

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1350

2007 HOUSE HUMAN SERVICES

HB 1350

## 2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. **HB 1350**

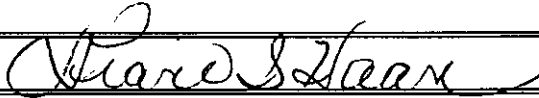
House Human Services Committee

Check here for Conference Committee

Hearing Date: January 22, 2007

Recorder Job Number: 1497 & 1502

Committee Clerk Signature



Minutes:

**Chairman Price:** Opened the hearing on HB 1350.

**Rep Svedgan, Dist 17, Grand Forks:** Introduced HB 1350. The County Practice Residency Program in Grand Forks has been taken over by the Altru Health System, from the medical school. It is now operated as a community run family practice residency program. The Board of Pharmacy in ND has given an exception to the University School of Medicine for the operation of the pharmacy as it relates to that residency program. With the transfer, it puts the continuation of the operation of that pharmacy in question. This bill extends the educational exception for the operation of the pharmacy, in this case to the community health facility, more specifically the Altru Health System. This is not written specific to ultra health system, the way the language is written is that if any other entity were to take over the operation & the financial responsibility for a family residency program, the provisions of this bill, if passed, would apply to them also. The change in current statute occurs on the 2<sup>nd</sup> page of the bill in Sect 2, Sub Sect C & that is the exception language. (See Line 10) I want the language to be very specific saying that the operation of this pharmacy has to be in direct relationship to the post graduate medical residency training program, even to the extent that it's co-hosting it with it. I'm not trying to do anything here that relates to any of the other pharmacy bills you've talked about. It doesn't impact the 51% ownership. We're just trying to extend that educational

exception to a community run residency program ... that program, as it relates to the training that occurs in the residency training program, is paramount in the eyes of the physicians to do the education.

**Jeffrey Zak, Pharmacy Director @ Altru Health System in Grand Forks:** appeared in support of HB 1350. The situation we're in now is that the licensure is in a grievous position ... right now we're under a operations management agreement to the University of ND, they are the holder of the pharmacy license & we take on full legal & financial responsibilities through the management agreement. We'd like to see the law amended in a small way so we could have a more direct link to that license so it would be clearer & there would be less paper work. Things won't change greatly with that pharmacy at all, it's very heavily involved in education.

**Chairman Price:** Any relationship with NDSU as far as training the pharmacists?

**Zak:** Yes, it's a bill heavily involved in the education of everybody.

**Howard Anderson, Jr, R.Ph, Exec Director of the ND State Board of Pharmacy:** appeared in support of HB 1350. (See attached testimony) It's narrow & focused enough so it won't jeopardize overall ownership & we think it will be good for ND.

**Chairman Price:** Anyone else in support of HB 1350, if not opposition. If not we'll close the hearing on HB 1350.

**Chairman Price:** Reopened HB 1350 for discussion.

**Rep Conrad made a motion for a Do Pass Rep Schneider seconded it.**

**12 Yes 0 No 0 Absent & Not Voting Rep Uglem Carrier**

Date: 4/22  
Roll Call Vote #:

**2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES**  
BILL/RESOLUTION NO. "Click here to type Bill/Resolution No."

House HUMAN SERVICES HB 1350 Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Motion Due Pass

Motion Made By Rep Conrad Seconded By Rep Schneider

Representatives	Yes	No	Representatives	Yes	No
Clara Sue Price - Chairman	✓		Kari L Conrad	✓	
Vonnie Pietsch - Vice Chairman	✓		Lee Kaldor	✓	
Chuck Damschen	✓		Louise Potter	✓	
Patrick R. Hatlestad	✓		Jasper Schneider	✓	
Curt Hofstad	✓				
Todd Porter	✓				
Gerry Uglem	✓				
Robin Weisz	✓				

Total (Yes) 12 "Click here to type Yes Vote" No 0 "Click here to type No Vote"

Absent 0

Floor Assignment Rep Uglem

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**HB 1350: Human Services Committee (Rep. Price, Chairman) recommends DO PASS**  
(12 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1350 was placed on the  
Eleventh order on the calendar.

2007 SENATE HUMAN SERVICES

HB 1350

## 2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1350

Senate Human Services Committee

Check here for Conference Committee

Hearing Date: 3-14-07

Recorder Job Number: 5053

Committee Clerk Signature

*Mary K. Monson*

Minutes:

Chairman Senator J. Lee opened the hearing on HB 1350 relating to postgraduate medical residency training program pharmacies.

Representative Ken Svedjan (District 17) introduced HB 1350. He gave some background on the Altru Health System in Grand Forks taking over the total responsibility for the family residency program that had previously been run by the medical school. During the time the medical school ran the residency program they had an exception that was granted for the operation of a pharmacy that is directly connected with the operation of the residency program. In order for Altru to continue operating the pharmacy there had to be a management agreement put in place to comply with the law as it relates to the pharmacy licensure. This bill allows for an exception that would allow for there to be a license granted for the operation of the pharmacy that is directly attached and operated within the family residency program at Altru health system.

He referred to testimony provided by the Director of Pharmacy (attachment #1) and read parts of it.

Howard Anderson (Board of Pharmacy) testified in support of HB 1350. (Attachment #2)

Senator Dever asked if the people dispensing the medications are registered pharmacists.



Mr. Anderson replied that there is always a pharmacist in charge. Students rotate through and are supervised by the pharmacist.

Susan Doherty (Altru Health System, GF; Merit Care Health Systems, Fargo; Med Center One Health System, Bismarck; Trinity Health System, Minot) testified that the Health Policy Consortium strongly supports the language in this bill.

There was no opposing or neutral testimony.

