority upon completing investigations of pharmacies to determine compliance with Welfare Department pricing regulations - such investigations take priority over all other board business.

The secretary responded by indicating that he did not have time to prepare a specific recommendation to the board at this meeting in connection with qualifications and recruitment for a replacement for Mr. Reinseth. He indicated that he would make such a recommendation to the board as soon as possible because of the urgent professional manpower shortage in the board staff.

At approximately 5:15 o'clock p.m. Mr. Seifert moved and Mr. Anderson seconded that the meeting adjourn. Motion passed.


Paul G. Grussing, Secretary

John H. Nelson, President

MINNESOTA STATE BOARD OF PHARMACY

FOUR HUNDRED FIFTY-NINTH MEETING

October 20, 1971. At approximately 2:00 o'clock P.M., President John H. Nelson called the meeting to order. Members in attendance were: President John H. Nelson, Vice President John E. Quistgard, Mr. Lowell J. Anderson, Mr. Roy H. Olson and Mr. Benjamin J. Seifert. Also present were the board's attorney, Mr. Robert T. Stich and the board's secretary, Mr. Paul G. Grussing. Members of other governmental departments in attendance included Senator Winston Borden and Mrs. Sherry Chenoweth, Director of the Division of Consumer Services. Approximately 20 other persons were present in the board conference room plus an unestimated number of persons outside of the board office. President John H. Nelson introduced the members of the board to the public members in the audience.

The board reviewed an application from Mr. Glen E. Dorn for a proposed pharmacy within the Divine Providence Hospital in Ivanhoe, Minnesota. The secretary reviewed briefly the application and required supporting documents and comments that a rather complete proposed operating procedure accompanied the application, but that the daily hours of the pharmacy were not specified. He also pointed out that the sketch of the proposed pharmacy area appeared to be in compliance but that a physical inspection of the premises had not yet been accomplished. Members of the board reviewed the application and after a brief discussion, Mr. Quistgard moved and it was seconded that the license be granted subject to a physical inspection of the premises and clarification of the proposed hours of operation of the hospital pharmacy. Motion passed.

The secretary then described activities of the first meeting of the Advisory Council on Controlled Substances to the State Board of Pharmacy. This meeting was scheduled on October 19 in the board office and was attended by the secretary and Mr. Roy H. Olson. The agenda was presented to the board as well as a description of the organizational meeting and some new business. Dr. Roy Pickens, Psycho-pharmacologist from the University of Minnesota and a member of the council, was elected its chairman. A copy of the Advisory Council roster and the agenda of its first meeting is appended to the minutes of this meeting.

The board then discussed proposed amendments to Board of Pharmacy Regulation No. 51 which would bring the State Controlled Substances Act into conformity with the Federal Controlled Substances Act. Existing Regulation 51 should be repealed because all of the items it contains are now incorporated in Chapter 937 of the Laws of 1971. The board discussed a proposal for listing all controlled substances in Chapter 937 in a new version of Regulation No. 51 with the amphetamine drugs, methylphenidate and phenmetrazine, rescheduled into Schedule II. The board members discussed problems with creating exemptions by regulation which would be uniform with federal regulations if the federal government abandoned the C-symbol requirement in the future. This matter is to be reviewed by the secretary and counsel before the proposal is again presented to the board. The board discussed possible dates for the scheduling of the public hearing on a revision of Regulation 51.

The secretary described a list of prescription drugs and prices posted in an Osco Pharmacy in Mankato, by referring to a picture of the list and he described a conversation with the pharmacist-in-charge of the Osco Pharmacy in St. Cloud, who indicated that a similar list had been posted within his prescription department. President Nelson asked the board members to consider whether or not the sign conflicts with Board Regulation No. 37k. The board members discussed the practice of responding to individual patient's requests about the price of professional services and discussed at length the posting of prescription prices in the prescription department in light of Regulation No. 37k.

Mrs. Sherry Chenoweth, State Director of Consumer Services, was recognized to make a statement in which she favored competitive advertising, urged the repeal of Regulation No. 37k, and requested notification of the next Board of Pharmacy meeting when 37k might be on its agenda.

