



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

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MINNESOTA STATE BOARD OF PHARMACY

FOUR HUNDRED NINETY SIXTH MEETING

January 14 and 15, 1975. At approximately 8:30 o'clock a.m., January 14, 1975, the board met in Room 105 of the Minnesota Department of Health Building, 717 Delaware Street, SE, Minneapolis, for the purpose of administering an examination in jurisprudence to 25 candidates for reciprocity to Minnesota.

At approximately 9:30 o'clock a.m. Mr. Stephen A. Katz appeared before the board to take the required oral examination in jurisprudence. Mr. Katz is seeking reciprocity on the basis of his license in the state of New York.

At approximately 9:40 o'clock a.m. Mr. Douglas J. Reitsch appeared before the board to take the required oral examination in jurisprudence. Mr. Reitsch was seeking reciprocity on the basis of his license in the state of Alaska.

At approximately 9:50 o'clock a.m. Mr. Ronald E. Zimmerman, 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. Raymond Bertram, a candidate for registration by reciprocity from the state of Iowa, appeared before the board for an oral examination in jurisprudence.

At approximately 10:10 o'clock a.m. Mr. Charles A. Kohlbecker, 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. Gordon A. Ireland, a candidate for registration by reciprocity from the state of Maryland, appeared before the board for an oral examination in jurisprudence.

At approximately 10:45 o'clock a.m. Mr. Daniel E. Sullivan, a candidate for registration by reciprocity from the state of Iowa, appeared before the board for an oral examination in jurisprudence.

At approximately 11:00 o'clock a.m. Mr. Charles M. King, a candidate for registration by reciprocity from the state of Ohio, appeared before the board for an oral examination in jurisprudence.

At approximately 11:10 o'clock a.m. Mr. David A. Dunn, a candidate for registration by reciprocity from the state of Maryland, appeared before the board for an oral examination in jurisprudence.

At approximately 11:25 o'clock a.m. Ms. Paula J. Ellwein, a candidate for registration by reciprocity from the state of Colorado, appeared before the board for an oral examination in jurisprudence.

At approximately 11:35 o'clock a.m. Mr. Dean A. Sieperda, a candidate for registration by reciprocity from the state of Iowa, appeared before the board for an oral examination in jurisprudence.

At approximately 11:50 o'clock a.m. Vice President Ben Seifert dismissed the board for lunch.

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At approximately 1:30 o'clock p.m. Mr. Larry H. Sawaya, a candidate for registration by reciprocity from the state of North Dakota, appeared before the board for an oral examination in jurisprudence.

At approximately 1:40 o'clock p.m. Mr. Robert O Gillespie, a candidate for registration by reciprocity from the state of Kansas, appeared before the board for an oral examination in jurisprudence.

At approximately 1:50 o'clock p.m. Mr. Ronald C. Pratt, a candidate for registration by reciprocity from the state of North Dakota, appeared before the board for an oral examination in jurisprudence.

At approximately 2:00 o'clock p.m. Ms. Virginia S. Glenn, a candidate for registration by reciprocity from the state of Alabama, appeared before the board for an oral examination in jurisprudence.

At approximately 2:10 o'clock p.m. Mr. Michael T. Pliner, a candidate for registration by reciprocity from the state of Iowa, appeared before the board for an oral examination in jurisprudence.

At approximately 2:20 o'clock p.m. Mr. Dennis D. Hins, a candidate for registration by reciprocity from the state of Iowa, appeared before the board for an oral examination in jurisprudence.

At approximately 2:30 o'clock p.m. Mr. George L. Neely, a candidate for registration by reciprocity from the state of New Jersey, appeared before the board for an oral examination in jurisprudence.

At approximately 2:40 o'clock p.m. Mr. Kenneth H. Hopp, a candidate for registration by reciprocity from the state of Iowa, appeared before the board for an oral examination in jurisprudence.

At approximately 3:05 o'clock p.m. Ms. Sharon M. Mortenson, a candidate for registration by reciprocity from the state of Wisconsin, appeared before the board for an oral examination in jurisprudence.

At approximately 3:15 o'clock p.m. Mr. Duane A. Hovland, a candidate for registration by reciprocity from the state of North Dakota, appeared before the board for an oral examination in jurisprudence.

At approximately 3:25 o'clock p.m. Mr. Forrest M. Loeffler, a candidate for registration by reciprocity from the state of North Dakota, appeared before the board for an oral examination in jurisprudence.

At approximately 3:35 o'clock p.m. Mr. Dale B. Christensen, a candidate for registration by reciprocity from the state of Oregon, appeared before the board for an oral examination in jurisprudence.

At approximately 3:45 o'clock p.m. Mr. Douglas R. Troyer, a candidate for registration by reciprocity from the state of North Dakota, appeared before the board for an oral examination in jurisprudence.

At approximately 3:55 o'clock p.m. Mr. Allen J. Stanley, a candidate for registration by reciprocity from the state of Iowa, appeared before the board for an oral examination in jurisprudence.

At approximately 4:45 o'clock a.m. Vice President Seifert dismissed the board.

At approximately 9:15 o'clock a.m., Wednesday, January 15, 1975, Vice President Seifert called the meeting to order. In attendance were: Mr. Ben Seifert, Vice President, Mrs. Kitty Alcott, Mr. Tom Berg, Mr. Mike Hart, and Mr. Tom Jones. Also in attendance was the board's secretary, Mr. David Holmstrom.

At approximately 9:20 o'clock a.m. Mr. Brent Larson, fifth year pharmacy student from the University of Minnesota, College of Pharmacy, appeared before the board to request a reconsideration of the board's denial of approximately five weeks of internship time accumulated by Mr. Larson by reason of his failure to attain the minimum competency level on the internship post-test examination. Mr. Larson pointed out to the board that while he did not attain the required minimum level of competency, he did show some improvement in his test scores between the pre-test and the post-test and reminded the board that he did not work the full 13 week period that most other interns worked and that he did work only four to five weeks. Mr. Larson asked that the board keep these things in mind when it makes it's decision on his petition for the granting of internship time. At approximately 9:35 o'clock a.m. Mr. Larson departed from the meeting.

At approximately 9:35 o'clock a.m. Mr. Richard Patten appeared before the board to request a reconsideration of the denial of the two three month periods of internship accumulated by Mr. Patten as a result of his failing to attain the minimum required competency levels. Mr. Patten stated that while he did have a copy of the objectives for the internship periods in question, he did not utilize these objectives and did not call upon his preceptor to work with him in reviewing these objectives. On the pre-test given in June of 1974, Mr. Patten attained a score of 54%. On the post-test given in October of 1974, Mr. Patten attained a grade of 65.5%. On the internship post-test makeup exam given in October of 1974, Mr. Patten attained a score of 67.2% and in the post-test given in December of 1974, Mr. Patten attained a score of 66%. Mr. Patten could only explain his poor showing in the examinations given by his failure to review the objectives and work with his preceptor on them and merely appeal to the board's mercy in his request for credit for his internship. At approximately 9:55 o'clock a.m. Mr. Patten departed from the meeting.

At this point, Mr. Holmstrom recalled for the board's benefit the accuracy, reliability, and validity of the test instrument used in measuring internship competency. The secretary assured the board that the test instrument is accurate, or, has a small error of measurement. Everytime someone takes a test, the score is made up of the true measure of his knowledge, plus a small error score due to vagueness of the test, physical conditions of the room, the mood or health of the test-taker on a given day, etc. The part of the test variance in performance, which could occur when a person would retake a test without any memory effort or gain in learning, is called the standard error of measurement.

In the case of an exam with a 2.5 standard error of measurement, if a student received a grade of 65% in a 100 point test, one could be certain, in the long run, that the student's true score would lie between 62.5% and 67.5% about 68% of the time. One can also be certain, that, in the long run, that a persons score would fall between 60% and 70% 95% of the time. This is why the board dropped the fail level to two standard errors of measurement, or to 62.5% to cover 95% of the cases. The board was cautioned to remember that this was a 200 point test, and 2.5 points was the standard error or 1.25% plus or minus.

The secretary also reminded the board that the test is reliable, that is to say, it would produce the same results with an identical group of students, or upon a retest of the same students given a test retest situation with no memory or new learning effect. The board was reminded that the reliability for this test is very good, especially considering that the curve is narrowing over time following the increased competencies achieved by following the board's competency statements furnished at the time of the pre-test.

The board was reminded that most of all, this test is valid. That is to say, it tests what it is supposed to. The board was reminded that the competency statements and test items were developed by practicing pharmacists based on essential competencies from their practice. In addition to the Advisory Committee on Internship, 16 guest practitioners had input into the item writing. The test is a good measure of what goes on in real pharmacy land.

At approximately 10:15 o'clock a.m. intern Lynn Scott appeared before the board at her own request to petition the board for allowance of her internship experience gained between October 1, 1974 and December 13, 1974. This internship time had been denied Ms. Scott due to her failure to achieve the minimum allowable score on the internship post-test covering the October through December period. Ms. Scott started her internship at Target in Fridley on October 1, 1974 and received a grade of 55% on the internship pre-test given in September. Ms. Scott informed the board that she spends most of her time filling prescriptions and preparing insurance forms in the pharmacy and has little or no contact with OTC items or patient contact. Ms. Scott received a grade of 61% on the internship post-test. Ms. Scott informed the board that she does have copies of the objectives and propositions issued to each intern by the board office but has not spent any significant amount of time in reviewing these objectives with her preceptor. At approximately 10:35 o'clock a.m. Ms. Scott departed from the meeting.

At approximately 10:35 o'clock a.m. Mr. Paul Neitzke appeared before the board at his own request to petition the board for the acceptance of his internship experience gained between September 3, 1974 and December 14, 1974. Mr. Neitzke is employed at Moore and Yetter Pharmacy in Wadena, Minnesota where his duties involve primarily the filling of prescriptions. Mr. Neitzke scored 50½% of the internship pre-test given in September and received a score of 66% on the internship post-test given in December of 1974. Mr. Neitzke informed the board that while he has a competency of the objectives and propositions issued to him by the board office, he has not spent any time at all in reviewing these objectives with his preceptor. Mr. Neitzke could not demonstrate any effort on his part aimed at mastering the objectives of his internship. At approximately 10:55 o'clock a.m. Mr. Neitzke departed from the meeting.

At approximately 10:55 o'clock a.m. Ms. Amal Ghoneim appeared before the board at her own request. Ms. Ghoneim is a 1973 graduate of the College of Pharmacy at the University of Minnesota and has been working in three different locations, St. Paul-Ramsey Hospital, Model City Clinic, and Rice Street Pharmacy in attempting to gain a well rounded experience. The scores received by Ms. Ghoneim on her various internship pre and post-tests beginning with the pre-test given in June of 1974 range from a low of 45% to a high of 65%. It appears that to a certain extent, the problems being experienced by Ms. Ghoneim arise partly from a language problem and partly from the fact that all three of the locations in which she is working are extremely busy and no one can or will take the time to do some teaching which would greatly benefit Ms. Ghoneim. At approximately 11:20 o'clock a.m. Ms. Ghoneim departed from the meeting.

At approximately 11:20 o'clock a.m. Ms. Florence Wong appeared before the board at her own request. Ms. Wong is a 1974 graduate of the University of California and is a licensed pharmacist in California and in Nevada. Ms. Wong is employed at Appel Pharmacy and while apparently quite knowledgeable in clinical pharmacy, she is being utilized strictly in setting up unit dose carts for nursing homes and has little or no contact with over-the-counter medications and other areas covered by the objectives of internship. In discussing her internship it was revealed that Ms. Wong has accumulated an approximate total of 2,000 hours of internship which allowed her licensure in Nevada. Ms. Wong was instructed to submit documentation of this internship experience to Secretary Holmstrom and, if it is found to fall within that internship experience allowed under the laws and regulations applicable to Minnesota, no additional internship would be required here. At approximately 11:45 o'clock a.m. Ms. Wong departed from the meeting.

At this point, the board entered into a brief discussion of the minimum allowable scores on the internship post-tests and on the areas covered by the test itself. Mrs. Kitty Alcott moved and Mr. Mike Hart seconded that all first quarter interns be judged by the 65% requirement regardless of whether their first internship experience follows their junior year or follows graduation from the College of Pharmacy. The motion passed.

At approximately 11:50 o'clock a.m. Vice President Seifert dismissed the board for lunch.

With the meeting being called back to order, Ms. Mora Shih appeared before the board at approximately 1:15 o'clock p.m. at her own request. Ms. Shih appeared to discuss her internship with the board and to appeal to the board for the granting of internship experience for the hours she has worked from May through September of 1974. Ms. Shih stated that she is employed at Miller Hospital where she does nothing but fill unit dose carts for use in the hospital. Ms. Shih stated that she works evenings primarily and that her assigned preceptor works days primarily and that she thus has very little opportunity to review the objectives of her internship with the preceptor. Ms. Shih received a grade of 39.5% on the internship pre-test given in June of 1974 and received a grade of 48.5% on the internship post-test given in September of 1974. Ms. Shih stated that she felt it was the lack of opportunity to work with her preceptor that was the predominant reason for her failure to do well on the internship examination. At approximately 1:45 o'clock p.m. Ms. Shih departed from the meeting.

At this time election of officers for the coming year was held. Mr. Tom Berg moved and Mrs. Kitty Alcott seconded that Mr. Ben Seifert be nominated for the office of president for the coming year. There being no other nominations, Mr. Tom Berg called for the question and Mr. Seifert was elected president by a unanimous ballot.

Mr. Mike Hart moved and Mr. Ben Seifert seconded that Mrs. Kitty Alcott be nominated for the office of vice president for the year of 1975. There being no other nominations, Mr. Tom Berg again called for the question and Mrs. Kitty Alcott was elected by a unanimous ballot.

The first item of business to come before the newly elected officers was a new store application submitted by James Mulroy for Mulroy Drug in Young America, Minnesota. Mrs. Kitty Alcott moved and Mr. Tom Berg seconded that the application to operate Mulroy Drug be approved subject to an on-sight inspection by members of the board's staff. The motion passed.

The board next discussed the NABP Maxi School being provided in Indianapolis, Indiana February 2nd through the 5th. Mrs. Kitty Alcott moved and Mr. Tom Berg seconded that the board send it's new inspector, Mr. Allen Conger, and it's president, Mr. Ben Seifert, to the Maxi School in Indianapolis. Motion passed.

The board next discussed the possibility of providing a Maxi School or a Mini School in conjunction with the District V meeting scheduled for Rochester, Minnesota next October. The board instructed the secretary to contact Mr. Paul Grussing and Mr. Sidney Willig regarding this possibility.

The next item on the agenda is the renewal of the annual membership fee to the National Association of Board's of Pharmacy. After a discussion involving the innumerable benefits of membership in the National Association of Board's of Pharmacy, Mr. Mike Hart moved and Mr. Tom Berg seconded that the secretary be directed to renew the Minnesota State Board of Pharmacy's membership in the National Association of Board's of Pharmacy. The motion passed.

The secretary next reported on the status of the matter regarding Merwin Drug Company of Minneapolis. The secretary reported that a dismissal had been prepared by the board's counsel, Mr. Robert Stich, in the matter in that a settlement had been agreed upon between the parties.

The secretary next brought to the board's attention the need for official determination of the number of Continuing Education credits to be required of Minnesota pharmacists for the licensure period, March 4, 1975 through March 4, 1977. Mrs. Kitty Alcott moved and Mr. Tom Berg seconded that 25 credits of Continuing Education be required for the abovementioned licensure period. The motion passed.

The secretary described policies for existing fees and after a brief discussion Mr. Mike Hart moved and Mrs. Kitty Alcott seconded that the following fees be approved:

Assistant Pharmacist	\$3
Pharmacist	\$20
Exam Fee	\$50
Reciprocity Exam fee	\$100
Registration fee	\$20
Wholesalers License	\$50
Manufacturers License	\$50
Pharmacy License fee	\$40

And further that all board members and the boards secretary be elected delegates to the May NABP Meeting. Motion passed.

The next item to come before the board for discussion was the reappointment of the board's secretary and the board's assistant secretary for administrative affairs. Mr. Tom Berg moved and Mr. Mike Hart seconded that Mr. David Holmstrom be reappointed as the board's secretary and that Mrs. Alice Hummer be reappointed as the board's assistant secretary for administrative affairs. The motion passed.

The board next discussed and acknowledged it's prior mail approval of the achievement award for the board's assistant secretary for administrative affairs, Mrs. Alice Hummer.

The board generally discussed a tentative schedule for 1975 meetings and approved the following tentative schedule:

Tentative Schedule

February 26

March 24, 25, 26th Full Board Examination

May 3 - 8 NABP Meeting, state meeting for license approval, etc. day before, day after or during NABP Meeting.

June 10 & 11 Reciprocity Examination

July 16

September 16, 17, & 18 or 23, 24, & 25 Full Board Exam meeting

October 3 & 4 NABP District V meeting.

At this time the board's attorney, Mr. Robert Stich, who just joined the meeting, and the board's secretary presented a compilation of ideas based on contacts they had had with various state and federal agencies and associations and other interested parties regarding a proposed revision of Regulation 37 (k).

In that all of the board members were not present at this meeting, the secretary suggested that copies of the compilation of ideas be sent to all of the board members and that the board members be requested to reply in writing to the secretary within 14 days regarding any additions, subtractions, or corrections that they feel should be made in these proposals. The secretary suggested that he and the board's attorney, Mr. Stich, be allowed to prepare a formal proposed regulation 37 (k) based upon the input received from the board members to be presented to the board at its February meeting.

The board's counsel next discussed with the board the problem of the citizenship requirement for candidates wishing to take the board examination. The board's counsel stated that while he had stated that he felt the board could consider a foreign student eligible to take the examination if that student had the status of a resident alien and had filed with the Department of Immigration an intent to become a citizen, further research on Mr. Stich's part now leads him to believe that until the statute is changed or found to be unconstitutional in the courts, the board must hold with actual citizenship as being a requirement for taking the board examination.

Mr. Stich then discussed with the board the progress in the Robert Schuehle matter and requested that the board allow Mr. Stich to negotiate with Mr. Schuehle's attorney regarding a possible settlement. This request was granted.

At this time the attention of the board was again turned to the interns who had appeared before the board earlier in this day. Mrs. Kitty Alcott moved and Mr. Mike Hart seconded that the board request the appearance of the preceptors involved in the training of each of these interns at the board's next regularly scheduled meeting. The motion passed.

The board directed the secretary to notify the interns who had appeared before it of their requests regarding internship credit based upon the board's decision to make the 65% minimum requirement applicable to all first segment interns.

After a thorough review of the performance of the candidates for licensure by reciprocity, Mrs. Alcott moved and Mr. Seifert 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. The motion carried.

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

<u>Cert No.</u>	<u>Name</u>	<u>State</u>
2353	Raymond Bertram	Iowa
2354	Dale B. Christensen	Oregon
2355	David A. Dunn	Maryland
2356	Paula J. Ellwein	Colorado
2357	Robert O. Gillespie	Kansas
2358	Virginia S. Glenn	Alabama
2359	Gordon A. Ireland	Maryland
2360	Charles M. King, Jr.	Ohio
2361	Sharon M. Mortenson	Wisconsin
2362	George L. Neely, Jr.	New Jersey
2363	Dean A. Sieperda	Iowa
2364	Allen J. Stanley	Iowa
2365	Daniel E. Sullivan	Iowa

Mrs. Alcott moved and Mr. Seifert seconded that after a review of the application record and examinations in the case of Mr. Dennis Hins that the privilege of reciprocity be denied to him at this time. Motion passed.

Mrs. Alcott moved and Mr. Seifert seconded that after a review of the application record and examinations in the case of Mr. Kenneth H. Hopp that the privilege of reciprocity be denied to him at this time. Motion passed.

Mrs. Alcott moved and Mr. Seifert seconded that after a review of the application record and examinations in the case of Mr. Duane A. Hovland that the privilege of reciprocity be denied to him at this time. Motion passed.

Mrs. Alcott moved and Mr. Seifert seconded that after a review of the application record and examinations in the case of Mr. Charles A. Kohlbecker that the privilege of reciprocity be denied to him at this time. Motion passed.

Mrs. Alcott moved and Mr. Seifert seconded that after a review of the application record and examinations in the case of Mr. Forrest M. Loeffler that the privilege of reciprocity be denied to him at this time. Motion passed.

Mrs. Alcott moved and Mr. Seifert seconded that after a review of the application record and examinations in the case of Mr. Michael T. Pliner that the privilege of reciprocity be denied to him at this time. Motion passed.

Mrs. Alcott moved and Mr. Seifert seconded that after a review of the application record and examinations in the case of Mr. Ronald C. Pratt that the privilege of reciprocity be denied to him at this time. Motion passed.

Mrs. Alcott moved and Mr. Seifert seconded that after a review of the application record and examinations in the case of Mr. Larry H. Sawaya that the privilege of reciprocity be denied to him at this time. Motion passed.

Mrs. Alcott moved and Mr. Seifert seconded that after a review of the application record and examinations in the case of Mr. Douglas R. Troyer that the privilege of reciprocity be denied to him at this time. Motion passed.


Mrs. Alcott moved and Mr. Seifert seconded that after a review of the application record and examinations in the case of Mr. Stephen A. Katz that the privilege of reciprocity be denied to him at this time. Motion passed.

Mrs. Alcott moved and Mr. Seifert seconded that after a review of the application record and examinations in the case of Mr. Douglas J. Reitsch that the privilege of reciprocity be denied to him at this time. Motion passed.

Mrs. Alcott moved and Mr. Seifert seconded that after a review of the application record and examinations in the case of Mr. Ronald E. Zimmerman that the privilege of reciprocity be denied to him at this time. Motion passed.

At approximately 4:45 o'clock p.m. President Seifert adjourned the meeting.


Secretary


President

MINNESOTA STATE BOARD OF PHARMACY

FOUR HUNDRED NINETY SEVENTH MEETING

February 26, 1975. At approximately 9:00 o'clock a.m., February 26, 1975, President Ben Seifert called the meeting to order in Room 206 of the Minnesota Department of Health Building, 717 Delaware Street, SE, Minneapolis, Minnesota. In attendance in addition to President Seifert were: Vice President Kitty Alcott, Mr. Tom Berg, Mr. Mike Hart, and newly appointed board member, Mr. Marcus Frederickson. Also in attendance was the board's secretary David Holmstrom.

In that several members of the local press, television and radio were in attendance at the meeting and in that a hearing was scheduled for the legislature in the afternoon of this date, Mrs. Kitty Alcott moved and Mr. Mike Hart seconded that items 7 through 9 of today's agenda be moved to second position on the agenda. Items 7 through 9 deal with the legislation report, regulation 31, and regulation 37-k. Motion passed.

The first item of business brought before the board then was that of new store licensed applications. The first new application to be brought before the board is an application to conduct the Canby Community Hospital Pharmacy. This application was submitted by Nancy Kveene who will be the pharmacist-in-charge. The second application is an application to conduct the Moorhead State College Health Service Pharmacy. This application was submitted by Ruth Moll who will be the pharmacist-in-charge. The third and final application for a pharmacy license was submitted for the Snyder Brothers Drug, 2900 Rice Street, St. Paul, Minnesota. This application was submitted by Eugene Snyder who will be the pharmacist-in-charge. After thoroughly reviewing these applications Mrs. Kitty Alcott moved and Mr. Tom Berg seconded that the applications to conduct these pharmacies be approved subject to an on-sight inspection of the premises by members of the board staff. Motion passed.

The next item to come up for discussion was a brief report by the secretary of the current legislation which affects pharmacy being considered by the Minnesota State Legislature. The secretary reported on the progress of the Prescription Drug Price Advertising Bill in the House of Representatives, the Drug Product Selection Bill being considered by both the House of Representatives and the Senate, the bill revising the appointment procedures of state boards and commissions being considered by the Senate Subcommittee on Boards and Commissions, and on the revisions of the Medical Practice Act being considered in the House of Representatives.

The board's attention was next focused on Pharmacy Board Regulation 31. The secretary reported that Pharmacy Board Regulation 31 which currently states that "it shall be deemed unlawful to distribute, dispense, or vend any drug by automatic or vending machine." was under review by Senator Kurtchner from Richfield, Minnesota. The secretary reported that Senator Kurtchner had several friends who were administrators of small hospitals who were interested in utilizing vending machine devices to distribute legend drugs within the hospital. Senator Kurtchner asked the secretary to submit a request for a change in the regulation to the board for it's consideration. Senator Kurtchner explained to the secretary that should the board refuse to accept a proposed change in this regulation that would allow the use of vending machines in hospitals, he would introduce legislation to accomplish this end. The secretary submitted to the board a copy of proposed wording that would, in the opinion of the secretary, accomplish the results looked for by Senator Kurtchner while at the same time provide for the necessary safeguards in the storage and distribution of legend drugs from this type of an operation. A copy of the secretary's proposed revision is attached hereto.

After some considerable discussion regarding the current and proposed Pharmacy Regulation 31, the secretary was instructed to research the reasons for the deletion of the hospital exemption from the original Regulation 31 in 1968 and to visit with the producers of these vending machines to insure that the proper safeguards have been engineered into the machine.

The board next turned it's attention to the proposed revision of Regulation 37-k. Secretary Holmstrom described changes to the proposed revision of Regulation 37-k which were suggested by the board members, board counsel, Robert Stich, and the secretary, himself. The board then thoroughly discussed those suggested changes and generally discussed the proposed regulation.

Mrs. Kitty Alcott moved and Mr. Mike Hart seconded that the amendments to the original draft of the proposed revision of Regulation 37-k be approved. Motion passed.

Mr. Mike Hart moved and Mr. Tom Berg seconded that it be resolved that David E. Holmstrom, Secretary of the Minnesota State Board of Pharmacy be, and hereby is granted the authority to call a hearing for the purpose of promulgating proposed revision to Regulation 37-k as well as to perform any and all acts incidental thereto, including but not being limited to, signing an order for hearing and notice of hearing as well as appointing a hearing examiner. The motion passed. A copy of the proposal is attached.

The secretary next brought to the board's attention the rate at which Continuing Education credits were being submitted to the board office in conjunction with the 1975 license applications. The secretary indicating that relatively few Minnesota pharmacists were found to be lacking in Continuing Education credits. The secretary reported that most of those who have not completed the Continuing Education requirement are retired pharmacists of advanced age who are not now practicing nor do they intend to practice pharmacy in the future.

The secretary next discussed with the board the reaction of pharmacists to the new license application form. The secretary indicated that some negative response had been received from about a dozen pharmacists to the length and detail of the new license application form but that those pharmacists who refuse to answer the questions posed by the Federal Health Manpower Statistics people would not be denied their license on that basis.

The secretary next brought to the board's attention a certificate received from NABP wherein NABP wished to have each board elect a prime delegate to represent that board at the NABP annual meeting in San Diego. The secretary was instructed to return the delegate form to NABP indicating that Board President Seifert would be the prime delegate for the Minnesota State Board of Pharmacy and that all of the remaining board members and the board's secretary be alternate delegates.

The next item to come up for discussion was the proposal by the Minnesota State Board of Nursing to have a weekend seminar involving all of the state health licensing boards. The proposed program would include a seminar on boardsmanship conducted by Dr. Sidney Willig of Temple University. The board discussed participating in this seminar and instructed Secretary Holmstrom to contact Mr. Paul Grussing from the College of Pharmacy, Fred Mahaffey from NABP, and Dr. Willig regarding an alternative seminar to be held in conjunction with the District V NAPB meeting in Rochester on October 3rd and 4th. The secretary was also instructed to visit with the other health licensing board regarding this possible alternative.

The board next discussed the internship of intern Jeff Sandvig. It seems from the very beginning Mr. Sandvig has been extremely lax about reporting his internship experience and has failed to file several of the required documents and has failed to participate in a pre-test and post-test series required by all interns. The secretary was requested to have Mr. Sandvig appear before the board at it's next meeting to discuss his internship deficiencies.

The secretary next discussed for the board the well publicized welfare report on the possible over charges made to the Welfare Department by various Minneapolis pharmacies. The secretary described for the board the difficulty he had in obtaining a copy of the report from the various sources connected with the report namely the Hennepin County Welfare Department and the Hennepin County Attorney's Office. The secretary described how he finally obtained a copy of the report by working through a newspaper reporter from the Minneapolis Star and Tribune. The secretary indicated that while some of the store involved in the investigation may have demonstrated a policy of consistantly over charging the Welfare Department for Welfare prescriptions, others in the survey did not so demonstrate. The secretary indicated that follow up investigations will proceed against those stores shown by the Welfare Department report to be prime candidates for a further investigation.

At approximately 12:30 p.m. President Seifert dismissed the board for lunch.

At approximately 2:00 p.m. the board gathered in Room 118 of the State Capitol to attend a hearing of the Board's and Commission's Subcommittee of the Senate Committee on Governmental operations. This subcommittee was discussing Senate File 206 which would change the terms and times of appointment of board members to all of the state licensing boards. The subcommittee hearing adjourned at approximately 4:00 o'clock p.m.

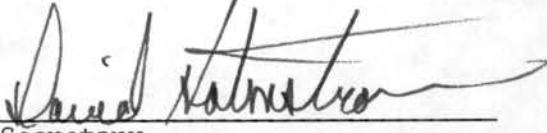
At approximately 4:25 o'clock p.m. the board reconvened in Room 206 of the Minnesota Department of Health Building. At this time Doctor Frank DiGangi from College of Pharmacy appeared before the board to discuss the issue foreign students in colleges of pharmacy and the problems associated with their matriculation into the college curriculum and the problems this brings to the board as far as licensure and internship for the students are concerned.

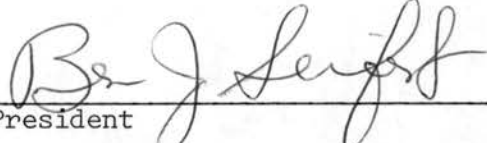
After discussing the problems with Dr. DiGangi, Mr. Tom Berg moved and Mr. Mike Hart seconded that only graduates from an ACPE accredited college of pharmacy be accepted for licensure in the state of Minnesota assuming all other requirements for licensure have been met by the applicant. The motion passed.

The board instructed the secretary to meet with it's counsel, Robert Stich and any other sources of information on constitutional law regarding the problem of citizenship for board qualified persons.

At approximately 4:45 o'clock p.m. Mr. David R. Goudge appeared before the board to request a review of his current status in the eyes of the board. Mr. Goudge's license to practice pharmacy had been suspended in July of 1974 for his conviction in Ramsey County District Court of the illegal possession of controlled substances. Mr. Goudge reviewed his progress in the areas of employment and in the areas of the abuse of chemical substances for the board and indicated that he felt that he was capable at this time of assuming the responsibilities of a pharmacist. The board instructed Mr. Goudge to contact his present employer, his physician, and his probation officer and have these three individuals write a letter to the board indicating their views on Mr. Goudge's character and fitness for practice.

At approximately 5:15 o'clock p.m. President Seifert adjourned the meeting.


Secretary


President

Pharm 31 Vending Machines

It shall be deemed unlawful to distribute, dispense or vend any drug by automatic or vending machine. Provided, however, that nothing in this section shall prohibit a licensed hospital from utilizing such a device after regular pharmacy hours when the hospital pharmacist shall have complete control over the filling, labeling, record keeping and security of the drugs involved and of the device, and when utilized in compliance with all other state and federal laws and regulations regarding the distribution of legend drugs.

DEH:mw

2-24-75

The public promotion, direct or indirect, including but not limited to advertisement through any of the media of drugs requiring a prescription, narcotics, depressants or stimulants is hereby declared to be an act of unprofessional conduct by a pharmacist causing such public promotion or by the pharmacist-in-charge of a pharmacy engaged in such public promotion. The reference in any advertisement in any media or other means of the terms "cut rate", "discount", "bargain", or terms of similar connotation in connection with drugs requiring a prescription, narcotics, depressants or stimulants or for pharmaceutical services related thereto shall be included within the meaning of public promotion.

Prescription drug price information may be provided to the public so long as it is not violative of any federal or state laws applicable to the advertisement of such articles generally and if all of the following conditions are met:

- 1) no representation or suggestion concerning the drug's safety, effectiveness, indications for use or comparative comparisons shall be made;
- 2) no reference shall be made to controlled substances listed in Schedule II-V of the latest revision of the Federal Controlled Substances Act, and the Regulations of the Minnesota State Board of Pharmacy;
- 3) the proprietary or trade-name of the drug product, if any; the established name of the drug product, if any; the established name and quantity of each active ingredient in the drug product; the name of the manufacturer, packer or distributor as it appears on the label of the drug product with the size and prominence required by 21 USC 352 (n) and detailed by 21 CFR 1.105 (e) to prevent the article from being misbranded; the dosage form; and the primary manufacturer of the finished dosage form shall be included. (The established name and quantity of each active ingredient in the drug product is optional if the drug product contains more than three active ingredients.)
- 4) the price charged for a prescription for at least three specific numbers of commonly prescribed dosage units of tablets or capsules or a specific quantity of other drug dosage forms shall appear.

- 5) the price stated as that charged for a prescription shall include all charges to the consumer including, but not limited to, the cost of the drug product, professional fees, and handling fees, if any;
- 6) the price stated as that charged for a prescription shall remain unchanged for a period of at least 60 days from the date first provided to the public and the termination date shall be stated in the ad. Delivery on dispensing of such product shall be rendered in a reasonable time after demand for same at said price level;
- 7) the availability or nonavailability of the following services shall be included in all advertising together with the additional cost of the consumer therefor, if any;
 - a) patient profile system
 - b) charge accounts or other charge services
 - c) delivery service
 - d) after hours emergency service
 - e) prescription purchase summary for tax or other purposes

FEB 26 1975

MINNESOTA STATE BOARD OF PHARMACY

FOUR HUNDRED AND NINETY EIGHTH MEETING

At approximately 9:30 o'clock p.m., March 23, 1975, the board met at the Lafayette Club for the purpose of reviewing and preparing for the examination to be conducted by the board on March 24th and 25th. The board reviewed the practical examination in prescription compounding, family records, and errors and omissions. Members present were: President Ben Seifert, Vice President Kitty Alcott, Mr. Tom Berg, Mr. Tom Jones, Mr. Marcus Frederickson, and the board's secretary, Mr. David Holmstrom.

At approximately 11:30 o'clock p.m. President Seifert dismissed the meeting.

At approximately 8:15 o'clock a.m., March 24, 1975, the board met at the College of Pharmacy for the purpose of administering a practical examination in prescription compounding, family records, and errors and omissions. A written examination covering these same areas was also administered. Members present were: President Ben Seifert, Vice President Kitty Alcott, Mr. Tom Berg, Mr. Mike Hart, Mr. Tom Jones, Mr. Marcus Frederickson, and the board's secretary, Mr. David Holmstrom.

The following candidates who have met all the requirements and had presented properly executed applications were present to write the examinations in the above subjects:

George C. Andrews
James R. Bergeson
Gregory L. Bluhm
Eugene C. Bommersbach
Robert J. Cipolle
Richard W. Clark
Joseph A. Cornell
Theresa D. Dahl
Michael W. Dewey
Jane C. DiCicco
Marilyn R. Eekleme
Paul E. Essling
Duane F. Fancher
William K. Ginnow
Darryl R. Goetz
Michael P. Hagelin
Lynn L. Hagen
Laurence D. Hanson
Ronald H. Hanson
Francis E. Harrington Jr.
Kay E. Howe

Bruce R. Iverson
Jack E. Jagoda
Brian R. Johnson
David L. Johnson
Geraldine L. Keeley
Mary A. Zimmerman
Frances Kovatovich
Mary L. Kryzer
Larry O. Leske
Herbert E. McGinty Jr
Sandra M. McKone
Randall J. Most
Timothy D. Muckerheide
Timothy C. Mueller
Gordon S. Schultz
Michael C. Tessum
Marvin J. Thelen
Mark T. Wolf

The following full board retake candidate was also present to write the practical examination: Darcy A. Johnson

At approximately 8:30 o'clock a.m., March 25, 1975, the board met in room 325, Science Classroom Building at the University of Minnesota for the purpose of administering a written examination in pharmacy, chemistry, math, pharmacology, and jurisprudence. Members present were: President Ben Seifert, Vice President Kitty Alcott, Mr. Tom Berg, Mr. Mike Hart, Mr. Tom Jones, Mr. Marcus Frederickson, and the board's secretary, Mr. David Holmstrom. The examinations lasted the entire day. The candidates who were present for the practical examination given yesterday were also present today to write the written examination. The full board retake candidate was also present for the written examination and in addition, the following written retake candidates were present to write the written examination: Dennis R. Kolari, and John K. Middleton

Following the day's examination the board adjourned to the Lafayette Club and spent the evening grading the examinations.

At approximately 9:30 o'clock a.m., March 26, 1975, the board reconvened at the Lafayette Club for the purpose of grading and recording examination papers. At approximately 12:00 o'clock President Ben Seifert adjourned the board for lunch.

At approximately 2:00 o'clock p.m. President Ben Seifert convened the board in room 206 of the Minnesota Department of Health Building for the purpose of a brief business meeting. Members present were: President Ben Seifert, Vice President Kitty Alcott, Mr. Tom Berg, Mr. Mike Hart, Mr. Tom Jones, Mr. Marcus Frederickson and the board's secretary, Mr. David Holmstrom.

After thoroughly reviewing the performance of the candidates in the examination for licensure, and the qualifications of the candidates, Mr. Tom Berg moved and Mr. Ben Seifert seconded that the 32 candidates who received a general average of 75% or better, and not below 75% in the practical examination, and not below 60% in any one subject, be granted registration as pharmacists. They are as follows:

<u>Cert. No.</u>		<u>Cert. No.</u>	
12031	George C. Andrews	12047	Kay E. Howe
12032	James R. Bergeson	12048	Bruce R. Iverson
12033	Eugene C. Bombersbach	12049	Jack E. Jagoda
12034	Robert J. Cipolle	12050	Brian R. Johnson
12035	Theresa D. Dahl	12051	David L. Johnson
12036	Jane C. DiCicco	12052	Geraldine L. Keeley
12037	Marilyn R. Eekleme	12053	Mary L. Kryzer
12038	Paul E. Essling	12054	Sandra M. McKone
12039	Duane F. Fancher	12055	Timothy D. Muckerheide
12040	William K. Ginnow	12056	Timothy C. Mueller
12041	Darryl R. Goetz	12057	Michael C. Tessum
12042	Michael P. Hagelin	12058	Marvin J. Thelen
12043	Lynn L. Hagen	12059	Mark T. Wolf
12044	Laurence D. Hanson	12060	Darcy A. Johnson
12045	Ronald H. Hanson	12061	Dennis R. Kolari
12046	Francis E. Harrington Jr.	12062	John K. Middleton

The board next discussed the possible availability of information from NABP regarding the number of states allowing advertising of prescription drugs, the number of states requiring the posting of prescription drug prices, the amount of changes in the numbers of stores in states allowing advertising of prescription drugs, etc. Mrs. Kitty Alcott moved and Mr. Tom Berg seconded that the secretary formally request that NABP send all such information to the Minnesota State Board of Pharmacy for their consideration. The motion passed.

The next item to come before the board for discussion is a report from the board's attorney, Mr. Robert Stich regarding the Robert Schuehle matter. Mr. Stich described his discussions with the board's secretary regarding the licensure status of Mr. Schuehle and informed the board that in that Mr. Schuehle has not applied for a 1975 license, apparently does not have the necessary Continuing Education credits to be issued a 1975 license and in that his 1974 has expired, he has no current licensure status as a pharmacist and therefore, in the opinion of Mr. Stich, the board need not go forward with the hearing scheduled for April 1, 1975. Mr. Stich announced to the board that he would report the same to Mr. Schuehle.

Mr. Stich next brought to the board's attention a complaint from a Mr. Herbert Chilstrom regarding a "secret formula" arrangement he came to find out about during a visit to a Minneapolis physician. After some discussion of this matter Mr. Holmstrom indicated that he would personally visit the Prescription Shop in the Northstar Building and attempt to remedy the situation.

The secretary next brought before the board the report of the Internship Committee regarding the special internship participated in by Ms. Deborah Arbogast, Ms. Judy Silman, Ms. Joy Belcourt, and Mr. Michael Smith. The Internship Committee, after discussing and accepting a subcommittee report, recommended that Mr. Michael Smith be granted 440 hours of internship time for his experiences and that Ms. Arbogast and Ms. Silman be granted 240 hours of internship experience for their work with the COSTEP Program. The Internship Committee refused to allow any internship time for the work of Ms. Belcourt at Lederle Laboratories. After thoroughly discussing the Internship Committee report, Mrs. Kitty Alcott moved and Mr. Tom Berg seconded that the recommendations of the Internship Advisory Committee be accepted. The motion passed.

The next item to come before the board for discussion was the report by the board's attorney, Mr. Robert Stich, regarding the citizen requirement found in Minnesota Statutes 151.10. Mr. Stich reported that he had been in contact with Mr. Spannaus and Mr. Starns of the Attorney General's Office regarding the constitutionality of this citizenship requirement and while all attorney's involved are convinced that should the statute be contested in court it would be found unconstitutional, the board must, until such time as the statute is contested and is found to be unconstitutional by the courts, uphold and enforce this provision.

Mr. Holmstrom next presented to the board the applications to operate a pharmacy at the Staples Community Hospital and an application to operate a retail pharmacy by Snyder Drug, Incorporated at Nicollet Ave., South & 46th Street. Mrs. Kitty Alcott moved and Mr. Mike Hart seconded that the applications to conduct these pharmacies be approved subject to an on-sight inspection by a member of the board's staff to insure compliance with the requirements of Board Regulations 7 through 11. The motion carried.

The board next discussed an appeal by Mr. David Goudge for a reinstatement of his license to practice pharmacy. After discussing Mr. Goudge's appearance at the February 1975 board meeting and the letters received by the board's secretary from Mr. Goudge's employer and physician, the board requested that the secretary obtain authorization from Mr. Goudge to contact Mr. Goudge's physician regarding his case and that the secretary obtain a more thorough discription from the physician of his opinion as to Mr. Goudge's ability to safely work in the close proximity with drugs of abuse.

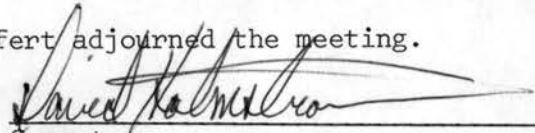
The board next discussed the application of Mr. Ronald Broekemeier to reciprocate to Minnesota. After thoroughly reviewing Mr. Broekemeier's file, Mr. Marc Frederickson moved and Mrs. Kitty Alcott seconded that Mr. Broekemeier be allowed to sit for the June reciprocity examination because he is in substantial compliance with our reciprocity standards.

Mr. Holmstrom then cirrculated for the board's inspection a list of 48 pharmacist who have not renewed their license to practice pharmacy in 1973 or 1974. These pharmacists, upon approval of the board, will be dropped from the roles of active pharmacists in Minnesota. After reviewing the list of names presented, Mr. Mike Hart moved and Mrs. Kitty Alcott seconded that the people so indicated be dropped from the roles of licensed pharmacists in the state of Minnesota. The motion passed.

The final item of discussion was a brief review of the people who will be testifying at the April 2, 1975 hearing regarding the proposed revision of Pharmacy Board Reg. 37-k.

At approximately 5:00 o'clock p.m. President Seifert adjourned the meeting.


President


Secretary

MINNESOTA STATE BOARD OF PHARMACY
Special Meeting - 37-K

April 29, 1975. At approximately 2:00 o'clock p.m. in room 335 of the Minnesota Department of Health Building, 717 Delaware Street, SE, the meeting was convened by board President Benjamin Seifert. In attendance in addition to President Seifert were: Vice President Kitty Alcott, Mr. Tom Berg, Mr. Mike Hart, Mr. Tom Jones, Mr. Mark Frederickson and the board's secretary, Mr. David Holmstrom. Also in attendance as interested parties were Mr. Donald Dee representing the Minnesota Pharmaceutical Association and Mr. Louis Cope of the Minneapolis Star and Tribune.

The board thoroughly discussed the evidence submitted at the public hearing held April 2, 1975 and reviewed two written documents which were submitted since the time of the hearing.

After considerable discussion on each and every point of the proposed regulation, a discussion lasting approximately two hours, Mrs. Kitty Alcott moved and Mr. Tom Berg seconded that

WHEREAS, the public hearing was held on April 2, 1975 in room 116-B in the State Administration Building, Capitol Complex, St. Paul, Minnesota, concerning the adoption of the proposed board regulation number 37-K, and

WHEREAS, said public hearing was held after proper notice required by Minnesota statutes 1971, 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 interested persons were afforded opportunity at said public hearing to present written and oral data, statements, and arguments, and

WHEREAS, all interested persons was afforded an opportunity to present further written materials, data, arguments, and briefs through April 22, 1975, and

WHEREAS, seven members of the Minnesota State Board of Pharmacy were in attendance at said public hearing, and

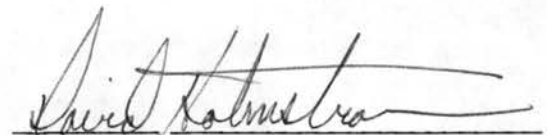
WHEREAS, all members of the State Board of Pharmacy have considered all of the evidence introduced at the public hearing and the members attending this meeting have considered all of the written material, data, statements, arguments, and briefs submitted at said public hearing, and

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 hereof, and

WHEREAS, such need has been set forth in 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 M.S. 151.06, and M.S. 151.212 Laws of 1971.

BE IT FURTHER RESOLVED that David E. Holmstrom 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 transcripts for his approval. Motion unanimously passed.


Secretary

MINNESOTA STATE BOARD OF PHARMACY

FOUR HUNDRED AND NINETY NINTH MEETING

At approximately 8:15 o'clock p.m., June 10, 1975, the board met in room 105 of the Minnesota Department of Health Building, 717 Delaware Street, SE, Minneapolis, for the purpose of administering an examination in jurisprudence to 31 candidates for reciprocity to Minnesota.

At approximately 9:15 o'clock a.m. Mr. Dennis D. Hins appeared before the board to take the required oral examination in jurisprudence. Mr. Hins is seeking reciprocity on the basis of his license in the state of Iowa.

At approximately 9:25 o'clock a.m. Mr. Kenneth H. Hopp appeared before the board to take the required oral examination in jurisprudence. Mr. Hopp is seeking reciprocity on the basis of his license in the state of Iowa.

At approximately 9:35 o'clock a.m. Mr. Duane A. Hovland appeared before the board to take the required oral examination in jurisprudence. Mr. Hovland is seeking reciprocity on the basis on his license in the state of North Dakota.

At approximately 9:45 o'clock a.m. Mr. Charles A. Kohlbecker, Jr. appeared before the board to take the required oral examination in jurisprudence. Mr. Kohlbecker is seeking reciprocity on the basis of his license in the state of Illinois.

At approximately 9:55 o'clock a.m. Mr. Forrest M. Loeffler appeared before the board to take the required oral examination in jurisprudence. Mr. Loeffler is seeking reciprocity on the basis of his license in the state of North Dakota.

At approximately 10:05 o'clock a.m. Mr. Michael T. Pliner appeared before the board to take the required oral examination in jurisprudence. Mr. Pliner is seeking reciprocity on the basis of his license in the state of Iowa.

At approximately 10:25 o'clock a.m. Mr. Larry H. Sawaya appeared before the board to take the required oral examination in jurisprudence. Mr. Sawaya is seeking reciprocity on the basis of his license in the state of North Dakota.

At approximately 10:35 o'clock a.m. Mr. Douglas R. Troyer appeared before the board to take the required oral examination in jurisprudence. Mr. Troyer is seeking reciprocity on the basis on his license in the state of North Dakota.

At approximately 10:45 o'clock a.m. Mr. David R. Alme appeared before the board to take the required oral examination in jurisprudence. Mr. Alme is seeking reciprocity on the basis of his license in the state of North Dakota.

At approximately 10:55 o'clock a.m. Mr. James G. Barrett appeared before the board to take the required oral examination in jurisprudence. Mr. Barrett is seeking reciprocity on the basis on his license in the state of North Dakota.

At approximately 11:05 o'clock a.m. Mr. Ronald L. Broekemeier appeared before the board to take the required oral examination in jurisprudence. Mr. Broekemeier is seeking reciprocity on the basis on his license in the state of Nebraska.

At approximately 11:15 o'clock a.m. Mr. Peter H. Duquette appeared before the board to take the required oral examination in jurisprudence. Mr. Duquette is seeking reciprocity on the basis of his license in the state of Vermont.

At approximately 11:25 o'clock a.m. Mr. David C. Dyball appeared before the board to take the required oral examination in jurisprudence. Mr. Dyball is seeking reciprocity on the basis of his license in the state of Iowa.

At approximately 11:35 o'clock a.m. Mr. Leland E. Erickson appeared before the board to take the required oral examination in jurisprudence. Mr. Erickson is seeking reciprocity on the basis of his license in the state of North Dakota.

At approximately 11:45 o'clock a.m. Mr. Ronald C. Pratt appeared before the board to take the required oral examination in jurisprudence. Mr. Pratt is seeking reciprocity on the basis of his license in the state of North Dakota.

At approximately 12:00 noon President Ben Seifert dismissed the board for lunch.

At approximately 1:15 o'clock p.m. Mr. Joseph D. Farrell appeared before the board to take the required oral examination in jurisprudence. Mr. Farrell is seeking reciprocity on the basis of his license in the state of Montana.

At approximately 1:25 o'clock p.m. Ms. Janet L. Gulati appeared before the board to take the required oral examination in jurisprudence. Ms. Gulati is seeking reciprocity on the basis of her license in the state of Ohio.

At approximately 1:35 o'clock p.m. Mr. Peter D. McMahon appeared before the board to take the required oral examination in jurisprudence. Mr. McMahon is seeking reciprocity on the basis of his license in the state of North Dakota.

At approximately 1:45 o'clock p.m. Ms. Susan D. Melby appeared before the board to take the required oral examination in jurisprudence. Ms. Melby is seeking reciprocity on the basis of her license in the state of North Dakota.

At approximately 1:55 o'clock p.m. Mr. Eugene W. Mich appeared before the board to take the required oral examination in jurisprudence. Mr. Mich is seeking reciprocity on the basis of his license in the state of North Dakota.

At approximately 2:05 o'clock p.m. Ms. Priscilla C. Neely appeared before the board to take the required oral examination in jurisprudence. Ms. Neely is seeking reciprocity on the basis of her license in the state of Michigan.

At approximately 2:15 o'clock p.m. Ms. Leona C. Pyle appeared before the board to take the required oral examination in jurisprudence. Ms. Pyle is seeking reciprocity on the basis of her license in the state of South Dakota.

At approximately 2:25 o'clock p.m. Mr. Harry Redleaf appeared before the board to take the required oral examination in jurisprudence. Mr. Redleaf is seeking reciprocity on the basis of his license in the state of New York.

At approximately 2:35 o'clock p.m. Ms. Kathryn A. Schultz appeared before the board to take the required oral examination in jurisprudence. Ms. Schultz is seeking reciprocity on the basis of her license in that state of North Dakota.

At approximately 2:45 o'clock p.m. Mr. Michael J. Seifert appeared before the board to take the required oral examination in jurisprudence. Mr. Seifer~~t~~ is seeking reciprocity on the basis of his license in the state of Iowa.

At approximately 2:55 o'clock p.m. Mr. Gregory K. Sletten appeared before the board to take the required oral examination in jurisprudence. Mr. Sletten is seeking reciprocity on the basis of his license in the state of Indiana.

At approximately 3:15 o'clock p.m. Mr. John E. Stevens appeared before the board to take the required oral examination in jurisprudence. Mr. Stevens is seeking reciprocity on the basis of his license in the state of North Dakota.

At approximately 3:25 o'clock p.m. Mr. Donald W. Stocker appeared before the board to take the required oral examination in jurisprudence. Mr. Stocker is seeking reciprocity on the basis of his license in the state of Michigan.

At approximately 3:35 o'clock p.m. Mr. Robert K. Sylvester appeared before the board to take the required oral examination in jurisprudence. Mr. Sylvester is seeking reciprocity on the basis of his license in the state of Illinois.

At approximately 3:45 'clock p.m. Mr. Robert W. Wilson appeared before the board to take the required oral examination in jurisprudence. Mr. Wilson is seeking reciprocity on the basis of his license in the state of Wyoming.

At approximately 3:55 o'clock p.m. Mr. John E. Sorensen appeared before the board to take the required oral examination in jurisprudence. Mr. Sorensen is seeking reciprocity on the basis of his license in the state of North Dakota.

The board met briefly with it's attorney during the day to discuss several matters of quasi-judicial nature.

Subsequent to this meeting Mrs. Kitty Alcott moved and Mr. Mike Hart seconded that the secretary begin preparing for the introduction of a bill changing the citizenship requirement for licensure during the 1976 legislative session in the event that no legal action has commenced by that time. The motion passed.

At approximately 4:30 o'clock p.m. President Seifert dismissed the board.

At approximately 9:15 o'clock a.m., June 11, 1975, President Seifert called the meeting to order. In attendance were: Mr. Ben Seifert, President, Mrs. Kitty Alcott, Vice President, Mr. Tom Berg, Mr. Mike Hart, Mr. Tom Jones, and Mr. Marc Frederickson. Also in attendance was the board's secretary, Mr. David Holmstrom.

The first item to be presented for consideration by the board was a list of ten resolutions passed at the recent 71st Annual Meeting on the National Association of Board's of Pharmacy. The board discussed these resolutions in order of their presentation by the secretary. The board directed the secretary to prepare copies of the Model Pharmacy Act discussed in resolution number two and submit it together with a copy of the proposed bylaw changes of the NABP to the board members for their consideration and comment and then to submit the comments to NABP for it's consideration. The board also directed the secretary to pursue with the secretaries of the various Minnesota Health Regulatory Boards the possible formation of an association of Health Regulatory Boards on a state level. The board directed the secretary to send a copy of the new Drug Product Selection Law to NABP in response to resolution number four and discuss briefly resolution ten dealing with internship and reciprocity requirements.

At approximately 10:00 o'clock a.m. Mr. Conrad Thompson, chairman of the Advisory Council on the use of Pharmacy Technicians, a-peared before the board to present the recommendations of that committee. After substantial discussion of the committee's report and a minority report submitted by committee member Robert Jensen, the board accepted the report, thanked Mr. Thompson for the excellent job he did in guiding this committee through a very difficult and controversial area, and informed Mr. Thompson that the board would take the committee's recommendation under advisement.

At approximately 11:00 o'clock a.m. Ms. Brigitte Palmer appeared before the board to discuss an apparent misunderstanding involving the filing of a falsified affidavit

of internship experience with the board. After thoroughly discussing the issue with Ms. Palmer, the board accepted her explanation of the circumstances surrounding the apparently fraudulent filing. The secretary then informed Ms. Palmer that she would be allowed to sit for the reciprocity exam to be given in January of 1976 upon the condition that she obtain 250 hours of internship time in the state of Minnesota which she lacks in order to be qualified under the old, one year program.

At approximately 12:00 o'clock noon President Seifert dismissed the board for lunch.

At approximately 1:20 o'clock p.m. Vice President Alcott called the meeting to order.

The secretary first described to the board his activities in meeting with representatives from the various detox centers, nursing home inspection teams, and personnel from the Minnesota Department of Health in drafting revisions for the regulations regarding the handling of medications at both detox centers and nursing homes. The board instructed the secretary to be sure to notify each board member when public hearings were called for on these new proposed regulations.

The next item to come before the board for discussion was the reciprocity policy of the Minnesota Board of Pharmacy. The board reviewed it's reciprocity policy and compared it with the recommendations of NABP and with the resolution passed at the 71st Meeting of NABP in San Diego. After considerable discussion, Mr. Tom Berg moved and Mr. Tom Jones seconded that paragraph two of the reciprocity policy of the board be amended to read "applicant, if examined and licensed prior to January 1, 1973, shall show that he has acquired 2080 hours of practical experience under the instruction of a licensed pharmacist;" and that paragraph three be amended to read "applicant, if examined and licensed after January 1, 1973 shall show that he has acquired 1500 hours of practical pharmacy experience under the instruction of a licensed pharmacist; said 1500 hours to be acquired after the satisfactory completion of the third year of the standard five year pharmacy curriculum, 400 hours of which may be acquired; concurrently with college attendance, in clinical pharmacy programs, or in demonstration projects which have been approved by the Tripartite Committee on Internship and the active member board from which he applies." Motion carried.

Mr. Mike Hart then moved and Mr. Marc Frederickson seconded that paragraph four of the reciprocity policy of the board be amended to read "defects in internship experience will not preclude an applicant from being deemed eligible provided that said applicant shall have practiced as a licensed pharmacist for one year, plus one week at 40 hours per week for each week or portion thereof that he is deficient in internship experience. (i.e., the number of weeks in excess of one year the applicant has practiced as a licensed pharmacist prior to applying for reciprocity must be equal to or greater than the number of weeks or portions thereof that he is deficient in internship experience)." The motion carried.

