

**SD Board of Pharmacy Meeting Minutes**  
**April 7, 2022, 1:00 p.m. CDT**  
**South Dakota Board of Pharmacy Conference Room**  
**4001 W. Valhalla Blvd, Suite 202, Sioux Falls, SD 57106**

The board meeting was held in-person and via Zoom conference.

**Board Members Present:** President Dan Somsen, Tom Nelson, Ashley Hansen, Cheri Kraemer, and Curt Rising (zoom).

**Board Staff Present:** Executive Director Kari Shanard-Koenders; PDMP Director Melissa DeNoon, Inspectors Tyler Laetsch, Carol Smith, and Lee Cordell; and Secretary Rhea Kontos.

**Attendees (in-person and via Zoom):** Jessica Strobel, Jeremy Daniel, Emily Van Klompenburg, Amanda Bacon, Bill Ladwig, Chelsea Conway, Amanda McKnelley, David McVey, Michelle Aytay, Megan Borchert, Shanna O'Connor, Maimana Bruce Uzzell, Lori Ollerich, Jim Mennen, Gail Elliott, Andy Tonnesen, Lersula Chizhik, Ariel Clark, Alyssa Larson, Dan Hansen, Brett Stark, Lisa Greene, Amelia Koster, Sean Grosklags, and Hailey Kloiber.

**A. Call to Order, Mission, Roll Call, and Introductions –President Dan Somsen**

At 1:00 pm, the meeting was called to order by President Somsen. Board mission statement was read, roll taken, introductions completed, and it was determined that a quorum was present.

**B. Public Comment**

The floor was opened for comment. President Somsen added that comments are allowed during the entire meeting if appropriate. Hearing no comments, President Somsen moved to the Consent Agenda.

**C. Consent Agenda**

The consent agenda was ratified by voice vote (Kraemer/Hansen/unanimous).

**D. Contested Case Hearings - Megan Borchert, JD, Assistant AG, David McVey, JD, Assistant AG**

1. In The Matter of The Disciplinary Proceedings of Pharmacist Scott Mouw – completion of Probation
  - Scott Mouw has completed his probation and is requesting a stipulation where he requests his pharmacist license be active without restrictions. He has completed his probation and stipulations therein. Ms. Borchert explained the process, documents served, and signed document by Mr. Mouw. Mr. McVey explained that if the board desires, the board motion should be to approve the AMENDED STIPULATION FOR ENTRY OF CONSENT ORDER as written. A motion to accept the AMENDED STIPULATION FOR ENTRY OF CONSENT ORDER was ratified by voice vote (Kraemer/Nelson/unanimous).
2. In The Matter of The Disciplinary Proceedings of Pharmacist Brett Stark – requested reduction of Probation
  - Mr. Stark was present and not represented by council. Ms. Borchert stated that Mr. Stark was placed on probation on 9/20/2018 and is requesting to end his probation 4 months early. She explained the legal process. His motivation according to Amanda McKnelley, Midwest Health & HPAP is to return to work but stay in the HPAP program, until completion. The board is asked to approve the AMENDED STIPULATION FOR ENTRY OF CONSENT ORDER as written. A motion to approve the AMENDED STIPULATION FOR ENTRY OF CONSENT ORDER as written was ratified by voice vote (Kraemer/Hansen/unanimous). David McVey requested that Megan Borchert send the board all documents for President Somsen signature today.

## E. Staff Reports

1. Operations Reports – Kari Shanard-Koenders, R.Ph., M.S.J., Executive Director
  - Regarding Board attorneys, the Department of Health (DOH) has hired Jennifer DeHueck to replace Justin Williams and they are searching for a replacement for Megan Borchert. We are working with AAG David McVey in the interim and are very happy with him.
  - Kari attended the Opioid Regulatory Collaborative Summit with American Association of Dental Boards (AADB), the Federation of State Medical Boards (FSMB), the National Association of Boards of Pharmacy (NABP) and the National Council of State Boards of Nursing (NCSBN). The opioid epidemic nationwide may have been backburnered by COVID but is now worse than ever. CDC reports 100,000 opioid overdoses in the last year. This collaboration allowed us to discuss all aspects for all represented providers. Student Education, Continuing Education, curriculum, standards of practice and much more were discussed. A huge concern noted by Addiction Medicine physicians is that pharmacies are not stocking buprenorphine, so it is not readily available when a patient has a prescription. Further, there still is a stigma to its use throughout the country. Statistics provided that upwards of 80% of Opioid Use Disorder (OUD) patients will recidivate without Medication Assisted Treatment (MAT) and most will die without it. HPAP does not allow Rx used to get back to work. Pharmacies used to be the gatekeeper for opioid prescriptions, but now may need to allow patients who have legitimate prescriptions to obtain them, but also assist those who want to quit using them.
  - Pharmacists refusing to fill prescriptions is something that we are receiving complaints on. Some are for reasons that a pharmacist seems to be projecting their personal biases onto the prescription. A CII Rx is on the same paper as an antibiotic post-surgery is one reason given. Pharmacist told patient it was illegal to fill. Others where the pharmacist is flat out telling the physician that they are not prescribing appropriately in their specialty is also concerning. Calling patients and upsetting them because of a bias. These things need to end. Pharmacists are super intelligent clinically, but don't always have the best common-sense skills.
2. Inspector Reports
  - a. Carol Smith, Inspector reported the following observations/occurrences:
    - Biennial Inventory reports continue to be an issue. Some pharmacies are not counting all controlled substances on the same day; counting C-II controlled substances one day and counting the C-III-V another day. Forgetting to count the outdated controlled substances, the controlled substance prescriptions that are filled but not yet picked up by patients (in the will call bin) and controlled substances in the AMDD's (pyxis and Omnicell). Everything must be counted on the same day at the same time BOB or EOB.
    - Improper documentation of partial filling of C-II prescriptions. The quantity dispensed must be written on the face of the prescription or in the electronic record of the prescription. Documenting, in only the perpetual inventory in not acceptable.

Collector receptacle was noted that was not secured to the floor and improper documentation was noted when the liner was sent in. The liner and seal number were not recorded.

C-II prescriptions were filled using nicknames and not the legal name from the insurance card. Ex Jim instead of James and Pat instead of Jean. This affects PDMP documentation. A person looking for James prescriptions will not find those with Jim on the name.
  - b. Lee Cordell, Inspector reported the following observations/occurrences:
    - It is difficult to do an audit on CIII-CIV medications if pharmacies are only doing an estimate per the DEA guidelines on Biennial inventory. If the audits are off by large margins, we are requesting they do exact counts or have accountability for the unaccounted-for controlled substances.
    - Some pharmacies are not removing patient specific information from bottles when they are reversed and placed back on the shelf.

- Main facility ordering controlled substances for off-site facilities and not executing DEA 222 form properly or sending them with the product.
  - Pharmacies not knowing they need to submit a request for the 4:1 variance of technicians to pharmacists.
  - Hazardous medications in robots.
  - “White Bagging” among mail order pharmacists for vaccinations and other injectables.
  - A hot topic amongst pharmacies is that of testosterone RX filling for gender reassignment in a minor. This potentially has implications and pharmacists need further education. Others added that parental consent is required at the point of gender reassignment, prior to any prescriptions being written. Board members and attendees discussed the variables and sought to find the aid of an expert in the field of gender reassignment to help educate the board and pharmacists. David McVey said he would contact one of the state’s experts in the field to ask for their input. Dan Somsen suggested to table the topic, no action is required.
  - More discussion was had regarding PBM practices and how they affect pharmacy. SB163 would have been a helpful tool, unfortunately it did not pass. Transparency is needed in PBM practices. Cheri Kraemer suggested pharmacists maintain a list of overcharges. Dan Somsen said there has been a history of Medicare Part B overcharges since 2005 when PDM’s made it to their advantage. Generic and brand effective rate plays into the billing which makes it more difficult.
- c. Tyler Laetsch, Inspector reported the following observations/occurrences:
- In the next school year, the Board (Tyler) will precept 6 interns.
  - The new NABP test questions have been written.
  - Listened to the ACPE Webinar from CE Impact. Many classes offered, including a PIC Boot Camp and a pharmacist refresher course, which may be valuable with disciplined individuals and reinstatements. Ashley Hansen interjected that she uses CE impact for the IA pharmacist licensure program.
  - Unit dosing in baggies is not appropriate. Signatures are required on CS inventory. There must be a Logbook for all parts of take back sites and it needs to be completed.
  - The Board has had more questions about central fill from chains. Hy-Vee is the only one in the state at present.
  - We get many Telemedicine questions. Often confusion between telemedicine and telepharmacy.
  - PDMP audits are being performed as a pilot.
  - In the case of the Vanderbilt nurse, where the patient died due to a medication error, there now is fear of retribution amongst the health care field and will there be less error reporting because of that fear? Kari Shanard-Koenders interjected that some boards are considering law/rules for a medical error and the pharmacy board may need to consider this as well to have some liability protections.
  - Compounding FDA approved commercially available products can lead to potential errors. Some compounding is not covered by third parties. Dan asked how many recalls are known on commercially available products.
3. PDMP Director Melissa DeNoon reported the following program updates:
- PDMP Updates
    - BJA FY 21 Harold Rogers PDMP Grant – funding draw down still pending final budget clearance; project period start date was October 1, 2021
    - PMP InterConnect data sharing set up with FL – currently share with 39 other PDMPs
    - Current staff focus on data integrity including data submission compliance and error correction
  - Presentations Given/Events Attended
    - Opioid Abuse Advisory Committee – PDMP update
    - SD Legislature’s Senate and House Health and Human Services Committees – Annual PDMP Opioid Report
    - NASCSA Executive Committee Midyear Meeting – Savannah, GA
    - New SD DOH Opioid Program Director – PDMP 101 presentation

- Upcoming Events
  - SDSU College of Pharmacy P2 Class PDMP presentation – April 19, 2022
  - APhA Institute on Substance Use Disorders June 1-5, 2022 – Salt Lake City, UT
- PDMP Statistics
  - SD Legislature’s Annual Report 3-year (2019/2020/2021) trending statistics shared: 1) Opioid prescription metrics to SD patients – rx count, rx total quantity dispensed, and rx total days of supply, 2) Top SD patient counties by opioid rx count, and 3) PharmaDrop Drug Take-Back Program receptacle count and total pounds returned from 2017 through 2021
  - PDMP utilization by SD prescribers and pharmacists from January 2018 through December 2021

**F. Complaints, Investigations, Disciplinary Actions, Loss/Theft Reports**

Reported by Tyler Laetsch, Lee Cordell, and Carol Smith.

1. DEA Form 106- HyVee Vermillion
2. Complaint #2022-0001 Technician diversion
3. Complaint #2022-0002 Pharmacist refusal to fill
4. Complaint #2022-0003 Dispensing error
5. Complaint #2022-0004 Compounding error
6. DEA Form 106—HyVee Minnesota Ave.
7. DEA Form 106—Safeway Mt. Rushmore Rd
8. DEA Form 106—Walgreen’s Yankton
9. DEA Form 106—Scotland Pharmacy
10. DEA Form 106—Brandon Pharmacy
11. DEA Form 106—CVS Louise Ave.

**G. SD Pharmacists Association – Amanda Bacon, SDPHA Executive Director; Kristin Carter, Pharm D., SDPHA President**

1. Activity Report
  - The 97<sup>th</sup> Legislative Session has drawn to a close with many interesting features such as covid-19 considerations. 20% of legislator turnover proved to be a challenging session to achieve the gains we’d hoped for.
  - The SB 163 cleared the Senate Committee, but it was an uphill battle from there with PBM and Insurance lobby in full force. SD 163 failed on a 17-17 vote. The sponsor gave intent to reconsider, but that reconsideration failed. IA ran a similar bill last year but Wellmark’s lobby killed it. The NCPA was helpful in the endeavor.
  - Other Key bills: HB 1086- passed, HB 1267 - failed, & HB 1242 – passed.
  - Continue to need funding to aid in the lobbying efforts.
  - Legislative Days was Jan 25-6. Lindsey Riter-Rapp and Amanda Bacon discussed various bills with attendees, including excellent student participation. Considering moving the Legislative Days to February in 2023 to capture more students.
  - Amanda joined Dr. Erin Miller’s classroom virtually on February 24th to provide the students with a walk thru on how the legislative process works.
  - Please attend the Spring District Meeting(s) which be held April 10 – April 28, 2022.
  - The 136<sup>th</sup> Annual meeting is to be held Sept 9-10 in Brookings SD. Early bird registration to open soon.
  - SDPHA has submitted comments to the FTC, the Centers for Medicare and CMS regarding detrimental PBM practices regarding DIR feeds and their 2023 proposal.
  - Pharmacy Technician University (PTU) has now enrolled 123 students since SDPHA started working with them.
  - Continue to work closely with SDSU pharmacy students and they worked extremely hard assisting with the 2021 virtual meeting.

