



MINNESOTA BOARD OF PHARMACY

newsletter to promote pharmacy and drug law compliance

Disciplinary Actions

Because of space limitations, information on disciplinary actions is no longer included in the *Minnesota Board of Pharmacy Newsletter*. A document that provides information about recent Board disciplinary actions can be found on the Board's [website](#) under the "Resources/FAQs" menu item.

A Message From Executive Director Cody Wiberg: Retirement

As the author of this *Newsletter*, I am announcing my retirement, with my probable last day being May 10, 2022. (It may be later than that, depending on how the process to replace me proceeds.) I became the Board's executive director on September 5, 2005, after serving as the Minnesota Department of Human Services pharmacy program manager for nearly seven years. It has been my privilege to work in those positions to serve the public. The protection of the public has been my primary focus, as a matter of law. But I have most enjoyed those times when I could both protect the public and advance the interests of the profession.

I am very grateful for all the Board members who I have had the honor to work with for the past 16 years. I am equally grateful for the staff members who I have had the privilege to lead. I have truly enjoyed working for the Board and deeply appreciate the support that Board members have always given me. That support, and the efforts of all the Board's staff members, have enabled the agency to grow, thrive, and fulfill its mission to "promote, preserve, and protect the public health, safety, and welfare by fostering the safe distribution of pharmaceuticals and the provision of quality pharmaceutical care to the citizens of Minnesota." I also want to thank the many individuals and organizations that provided recommendations and comments to the Board. I once said at a rules hearing that the Board needs input from stakeholders because neither the Board nor its staff has a monopoly on wisdom when it comes to the practice of pharmacy.

By the time that this edition of the *Newsletter* is published, the process for the selection should be well underway, and perhaps nearing its conclusion. The position was posted on the state's career website from December 10, 2021, through January 7, 2022. The Selection Committee consists of current Board members Stuart Williams, Mary Phipps, Ben Maisenbach, and James Bialke. Working with the human

resources (HR) staff assigned to the Board, they will select the applicants to be interviewed and then conduct the interviews. If a second round of interviews is required, they will be conducted during a public meeting of the full Board. Depending on the timing, the Board's president, Mr Williams, may call a special meeting.

As per state HR policies, I will have minimal involvement in the process, primarily handling the paperwork involved. I will attend interviews so that I can answer questions that Board members or applicants might have about the process or the position, but I will not ask questions or rate the applicants. It is the members of the Selection Committee who will make recommendations to the Board. The final step of the process will be a formal vote by the entire Board at a public meeting to elect one of the applicants to replace me as the Board's secretary, which will also make that individual the new executive director.

The Board hopes to have the replacement process completed and have my successor "on board" by the end of March. If that timeline holds, I will remain working for the Board until May 10 to provide my replacement with some training concerning state policies and procedures involving budgeting, finances, HR, and other administrative tasks.

Other Staff Changes

Dr Katrina Howard has been promoted to the position of deputy director. Dr Howard previously served as the pharmacist consultant for the Board's prescription monitoring program (PMP), and then as the Controlled Substances Reporting Section director. She graduated from the University of Minnesota College of Pharmacy in 2012. Dr Howard has been actively involved in the National Association of State Controlled Substances Authorities, serving on several committees and task forces, including serving as the PMP Committee chair. She was also a board member for the University of Minnesota Pharmacy Alumni Society from 2016-2020.

Pharmacy Technician Registration

Pharmacy technician registration renewals were due on December 1, 2021. Technicians were then given the month of December as a "grace period." The registrations of technicians who failed to renew by December 31, 2021, have expired. Individuals cannot continue working as technicians if their registrations have expired. Pharmacists-in-charge (PICs) are encouraged to verify that technicians working under their supervision have current registrations. That can be done by using the license verification feature on the Board's website. If an unregistered individual performs duties that require a technician registration, the Board can take disciplinary action against that individual, the PIC, and the pharmacy.

