MARCH 2026

NORTH DAKOTA BOARD OF PHARMACY

Newsletter to Promote Pharmacy and Drug Law Compliance.

2026 Special Legislative Session – Important Advancements

Governor Kelly Armstrong called a special session of the Legislative Assembly, which was held from January 21-23, 2026. The purpose of the session was to address legislative needs around the Rural Health Transformation Program grant, through which the state is anticipated to receive nearly or over a billion dollars throughout the next five years for the purpose of improving and strengthening rural health across our state. Regarding the grant, the session focused on appropriation authority and four policy bills to strengthen the state's ability to maximize the grant funds received.

One of those policy bills – Senate Bill 2402 – represents a significant advancement for the profession of pharmacy. This was widely supported by both chambers and signed by the governor. This has immediately gone into law, given the emergency measure attached, and the practice authorities are available to pharmacists right now. There are three main advancements in this bill:

1) Removes any restrictions on pharmacists ordering any lab test, as well as all restrictions on performing Clinical Laboratory Improvement Amendments (CLIA)-waived tests.
2) Significantly expands a pharmacist's ability to prescribe drugs and devices for many specified conditions. Some examples include prescribing based on a positive CLIA-waived test for influenza (including chemoprophylaxis), Group A Strep, COVID-19, travel medications, and many other emergency use medications.
3) Allows a pharmacist to independently make a therapeutic substitution, as specified in the legislation, to ensure pharmaceutical care for patients.

The North Dakota Board of Pharmacy encourages you to look through the legislation in detail and

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implement the expanded authorities in your practices to enhance the profession's impact on the public. The standards in the legislation, enacted into law, are straightforward and should be able to be incorporated easily. The legislation moved very fast, given the implications of the grant. There will likely be more information, as well as educational opportunities that will help guide implementation into your practice.

Upcoming DSCSA Implementation Deadline for Small Dispensers

Food and Drug Administration (FDA) is currently in its final phase of implementing Drug Supply Chain Security Act (DSCSA) requirements. Small dispensers (companies with 25 or fewer full-time licensed pharmacists or qualified pharmacy technicians) and, where applicable, their trading partners, have until November 27, 2026, to implement DSCSA drug distribution security requirements.

Small dispensers that **do not** qualify for the exemption and are unable to fulfill the drug distribution security requirements from Section 582 of the Federal Food, Drug, and Cosmetic Act (FD&C Act) can **no longer** request a waiver, exception, or exemption. The deadline for submitting such a waiver was November 27, 2024.

Pulse by NABP™ aids dispensers, distributors, manufacturers, and regulators in achieving DSCSA compliance by providing a secure digital platform that enables consistent communication across the supply chain. Last year, Pulse launched its Product Verification Service (PVS) functionality to regulators, allowing PVS-enabled users to verify the authenticity of products by scanning product information. The Pulse platform has processed over 1,600 product verification requests. More information about Pulse by NABP can be found at *https://pulse.pharmacy/*.

Final Deadline Approaching:

- **November 27, 2026** – End of exemption from certain requirements of Section 582 of the FD&C Act for *small dispensers (pharmacies) and, where applicable, their trading partners.

**FDA clarifies small dispensers as a company that "has 25 or fewer full-time employees licensed as pharmacists or qualified as pharmacy technicians."*

NABP has also released the *Dispenser Guide to Achieving Drug Supply Chain Security Act Compliance*, which outlines "four operational imperatives" intended for attaining DSCSA compliance.

Findings of September CE Audit of Registered Pharmacy Technicians

Category	Number of Pharmacy Technicians
Compliant, per CPE Monitor®	36
Compliant with additional documentation	10
Did not have adequate continuing education (CE) hours and paid the administrative fine	3
Wished to surrender their registration	2
Total audited (randomly)	51

Those not in compliance received administrative fines of $250 and/or suspensions, according to North Dakota Administrative Code.

Drug Disposal Program

The Board has operated a Drug Disposal Program for pharmacies to offer patients and citizens a safe location to dispose of unused controlled substance (CS) medications. Thanks to the outstanding participation of more than 145 pharmacies in the state, you all have safely destroyed over 40 tons of medications from patients. This continues to have a huge impact on reducing the medications patients may have in their homes that could have potentially ended up being diverted or misused. Thank you for all your efforts in offering this service and educating patients about it!