- Kari Shanard-Koenders interjected that donating to the C & L fund is critical. Amanda thanked Kari for the plug and that for instance, 9 lobbyist represented Insurance and PDM's and with the 2 lobbyists the SDPHA places on the Senate floor this uneven representation is challenging.
  - Kari Shanard-Koenders shared that Lisa Rave is running for Senate in District 25.
2. Financial Report – provided not reviewed

## H. Other Reports

1. SDSU College of Pharmacy – Dan Hansen, PharmD, Dean and Professor reported that ACPE approved the accreditation of the CE program through January 31, 2028. The peer review process will take place in a few weeks and the on-site evaluation is scheduled for October 18-20, 2022.
  - Faculty & Staff Updates:
    - Stacie Lansink, MLS program director, was recognized in the National Accrediting Agency for Clinical Laboratory Sciences (NAACLS) Annual Report for her service as on-site evaluator for MLS programs.
    - Dr. Brittney Meyer, IPE coordinator and associate professor, received the University's Excellence in Outreach Award.
    - Dr. Om Perumal, associate dean for research and professor, received the Global Achievement Award in International Affairs from the Office of International Affairs.
    - Two new people joined the College. Jacob Ford started on January 10th as the scientific writer for the Community Practice and Innovation Center (CPIC). Dr. Tareq Al-Maqtari joined the College of Pharmacy & Allied Health Professions on January 24th as a visiting scholar and to help teach pharmacology.
    - Dr. Brad Laible, a professor of pharmacy practice and a member of the College of Pharmacy and Allied Health Professions since 2004, was named the college's interim associate dean for academic programs. He began his duties Jan. 10, when Teresa Seefeldt transitioned into the vice-provost for undergraduate education for SDSU. Dan Hansen recognized and thanked Teresa for her years of service to the College.
    - Searches are underway for the following positions: associate dean for academic programs, department head of pharmaceutical sciences, post-doctoral fellowship in population health, recruitment and outreach coordinator, and a program assistant in the Department of Allied and Population Health.
    - Kari Shanard-Koenders shared that the school is aiding in helping with the district 5 meeting.
2. SD Society of Health System Pharmacists – Jeremy Daniel, Pharm.D., SDSHP President
  - Three Virtual Resident CE Presentations were successfully h in February with solid attendance each day and great feedback from attendees. SDSHP is very grateful to Scout Forbes-Hurd from SDSU for taking care of all the ACPE items on the back end, especially with complicated and last-minute changes.
  - Resident Conference – planning is underway for the 2022 Resident Conference hosted by SDSHP each summer. They are in very early stages of planning but looking at June/July for dates. Current resident liaison Kathryn Brummels from Monument Health oversees organizing the activity. Planning on an in-person event at Arrowwood Cedar Shore Resort in Oacoma.
  - The GVR Golf Classic planning for the 20th annual GVR open has begun. Look for more details coming soon. Planned for July 2022
  - DEI Statement – SDSHP has drafted a Diversity, Equity, and Inclusion statement and will debut this for the membership at the Annual Meeting. This will also be shared with the BOP during this meeting.
  - SDSHP Annual Conference will April 8-9th. Looking forward to our second (and hopefully last) virtual meeting. The 2023 SDSHP Annual Meeting will be held in Sioux Falls on March 31-April 1.
  - Board Changes – Haylee Allen cycling off as current Past President, Jeremy Daniel moving to Past President, Alyssa Larson moving to President. Khia Walser (Warzecha) moving from Treasurer to President Elect and being replaced by Hannah Reedstrom from Avera. Stephanie Iverson cycling off at Board Member at Large, replaced by Billy Anderson from Avera. Jenna Lund remains secretary and Leah Garland remains Board Member at Large.
3. SD Association of Pharmacy Technicians – John Thorns, CPhT (Not in Attendance).

- No report submitted but Jeremy Daniel said that the pharmacy technicians are working with them to assist with upcoming CE.

## I. Old Business

1. Board Policy Statement Number 22-01-02, which allows pharmacies to request a 4:1 technician ratio variance in special circumstances was discussed. This was a December Board Meeting request for staff to write since pharmacies are overwhelmed with immunizations. Since then, Walmart was approved at the December meeting, Walgreens and Safeway have requested this variance and been approved.
  - A motion to approve Policy Statement 22-01-02 as proposed was ratified by voice vote (Nelson /Kraemer/unanimous.)
2. Hy-Vee – Report on Technician Immunization Pilot Project – Jim Mennen, BPharm, MS, MBA, Asst. VP Pharmacy Compliance, Hy-Vee
  - Originally approved in October 2021. Hy-Vee seeking a year extension. Dan Somsen inquired if there is a trainer on site and what happens if adverse event. Board members asked who gives the immunization counseling before the vaccine is given. Other board members had questions and a pause on topic was given so the original variance could be sourced and reviewed.
  - During the pause, Dan Hansen, shared the SDSU College of Pharmacy report which is above in “Other Reports”.
  - With the variance located it was determined that the pharmacist does provide the counseling not the technician. Ashley Hansen commented that they need to be sure that the pharmacist is involved in the vaccination counseling. Dan Somsen stated that vaccinations are a good time for pharmacists to educate the client on vaccine benefits and that it is not the responsibility of the technician.
  - Board members raised questions regarding what will occur once the PREP Act ends. Kari stated that the policy statement provides that it will expire if the PREP Act expires, or the Board rescinds the policy statement. Technicians would then go back to doing only those jobs authorized by rules or, we make change in the rules to allow this going forward.
  - A motion to accept the variance renewal for one year (including reporting to the Board) as proposed with an addition that the pharmacist is doing the education was ratified by voice vote (Hansen/Kraemer/unanimous).
3. FDA MOU with States on Compounding
  - Cheri Kramer reported that when she was in DC last November, she learned that the MOU was tabled because not all procedures we followed so at this point it will need to be redrawn. Approximately 7 -9 pharmacies made a case that it was unlawful, and the judge approved. Kari Shanard-Koenders commented that rules need to be created first. Cheri Kramer said that it did not address percentages and it will come back. Dan Somsen asked when it will come back. Kraemer said 2023 and what can be done to prepare. Most pharmacies who ship compounded products across state lines are aware.
4. Update on USP <795>, <797>, <800>, <825> - Tyler Laetsch
  - Tyler said that a public comment period end was March 31st. Proposed changes made are not much different than that of 2019.
  - 797 is cleaner since it removed categories
  - Cheri Kraemer added that IA adopted 800.

## J. New Business

1. HB 1086--provide for the redistribution of donated prescription drugs and medical supplies. The bill has passed and signed into law by Governor Noem
  - Kari Shanard-Koenders shared that Avera had requested a pilot project to do this with reusable sealed packaging. If reviewed by pharmacist, it can be re-dispensed.

- Board needs to write the rules yet and create a database and forms for patient.
  - Possibility of adding a fee for dispensing/shipping.
  - IA has similar program but geared to prison population. \$800,000 budget funded by legislature.
  - SD program will start with expensive prescription medications, only non-Controlled Substances, no liquids, or refrigerated medications.
  - SD program is unfunded, and need to search best and least expensive data base
2. Canadian medications were discussed as Board Office is fielding many questions regarding this.
- More and more people are asking if they can use medications from Canada.
  - Monument Health Specialty Pharmacy shared with us a concern regarding a message they received when trying to fill a patient’s prescription. The PBM/Insurance company referred the Rx to SHARx who finds the best price for the prescription and told them that the patient needs to have it filled in Canada at Mark’s Marine Pharmacy. Upon review, this pharmacy is on the NABP “not recommended” list. Not only that, but it is illegal to ship into our state for a South Dakota resident without a license. We have no Canadian pharmacies licensed.
  - Apparently, if a US Rx is sent to a Canadian pharmacy, a Canadian Dr who is affiliated with the pharmacy can cosign an Rx if physician completes paperwork on the patient.
  - ND has passed a law allowing their patients to obtain medications from Canada, but SD has not.

**K. Other Business**

1. Recent Meeting News
- a. 2022 ASHP Virtual Meeting of Health System Pharmacists on State Boards of Pharmacy – Ashley Hansen, Pharm D
- Off-label COVID-19 Therapies. Seemed to be about state legislatures and legality of prescribing ivermectin for COVID. Discussed it was essentially a non-issue to allow off-label prescribing of an FDA approved medication
  - White Bagging was another topic. The group discussed what State Boards of Pharmacy are doing about this issue. Only a handful of states discussed making a policy around this issue. At current state, it is left up to the individual hospitals/facilities on if the practice is allowed. Discussed the risks of allowing this practice (lack of track/trace info, patient delay in treatment due to delay with shipping pharmacy, shipping integrity) vs. risks of not allowing (patient’s navigating how to get treatment from a participating location, resources at facilities to assist patients, travel of patient to find therapy).
  - Hospital Compounding section of meeting discussed new USP chapters and enforcement.
  - Pharmacy Workforce issues were also brought forth with Interstate Pharmacy Practice and Pharmacy Licensure Compact status mentioned.
  - Board Oversight of “Hospital at Home” program also was discussed around how BOPs are going to inspect these and/or offer regulations for this model.
  - Controlled Substances and Marijuana were discussed from both a patient own meds in hospital setting and recreational policy perspectives.
  - Kari Shanard-Koenders added that NABP has a ‘Verify’ program which for \$50 a year and if in good standing a license will be issued based on 1<sup>st</sup> license. The state needs to adopt it prior to us recognizing it.
- b. Opioid Regulatory Collaborative Summit, March 7-8, 2022, National Academies of Medicine, Washington DC already discussed.
2. Future Board Meeting Dates – all held in Sioux Falls Board Room unless otherwise noted
- a. June 24, 2022, 8am – 12 pm CDT

- b. September 8, 2022, in conjunction with SDPhA 136<sup>th</sup> Annual Convention, Brookings, location TBD
- c. December 9, 2022, 9am – 1pm CST
- d. March 30, 2023, Sioux Falls, SD 1pm – 5pm CDT in conjunction with SDSPH Annual Meeting, Sioux Falls

3. Upcoming Meetings

- a. SDSHP 46th Annual Conference, April 8-9, 2022, Virtual
- b. 118<sup>th</sup> NAPB Annual Meeting – May 19-21, 2022, Sheraton Wild Horse Pass, Phoenix
- c. NABP/AACP 85<sup>th</sup> Annual District V Meeting, August 3-5, 2022, Custer State Park, working with the College of Pharmacy and Allied Health Professions to prepare
- d. 136th SDPHA Annual Meeting September 9-10, 2022, Brookings

4. Tom Nelson suggested board staff investigate what would be needed to create an emeritus status for retired pharmacists. NE and MN have emeritus status and he gets many questions on this topic.

**L. Adjourn**

President Somsen again opened the floor for public comment. Hearing none, Hansen made motion to adjourn. Meeting adjourned at 4:30 pm.



**LICENSE SUMMARY****Period 12/1/21 – 2/28/2022****PHARMACISTS**

2066 Current Total

7 New Licensees for period

License#	Last Name	First Name	City	State
6910	Groeblinghoff	Kathleen	Groton	SD
6913	Hanson	Erica	Aberdeen	SD
6921	Ford	Khalil	Webster	TX
R-6909	Gwynn	Daniel	Horace	ND
R-6911	Klarenbeek	Kristin	Alvord	IA
R-6912	Verderber	Kristen	Boca Raton	FL
R-6914	Minton	Amber	Brandon	SD

**FULL-TIME PHARMACY PERMITS**

236 Current Total

0 New FT Permits for period

**PART-TIME PHARMACY PERMITS**

77 Current Total

6 New PT Permits for period

License#	Business	City	State
200-1742	Pharmacy Corporation of America	Sioux Falls	SD
200-1743	Pharmacy Corporation of America	Garretson	SD
200-1744	Pharmacy Corporation of America	Britton	SD
200-1745	Pharmacy Corporation of America	Woonsocket	SD
200-1746	Pharmacy Corporation of America	Flandreau	SD
200-1747	Pharmacy Corporation of America	Mitchell	SD

**PHARMACY INTERNS**

302 Current Total

9 New Registrations for period

**TECHNICIAN REGISTRATIONS**

1388 Current Total

89 New Registrations for period

**NON-RESIDENT PERMITS**

825 Current Total

13 New NR Permits for period

**WHOLESALE PERMITS**

1259 Current Total

22 New WH Permits for period

BOARD OF PHARMACY ACTIVITY REPORT
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Activity Reports Pharmacy Permits	New	Renewal	Mar	Mar	YTD This Year	YTD Last Year
			2022	2021		
Full Time (SD)	1	0	1	0	6	3
Part Time (SD)	0	0	0	1	7	5
Non-Resident	10	6	16	12	96	161

Pharmacist Licenses							
South Dakota	1	0	1	0	1309	1305	
Non-Resident	8	0	8	1	797	758	

<b>Technician Registration</b>	0	0	0	29	1417	1437
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<b>Pharmacy Interns</b>	25	3	28	5	330	338
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Wholesale Permits							
South Dakota	1	0	1	0	45	47	
Non-Resident	14	7	21	21	1264	1232	

Inspections							
Pharmacy Inspections			23	17	239	228	
Wholesale Inspections			1	1	24	21	
Other Pharmacy Visits/Meetings			36	79	350	563	
Controlled Drug Destruction			0	0	0	0	
PDMP Visits			12	16	163	143	



**South Dakota  
Board of Pharmacy**

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Sioux Falls, SD 57106  
Phone: 605-362-2737  
Fax: 605-362-2738

***Approvals, Variances, and Pharmacy changes for April 7, 2022 Board Meeting***

***Approvals***

***Variances/Waivers***

1. Statewide Walgreens Variance to technician ratios from 3:1 to 4:1 based upon Draft Board Policy statement # 22-01-03.
2. Statewide Safeway Variance to technician ratios from 3:1 to 4:1 based upon Draft Board Policy Statement #22-01-03.
3. Renewal of Variance for Burke Community Pharmacy regarding frequency of on-site telepharmacy visits three times per month instead of four time per month. This is for visits to Mission Community Pharmacy, Presho Community Pharmacy, and White River Community Pharmacy Telepharmacies.
4. Renewal of Variance for Spearfish Regional Hospital regarding frequency of on-site visits to Lead Deadwood Regional Hospital telepharmacy by pharmacists from 4 times monthly to 2 times monthly.

