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SB No 2337 – Services Provided to Occupational / Professional Boards

Senate Workforce Development Committee – Fort Lincoln Room
3:30 PM - Thursday – January 26, 2023

Chairman Wobbema and Members of the Senate Workforce Development Committee, for the record I am Mark Hardy, PharmD, Executive Director of the North Dakota State Board of Pharmacy. Thank you for allowing me to testify on Senate Bill 2337 and offer our opposition with the provisions set forward in this legislation.

As we interpret this SB 2337, the Board of Pharmacy would have to utilize administrative services through the North Dakota Office of Management and Budget. We appreciate the intent and understand the belief that some Boards could benefit from administrative services being provided. However, the Board of Pharmacy is not one of them. The scope of the Board of Pharmacy includes scheduling of all Controlled Substances, the licensing of pharmacists, pharmacy technicians, interns, technicians-in-training, pharmacies, wholesale drug distributors, manufacturers, medical device retailers and distributors, veterinary retail facilities, veterinary dispensing technicians, and many more. This list represents over 6,000 licensees and businesses, along with many agencies, law enforcement and others that rely on our office. Given the demands of our licensees and the impacts on the citizens of the State, the Board of Pharmacy has developed and maintained dynamic processes to ensure the provisions of what this legislation is looking to centralize is managed and delivered with effective and efficient processes. The Board of Pharmacy certainly leverages the private market to help with some services which have been tremendously helpful and efficient. The Board would request that we be able to continue to utilize these processes that makes our office nimble and responsive to the public and licensees. I am not aware that the Office of Management and Budget has the expertise or staff to assist at the level at which we would expect to provide the services listed in Section 2. Forcing us to use OMB to provide services would be very disruptive to our licensees and office operations. I do believe it would prove to be disruptive to the workforce for whom we provide services.

Section 3 of this bill asks for coordination on behalf of the Boards by the Office of Management and Budget with various other agencies in the state. This seems to be a duplication of what is currently occurring with most professional Boards. We have a good line of communication to the Attorney General's office through Assistant Attorney Generals, have the ability to reach out to ITD on services and for guidance that would be needed, and have existing relationships with Workforce Safety and Insurance on services they provide.

Section 4 of the bill appears to require Boards to utilize the services of the **I**nformation **T**echnology **D**epartment. This section is very problematic for the Board of Pharmacy. We have an existing database built for timely processing of applications, renewals, and tracking of unique data needed for our licensees.

We also have database integrations into national systems that facilitate ease of licensure for licensees and provide other services the Board of Pharmacy is called upon to provide. We leverage private market solutions that best fit the Board's unique needs.

Many Boards, including the Board of Pharmacy, leverage and utilize services from ITD and we find that very useful. However, changing all our processes and technology to ITD would be a big disruptor to our licensees and ultimately the workforce in general. Licensing, renewals, website operations, tracking of other unique services the Board of Pharmacy currently provides would all need to be redesigned.

To highlight just one of the many examples to provide you, specific to our Board, is the operation of the Prescription Drug Donation Program, where the public donates prescription medication they wish to donate and the Board maintains the list of drugs available that can safely be dispensed to an individual in need at little to no charge. This public service tool is built within our database from a private company located in Minot, ND called Albertson's Big Picture. This bill would require the Board of Pharmacy to recreate that program through ITD, which would be a very costly and timely endeavor.

The Board of Pharmacy, respectfully, opposes this legislation. This would cause great burden and would prove to have a significant financial impact for the Board and for the portion of businesses, workforce and public we serve.

Perhaps there is a better method to meet the goals of the bill which will not force all Boards into the use of services that they don't need. We would be happy to work with the Committee on amendments or other methods in future bills you will have in front of your committee.

I'd be happy to answer any questions that you may have and thank you for your time.