



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

**BRAD LITTLE**  
Governor  
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Administrator

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**Minutes of 12/15/2022**

**Board Members Present:** Kevin Ellis, PharmD, Chair  
Justin Messenger, PharmD  
Kris Jonas, PharmD  
Anna Hoenke, PharmD  
Ed Sperry, Public Member

**Division Staff:** Nicki Chopski, PharmD, Executive Officer  
Katie Stuart, Board Services Program Manager  
Yvonne Dunbar, General Counsel  
Berk Fraser, RPh, Chief Investigator  
Mike Celeste, Investigations Supervisor  
Amy Hickerson, CPhT, Compliance Officer  
Wendy Shiell, Compliance Officer  
Jaime Thompson, Compliance Officer  
Susan Villanueva, Board Support Specialist  
Ellis Guzman, Research Analyst

**Others Present:** Joan Callahan, Prosecutorial Counsel

The meeting was called to order at 8:41 AM by Kevin Ellis, PharmD.

**Approval of Minutes**

A motion to approve 9/15/2022 minutes was made and seconded. Motion carried.

**DIVISION BUSINESS**

**Financial Update:** The Board reviewed the financial report.

**Zero-Based Regulations (ZBR):** Dr. Chopski stated the Board of Pharmacy ZBR schedule has been delayed a year and will begin in 2024 to be presented to the 2025 legislature.

**BOARD BUSINESS**

**ISMP Scholarship:** Dr. Chopski informed the Board that she was selected as the recipient of the 2023 ISMP Judy Smetzer Just Culture Champion Scholarship which pays for enrollment in a certification course that helps healthcare practitioners work to advance fair accountability and system improvement.

**Virtual Wholesaler Licensure Update:** The Board reviewed the progress the staff has made in creating a process for virtual wholesaler licensure. It is expected to be implemented in the first quarter of the calendar year.

**PDMP 37-2722 Compliance Review:** The Board reviewed statistics related to mandatory checking requirements of the Prescription Drug Monitoring Program (PDMP). Since its implementation two years ago, overall, the numbers continue to trend upward. However, there is still room for improvement across all professions. Staff plans to present this data to other licensing boards. The Board discussed approaches to address the areas of concern that are associated with the greatest risk.

**Delegated Authority/Fines Review:** Dr. Chopski outlined a proposal for a fine structure for expired controlled substance registrations. A motion was made and seconded to accept the proposal. Motion carried.

The Board reviewed the statutory elements of mandatory expungement. A motion was made and seconded to grant Division staff authority to prepare Orders to be signed by the Board chair for mandatory expungement if the elements of Idaho Code § 67-9413(3) are met. Motion carried.

**Appointment to Psychologist Examiners Advisory Panel:** Following the review of a letter of interest, a motion was made and seconded to recommend Dr. Julia Boyle to the Psychologist Examiners Advisory Panel. Motion Carried.

**Strategic Plan 2023:** Dr. Chopski outlined the DOPL 2023 Strategic Plan. She stated this is a 4-year plan that will be an ongoing commitment to improve Division processes. The Board had no questions and commented that it was “very comprehensive and well done.”

**Expungement Request:** Motions were made and seconded to grant the requests to expunge the disciplinary action from the licenses of Dr. Carlene Emerson, Dr. Amy Mgonja, and Dr. Melissa Tollinger respectively. Motion carried.

**Findings of Fact & Conclusions of Law:** Following the review of the Hearing Officer’s *Findings of Fact, Conclusions of Law, and Recommended Order* for Case No. BOP-21-067, a motion was made and seconded to accept the same with a non-substantive change. Motion carried. Further, a motion was made and seconded to enter a *Final Order*. Motion carried.

**Conference Attendance Requests & Reports:** The Board reviewed the travel reports that were submitted. The Board discussed 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 investigative and disciplinary records related to 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; Mr. Sperry, aye. Motion carried.

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

#### **Discipline:**

A motion was made and seconded to enter a Stipulation and Order in case numbers: BOP-21-145, BOP-22-066, BOP-22-133, BOP-23-001, and BOP-23-005. Motion carried.

A motion was made and seconded to close case number: BOP-21-192 with a Letter of Concern. Motion carried.

#### **Adjourn**

There being no further business, the meeting was adjourned at 2:57 PM.

The next meeting is on 03/09/2023.