Vice President Alcott and Secretary Holmstrom then explained to the board a meeting which they attended together with representatives from the various health regulatory boards in the state before the Senate Subcommittee on Board's and Commissions. Mrs. Alcott described for the board the content of the meeting and Secretary Holmstrom presented to the board a series of questions presented to him for reply by Senator North, the subcommittee chairman. The board directed the secretary to draft answers to the questions submitted to him and to submit these to the board by mail for their review prior to submitting them to Senator North's subcommittee.

The board next discussed the matter of the reinstatement of the license to practice of Mr. David R. Goudge. The secretary reminded the board of the proceedings of it's past meetings with Mr. Goudge and informed the board that he had received a letter from

Mr. Goudge's probation officer informing the board that Mr. Goudge had been released from probation six months early due to exemplary conduct on his part. The secretary also informed the board that he had visited with Mr. Goudge's physician at the Johnson Clinic in St. Paul and that Mr. Goudge's physician indicated to the secretary that Mr. Goudge had not seen him for any drug related problems but that during their most recent visit, which occurred in April of 1975, Mr. Goudge appeared to be in good health and not to be under the influence of any drugs or alcohol at that time. Mr. Mike Hart moved and Mrs. Kitty Alcott seconded that Mr. Goudge's license to practice pharmacy be reinstated with the stipulation that Mr. Goudge's pharmacy employer, whoever it might be, be required to report on Mr. Goudge's performance quarterly for the first year and that Mr. Goudge present himself to the board to report on his own progress at the end of six months and at the end of one year. Motion passed.

The secretary next announced to the board that Regulation 37-K as amended during the board's meeting of April 29, 1975 had been filed by the Attorney Generals Office at approximately noon on June 9, 1975. Discussion then turned to the advertisement run by Snyder Drug, Inc. in the Minneapolis and St. Paul papers on May 6th and June 4th advertising Cyproheptadine, a legend drug. Considerable discussion centered around the confusing and somewhat misleading wording of the ad with different interpretations being found even among the Snyder pharmacist board members. Mr. Mike Hart moved and Mr. Marc Frederickson seconded that the secretary be directed to write a letter censuring Snyders for the publication of this advertisement which was found to be misleading and thus in violation of the new Pharmacy Regulation 37-K. Motion carried.

The secretary next reported to the board on legislative enactments during the past legislative session which affects the board itself or the practice of pharmacy. The secretary discussed Senate File 605 which was signed into law by the Governor and which provides for four year terms for all board members with one fourth of the total number of board members being appointed each year among other things. Exactly how this new law will be implemented by the Governor's Office is not known at this time so no further information could be provided to the board.

The secretary next discussed with the board the passage of House File 470 which calls for certain labeling information to be placed upon the prescription bottles of any controlled substances which when taken alone or in conjunction with alcohol may impair the users ability to operate motor vehicles. The secretary reported to the board that in his opinion a regulation should be promulgated by the board setting forth the precise wording which must be placed on prescription vials.

The secretary also discussed the rescheduling of Valium, Librium, Dalmane, Tranxene, Serax, and Clonazepam by the Federal Government.

Mrs. Kitty Alcott moved and Mr. Tom Jones seconded that Secretary Holmstrom be instructed to prepare and draft proposed regulation changes reflecting the above-mentioned statutory changes and to submit these drafts to the board for approval. Motion carried.

The board next turned it's attention to applications to operate new pharmacies at Underwood, Ulen, Austin, Detroit Lakes, and Blue Earth, Minnesota. After thoroughly reviewing all of the applications, Mrs. Kitty Alcott moved and Mr. Tom Jones seconded that the application from Mr. Donald W. Stocker to operate Stocker Pharmacy at Underwood, Minnesota be approved. Motion passed.

Mrs. Kitty Alcott then moved and Mr. Mike Hart seconded that the application by Mr. Wilmar Grabow to operate Ulen Drug At Ulen, Minnesota be approved. Motion carried.

Mr. Mike Hart then moved and Mrs. Kitty Alcott seconded that the application by White Drug Company to operate the White Drug Company Pharmacy located in Oak Park Mall in Austin, Minnesota be approved. Motion carried.

Mr. Mike Hart then moved and Mrs. Kitty Alcott seconded that the applications received from the Detroit Lakes Medical Center PA to operate D L Pharmacy and the application from the Blue Earth United Hospitals to operate the Blue Earth United Hospital Pharmacy be tabled pending the receipt of additional information by the board's secretary. Motion carried.

The secretary next described for the board his recommendations for progression raises for Mr. Merlin Beise and Miss Mary Wickholm of the board's staff. After reviewing the recommendations Mrs. Kitty Alcott moved and Mr. Tom Jones seconded that the recommended salary adjustments be approved. Motion carried.

Mrs. Kitty Alcott then moved and Mr. Mike Hart seconded that Secretary Holmstrom be directed to prepare a bulletin to be sent to all pharmacists by August 1, 1975 reflecting all of the new laws and regulations pertaining to the practice of pharmacy and reviewing some of the problem areas that have come to the attention of the board such as the failure of pharmacists to keep the board informed of changes of address and places of employment and to remind the pharmacist to notify the board if any problems such as over prescribing and over use of medications come to their attention. Motion carried.

The secretary next described a violation of the state and federal Controlled Substances Act requiring pharmacists to maintain accurate records of receipt and distribution of controlled substances for a period of two years involving the Uptown Pharmacy in Minneapolis, Minnesota, Mr. John Mondati, owner. After a discussion of the evidence presented by the secretary, Mr. Mike Hart moved and Mr. Tom Jones seconded the following resolution:

"Resolve that David E. Holmstrom, Secretary of the Minnesota State 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 John J. Mondati, as well as perform any and all acts incidental thereto including the signing of the notice of initiation of a contested case setting the time and place for the pre-hearing conference and the appointment of the hearing officer."

The board next turned it's attention to a request by Mr. Irving Brand, Attorney for Mr. Nate Goldstone, requesting the board to clarify it's position on the suspension of the license to practice pharmacy of Mr. Goldstone. After reviewing the entire Goldstone matter and discussing the understanding and stipulations between the parties at the time of the surrender of Mr. Goldstone's license to practice pharmacy, Mr. Tom Jones moved and Mr. Marc Frederickson seconded that Secretary Holmstrom be directed to inform Mr. Goldstone's attorney that the board will not consider the reinstatement of Mr. Goldstone's license to practice at this time but will reconsider that entire case at the expiration of three years from the time his license to practice was suspended (September 4, 1976). Motion carried.

After a thorough review of the performance of the candidates for licensure by reciprocity, Mr. Mike Hart moved and Mr. Tom Jones seconded that have 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 carried.

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

<u>Cert No.</u>	<u>Name</u>	<u>State</u>
2399	Dennis D. Hins	Iowa
2400	Kenneth H. Hopp	Iowa
2401	Charles A. Kohlbecker, Jr.	Illinois
2402	Michael T. Pliner	Iowa
2403	Ronald C. Pratt	North Dakota
2404	Larry H. Sawaya	North Dakota
2405	Douglas R. Troyer	North Dakota

<u>Cert. No.</u>	<u>Name</u>	<u>State</u>
2406	David R. Alme	North Dakota
2407	Ronald L. Broekemeier	Nebraska
2408	David C. Dyball	Iowa
2409	Leland E. Erickson	North Dakota
2410	Joseph D. Farrell	Montana
2411	Janet L. Gulati	Ohio
2412	Peter D. McMahon	North Dakota
2413	Priscilla C. Neely	Michigan
2414	Michael J. Seifert	Iowa
2415	Gregory K. Sletten	Indiana
2416	John E. Sorensen	North Dakota
2417	John E. Stevens	North Dakota
2418	Donald W. Stocker	Michigan
2419	Robert K. Sylvester	South Dakota
2420	Robert W. Wilson	Wyoming

Mr. Mike Hart moved and Mr. Tom Jones seconded that after a review of the application record and examinations in the case of Mr. Duane Hovland that the privilege of reciprocity be denied to him at this time. Motion passed.

Mr. Mike Hart moved and Mr. Tom Jones seconded that after a review of the application record and examinations in the case of Mr. Forrest M. Loeffler that the privilege of reciprocity be denied to him at this time. Motion passed.

Mr. Mike Hart moved and Mr. Tom Jones seconded that after a review of the application record and examinations in the case of Mr. James G. Barrett that the privilege of reciprocity be denied to him at this time. Motion passed.

Mr. Mike Hart moved and Mr. Tom Jones seconded that after a review of the application record and examinations in the case of Mr. Peter H. Duquette that the privilege of reciprocity be denied to him at this time. Motion passed.

Mr. Mike Hart moved and Mr. Tom Jones seconded that after a review of the application record and examinations in the case of Ms. Susan D. Melby that the privilege of reciprocity be denied to her at this time. Motion passed.

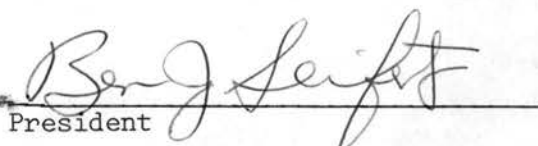
Mr. Mike Hart moved and Mr. Tom Jones seconded that after a review of the application record and examinations in the case of Mr. Eugene W. Mich that the privilege of reciprocity be denied to him at this time. Motion passed.

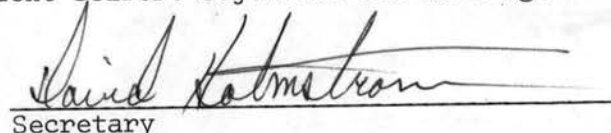
Mr. Mike Hart moved and Mr. Tom Jones seconded that after a review of the application record and examinations in the case of Ms. Leona C. Pyle that the privilege of reciprocity be denied to her at this time. Motion passed.

Mr. Mike Hart moved and Mr. Tom Jones seconded that after a review of the application record and examinations in the case of Mr. Harry Redleaf that the privilege of reciprocity be denied to him at this time. Motion passed.

Mr. Mike Hart moved and Mr. Tom Jones seconded that after a review of the application record and examinations in the case of Ms. Kathryn A. Schultz that the privilege of reciprocity be denied to her at this time. Motion passed.

At approximately 4:45 o'clock p.m. President Seifert adjourned the meeting.


President


Secretary

MINNESOTA STATE BOARD OF PHARMACY

FIVE HUNDREDTH MEETING

At approximately 9:40 o'clock a.m., July 16, 1975, the Board met in room 206 of the Minnesota Department of Health Building, 717 Delaware Street, SE, Minneapolis, for the purpose of discussing several matters of a quasi-judicial nature.

At approximately 10:45 o'clock a.m. President Seifert called the regular business meeting to order. In attendance in addition to President Seifert were: Mrs. Kitty Alcott, Mr. Tom Berg, Mr. Mike Hart, Mr. Tom Jones, Mrs. Rosetta Stark, Mr. Marcus Frederickson, the Board's secretary Mr. David Holmstrom, and the Board's attorney, Mr. Robert Stich.

The Board first turned it's attention to the recent federal changes in the Controlled Substances Act of 1970. Secretary Holmstrom described to the Board changes made in the lists of drugs to be found in the various schedules of the Controlled Substances Act and described the changes in Pharm Reg 51 that would be needed to bring the State Controlled Substances Act into conformity with the federal requirements. Mrs. Kitty Alcott then moved and Mr. Tom Berg seconded that it be resolved that David E. Holmstrom, Secretary of the Minnesota State Board of Pharmacy, be and hereby is granted the authority to call a hearing for the purpose of promulgating proposed revisions to Pharm Reg 51 as well as to perform any and all acts incidental thereto, including that not being limited to, signing an order for hearing and notice of hearing as well as appointing a hearing examiner. The motion passed. A copy of the proposed Pharm Reg 51 is attached.

The Board next turned it's attention to the possible need for a clarifying regulation to the newly enacted legislation which adds a subdivision 2 to MS 151.212. This new section, dealing with controlled substances, requires that "in addition to the requirements of subdivision 1, (of MS 151.212) when the use of any drug containing a controlled substance, as defined in Chapter 152, either alone or in conjunction with alcoholic beverages, may impair the ability of the user to operate a motor vehicle, that fact shall be permanently set forth on the label or container."

After a general discussion wherein the Board indicated it's feeling that a clarifying regulation setting forth specific wording which all pharmacists would be required to place on the label of controlled substances, the Secretary presented the Board with several possible statements that would meet the requirements of the legislation.

After discussing the alternatives and making some recommendations for changes in wording, Mr. Marc Frederickson moved and Mr. Tom Berg seconded that it be resolved that David E. Holmstrom, Secretary of the Minnesota State Board of Pharmacy, be and hereby is granted the authority to call a hearing for the purpose of promulgating a new regulation to be known as Pharm Reg 41 as well as to perform any and all acts incidental thereto, including but not being limited to, signing an order for hearing and notice for hearing as well as appointing a hearing examiner. The motion passed with Mrs. Kitty Alcott abstaining. A copy of the proposal is attached.

The Board next turned it's attention to the newly enacted Drug Product Selection Bill. The Secretary described areas of concern involving sections of this new legislation expressed by representatives of various drug manufacturing companies and members of the pharmacy staff of several hospitals in the state.

The concern expressed by representatives of various drug manufacturers centered on the required labeling of drug products sold in the state of Minnesota after January 1, 1976. The Secretary advised the Board that he would prepare an oral interpretation of the manufacturer disclosure sections of the new legislation that could be directed to any manufacturers who are uncertain about the requirements of the new legislation. The Secretary was directed to indicate to the manufacturers that it is the board's opinion

that the legislative intent of the Drug Products Selection Bill was to disclose the true manufacturer of the finished dosage form so that generic substitution can be facilitated. This being the case, any drug products manufactured by X, even though manufactured to Y's specifications, must be labeled to indicate that the product was manufactured for Y by X indicating generally that X was the manufacturer of the finished dosage form.

The area of concern expressed by several hospital pharmacists revolves around the question of whether or not the pharmacist must notify and obtain the permission of hospital in-patients prior to substituting a generically equivalent medication when the pharmacy department and medical staff have previously agreed to the substitution through institution of a formulary dispensing system. After thoroughly discussing this issue, Mrs. Kitty Alcott moved and Mr. Marc Frederickson seconded that Secretary Holmstrom prepare a letter to be sent to all hospital pharmacists-in-charge indicating the Board's interpretation of the patient notification provision. It is the Board's position that the legislative intent demonstrated in the passage of House File 278 was to facilitate the substitution of lower cost generic equivalent drugs in retail and hospital out-patient settings and not to cause a retrenchment or regression of the formulary type drug distribution systems already in effect in many hospitals by requiring the pharmacist to notify and obtain the permission from hospital in-patients prior to dispensing a lower cost generic equivalent drug.

While still on the topic of Drug Product Selection, Mrs. Kitty Alcott moved and Mr. Tom Berg seconded that the Board's staff be directed to review a California list of drugs, manufacturers, and distributors and to prepare such a list for distribution to Minnesota pharmacies. Motion passed.

At approximately 11:45 o'clock a.m. President Seifert dismissed the Board for lunch.

At approximately 1:45 o'clock p.m. President Seifert reconvened the meeting and the Secretary introduced pharmacy graduate, Kirk Johnson, to the Board.

Mr. Johnson received his B.S. Degree in pharmacy on June of 1974 and received his Pharm D. Degree in June of 1975. Mr. Johnson's internship to date consists of participation in the medication technician program at Hennepin County General Hospital during the summer of 1973 for which he received approximately 600 hours of internship credit.

Mr. Johnson is appearing before the board seeking internship credit for the experiences he gained while doing his nine months of clinical pharmacy rotations. Mr. Johnson indicated that he had spent one month at St. Paul-Ramsey Hospital doing clinical work in the Department of Medicine, one month at St. Paul-Ramsey doing clinical work in the Pediatric Department, one month at Hennepin County Medical Center doing clinical work in the Renal Department, one month at Hennepin County Medical Center doing clinical work in the Poison Control Center, one month at the University of Minnesota Hospital doing clinical work in the Medicine Department and one month at the pharmacy in Watkins, Minnesota doing some compounding and dispensing and participating in clinical work with the local physician. Mr. Johnson also spent two months in rural New Mexico where he was in charge of a pharmacy department of a government institution serving the people of the rural New Mexico area.

Mr. Johnson indicated that he was currently employed in the pharmacy department at Children's Hospital in St. Paul and expected to obtain approximately 480 of the required 520 hours of post graduate internship during this summer at Children's Hospital.

After thoroughly discussing Mr. Johnson's clinical experiences and his internship in general Mrs. Kitty Alcott moved and Mr. Tom Berg seconded that 400 hours of clinical

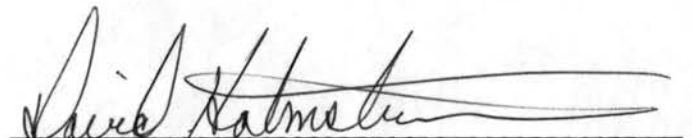
internship credit be given Mr. Johnson for participation in his clinical studies at the various abovementioned rotation sites and that 50 hours of post graduate internship be granted Mr. Johnson for participation in the pharmacy department at Watkins, Minnesota and in rural New Mexico. Motion passed.


The Secretary next described to the Board his investigations into the possible purchase of a new electronic calculator for the board office. After reviewing the documents presented by the Secretary and discussing the qualities to be looked for in a calculator, Mrs. Kitty Alcott moved and Mr. Tom Berg seconded that the Secretary be directed to use his best discretion in the purchase of a calculator that would, in his opinion, fit the needs of the office and at the same time be available at a most economical price.

The Secretary next presented to the Board applications for the operation of new pharmacies at the Chisholm Memorial Hospital, Chisholm, Minnesota and at establishments to be known as Cosmos Pharmacy, Cosmos, Minnesota, Cedar Mall Drug, Cedar Mall Shopping Center, Owatonna, Minnesota, and Group Health Plan Pharmacy, St. Paul, Minnesota. After thoroughly reviewing each of the applications, Mr. Tom Berg moved and Mr. Marc Frederickson seconded that the pharmacy applications for Cedar Mall Drug and Cosmos Pharmacy be approved subject to an on-sight inspection by members of the Board's staff and that the pharmacy application from Chisholm Memorial Hospital be approved upon the receipt of the required remaining documents.

The pharmacy application for Group Health of St. Paul was given preliminary approval via a telephone poll conducted earlier this month by the Board's secretary and was reconfirmed at this time.

At approximately 3:30 o'clock p.m. President Seifert adjourned the meeting.


Secretary


President

MINNESOTA STATE BOARD OF PHARMACY

FIVE HUNDRED FIRST MEETING

At approximately 9:00 o'clock a.m., September 23, 1975, the board met in room 116A of the Administration Building, Capitol Complex, St. Paul, for the purpose of conducting a public hearing regarding the scheduling and labeling of controlled substances. In attendance were: President Ben Seifert, Mr. Tom Berg, Mr. Mike Hart, Mr. Tom Jones, Mr. Marcus Frederickson, Mr. Robert Stich, the board's attorney, and the board's secretary, Mr. David Holmstrom.

At approximately 10:30 o'clock a.m., September 23, 1975, the board reconvened in room 305 of the Minnesota Department of Health Building, 717 Delaware Street, SE, Minneapolis for the purpose of conducting a pre-hearing conference in the matter of the suspension or revocation of the pharmacist license of Mr. John Mondati and the pharmacy license of the Uptown Pharmacy.

At approximately 12:00 noon, President Seifert adjourned the board until 7:00 p.m.

At approximately 7:00 o'clock p.m., September 23, 1975, the board met at the Northstar Inn in Minneapolis for the purpose of participating in a dinner and discussion of the procedures and findings of the members of the American Council on Pharmaceutical Education who are currently visiting the college of pharmacy at the University of Minnesota for the purpose of conducting their regular accreditation visit.

At approximately 10:30 o'clock p.m., September 23, 1975, the board met at the Leamington Hotel for the purpose of reviewing and preparing for the examination to be conducted by the board on September 24th and 25th. The board reviewed the practical examination and prescription compounding, family records, and errors and omissions. Members present were: President Ben Seifert, Vice President Kitty Alcott, Mr. Tom Berg, Mr. Mike Hart, Mr. Tom Jones, Mr. Marcus Frederickson, and the board secretary, Mr. David Holmstrom.

At approximately 8:00 o'clock a.m., September 24, 1975, the board met at the college of pharmacy for the purpose of administering a practical examination in prescription compounding, family records, and errors and omissions. A written examination covering the same areas was also administered. Members present were: President Ben Seifert, Vice President Kitty Alcott, Mr. Tom Berg, Mr. Mike Hart, Mr. Tom Jones, Mr. Marcus Frederickson, and the board secretary, Mr. David Holmstrom.

The following candidates who have met all the requirements and had presented properly executed applications were present to write the examinations in the above subjects:

James M. Adams
Brenda B. Alcorn
Christine M. Anderson
Meredeth J. Anderson
Scott E. Apelgren
Stephen B. Aulie
Denise Y. Bailey
James E. Barnhart
Gary L. Benusa
Scott D. Berndt
Ronald E. Berner
Patricia E. Bigelow
Bradley D. Borresen
Jerome G. Borth
William H. Boyes
Pamela E. Brewer
Richard J. Bruzek
Catherine A. Byrne
Betty D. Casey
Laurence N. Cline
Fredrick R. Curtiss
Ann C. Dabrowski
Karen L. deFreitas
Thomas A. Dickson
Barbara A. Dreis
Steven L. Dreyer
James R. Dudek
Bruce E. Edgren
Rose M. Eggerth

Michele D. Eichhorst
Peter L. Emerson
Maurice G. Emery
Bradley H. Erickson
Dennis P. Fargen
Susan B. Fray
Beverly M. Friedenson
William F. Garrison
Leah A. Gavin
John P. Gile
Douglas A. Godfrey
Daniel L. Goltz
Karen L. Graham
Lee H. Haffner
Stephen J. Hazelton
Donny Hildenbrand
Mary E. Hnatko
Robert N. Hovda
Debra K. Jansen
Dianne R. Jefferson
Robert S. Johnsen
Kathryn C. Johnson
Kirk R. Johnson
David C. Keller
Gary J. Kennedy
William M. Kluwe
Steven R. Knuttila
Melvin G. Kroon
Charles R. Lander

Brent J. Larson
Jane E. Larson
Rand J. Larson
Susan K. Leopold
James W. LeVahn
Dean A. Lichty
Debra J. Loger
Elizabeth Malovrh
John C. Marsden
Jeanette M. Martinka
Dennis K. McAllister
Stephen J. McDermaid
Larry D. Miller
John V. Modrijan
Lois M. Moe
Gary L. Morrison
Mark J. Morseth
Diane M. Munson
Paul T. Neitzke
John F. Nicolais
Michael B. Oie
Stephen M. Olsen
Stephen D. Olson
Keith C. Pearson
James E. Pierce
Steven W. Preston
Jerry J. Prosnick
Dennis P. Rans
Nancy A. Riess
Laura J. Rapienski
Jeffrey W. Rodvold
Barbara L. Rohan
Lucinda B. Rose
John C. Rotschafer
Jeffrey S. Sandvig

James V. Santilli, Jr.
James L. Schelling
Victoria L. Schmid
Gregory J. Schouweiler
Mary L. Schumacher
Lynn M. Scott
Gail M. Severtson
Frank J. Shuster
Judith B. Silman
Mary M. Sinclair
Leo J. Sioris
Margaret J. Skold
Daniel J. Smith
William K. Smith
Joseph N. Smoley
John R. Stolitza
Gary R. Swedberg
Claire G. Sweet
Gary R. Szymanski
Dennis J. Thelen
Kristin C. Tibbetts
Marty G. Timm
Richard A. Timmons
Nancy L. Tomlinson
Frederick S. Townroe
Donald L. Uden
John W. Watkins
Claudia V. Weber
Jeffrey C. White
Richard D. Wieler
Todd K. Winchester
James A. Wittenberg
Mary E. Wolf
Florence N. Wong
Mary B. Zweber

Candidate Joseph Cornell was present to retake the practical examination.

The following board examination retake candidates were also present to write the examination:

Gregory L. Bluhm
Michael W. Dewey
Mary A. Zimmerman

Randall J. Most
Larry O. Leske
Richard W. Clark

At approximately 8:00 o'clock a.m., September 25, 1975, the board met in room 125, Science Classroom Building at the University of Minnesota for the purpose of administering a written examination in pharmacy, chemistry, math, pharmacology, and jurisprudence. Members present were: President Ben Seifert, Vice President Kitty Alcott, Mr. Tom Berg, Mr. Mike Hart, Mr. Tom Jones, Mr. Marcus Frederickson, and the board secretary, Mr. David Holmstrom. The examinations lasted the entire day. The candidates who were present for the practical examination given yesterday were, with one exception, also present today to write the written examination. In addition, the following written examination retake candidates were also present to write the written examination: Frances Kovatovich.

Following the day's examination the board adjourned to the Leamington Hotel and spent the evening grading the examination.

At approximately 8:30 o'clock a.m., September 26, 1975, the board reconvened at the Leamington Hotel for the purpose of grading and recording examination papers. The examination grading continued, with a break for lunch, until approximately 9:30 o'clock p.m. at which time Vice President Kitty Alcott convened a very short business meeting, the sole purpose was to consider the performance of the candidates.

After thoroughly reviewing the performance of the candidates in the examination for licensure, and the qualifications of the candidates, Mr. Tom Berg moved and Mr. Tom Jones seconded that the 101 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. They are as follows:

Cert. No.

2421	James M. Adams
2422	Brenda B. Alcorn
2423	Meredeth J. Anderson
2424	Scott E. Apelgren
2425	Stephen B. Aulie
2426	James E. Barnhart
2427	Scott D. Berndt
2428	Ronald E. Berner
2429	Patricia E. Bigelow
2430	William H. Boyes
2431	Pamela E. Brewer
2432	Richard J. Bruzek
2433	Catherine A. Byrne
2434	Betty D. Casey
2435	Laurence N. Cline
2436	Ann C. Dabrowski
2437	Karen L. deFreitas
2438	Thomas A. Dickson
2439	Barbara A. Dreis
2440	Steven L. Dreyer
2441	James R. Dudek
2442	Bruce E. Edgren
2443	Rose M. Eggerth
2444	Michele D. Eichhorst
2445	Peter L. Emerson
2446	Maurice G. Emery
2447	Dennis P. Fargen
2448	Susan B. Fray
2449	Beverly M. Friedenson
2450	Leah A. Gavin
2451	Douglas A. Godfrey
2452	Daniel L. Goltz
2453	Karen L. Graham
2454	Lee H. Haffner
2455	Stephen J. Hazelton
2456	Mary E. Hnatko
2457	Debra K. Jansen
2458	Dianne R. Jefferson
2459	Kathryn C. Johnson
2460	Kirk R. Johnson
2461	David C. Keller
2462	Gary J. Kennedy
2463	Charles R. Lander
2464	Brent J. Larson

Cert. No.

2465	Jane E. Larson
2466	Elizabeth Malovrh
2467	Jeanette M. Martinka
2468	Dennis K. McAllister
2469	Stephen J. McDermaid
2470	Larry D. Miller
2471	Gary L. Morrison
2472	Mark J. Morseth
2473	Diane M. Munson
2474	John F. Nicolais
2475	Michael B. Oie
2476	Stephen D. Olson
2477	Keith C. Pearson
2478	James E. Pierce
2479	Steven W. Preston
2480	Jerry J. Prosnick
2481	Nancy A. Riess
2482	Laura J. Rapienski
2483	Jeffrey W. Rodvold
2484	Barbara L. Rohan
2485	Lucinda B. Rose
2486	John C. Rotschafer
2487	James L. Schelling
2488	Victoria L. Schmid
2489	Gregory J. Schouweiler
2490	Mary L. Schumacher
2491	Lynn M. Scott
2492	Gail Severtson
2493	Judith B. Silman
2494	Mary M. Sinclair
2495	Leo J. Sioris
2526	Margaret J. Skold
2497	Daniel J. Smith
2498	William K. Smith
2499	John R. Stolitza
2500	Gary R. Swedberg
2501	Gary R. Szymanski
2502	Dennis J. Thelen
2503	Marty G. Timm
2504	Richard A. Timmons
2505	Nancy L. Tomlinson
2506	Donald L. Uden
2507	John W. Watkins

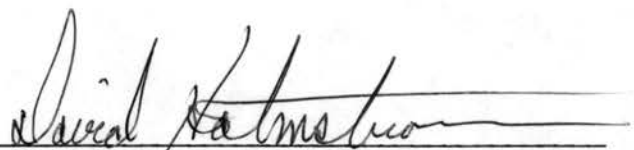
Cert. No.

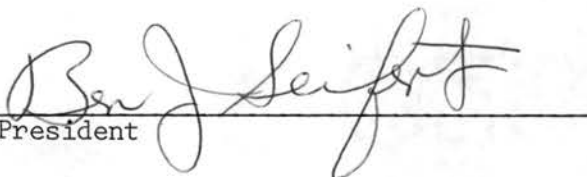
2508 Claudia V. Weber
2509 Jeffrey C. White
2510 Richard D. Wieler
2511 Todd K. Winchester
2512 James A. Wittenberg
2513 Mary E. Wolf
2514 Mary B. Zweber

Cert. No.

2515 Gregory L. Bluhm
2516 Michael W. Dewey
2517 Mary A. Zimmerman
2518 Randall J. Most
2519 Larry O. Leske
2521 Richard W. Clark
2522 Frances Kovatovich

After thoroughly reviewing the performance of Ms. Florence Wong in the examination for licensure and pursuant to the directives of Federal Court Judge Donald Alsop, Mr. Tom Berg moved and Mr. Tom Jones seconded that Ms. Wong, 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 a pharmacist in the event that the pending litigation is found in her favor. At approximate 10:00 o'clock p.m. Vice President Alcott adjourned the meeting.


Secretary


President

MINNESOTA STATE BOARD OF PHARMACY

FIVE HUNDRED AND SECOND MEETING

At approximately 8:00 o'clock p.m., October 2, 1975, the board met at the Holiday Inn Hotel in Rochester, Minnesota. Members in attendance were: President Ben Seifert, Vice President Kitty Alcott, Mr. Thomas Berg, Mr. Michael Hart, Mr. Thomas Jones, Mr. Marcus Frederickson, and Mr. Rosetta Stark. Also in attendance was the board secretary, Mr. David Holmstrom.

The first item of business was the presentation by the secretary of several applications to conduct new pharmacies. The secretary first described the application by Mr. Keith Eastman to operate the Shakopee Prescription Center, 1335 E., 10th Avenue, Shakopee, Minnesota. After reviewing the application and blueprints for the Shakopee Prescription Center, Mrs. Kitty Alcott moved and Mr. Tom Berg seconded that the application be granted preliminary approval but that the secretary be instructed to contact Mr. Eastman and remind him that any one pharmacist cannot be pharmacist-in-charge at two different locations and that a pharmacist other than Mr. Eastman himself must be appointed as pharmacist-in-charge at Eastman Drug or at the Shakopee Prescription Center. Motion passed.

The board next considered the application of Mr. Edger E. Parry to operate the St. John's University Pharmacy, Collegeville, Minnesota. After reviewing the application and the blueprints submitted by Mr. Parry, Mr. Tom Berg moved and Mr. Mike Hart seconded that the application be approved subject to an on-sight inspection by a member of the board's staff prior to opening up the pharmacy.

The board next considered the application of Mr. John Walerius to operate the Nicollet Clinic Pharmacy, 200 E. Nicollet Blvd., Burnsville, Minnesota. After reviewing the application and the drawings submitted by Mr. Walerius, Mr. Tom Berg moved and Mr. Tom Jones seconded that the application to operate the Nicollet Clinic Pharmacy in Burnsville be granted preliminary approval but that the secretary contact Mr. Walerius and remind him of the regulations that the board prohibits any one pharmacist from being pharmacist-in-charge at two different location and that a pharmacist other than Mr. Walerius must be appointed as pharmacist-in-charge at either the Nicollet Clinic Pharmacy in Minneapolis or the Nicollet Clinic Pharmacy in Burnsville. Motion passed.

The next application was submitted by Richard L. Matuseski to operate Yankee Drug, 1446 Yankee Doodle Road, Egan, Minnesota. After reviewing the application and blueprints submitted by Mr. Matuseski, Mr. Tom Berg moved and Mr. Mike Hart seconded that the application be approved subject to an on-sight inspection by a member of the board's staff prior to the pharmacies opening for business.

The last application considered by the board was submitted by Riverside Pharmacy, Inc., William Appel, President, to operate Riverside Pharmacy at 606 24th Avenue, S., Minneapolis. After reviewing the application and the plans submitted by Mr. Appel, Mr. Tom Berg moved and Mr. Mike Hart seconded that the application be approved subject to an on-sight inspection by a member of the board's staff. Mr. Kitty Alcott moved to amend the motion to require the secretary to visit with Ms. Valerie Takemori regarding the innovative methods of pharmacy practice which will be carried on at the Riverside Pharmacy. Both the amendment passed and the motion as amended also passed.

The next item to be presented to the board were the petitions from W. Allen Woodward, John E. Fossen, and David R. Goudge to request that the board issue duplicate certificates to these people to replace the ones that were destroyed. After reviewing the petitions of the above named individuals, Mr. Tom Berg moved and Mrs. Kitty Alcott seconded that new certificates be issued to Mr. Woodward, Mr. Fossen and Mr. Goudge. Motion passed.

The secretary next reported on an investigation of pharmacist Herbert Pomish, pharmacist-in-charge of Kenesaw Drug, Minneapolis in which there is probable cause to believe that violations of the State and Federal Controlled Substances Act have occurred. After a brief discussion of the complaint pursuant to which the secretary instituted the investigation, Mr. Tom Berg moved and Mr. Mike Hart seconded that based on the report given by the secretary, the following resolution be approved by the board:

"Resolve that David E. Holmstrom, Secretary of the Minnesota State Board of Pharmacy, be and hereby is granted the authority and is directed to serve notice of initiation of a contested case in the matter of Herbert Pomish and Kenesaw Drug, Minneapolis, Minnesota as well as perform any and all acts incidental thereto including the signing of the notice of initiation of a contested case setting forth the time and place for the pre-hearing conference and to appoint a hearing officer."

Mrs. Kitty Alcott moved to amend the resolution to include a direction to the secretary to transmit any findings resulting from such hearings to the Texas Board of Pharmacy in that it is believed that Mr. Pomish has now moved two Texas and may be practicing pharmacy in that state. Both the amendment and the resolution as amended passed.

The secretary next described to the board the incidents surrounding his discovery of the Village Drug in Grand Marais, Minnesota. Village Drug was open for business on the afternoon of September 2, 1975 without a pharmacist present and on duty for a significant period of time. After a discussion of the report presented by the secretary, Mr. Mike Hart moved and Mr. Tom Berg seconded that based on the report given by the secretary the following resolution be approved by the board:

"Resolve that David E. Holmstrom, Secretary of the Minnesota State Board of Pharmacy, be and hereby is granted the authority and is directed to serve notice of initiation of a contested case in the matter of John McElevy and Village Drug, Grand Marais, Minnesota as well as perform any and all acts incidental thereto including the signing of the notice of initiation of a contested case setting forth the time and place for the pre-hearing conference and to appoint a hearing officer."

Motion passed.

The board next turned it's attention to the problems of prescription dispensing activities associated with free clinics, certain HMO's, certain college health service facilities, and planned parenthood clinics. After discussing the dispensing activities of the various free clinics that are known to be in operation, the board requested that the secretary work with the volunteer pharmacists associated with the free clinic operations in Duluth and the Beltrami Clinic in northeast Minneapolis and the Community University Health Care Center in south Minneapolis in an effort to provide the necessary pharmacist coverage and the necessary physical facilities to allow for their licensure.

The secretary next explained to the board the progress made in providing licensed pharmacy services to the various HMO's and college health services of the state.

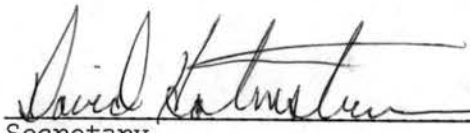
After thoroughly discussing the prescription dispensing operations of the various planned parenthood organizations within the state, Mr. Tom Jones moved and Mr. Mike Hart seconded that the board instruct it's legal counsel to take

the necessary steps to bring the apparently illegal dispensing activities to a halt through court action. The motion passed.

The next item to come up for discussion was the internship pre-test and post test requirements and the internship and externship examination dates. After briefly discussing the pre-test and post test philosophy, the board reiterated it's determination to adhere to the 65% and 75% minimum allowable competency scores on the internship examinations. Mrs. Kitty Alcott then moved and Mr. Mike Hart seconded that in the future all interns and externs be required to take the pre and post test examinations at the same time. Motion passed.

The secretary next described for the board his desire to begin looking at a rewriting of all of the regulations pertaining to the practice of pharmacy. Mr. Tom Berg moved and Mr. Mike Hart seconded that the secretary be informed that the board will review any proposed revision of the regulations but that the secretary understand that any revisions should not be made a priority item.

At approximately 10:00 o'clock p.m. President Seifert adjourned the meeting.


Secretary


President

MINUTES OF CONFERENCE
REGARDING SEPTEMBER BOARD EXAM

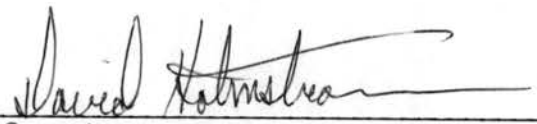
At approximately 11:00 o'clock a.m., November 3, 1975 board member Thomas Berg and myself, Board Secretary Daivd Holmstrom, met to review the performance of several candidates from the September board examination who had petitioned the board for a review of their examinations.

Mr. Berg and I proceeded to view the performance in the laboratory portion of the board examination of Ms. Denise Bailey, Mr. Brad Borresen, Mr. Frederick Curtis, Mr. William Kluwe, and Mr. Dennis Rans.

After thoroughly reviewing the performance of the above named candidates, Mr. Berg indicated that only the performance of Ms. Bailey seemed to warrant a review by the entire board at it's next regularly scheduled meeting and that a letter should be sent to the above named candidates indicating that their performance had been reviewed by representatives of the board and that reviewal of the performance by the entire board was unwarranted with the exception of Ms. Bailey. A letter to Ms. Bailey requesting her appearance at the next regularly scheduled board meeting was indicated.

At approximately 3:00 o'clock p.m. Mr. Berg and Secretary Holmstrom met with the board's attorney, Robert Stich and with the executive director and attorney of the Minnesota State Pharmaceutical Association to discuss several matters of a legal nature.

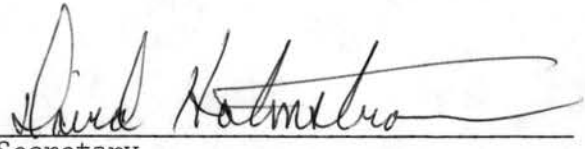
At approximately 5:00 o'clock p.m. the meeting adjourned.


Secretary

Minutes of Attendance at Legislative Hearing

At approximately 3:00 o'clock p.m., November 12, 1975 board members Thomas Jones and Kitty Alcott together with myself, Board Secretary David Holmstrom, met in Room 112 of the State Capitol for the purpose of testifying on behalf of the Board at a Legislative Subcommittee Hearing. The Boards and Commissions Subcommittee of the Governmental Operations Committee of the State Senate was convening to hear testimony regarding a bill affecting the occupational licensing boards. During the course of the two hour hearing, Mrs. Alcott, Mr. Jones, and myself participated in the testimony being given.

At approximately 5:15 o'clock p.m. Senator North, the Subcommittee Chairman, adjourned the subcommittee hearing and all participating parties departed.


Secretary

MINNESOTA STATE BOARD OF PHARMACY

FIVE HUNDRED AND THIRD MEETING

At approximately 8:00 o'clock a.m., November 20, 1975, the board met at the Twins Motor Inn, St. Paul, Minnesota for the purpose of conducting a conference with the board's attorney, Mr. Robert Stich. Members in attendance were: President Ben Seifert, Vice President Kitty Alcott, Mr. Thomas Berg, Mr. Michael Hart, Mr. Thomas Jones, and Mr. Marcus Frederickson. Also in attendance were the board's secretary, Mr. David Holmstrom and the board's attorney, Mr. Robert Stich.

At approximately 9:30 o'clock a.m., November 20, 1975, the board reconvened in room 305 of the Minnesota Department of Health Building in Minneapolis, Minnesota for the purpose of conducting its regular business meeting.

The first item of business was a presentation by Mr. Herb Goldenberg of Medi Mart, Inc. and Red Line, Inc. regarding his proposal to prepare and distribute Renacidin and other urinary irrigation solutions to patients in nursing homes. Mr. Goldenberg's problem is that the facility he will be utilizing in storing and preparing these solutions together with other prosthetic devices which he will be selling to nursing homes may not meet all the criteria required by the board of a licensed pharmacy. Mr. Goldenberg visited with the board about this concern and sought the board's help in determining the best course of action towards licensing his proposed establishment. In discussing the matter with the board, Mr. Goldenberg indicated that his establishment would have a balance, graduates, a sink, a heating apparatus, and most of the other requirements of a pharmacy but that his concern was centered around the requirement that a pharmacist be present and on duty at all times when a pharmacy is open for operation. The board asked Mr. Goldenberg whether the area in which he plans to manufacture the irrigation solutions could be walled off from the rest of the facility and upon receiving an affirmative answer indicated to Mr. Goldenberg that he should obtain an application for conducting a retail pharmacy, should complete the application, and return it to the board office together with a scale drawing of the proposed facility. Upon receipt of these items the board would further review Mr. Goldenberg's proposal and would be back in contact with him.

At approximately 10:15 o'clock a.m. Miss Denise Bailey appeared before the board pursuant to her submission of a petition for a review of her performance in the recently administered board examination. Miss Bailey's petition and examination performance were reviewed by the board's secretary and board member Thomas Berg who recommended to the board a review of Miss Bailey's performance. After thoroughly reviewing the examination performance of Miss Bailey with her, the board made it quite clear that this review procedure was not to be considered precedent setting and was due solely to certain unique features of Miss Bailey's laboratory performance. With that, Mr. Thomas Berg moved and Mr. Marcus Frederickson seconded that the cough syrup preparation prepared by Miss Bailey as a part of the laboratory examination be regraded and that a grade of 25 points be given her for her performance on this preparation. The motion passed.

While on the topic of board examinations, the discussion turned to the setting of deadline dates for the submission of applications to take the board examinations. Mr. Michael Hart moved and Mr. Marcus Frederickson seconded that the board's staff institute a strict deadline of 30 days prior to any examination dates for the submission of applications to take the examination. The motion passed.

The board next thoroughly discussed the evidence submitted at the public hearing regarding Proposed Regulation 51 dealing with controlled substances held September 23, 1975.

Mr. Michael Hart then moved and Mr. Marcus Frederickson seconded that:

WHEREAS, the public hearing was held on September 23, 1975 in room 116A in the State Administration Building, Capitol Complex, St. Paul, Minnesota concerning the adoption of the Proposed Board Regulation 51, and

WHEREAS, said public hearing was held after proper notice required by Minnesota Statutes 1971, 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 interested persons were afforded opportunity at said public hearing to present written and oral data, statements, and arguments, and

WHEREAS, all interested persons were afforded an opportunity to present further written materials, data, arguments, and briefs through October 13, 1975, and

WHEREAS, five members of Minnesota State Board of Pharmacy were in attendance at said public hearing, and

WHEREAS, all members of the State Board of Pharmacy have considered all of the evidence introduced at the public hearing and the members attending this meeting have considered all of the written material, data, statements, arguments, and briefs submitted at 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 hereof,

WHEREAS, such need has been set forth in 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 151.06 and Minnesota Statutes 152.02, Subdivision 12 laws of 1973.

BE IT FURTHER RESOLVED that David E. Holmstrom 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 transcripts for his approval. The motion unanimously passed.

The board next turned its attention to Proposed New Regulation 41. The board thoroughly discussed the evidence submitted at the public hearing held September 23, 1975 and reviewed two written documents which were submitted since the time of the hearing.

After considerable discussion on several points of the proposed regulation and a discussion by the secretary of a meeting he had had with the board's attorney and the attorney and executive director of the State Association regarding several matters associated with the proposed regulation, Mrs. Kitty Alcott moved and Mr. Thomas Berg seconded that the first paragraph of Proposed Regulation 41 be adopted as proposed. The motion passed with Mr. Michael Hart voting nay.

3.

Mrs. Kitty Alcott had moved and Mr. Marcus Frederickson seconded that the second paragraph of Proposed Regulation 41 be accepted as written. During the ensuing discussion of the motion, Mr. Marcus Frederickson moved that the word "taking" be inserted after the word "caution" in the text of the paragraph under discussion. Mr. Thomas Berg seconded the motion. Mr. Frederickson amendments passed with Mr. Thomas Berg, Mr. Thomas Jones, Mr. Marcus Frederickson voting affirmatively and Mrs. Kitty Alcott and Mr. Michael Hart voting in the negative. Mrs. Alcott's motion that the second paragraph be accepted, as amended by Mr. Frederickson's amendment, was then voted on. The motion passed unanimously.

Mrs. Kitty Alcott then moved and Mr. Thomas Berg seconded that:

WHEREAS, the public hearing was held on September 23, 1975 in room 116A in the State Administration Building, Capitol Complex, St. Paul, Minnesota concerning the adoption of the Proposed Board Regulation 41, and

WHEREAS, said public hearing was held after proper notice required by Minnesota Statutes 1971, 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 interested persons were afforded opportunity at said public hearing to present written and oral data, statements, and arguments, and

WHEREAS, all interested persons were afforded an opportunity to present further written materials, data, arguments, and briefs through October 13, 1975, and

WHEREAS, five members of the Minnesota State Board of Pharmacy were in attendance at said public hearing, and

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

WHEREAS, five of the members of the State Board of Pharmacy have determined the need for each of the rules contained in exhibit C attached hereto and made a part hereof,

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

NOW THEREFORE, BE IT RESOLVED that the rules and regulations marked exhibit C attached hereto, and made a part hereof be and hereby are approved and adopted pursuant to authority vested in us by Minnesota Statutes 151.06 and Minnesota Statutes 151.212, laws of 1971.

BE IT FURTHER RESOLVED that David E. Holmstrom 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 transcripts for his approval. The motion unanimously passed.

4.

The board next considered applications for the operation of new pharmacies in Minnesota.

The first application to be reviewed by the board was an application for the licensure of the Windom Area Hospital Pharmacy, Robert L. Krzmarzick, pharmacist-in-charge in Windom, Minnesota. After thoroughly reviewing the application and the plans for the operation of this pharmacy, Mrs. Kitty Alcott moved and Mr. Thomas Berg seconded that a license to operate the Windom Area Hospital Pharmacy be granted subject to the successful completion of an on-sight inspection by a member of the board's staff.

The next application to be considered by the board was an application for the operation of the Sauk Rapids Clinic Pharmacy, Richard Dorn (RPh) part owner and Mark Corrigan, pharmacist-in-charge. After reviewing the application and the plans submitted with this application and after discussing the events surrounding the decision by the involved parties to construct this pharmacy, Mrs. Kitty Alcott moved that the application to operate the Sauk Rapids Clinic Pharmacy be approved subject to an on-sight inspection by the board's secretary personally prior to the issuing of the license certificate. Motion passed.

The next application to be considered by the board involved the Community University Health Care Center (CUHCC) Pharmacy proposed for operation at 2016 16th Ave. South, Minneapolis with Mr. David M. Scott being pharmacist-in-charge. After reviewing the application submitted by Mr. Scott and the plans of the proposed pharmacy, Mrs. Kitty Alcott moved and Mr. Thomas Berg seconded that the application be tabled until such time as Dean Larry Weaver and Pharmacist David Scott can appear before the board to further discuss the abovementioned application. The motion passed.

The board next indicated its concern that the daily and weekly activities of the board office were not being communicated to the board members in sufficient detail since the policy of sending out the route has been discontinued. The board subsequently requested the secretary to prepare a biweekly synopsis of office activities for each board member and to send the information generally contained in the members folders at the time of board meetings to the members in sufficient time to allow review and study prior to the board meetings.

At approximately 12:00 o'clock p.m. President Seifert dismissed the board for lunch.

At approximately 1:00 o'clock p.m. the board members together with the board's secretary met at the University of Minnesota Hospitals for the purpose of touring the Nuclear Pharmacy Department housed in the hospital complex. Pharmacist-in-charge Dennis Hoogland very graciously gave of his time to explain the operations of the Nuclear Pharmacy to the board members and answered many questions they asked during their visit. The board departed from the Nuclear Pharmacy at approximately 2:30 o'clock p.m. after thanking Mr. Hoogland for his hospitality he evidenced in explaining the operation of this highly technical aspect of the pharmacy profession to the board.

At approximately 2:45 o'clock p.m. the board reconvened in room 305 of the Health Department Building.

Appearing before the board at this time were pharmacists John Middleton, Tom Blissenbach, Doris Calhoun, Larry Calhoun, Ed Patula, Gary Sigmeth, Gary Freund and Richard Haight. These pharmacists are appearing at their own request to discuss the utilization of Unit Dose Systems in hospitals and nursing homes in the state and to discuss possible changes in the Unit Dose Guidelines adopted by the board.

The abovementioned pharmacists, in particular Mr. Middleton, Mr. Patula, and Mr. Freund together with the board members discussed at some length the provisions of the Unit Dose Guidelines and the operation of the Wayne Farrell Drug Distribution System. Of particular concern was the present 24 hour limitation on medications in nursing homes under systems meeting the requirements of the Unit Dose Guidelines. Those systems meeting the requirements of the Unit Dose Guidelines are exempted from certain labeling and recordkeeping requirements within nursing homes and as such are more easily available to the various nursing homes and pharmacies. The above listed pharmacists have formed a corporation known as Associated Pharmaceutical Services, Inc. and through the corporation are marketing the Wayne Farrell System. The Wayne Farrell System is operated on a 72 hour basis rather than a 24 hour basis and as such will not qualify for the labeling and recordkeeping concessions allowed 24 hour systems. It was the intention of the APS group to lobby the board towards considering changing the 24 hour requirement of the present Unit Dose Guidelines to a 72 hour requirement. Several good arguments were made by the pharmacists representing APS and the board has taken the matter under advisement.

At approximately 3:45 o'clock p.m. the abovementioned pharmacists with the exception of Richard Haight departed the meeting.

Mr. Richard Haight remained at the meeting to discuss with the board the general concept of the utilization of pharmacy supportive personnel and in particular the utilization of supportive personnel at Miller Hospital in St. Paul where Mr. Haight is pharmacist-in-charge. Mr. Haight very carefully explained the system he has set up at Miller Hospital wherein technicians prepare the Unit Dose trays for subsequent distribution to the nursing stations and wherein a second set of technicians checks the accuracy of the work of the first set of technicians. Pharmacists are utilized to check a ten percent random sample of the finished work.


Mr. Haight explained some studies performed by the pharmacy department at Miller Hospital which he stated shows that the technician-technician method of preparation is just as good as the technician-pharmacist method of preparation.

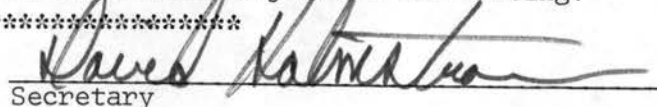
Board member Kitty Alcott advised Mr. Haight that while the board was considering making some changes in the regulations regarding the utilization of pharmacy supportive personnel, the procedures being utilized at Miller Hospital appeared to be in technical violation of the current regulations.

At approximately 5:00 o'clock p.m. Mr. Haight departed from the meeting.

After some additional discussion involving the use of pharmacy supportive personnel Mrs. Kitty Alcott moved and Mr. Mike Hart seconded that the secretary be instructed to write a letter of reprimand to Mr. Haight indicating to him the board's displeasure with the system of utilization of technicians that Mr. Haight has set up at Miller Hospital and indicating to him that the board will expect substantial compliance with the current regulations regarding use of pharmacy technicians until such time as new regulations are formally adopted. The motion passed.

At approximately 5:15 o'clock p.m. President Seifert adjourned the meeting.


President


Secretary

LAW OFFICES
LASLEY, GAUGHAN, REID & STICH, P. A.
816 MIDWEST PLAZA BUILDING
MINNEAPOLIS, MINNESOTA 55402
TELEPHONE (612) 333-6251

W. M. LASLEY
MICHAEL W. GAUGHAN
DOUGLAS DALE REID, JR.
ROBERT T. STICH
JOHN F. ANGELL

December 5, 1975



Mr. Dave Holmstrom
Minnesota State Board of Pharmacy
717 Delaware Street, SE
Minneapolis, Minnesota 55414

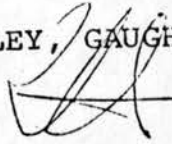
Re: John Mondati

Dear Dave:

Enclosed herewith please find original and several copies of Stipulation which has been signed by Mr. Mondati, his attorney Scott Herzog and myself. Please sign the same, keep one copy for yourself and return the rest to me. I will then file one with the hearing officer and provide copies to Mondati and his attorney.

Yours truly,

LASLEY, GAUGHAN, REID & STICH, P.A.


Robert T. Stich

RTS/cjc
Encls

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA

STATE BOARD OF PHARMACY

In the Matter of the Suspension or
Revocation of the Pharmacist License
of John Mondati and The Pharmacy
License of Uptown Pharmacy

STIPULATION

WHEREAS, the Minnesota State Board of Pharmacy has initiated proceedings against John Mondati and Uptown Pharmacy alleging violations of Minnesota Statutes 152.11 and Minnesota Statute 152.101 and further alleging violation of Minn. Reg. Pharm. 37 (h) by reason of the fact of violations of 21 CFR 304.04 (d) and 21 CFR 306.15 and,

WHEREAS, a Pre-Hearing Conference was held before a Hearing Officer in this matter on September 23, 1975, and

WHEREAS, pursuant to discussions at said Pre-Hearing Conference and subsequent thereto the parties hereto have agreed to a settlement of the issues by this Stipulation for the purpose of resolving this matter at this time without proceeding to a full hearing on the issues presented in the Complaint;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the parties hereto and their respective attorneys as follows:

1. The Complaint against Uptown Pharmacy is hereby dismissed.
2. That the pharmacist's license of John Mondati is hereby suspended for a period of two weeks from the date of this Stipulation, however, the imposition of this suspension shall be stayed and shall not be imposed for a period of two years from the date of this Stipulation provided that there are no violations by John Mondati similar to those alleged in the Complaint.

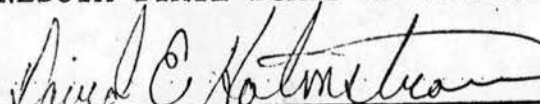
3. In the event that there are no violations by John Mondati of the laws of the State governing the practice of pharmacy and the Regulations of the State Board of Pharmacy during the period of two years referred to above, then two years from the date of this Stipulation the Complaint against John Mondati will be dismissed.

4. That during the period of two years referred to above, John Mondati will be subject to periodic inspection by the Minnesota State Board of Pharmacy and for the purpose of such inspections, John Mondati will make available to the Minnesota State Board of Pharmacy his books and records.

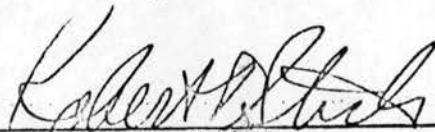
Dated:

MINNESOTA STATE BOARD OF PHARMACY

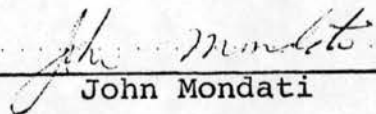
By



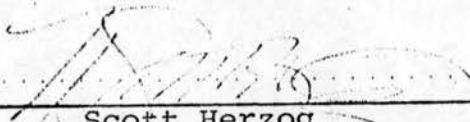
David E. Holmstrom
Secretary



Robert T. Stich
Attorney for Minn. State Board
of Pharmacy



John Mondati



Scott Herzog
Attorney for John Mondati

MINNESOTA STATE BOARD OF PHARMACY

FIVE HUNDRED AND FOURTH MEETING

At approximately 9:00 o'clock a.m., December 11, 1975, the board met at the Minnesota Department of Health Building in room 410, Minneapolis, Minnesota, for the purpose of conducting a regular business meeting. Members in attendance were: President Ben Seifert, Vice President Kitty Alcott, Mr. Thomas Berg, Mr. Michael Hart, Mr. Thomas Jones, Mrs. Rosetta Stark, and Mr. Marcus Frederickson. Also in attendance was the board's secretary, Mr. David Holmstrom.

The first item of business was an appearance by Mr. David R. Goudge before the board in compliance with the provisions of the stipulation between Mr. Goudge and the board which returned Mr. Goudge's license to practice pharmacy to him. Mr. Goudge was to personally appear before the board at six month intervals for a period of two years during which his progress in getting back into the practice of pharmacy and his progress in controlling his chemical dependency would be reviewed. Mr. Goudge reported good progress in both areas of concern.

