

2009 HOUSE HUMAN SERVICES

HB 1091

## 2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1091

House Human Services Committee

Check here for Conference Committee

Hearing Date: January 14, 2009

Recorder Job Number: 6962 12 min. 52 sec. and 6963 2 min.

Committee Clerk Signature

*Vicky Crabtree*

Minutes:

**Chairman Weisz:** We will call the House Human Services Committee meeting to order.

**Howard Anderson, Executive Director of North Dakota Board of Pharmacists** was in support of the bill. See testimony #1.

**Chairman Weisz:** Any questions from the committee?

Howard, currently I suppose you could do 20 hours in one year and 10 hours in the second year. That's not in issue as far as flexibility?

**Howard Anderson:** In one year on continuation is still in there. If you did 30 hours in one year, you could carry over 15 hours into the next year.

**Representative Kilichowski:** What is home self study?

**Howard Anderson:** Yes. Home study is where you can do portions and tests on the internet. You get your scoring and certificate back.

**Representative Potter:** How do we compare with other states on continuing education?

**Howard Anderson:** Fifteen hours a year is pretty consistent in the other states. A few have less, but don't know of any state that has more.

**Representative Nathe:** Are registered hygienists and registered dental assistance subject to CEU's too?

**Howard Anderson:** I can't answer that. There might be a representative here that could answer that.

**Representative Hofstad:** Any problems with oral transmission of prescriptions to the druggist and miscommunication there, especially when you are going down to the hygienist?

**Howard Anderson:** We're comfortable with those groups. Pharmacist is responsible to clarify any uncertainty. No problems in the past and don't expect any.

**Representative Uglem:** Do many people call in their own prescriptions?

**Howard Anderson:** Yes. Unfortunately that happens. One person kept calling in a prescription for a drug throughout the state. All he can be charged with is practicing medicine without a license and no district attorney wants to prosecute a case like that.

**Chairman Weisz:** Thank you Howard.

**Joe Cichy, from the North Dakota Dental Association:** In support of HB 1091. To answer Representative Nathe's question, registered hygienist and registered dental assistance are required to receive 15 hours of continuing education.

**Chairman Weisz:** Any opposition of HB 1091? If not, we will close the hearing on HB 1091.

**Chairman Weisz:** We will take up HB 1091. Any concerns or questions on it?

**Representative Hofstad: Motion to Do Pass.**

**Representative Uglem: Second.**

**Committee Roll Call was taken with 12 yes, 0 no, 1 absent to pass HB 1091.**

**Representative Conklin: carrier of bill.**

Date: 1-14-09

Roll Call Vote #:

**2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. 1091**

House HUMAN SERVICES Committee

Check here for Conference Committee

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

Action Taken  Do Pass  Do Not Pass  Amended

Motion Made By Rep. Hofstad Seconded By Rep. Uglem

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN ROBIN WEISZ	/		REP. TOM CONKLIN	/	
VICE-CHAIR VONNIE PIETSCH	/		REP. KARI L CONRAD	/	
REP. CHUCK DAMSCHEN	/		REP. RICHARD HOLMAN	/	
REP. ROBERT FRANTSVOG	/		REP. ROBERT KILICHOWSKI	/	
REP. CURT HOFSTAD	/		REP. LOUISE POTTER	/	
REP. MICHAEL R. NATHE	/				
REP. TODD PORTER	/				
REP. GERRY UGLEM	/				

Total (Yes) 12 No 0

Absent 1

Bill Carrier Rep Conklin

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

**REPORT OF STANDING COMMITTEE**

**HB 1091: Human Services Committee (Rep. Welsz, Chairman) recommends DO PASS**  
(12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1091 was placed on the  
Eleventh order on the calendar.

2009 SENATE HUMAN SERVICES

HB 1091

# 2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1091

Senate Human Services Committee

Check here for Conference Committee

Hearing Date: 3/18/09

Recorder Job Number: 11171

Committee Clerk Signature

*Mary K. Monson*

Minutes:

**Senator J. Lee** opened the hearing on HB 1091 relating to continuing education for pharmacists.

**Howard Anderson** (Executive Director, ND State Board of Pharmacy) testified in support of HB 1091. Attachment #1

**Rita Sommers** (Executive Director, ND State Board of Dental Examiners) provided information in support of HB 1091. Attachment #2

**Senator Heckaman** asked if anything needs to be done with electronic prescribing on here.

**Ms. Sommers** said their goal is to do e-prescribing but they are not there yet.

She emphasized that with new technologies the scope of practice must stay the same.

