



Idaho State Board of Medicine

THE REPORT

Spring 2023

*Public Protection
through fair and
impartial application
and enforcement of
practice acts*



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Message From the Board of Medicine:

PRESCRIPTION DRUG MONITORING PROGRAM (PDMP)

Dr. Guillermo Guzman Trevino, MD—Board Member

106,848...

Per CDC data, this is the reported number of Americans that died as a result of the ongoing opioid crisis during a 12 month period as of January 2022. This represents a 48% increase from January 2020. Mirroring this data, Idaho also has seen an increase in the number of deaths as a result of opioid overdoses, 354 last year alone. Unfortunately, deaths represent the tip of the iceberg as opioid abuse carries a significant social and economical impact in our communities. These may be our friends, our neighbors, but for certain they are our patients.

Different medical societies and organizations have worked to create awareness of the magnitude of the problem. The Idaho Prescription Drug Monitoring Program is a tool that we, as providers, have to use to screen for substance misuse in patients. It is an electronic database which collects designated data on controlled substances dispensed in the state of Idaho (It allows us to identify those patients, that as a consequence of their addiction, are not as honest as we perceive). At the same time, the Idaho Prescription Monitoring Drug Program supports the legitimate use of controlled substances.

Effective October 1st, 2020, the Idaho legislature passed a law (Idaho Code 37-2722(f)) regarding mandatory checking prior to opioid prescription with an initial 2 year educational period that ended March 1st, 2023. Beyond this period, enforcement is going to be a collaborative effort by the Division of Occupational and Professional Licenses and the respective licensing boards.

Although there could be potential disciplinary repercussions to us as providers, I ask of you that you comply with opioid prescription requirements for the right reason: our patients. I ask of you to continue to work in addressing the opioid crisis.

For more information go to: <https://idaho.pmpaware.net>

Idaho Prescription Data Monitoring Program (PDMP) Mandatory Checking Tool

Prescribers did you know that you can verify your compliance with Idaho Statute 37-2722, via your Idaho PDMP account?

As you are aware enforcement regarding mandatory checking of patient prescription history is now being enforced effective April 1, 2023.

Remember that patient prescription checking by your delegate(s) does count as you checking.

Use the following steps to check your compliance with Idaho Code 37-2722:

1. Log into your PDMP account at <https://idaho.pmpaware.net/login>
2. Navigate to the Menu drop-down at the top-left of the screen
3. Under Data, select Mandatory Use
4. Find and navigate to the tab My Mandatory Use Compliance Report
5. Select the DEA(s) applicable
6. Click View Report
7. Review the Mandatory Use Compliance Report

If you encounter any technical issues with the report, please submit a support ticket at <https://bamboohealth.zendesk.com/hc/en-us>.

Statewide Integration

Prescribers, as you are aware enforcement regarding mandatory checking of patient prescription history is now being enforced effective April 1, 2023.

Have you considered checking patient history via your electronic health record (EHR) system?

The Idaho Prescription Drug Monitoring Program (PDMP) has partnered with Bamboo Health to integrate Idaho PDMP data into Idaho electronic health records (EHR) and Idaho pharmacy management systems via Bamboo Health's Gateway platform. This empowers clinicians at the point of care with information that can help the clinician make better informed prescribing decisions. Integration is not mandatory. PDMP data will still be accessible through the PDMP web portal.

The Idaho Board of Pharmacy will provide for the user license fee expenses for Gateway Integration of Idaho PDMP data into your EHR or pharmacy management system. The process and timeline for integration is dependent upon your EHR or pharmacy management system vendor.

[PMP Gateway-Statewide Integration Product Information](#)
[Gateway Integration Welcome Packet](#)

[Create an Account](#)

FDA Publishes Notice of COVID-19-Related Guidance Documents Expiring With PHE

Food and Drug Administration (FDA) published a [notice](#) that the guidance documents addressing the coronavirus disease 2019 (COVID-19) public health emergency (PHE) will no longer be effective after the PHE declaration ends on May 11, 2023. This notice will affect 72 COVID-19-related guidance documents. The agency is expected to monitor and assess the circumstances of the COVID-19 pandemic and alter the COVID-19-related documents, if necessary.

(National Association of Boards of Pharmacy National News, Second Quarter 2023)

Legislative Update

The 2023 Legislative session adjourned sine die on April 6, 2023. This is a summary of bills passed that may affect those licensed under the Idaho Board of Medicine.

HOUSE BILL 3—Board of Medicine Supervision

Consistent with the Governor's Licensing Freedom Act the bill removes an outdated requirement for a licensed physician to obtain supervising physician registration when supervising interns, residents and other medical personnel. The bill cleans up the definition language of physician assistants to align the supervision requirements with SB1093 from the 2021 legislative session and removes an obsolete annual Board report. The bill effective date is July 1, 2023.

