

SOUTH DAKOTA BOARD OF PHARMACY

October 10, 2025

[Draft Minutes](#)

9:00 am CDT

Public Board Meeting

Board members present: Shane Clarambeau, Ashley Hansen, Tom Nelson, and Curt Rising

Board staff present: Tyler Laetsch, Jenna Heyen, Melissa DeNoon, Carol Smith, Lee Cordell, Natalie Nunez, and Beth Windschitl

Other parties in attendance

Meeting called to order at 9:04 am by President Hansen. Voice roll call taken, mission statement read, a quorum confirmed, and introductions completed. A call for public comment was made pursuant to SDCL 1-25-1, and there was no public comment.

Motion to approve consent agenda was ratified (Rising/Clarambeau/unanimous)

EXECUTIVE SESSION – Per SDCL1-25-2(3) to consult with legal counsel.

Motion to go into executive session was ratified (Rising/Clarambeau/unanimous) 9:11 am.

Board meeting resumed at 9:51 am.

REPORTS

Operations

Tyler Laetsch

- Board staff (Laetsch, Heyen, and DeNoon) attended the annual MPJE review held in Chicago, IL, September 17 – 19, 2005; Participants reviewed over 4,000 MPJE questions.
- A new full-time senior secretary (Lan Van De Rostyne) has been hired and starts on October 27th.
- Executive Director's upcoming meetings:
 - Attending a NABP forum in Chicago for executive officers, board members, and inspectors to discuss a variety of topics/issues, including changes in pharmacy, staffing shortage/burnout
 - In November, attending a NABP assembled panel to discuss pharmacy regulations for future discussion at the ASPL annual meeting in Fort Lauderdale
- DOH is applying for a federal grant targeted for rural health. Pharmacy practice is part of the grant application. Information collected centers around the pharmacy's scope of practice and contributions in rural settings
- DOH hosted its second Pharmaceutical Drug Shortage Summit. The board has not been included in this project, outside of invites to these meetings, even though it is responsible for licensing and regulating the entities discussed.
- Virtually attended the Opioid Advisory Committee, serving as a committee member. Group meets twice a year to discuss the disbursement of opioid settlement dollars
- Staff changes at the AG's office have resulted in new representations for the board. Renee Stellager is the board's assigned prosecuting attorney, while Megan Borchart is the board's advising attorney, working on board day-to-day issues, legislation, and law and rule interpretation.
- Receiving questions regarding wholesaler licensing requirements for veterinary-only prescription products. In 2019, the board stopped licensing anyone handling VFD (over-the-counter veterinary food directives added to animal feed). The board does license wholesale entities that handle prescription-only drug products. Entities were confused by the differentiation, and some were not licensed properly.
- Pharmacist and intern licenses expire 9/30/25; a \$50 late fee is assessed for pharmacist late renewals. Technician registration renewal ends 10/31/25. Receiving applications from out-of-state traveling technicians being recruited to work assignments in South Dakota. Further investigation is needed. Wholesale renewal period begins 11/01/25.
- Extended an invitation to board members to ride along with a board inspector to observe an inspection.

Inspector Highlights

Carol Smith

- Completed 25 regular inspections and four unannounced inspections
- Key Findings:
 - Trilogy receptacle not securely fastened to the wall/floor; receptacle was screwed into the sheet rock using several screws rather than a stud
 - Incorrectly using manufacturer's expiration date on Starter packs rather than the one-year required repackaged expiration date

- Found major lighting issues in a retail pharmacy. Over-head fixtures with four light bulb capacity had only one light bulb working. Observed staff having issues seeing information, having to reposition themselves three inches from their paperwork to see it. Lighting issue was noted in previous year's inspection. Issue was brought to PIC's attention; PIC did not want to bring the issue forward to the owner. Ineffective lighting is a safety issue which I expressed to pharmacy owner and requested to be improved.
- New pharmacist's POA document had the year and day recorded, but no month.
- Check SDIIS immunization submission site for a select 12-day period and identified a reporting discrepancy. COVID and influenza immunizations were not submitted, while all other immunizations had been reported. PIC contacted their software company, which identified issues with the NDC numbers and remedied the problem.
- Unannounced visits
 - One PIC appeared motivated to address inspection items that were not done from last inspections; items were addressed quickly, and PIC continues to keep in touch with the inspector. I felt the visit fostered a willingness to cooperate.
 - PIC was not in the pharmacy. The technician nonchalantly took steps to maneuver the "Pharmacy is temporarily Closed" sign to a visible position. PIC appeared and together completed a controlled substance audit, which was accurate.

