



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

BRAD LITTLE
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Minutes of 06/13/2024

Board Members Present:	Justin Messenger, PharmD, Chair Kevin Ellis, PharmD Kris Jonas, PharmD Anna Hoenke, PharmD	Division Staff:	Nicki Chopski, PharmD, Executive Officer Mark Kubinski, General Counsel Berk Fraser, RPh, Chief Investigator Mike Celeste, Investigations Supervisor Susan Villanueva, Board Support Specialist
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Others

Present: Eric Nelson, Prosecutorial Counsel

The meeting was called to order at 8:32 AM by Justin Messenger, PharmD.

Approval of Minutes

A motion was made and seconded to approve the 03/28/2024 & 05/01/2024 minutes. The motion carried.

DIVISION BUSINESS

Legislative Update: Board staff reviewed the 2024 legislative session.

Financial Update: The Board reviewed the third quarter of FY24 financial reports, and the staff addressed the Board's questions. Dr. Chopski informed the Board that they have a large cash balance. The Division of Occupational and Professional Licensing (DOPL) is reviewing ways to assist the Board to effectively reduce its cash balances.

Licensing System Update: Dr. Chopski informed the Board of the current progress of the new licensing system, which is going live on July 1, 2024

Board Training – Open Meeting Law: Mr. Kubinski presented information on the open meeting law requirements.

BOARD BUSINESS

Zero-Based Regulation (ZBR):

010. Definitions and Abbreviations:

01. ACCME: The Board agreed to strike this abbreviation as it is no longer used in the rule chapter.

02. ACPE: The Board agreed to strike this abbreviation as it is no longer used in the rule chapter.

05. CME: The Board agreed to strike this abbreviation as it is no longer used in the rule chapter.

06. CPE: The Board agreed to strike this abbreviation as it is no longer used in the rule chapter.

17. NABP: The Board agreed to strike this abbreviation and incorporate it into wholesaler licensure as it is only used once in the rule chapter.

103.05. Investigations: The Board agreed to reword this rule to include continuing education audits.

104. Self-prescribing of Controlled Substances: The Board approved the added language requested at their last meeting.

202.04. Fee Exemption for Controlled Substance Registrations: Staff informed the Board that this rule will not change. However, it has been moved to rule 400. Fees.

213. Pharmacist Continuing Education Requirement: The Board approved including the language “commensurate with their active practice setting” as proposed during public comment.

351. Collaborative Pharmacy Practice: The Board elected to remove Rule 351.

402. Filling Prescription Drug Orders: Practice Limitations: The Board discussed added language under this rule and reviewed public comments received. The Board elected to delete the added language under subsections 04 and 05. The Board will reconsider if meaningful language is proposed in the next two weeks.

408. Destruction or Return of Drugs or Devices: Restrictions: After considering the public comment received, the Board did not make any changes to this rule.

500.03. Inventory Records: The Board approved the public comment suggestion to change to a biennial inventory.

500.05.d. Drug Distributor Records: The Board agreed to reword this rule for clarity.

501. Reporting Requirements: The Board approved the draft language requested at their previous meeting relating to the reporting of criminal convictions.

600. Controlled Substances: PDMP: The Board approved changing the title of this rule to Prescription Drug Monitoring Program and 01. Reporting Requirements.

700.01.e Drug Compounding Controls: The Board reviewed the draft language moving compounding towards a standard-of-care regulatory model and approved the recommended changes to the rule.

700.02.b Sterile Preparation: The Board agreed to remove the word “biologics” from Rule 700.02.b relating to Dosage Forms Requiring Sterility.

700.02.c Compounder Responsibilities: The Board reviewed draft language that moves compounding towards a standard of care regulatory model. The Board approved the recommended changes to the rule.

701.02.c.i Environmental Controls: The Board reviewed draft language moving compounding toward a standard-of-care regulatory model and approved the proposed changes. With respect to Rule 700.02.c.ii relating to Documentation Requirements, the Board elected to remove the proposed categories for gloved fingertip sampling testing and sterility testing.

The Board Chair called for and received public comment at the end of each section.

A motion was made and seconded to adopt the draft rule chapter as proposed with the discussed changes. The motion carried.

Botulinum Toxin, GLP1 Compounding & IV Hydration Discussion: Staff outlined concerns received related to task delegation and the administration of Botulinum Toxin, GLP1 Compounding, and IV Hydration. The Board discussed the use of standing orders, the potential lack of proper evaluation, and concerns about patient-provider relationships in settings where these procedures are performed.

The Board discussed creating an AD HOC Committee with members recruited from the Boards of Nursing and Medicine, which could also include members from the Advance Practice Registered Nurse Advisory Committee (APRN AC), Board of Dentistry, and others to be determined to address these concerns. The Board also reviewed and supported staff posting a statement on the Board's website regarding clinic dispensing of GLP1 compounded products.

Culture of Safety Survey Review: The Board reviewed the current safety questions and directed staff with guidelines on proceeding with the questionnaire.

Board Chair Elections: Following a review of Idaho Code § 54-1713, a motion was made and seconded to elect Dr. Jonas as Board Chair and Dr. Hoenke as Vice Chair with terms effective on July 1, 2024. The motion carried.

Conference Attendance Requests & Reports: The Board reviewed submitted travel reports and discussed and supported attendance at upcoming conferences.

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 an applicant's ability to obtain, or a licensee's ability to retain, a license, which is exempt from public disclosure. 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.

Applications:

A motion was made and seconded to conditionally grant licensure for application numbers one (1) and two (2), as discussed in the executive session. The motion carried.

Discipline:

A motion was made and seconded to request an appearance before the Board for case number BOP-24-058. The motion carried.

A motion was made and seconded to authorize the Board Prosecutor to file an administrative complaint should any negotiations expire or be rejected. The motion carried.

Adjourn

There being no further business, the meeting was adjourned at 4:45 PM.

The next meeting is on 09/12/2024.