HOUSE BILL 4—Controlled Substances

The Idaho Board of Pharmacy administers the regulatory provisions of the state's Uniform Controlled Substances Act. This bill mirrors the federal Drug Enforcement Administration (DEA) controlled substance scheduling decisions for 2022, including placing synthetic opioids in Schedule I, a substance to treat insomnia in Schedule IV and an anticonvulsant substance in Schedule V. The bill effective date is July 1, 2023.

HOUSE BILL 28—Allied Health Professionals Board

The proposed legislation creates the Idaho Allied Health Professionals Board by combining the physical therapy licensure board, dietetic licensure board, occupational therapy licensure board, board of athletic trainers, and respiratory therapy licensure board into a single board to regulate physical therapists, dietitians, occupational therapists, athletic trainers, polysomnographers, and respiratory therapists. This legislation will facilitate efficient licensing and oversight from the Division of Occupational and Professional Licenses.

This was DOPL led legislation. The bill **did not pass** out of committee. There was opposition by stakeholders to combine all the boards into one. This bill maybe reintroduced next year with some changes.

HOUSE BILL 71—Genital Mutilation of a Child

The Vulnerable Child Protective Act would amend the existing state ban on female genital mutilation to also include puberty blockers, cross-sex hormones, and sex reassignment surgeries when administered to children struggling with gender dysphoria. Like FGM, these medical interventions are almost always irreversible; some render the patient sterile or with lifelong sexual dysfunction, while others unnecessarily mutilate healthy body organs. The bill effective date is January 1, 2024.

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Legislative Update

HOUSE BILL 83—Conrad Visa Waiver Program

To amend current statute reducing administrative burden related to application process. Expand cap on the number of applications healthcare facilities can submit from 2 to 5. Prioritizing critical access hospitals and rural clinics. Overall goal of addressing severe healthcare workforce shortages by increasing access to qualified physicians and reducing burden to apply. The bill effective date is July 1, 2023.

HOUSE BILL 153—Bridge Year Physician

This Legislation directs the Idaho Board of Medicine to create a limited license for medical school graduates who have not yet matched with a residency program and designate them as "bridge year physicians." These bridge year physicians can fill gaps in Idaho's current healthcare provider workforce. This bill establishes license length, eligibility, qualifications, permitted duties and supervision requirements. The bill effective date is July 1, 2023.

HOUSE BILL 162—Virtual Care (Telehealth Act)

The legislation expands the ability of Idaho citizens in rural and underserved areas to access health care from providers who are not physically present in a patient's geographical area. The legislation updates the Idaho Telehealth Access Care Act in Title 54, Chapter 57, Idaho Code by changing the term "telehealth" to "virtual care," and clarifies virtual care practice requirements. This legislation also provides a permanent solution to lessons learned through COVID-19 related to technology limitations and best practice interstate licensure exemptions for qualified provider's licensed and in good standing in another state to provide continuity of patient care. The bill effective date is July 1, 2023.

HOUSE BILL 193—Facilities, Caregivers ,Visitation

This legislation clarifies that certain persons are essential caregivers and removes ambiguity by clearly stating that the right to visitation is a right to in-person visitation. The bill effective date is July 1, 2023.

HOUSE BILL 223—Med Consent, Natural Death, Terms

This bill revises Chapter 45, title 39 updating medical terminology and clarifying existing statute. The changes will not impact current policy or patient protections in the statute; however, it will provide clarity to providers and the public who utilize advanced care plans, living wills, and durable power for health care. The bill effective date is July 1, 2023.

Health Professionals Recovery Program

Are you working long hours and feeling burnout?

Do you feel yourself going down the wrong path?

Are you ready to make changes?

You can choose the direction you are going and get help with substance use or mental health.

The Division of Occupational and Professional Licenses offers a confidential, non-punitive program. This program was created to assist medical professionals (Doctors, Nurses, Dentists, Pharmacists, etc.) who have or are at risk of developing an addiction. The program's purpose is to assist professionals and their families to identify substance use disorders that pose a potential threat to their careers and get them the help they need.

If you answered yes to any of the questions above, let us help you preserve your license and get you on to the road to recovery. For further information about this program contact Katie Stuart.

Program Manager: Katie Stuart, CIP

Phone: (208)-869-5085

E-mail: Katie.Stuart@dopl.idaho.gov

Website: [Welcome to Division of Occupational and Professional Licenses \(idaho.gov\)](http://Welcome to Division of Occupational and Professional Licenses (idaho.gov))



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Health Care Professionals
can suffer too...

Health
Professionals
Recovery
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HPRP

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(208) 577-2489

Guidance for Lifestyle Injectable Treatments

The following guidance document is meant to assist professionally licensed healthcare providers in determining whether they may administer lifestyle injectable treatments such as Botox or intravenous hydration, or if they may serve as a medical director for a business administering such treatments. The guidance document is broken into three sections: Authority, Standard of Care, and Delegation. It is recommended that practitioners consider each question in sequence.