Senator Winston Borden was recognized and he made a statement urging the repeal or revision of Regulation No. 37k.

The board continued to discuss the subject of posting of prescription prices within prescription departments. The board's special assistant attorney general was asked if posting a list of prescription drugs and prices in a prescription department constituted public promotion and Mr. Stich replied that in his belief it did not. The board discussed the matter at some length when Mr. Roy Olson moved that the board not consider the Osco price lists to be in violation of Regulation No. 37k and further, that the board enforce Regulation 37k.

The motion died for a lack of a second. The board continued to discuss the topic. Mr. Quistgard moved and Mr. Olson seconded that the sign in the Osco prescription departments be held by the board not to be in violation of Regulation No. 37k based on the evidence before the board at this time. Motion passed.

President Nelson ordered a short recess of the board until 3:30 o'clock P.M.

The board instructed the secretary to draft a bulletin for board approval pointing out the findings of the board concerning prescription price lists and stating that Regulation No. 37k remains with the full force and effect of law.

The secretary reviewed for the board recommendations made as the result of surveys of drug distribution practices at the Minnesota State Prison in Stillwater and the Minnesota State Reformatory in St. Cloud. He reported that a result of these recommendations the prison has now employed a pharmacist and will apply for a pharmacy license and that the secretary developed a written proposal for an off-premises pharmaceutical service to the St. Cloud Reformatory using a unit dose system. He explained for the benefit of the members of the public in attendance, how a unit dose system would remove the necessity of maintaining stocks of drugs within the reformatory itself. The secretary further related that the State Employees Union had made inquiry into the drug distribution practices at both institutions and that a review of the board's recommendations to both institutions had been furnished to the State Employees Union.

The board then discussed when the next meeting for purposes of examining candidates for examination in Minnesota by reciprocity should be scheduled. After some discussion, Mr. Olson moved and Mr. Anderson seconded that the board schedule a meeting on the 6th and 7th of January for that purpose and any other business which might come before the board. Motion passed.

Mr. Lowell Anderson reported on the activities of the board's Internship Advisory Committee stating that it would meet on the 4th of November with the benefit of an educational psychologist to assist the committee in measuring internship training. The secretary pointed out that as part of the report of the psychologist his proposal for consultation to

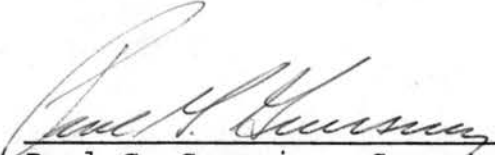
the Advisory Committee at future meetings could be expected to include a fee for service. Such a proposal will be brought to the board's attention.

The secretary described an invitation from the Bureau of Narcotics and Dangerous Drugs to attend, together with a representative of the State Attorney General's office, a conference on the Federal and State Controlled Substances Act on October 28 and 29. After some discussion, Mr. Anderson moved and Mr. Olson seconded that the secretary be authorized to attend the conference on behalf of the board, or, if requested, on behalf of NABP. Mr. Olson announced that he had been invited to attend a National Conference on Pharmacy Problems sponsored by H.E.W. It was noted that Mr. Olson would attend as a practitioner, not as a board member, and that expenses would not be paid.

Mr. Quistgard indicated that the controversial problem of security of amphetamine drugs would be taken up soon by representatives of NABP and BNDD.

The board discussed the feasibility of discussing Regulation No. 37k before the January meeting and counsel, Mr. Stich, reminded the board of a pending determination to be made on the Findings of Fact by the board's hearing officer. Counsel will determine whether the hearing officer wishes to sit in on the board determination, will inform the secretary so that the board may establish a date for this special meeting. Regulation No. 37k can be considered at that special meeting.

There being no other new business to come before the board the meeting was adjourned. Adjournment at 4:35 o'clock P.M.


