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House Bill No 1372 – Licensure of Foreign Practitioners
House Industry, Business and Labor Committee – JW327C Room
Tuesday - February 7th, 2023 – 8:00 AM

Chairman Louser, Members of the House Industry, Business and Labor Committee, for the record I am Mark J. Hardy, PharmD, Executive Director of the North Dakota State Board of Pharmacy.

I appreciate the opportunity to discuss with you our concerns on House Bill 1372 today.

The Board of Pharmacy is very concerned with the language in this bill mandating Boards to issue provisional licenses to practice without assuring competencies are met and there is no disciplinary action to be considered.

One large issue with this approach is we would delegate licensing decisions to that of another state. In the case of our profession, we could have a pharmacist who had disciplinary actions in another state pending, which we would have no awareness of, potentially getting a “provisional” license to practice in our state. It sets a dangerous precedent to trust another state’s decisions when it is North Dakota citizens that are at risk.

I think the Committee would be wise to examine a study commissioned by the Department of Commerce a couple of years ago indicating the efficiency in which Boards operate with a median of 7 days to issuance of licenses in the state.

The Board of Pharmacy has safeguards in place to ensure the individuals are properly educated and trained to practice pharmacy for the wellbeing and safety of the citizens in North Dakota. The North Dakota Board of Pharmacy currently participates in an electronic license transfer program [eLTLP] through the National Association of Boards of Pharmacy [NABP] in which all 50 states are members and participate. With eLTP a pharmacist licensed by one jurisdiction can request licensure transfer; their licensure is then verified along with any disciplinary actions and electronically sent to the state the professional wishes to become licensed. Understandably, Boards of Pharmacy are more mature with this capability due to the unique aspects of our profession

For our profession, specifically, the legal competency is such a critical aspect of pharmacy practice. There are tremendous variations in controlled substance laws, dispensing and professional responsibility laws across state lines making pharmacists a safeguard between the prescribing practitioner and the patient.

The current license transfer process is very easy to navigate, allowing a candidate to sit for the computerized law test at a testing center of their choice, wherever is most convenient, and the results, on average, are reported within just a couple of days.

The language used in this proposal originated through an attempt to meet Department of Defense standards of military members and military spouses transition between states. This was designed for a very narrow group due to their transient nature of military service and represents a small, low risk group.

The Board of Pharmacy respectfully asks for Do NOT Pass vote on HB 1372. In the alternative, we would ask for an exemption similar to that given the Board of Medicine.

Thank you for listening to my testimony and I will be happy to answer any questions.