



BOARD OF PHARMACY
State of North Dakota

John Hoeven, Governor

AUG 20 2009

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Laurel Haroldson, R.Ph.
Jamestown
Bonnie J. Thom, R.Ph.
Granville
William J. Grosz, Sc.D., R.Ph.
Wahpeton, Treasurer

August 20 , 2009

Mr. John Walstad
Code Reviser
ND Legislative Council
600 E Blvd – Capitol Bldg
Bismarck ND 58505-0360

Dear Mr. Walstad:

Enclosed please find a copy of the Rules in Article 6, Chapter 61-02-07.1-10 concerning Pharmacy Technician Continuing Education and Chapter 61-03-04-02 Requirements for Continuing Pharmaceutical Education, for pharmacists.

The purpose of the proposed rule amendments is to clarify the Continuing Education necessary for Registered Pharmacy Technicians and Licensed Pharmacists.

Also enclosed is the full Notice of Hearing for the September 10th, 2009 that was sent to the enclosed list of people.

Sincerely,

A handwritten signature in blue ink, appearing to read "Howard C. Anderson, Jr.", written over a horizontal line.

Howard C. Anderson, Jr, R.Ph.
Executive Director

HCA/eh

Enclosure



State of North Dakota
John Hoeven, Governor

**BOARD OF PHARMACY
OFFICE OF THE EXECUTIVE DIRECTOR
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**NDCC 28-32-08.1subsection 5
Small entity regulatory analysis
Small business regulatory analysis
Small entity economic impact statement**

Relative to adoption of the rule changes in N.D. Admin. Code Chapter 61-02-07.1-10 and 61-03-04-02, the North Dakota State Board of Pharmacy is exempt from the sections on Small entity regulatory analysis, Small business regulatory analysis and Small entity economic impact statement requirement.

A handwritten signature in cursive script, reading "Howard C. Anderson, Jr, R.Ph.".

Howard C. Anderson, Jr, R.Ph.
Executive Director



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August 20, 2009

RE: Enclosed Notice of Hearing

[I am sure this must be getting confusing, so in explanation]

In error and over-sight on my part, I neglected to notify the Legislative Council of our intension to have a rule hearing on May 23rd. Of course this totally escaped me, to the level that when we sent them to the Attorney General's Office for their legal opinion, it came as much a shock to me as it did them.

With understanding and guidance from the Attorney General's Office, we were advised that it would be necessary to hold another hearing and comment period. Hence the enclosed notice for a hearing on rules that we all thought we accomplished in May.

My sincere apologies for the confusion and any inconvenience this may have caused any of you.

Sincerely,

Eileen Heidrich
Executive Assistant

Enclosure

Full Notice

NOTICE OF INTENT TO AMEND ADMINISTRATIVE RULES

TAKE NOTICE that the North Dakota State Board of Pharmacy will hold a public hearing to address proposed amendments to, N.D. Admin. Code Chapter 61-02-07.1-10 and 61-03-04-02, respectively at 10:00AM on Thursday, September 10th 2009, in the Board Conference Room at the Board of Pharmacy Office located at 1906 East Broadway in Bismarck, ND 58501. The purpose of the proposed rule amendments is to clarify the Continuing Education necessary for Registered Pharmacy Technicians and Licensed Pharmacists.

None of these proposed rule amendments is expected to have an impact on the regulated community in excess of \$50,000.

A copy of the proposed rules may be obtained by writing the North Dakota State Board of Pharmacy, P O Box 1354 in Bismarck ND 58502-1354 by calling 701-328-9535 or by emailing ndboph2@btinet.net. Also, written comments may be submitted to the ND Board of Pharmacy - P O Box 1354 in Bismarck ND 58502-1354 until October 2nd, 2009. All comments will be fully considered.

If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please contact the ND State Board of Pharmacy at the above telephone number or address at least two weeks (14 days) prior to the public hearing.

Dated this 20th day of August 2009.

Howard C. Anderson, Jr, RPh.
Executive Director