The Secretary next redistributed to the board copies of the previously discussed recommendations of the Advisory Council on the Use of Supportive Personnel. The Secretary recommended that the board consider seriously adopting the provisions of this recommendation as the subject of a proposed regulatory change regarding the use of supportive personnel. After considerable discussion and after the recommendation of some minor changes in the proposal, the item was tabled with instructions to the Secretary to incorporate the changes into a new draft of the proposal and submit the resulting documents to the board for their study before the January meeting.

At approximately 11:00 o'clock a.m. Mr. John Neveaux and Dr. Frank DiGangi appeared before the board to discuss internship, externship, and foreign student problems common to both the board and the college of pharmacy. Mr. Neveaux very carefully explained the scheduling problem the college has in making the four quarters of its externship program of uniform length and the possible problem created by this scheduling in regard to certain students meeting the required 520 hour post graduate internship component prior to the fall board examinations. After considerable discussion on the scheduling problem, Mr. Thomas Berg moved and Mr. Thomas Jones seconded that the board adopt a general policy that the fall full board examination be given in the last week before fall quarter classes begin. The motion was approved. Pursuant to this motion, the board examination for the fall of 1976 was tentitively set for September 21st and 22nd.

Dr. Frank DiGangi then reviewed with the board the procedures utilized by the college of pharmacy in placing foreign trained pharmacy graduates in the college of pharmacy in order that they might fulfill the requirement of graduation from an accredited college of pharmacy. Dr. DiGangi also reviewed the progress the college is making in placing the several Vietnamese pharmacists now in Minnesota in the college curriculum.

At approximately 12:00 noon President Seifert dismissed the board for lunch.

At approximately 1:00 o'clock p.m. President Seifert reconvened the board.

The first item on the afternoon agenda was the appearance before the board of Dean Lawrence Weaver of the College of Pharmacy and Mr. David Scott, pharmacist and part time college faculty member who discussed with the board the application to conduct the Community University Health Care Center Pharmacy. After a detailed explanation by

Mr. Scott and Dean Weaver of the proposed pharmacy operation and physical facility at the Community University Health Care Center, the Secretary reviewed with the board its previous position on pharmacy services to free clinics. At approximately 2:15 o'clock p.m. Dean Weaver and Mr. Scott departed the meeting.

At this time Mr. Donald Dee, Executive Director of the Minnesota State Pharmaceutical Association appeared before the board to request that the board reconsider its decision to adopt regulations pursuant to the provisions of House File 470 of the 1975 Legislative Session dealing with the labeling of controlled substances when used in conjunction with alcoholic beverages.

After considerable discussion of the pros and cons of the proposed regulation and of the bill itself, Mr. Marcus Frederickson moved and Mr. Thomas Jones seconded that the board withhold final action on Proposed Regulation 41 until after the 1976 Legislative Session wherein amendments to the original bill may be forthcoming. The motion passed.

The board next reviewed several new pharmacy applications.

The board first discussed and reviewed the application by Group Health Plan, Inc. to operate the pharmacy known as Group Health Pharmacy of Bloomington with Bruce C. Anderson to be pharmacist-in-charge. Mrs. Kitty Alcott moved and Mr. Marcus Frederickson seconded that this application be approved. The motion passed.

The board next discussed that application by Rieger/Medi Save Pharmcies, Inc. to operate the Gibson Pharmacy in Virginia, Minnesota. Jack Koch is to be the pharmacist-in-charge at this proposed new pharmacy. Mr. Marcus Frederickson moved and Mr. Thomas Berg seconded that this pharmacy be granted preliminary approval.

The board next discussed the application of the Community University Health Care Center to operate the Community University Health Care Center Pharmacy with Mr. David Scott designated as the pharmacist-in-charge. The board, at this time, reviewed the previous testimony of Dean Lawrence Weaver and of Mr. Scott regarding this pharmacy and participated in additional discussions. Marcus Frederickson then moved and Mr. Thomas Jones seconded that this application be tabled until the board members themselves can conduct an on-sight inspection on January 13, 1976. The motion passed.

The Secretary indicated that he had received an incomplete application from Robert R. Schmidt to conduct the Roseville Professional Pharmacy in Roseville, Minnesota. In that the application did not contain the name of the pharmacist-in-charge nor any employee pharmacists to be conducting the pharmacy, the application could not be acted on at this time.

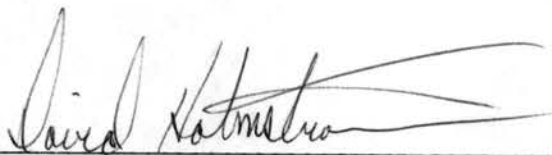
The Secretary next presented to the board the compilation of Continuing Education Programs reviewed by the Continuing Education Advisory Council. The CEAC recommends to the board that these Continuing Education Programs be approved for use in meeting the Continuing Education requirements for licensure in the state of Minnesota. Mrs. Kitty Alcott moved and Mr. Thomas Berg seconded that the board approve the Continuing Education Programs presented to it by the Continuing Education Advisory Council. In discussing the motion, Mr. Thomas Jones moved and Mrs. Rosetta Stark seconded that in addition to the list of Continuing Education Programs presented to the board by the CEAC the board approve the participation in the NABP Annual Meeting held in San Diego in May for a total of 16 Continuing Education credits and approve the participation in the NABP/AACP District V Meeting held in Rochester, Minnesota in October for four Continuing Education credits. This amendment to the main motion was voted on and approved. The main motion was then voted on and also approved.

The Secretary and Board Member Hart then reviewed for the board the development of guidelines which will be used by the Continuing Education Advisory Council in the reviewal process of Continuing Education Programs in the future. The board discussed these proposals briefly and requested that the Secretary send a copy of the proposed guidelines to each member of the board for comment.

The board next discussed the request of Ms. Esther Magadans to become registered as an intern in the state of Minnesota. Mrs. Kitty Alcott and the Secretary reviewed with the board the unique situation surrounding Mrs. Magadans application and the board discussed her situation quite thoroughly. Mr. Michael Hart then moved and Mrs. Kitty Alcott seconded that internship status be granted to Mrs. Magadans based on the fact that she is a graduate of a non-accredited college of pharmacy, is participating in college of pharmacy courses at the University of Minnesota and is planning to attend the Pharmacy College at the University of Tallahassee in the near future and on other special circumstances surrounding her application. The continuation of internship status of Mrs. Magadans' is to be reviewed in one years time. The motion passed.

The Secretary next discussed with the board the letter from Mr. Michael Smith and Dr. Albert Wertheimer regarding a proposed consumer pharmacy pamphlet which would be developed by the pharmacy administration department at the University of Minnesota. After discussing the proposal the board instructed the Secretary to contact Mr. Smith and Dr. Wertheimer and inform them that they had no objection to the pharmacy administration department developing the proposed pamphlet but that it would have to be done on their own and should not involve the board in any way or indicate in any way that the activities were sanctioned by, approved by, or developed in cooperation with the Minnesota Board of Pharmacy.

At approximately 5:15 o'clock p.m. President Seifert adjourned the meeting.


Secretary


President

MINNESOTA STATE BOARD OF PHARMACY

FIVE HUNDRED AND FIFTH MEETING

January 13 and 14, 1976. At approximately 8:15 o'clock a.m., January 13, 1976, the board met in Room 105 of the Minnesota Department of Health Building, 717 Delaware Street, SE, Minneapolis, Minnesota for the purpose of administering an examination in jurisprudence to 31 candidates for reciprocity to Minneapota.

At approximately 9:15 o'clock a.m. Marcia M. Voorhees appeared before the board to take the required oral examination in jurisprudence. Ms. Voorhees is seeking reciprocity on the basis of her license in the state of Nevada.

At approximately 9:25 o'clock a.m. Duane A. Hovland appeared before the board to take the required oral examination in jurisprudence. Mr. Hovland is seeking reciprocity on the basis of his license in the state of North Dakota.

At approximately 9:35 o'clock a.m. Forrest M. Loeffler appeared before the board to take the required oral examination in jurisprudence. Mr. Loeffler is seeking reciprocity on the basis of his license in the state of North Dakota.

At approximately 9:45 o'clock a.m. James G. Barrett appeared before the board to take the required oral examination in jurisprudence. Mr. Barrett is seeking reciprocity on the basis of his license in the state of North Dakota.

At approximately 9:55 o'clock a.m. Peter H. Duquette appeared before the board to take the required oral examination in jurisprudence. Mr. Duquette is seeking reciprocity on the basis of his license in the state of Vermont.

At approximately 10:05 o'clock a.m. Susan D. Melby appeared before the board to take the required oral examination in jurisprudence. Ms. Melby is seeking reciprocity on the basis of her license in the state of North Dakota.

At approximately 10:15 o'clock a.m. Eugene W. Mich appeared before the board to take the required oral examination in jurisprudence. Mr. Mich is seeking reciprocity on the basis of his license in the state of North Dakota.

At approximately 10:30 o'clock a.m. Leona C. Pyle appeared before the board to take the required oral examination in jurisprudence. Ms. Pyle is seeking reciprocity on the basis of her license in the state of South Dakota.

At approximately 10:40 o'clock a.m. Harry Redleaf appeared before the board to take the required oral examination in jurisprudence. Mr. Redleaf is seeking reciprocity on the basis of his license in the state of New York.

At approximately 10:50 o'clock a.m. Kathryn A. Schultz appeared before the board to take the required oral examination in jurisprudence. Ms. Schultz is seeking reciprocity on the basis of her license in the state of North Dakota.

At approximately 11:00 o'clock a.m. Mary K. Batik appeared before the board to take the required oral examination in jurisprudence. Ms. Batik is seeking reciprocity on the basis of her license in the state of West Virginia.

At approximately 11:10 o'clock a.m. Thomas D. Batik appeared before the board to take the required oral examination in jurisprudence. Mr. Batik is seeking reciprocity on the basis of his license in the state of West Virginia.

At approximately 11:20 o'clock a.m. Steven M. Bertram appeared before the board to take the required oral examination in jurisprudence. Mr. Bertram is seeking reciprocity on the basis of his license in the state of Indiana.

At approximately 11:30 o'clock a.m. Richard A. Brustad appeared before the board to take the required oral examination in jurisprudence. Mr. Brustad is seeking reciprocity on the basis of his license in the state of Kentucky.

At approximately 11:40 o'clock a.m. Bruce M. Burckhardt appeared before the board to take the required oral examination in jurisprudence. Mr. Burckhardt is seeking reciprocity on the basis of his license in the state of South Dakota.

At approximately 11:50 o'clock a.m. James E. Crussel appeared before the board to take the required oral examination in jurisprudence. Mr. Crussel is seeking reciprocity on the basis of his license in the state of North Dakota.

At approximately 1:30 o'clock p.m. Patrick W. Cunningham appeared before the board to take the required oral examination in jurisprudence. Mr. Cunningham is seeking reciprocity on the basis of his license in the state of North Dakota.

At approximately 1:50 o'clock p.m. S. Albert Edwards appeared before the board to take the required oral examination in jurisprudence. Mr. Edwards is seeking reciprocity on the basis of his license in the state of Illinois.

At approximately 2:00 o'clock p.m. James R. Fromm appeared before the board to take the required oral examination in jurisprudence. Mr. Fromm is seeking reciprocity on the basis of his license in the state of South Dakota.

At approximately 2:10 o'clock p.m. Cheryl R. Halvorson appeared before the board to take the required oral examination in jurisprudence. Ms. Halvorson is seeking reciprocity on the basis of her license in the state of North Dakota.

At approximately 2:20 o'clock p.m. Leo H. Hoffer appeared before the board to take the required oral examination in jurisprudence. Mr. Hoffer is seeking reciprocity on the basis of his license in the state of North Dakota.

At approximately 2:30 o'clock p.m. Ronald C. Keel appeared before the board to take the required oral examination in jurisprudence. Mr. Keel is seeking reciprocity on the basis of his license in the state of North Dakota.

At approximately 2:40 o'clock p.m. Brigitte F. Palmer appeared before the board to take the required oral examination in jurisprudence. Ms. Palmer is seeking reciprocity on the basis of her license in the state of North Dakota.

At approximately 3:05 o'clock p.m. Kris B. Randolph appeared before the board to take the required oral examination in jurisprudence. Mr. Randolph is seeking reciprocity on the basis of his license in the state of Kentucky.

At approximately 3:15 o'clock p.m. Andrew W. Roberts appeared before the board to take the required oral examination in jurisprudence. Mr. Roberts is seeking reciprocity on the basis of his license in the state of Ohio.

At approximately 3:25 o'clock p.m. Marion K. Slack appeared before the board to take the required oral examination in jurisprudence. Ms. Slack is seeking reciprocity on the basis of her license in the state of Kentucky.

At approximately 3:35 o'clock p.m. Janet D. Speirs appeared before the board to take the required oral examination in jurisprudence. Ms. Speirs is seeking reciprocity on the basis of her license in the state of South Dakota.

At approximately 3:45 o'clock p.m. Janet L. Stilwell appeared before the board to take the required oral examination in jurisprudence. Ms. Stilwell is seeking reciprocity on the basis of her license in the state of Indiana.

At approximately 3:55 o'clock p.m. Dennis W. Tofteland appeared before the board to take the required oral examination in jurisprudence. Mr. Tofteland is seeking reciprocity on the basis of his license in the state of Michigan.

At approximately 4:05 o'clock p.m. Joyce A. Williams appeared before the board to take the required oral examination in jurisprudence. Ms. Williams is seeking reciprocity on the basis of his license in the state of South Dakota.

At approximately 4:04 o'clock p.m. Joyce A. Williams appeared before the board to take the required oral examination in jurisprudence. Ms. Williams is seeking reciprocity on the basis of her license in the state of South Dakota.

At approximately 4:15 o'clock p.m. Thomas L. Williams appeared before the board to take the required oral examination in jurisprudence. Mr. Williams is seeking reciprocity on the basis of his license in the state of South Dakota.

At approximately 5:00 o'clock p.m. Vice President Alcott dismissed the board.

At approximately 9:30 o'clock a.m., January 14, 1976 Vice President Alcott called the meeting to order in Room 206 of the Minnesota Department of Health Building, 717 Delaware Street, SE, Minneapolis. In attendance were: Vice President Kitty Alcott, Mr. Thomas Berg, Mr. Michael Hart, Mr. Thomas Jones, Mr. Marcus Frederickson, and Mrs. Louise Kortz who is the board's newly appointed member. Also in attendance was the board's secretary, Mr. David Holmstrom.

The first order of business was the election of officers for the calendar year, 1976. The first nomination was for the office of president. Mr. Michael Hart nominated Mrs. Kitty Alcott for the office of president. Mr. Thomas Berg moved that the nominations be closed and Mr. Thomas Jones moved that the board cast a unanimous ballot for Mrs. Kitty Alcott as president. Mr. Marcus Frederickson seconded the motions. The motion to pass the unanimous ballot for Mrs. Alcott as president was passed.

The next nominations were for the office of vice president. Mr. Thomas Berg nominated Mr. Thomas Jones and Mr. Michael Hart nominated Mr. Thomas Berg for the office of vice president. Voting was conducted by a show of hands wherein Mr. Thomas Berg was elected vice president.

The next item to come before the board for discussion was the re-appointment of the board's secretary and the board's assistant secretary for administrative affairs. Mr. Thomas Berg moved that Mr. David Holmstrom be re-appointed as the board's secretary and that Mrs. Alice Hummer be re-appointed as the board's assistant secretary for administrative affairs by a unanimous ballot. Motion passed.

At this time the secretary introduced to the board Mr. Dick Wexler and Mr. Bill Miller who will be phased in as the board's legal counsel over the next few months and will take over sole responsibility for the board's legal activities as of July 1, 1976. Mr. Wexler briefly described to the board what they might expect from the new working relationship between the board and Attorney Generals Office.

At approximately 10:05 o'clock a.m. Mr. Wexler and Mr. Miller departed the meeting.

The secretary next described the policies for the existing fees charged by the board and the need for increasing the fees to obtain the necessary revenues for continuing the board's operation.

During the course of discussing the fee system, the secretary was instructed to meet with Mr. Miller, the board's new legal counsel regarding the possibility of establishing an intern registration fee by regulation under the authority of Minnesota Statutes 151.06, Subdivision 1 (9) or Minnesota Statutes 151.101. Mr. Thomas Berg moved and Mr. Michael Hart seconded that should it be determined that an internship registration fee is possible without the need for legislative revision in Section 151.101, the intern fee be set at \$20 which would cover the entire internship registration period. The motion passed.

The board next turned its attention to the renewal fees to be charged each pharmacist for 1976. Mrs. Louise Kortz moved and Mr. Marcus Frederickson seconded that the pharmacist renewal fee be set at \$25. The motion passed.

The board next discussed all of the various fee structures currently in effect and discussed possible means for increasing the boards receipts in the years to follow. The board indicated that, pending the successfully passage of Senator North's Bill effecting the various licensing boards, examination fees be set at \$75. The board further recommended that internship registration fees be set at \$20 by statute if it is impossible to do so by regulation and that pharmacist renewal fees be set at \$25. Mr. Thomas Jones moved and Mr. Marcus Frederickson seconded that the secretary begin work immediately on implementing the above suggestions for fee increases.

The board next discussed what line of attack it should take if Senator North's Bill effecting the licensing boards should not pass. Mr. Michael Hart moved and Mr. Marcus Frederickson seconded that in the event the bill being proposed by Senator North fails to pass, the secretary work immediately on developing legislation for a new fee structure based on the changes shown in Sections 151.07; 151.101; 151.12; 151.13; 151.19; and 151.25. A copy of the proposed changes is enclosed with these minutes. Motion passed.

After thoroughly discussing all of the fees to be charged by the board for 1976, Mr. Thomas Berg moved and Mr. Thomas Jones seconded that the following fees be approved:

Assistant Pharmacist	\$3	Registration Fee	\$25
Pharmacist	\$25	Wholesaler License	\$50
Examination Fee	\$50	Manufacturer Lic.	\$50
Reciprocity Fee	\$100	Pharmacy License	\$40

The board next discussed the renewal of the annual membership fee to the National Association of Boards of Pharmacy. After noting the innumerable benefits of membership in the National Association of Boards of Pharmacy, Mr. Thomas Berg and Mr. Thomas Jones seconded that the secretary be directed to renew the Minnesota State Board of Pharmacy's membership in the National Association of Boards of Pharmacy and further that all board members and the board's secretary be elected delegates to the May NABP meeting. The motion passed.

The board next turned its attention to new pharmacy applications.

The secretary reviewed with the board the application of Mr. Ronald J. Hartmann for the licensure of the Olmsted Community Hospital Pharmacy, 1650 SE 4th Street, Rochester, Minnesota. After carefully reviewing and discussing the application, Mr. Michael Hart moved and Mr. Thomas Jones seconded that the abovementioned application be approved subject to an on-sight inspection by a member of the board's staff. During its visit the staff is to encourage the use of the unit dose packaging to the greatest extent practicable and to encourage an increase in the hours of pharmacist coverage. Motion passed.

The board next discussed the application by Mr. H. Durrell Silcher to operate the Minnesota Veteran's Home Pharmacy in Minneapolis. After reviewing and discussing this application, Mr. Marcus Frederickson moved and Mr. Michael Hart seconded that the abovementioned application be approved subject to an on-sight inspection by a member of the board's staff. Motion passed.

The secretary next described to the board his correspondence with Mr. Frank Kunkel of the Ohio Board of Pharmacy relative to the Continuing Education. The secretary presented to the board a draft agreement which would obligate the State Boards of pharmacy of Minnesota and Ohio to recognize Continuing Education credits obtained in the opposite state by a pharmacist licensed in both states. After reviewing and discussing the situation and the proposed agreement, Mr. Thomas Berg moved and Mr. Michael Hart seconded that the secretary sign the agreement on behalf of the Minnesota State Board of Pharmacy and submit the agreement to Mr. Frank Kunkel for approval by the Ohio State Board of Pharmacy. The motion passed.

The board next turned its attention to the citizenship requirement for licensure as a pharmacist in Minnesota. After reviewing the decision handed down by Judge Donald D. Alsop in the US District Court the District of Minnesota 4th Division in the case of Florence Wong Vs. the Minnesota State Board of Pharmacy, Mr. Michael Hart moved and Mr. Marcus Frederickson seconded that based on her performance in the September board examination, Ms. Wong be granted licensure as a pharmacist in Minnesota. The motion passed. The abovementioned decision was handed down on December 23, 1975.

The board next discussed its intention to maintain the requirement of graduation from an accredited college of pharmacy in order to qualify to take the board's licensure examination.

Mr. Thomas Jones moved and Mr. Marcus Frederickson seconded that the secretary develop, with the help of NABP, a regulation regarding the requirement for graduation from a college of pharmacy accredited by the American Council on Pharmaceutical Education. Mr. Jones further moved and Mr. Frederickson again seconded that the board approve the current accreditation standards of the American Council on Pharmaceutical Education as they appear in Section 4 (pages 11 through 17) of the Accreditation Manual, 7th Edition, January 1, 1974 and that the board adopt the list of approved colleges of pharmacy as published by ACPE. Both motions passed. Copies of the accreditation standards and the list of approved colleges of pharmacy are appended to these minutes. Continuing with the discussion on citizenship, Mr. Marcus Frederickson moved and Mr. Michael Hart seconded that the secretary be instructed to work with the revisor of Statutes Office regarding the wording of Minnesota Statutes 151.10 with the new wording to require a permanent resident alien status together with the filing of the intention to become a citizen document. The motion passed.

The board next discussed the issue of the operation of free clinic facilities in the state of Minnesota. After considerable discussion on the subject of free clinics the secretary was instructed to contact all free clinic type operations as he becomes aware of them and inform the operators of such clinics that drugs may be dispensed only by a licensed practitioner or by a licensed pharmacist operating out of a licensed pharmacy. The secretary was further instructed to inform these individuals that the board will be willing to waive the space and equipment requirements in order to facilitate licensure of these locations but that the clinic for its part must insure that all legend drugs are stored within the licensed area, that a licensed pharmacist will be on duty when drugs are being dispensed and that the licensed pharmacist will have sole access to the licensed area.

At approximately 1:00 o'clock p.m. president Alcott dismissed the board for lunch.

At approximately 2:15 o'clock p.m. the board reconvened at the Community University Health Care Center, 2016 16th Ave., S. for the purpose of visiting this facility and reviewing the proposed pharmacy location within this facility. The board was conducted through the facility by Mr. David M. Scott who will be the pharmacist-in-charge of the pharmacy area and Ms. Jean Smelker the medical director of the facility. At approximately 3:30 o'clock p.m., after touring the Community University Health Care Center and discussing the goals and objectives of the Center with Mr. Scott and Ms. Smelker, the board returned to Room 206 of the Minnesota Department of Health Building.

The board briefly continued its discussion of the Community University Health Care Center and its proposed pharmacy after which Mr. Michael Hart moved and Mr. Thomas Jones seconded that the CUHCC Pharmacy be granted licensure subject to an on-sight inspection by a member of the board's staff during which the board's staff is to recommend to Mr. Scott the installation of security and supervision provisions appropriate for a "role model" pharmacy. The motion passed with Mr. Thomas Berg voting against the motion.

At this point the board turned its attention to a discussion of the recommendations of the Advisory Council on the Use of Pharmacy Technicians relative to the use supportive personnel. After discussing the recommendations at some length without reaching agreement, President Alcott indicated that the discussion would be tabled until the February meeting during which time this issue would be of primary concern.

The board next discussed the NABP Maxi School being held in St. Louis, Missouri February 1st through the 4th. Mrs. Louise Kortz moved and Mr. Thomas Berg seconded that the board send its secretary, Mr. David Holmstrom, and one other board member, either Mr. Marcus Frederickson or Mr. Michael Hart to the Maxi School in St. Louis. The motion passed.

After a thorough review of the performance of the candidates for licensure by reciprocity, Mr. Thomas Jones moved and Mr. Thomas Berg seconded that having passed the jurisprudence examination and any other examination that may have been requested of them for reason, the following candidates for registration by reciprocity be granted registration on the basis of their license to practice in the state listed with their names. Motion carried.

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

<u>Cert No.</u>	<u>Name</u>	<u>State</u>
2528	Forrest M. Loeffler	North Dakota
2529	Peter H. Duquette	Vermont
2530	Susan D. Melby	North Dakota
2531	Eugene W. Mich	North Dakota
2532	Leona C. Pyle	South Dakota
2533	Harry Redleaf	New York
2534	Kathryn A. Schultz	North Dakota
2535	Mary K. Batik	West Virginia
2536	Steven M. Bertram	Indiana
2537	Richard A. Brustad	Kentucky
2538	James E. Crussel	North Dakota
2539	Patrick W. Cunningham	North Dakota
2540	S. Albert Edwards	Indiana
2541	Cheryl R. Halvorson	North Dakota
2542	Ronald C. Keel	North Dakota
2543	Brigitte F. Palmer	North Dakota
2544	Andrew W. Roberts	Ohio
2545	Marion K. Slack	Kentucky

Cert No.	Name	State
2546	Janet L. Stilwell	Indiana
2547	Joyce A. Williams	South Dakota
2548	Thomas L. Williams	South Dakota
2549		

Registered 1/14/76 By Examination (9/25/75, court decision 12/23/75 & Board meeting 1/14/76).

2550 Florence N. Wong

Mr. Thomas Jones moved and Mr. Thomas Berg seconded that after a review of the application record and examinations in the case of Mr. James Barrett that the privilege of reciprocity be denied to him at this time. Motion passed.

Mr. Thomas Jones moved and Mr. Thomas Berg seconded that after a review of the application record and examinations in the case of Mr. Thomas D. Batik that the privilege of reciprocity be denied to him at this time. Motion passed.

Mr. Thomas Jones moved and Mr. Thomas Berg seconded that after a review of the application record and examinations in the case of Mr. Bruce M. Burckhardt that the privilege of reciprocity be denied to him at this time. Motion passed.

Mr. Thomas Jones moved and Mr. Thomas Berg seconded that after a review of the application record and examinations in the case of Mr. James R. Fromm that the privilege of reciprocity be denied to him at this time. Motion passed.

Mr. Thomas Jones moved and Mr. Thomas Berg seconded that after a review of the application record and examinations in the case of Mr. Leo H. Hoffer that the privilege of reciprocity be denied to him at this time. Motion passed.

Mr. Thomas Jones moved and Mr. Thomas Berg seconded that after a review of the application record and examinations in the case of Mr. Duane A. Hovland that the privilege of reciprocity be denied to him at this time. Motion passed.

Mr. Thomas Jones moved and Mr. Thomas Berg seconded that after a review of the application record and examinations in the case of Mr. Kris B. Randolph that the privilege of reciprocity be denied to him at this time. Motion passed.

Mr. Thomas Jones moved and Mr. Thomas Berg seconded that after a review of the application record and examinations in the case of Mr. Dennis W. Tofteland that the privilege of reciprocity be denied to him at this time. Motion passed.

Mr. Thomas Jones moved and Mr. Thomas Berg seconded that after a review of the application record and examinations in the case of Ms. Marcia M. Voorhees that the privilege of reciprocity be denied to her at this time. Motion passed.

At approximately 5:20 o'clock p.m. President Alcott adjourned the meeting.

Secretary

President

Kitty Alcott

David Holmstrom

BILL FOR AN ACT

Amending M.S. 151.07; 151.101; 151.12; 151.13; 151.19; 151.25

151.07 MEETINGS; EXAMINATION FEE. The board shall meet at least once in every six months to examine applicants for registration and to transact its other business, giving reasonable notice of all examinations by mail to known applicants therefor. The secretary shall record the names of all persons registered by the board, together with the grounds upon which the right of each to registration was claimed. The fee for examination shall be in such amount as the board may determine not exceeding the sum of \$50 ~~\$100~~, which fee may in the discretion of the board be returned to applicants not taking the examination.

151.101 INTERNSHIP. The board may register as an intern any natural person who has satisfied the board that he is of good moral character, not physically or mentally unfit, and who has successfully completed the educational requirements for intern registration prescribed by the board. The board may set fees not to exceed \$10, and *for Such Registration* shall prescribe standards and requirements for internship training but may not require more than one year of such training.

151.12 RECIPROCITY: REGISTRATION FEE. The board may in its discretion grant registration without examination to any pharmacist licensed by the board of pharmacy or a similar board of another state which accords similar recognition to licensees of this state; provided, the requirements for registration in such other state are in the opinion of the board equivalent to those herein provided. The fee for registration shall be in such amount as the board may determine not exceeding the sum of ~~\$400~~ \$150.

151.13 ANNUAL RENEWAL FEE; CONTINUING EDUCATION. Subdivision 1. Every person registered by the board shall annually pay to the board a renewal fee to be fixed by it, which fee shall not exceed ~~\$25~~ \$50 for a pharmacist and ~~\$3~~ \$5 for an assistant pharmacist. It shall be unlawful for any such person who refuses or fails to pay such renewal fee to practice pharmacy in this state. Every certificate and every renewal shall expire at the time therein prescribed, not later than one year from its date.

151.19 REGISTRATION OF PHARMACIES; LICENSE, FEE. The board shall require and provide for the annual registration of every pharmacy now or hereafter doing business within this state. Upon the payment of a fee, not to exceed ~~\$40~~ \$75, the board shall issue a license in such form as it may prescribe to such persons as may be qualified by law to conduct a pharmacy. Such license shall be exposed in a conspicuous place in the pharmacy for which it is issued and expire on the thirtieth day of June following the date of issue. It shall be unlawful for any person to conduct a pharmacy unless such license has been issued to him by the board.

151.25 REGISTRATION OF MANUFACTURERS OR WHOLESALERS; FEE; PROHIBITIONS. The board shall require and provide for the annual registration of every person engaged in manufacturing or selling at wholesale drugs, medicines, chemicals or poisons for medicinal purposes, now or hereafter doing business within this state. Upon a payment of a fee of ~~\$50~~ \$100 the board shall issue a license in such form as it may prescribe to such manufacturer or wholesaler. Such license shall be exposed in a conspicuous place in such manufacturer's or wholesale's place of business for which it is issued and expire on the 13th day of June following the date of issue. It shall be unlawful for any person to manufacture or sell at wholesale drugs, medicines, chemicals or poisons for medicinal purposes unless such a license has been issued to him by the board. It shall be unlawful for any person engaged in the manufacture or selling at wholesale, or his agent, to sell legend drugs to other than a pharmacy, except as provided in this chapter.

IV. ACCREDITATION STANDARDS

1. ADMINISTRATION AND ORGANIZATION

A college program will be evaluated by the Council based on the extent which it accomplishes its goals and is consistent with the concept that pharmacy is an unique, personal service profession in the health science field. Furthermore, these goals must be compatible with the objectives of pharmaceutical education generally as well as those in pharmacy and the other health service professions. There should be evidence that the faculty, facilities, student services, and programs of the college are all available and organized to accomplish these aims. There also should be an awareness on the part of the faculty of the aims of the college and an acceptance by them of their responsibility to assist in achieving these aims.

College of Pharmacy Administration and Organization. The college must be organized in a manner designed to accomplish its aims with clear lines of authority and responsibility. The college should have an effective committee structure with a written record of committee actions. The faculty should meet with suitable regularity and keep minutes of meetings which are open to Council review.

Positive, constructive leadership by the dean of the college is expected. Analyses of successful college administrations show the significance of the dean's scientific background and scholarly achievements, his interests, his participation in the affairs of pharmaceutical organizations, a progressive interest in the educational process, an understanding of the problems of pharmacists and other health practitioners, cooperation with other university and professional officials and a willingness to assume responsibilities of his position. Chief among these responsibilities are the recruitment and retention of a competent staff, the development and implementation of the instructional, communicative, clinical, and research programs of the college and the sustenance of the visibility on campus of pharmacy and the college of pharmacy. He should initiate programs for recruitment and admission of qualified students and assure adequate teaching facilities, including those outside as well as those within the college of pharmacy. If the dean has been assigned other responsibilities within the university, it is expected that these duties will not diminish his effectiveness in administering the affairs of the college of pharmacy.

University Administration. The Council expects the administration to develop and support a suitable consortium of the health professions if other health professions are present in the university; it expects the institution to assist the college of pharmacy in developing suitable relationships with other health professions if the college of pharmacy is the only health professions school. Regardless of the organizational structure of the university, the Council is concerned that the college of pharmacy maintains a reasonable degree of autonomy for development of its programs, as defined by the dean and faculty, within the framework of the university's aims and objectives.

The dean and faculty of the college are expected to contribute to the university by serving on university committees in a manner consistent with needs of the institution in general and the welfare of the college in particular.

Council examiners will request conferences with the president and other administrative officers of the institution to review the performance of the college of pharmacy, to answer questions of the central administration concerning the college of pharmacy and pharmaceutical education generally, and to assist in determining the firmness of administrative support.

2. FACULTY AND STAFF

The factor of greatest significance in assurance of educational quality in a college of pharmacy is the faculty and staff. Conditions of service, educational background, morale and attitude, enthusiasm and skill for instruction and learning, and a recognition of the aims and objectives of the college and willingness to support them are among the elements that the Council considers essential.

a. Supportive Staff: The total mission of the college of pharmacy is enhanced by the service of adequate supportive personnel such as administrators and secretaries, stockroom attendants, laboratory technicians and equipment maintenance personnel, and teaching support staff such as graphic and production personnel and

evaluation specialists.

b. **Special Services:** Colleges offering, as part of the educational program, special services such as poison control centers, drug information services, analytical and control work for governmental agencies, and manufacturing services for institutions shall be properly equipped and staffed by qualified personnel.

c. **Faculty:**

(1) The faculty shall be adequate in number, training, education, and experience to meet the needs of the instructional program, professional and public service, and research activities. In order to relate effectively to professional practice, a majority of the faculty in the pharmaceutical sciences and all of the pharmacist members of the clinical faculty should be licensed pharmacists in that state.

(2) The faculty should show evidence of efforts to improve their teaching skill and to continue the development of pharmacy as a health profession. They should possess the personality, enthusiasm and skill for effective instruction of students; a proper commitment to graduate education, if such exists; experience in teaching and in contemporary professional practice, and scholarship, as shown by their contributions to scientific, professional and educational publications. They should show evidence of participation in the affairs of professional, scientific, and other learned societies, and an awareness of the changing demands placed on all health professionals, both as specialists and as members of an interdisciplinary group. A faculty should participate in continuing evaluation of its performance.

(3) The dean and faculty should possess suitable backgrounds in educational techniques, administration and professional expertise commensurate with their ranks and responsibilities. Teaching assistants should be chosen in accordance with a well defined policy; they should be properly trained for their roles and adequately directed in fulfilling their responsibilities to students.

The clinical faculty should be active practitioners and possess an adequate understanding of the basic principles of their respective health sciences to fulfill capably the instructional tasks to which they have been assigned.

(4) The faculty should foster an environment that is conducive to developing harmonious student-faculty relationships. This would be evidenced by an effective counseling program, by attendance at student functions—both professional and social—by advising students on professional matters, by using student evaluation questionnaires, and, where indicated, by supervision and direction of student projects.

(5) The Council considers it essential that in order to improve the programs of the college, the faculty should attend scientific and professional meetings; attend teachers' seminars and conferences; observe and evaluate with discrimination, the teaching methods of other professors; develop innovative teaching strategies, conduct studies aimed at improvement of admission and counseling procedures; participate in curriculum surveys; study new examination methods; make systematic efforts to obtain suggestions concerning improvements in the college; and seize other opportunities to improve the program of the college and to continue their own personal and professional growth.

3. PHYSICAL AND FINANCIAL RESOURCES

The effective operation of a college of pharmacy is dependent upon the use of a broad range of essential resources. These resources include the physical facilities of the college itself, financial resources for achieving the objectives of the college and for student support, and community and health-related resources. The college should develop and maintain an organized plan for the effective utilization of these resources in implementing its curricula and varied programs.

Essential resources needed by a college of pharmacy include the following: (1) teaching and research facilities in the college; (2) teaching facilities outside the college; (3) faculty and staff offices; (4) library, reading and study facilities; (5) equipment for teaching and research; (6) financial budget, scholarships, and student aid programs.

a. Teaching and Research Facilities Within the College: Teaching facilities such as classrooms, conference and seminar rooms, as well as general and specialized laboratories, must be sufficient in number and size to accommodate the student body and be properly equipped for the types of curricula and programs offered by the college. Research facilities and supplies should be adequate to accommodate the needs of the faculty.

Sufficient storage space must be available for housing instructional supplies chemicals, drugs and pharmaceutical preparations, glassware, audiovisual equipment, and other equipment used in the teaching program. Proper and adequate animal facilities must be available to carry out the teaching and other programs of the college. Maintenance of these facilities shall meet generally accepted local and national standards where applicable.

b. Teaching Facilities Outside the College: Arrangements should exist between the college and outside agencies for carrying out the clinical teaching program in appropriate inpatient and outpatient environments such as community pharmacies, extended care facilities, health maintenance organizations, community clinics, health and welfare agencies and hospitals.

c. Faculty and Staff Offices: Offices for faculty members should provide privacy for study and for counseling with students as well as adequate space for teaching resources. Space and facilities required for research should be available.

Adequate facilities for other staff personnel are essential in carrying out clerical and receptionist activities, duplicating services, continuing education activities, and developing instructional materials such as audio and video tapes, graphics and slides.

d. Library: The library should be under the control of a competent professional librarian whose relation to the faculty should be that he is a member of the faculty and attends faculty meetings or otherwise enjoys effective communication with the faculty. The responsibilities of the librarian include: (1) the development of adequate holdings in suitable current reference books and periodicals and a working procedure for making additions to the collection as suggested by the faculty; (2) the provision of a reading room or study library of a size adequate for the student body within or adjacent to the college of pharmacy; (3) a program to acquaint students with the library and development of evidence of use of the library by students and staff; (4) facilities for the reproduction of study materials; (5) use of advanced information storage and retrieval and instructional techniques as their effectiveness becomes apparent and as they become available for general use; (6) effective strategies to teach students the proper use of the professional literature in the kinds of practice in which they are likely to engage.

e. Equipment: The equipment for laboratory work should be well suited for the individual learning experience and should be available in a quantity sufficient so that each student has an opportunity for individual participation. Specialized equipment and demonstrations should be available to serve the needs of students with special interests. The space occupied and the equipment used in pharmacy instruction should be maintained in good order.

f. Financial Program, Scholarships, and Student Aid Programs: The Council considers it essential that the financial resources available to a college be such that continuing operation of the college is insured at an acceptable level. This is not only essential to the interests of the students entering the college, but it is also related to the development of a competent faculty and provision for many of the material resources required in pharmaceutical education and training.

A substantial part of the financial resources of a college should consist of items other than student fees, for example: reserve funds, endowments, state appropriations, royalties, special foundations, or annual contributions. Such resources, as well as funds for scholarships and fellowships, should be free of restrictions that might interfere with sound educational policy.

4. CURRICULUM AND DEGREES

The pharmacy curriculum is the organized program of study designed to assist in achieving the objectives of a given school of pharmacy. The principle objective of the professional curriculum is to provide a plan for the education and training of qualified students for careers in pharmacy practice.

A curriculum is a dynamic instrument. It must be under continuing study, evaluation, and modification in order to reflect the changing needs of society, the acquisition of new knowledge, and changing technology. The curriculum in pharmacy should be under ongoing evaluation by the curriculum committee of a faculty. It is only through continuing surveillance that students in pharmacy can be assured of a program of study that meets the needs for a general education and yet is scientifically and professionally modern. A curriculum provides the student with a basic unit of professional knowledge and skill. In addition, it should provide flexibility that enables him to select courses and options in keeping with his personal interests and goals.

There are presently two professional (undergraduate) curriculums accredited by the American Council on Pharmaceutical Education. One is a baccalaureate degree curriculum which leads to a B.A., B.S., B.S. in Pharmacy, or Bachelor of Pharmacy degree; the other is a doctoral degree curriculum leading to a Doctor of Pharmacy degree (Pharm.D.). The time normally required for the baccalaureate and doctoral degree programs is five and six academic years or the equivalent respectively, following high school. In cases where the logistical and time conditions permit, students may complete either program in less time. When this occurs, students will have fulfilled the prescribed academic requirements and have demonstrated professional competence as judged by the faculty. In some programs students may be eligible to receive an intervening baccalaureate degree in pharmacy before completing the requirements of the doctoral program. Graduates of both the baccalaureate and doctoral degree programs usually qualify educationally for licensure examinations.

The Council believes that the experiences students gain in the clinical courses (including clerkships and externships) should be of such caliber so as to serve in lieu of the internship requirement for licensure. The Council expects, therefore, that a curriculum be designed to include an externship and other clinical components that will lead to the degree of professional competence in students required for admission to the licensure examination. The externship will provide the student with experiences in a variety of patient care settings where his work will be supervised by a number of practicing pharmacists, qualified to serve as preceptors. The externship will be guided by a policy established by the faculty, one member of which will be responsible for directing and coordinating the program. The arrangements for relating the externship experience to the internship requirement for licensure should be made by a tripartite committee composed of representatives from the school of pharmacy, the board of pharmacy, and the state pharmaceutical association.

Areas of the Curriculum. The curriculum in pharmacy should represent a composite of educational experiences which will produce both a well educated person and a well trained professional. Thus, concern must be shown for courses in general education as well as preclinical sciences and professional studies of which the following are illustrative:

a. **General Education.** Includes non-prerequisite, non-professional, but, in part, upper division non-clinical courses in the behavioral, social, and humanistic areas of knowledge.

b. **Preclinical Sciences.** Include those courses in the physical and biological sciences and mathematics which are requisite for professional instruction such as anatomy, physiology, organic chemistry, biochemistry and microbiology. Instruction in the preclinical sciences is often obtained in community colleges and colleges of liberal arts.

c. **Professional Studies and Training.** Include a variety of professional courses and experiences which may be represented in the following manner:

(1) **Pharmaceutical Sciences,** e.g., pharmacognosy, pharmacology, medicinal/pharmaceutical chemistry, pharmaceuticals, and pharmacy administration.

(2) **Biomedical Sciences,** e.g., pathology, pathophysiology, physical diagnosis, parasitology, epidemiology, biostatistics, and clinical pharmacology.

(3) Social and Behavioral Sciences, e.g., medical sociology and health-care economics.

(4) Clinical Sciences and Practice (Clinical Component)

(a) Clinically applied courses in pharmacy practice based on the pharmaceutical and biomedical sciences.

(b) Clinical clerkship and externship, e.g., supervised training in appropriate inpatient and outpatient environments, which provides for interdisciplinary experiences with other health professionals and includes distributive aspects of pharmacy practice in institutional and community pharmacy settings.

(5) Management of Pharmaceutical Services such as pharmacy practice, health-care delivery systems, and drug-utilization review and control.

The Doctor of Pharmacy Curriculum. A school or college offering a baccalaureate degree program and planning to add a doctor of pharmacy program should assure itself from study of existing materials published by the American Association of Colleges of Pharmacy and other groups that it has the resources to develop an academically acceptable doctoral program. These resources include an adequate operational budget, facilities suitable for both inpatient and outpatient educational experiences, and an interdisciplinary clinical faculty. In addition are certain supporting services such as a drug information service and selected ambulatory care services. Furthermore, schools should have developed sound clinical programs for students in the baccalaureate program before undertaking a doctoral program.

The doctor of pharmacy program is not derived by the simple expedient of adding one year to the baccalaureate curriculum but is designed to achieve specified educational objectives for students. The doctor of pharmacy program should be planned in such a way that it can be the first professional degree.

A doctor of pharmacy program should prepare pharmacists who can cope with the complex problems in the delivery of comprehensive health care; who possess both the knowledge and skill that enables them to function as specialists in the clinical use of drugs and who can apply pharmaceutical and biomedical sciences to the practical problems of drug therapy; who are motivated to participate in the interdisciplinary delivery of health care; and who can function as an easily accessible health care informant and educator.

The Council believes that doctor of pharmacy curriculums should be developed in a manner that will utilize the strengths and resources peculiar to a given school and that, in so doing, local and regional needs for pharmacy manpower will be supported. However, the Council believes that any doctoral program should demonstrate clearly three qualities: first, a professionally oriented curriculum enriched with biomedical knowledge and clinical experience significantly beyond that provided in the baccalaureate program (this would not exclude programs that might result from a combined clinical and technical orientation); second, a flexibility for students in choosing programs adapted to their career interests, third, a program that will develop students professionally more mature than those in the baccalaureate program.

5. EVALUATION AND EXPERIMENTATION

Experimentation and innovation in new teaching strategies and in the design of the pharmacy curriculum and special program within the curriculum are expected.

Wherever experimentation and/or innovative programs are undertaken a systematic and valid evaluation of the data should be made and the results made available to other schools of pharmacy.

6. STUDENTS

In colleges of pharmacy admitting students directly from a secondary school, the college must provide evidence of a plan for admission of students who have reasonable likelihood of successful completion of the curriculum and who appear to have the qualifications to become competent pharmacists.

Rigid entrance requirements are not mandatory, but the consideration of entrance examination scores, other tests, and measurements by any other valid means is encouraged. It is assumed that the validity of these predictive measures has been demonstrated and that remedial measures are imposed on those with deficiencies.

Admission to colleges of pharmacy of students presenting college or junior college credits should be governed by sound academic procedures. For courses accepted for advanced standing as prerequisite to the pharmaceutical curriculum, no grades below C should be considered ordinarily to meet requirements. Further, an over-all grade average normally is required at the time of entrance which, if maintained, would meet the requirements for graduation.

Students in good standing and eligible to continue in the college of pharmacy they have been attending may be accepted for transfer with advanced standing to another college of pharmacy. Ordinarily credits from another accredited college of pharmacy, for which a grade of C or better has been earned, should be accepted without examination. A logical sequence of professional courses and appropriate prerequisites should be maintained, and a minimum of one academic year should be required for graduation from the accepting college. It is recognized that exceptional cases arise, but each of these evaluations should be based upon reasonable circumstances fully documented.

A professional school cannot hamper its efforts by restriction of admission or attendance of students based on racial, religious, sex, or economic reasons. The college of pharmacy may be required to show positive evidence of efforts to recruit and enroll qualified persons within the area it normally serves. It also should demonstrate that the college has made all reasonable efforts possible to assure financial support to qualified students who need such assistance.

A college of pharmacy must give evidence of concern for the pharmacy student's development into a professional person as well as for his academic training. It is expected that the importance of professional attitude and dedication will be a part of the content and atmosphere of all professional pharmacy courses.

The pharmacy student must become, before graduation, a professional person who can be depended upon to place the patient's interest ahead of his own. Students who exhibit marked failure to appreciate and accept this responsibility should be counseled and directed into another occupation. The college should show evidence of its efforts to insure high personal standards of dedication in its candidates for graduation.

A professional school has a responsibility to provide an atmosphere in which academic inquiry is stimulated and professional growth is supported. It should recognize and meet the needs of students for counseling, both academic and personal. In instances where students find it financially necessary to undertake outside work to the extent that professional training is endangered, remedial efforts such as loans or other financial aid or a reduction in credit hours should be instituted before serious deterioration of the student's educational standing results. Evidence may be required to show the availability and the responsiveness of both faculty and administration to students' efforts at communication both personal and organized.

Suitable space and other support for student activities and organizations shall be available. Student organizations should be encouraged. Communication with student organizations in other colleges of pharmacy and with pharmaceutical organizations — local, state, and national — should be encouraged and supported to achieve a broader professional perspective.

The college should assure its students of exposure to pharmaceutical views other than its own through scheduling of lectures, seminars, and other extra-curricular events, as well as by making periodicals and other publications of current interest easily available.

The college of pharmacy should make provisions for student representation on its official committees and decision-making and policy-making bodies, or it should be able to provide other evidence that student opinion is sought and taken into account in such bodies.

7. CONTINUING EDUCATION FOR THE PROFESSION

Since the development and maintenance of continuing competency in the profession as a public protection the social responsibility of the profession—the licensing arm of the profession as well as pharmaceutical education—the Council recommends the use of tripartite committees representing the board of pharmacy, the colleges of pharmacy, and the state pharmaceutical associations to assist in establishing guidelines for the development and maintenance of continuing education programs. The Council expects the college of pharmacy to demonstrate leadership in such programs as well as in the development of innovative programs for the delivery of health care services.

The Council expects the colleges of pharmacy to demonstrate leadership in such programs as well as in the development of innovative programs for the delivery of health care services. Furthermore, the Council expects the colleges to be aware of trends that are now developing which will broaden both the scope and responsibility for continuing education in pharmacy as suggested in the following statements:

a. Colleges increasingly will be called upon to relate to continuing pharmacy education new knowledge, technological advances, and changing concepts and approaches to health professions education. This brings new emphases on interdisciplinary continuing education; the development of interdisciplinary faculties; evaluation of innovative programs; the application of new technology to both self-directed study and group programs, and the need for upgrading the general level of pharmacy practice.

b. The development of the informed patient nationally will come through a broad approach to consumer education. Continuing education in pharmacy, therefore, should be directed not only to fulfilling the needs of the practitioner, but those of the consumer as well. A new era in which the "informed patient" will be one of the key factors in the development of a comprehensive health care system will place unique opportunities and responsibilities on pharmacy education.

c. The development of unstructured programs of learning is occurring in higher education. What impact this will have on pharmacy education is not yet known but, in one way or another, it will influence the direction of programs for continuing education.

MINNESOTA STATE BOARD OF PHARMACY

FIVE HUNDRED SIXTH MEETING

February 18, 1976. At approximately 9:00 o'clock a.m., February 18, 1976, the board met at the Minnesota Department of Health Building in Minneapolis, Minnesota for the purpose of conducting a regular business meeting. Members in attendance were: President Kitty Alcott, Mr. Marcus Frederickson, Mrs. Louise Kortz, and the board's secretary, Mr. David Holmstrom. Absent with notice were: Mr. Thomas Jones, Mr. Michael Hart, and Mr. Thomas Berg. Absent without notice was Mrs. Rosetta Stark. The meeting was also attended by Ms. Kathleen Meyerle, a member of the public and chairman of the Legal and Public Affairs Committee of the Minnesota Society of Hospital Pharmacists.

The meeting opened with a discussion of the recommendations to the board from the board's Task Force on the Use of Supportive Personnel. The first section of the task force's recommendation was reviewed and discussed at length with several changes being made. The secretary indicated that he would incorporate the changes into the draft regulation and circulate it to the members of the board for discussion at the next meeting.

At approximately 10:30 o'clock a.m. Mr. Darwin Zaske appeared before the board to discuss his becoming licensed to practice pharmacy in Minnesota. Mr. Zaske is a 1973 graduate of the Pharm D program at the University of Minnesota College of Pharmacy and has been working as a clinical pharmacist at St. Paul-Ramsey Hospital since that time without benefit of being licensed as a pharmacist in Minnesota.

Early in December of 1975 Secretary Holmstrom contacted Mr. Zaske and several other Pharm D graduates currently practicing as clinical pharmacists without being licensed as a pharmacist indicating to them that the board considered them to be practicing pharmacy without a license and urging them to participate in the licensure examination in order to legitimize their activities and prevent court action on the part of the board. Mr. Zaske is the first such person to reply to the secretary's letter.

After thoroughly discussing Mr. Zaske's activities and background, the board urged Mr. Zaske to complete the necessary internship training affidavits indicating his actual internship experience and his clinical residency experience as meeting the internship requirements. Mr. Zaske did so and indicated that he wished to participate in the March 1976 board examination.

At approximately 11:30 o'clock a.m. Mr. Zaske departed from the meeting..

The board indicated that upon receipt of the completed internship affidavits and the application to participate in the board examination from Mr. Zaske the secretary should review them and attempt to determine whether a sufficient amount of internship experience has been accumulated to allow Mr. Zaske to participate in the board exam.

The board briefly returned to its review of the recommendations of the Task Force on the Use of Supportive Personnel and at approximately 12:00 o'clock noon was dismissed for lunch.

At approximately 1:00 o'clock p.m. the board reconvened in the board room of the Minnesota Department of Health Building. The members present first discussed new pharmacy applications submitted by several individuals and described by the secretary. President Alcott indicated that the members present would approve or disapprove the new pharmacy applications as the case might be and that the secretary should attempt to contact the remaining board members and obtain their votes by phone ballot.

The first application considered by the board was an application by Herbert R. Goldenberg for the operation of Medi Mart, Inc., 419 S. 6th St., Mpls., MN. Mr. Marcus Frederickson moved and Mrs. Louise Kortz seconded that this application be approved subject to an on-site inspection by a member of the board's staff. The motion passed with Mr. Thomas Berg indicating his approval by phone conversation.

The next application to be considered by the board was an application by Mr. Howard Malinsky for the Medicine Man Apothecary, 550 Osborne Road, Fridley, Minnesota. Mrs. Louise Kortz moved and Mr. Marcus Frederickson seconded that this application be approved at an on-site inspection by a member of the board's staff. The motion passed with Mr. Thomas Berg indicating his approval by telephone conversation.

The next application to come before the board was an application by Jerome Fusske for the operation of Snyder Drugs, 1990 Suburban Avenue, St. Paul, Minnesota. Mr. Marcus Frederickson moved and Mrs. Louise Kortz seconded that this application be approved subject to an on-site inspection by a member of the board's staff. The motion passed with Mr. Thomas Berg indicating his approval by telephone conversation.

The next applications were by Mr. James L. Snyder for the operation of Crown Drug, 3000 White Bear Avenue, St. Paul, and Snyder Drug, Hwy 169 & 300 in Shakopee. During the discussion of these applications the secretary indicated that the board's inspectors had recently conducted an audit of Mr. Snyder's current pharmacy at 3001 Hennepin Avenue in Minneapolis and had found certain circumstances which tend to provide probable cause to believe that Mr. Snyder has committed several violations of the State and Federal Controlled Substances Act. Subsequent to this discussion, Mrs. Louise Kortz moved and Mr. Marcus Frederickson seconded the following resolution:

"Resolve that David E. Holmstrom, Secretary of the Minnesota State 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 L. Snyder, as well as perform any and all acts incidental thereto including the signing of the notice of initiation of a contested case setting the time and place for the pre-hearing conference and the appointment of the hearing officer."

Mr. Marcus Frederickson then moved and Mrs. Louise Kortz seconded that pending the out-come of the contested case in the matter of James L. Snyder, the board withhold approval of the new pharmacy applications submitted by him.

The secretary next described to the board a complaint alleging a violation of the State and Federal Controlled Substances Act involving pharmacist Dennis Zanardi and the Princeton and Milaca Hospital Pharmacies. The secretary indicated that an inspection by members of the board's staff tend to indicate probable cause to believe violations of the State and Federal Controlled Substances Act have occurred and that pharmacist Dennis Zanardi was involved in these acts. Subsequent to receiving this information, Mr. Marcus Frederickson moved and Mrs. Louise Kortz seconded the following resolution:

"Resolve that David E. Holmstrom, Secretary of the Minnesota State 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 Dennis Zanardi, as well as perform any and all acts incidental thereto including the signing of the notice of initiation of a contested case setting the time and place for the pre-hearing conference and the appointment of the hearing officer."

The secretary next described for the board a letter from Mr. Edwin Chang wherein he seeks approval of time he spent working at the Minnesota Anti-Lymphoblastic Globulin Program as internship time. After discussing this request the board indicated that the secretary should visit administratively with Mr. Chang in that it is unlikely that he will be unable to complete his internship requirements in the usual manner and that if the occasion should arise that he is unable to complete his internship in the usual manner, the board can be called upon to re-evaluate his employment at the Minnesota ALG.

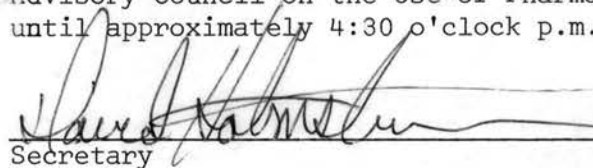
The secretary next described for the board contacts he has been having with Mr. Frank Kunkel, Secretary of the Ohio State Board of Pharmacy, regarding the reciprocity of Continuing Education credits between the two states. The board instructed Secretary Holmstrom to continue to pursue with Mr. Kunkel the reciprocity of Continuing Education credits between the two states.

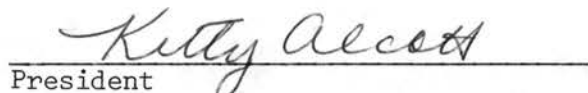
The board next discussed attendance at board meetings and reminded the secretary of the necessity for informing board member Rosetta Stark that she has not been present at two successive board meetings and that the board is obliged, under Minnesota Statutes 214, to notify the governor should she not attend a third consecutive meeting. The secretary indicated that he would prepare the necessary letter to board member Stark.

The secretary next discussed with the board current legislative activity relating to the profession of pharmacy including such items as the occupational licensing bill, a bill rescheduling certain controlled substances by statute, several bills involving health care delivery to nursing home patients, proposed revisions to the Controlled Substances Labeling Bill passed last session, and appropriations for the new College of Pharmacy building.

The secretary and Ms. Kathleen Meyerle next described for the board their activities in reviewing the hospital regulations being proposed by the Minnesota Department of Health. The secretary indicated that when a critique of the Health Department proposals was completed he would circulate copies of such a critique to the board members for their comment and/or action.