Paul G. Grussing, Secretary

John H. Nelson, President

MINNESOTA STATE BOARD OF PHARMACY
Advisory Council on Controlled Substances

1. Dr. Dale Dodson
314 Washington St.
Northfield, Minn. 55057
507-645-4720
 2. Dr. David Hancock
Medical Services Division
Dept. of Public Welfare
Centennial Bldg.
St. Paul, Minn. 55101
221-2657
 3. Dr. Wilbert J. Henke
2431 Angell Rd.
St. Paul, Minn. 55118
222-6309
 4. Mr. Maurice Hillestad
117 Forest St.
Fairmont, Minn. 56031
507-238-1634
 5. Mr. Joel Houghlum
College of Pharmacy
University of Minnesota
Minneapolis, Minn. 55455
373-2187
 6. Dr. James Jacecek
2555 N.W. Eighth St.
New Brighton, Minn. 55112
227-2144
 7. Mr. Carl Knutson, Supervisor
Health, Phy. Ed., & Traffic Safety
Instruction Div.,
Dept. of Education
Centennial Bldg.
St. Paul, Minn. 55101
221-3757
 8. Honorable David E. Marsden, Judge
2nd District
Ramsey Co. Courthouse Bldg.
St. Paul, Minn. 55101
223-4718
 9. Dr. Robert Maslansky
4701 Humboldt Ave. So.
Minneapolis, Minn. 55409
336-4308
 10. Mr. Gary Nelson, Chief
Bureau of Narcotics Unit
Bureau of Criminal Apprehension
1246 University Ave.
St. Paul, Minn. 55104
221-2831
 11. Dr. Roy Pickens,
Professor of Pharmacology
Box 392 Mayo Hospital
U of M
Minneapolis, Minn. 55455
373-3898
 12. Mrs. June E. Winter, R.N.
1363 Jessie St.
St. Paul, Minn. 55101
774-1857
- Minnesota State Board of Pharmacy
1965 Ford Parkway
St. Paul, Minn. 55116
698-0806 or 221-3931

MINNESOTA STATE BOARD OF PHARMACY
ADVISORY COUNCIL ON CONTROLLED SUBSTANCES

FIRST MEETING, OCTOBER 19, 1971

At approximately 8:10 o'clock p.m., Paul Grussing, Secretary of the Minnesota State Board of Pharmacy convened the Advisory Council in the conference room of the board offices. Members in attendance were: Dr. Dale Dodson, Dr. David Hancock, Mr. Maurice Hillestad, Mr. Joel Houghlum, Mr. Carl Knutson, Judge David E. Marsden, Mr. Gary Nelson, Dr. Roy Pickens, and Mrs. June E. Winter.

Mr. Grussing explained generally the purposes of the council and the duties of the chairman and suggested that the committee now organize itself by electing a chairman. Mr. Knutson moved that Dr. Roy Pickens be nominated to the position of chairman of the council. Mr. Grussing called for further nominations. There being none; a unanimous ballot was cast in favor of Dr. Pickens to become the chairman of the council.

Dr. Pickens reviewed the suggested agenda for the council meeting with the council members who approved it.

By consensus of the council it was agreed that the Board of Pharmacy Office would provide all administrative support for the council and that the secretary of the board, or his assistant, would act as secretary to the committee.

Judge Marsden suggested that the council consider the election of a vice-chairman to act in the absence of the chairman. Dr. Hancock moved and Judge Marsden seconded that the name of Dr. Dale Dodson be placed in nomination as vice chairman of the council. There being no additional nominations a unanimous ballot was cast in favor of Dr. Dodson to become vice chairman of the council.

The secretary discussed the matter of tenure of council members and indicated that the law did not provide for tenure. It was agreed that the tenure might be the 1971-1973 legislative biennium and that the council might include in its report to the legislature a recommendation with respect to tenure including the possibility of staggered terms. This matter is to be placed on the agenda for the next meeting.

The particular council responsibilities of rescheduling substances, preparing a legislative report before the next session, and study of the implementation of M.S. 152 were discussed.

Secretary Grussing discussed a proposed amendment to existing Board Regulation No. 51 pointing out that this proposal in its formal form would be submitted to the council for reaction and recommendation to the board before a public hearing. During the discussion of the proposal Judge Marsden suggested that certain exemptions, included in the statute, need not be duplicated in the regulation. Dr. Pickens observed the absence of reference to optical isomers in connection with the rescheduled drug methamphetamine. These matters will be considered by the board and its council and also considered informally by the Attorney General before the formal proposal is made.

