



Idaho State Board of Pharmacy

1199 W Shoreline Lane Ste 303 Boise, Idaho 83702-9103 <http://bop.idaho.gov>
P.O. Box 83720 Boise, Idaho 83720-0067 208.334.2356 208.334.3536 fax

MEMO:

Date: March 13, 2020; revised: 3/16/2020, 3/17/2020, 3/18/2020, 3/19/2020, 3/20/2020

To: All Licensees and Registrants

From: Nicki Chopski

Re: FAQ for COVID-19 Declaration of Emergency

NOTE: The newest posts are added to the bottom of the list

1.) If my staff becomes ill or has to be quarantined, is there a solution in place to get new temporary staff licensed quickly?

For new instate licensure/registration, submission of an application online will be processed as quickly as possible. Licensing staff must be notified (Info@bop.idaho.gov) of the applicant and the urgency of the need. Licensure/ registration will be immediately granted for 30 days while paperwork is being processed. When background check clears and other required elements have been verified, licensure will be extended to full length of term. PLEASE NOTE: If background check does not clear and/or required elements of application are not submitted, registration will expire after 30 days.

For those who hold other state licenses/registrations, and are currently licensed/registered with home state, the facility can send store information, name of licensee/registrant with a copy of the home state license/registration. Those can then work without ID licensure for the period of the declared emergency. Posted 3/13/2020

Please Note: The ISU College of Pharmacy has a number of students in need of both IPPE and APPE hours. Several sites are not precepting students during this time. Next week the students are off on spring break. All of the student pharmacists are already registered with the Board. It is possible that these talented students may be able to fulfill a staffing need at a pharmacy. Please contact Kevin Cleveland, Experiential Coordinator, at clevkevi@isu.edu if you might be able to use the help of a student during this pandemic. Posted 3/18/2020

2.) Can I close my pharmacy or change my hours?

During this emergency submit to Info@bop.idaho.gov with **Emergency Pharmacy Operations** in subject line.

It is strongly encouraged that pharmacy operations consider drive-through only or delivery only as an alternative to closure as patients need access to their medications. Stores that have multiple locations may have additional flexibility. Posted 3/13/2020

3.) Is there a limit to how much medication I can sell to a patient?



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While the concern has been raised about patients requesting a year supply of their medication, we encourage pharmacists to use their professional judgement. Consideration should be given at a minimum to third party coverage, supply replenishment for the pharmacy for other patients, risk of misuse or danger of overuse and controlled substance limitations by both state and federal law.

Posted 3/13/2020

NEW TEMPORARY RULE EFFECTIVE IMMEDIATELY:

704. Medication Limitations.

1. No prescription for chloroquine or hydroxychloroquine may be dispensed except if all the following apply:

- a. The prescription bears a written diagnosis from the prescriber consistent with the evidence for its use;
- b. The prescription is limited to no more than a fourteen (14) day supply, unless the patient was previously established on the medication prior to the effective date of this rule; and
- c. No refills may be permitted unless a new prescription is furnished. (3/19/2020)

Posted 3/19/2020

4.) Will Idaho accept the recommendations to compounders as it relates to PPE supply concerns?

Yes, the recommendations set forth by Critical Point related to limited re-use of PPE in light of the COVID-19 supply concerns have been reviewed and will be accepted. Please be sure to communicate your facility's intentions with all the staff so that protection can be achieved consistently to all staff as well as to the patients that are in your care.

There is a webinar available at no cost and can be accessed via CriticalPoint's Peer Network portal. Individuals may register for an account by visiting <https://peernetwork.criticalpoint.info/posts/webinars/covid-19-downstream-implications-for-sterile-compounding>.

Correction to Webinar Recommendations

CriticalPoint recommended that masks for reuse be stored in new plastic "sandwich" bags after use, but were informed by several participants that the CDC recommendations for the use of masks or respirators during a pandemic suggests that masks for reuse should be stored in paper bags that are clean and breathable to reduce the potential for microbial growth.