At approximately 3:30 o'clock p.m. the board returned its discussion to the proposals and recommendations being made by the Advisory Council on the Use of Pharmacy Supportive Personnel continuing such discussion until approximately 4:30 o'clock p.m. when the meeting was adjourned.


Secretary


President

MINNESOTA STATE BOARD OF PHARMACY

FIVE HUNDRED SEVENTH MEETING

March 22, 1976. At approximately 8:00 o'clock p.m., March 22, 1976, the board met at the Marriott Hotel in Bloomington for the purpose of reviewing and preparing for the examination to be conducted by the board on March 23rd and 24th. The board reviewed the practical examination in prescription compounding, the family records to be utilized, and the scoring procedures to be followed. Members present were: President Kitty Alcott, Vice President Thomas Berg, Mr. Michael Hart, Mr. Thomas Jones, Mr. Marcus Frederickson, Mrs. Louise Kortz, Mrs. Rosetta Stark, and the board's secretary, Mr. David Holmstrom.

At approximately 11:00 o'clock p.m. the meeting was adjourned.

At approximately 8:15 o'clock a.m. March 23, 1976, the board met at the College of Pharmacy for the purpose of administering a practical examination in prescription compounding and utilization of family records. A written examination covering these same areas was also administered. Members present were: President Kitty Alcott, Vice President Thomas Berg, Mr. Michael Hart, Mr. Thomas Jones, Mr. Marcus Frederickson, Mrs. Louise Kortz, Mrs. Rosetta Stark, and the board's secretary, Mr. David Holmstrom.

The following candidates who have met all of the requirements and had presented properly executed applications were present to write the examinations in the above subjects:

John D. Albers	Stephan Opacich
Philip J. Archibald	Thomas M. Prijic
Salah A. Fattah	Jane M. Prindle
Jeffrey D. Gordon	Dorothy J. Sander
Karl M. Gramith	Diane Senzek
David N. Gray	Mora Zin-Ping Shih
Toni L. Grossman	John A. Skaar
Gary Guritz	Peter J. Skaar
Jay D. Harris	Michael I. Smith
Valerie J. Haverkost	Philip S. Staehling
Charles R. Herdeman	Rebecca R. Stanton
Richard J. Hoyer	Janice G. Steffen
Robert J. Keller	Thomas N. Swartz
Lynn K. King	Mary Lou Waller
Keith A. Kopp	Katherine L. Wells
David J. Krause	Mark F. Woessner
James M. Mandt	Robert L. Wood
Douglas R. Nettleton	Darwin E. Zaske

The following board retake candidates were also present to write the practical examination: (complete Bd. retakes)

Jerome G. Borth	Joseph N. Smoley
William F. Garrison	Kristin C. Tibbetts
John P. Gile	Christine M. Anderson (Practical retakes)
Donny Hildenbrand	Gary L. Benusa
Robert S. Johnsen	Bradley D. Borresen
Steven R. Knuttila	Fredrick R. Curtiss
Dean A. Lichty	Bradley H. Erickson
Debra J. Loger	William M. Kluwe
John C. Marsden	Melvin G. Kroon
Lois M. Moe	Rand J. Larson
Paul T. Neitzke	Susan K. Leopold
Stephen M. Olsen	James S. Sandvig
Frank J. Shuster	Frederick S. Townroe
	Joseph A. Cornell

At approximately 8:15 o'clock a.m., March 24, 1976, the board met in room 325 Science Classroom Building at the University of Minnesota for the purpose of administering a written examination in pharmacy, chemistry, math, pharmacology, and jurisprudence. Members present were: President Kitty Alcott, Vice President Thomas Berg, Mr. Michael Hart, Mr. Thomas Jones, Mr. Marcus Frederickson, Mrs. Louise Kortz, Mrs. Rosetta Stark, and the board's secretary, Mr. David Holmstrom. The examinations lasted the entire day. The candidates who were present for the practical examination given yesterday were also present today to write the written examination. The full board retake candidates were also present for the written examination and in addition, the following written retake candidate was present to write the written examination: Robert N. Hovda.

While the board's inspectors were proctoring the written examination, the board met briefly in the conference room at the College of Pharmacy for the purpose of reviewing the recommendations of the board's Advisory Council on the Use of Pharmacy Supportive Personnel.

At approximately 2:15 o'clock p.m., Mr. Richard Jensen and Mr. Gary Kummerfeld, salesmen for Drug Package, Inc. who are the distributors for the Medi Aid dispensing system, visited with the board concerning the operation of the Medi Aid system and its compliance with the Minnesota laws and regulations. At approximately 3:30 o'clock p.m. Mr. Jensen and Mr. Kummerfeld departed and the board resumed its discussion of the supportive personnel issue.

Following the days examination, the board adjourned to the Marriott and spent the evening grading the examinations.

At approximately 9:00 o'clock a.m., March 25, 1976, the board reconvened at the Marriott for the purpose of continuing the grading and the recording of examination papers. At approximately 12:00 o'clock noon, President Kitty Alcott adjourned the board for lunch.

At approximately 1:30 o'clock p.m. President Kitty Alcott reconvened the board in room 305 of the Minnesota Department of Health Building for the purpose of a brief business meeting. Members present were: President Kitty Alcott, Vice President Thomas Berg, Mr. Michael Hart, Mr. Marcus Frederickson, Mrs. Louise Kortz, Mrs. Rosetta Stark, and the board's secretary, Mr. David Holmstrom. Board member Thomas Jones was not present at this meeting in that he was attending a committee meeting on legislation called by the National Association of Boards of Pharmacy in Chicago.

The first order of business for the board was the review of new pharmacy applications. The board first reviewed the application by Nancy Tomlinson for the operation of the Chisago Lakes Hospital Pharmacy. Mr. Michael Hart moved and Mr. Marcus Frederickson seconded that this application be given preliminary approval and that a license be granted for the operation of this pharmacy after the submission to the board's secretary of appropriate scale drawings of the proposed pharmacy and subsequent to the successful completion of an on-site inspection by a member of the board's staff.

The board next reviewed an application by William J. Vidmar to conduct the Target Pharmacy, 2500 East Lake Street in Minneapolis. Mr. Michael Hart moved and Mr. Thomas Berg seconded that this application be granted preliminary approval and that a license be issued subject to the appointment of a pharmacist-in-charge at the Target Pharmacy and subject also to the successful completion of an on-site inspection by a member of the board's staff.

The board next reviewed an application by Mr. Milton Edlin to conduct the Jackson Munciple Hospital Pharmacy in Jackson, Minnesota. Mr. Marcus Frederickson moved and Mr. Michael Hart seconded that this application be granted preliminary approval and that a license be issued subject to an on-site inspection by a member of the board's staff.

The board also reviewed an application by Ron S. Harlander to conduct the East Range Pharmacy, 910 6th Avenue, North in Virginia, Minnesota. The board did not take action on this application at this time but requested that the secretary contact Mr. Harlander or Mr. Richard E. Payne, secretary of East Range Clinics, Ltd. and request the required copy of the Articles of Incorporation of the corporation that will be operating the pharmacy. The board indicated that it would review the application again at its first meeting following the receipt of these Articles of Incorporation.

The board next reviewed applications by pharmacists Richard Jansen and Todd Winchester requesting the issuance of duplicate certificates of licensure.

Mr. Jansen indicated in his request that his license certificate has been lost during a remodeling and moving of the pharmacy at the Metropolitan Medical Center Pharmacy.

Mr. Winchester indicated that his certificate was badly water stained and in poor condition having been delivered to him on a rainy day and having been left in the rain by the postman for most of the day.

Mrs. Louise Kortz moved and Mr. Thomas Berg seconded that duplicate certificates of licensure be issued to the two above named pharmacists. The motion passed.

The board next discussed a letter received by the secretary from Mr. Philip E. von Fischer of Springfield, Minnesota, indicating that because of the anti-German sentiment that existed during his latter school years, created by World War I, he dropped the "von" from his name at that time and as a result, he is registered with the board as Philip E. Fischer although his full and correct name is actually Philip E. von Fischer. Mr. von Fischer asks to have the records of the board changed to indicate his true name.

The board, after discussing the matter, requested that the secretary contact Mr. von Fischer and attempt to determine whether Mr. von Fischer's name was legally changed and to discuss with him exactly what it is he is requesting.

The secretary next briefly reviewed with the board the ACPE report on the accreditation visit to the college of pharmacy at the University of Minnesota. The secretary requested that the board members review the report and think about whether or not a reaction should be forwarded to the college of pharmacy on any items discussed in the ACPE report. The secretary indicated that he would place discussion of this report on the board's agenda for the April meeting.

The secretary next discussed with the board a letter from Allen Granat, Coordinator for Continuing Education of the American Council on Pharmaceutical Education. In his letter to the secretary Mr. Granat included some criteria for quality that will serve as the basis for ACPE's program of Accreditation of Providers of Continuing Pharmaceutical Education.

After discussing the letter, the board recommended that the secretary forward copies of the criteria to the members of the board's Continuing Education Advisory Council for their review. The secretary indicated that he would do so and that he would place discussion of these criteria on the agenda for the April meeting.

The secretary next discussed with the board the agreement for the reciprocity of CE credits that has been signed by the Pharmacy Boards of Minnesota and Ohio. The secretary reminded the board that they had instructed him to submit to Mr. Frank Kunkel, Executive Director of the Ohio State Board of Pharmacy a copy of the letter of agreement that would serve to ameliorate the problem of CE credit reciprocity between the two states. The secretary reported that Mr. Kunkel on behalf of the Ohio State Board of Pharmacy assign the agreement on March 4, 1976 and formalized the reciprocity of CE credits between the two states.

The board continued its discussion of Continuing Education in general and Mr. Michael Hart moved and Mr. Marcus Frederickson seconded that the secretary contact the members of the board's CE Advisory Council and inform them that the board is interested in looking into the expansion of the Continuing Education hourly requirement for the 1977 to 1979 reporting period and would like the CEAC's input regarding a possible increase in the number of required hours from 25 to 30. The motion passed.

President Alcott next asked the secretary to review for the board members her appointments to the board's standing committees.

The secretary reported President Alcott's appointments as follows:

Internship Committee: Thomas Berg, Marcus Frederickson
Continuing Education Committee: Kitty Alcott and Michael Hart
Controlled Substances Committee: Thomas Jones
Committee for the Preparation of Board Exam Questions: Louise Kortz, Thomas Berg.

The secretary next described for the board a letter of agreement between the Minnesota Department of Health, Health Manpower Information System and the Minnesota Board of Pharmacy. This letter of agreement, if signed by the board, would continue the cooperation and information gathering efforts of the two parties. Mrs. Louise Kortz moved and Mr. Michael Hart seconded that the board continue to participate in the Health Manpower Information Project and that the board president be encouraged to sign the letter of agreement formalizing the relationship between the Minnesota Department of Health, Health Manpower Information System and the board. The motion passed.

The board then instructed the secretary to talk with Mr. Paul Gunderson of the Health Manpower Information System and see if it would be possible for the board to get a complete print-out of the currently available Health Manpower Statistics. The secretary indicated that he would do so.

The secretary next distributed to the board copies of the fee analysis statements prepared by Marie Anderson of the Finance Department showing the actual receipts and disbursements for fiscal years 1974 and 1975 and the anticipated receipts and disbursements for fiscal years 1976 and 1977. The analysis also indicates for fiscal year 1977 the estimated receipts that would be available to the board should the board formally adopt the restructured fee system that was discussed at the board's January meeting.

The secretary next brought to the board's attention a certificate received from NABP wherein NABP wished to have each board elect a prime delegate to represent that board in any voting that might take place at the NABP Annual Meeting in Orlando. The secretary was instructed to return the delegate form to NABP indicating that board President Kitty Alcott would be the prime delegate for the Minnesota State Board of Pharmacy and that all of the remaining board members and the board's secretary be designated as alternate delegates.

While still on the subject of the NABP Annual Meeting in Orlando, the board requested that the secretary take the necessary steps to pay through the office the NABP registration fees, the basic hotel room rate, and the air fare for the board members attending the NABP Annual Meeting. The secretary indicated that he would do so.

The board next discussed the advisability of submitting a resolution to the National Meeting of the National Association of Boards of Pharmacy indicating the board's concern over the structure of the Blue Ribbon Examination Committee. Mr. Michael Hart moved and Mr. Marcus Frederickson seconded that the board prepare a resolution for presentation to NABP calling for a restructuring of the Blue Ribbon Committee so that pharmacist practitioners might have some input into the preparation of the examination. The motion passed.

Board President Kitty Alcott indicated that she would check with Mr. Fred Mahaffey of NAPB regarding the procedure that should be followed in preparing a resolution for submission to the Resolution Committee of NABP.

The secretary next described for the board items of a quasi judicial and legislative nature that affects the board or the practice of pharmacy. Items of concern discussed included the announcement by Vo Tech 916 that a course for training pharmacy technicians will be initiated at the Vo Tech School as soon as possible. The board requested that the secretary write to Martha Yucel regarding the board's dismay at finding that 916 was going to go ahead with their technician program when the law still restricts the use of technicians to clerical situations for which no formal training was necessary.

The secretary next presented to the board a copy of a list of Continuing Education programs which have been recommended to the board for approval by the Continuing Education Advisory Council to the board. Mr. Michael Hart moved and Mr. Thomas Berg seconded that the board approve the list of Continuing Education programs as submitted by the CE Advisory Council. The motion passed.

After thoroughly reviewing the performance of the candidates in the examination for licensure, and the qualifications of the candidates, Mr. Thomas Berg moved and Mrs. Rosetta Stark seconded that the 53 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. They are as follows:

Cert. No.	Name	Cert. No.	Name
2251	John D. Albers	2277	Rand J. Larson
2252	Christine M. Anderson	2278	Susan K. Leopold
2253	Philip J. Archibald	2279	James W. LeVahn
2254	Gary L. Benusa	2280	Dean A. Lichty
2255	Bradley D. Borresen	2281	Debra J. Loger
2256	Jerome G. Borth	2282	James M. Mandt
2257	Joseph A. Cornell	2283	John C. Marsden
2258	Fredrick R. Curtiss	2284	Lois M. Moe
2259	Bradley H. Erickson	2285	Paul T. Neitzke
2260	Salah A. Fattah	2286	Douglas R. Nettleton
2261	William F. Garrison	2287	Stephan Opacich
2262	Karl M. Gramith	2288	Jane M. Prindle
2263	David N. Gray	2289	Jeffrey S. Sandvig
2264	Toni L. Grossman	2290	Mora Zin-Ping Shih
2265	Jay D. Harris	2291	John A. Skaar
2266	Valerie J. Haverkost	2292	Peter J. Skaar
2267	Charles R. Herdeman	2293	Michael I. Smith
2268	Donny Hildenbrand	2294	Joseph N. Smoley
2269	Robert N. Hovda	2295	Philip S. Staehling
2270	Richard J. Hoyer	2296	Rebecca R. Stanton
2271	Robert S. Johnsen	2297	Janice G. Steffen
2272	William M. Kluwe	2298	Thomas N. Swartz
2273	Steven R. Knuttila	2299	Kristin C. Tibbetts
2274	Keith A. Kopp	2300	Katherine L. Wells
2275	David J. Krause	2301	Mark F. Woessner
2276	Melvin G. Kroon	2302	Darwin E. Zaske

The motion passed.

Kitty Alcott
President

David Kalmus
Secretary

STATE OF MINNESOTA

COUNTY OF HENNEPIN

BEFORE THE MINNESOTA

STATE BOARD OF PHARMACY

In the Matter of the Suspension or
Revocation of Pharmacist License of
James L. Snyder and the Pharmacy
License of Snyder Drug.

SETTLEMENT STIPULATION

It is hereby stipulated to and agreed by James L. Snyder and Snyder Drug (hereinafter "Licensee") and the Minnesota State Board of Pharmacy (hereinafter "Board") that, without trial, hearing, or adjudication of any issue of fact or law herein:

1. An Order for and Notice of Hearing was served upon Licensee pursuant to Minn. Stat. ch. 151 and Minn. Stat. ch. 152, the Administrative Procedure Act, and the Rules of the Office of Hearing Examiners, Minn. Rules HE 201-222, by certified mail on the 27th day of February, 1976, receipt of which is hereby acknowledged by the Licensee;

2. Licensee expressly waives the formal hearing and all other procedures before the Board to which Licensee may be entitled under the Minnesota or United States Constitutions, statutes, or the rules and regulations of the Board;

3. This Stipulation, together with the Order for and Notice of Hearing referenced above and the Affidavit of Service thereof shall constitute the entire record herein;

4. Licensee does not contest the facts hereinafter following and grants that the Board may, for the purposes of any proceedings conducted pursuant to the above-entitled

a. That during the period between May 1, 1975, and January 30, 1976, the distribution and inventory procedures of Licensee's pharmacy located at 3001 Hennepin Avenue, Minneapolis, Minnesota (hereinafter "Facility"), were conducted in a careless manner, such that in several instances discrepancies existed as to the inventorial amount and actual amount of Schedule II Controlled Substances present at Facility;

b. That the conduct referenced in item 4a constitutes a violation of Minn. Stat. § 152.11 and of Minn. Stat. § 152.101;

c. That the conduct referenced in item 4a constitutes a violation of 21 CFR 1304.04(d) and of 21 CFR 1306.15;

d. That the statutory and regulatory violations referenced in items 4(b) and 4(c) constitute a violation of Minn. Rule Pharm. 37(h);

5. The pharmacist's license of Licensee is hereby suspended for a period of two weeks from the date of this Stipulation, provided, however, that the imposition of this suspension shall be stayed and shall not be imposed for a period of two years from the date of this Stipulation, on condition that during that period Licensee commit no violations of the laws of the State governing the practice of Pharmacy and the Rules of the Board similar to those violations alleged in the Order for and Notice of Hearing;

6. If no such violations as referenced in item 5 occur within this two-year period, then two years from the date of this Stipulation, the Order for and Notice of Hearing will be dismissed, together with all charges

7. The existence or non-existence of such violations as are referenced in item 5 shall be determined at the sole discretion of the Board;

8. During the time period referenced in item 5, Licensee's Facility will be subject to periodic inspection by the Board, and for the purpose of such inspection, Licensee shall make available to the Board all his relevant books and records;

9. Licensee will prepare or cause to be prepared a perpetual inventory system acceptable to the Board for all Schedule II Controlled Substances stocked by the Facility, shall insure that such system is utilized during the time period referenced in item 5, and shall make any records associated with that system available to the Board at the time of any inspection of the Facility;

10. This Stipulation contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies this Stipulation.

Dated: March __, 1976.

MINNESOTA STATE BOARD OF PHARMACY

JAMES L. SNYDER, individually
and as proprietor of
Snyder Drug

By DAVID E. HOLMSTROM
Executive Secretary

WILLIAM G. MILLER
Special Assistant
Attorney General
232 Minnesota Health Dept. Bldg.
717 Delaware Street S.E.
Minneapolis, Minnesota 55440
Telephone: (612) 296-5500
ATTORNEY FOR THE MINNESOTA
STATE BOARD OF PHARMACY

MINNESOTA STATE BOARD OF PHARMACY

FIVE HUNDRED EIGHTH MEETING

April 28, 1976. At approximately 9:15 o'clock a.m., the board met in room 206 of the Minnesota Department of Health Building, 717 Delaware Street, SE in Minneapolis for the purpose of conducting a general business meeting. In attendance were: President Kitty Alcott, Vice President Thomas Berg, Mrs. Louise Kortz, Mr. Thomas Jones, Mr. Michael Hart, Board Attorney William Miller, and Mr. David Holmstrom, Board Secretary.

The minutes of the last meeting were reviewed and approved as written.

The first items to be presented to the board for their consideration were applications to conduct new pharmacies.

The Secretary first presented to the board the blueprints for the new pharmacy to be located in the new Hennepin County Medical Center in Minneapolis. These blueprints were presented for informational purposes only and the Secretary described the layout of the new pharmacy to the board as it had been described to him by Mr. John Goldner, chief pharmacist at Hennepin County Medical Center Pharmacy.

The board next reviewed an application to conduct Thrifty Snyder Drug, 7614 West 150th Street in Apple Valley Submitted by Mr. Douglas Stark with Mr. Jerome Wing to be the pharmacist-in-charge. The Secretary reported that Board Inspector Allen Conger has already visited the site of this proposed pharmacy and has found the physical structure, the security, and equipment to be in compliance with Pharmacy Board Regulations. After thoroughly reviewing the blueprints and application, Mr. Michael Hart moved and Mr. Thomas Berg seconded that the license to operate Thrifty Snyder Drug be granted. The motion passed.

The board next reviewed an application to conduct Gordy's Pharmacy in Center City, Minnesota submitted by Mr. Gordon Meland. After thoroughly reviewing the blueprints and application for Gordy's Pharmacy Mr. Michael Hart moved and Mr. Thomas Berg seconded that the application be approved subject to an on-site inspection by a member of the board's staff for compliance with Pharmacy Board Regulations 7 through 11. The motion passed.

The board next discussed an application to conduct the East Range Pharmacy, 910 6th Avenue, North, Virginia, Minnesota, submitted by Richard E. Payne with Ronald S. Harlander to be the pharmacist-in-charge. After thoroughly discussing the application and the articles of incorporation submitted with the application which indicates that this pharmacy is to be wholly owned by a corporation of physicians and after discussing the possibilities of conflict of interest problems and other related items, Mr. Thomas Berg moved and Mrs. Louise Kortz seconded that the application to conduct the East Range Pharmacy be approved subject to an on-site inspection by a member of the board's staff for compliance with Pharmacy Board Regulations 7 through 11. The motion was passed.

The board next discussed an application for conducting Group Health Pharmacy, 6845 Lee Avenue, North in Brooklyn Center, submitted by Mr. Maurice McRay with Kristin Tibbetts to be pharmacist-in-charge. After thoroughly reviewing the blueprints and the application for this Group Health Pharmacy, Mr. Michael Hart moved and Mr. Thomas Berg seconded that the application be approved subject to an on-site inspection by a member of the board's staff for compliance with Pharmacy Board Regulations 7 through 11. The motion was passed.

The board next discussed an application to conduct Group Health Pharmacy at 2165 White Bear Avenue in St. Paul submitted by Mr. Maurice McKay with Mr. Terrence Schoening be pharmacist-in-charge. After thoroughly reviewing this application, Mr. Michael Hart again moved and Mr. Thomas Berg again seconded that this application be approved subject to an on-site inspection by a member of the board's staff for compliance with Pharmacy Board Regulations 7 through 11. The motion was approved.

The Secretary and Mr. Miller, board attorney, next discussed with the board certain facts that have come to their attention leading them to believe that there is probable cause to believe that Mr. Roy Luring, pharmacist from Monticello, Minnesota, may have been in violation of certain Pharmacy Board laws and regulations. Based on this probable cause finding, Mr. Thomas Berg moved and Mr. Thomas Jones seconded the following resolution:

"Resolve that David E. Holmstrom, Secretary of the Minnesota State 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 Mr. Roy A. Luring, as well as perform any and all acts incidental thereto including the signing of the Notice of Initiation of the proceedings setting forth the time and place for the pre-hearing conference and hearing and the appointment of the hearing officer."

The motion was approved.

The next item to come before the board was a report by Board Member Thomas Jones on his meeting with the NABP Legislative Committee. Mr. Jones indicated that the Legislative Committee dealt with a revised edition of the NABP Model Pharmacy Act to prepare it for submission to the members of NABP at the forthcoming NABP Annual Meeting.

Mr. Jones then addressed several key sections of the Model Pharmacy Act as discussed at the NABP Legislative Committee Meeting and the board indicated its support for the provision calling for Pharmacy Board control over all legend drugs in legitimate channels of distribution in the state regardless of whose possession they might be in.

The next item to come before the board was a report by Board President Kitty Alcott on her attendance at the NABP Internship Committee Meeting.

Mrs. Alcott indicated that the Internship Committee defined internship as being composed of: (a) clinical clerkship, (b) externship programs, whether established by the colleges of pharmacy or by the boards of pharmacy, (c) traditional internship experience, whether it be obtained between college sessions or as post graduate experience. Mrs. Alcott further indicated that the committee recommended that the 1,500 hour requirement for internship be maintained, that the clinical programs of colleges of pharmacy should comply with ACPE standards for clinical pharmacy programs and that if they do, the boards of pharmacy should recognize these programs as a component of internship and that the Board of Pharmacy should be the body in each state that is charged with overseeing and evaluating both the quantitative and qualitative aspects of internship programs.

While continuing the discussion on internship, Mr. Michael Hart moved and Mr. Thomas Jones seconded that the Secretary be instructed to review the clinical pharmacy components of the curriculums at the University of Minnesota, North Dakota State University, and South Dakota State University in an attempt to identify the number of hours of actual patient contact associated with each of these programs and to report to the board his recommendation for the amount of internship time that can be associated with each of these programs. The motion passed.

The board next discussed the problem of non-licensed Pharm D graduates practicing pharmacy in Minnesota. President Alcott reminded the members that the Secretary has sent out one letter urging all such people to become licensed at the earliest opportunity and that only one such Pharm D graduate took advantage of the most recent board examination. Mr. Thomas Berg then moved and Mr. Michael Hart seconded that the Secretary be instructed to write a second letter to the remaining Pharm D graduates who are apparently practicing pharmacy without a license in Minnesota requiring them to become licensed by reciprocity or through the full board examination process before the end of the calendar year. The motion passed.

The Secretary next described to the board his correspondence with Margaret A. Hendrickson, a pharmacist from the state of Washington who is seeking reciprocity to Minnesota. Ms. Hendrickson has not actively practiced the profession of pharmacy since 1954 but is now in Minnesota and is working as a pharmacist-intern under the supervision of a pharmacist at Valley View Drug in Edina. After thoroughly discussing Ms. Hendrickson's prior experience and the length of time it has been since she has practiced the profession of pharmacy in an active manner, Mr. Thomas Jones moved and Mrs. Louise Kortz seconded that in light of the fact that it has been approximately 22 years since Ms. Hendrickson has actively practiced the profession of pharmacy she be required to take the practical examination portion of the September board exam in addition to the reciprocity examination to be administered in January of 1977 which she has previously indicated her intention to participate in. The motion passed.

The Secretary next discussed with the board his conversations with Duong Cham Doan, a pharmacist from Viet Nam with considerable past experience both in the manufacturing and retail areas of pharmacy. The Secretary indicated that Ms. Doan is currently enrolled in the college of pharmacy and is working part time at Bethesda Hospital in St. Paul. The Secretary indicated that Ms. Doan's concern revolves around her ability to obtain the required 1,500 hours of internship by March of 1977 when she hopes to participate in the board's licensure examination. Ms. Doan indicated that she will graduate from the College of Pharmacy at the University of Minnesota in December of 1976. After discussion of Ms. Doan's background, Mr. Thomas Berg moved and Mr. Michael Hart seconded that the Secretary indicate to Ms. Doan that if she should be lacking in a small amount of internship time prior to the March examination that the board will at that time review her curriculum vitae for the possible utilization of prior experience in meeting the 1,500 hour requirement. The motion passed.

At this time Ms. Mary Volk of the Health Manpower Information Program of the Minnesota Department of Health visited with the board concerning the possible addition to the board's pharmacist license renewal application of certain manpower questions prepared by Mr. Chris Rowdowskas of AACP.

After discussing the matter at some length, the board indicated to Ms. Volk that it will seek to communicate with Mr. Rowdowskas at its annual meeting of NABP next month and will report its decision back to Ms. Volk after that meeting.

The Secretary next discussed with the board its budget for fiscal year 1977 and indicated that while cuts were made in the board's proposed budget by the governor and the legislature, fees will have to be raised in some areas to produce the revenue needed for the next fiscal year.

The board next discussed proposed amendments to the NABP Constitution that will be voted on at the NABP Annual Meeting next month.

While discussing NABP Annual Meeting, Mr. Thomas Berg moved and Mr. Michael Hart seconded that the Secretary be instructed to contact the board secretaries of various surrounding states in an attempt to persuade them to move that NABP place a consumer representative on the Executive Committee of NABP. Should this motion be accepted by NABP, the board would then nominate its member, Mr. Thomas Jones, to such a position. The motion passed.

The board next briefly discussed the Minnesota State Pharmaceutical Association Annual Meeting to be held June 25th and 26th at Alexandria, Minnesota and the board's participation at that meeting in an open forum discussion of proposed board regulations. Board President Alcott instructed the Secretary to contact MSPhA and attempt to have the board's open forum presentation moved from a Friday time slot to a Saturday time slot and also instructed the secretary that while no expenses of board members were to be paid for attending the MSPhA Annual Meeting per diem should be paid to those board members participating in the board's open forum.

At approximately 12:30 o'clock p.m. President Alcott adjourned the board for lunch.

At approximately 1:45 o'clock p.m. President Alcott reconvened the meeting.

The first item on the afternoon agenda was a discussion concerning the ACPE report on the College of Pharmacy at the University of Minnesota. The Secretary reminded the board members that copies of this confidential report had been circulated to them at the last meeting for their consideration with additional discussion being scheduled for this meeting.

It was the general consensus of the board that the board should communicate with the college of pharmacy regarding several areas of concern expressed in the report. These areas involve:

- (a) the large number of people on the college faculty who are not registered pharmacists or are pharmacists who are not registered in Minnesota.
- (b) a director of the clinical pharmacy program should be appointed as soon as possible in that the program has been functioning without a director for sometime,
- (c) the board is sympathetic to the college's need for a new physical facility,
- (d) it is the consensus of the board that the Pharm D program should be limited to those students who have already procured a bachelors degree in pharmacy.

The Secretary next described to the board his meeting with examination candidate Jeffrey Gordon wherein they reviewed Mr. Gordon's performance on the recent board examinations and Mr. Gordon's subsequent petition of the board for a formal review of his performance on the laboratory portion of the exam. After thoroughly reviewing Mr. Gordon's examination sheets and the worksheets used in grading his laboratory exam, Mr. Thomas Jones moved and Mr. Michael Hart seconded that the Secretary be instructed to inform Mr. Gordon that his laboratory performance has been reviewed by the board members in conference and that they are unable to find a valid basis for further review. The motion passed unanimously.

Minn. State Board of Pharmacy 508 Meeting, April 28, 1976

The Secretary next described for the board his proposals for the development of possible changes in the rules and regulations of the State Board of Pharmacy.

After describing each of some 26 proposed areas for regulatory changes, the Secretary was granted permission to begin development of specific wording for these proposed changes.

At approximately 4:30 o'clock p.m. Mr. Thomas Jones moved and Mr. Michael Hart seconded that the meeting be adjourned. The motion passed and the meeting was adjourned.


Secretary


President

MINNESOTA STATE BOARD OF PHARMACY

FIVE HUNDRED NINETH MEETING

May 18, 1976. At approximately 12:00 o'clock noon, the board met in a meeting room of the Dutch Inn in Orlando, Florida for the purpose of conducting a brief business meeting. This meeting was held during a break in the daily program of the Annual Meeting of the National Association of Boards of Pharmacy. Board members in attendance were: President Kitty Alcott, Vice President Thomas Berg, Mr. Michael Hart, Mr. Thomas Jones, Mrs. Rosetta Stark, Mr. Marcus Frederickson, Mrs. Louise Kortz and the board's secretary, Mr. David Holmstrom.

The secretary first described to the board the negotiations he had had with the attorney representing Mr. Roy A. Luring in the matter of the suspension or revocation of the license to practice of Mr. Luring. After discussing the secretary's negotiations with Mr. Luring, Marcus Frederickson moved that the board adopt the tentative stipulation calling for a suspension of the personal license to practice of Mr. Luring for a period of three months and requiring him to divest himself of all ownership interests in his present pharmacy and prohibiting him from obtaining ownership interest in any other pharmacy for a period of two years. Motion died for lack of a second.

Mr. Thomas Berg then moved that the secretary inform Mr. Luring that the board would accept a settlement stipulation calling for a personal suspension of six months together with the ownership divestiture. Mr. Thomas Jones seconded the motion but the motion failed four to two with President Alcott abstaining.

Mr. Michael Hart then moved that the secretary be instructed to inform Mr. Luring that the board would accept a negotiated settlement calling for a one year suspension of his personal license to practice and calling for the divestiture of all ownership interests in his present pharmacy and prohibiting ownership interests in any other pharmacy for a period of two years during which time Mr. Luring would be on probation. Mr. Thomas Jones seconded the motion and it passed unanimously.

The secretary next presented to the board several documents from pharmacy student Thomas Gilman regarding his internship experience. Mr. Gilman is in the second year of the Pharm D. Program at the College of Pharmacy and will be seeking licensure in Minnesota in September. Mr. Gilman, because of his entering the Pharm D Program after his fourth year in the college of pharmacy has not had an opportunity to participate in the standard pharmacy internship experience. Mr. Gilman has, however, participated in several clinical pharmacy rotations at various twin city area hospitals and is seeking internship credit for this experience. The board indicated that it would review the material between this time and its regularly scheduled meeting of June 16th and would make a decision on the applicability of this clinical time at that meeting. The board requested that the secretary remind Mr. Gilman that the NABP Guidelines for internship and the regulations of the board itself limit clinical pharmacy experience to a maximum of 400 hours.

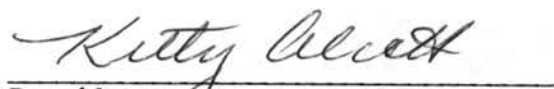
The secretary next described for the board his progress in developing a discussion draft of proposed regulation changes that will be first made public at the annual meeting of the Minnesota State Pharmaceutical Association in June. President Alcott requested that the secretary send copies of the draft regulation to the board members as they are completed so that the board might review them prior to the meeting in June.

The secretary next discussed with the board the need for increased manpower in the board offices and requested that the board consider requesting a half time person for use in an inspection and audit capacity and a half time person for utilization in handling Continuing Education correspondence. After some discussion of the office manpower situation Mr. Thomas Berg moved and Mr. Michael Hart seconded that the secretary include in the budget request for fiscal year 78-79 a half time inspector auditor type person and a half time person to be responsible for handling Continuing Education correspondence. The motion passed.

The secretary next discussed with the board the proposed spending plan for fiscal year 1971 and the salary status of the secretary and pharmacy surveyor, Allen Conger. Mr. Thomas Jones moved and Mr. Thomas Berg seconded that Secretary Holmstrom prepare the proper papers for signature by President Alcott to grant a one step salary increase to both Secretary Holmstrom and Surveyor Conger and that the secretary review the salary levels of the other board employees to determine eligibility for like increases. The motion passed.

There being no other business to be brought before the board at this time, President Alcott adjourned the meeting.


Secretary


President

MINNESOTA STATE BOARD OF PHARMACY

FIVE HUNDRED TENTH MEETING

June 15 and 16, 1976. At approximately 8:15 o'clock a.m., June 15, 1976, the board met in room 105 of the Minnesota Department of Health Building, 717 Delaware Street, SE, Minneapolis, for the purpose of administering an examination in jurisprudence to 28 candidates for reciprocity to Minnesota. Those in attendance were: Alcott, Berg, Frederickson, Hart, Jones, Kortz and Secretary Holmstrom.

At approximately 9:20 o'clock a.m. Ms. Marcia M. Voorhees, a candidate for registration by reciprocity from the state of Nevada, appeared before the board for an oral examination in jurisprudence.

At approximately 9:30 o'clock a.m. Mr. Thomas D. Batik, a candidate for registration by reciprocity from the state of West Virginia, appeared before the board for an oral examination in jurisprudence.

At approximately 9:40 o'clock a.m. Mr. Bruce M. Burckhardt, a candidate for registration by reciprocity from the state of South Dakota, appeared before the board for an oral examination in jurisprudence.

At approximately 9:50 o'clock a.m. Mr. James R. Fromm, a candidate for registration by reciprocity from the state of South Dakota, appeared before the board for an oral examination in jurisprudence.

At approximately 10:20 o'clock a.m. Mr. Joseph J. Sauer, a candidate for registration by reciprocity from the state of Nevada, appeared before the board for an oral examination in jurisprudence.

At approximately 10:30 o'clock a.m. Ms. Doreen E. Studsrud, a candidate for registration by reciprocity from the state of North Dakota, appeared before the board for an oral examination in jurisprudence.

At approximately 10:40 o'clock a.m. Mr. John P. Van Eeckhout, a candidate for registration by reciprocity from the state of North Dakota, appeared before the board for an oral examination in jurisprudence.

At approximately 10:50 o'clock a.m. Mr. Hugo H. Orlandini, Jr, a candidate for registration by reciprocity from the state of Illinois, appeared before the board for an oral examination in jurisprudence.

At approximately 11:00 o'clock a.m. Mr. Harold A. Alexander, a candidate for registration by reciprocity from the state of Virginia, appeared before the board for an oral examination in jurisprudence.

At approximately 11:10 o'clock a.m. Mr. Homer M. M. McIntire, III, a candidate for registration by reciprocity from the state of Iowa, appeared before the board for an oral examination in jurisprudence.

At approximately 11:20 o'clock a.m. Mr. Frederick B. Winter, a candidate for registration by reciprocity from the state of North Dakota, appeared before the board for an oral examination in jurisprudence.

At approximately 11:30 o'clock a.m. Mr. Robert P. Patnode, a candidate for registration by reciprocity from the state of Maryland, appeared before the board for an oral examination in jurisprudence.

At approximately 11:40 o'clock a.m. Mr. Virgil H. Lee, a candidate for registration by reciprocity from the state of Wisconsin, appeared before the board for an oral examination in jurisprudence.

At approximately 11:55 o'clock a.m. President Alcott dismissed the board for lunch.

At approximately 1:30 o'clock p.m. Mr. Michael W. Desannoy, a candidate for registration by reciprocity from the state of Indiana, appeared before the board for an oral examination in jurisprudence.

At approximately 1:40 o'clock p.m. Ms. Kathleen M. Decker, a candidate for registration by reciprocity from the state of North Dakota, appeared before the board for an oral examination in jurisprudence.

At approximately 1:50 o'clock p.m. Mr. James O. Brown, a candidate for registration by reciprocity from the state of North Dakota, appeared before the board for an oral examination in jurisprudence.

At approximately 2:00 o'clock p.m. Mr. Thomas J. Lickteig, a candidate for registration by reciprocity from the state of Illinois, appeared before the board for an oral examination in jurisprudence.

At approximately 2:10 o'clock p.m. Mr. John L. McKeever, a candidate for registration by reciprocity from the state of North Dakota, appeared before the board for an oral examination in jurisprudence.

At approximately 2:20 o'clock p.m. Mr. Gregory L. Clausen, 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. Michael T. Underwood, a candidate for registration by reciprocity from the state of Iowa, appeared before the board for an oral examination in jurisprudence.

At approximately 2:40 o'clock p.m. Mr. Dan R. Fisher, a candidate for registration by reciprocity from the state of Indiana, appeared before the board for an oral examination in jurisprudence.

At approximately 3:10 o'clock p.m. Mr. Terry K. Fleck, a candidate for registration by reciprocity from the state of Iowa, appeared before the board for an oral examination in jurisprudence.

At approximately 3:20 o'clock p.m. Ms. Catherine J. Hegg, a candidate for registration by reciprocity from the state of Michigan, appeared before the board for an oral examination in jurisprudence.

At approximately 3:30 o'clock p.m. Mr. Stephen D. Helm, a candidate for registration by reciprocity from the state of Wisconsin, appeared before the board for an oral examination in jurisprudence.

At approximately 3:40 o'clock p.m. Mr. Thomas L. Kobler, a candidate for registration by reciprocity from the state of Illinois, appeared before the board for an oral examination in jurisprudence.

At approximately 3:50 o'clock p.m. Mr. Randall L. Lambert, a candidate for registration by reciprocity from the state of Wisconsin, appeared before the board for an oral examination in jurisprudence.

At approximately 4:00 o'clock p.m. Mr. Douglas K. Macy, a candidate for registration by reciprocity from the state of North Dakota, appeared before the board for an oral examination in jurisprudence.

At approximately 4:10 p.m. Mr. Stephen E. Paquin, a candidate for registration by reciprocity from the state of North Dakota, appeared before the board for an oral examination in jurisprudence.

At approximately 4:30 o'clock p.m. the board convened in room 305 of the Minnesota Department of Health Building, 717 Delaware Street, SE, Minneapolis to compute the grades of the examinations administered to the 28 candidates and to record those grades.

At approximately 5:45 o'clock p.m. President Alcott dismissed the board.

At approximately 9:00 o'clock a.m. Wednesday, June 16, 1976, President Alcott called the meeting to order. In attendance were President Kitty Alcott, Vice President Thomas Berg, Mr. Michael Hart, Mr. Thomas Jones, Mr. Marcus Frederickson, and Mrs. Louise Kortz. Also in attendance was the board's secretary, Mr. David Holmstrom and the board's attorney, Mr. William Miller. Board member Rosetta Stark was absent without notice during the examinations administered on June 15, 1976 and the business meeting conducted on June 16, 1976.

At approximately 9:05 o'clock a.m. Mr. David R. Goudge appeared before the board pursuant to the requirements of the probationary status of his license to practice. Mr. Goudge indicated that things were going well for him since the reinstatement of his license to practice pharmacy. The board reminded Mr. Goudge that while this was the last personal appearance before it that he would be required to make under the provisions of his probation the board expected strict compliance with the laws and regulations pertaining to the practice of pharmacy on the part of Mr. Goudge. At approximately 9:20 o'clock a.m. Mr. Goudge departed from the meeting.

At approximately 9:30 o'clock a.m. Pharmacist Roy A. Lauring and his attorney Mr. John Gries appeared before the board. The board's secretary distributed to the board and discussed with the board a stipulation dealing with the facts and conclusions of law associated with the recent activities of Mr. Lauring and the Lauring Pharmacy in Monticello, Minnesota. The board accepted the stipulation as presented to it and proceeded to discuss the matter with Mr. Lauring and his attorney. After becoming thoroughly familiar with the facts in this matter, the board asked Mr. Lauring and Mr. Gries to leave the room while the board went into executive session.

After some discussion of the matter at hand, Mr. Marcus Frederickson moved and Mr. Michael Hart seconded that President Alcott be authorized to sign an order calling for the suspension of the pharmacist license of Mr. Roy A. Lauring for a period of three months from the date of such order, the prohibition of ownership interest in any pharmacy by Mr. Lauring for a period of two years from the date of said order, and the placing of Mr. Lauring on a probationary status with the board for a period of two years from the date of such order. The motion passed.

After discussing this motion with Mr. Lauring and his attorney, Mr. Marcus Frederickson moved and Mr. Thomas Berg seconded that in the event of default by the purchaser of Lauring Pharmacy, Mr. Lauring be allowed to operate the pharmacy while making a good faith effort at reselling the establishment; that notice be given the board immediately upon default of the purchaser of Lauring Drug and notice be given the of the efforts being made by Mr. Lauring to resell the pharmacy; and that Mr. Lauring be required to appear before the board at six month intervals during the period of his probationary status to report on his activities at that time. The motion passed.

The secretary next discussed with the board his recent meetings with representatives of the Famil Planning Section of the Minnesota Department of Health regarding pharmacist involvement in family planning activities. President Alcott appointed herself, Mr. Michael Hart, and Secretary Holmstrom as representatives of the board at a Task Force Meeting to discuss the family planning problem.

The secretary next discussed with the board certain facts that have come to his attention leading him to believe that there is probable cause to believe that Mr. Rolf Arneson, pharmacist at Gibson Pharmacy in Morris, Minnesota may have been in violation of certain Pharmacy Board laws and regulations. Based on this probable cause finding, Mr. Thomas Berg moved and Mr. Michael Hart seconded the following resolution:

"Resolve that David E. Holmstrom, Secretary of the Minneosta State Board of Pharmacy, be and hereby is granted the authority and is directed to serve notice of the initiation of a contested case in the matter of Mr. Rolf Arneson, as well as perform any and all acts incidental thereto including the signing of the Order for and Notice of Prehearing Conference and Hearing. "

The motion was approved.

President Alcott next requested that the Secretary invite Mr. Ted Kretshmar to the next regularly scheduled business meeting of the board for a peer review and educational meeting regarding the reporting of any violations of laws or regulation he observes while working as a relief pharmacist in various areas of the state.

The board next heard a recommendation from Mr. Donald A. Dee, Executive Director of the Minnesota State Pharmaceutical Association regarding the advisability of publishing the names of pharmacists whose licenses to practice have been suspended or revoked by the board in the Minnesota Pharmacists magazine so that pharmacists throughout the state will be made aware of the status of their fellow pharmacists and will not mistakenly allow these persons to perform compounding and dispensing functions during the time that their license is suspended or revoked. President Alcott requested that board attorney, William Miller check on the legal consequences of such a publication with the Attorney General's Office and report back to the board at the earliest convenience.

At approximately 12:00 o'clock noon President Alcott dismissed the board for lunch.

At approximately 1:30 o'clock p.m. the board reconvened at the Minnesota Department of Health Building, 717 Delaware Street, SE, for the purpose of continuing its business meeting.

The board first discussed with Mr. Robert T. Stich the board's previous attorney, a stipulation tentitively agreed to between the board and Mr. Dennis C. Zanardi at a previous meeting of the board.

After thoroughly discussing the stipulation the board authorized the secretary to sign the stipulation on behalf of the board. Mr. Stich then proceeded to discuss with the board its role, responsibility, and limitations in the area of disciplinary proceedings by the board against its licensees. At approximately 3:00 o'clock p.m. Mr. Stich departed from the meeting.

The board next discussed whether it wishes to continue utilizing the wet lab portion of the full board examinations when the new written portion of the full board examination is available in September. Mr. Michael Hart moved and Mr. Thomas Berg seconded that the wet lab portion be included in our full board examinations until such time as the NABPLEX examination has developed sufficient background dated to warrant a review of this decision by the board. Motion passed.

Mr. Thomas Gilman now appeared before the board to discuss his rather unique internship experiences with the board and to request the board to grant internship approval for time spent in the Pharm D residents rotations by Mr. Gilman.

The board rather thoroughly discussed Mr. Gilman's situation and the sites of his experience in his Pharm D residencies. The board directed the secretary to place this problem before the board's Internship Advisory Committee and seeks its recommendation at the earliest convenience.

The secretary next described for the board an application to conduct the Medicine Shoppe Pharmacy, 1373 Arcade Street, St. Paul, Minnesota, submitted by Richard A. Westin. After reviewing the application it was noted that the required Articles of Incorporation and a list of the names of the share holders in the corporation were not included with the plans as required. The board instructed the secretary to contact Mr. Westin and request a copy of the Articles of Incorporation and that upon receipt of the same the secretary prepare the application for submission to the board at its next regularly scheduled meeting.

The secretary next discussed with the board the correspondence he has been having with Pharmacist Janyce Wolford of Trimont, Minnesota regarding her license to practice pharmacy. The secretary indicated that in 1975 Ms. Wolford did not complete the required 15 hours of Continuing Education credit at which time she applied for the one year grace period allowed under the statutes. The board in 1975 granted to Ms. Wolford the one year grace period in which to comply with the 15 hours of Continuing Education requirement. This one year grace period elapsed in March of 1976 and Ms. Wolford has still not completed the required 15 hours of Continuing Education credit.

The secretary described some of the physical disabilities Ms. Wolford has experienced since being afflicted with severe and crippling arthritis and indicated that this may be a reason for her non-compliance with Continuing Education requirements. The secretary described a visit to Ms. Wolford by Mr. Merlin Beise, a member of the board's inspection staff and reported on Mr. Beise's impression of Ms. Wolford's physical ability to perform safely as a pharmacist. Board member Louise Kortz related to the board her conversations with Ms. Wolford while Ms. Wolford was recently hospitalized in Rochester because of her severe arthritis.

After very thoroughly discussing the entire situations surrounding Ms. Wolford and her license to practice, Mr. Thomas Jones moved and Mr. Marcus Frederickson seconded that the pharmacist license of Ms. Janyce Wolford not be renewed for the period of March 1976 to March 1977 on the basis of failure to comply with the required Continuing Education credits. The motion was unanimously approved.

The secretary next discussed a recent letter from Mr. Philip E. Von Fischer regarding the possibility of issuing him a duplicate pharmacy certificate with his correct name engrossed upon it. At the time of Mr. Von Fischer's original licensure there was strong anti-German sentiment in the country and as a result of this Mr. Von Fischer was known as Philip Fischer by the board. Mr. Von Fischer now seeks to have the board's records changed to indicate his true name. Subsequent to the discussion, Mr. Thomas Berg moved and Mr. Thomas Jones seconded that a duplicate certificate be issued to Mr. Von Fischer correctly identifying him. The motion passed.

The board next discussed the list of Continuing Education programs recommended for board approval by the board's Continuing Education Advisory Council. Mr. Michael Hart moved and Mr. Thomas Jones seconded that the list of Continuing Education courses submitted to the board by the Advisory Council be approved and that in addition the board members attending the NABP annual meeting in Orlando, Florida during May of 1976 be accredited with 15 hours of Continuing Education credit. The motion passed.

After a thorough review of the performance of the candidates for licensure by reciprocity, Mr. Thomas Jones moved and Mr. Michael Hart seconded that having passed the jurisprudence examination and having met any other requirements that may have been requested of them for reason, the following candidates for registration by reciprocity be granted licensure on the basis of the state listed with their names. The motion carried.

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

<u>Cert. No.</u>	<u>Name</u>	<u>State</u>
2606	Harold A. Alexander	Virginia
2607	Thomas D. Batik	West Virginia
2608	Kathleen M. Decker	North Dakota
2609	Michael W. Desannoy	Indiana
2610	Dan R. Fisher	Indiana
2611	Terry K. Fleck	Iowa
2612	James R. Fromm	South Dakota
2613	Catherine J. Hegg	Michigan
2614	Stephen D. Helm	Wisconsin
2615	Randall L. Lambert	Illinois
2616	Virgil H. Lee	Wisconsin
2617	Thomas J. Lickteig	Illinois
2618	Douglas K. Macy	North Dakota
2619	Homer M. M. McIntire III	Iowa
2620	Hugo H. Orlandini Jr.	Illinois
2621	Robert P. Patnode	Maryland
2622	Joseph J. Sauer	Nevada
2623	Doreen E. Studsrud	North Dakota
2624	Michael T. Underwood	Iowa

Mr. Thomas Jones moved and Mr. Michael Hart seconded that after a review of the application record and examinations in the case of Mr. James O. Brown that the privilege of reciprocity be denied to him at this time. Motion passed.

Mr. Thomas Jones moved and Mr. Michael Hart seconded that after a review of the application record and examinations in the case of Mr. Bruce M. Burckhardt that the privilege of reciprocity be denied to him at this time. Motion passed.

Mr. Thomas Jones moved and Mr. Michael Hart seconded that after a review of the application record and examinations in the case of Mr. Gregory L. Clausen that the privilege of reciprocity be denied to him at this time. Motion passed.

Mr. Thomas Jones moved and Mr. Michael Hart seconded that after a review of the application record and examinations in the case of Mr. John P. Van Eeckhout that the privilege of reciprocity be denied to him at this time. Motion passed.

Mr. Thomas Jones moved and Mr. Michael Hart seconded that after a review of the application record and examinations in the case of Mr. Thomas L. Kobler that the privilege of reciprocity be denied to him at this time. Motion passed.

Mr. Thomas Jones moved and Mr. Michael Hart seconded that after a review of the application record and examinations in the case of Mr. John L. McKeever that the privilege of reciprocity be denied to him at this time. Motion passed.

Mr. Thomas Jones moved and Mr. Michael Hart seconded that after a review of the application record and examinations in the case of Mr. Stephen E. Paquin that the privilege of reciprocity be denied to him at this time. Motion passed.

Mr. Thomas Jones moved and Mr. Michael Hart seconded that after a review of the application record and examinations in the case of Ms. Marcia M. Voorhees that the privilege of reciprocity be denied to him at this time. Motion passed.

Mr. Thomas Jones moved and Mr. Michael Hart seconded that after a review of the application record and examinations in the case of Mr. Frederick B. Winter that the privilege of reciprocity be denied to him at this time. Motion passed.

At approximately 6:00 o'clock p.m. President Alcott adjourned the meeting.


Secretary


President

STATE OF MINNESOTA

COUNTY OF HENNEPIN

BEFORE THE MINNESOTA

STATE BOARD OF PHARMACY

In the Matter of the Suspension or
Revocation of the Pharmacist
License of Dennis C. Zanardi

STIPULATION

WHEREAS, the Minnesota State Board of Pharmacy has initiated proceedings against Dennis C. Zanardi alleging violations of Minnesota Statutes Section 152.11 and Section 152.101 and further alleging violations of 21 CFR 1304.04 (d) and 21 CFR 130.15 and further alleging that said violations constitute a violation of Regulation 37(h) of the Minnesota State Board of Pharmacy and,

WHEREAS, a brief hearing conference was held before a hearing officer in this matter on the 4th day of March, 1976, at which time the matter was set down for hearing and,

WHEREAS, prior to said hearing, the parties hereto agreed to a settlement of the issues by this Stipulation for the purpose of resolving this matter at this time without the necessity of either party to proceed to a full hearing on the issues presented in the Order for and Notice of Pre-Hearing Conference and hearing;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the parties hereto and their respective attorneys as follows:

1. Each of the parties hereto waives his rights to proceed to a full hearing on the allegations raised in this proceeding.

2. The pharmacist's license of Dennis C. Zanardi is hereby suspended for a period of one month from the date of this Stipulation. However, the imposition of this suspension of the license of Dennis C. Zanardi shall be stayed and shall not be imposed for a period of two years from the date of this Stipulation provided that there are no violations of the Minnesota Statutes controlling the practice of pharmacy or the

Regulations of the Minnesota State Board of Pharmacy by Dennis C. Zanardi similar to those alleged in these proceedings during said period of two years.

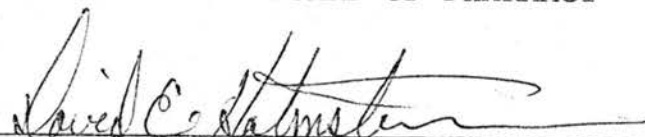
3. In the event that there are no violations by Dennis C. Zanardi of the laws of the state governing the practice of pharmacy and the Regulations of the State Board of Pharmacy during the two year period referred to above, then two years from the date of this Stipulation the allegations against Dennis C. Zanardi will be dismissed.

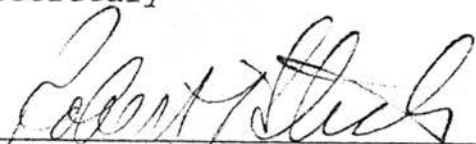
4. That during the period of two years referred to above, Dennis C. Zanardi will be subject to periodic inspection by the Minnesota State Board of Pharmacy at such places that he may practice pharmacy and for the purpose of such inspections, Dennis C. Zanardi will make available to the Minnesota State Board of Pharmacy his books and records.


Dated:

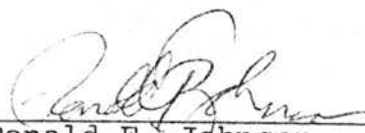
June 16, 1976

MINNESOTA STATE BOARD OF PHARMACY


By David E. Holmstrom
Secretary


Robert T. Stich
Attorney for Minn. State Board of
Pharmacy


Dennis C. Zanardi


Ronald F. Johnson
Attorney for Dennis C. Zanardi

In the Matter of the Suspension or
Revocation of Pharmacist License
of Roy A. Luring and the Pharmacy
License of Luring Drug

ORDER OF
SUSPENSION

IT IS HEREBY ORDERED, pursuant to a Resolution of the Minnesota Board of Pharmacy duly adopted at its meeting held on June 16, 1976, and after due consideration of the Stipulation entered into in this matter by both parties on June 14, 1976, and the appearance made by Roy A. Luring at such June 16 meeting, that:

1. The Pharmacist license of Roy A. Luring (hereinafter "Licensee") be and hereby is suspended for a period of three months from June 16, 1976;
2. Licensee shall not own, hold stock in, or in any other manner possess an ownership interest in any licensed pharmacy in this state for a period of two years from June 16, 1976, provided, however, that in the event of a default on the part of the recent purchaser of the above referenced pharmacy and the subsequent reacquisition of the pharmacy by Licensee, Licensee may operate such pharmacy during the two-year period provided that a good faith effort be made to divest himself of ownership as soon as possible;
3. If no such violations as are referenced in paragraph 4 of the above referenced stipulation occur within this two-year period, then at the end of this

period the Order for and Notice of Hearing in this matter will be dismissed together with all charges contained herein;

4. The existence or non-existence of such future violations as are referenced in paragraph 3 of this order shall be determined at the sole discretion of the Board;

5. During the above referenced two-year period, Licensee's professional activities will be subject to periodic review by the Board;

6. Any breach of any provision or provisions of this Order by Licensee shall be grounds for the immediate revocation or suspension of Licensee's pharmacist license;

7. The Order for and Notice of Hearing, and the above referenced stipulation (including any and all documents incorporated into or attached thereto) together with this Order of Suspension and the minutes of the above referenced meeting of the Board shall constitute the entire record in this matter.