MINNESOTA STATE BOARD OF PHARMACY ADVISORY COUNCIL ON CONTROLLED SUBSTANCES

Chairman Pickens then assigned some responsibilities for establishing evidence for rescheduling of the amphetamine substances. These include; (1) the actual or relative potential for abuse, (2) scientific evidence of its pharmacological effect, (3) the state of current scientific knowledge regarding the drug or other substance for the drug's history in current pattern of abuse, (4) the scope, duration and significance of abuse, (5) what, if any, risk there is to public health and (6) the drug's psychic or physiological dependence liability. Secretary Grussing pointed out how these factors were established by the federal agency and Chairman Pickens assigned the following topics to council members and asked them to prepare a brief paper with respect to amphetamine, methamphetamine, phenmetrazine and methylphenidate as these drugs relate to the topics.

1. Dr. Dale Dodson - disorders, diseases, and death caused by these drugs.
2. Dr. David Hancock - history of abuse of these drugs in Japan, Sweden and the United States.
3. Dr. Wilbert J. Henke - accepted uses with restrictions and unaccepted and controversial uses of these drugs.
4. Mr. Maurice Hillestad - diversion of the drugs from pharmacies by burglary and theft.
5. Mr. Joel Houglum - chemistry of the compounds.
6. Dr. James Janacek - dependence, both psychological and physiological of the compounds.
7. Mr. Carl Knutson - scope of abuse of these compounds as reported in the education profession.
8. Judge Marsden - selected reports of relationship of the compounds to crime.
9. Dr. R. Maslansky - tolerance to the compounds and risks to health because of anti-social behavior, violence, suicides, false bravado and crime, etc.
10. Mr. Gary Nelson - scope of the abuse problem and relationship of the compounds with crime.
11. Dr. Pickens - the pharmacology of the compounds both CNS and peripheral, plus their toxicity.
12. Mrs. June Winter - scope of the abuse of these substances viewed from medical care institutions.

Councilmen may draw upon their own experiences and are encouraged to utilize a bibliography to support their recommendations.

The secretary will furnish copies of the federal guidelines for developing these topics in support of the rescheduling.

The council then discussed general mechanics of collecting these reports and preparing its work before the public hearing. Judge Marsden moved and Dr. Dodson seconded that the reports be submitted to the council chairman at least 10 days before the public hearing and further, that the chairman be authorized to edit, in his discretion the final content of the entire report, including his right to make changes necessary to blend the reports together and also to authorize him to proceed to effect necessary editorial changes in the report. Motion passed.

After further discussion Judge Marsden moved and Dr. Dodson seconded that the chairman, in consultation with the vice chairman be authorized to poll the council with respect to convening or not convening the council in consideration of addition or rescheduling of chemicals if in the chairman's

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judgement the problems or proposals are not substantial or controversial.
Motion passed.

Secretary Grussing related briefly reports of abuse of two substances - Elavil and "Hawian Baby Woodrose", and reported that the council and board were asked to respond to the question concerning the scope of abuse of codeine containing cough syrups. The secretary is to research the scope of this abuse by contacting law enforcement agencies, medical and sociological treatment agencies and report at the next council meeting.

It was agreed that the time and place of next meeting would relate possibly to the exact date of the public hearing on the rescheduling proposal.,

There being no further business Chairman Pickens adjourned the meeting at approximately 10:00 o'clock p.m.

Roy Pickens, PhD., Chairman

Paul Grussing, Secretary

MINNESOTA STATE BOARD OF PHARMACY

FOUR HUNDRED SIXTIETH MEETING

November 10, 1971. At 9:03 o'clock A.M., President John H. Nelson called the meeting to order. Members in attendance were: President John H. Nelson, Vice President Jack E. Quistgard, Mr. Lowell Anderson, Mr. Roy Olson and Mr. Ben J. Seifert. Also in attendance was the Board's Secretary, Mr. Grussing and the Board's Special Assistant Attorney General, Mr. Robert Stich.