***New Pharmacies/Closed Pharmacies and New/Closed Wholesale Distributors***

1. New Full-Time Pharmacy, Avera McKennan dba Avera Long-Term Care Pharmacy Aberdeen, #100-2079, Aberdeen
2. New Part-Time Pharmacy, Pharmacy Corporation of America dba Milbank Avantara, #200-1742, Milbank
3. New Part-Time Pharmacy, Pharmacy Corporation of America dba Palisades Healthcare Center, #200-1743, Garretson
4. New Part-Time Pharmacy, Pharmacy Corporation of America dba Wheatcrest Healthcare Center, #200-1744, Britton
5. New Part-Time Pharmacy, Pharmacy Corporation of America dba Prairie Healthcare Center, #200-1745, Woonsocket
6. New Part-Time Pharmacy, Pharmacy Corporation of America dba Riverview Healthcare Center, #200-1746, Flandreau
7. New Part-Time Pharmacy, Pharmacy Corporation of America dba Firesteel Healthcare Center, #200-1747, Mitchell



# Remaining Authority by Object/Subobject

Expenditures current through 02/26/2022 01:20:24 PM

HEALTH -- Summary

FY 2022 Version -- AS -- Budgeted and Informational

FY Remaining: 34.2 %

09209 Board of Pharmacy - Info						PCT
Subobject	Operating	Expenditures	Encumbrances	Commitments	Remaining	AVL
<b>EMPLOYEE SALARIES</b>						
5101010 F-t Emp Sal & Wages	540,198	252,764	0	0	287,434	53.2
5101020 P-t/temp Emp Sal & Wages	171,443	122,993	0	0	48,450	28.3
5101030 Board & Comm Mbrs Fees	1,963	900	0	0	1,063	54.2
<b>Subtotal</b>	<b>713,604</b>	<b>376,657</b>	<b>0</b>	<b>0</b>	<b>336,947</b>	<b>47.2</b>
<b>EMPLOYEE BENEFITS</b>						
5102010 Oasi-employer's Share	54,127	25,247	0	0	28,880	53.4
5102020 Retirement-er Share	18,500	19,509	0	0	-1,009	0.0
5102060 Health Insurance-er Share	77,720	46,069	0	0	31,651	40.7
5102080 Worker's Compensation	1,000	624	0	0	376	37.6
5102090 Unemployment Compensation	300	34	0	0	266	88.7
<b>Subtotal</b>	<b>151,647</b>	<b>91,483</b>	<b>0</b>	<b>0</b>	<b>60,164</b>	<b>39.7</b>
<b>51 Personal Services</b>						
<b>Subtotal</b>	<b>865,251</b>	<b>468,140</b>	<b>0</b>	<b>0</b>	<b>397,111</b>	<b>45.9</b>
<b>TRAVEL</b>						
5203010 Auto-state Owned-in State	7,229	2,447	0	0	4,782	66.2
5203020 Auto Priv (in-st.) L/rte	600	175	0	0	425	70.8
5203030 Auto-priv (in-st.) H/rte	6,000	2,384	0	0	3,616	60.3
5203040 Air-state Owned-in State	3,000	0	0	0	3,000	100.0
5203100 Lodging/in-state	9,479	1,682	0	0	7,797	82.3
5203140 Meals/taxable/in-state	1,679	754	0	0	925	55.1
5203150 Non-taxable Meals/in-st	2,000	804	0	0	1,196	59.8
5203220 Auto-priv.(out-state) L/r	200	0	0	0	200	100.0
5203230 Auto-priv.(out-state) H/r	1,600	0	0	0	1,600	100.0
5203260 Air-comm-out-of-state	10,000	317	0	0	9,683	96.8
5203280 Other-public-out-of-state	100	57	0	0	43	43.0
5203300 Lodging/out-state	6,400	1,372	0	0	5,028	78.6
5203320 Incidentals-out-of-state	152	144	0	0	8	5.3
5203350 Non-taxable Meals/out-st	900	250	0	0	650	72.2
<b>Subtotal</b>	<b>49,339</b>	<b>10,386</b>	<b>0</b>	<b>0</b>	<b>38,953</b>	<b>78.9</b>
<b>CONTRACTUAL SERVICES</b>						
5204010 Subscriptions	250	0	0	0	250	100.0
5204020 Dues & Membership Fees	500	0	0	0	500	100.0
5204050 Computer Consultant	258,067	105,760	45,400	0	106,907	41.4
5204080 Legal Consultant	4,278	1,317	0	0	2,961	69.2

# Remaining Authority by Object/Subobject

Expenditures current through 02/26/2022 01:20:24 PM

HEALTH -- Summary

FY 2022 Version -- AS -- Budgeted and Informational

FY Remaining: 34.2 %

09209 Board of Pharmacy - Info							PCT
Subobject	Operating	Expenditures	Encumbrances	Commitments	Remaining		AVL
5204140 Contract Pymts To St Agen	20,000	18,000	0	0	2,000		10.0
5204160 Workshop Registration Fee	4,000	1,405	0	0	2,595		64.9
5204180 Computer Services-state	13,310	13,434	0	0	-124		0.0
5204181 Computer Services-state	3,919	0	0	0	3,919		100.0
5204200 Central Services	6,356	3,611	0	0	2,745		43.2
5204202 Central Services	103	8	0	0	95		92.2
5204203 Central Services	103	7	0	0	96		93.2
5204204 Central Services	418	262	0	0	156		37.3
5204207 Central Services	3,638	3,069	0	0	569		15.6
5204220 Equipment Serv & Maint	600	326	0	0	274		45.7
5204320 Audit Services-private	1,000	0	0	0	1,000		100.0
5204360 Advertising-newspaper	1,000	0	0	0	1,000		100.0
5204430 Publishing	1,000	155	0	0	845		84.5
5204460 Equipment Rental	1,100	1,301	0	0	-201		0.0
5204490 Rents-private Owned Prop.	39,277	26,954	0	0	12,323		31.4
5204510 Rents-other	250	0	0	0	250		100.0
5204530 Telecommunications Srves	5,200	3,445	0	0	1,755		33.8
5204550 Garbage & Sewer	50	195	0	0	-145		0.0
5204590 Ins Premiums & Surety Bds	1,450	0	0	0	1,450		100.0
5204620 Taxes & License Fees	196,708	0	0	0	196,708		100.0
5204960 Other Contractual Service	407,028	47,683	0	0	359,345		88.3
<b>Subtotal</b>	<b>969,605</b>	<b>226,932</b>	<b>45,400</b>	<b>0</b>	<b>697,273</b>		<b>71.9</b>
<b>SUPPLIES &amp; MATERIALS</b>							
5205020 Office Supplies	2,300	867	0	0	1,433		62.3
5205040 Educ & Instruc Supplies	300	0	0	0	300		100.0
5205310 Printing-state	1,100	0	0	0	1,100		100.0
5205320 Printing-commercial	400	0	0	0	400		100.0
5205330 Supp. Public & Ref Mat	50	0	0	0	50		100.0
5205350 Postage	4,900	537	0	0	4,363		89.0
5205980 Procurement Card Purchase	0	9	0	0	-9		0.0
<b>Subtotal</b>	<b>9,050</b>	<b>1,413</b>	<b>0</b>	<b>0</b>	<b>7,637</b>		<b>84.4</b>
<b>CAPITAL OUTLAY</b>							
5207671 Audio-visual Equip	0	11,538	0	0	-11,538		0.0
5207901 Computer Hardware	5,764	1,228	0	0	4,536		78.7
5207960 Computer Software	30,000	0	0	0	30,000		100.0
5207961 Computer Software	0	298	0	0	-298		0.0

# Remaining Authority by Object/Subobject

Expenditures current through 02/26/2022 01:20:24 PM

HEALTH -- Summary

FY 2022 Version -- AS -- Budgeted and Informational

FY Remaining: 34.2 %

<b>Subtotal</b>	<b>35,764</b>	<b>13,064</b>	<b>0</b>	<b>0</b>	<b>22,700</b>	<b>63.5</b>
<b>52 Operating Subtotal</b>	<b>1,063,758</b>	<b>251,795</b>	<b>45,400</b>	<b>0</b>	<b>766,563</b>	<b>72.1</b>
<b>Total</b>	<b>1,929,009</b>	<b>719,935</b>	<b>45,400</b>	<b>0</b>	<b>1,163,674</b>	<b>60.3</b>

<b>Board of Pharmacy - Inspection Report</b>		<b>1st Quarter 2022</b>		
<i>Kari Shanard-Koenders</i>				
<b>Date</b>	<b>Destination</b>	<b>City</b>	<b>Purpose</b>	<b>PDMP/ Narc Destruction, etc.</b>
12/17/2021	Monthly NABP Executive Officer Call	Sioux Falls	Meeting	
12/17/2021	Updated Guidance for Clinicians on COVID-19 Vaccines	Sioux Falls	Meeting	
12/20/2021	Quarterly HIE/PDMP/OD2A Meeting	Sioux Falls	Meeting	
12/21/2021	Kari Out Surgery until January 10	Sioux Falls		
01/07/2022	Opioid Abused Advisory Meeting	Sioux Falls	Meeting	PDMP
01/12/2022	Dr Singaram Complaint Discussion	Sioux Falls	Meeting	
01/12/2022	Media Services Staff Training	Sioux Falls	Meeting	
01/13/2022	Department of Health COVID -19 Update	Sioux Falls	Meeting	
01/18/2022	Andrew Funk-IA Meeting on IA/SD Concern	Sioux Falls	Meeting	
01/19/2022	Pharmacy Technician Career Path: Impact on Pharmacy Technician CE Webinar	Sioux Falls	Meeting	
01/25/2022	Department of Health Quarterly Staff Meeting	Sioux Falls	Meeting	
01/25/2022	SDPHA Legislative Days	Pierre	Meeting	
01/26/2022	SDPHA Legislative Days	Pierre	Meeting	
01/26/2022	COSSAP fy2021 Site Based Award Webinar	Pierre	Meeting	
01/27/2022	Testify at House Health on Drug Repository Bill	Pierre	Testimony	
01/01/2022	NASCSA Education Committee	Sioux Falls	Meeting	
02/01/2022	District V AACP/NABP Planning Meeting	Sioux Falls	Meeting	
02/07/2022	Actions and Strategies to End the Nation's Drug Overdose Epidemic	Sioux Falls	Meeting	
02/07/2022	Appriss/Bamboo Contract Discussion	Sioux Falls	Meeting	
02/10/2022	SD DOH COVID 19 Webinar	Sioux Falls	Meeting	
02/11/2022	Avera LTC and BOP Meeting	Sioux Falls	Meeting	
02/14/2022	Safeway Technician Variance	Sioux Falls	Meeting	
02/14/2022	Bamboo SOW Review	Sioux Falls	Meeting	PDMP
02/14/2022	Rural OUD Advisory Board Meeting	Sioux Falls	Meeting	
02/14/2022	Avera and BOP meeting on potential diversion	Sioux Falls	Meeting	
02/15/2022	State Boards/ USP Round Table Meeting	Sioux Falls	Meeting	
02/16/2022	NASCSA Webinar - Dr. Nora Volkow	Sioux Falls	Meeting	
02/22/2022	Beth and Pitney Bowes Meeting Postal Meter	Sioux Falls	Meeting	
02/23/2022	NASCSA Education Committee	Sioux Falls	Meeting	
02/25/2022	Senate Health And Human Services Cmte HB 1086	Sioux Falls	Meeting	
02/25/2022	NABP Executive Officer Call	Sioux Falls	Meeting	
02/28/2022	COSSAP Grantee Webinar	Sioux Falls	Meeting	



