

IDAHO STATE BOARD OF PHARMACY
Division of Occupational and Professional Licenses
11341 W. Chinden Blvd. Bldg. 4
Boise, Idaho 83714

Board Meeting Minutes of 7/21/2022

BOARD MEMBERS PRESENT: Richard de Blaquiere, PharmD, Chair
Kris Jonas, PharmD
Justin Messenger, PharmD
Kevin Ellis, PharmD
Ed Sperry, Public Member

DIVISION STAFF: Nicki Chopski, PharmD, Executive Officer
Tim Frost, PharmD, Deputy Administrator
Stephanie Lotridge, Licensing & Registration Program
Manager
Yvonne Dunbar, General Counsel
Lea Kear, Legal Counsel
Berk Fraser, RPh, Chief Investigator
Mike Celeste, Investigations Supervisor
Bill Long, Investigations Support
Amy Hickerson, CPhT, Compliance Officer
Wendy Shiell, Compliance Officer
Jaime Thompson, Compliance Officer
Jan Arrasmith, RT, Education and Practice Specialist
Pam Rebolo, Board Support Supervisor
Susan Villanueva, Board Support Specialist
Susan Cassell, Board Support Specialist

OTHER ATTENDEES: Megan Larrondo, Deputy Attorney General
Keegan Hahn, Deputy Attorney General

Convened: Dr. de Blaquiere called the meeting to order at 8:30 AM MT.
The pledge of allegiance was recited, and the opening statement was read.

Dr. Chopski introduced Lea Kear, as Legal Counsel for DOPL Health Professions.

APPROVAL OF MINUTES

Dr. Jonas moved to approve the March 3, 2022, meeting minutes with minor amendments.
Dr. Messenger seconded. Motion carried.

Dr. Jonas moved to approve the April 21, 2022, meeting minutes as written.
Dr. Messenger seconded. Motion carried.

DIVISION BUSINESS

Division Update

Dr. Chopski informed the Board about the completion of the move to Building 4. All departments are now in the same building.

Financial Update

Dr. Chopski stated there is no financial report at this time. Finance is completing fiscal year-end; the expectation is there will be a report by the next meeting.

Legislative Update

Dr. Chopski presented the draft language to revise Schedule I, IV, and V controlled substances lists to align with the DEA. The draft also proposes to make permanent the temporary rules scheduling of the nitazines.

BOARD BUSINESS

Election of Chair

Dr. Messenger moved to nominate Dr. Ellis as Chair of the Board of Pharmacy.

Mr. Sperry seconded. Motion Carried.

Dr. Jonas moved to nominate Dr. Messenger as Vice Chair.

Dr. Ellis seconded. Motion carried.

Board Training

Ms. Kear, Legal Counsel to the Board, presented on Open Meeting Law.

Dr. Chopski presented to the Board new procedural changes. She stated going forward, the Board will now go into executive session when meeting with applicants or respondents. They will no longer be presented in an open meeting. Applications and cases will only be listed on the agenda by number.

Dr. Chopski reminded the Board, and the public attendees present when they are in public comment, the Board is not to engage or participate in discussion with attendees. This is time for the public to voice their opinions on topics or bring ideas and suggestions before the Board. If a subject arises that the Board would like to discuss further, it will be considered for the next agenda.

Travel Calendar

Dr. Chopski reviewed Ms. Stuart's travel to the APhA Institute on Substance Use Disorder. Dr. Chopski described Ms. Stuart's background and relayed to the Board how grateful Ms. Stuart was for the encouragement the Board gave her to attend. She conveyed how impactful it was to participate. She is excited to apply what she has learned to improve the Board of Pharmacy's PRN Program.

Dr. de Blaquiére, Dr. Jonas, and Mr. Sperry reviewed their travel to the NABP conference. They all agreed it was an excellent conference. Dr. de Blaquiére stated there was a good discussion about workplace conditions with possible solutions for reducing errors. Dr. Jonas added there were not as many solutions as was hoped for. Mr. Sperry said the discussion about the roles of the pharmacy technician versus the roles of the pharmacist was interesting.

Dr. Frost and Dr. Chopski reviewed the discussion about the standard of care presentation they will be giving at the NABP District 5 conference in Custer, South Dakota in August.

Dr. Chopski asked if there was anyone who would like to attend the NABP District 6,7 and 8 Meeting on August 28-30, 2022, in Oklahoma City. Dr. Jonas said she might be interested.

Dr. Jonas and Dr. Messenger will attend the ISHP meeting on September 23-25, 2022, in Sun Valley, Idaho.

Dr. Chopski asked if there was anyone who would like to attend the Leadership Academy Safety Workshop. Dr. Jonas said she would like to attend but would step down if someone else would like to attend and seats were limited. Dr. Ellis indicated that he would be interested, schedule permitting.