This program, offered through the Sharps MedSafe Medication Disposal system, continues to be provided by the Board, free of charge to qualifying, eligible participating pharmacies committed to providing this service to their patients. The Board is committed to funding a disposal program long term to ensure the maximum opportunity for patients to properly destroy CS, preventing diversion or abuse.

With continued reports of abuse and diversion of CS, it is important that our profession is committed to providing an avenue for safely disposing medications.

If any pharmacy desires to begin offering this service to the public, the Board welcomes its participation. Please contact the Board office at any time for further information or to be connected with a representative from Sharps Medical Waste Services to address any questions or concerns.

North Dakota PharmAssist Committee

The North Dakota PharmAssist Program is a voluntary program for impaired pharmacists, interns, technicians, and pharmacy students who are in need of support and assistance for either alcohol or chemical abuse, or other stressors.

Through this program, members of the pharmacy family can receive help from caring colleagues in a confidential, non-coercive and non-punitive manner.

Impaired individuals can be helped with the following:

- Substance abuse education
- Awareness of factors leading to impairment
- Understanding the warning signs of impairment
- Help from the ND PharmAssist Program

The goals of the PharmAssist Program include providing continual support and assistance to the pharmacist, intern, technician, or pharmacy student; preventing the loss of a professional career; preserving the pharmacist's, intern's, or technician's professional reputation; and restoring the individual's ability to practice competent and professional pharmacy.

How It Works

1) Once a committee member from the PharmAssist Program receives a request for assistance, one of the co-chairs will initiate steps to verify expressed concerns.
2) If there is sufficient reason for concern, the co-chair will arrange for a personal visit with the person and other involved individuals.
3) The pharmacist, intern, technician, or pharmacy student will be encouraged to seek help voluntarily. An initial evaluation to assess the need for treatment will be provided at no charge to the person.
4) A program member will assist the pharmacist, intern, technician, or pharmacy student in entering treatment. They will maintain contact and provide encouragement and support during and after treatment.
5) The program will provide support after treatment and during re-entry into practice.

Pharmacy Professionals Helping Pharmacy Professionals

Committee members have a genuine concern about the welfare of colleagues seeking assistance.

If a person has direct knowledge about an impaired pharmacist, intern, technician, or pharmacy student and they are concerned, they should contact the ND PharmAssist Program. That person could be a colleague, spouse, family member, employer, employee, concerned citizen, or even the impaired pharmacist, intern, or technician.

The Board is **not** contacted when a pharmacist, intern, or technician becomes involved with the program. **All** information is kept strictly confidential.

A pharmacist, intern, technician, or pharmacy student in need of assistance who refuses to seek help is a danger to the health and welfare of the community. In such cases, the program **must** notify the Board of Pharmacy Investigative Committee, but not the Board of Pharmacy itself.

Contact information for the members can be found on the Board's website under PharmAssist.

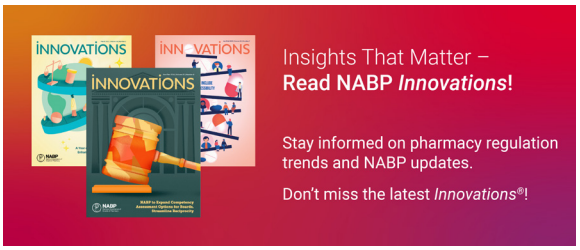
Address Changes

Please ensure that your address, email, and work information are promptly updated with the Board upon any change, as required by law. The Board has an easy process available on its website to make any necessary changes to your records. Be sure to include a regularly maintained email address, as this is increasingly becoming the way to communicate important changes and updates from the Board.

Reprinting and Verifying Licenses

You can verify any Board of Pharmacy license or registration on the Board's website. License verification printouts to provide for various entities can be accomplished in this way.

The Board's website also allows you to reprint your license or registration at any time. This technology is useful in ensuring that all licenses are properly posted or available at your facility.



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