Kari continued: 03/04/2022	NABP/ASCP District V Planning Call	Sioux Falls	Meeting	
03/04/2022	Hy-Vee International Pharmacy Discussion - J Manning, Tyler	Sioux Falls	Meeting	
03/07/2022	Opioid Collaborative	Washington DC	Meeting	
03/08/2022	Opioid Collaborative	Washington DC	Meeting	
03/11/2022	Understanding New DSCSA Requirements and Common Diversion Schemes	Sioux Falls	Meeting	
03/13/2022	Rural OUD Advisory Committee	Sioux Falls	Meeting	
03/16/2022	CDC's Project Firstline Curriculum Launch Event for Healthcare Workers	Sioux Falls	Meeting	
03/16/2022	Medication Safety and Quality Improvement in Community Pharmacy	Sioux Falls	Meeting	
03/30/2022	DSCSA National Licensing Standards	Sioux Falls	Meeting	
04/01/2022	NABP Executive Officers Meeting	Sioux Falls	Meeting	
04/05/2022	A Citizens Petition to Schedule the Widely-used Drugs Gabapentin and Gabapentin Enacarbil	Sioux Falls	Meeting	
04/06/2022	FDA Inspections of Outsourcing Facilities	Sioux Falls	Meeting	
04/07/2022	Quarterly Board of Pharmacy Meeting	Sioux Falls	Meeting	

<b>Board of Pharmacy - Inspection Report</b>		<b>1st Quarter 2022</b>		
<i>Melissa DeNoon</i>				
<b>Date</b>	<b>Destination</b>	<b>City</b>	<b>Purpose</b>	<b>PDMP/NARC Destruction etc.</b>
12/13/21	NASCSA Executive Committee	Sioux Falls	Meeting	
12/13/21	MN and NJ PMP Admins	Sioux Falls	BJA FY21 Grant Discussion	
12/14/21	NASCSA Membership Committee	Sioux Falls	Meeting	
12/20/21	SD HIE/PDMP/OD2A Teams	Sioux Falls	Quarterly Meeting	
12/20/21	Appriss Health & PDMP Staff	Sioux Falls	Bimonthly CRM & SGI Mting	
12/30/21	DSS SOR Grant Staff	Sioux Falls	DTB Project Update Meeting	
1/7/22	DOH OD2A Opioid Abuse Advisory Committee	Sioux Falls	Meeting	PDMP Update
1/11/22	DOJ BJA	Sioux Falls	Grant Rptng System Webinar	
1/12/22	Bamboo Health & PDMP Staff	Sioux Falls	Bimonthly CRM & SGI Mting	
1/12/22	DOH	Sioux Falls	Media Training Webinar	
1/13/22	DOH	Sioux Falls	Covid 19 Webinar	
1/13/22	RxCheck Governance Board	Sioux Falls	Meeting	
1/14/22	SD Senate Health & Human Services Committee	Sioux Falls	Annual SB4 PDMP Report	PDMP Rpt as part of DOH Pres.
1/18/22	SD House Health & Human Services Committee	Sioux Falls	Annual SB4 PDMP Report	PDMP Rpt as part of DOH Pres.
1/20/22	NASCSA PMP Committee	Sioux Falls	Meeting	
1/20/22	TTAC Compliance Group	Sioux Falls	Meeting	
1/24/22	SDAHO Training Team	Sioux Falls	ED Toolkit PDMP Training	
1/25/22	DOH	Sioux Falls	Qtrly Staff Meeting	
1/25/22	NASCSA Membership Committee	Sioux Falls	Meeting	
1/26/22	Bamboo Health & PDMP Staff	Sioux Falls	Bimonthly CRM & SGI Mting	
1/26/22	DOJ BJA	Sioux Falls	New Grantee Webinar	
1/27/22	NASCSA Executive Committee	Sioux Falls	Meeting	
1/27/22	TTAC	Sioux Falls	Webinar	
2/1/22	District V AACP/NABP	Sioux Falls	2022 Mting Planning	
2/2/22	DOH CDC OD2A Teams	Sioux Falls	Meeting	
2/3/22	RxCheck Hub	Sioux Falls	Demo Webinar	
2/7/22	Bamboo Health, BIT, & DOH reps	Sioux Falls	Contract Discussion	
2/8/22	NASCSA Data Integrity Subcomm. Co-Chair Haley W	Sioux Falls	Meeting	
2/9/22	Bamboo Health & PDMP Staff	Sioux Falls	Bimonthly CRM & SGI Mting	
2/14/22	Bamboo Health - Lara I & Grady M	Sioux Falls	Contract Discussion	
2/14/22	Rural OUD Advisory Board	Sioux Falls	Meeting	
2/16/22	NASCSA	Sioux Falls	Webinar	
2/17/22	Brookings Health System - Karen W	Sioux Falls	PDMP Training for ED Toolkit	
2/18/22	NASCSA PMP Committee	Sioux Falls	Meeting	
2/22/22	NASCSA Data Integrity Subcommittee	Sioux Falls	Meeting	

Melissa continued: 2/23/22	Bamboo Health & PDMP Staff	Sioux Falls	Bimonthly CRM & SGI Mting	
2/24/22	DSS SOR Grant - Rachel O	Sioux Falls	DTB Project Update	
2/25/22	DOH CDC OD2A Teams	Sioux Falls	Meeting	
2/28/22	DOJ BJA	Sioux Falls	JustGrants Webinar	
3/3/22	NASCSCA Executive Committee	Savannah, GA	Mid Year Meeting	
3/4/22	NASCSCA Executive Committee	Savannah, GA	Mid Year Meeting	
3/5/22	NASCSCA Executive Committee	Savannah, GA	Mid Year Meeting	
3/9/22	Bamboo Health & PDMP Staff	Sioux Falls	Bimonthly CRM & SGI Mting	
3/9/22	NABP MPJE Item Writing	Sioux Falls	Training Webinar	
3/10/22	SDAHO Training Team	Sioux Falls	ED Toolkit PDMP Training	
3/10/22	RxCheck Governance Board	Sioux Falls	Meeting	
3/10/22	NASCSCA Membership Committee	Sioux Falls	Meeting	
3/14/22	Monument Health & Bamboo Health	Sioux Falls	Integration Discussion	
3/17/22	NASCSCA PMP Conference Planning Subcommittee	Sioux Falls	Meeting	
3/17/22	NASCSCA PMP Committee	Sioux Falls	Meeting	
3/18/22	DOH Opioid Program Director - Lori Martinec	Sioux Falls	PDMP 101	PDMP Presentation
3/22/22	NASCSCA PMP Data Integrity Subcommittee	Sioux Falls	Meeting	
3/23/22	Bamboo Health & PDMP Staff	Sioux Falls	Bimonthly CRM & SGI Mting	
3/24/22	Microsoft Teams Lev100	Sioux Falls	Training Webinar	
3/25/22	DOH CDC OD2A Teams	Sioux Falls	Meeting	
3/30/22	Bamboo Health & PDMP Staff	Sioux Falls	Bimonthly CRM & SGI Mting	
3/31/22	FL E-Forcse PDMP - Erika Marshall	Sioux Falls	PMPi Sharing Set Up	
3/31/22	TTAC	Sioux Falls	Webinar	
4/1/22	NASCSCA Membership Committee	Sioux Falls	Meeting	
4/5/22	NASCSCA	Sioux Falls	Webinar	
4/6/22	NASCSCA PMP Data Integrity Subcommittee	Sioux Falls	Co-Chairs Meeting	
4/7/22	SD Board of Pharmacy	Sioux Falls	Quarterly Board Meeting	
4/8/22	SDSHP	Sioux Falls	Virtual Conference	
4/8/22	NASCSCA Executive Committee	Sioux Falls	Meeting	

<b>Board of Pharmacy - Inspection Report</b>				<b>1st Quarter 2022</b>	
<i>Carol Smith</i>					
<b>Date</b>	<b>Destination</b>	<b>City</b>	<b>Purpose</b>	<b>PDMP/ Narc Destruction etc.</b>	
12/15/21	Enhanced Drug Distribution Security	Groton	NABP Webinar		
12/16/21	Coping with Compassion Strength	Groton	DOH Webinar		
12/17/21	Reviewing inspections	Groton	Update iGov		
12/22/21	21 CFR Part 1300	Groton	Law Review		
12/28/21	Medscape	Groton	Virtual Learning		
12/29/21	21 CFR Part 1300	Groton	Law Review		
12/29/21	Benefits Enrollment, Benefits Review	Groton	Signing up for Benefits		
12/30/21	Setting up inspections, Payroll Issues	Groton	Prep for 1/22; Fix Payroll issues		
1/6/22	Sterility Testing Requirements	Groton	Webinar		
1/13/22	SD DOH COVID 19 Webinar	Groton	Webinar		
1/13/22	Inmar EPA Rule Changes for Pharmacy Returns	Groton	Webinar		
1/18/22	Plaza Pharmacy	Aberdeen	Inspection	PDMP	
1/20/22	Lewis Family Drug #32	Aberdeen	New/Routine Inspections	PDMP	
1/24/22	Lynn's DakotaMart	Pierre	Inspection	PDMP	
1/25/22	Walmart # 10-1685	Pierre	Inspection	PDMP	
1/25/22	SD DOH Wholesale	Pierre	Wholesale Inspection		
1/25/22	SDPhA Legislative Update	Pierre	Meeting		
1/26/22	SDPhA Legislative Day at the Capitol	Pierre	Meeting		
1/26/22	Lincare	Pierre	Wholesale Inspection		
1/31/22	Lewis Family Drug #43	Aberdeen	Inspection	PDMP	
2/1/22	Lori's Pharmacy	Groton	Inspection	PDMP	
2/3/22	Sanford Webster Hospital	Webster	Inspection		
2/3/22	Cornwell Drug	Webster	Inspection	PDMP	
2/10/22	Avera Campus Pharmacy	Sioux Falls	Inspection	PDMP	
2/17/22	BHR Benefits Webinar	Groton	Webinar		
2/23/22	Obesity Treatments Pharmacotherapy Options	Groton	Webinar		
2/24/22	Avera St. Luke's Hospital	Aberdeen	Inspection		
2/24/22	Dakota Plains Surgical	Aberdeen	Inspection		
3/4/22	Faulkton Drug	Faulkton	Inspection	PDMP	
3/4/22	Avera LTC AMDD Nexsys #4	Faulkton	Inspection		
3/4/22	Faulkton Medical Center	Faulkton	Inspection		
3/9/22	SD Developmental Center Pharmacy	Redfield	Inspection		
3/9/22	PharMerica Redfield	Redfield	Inspection		
3/10/22	NABP Understanding New DSCSA Rqmnts	Groton	Webinar		
3/22/22	Turner Drug	Bowdle	Inspection	PDMP	
3/22/22	Bowdle Hospital Pharmacy	Bowdle	Inspection		
3/24/22	Randall's Pharmacy	Redfield	Inspection	PDMP	
3/24/22	Redfield Community Memorial Hospital	Redfield	Inspection		
3/25/22	Avera State Street Pharmacy	Aberdeen	New, Compounding, Retail Inspection	PDMP	
3/28/22	Lewis Family Drug #44 Sisseton	Sisseton	Inspection	PDMP	
3/28/22	Coteau Des Prairies Hospital Pharmacy	Sisseton	Inspection		
3/29/22	Lewis Family Drug #57 Clark	Clark	Inspection	PDMP	
3/29/22	PharMerica Clark	Clark	Inspection		
4/6/22	Quarve Drug	Britton	Inspection	PDMP	
4/6/22	Marshall County Hospital	Britton	Inspection		
4/6/22	BOP Office	Sioux Falls	Meeting		
4/6/22	BOP Quarterly Meeting	Sioux Falls	Meeting		

	<b>Board of Pharmacy - Inspection Report</b>		<b>1st Quarter 2022</b>	
	<i>Lee Cordell</i>			
<b>Date</b>	<b>Destination</b>	<b>City</b>	<b>Purpose</b>	<b>PDMP/ Narc Destruction etc</b>
12/20/2021	Rapid City Regional Hospital/Main	Rapid City	Inspection	
12/20/2021	Community Health Center of the Black Hills	Rapid City	Inspection	
1/7/22	Meet with Paula	Sturgis	Meeting	
1/10/22	Monument Health Home + Home Infusion	Rapid City	Inspection	
1/10/22	South Dakota Minimum Security Prison	Rapid City	Inspection	
1/25/22	SD DOH Wholesale	Pierre	Wholesale Inspection	
1/25/22	SDPhA Legislative Update	Pierre	Meeting	
1/26/22	SDPhA Legislative Day at the Capitol	Pierre	Meeting	
1/26/22	Lincare	Pierre	Wholesale Inspection	
2/4/22	A & B Welding	Rapid City	Wholesale Inspection	
2/4/22	Matheson	Rapid City	Wholesale Inspection	
2/17/22	Lakota Enterprises	Rapid City	Wholesale Inspection	
2/17/22	Apria Healthcare Inc	Rapid City	Wholesale Inspection	
3/8/22	Animal Health International	Sturgis	Wholesale Inspection	
3/10/22	Monument Health Specialty Pharmacy	Rapid City	Inspection	
4/6/22	BOP Quarterly Meeting	Sioux Falls	Meeting	