Date: June 16, 1976.

MINNESOTA BOARD OF PHARMACY

Kitty M. Alcott
Kitty M. Alcott
President

MINNESOTA BOARD OF PHARMACY
FIVE HUNDRED ELEVENTH MEETING

At approximately 7:30 o'clock p.m., September 20, 1976, the Board met at the Marriott Motel for the purpose of reviewing and preparing for the examination to be conducted by the Board on September 21st and 22nd. The Board reviewed the practical examination in prescription compounding, family records, and jurisprudence. Members present were: Vice President Thomas Berg, Mr. Thomas Jones, Mr. Marcus Frederickson, Mr. Micael Hart, Mrs. Louise Kortz, and the Board's Secretary, Mr. David Holmstrom.

At approximately 8:00 o'clock a.m., September 21, 1976, the Board met at the College of Pharmacy of the University of Minnesota for the purpose of administering a practical examination in prescription compounding and family records and written examinations in jurisprudence and the practice of pharmacy generally. Members present were: President Kitty Alcott, Vice President Thomas Berg, Mr. Michael Hart, Mr. Thomas Jones, Mr. Marcus Frederickson, Mrs. Louise Kortz, and the Board's Secretary, Mr. David Holmstrom.

The following candidates, who have met all the necessary requirements and who have presented properly executed applications, were present to write the examinations in the above subjects:

Daniel R. Anderson	Catherine L. Grutzik
John V. Anderson	Elaine Hampel
Deborah L. Armstrong	Rachel J. Harms
Margo M. Arnesen	Diane M. Heaney
Debra E. Balocco	Alan H. Heaton
Arnold E. Bates	Priscilla Hedberg
Verne E. Betlach	Roger W. Hedtke
Linda J. Blasing	Bruce R. Herold
Charles A. Bowman	Thomas R. Hodel
Mary Bratlie	Bradley W. Holmgren
Mark L. Brugman	Marcia L. Holth
Stephen C. Buss	Linda K. Hruby
Stephen D. Cain	David B. Hydukovich
Robert J. Carlson	Jerome D. Jackson
Edwin M. Chang	Richard C. Jackson
Bradley J. Christensen	Dick A. Jacobson
Thomas H. Clark	Mary E. Januszewski
Rita L. P. Cudd	Richard C. Januszewski
Michele N. Dahl	Carol A. Johnson
Deborah A. Dean	Denise G. Johnson
Kathryn A. DeBlois	Howard E. Johnson
Robert C. Decker	Kathleen A. Johnson
Denise L. Delaney	Pamela A. Johnson
Loren R. Dorstad	William S. Johnson
Michael W. Dreis	Patricia B. Jones
Mark J. Eggerichs	Sheliah J. Jung
Jocelyn I. Evenson	Bruce G. Kaasa
Wayne L. Feyereisn	Eva B. Kaplan
Paul E. Finn	Gregory R. Kessler
John W. Geurs	Charles J. Kestner
Howard D. Glas	James R. Keuseman
David M. Godshall	Cathleen E. Killeen
William G. Grammond	David F. Kline
Barbara A. Green	John C. Kluczny
Michael J. Griffin	Nancy A. Kolstad

Christopher L. Konop
Charles D. Korsch
Kenneth R. Kramer
Noella M. Kuntz
Wendy J. Kuzel
Charles A. Lehman
Woon-Lam S. Leung
Larry W. Lindberg
John Lindblom
Bruce R. Lindgren
Roxanne M. Lokkesmoe
Timothy H. Loomis
Robert M. Lubke
Jolynn M. Lysne
Alan L. Mackereth
Timothy Markson
Faith R. Martin
James D. McNichols
Michael E. Mieritz
Nancy E. Milbert
Thomas E. Mio
Joseph M. Nadeau
Susan J. Nehring
Denis D. Nelson
Harold S. Nelson
Lyle R. Nevala
Karen M. Nevers
Ann M. Nimlos
Steven D. Norvet
Lucinda M. Nothwehr
Craig W. Oberg
Leon J. Paquette
Richard N. Pearson
Mark W. Pederson
Donald G. Perrin
Marcia J. Peterson
Stewart J. Peterson
Angeline M. Picconatto

Duane D. Pins
Eugene A. Quam
Thomas S. Rector
Charles W. Rehm
Jon S. Richey
Richard A. Riess
Raymond H. Rindahl
Jeff R. Rotschaffer
Roger K. Sampson
David J. Scherman
Debra E. Schmidt
Larry A. Schultz
Joseph E. Shikonya
Michael W. Skoien
James W. Smith
Susan E. Smith
Linda E. Solie
Judith I. Speerstra
Donald L. Steege
Deborah E. Swartwood
Ann M. Tersteeg
Norrie A. Thomas
James P. Thomes
Arne Tilleson
James M. Vanderhoof
Arlyn F. Vedder
Richard G. von Fischer
David E. Waldoch
Steven J. Wasmundt
David M. Watson
Susan L. Weatherill
Karen A. Weber
Gary F. Wehrwein
Rollin E. Wiger
William B. Wilde
Linda J. Wise
Winifred WU
Thomas J. Young

The following full board retake candidates were also present to write the practical examination:

Robert J. Keller
Lynn K. King

Diane Senzek
Frank J. Shuster

The following practical retake candidates were also present to write the practical examination:

John Gile
Jeffrey D. Gordon
Stephen M. Olsen
Dorothy J. Sander

Frederick S. Townroe
Mary Lou Waller
Robert L. Wood

At approximately 8:00 o'clock a.m., September 22, 1976, the Board met in room 325 Science Classroom Building at the University of Minnesota for the purpose of administering a written examination in pharmacy, chemistry, math, and pharmacology. Members present were: President Kitty Alcott, Vice President Thomas Berg, Mr. Michael Hart, Mr. Thomas Jones, Mr. Marcus Frederickson, Mrs. Louise Kortz, Mrs. Rosetta Stark, and the Board's Secretary, Mr. David Holmstrom. The examinations lasted the entire day. The candidates who were present for the practical examination given yesterday were also present today to write the written examination with the exception of the practical examination retake candidate.

Following the days examinations the Board adjourned to the Marriott and spent the evening grading the examinations.

At approximately 9:00 o'clock a.m., September 23, 1976, the Board reconvened in room 335 of the Minnesota Department of Health Building for the purpose of conducting a business meeting. Members present were: President Kitty Alcott, Vice President Thomas Berg, Mr. Michael Hart, Mr. Thomas Jones, Mr. Marcus Frederickson, Mrs. Louise Kortz, Mrs. Rosetta Stark, and the Board's Secretary, Mr. David Holmstrom.

The first item of the agenda discussed by the Board were new pharmacy applications. The Secretary presented to the Board ten applications to conduct new pharmacies.

The first was an application by Mr. Paul Habighorst to operate the Medicine Shoppe, 326 Central Avenue, Duluth, Minnesota. After reviewing this application, Mr. Thomas Jones moved and Mr. Michael Hart seconded that the application be approved and a license granted subject to the successful completion of an on-sight inspection by a member of the Board's staff and the payment of the required fee. The motion passed.

The second application was submitted by Arthur L. Ruzanic for the operation of the Country Manor Pharmacy, 520 First Street, NE, Sartell, Minnesota. After reviewing this application, Mr. Thomas Berg moved and Mrs. Louise Kortz seconded that the application be approved and a license granted subject to the successful completion of an on-sight inspection by a member of the Board's staff and the payment of the required fee. The motion passed.

The third application was from Mr. Daniel Asher for Erickson Valu Drug, Third Street at Spruce, Farmington, Minnesota. After reviewing this application Mr. Marcus Frederickson moved and Mrs. Rosetta Stark seconded that the application be approved and a license issued subject to a successful completion of an on-sight inspection by a member of the Board's staff and the payment of the appropriate fee. The motion passed.

The fourth application involved a change in location of the previously existing pharmacy at Northwestern Hospital in Thief River Falls. After reviewing this proposed change, Mr. Michael Hart moved and Mrs. Louise Kortz seconded that the proposed changes be approved. The motion passed.

The fifth application was presented by Mr. LeRoy Siegel for the Hennepin County Methodone Program Pharmacy with Mr. Tom Thurik, pharmacist-in-charge. This pharmacy is to be located at 535 Park Avenue, Minneapolis. After reviewing this application, Mrs. Louise Kortz moved and Mr. Michael Hart seconded that the application be approved and a license to conduct a pharmacy dealing solely with Methodone treatment program needs be issued as subject to an on-sight inspection by a member of the Board's staff and a payment of the appropriate fee. The motion passed.

The sixth application is from Mr. Robert Giles for the Snyder's Drug, RR#1, Cannon Falls, Minnesota. After reviewing this application Mr. Michael Hart moved and Mr. Marcus Frederickson seconded that the application be approved and a license issued subject to the successful completion of an on-sight inspection by a member of the Board's staff and the payment of the appropriate fee. The motion passed.

The seventh application was submitted by Mr. Ron Gillund for the White Drug, Westview Shopping Center, Hastings, Minnesota. After reviewing this application Mr. Marcus Frederickson moved and Mrs. Rosetta Stark seconded that the application be approved and a license issued subject to the successful completion of an on-sight inspection by a member of the Board's staff and the payment of the appropriate fee. The motion passed.

The eighth application is an application by Mr. John Riegel for the Union Hospital Pharmacy, Seventh and South Broadway, New Ulm, Minnesota. After reviewing this application, Mrs. Louise Kortz moved and Mrs. Rosetta Stark seconded that the application be approved and a license issued subject to an on-sight inspection by a member of the Board's staff and the payment of the appropriate fee. The motion passed.

The ninth application is by Mr. John vander Aarde for Robert's Drug, 16508 West 78th Street, Eden Prairie, Minnesota. After reviewing this application, Mrs. Rosetta Stark moved and Mr. Marcus Frederickson seconded that the application be approved and a license issued subject to the successful completion of an on-sight inspection by a member of the Board's staff and the payment of the appropriate fee. The motion passed.

The final application is by Mr. James A. Kurth for the Zumbrota Snyder Drug, 107 West 3rd Street, Zumbrota, Minnesota. After reviewing this application Mr. Michael Hart moved and Mr. Thomas Jones seconded that the application be approved and a license issued subject to the successful completion of an on-sight inspection by a member of the Board's staff and the payment of the appropriate fee. The motion passed.

At this time Mr. Paul Grussing from the College of Pharmacy at the University of Minnesota appeared before the Board to discuss the tests and measurements aspect of the internship pre and post test series of examinations and the need as perceived by Mr. Grussing for the Board to continue to up-grade this examination. After discussing the examination materials and tests and measurements generally with Mr. Grussing, Mrs. Louise Kortz moved and Mr. Michael Hart seconded that the Secretary meet with Mr. Grussing to prepare a formal proposal dealing with test development, test refinement, and grading options through June of 1977 and to bring such proposal before the Board at it's October meeting. The motion passed.

The Secretary next presented to the Board a list of pharmacists who have not renewed their licenses to practice for at least the past two years. After reviewing the list of pharmacists provided, and discussing the provisions of Minnesota Statutes 151.14 wherein it provides that "any person who has been registered by the Board and has defaulted in the payment of the renewal fee may be reinstated within two years of such defaultment without examination, upon payment of the arrears and upon compliance with the provisions of Section 151.13, Subd. 2" Mr. Thomas Jones moved and Mr. Thomas Berg seconded that the pharmacists included on the list be dropped from the roles of registered pharmacists in the state of Minnesota. The motion passed.

The Secretary next presented to the Board lists of Continuing Education programs reviewed and approved by the Continuing Education Advisory Council and recommended to the Board for final approval. Mr. Michael Hart moved and Mrs. Rosetta Stark seconded that the Continuing Education courses shown on the lists presented to the Board be approved for Continuing Education credit as recommended by the CE Advisory Council and that, in addition, 12 hours of CE credit be granted for participation in the NABP Annual Meeting in Orlando, Florida and 5 hours of CE credit be granted for participation in the NABP District V Meeting in Winnipeg. The motion passed.

The Board in further discussing Continuing Education matters reviewed a recommendation from the Continuing Education Advisory Committee Chairman, Mr. David Koster, that the Board consider further study into a bilevel approach to the Continuing Education requirement. After considerable discussion of the bilevel Continuing Education requirement approach, Mrs. Louise Kortz moved and Mr. Marcus Frederickson seconded that the CEAC be asked to pursue the bilevel approach with a minimum of 15 credits in "level A" and that a complete proposal dealing with this approach be submitted to the Board at the Advisory Committee's earliest convenience. The motion passed.

The Secretary next described to the Board letters from three College of Pharmacy students who are interested in participating in various internship demonstration projects in the coming month. After reviewing the Board's previous policies regarding these demonstration projects, Mr. Michael Hart moved and Mr. Marcus Frederickson seconded that the Secretary be directed to write a letter to the students involved indicating that the Board will agree to review the experience actually gained by these participants upon completion of their internship demonstration project and will at that time assign internship credit equivalence for this participation. The motion passed.

At this point President Alcott reviewed for the other board members the activities participated in by the Board's representatives to the NABP District V Meeting in Winnipeg.

At approximately 12:00 o'clock noon President Alcott dismissed the Board for lunch.

At approximately 1:30 o'clock p.m. President Alcott reconvened the meeting in room 335 of the Minnesota Department of Health Building with the Board's legal counsel, Mr. William Miller, also in attendance.

At this time Mr. Nathan Goldstone personally appeared before the Board to request the reinstatement of his personal license to practice pharmacy which had been suspended by the Board in September of 1973. After receiving Mr. Goldstone's statement requesting the Board to reinstate his license to practice the Board went into executive session to discuss the issue of reinstatement.

After considerable discussion involving consideration of whether Mr. Goldstone had provided the Board with any assurance that a reoccurrence of mishandling of controlled substances would not occur, whether the public could be adequately protected from such a reoccurrence should it take place, and whether the damage done to the public by prior activities of Mr. Goldstone and the protection of the public from such activities in the future justifies a continuance of the suspension of his personal license, Mr. Marcus Frederickson moved and Mr. Thomas Berg seconded that no action be taken on the reinstatement of Mr. Goldstone's license to practice at this meeting. The motion passed unanimously.

At approximately 2:50 o'clock p.m. Mr. Goldstone departed from the meeting.

At this time Mr. Rolf Arneson appeared before the Board pursuant to a stipulation entered into between Mr. Arneson and the Board wherein Mr. Arneson admitted certain violations of the laws and regulations pertaining to the practice of pharmacy in Minnesota and wherein it was agreed that the Board would hear Mr. Arneson's explanation of any mitigating circumstances surrounding these violations and would hear any other information Mr. Arneson wished to present to the Board prior to the Board's determination of a sanction for these admitted violations.

After considerable discussion with Mr. Arneson, Mr. Thomas Berg moved and Mr. Marcus Frederickson seconded that Mr. Arneson's personal license to practice pharmacy be suspended for a period of two weeks and at the conclusion of this two week period, Mr. Arneson be placed on a two year period of probation during which he would be scrutinized by the Board to assure compliance with the laws and regulations pertaining to pharmacy in Minnesota. If at any time during the two year probationary period Mr. Arneson is found to be in violation of the laws or regulations of a nature similar to those which brought about this action, Mr. Arneson's personal license to practice would be immediately suspended for a six month period. The motion passed with Mrs. Rosetta Stark opposing the motion and Mr. Michael Hart abstaining.

Mr. Thomas Jones then moved and Mrs. Rosetta Stark then seconded that the suspension order for Mr. Arneson be made effective October 14, 1976 in order to allow Mr. Arneson some flexibility in arranging for pharmacy coverage during the two week period of his suspension. The motion passed unanimously.

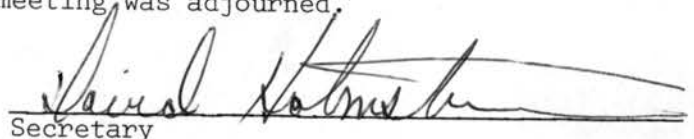
At approximately 5:00 o'clock p.m. Mr. Arneson departed from the meeting.

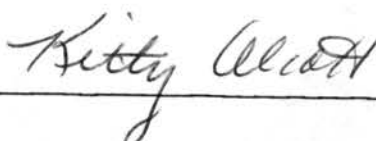
At this time Ms. Judy Kapucinski of the Family Planning Division of the Minnesota Department of Health joined the Board for the purpose of discussing the Board's activities in relation to the various Family Planning Agencies throughout the state. After discussing the letters received by the various Family Planning Agencies indicating whether or not they intend to comply with one or another of the provisions set forth in the Secretary's letter to these agencies and after discussing the memorandum sent to the Attorney General's Office by Planned Parenthood, Inc. of St. Paul and other legal activities undertaken by Planned Parenthood of Bloomington, Mr. Thomas Berg moved and Mr. Michael Hart seconded that the Secretary and Mr. William Miller, the Board's attorney, meet with legal counsel representing the recalcitrant Family Planning Agencies in an attempt to amicably effectuate compliance with the requirements of various sections of Minnesota Statutes 151. The motion was approved.

At this point a tentative agenda for future meetings was established with the next regularly scheduled business meeting being set for October 20, 1976, a public hearing on new regulations tentitively set for December 7, 1976 with a business meeting set for December 8, 1976, a reciprocity examination being tentitively set for January 11, 1977 with a business meeting on January 12, 1977 and a full board examination being tentitively set for March 22 and 23, 1977 with a business meeting scheduled for March 24, 1977.

At this point the Board discussed payment of per diem for participation in the licensure examination and business meeting just conducted. Mr. Thomas Jones moved and Mr. Michael Hart seconded that per diem be paid to the Board members for each day of their attendance at the two examination days and at the business meeting.

At approximately 5:50 o'clock p.m. the meeting was adjourned.


Secretary


President

*file with Bd Minutes
of Sept mtg*



July 23, 1976

Mrs. Kitty Alcott, Chairperson
Minnesota State Board of Pharmacy
Delaware St. N. E.
Minneapolis, Minnesota

Dear Mrs. Alcott;

The Continuing Education Committee, at its July 1st meeting, discussed the bi-level approach in categorising Pharmacy C. E. Credits. It is the committee's recommendation that a bi-level approach be used in C. E. Programs. The bi-level categories being designated Category A and B. Category 1 or A being those programs pertaining to Pharmacy and its direct practice and falling under those guidelines adopted by the C. E. Committee for that category. Category 2 or B being those programs which do not meet the guidelines of Category A, but fall under the guidelines of C. E. Programs acceptable for Pharmacy C. E. Credit.

It is the recommendation of the C. E. Committee that a minimum of 15 of the required 30 C. E. Credits be obtained in Category A.

We present these recommendations for your discussion and reaction.

Sincerely,

David Paul Koster

David Paul Koster, Chairperson
C.E. Advisory Committee

✓ Copy for Bd file

MINNESOTA BOARD OF PHARMACY
FIVE HUNDRED TWELFTH MEETING

At approximately 9:00 o'clock a.m., October 20, 1976, the board met in room 335 of the Minnesota Department of Health Building, 717 Delaware Street, SE, in Minneapolis for the purpose of conducting a general business meeting. In attendance were: President Kitty Alcott, Vice President Thomas Berg, Mr. Michael Hart, Mr. Thomas Jones, Mr. Marc Frederickson, Mrs. Louise Kortz, Mr. Rosetta Stark, and the board's secretary, Mr. David Holmstrom.

The minutes of the last meeting were reviewed and Mr. Thomas Berg and Mrs. Rosetta Stark seconded that they be approved as written. The motion passed.

President Alcott and Secretary Holmstrom then reviewed for the board their conversations with Mr. James Mulroy of Mulroy Drug in Young America regarding the closing of that pharmacy and the subsequent decision of the bank in Young America to attempt to find a pharmacist to continue to operate the pharmacy for the good of the community.

Vice President Berg and Secretary Holmstrom then discussed with the board their meeting with the Internship Advisory Committee of Monday, October 18. Copies of the minutes of the meeting were distributed to the board members and after reviewing these minutes, Mr. Michael Hart moved and Mr. Marc Frederickson seconded that the Internship Committee report be accepted for discussion by the board. The motion passed.

In continued discussions by the board of the Internship Committee report, Mr. Thomas Berg moved and Mr. Michael Hart seconded that the Internship Committee definition of the criteria by which clinical pharmacy courses of the various colleges of pharmacy are to be judged and be adopted by the board. These criteria indicate that "clinical pharmacy course participation which is acceptable as internship time under the 400 hour limitation must be of a clinical nature embracing rounds with patients, taking of medication histories, and furnishing of patient education together with clinical conferences if these are patient oriented or must be courses which replicate practice situations in which the student is evaluating and actually participating in a pharmacy operation as is done in a traditional internship". The motion passed.

Mrs. Louise Kortz then moved and Mr. Marc Frederickson seconded that the hours associated with the various clinical pharmacy courses at the University of Minnesota as determined by the Internship Advisory Committee and the committee's recommendation for notification of all senior students at the college of pharmacy at the University of Minnesota be adopted by the board. The motion passed.

Mrs. Louise Kortz then moved and Mr. Thomas Berg seconded that the hours associated with the externship programs at the University of Minnesota College of Pharmacy and the other colleges of pharmacy be counted separately from the "400 hour pot" set out in Pharm Reg 61 and that the secretary be instructed to include this provision in the revised version of Pharm Reg 61. The motion passed.

Mr. Thomas Berg then moved and Mr. Michael Hart seconded that the clinical pharmacy programs at South Dakota State University be granted 80 hours of internship equivalent time as per the recommendations of the Internship Advisory Committee. The motion passed.

The secretary next discussed his testimony at the October 15 hearing of the Legislative Committee on nursing homes wherein pharmaceutical services to nursing home patients were discussed. Mr. Thomas Berg then moved and Mr. Michael Hart seconded that the secretary be directed to meet with the appropriate individuals from the Minnesota Department of Health regarding the establishment of a formal policy wherein nursing

home inspections by the Department of Health involving violations of the rules of the department or of the Board of Pharmacy be reported to the Board of Pharmacy for appropriate action. The motion passed.

The board next entered into a rather lengthy discussion of the most recent draft of the proposed changes to the pharmacy rules and regulations. After making several minor changes in the latest draft of these proposed rules changes, the board passed the following resolution:

"Resolved, that David E. Holmstrom, Secretary of the Minnesota Board of Pharmacy, be and hereby is granted the authority and directed to call a hearing for the purpose of promulgating rules of the Board of Pharmacy relating to various topics as well as perform any and all acts incidental thereto, including that without being limited to, signing an order for hearing and notice of hearing as well as completing the documents necessary for securing the appointment of a hearing examiner for all hearings."

At approximately 12:00 o'clock noon President Alcott adjourned the board for lunch.

At approximately 1:30 o'clock p.m. Mr. Nathan Goldstone personally appeared before the board upon his own initiation together with his wife and his legal counsel to request the reinstatement of his personal license to practice pharmacy which had been suspended by the board in September of 1973. After receiving Mr. Goldstone's statement requesting the board to reinstate his license to practice, the board spent considerable time discussing the safeguards it felt were necessary to protect the public from a recurrence of the mishandling of controlled substances that was the original cause of Mr. Goldstone's license suspension. Mr. Marc Frederickson then moved and Mr. Michael Hart seconded that the board's staff be instructed to institute a complete audit of the controlled substances at Mr. Goldstone's pharmacy from the date of the audit resulting in his suspension to the present time and subject to satisfactory results being obtained from such audit and subject to the following provisions:

1. That Mr. Goldstone be placed on a five year probationary status.
2. During the time period referenced in item 1, Mr. Goldstone's facility will be subject to periodic inspection by the board, and for the purpose of such inspection, Mr. Goldstone shall make available to the board all of his relevant books and records.
3. Mr. Goldstone will prepare or cause to be prepared and shall maintain a perpetual inventory system acceptable to the board for all Schedule II, III, and IV controlled substances stocked by the facility, shall ensure that such system is utilized during the time period referenced in item 1, and shall make any records associated with that system available to the board at the time of any inspection of the facility.
4. The suspension of Mr. Goldstone's license be reinstituted upon the violation of any laws or regulations of the state or federal government involving controlled substances.

Then the license to practice of Mr. Nathan Goldstone be reinstated. The motion unanimously passed.

The board next discussed the continuing negotiations with Planned Parenthood of Minnesota and other similar institutions regarding the allegedly illegal dispensing of legend drugs by these institutions. The board's legal counsel, William Miller, who has joined the board for the afternoon session, discussed his meeting of this morning with Mr. Franz Jevne, III, attorney for Planned Parenthood. Mr. Miller indicated that both he and Mr. Jevne made their respective positions clear to each other and indicated that each of the two attorneys had expressed a desire to meet with their respective clients and continue negotiations in the hope of settling the issue without the necessity of going to court.

After discussing the entire issue at some length, Mr. Michael Hart moved and Mr. Thomas Berg seconded that the secretary be requested to notify Planned Parenthood of Minnesota at their St. Paul office and the city of Bloomington Health Department that the board expects compliance with the board's interpretation of the statute from their respective agencies with written confirmation from their respective board's of directors by December 1, 1976. The motion passed.

The board next turned its attention to the grading of the September board exam papers. Secretary Holmstrom described the computer printout received by the office by ETS and described the computer printout received by the office from ETS and described the standard deviation system of grading forwarded by ETS to the board for their use in determining a final grade on the examination papers. After discussing the options available to the board, Mr. Michael Hart moved and Mr. Thomas Jones seconded that the board utilize the scale allowing 1.5 standard deviations from the mean as the passing criteria and that upon the application of this scale to the computer printout information, the 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. The motion passed with member Louise Kortz abstaining.

The candidates to successfully pass the examination are as follows:

<u>Cert. No.</u>	<u>Name</u>	<u>Cert. No.</u>	<u>Name</u>
2626	Daniel R. Anderson	2652	Wayne L. Feyereisn
2627	John V. Anderson	2653	Paul E. Finn
2628	Deborah L. Armstrong	2654	John W. Geurs
2629	Margo M. Arnesen	2655	John P. Gile
2630	Debra E. Balocco	2656	Howard D. Glas
2631	Arnold E. Bates	2657	David M. Godshall
2632	Verne E. Betlach, Jr.	2658	Jeffrey D. Gordon
2633	Linda J. Blasing	2659	William G. Grammond
2634	Charles A. Bowman	2660	Barbara A. Green
2635	Mark L. Brugman	2661	Michael J. Griffin
2636	Stephen C. Buss	2662	Catherine L. Grutzik
2637	Stephen D. Cain	2663	Elaine Hampel
2638	Robert J. Carlson	2664	Rachel J. Harms
2639	Edwin M. Chang	2665	Diane M. Heaney
2640	Bradley J. Christensen	2666	Alan H. Heaton
2641	Thomas H. Clark	2667	Priscilla Hedberg
2642	Rita L. P. Cudd	2668	Roger W. Hedtke
2644	Michele N. Dahl	2669	Thomas R. Hodel
2645	Deborah A. Dean	2670	Bradley W. Holmgren
2646	Kathryn A. DeBlois	2671	Marcia L. Holth
2647	Robert C. Decker	2672	Linda K. Hruby
2648	Denise L. Delaney	2673	David B. Hydukovich
2649	Loren R. Dorstad	2674	Jerome D. Jackson
2650	Michael W. Dreis	2675	Dick A. Jacobson
2651	Mark J. Eggerichs	2676	Mary E. Januszewski

<u>Cert. No.</u>	<u>Name</u>	<u>Cert. No.</u>	<u>Name</u>
2677	Richard C. Januszewski	2725	Mark W. Pederson
2678	Carol A. Johnson	2726	Donald G. Perrin
2679	Denise G. Johnson	2727	Marcia J. Peterson
2680	Howard E. Johnson	2728	Stewart J. Peterson
2681	Kathleen A. Johnson	2729	Angeline M. Picconatto
2682	Pamela A. Johnson	2730	Eugene A. Quam
2683	William S. Johnson	2731	Thomas S. Rector
2684	Patricia B. Jones	2732	Charles W. Rehm
2685	Sheliah J. Jung	2733	Jon S. Richey
2686	Bruce G. Kaasa	2734	Richard A. Riess
2687	Eva B. Kaplan	2735	Raymond H. Rindahl
2688	Gregory R. Kessler	2736	Jeff R. Rotschaffer
2689	Charles J. Kestner	2737	Roger K. Sampson
2690	James R. Keuseman	2738	Dorothy J. Sander
2691	Cathleen E. Killeen	2739	David J. Scherman
2692	Lynn K. King	2740	Debra E. Schmidt
2693	David F. Kline	2741	Larry A. Schultz
2694	John C. Kluczny	2743	Diane Senzek
2695	Nancy A. Kolstad	2744	Joseph E. Shikonya
2696	Christopher L. Konop	2745	Michael W. Skoien
2697	Charles D. Korsch	2746	James W. Smith
2698	Kenneth R. Kramer	2747	Susan E. Smith
2699	Charles A. Lehman	2748	Linda E. Solie
2700	Woon-Lam S. Leung	2749	Judith I. Speerstra
2701	Larry W. Lindberg	2750	Donald L. Steege
2702	John Lindblom	2751	Deborah E. Swartwood
2703	Bruce R. Lindgren	2752	Ann M. Tersteeg
2704	Roxanne M. Lokkesmoe	2753	Norrie A. Thomas
2705	Timothy H. Loomis	2754	James P. Thomes
2706	Robert M. Lubke	2755	Arne Tilleson
2707	Jolynn M. Lysne	2756	Frederick S. Townroe
2708	Alan L. Mackereth	2757	James M. Vanderhoof
2709	Timothy Markson	2758	Arlyn F. Vedder
2710	Faith R. Martin	2759	Richard G. von Fischer
2711	James D. McNichols	2760	David E. Waldoch
2712	Nancy E. Milbert	2761	Mary Lou Waller
2713	Thomas E. Mio	2762	Steven J. Wasmundt
2714	Joseph M. Nadeau	2763	David M. Watson
2715	Susan J. Nehring	2764	Susan L. Weatherill
2716	Harold S. Nelson, Jr.	2765	Karen A. Weber
2717	Lyle R. Nevala	2766	Rollin E. Wiger
2718	Karen M. Nevers	2767	William B. Wilde
2719	Ann M. Nimlos	2768	Linda J. Wise
2720	Steven D. Norvet	2769	Robert L. Wood
2721	Lucinda M. Nothwehr	2770	Winifred Wu
2722	Craig W. Oberg	2771	Thomas J. Young
2723	Leon J. Paquette		
2724	Richard N. Pearson		

The motion passed.

President

Secretary

MINNESOTA BOARD OF PHARMACY

FIVE HUNDRED THIRTEENTH MEETING

December 8, 1976. At approximately 9:00 o'clock a.m., December 8, 1976, the Board met in room 335 of the Minnesota Department of Health Building, 717 Delaware Street, SE, Minneapolis, for the purpose of conducting a general business meeting. In attendance were: President Kitty Alcott, Vice President Thomas Berg, Mr. Michael Hart, Mr. Thomas Jones, Mr. Marc Frederickson, and the Board's secretary, Mr. David Holmstrom.

The minutes of the meeting of October 20 were reviewed and Mr. Marc Frederickson moved and Mr. Thomas Jones seconded that they be approved as written. The motion passed.

The Board next turned it's attention to new pharmacy applications. The first of which was submitted for the Holiday Village Pharmacy, 707 - 3rd Ave., E., in Alexandria, by Joyce A. Williams, Pharmacist-in-Charge. After carefully reviewing the application and supporting documents, Mr. Michael Hart moved and Mr. Thomas Jones seconded that the application be approved and a license be issued subsequent to the successful completion of an on-site inspection by a member of the Board's staff. The motion passed.

The next application to be considered was submitted by Mr. Ronald J. Smet for the St. Mary's Nursing Center Pharmacy, 1040 Lincoln Ave., Detroit Lakes. After thoroughly reviewing the application and discussing the two alternative sites proposed for the pharmacy within the nursing homes facility, it was the general consensus of the Board that plan #1 submitted by Mr. Smet be rejected as an alternative in that the space allowed for the pharmacy was totally inadequate and that the proposal does not allow direct supervision of or access to the cart storage area proposed for the unit dose system which will be utilized. After carefully reviewing plan #2, Mr. Michael Hart moved and Mr. Marc Frederickson seconded that in light of the facility to be served by the pharmacy, the utilization of a unit dose distribution system, and substantial compliance with the requirements of Pharmacy Regulations 7 through 11, the application be approved and a license issued subsequent to the successful completion of an on-site inspection by a member of the Board's staff. The motion passed.

The next application to be considered was submitted by Mr. James French for the Thrifty Snyder Drug at the Marshall Square Shopping Center, Marshall. After thoroughly reviewing this application and the supporting documents submitted with the application, Mr. Michael Hart moved and Mr. Marc Frederickson seconded that the application be approved and that a license be issued subsequent to the successful completion of an on-site inspection by a member of the Board's staff. The motion passed.

The Board next considered the application submitted by Mr. Robert Perlich on behalf of Federation Pharmacy, 2113 Chicago Ave., S., Minneapolis, with pharmacist Michele Dahl being designated as pharmacist-in-charge. After thoroughly discussing this application and it's supporting documents, Mr. Michael Hart moved and Mr. Thomas Berg seconded that the secretary inform Mr. Perlich that the Board will expect the Federation Pharmacy to be a full line pharmacy and not limit itself to 100 or so most widely used medications and that upon agreement for compliance with this requirement by the owner and operators of Federation Pharmacy that the application be approved and the license issued subsequent to a successful completion of an on-site inspection by a member of the Board's staff.

The next application to be considered was an application submitted by Mr. Albert F. Bot, Jr. on behalf of the Community Memorial Hospital Pharmacy, Box 488, Deer River. After reviewing this application and the supporting documents submitted with it, Mr. Thomas Berg moved and Mr. Thomas Jones seconded that the license to operate the pharmacy as described in the application and blue prints be denied at this time because of the total inadequacy of the space allocated for the pharmacy. The motion passed. Mr. Michael Hart then moved and Mr. Thomas Jones seconded that the secretary advise Mr. Bot of the alternatives available to him in providing pharmaceutical services to the Community Memorial Hospital in Deer River. These alternatives consist of:

- (1) increasing the space, equipment, and services available at the proposed pharmacy for the Community Memorial Hospital or,
- (2) obtain pharmaceutical services by purchases them from the retail pharmacy in Deer River.

Motion passed.

The Board next considered the letter and attached drawings submitted by Mr. William J. Dettweiler of Community Health Center, Inc., 4th St. at 11th Ave., Two Harbors, regarding the proposed pharmacy for that facility. After thoroughly reviewing the entire sequence of events and the current status of the Community Health Center and it's provision of pharmaceutical services, Mr. Michael Hart moved and Mr. Thomas Berg seconded that the secretary be instructed to inform Mr. Dettweiler that the space and equipment indicated in his drawing submitted on November 29 are acceptable to the Board and that the Board will grant an extension of time not to go beyond January 5, 1977 during which time a pharmacist must be obtained. The motion passed.

The Board next considered the application for internship credit for participation in the COSTEP Program submitted by Mr. Dale R. Rasmussen. After thoroughly reviewing the experiences obtained by Mr. Rasmussen as indicated in the documents submitted, and after reviewing the objectives of an internship experience as developed by the Board itself, Mr. Thomas Berg moved and Mr. Michael Hart seconded that 260 hours of internship experience be granted Mr. Rasmussen for his participation in the COSTEP program during the summer of 1976. The motion passed.

The Board next discussed the advisability and philosophy of publicizing all disciplinary actions taken by the Board on the licensure of any pharmacist or pharmacy in Minnesota. Mr. Thomas Jones moved and Mr. Michael Hart seconded that effective January 1, 1977 the Secretary publish the substance of any final orders issued by the Board in disciplinary matters in the next available issue of the Minnesota Pharmacist Magazine. The motion passed.

The Board next reviewed the recommendations of the Continuing Education Advisory Council concerning the approval of various Continuing Education programs reviewed by the Council. Mr. Michael Hart moved and Mr. Thomas Jones seconded that the programs recommended for approval by the Continuing Education Advisory Council be approved for the number of hours indicated in the Council's approval recommendations. The motion passed.

The Secretary next described for the Board the requirements of the Administrator Procedures Act as it applies to hearings on proposed rule changes and outlined the Board's options in so far as Rule 32 is concerned. After discussing this issue it was the consensus of the Board that no changes be made in the present Rule 32.

The Secretary next described for the Board a memorandum received from NABP concerning a reciprocity application by Mr. Paul F. Kramer wherein it was indicated that Mr. Kramer had been arrested and convicted of a drug related offense in Minnesota in 1974. Mr. Kramer now seeks to reciprocate his license to practice pharmacy from Ohio to Minnesota. After thoroughly discussing this issue, Mr. Michael Hart moved and Mr. Marc Frederickson seconded that the Secretary be instructed to ask NABP to send the secondary reciprocity application to the Board office and in the meantime the Secretary will investigate court records to obtain more thorough and complete information regarding the arrest record of Mr. Kramer and will contact the Board members individually with this information. A spot will be held open for Mr. Kramer in the schedule of the January reciprocity examinations and, should the circumstances surrounding the arrest and conviction of Mr. Kramer prove to be deminimus in the eyes of the Board, the Secretary will contact Mr. Kramer for completion of the secondary reciprocity application. The motion passed.

The Secretary next discussed with the Board a petition by Mr. Stephen M. Olson to retake the board licensure examination notwithstanding the fact that Mr. Olson has failed to pass the examination on three successive opportunities over the past 14 months as is required under Rule 26. Mr. Thomas Berg moved and Mr. Thomas Jones seconded that Mr. Olson be allowed to take the complete examination being offered in March of 1977. The motion passed.

At approximately 12:00 noon President Alcott dismissed the Board for lunch.

At approximately 1:30 o'clock p.m. the Board reconvened in room 335 to continue it's meeting.

At this point Mr. William F. Appel appeared before the Board to discuss with the board members his development of a unit dose distribution system. Mr. Appel demonstrated the various aspects of his system both in the hardware and software areas. The main reason for Mr. Appel's request to appear before the Board involves two questions:

- (1) Can each compartment of each small tray be considered "a container" when properly labeled and when any medications placed in this "container" are packaged in unit of use packaging with proper labeling;
- (2) Can the patient profile sheet associated with Mr. Appel's unit dose system be considered to suffice in place of the standard 4 X 6 prescription blank for non-controlled substances in the nursing home setting only?

The board took these questions under consideration and instructed the Secretary to contact Mr. Appel for additional information when the final versions of the products discussed are developed.

At approximately 2:15 o'clock p.m. Mr. Appel departed from the meeting and pharmacist James Snyder and his wife Jan appeared before the Board for an educational peer review session on prescription drug advertising.

President Alcott reviewed for Mr. Snyder the federal and state requirements for advertising of prescription drug products and indicated to Mr. Snyder that it was the Board's intent, in drawing up the wording of the present Regulation 37-k to allow informational type advertising of prescription drugs when such advertising contained all of the information necessary to meet the requirements of the Federal Food, Drug and Cosmetic Act but to discourage promotional type advertising of prescription drugs. Mr. Snyder indicated to the Board that he understood the requirements of prescription drug advertising and that he would see to it that any future advertising would be in full compliance with state and federal requirements. At approximately 2:40 o'clock p.m. Mr. and Mrs. Snyder departed from the meeting.

At approximately 2:45 o'clock p.m. Mr. Eric Berg, an attorney representing the City of Bloomington and Mr. Franz Jevne, an attorney representing Planned Parenthood of Minnesota appeared before the Board to discuss the Board's allegations of illegal dispensing of legend drugs by the various family planning agencies associated with the clients represented by the afore mentioned attorneys.

After discussing the entire matter at some length, Mr. Jevne indicated that it was his further desire to reach an agreement of sorts with the Board to obviate the need of expensive legal action. Mr. Jevne indicated that he will draft a summary of the points discussed at the meeting and will work with Secretary Holmstrom and Mr. William Miller, the Board's legal counsel regarding a stipulation or memorandum of agreement between the parties. A approximately 4:00 o'clock p.m. Mr. Berg and Mr. Jevne departed from the meeting.

Secretary Holmstrom next described for the Board the essence of the audit and investigation conducted by members of the Board's staff at Brookside Drug. The Secretary indicated that there was probable cause to believe that violations of the State and Federal Controlled Substances Act were permitted by pharmacists Charles Coe, Jerome Cracraft and Nathan Goldstone individually or in concert with eachother. Based on this probable cause finding, Mr. Michael Hart moved and Mr. Thomas Berg seconded the following resolution:

"Resolve that David E. Holmstrom, Secretary of the Minnesota 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 Mr. Charles Coe, Mr. Jerome Cracraft, Mr. Nathan Goldstone, and Brookside Drug, as well as perform any and all acts incidental thereto including the signing of the order for and notice of pre-hearing conference and hearing."

The motion passed.

The secretary next described for the Board the essence of the investigation conducted by members of the Board's staff at Uptown Pharmacy. The Secretary indicated that he had probable cause to believe that the conditions of probation placed upon the pharmacist-in-charge of Uptown Pharmacy, Mr. John Mondati, have been violated. Based on this probable cause finding, Mr. Michael Hart moved and Mr. Marc Frederickson seconded the following resolution:

"Resolve that David E. Holmstrom, Secretary of the Minnesota Board of Pharmacy, be and hereby is granted the authority and is directed to serve notice of the initiation of a contested case in the matter of Mr. John Mondati, as well as perform any and all acts incidental thereto including the signing of the order for and notice of pre-hearing conference and hearing."

The Motion passed.

The Secretary next described to the Board the essence of an audit investigation of Snyder Drug, 3001 Hennepin Ave., Minneapolis. The Secretary indicated that he had probable cause to believe that there had been a violation of the probation of pharmacist James Snyder, the owner of the pharmacy, and that there was probable cause to believe that violations of the State and Federal Controlled Substances Act have taken place at the pharmacy which is under the control and responsibility of Salah Fattah, Pharmacist-in-Charge. Based on this finding of probable cause, Mr. Marc Frederickson moved and Mr. Michael Hart seconded the following resolution:

"Resolve that David E. Holmstrom, Secretary of the Minnesota Board of Pharmacy, be and hereby is granted the authority and is directed to serve notice of the initiation of a contested case in the matter of Mr. James Snyder and Mr. Salah Fattah as well as perform any and all acts incidental thereto including the signing of the order for and notice of pre-hearing conference and hearing."

The motion passed.

The Secretary next described for the Board the essence of a report from Pharmacy Board Inspector, Merlin Beise, indicating that the pharmacy owned by Mr. Milo Peterson in Elgin, Minnesota was in a condition similar to that of one year ago in spite of the Board's every attempt to obtain and maintain the compliance by Mr. Peterson of the cleanliness and adulteration aspects of professional pharmacy practice. Secretary Holmstrom indicated that he had probable cause to believe that Mr. Peterson was acting in a unprofession manner in the conducting of his pharmacy in such a disreputable manner. Based on this probable cause finding, Mr. Michael Hart moved and Mr. Thomas Jones seconded the following resolution:

"Resolve that David E. Holmstrom, Secretary of the Minnesota Board of Pharmacy, be and hereby is granted the authority and is directed to serve notice of the initiation of a contested case in the matter of Mr. Milo Peterson, as well as perform any and all acts incidental thereto including the signing of the order for and notice of pre-hearing conference and hearing."

The motion passed.

The Board next discussed the announcement of the uniform exam dates for the administration of the NABPLEX Exam. The Board voiced it's concern that rather than setting quarterly exam dates, the uniform dates were set primarily in June and January with one date being available in October but no corresponding date in March. Based on this finding, Mr. Thomas Jones moved and Mr. Thomas Berg seconded the following resolution:

"Be it resolved that the Minnesota Board of Pharmacy go on record opposing the common exam date schedule in that there is no spring date included in the schedule and go on record requesting that quarterly dates be established so that all boards may take advantage of NABPLEX Exams.

Be it further resolved that the Minnesota Board of Pharmacy administer it's previously announced March 1977 exam whether or not a NABPLEX Exam is available for use."

Motion passed.

At approximately 5:00 o'clock p.m. President Alcott adjourned the meeting.

Kitty Alcott
President

David Holmstrom
Secretary

MINNESOTA BOARD OF PHARMACY

FIVE HUNDRED FOURTEENTH MEETING

January 11, 12, 1977. At approximately 8:00 o'clock a.m., January 11, 1977, the board met in room 105 of the Minnesota Health Department Building, 717 Delaware Street, SE, Minneapolis, Minnesota for the purpose of administering an examination in jurisprudence to 50 candidates for reciprocity to Minnesota. In attendance were: Mrs. Kitty Alcott, Mr. Thomas Berg, Mr. Michael Hart, Mr. Marcus Frederickson, Mr. Thomas Jones, and the board's secretary, Mr. David Holmstrom.

At approximately 9:00 o'clock a.m. the board divided itself into two groups of three with Mrs. Alcott, Mr. Jones, and Mr. Frederickson conducting the required oral examination in jurisprudence to one half of the candidates in room 335 of the Minnesota Health Department Building and Mr. Berg, Mr. Hart, and Mr. Holmstrom conducting the required oral examination in jurisprudence to the remaining half of the candidates in room 105 of the Minnesota Health Department Building. Each of the following candidates appeared for the oral examination in either room 335 or room 105 and is seeking reciprocity to Minnesota on the basis of their license in the state indicated.

CANDIDATE	STATE
James G. Barrett	North Dakota
Bruce M. Burckhardt	South Dakota
James O. Brown	North Dakota
Gregory L. Clausen	South Dakota
Thomas L. Kobler	Illinois
Marcia M. Lydixsen	Nevada
Stephen E. Paquin	North Dakota
Kris B. Randolph	Kentucky
Frederick B. Winter	North Dakota
David M. Angaran	Wisconsin
Mary B. Bladow	North Dakota
Duane E. Bosch	South Dakota
Barbara A. Camp	West Virginia
Richard A. Chern	Michigan
Farrell Dolan	Nebraska
Patrick W. Donnelly	North Dakota
Teresa Griffey Grandgeorge	Illinois
Pamela S. Haase	South Carolina
James D. Herrick	Wisconsin
William J. Horstman	South Dakota
John C. Jackson	Michigan
Linda S. Jenkins	Ohio
James R. Johnson	Iowa
David E. Jorgensen	North Dakota
Alan R. Jorgenson	North Dakota
Robert J. Koziol	Nebraska
James E. Krall	Indiana
Paul Kramer	Ohio
Gene E. Lassiter	Georgia
James M. Link	North Dakota
Kenneth E. Majkowski	Indiana
Alyce R. Marcovich	Iowa
James A. Marcovich	Iowa
Susan S. McHugh	New York

CANDIDATE	STATE
David J. McLean	Ohio
Thomas N. Meister	North Dakota
Charles Mihalik	Maryland
Paul D. Overcash	Illinois
Randolph R. Pitzer	North Dakota
Greig A. Rank	South Dakota
Dennis W. Rudolph	Illinois
Katherine L. Seifert	New Hampshire
Randall D. Seifert	New Hampshire
L. Charles Sendelbach	South Dakota
Rich T. Sime	Wisconsin
Diane M. Tenny	Kansas
Deborah A. Thibadeau	West Virginia
Patricia A. Vaughns	Illinois
Ann J. Wardell	Iowa
Terry G. Wiese	Mississippi

At approximately 5:00 o'clock p.m. President Alcott dismissed the board.

At approximately 9:00 o'clock a.m., January 12, 1977, the board met in room 351 of the Minnesota Department of Health Building, 717 Delaware Street, SE, Minneapolis for the purpose of conducting a general business meeting. In attendance were: President Kitty Alcott, Mr. Michael Hart, Mr. Thomas Jones, Mr. Marcus Frederickson, Mrs. Rosetta Stark, and the board's secretary, Mr. David Holmstrom.

The first order of business was the reviewal and approval of the minutes of the December 1976. Mr. Michael Hart moved and Mr. Rosetta Stark seconded that the minutes be approved as written. The motion passed.

The next order of business was the election of officers for the calendar year 1977. The first nomination was for the office of president. Mr. Michael Hart moved and Mr. Marcus Frederickson seconded that Mr. Thomas Berg be nominated for the office of president. Mr. Thomas Jones then moved that the nominations be closed. The nominations were closed and Mr. Berg was elected president by a unanimous ballot.

The next nomination was for the office of vice president. Mr. Thomas Jones moved and Mr. Marcus Frederickson seconded that Mr. Michael Hart be nominated for the office of vice president. Mr. Thomas Jones again moved that the nominations be closed. The nominations were closed and Mr. Hart was elected to the office of vice president by a unanimous ballot.

The secretary next described the policies for the existing fees charged by the board and reminded the board that while no need to increase fees was apparent at this time for calendar year 1977 the board has authorized the necessary rules changes to allow for fee increases during calendar 1978.

After discussing all of the fees to be charged by the board for 1977, Mrs. Kitty Alcott moved and Mr. Thomas Jones seconded that the following fees be adopted for the 1977 calendar year.

Assistant Pharmacist	\$ 3.	Registration Fee	\$ 25.
Pharmacist	25.	Wholesaler License	50.
Examination Fee	50.	Manufacturer License	50.
Reciprocity Fee	100.	Pharmacy License	40.

Mrs. Alcott then moved to amend the motion to indicate that these fees should remain in effect until such time as the new rules being developed by the board and which provides for certain fee changes, go into effect. Mr. Jones accepted this amendment and the motion as amended passed.

The board next discussed the application of intern Duong Cham Doan for internship credit for work experience as a pharmacist. She had obtained in her home country of Vietnam. After carefully reviewing the entire case history of Ms. Doan, Mrs. Kitty Alcott moved and Mr. Marcus Frederickson seconded that in that Ms. Doan will have completed the 520 hours of post graduate internship and has over 1,000 hours of concurrent time experience together with several years of prior experience of a pharmacist in both manufacturing and retail pharmacy in Vietnam, she be allowed to sit for the March 1977 licensure examination. The motion passed.

The secretary next discussed for the current status of the disciplinary matters that the board instigated at its last meeting. During this discussion the secretary was reminded of the desirability of having at least one board member present for all pre-hearing conferences in disciplinary matters.

Following this discussion Mr. Thomas Jones moved and Mr. Marcus Frederickson seconded that the board accept the negotiated stipulation with Mr. Jerome C. Cracraft and that the secretary be authorized to sign this stipulation on the board's behalf.

The board next discussed future meeting dates for 1977. After having tentatively established these dates, the secretary conferred with President Berg and the following dates were set for the first three quarters of 1977.

February 23, 1977	Business Meeting
March 18	Rules Hearing
March 22 - 24	Board Exam & Business Meeting
April	Open
May 21 - 25	NABP Annual Meeting
June 14 & 15	Reciprocity & Business Meeting
July 26	Business Meeting in Duluth
September 14	Business Meeting in Rochester
October 11 & 12	Board Exams
October 13 & 14	NABP District V

The Secretary next presented and described to the board the report of the Continuing Education Advisory Council recommending board accreditation for certain Continuing Education programs. After reviewing the recommendations of the CE Advisory Council, Mrs. Kitty Alcott moved and Mrs. Bosetta Stark seconded that the board approve the programs recommended for accreditation by the CEAC. The motion passed.

The Secretary next described for the board a new pharmacy application for the Melrose Clinic Pharmacy, 605 W. Main, Melrose, Minnesota, submitted by pharmacist Gary M. Anderson. After thoroughly reviewing this application, Mrs. Kitty Alcott moved and Mr. Thomas Jones seconded that the application be approved subject to an on-sight inspection by a member of the board's staff for compliance with the requirements of Pharm Reg 7 - 11. The motion passed.

The Secretary next described for the board an application to conduct Snyder's Drug Store, 23620 State Highway #7 in Shorewood, Minnesota, submitted by Mr. Wayne Chapman, pharmacist-in-charge. After thoroughly discussing and reviewing this application, Mr. Marcus Frederickson moved and Mr. Thomas Jones seconded that the application be approved subject to an on-sight inspection by a member of the board's staff for compliance with the requirements of Pharm Regs 7 through 11. The motion passed.

After a thorough review of the performance of the candidates for licensure by reciprocity, Mrs. Kitty Alcott moved and Mr. Thomas Jones seconded that having passed the jurisprudence examination and any other examination that may have been requested of them for reason, the following candidates for registration by reciprocity be granted registration on the basis of their license to practice in the state listed with their name. Motion carried.

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

<u>Certificate No.</u>	<u>Name</u>	<u>State</u>
2773	David M. Angaran	Wisconsin
2774	Mary B. Bladow	North Dakota
2775	Duane E. Bosch	South Dakota
2776	James O. Brown	North Dakota
2777	Bruce M. Burckhardt	South Dakota
2778	Richard A. Chern	Michigan
2779	Gregory L. Clausen	South Dakota
2780	Farrell Dolan	Nebraska
2781	Patrick W. Donnelly	North Dakota
2782	M. Teresa Grandgeorge	Illinois
2783	Pamela S. Haase	South Carolina
2784	James D. Herrick	Wisconsin
2785	William J. Horstman, Jr.	South Dakota
2786	John C. Jackson	Michigan
2787	Linda S. Jenkins	Ohio
2788	James R. Johnson	Iowa
2789	Robert J. Koziol	Nebraska
2790	James E. Krall	Indiana
2791	Paul Kramer	Ohio
2792	Gene E. Lassiter	Georgia
2793	Marcia M. Lydixsen	Nevada
2794	Kenneth E. Majkowski	Indiana
2795	Alyce R. Marcovich	Iowa
2796	James A. Marcovich	Iowa
2797	Susan S. McHugh	New York
2798	David J. McLean	Ohio
2799	Paul D. Overcash III	Illinois
2800	Stephen E. Paquin	North Dakota
2801	Randolph R. Pitzer	North Dakota
2802	Greig A. Rank	South Dakota
2803	Dennis W. Rudolph	Illinois
2804	Katherine L. Seifert	New Hampshire
2805	Randall D. Seifert	New Hampshire
2806	L. Charles Sendelbach	South Dakota
2807	Rick T. Sime	Wisconsin
2808	Diane M. Tenny	Kansas
2809	Deborah A. Thibodeau	West Virginia
2810	Terry G. Wiese	Mississippi
2811	Frederick B. Winter	North Dakota

Mrs. Kitty Alcott moved and Mr. Thomas Jones seconded that after a review of the application records and examinations in the cases of:

James G. Barrett
Barbara A. Camp
Alan R. Jorgenson
David E. Jorgensen
Thomas L. Kobler

James M. Link
Thomas N. Meister
Charles Mihalik
Kris B. Randolph
Patricia A. Vaughns
Ann J. Wardell

that the privilege of reciprocity be denied to them at this time. The motion passed.

At approximately 11:45 o'clock a.m. Vice President Hart adjourned the meeting.

At approximately 2:00 o'clock p.m. Mr. Nathan Goldstone and his attorney, Mr. Irving Brand and Irving Juster appeared before the board to discuss the findings of a recent investigation at Brookside Drug and to discuss the possibility of a reinstatement of Mr. Goldstone's license to practice pharmacy.

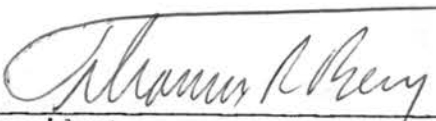
After hearing from Mr. Brand and Mr. Juster on behalf of Mr. Goldstone, Mrs. Alcott moved and Mr. Jones seconded that the board go into a brief executive session to discuss the matter.

After thoroughly discussing the investigation into the activities of Mr. Goldstone at Brookside Pharmacy and discussing the testimony of Mr. Goldstone's attorneys, Mrs. Kitty Alcott moved and Mr. Thomas Jones seconded that based on the fact that now before the board the board act to reaffirm its decision of taken at the October meeting relative to the reinstatement of Mr. Goldstone's license to practice pharmacy. The motion passed.

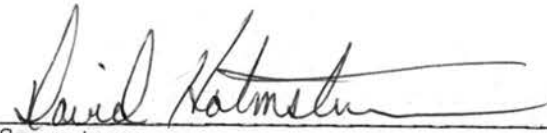
Mr. Thomas Jones then moved and Mrs. Kitty Alcott seconded that the board amend its position of October 26, 1976 regarding the necessity for Mr. Goldstone to prepare and maintain a perpetual inventory of all controlled substances to require Mr. Goldstone to prepare and maintain a perpetual inventory dealing only with: 1. all Schedule II controlled substances; 2. all Schedule III substances except Codeine containing cough syrup; 3. and Schedule IV controlled substances of Chlordiazepoxide, Diazepam, Flurazepam, and Meprobamate. The motion passed.

Mr. Thomas Jones then moved and Mr. Marcus Frederickson seconded that the Secretary, Mr. Holmstrom be and hereby is authorized to prepare and sign a stipulation on behalf of the board in the Goldstone matter which stipulation shall include all of the points set forth in the board's decisions of October 26, 1976 and January 12, 1977.

At this time Mr. Goldstone and his attorneys re-entered the room and were apprised of the board's decision. After thanking the board for their consideration in this matter, Mr. Goldstone and his attorneys departed from the meeting.



