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**House Bill No 1166 – Licensure of Foreign Practitioners**  
House Industry, Business and Labor Committee – JW327C  
9:00 AM - Monday – January 25, 2021

Chairman Lefor, 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 1166 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.

I can certainly understand the intent of what this bill is hoping to accomplish. This is to ease a licensure path and process for foreign practitioners residing, likely based on a relocation in North Dakota. There may even be certain Boards or professions where this approach may be reasonable. I would point you towards a study commissioned by the Department of Commerce during the interim indicating the efficiency in which Boards operate with a median of 7 days to issuance of licenses in the state.

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 a North Dakota citizens that are at risk.

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. Also, there is a state law examination for the jurisdiction the person wishes to practice within.

For our profession, specifically, the law 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 are reported within days.

The law where the changes are proposed represent a compromise in an attempt to meet Department of Defense standards of military members and military spouses need to have between states. This is very narrow due to their transient nature of military service.

The Board of Pharmacy respectfully asks for Do NOT Pass vote on HB 1166.

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