There was no opposing or neutral testimony.

The hearing on HB 1091 was closed.

**Senator Pomeroy** moved a **Do Pass**.

Second by **Senator Erbele**.

**Roll call vote 6-0-0. Motion carried.**

Carrier is **Senator Heckaman**.

Date: 3/18/09

Roll Call Vote #: \_\_\_\_\_

**2009 SENATE STANDING COMMITTEE ROLL CALL VOTES**

**BILL/RESOLUTION NO. HB 1091**

Senate Human Services Committee

Check here for Conference Committee

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

Action Taken  Do Pass  Do Not Pass  Amended  Rerefer to Appropriations

Adopt Amendment  Reconsider

Motion Made By Sen. Pomeroy Seconded By Sen. Erbele

Senators	Yes	No	Senators	Yes	No
Senator Judy Lee, Chairman	✓		Senator Joan Heckaman	✓	
Senator Robert Erbele, V.Chair	✓		Senator Richard Marcellais	✓	
Senator Dick Dever	✓		Senator Jim Pomeroy	✓	

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**

**HB 1091: Human Services Committee (Sen. J. Lee, Chairman) recommends DO PASS**  
(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1091 was placed on the  
Fourteenth order on the calendar.

2009 TESTIMONY

HB 1091



BOARD OF PHARMACY  
State of North Dakota

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**HOUSE BILL 1091 – CONTINUING PHARMACEUTICAL EDUCATION**

**HOUSE HUMAN SERVICES COMMITTEE – Fort Union Room  
9:00 AM Wednesday – January 14<sup>th</sup>, 2009**

Chairman Weisz, 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. Thank you for the opportunity to speak with you today.

The first part of this bill is a straight forward clarification of the existing law mandating Continuing Pharmaceutical Education for Pharmacists. It requires 15 hours every year to renew a pharmacist's license.

The original version of 43-15-25.1 required constant interpretation as to when it started and stopped as it read 30 hours every two years.

The second part, 43-15-31.3 Oral Transmission of Prescriptions adds registered dental hygienists and registered dental assistants to the list of professionals who are allowed to call prescriptions into a pharmacy. This addition was made at the request of the Board of Dental Examiners.

The pharmacists do not have any problem with this change, as long as the prescribing dentist is willing to take responsibility for the actions of the person they have asked to call in their prescriptions and the authority of the individual is clear in this statute.

*Same given  
to Senat*

**HB 1091 – Senate Human Services Committee  
March 18, 2009**

Good morning Chairman Lee and members of the Committee.

My name is Rita Sommers and I currently serve as the Executive Director of the NDSBDE. I would like to speak in favor of HB 1091, which in part addresses the issue of who may transmit a prescription in the dental office setting.

The registered dental hygienists and registered dental assistants are educated and tested on issues that address pharmacy-related issues:

- I. Collection and Recording of Clinical Data
  - Treatment Documentation
    1. Record treatment and prescriptions (e.g., medications, instructions) on the patient's chart.
    2. Recognize present treatment and/or medication including anesthetics.
  - Patient Management; RDH and RDA may monitor and record patient's response to drugs/medications.
  
- II. Patient Education and Oral Health Management
  - Provide Oral Health Information such as development implementation of patient dental health education presentations on topics such as effects of systemic disease on the healing process.
  - Pre/Post-Treatment Instruction such as providing the patient with oral and written pre- and post-treatment instructions, including instruction on prescribed medication.
  
- III. Prevention and Management of Emergencies
  - Recognize how medications affect the patient's dental treatment.
  - Demonstrate preventive measures to be used following drug administration to avoid drug-induced emergencies.
  - Recognize the signs and symptoms related to specific medical conditions/emergencies likely to occur in the dental office, including reactions to drugs, anesthetics.
  - Assemble and maintain appropriate emergency supplies, drugs, and equipment.
  - Recognize the uses of drugs in the prevention and/or effective management of an emergency.
  
- IV. The dental hygiene curriculum includes a minimum of 3 college credits in Pharmacology.