President



Secretary

MINNESOTA BOARD OF PHARMACY
FIVE HUNDRED FIFTHTEENTH MEETING

February 23, 1977. At Approximately 9:15 o'clock a.m., February 23, 1977, the board met in room 305 of the Minnesota Department of Health Building, 717 Delaware Street, SE, Minneapolis, Minnesota, for the purpose of conducting a business meeting. In attendance were: Mr. Thomas Berg, Mr. Michael Hart, Mr. Marcus Frederickson, Mrs. Louise Kortz, and the board's secretary, Mr. David Holmstrom.

The board first reviewed the minutes of the January meeting with Mrs. Louise Kortz pointing out a typographical error on page 5 wherein the fourth paragraph the words "recent statement" should read "reinstatement". Mr. Thomas Berg also pointed out that on page 3 the June reciprocity meeting date should read June 14 and 15, not 7 and 8. Mr. Marcus Frederickson then moved and Mr. Michael Hart seconded that the minutes of the meeting of January 12 be approved as amended. The motion passed.

The board next turned its attention to new pharmacy applications of which there was only one. Mr. Michael Hart moved and Mrs. Louise Kortz seconded that the application by Mr. Robert Green to operate the Thrifty Snyder Drug, 3rd & Main, Winona, Minnesota, be granted preliminary approval subject to a on-sight inspection by a member of the board's staff to ascertain compliance with the requirements of Pharm 7 through 11. The motion passed.

The board next turned its attention to a request by Ms. Diane Mary Owen (formerly Diane Mary Munson) for a duplicate certificate to be issued in her maiden name in that her current certificate has become obsolete due to a name change by court order. Mr. Michael Hart moved and Mrs. Louise Kortz seconded that a duplicate certificate be issued for Ms. Owen.

The secretary next explained to the board a contact which he has received from the College of Pharmacy inquiring about the possibility of his taking part in a teaching of the Pharmaceutical Jurisprudence course at the college. Mr. Holmstrom indicated to the board that there was concern both on his part and on the part of the college that any possible conflict of interest questions be cleared up prior to his assuming such a responsibility. After a general discussion of the entire matter, Mr. Michael Hart moved and Mr. Marcus Frederickson seconded that the board recommend Secretary Holmstrom to the college as an instructor for the Pharmacy Jurisprudence course and that there is no conflict of interest problem in Secretary Holmstrom's involvement in the teaching of such a course in that Secretary Holmstrom is no longer involved in the preparing of the jurisprudence examination used as part of the pharmacist licensure exam.

At this point, President Berg digressed from the printed agenda momentarily to establish a time and place for meeting with the subcommittee consisting of himself, Louise Kortz, and Secretary Holmstrom to prepare the practical examination of the March board. The practical examination subcommittee will meet in Rochester at St. Marys Hospital on the morning of March 10.

Secretary Holmstrom next presented to the board an update and status report of the various pieces of legislation making their way through the committees and the subcommittees of the state legislature which affect or are of interest to the board.

The Secretary next informed the board of a program being prepared by Mr. Richard Wexler for presentation to all of the members and executive secretaries of the various health licensing boards on the afternoon of March 25. Mr. Wexler's presentation will involve a review for the various board members of the duties and responsibilities associated with being a board member.

Secretary Holmstrom next described for the board the progress being made by the board's continuing education advisory council in its charge of development of a bylevel approach to continuing education reporting. The Secretary also presented to the board a list of programs and their sponsors which have been reviewed by the continuing education advisory council subcommittees and are being recommended to the board for approval as accepted courses. After reviewing the list of courses presented, Mrs. Louise Kortz moved and Mr. Marcus Frederickson seconded that the list be approved. The motion passed.

At this time Mr. John M. Broeker and Mr. John Formo representing Mr. John Mondati and the Uptown Pharmacy, appeared before the board to discuss a possible settlement of the contested case presently involving Mr. John Mondati and the Uptown Pharmacy being pursued by the board. After a lengthy discussion of the issues involved in the John Mondati matter, Mrs. Louise Kortz moved and Mr. Marcus Frederickson seconded that:

1. Mr. Michael Hart, Secretary Holmstrom and Mr. William Miller, Board Attorney, meet with Mr. John Broeker, Mr. John Formo, and Mr. John Mondati to develop the specific wording of a stipulation that will resolve the issue without the need of a formal hearing.
2. that the board authorize Mr. William Miller to file a document of delegation of authority with the Secretary of State's Office should this be necessary.
3. that Secretary Holmstrom be authorized to sign the completed stipulation on behalf of the board when it is finalized and is acceptable to the parties involved.

The motion passed.

The Secretary next described for the board the accomplishment of Mrs. Alice Hummer, Assistant Secretary for Administrative Affairs, and recommended that the board consider Mrs. Hummer as the recipient of a achievement award granting her a one step increase in salary effective March 2, 1977. Mr. Michael Hart then moved and Mrs. Louise Kortz seconded that the achievement award and one step increase for Mrs. Hummer be unanimously approved. The motion passed.

The Secretary next described for the board the background of Ms. Renae Huff and her request to be allowed to take the March 1977 licensure examination. After some discussion of Ms. Huff's previous performance at board examinations, Mr. Marcus Frederickson moved and Mr. Michael Hart seconded that Ms. Renae Huff be allowed to participate in the full examination to be given by the board on March 22 and 23, 1977. The motion passed.

The Secretary next described for the board his interviews with Mr. John Stecklein and Mr. E. Gary Goselyn regarding their employment as consultants to aid the board in the development of an updated version of the internship competency examination. After a thorough review of the qualifications of both Mr. Stecklein and Goselyn, Mr. Michael Hart moved and Mrs. Louise Kortz seconded that Dr. Stecklein be hired as the board's Test and Measurement Consultant and that Secretary Holmstrom meet with Dr. Stecklein to complete the necessary paperwork as soon as possible. The motion passed.

At approximately 12:00 o'clock noon President Berg dismissed the board for lunch.

At approximately 1:30 o'clock p.m. the board reconvened in room 305 for the continuation of its meeting.

The first item on the afternoon agenda was an appearance by Mr. James Herrick, Director of Pharmacy Services for United Hospitals in St. Paul. Mr. Herrick was appearing at the meeting to discuss the use of pharmacy technicians and in particular the "tech check" system in operation at Miller Hospital in St. Paul. This system had been reviewed by board member Michael Hart and Secretary Holmstrom shortly after the board's January meeting and during a conversation with Mr. Herrick on February 3, 1977 Secretary Holmstrom informed Mr. Herrick that the board consider the "tech check" system to be in opposition to the board's regulations and unit dose dispensing system guidelines. Mr. Herrick indicated to the board that a one hundred per cent pharmacist check system is currently in operation at St. Luke's Division of United Hospitals and in approximately three years when a new facility combining both Miller and St. Lukes Hospital is in operation a one hundred per cent pharmacist check system will be utilized. Mr. Herrick requested that the board not require them to institute a pharmacist check system at Miller Hospital for the interim period in spite of the fact that it is estimated to involve only two hours of pharmacist time per day.

After a thorough and lengthy discussion of the issues involved in the tech check system at Miller Hospital, Mrs. Louise Kortz moved and Mr. Michael Hart seconded that Secretary Holmstrom inform Mr. Herrick and Miller Hospital that they must institute a pharmacist check system of unit dose dispensing immediately and must verify the implementation of this system in writing to the board. The motion passed.

At this time pharmacist James Snyder together with his wife and his attorney appeared before the board to discuss the possible settlement of the contested case pending against the pharmacist license of Mr. Snyder and the pharmacy license of Snyder Drug.

Mr. Irving Brand, Mr. Snyder's attorney, generally discussed the issues involved and requested the board to dismiss the charges through a stipulation agreement and cited the good faith effort by the Snyder's in rectifying the controlled substance recordkeeping shortcomings that were the basis of the charges against Mr. Snyder, the allegations by Mr. Snyder that the recordkeeping deficiencies were the fault of the then pharmacist-in-charge, Mr. Joseph Hoffman, and the completely new pharmacy staff at Snyder Drug and the completely new recordkeeping procedures that are being installed.

After some discussion of the entire matter, Mr. Michael Hart moved and Mrs. Louis Kortz seconded that the complaint against Mr. Snyder be dismissed and that Secretary Holmstrom and Attorney Miller draft the appropriate order of dismissal. The motion passed.

Secretary Holmstrom next indicated to the Board that certain information has come into his possession that leads him to believe that there is probable cause to believe that a violation of pharmacy laws or regulations has occurred at the Peterson Drug of Moose Lake, Minnesota and that Mr. Wayne Harold Peterson and Mr. Ronald Edward Peterson are responsible for the violations.

Upon receiving this information, Mr. Michael Hart moved and Mrs. Louise Kortz seconded the following resolution:

"Resolve that David E. Holmstrom, Secretary of the Minnesota Board of Pharmacy, be and hereby is granted the authority to and is directed to serve Notice of the Initiation of a Contested Case in the Matter of Mr. Wayne Harold Peterson and Mr. Ronald Edward Peterson and the Peterson Drug Company of Moose Lake, Minnesota as well as perform any and all acts incidental, thereto, including the signing of the Order for and Notice of Prehearing Conference and Hearing."

The motion passed.

At this time the Secretary described for the Board a recent meeting which he and board member Kitty Alcott attended together with representatives of the Pharmacy Association, the Board of Nursing, the Nursing Association, the Medical Association, Planned Parenthood of Minnesota, Bloomington Health Department, the Minnesota State Legislature, and various individual physicians, nurses, and nurse practitioners pursuant to a request by a representative of the Bloomington Health Department. The object of the meeting was to develop a piece of legislation that would allow the various family planning clinics throughout the state to legally dispense oral contraceptive medications without utilizing a physician or pharmacist in the dispensing procedures as is currently required by law.

Secretary Holmstrom described to the Board the message carried to the Board by legislative researcher Steve Jackson on behalf of Representative James Swanson, legislator from Richfield, in which the Board was very strongly urged to request an attorney general's opinion as to the interpretation of Minnesota Statutes 151.37, Subd. 2. A general discussion of the value of an attorney general's opinion ensued and it was noted that an attorney general's opinion is of little value unless the parties of interest in the opinion can agree to abide by the opinion and can agree on how the question to the attorney general should be phrased. It was noted by members of the public present at today's meeting and representing the Minnesota Pharmaceutical Association, the Family Planning Advisory Task Force to the Board of Health, and the Bloomington Health Department's Family Planning Service at this time that it did not appear that the current differences of opinion between the board and the various family planning clinics throughout the state as to the correct interpretation of MS 151.37, Subd. 2 was such that there could be agreement on the question and agreement to abide by the attorney general's opinion.

Mr. Howard Juni, member of the public representing the Family Planning Advisory Task Force to the Department of Health, requested an agreement by the Board to institute a moratorium on pursuing its legal rights and obligations in the Family Planning matter for at least one year so that a committee similar to the one described earlier by Secretary Holmstrom could have time to develop appropriate legislation for introduction in 1978. Members of the Board pointed out to Mr. Juni that such a moratorium was granted by the Board some six months ago to allow members of Planned Parenthood of St. Paul and related organizations to prepare such legislation for introduction of 1977.

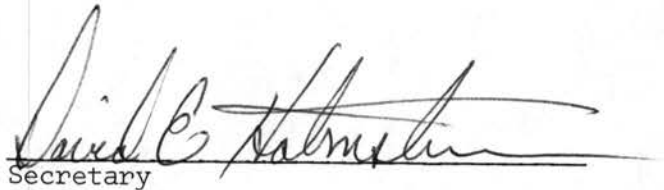
After considerable discussion of the issues involved, Secretary Holmstrom described to the Board the options that it appeared to have. These options were:

1. Agree to a moratorium of:
 - a) one year - which would allow time to develop legislation for 1978,
 - b) one month - which would allow time for the multifaceted committee described above to meet again to develop legislation for introduction in 1977.
2. Request an attorney general's opinion of the interpretation of MS 151.37, Sub. 2.

3. Push its rights to a court determination of the legality of the dispensing practice currently being utilized by the various family planning clinics.

Mr. Michael Hart then moved and Mr. Marcus Frederickson seconded that the Board take no further action on any family planning matters until its next (March) meeting which will give the multifaceted committee a chance to develop appropriate legislation for introduction in the 1977 legislative session. The motion passed.

At approximately 4:45 o'clock p.m. President Berg dismissed the meeting.


Secretary


President

MINNESOTA BOARD OF PHARMACY
FIVE HUNDRED SIXTEENTH MEETING

March 21 - 24, 1977. At approximately 8:00 o'clock p.m., March 21, 1977, members of the board met at the Rodeway Motor Hotel in Bloomington, Minnesota, for the purpose of reviewing and preparing for the examination to be conducted by the board on March 22 and 23. The board reviewed the practical examination in prescription compounding, family records, and jurisprudence. Members present were: President Thomas Berg, Mr. Marcus Frederickson and the Board's Secretary Mr. David Holmstrom.

At approximately 8:00 o'clock am, March 22, 1977, the board met at the College of Pharmacy at the University of Minnesota for the purpose of administering a practical examination in prescription compounding and family records and written examinations in jurisprudence and the practice of pharmacy. Members present were: President Thomas Berg, Vice President Michael Hart, Mr. Thomas Jones, Mr. Marcus Frederickson, Mr. Louise Kortz, and the board's secretary, Mr. David Holmstrom.

The following candidates, who have met all of the necessary requirements and who have presented properly executed applications, were present to write the examinations in the above subjects:

Peter M. Anderson
Kenneth L. Berger
Michael H. Cain
Peter A. Czajka
Duong C. Doan
James D. Enkers
Lee R. Fedders
Chrystyna Z. Frydrych
Valerie Halverson
Diane M. Horvath
Rena J. Huff
Robert R. Johansen
Jeffrey E. Josephs
George E. Jossell
David C. Kohler
Jeffrey S. Langer
Dwight A. Lindberg

Connie M. Lof
Cheryl M. Lundahl
Carol A. Masica
Gregg N. Pederson
Paul D. Pelanek
Charles D. Peterson
Roderic G. Schanilec
Geoffrey A. Schnelle
Thomas L. Thompson
Thomas F. Thurlow
Kenneth H. Twit
Patricia A. Vandehey
Roderick L. Voge
Gary B. Winter
Gregory J. Wolf
Janie P. Wolf
Michael G. Wolfgram

The following full board retake candidates were also present to write the practical examination:

Mary Bratlie
Jocelyn I. Evenson
Richard C. Jackson

Robert J. Keller
Stephen M. Olsen

The following practical retake candidates were also present to write the practical examination:

Denis D. Nelson

Duane D. Pins

At approximately 8:00 o'clock a.m., March 23, 1977, the board met in room 325, Science Classroom Building at the University of Minnesota, for the purpose of administering a written examination in pharmacy, chemistry, math, and pharmacology. Members present were: President Thomas Berg, Vice President Michael Hart, Mr. Thomas Jones, Mr. Marcus Frederickson, Mrs. Louise Kortz, and the board's secretary, Mr. David Holmstrom. The examination lasted the entire day. The candidates who were present for the practical examination given yesterday were also present today to write the written examination with the exception of the practical examination retake candidates.

The following written retake candidates were also present to write the written sections of the examination: Wendy J. Kuzel and Gary F. Wehrwein.

Following the days examinations the board adjourned to the Rodeway Motor Hotel and spent the evening grading the examinations.

At approximately 9:00 o'clock a.m., March 24, 1977, the board reconvened in room 335 of the Minnesota Department of Health Building for the purpose of conducting a business meeting. Members present were: President Thomas Berg, Vice President Michael Hart, Mr. Thomas Jones, Mr. Marcus Frederickson, Mrs. Louise Kortz, Mrs. Rosetta Stark, and the board's secretary, Mr. David Holmstrom.

The board first reviewed the minutes of the February meeting with Mrs. Louise Kortz pointing out a typographical error on page 1 in the fifth paragraph where the word "but" should read "that". Mr. Michael Hart then moved and Mrs. Louise Kortz seconded that the minutes of the meeting of February 23 be approved as amended. The motion passed.

The board next turned its attention to new pharmacy applications of which there were four. After reviewing the application and blueprints submitted, Mr. Michael Hart moved and Mr. Thomas Jones seconded that the application by Mr. Keith Pearson to operate the Gibson Pharmacy, 13th Ave., & 25th St., Hibbing, Minnesota, be granted preliminary approval subject to an on-site inspection by a member of the board's staff to ascertain compliance with the requirements of Pharm 7 - 11. The motion passed.

After reviewing the application and blueprints submitted, Mrs. Louise Kortz moved and Mrs. Rosetta Stark seconded that the application by Mr. Richard W. Petty to operate the Medicine Shoppe, 418 3rd Ave., E., Alexandria, Minnesota, be granted preliminary approval subject to an on-site inspection by a member of the board's staff to ascertain compliance with the requirements of Pharm 7 - 11. The motion passed.

The board next reviewed a letter and hand drawing of a pharmacy proposed by Mr. Gary Abbott of Belgrade, Minnesota. After some discussion of this informal application, Mr. Thomas Jones moved and Mr. Michael Hart seconded that the secretary inform Mr. Abbott that he must show a minimum of 400 square feet that can be secured and supervised by the pharmacist. If Mr. Abbott can demonstrate to the board a proposal to meet minimum security requirements and compliance with all of the requirements in Pharm 7 - 11, the board will consider a formal application. The motion passed.

The board next heard the secretary describe a request that the board reconsider its previous decision regarding a licensed on-site pharmacy for Community Memorial Hospital in Deer River, Minnesota. The board had previously denied an application from Mr. Wilbert Ott to operate a part time pharmacy at the Community Memorial Hospital in Deer River in that the proposed pharmacy area contain less than 80 square feet of space. The board considered this area to be totally inadequate for the provision of quality pharmacy services to the hospital. Mr. David McClure, Administrator of the hospital, contacted Mr. Holmstrom and requested that the board reconsider the application. Subsequent to this request, the secretary now places the application

before the board. After considerable discussion of the provision of pharmacy services to the Community Memorial Hospital and to small hospitals in general, Mr. Michael Hart moved and Mrs. Rosetta Stark seconded that the license be denied on the basis of the total inadequacy of the space allowed for the proposed pharmacy when compared with the 400 square foot minimum requirement and that the secretary be instructed to indicate to Mr. Ott and Mr. McClure that while the board is cognizant of the fact that it has the authority to waive the 400 square foot requirement and of the fact that the Community Memorial Hospital in Deer River contains only approximately 20 beds, the board feels that the space proposed for the pharmacy was not adequate to allow the provision of reasonable professional services to the hospital and that the secretary further indicate that the board recommends the establishment of an off-premises pharmacy which could be operated by Mr. Ott from his community pharmacy which would allow him adequate space and facilities and would allow him in affect to provide eight hour service per day to the hospital. The motion passed.

The board next turned its attention to a request by Mr. John Charles Burns for a duplicate Certificate in that his had been damaged in the process of moving from one pharmacy to another. Mr. Marcus Frederickson moved and Mr. Thomas Jones seconded that a duplicate certificate be issued to Mr. John C. Burns on the basis of his application. The motion passed.

The board next considered a letter from Mr. Keith S. Kjelland petitioning the board to allow him to seek licensure in Minnesota through reciprocity. In the fall of 1973 Mr. Kjelland took the Minnesota Board examination and failed to obtain a passing score. Mr. Kjelland indicated that while he realizes that it has been a long standing board policy to deny reciprocity to an individual who has failed in a previous attempt to gain licensure through participation in the complete board examination he nonetheless requests the board to depart from this long standing position and allow him to participate in the reciprocity examination. After some discussion Mr. Marcus Frederickson moved and Mrs. Rosetta seconded that the secretary inform Mr. Kjelland that he will not be deemed eligible to reciprocate to Minnesota and that if he desires licensure in this state, he will be required to again take part in the complete board examination. The motion passed with members Hart and Jones abstaining.

The secretary next described for the board a notice he has received from the Minnesota State Pharmaceutical Association indicating that the board of directors of that association felt that the December meeting of representatives of the Board of Pharmacy, College of Pharmacy, and MSPhA was a worthwhile opportunity to share ideas and coordinate pharmacy activities within the state and accordingly at President Scherman's recommendation, the MSPhA Board of Directors has authorized an invitation to be extended to representatives of the board and the college to meet with representatives of MSPhA during the day of May 4. After some brief discussion of the proposed meeting date, the board members requested the secretary to contact the Minnesota State Pharmaceutical Association and indicate that the date of May 4 would be acceptable to the board for such a meeting.

The board next discussed generally the public hearing on proposed rules which it held on Friday, March 18 and discussed the need for an all day meeting to consider and revise the proposed rules governing hospital and nursing home practice and unit dose systems. It was suggested by Mr. Jones that a two day meeting in April would be appropriate in that the first day could be spent reviewing rules changes and the second day could be spent in a business meeting. The dates of April 21 and 22 were selected and Mr. Jones volunteered to make arrangements for meeting rooms at the Lafayette Club in Minnetonka.

The board next embarked on a lengthy and many faceted discussion of the Drug Product Selection Act and the problems associated with gaining compliance by manufacturers of human legend drug products pursuant to the provisions of the act which require distributors of human use legend drugs to indicate the identity of the manufacturer of the finished form upon the label. The board recognizes that there is widespread non-compliance by manufacturers of this requirement but recognizes also that there is a difficult problem in enforcing the provisions of the act which allow embargoing of such misbranded products. The board is concerned that the public health and the law enforcement aspects involved here are at odds regarding an embargo and indicated that they will need to study the entire issue in greater detail before taking any definitive action.

At approximately 11:45 a.m. President Berg dismissed the board for lunch.

At approximately 1:15 o'clock p.m. the board reconvened in room 335 for the continuation of its meeting. The board's attorney, Mr. William Miller, joined the board for its deliberation during this session.

Mr. Miller first presented to the board a proposed stipulation in the matter of the suspension or revocation of the pharmacist license of Mr. John Mondati and the pharmacy license of Uptown Pharmacy. After reviewing the proposed stipulation, Mr. Michael Hart moved and Mr. Marcus Frederickson seconded that the secretary and Mr. Miller present the proposed stipulation to Mr. Mondati and his attorneys in settlement of the contested case matter.

Mr. Miller next presented to the board a copy of the Order for Notice of Prehearing Conference and Hearing he has prepared in the matter of the suspension or revocation of the pharmacist license of Wayne H. Peterson and Ronald E. Peterson and the pharmacy license of Peterson Drug. No action was necessary on these documents by the board.

Secretary next indicated to the board that certain information has come into his possession that leads him to believe that there is probable cause to believe that there is probable cause to believe that a violation of pharmacy laws or regulations has occurred at the Cloquet Coop Pharmacy of Cloquet, Minnesota and that pharmacist Glen Berg is responsible for the violations.

Upon receiving this information, Mr. Marcus Frederickson moved and Mr. Michael Hart seconded the following resolution:

"Resolve that David E. Holmstrom, Secretary of the Minnesota Board of Pharmacy, be and hereby is granted the authority to and is directed to serve notice of the initiation of a contested case in the matter of Glen Berg and the Cloquet Coop Pharmacy of Cloquet, Minnesota, as well as perform any and all acts incidental, thereto, including the signing of the Order for and Notice of Prehearing Conference and Hearing."

The motion passed.

Secretary Holmstrom next indicated to the board that certain information has come into his possession that leads him to believe that there is probable cause to believe that a violation of pharmacy laws or regulations has occurred at the Berg Drug in Grandmeadow, Minnesota, and that Mr. Bernard J. Berg is responsible for the violation.

Upon receiving this information, Mr Michael Hart moved and Mr. Marcus Frederickson seconded the following resolution:

"Resolve that David E. Holmstrom, Secretary of the Minnesota Board of Pharmacy, be and hereby is granted the authority to and is directed to serve notice of the initiation of a contested case in the matter of Bernard J. Berg and the Berg Drug in Grandmeadow, Minnesota, as well as perform any and all acts incidental, thereto, including the signing of the Order for and Notice of Prehearing Conference and Hearing."

The motion passed.

Board member Frederickson next asked that the board discuss an advertisement prepared by Walgreen Drug that appeared recently in Duluth. After some considerable discussion, Mr. Frederickson moved that the secretary write to the district manager of Walgreen's informing them of the board's position regarding the acceptability of providing prescription price information to the public but reiterating its position that the promotion of prescription drugs was not condoned by the board and that the use of the terms "cut-rate", "discount", "bargain", or terms of similar connotation in connection with drugs requiring a prescription or for pharmaceutical services related thereto is included within the meaning of public promotion. Mr. Michael Hart seconded the motion and the motion passed.

The secretary next described to the board a message carried to the board by Legislative Researcher Steve Jackson, on his own behalf and on behalf of Rep. James Swanson, a state legislature from Richfield. Secretary Holmstrom indicated that in a recent meeting with Mr. Jackson he had been asked to ask the board if it will refrain from pursuing court action in the family planning controversy in light of the pharmacy and nursing associations planned study of the entire realm of nurse dispensing. Mr. Jackson indicated that if the board would be willing to refrain from pursuing its right of court redress in what it considers to be the illegal dispensing of legend drugs by the various family planning agencies, he would in turn request that Rep. Swanson not introduce proposed legislation that would make legal what is currently being done at the family planning agencies. Mr. Jackson further indicated to Secretary Holmstrom that if the board should insist on pursuing its legal remedies, he would suggest that Rep. Swanson immediately introduce the proposed legislation.

After a considerable discussion on the entire issue surrounding the family planning agencies and their alleged illegal dispensing practices as well as the meetings planned by the pharmacy and nursing associations to resolve the whole issue of nurse dispensing, Mr. Michael Hart moved and Mr. Marcus Frederickson seconded that the board refrain from pursuing court action in the family planning clinic matter pending resolution of the larger issue of nurse dispensing through the meetings of the nursing and pharmacy associations. The motion passed.

Mr. Miller, the board's attorney, next reported to the board that he has received a report from the Office of Hearing Examiners regarding the matter of the suspension or revocation of the license of Mr. Charles Coe. Mr. Miller indicated that no action was needed on the part of the board at this time but that final action on the hearing examiners report should be scheduled for the April meeting.

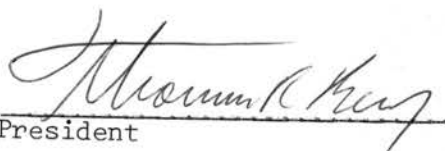
The board's secretary next discussed with the board a letter received from Mr. Michael Seifert, a Minnesota registered pharmacist currently residing in Iowa. Mr. Seifert's 1977 license to practice pharmacy in Minnesota has not been sent to him in that he has not applied the requisite 25 hours of continuing education credit in approved programs. After discussing the issue, Mr. Michael Hart moved and Mr. Thomas Jones seconded that the secretary be requested to write to Mr. Seifert and inform him that if he wishes to utilize the programs he attended in Iowa in meeting the Minnesota requirements, he must submit information on those programs to the Continuing Education Advisory Council via the standard CE program approval form. The motion passed.

The secretary next presented to the board a list of pharmacists who have failed to renew their licenses to practice for the preceeding two years and who by statute are now to be dropped permanently from the roles. After reviewing the list of pharmacists submitted to the board, Mr. Michael Hart moved and Mrs. Louise Kortz seconded that the pharmacists whose names appear on the list appended to these minutes be dropped from the roster of pharmacists in good standing with the board. The motion passed.

The secretary next discussed with the board a proposal to utilize microfilm to store certain information now stored on paper in the board office. The secretary further described to the board the funds available in the board's budget to make possible this project and the advantages to the office staff of having additional work space made available to them. Mrs. Louise Kortz then moved and Mr. Michael Hart seconded that the secretary be authorized to proceed with the microfilm project. The motion passed.

At approximately 3:45 o'clock p.m. President Berg dismissed the meeting.

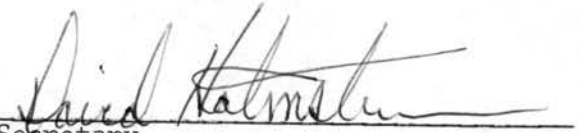

Secretary


President

MINNESOTA BOARD OF PHARMACY

INSTRUCTIONAL SEMINAR FOR MEMBERS OF ALL HEALTH LICENSING BOARDS

At approximately 1:00 o'clock p.m., March 25, 1977, board members Thomas Berg, Michael Hart, Thomas Jones, Marcus Frederickson, Louise Kortz, and Rosetta Stark together with the board's secretary, David Holmstrom, attended a seminar addressing the responsibilities and authorities of board members and licensing boards prepared and produced by the members of the Attorney General's staff assigned to the Department of Health and the various health licensing boards and put on for all of the ten health licensing boards now housed in the Department of Health Building. The seminar was approximately four hours in length and was held in the board room of the Minnesota Department of Health Building.


Secretary

MINNESOTA BOARD OF PHARMACY

FIVE HUNDRED SEVENTEENTH MEETING

At approximately 9:30 o'clock a.m., April 21, 1977, the board met in Room 300 of the Lafayette Club at Crystal Bay, Minnesota, for the purpose of spending the day developing new rules and regulations pertaining to hospital pharmacy, nursing home pharmacy and unit dose systems. Present were: President Thomas Berg, Mr. Michael Hart, Mr. Marcus Frederickson, Mr. Thomas Jones, Mrs. Kitty Alcott, Mrs. Louise Kortz and the board's secretary, Mr. David Homstrom.

The board worked on redrafting the rules referred to above for the entire day, finally adjourning at approximately 6:00 o'clock p.m.

At approximately 9:30 o'clock a.m., April 22, 1977, the board reconvened in Room 300 of the Lafayette Club for the purpose of conducting a general business meeting. Present at this meeting were: President Thomas Berg, Mr. Michael Hart, Mr. Marcus Frederickson, Mr. Thomas Jones, Mrs. Kitty Alcott, Mrs. Louise Kortz, and the board's secretary, Mr. David Homstrom.

The first item of the agenda was a reviewal of the minutes of the March 21st to the 24th meeting. A typographical error on page 3 in the spelling of Earl Schwerman's was pointed out to the secretary and an addendum to the paragraph describing the discussion of the Drug Product Selection Act should be added indicating that board counsel, William G. Miller, proposed that he look into the possibility of utilizing a "show cause" hearing through the Attorney General's Office in order to gain compliance from the drug manufacturers. This "show cause" hearing would call on the manufacturers to show cause why their non-compliant packaging should not be declared to be misbranded and thus embargoed. With these amendments pointed out, Mrs. Kitty Alcott moved and Mr. Thomas Jones seconded that the minutes of the meeting of March 21 - 24 be approved as amended. The motion passed.

The board next turned its attention to grading of the March examinations and Secretary Holmstrom described for the board its options under the computerized grading system available from ETS. After some discussion of a general background nature regarding the use of standard deviations, Mrs. Louise Kortz moved and Mr. Michael Hart seconded that the board utilize 1.5 standard deviations from the mean as the criteria for grading the March examinations. The motion passed. With this criteria established, Mrs. Kitty Alcott moved and Mr. Marcus Frederickson seconded that the candidate who received a general average of 75% or better, not less than 75% in the practical examination, and not less than 60% in any one written subject, be granted registration as pharmacists. The motion passed.

The candidates to successfully pass the examination are as follows:

<u>Cert No.</u>	<u>Name</u>	<u>Cert No.</u>	<u>Name</u>
2812	Peter M. Andersen	2825	George E. Jossell
2813	Kenneth L. Berger	2826	Robert J. Keller
2814	Mary L. Bratlie	2827	David C. Kohler
2815	Michael H. Cain	2828	Jeffrey S. Langer
2816	Duong Cham Doan	2829	Cheryl M. Lundahl
2817	James D. Enkers	2830	Carol A. Masica
2818	Jocelyn I. Evenson	2831	Denis D. Nelson
2819	Lee R. Fedders	2832	Stephen M. Olsen
2820	Chrystyna Z. Frydrych	2833	Gregg N. Pederson
2821	Valerie J. Halverson	2834	Paul D. Pelanek
2822	Diane M. Horvath	2835	Charles D. Peterson
2823	Richard C. Jackson	2836	Duane D. Pins
2824	Jeffrey E. Josephs	2837	Roderic G. Schanilec

<u>Cert No.</u>	<u>Name</u>	<u>Cert No.</u>	<u>Name</u>
2838	Geoffrey A. Schnelle	2842	Patricia A. Vandehey
2839	Thomas L. Thompson	2843	Roderick L. Voge
2840	Thomas F. Thurlow	2844	Gary F. Wehrwein
2841	Kenneth H. Twit	2845	Michael G. Wolfgram

The secretary next described for the board the uniform examination dates set by NABP and ETS for utilization of the NABPLEX exam and related to the board the discussions that he and board members Berg and Kortz had relative to the continuance of the wet practical examination. Considerable discussion followed regarding the logistics difficulties attendant with the administration of a wet lab exam as well as the usefulness of the NABPLEX written lab exam in determining laboratory proficiency as compared to the proficiencies demonstrated by an actual "hands on" experience. Mrs. Louise Kortz then moved that in view of the fact that the written practical has been shown to accurately test competency in laboratory performance that the board eliminate the "wet" portion of the laboratory examination for the October board examination. Mr. Marcus Frederickson seconded. Board member Alcott then asked for a role call vote. The voting was as follows:

Michael Hart	- No	Louise Kortz	- Yes
Thomas Jones	- No	Marcus Frederickson	- Yes
Kitty Alcott	- No		

The motion failed.

At this point board member Kitty Alcott observed that the vote was only a vote on the philosophy surrounding the use of a "wet" laboratory examination and that the board may yet find it best to eliminate the wet laboratory portion of the October exam due to a logistics problem.

Secretary Holmstrom observed that the May 4 meeting scheduled for the board, the college of pharmacy, and the State Pharmaceutical Association might be an appropriate forum in which to discuss this issue.

Mrs. Kitty Alcott then moved that the board prepare a resolution to present to NABP at the annual meeting in late May regarding the establishment of a common March examination date for 1978 if in discussions with the college and the Association a January examination date is found to be not acceptable. Mr. Marcus Frederickson seconded the motion. The motion passed with board member Louise Kortz voting in opposition.

The board next discussed the NABP annual meeting scheduled for May 20 through the 25 in St. Louis. The board requested that the secretary prepare the appropriate documents to apply for out state travel status for board members Thomas Berg, Michael Hart, Thomas Jones, Kitty Alcott, and Louise Kortz as well as for himself for the purpose of attending the NABP annual meeting. The secretary was also requested to make arrangements with the hotel which will be used as convention headquarters in St. Louis so that the basic hotel costs will be charged directly to the board office.

The board next reviewed a substantial list of continuing education programs approved by the Continuing Education Advisory Council and recommended to the board for its approval. Mrs. Kitty Alcott moved and Mr. Michael Hart seconded that the continuing education courses recommended for approval or disapproval by the Continuing Education Advisory Council be likewise approved or disapproved by the board. The motion passed.

The board next discussed an application by pharmacist James D. Wahl of Menomonie, Wisconsin, for a duplicate license certificate in that Mr. Wahl's certificate was lost in a remodeling project at his pharmacy. Mrs. Kitty Alcott moved and Mr. Thomas Jones seconded that the duplicate certificate be issued to Mr. Wahl. The motion passed.

The secretary next described to the board a letter from Ms. Mary K. Volk, Coordinator of the Health Manpower Information System for the Minnesota Department of Health in which she inquired about the board's continued participation in the Health Manpower Information Systems questionnaire that has been made a part of the license renewal form for the past couple of years. After some discussion, Mrs. Kitty Alcott moved and Mr. Michael Hart seconded that the board once again participate in Health Manpower Information System Questionnaire but requested that the secretary make sure the pharmacists of the state are informed that their participation in this manpower information gathering is strictly voluntary. The motion passed.

The secretary next presented to the board the report from the hearing examiner relative to the matter of the suspension or revocation of the pharmacists license of one Charles L. Coe. A prehearing conference and hearing have both been held relative to this matter and the report of the hearing examiner indicates that the facts are as presented by the board, that these facts indicate violations of the laws and regulations pertaining to the practice of pharmacy in Minnesota and as such constitute unprofessional practice, and recommend that the pharmacist license of Mr. Charles L. Coe be suspended, revoked or not renewed. Mr. Michael Hart then moved and Mr. Thomas Jones seconded that the pharmacist license of Mr. Charles L. Coe be permanently revoked. After some discussion on the motion, Mr. Hart, with the consent of Mr. Jones, withdrew his motion. Mr. Hart then moved and Mr. Jones again seconded that the pharmacist licence of Mr. Charles L. Coe be suspended indefinitely and that the suspension not be lifted until Mr. Coe has successfully completed a drug abuse treatment program and/or psychiatric treatment and has submitted to the board satisfactory evidence from psychiatrists, psychiatric social workers, or physicians indicating that his personal drug involvement is at an end and that he is deemed, in the eyes of these professionals, to be capable of safely handling various drugs of abuse in day to day pharmacy practice without danger of renewed personal involvement or danger to the public. The motion passed.

At approximately 1:30 o'clock p.m. President Berg adjourned the board for lunch.

At approximately 3:00 o'clock p.m. the board reconvened in Room 335 of the Minnesota Department of Health Building, 717 Delaware Street, SE, for the purpose of receiving a stipulation as to the facts and a proposed remedy in the matter of the suspension or revocation of the pharmacists license of Mr. Wayne Peterson and Mr. Ron Peterson and the Peterson Drug of Moose Lake, Minnesota. Both Mr. Wayne Peterson and Mr. Ron Peterson and their attorney, Mr. John Durfee, were present at this meeting. After receiving and reviewing the stipulation and listening to the presentation by Mr. Durfee as to a remedy in this matter, Mr. Kitty Alcott moved and Mr. Thomas Jones seconded that the board briefly go into executive session to discuss a possible remedy in this matter. The motion passed and the board adjourned to a brief executive session to discuss the issue with its attorney, Mr. William G. Miller.

Upon returning to general session and upon the return of the Peterson's and Mr. Durfee, Mrs. Kitty Alcott moved and Mr. Michael Hart seconded that as to a findings of fact, the board accept and adopt the stipulated facts as being the true facts in this matter. The motion passed.

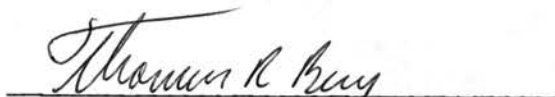
As to the conclusion of law, Mrs. Louise Kortz moved and Mr. Michael Hart seconded that the facts as presented in the stipulation will present violations of laws or regulations of the state or its political subdivisions involving the practice of pharmacy and as such are unprofessional conduct under Pharm Reg 37(h). The motion passed.

As to a remedy, Mrs. Kitty Alcott moved and Mr. Michael Hart seconded that the pharmacist's licenses of Ronald E. Peterson and Wayne H. Peterson each be suspended for a three month period beginning May 15, 1977, that the action against Peterson Drug of Moose Lake, Minnesota be dismissed and that the various other items in the proposal made to the board by Mr. Durfee be accepted and be set out in a order of suspension. The motion passed. (A complete copy of the order of suspension is appended hereto.

The board next discussed a list of approximately 200 pharmacists whose license to practice was issued in 1976 but who has either not submitted a license renewal application for 1977 or have submitted a renewal application with insufficient numbers of continuing education credits appended thereto. After some discussion with the board's legal counsel, Mr. Miller, as to its options in this matter, the board directed Secretary Holmstrom and Mr. Miller to prepare appropriate warning notices to the various categories of pharmacists whose licenses to practice have not been renewed informing them that they are not to practice pharmacy in Minnesota until such time as a license renewal has been issued to them and to report back to the board regarding these notices at the next meeting.

At approximately 5:00 o'clock p.m. President Berg dismissed the meeting.


Secretary


President

MINNESOTA BOARD OF PHARMACY
FIVE HUNDRED EIGHTEENTH MEETING

At approximately 5:30 o'clock p.m., May 23, 1977, the board met in a meeting room of Stouffer's River Front Towers Hotel in St. Louis, Missouri for the purpose of conducting a brief business meeting. This meeting was held after the daily program for May 23 of the annual meeting of the National Association of Boards of Pharmacy. Board members in attendance at the five day (May 21 - 25) NABP Meeting, and in attendance at this business meeting were: President Thomas Berg, Vice President Michael Hart, Mr. Thomas Jones, Mrs. Kitty Alcott, Mrs. Louise Kortz, Mrs. Rosetta Stark and the board's secretary, Mr. David Holmstrom.

The board first discussed the minutes of the meeting of April 21 and 22, 1977 wherein Mrs. Alcott pointed out that a position taken by Mr. Michael Hart during the discussion of the examination dates for the 1977 - 1978 testing year was not included in the minutes. The fourth full paragraph of page two of the minutes dealing with the discussion taking place on the examination dates for the coming year should reflect the fact that Mr. Hart wondered whether the March exam date currently in use by the board was mandatory or whether a January date would suffice just as well. It was observed during this discussion that most of the candidates who graduated in June will be eligible for the September exam and if they are not eligible for the examination in September due to some deficiency in internship, the deficiency is generally minor and can be remedied in most cases by the time of the proposed January uniform testing date. With this amendment to the minutes of the April meeting, Mrs. Louise Kortz moved and Mr. Michael Hart seconded that the minutes be approved as amended. The motion passed.

The next item to come before the board is an application to conduct a hospital pharmacy at the Deer River Community Hospital. After reviewing this latest application, and comparing it to the previously rejected applications for this pharmacy Mrs. Kitty Alcott moved and Mrs. Louise Kortz seconded that the application by Mr. Wilbur Ott to conduct the Deer River Community Hospital Pharmacy be approved subject to the successful completion of an on-sight inspection by a member of the board's staff. The motion passed.

The board next turned its attention to an application by Ms. Jacqueline Clark to operate the JC Clark Pharmacy in Minneapolis, Minnesota. After thoroughly reviewing the plans and application for conducting this pharmacy, Mr. Michael Hart moved and Mrs. Kitty Alcott seconded that the application to conduct the JC Clark Pharmacy submitted by Ms. Clark be approved subject to the successful completion of an on-sight inspection by a member of the board's staff. The motion passed.

The board next turned its attention to an application to conduct the Family Drug in Luverne, Minnesota submitted by Mr. Dean A. Sieperda. After reviewing this application and blueprints for the pharmacy, Mr. Thomas Jones moved and Mrs. Louise Kortz seconded that the application by Mr. Sieperda to conduct the Family Drug in Luverne, Minnesota be approved subject to the successful completion of an on-sight inspection by a member of the board's staff.

The secretary next presented to the board an advertisement that appeared in a paper distributed in Shakopee, Minnesota wherein Mr. James Snyder, owner of Snyder Drug in Shakopee, ran an ad addressed to Strunk Pharmacy customers indicating that Strunk Pharmacy prescription could be filled at Snyder Drug. The secretary indicating that it was his impression that such an ad was misleading to the individuals seeing the ad in that, while Strunk Pharmacy is contemplating closing its doors, it is still open for business and further that prescriptions from Strunk Pharmacy may not be filled by Snyder Drug without first contacting the physician

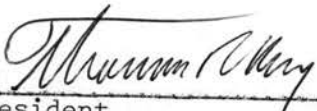
and complying with other legal requirements. There was no indication made in the advertisement that any of these legal requirements needed to be met before the prescription could be dispensed. After some discussion of this matter, Mrs. Kitty Alcott moved and Mr. Michael Hart seconded that the secretary be instructed to issue a letter of reprimand and to Mr. James Snyder, owner of Snyder Drug in Shakopee and to the pharmacist-in-charge of this pharmacy. The motion passed.

The secretary next discussed with the board the matter of Ms. Wendy Kuzel. In September of 1976 Ms. Kuzel failed to obtain an overall average of 75% on the full board examination and was informed by the office that she would be required to retake the entire examination. Through a misinterpretation of this letter Ms. Kuzel, whose score in the laboratory portion of the examination was over the 75% minimum requirement, applied for and through an oversight by the office staff was allowed to take only the written portion of the March examination. Ms. Kuzel now contends that she should be granted licensure in that by utilizing her September laboratory grade together with her March written grade, her overall average comes to 76%. Secretary Holmstrom pointed out to the board that the laboratory portion of the September exam was weighted to equal 50% of the entire grade while the laboratory portion of the March exam was weighted to equal 33 1/3% of the entire grade. Secretary Holmstrom pointed out that even assuming that Ms. Kuzel could utilize the grade from her laboratory exam of September, the difference in weighting of the entire laboratory portion would result in an overall average for Ms. Kuzel on the March exam of 73% not 76% as postulated by Ms. Kuzel. The secretary also pointed out that all of the discussion regarding the weighting of the examination grade is moot in that Ms. Kuzel should have retaken the entire examination in March in the first place. After some brief additional discussion of the matter, Mrs. Kitty Alcott moved and Mr. Michael Hart seconded that Ms. Kuzel be informed that she will be required to retake the entire examination at its next offering. The motion passed.

The secretary next presented to the board a compilation of continuing education programs reviewed by the CE Advisory Committee and recommended to the board for either approval or disapproval as is indicated on the list. After reviewing the recommendations of the CE Advisory Committee, Mrs. Kitty Alcott moved and Mrs. Louis Kortz seconded that the CE programs recommended for approval be approved and that the CE programs recommended for rejection be rejected by the board. The motion passed.

The secretary next described to the board his efforts in contacting all of the pharmacist on the lists presented to the board at its April meeting indicating the pharmacists who had not submitted license renewal applications or sufficient continuing education credits. The secretary brought this to the board's attention for informational purposes only and no action was taken by the board.

At approximately 7:00 o'clock p.m. President Berg dismissed the meeting.



President



Secretary

MINNESOTA BOARD OF PHARMACY

FIVE HUNDRED NINETEENTH MEETING

June 14, 15, 1977. At approximately 8:00 o'clock a.m., June 14, 1977 the board met in room 150 of Appleby Hall on the University of Minnesota Campus for the purpose of administering a written examination in jurisprudence to 44 candidates for reciprocity to Minnesota. In attendance were: Mr. Michael Hart, Mr. Marcus Frederickson, Mr. Thomas Jones, Mrs. Louise Kortz, Mrs. Kitty Alcott, and the board's secretary, Mr. David Holmstrom.

At approximately 9:00 o'clock a.m. the board divided itself into two groups of three with Mrs. Alcott, Mr. Frederickson, and Mrs. Kortz, conducting the required oral examination in jurisprudence to one half of the candidates in room 335 of the Minnesota Department of Health Building and Mr. Hart, Mr. Jones, and Mr. Holmstrom conducting the required oral examination in jurisprudence to the remaining half of the candidates in room 408 of the Minnesota Department of Health Building. Each of the following candidates appeared for the oral examination in either room 335 or in room 408 and is seeking reciprocity to Minnesota on the basis of their license in the state indicated.

CANDIDATE	STATE
Judith M. Anderson	Nebraska
Marlen L. Bergman	South Dakota
Barbara A. Camp	West Virginia
Rodney A. Carter	Iowa
Richard J. Creger	Nebraska
Dan L. Dowling	Iowa
Dale K. Eads	South Dakota
Bruce Erickson	North Dakota
Ricci M. Giese	Wisconsin
Lanny V. Gower	Maryland
Larry S. Grigg	Wisconsin
Kimberly C. Heintzman	South Dakota
Gerald L. D. Hoffmann	North Dakota
Carol J. Jermstad	Wisconsin
Raymond L. Jermstad	Wisconsin
David E. Jorgensen	North Dakota
Alan R. Jorgenson	North Dakota
Charles A. Judd	Indiana
Craig W. Juntti	Michigan
William J. Kennelly	North Dakota
Richard L. Kingston	New Mexico
Thomas L. Kobler	Illinois
Craig A. Lapham	North Dakota
Robert A. Lapinski	North Dakota
Lois J. Lauring	Colorado
Gale T. Leshner	Illinois
James M. Link	North Dakota
Anne M. MacDonald	Iowa
Laren G. Meadows	North Dakota
Thomas N. Meister	North Dakota

CANDIDATE	STATE
Daniel J. Moudry	Nebraska
Donald M. Mrozla	North Dakota
Darrell W. Pelikan	Wisconsin
Wanda M. Roden	North Dakota
Kathleen C. Skau	Ohio
Henry A. Thorstenson	North Dakota
Sally G. Tichota	South Dakota
James B. Toohey	Ohio
Grant A. Torfin	Idaho
Nancy L. Tountas	Maryland
John P. VanEeckhout	North Dakota
Patricia A. Vaughns	Illinois
Timothy S. Walker	North Dakota
Anne J. Wardell	Iowa

At approximately 4:45 o'clock p.m. the Vice-President Hart dismissed the board.

At approximately 9:00 o'clock a.m., June 15, 1977, the board met in room 335 of the Minnesota Department of Health Building, 717 Delaware Street, SE, Minneapolis for the purpose of conducting a general business meeting. In attendance were: Vice-President Michael Hart, Mr. Marcus Frederickson, Mr. Thomas Jones, Mrs. Louise Kortz, Mrs. Rosetta Stark, Mrs. Kitty Alcott, and the board's secretary, Mr. David Holmstrom.

The first order of business was the reviewal and approval of the minutes of the May, 1977 meeting. Mr. Tom Jones moved and Mrs. Rosetta Stark seconded that the minutes be approved as written. The motion passed.

The next order of business was the reviewal of new pharmacy applications. The board first discussed an application by Richard Beezley to conduct the Target Pharmacy at 810 West County Road 42 in Burnsville, Minnesota 55337. After thoroughly reviewing this application Mr. Mark Frederickson moved and Mrs. Louise Kortz seconded that the application be approved subject to an on-site inspection by a member of the board's staff for compliance with the requirements of Pharm Regs 7 through 11. The motion passed.

The board next reviewed an application to conduct Jerry's Drug, 4827 124th Street West, Savage, Minnesota submitted by Mr. Gerald Gallob. After thoroughly reviewing this application Mr. Mark Frederickson moved and Mrs. Louise Kortz seconded that the application be approved subject to an on-site inspection by a member of the board's staff to assure compliance with the requirements of Pharm Regs 7 through 11. The motion passed.

The board next reviewed an application submitted by Mr. Eugene Snyder to operate the Snyder Brothers Drug at 2100 Silver Lake Road, New Brighton, Minnesota. After thoroughly reviewing this application Mr. Mark Frederickson moved and Mrs. Louise Kortz seconded that the application be approved subject to an on-site inspection by a member of the board's staff to assure compliance with the requirements of Pharm Regs 7 through 11. The motion passed.

The board next entered into a discussion of the problems caused the board and the board's staff by last minute submissions of new pharmacy applications. Many pharmacists submit applications to conduct new pharmacies to the board the day before or even the day of a board meeting and by so doing do not allow the board's staff or board members sufficient time to review the document before being asked to act upon them. Additionally, many pharmacists until a week or two before the planned opening to submit the documents to the board with an urgent request for immediate action. After some discussion of the above points Mr. Tom Jones moved and Mrs. Rosetta Stark seconded that the board only consider new pharmacy applications received in the board office two weeks before the regularly scheduled meetings. Mrs. Kitty Alcott then offered a friendly amendment which was accepted by Mr. Jones and Mrs. Stark that a "new pharmacy applications" section always be included on the agendas even if there are none. The motion passed.

At this time Mr. Bernard J. Berg and his attorney, Mr. Mark Helland, appeared before the board to present a stipulation as to the facts and a proposed remedy in the matter of the suspension or revocation of Mr. Berg's licensed practice pharmacy. After receiving and reviewing the stipulation and listening to the presentation by Mr. Helland as to a remedy in this matter, the board went briefly into executive session to discuss a remedy.

On returning to general session and upon the return of Mr. Berg and Mr. Helland, Mr. Mark Frederickson moved and Mrs. Louise Kortz seconded that as to a finding of fact, the board accept and adopt the stipulated facts as being the true facts in this matter. The motion passed.

As to the conclusion of law, Mr. Frederickson moved and Mrs. Kortz seconded that the facts as presented in the stipulation will present violations of laws or regulations of the state or of its political subdivisions involving the practice of pharmacy and as such are unprofessional conduct under Pharm Reg 37H. The motion passed. As to a remedy, Mr. Frederickson moved and Mrs. Louise Kortz seconded that the pharmacist license of Mr. Bernard J. Berg be suspended for a three month period with one month of suspension actually being served beginning July 15, 1977 and two months of the suspension being stayed pending the successful completion of a two year probationary period to begin on July 15, 1977. If no further violations of a similar matter occur during such two year period then at the end of two years the complaint against Mr. Berg will be dismissed. The motion passed. (A complete copy of the order of suspension is appended hereto.)

The secretary next described to the board the essence of an investigation of the Prescription Shoppe in Lakefield, Minnesota which has lead him to believe that there is probable cause that a violation of pharmacy board laws and regulations has occurred at the Prescription Shoppe and that pharmacists Douglas Dempster and Kenneth Pomeranke have committed such violations. Mrs. Louise Kortz then moved and Mrs. Kitty Alcott seconded the following resolution:

"Resolve that David E. Holmstrom, Secretary of the Minnesota Board of Pharmacy, be and hereby is granted the authority to and is directed to serve notice of the initiation of a contested case in the matter of Mr. Douglas Dempster and Mr. Kenneth Pomeranke and the Prescription Shoppe in Lakefield, Minnesota

as well as perform any and all acts incidental to there to including the signing of the order for and notice of prehearing conference and hearing."

The motion passed.

The secretary and Vice-President Hart next described to the remainder of the board the proposals submitted to the board by the Continuing Education Advisory Council. After discussing the recommendations of the CE Advisory Committee both as to the accreditation of programs reviewed by the committee and as to the committees recommendations on a bi-level approach to program credentialing, Mrs. Kitty Alcott moved and Mr. Mark Frederickson seconded that the Continuing Education Program's that recommended for approval by the committee be so approved. The motion passed. Mrs. Louise Kortz then moved and Mr. Mark Frederickson seconded that the board accept and adopt the recommendations of the CE Advisory Committee and that such recommendations be included in the next rules hearing conducted by the board. Mrs. Kitty Alcott then moved and Mrs. Rosetta Stark seconded that the motion be amended to include a starting date for implementation of the bi-level approach and that that starting date be March 1, 1979. The amendment passed and the motion passed.

The board next entered into a rather lengthy discussion of the most recent draft of the proposed changes to the pharmacy rule pertaining to hospitals, nursing homes, unit dose systems, and other areas. After making several minor changes in the latest draft of these proposed rules the board passed the following resolution:

"Resolved, that David E. Holmstrom, Secretary of the Minnesota Board of Pharmacy, be and hereby is granted the authority and is directed to call a hearing for the purpose of promulgating rules of the board of pharmacy relating to various topics as well as preform any and all acts incidental thereto, including, without being limited to, that of signing an order for hearing and notice of hearing as well as completing the documents necessary for securing the appointment of a hearing examiner for all hearings."

At this point Mr. William Miller, the boards attorney, joined the meeting and discussed for the board the law suit which was just recently filed against the board by the Professional Employee Pharmacist of Minnesota Organization. This law suit takes issue with the boards licensure of the Hennepin County Methadone Rehab Center Pharmacy.

The board next discussed a petition from Mr. Alvin Tengvall for a duplicate license. Mr. Tengvall indicates that his original license certificate was damaged in a fire and he, through this petition, requests a duplicate certificate. Mrs. Kitty Arcott moved and Mr. Mark Frederickson seconded that such a duplicate certificate be issued to Mr. Tengvall. Motion passed.

The secretary next described to the board the notice that he has received regarding the District #5 NABP Meeting to be held in Sioux Falls, South Dakota on Thursday and Friday, October 13 and 14. The board discussed the time frame this meeting in relation to its plan to conduct the fall board examination on October 11 and 12. A consensus seems to be reached that the board members would, through the utilization of a car pool, drive to the meeting in Sioux Falls.

Page 5.

The board next discussed the establishment of meeting dates for the coming year. The following dates were tentatively selected for the board examinations and board meetings.

July 26 - Business Meeting-Duluth
September 14 - Business Meeting-Rochester
October 11 & 12 - Board Examination
October 13 & 14 - District 5 NABP
November 16 - Business Meeting-Minneapolis
December - Open
January 10 - Reciprocity Examination
January 11 - Business Meeting
February 15 - Business Meeting
March 21 & 22 - Board Examination
March 23 - Business Meeting
April 19 - Business Meeting synchronized
 with NABP Annual Meeting
May 17 - Business Meeting
June 13 - Reciprocity Examination
June 14 - Business Meeting

Secretary Holmstrom next presented to the board a progress report and recommendation for a one step increase for board inspector Merlin Beise. Mrs. Kitty Alcott moved and Mr. Tom Jones seconded that a one step increase be granted for Mr. Beise. The motion passed.

The secretary next presented to the board a memorandum from the Department of Personnel indicating that unclassified personal such as the Executive Secretary position was eligible for a cost of living increase. Mr. Mark Frederickson moved and Mr. Tom Jones seconded that a cost of living increase in conformance with personal recommendations be granted Secretary Holmstrom. The motion passed.