<b>Board of Pharmacy - Inspection Report</b>		<b>1st Quarter 2022</b>		
<i>Paula Stotz</i>				
<b>Date</b>	<b>Destination</b>	<b>City</b>	<b>Purpose</b>	<b>PDMP/ Narc Destruction etc</b>
12/15/21	NABP DSCSA webinar	Rapid City	Webinar	
12/15/21	Rushmore Compounding	Rapid City	Inspection	PDMP
12/16/21	PharMerica	Rapid City	Inspection	
12/20/21	Monument Health Rapid City Hospital	Rapid City	Inspection	
12/20/21	Community Health Center of the Black Hillsq	Rapid City	Inspection	
1/7/22	Meet with Lee	Sturgis	Meeting	
1/10/22	Monument Health Home + Home Infusion	Rapid City	Inspection	
1/10/22	South Dakota Minimum Security Prison	Rapid City	Inspection	
1/21/22	Vaccine mandates/Healthcare workers -What you need to know	Rapid City	Webinar	
1/25/22	SD DOH Wholesale	Pierre	Wholesale inspection	
1/25/22	SDPhA Legislative Update	Pierre	Meeting	
1/26/22	SDPhA Legislative Day at the Capitol	Pierre	Meeting	
1/26/22	Lincare	Pierre	Wholesale inspection	
2/4/22	A & B Welding	Rapid City	Medical Gas Wholesale	
2/4/22	Matheson	Rapid City	Medical Gas Wholesale	

<b>Board of Pharmacy - Inspection Report</b>		<b>1st Quarter 2022</b>		
<i>Tyler Laetsch</i>				
<b>Date</b>	<b>Destination</b>	<b>City</b>	<b>Purpose</b>	<b>PDMP/ Narc Destruction etc</b>
12/15/21	NABP Enhanced Drug Distribution Meeting	Sioux Falls	Virtual Meeting	
1/10/22	Sam's Club	Sioux Falls	Inspection	PDMP
1/11/22	Meeting Avera Retail	Sioux Falls	Virtual Meeting	
1/12/22	Pharmerica	Sioux Falls	Inspection	PDMP
1/12/22	DOH Media Services Meeting	Sioux Falls	Virtual Meeting	
1/13/22	Select Specialty Hospital	Sioux Falls	Inspection	
1/18/22	Lewis Ellis Rd	Sioux Falls	Inspection	PDMP
1/18/22	Lewis MB2	Sioux Falls	Inspection	PDMP
1/19/22	Hy-Vee	Hartford	Inspection	PDMP
1/20/22	Lewis Phillips Ave	Sioux Falls	Inspection	PDMP
1/20/22	Lewis 5th St	Sioux Falls	Inspection	
1/21/22	Animal Health Pharmacy	Sioux Falls	Inspection	
1/25/22	Avera Specialty Pharmacy	Sioux Falls	Inspection	PDMP
1/26/22	Lewis Southwest	Sioux Falls	Inspection	PDMP
1/27/22	Concordance Health	Sioux Falls	VAWD\DDA Inspection	
1/28/22	NABP Call	Sioux Falls	Virtual Meeting	
1/31/22	Walgreen's Minn Ave	Sioux Falls	Inspection	PDMP
2/1/22	NABP District 5 Call	Sioux Falls	Virtual Meeting	
2/1/22	SD HSC Remodel	Yankton	Remodel Visit	
2/1/22	Yankton Medical Clinic Infusion Pharmacy	Yankton	Remodel Visit	
2/2/22	Dan's Drugstore	Sioux Falls	Inspection	PDMP
2/3/22	Lewis Family Drug	Clear Lake	Inspection	PDMP
2/3/22	Sanford Clear Lake Medical Center	Clear Lake	Inspection	
2/7/22	CVS Highline	Sioux Falls	Inspection	PDMP
2/8/22	Lewis Family Drug	Tea	Inspection	PDMP
2/10/22	Avera Campus Pharmacy	Sioux Falls	Inspection	PDMP
2/11/22	Avera LTC Meeting	Sioux Falls	Meeting	
2/11/22	NABP Webinar	Sioux Falls	Virtual Meeting	
2/14/22	Safeway Tech Discussion	Sioux Falls	Virtual Meeting	
2/15/22	NABP hosted USP 795/797 round table	Sioux Falls	Virtual Meeting	
3/2/22	ASHP Virtual Meeting	Sioux Falls	Virtual Meeting	
3/3/22	CE Impact call	Sioux Falls	Virtual Meeting	
3/4/22	NABP/AACP District 5 planning	Sioux Falls	Virtual Meeting	
3/8/22	CE Impact review	Sioux Falls	Virtual Meeting	
3/9/22	NABP MPJE Item Writing Call	Sioux Falls	Virtual Meeting	
3/10/22	DOH Monthly COVID webinar	Sioux Falls	Virtual Meeting	
3/11/22	Rafferty-Robbins	Howard	Closing Visit	
3/21/22	CE Impact review	Sioux Falls	Virtual Meeting	
3/22/22	MPJE Item Writing	Sioux Falls	Virtual Meeting	
3/24/22	Siouxland Surgery Center	Dakota Dunes	Inspection	
3/24/22	Siouxland Surgery Center #2	Dakota Dunes	Inspection	
3/28/22	Hy-Vee Cliff Ave	Sioux Falls	Inspection	PDMP
3/28/22	Walgreen's Cliff Ave	Sioux Falls	Inspection	PDMP
3/29/22	Walgreen's Sertoma	Sioux Falls	Inspection	PDMP
3/30/22	Bonn Homme Pharmacy	Tyndall	Inspection	PDMP
3/30/22	Avera St. Michaels	Tyndall	Inspection	
3/31/22	Lewis Drug	Brandon	Inspection	PDMP
4/1/22	Avera Dermatology	Sioux Falls	Inspection	PDMP

Tyler Continued:				
4/5/22	Lewis Family Drug	De Smet	Inspection	PDMP
4/5/22	Avera De Smet Hospital	De Smet	Inspection	
4/6/22	Sanford Canton Inwood Hospital	Canton	Inspection	
4/6/22	Haisch Pharmacy	Canton	Inspection	PDMP
4/7/22	Quarterly Board Meeting	Sioux Falls	Meeting	



# **South Dakota Prescription Drug Monitoring Program Update**

**April 7, 2022**

## *What's New at the SD PDMP?*

- SD's BJA FY 21 Harold Rogers PDMP Grant update:
  - Grant projects include:
    - Continued enhancement of SD's PMP AWARe with the NarxCare platform
    - Continued facilitation of statewide Gateway integration to integrate the PDMP into SD prescribers' and pharmacists' workflows
  - Funding draw down still pending
- PMP InterConnect data sharing set up with Florida – currently share with 39 other PDMPs
- Data Integrity update

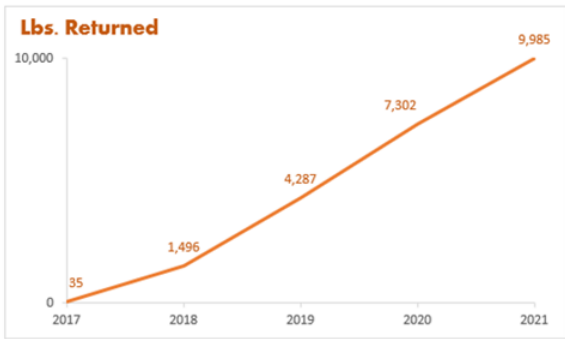
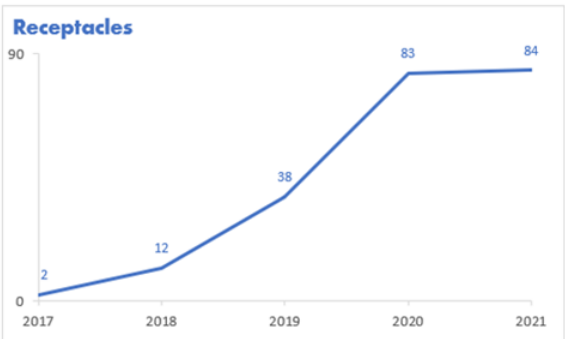
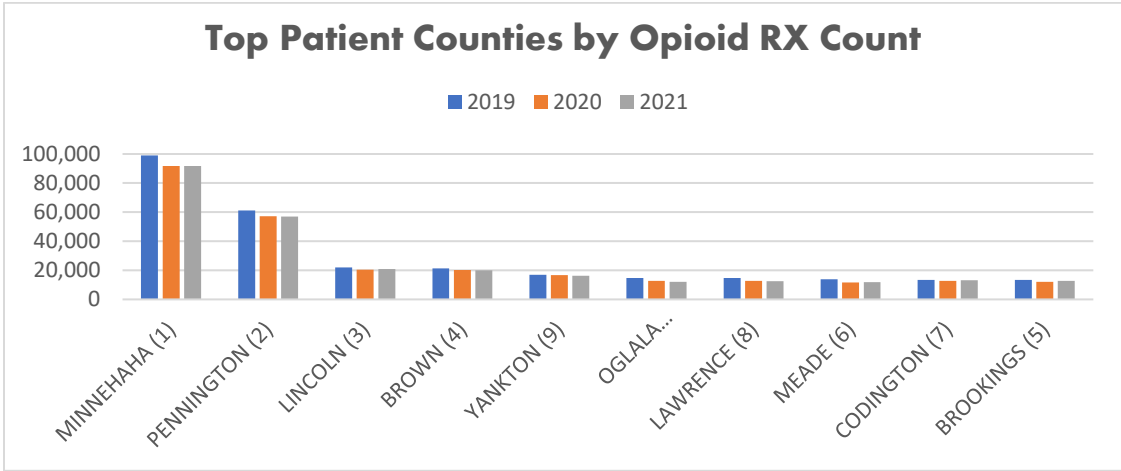
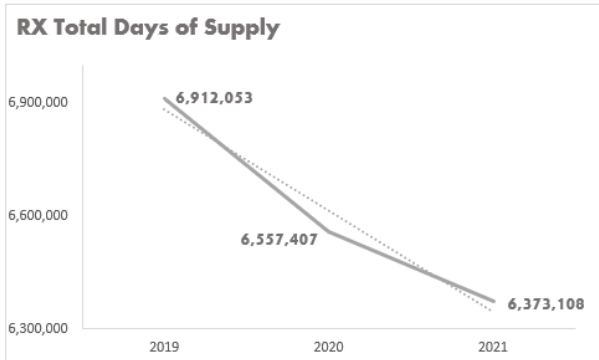
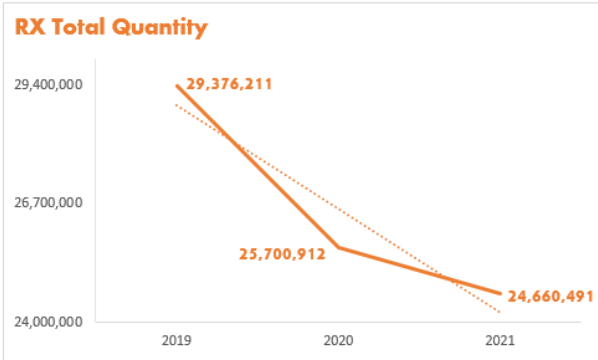
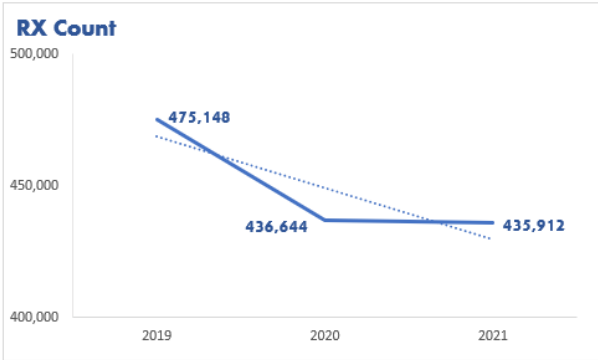
## *Presentations Given/Events Attended*

- Opioid Abuse Advisory Committee – PDMP update
- SD Legislature's Senate and House Health and Human Services Committees – Annual PDMP Opioid Report
- NASCSA Executive Committee Midyear Meeting – Savannah, GA
- SD DOH Opioid Program Director – PDMP 101 presentation

## *Upcoming Events*

- SDSU College of Pharmacy P2 Class PDMP presentation – April 19, 2022
- APhA Institute on Substance Use Disorders June 1-5, 2022 – Salt Lake City, UT

# SD Legislature Annual PDMP Opioid Report Statistics





320 E Capitol Ave • Pierre SD 57501 • 605-224-2338 • sdpha.org

# SDPhA Update | Spring 2022

## *Submitted March 30, 2022*

### Legislative Session and Policy Initiatives

#### 97<sup>th</sup> Legislative Session

The main run of the 2022 Legislative Session has drawn to a close – as of the date of this report all that remains is Veto Day – the legislative day reserved at the end of each session calendar for the consideration of gubernatorial vetoes. Avid political watchers in our state will tell you that while COVID-19 considerations were largely absent from the 97<sup>th</sup> Legislative Session, this term, like last, was one of the most unique in our history. Having had so much to work through in special sessions in the interim, for many legislators and lobbyists alike, it felt like there had been little if no break at all. The process in general reflected that across the board. Tensions between the administration and the House in particular grabbed plenty of headlines, and are quite impossible to ignore. It's something all lobbyists and lawmakers alike are learning to work around.