The hearing on HB 1350 was closed.

Senator Warner moved a Do Pass on HB 1350.

Senator Heckaman seconded the motion.

Roll call vote 6-0-0. Motion carried. Carrier is Senator Heckaman.

Date: 3-14-07

Roll Call Vote #: 1

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. HB 1350

Senate HUMAN SERVICES Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass

Motion Made By Sen. Warner Seconded By Sen. Heckaman

Senators	Yes	No	Senators	Yes	No
Senator Judy Lee, Chairman	✓		Senator Joan Heckaman 2	✓	
Senator Robert Erbele, V. Chair	✓		Senator Jim Pomeroy	✓	
Senator Dick Dever	✓		Senator John M. Warner 1	✓	

Total (Yes) 6 No 0

Absent 0

Floor Assignment Senator Heckaman

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE (410)**  
March 14, 2007 12:09 p.m.

**Module No: SR-48-5283**  
**Carrier: Heckaman**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**HB 1350: Human Services Committee (Sen. J. Lee, Chairman) recommends DO PASS**  
**(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1350 was placed on the**  
**Fourteenth order on the calendar.**

2007 TESTIMONY

HB 1350



State of North Dakota  
John Hoeven, Governor

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Wahpeton, Treasurer

**TESTIMONY ON HOUSE BILL No. 1350  
MEDICAL RESIDENCY TRAINING PROGRAM PHARMACIES**

**HOUSE HUMAN SERVICES COMMITTEE  
8:30 AM - FORT UNION ROOM - MONDAY- JANUARY 22<sup>TH</sup>, 2007**

Chairman Price and members of the House Human Services Committee, for the record I am Howard C. Anderson, Jr, R.Ph, Executive Director of the North Dakota State Board of Pharmacy.

I am here today to support this Bill.

We have been licensing the Center for Family Medicine Pharmacies Under the ownership of The University of North Dakota as the permit holder, as a Class (H) government license. This will make it possible for the license to be granted to the entity actually operating the program.

Thank you for the opportunity to speak with you today.

March 13, 2007

Re: SB

Dear Senators:

My name is Jeffrey Zak. I have practiced pharmacy in the state of North Dakota since 1981 and am currently the Pharmacy Manager for Altru Health System in Grand Forks, ND. I would like to give testimony in support of SB which would grant /allow entities that have physician residency programs a pharmacy license.

The Family Practice Residency Program was born in 1977. In 1991, a retail pharmacy geared towards education and teaching and linked via special licensure was also created to support the residency program. The pharmacists and pharmacy technicians in this residency pharmacy work very closely with the physician residents as well as the physician instructors. Education and teaching activities concerning proper medication selection, prescription writing, drug-drug interactions, drug-food interactions, medication compliance and many other aspects that ensure the safe medication delivery process occur on a daily basis. Some education is done in a classroom setting but the majority is delivered in day-to-day interaction between the residents and the pharmacy staff. The pharmacy also serves as a site for hosting pharmacy students from NDSU. These students benefit from seeing a retail pharmacy interacting with physicians. The interaction between the residents and the pharmacy students helps to show the physicians the benefits of cultivating relationships with pharmacists.

The pharmacy's importance to the residency goes far beyond its impact locally. There are graduates of the residency program across the state of North Dakota, in Williston, Dickinson, Beulah, Park River, Lisbon, Jamestown, Valley City and others.

Approximately two years ago the University of North Dakota made a decision to not support the continuation of the Family Residency Program. At that time, Altru Health System made the decision to step up and support the Family Residency Program. Along with the program came the retail pharmacy but under current statutes the official licensure must remain with the University of North Dakota. Altru Health System has signed a management agreement with the University of North Dakota concerning the pharmacy in order to keep its doors open and the license legal. Altru Health System is currently responsible for all activities concerning the pharmacy yet the license is the property of the University of North Dakota. This arrangement makes the "paper shuffle" with buying contracts, vendors, etc. difficult at best. The residency is also at risk of losing the pharmacy portion if UND decides at some point not to renew the management agreement. If that occurred the pharmacy would be forced to close its doors under the current statutes.

Altru Health System has made the commitment to continue the Family Residency Program and the commitment is one that does not come cheap. The Family Residency Pharmacy is not a large money making entity. The small profit that is made is fed back into the residency program. The small amount of profit contributed by the pharmacy helps but more importantly the pharmacy provides education and training of these new physicians which they will use for the rest of their careers on a daily basis.

**I did give testimony in person on House Bill 1350 but unfortunately I cannot attend the Senate hearing concerning this matter. I apologize for not being able to attend the hearing but I would be pleased to answer any questions you may have on this bill.**

**Again, I ask for your assistance to help such residency programs remain strong and competitive nationally for top medical students and even more importantly, within our state so that we may continue to supply Family Physicians to this state with physicians that are most likely to stay. I urge you to support and come to a DO PASS recommendation on SB**

**Sincerely,  
Jeffrey W Zak R.Ph  
701-780-5158**



State of North Dakota  
John Hoeven, Governor

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William J. Grosz, Sc.D., R.Ph.  
Wahpeton, Treasurer

**TESTIMONY ON HOUSE BILL No. 1350  
MEDICAL RESIDENCY TRAINING PROGRAM PHARMACIES**

**SENATE HUMAN SERVICES COMMITTEE  
10:30 AM - RED RIVER ROOM - WEDNESDAY- MARCH 14<sup>TH</sup>, 2007**

Chairman Lee and members of the Senate Human Services Committee, for the record I am Howard C. Anderson, Jr, R.Ph, Executive Director of the North Dakota State Board of Pharmacy.

I am here today to support this Bill.

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Thank you for the opportunity to speak with you today.