Lee Cordell

- Completed a total of 16 inspections
- Key Findings:
 - Conducted an inspection of a dental office in conjunction with the Board of Dentistry. Identified issues with controlled substances, expired medications in kits, the site had removed all syringes out of sterile packaging and placed in bins for ease of use, and didn't date multi-dose vials used until empty.
 - A lot of temperature issues with excursions, storing medications in the refrigerator door.
 - Multiple minor issues with drug takeback program –
 - No separation of controlled substance invoices-2s, 3s & 4s, incomplete paperwork
 - Quite a few USP 800 hazardous issues identified – staff members not being able to use the assessment of risk or identify what was hazardous.
 - Pharmacy signage was not put up, especially for identification purposes with controlled substances.
 - POA not available during inspection.
 - Hazardous tray cleaning – sprayed hydrogen peroxide directly on the tray instead of the correct method (spray on a cloth used to wipe the tray).
 - Chain of pharmacies with an increasing number of closures; it is a widespread problem within a single chain; last week, two locations were closed for 2-3 days in a week. Three of the chain locations have only one pharmacist.
 - Staffing issues
 - Patients cannot get their medications and are referred to other locations
 - Huge patient safety issue
 - Discussed - keeping one location consistently open and having a call center helping to transfer prescriptions out; what is the duty of the pharmacy to stay open; what avenue does the board want to pursue; develop store hour requirements in law/rule; patient insurance issued due to closure.
 - An impacted party must file a complaint with the board before any action can be taken

Jenna Heyen

- Completed 47 inspections, three of which were unannounced.
- Key Findings:
 - Registered collector paperwork update – some collectors are not compliant / not using the updated Trilogy paperwork; follow through runs the gamut from one collector not documenting anything to a collector location that developed and is successfully maintaining all required paperwork online
 - Some sites are not current with their 2024 NIOSH list, have no hazardous list, and no assessment of risk
 - Issues with repackaging and labeling (one year from labeling)
 - Site performing 795 non-sterile compounding with no certificate of analysis for ingredients (improper record keeping)
 - Pharmacy site over 1:3 pharmacist/tech ratio
 - Several sites with signage updates needed, no pharmacist log at a telepharmacy, which is a DEA requirement
 - Hospital site with no compounding records; not using proper cleaning products for sterile compounding
 - Hospital AMDD – found a large amount of med discrepancies; no one was checking for discrepancies
 - Site completes their DEA controlled substance audit over three days; the entire audit must be completed in one day
 - Environmental Services is incorrectly performing cleaning requirements at a hospital
 - Compounding pharmacy with food and beverages found in the compounding space

Prescription Drug Monitoring Program – Melissa DeNoon

- The prescription point of sale date has been added to integration-viewed PDMP patient reports (shows as **sold date** in report) in addition to being on website-viewed reports. The sold date is not one of the fields pharmacies are required to submit; therefore, this date may not be present on reports. If the sold date is not present, the dispensing pharmacy should be contacted to confirm if the prescription has been picked up and sold.

- Updated DEA-compliant liner tracking logs for the drug take-back program have been sent to all participating site PICs.
- Georgia has joined SD's PMP InterConnect sharing group; partners now total 42.
- Reviewed the Clinical Alerts enhancement, sharing statistics on its thresholds.

Complaints, Disciplinary Actions, and Loss/Theft Reports – Board Staff

Refer to the audio record for compliance-specific information.

- Complaint 2025-0014, Pharmacy – Motion

Motion was made to accept the signed stipulation for Erin Pritchard involving complaint 2025-14, with requirements to complete a probationary term of four years, participate in the HPAP program, and complete six continuing education credits was ratified (Rising/Clarambeau/unanimous)

- Complaint 2025-0012, Pharmacy
- Complaint 2025-0013, Pharmacy
- Complaint 2025-0015, Pharmacy
- Complaint 2025-0016, Pharmacy
- Complaint 2025-0017, Pharmacy
- DEA Form 106, Lewis - Harrisburg
- DEA Form 106, Lewis - Sioux Falls
- DEA Form 106, Safeway – Rapid City
- DEA Form 106, Walgreens – Mitchell
- DEA Form 106, Avera St. Luke's - Aberdeen
- DEA Form 106, Walgreens – Sioux Falls
- DEA Form 106, Walgreens – Sioux Falls
- DEA Form 106, Walgreens – Sioux Falls
- DEA Form 106, Walgreens - Mitchell

OTHER REPORTS

SD Pharmacists Association – Amanda Bacon, Executive Director

- The 139th SDPhA convention was held September 19-20 in Deadwood; attendance numbers were great, and the SDSU Learning Platform explored
- Association is working on its membership structure; bylaws were updated during the conference
- As a result of the One Big Beautiful Bill, \$50 billion in funds have been designated for Federal Rural Health Transformation programs. All states are eligible to apply for funding. Entities in South Dakota have begun the application process.
- SDPhA continues to focus on PBM policy reform and reimbursement models in other states
- Pharmacist dues will cover one-fourth of SDPhA expenses; efforts to identify potential revenue streams continue

SD Society of Health System Pharmacists – Alyssa Howard, PharmD (none)

- SDSHP 50th Convention will be held April 17-18, 2026, in Sioux Falls. The 51st convention will also be in Sioux Falls.
- Dakota Night will be held mid-year; more details to follow
- During Pharmacists' Week, SDSHP will host a new charity event called "A Dose of Giving Campaign".

