



State of Idaho
Division of Occupational and Professional Licenses
Board of Pharmacy

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Minutes of 12/11/2023

Board Members	Justin Messenger, PharmD	Division Staff:	Nicki Chopski, PharmD, Executive Officer
Present:	– Chair Kevin Ellis, PharmD Kris Jonas, PharmD Anna Hoenke, PharmD		Russell Spencer, General Counsel Stephanie Lotridge, Licensing & Registration Program Manager Berk Fraser, RPh, Chief Investigator Madyson Crea, Board Support Specialist
		Others Present:	Eric Nelson, Prosecutorial Counsel

The meeting was called to order at 8:30 AM by Justin Messenger, PharmD.

Approval of Minutes

A motion was made and seconded to approve the 09/07/2023 and 10/31/2023 minutes. The motion carried.

DIVISION BUSINESS

Executive Agency Legislative Ideas: The Board staff reviewed seven (7) legislative ideas the Division plans to move forward in the 2024 session. Five (5) apply to the Health Professions, and three (3) apply directly to the Board of Pharmacy. Dr. Chopski reviewed the proposed edits to the Uniform Controlled Substance Act, which would place six (6) illicit substances in Schedule I. The only change to the draft since the Board reviewed it at the last meeting is to place one (1) substance in the hallucinogen category after discussing it with the state lab. The proposed fingerprinting bill would align Division processes. A proposed licensure renewal bill would transition all professional licenses to renew every two (2) years on the licensee's birthdate.

New Website Analytics: Dr. Chopski reviewed analytics for the new website. This information was not previously available and will be used in the future to make sure the website is catered to licensee usability.

BOARD BUSINESS

Zero-Based Regulation (ZBR) Discussion: Dr. Chopski reviewed executive order 2020-01, which requires administrative rule review by all state regulatory bodies. The goal of ZBR is to ensure right-touch regulation by reviewing rules for unnecessary regulatory burdens and costly, ineffective, or outdated requirements. This is an initial discussion as the Board will go through the rulemaking process in 2024 to go before the 2025 legislative session. Mr. Spencer reviewed suggested changes, including striking rule language that is duplicative of statute. He further assured the Board that all of their rules are based on appropriate statutory authority.

Licensure Liability Attestation Review: Board staff reviewed the draft licensure liability attestation, and the Board provided guidance for staff and supports continuing to move forward.

Conference Attendance Requests & Reports: The Board reviewed submitted travel reports and discussed attendance at upcoming conferences. A motion was made and seconded to approve upcoming Board travel as presented. The motion carried.

Culture of Safety Discussion: Dr. Messenger raised the topic of a follow-up Culture of Safety Survey. The Board discussed the prior year's Culture of Safety survey and expressed interest in sending a new survey with relevant questions pertaining to the practice of pharmacy today.

Public Comment: Dr. Jen Adams acknowledged Dr. Chopski for being awarded Western Idaho's Preceptor of the Year. Dr. Adams asked the Board to consider educating its licensees on pharmacists as independent prescribers as it relates to filling prescriptions.

EXECUTIVE SESSION

A motion was made and seconded to enter Executive Session pursuant to Idaho Code § 74-206(1)(d) to consider records related to a licensee's ability to obtain or retain a license, which are exempt from public disclosure, Idaho Code § 74-106(9). The vote was: Dr. Ellis, aye; Dr. Messenger, aye; Dr. Jonas, aye; Dr. Hoenke, aye. The motion carried.

A motion was made and seconded to exit Executive Session. The motion carried.

Discipline:

A motion was made and seconded to request an appearance before the Board in case numbers: BOP-23-225, BOP-24-044, and BOP-23-200.

A motion was made and seconded to enter a Stipulation and Order for case numbers: BOP-24-006, and BOP-23-061 and to authorize the Board Prosecutor to file an administrative complaint should any of the Stipulation and Consent Orders be rejected. The motion carried.

A motion was made and seconded to initiate a Corrective Action Plan for case numbers: BOP-24-025 and BOP-22-023. The motion carried.

A motion was made and seconded to close case numbers: BOP-23-078 and BOP-23-221 as discussed. The motion carried.

Applications:

A motion was made and seconded to approve application # 384494. The motion carried.

A motion was made and seconded to table application # 383767. The motion carried.

Adjourn

There being no further business, the meeting was adjourned at 3:21 PM.

The next meeting is on 12/28/2023.