MINUTES OF THE
IDAHO BOARD OF PHARMACY

JANUARY 7, 2003

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BOISE, IDAHO

Acting Chairman Kitty Gurnsey called the meeting to order at 8:30 A.M. In attendance were Board members Frank Casabonne R.Ph. and Dwayne Sheffler R.Ph. Board members Mike Merrill and Marilyn Silcock were unable to attend due to weather induced travel restrictions. Also in attendance were Richard Markuson, Executive Director; Fred Collings, Senior Investigator; Jan Atkinson, Senior Compliance Officer and Kent Nelson, Deputy Attorney General.

Frank Casabonne made a motion to approve minutes from the November 22, 2002 Board meeting. Dwayne Sheffler seconded the motion. Motion carried.

Regarding citation #1223 issued to Kathleen Davis-Benninghoven: Frank Casabonne made a motion to fine Ms. Benninghoven $100.00 and an additional $75.00 for Board investigative costs. Dwayne Sheffler seconded the motion. Motion carried.

The Board reviewed the voluntary surrender of Alan Bell's pharmacist license and Frank Casabonne motioned to suspend his license indefinitely. Dwayne Sheffler seconded the motion. Motion carried.

Regarding citation #2137 issued to Martin Kazmaier: Frank Casabonne made a motion to fine Mr. Kazmaier $50.00. Dwayne Sheffler seconded the motion. Motion carried. Mr. Kazmaier also presented Wal-Mart's plan of action for enhanced dispensing safeguards to avoid future infant dosing errors.

Regarding citation #2138 issued to Travis Walthall: Frank Casabonne made a motion to fine Mr. Walthall $50.00. Dwayne Sheffler seconded the motion. Motion carried. Mr. Walthall explained to the Board that following the error he had added an alert to both patient profiles alerting anyone filling a prescription that there were two individuals with the same name and spelling and requiring them to verify the date of birth prior to dispensing any medication. The Board also directed Mr. Markuson to send a letter to notify the parents of the action the Board had taken and the prudent action taken by Mr. Walthall following the error.

The Board gave their unanimous consent to hold the pending citations until the next Board meeting.

The Board members discussed the request by NACDS members to allow Canadian pharmacists to become licensed to practice pharmacy in Idaho without requiring the FPGEE exam. The equivalency issue was addressed when the ACPE announced they also recognized the accreditation decisions of the Canadian Council for Accreditation of

Pharmacy Programs (CCAPP). In their request, NACDS stated that Canadian pharmacists who pass NAPLEX and fulfill the internship requirements should be allowed to practice without further restrictions. Frank Casabonne suggested that the decision to allow Canadian pharmacists to sit for the Idaho law exam without first requiring the FPGEE exam should be left for the full Board to decide. The equivalency matter was tabled until the next Board meeting.

During legislative and rule review, Mr. Markuson discussed the temporary rule to change the scheduling of GHB to Schedule III to allow specific patients access to Xyrem. Under rule 497.03 Buprenorphine would also be moved from Schedule V to Schedule III. The issue of Canadian prescriptions and the validity of Internet prescriptions were also discussed.

Alan Bell appeared before the Board to discuss his plans to reinstate his license at some future date.

James Frisk requested consideration from the Board on dismissing his probationary period for the remaining three years. Mr. Frisk felt that he wouldn't be able to pursue other job opportunities while on probation. Frank Casabonne made a motion to deny his request. The motion died due to lack of a second. Kitty Gurnsey advised Mr. Frisk that he would be given the opportunity to appear at the next meeting and repeat his request in front of a full Board if he preferred.

Gary Wilburn R.Ph., representing Lemp's Apothecary, requested the Boards clarification on compounding Domperidone. Domperidone is not an FDA approved product and compounding finished drugs from bulk ingredients that are not components of FDA approved drugs violates FDA Compliance Policy Guidelines for pharmacy compounding. Kitty Gurnsey recommended that Mr. Nelson confer with Mike Merrill and Gary Wilburn in order to address pharmacies that perform compounding as an alternative source for specific drugs.

Mr. Markuson reviewed current budget information with the Board.

The next Board meeting was tentatively scheduled for March 7, 2003 in Boise. Mr. Markuson reviewed his upcoming schedule for law CE programs planned around the state. The NABP Annual Meeting scheduled for May 2003 was also discussed. Attendance for the NABP meeting will be determined at the next scheduled Board meeting.

The Board also discussed current stipulations requiring UA's. The consensus of the Board was that failure to provide a UA is a violation of that stipulation. An additional stipulation should be drafted to address the non-compliance and if that person refuses to sign the additional stipulation, it should then go to a hearing. In any future stipulations, the Board directed Mr. Collings to clarify the UA requirements and any violations of current Board stipulations should be brought before the Board.

The Board directed Kent Nelson to draft legislation that would address Internet prescriptions that are obtained without a valid patient-client relationship and filled by a pharmacist who has no relationship with either the patient or the practitioner.

Minutes of this meeting respectfully submitted by Jan Atkinson.

_____	_____
Chairman	Vice-Chairman
_____	_____
Member	Member
_____	_____
Executive Director	Member