SDSU College of Pharmacy – Brad Laible, PharmD, Associate Dean for Academic Programs

- College is making updates to PharmD curriculum standards – changes to diagnosis and prescribing in all four program years.
- Nationally, pharmacy class sizes continue to fluctuate - 15,000 graduates in 2014 to 9,000 graduates in 2025.
- In 2026, the projected number for pharmacy graduates nationally is 8,000.
- SDSU College of Pharmacy pre-acceptance enrollment levels are up.
- The early assurance program, which guarantees high school seniors a spot in the pre-pharmacy program, is helping to increase enrollment numbers.
- Pharmacy program received ACPE accreditation through 2031
- Metro Center at 33rd and Minnesota streets in Sioux Falls is the new home for the PharmD program; move-in will be complete by the end of 2025

SD Association of Pharmacy Technicians - Amanda Bacon, SDPhA Executive Director

- SDPhA continues to work with technicians to re-energize the association

OLD BUSINESS

Wellbeing First Champion Challenge – Jenna Heyen / Tyler Laetsch

- South Dakota has achieved WellBeing Champion certification by the Lorna Breen Foundation; annual application/recertification is required to maintain status.

NEW BUSINESS

Legislative Update – Tyler Laetsch

Rules Update

- Interim Rules Review Committee was held 8/19/25. Most rule changes were deemed complete and went into effect on 9/15/25. Two rules (PIC change fee and remote drop sites for patient medication pick-up) were reverted for further review and discussions regarding variance use and innovative practices outside of scope occurred. As a result, the board will be issuing cease-and-desist letters to entities that previously had a variance to pharmacy rules.

2026 Legislation Update

- The board is working with the Department of Health to assume responsibility for the administration of the State Controlled Substance registrations (CSR). The board is a better fit to administer the program because 1) it issues wholesale and pharmacy licenses, and 2) medical providers who hold a SD CSR are required by law to have an account with the Prescription Drug Monitoring Program (PDMP) administered by the board. CSR fees would fund the PDMP program. The PDMP program is currently funded using federal grant sources that are going away.
- Plan to introduce a bill to clarify remote drop sites, define a pharmacist-in-charge, and establish pilot programs in statute
- Efforts will be made in conjunction with the Department of Health to correct Medical Cannabis program data collection requirements that were established in a 2024 bill. Having the indicator on the PDMP will help providers make more informed prescribing and dispensing clinical decisions, providing a one-stop point for complete data review. Legislation to repeal the medical cannabis requirement in 34-20E-2 will need to be repealed if the indicator is not added to the PDMP in order for the board to be compliant.

RFP for Licensing Software - Tyler Laetsch

- Board continues to work with IT to meet State security requirements so a final, official contract can be rendered and the vendor awarded. The board office would like the new system to be in place by June 1, 2026.

Policy Statement – Patient Abandoned Controlled Substance Medications – Jenna Heyen/Tyler Laetsch

- Annual review of policy statements. Discussed changes as a result of the state directive to rescind all variances and the newest policy regarding abandoned medications. DE's current position on the topic is that medications are the property of the patient, and other parties are not entitled to them. However, if a state has guidance on how to handle these situations, they expect the entity to follow the guidance.

Review of Current Policy Statements

- Technician certification requirement – policy removed as certification requirement has been removed in law and rule
- Remote pick-up sites – guideline removed as board cannot currently grant variances
- Off-site after-hours pharmacy – policy remains unchanged
- Starter packs – policy removed as is in rule
- Prescribing authority – removal of the PA limit to 30-day C2 prescription requirement and addition needed of a citation for information included

Motion was made to remove the policy statements relating to technician certification, remote pick-up sites, and packs, and to accept off-site after-hours pharmacy as is, and to update the prescribing authority document (Clarambeau/Rising/unanimous)

Historical Variances Discussion

- Variances and pilot programs are an essential part of advancing the practice of pharmacy faster than law and rule, so it can be responsive to needs as they arise.

Continuing Education for Board Meetings

- Discussed whether or not the board would be interested in granting/offering continuing education credit for in-person attendance at board meetings. One hour for the operations reports and one hour for old business and new business. Starting January 2026

OTHER BUSINESS

Recent Meeting News

- District V NAPB/AACP 2025 Meeting, August 6-8, 2025, Coralville, IA
- 139th SDPhA Annual Convention, September 19-20, 2025, Deadwood, SD

Future Board Meetings – all held in Sioux Falls Board Room unless otherwise noted.

- January 16, 2026, 9:00 am
- April 10, 2026, 9:00 am

- July 24, 2026, 9:00 am
- October 9, 2026, 9:00 am

Upcoming Meetings

- SDSHP 50th Annual Conference, April 17-18, 2026, Sioux Falls, SD
- NABP 122nd Annual Meeting, May 12-15, 2026, Boston, MA
- District V NABP/AACP 2026 Meeting, August 5-7, 2026, Minneapolis, MN
- 140th SDPhA Annual Convention, September 10-12, 2026, Brookings, SD

Motion to adjourn (Clarambeau/Rising). Meeting adjourned at 12:03 (CDT).