The secretary reviewed the transcript of the proceedings in the Ray K. Owings - Payne-Ivy Pharmacy matter together with a Memorandum and Findings of Fact from the hearing officer in the same case. Both of these proceedings had previously been reviewed by the Board. Counsel, Mr. Stich, explained that the Board had previously authorized him to offer a 60 day suspension to Mr. Owings' attorney as an opportunity to settle the case by stipulation without a need for a formal show cause hearing. This had been refused and after the show cause hearing counsel for Mr. Owings had indicated that a 30 day suspension would be accepted by Owings. After some general discussion Mr. Seifert moved and Mr. Olson seconded that counsel be authorized to offer a 45 day suspension to counsel for Mr. Owings, such offer to be agreed to in a formal stipulation, or in the event that a stipulation is not entered into, that the secretary be authorized, based on the findings and conclusions of the hearing officer in this matter, and upon the transcript of the hearing in this matter, to issue a final order to the respondent, Mr. Ray K. Owings, ordering a 45 day suspension of the license to practice pharmacy previously issued to him, such order to be effective January 1, 1972. Motion passed unanimously.

The secretary reported cooperation with the Bloomington Police Department in the matter of a drug investigation involving the ex-wife and son of Mr. Joseph Greeman, Jr. of Greeman Apothecary, Bloomington, Minnesota. The Police Department had requested that the Board refrain from any possible investigation of the pharmacy during its investigation which may have produced evidence that drugs may have been illicitly obtained from the pharmacy. Upon the termination of the Police Department investigation the Board was immediately notified and the secretary visited the Police Department to identify and inventory certain controlled substances and legend drugs which were allegedly illegally possessed by the pharmacist's ex-wife. The secretary immediately ordered an inventory of the Greeman Pharmacy items involving controlled substances which were possessed in small quantities by the pharmacist's ex-wife and six additional narcotics and other controlled substances. This inventory has been taken and can be used as an additional baseline for an accountability study to be accomplished. The investigation to follow may also include an attempt to purchase controlled substance drugs without proper refill authorization.

At 9:15 o'clock A.M., Pharmacist Merrill Westergren appeared before the Board in response to a request from the secretary. The purpose of the appearance was to review with him certain minor technical violations and recordkeeping discovered during a recent special accountability of narcotics in his pharmacy. The secretary reviewed a case in his pharmacy where a staff pharmacist assisted in the apprehension of a forger. Threats upon the

pharmacist's life by the forger were discussed together with a subsequent accountability investigation accomplished by the Board which indicated that the drug which was attempted to purchase by forgery was properly accounted for at the Merrill Pharmacy. The Board recognized the accountability check was in good order and proceeded to discuss minor technical violations with Mr. Westergren. Mr. Westergren follows up in the case of emergency telephoned Schedule II narcotic prescriptions and insures that a confirming written order is received in all instances. Mr. Westergren also explained that names of patients who appeared frequently in the files during the accountability investigation were names of accident victims or cancer patients. Mr. Westergren indicated that he has now placed a sign near the prescription department explaining to patients that written prescriptions are required for all Schedule II substances. President Nelson thanked Mr. Westergren for meeting with the Board and at approximately 9:40 o'clock A.M. Mr. Westergren departed.

Mr. Nelson recessed the Board to reconvene in the lower rooms of the Chapman Building so that public members interested in the meeting could attend.

President Nelson reconvened the meeting and the secretary presented to the Board evidence of alleged violation of Regulation No. 37K by the Osco Drug Company in Albert Lea, Minnesota. After reviewing the evidence Mr. Quistgard moved and Mr. Olson seconded that the Board consider the evidence, indicated as File #1, to be a violation of Regulation No. 37K, and that the secretary be instructed to write the pharmacist-in-charge requesting him to discontinue the violations; further that if compliance is not achieved voluntarily, that the secretary and attorney be instructed to initiate formal proceedings. Motion passed.