We are extremely grateful to once again have retained the skillful services of long-time SDPhA lobbyist and general legal counsel Robert Riter, as well as Lindsey Riter-Rapp, who is in her third year as lobbyist for SDPhA. This year we also employed the services of Craig Matson and Roger Tellinghuisen – specifically regarding our Pharmacy Benefit Manager (PBM) initiatives.

#### SB 163

Things were quite active for the SDPhA Commercial and Legislative Branch well before the session started. In fact, work on legislation to regulate PBMs began shortly after the gavel fell on the 96<sup>th</sup> (2021) Session. We assembled a strong coalition of those adversely impacted by lack of oversight on the PBM industry, and using the model language crafted after the Rutledge ruling as our guide, we starting working on language that made sense for South Dakota. We spent the Spring and Summer meeting with stakeholders – finding compromise wherever we could, and ultimately having to agree to disagree with some others. It's tedious at times, but an essential part of the process.

SB 163, our PBM bill, cleared the Senate Health Committee on a 5-2 vote. But we knew we had to agree to some changes if it were going to gain the approval of the Senate, and even then, it would be an uphill battle. The PBMs brought the insurance industry out in full force (we weren't kidding when we said we are in a David vs. Goliath battle), and with no actual methodology or reasoning to point to, claimed it would cost the state an estimated \$2-3M in increased premiums. It's the same plays, from the same playbook, that they have used repeatedly all over the country. It's a dishonest scare tactic, with no basis in actual numbers, but it works. We worked extremely hard visit with every member of the senate about the facts in the limited time we had before the floor vote. SB 163 failed on a 17-17 vote. Our sponsor gave intent to reconsider, but that reconsideration failed.

We are already looking ahead to next session, and will begin meeting with stakeholders on moving forward for 2023 next month.

President – Kristen Carter | President Elect – Melissa Gorecki | Vice President – Jessica Strobl | Treasurer – Andy Tonneson |  
Board Member – Chelsea Conway | Board Member – Scout Forbes-Hurd | Executive Director – Amanda Bacon

## Other Key Bills

- [HB 1086](#) - SDPhA testified in support of this legislation to provide for the redistribution of donated prescription drugs and medical supplies. The bill establishes a drug repository program run through the Board of Pharmacy. The bill was signed into law by Gov. Kristi Noem March 9<sup>th</sup>.
- [HB 1267](#) – This bill would have allowed certain medical professions to dispense ivermectin to persons, initial with or without a prescription. SDPhA opposed this bill, and testified against this legislation. The bill passed the house, but died on a unanimous vote in the Senate Health and Human Services Committee.
- [HB 1242](#) – An act to allow medical practice on the basis of conscience. SDPhA was among the coalition strongly opposed to this legislation. This bill was amended several times, and in the end was amended to nearly exactly the same for as the bill last year which SDPhA also opposed. The extremely broad language in bill was of chief concern. It essentially allowed for any employee to refuse any task for nearly any reason. The House Health and Human Services Committee sent HB 1242 to the 41st legislative day on a vote of 7-4. Currently, SDCL 36-11-70 addresses dispensing and matters of conscience for pharmacists.

Several other several other key pieces of legislation on which SDPhA kept a close watch: COVID Immunization measures, controlled substance scheduling, telemedicine and telehealth, and dozens of bills related to medical marijuana. You can see the full scope of the bills we followed this session [online with the SDPhA's new bill tracker](#).

## Medical Marijuana and IM 26 Oversight Committee

Many of the medical marijuana bills referenced above came out of the Marijuana Interim Legislative Summer Study. IM 26 (medical marijuana) took effect July 1 as SDCL 34-20G. The legislature spent much of the summer working through a summer study tackling both medical and adult-use issues. SDPhA has not taken a position on medical marijuana, but has worked with legislators throughout the process to serve as a trusted resource on the topic. We continue to provide relevant, research-based information as the need arises.

Initiated Measure 26 also required the creation of an oversight committee, and South Dakota pharmacists have a seat at the table. On June 2, Eric Grocott, a past president of SDPhA, was appointed to the 14-member oversight committee by the executive board of the Legislative Research Council. The committee's role is to review and advise on medical marijuana in South Dakota.

## Lobbying Funds Update | Commercial and Legislative Branch

This year's work on SB 163 shed some light on something that has seemed a bit mysterious to many – the SDPhA Commercial and Legislative (C&L) Branch. The C&L branch is the lobbying arm of the association. You can think of it somewhat as the association's PAC (although there are VERY distinct differences we won't go into here).

Some very important things about this fund:

- The funds for our lobbying branch must be maintained separate from the general fund
- It relies nearly exclusively on your contributions
- For many years now, expenses have vastly outpaced contributions

Lobbying is an extremely expensive, but necessary function. We've been represented by the same firm for decades, and the executive director preforms many of the lobbying duties. That's all kept our rate very low – our lobbying expenses typically total only about \$12,000 per year. This amount is far below the going rate of most lobbyists. In fact, the going rate for one session with many would empty our entire C&L Fund.

We had additional lobbyists working with us this session – a needed move in order to bring SB 163 forward. Clearly work on this issue is not complete. However, none of this legislative work can continue at all without your strong financial support. If we want to ensure the profession has a seat at the table, we have to pay for the chair. So far for 2022, contributions have covered about half of the lobbying expenses. Put simply – we need your help. \$25, \$250, 2,500 – whatever you can contribute will help ensure the profession continues to have representation at the Capitol. Because without your contributions – it simply won't.

You can support the C&L Fund by [contributing online](#), or sending a check made out to the SDPhA C&L Branch, PO Box 518, Pierre, SD 57501.

## Legislative Days

We were thrilled to be back in person for Legislative Days Jan. 25-26! Tuesday evening provided a townhall style opportunity for pharmacists, pharmacy technicians and pharmacy students to learn about our work thus far in the legislative session. Lindsey Riter-Rapp, SDPhA lobbyist, and Amanda Bacon, SDPhA executive director, discussed the various bills and legislation SDPhA was working on your behalf. The group also heard updates from Kari Shanard-Koenders, Executive Director, Board of Pharmacy. Wednesday morning, we provided wellness screenings at the Capitol, courtesy of the roughly 30 SDSU student pharmacists who attended. This is a fantastic opportunity to show a much broader range of the great work you all do each day. It's also a unique chance for students to hone their skills by providing screenings, while also having the option to sit-in on various committees, and venture onto the House and Senate floors to meet their lawmakers. There's nothing like learning the legislative process first-hand! Practicing pharmacists, we strongly encourage you to join us next year – your involvement further showcases, for students and lawmakers alike, the importance of having a strong presence at the table during legislative session.

## Legislative Process 101

SDPhA was honored to virtually join the classroom of Dr. Erin Miller Thurs., Feb. 24. Executive Director Amanda Bacon provided students with a walk-through of the legislative process, and used real-time examples from the current legislative session to explain many of the issues, challenges and pitfalls bill can face on the way from becoming an idea to a law, as well as the politics often in play behind the scenes. The students had fantastic questions, and we had great dialogue about how the process works, and how the results impact them each day in their professions. Our thanks to Dr. Miller for having us – we thoroughly enjoyed the opportunity.

## SDPhA Spring and Annual Meetings

### Spring District Meetings

Spring District meetings are taking place in a variety of ways this year. While some districts are back to meeting in person, others will again utilize Zoom to gather. Please watch your emails, [the website](#) and [social media](#) for dates and instructions. This spring meeting is the most important district meeting of the year, as the fall meeting is now optional. Many important items need to be addressed, including the election or re-election of district officers; nominations for the state association board of directors; and the recognition and nomination of worthy pharmacists, reps and technicians to be considered by the Executive Board for the awards presented at our annual meeting.

### South Dakota Pharmacists Association Annual Meeting

Early bird registration opens mid-April for the 136<sup>th</sup> annual meeting. We plan to gather in person (keep your fingers crossed!) Sept. 9-10 in Brookings, SD. We plan for a fantastic time of continuing education, networking, honoring our colleagues and yes, even some Jackrabbit football! After two long years of virtual meetings, make sure you mark your

calendars and plan to attend this one. We promise a great time, and won't it be fun to see that your fellow pharmacists actually have legs and feet – they aren't just floating heads!

## Regional Meetings

### PharmaCE Expo | Rescheduled for May 17-18

We continue our work with the Iowa Pharmacists Association to promote the Midwest Pharmacy Expo, now called the PharmaCE Expo. Initially scheduled for early February, the event was rescheduled for May 17-18 this year. It is a comprehensive event offering a great deal of excellent CE for pharmacists and technicians. In exchange for our promotion of the event, our pharmacists have access at a great rate to attend, and allows us to offer more benefits for our members. The event has become more regional, with a significant number of states engaged. Go to <https://www.pharmaceexpo.com/> for more details.

## Coronavirus (COVID-19)

### Vaccination Distribution and Pandemic Response

As millions of Americans continue to receive the COVID-19 vaccine, pharmacists continue to play a key part in vaccine, testing and therapy rollout across the state. The CDC now recommends boosters for everyone age 18 and older. Variants, vaccine boosters, and new eligible populations in addition to flu season – all have again meant more demand on pharmacists across all practice settings. Pharmacists continue to be vital in vaccine distribution, handling, storage, standing up vaccination clinics, and finally, getting shots in arms.

### Communication

We encourage everyone to continue to watch your email, the [SDPhA Facebook Group page](#) and the [SDPhA](#) website for updates and important pandemic and vaccine-related information. With new uncertainty regarding yet another Omicron variant, communication and offering assistance to our pharmacists and pharmacies continues to be a top priority for SDPhA. Pharmacies and pharmacists are critical to the well-being of the citizens of South Dakota, not only in dealing with COVID-19, but also in our residents' ongoing care. The new SDPhA website continues to house a COVID 19 Resources page. We continue to post "news" related information on our Facebook Group page. That includes pertinent updates from CMS, HHS, the FDA, DSS, etc. We also continue to send out emails to all as appropriate. We greatly appreciate the ongoing strong and open channels of communication with several state agencies, our congressional delegation and the South Dakota Board of Pharmacy on items of concern to pharmacists as well as public health and safety.

### Advocacy and Engagement

As new variants, immunizations, boosters and treatments continue to emerge, we continue to engage with the BOP, South Dakota Department of Health, and other state partners on behalf of pharmacists where appropriate. Meantime at the federal level, we remain in close communication with our Congressional delegation, and continue to keep apprised of, and engaged where suitable, in the all the rapidly moving parts on Capitol Hill. Advocacy efforts now focus on maintaining the flexibilities extended to pharmacists by the federal government, while continuing to advocate for change that allows pharmacists to practice to the full scope of their expertise. This has included not only work on emergency provider status, but on immunizations, testing, payment, compounding and funding programs as well. The National Alliance of State Pharmacy Associations (NASPA) also continues to work on our behalf with many of our national partners on matters of concern and importance to pharmacists.

## National Efforts and Partnerships

### Federal Trade Commission and Centers for Medicare and Medicaid Services

We, along with many other organizations and individuals from South Dakota, have submitted comments to the Federal Trade Commission (FTC) regarding detrimental PBM practices, and expressed similar concerns to the Centers for Medicare and Medicaid Services (CMS) regarding DIR fees and their 2023 proposal. CMS unexpectedly issued a letter in December of 2021 indicating it plans to use its “administrative authority to issue proposed rulemaking” to address price concessions and DIR fees that PBMs have increasingly charged to specialty and retail pharmacy providers in Medicare and other programs in recent years. A special thanks to Sen. John Thune who signed onto a letter to CMS along with several other Senators regarding this issue.

### Additional Advocacy Efforts

SDPhA also remains engaged in a variety of ways in other various national efforts on key topics directly impacting our pharmacists such as: COVID-19 related bills, DIR fee relief, PBM reform, pricing transparency, improvements to Medicare, prescription drug misuse and abuse, compounding guidance and provider status. There were many efforts to include some of these topics in Coronavirus legislation, including: DIR fee relief, dispensing requirements, compounding requirements, provider status and scope of practice. Please refer to our [online bill tracker](#) for a complete list of the federal bills we are following related to the aforementioned issues.

### APhA Annual Meeting | March 18-21

The APhA Annual meeting had in-person and virtual options this year. Executive Director Amanda Bacon and SDPhA Board President Kristen Carter elected not to travel, but to participate virtually. While we miss seeing everyone in person, even virtually, these continue to be valuable resources. We anxiously await the 2023 meeting and look forward to again being able to travel and take our SDSU SCAPP students and faculty out for a dinner/activity.

