MINUTES OF THE
IDAHO STATE BOARD OF PHARMACY
FEBRUARY 21, 2013
EMERGENCY MEETING – CONFERENCE CALL
BOARD OFFICE - BOISE, IDAHO

This meeting of the Board was held to discuss legislation and rules being heard during this legislative session.

Chairman Berk Fraser, RPh. called the meeting to order at 9:33 a.m. In attendance at the Board office was Chairman Fraser and Ellen Mitchell. Attending telephonically were Board members Rich de Blaquiere, Pharm D.; Nicole Chopski, Pharm D.; Holly Henggeler, Pharm D.; Ed Sperry, and Mark Johnston, RPh., Executive Director and Nicole McKay, DAG.

Mr. Johnston presented the Board's draft legislation that included a definition of compounding, clarification that the Board has statutory authority to regulate drug distribution, statutory authority to promulgate rules pertaining to distribution of compounded product in the absence of a patient specific drug order, and an allowance for all Idaho registered pharmacies to distribute limited quantities of prescription drugs to practitioners for office use without being registered as a wholesale distributor. Mr. Johnston explained that Representative Rusche was willing to sponsor the bill. Dr. Henggeler motioned to approve the draft as written. Mr. Sperry seconded. The motion carried unanimously.

Mr. Johnston presented House Bill 190, entitled Health Care Professional Transparency Act. He has already sent an email expressing concern about the bill to the sponsor, the Idaho Medical Association. Dr. Chopski was adamant that pharmacists should not be exempted from the definition of health care provider, but that pharmacists should be exempt from other concerning provisions of the bill. Following discussion, the Board granted unanimous consent to oppose the bill.

Mr. Johnston presented a draft bill regarding epi-pen use in schools. Among other issues, the bill proposes a prescriber write a prescription in the name of the school, not a true patient. Mr. Johnston suggested several changes to the bill which would eliminate statutory conflict, including the validity of prescription drug orders and prescription labeling. Dr. Chopski believed that the Board should concentrate on their own legislative efforts and not expend Board resources to assist in the drafting of this bill. After discussion the Board granted unanimous consent for Mr. Johnston to testify to the statutory conflicts that this bill would create.

Mr. Johnston presented a bill by the Idaho Society of Health System Pharmacists that looked very similar to bills presented in previous years. The bill would mandate that one pharmacist on the Board have substantial experience in hospital pharmacy and that another member have substantial experience in retail pharmacy. Via unanimous consent, the Board directed Mr. Johnston to testify as he has in the past, "not opposed", but to express the concerns the Board has concerning legislation that limits the Governor from choosing the best candidate available.

As there was no further business to address, Dr. de Blaquiere motioned to adjourn the meeting. Dr. Chopski seconded. Motion carried unanimously. Meeting adjourned 10:07 a.m.