The board next embarked on a rather lengthy discussion of the hearing examiners report on the proposed rules for which a public hearing was held on March 16. After discussing the amendments to the proposed rules suggested by the hearing examiner, Mrs. Kitty Alcott moved and Mrs. Rosetta Stark seconded the following Resolution:

"Resolved, that the rules relating to Pharmacy Practice, License fees and Continuing Education identified as Pharm 1-120 which were considered at a public hearing held on the 18th day of March, 1977, are found to be reasonable, necessary and supported by the evidence contained in the record, and are hereby approved and adopted, pursuant to authority vested in the Board of Pharmacy by Minn. Stat. 151 and 152 and that David E. Holmstrom

Executive Secretary of the Board, be and hereby is authorized to sign an order adopting those rules.

Be it further resolved that the Report of Hearing Examiner relating to this matter be and hereby is expressly adopted by the Board as its own."

Motion passed.

After a thorough review of the performance of the candidates for licensure by reciprocity, Mrs. Kitty Alcott moved and Mr. Thomas Jones seconded that having passed the jurisprudence examination and any other examination that may have been requested of them for reason, the following candidates for registration by reciprocity be granted registration on the basis of their license to practice in the state listed with their name. Motion carried.

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

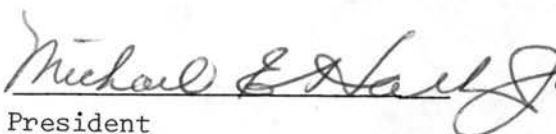
<u>CERTIFICATE NO.</u>	<u>NAME</u>	<u>STATE</u>
2846	Judith M. Andersen	Nebraska
2847	Marlen L. Bergman	South Dakota
2848	Barbara A. Camp	West Virginia
2849	Richard J. Creger	Nebraska
2850	Dale K. Eads	South Dakota
2851	Bruce Erickson	North Dakota
2852	Ricci M. Giese	Wisconsin
2853	Lanny V. Gower	North Dakota
2854	Larry S. Grigg	Wisconsin
2855	Kimberly C. Heintzman	South Dakota
2856	Gerald L. D. Hoffmann	North Dakota
2857	Carol J. Jermstad	Wisconsin
2858	Raymond L. Jermstad	Wisconsin
2859	David E. Jorgensen	North Dakota
2860	Charles A. Judd	Indiana
2861	Craig W. Juntti	Michigan
2862	William J. Kennelly	North Dakota
2863	Richard L. Kingston	New Mexico
2864	Craig A. Lapham	North Dakota
2865	Lois J. Lauring	Colorado
2866	Gale T. Leshner	Illinois
2867	James M. Link	North Dakota
2868	Anne M. MacDonald	Iowa
2869	Thomas N. Meister	North Dakota
2870	Daniel J. Moudry	Nebraska
2871	Donald M. Mrozla	North Dakota
2872	Darrell W. Pelikan	Wisconsin
2873	Wanda M. Roden	North Dakota
2874	Kathleen C. Skau	Ohio
2875	Sally G. Tichota	South Dakota
2876	John P. VanEeckhout	North Dakota
2877	Patricia A. Vaughns	Illinois
2878	Timothy S. Walker	North Dakota
2879	Anne J. Wardell	Iowa

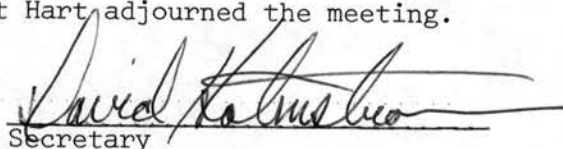
Mrs. Kitty Alcott moved and Mr. Thomas Jones seconded that after a review of the application records and examinations in the cases of:

Rodney A. Carter	Laren G. Meadows
Dan L. Dowling	Henry A. Thorstenson
Alan Jorgenson	James B. Toohey
Thomas Kobler	Grant A. Torfin
Robert Lapinski	Nancy L. Tountas

that the privilege of reciprocity be denied to them at this time. The motion passed.

At approx. 5:00 o'clock p.m. Vice-President Hart adjourned the meeting.


President


Secretary

Vice President

MINNESOTA BOARD OF PHARMACY

FIVE HUNDRED TWENTIETH MEETING

July 26, 1977. At approximately 9:00 a.m., July 26, 1977 the board met in the Explorer Room of the Radisson Duluth Hotel for the purpose of conducting a general business meeting. In attendance were: Mr. Tom Berg, President, Mr. Michael Hart, Vice President, Mr. Thomas Jones, Mr. Mark Frederickson, Mrs. Louise Kortz, Mrs. Kitty Alcott, and the Board's Secretary, Mr. David Holmstrom.

As the first order of business, Mrs. Kitty Alcott moved and Mr. Mark Frederickson seconded that the minutes of the meeting of June 14 & 15 be approved as written. The motion passed.

At this point Mrs. Kitty Alcott moved and Mr. Tom Jones seconded that whenever the Board conducts a meeting outside of the Minneapolis Metropolitan Area the local press and pharmacists be notified of such meeting. During discussion of this motion Secretary Holmstrom indicated that the dates and places of all of the Board's meetings are published in the "Health's Happenings" newsletter sent out on a regular basis through the Department of Health. The question was called for and the motion passed.

At this point Secretary Holmstrom indicated that he had finally received notice from the Governor through the Secretary of States office that Mrs. Kitty Alcott had been reappointed to the Board for a term beginning June 30, 1977 as a member of the Board. Mrs. Alcott's previous term expired on the first Monday in January, 1977. President Berg then officially welcomed Mrs. Alcott back into the Board's membership.

The Board next took up the new pharmacy applications submitted to it since its last meeting. The first application reviewed by the Board was that submitted by Robert Patnode for the Medicine Shoppe, 408 South 6th Street, Brainerd, Minnesota. After reviewing this application Mrs. Louise Kortz moved and Mr. Mike Hart seconded that the application submitted by Mr. Patnode be granted preliminary approval subject to an on-site inspection by a member of the Board's staff for compliance with the requirements of Pharmacy Board regulations 7-11.

The next application reviewed was that submitted by Mr. Patrick W. Cunningham for the Professional Pharmacy, 313 South Mill Street, Fergus Falls, MN. After reviewing this application Mrs. Louise Kortz moved and Mr. Mike Hart seconded that the application submitted by Mr. Cunningham be granted preliminary approval subject to an on-site inspection by a member of the Board's staff for compliance with Pharmacy Board regulations 7-11 and subject to the receipt of the required \$40.00 fee.

The next application reviewed was that submitted by Mr. Marvin Tokach for White Mart Pharmacy, Lumberjack Mall, Cloquet, MN. After reviewing this application Mrs. Louise Kortz moved and Mr. Mark Hart seconded that the application submitted by Mr. Tokach be granted preliminary approval subject to an on-site inspection by a member of the Board's staff for compliance with Pharmacy Board regulations 7-11.

The final new pharmacy application reviewed was that submitted by Mr. Kent Olson for Snyder Drug Store, 3010 Penn Ave. North, Minneapolis, MN. After reviewing this application Mrs. Louise Kortz moved and Mr. Mike Hart seconded that the application submitted by Mr. Olson be granted preliminary approval subject to an on-site inspection by a member of the Board's staff for compliance with Pharmacy Board regulations 7-11.

The Secretary next presented to the Board the recommendations of the CE Advisory Council with regard to the Continuing Education Programs it has reviewed for approval. Mrs. Kitty Alcott then moved and Mrs. Louise Kortz seconded that the Secretary submit to the CE Advisory Committee a program approval form requesting Continuing Education Credit for the appropriate sections of the NABP Annual Meeting held this spring in St. Louis. Motion passed.

Upon reviewing the programs recommended for disapproval by the CEAC Mrs. Kitty Alcott moved and Mrs. Louise Kortz seconded that the Secretary be instructed to send the American Cancer Society program entitled "Learning to Live with Cancer" back to the CE Advisory Committee for reconsideration. The motion passed.

Mr. Mike Hart then moved and Mr. Mark Frederickson seconded that the Board accept the CE Advisory Committees recommendation regarding the remaining CE Programs reviewed by it and submitted to the Board. Motion passed.

Secretary Holmstrom next informed the Board of his recent trip to Jackson and Lakefield, Minnesota to attempt to reach a stipulated settlement in the matter of the suspension or revocation of the licenses of Mr. Douglas Dempster and Mr. Kenneth Pomeranke. The Secretary informed the Board that the negotiations with Mr. Dempster had fallen through and that Mr. Dempster was looking forward to going to a full hearing in the matter, a hearing which is scheduled for August 2. After some discussion as to the appropriateness of settling by stipulated agreement with one party and going to hearing with another party, both parties of which are co-equally involved in the Board's alligations, Mrs. Kitty Alcott moved and Mr. Mike Hart seconded that the Board not accept the proposed stipulation negotiated by Secretary Holmstrom and Attorney Miller with Mr. Pomeranke and his attorney and that the Secretary be instructed to place the Pomeranke matter on for hearing on August 2 along with Mr. Dempster. The motion passed.

Secretary Holmstrom next described to the Board a letter he recently received from Dr. John Andrews, acting chief of the Communicable Disease Section of the Minnesota Department of Health, shortly before Dr. Andrews left employment with the Department. The letter indicated that the Department of Health was directly involved in the distribution of certain antituberculosis drugs directly to physicians and patients within Minnesota and informed the Board that upon his leaving the Minnesota Department of Health the contact person in the department would be Ms. Allain Hankey. After a brief discussion Mr. Mark Frederickson moved and Mrs. Louise Kortz seconded that the Secretary be instructed to submit a letter regarding the Health Department involvement in drug dispensing to the investigative unit of the Attorney General's office requesting a full investigation into the Departments activities. The motion passed.

Secretary Holmstrom next presented to the Board a question posed by intern Robert Navarro regarding the applicability of time spent at Hennepin County Medical Center Pharmacy as a medication assistant in meeting the 500 hour "traditional" internship requirement for those in the Pharm D program at the College of Pharmacy who will be granted 1000 hours of internship experience for participation in the Pharm D Clinic Rotations. After considerable discussion Mrs. Kitty Alcott moved and Mr. Mike Hart seconded that not more than 100 hours of experience as a medication administration technician be credited toward the 500 hour "traditional" internship requirement placed on Pharm D graduate intern. The motion passed.

The Secretary next presented to the Board the letter from Mr. Richard Manthei regarding the possibility of the reinstatement of his pharmacist license which he had allowed to lapse. Secretary Holmstrom described for the Board the Statutory Sections applicable to reinstatement of pharmacist licenses and Mrs. Alcott recalled the past history of such reinstatements. Mr. Mark Frederickson then moved and Mr. Tom Jones seconded that the Board deny registration to Mr. Manthei unless he successfully completes the licensure examination. Mrs. Kitty Alcott then moved and Mr. Mike Hart seconded a substitute motion. The substitute motion would indicate that problems of this nature would be decided by the Board on an individual basis after a thorough review of the circumstances surrounding the lapse of the license in question and the activities of the individual involved since the lapse. The Board then first voted to substitute Mrs. Alcott's motion for Mr. Frederickson's motion and the motion passed with Mr. Frederickson voting in opposition. The Board then voted on the new motion and the new motion passed with Mr. Frederickson again voting in opposition.

Mr. Mike Hart then moved and Mr. Tom Jones seconded that the Secretary be instructed to contact Mr. Manthei and obtain more information regarding his employment activities and the circumstances surrounding his licensure lapse and present it to the Board at the next appropriate meeting. Motion passed.

At approximately 12:00 noon President Berg dismissed the Board for lunch.

Upon returning from lunch the Board reopened discussion on its proposed hospital, nursing home, and unit dose rules.

The Board first took up Pharm 42 which is the proposed unit dose regulations. After discussing the proposals and the proposed changes Mrs. Kitty Alcott moved and Mr. Mike Hart seconded that the proposed Pharm 42 be approved as amended. The motion passed.

The Board next took up the rules proposed for Pharmaceutical Services to Nursing Homes. Mr. Tom Jones moved and Mr. Mike Hart seconded that the proposed Pharm 76 be deleted in its entirety. The motion passed. Mrs. Kitty Alcott then moved and Mr. Mark Frederickson seconded that the rules proposed as Chapter 6 dealing with pharmaceutical services to nursing homes be approved as amended. Motion passed.

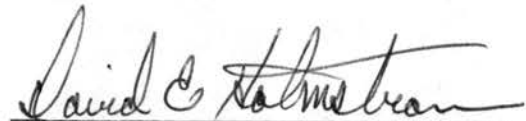
The Board next took up the proposed rules for the provision of Pharmaceutical Services to Hospitals. Mrs. Louise Kortz moved and Mr. Mike Hart seconded that the words "State Long-Term Care Facilities" be stricken from the heading of the Chapter dealing with Pharmaceutical Services to Hospitals. The motion passed. Mr. Mike Hart then moved and Mr. Tom Jones seconded that the Board adopt Chapter 7, proposed rules dealing with the provision of Pharmaceutical Services to Hospitals as amended. The motion passed.

Mr. Mike Hart then moved and Mr. Tom Jones seconded that in Pharm 36 dealing with the use of supportive personnel a paragraph identical to the paragraph found in the hospital rules section allowing pharmacists in charge to petition for use of ratios other than that specified in the rules be included but that the ratio of support of personnel to pharmacists responsible for their supervision remain at one-to-one in Pharm 36. The motion passed with Board member Alcott voting in opposition and Board member Frederickson abstaining.

Secretary Holmstrom then described to the Board the need for re-aligning the fees charged for reinstatement of licenses which have been under suspension or revocation to conform to the fee increases approved in the previous rules revision. Mr. Mike Hart then moved and Mrs. Louise Kortz seconded that the Secretary be instructed to prepare the appropriate rules changes, raising the reinstatement fee from its present \$25.00 to \$35.00.

The Secretary next indicated to the Board the necessity to increase the fees for the preparation of duplicate certificates and for the preparation of Certificate of Rating which are at present too low to recover actual costs. Mrs. Kitty Alcott then moved and Mr. Tom Jones seconded that the Secretary be instructed to prepare the appropriate rules and amendments to increase the fees charged for duplicate certificates from the present \$5.00 to \$15.00 and that the fee charged for preparing certificates of rating be raised from the present \$5.00 to \$10.00. The motion passed.

At approx. 4:45 p.m. President Berg dismissed the meeting.


Secretary


President

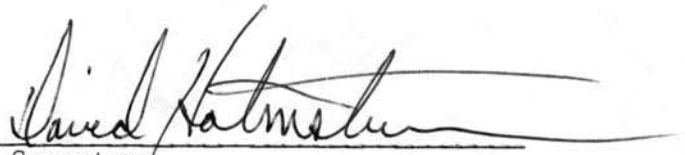
INTERVIEW MEETING FOR PHARMACY SURVEYOR POSITION

At approximately 10:30 a.m. on September 28, 1977 Board President Thomas Berg, Vice President Michael Hart and Board members Thomas Jones and Kitty Alcott together with Secretary Holmstrom met at the Board offices to conduct oral interviews of three candidates for the pharmacy surveyor position that were selected from the list of candidates presented to the Board by the Department of Personnel.

The candidates interviewed throughout the course of the day were Mr. Lloyd Pekas, Mr. Eugene Haglund, and Mr. Ronald Rogers.

After interviewing the three candidates and discussing their various qualifications, Mrs. Kitty Alcott moved and Mr. Mike Hart seconded that the Board offer the position of pharmacy surveyor to Mr. Pekas. The motion passed. Mr. Tom Jones then moved and Mr. Mike Hart seconded that the Secretary be instructed to prepare the documents necessary to hire Mr. Pekas at the fourth step of the salary range established for the pharmacy surveyor. The motion passed.

At approximately 4:45 p.m. the meeting adjourned.


Secretary


President

MINNESOTA BOARD OF PHARMACY

FIVE HUNDRED TWENTY-FIRST MEETING

September 14, 1977. At approximately 9:00 a.m., September 14, 1977 the Board met in room 232 of the Midway Motor Lodge, 1517 16th St. SW in Rochester, MN for the purpose of conducting a general business meeting. In attendance were: Mr. Thomas Berg, President, Mr. Michael Hart, Vice President, Mr. Thomas Jones, Mr. Marcus Frederickson, Mrs. Louise Kortz, Mrs. Kitty Alcott, and the Board's Secretary, Mr. David Holmstrom.

The first order of business was a reviewal of the minutes of the meeting of July 26, 1977. Mrs. Louise Kortz moved that in the next to the last paragraph on page three of the minutes the phrase "because of statutory interpretation" be inserted in the second line after the word "that". Mrs. Kitty Alcott seconded the motion and the motion passed. Mr. Mike Hart then moved and Mrs. Kitty Alcott seconded that the minutes of the meeting of July 26th be approved as amended. The motion passed.

The Board next took up the new pharmacy applications submitted to it since its last meeting. The first application reviewed by the Board was that submitted by Mr. Ronald Schwartzwald for Schwartzwald Snyder Drug, 321 North Jefferson, Wadena, MN. After reviewing this application Mrs. Kitty Alcott moved and Mr. Mike Hart seconded that the application submitted by Mr. Schwartzwald be granted preliminary approval with licensure being made subject to the successful completion of an on-site inspection of a member of the Board's staff for compliance with the requirements of Pharmacy Board Regulations 7-11.

The next application reviewed was that submitted by Mr. Richard Bleck for the Medcenter Pharmacy, 17821 State Hwy. #7, Minnetonka, MN. After reviewing this application and discussing the issue of physician owned pharmacies which seem to be proliferating in Minnesota, Mr. Michael Hart moved and Mrs. Kitty Alcott seconded that the application submitted by Mr. Bleck be granted preliminary approval and that licensure be granted subject to an on-site inspection by a member of the Board's staff for compliance with Pharmacy Board Regulations 7-11 and that the Board's secretary write to the Board of Medical Examiners and to the Attorney General's office questioning the apparent conflict of interest issues associated with physician owned pharmacies. The motion passed.

The Secretary next presented to the Board the recommendations of the Continuing Education Advisory Council with regard to the continuing education programs it has reviewed since the last meeting of the Board. Upon reviewing the programs recommended for approval and disapproval by the CEAC, Mrs. Kitty Alcott moved and Mr. Tom Jones seconded that the recommendations made by the CEAC be adopted by the Board as their own, that the programs recommended for approval be approved and the programs recommended for non-approval be disapproved. The motion passed.

The next item to come before the Board is an application by Mr. Richard Manthei to reinstate his license to practice pharmacy in Minnesota which he alleges was negligently allowed to expire. After carefully reviewing the application by Mr. Manthei and reviewing the documentation of his activities of the past five years Mrs. Kitty Alcott moved and Mrs. Louise Kortz seconded that the Board reinstate the license of Mr. Manthei upon a successful completion by him of the jurisprudence exam as is required of all licentiates and the payment of his back renewal fees and completion of the required continuing education credit.

Considerable discussion followed. Mrs. Alcott called for the question and the motion to end debate passed. A roll call vote was then taken on the issue of the reinstatement of Mr. Manthei. Voting in favor of the motion were Mrs. Kitty Alcott, Mrs. Louise Kortz, and Mr. Marcus Frederickson. Voting in opposition were Mr. Michael Hart and Mr. Tom Jones. The motion passed.

The Board next discussed the requests for internship credit submitted by Ms. Joanne Cordes and Ms. Debra Kolodjeski for their experience in Project Porvenir wherein they spent time working in pharmacy practice at Indian Health Centers in New Mexico. After reviewing the information submitted to the Board by these pharmacy students Mrs. Kitty Alcott moved and Mr. Tom Jones seconded that 140 hours of internship credit be granted to these two individuals. The rationale put forth for this motion was that considerable time was spent by these students without a pharmacist preceptor supervising them, that a great deal of their work consisted of working with pre-packaged materials, and that a significant amount of time was spent dealing with cultural aspects of Indian Health Care. Upon learning that Ms. Cordes worked in Rochester Mrs. Alcott requested that she be contacted to appear before the Board to further clarify the experiences that Project Porvenir offered. Mrs. Alcott then withdrew her motion.

The Secretary next presented to the Board a request by Mr. James Toohey to take the reciprocity examination on October 11, during the full Board Exam. Mr. Toohey had previously taken the reciprocity examination offered in June and had failed to pass this examination. After some discussion of the statutory requirements surrounding reciprocity Mr. Tom Jones moved and Mr. Mark Frederickson seconded that the opportunity to participate in the jurisprudence examination for reciprocity at the time of the full Board examination in October be denied Mr. Toohey. The motion passed.

Ms. Joanne Cordes now appeared before the Board to discuss her activities in Project Porvenir. After hearing of Ms. Cordes's experiences in Project Porvenir Mr. Mark Frederickson moved and Mr. Tom Jones seconded that internship credit be given for one-half of the total hours of experience submitted by Ms. Cordes and by Ms. Kolodjeski. After some discussion Mrs. Alcott introduced a friendly amendment that would increase the amount of credit allowable to three-fourths of the number of hours of actual experience. Mr. Frederickson agreed to amend as did Mr. Jones. The motion then came to a vote and the motion passed.

The Secretary next presented to the Board a brief review of the search for an additional Pharmacy Surveyor to fill the third surveyor position authorized by the 1977 Legislature. The Secretary reminded the Board that Governor Perpich had placed a thirty day freeze on all state hiring but indicated that it was his opinion that the Board should continue to interview the candidates.

The Secretary next informed the Board of his discussions with Mr. William Miller, the Board's Legal Counsel, concerning the establishment of an inactive status of pharmacist licensure. The Secretary informed the Board that it was the opinion of Mr. Miller, after reviewing the statutes of the Board of Pharmacy as well as other licensing Boards, that absent specific statutory authorization, the Board will not be legally able to provide for an inactive status of licensure.

The next item to come before the Board is the matter of the suspension or revocation of the pharmacist license of Mr. Joseph Hoffman. After receiving and reviewing the recommendations of the hearing examiner in this matter and after

receiving and reviewing the respondent's exceptions to the findings of fact, conclusions of law and recommendations of the hearing officer, the Board went briefly into executive session to discuss a remedy.

On returning to general discussion Mrs. Kitty Alcott moved and Mr. Mike Hart seconded that as to the findings of fact, the Board accept and adopt as their own the findings of fact as set out by the hearing examiner in his report; as to the conclusion of law, that the findings of fact as presented in the hearing examiners report will constitute violations of laws or regulations of the state or of its political subdivisions involving the practice of pharmacy and as such are unprofessional conduct under Pharm Reg 37 h; and that as to a remedy the pharmacist license of Mr. Joseph Hoffman be suspended for thirty days and that Mr. Hoffman be placed on a two year probation. If no further violations of a similar matter occur during such two year period then at the end of the two years the complaint against Mr. Hoffman will be dismissed.

Mr. Mark Frederickson at this point moved a substitute motion as to the remedy which would call for a two year probationary period only and would eliminate the thirty day actual suspension. Mr. Tom Jones seconded Mr. Frederickson's motion.

At this point Mr. Mike Hart moved to amend Mr. Frederickson's substitute motion to include a proviso that Mr. Hoffman be required to keep the Board of Pharmacy office informed as to exactly where he is working during the two year probationary period even if such employment is of a part-time or relief nature so that the Board can more effectively monitor his professional activities. Mr. Frederickson and Mr. Jones both accepted Mr. Hart's friendly amendment. The question was called for on the substitute motion and the motion passed with Mrs. Alcott voting in the negative. A vote was now taken on the original motion as amended by Mr. Frederickson's substitute motion and the motion passed.

The Secretary next described to the Board the essence of an investigation of Butler Drug, 2946 Lyndale Ave. S. in Minneapolis, MN which has led him to the conclusion that there is probable cause to believe that a violation of Pharmacy Board Laws and Regulations has occurred at the Butler Drug and that pharmacist Robert Warren, as pharmacist-in-charge, was responsible for such violations. Mr. Mike Hart then moved and Mrs. Louise Kortz seconded the following resolution:

"Resolve that David E. Holmstrom, Secretary of the Minnesota Board of Pharmacy, be and hereby is granted the authority to and is directed to serve notice of the initiation of a contested case in the matter of the Butler Drug and Mr. Robert Warren as well as perform any and all acts incidental thereto, including the signing of the order for and notice of prehearing conference and hearing."

The motion passed.

The Secretary next described to the Board the essence of an investigation of City Drug of Lamberton, MN which has led him to the conclusion that there is probable cause to believe that a violation of Pharmacy Board Laws and Regulations has occurred at the City Drug and that pharmacist Clair Einen, as pharmacist-in-charge, was responsible for such violations. Mrs. Kitty Alcott then moved and Mr. Mike Hart seconded the following resolution:

"Resolve that David E. Holmstrom, Secretary of the Minnesota Board of Pharmacy, be and hereby is granted the authority to and is directed to serve notice of the initiation of a contested case in the matter of the City Drug and Mr. Clair Einen as well as perform any and all acts incidental thereto, including the signing of the order for and notice of prehearing conference and hearing."

The motion passed.

The Secretary next described to the Board the essence of an investigation of the Newport Drug, 1644 Hastings Ave., Newport, MN which has led him to the conclusion that there is probable cause to believe that a violation of Pharmacy Board Laws and Regulations has occurred at the Newport Drug and that pharmacist David R. North, as pharmacist-in-charge, was responsible for such violations. Mr. Mark Frederickson then moved and Mr. Tom Jones seconded the following resolution:

"Resolve that David E. Holmstrom, Secretary of the Minnesota Board of Pharmacy, be and hereby is granted the authority to and is directed to serve notice of the initiation of a contested case in the matter of the Newport Drug and Mr. David R. North as well as perform any and all acts incidental thereto, including the signing of the order for and notice of prehearing conference and hearing."

The motion passed.

The Secretary next described to the Board the essence of an investigation of The Medicine Chest, 615 4th St., White Bear Lake, MN which has led him to the conclusion that there is probable cause to believe that a violation of Pharmacy Board Laws and Regulations has occurred at The Medicine Chest and that pharmacist Harvy Lillestol, Jr., as pharmacist-in-charge, was responsible for such violations. Mrs. Louise Kortz then moved and Mr. Mike Hart seconded the following resolution:

"Resolve that David E. Holmstrom, Secretary of the Minnesota Board of Pharmacy, be and hereby is granted the authority to and is directed to serve notice of the initiation of a contested case in the matter of The Medicine Chest and Mr. Harvy Lillestol, Jr. as well as perform any and all acts incidental thereto, including the signing of the order for and notice of prehearing conference and hearing."

The motion passed.

At this point Mrs. Kitty Alcott opened discussion about some rumors that had come to her attention regarding Leeds Drug in Coon Rapids. Mrs. Alcott then moved and Mr. Mike Hart seconded that the Secretary instruct the Pharmacy Board Surveyors to conduct an audit of Controlled Substances at Leeds Drug. The motion passed.

At this point President Berg dismissed the Board for lunch.

At approximately 1:30 p.m. the Board reconvened in room 232 to continue its meeting. Appearing before the Board at this time were Mr. Robert Gale, Mr. Richard Jensen, and Mr. J. M. Romick to present their views on the utilization of unit dose dispensing systems.

After a lengthy presentation by the above named individuals, the Board thanked them for their information which will be of use to the Board in making its decision on future drafts of the proposed rules dealing with unit dose dispensing systems.

The Board next turned its attention to a letter submitted to the Board by Mr. John Neveaux of the College of Pharmacy. Mr. Neveaux takes issue with the ratio of pharmacy supportive personnel to pharmacists responsible for their supervision as set out by the Board in its last draft of proposed rules changes. Mr. Neveaux's concern centered around the wording of the last draft that limited the number of unlicensed personnel that any one pharmacist might supervise and included in the number of unlicensed personnel pharmacist-interns. It was Mr. Neveaux's contention that the pharmacist-intern ought to be treated separately and that some additional consideration should be given to pharmacist-interns in that they are registered with the Board of Pharmacy. The general consensus of the Board was to reaffirm their previous position on the number of supportive personnel that may be supervised by any one pharmacist.

At approximately 4:45 p.m. President Berg dismissed the meeting.


Secretary


President

MINNESOTA BOARD OF PHARMACY

FIVE HUNDRED TWENTY-SECOND MEETING

October 10, 1977. At approximately 8:00 p.m., October 10, 1977 the Board met at the Mariott Hotel for the purpose of reviewing and preparing for the examination to be conducted by the Board on October 11th and 12th. The Board reviewed the practical examination and prescription compounding, family records, and jurisprudence. Members present were: President Thomas Berg, Mr. Thomas Jones, Mrs. Louise Kortz, Mrs. Kitty Alcott, and the Board's Secretary, Mr. David Holmstrom.

At approximately 8:00 a.m., October 11, 1977, the Board met at the Mayo Auditorium on the University of Minnesota campus for the purpose of administering a written examination in pharmacy, chemistry, math, and pharmacology. Members present were: President Thomas Berg, Vice President Michael Hart, Mr. Thomas Jones, Mrs. Louise Kortz, Mrs. Kitty Alcott, and the Board's Secretary, Mr. David Holmstrom. The examinations lasted the entire day.

The following candidates, who have met all the necessary requirements and who have presented properly executed applications, were present to write the examinations in the above subject:

Christine J. Andrews	Elisabeth A. Fiedler
Barry I. Bahl	Paul M. Fluto
Stanley F. Barta, Jr.	Michele L. Garry
Mary J. Bauer	Elizabeth A. Gleeson
Patricia J. Bellino	Lawrence P. Golbom
Daniel K. Berglund	Gregory A. Grande
Brenda C. Berstis	James M. Guertin
Douglas J. Betts	Gwen A. Gunnerson
William J. Bonach	Thomas R. Haas, Jr.
Kristen Breen	Robin K. Hamren
Michael H. Broker	Linda R. Helgeland
Richard C. Brundage	Loren D. Henrickson
Gregory J. Carlson	Jennifer R. Hesseler
Loren D. Carlson	Raymond W. Hines
Denise R. Carter	Randall A. Hohbein
John A. Chicone	Richard E. Holmgren
Joanne M. Cordes	Karen L. Holt
Kathleen M. Craddock	Robert T. Holt
Valerie J. Cunningham	Patricia J. Horvat
Steven K. Darnell	Elizabeth M. Hoxmeier
Michael J. DeBernardi	Vicki L. Hoyem
John R. Dombrowski	Dawn R. Huepenbecker
Preston S. Drogemuller	John C. Johnson
Pamela J. Dudek	Monique E. Johnson
Debra S. Dullinger	Shelley A. Johnson
Steven J. Dynda	Steven M. Johnson
John O. Eaton	Michael A. Jones
Carol J. Engelman	Jon K. Jordahl
Charles P. Erickson	James A. Jorgenson
Joan A. Ethen	David P. Klinkenberg

Teresa B. Knowlen	Larry J. Roschen
Christine C. Koentopp	Joan K. Rossman
Michael D. Koranda	Miriam A. Rosvold
Marcia M. Kraemer	David G. Schoepf
Bradley T. Larson	Richard S. Score
Elizabeth A. Larson	Christopher J. Searcy
Carol J. Lawson	John D. Semanko
Wendy A. Levenson	Steven T. Simenson
Lynn M. Manske	Leigh Ann R. Smith
Ross A. Martinson	Susan J. Smoley
Lucinda J. Marvin	Rachaneeporn Sriswad
Jeffrey F. McCamy	Don C. Stark
Brian P. McClellan	Joseph E. Stattine
Thomas C. McDonald	Leon Storfer
Debra L. Mertz	Linda M. Strand
Deborah K. Meyer	Steven A. Surina
Jayne A. Mitchell	Wayne E. Suronen
James B. Mowry	Kevin W. Teich
Robert P. Navarro	Bruce R. Thompson
Edward A. Nemec, Jr.	Kay S. Thompson
John Nerenz	Nicholas J. Thrune
Daniel A. Notto	Cheryl A. Timmerman
Daniel C. Onkka	Paul W. Trumm
Gunta V. Pakalns	Lawrence J. Tucker
Jeffrey L. Parlanti	Julia A. Tyde
David W. Peters	Gary D. Uithoven
Thomas M. Ploszay	William J. Vander Aarde
Donald C. Plumb	Gregory S. Vigesaa
Robert J. Poladian	Robert T. Wenzel
Thomas M. Primozich	Michael G. White
Dale R. Rasmussen	Nancy D. Windingstad
Joanne L. Raymond	Bruno B. Wong
Cheryl A. Regnier	Stephen L. Zien

The following full board retake candidates were also present to write the examination:

Renae J. Huff	Gary B. Winter
Wendy J. Kuzel	Janie P. Wolf
Frank J. Shuster	

The following written examination retake candidates were also present to write the examination:

Connie M. Lof
Gregory J. Wolf

At approximately 8:00 a.m., October 12, 1977, the Board met at the College of Pharmacy of the University of Minnesota and at Mayo Auditorium on the University of Minnesota for the purpose of administering a practical examination in prescription compounding and family records and written examinations in jurisprudence and the practice of pharmacy generally. Members present were: President Thomas Berg,

Vice President Michael Hart, Mr. Thomas Jones, Mr. Marcus Frederickson, Mrs. Louise Kortz, Mrs. Kitty Alcott, and the Board's Secretary Mr. David Holmstrom. The examinations lasted the entire day. The candidates who were present for the written examination given yesterday were also present today to write the written examination in jurisprudence and, with the exception of written examination retake, to write the practical examination*. In addition, the following practical retake candidate was present to write that portion of the examination:

*except for Joan Rossman

Dwight A. Lindberg

Following the days examinations the Board traveled to the Holiday Inn Hotel in Sioux Falls, South Dakota to participate in the District Meeting of Board's of Pharmacy and College's of Pharmacy from the states of Minnesota, North Dakota, South Dakota, Iowa, Nebraska and Manitoba Canada on October 13 and 14.

At approximately 9:00 p.m., October 13, 1977, the Board reconvened for a very brief business meeting in Room 610 of the Holiday Inn in Sioux Falls. Members present were: President Thomas Berg, Vice President Michael Hart, Mr. Thomas Jones, Mr. Marcus Frederickson, Mrs. Louise Kortz, Mrs. Kitty Alcott, and the Board's Secretary Mr. David Holmstrom.

The first item of the agenda discussed by the Board were new pharmacy applications. The Secretary presented to the Board four applications to conduct new pharmacies.

The first was an application by Mr. John R. Stolitza to operate the Medicine Shoppe, 3225 East Lake Street in Minneapolis, Minnesota. After reviewing this application, Mr. Marc Frederickson moved and Mr. Michael Hart seconded that the application be approved and a license granted upon the successful completion of an on-site inspection by a member of the Board's staff for compliance with the Pharmacy Board Regulations 7-11 and the payment of the required fee. Motion passed.

The second application was submitted by Mr. Douglas Ahlf to operate the Ahlf Drug, Northland Mall, Worthington, Minnesota. After reviewing this application Mr. Marc Frederickson moved and Mr. Mike Hart seconded that the application be approved and the license granted upon the successful completion of an on-site inspection by a member of the Board's staff for compliance with the requirements of Pharm 7-11 and the payment of the required fee. The motion passed.

The third application was submitted by Mr. Marvin Tokach to operate the White Mart Drug in the Eastgate Mall at Little Falls, Minnesota. After reviewing this application, Mr. Marc Frederickson moved and Mr. Mike Hart seconded that the application be approved and a license granted upon the successful completion of an on-site inspection by a member of the Board's staff for compliance with the requirements of Pharm 7-11 and the payment of the required fee. The motion passed.

The fourth application was submitted by Mr. Kent F. Olson to operate the Snyders Drug Store, 602 South Front Street in Mankato, Minnesota. After reviewing this application, Mr. Marc Frederickson moved and Mr. Michael Hart seconded that the application be approved and a license granted upon the successful completion of an on-site inspection by a member of the Board's staff for compliance with the requirements of Pharm 7-11 and the payment of the required fee. The motion passed.

The Board next discussed the recommendation of the Internship Advisory Committee concerning the petitions by Mr. Allen Ward and Mr. Eugene Wagner for internship credit based on extensive previous experiences other than traditional internships. After a very thorough discussion of the facts surrounding the cases of Mr. Ward and Mr. Wagner, Mrs. Louise Kortz moved and Mr. Mike Hart seconded that in the case of Mr. Eugene Wagner 400 hours of internship credit be granted for his experience in the Navy Pharmacy Technician Program as was recommended by the Internship Advisory Committee. The motion passed with Mr. Marc Frederickson voting in opposition. Mrs. Louise Kortz then moved and Mr. Mike Hart again seconded that in the case of Mr. Allen Ward he be granted 500 hours of internship credit based on his graduate school and teaching experience in pharmacology as was recommended by the Internship Advisory Committee. The motion passed.


The Board next discussed the recommendations of the Continuing Education Advisory Committee concerning approval of various continuing education courses reviewed by sub-committees of the CEAC. After reviewing the recommendations of the CE Advisory Committee Mrs. Kitty Alcott moved and Mr. Mike Hart seconded that the recommendations of the Committee be adopted by the Board and that the programs recommended for approval be approved. The motion passed.

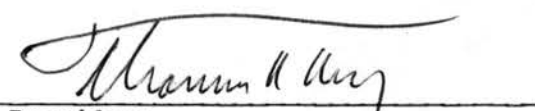
The Board next discussed Continuing Education Credit for those Minnesota Pharmacists that attended the NABP Annual Meeting held in St. Louis during the month of May. Mr. Tom Jones moved and Mrs. Kitty Alcott seconded that fifteen hours of Continuing Education Credit be granted for those pharmacists attending all sessions of the NABP Annual Meeting for 1977. The motion passed.

The Secretary next attempted to present to the Board his latest drafts of proposed rules changes and a letter from Mr. Donald Dee, Executive Director of the Minnesota State Pharmaceutical Association, regarding certain sections of the proposed rules. The Board declined to take up this agenda item at this time, however, due to the extreme lateness of the hour.

The Board indicated that it felt a two day meeting would be appropriate for November with the regularly scheduled business meeting on November 16th remaining intact but that the Board meet in an all day session on November 15th for the purpose of finishing the grading of the Board examinations. The Secretary was then directed to make the appropriate arrangements for this meeting.

At approximately 10:15 p.m. President Berg dismissed the meeting.


Secretary


President

*file*DEPARTMENT BOARD OF PHARMACY**Office Memorandum**

TO : Board Members

DATE: November 2, 1977

FROM : David E. Holmstrom
Executive Secretary

SUBJECT:

On November 14th at 1:00 p.m. a meeting of the Senate Commerce Department and Occupational Licensing Task Force headed by Senator David Schaaf will meet in room 112 of the State Capitol to discuss the proposals made in the Department of Administrations report on Occupational Licensing Boards. (The yellow booklet that was distributed to you at our last meeting.)

This is a vitally important hearing in that it is my understanding that Senator Schaaf is even more adamant than was Senator North in placing all of the Health Licensing Boards under the Department of Health and making the various Boards advisory to the Commissioner of Health.

I feel that attendance by as many Board members as is possible is desirable. I plan to testify in opposition to the proposal but if any of you wish to testify in addition to what I will be saying please let me know and also contact Mr. Larry Bye or LaVerne Swanson as is indicated in the copy of the memo from the Senate that I have included herein.

DEH:pe
11/2/77

MINNESOTA BOARD OF PHARMACY
717 Delaware St. SE, #351
Minneapolis, MN 55414

Tentative Agenda

Meeting

November 16, 1977

Room 206 in the Minnesota Department of Health Building has been reserved from 12:00 noon until 7:00 p.m. on Tuesday, November 15 for the purpose of completing the grading of the October Board exam.

A business meeting has been scheduled for Wednesday, November 16th in room 305 of the Department of Health Building beginning at 9:00 a.m. Below is a tentative Agenda for the business meeting.

- I. Review and Approval of Minutes.
- II. New Pharmacy Applications.
- III. Disciplinarys.
- IV. Report of CEAC.
- V. Determination of pass/fail.
- VI. Rules Number 1 and Rules Number 2.
- VII. Administtrivia.

Reservations have been made for Tom Berg, Marc Frederickson and Louise Kortz at the Twins Motor Inn for the night of November 15th.

As you will recall Governor Perpich imposed a \$21.00 maximum limit on what the state will reimburse for hotel rooms and by staying at the Twins we can stay within that limit.

DEH:pe

11/4/77

MINNESOTA BOARD OF PHARMACY

FIVE HUNDRED TWENTY-THIRD MEETING

November 16, 1977. At approximately 9:30 a.m., November 16, 1977 the Board met in Room 305 of the Minnesota Department of Health Building, 717 Delaware Steet SE, Mpls, MN for the purpose of conducting a general business meeting. In attendance were: President Thomas Berg, Mr. Michael Hart, Mr. Thomas Jones, Mr. Marcus Frederickson, Mrs. Louise Kortz, Mrs. Kitty Alcott, and the Board's Secretary Mr. David Holmstrom. Board member Rosetta Stark was absent for the fourth consecutive meeting.

The first item on the agenda was the review of the minutes of the September 14 & October 10 meetings of the Board. Mrs. Kitty Alcott moved and Mr. Mike Hart seconded that the minutes of the meeting of October 10, 1977 be approved as written. Motion passed. Mrs. Alcott then moved and Mr. Marc Frederickson seconded that the minutes of the meeting of September 14, 1977 be approved as written. The motion passed.

The Board next took up new pharmacy applications submitted to it since its last meeting. The only application received was that submitted by Vicki Majewski for Majewski Drug, Nashwauk, MN. After reviewing this application Mrs. Kitty Alcott and Mr. Mike Hart seconded that the application submitted by Ms. Majewski be granted preliminary approval with licensure being made subject to the successful completion of an on-site inspection by a member of the Board's staff for compliance with the requirements of Pharmacy Board Regulations 7-11. The motion passed.

Secretary Holmstrom next described to the Board the context of his discussions with Mr. William Miller, the Board's Attorney, regarding the establishment of a pharmacy review panel to handle more efficiently some of the less serious disciplinary matters. After some discussion of the disciplinary processes available to the Board Mrs. Louise Kortz moved and Mr. Mike Hart seconded that the Board adopt the utilization of conferences with a pharmacy review panel as outlined by the Secretary and that the minutes of this meeting reflect a description of disciplinary procedures and complaint handling procedures available to the Board. Motion passed.

The basics of the complaint handling procedures are found in Minn. Stat. Chapter 214.10. A copy of which is appended to these minutes.

Pursuant to his responsibilities under Chapter 214.10 the representatives of the Attorney General's office have developed several forms for use in the complaint reporting process. These forms are likewise appended to these minutes.

The disciplinary hearing is governed primarily by Minnesota Statutes 15.0418 through 14.0426. Together with the rules of the office of Hearing Examiners. Copies of these documents are likewise appended to these minutes.

The Board now went briefly into executive session to discuss with the Board's Secretary several matters of a disciplinary nature.

Secretary Holmstrom first indicated to the Board that pursuant to its directive at the September 14th meeting an audit of the controlled substances at Leed's Drug in Coon Rapids was undertaken. The Secretary further indicated that as a result of said audit he has probable cause to believe that a violation of State and Federal Controlled Substances Act has occurred at Leed's Drug. After inquiring of the Secretary as to whether or not he has probable cause to believe that any specific individual

employed at Leed's Drug was responsible for these violations the Board directed the Secretary to turn over the information currently in his possession to Mr. William Miller, the Board's Attorney, for forwarding to the investigative unit of the Attorney General's office for further investigations.

The Secretary next indicated that pursuant to information received from an audit of controlled substances at Falls Drug in Fergus Falls, MN he has probable cause to believe that violations of the State and Federal Controlled Substances Act have occurred at Falls Drug and that Pharmacist Ray Beske committed those violations. Mrs. Kitty Alcott then moved and Mr. Marc Frederickson seconded that the Secretary utilize the newly established conference with a pharmacy review panel in this case. The motion passed.

At this time the Board returned again to open session.

At this point Secretary Holmstrom presented to the Board recommendations of the Continuing Education Advisory Council concerning programs which the council recommends the Board approve for continuing education credit. After reviewing these programs Mrs. Louise Kortz moved and Mrs. Kitty Alcott seconded that the programs recommended for approval by CEAC be approved by the Board for the number of hours of continuing education credit recommended and that in the future Secretary Holmstrom design the CEAC recommendations to the Board in such a manner that not only the programs recommended for approval be indicated but also those that are recommended for disapproval and those returned for more information. The motion passed.

At this point Board Member Michael Hart and Secretary Holmstrom briefly described the meeting of the full CE Advisory Council held on November 15th regarding the bi-level approach to continuing education.

Secretary Holmstrom next indicated to the Board that pursuant to a directive from this Board at the September 14th meeting he submitted a letter to the Board of Medical Examiners asking that Board to advise the Board of Pharmacy regarding its position on the issue of physician ownership of pharmacies and the possible conflict of interest problems this presents. Secretary Holmstrom indicated that return correspondence indicated that the Board of Medical Examiners would address this issue at their meeting of November 18th.

Secretary Holmstrom next directed the Board's attention to correspondence he has received from NABP which indicates that the NAPLEX examination will be made available to the Board for administration in March as previously planned.

Secretary Holmstrom next related to the Board his conversations with Board Member Kitty Alcott wherein she suggested that Members of the Internship Advisory Committee be contacted to take part in grading of the practical examination on the next board exam. After some discussion Mrs. Louise Kortz moved and Mr. Mike Hart seconded that the Secretary undertake a study comparing the wet lab grades and the NAPLEX written practical grades for the last three years in Minnesota. The motion passed.

The Secretary next described to the Board the proposed dates for the NABP Maxi-school for Drug Law Enforcement Officers and indicated that he felt it would be desirable for the new pharmacy surveyor, Mr. Lloyd Pekas, to attend this excellent workshop. Mr. Mike Hart then moved and Mr. Tom Jones seconded that the Secretary make the necessary arrangements for himself and Mr. Pekas to attend the NABP Maxi-school being presented on January 29 through February 1st. The motion passed.

At this time President Berg dismissed the Board for Lunch.

At approximately 1:30 p.m. the Board reconvened in Room 305 of the Minnesota Department of Health Building to discuss the revisions of various rules and regulations.

The first issue to be addressed was that of the use of supportive personnel. After considerable discussion Mr. Marc Frederickson moved and Mr. Mike Hart seconded that supportive personnel considerations be addressed in a separate rule and that rule 36 and 90 be reworded by Secretary Holmstrom with appropriate cross-references to the new section. The motion passed with Louise Kortz voting in opposition.

Mr. Tom Jones then moved and Mr. Mike Hart seconded that the last paragraph of proposed Pharm 36 regarding the establishment of written procedures for clerks be eliminated. The motion passed with Kitty Alcott voting in opposition.

Kitty Alcott then moved and Mike Hart seconded to strike all but the first sentence of proposed Pharm 36I and cross-reference this to the new rule on supportive personnel. The motion passed.

Kitty Alcott then moved and Marc Frederickson seconded that in Pharm 90 all of the first paragraph be stricken and a cross-reference to the new rule regarding supportive personnel be inserted in lieu thereof. The motion passed.

Kitty Alcott then moved and Mr. Marc Frederickson seconded that the automatic approval provision contained in the paragraph providing for petitioning for the use of supportive personnel in ratios of other than those established by rule become effective one year after the final promulgation of this rule. Mrs. Alcott indicated that this would allow the Board to deal with the large volume of such requests expected in the first year of operation of the new rules. The motion passed with member Thomas Jones voting in opposition.

Mr. Marc Frederickson then moved and Mr. Mike Hart seconded that under proposed Pharm 43 dealing with supportive personnel an additional section labeled section E be inserted containing the following wording "the use of supportive personnel in the performance of delegated tasks not included within approved written procedures may be considered to be unprofessional conduct on the part of pharmacists supervising the supportive persons performing these tasks and on the part of the pharmacist-in-charge." The motion passed.

Mrs. Kitty Alcott then moved that the Board include Pharm 43 dealing with supportive personnel as amended in the next public hearing for revision of rules and regulations. Mr. Mike Hart seconded the motion and the motion passed.

The Board next turned its attention to the grading of the October Board examinations and Secretary Holmstrom described for the Board its options under the computerized grading system available from ETS & NABP. After some discussion of a general background nature regarding the use of standard deviations Mrs. Kitty Alcott moved and Mr. Mike Hart seconded that the Board utilize 1.5 standard deviations from the mean as the criteria for grading the examinations. The motion passed.


With this criteria established, Mr. Mike Hart moved and Mr. Marc Frederickson seconded that the candidates who received a general average of 75% or better, not less than 75% in their practical examination and not less than 60% in any one written subject, be granted registration as pharmacists. The motion passed.

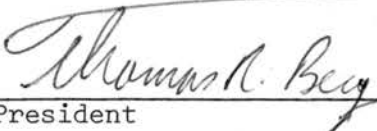
The candidates to successfully pass the examination are as follows:

<u>Cert No.</u>	<u>Name</u>	<u>Cert No.</u>	<u>Name</u>
12534	Christine J. Andrews	12569	Gwen A. Gunnerson
12535	Barry I. Bahl	12570	Thomas R. Haas, Jr.
12536	Stanley F. Barta, Jr.	12571	Robin K. Hamren
12537	Mary J. Bauer	12572	Loren D. Henrickson
12538	Patricia J. Bellino	12573	Jennifer R. Hesseler
12539	Daniel K. Berglund	12574	Raymond W. Hines
12540	Brenda C. Berstis	12575	Randall A. Hohbein
12541	Douglas J. Betts	12576	Richard E. Holmgren
12542	William J. Bonach	12577	Karen L. Holt
12543	Kristen Breen	12578	Robert T. Holt
12544	Michael H. Broker	12579	Patricia J. Horvat
12545	Richard C. Brundage	12580	Elizabeth M. Hoxmeier
12546	Gregory J. Carlson	12581	Vicki L. Hoyem
12547	Loren D. Carlson	12582	Dawn R. Huepenbecker
12548	Denise R. Carter	12583	Renae J. Huff
12549	John A. Chicone	12584	John C. Johnson
12550	Joanne M. Cordes	12585	Monique E. Johnson
12551	Kathleen M. Craddock	12586	Shelly A. Johnson
12552	Valerie J. Cunningham	12587	Steven M. Johnson
12553	Steven K. Darnell	12588	Michael A. Jones
12554	Michael J. DeBernardi	12589	Jon K. Jordahl
12555	John R. Dombrowski	12590	James A. Jorgenson
12556	Preston S. Drogemuller	12591	David P. Klinkenberg
12557	Pamela J. Dudek	12592	Christine C. Koentopp
12558	Debra S. Dullinger	12593	Michael D. Koranda
12559	Steven J. Dynda	12594	Marcia M. Kraemer
12560	Joan A. Ethen	12595	Bradley T. Larson
12561	Carol J. Engelman	12596	Elizabeth A. Larson
12562	Charles P. Erickson	12597	Carol J. Lawson
12563	Elisabeth A. Fiedler	12598	Wendy A. Levenson
12564	Paul M. Fluto	12599	Dwight A. Lindberg
12565	Michele L. Garry	12600	Connie M. Lof
12566	Elizabeth A. Gleeson	12601	Lynn M. Manske
12567	Lawrence P. Golbom	12602	Ross A. Martinson
12568	Gregory A. Grande	12603	Lucinda J. Marvin

<u>Cert No.</u>	<u>Name</u>	<u>Cert No.</u>	<u>Name</u>
12604	Jeffrey F. McCamy	12629	Frank J. Shuster
12605	Brian P. McClellan	12630	Steven T. Simenson
12606	Thomas C. McDonald	12631	Susan J. Smoley
12607	Debra L. Mertz	12632	Rachaneeporn Sriswad
12608	Deborah K. Meyer	12633	Don C. Stark
12609	Jayne A. Mitchell	12634	Joseph E. Stattine
12610	James B. Mowry	12635	Leon Storfer
12611	Robert P. Navarro	12636	Linda M. Strand
12612	John A. Nerenz	12637	Steven A. Surina
12613	Daniel A. Notto	12638	Wayne E. Suronen
12614	Daniel C. Onkka	12639	Kevin W. Teich
12615	Gunta V. Pakalns	12640	Bruce R. Thompson
12616	David W. Peters	12641	Kay S. Thompson
12617	Thomas M. Ploszay	12642	Nicholas J. Thrune
12618	Donald C. Plumb	12643	Cheryl A. Timmerman
12619	Robert J. Poladian	12644	Paul W. Trumm
12620	Thomas M. Primozych	12645	Lawrence J. Tucker
12621	Dale R. Rasmussen	12646	Julia A. Tyde
12622	Joanne L. Raymond	12647	Gary D. Uithoven
12623	Larry J. Roschen	12648	William J. Vander Aarde
12624	Miriam A. Rosvold	12649	Robert T. Wenzel
12625	David G. Schoepf	12650	Michael G. White
12626	Richard S. Score	12651	Nancy D. Windingstad
12627	Christopher J. Searcy	12652	Bruno B. Wong
12628	John D. Semanko	12653	Stephen L. Zien

At approximately 6:00 p.m. president Berg dismissed the meeting.


Secretary


President

214.10 COMPLAINTS; INVESTIGATION AND HEARING. Subdivision 1. Receipt of complaint. The executive secretary of a board, a board member or any other person who performs services for the board who receives a complaint or other communication, whether oral or written, which complaint or communication alleges or implies a violation of a statute or rule which the board is empowered to enforce, shall promptly forward the substance of the communication on a form prepared by the attorney general to the designee of the attorney general responsible for providing legal services to the board. Before proceeding further with the communication, the designee of the attorney general may require the complaining party to state his complaint in writing on a form prepared by the attorney general. Complaints which relate to matters within the jurisdiction of another governmental agency shall be forwarded to that agency by the executive secretary. An officer of that agency shall advise the executive secretary of the disposition of that complaint. A complaint received by another agency which relates to a statute or rule which a licensing board is empowered to enforce shall be forwarded to the executive secretary of the board to be processed in accordance with this section.

Subd. 2. Investigation and hearing. The designee of the attorney general providing legal services to a board shall evaluate the communications forwarded to him by the board or its members or staff. If the communication alleges a violation of statute or rule which the board is to enforce, the designee is empowered to investigate the facts alleged in the communication. In the process of evaluation and investigation, he shall consult with or seek the assistance of the executive secretary or, if the board determines, a member of the board who has been designated by the board to assist the designee. He may also consult with or seek the assistance of any other qualified persons who are not members of the board who the designee believes will materially aid in the process of evaluation or investigation. The executive secretary or the consulted board member may attempt to correct improper activities and redress grievances through education, conference, conciliation and persuasion, and in these attempts he may be assisted by the designee of the attorney general. If the attempts at correction or redress do not produce satisfactory results in the opinion of the executive secretary or the consulted board member, or if after investigation the designee providing legal services to the board, the executive secretary or the consulted board member believes that the communication and the investigation suggest illegal or unauthorized activities

warranting board action, he shall inform the executive secretary of the board who shall schedule a disciplinary hearing in accordance with chapter 15. Before the designee of the attorney general or the executive secretary may direct the holding of a disciplinary hearing, he shall have considered the recommendations of the consulted board member. Before scheduling a disciplinary hearing, the executive secretary must have received a verified written complaint from the complaining party. A board member who was consulted during the course of an investigation may participate at the hearing but may not vote on any matter pertaining to the case. The executive secretary of the board shall promptly inform the complaining party of the final disposition of the complaint. Nothing in this section shall preclude the board from scheduling, on its own motion, a disciplinary hearing based upon the findings or report of the board's executive secretary, a board member or the designee of the attorney general assigned to the board. Nothing in this section shall preclude a member of the board or its executive secretary from initiating a complaint.

Subd. 3. Discovery; subpoenas. In all matters pending before it relating to its lawful regulation activities, a board may issue subpoenas and compel the attendance of witnesses and the production of all necessary papers, books, records, documents, and other evidentiary material. Any person failing or refusing to appear or testify regarding any matter about which he may be lawfully questioned or produce any papers, books, records, documents, or other evidentiary materials in the matter to be heard, after having been required by order of the board or by a subpoena of the board to do so may, upon application to the district court in any district, be ordered to comply therewith. The chairman of the board acting on behalf of the board may issue subpoenas and any board member may administer oaths to witnesses, or take their affirmation. Depositions may be taken within or without the state in the manner provided by law for the taking of depositions in civil actions. A subpoena or other process or paper may be served upon any person named therein, anywhere within the state by any officer authorized to serve subpoenas or other process or paper in civil actions, with the same fees and mileage and in the same manner as prescribed by law for service of process issued out of the district court of this state. Fees and mileage and other costs shall be paid as the board directs.

NOTE: Subdivisions 1 and 2 are effective July 1, 1977.

[1976 c 222 s 5]



STATE OF MINNESOTA
OFFICE OF THE ATTORNEY GENERAL

Address Reply to:
OFFICE OF ATTORNEY GENERAL
Minnesota Department Of Health Building
717 Delaware Street S.E.
Minneapolis, Minnesota 55440
Telephone (612) 296-5294

June 15, 1977



MEMORANDUM

TO : Delano Dunn
Executive Secretary
Board of Podiatry Ex.

Glen H. Nelson
Executive Secretary
Board of Veterinary Ex.