### No NCPA Congressional Pharmacy Fly-In | Alternative Plan in the Works

The National Community Pharmacy Association has decided that given COVID protocols at the Capitol, and other security measures and concerns, They will take a different approach to the 2022 Congressional Pharmacy Fly-in typically held in April. They are developing a strategy that will focus on coordinated pharmacy visits, among other tactics, so pharmacists can invite members of Congress and their staff to see the daily workings of an independent community pharmacy and discuss issues of importance. This may take place later in the year. NCPA has been an extremely important partner for us in our legislative work this year, and we appreciate the opportunity to support them in the event however it takes shape.

## Prescription Drug Abuse and Awareness

### DEA Take-Back Events

The Spring DEA Take Back Day is planned for April 30, 2022. Please visit [https://www.deadiversion.usdoj.gov/drug\\_disposal/takeback/](https://www.deadiversion.usdoj.gov/drug_disposal/takeback/) for more information. We continue to work to encourage pharmacist participation in these locally-held events. We also continue to work with pharmacists and the BOP to promote the year-round pharmaceutical disposal receptacles. If you have a story you'd like to share about either to aid in that promotion, please contact our office.

### Prescription Drug Monitoring Program

The Prescription Drug Monitoring Program (PDMP) continues to grow and be an excellent resource for practitioners. South Dakota state law mandates PDMP registration for everyone who has a SD Controlled Substance Registration (SD CSR).

While the Board of Pharmacy is the entity managing the program, an advisory board was established under the law which consists of at least twelve (12) designees. Jessica Strobl serves on SDPhA's behalf on the advisory board. The group continues to make recommendations to the Board of Pharmacy as to how to best use the program to improve patient care and reduce the misuse, abuse or diversion of controlled substances. The advisory council also makes recommendations to the Board regarding safeguards for release of information to only persons who are entitled to access in order to maintain the confidentiality of program information.

### South Dakota Opioid Abuse Advisory Committee

According to the National Institute on Drug Abuse, researchers have observed increases in substance abuse and drug overdoses since the COVID-19 pandemic was declared a national emergency. Nationwide, pharmacists continue to engage in the work to prevent prescription drug abuse with the knowledge that real solutions must balance the need for patient access to medications for legitimate medical purposes with the need to prevent diversion and abuse. Pharmacists are in a unique position to combat this epidemic due to their expertise and accessibility. SDPhA President Kristen Carter represents SDPhA on the South Dakota Opioid Abuse Advisory Committee. This committee meets twice a year. You can learn more about their work here: <https://doh.sd.gov/news/opioid.aspx>.

### Health Professional Assistance Program

The passage of SB4 in 2021 means changes to some of the requirements for HPAP program administration. We continue to appreciate the open communication with the Board of Pharmacy on what this may mean for the future of the program. Our association continues to support HPAP, and saw no changes in the billing for FY 2021-2022. A pharmacist may access the program by self-referral, board referral, or referral from another person or agency, employer, coworker or family member.

### Pharmacy Technician University (PTU)

SDPhA is pleased to continue to offer low-cost access to this online training module. SDPhA has now enrolled 120 participants. We are also thrilled to report 5 student participants from the DIL Virtual program offered in various South Dakota High schools are enrolled in the course for the 2021-2022 school year. We appreciate the pharmacists who have stepped up in communities across the state to work with the DIAL program and these students. This is an exceptional opportunity to introduce the profession into the school systems, and we are grateful for everyone working together who makes it happen.

Just a reminder, the Therapeutic Research Center - PTU 101 module we administer qualifies as a PTCB-Recognized Education/Training Program of the CPhT program, and upon completion, allows participants to sit for the certification exam. In addition to PTU 101, we now offer four additional training modules through TRC:

- PTU Elite: Immunizations
- PTU Elite: Math Mastery – Community Pharmacy
- PTU Elite: Compounded Sterile Preparation Technician Program
- PTU Elite: Soft Skills Program.

For more details and enrollment information, contact Amanda Bacon at [amanda@sdpha.org](mailto:amanda@sdpha.org) or (605) 224-2338.



## Education, Communication, Public Affairs and Professional Relations

### Continuing Education

The Association continues to focus on providing quality continuing education for practitioners. SDPhA continues to work with the SDSU College of Pharmacy to bring you interesting continuing education opportunities at the annual convention and throughout the year. We have also been engaged from time-to-time to assist pharmaceutical companies in getting the word out on local opportunities for informative programs.

### Reaching Out

The Association prepares and delivers Legislative and Association Updates, CE and pharmacy-related information at fall and spring district meetings, in addition to delivering a variety of educational programs at each Annual Convention. The Association continues to work with student pharmacists on the American Pharmacists Month campaign, which helps bring awareness to the state about all pharmacists can do, and how patient care is improved with a pharmacist engaged. SDPhA previously provided SDSU students a grant for, and continues to assist with, pieces related to the, “More Than a Count” campaign. This campaign showcases the profession and SDPhA utilizing traditional and social media platforms to engage both pharmacists throughout the state as well as members of the general public.

### The South Dakota Pharmacist

Communicating with our members quickly and effectively is extremely critical to the success of the Association. The South Dakota Pharmacist continues a quarterly electronic distribution. You can also find it posted with past issues on our website. It always offers 1.5 hours of CE, and provides a source of communication for the association on rules, legislative issues and education that affect pharmacy practice.

### Website

After a lot of work to establish a new payment gateway and credit card processor, we are thrilled to share that SDPhA launched a completely new, updated, and much more user-friendly website mid-July 2021. The new website features a completely mobile-responsive and modern design, and a fully upgraded and intuitive user experience – from convention registration to contacting us and everything in between.

The website features a forms library which will play a key role in streamlining conventions and eliminating the use of so much paper moving forward. Another key feature is an area we call the Action Center. That’s where you’ll find all the issues we’re working on at the federal and state level. It also houses the new bill tracking tool we launched in the 2020 legislative session. But the next level is really the key – a communications platform from Voter’s Voice.

### Social Media/Email Blasts

We continue to utilize and expand our social media footprint where appropriate. This presence is something we consider vital to our work of representing the pharmacy profession through advancing patient care, enhancing the public awareness, and serving in the best interest of public health and pharmacy.

Here’s what’s important to know about each platform:

- Our Facebook and Instagram are primarily consumer-driven health messages. These posts are intended to give you easy access to content you can in turn share on your social channels to help engage your patients and the general public.

- The SDPhA Member News and Announcements Facebook Group page is where we share industry news, SDPhA event and meeting information, and legislative updates as warranted.
- LinkedIn gives us an additional forum to gather and share news impacting the pharmacy profession. The page is established. We look forward to expanding messaging there soon.

Please like, follow, share, and engage with us – that’s what makes these tools effective.

## Pharmacists for Healthier Lives

[Pharmacists for Healthier Lives](#) is a campaign that continues to reach patients and the public at large with information about what pharmacy is really all about. It showcases pharmacists as frontline members of the healthcare team, and details how pharmacists ensure better patient outcomes. Through the National Alliance of State Pharmacy Associations (NASPA), all state associations have had a unique opportunity to contribute to the campaign, and weigh in on the content, tone and direction. You’ll find we often link to it on our SDPhA Facebook page – it has some great resources your pharmacy can share online too.

## SDSU SCAPP/APhA- ASP Chapter

We continue to work closely with SDSU, and the student pharmacists. The student liaisons continue to work hard to keep us apprised of activities, and the SDPhA board remains committed to supporting the students in every way possible. This includes activities such as convention attendance (free of charge), rooms for convention and Legislative Days, and support for the Back-to-School Picnic, Pharmacy Days, and American Pharmacists Month activities. We commend them on continuing the successful messaging created as part of the “More Than a Count” campaign, and will continue to work with them on messaging and communication. We believe these activities are an incredible investment in your association’s future. The student pharmacists worked extremely hard to assist us with the 2021 virtual meeting as well, which was greatly appreciated! We also remain a resource for faculty whenever needed, and collaborate on projects whenever possible.

## Association Management Rotation

SDPhA was pleased to welcome Benjamin Ostebee for an APPE in Association Management in August and September. We are thrilled to work with student pharmacists who want to take a deeper dive into this unique field of management, learning the day-to-day operations, the complexities of running an association, and the many management aspects unique to associations and legislative work. He also got a crash course in pivoting live events to virtual, and without him, the tight turnaround would’ve been extremely difficult. We appreciate his willingness to roll up his sleeves and just say yes to whatever needed to be done – no matter how big or small the task. It was a true picture of the balancing act a one-person association office deals with – from laying the groundwork for legislation, to the process of legislative summer studies, to convention planning and what happens when it all changes on a dime. We look forward to the opportunity to work with more students in the future.

## Office Update

We anticipate a very busy spring and summer as we work with our coalition to address the best path forward for PBM and 340 initiatives in the 2023 legislature. We are also working extensively on raising funds for the C&L Fund, and preparing for Convention 2022! We continue to appreciate the collaborative spirit we find in working with the Board of Pharmacy on so many endeavors.

Kind Regards,

*Amanda Bacon, SDPhA Executive Director*

**SD Pharmacists Association**  
**Profit & Loss Budget vs. Actual**  
 July 1, 2021 through March 14, 2022

	Jul 1, '21 - Mar 14, 22	Budget	% of Budget
Ordinary Income/Expense			
Income			
Unrestricted Grants	1,000.00	0.00	100.0%
Administrative Income	1,423.78	0.00	100.0%
Membership			
SD Board of Pharmacy Transfer	0.00	199,000.00	0.0%
Associate Member	200.00	200.00	100.0%
District Dues			
District 9 - Yankton	45.00	0.00	100.0%
District 8 - Watertown	20.00	0.00	100.0%
District 7 - Sioux Falls	220.00	0.00	100.0%
District 6 - Rosebud	30.00	0.00	100.0%
District 5 - Mobridge	30.00	0.00	100.0%
District 4 - Mitchell	20.00	0.00	100.0%
District 3 - Huron	10.00	0.00	100.0%
District 2 - Black Hills	160.00	0.00	100.0%
District 1 - Aberdeen	220.00	0.00	100.0%
Total District Dues	755.00	0.00	100.0%
Student Membership	1,012.00	1,100.00	92.0%
Total Membership	1,967.00	200,300.00	1.0%
Corp Endorsements			
NASPA-PQC Endorsement	600.00	300.00	200.0%
Career Center Endorsement	184.41	0.00	100.0%
PAAS Endorsement	186.00	275.00	67.6%
PMG Endorsement	10,185.00	10,000.00	101.9%
Total Corp Endorsements	11,155.41	10,575.00	105.5%
Grants (unrestricted)	2,500.00	0.00	100.0%
Advertising/Marketing			
Advertising - Journal	25.00	0.00	100.0%
Total Advertising/Marketing	25.00	0.00	100.0%
Interest/Dividends	208.51	300.00	69.5%
Convention Income			
PhRMA Education Grant	1,000.00	0.00	100.0%
Convention Sponsor	16,600.00	0.00	100.0%
Exhibitors	16,330.00	15,000.00	108.9%
Registrations	10,548.78	17,500.00	60.3%
Student Sponsorship	175.00	0.00	100.0%
Total Convention Income	44,653.78	32,500.00	137.4%
Total Income	62,933.48	243,675.00	25.8%
Gross Profit	62,933.48	243,675.00	25.8%
Expense			
American Pharmacists Month	1,065.00	1,850.00	57.6%
Accounting/Tax Prep	3,407.03	4,800.00	71.0%
Salary & Benefits			
Payroll Taxes	3,799.50	5,508.00	69.0%
Payroll Expense	35.71	50.00	71.4%
Executive Director	44,666.72	67,000.00	66.7%
Executive Director Bonus	5,000.00	5,000.00	100.0%
Insurance	8,161.75	11,469.00	71.2%
Retirement	2,980.00	4,320.00	69.0%
Total Salary & Benefits	64,643.68	93,347.00	69.3%
Advertising	0.00	3,000.00	0.0%
Dues/Subscriptions	2,194.91	3,300.00	66.5%
Technology/Net/Software	15,694.55	17,200.00	91.2%
Furniture/Copier/Assets	1,386.36	2,300.00	60.3%
Hlth Professionals Assist Prog	20,000.00	20,000.00	100.0%

SD Pharmacists Association  
**Profit & Loss Budget vs. Actual**  
 July 1, 2021 through March 14, 2022