Pharmacist License Renewals

Pharmacists who want to renew their license for the license period that starts on March 1, 2022, may do so at this time. Renewal reminders are emailed out to all licensed pharmacists, and the Board

encourages pharmacists to make sure that the email address on their record is one that they currently use. The Board encourages licensees to take advantage of the online renewal option for faster processing.

To renew your license, visit the Board's [website](#) and select the "Login to My Account" item from the "How Do I" tab in the upper right-hand corner of the page. This will take you to the sign-in page. Click on the appropriate links and follow the prompts. The renewal screen will also allow you to change your address, update your employment, or change your license status. If you have any questions, you may call the Board during normal business hours for assistance at 651/201-2825, and one of its staff members will assist you.

If you would rather submit a paper renewal, follow the directions in the paragraph above. Use the appropriate links on your account page to make any address and employment changes. Once you have made any necessary changes to your addresses and employment, instead of clicking on "Renewal-In-Progress," click on "Print Pharmacist Renewal Invoice" at the bottom of the page. Print the invoice, sign and date it, and send it to the Board office with your payment. If you do not have an internet connection, contact the Board office at 651/201-2825, and the Board will print a renewal and mail it to you.

The renewal period for pharmacists opened in mid-December, and **the deadline for completing the renewal process is February 1**, not February 28 or 29, as many people mistakenly believe. The month of February is a grace period during which no late fees are assessed for pharmacists who have missed the February 1 deadline. If your completed application and required fee are not received by the Board office prior to March 1, 2022, your license will expire and the late fee will be imposed. You will not be allowed to practice pharmacy in the state of Minnesota until the Board receives the completed application and fees.

Minnesota Insulin Safety Net Program

The Board has received communications from members of the public indicating that some pharmacists may not be aware of this program, or that some pharmacy owners have instructed their staff not to assist patients seeking to access insulin through the program. If your pharmacy is located within Minnesota and is licensed in the community/outpatient category, it must participate in the Minnesota Insulin Safety Net Program (MnISNP). A pharmacist may refuse to fill a clinically and legally valid insulin prescription that would be covered under the program only if:

- the pharmacy does not have the insulin in stock;
- the application for the urgent need program is not correctly filled out and signed; or
- the patient refuses to pay the co-pay.

If a pharmacy does not have the insulin in stock, the pharmacist should determine if the patient can wait until the pharmacy obtains the insulin. If not, the pharmacist should assist the patient in locating another nearby pharmacy that does have the insulin in stock.

The Legislature passed the Alec Smith Insulin Affordability Act, which Governor Tim Walz signed into law on April 15, 2020 (codified primarily as [Minnesota Statutes §151.74](#)). The act created the MnISNP, which aids individuals who cannot afford insulin. One part of the program allows eligible

individuals who are in urgent need of insulin to receive a one time, 30-day supply of insulin from their pharmacy, for a \$35 co-pay. An emergency supply can normally be obtained only once in a 12-month period. However, there is an option for some individuals to receive a second 30-day supply in certain circumstances. The insulin manufacturer will reimburse the pharmacy for the insulin or send the pharmacy a replacement supply.

The second part of the program requires manufacturers to provide insulin to eligible individuals for up to one year, with the option to renew annually. The manufacturers have to provide up to a 90-day supply of insulin for a co-pay of no more than \$50. Individuals with insurance may also obtain insulin through a manufacturer's co-pay program, which waives all or part of the co-pay that the patient normally has to pay. Language was adopted that clarifies that tribal identification cards as defined in section 171.072, paragraph (b) can be used to establish the Minnesota residency of individuals applying for the MnISNP.

Pursuant to [Minnesota Statutes §214.108](#), the Board is allowed to offer guidance to licensees about the application of the statutes and rules that the Board enforces. The Board issued a guidance concerning the MnISNP at its May 20, 2020 meeting, which is available on the Board's [website](#). That page also has information sheets for patients, pharmacists, and manufacturers – plus other links and resources. Another state agency, MNSure, has also created a web page that is devoted to the program: www.mninsulin.org.

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