Dale Forseth
Executive Secretary
Board of Dentistry

Phillip C. Newberg
Executive Secretary
Board of Ex. for N.H. Adm.

Harriette Hartung
Executive Secretary
Board of Ex. of Psychol.

Arthur W. Poore
Executive Secretary
Board of Medical Ex.

✓ David Holmstrom
Executive Secretary
Board of Pharmacy

Edward Puckropp
Executive Secretary
Board of Chiropractic Ex.

Leo A. Meyer
Executive Secretary
Board of Optometry

Joyce M. Schowalter
Executive Secretary
Board of Nursing

FROM : Richard A. Wexler *RAW*
Assistant Attorney General

SUBJECT : Procedures for Handling Complaints as of July 1, 1977

As you know Minn. Stat. § 214.10 subds. 1 and 2 (1976) take effect on July 1, 1977. In essence those sections establish a procedure for handling complaints which allege or imply a violation of a statute or rule which the health licensing boards are empowered to enforce. The purpose of this memorandum is to explain how this office proposes to implement the process and amplifies my remarks made at your meeting of June 13, 1977. We are considering the suggestions you made then and welcome any additional ones. The all but final procedure (a few minor changes may be made later) will be announced at the legal orientation session scheduled for June 17, 1977.

June 15, 1977

There are basically only two ways that complaints are made concerning the persons licensed or otherwise credentialed by the boards, those ways being (1) orally (over the phone or by personal visit) and (2) in writing. The complaints are addressed either to the boards or another agency, including the Attorney General's office, which forwards them to the boards. Any complaint received on or after July 1, 1977, will be processed in the following manner. (Any complaints received prior to July 1, 1977, will be processed by each board under the system then in use by the board.)

I. RECEIPT OF COMPLAINTS

Minn. Stat. § 214.10 subd. 1 provides, in essence, that any complaint received by the boards which "alleges or implies a violation of a statute or rule which the board is empowered to enforce," shall be promptly forwarded to the Health Law Division of the Attorney General's office utilizing a form prepared by that Division. Consequently, when a complaint is received, the person or persons (i.e., Executive Secretary, board member or board complaint committee) designated by the board shall review the complaint and determine whether it "alleges or implies a violation of a statute or rule which the board is empowered to enforce." After that determination is made, the following action should be taken.

A. Written Complaints Received Directly By Boards

1. No violation alleged or implied.

If it is determined that no violation is alleged or implied, the Executive Secretary, pursuant to Minn. Stat. § 214.10 subd. 2 (1976), shall so notify the complainant. The matter shall not be forwarded to the Attorney General's Health Law Division.

2. Violation is alleged or implied.

If the written complaint alleges or implies a violation of a law enforced by the board, the entire complaint shall be forwarded to the Health Law Division at the same time that a letter is sent by the board to the complainant acknowledging its receipt. (For your convenience a sample acknowledgement letter is attached hereto as Appendix A.) Attached hereto as Appendix B is the form memorandum which shall be used to forward the complaint to the Health Law Division. Please do not deliver any complaints directly to the attorney representing your board. We are developing an internal control system for keeping track of all complaints which necessitates all complaints going first to the investigative unit's secretary.

June 15, 1977

B. Complaints Made Orally To Boards.

1. Telephone Complaints.

When a complaint is made over the telephone, the executive secretary shall request the complainant to submit it in writing.* It is requested that the letter and "Complaint Registration" form attached hereto as Appendix C be sent to the complainant after the Executive Secretary has filled in the appropriate information under "Complainant's Name" and "Subject of Complaint." (The letter may have to be slightly modified for some boards due to their particular situations. Please see the attorney representing your board for approval of any changes.) Enclosing an envelope preaddressed to the Board (not Attorney General's office) with the form would indicate the board's interest in receiving the complaint and help assure that it will be mailed to the correct office.

It is important to have the complaint in the person's own words rather than to have it paraphrased. Minn. Stat. § 214.10 subd. 1 (1976) authorizes the obtaining of complaints in writing before proceeding to evaluate and investigate them. By having the board immediately request submission of the complaint in writing, the paper work will be minimized and, when it is received, the Health Law Division will be in a better position to review and evaluate the matter.

Please note that the Complaint Registration requests but does not require that the complainant have the form notarized. (We have yet to meet to discuss your suggestion on whether or not to drop the notary aspect from the form.) Minn. Stat. § 214.10 subd. 2 (1976) requires the Executive Secretary to have a verified written complaint from the complainant before scheduling a disciplinary hearing. That formality can be satisfied in those instances where a complainant is willing to have the statement notarized before returning the Complaint Registration form. However, we do not require that the statement be notarized at this point so as not to discourage the submission of the form.

Once the completed Complaint Registration form is received, it should be handled in the same manner as described in paragraphs IA.1, or 2, as appropriate, including use of the form attached hereto as Appendix B.

*Obviously any complaints which can be determined during the initial conversation as not alleging or implying a violation of a board enforced law may be disposed of at that time.

June 15, 1977

2. Complaints made in person at board office.

Occasionally persons come directly to the board's office to register a complaint. As a general rule, there should be no need to call the attorney representing your board and in no case should he be called until there has been at least a preliminary determination made that the complaint alleges or implies a violation of a law enforced by the board. If an alleged violation exists, the Executive Secretary should record it on the form attached hereto as Appendix D, and send it to the Health Law Division with the Appendix B forwarding memorandum.

C. Complaints Received by Health Law Division

In keeping with our interpretation of Minn. Stat. § 214.10 (1976) that continues to give the boards a significant role in the complaint process, the boards' need to have accurate records concerning complaints for their biennial reports to the Legislature, as well as the need to have an orderly process, any complaint received by the Health Law Division will first be sent to the appropriate board. It is to be returned to the Division with the cover memorandum at Appendix B. The specific procedures follow.

1. Written Complaints

When a person writes directly to the Attorney General as has occurred in the past, the attorney representing the board which regulates the person complained about will acknowledge receipt of the letter and explain that the complaint will be forwarded to the board. That will be done by carbon copy of the acknowledgement letter which will have attached a copy of the complaint. The Executive Secretary should review the matter and proceed as appropriate under paragraphs I.A.1. or 2.

2. Telephone complaints

Occasionally individuals call the Attorney General's office directly to complain about a health professional. (Please do not refer any calls to us but proceed as indicated under paragraph I.B.1.) In such a case, the attorney representing your board will first determine if a violation of the board's law is alleged or implied. If so, he will follow the procedure specified under paragraph I.B.1. requesting that the complaint be sent to the board. When the board receives the written complaint, the procedure outlined in paragraphs I.A.1. or 2. should be followed as appropriate.

3. Complaints made in person.

Should a person come directly to our offices to register a complaint, we will first find out if the board's executive secretary is available to interview the person and take down the complaint. If the executive secretary is not available, we will interview the complainant and complete the form attached as Appendix D, assuming that the complaint alleges or implies a violation. The complaint will be forwarded to the executive secretary for the board's information. It should be returned using the forwarding memorandum.

June 15, 1977

II. HANDLING OF COMPLAINT AFTER ITS RECEIPT.

In all instances, once complaints are received in the boards' offices and an initial determination made that they allege or imply a violation of the laws enforced by the boards, the complaints will be forwarded to the Health Law Division of the Attorney General's office using the appropriate forms as designated above. After the complaint is logged in by the investigative unit's secretary, the attorney assigned to your board will evaluate it from a legal perspective. The evaluation will consist primarily of two aspects. First, based upon the assumption that the complaint is valid, we will render a preliminary opinion as to whether or not the complaint constitutes a violation of the board's laws. Second, we will list the various options available to the board as to how the matter could be pursued.

The evaluation will be related either by memorandum or at a conference to the person or persons designated by the board for reviewing complaints. Those person(s) will indicate their preference as to how the matter should be handled, e.g., whether the complaint should be investigated, the licensee asked to comment, or the matter dismissed. In addition, Minn. Stat. § 214.10 subd. 2 (1976) authorizes attempts to "correct improper activities and redress grievances through education, conference, conciliation, and persuasion." Whatever the decision as to how to proceed, it must be communicated with the board's attorney for his concurrence and appropriate action. In those instances where it is decided to send the complaint to the licensee for comment, the letter to the licensee will be sent by the board. After the response has been received or at the end of the investigation, the matter will again be evaluated by the board's attorney and the options available to the board communicated to that person(s) responsible for reviewing complaints on behalf of the board. Again a decision will have to be made at this point as to whether or not to pursue the matter further such as through conference or formal hearing or to dispose of the case.

III. FINAL DISPOSITION

No matter how the case is disposed of, ranging from dismissal of the complaint to revocation of a license, the complainant must be informed. This is the executive secretary's responsibility. Minn. Stat. § 214.10 sub. 2 (1976) states: "The executive secretary of the board shall promptly inform the complaining party of the final disposition of the complaint."

- - - -

We recognize that this is a new system. It will take all of us a little time to adjust to it. Our aim is to assist the boards in processing complaints made against licensed or otherwise credentialed health professionals in as efficient a manner as possible consistent with the legislative charge contained in Minn. Stat. § 214.10 (1976). I am sure that as we cooperate together, this goal will be met.

You will receive another memorandum from me prior to July 1, 1977, confirming these procedures and noting any changes which we may make in the interim. In the meantime, if you have any questions, please feel free to contact me or the attorney representing your board.

c: Jack Breviu Bob Holley
Terry O'Brien Don Kostohryz
Bill Miller Susan Gorman

[Letterhead]

[Date]

(Addressee]

Re: Complaint Filed Against

Dear _____:

This will acknowledge receipt of your letter of _____
concerning the above-subject matter.
The complaint is being evaluated. You will be informed of
the developments.

Sincerely,

[Name]
[Executive Secretary]

DEPARTMENT _____

Office Memorandum

TO : [Attorney Representing Board]

DATE: _____

FROM :

PHONE: _____

SUBJECT: Complaint Concerning [Name of Licensee] _____

Attached is a letter from _____ dated _____. It contains a complaint against the above-named individual which alleges or implies a violation of a law enforced by this Board. The following information from the Board's files is provided to assist in your review of this matter.

Name: _____

License No.: _____

Business Address: _____

Business Telephone No.: _____

Home Address: _____

Type of complaint (e.g., unprofessional conduct, drug abuse, incompetence, etc.): _____

Statute or rule alleged violated: _____

Have other complaints ever been filed against this person? _____

Other useful information: _____

[Letterhead]

[Date]

[Addressee]

Re: Filing of Complaint Against

Dear _____:

This acknowledges your telephone call of _____, in which you stated your desire to enter a complaint against the individual listed above right. While we do not desire to unduly complicate your submission of a complaint, it is extremely important that we have it in writing from you, signed and dated, so that it can be properly evaluated. To facilitate this, I have enclosed a Complaint Registration form, waiver forms, and preaddressed envelope. In order for the complaint to be verified, please state in detail on the Complaint Registration form all facts which relate to the complaint. Please include any relevant names, dates, times, places and lists of documents or records which you have which bear on this matter. It would be helpful if you can supply a copy of such documents or records, or the originals which, if you request, we will photocopy and return to you.

You will note that there is a place to have your statement notarized. While it is not necessary for you to have it notarized prior to mailing in the Complaint Registration, it will simplify matters for us. Should your complaint be verified and it is determined to proceed with a disciplinary hearing, Minnesota law prohibits the scheduling of such a hearing without having a notarized complaint on file. Should you decide to have your statement notarized, do not sign it unless in the presence of the notary public.

If you are alleging that the licensee improperly treated you in some way, it may be important for us to have access to your records maintained by the licensee. Completing and returning the waiver with the Complaint Registration form will enable us to properly review your complaint without undue delay.

Finally, may I again remind you to sign and date the Complaint Registration form regardless of whether or not you have it notarized. Please return it and the waiver, if appropriate, in the enclosed preaddressed envelope. Upon receipt of the complaint, it will be evaluated. You will be informed of the developments.

Sincerely,

[Executive Secretary]

Please sign and return in the postage-paid envelope. Thank you!

Appendix D

MINNESOTA STATE BOARD OF PHARMACY
717 DELAWARE ST., SE, #351
MINNEAPOLIS, MN 55414

Report of Interview with Person Filing Complaint

The following facts were related to

by

on

at .m. at

The facts constituting the complaint are:

I have read the items above. They accurately reflect my complaint. I understand that pursuant to the Minnesota Data Privacy Act, the information submitted in this form is non-public private information. This information, which I am not legally required to submit, is offered so that the Board may properly and thoroughly evaluate and investigate this complaint, and if necessary, submit this information in any legal proceeding. Recognizing the Board's need to verify and, if necessary, legally pursue this complaint, I authorize the Board, its agents, and/or agents of the Attorney General's Office representing the Board to disclose this information to those whom they reasonably believe have a need to know.

Signature of Complainant _____ Date _____

Subscribed and sworn to before me this _____ day of _____, 19 _____

MINNESOTA STATE BOARD OF
 717 Delaware Street S.E.
 Minneapolis, Minnesota 55414

COMPLAINT REGISTRATION

Complainant's Name:

Subject of Complaint:

Address:

Address:

City, State, Zip Code:

City, State, Zip Code:

Telephone Numbers:

Telephone Number:

Home: ()

()

Work: ()

=====

Statement of Complaint
 (Use reverse side or additional paper if necessary.)

 (Signature of Complainant) Date

Subscribed and sworn to before
 me this ____ day of _____, 197__.

in the case, and it is shown to the satisfaction of the court that the additional evidence is material and that there were good reasons for failure to present it in the proceeding before the agency, the court may order that the additional evidence be taken before the agency upon such conditions as the court deems proper. The agency may modify its findings and decision by reason of the additional evidence and shall file with the reviewing court, to become a part of the record, the additional evidence, together with any modifications or new findings or decision.

Subd. 6. Procedure on review. The review shall be conducted by the court without a jury and shall be confined to the record, except that in cases of alleged irregularities in procedure before the agency, not shown in the record, testimony thereon may be taken in the court. The court shall, upon request, hear oral argument and receive written briefs. Except as otherwise provided all proceedings shall be conducted according to the rules of civil procedure.

[1963 c 809 s 1; 1965 c 698 s 3; Ex1967 c 1 s 6; 1969 c 567 s 3; 1969 c 1129 art 2 s 1; 1971 c 25 s 67; 1973 c 254 s 3; 1975 c 271 s 6; 1975 c 359 s 23; 1976 c 134 s 78]

15.0425 SCOPE OF JUDICIAL REVIEW. In any proceedings for judicial review by any court of decisions of any agency as defined in section 15.0411, subdivision 2 (including those agencies excluded from the definition of agency in section 15.0411, subdivision 2) the court may affirm the decision of the agency or remand the case for further proceedings; or it may reverse or modify the decision if the substantial rights of the petitioners may have been prejudiced because the administrative finding, inferences, conclusion, or decisions are:

- (a) In violation of constitutional provisions; or
 - (b) In excess of the statutory authority or jurisdiction of the agency; or
 - (c) Made upon unlawful procedure; or
 - (d) Affected by other error of law; or
 - (e) Unsupported by substantial evidence in view of the entire record as submitted; or
 - (f) Arbitrary or capricious.
- [1963 c 809 s 2]

15.0426 APPEALS TO SUPREME COURT. An aggrieved party may secure a review of any final order or judgment of the district court under section 15.0424 or section 15.0425 by appeal to the supreme court. Such appeal shall be taken in the manner provided by law for appeals from orders or judgments of the district court in other civil cases.

[1963 c 809 s 3]

15.043 [Repealed, 1957 c 806 s 13]

15.044 [Repealed, 1957 c 806 s 13]

15.045 [Repealed, 1955 c 603 s 4]

15.046 [Repealed, 1975 c 61 s 26; 1976 c 149 s 63]

15.047 MANUAL OF STATE AGENCY RULES, PUBLICATION. Subdivision 1. The commissioner of administration shall publish a manual of state agency rules, which shall include all agency rules currently in effect. The manual shall be so designed as to allow for economic publication and distribution and efficient use.

Subd. 2. Rules and regulations published pursuant to this section may be sold by the commissioner of administration in the manner provided by sections 648.42 to 648.44.

Subd. 3. [Repealed, 1963 c 822 s 4]

[1945 c 590 s 3; 1955 c 603 s 1-3; 1963 c 822 s 3; 1975 c 380 s 9]

NOTE: See also section 16.80.

NOTE: Section 15.047, Subdivision 1, was also amended by Laws 1975, Chapter 61, Section 8, to read as follows:

"15.047 Regulations. Subdivision 1. The commissioner of administration shall prescribe regulations for carrying out the provisions of sections 15.047 to 15.049. Among other things, such regulations shall provide for:

Subd. 2. **Petition, service.** (a) Proceedings for review shall be instituted by serving a petition thereof personally or by registered mail upon the agency or one of its members or upon its secretary or clerk and by filing such petition in the office of the clerk of district court for the county wherein the agency has its principal office or the county of residence of the petitioners, all within 30 days after the agency shall have served such decision and any order made pursuant thereto by mail on the parties of record therein; subject, however, to the following:

(1) In the case of a tentative or proposed decision which has become the decision of the agency either by express approval or by a failure by an aggrieved person to file exceptions within a prescribed time under the agency's rules, such 30-day period shall not begin to run until the latest of the following events shall have occurred: (a) such decision shall have become the decision of the agency as aforesaid; (b) such decision, either before or after it has become the decision of the agency, shall have been served by mail by such agency on the parties of record in such proceeding.

(2) In case a request for rehearing or reconsideration shall have been made within the time permitted and in conformity with the agency's rules, such 30-day period shall not begin to run until service of the order finally disposing of the application for rehearing or reconsideration, but nothing herein shall be construed as requiring that an application for rehearing or reconsideration be filed with and disposed of by the agency as a prerequisite to the institution of a review proceeding under this section.

(b) The petition shall state the nature of the petitioner's interest, the facts showing the petitioner is aggrieved and is affected by the decision, and the ground or grounds upon which the petitioner contends that the decision should be reversed or modified. The petition may be amended by leave of court although the time for serving the same has expired. The petition shall be entitled in the name of the person serving the same as petitioner and the name of the agency whose decision is sought to be reviewed as respondent. Copies of the petition shall be served, personally or by registered mail, not later than 30 days after the institution of the proceeding, upon all parties who appeared before the agency in the proceeding in which the order sought to be reviewed was made; and for the purpose of such service the agency upon request shall certify to the petitioner the names and addresses of all such parties as disclosed by its records, which certification shall be conclusive. The agency and all parties to the proceeding before it shall have the right to participate in the proceedings for review. The court in its discretion may permit other interested parties to intervene.

(c) Every person served with the petition for review as provided in this section and who desires to participate in the proceedings for review thereby instituted shall serve upon the petitioner, within 20 days after service of the petition upon such person, a notice of appearance stating his position with reference to the affirmance, vacation, reversal or modification of the order or decision under review. Such notice, other than by the named respondent, shall also be served on the named respondent and the attorney general and shall be filed, together with proof of service thereof, with the clerk of the reviewing court within ten days after such service. Service of all subsequent papers or notices in such proceedings need be made only upon the petitioner, the named respondent, the attorney general, and such other persons as have served and filed the notice as herein provided, or have been permitted to intervene in said proceedings as parties thereto by order of the reviewing court.

Subd. 3. **Stay of decision; stay of other appeals.** The filing of the petition shall not stay the enforcement of the agency decision; but the agency may do so, or the reviewing court may order a stay upon such terms as it deems proper. When an appeal from a final decision is commenced under this section in any district court of this state, any other later appeal under this section from such final decision involving the same subject matter shall be stayed until final decision of the first appeal.

Subd. 4. **Transmittal of record.** Within 30 days after service of the petition, or within such further time as the court may allow, the agency shall transmit to the reviewing court the original or a certified copy of the entire record of the proceeding under review; but, by stipulation of all parties to the review proceeding, the record may be shortened. Any party unreasonably refusing to stipulate to limit the record may be taxed by the court for the additional costs. The court may require or permit subsequent corrections or additions to the record when deemed desirable.

Subd. 5. **New evidence, hearing by agency.** If, before the date set for hearing, application is made to the court for leave to present additional evidence on the issues

incompetent, irrelevant, immaterial and repetitious evidence.

Subd. 2. All evidence, including records and documents (except tax returns and tax reports) in the possession of the agency of which it desires to avail itself, shall be offered and made a part of the record in the case, and no other factual information or evidence (except tax returns and tax reports) shall be considered in the determination of the case. Documentary evidence may be received in the form of copies or excerpts, or by incorporation by reference.

Subd. 3. Every party or agency shall have the right of cross-examination of witnesses who testify, and shall have the right to submit rebuttal evidence.

Subd. 4. Agencies may take notice of judicially cognizable facts and in addition may take notice of general, technical, or scientific facts within their specialized knowledge. Parties shall be notified in writing either before or during hearing, or by reference in preliminary reports or otherwise, or by oral statement in the record, of the material so noticed, and they shall be afforded an opportunity to contest the facts so noticed. Agencies may utilize their experience, technical competence, and specialized knowledge in the evaluation of the evidence presented to them.

[1957 c 806 s 9]

15.042 [Repealed, 1957 c 806 s 13]

15.0421 PROPOSAL FOR DECISION IN CONTESTED CASE. In all contested cases the decision of the officials of the agency who are to render the final decision shall not be made until the report of the hearing examiner as required by section 15.052, has been made available to parties to the proceeding for at least ten days and an opportunity has been afforded to each party adversely affected to file exceptions and present argument to a majority of the officials who are to render the decision.

[1957 c 806 s 10; 1975 c 380 s 7]

15.0422 DECISIONS, ORDERS. Every decision and order adverse to a party of the proceeding, rendered by an agency in a contested case, shall be in writing or stated in the record and shall be accompanied by a statement of the reasons therefor. The statement of reasons shall consist of a concise statement of the conclusions upon each contested issue of fact necessary to the decision. Parties to the proceeding shall be notified of the decision and order in person or by mail. A copy of the decision and order and accompanying statement of reasons together with a certificate of service shall be delivered or mailed upon request to each party or to his attorney of record.

[1957 c 806 s 11]

15.0423 REVIEW OF LICENSING OR REGISTRATION PROCEEDINGS, STAY. Subdivision 1. Where an appeal is taken or certiorari proceeding is instituted to determine the right of a board or other administrative agency to revoke or refuse to issue or reissue a license or registration which expires upon a specified date, the term of such license or registration shall not expire until 30 days after final determination of such appeal or certiorari proceeding.

Subd. 2. This section does not alter, change or affect the determination made by the board or other administrative agency, or by the reviewing court, as to the suspension, revocation or denial of the license or registration during the pendency of the appeal or certiorari proceeding.

[1963 c 565 s 1,2]

15.0424 JUDICIAL REVIEW OF AGENCY DECISIONS. Subdivision 1. Application. Any person aggrieved by a final decision in a contested case of any agency as defined in section 15.0411, subdivision 2 (including those agencies excluded from the definition of "agency" in section 15.0411, subdivision 2, but excepting the tax court of appeals, the workers compensation court of appeals sitting on workers compensation cases, the department of employment services, the director of mediation services, and the department of public service), whether such decision is affirmative or negative in form, is entitled to judicial review thereof, but nothing in this section shall be deemed to prevent resort to other means of review, redress, relief, or trial de novo provided by law now or hereafter enacted. The term "final decision" as herein used shall not embrace a proposed or tentative decision until it has become the decision of the agency either by express approval or by the failure of an aggrieved person to file exceptions thereto within a prescribed time under the agency's rules.

Subd. 3. Rules hereafter promulgated, amended, suspended, or repealed of any state officer, board, commission, bureau, division, department, or tribunal other than a court, having statewide jurisdiction and authorized by law to make rules, but excluded from the definition of "agency" in section 15.0411 shall have the force and effect of law if they are filed in the office of the secretary of state in the same manner as rules of an agency are so filed and if they are submitted to the commissioner of administration in a manner he shall prescribe and published in the state register. This subdivision, however, shall not apply to rules of the regents of the University of Minnesota.

Subd. 4. [Repealed, 1975 c 380 s 22]

Subd. 5. [Repealed, 1975 c 380 s 22]

Subd. 6. [Repealed, 1975 c 380 s 22]

[1957 c 806 s 3; 1963 c 822 s 1; 1969 c 399 s 1; 1974 c 344 s 4-7; 1975 c 380 s 3-5]

15.0414 [Repealed, 1963 c 822 s 4]

15.0415 PETITION FOR ADOPTION OF RULE. Any interested person may petition an agency requesting the adoption, suspension, amendment or repeal of any rule. The petition shall be specific as to what action is requested and the need for the action. Upon receipt of such a petition an agency shall have 60 days in which to make a specific and detailed reply in writing as to its planned disposition of the request. If the agency states its intention to hold a public hearing on the subject of the request, it shall proceed according to section 15.0412. The attorney general shall prescribe by rule the form for all petitions under this section and may prescribe further procedures for their submission, consideration, and disposition.

[1957 c 806 s 5; 1975 c 380 s 6]

15.0416 DETERMINATION OF VALIDITY OF RULE. The validity of any rule may be determined upon the petition for a declaratory judgment thereon, addressed to the district court where the principal office of the agency is located, when it appears that the rule, or its threatened application, interferes with or impairs, or threatens to interfere with or impair the legal rights or privileges of the petitioner. The agency shall be made a party to the proceeding. The declaratory judgment may be rendered whether or not the petitioner has first requested the agency to pass upon the validity of the rule in question.

[1957 c 806 s 6]

15.0417 RULE DECLARED INVALID. In proceedings under section 15.0416 the court shall declare the rule invalid if it finds that it violates constitutional provisions or exceeds the statutory authority of the agency or was adopted without compliance with statutory rule-making procedures.

[1957 c 806 s 7]

15.0418 CONTESTED CASE; HEARING, NOTICE. In any contested case all parties shall be afforded an opportunity for hearing after reasonable notice. The notice shall state the time, place and issues involved, but if, by reason of the nature of the proceeding, the issues cannot be fully stated in advance of the hearing, or if subsequent amendment of the issues is necessary, they shall be fully stated as soon as practicable, and opportunity shall be afforded all parties to present evidence and argument with respect thereto. Prior to assignment of a case to a hearing examiner as provided by section 15.052, all papers shall be filed with the agency. Subsequent to assignment of the case, the agency shall certify the official record to the office of hearing examiners, and thereafter, all papers shall be filed with that office. The office of hearing examiners shall maintain the official record which shall include subsequent filings, testimony and exhibits. All filings are deemed effective upon receipt. Upon issuance of the hearing examiner's report, the official record shall be certified to the agency. Informal disposition may also be made of any contested case by stipulation, agreed settlement, consent order or default.

[1957 c 806 s 8; 1976 c 68 s 3]

15.0419 EVIDENCE IN CONTESTED CASES. Subdivision 1. In contested cases agencies may admit and give probative effect to evidence which possesses probative value commonly accepted by reasonable prudent men in the conduct of their affairs. They shall give effect to the rules of privilege recognized by law. They may exclude

Chapter Two: Contested Case Procedures

HE 201 Scope and purpose. The procedures contained herein shall govern all contested cases held by any agency of state government as defined in Minnesota Statutes § 15.0411, Subd. 2.

HE 202 Definitions.

(a) **Commencement.** Commencement means service of an order for hearing upon any party.

(b) **Hearing Examiner.** The Hearing Examiner means the person or persons appointed by the Chief Hearing Examiner pursuant to Minn. Stat. § 15.052, Subd. 3, to hear the contested case.

(c) **Party.** Party means each person named or admitted as a party or properly seeking and entitled as of right to be admitted as a party. The term "party" shall include the agency, except when the agency participates in the contested case in a neutral or quasi-judicial capacity only.

(d) **Person.** Person means any individual, partnership, corporation, joint stock company, unincorporated association or society, municipal corporation, or any government or governmental subdivision, unit or agency other than a court of law.

(e) **Service; serve.** Service or serve means personal service or, unless otherwise provided by law, service by First Class United States mail, postage prepaid and addressed to the party at his last known address. An affidavit of service shall be made by the person making such service. Service by mail is complete upon the placing of the item to be served in the mail.

HE 203 Hearing Examiners.

(a) **Request for appointment.** Any agency desiring to order a contested case hearing shall first file with the Chief Hearing Examiner a request for appointment of a Hearing Examiner together with a proposed order for hearing including a proposed time, date and place for the hearing.

(b) **Appointment.** Within ten days of receipt of a request pursuant to HE 203 (a), the Chief Hearing Examiner shall appoint a Hearing Examiner to hear the case and the Hearing Examiner shall advise agency as to the location at which and time during which a hearing should be held so as to allow for participation by all affected persons.

(c) **Duties.** Consistent with law the Hearing Examiner shall perform the following duties:

(1) Grant or deny a demand for a more definite statement of charges.

(2) Grant or deny requests for discovery or of the taking of depositions.

(3) Receive and act upon requests for subpoenas where appropriate.

(4) Hear and rule on motions.

(5) Preside at the contested case hearing.

(6) Administer oaths and affirmations.

(7) Grant or deny continuances.

(8) Examine witnesses where he deems it necessary to make a complete record.

(9) Prepare findings of fact, conclusions and recommendations.

(10) Make preliminary, interlocutory or other orders as he deems appropriate.

(11) Do all things necessary and proper to the performance of the foregoing.

(12) In his discretion, perform such other duties as may be delegated to him by the agency ordering the hearing.

HE 204 Commencement of a contested case. A contested case is commenced, subsequent to the appointment of a Hearing Examiner, by the issuance of an order for hearing by the agency.

(a) **The order.** An order for hearing shall be served upon all parties and shall contain, among other things, the following:

(1) The time, date and place for the hearing.

(2) Name and address and telephone number of the Hearing Examiner.

(3) A citation to the agency's statutory authority to hold the hearing and to take the action proposed.

(4) A statement of the allegations or issues to be determined together with a citation to the relevant statutes or rules.

(5) Notification of the right of the parties to be represented by legal counsel.

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(6) A citation to these rules and to any applicable procedural rules of the agency.

(7) A statement advising the parties of the name of the agency official or member of the Attorney General's staff to be contacted to discuss informal disposition pursuant to HE 207 or discovery pursuant to HE 214.

(8) A statement advising the parties that a Notice of Appearance must be filed with the Hearing Examiner at least ten days prior to the hearing date is less than 20 days from the commencement of the contested case.

(9) A statement advising the parties that failure to appear at the hearing may result in the allegations of the order for hearing being taken as true.

(b) **Service.** The order for hearing shall be served not less than 30 days prior to the hearing unless otherwise provided by law, or where it can be shown to the Chief Hearing Examiner that a shorter time is required in the public interest without substantial adverse effect to the parties, and a copy shall be served upon the Hearing Examiner appointed to hear the case.

(c) **Notice.** The Notice of Appearance form provided for in HE 205 shall be included with each order for hearing served by the agency.

(d) **Publication.** Where the agency participates in the hearing in a neutral or quasi-judicial capacity, the order for hearing shall be published as required by law or as ordered by the agency and copies of the order for hearing may be mailed by the agency to persons known to have a direct interest.

(e) **Amendments.** At any time prior to the close of the hearing the agency may file and serve an amended order for hearing, provided that, should the amended order raise new issues or allegations, the parties shall have a reasonable time to prepare to meet the new issues or allegations if requested.

HE 205 Notice of appearance. Each party intending to appear at the contested case hearing shall file with the Hearing Examiner a Notice of Appearance which shall advise the Hearing Examiner of the party's intent to appear and shall indicate the title of the case, the agency ordering the hearing, the party's current address and telephone number and the name, office address, and telephone number of the party's attorney. The Notice of Appearance shall be filed with the Hearing Examiner at least ten days prior to the hearing, except that, where the hearing date is less than 20 days from the commencement of the contested case, the Notice of Appearance shall not be necessary. The failure to file a Notice may, in the discretion of the Hearing Examiner, result in a continuance of the hearing if the party failing to file appears at the hearing.

HE 206 Right to counsel. Any party may be rep-

resented by legal counsel throughout the proceedings in a contested case before an agency.

HE 207 Informal disposition. Informal disposition may be made of any contested case or any issue therein by stipulation, agreed settlement, or consent order at any point in the proceedings.

HE 208 Default. The agency may dispose of a contested case adverse to a party which defaults. Upon default the allegations of the order for hearing may be taken as true without further proof. A default occurs when a party fails to appear at a hearing or fails to comply with any interlocutory orders of the Hearing Examiner.

HE 209 Time.

(a) **Computation of time.** In computing any period of time prescribed by these rules or the procedural rules of any agency, the day of the last act, event, or default from which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included, unless it is a Saturday, Sunday or a legal holiday.

(b) **Additional time after service by mail.** Whenever a party has the right or is required to do some act or take some action within a prescribed period after the service of a notice or other paper upon him, or whenever such service is required to be made within a prescribed period before a specified event, and the notice or paper is served by mail, three days shall be added to the prescribed period.

HE 210 Intervention.

(a) **Petition.** Any person desiring to intervene in a contested case as a party shall submit a timely petition to intervene to the Hearing Examiner and shall serve the petition upon all existing parties. Timeliness will be determined by the Hearing Examiner in each case based on circumstances at the time of filing. The petition shall show how the petitioner's legal rights, duties or privileges may be determined or affected by the contested case, and shall set forth the grounds and purposes for which intervention is sought and shall indicate petitioner's statutory right to intervene if one should exist. The agency may, with the consent of the Chief Hearing Examiner, and where good reason appears therefor, specify in the Order for Hearing and final date upon which a petition for intervention may be submitted to the Hearing Examiner.

(b) **Objection.** Any party may object to the petition for intervention by filing a Notice of Objection with the Hearing Examiner within seven days of service of the petition. The Notice shall state the party's reasons for objecting and shall be served upon all parties and the person petitioning to intervene.

(c) **Order.** The Hearing Examiner shall allow intervention upon a proper showing pursuant to HE 210 (a) unless the Hearing Examiner finds that the petitioner's interest is adequately represented by one or more parties participating in the case. The order allowing intervention shall specify the extent of participation permitted the intervenor and shall state the Hearing Examiner's reasons therefor. An intervenor may be allowed to:

(1) File a written brief without acquiring the status of a party; or

(2) File a written brief, introduce evidence and cross examine witnesses at the hearing, but without acquiring the status of a party; or

(3) Intervene as a party with all the rights of a party.

(d) **Agency in a neutral capacity.** Where the agency participates in the hearing in a neutral or quasi-judicial capacity, then:

(1) Any person intending to object to or protest an application or petition or other request of a party may petition to intervene under this rule and, in addition to the requirements of HE 210 (a), shall set forth the grounds of the objection or protest.

(2) Any person desiring to claim the same right or privilege as that requested by an applicant, petitioner or similar party may petition to intervene under this rule, and in addition to the requirements of HE 210 (a), he shall set forth the grounds of his competing claim.

(3) The agency staff, or a portion of the agency staff, may petition to intervene under the rule.

(e) **Participation by the public.** Regardless of the status of the agency, the Hearing Examiner, may, in the absence of a petition to intervene, nevertheless hear the testimony and receive exhibits from any person at the hearing, or allow a person to note his appearance, but no person shall become, or be deemed to have become, a party by reason of such participation.

HE 211 Consolidation.

(a) **Authority.** Whenever, before hearing on any contested case, the Chief Hearing Examiner, either on his own motion or on the motion of the Hearing Examiner assigned to the case, or upon petition by any party, determines (a) that separate contested cases present substantially the same issues of fact and law; (b) that a holding in one case; and (c) the consolidation

would not substantially prejudice any party, the Hearing Examiner may order such cases consolidated for a single hearing on the merits. Notwithstanding the requirements of this rule, the parties may stipulate and agree to such consolidation.

(b) **Notice of order.** Following an order for consolidation the Hearing Examiner shall forthwith serve on all parties a copy of the order for consolidation. The order shall contain, among other things:

(1) A description of the cases for consolidation.

(2) The reasons for consolidation.

(3) Notification of a consolidated prehearing conference if one has been requested.

(c) Objection to consolidation.

(1) **Petition for severance.** Any party may object to consolidation by filing with the Hearing Examiner at least seven days prior to the hearing in the case a petition for severance from consolidation, setting forth petitioner's name and address, the title of his case prior to consolidation, and the reasons for his petition.

(2) **Determination.** If the Hearing Examiner finds that consolidation would prejudice petitioner, he may order such severance or other relief as he deems necessary.

HE 212 Disqualification. The Hearing Examiner shall withdraw from participation in a contested case at any time if he deems himself disqualified for any reason. Upon the filing in good faith by a party of an affidavit of prejudice the Chief Hearing Examiner shall determine the matter as a part of the record provided the affidavit shall be filed no later than five days prior to the date set for hearing.

HE 213 Prehearing conference.

(a) **Purpose.** The purpose of the prehearing conference is to simplify the issues to be determined, to consider amendment of the agency's order if necessary, to obtain stipulations in regard to foundation for testimony or exhibits, to consider the proposed witnesses for each party, to consider such other matters that may be necessary or advisable and, if possible, to reach a settlement without the necessity for further hearing.

(b) **Procedure.** Upon the request of any party or upon his own motion, the Hearing Examiner may, in his discretion, hold a prehearing conference prior to each contested case hearing. The Hearing Examiner may require the parties to file a prehearing statement prior to

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the prehearing conference which shall contain such items as the Hearing Examiner deems necessary to promote a useful prehearing conference. A prehearing conference shall be an informal proceeding conducted expeditiously by the Hearing Examiner. Agreements on the simplification of issues, amendments, stipulations or other matters may be entered on the record or may be made the subject of an order by the Hearing Examiner. Any final settlement shall be set forth in a settlement or consent order and made a part of the record.

HE 214 Discovery.

(a) **Demand.** Each party shall, within ten days of a demand by another party, disclose the following:

(1) The names and addresses of all witnesses that the party intends to call at the hearing. All witnesses unknown at the time of said disclosure shall be disclosed as soon as they become known.

(2) Any relevant written or recorded statements made by a party or by witnesses on behalf of a party. The demanding party shall be permitted to inspect and reproduce any such statements. Any party unreasonably failing upon demand to make the disclosure required by this rule may, in the discretion of the Hearing Examiner, be foreclosed from presenting any evidence at the hearing through witnesses not disclosed or through witnesses whose statements are not disclosed.

(b) **Requests for admissions.** A party may serve upon any other party a written request for the admission of relevant facts or opinions, or of the application of law to relevant facts or opinions, including the genuineness of any document. The request must be served at least 15 days prior to the hearing and it shall be answered in writing by the party to whom the request is directed within ten days of receipt of the request. The written answer shall either admit or deny the truth of the matters contained in the request or shall make a specific objection thereto. Failure to make a written answer shall result in the subject matter of the request being deemed admitted.

(c) **Motion to Hearing Examiner.** Upon the motion of a party, the Hearing Examiner may order discovery of any other relevant material or information, provided that privileged work product (e.g. that of attorneys, investigators, etc.) shall not be discoverable. Upon the failure of a party to reasonably comply with an order of the Hearing Examiner made pursuant to this rule, the Hearing Examiner may make a further order as follows:

(1) An order that the subject matter of the order for discovery or any other relevant facts shall be taken as established for the purposes of the case in accordance with the claim of the party requesting the order.

(2) An order refusing to allow the party failing to comply to support or oppose designated claims or de-

fenses, or prohibiting him from introducing designated matters in evidence.

HE 215 Dispositions to preserve testimony. Upon the request of any party, the Hearing Examiner may order that the testimony of any witness be taken by deposition to preserve his testimony in the manner prescribed by law for depositions in civil actions. The request shall indicate the relevancy of the testimony and shall make a showing that the witness will be unable or cannot be compelled to attend the hearing or show other good cause.

HE 216 Subpoenas. Requests for subpoenas for the attendance of witnesses or the production of documents shall be made in writing to the Hearing Examiner and shall contain a brief statement demonstrating the potential relevance of the testimony or evidence sought and shall identify any documents sought with specificity. Requests for subpoenas may be made only in cases wherein the agency involved has statutory subpoena power.

(a) Service of subpoenas.

(1) A subpoena shall be served in the manner provided by the Rules of Civil Procedure for the District Courts of the State of Minnesota unless otherwise provided by law.

(2) The cost of service, fees, and expenses of any witnesses subpoenaed shall be paid by the party at whose request the witness appears.

(3) The person serving the subpoena shall make proof of service by filing the subpoena with the Hearing Examiner, together with his affidavit of service.

(b) **Motion to quash.** Upon motion made promptly, and in any event at or before the time specified in the subpoena for compliance therewith, the Hearing Examiner may quash or modify the subpoena if he finds that it is unreasonable or oppressive.

HE 217 The hearing.

(a) **Rights of parties.** All parties shall have the right to present evidence, rebuttal testimony and argument with respect to the issues and to cross examine witnesses.

(b) **Witnesses.** Any party may be a witness or may present witnesses on his behalf at the hearing. All oral testimony at the hearing shall be under oath or affirmation. At the request of a party or upon his own motion the Hearing Examiner may exclude witnesses from the hearing room so that they cannot hear the testimony of other witnesses.

(c) Rules of evidence.

(1) **General rules.** The Hearing Examiner may admit all evidence which possesses probative value, in-

cluding hearsay, if it is the type of evidence on which prudent persons are accustomed to rely in the conduct of their serious affairs. The Hearing Examiner shall give effect to the rules of privilege recognized by law. Evidence which is incompetent, irrelevant, immaterial or unduly repetitious may be excluded.

(2) **Evidence must be offered to be considered.** All evidence to be considered in the case, including all records and documents (except tax returns and tax reports) in the possession of the agency or a true and accurate photocopy thereof, shall be offered and made a part of the record in the case. No other factual information or evidence (except tax returns and tax reports) shall be considered in the determination of the case.

(3) **Documentary evidence.** Documentary evidence in the form of copies or excerpts may be received or incorporated by reference in the discretion of the Hearing Examiner or upon agreement of the parties.

(4) **Notice of facts.** The Hearing Examiner may take notice of judicially cognizable facts but shall do so on the record and with the opportunity for any party to rebut.

(5) **The burden of proof.** The party initiating the contested case must prove the facts at issue by a preponderance of the evidence, unless the substantive law provides a different burden.

(6) **Examination of adverse party.** A party may call an adverse party or his managing agent or employees or an officer, director, managing agent or employee of the State or any political subdivision thereof or of a public or private corporation or of a partnership or association or body politic which is an adverse party, and interrogate him by leading questions and contradict and impeach him on material matters in all respects as if he had been called by the adverse party. The adverse party may be examined by his counsel upon the subject matter of his examination in chief under the rules applicable to direct examination, and may be cross-examined, contradicted, and impeached by any other party adversely affected by his testimony.

(b) **The record.**

(1) **Agency prepares record.** The agency shall prepare and maintain the official record in each contested case.

(2) **What the record shall contain.** The record in a contested case shall contain:

- (aa) All pleadings, motions and orders;
- (bb) Evidence received or considered;

(cc) Offers of proof, objections and rulings thereon;

(dd) The Hearing Examiner's findings of fact, conclusions and recommendations;

(ee) All memoranda or data submitted by any party in connection with the case.

(3) **The transcript.**

(aa) **Reporter.** A court reporter from the office of Hearing Examiners shall keep a record at each contested case hearing unless the Chief Hearing Examiner determines that the use of an audio magnetic recording device is more appropriate.

(bb) **Transcription.** The verbatim record shall be transcribed if requested by a party or in the discretion of the Chief Hearing Examiner. If a transcription is made, the Chief Hearing Examiner may require the requesting party and other parties who request copies of the transcript to pay a reasonable charge therefor. The charge shall be set by the Chief Hearing Examiner and all monies received for transcripts shall be payable to the State Treasurer and shall be deposited in the State Office of Hearing Examiners account in the State Treasury.

(e) **Continuances.** A request for continuance shall be made in writing to the Hearing Examiner and shall be served upon all parties of record.

(1) A request for continuance filed not less than five days prior to the hearing may, in the discretion of the Hearing Examiner, be granted upon a showing of good cause. Due regard shall be given to the ability of the party requesting a continuance to effectively proceed without a continuance.

(2) A request for a continuance filed within five days of the hearing shall be denied unless good cause exists and the reason for the request could not have been earlier ascertained.

(3) During a hearing, if it appears in the interest of justice that further testimony should be received, the Hearing Examiner, in his discretion, may continue the hearing to a future date and such oral notice on the record shall be sufficient.

(f) **Motions of the agency.** No motions shall be made directly to or be decided by the agency subsequent to the appointment of a Hearing Examiner and prior to the completion and filing of the Hearing Examiner's report unless the motion is certified to the agency by the Hearing Examiner. Uncertified motions shall be made

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to the Hearing Examiner and considered by the agency in its consideration of the record as a whole subsequent to the filing of the Hearing Examiner's report.

(g) Hearing procedure.

(1) **Hearing examiner conduct.** The Hearing Examiner shall not communicate, directly or indirectly, in connection with any issue of fact or law with any person or party including the agency concerning any pending case, except upon notice and opportunity for all parties to participate.

(2) **Conduct of the hearing.** The hearing shall be conducted substantially in the following manner:

(aa) After opening the hearing, the Hearing Examiner shall indicate the procedural rules for the hearing including the following:

(i) All parties may present evidence and argument with respect to the issues and cross-examine witnesses.

(ii) All parties have a right to be represented by an attorney at the hearing.

(iii) The rules of evidence as set forth in HE 217(c)(1).

(bb) Any stipulations, settlement agreements or consent orders entered into by any of the parties prior to the hearing shall be entered into the record.

(cc) The party with the burden of proof may make an opening statement. All other parties may make such statements in a sequence determined by the Hearing Examiner.

(dd) After any opening statements, the party with the burden of proof shall begin the presentation of evidence. He shall be followed by the other parties in a sequence determined by the Hearing Examiner.

(ee) Cross-examination of witnesses shall be conducted in a sequence determined by the Hearing Examiner.

(ff) When all parties and witnesses have been heard, opportunity shall be offered to present final argument, in a sequence determined by the Hearing Examiner. Such final argument may, in the discretion of the Hearing Examiner, be in the form of written memoranda or oral argument, or both. Final argument need not be recorded, in the discretion of the Hearing Examiner. Written memoranda may, in the discretion of the Hearing Examiner, be submitted simultaneously or sequentially and within such time periods as the Hearing Examiner may prescribe.

(gg) After final argument, the hearing shall be closed or continued at the discretion of the Hearing Examiner. If continued, it shall be either (a) continued to a certain time and day, announced at the time of the

hearing and made a part of the record, or (b) continued to a date to be determined later, which must be upon not less than five days written notice to the parties.

(hh) The record of the hearing shall be closed upon receipt of the final written memorandum.

(3) **Participation by agency head.** An agency which is a party to a contested case may only participate in the hearing by the giving of testimony and through its designated representative or counsel. Where the agency is not a party and participates in the hearing in a neutral or quasi-judicial capacity the agency head or a member of the governing body of the agency or his delegate may engage in such examination of witnesses as the Hearing Examiner deems appropriate.

(h) Disruption of hearing.

(1) **Cameras.** No television, newsreel, motion picture, still or other camera and no mechanical recording devices, other than those provided by the Office of Hearing Examiners or at its discretion, shall be operated in the hearing room during the course of the hearing unless permission is obtained from the Hearing Examiner prior to the opening of the hearing and then subject to such conditions as the Hearing Examiner may impose to avoid disruption of the hearing.

(2) **Other conduct.** Pursuant to and in accordance with the provisions of Minn. Stat. § 624.72, no person shall interfere with the free, proper and lawful access to or egress from the hearing room. No person shall interfere with the conduct of, disrupt or threaten interference with or disruption of the hearing. In the event of such interference or disruption or threat thereof, the Hearing Examiner shall read this rule to those persons causing such interference or disruption and thereafter proceed as he deems appropriate.

HE 218 The decision.

(a) Basis for determination.

(1) **The record.** No factual information or evidence, except tax returns and tax reports, which is not part of the record shall be considered by the Hearing Examiner or the agency in the determination of a contested case.

(2) **Administrative notice.** The Hearing Examiner and agency may take administrative notice of general, technical or scientific facts within their specialized knowledge in conformance with the requirements of Minn. Stat. § 15.0419, Subd. 4.

(b) **Hearing examiner's report.** Following the close of the record and the completion of the transcript, the Hearing Examiner shall make his report pursuant to Minn. Stat. § 15.052, Subd. 3, and, upon completion a copy of said report shall be served upon all parties by regular mail.

(c) **Agency decision.** Following receipt of the Hearing Examiner's report, the agency shall proceed to make its final decision in accordance with Minn. Stat. § 15.0421 and Minn. Stat. § 15.0422.

HE 219 Rehearing. An agency order for rehearing shall be served on all parties in the same manner prescribed for the order for hearing. The rehearing shall be conducted in the same manner prescribed for a hearing.

HE 220 Emergency procedures. Nothing contained in these rules is intended to preempt, repeal or be in

conflict with any rule or statute which provides for acts by the agency in an emergency or procedure for conduct by the agency in such a situation.

HE 221 Severability. If any provision of these rules is held invalid, such invalidity shall not affect any other provision of the rules which can be given effect without the invalid provision, and to this end the provisions of these rules are declared to be severable.

HE 222 Effective date. These rules shall be effective for all contested cases commenced after December 31, 1975.

KEY: Material proposed to be added to an existing rule is printed in **boldface**. Material proposed to be deleted from an existing rule is printed in [single brackets]. Underlining indicates additions to proposed rules, while [[double brackets]] indicate matter stricken from proposed rules. Existing material is printed in standard type face.

memo from FRED T. MAHAFFEY

10/27-77

Dear David,

We see no problem in providing you
with a test for administration in
March.

However, beginning with June 1978
the National Test Dates will have
to be adhered to.



BOARD OF PHARMACY



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October 19, 1977

MINNEAPOLIS, MINNESOTA 55414

Fred T. Mahaffey
Executive Director
National Association of Boards of Pharmacy
1 East Wacker Drive
Suite 2210
Chicago, IL 60601

Dear Fred:

I am writing simply to reiterate the Minnesota Board's request to have made available to us a version of the NABPLEX Examination so that we might administer it during our traditionally scheduled March examination. Once again let me say that we are not concerned that the examination may have been given at a prior time or in a neighboring state but are simply concerned that an examination (any examination) be made available to us in March.

If it is possible for us to receive a copy of the NABPLEX exam, as you seemed to indicate that it might be, for our use in March please let me know as soon as possible so that we might publish exam dates, etc.

If it is not possible under any circumstances for us to use a NABPLEX exam in March we will have to plan for either January or June so a prompt reply will be greatly appreciated.

Thank you for any assistance you can give us.

Very truly yours,

David E. Holmstrom
Executive Secretary

DEH:pe

MINNESOTA BOARD OF PHARMACY

FIVE HUNDRED TWENTY-FOURTH MEETING

December 7, 1977. At approximately 9:00 a.m., December 7, 1977 the Board met in Room 305 of the Minnesota Department of Health Building, 717 Delaware Street SE, Minneapolis, Minnesota for the purpose of conducting a general business meeting. In attendance were: President Thomas Berg, Mr. Thomas Jones, Mr. Marcus Frederickson, Mrs. Louise Kortz, Mrs. Kitty Alcott, and the Board's Secretary Mr. David Holmstrom. Board member Rosetta Stark was absent for the fifth consecutive meeting.

Immediately after the opening of the meeting the Secretary was asked to send a complete text of the rules changes that are being published in the State Register to the Board Members as soon as they become available.

Mrs. Louise Kortz then moved and Mr. Tom Jones seconded that the recent revisions in the laws and rules of the Board be printed as soon as possible. The motion passed.

The Board next took up new pharmacy applications submitted to it since its last meeting. The Board first reviewed the application submitted by the Group Health Plan, Inc. with Kathleen Delmore indicated as pharmacist-in-charge to operate the Group Health Pharmacy, 355 Sherman, St. Paul, Minnesota. After reviewing this application Mrs. Kitty Alcott moved and Mrs. Louise Kortz seconded that the application submitted by Group Health Plan, Inc. be granted preliminary approval with licensure being made subject to the successful completion of an on-site inspection by a member of the Board's staff for compliance with the requirements of Pharmacy Board Regulations 7-11. The motion passed.

The next application reviewed was that submitted by Mr. James Haggerty with Mr. Kenneth Twit indicated as the pharmacist-in-charge for the operation of St. Joe Pharmacy, St. Joseph's, Minnesota. After reviewing this application Mrs. Kitty Alcott moved and Mr. Marc Frederickson seconded that the application submitted by Mr. Haggerty be granted preliminary approval with licensure being made subject to the successful completion of an on-site inspection by a member of the Board's staff for compliance with the requirements of Pharmacy Board Regulations 7-11. The motion passed.

The Secretary next reviewed with the Board the recommendations he received from NABP regarding the labeling of large volume parenteral solutions. It was suggested that Board Member Louise Kortz, having considerable hospital pharmacy experience, review the labeling recommendations and report back to the Board.

The Secretary next discussed NABPLEX examination dates. The Secretary reviewed with the Board a letter he received from Mr. David Work, Board Secretary for the Pharmacy Board in North Carolina, regarding that Board's position on the establishment of a NABPLEX examination date in March of 1979. After some additional discussion Mr. Marc Frederickson moved and Mr. Tom Jones seconded that it be resolved that the Minnesota Board of Pharmacy request that the NABP Executive Committee set uniform testing dates for the NABPLEX examination to include dates in March of 1979 and that the NABP Executive Committee set uniform exam dates in all future years to provide for quarterly examination administration. The motion passed.

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The Secretary next described to the Board conversations he has recently had with Mr. Karl Marquardt, Executive Secretary of the Wisconsin Board of Pharmacy regarding Wisconsin's establishment of a split examination schedule and Wisconsin's decision to accept raw score grade transfers on the written sections of the NABPLEX examination. After considerable discussion Mrs. Louise Kortz moved and Mr. Tom Jones seconded that beginning in September, 1978 the Minnesota Board utilize the computerized scores provided by ETS from NABPLEX examinations taken in another state in lieu of requiring re-examination to evaluate overall exam performance if the same form of the examination was participated in within the year in that other state as is being administered in Minnesota. The motion passed.

The Secretary next shared with the Board a letter he received from Mr. Robert W. Norton requesting reciprocity to Minnesota from Iowa in spite of the fact that Mr. Norton is not a graduate of an accredited College of Pharmacy and in spite of the fact that his reciprocity application was rejected by NABP. After some discussion Mrs. Louise Kortz moved and Mr. Marc Frederickson seconded that the Secretary inform Mr. Norton that he does not qualify for reciprocity to Minnesota from Iowa in that he is not a graduate of an accredited College of Pharmacy and would not have qualified for licensure in Minnesota at the time he was licensed in Iowa. The motion passed.

The Secretary next shared with the Board a letter he received from Ms. Marianne Kiliper regarding reciprocity to Minnesota from Iowa. After discussing the situation of Ms. Kiliper and her professional experiences in Iowa Mrs. Kitty Alcott moved and Mrs. Louise Kortz seconded that the Secretary be instructed to telephone Ms. Kiliper and inform her that her reciprocity application for June of 1978 will be accepted provided that she immediately registers in Minnesota as an intern and gains employment as an intern in Minnesota for the remaining months. The motion passed.

The Secretary next described to the Board his conversation with Huguette Vezeau, a graduate of the Montreal College of Pharmacy, regarding her employment at the University of Minnesota Hospitals as a pharmacy resident and her application for registration as an intern. After some discussion there was a consensus agreement that the Secretary refer this matter to the Board's Internship Advisory Council for a recommendation.

The Secretary next presented to the Board a letter he received from Mr. Bruce A. Gray, pharmacist registered in Minnesota but employed in Clovis, New Mexico regarding an appeal for an extension of time for him to complete his continuing education requirements. Mrs. Louise Kortz moved and Mr. Marc Frederickson seconded that the Secretary take the steps necessary to extend the time allowed Mr. Gray to complete his continuing education requirements to March 1, 1978. The motion passed.

At this point the Board reviewed the minutes of the November 1977 meeting and Mrs. Louise Kortz moved and Mr. Marc Frederickson seconded that the minutes of the November 16th meeting be approved. The motion passed.

Page 2.

At this point the Secretary informed the Board of the automatic cost of living increase authorized by the Department of Personnel for all state employees with the exception of unclassified employees and requested of the Board that a similar cost of living increase be granted to the Secretary. After some discussion Mr. Marc Frederickson moved and Mrs. Kitty Alcott seconded that the cost of living increase authorized by the Department of Personnel for all Schedule A, B and C employees likewise be approved and authorized for Secretary Holmstrom. The motion passed.

At this point President Berg dismissed the Board for lunch indicating that upon returning to session in the p.m. the Board will deal solely with reviewing the latest drafts of proposed rules on Unit Dose Systems, Nursing Homes, and the like.

At approximately 1:30 p.m. President Berg reconvened the Board in Room 305 and the Board proceeded to review recent recommendations regarding proposed rules changes.

Throughout the afternoon the Board reviewed various sections of proposed rules making numerous amendments, additions, and deletions. At approximately 4:45 p.m. President Berg adjourned the meeting.


Secretary


President