The secretary presented to the Board an alleged violation of Regulation No. 37K by the various Snyder Pharmacies in St. Paul. After reviewing the evidence, and in view of the prior evidence and possible citation resulting therefrom, that the secretary be instructed to write a letter to the pharmacists-in-charge of the various Snyder pharmacies in St. Paul requesting them to discontinue violation of Regulation No. 37K. Motion passed.

The secretary presented to the Board a possible violation of Regulation No. 37K by the Sterling Drug and Wold Drug of Austin, Minnesota. After reviewing the evidence, Mr. Seifert moved and Mr. Anderson seconded that the secretary be instructed to write the pharmacists-in-charge of these pharmacies requesting them to discontinue such violations. Motion passed.

The Board then entered into a brief discussion concerning the estimated number of Minnesota pharmacies who maintain medication profiles. The suggestion was made that this information could be obtained at the time of the next pharmacy license renewal.

Mrs. Sherry Chenoweth, Director of the Division of Consumer Services, asked the secretary what the Board is doing to prevent drug interactions. The secretary responded by describing the curriculum at the University of Minnesota College of Pharmacy, especially the clinical pharmacy program and by further indicating that the Board's examinations for licensure, particularly the standardized examination of the National Association of Boards of Pharmacy, are designed to determine if candidates have the ability to recognize

therapeutic incompatibilities. Mrs. Chenoweth responded by indicating that this may not be adequate protection and inquired if there was any legal requirement for pharmacists to maintain medication profiles. The secretary responded by indicating that this was a matter of good practice and was not regulated as a minimum standard by the Board. Mrs. Chenoweth suggested that there be a legal requirement for the maintenance of individual medication profiles.

Mrs. Chenoweth requested that all or part of the Board together with the secretary and attorney meet with her at her office in the near future so that administrative procedures can be discussed with the thought of improving or streamlining them. Mr. Nelson responded in the affirmative indicating that the Board would be most happy to cooperate.

Mrs. Chenoweth inquired if the Board was planning to hold a public hearing to consider the repeal of Regulation No. 37K or whether the Board would rely on due process to determine the validity of the regulation. Mr. Nelson indicated that based on the decision already taken by the Board it would be probable that the matter could enter the courts for a determination. Counsel, Mr. Stich indicated that the Board Regulation is "on the books", that it has the full force and effect of law, that the Board has found a violation and that it has a duty to uphold the law including involvement in an appeal to the courts, if necessary. He further recognized problems in connection with simultaneous hearings on the validity of regulations while disciplinary proceedings, especially those on appeal to the courts would be in process for the purpose of deciding on the constitutionality of the same regulation. He will further advise the Board in regard to this problem.

Mrs. Chenoweth again reasserted her interest in a public hearing on the matter and President Nelson responded by suggesting that a formal request to that effect should be submitted to the Board and further that if no litigation would develop the Board could hold a hearing but that if litigation is imminent the Board would let the courts determine the outcome of the regulation. Mr. Stich agreed to notify Mrs. Chenoweth concerning any possible litigation.

The secretary read the items on the balance of the agenda for the benefit of members of the public in attendance. President Nelson ordered a 5 minute recess of the Board.

At 11:50 o'clock A.M., the Board reconvened and the secretary described an application from Mr. Robert Williamson to operate a pharmacy at the Minnesota State Prison Hospital. After a review of the application Mr. Seifert moved and Mr. Olson seconded that the license be granted subject to the receipt of copies of orders to be filed in the pharmacy to account for drugs dispensed. Motion passed.

Mr. William Shutte and Mr. Robert Brockway, Pharmacists at Hennepin County General Hospital appeared before the Board at their request to answer questions concerning the experimental internship program involving pharmacists as medication technicians at Hennepin County General Hospital last summer. The pharmacists explained part of the program and entered into a general discussion with the Board. After additional discussion President Nelson tabled the Board's discussion of approval of the special internship program for the next summer period until the Pharmacy Internship Advisory Committee

of the Board can review the proposal and further report to the Board before the January meeting. Mr. Shutte was promised that the Board would review and respond to him on or before January 6, 1972.