Dr. Chopski said Ms. Kear, will attend the ASPL meeting, November 3-6, 2022, in Naples, Florida.

BOARD DISCUSSION

Dr. Chopski stated they do not have a replacement for Dr. de Blaquiere at this time. She is unsure how long it will take to find a candidate.

Dr. Chopski informed the Board they will receive the strategic plan for 2023 at the September 2022 meeting.

The Board had a question about putting a technician on the Board. Dr. Chopski explained adding a technician or an additional Board Member is at the discretion of the Governor, and it would require legislation to do so.

Dr. de Blaquiere led a discussion about the culture of safety, specifically medication errors. Dr. Chopski reviewed the timeline of the recent national case. She gave insight into what the Pharmacy Boards and Associations were discussing at that time. The Board examined the role of the Board in such cases and what they can do to help avoid medication errors. Dr. Chopski talked about benchmarks and standards of care.

Dr. Chopski shared, that she wants Idaho to continue to be a leader in regards to having open discussions with industry leaders and stakeholders. This is including employers and large organizations that oversee pharmacies. The hope is the 'Idaho approach' will be, to have conversations with licensees and partners to discuss challenges and explore solutions without using a punitive approach. The Board's preference is to maintain a culture of safety to ensure stakeholders and licensees feel comfortable coming to the Board without fear of self-reporting or expressing concerns.

The Board discussed override rates of how and if they are being tracked. Dr. Messenger talked about his experience at his employment and how they follow override rates. Dr. Chopski has reached out to the Idaho Pharmacy Leadership Council (IPLC) for collaboration. It was noted that education needs to continue for hospitals, the public, district attorneys, and others about the culture of safety.

Following the Board's inquiry, Vivaldo Torres, APPE 4th year student, addressed the Board about his findings, his views, and his experience with medication dispensers.

Orin Duffin, APPE 4th year student, addressed the Board at their request, about his views and experiences with just culture.

Discussion with Industry

The board had an open discussion with industry leaders and interested parties to explore some options that work for large and small organizations regarding workplace challenges.

Many industry leaders were in attendance; Mark Johnston (CVS Health), Rob Geddes (Albertsons), Lorri Walmsley (Walmart), Marcus Hurst (Broulims Pharmacy), Shelli Tustison (Walmart), Brian Dotter (St. Luke's Health Systems), and Jen Adams (ISU COP). All spoke before the Board on various topics including pharmacist and technician expanded duties, Tech Check Tech (TCT) teams, remote processing, reporting process and workloads, central processing, and central fill pilot programs. There was consensus amongst those that spoke, that central processing is efficient and safer because it removes the distractions commonly found in a pharmacy. Also discussed were staffing shortages which lead to scheduling issues, a lack of empathy for health professionals, ways to alleviate stress, and staff still struggling with various covid-related issues. Fast-tracking licenses was discussed, as well as the decline in student numbers.

It was suggested the Board provide continuing education on various topics, including changes in Pharmacy Law and a better explanation of Rule 100.

Questions about the occupational reform act, universal licensing, and reciprocity were raised.

EXPUNGEMENT

Ms. Oehlert appeared before the Board to request that discipline on her record be expunged. Dr. Messenger moved to expunge disciplinary action from her license. Dr. Jonas seconded. Motion carried.

EXECUTIVE SESSION

Dr. Jonas moved to go into Executive Session pursuant to Idaho Code 74-206(1)(f) to communicate with legal counsel regarding pending/imminently likely litigation. Dr. Messenger seconded. Following the roll call vote, the motion carried unanimously. The Board entered Executive Session at 1:02 PM.

Dr. Jonas moved to exit executive session at 1:48 PM. Dr. Ellis seconded. Motion carried unanimously.

New Discipline Case Process

Mr. Fraser presented an additional process for handling cases. In the future, the Board may be presented ongoing investigations in Executive Session. The Board will receive an unredacted investigative summary. The Board will then direct staff as to their recommendation for resolution.

CONSENT AGENDA: Stipulation and Consent Orders

Dr. Jonas moved to approve all the Stipulations & Consent Orders on the consent agenda, as written with no changes. Dr. Messenger seconded. Motion carried.

CONSENT AGENDA

The Board reviewed the Consent Agenda. Dr. de Blaquiere asked questions about the Corrective Action Plan (CAP) review. He asked which errors are most prevalent. It was determined the most common errors seen by staff are incorrect medication selections and data entry errors, respectively.

Dr. Jonas moved to approve the Consent Agenda. Dr. Ellis seconded. Motion carried.

ADJOURN

There being no further business, the meeting was adjourned by general consent at 2:19 PM MT.

The next Board of Pharmacy meeting will be on September 15, 2022.