

**MINUTES OF THE
IDAHO STATE BOARD OF PHARMACY
March 14, 2018**

**Board of Pharmacy Office
Conference Call
Boise, Idaho**

This meeting of the Board was held to conduct regular Board business.

Chairman Nicole Chopski, PharmD, called the meeting to order at 8:00 a.m. In attendance were Vice Chairman, Holly Henggeler, PharmD; board members Rich de Blaquiére, PharmD; Kristina Jonas, PharmD; and Alex J. Adams, PharmD, MPH, Executive Director; Andy Snook, Deputy Attorney General; Ellen Mitchell, Program Information Coordinator; and several members of the public. Dr. Adams and Ms. Mitchell were at the Board office while all others attended telephonically. Ed Sperry, Public Member was unable to attend.

Dr. Chopski asked Dr. Adams to frame the first agenda item, Docket No. 27-0102-1801 Temporary Fee Rule. The rule adjusts the nonresident pharmacist registration from \$250 to \$290. Nonresident pharmacists who held both the registration and a separate controlled substance registration will retain a net savings of \$20 per year. Dr. Chopski called for public comment regarding the fee rule, no public comment was offered. Following discussion Dr. Jonas made the motion, subject to a finding by the Governor that a temporary rule is appropriate under Idaho Code Section 67-5226(1) with regard to the fee rule revisions presented by Director Adams, that the Board approve for adoption those revisions, with an effective date of July 1, 2018. Dr. Henggeler seconded, and the motion carried unanimously.

Dr. Chopski stated the Board's motion to approve the revised rule language for adoption does not create a temporary rule. A temporary rule will not be created until the Governor issues the required finding that a temporary rule is appropriate under the statute, which will be accomplished by the Governor's approval of the Administrative Rules Request Form (ARRF) that was previously submitted by Board staff to the Governor's Division of Financial Management for review and approval. The anticipated approval of the Board's ARRF will then create a temporary rule appropriate for publication in the Administrative Bulletin.

The Board took up the agenda item Board Resolution: Law Exam. Dr. Adams framed the discussion around removing the Multi-state Jurisprudence Examination (MPJE). During the February 8, 2018 Board meeting, the Board agreed that an alternative to the MPJE is necessary given recent regulatory changes. In considering the alternative options, the Board directed staff to pursue a model of pharmacist attestation similar to the Idaho Board of Medicine's current approach.

Staff presented the following recommendations:

1. The Board pass a resolution to forego requiring the MPJE for any pharmacist seeking licensure by exam or by reciprocity from March 16, 2018 to April 15, 2019. While such a Board resolution would not formally amend any Board rules, the resolution would have the following practical effect on the rules listed below:

From March 16, 2018 to June 30, 2018:

| Current Rule Number | Current Rule Language |
|---------------------|---|
| 032 | Qualified applicants may sit for and to obtain licensure must pass the NAPLEX and the MPJE in accordance with NABP standards. A candidate who fails the NAPLEX three (3) times must complete at least thirty (30) hours of continuing education accredited by an ACPE-accredited provider prior to being eligible to sit for each subsequent reexamination. Candidates are limited to five (5) total attempts to pass the NAPLEX and MPJE . |
| 033.02 | MPJE. The applicant must pass the Idaho based MPJE. |

From July 1, 2018 to April 15, 2019:

| New Rule Number | New Rule Language |
|-----------------|---|
| 031.03 | Licensure Examinations. Qualified applicants must pass the NAPLEX and the MPJE in accordance with NABP standards. A candidate who fails the NAPLEX three (3) times must complete at |

| | |
|--------|---|
| | least thirty (30) hours of continuing education accredited by an ACPE-accredited provider prior to being eligible to sit for each subsequent reexamination. Candidates are limited to five (5) total attempts to pass each exam. |
| 032.02 | MPJE. The applicant must pass the Idaho-based MPJE within five (5) total attempts. |

2. In place of the law exam, an attestation will be added to the pharmacist application:

I certify under oath that I have carefully read and understand all Idaho laws pertaining to the practice of pharmacy in Chapter 17, Title 54, Idaho Code; Chapter 1, Title 37, Idaho Code; Chapter 27, Title 37, Idaho Code; Chapter 33, Title 37, Idaho Code; and IDAPA 27, Title 01.

Signed Under Penalty of Perjury, this _____ day of _____, 20____.

Applicant Signature

A document containing this statement will be added to the current application for pharmacist licensure by examination, and will need to be signed and notarized by the applicant. A separate form will be completed by pharmacists by reciprocity, which will also need to be signed and notarized.

Dr. Chopski called for public comment regarding the resolution. Pam Eaton, Executive Director of the Idaho State Pharmacy Association had no concerns or comments. Mark Johnston, RPh, CVS expressed his support of the resolution from the employer's perspective as it will increase mobility and speed of pharmacists being licensed in Idaho. CVS plans a number of store openings in 2019. Jennifer Adams, PharmD, ISU Associate Dean expressed her support of removal of the exam with implementation prior to July. No other comments were provided.

Following a brief discussion, Dr. de Blaquiere motioned to move forward with the resolution with a start date of March 16, 2018, adopt the attestation statement, and allow those that have applications on file choose whether to take the MPJE or sign the attestation. Dr. Jonas seconded, and the motion carried with Dr. Henggeler opposed.

Dr. Adams presented an updated travel calendar.

Hearing no further business, Dr. de Blaquiere motioned to adjourn. Dr. Henggeler seconded, and the motion carried. Meeting adjourned at 8:23 a.m.

Nicole Chopski, Chairman

Holly Henggeler, Vice-Chairman

Member

Member

Member

Executive Director