The secretary reported that Mr. George Miser, Minnesota Mining and Manufacturing Company, was unable to appear before the Board at this time to discuss an extension of the time granted to him to establish a relationship with a licensed hospital pharmacy department for the purpose of accomplishing research on the Meditrol dispensing device as agreed to be modified at a previous meeting. The secretary reported that Hennepin County General Hospital could not enter a relationship with the 3M Company for research because of financial reasons but would be willing to do so at no cost to the county. After some discussion Mr. Olson moved and Mr. Quistgard seconded that the period for acceptance of the research proposal by a licensed Minnesota hospital pharmacy be extended until January 1, 1972. Motion passed.

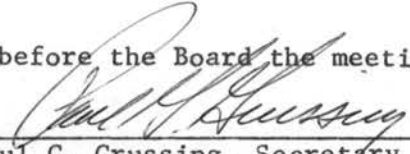
The secretary described some research into regulations by other professional regulatory boards which limit the number of times a candidate may take an examination for licensure. The secretary and attorney were instructed to draft a proposed regulation to be circulated to the Board embodying the concepts in the Bar Association regulation and limiting the number of examinations to three.

The secretary described a mimeographed version of proposed amendments to Regulation No. 51. After a review of the regulation Mr. Quistgard moved and Mr. Olson seconded that the secretary be granted the authority and directed to call a hearing for the purpose of promulgating rules of the Board of Pharmacy by amending Regulation No. 51 as well as to perform any and all acts incidental thereto, including but without being limited thereto, signing an order for hearing and notice of hearing as well as acting as presiding officer at all hearings, further, that the Board's attorney visit informally with the Attorney General concerning the proposed regulation and that any minor changes suggested by the Attorney General be submitted to the Board before the final proposal is mailed. Motion passed.

The secretary reported that the existing supply of registration certificates is dwindling and suggested that the Board may wish to select an alternative design for the certificate rather than photostating the existing plates which are diminishing in clarity and good appearance. The secretary will route examples for Board comment.

The secretary suggested that he would like to route a proposed budget for 1972 together with estimated expenses for 1971 so that the Board may judge whether a license renewal increase is necessary for March 1972. Mr. Quistgard suggested and there was general consensus that the legality of the fee increase in view of the price freeze be researched by counsel and that the secretary, depending on counsel's opinion, route to the Board members a proposed budget based on a proposed increase not to exceed the statutory maximum and reflecting the increased expenditures necessitated by the employment of the Assistant Secretary together with a replacement for Mr. Schlekau in the future.

There being no further new business to come before the Board the meeting was adjourned at 12:25 P.M. November 10.


Paul G. Grussing, Secretary

John H. Nelson, President

OFFICERS
JOHN H. NELSON.....President
JOHN E. QUISTGARD....Vice President



MEMBERS
JOHN H. NELSON.....Redwood Falls
JOHN E. QUISTGARD.....Bemidji
LOWELL J. ANDERSON.....St. Paul
ROY H. OLSON.....Edina
BEN J. SEIFERT.....Sherburn

MINNESOTA STATE BOARD OF PHARMACY

Office of the Secretary • 1965 Ford Parkway • Telephone: 698-0806

SAINT PAUL, MINNESOTA 55116

November 4, 1971

M E E T I N G N O T I C E

To: Persons Requesting Notification and Other Interested Persons

The next meeting of the Minnesota State Board of Pharmacy will be at 9:00 o'clock A.M., Wednesday, November 10. On the agenda for discussion at 10:00 A.M., will be the consideration of reported violation of Regulation No. 37k - the prohibition against public promotion of prescription drugs.

If at this meeting the board finds a specific violation it may initiate disciplinary proceedings against a pharmacist by requiring him to appear at a subsequent pre-hearing conference and, then, at a later date, a formal hearing.

Regulation No. 37k is similar to provisions in most state drug laws and was promulgated after a public hearing and review by the states' attorney general. The board based the need for the prohibition on public health grounds. Public promotion induces patients to patronize more than one pharmacy. When this occurs neither pharmacy is able to protect the patient by detecting possible hazardous drug interactions. Unrestricted public promotion of prescription drugs would also allow the touting of narcotics and other drugs of abuse in unprofessional ways not in the best interest of the public.