	Jul 1, '21 - Mar 14, 22	Budget	% of Budget
Insurance (D&O, Office)	3,433.00	3,600.00	95.4%
Legal/Professional	532.56	5,000.00	10.7%
Merchant Card Fees	1,731.83	2,300.00	75.3%
Phone/Internet	3,130.61	5,500.00	56.9%
Postage	244.35	150.00	162.9%
Office Supplies	222.46	1,500.00	14.8%
Publications & Printing (Exp)			
Journal	859.99	4,180.00	20.6%
Total Publications & Printing (Exp)	859.99	4,180.00	20.6%
Scholarships	0.00	1,000.00	0.0%
Rent	4,656.00	4,700.00	99.1%
Board Travel & Meetings	4,953.14	20,000.00	24.8%
Staff Travel			
In-State	770.83	5,000.00	15.4%
Out-of-State	0.00	6,000.00	0.0%
Total Staff Travel	770.83	11,000.00	7.0%
Convention Expense	8,915.94	15,000.00	59.4%
Misc Expense	264.94	500.00	53.0%
Total Expense	138,107.18	220,227.00	62.7%
Net Ordinary Income	-75,173.70	23,448.00	-320.6%
Other Income/Expense			
Other Income			
PTU Pass Thru Income	3,500.00	0.00	100.0%
Total Other Income	3,500.00	0.00	100.0%
Other Expense			
PTU Pass Thru Exp	3,240.00	6,500.00	49.8%
Total Other Expense	3,240.00	6,500.00	49.8%
Net Other Income	260.00	-6,500.00	-4.0%
Net Income	-74,913.70	16,948.00	-442.0%

**SD Pharmacists Association C & L  
Revenue & Expenses Budget vs. Actual  
July 1, 2021 through March 14, 2022**

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	<u>Jul 1, '21 - Mar 14, 22</u>	<u>Budget</u>	<u>% of Budget</u>
<b>Income</b>			
<b>C &amp; L Income</b>	16,131.45	5,500.00	293.3%
<b>Interest</b>	679.53	0.00	100.0%
<b>Total Income</b>	16,810.98	5,500.00	305.7%
<b>Expense</b>			
<b>Legislative Exp</b>	17,750.62	12,450.00	142.6%
<b>Total Expense</b>	17,750.62	12,450.00	142.6%
<b>Net Income</b>	<b>-939.64</b>	<b>-6,950.00</b>	<b>13.5%</b>



**South Dakota  
Board of Pharmacy**

4001 W. Valhalla Blvd., Ste. 106  
Sioux Falls, SD 57106  
Phone: 605-362-2737  
Fax: 605-362-2738  
PharmacyBoard@state.sd.us

**DATE: January 3, 2022**

**WHAT: DRAFT- Board Policy Statement Number 22-01-03**

**WHY: GUIDELINES AND PROCESS TO UTILIZE A 4:1 TECHNICIAN TO PHARMACIST RATIO IN RETAIL PHARMACY**

### **INTRODUCTION**

The practice of pharmacy has been granted new and expanded duties involving the current COVID-19 pandemic, including testing, immunizations, and providing other countermeasures in the fight against COVID-19. The federal government has implemented provisions to increase the accessibility of testing, immunizations, and COVID-19 countermeasures via the Public Readiness and Emergency Preparedness (PREP) Act. The PREP Act provides pharmacists, interns, and technicians liability protections and expands their scope of practice to help ensure increased public access to testing, immunizations, and COVID-19 countermeasures. The limited liability protections pertain to the items specifically included within the PREP Act and does not include any other liability protection. With these expanded roles for pharmacists, technicians, and interns the Board understands that more staff may be necessary to accomplish these additional tasks while completing the normal day to day workload in retail pharmacies. The board has provided this guidance to outline criteria to be followed to obtain a variance to ARSD 20:51:29:19 to allow for a 4:1 technician ratio. This variance shall be allowed once the board office has reviewed the request and is satisfied the following criteria are met. This policy statement shall remain in effect until revoked by the board or the PREP Act COVID provisions expire, whichever is first.

### **CRITERIA**

The Request for 4:1 Technician to Pharmacist Ratio shall include the following:

1. Proof that at least one technician is certified while working during anytime there is an increased ratio.
2. Provide a current list of all technicians currently working at the pharmacy.
3. The type(s) of COVID-19 countermeasures the pharmacy is providing, and the staff involved (including technicians).
4. Provide Policy and Procedure document regarding Medication Error Monitoring program for the pharmacy which explains how medication errors are tracked to prevent future similar errors and staff are educated on these errors.
5. Central Pharmacies that supervise telepharmacies may not request an increased ratio.

Once the request has been submitted, the board office staff will review. If approved, a letter of approval will be issued. This should be maintained in the pharmacy and available for review during inspections. If the pharmacy experiences increased patient safety issues, the board office may revoke the increased technician ratio variance at any time.

Tentative approval by board on 1/3/2022  
Final board approval expected 4/7/2022

Hy-Vee Report on Tech Immunization Pilot Project – Jim Mennen, BPharm, MS, MBA

The board approved at the April 2021 Board of Pharmacy meeting a pilot project to allow technicians to provide all types of immunizations in the pharmacy setting, outside of HHS PREP Act guidance. For this purpose, the board approved the variance to the following rules ARSD §§ 20:51:28:02.01, 20:51:29:20, & 20:51:29:21(6) to allow for Technician-Administered Immunizations. This variance was extended for another six months at the September meeting. We are requesting an extension for another year.

Attached are the technician immunization numbers:

- We have 20 technicians trained to administer vaccine and CPR certified at 11 Hy-Vee sites in South Dakota
- Hy-Vee Pharmacies gave a total of 68,399 immunizations with technicians giving 18,477.
- Technicians have given 27% of the vaccines given at Hy-Vee Pharmacies in South Dakota from September through February.
- There were 4 refusals from patients compared to the 18,477 that were given.
- There were 2 adverse events recorded

This program provided a great benefit to our pharmacies and pharmacists serving the public during the pandemic

- 1) Allowed for an increase in testing
- 2) We saw an increase in Covid-19 vaccine due to new variants, approved boosters, children's vaccine
- 3) Increase in vaccines given during flu shot season

**DATA PROVIDED TO SD BOARD OF PHARMACY**

Reporting Period	Dec-21			
Location	Total Vaccinations by Pharmacist	Total Vaccinations by Technician	Refusal of Vaccination by Technician from Patient	Total Number of Adverse Events
Brookings	1037	356	0	0
Sioux Falls #1	1109	5	0	0
Sioux Falls #2	800	282	0	0
Sioux Falls #3	1350	374	0	0
Sioux Falls #4	1247	556	0	0
Sioux Falls #5	822	270	0	0
Sioux Falls #6	949	522	0	0
Sioux Falls #7	51	7	0	0
Vermillion	474	108	1	0
Watertown	1394	284	0	0
Yankton	1356	542	2	2
	10589	3306	3	2

Reporting Period: Jan 2022	Jan-22			
Location	Total Vaccinations by Pharmacist	Total Vaccinations by Technician	Refusal of Vaccination by Technician from Patient	Total Number of Adverse Events
Brookings	625	189	0	0
Sioux Falls #1	504	8	0	0
Sioux Falls #2	480	260	0	0
Sioux Falls #3	800	54	0	0
Sioux Falls #4	785	325	0	0
Sioux Falls #5	474	33	0	0
Sioux Falls #6	458	274	0	0
Sioux Falls #7	n/a	n/a		
Vermillion	281	66	0	0
Watertown	733	198	0	0
Yankton	655	282	0	0
	5795	1689	0	0

Reporting Period: December 202	Feb-22			
Location	Total Vaccinations by Pharmacy	Total Vaccinations by Techs	Refusal of Vaccination by Tech from Patient	Total Number of Adverse Events
Brookings	205	62	0	0
Sioux Falls #1	182	0	0	0
Sioux Falls #2	133	108	0	0
Sioux Falls #3	243	85	0	0
Sioux Falls #4	206	60	0	0
Sioux Falls #5	160	35	0	0
Sioux Falls #6	109	81	0	0
Vermillion	79	14	0	0
Watertown	254	214	0	0
Yankton	217	81	0	0
	1788	740	0	0





2022 South Dakota Legislature  
**House Bill 1086**  
**ENROLLED**

AN ACT

**ENTITLED An Act to provide for the redistribution of donated prescription drugs and medical supplies.**

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

**Section 1. That a NEW SECTION be added:**

Terms used in this Act mean:

- (1) "Medical supply," any product necessary to administer a prescription drug; and
- (2) "Participating pharmacy," a pharmacy that:
  - (a) Is licensed pursuant to chapter 36-11; and
  - (b) Has provided written notice to the State Board of Pharmacy regarding its intent to accept donated prescription drugs and medical supplies, in accordance with sections 2 through 6, inclusive, of this Act.

**Section 2. That a NEW SECTION be added to title 34:**

Except as otherwise provided in this section, a participating pharmacy may accept a donation of prescriptions drugs and medical supplies if:

- (1) The drugs and medical supplies are in the original, sealed, and tamper-evident packaging, unless the drugs are in single-unit-dose packaging and the single-unit-dose packaging is unopened; and
- (2) The expiration date is at least six months after the date of donation, unless the State Board of Pharmacy has determined that the drug or medical supply is in high demand and dispensable before the expiration date.

A participating pharmacy may not accept the donation of any controlled substance or any drug that has physical signs of tampering, misbranding, deterioration, compromised integrity, or adulteration.

A participating pharmacy may not accept the donation of or distribute any drug subject to the requirements of 21 U.S.C. 355-1(f)(3), as of January 1, 2022.

**Section 3. That a NEW SECTION be added to title 34:**

A donated drug or medical supply may not be dispensed until a pharmacist, holding a permit issued in accordance with § 36-11-32, has inspected the drug or medical supply and repackaged it, as necessary, for dispensing.

**Section 4. That a NEW SECTION be added to title 34:**

A participating pharmacy shall:

- (1) Comply with all applicable federal and state laws regarding the storage and dispensing of any donated drugs and medical supplies;
- (2) Accept a prescription transferred pursuant to rules promulgated in accordance with chapter 1-26 by the State Board of Pharmacy; and
- (3) Agree to transfer any donated prescription drug or medical supply in the pharmacy's inventory to another licensed pharmacy, for use by a person who meets the eligibility criteria in accordance with section 7 of this Act.

**Section 5. That a NEW SECTION be added to title 34:**

A drug or medical supply that has been donated may not be resold or considered eligible for reimbursement under the medical assistance program, as set forth in chapter 28-6.

Nothing in this section requires a health plan or pharmacy benefit manager to be reimbursed for donated drugs or medical supplies.

**Section 6. That a NEW SECTION be added to title 34:**

A participating pharmacy may charge a fee, in an amount established by the State Board of Pharmacy, for accepting, distributing, or dispensing donated prescription drugs and medical supplies.

**Section 7. That a NEW SECTION be added to title 34:**

The State Board of Pharmacy shall promulgate rules, in accordance with chapter 1-26, to:

- (1) Establish eligibility criteria for persons to receive donated drugs and medical supplies, provided the criteria:
  - (a) Prioritize persons who are indigent or without insurance coverage; and

- (b) Permit dispensing to other persons, if the supply of a donated drug or supply exceeds demand;
- (2) Establish standards and procedures for the acceptance, storage, and dispensing of donated prescription drugs and medical supplies;
- (3) Establish standards and procedures for the inspection of donated prescription drugs and medical supplies;
- (4) Establish the fee that a participating pharmacy may charge for accepting, distributing, and dispensing donated prescription drugs and medical supplies, provided the fee does not exceed the reasonable cost incurred by the pharmacy; and
- (5) Develop and make available any forms necessary for the donation, acceptance, and dispensing of donated drugs and medical supplies.

**Section 8. That a NEW SECTION be added to title 34:**

A drug manufacturer, acting reasonably and in good faith, is not subject to criminal prosecution, or civil liability, for the death of or injury to a person, or for damage to or destruction of property, resulting from any donation, acceptance, or dispensing of a prescription drug under sections 2 through 6, inclusive, of this Act, nor for any failure to transfer or communicate product information.

Any person, other than a drug manufacturer referenced in this section, acting reasonably and in good faith, is not subject to:

- (1) Criminal prosecution or civil liability, for:
  - (a) The death of, or injury to another person who received a donated prescription drug or medical supply under sections 2 through 6, inclusive, of this Act;
  - (b) Damage to or destruction of property resulting from the donation of a prescription drug or medical supply under sections 2 through 6, inclusive, of this Act; or
- (2) Disciplinary action for any act or omission related to the donation, acceptance, distribution, or dispensing of a donated prescription or medical supply, in accordance with sections 2 through 6, inclusive, of this Act.

**Section 9. That a NEW SECTION be added to title 34:**

The State Board of Pharmacy shall develop and maintain, for use by prescribers and pharmacists, an electronic database that provides a searchable inventory of prescription drugs and medical supplies donated under this Act.

The board shall post a current list of participating pharmacies on the board's website.

An Act to provide for the redistribution of donated prescription drugs and medical supplies.

I certify that the attached Act originated in the:  
House as Bill No. 1086

Received at this Executive Office this \_\_\_\_ day of \_\_\_\_\_, 2022 at \_\_\_\_\_ M.

\_\_\_\_\_  
Chief Clerk

By \_\_\_\_\_ for the Governor

\_\_\_\_\_  
Speaker of the House

The attached Act is hereby approved this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2022

Attest:

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
Governor

**STATE OF SOUTH DAKOTA,**

ss.

Office of the Secretary of State

\_\_\_\_\_  
President of the Senate

Attest:

Filed \_\_\_\_\_, 2022 at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Secretary of State

House Bill No. 1086  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

By \_\_\_\_\_  
Asst. Secretary of State