Authority to Prescribe, Order, or Administer

- Are you a healthcare provider licensed in the State of Idaho?
- Does your applicable practice act and administrative rules adopted by your licensing board allow you to administer medications or blood products or agents?
- Is the administration of the specific injectable treatment prohibited by your applicable practice act or administrative rules?
- Does your applicable practice act and administrative rules require you to personally complete the initial assessment of the prospective client? If yes, have you completed that initial assessment?
- Does the treatment you are providing require a valid prescription drug order? If yes, does the applicable practice act and administrative rules grant you prescriptive authority?
- Does your applicable practice act and administrative rules permit ordering, obtaining, possessing, or storing prescription medications and agents?

Idaho Community Standard of Care

- Is performing the treatment consistent with the accepted and prevailing Idaho community standard of care required by your applicable practice act or rules adopted by your licensing board?
- Do you have the necessary education, training, and experience to safely perform the treatment?
- Is there evidence of your current competence—knowledge, skills, abilities, and judgments—to safely perform the treatment?
- Would a reasonable and prudent professional holding the same license as the licensee perform or delegate this treatment in this setting?

Guidance for Lifestyle Injectable Treatments

Delegation and Supervision of Administration

- Will you personally perform the specific treatment, or will you delegate performance of the treatments to others?
- Does your applicable practice act and administrative rules adopted by your licensing board allow you to delegate the administration of medications?
- Does your applicable practice act and administrative rules adopted by your licensing board require your delegate to be licensed, certified, and/or registered in the State of Idaho?
- If you intend to delegate performance of the treatments, are you able to provide the level of supervision required by your applicable practice act, administrative rules of your licensing board, and the prevailing community standards of care?
- Have you considered putting in place a valid standing order or collaborative practice agreement for the administration of medications?
- Are you prepared to accept legal and financial liability for the outcome of the treatment, including liability for the actions of a delegate?

Best practices:

Licensees providing injectable treatments should consider implementing emergency protocols, and policies and procedures to support performing the treatment, including access to all appropriate resources to perform the treatment in the proposed practice setting.

Relevant Law and Rule Resources:

<https://legislature.idaho.gov/statutesrules/idstat/Title54/>

<https://adminrules.idaho.gov/rules/current/24/index.html#20>

If there is any discrepancy between this publication and the law, the provisions of the law will prevail.

******2023 Renewal Period Now Open******

Licenses with expiration dates of **June 30, 2023** can be renewed online now. Licensees will receive details via email. Please ensure your current email is on file with the board.

2023 Board Meeting Schedules

Board of Medicine <ul style="list-style-type: none"> • August 10, 2023 @ 8:30 am • November 9, 2023 @ 8:30 am 	Board of Athletic Trainers <ul style="list-style-type: none"> • August 16, 2023 @ 8:30 am • November 15, 2023 @ 8:30 am
Naturopathic Medical Board <ul style="list-style-type: none"> • July 16, 2023 @ 9 am • October 2, 2023 @ 9 am 	Committee on Professional Discipline <ul style="list-style-type: none"> • June 29, 2023 @ 8:30 am • September 28, 2023 @ 8:30 am
Dietetic Board <ul style="list-style-type: none"> • November 13, 2023 @ 8:30 am 	Board of Respiratory Therapy <ul style="list-style-type: none"> • September 20, 2023 @ 8:30 am
Physician Assistant Advisory Committee <ul style="list-style-type: none"> • June 16, 2023 @ 8:30 am • September 29, 2023 @ 8:30 am • December 1, 2023 @ 8:30 am 	<p>All Meetings will be held at: 11341 W Chinden Blvd. Building 4 Boise, ID 83714 Room: TBD</p> <p>For meeting updates visit: Home - DOPL (idaho.gov)</p>

BOARD MEMBERS NEEDED

The Licensing Boards are charged with protecting the public health, safety and welfare through the licensure and regulation. Board members are advocates of the public and should strive to always act in the public's best interest. All board members:

- Must be residents of Idaho
- Are volunteer positions appointed by the Governor's office
- Meet on an average of 4 time per year (once a quarter)

Current Vacancies:

State Board of Medicine

- Seeking 2 MDs
- Seeking a public member

If you or someone you know is interested in serving on a Licensing Board, please follow the link below to fill out an application.

[Appointments | Office of the Governor \(idaho.gov\)](https://www.idaho.gov/dopl)

To see all Boards are accepting applications please visit; <https://gov.idaho.gov/appointment-vacancies/>. The [appointment application link](#).





Idaho State Board Of Medicine

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Visit our Website at:

www.bom.idaho.gov

IDAHO STATE BOARD OF MEDICINE

David McClusky III, MD, (Chair)

Catherine Cunagin, MD, (Vice Chair)

Paula Phelps, PA, Member

Guillermo Marcelino Guzman Trevino, MD, Member

Keith Davis, MD, Member

Ked Wills, ISP, Member

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Phillip Hager, RT

Tim Seward, RT

Lisa Taylor, RT/PSG

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