Visit <https://www.cdc.gov/niosh/topics/hcwcontrols/recommendedguidanceextuse.html> for more information.

It is acceptable to purchase brown paper lunch bags in bulk providing they are new and unused, but these bags may not be reused. Store unused bags in a plastic bag or bin. Subsequently, CriticalPoint is officially amending its mask and respirator reuse storage instructions as follows:

- Label masks or respirators on the outside
- Doff masks without touching the inside



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- Place the doffed mask for reuse into a new paper bag
- Place the user's initial on the outside of the paper bag so each user can find his or her mask again
- Store all the bags with masks in a bin on the dirty side of the anteroom
- When the respirator is sought for reuse, remove it from the bag and don it without touching the inside of the mask or respirator
- **Discard** the bag that it had been stored in
- A new bag must be used each time it is stored

Posted 3/16/2020

5.) Does Idaho permit the temporary compounding of alcohol base hand sanitizer during this emergency?

Yes, please refer to the FDA's Policy for Temporary Compounding of Certain Alcohol-Based Hand Sanitizer Products During the Public Health Emergency Immediately in Effect Guidance for Industry

<https://www.fda.gov/media/136118/download>

Posted 3/16/2020

6.) Will the Board of Pharmacy permit remote data entry of prescriptions as a work from home solution?

Yes, so long as the cybersecurity and patient confidentiality is maintained and the essential steps of the dispensing process are also maintained, it can be location agnostic.

Posted 3/17/2020

7.) We are registered as a non-resident Central Drug Outlet. If we implement work-from-home operations, is notification to the Board required?

No, it would not be necessary to notify the Idaho Board of Pharmacy if work is transitioned to work-from-home during the state of emergency.

Posted 3/17/2020

8.) We have a facility wanting to refill all the controlled substances for their hospice patients early just in case we have a run on medications due to the spread of COVID-19. What is the Board of Pharmacy's stance on this issue?

In general, controlled substances are not primary to the treatment of COVID-19. The board will waive the early refill for controlled substances for the hospice patients of a facility. As a best practice keep the filled medications secured in the pharmacy for future delivery. This allows for



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the reversal and return to stock of any medication that ends up not being needed. It also keeps the controlled substances secure until they are needed at the facility yet assuring the facility that the supply will be there when it's time for their next fill.

PLEASE CONTACT THE BOARD FOR OTHER SITUATIONS INVOLVING CONTROLLED SUBSTANCES THAT DO NOT FIT WITHIN THIS SCENARIO.

Posted 3/17/2020

9.) MEDICAID INFORMATION RELEASE MA20-06

Prescription Drugs

Idaho Medicaid will work with participants and providers to make sure participants have adequate drug supplies. Many maintenance drugs used for common chronic conditions such as asthma, diabetes and hypertension are available and payable as a 3-month supply on request at the pharmacy. A list of these drugs is available at

https://healthandwelfare.idaho.gov/LinkClick.aspx?fileticket=GHHgmE6Ry_Q%3d&tabid=119&portalid=0&mid=1111.

Early refills can be requested by calling the Idaho Medicaid call center line at 208-364-1829. In an emergency, a pharmacy may also be able to dispense a 72-hour supply of most medications. Participants are encouraged to also check with their pharmacy as several are currently offering free delivery of medications.

Posted 3/17/2020

10.) IF manufactured supplies are exhausted locally, can we compound otc products like children's acetaminophen and ibuprofen?

Yes, current rules permit:

Pharmacists to compound commercially available products in times of shortage.

Pharmacists can compound anticipatory quantities.

Pharmacists can write scripts for any otc products for patients.

The Board is waiving the statutory restriction prohibiting pharmacists to prescribe compounded products. This waiver is exclusively related to COVID response-related shortages and is not a general waiver request.

Posted 3/18/2020

11.) Is there a temporary suspension on requirements like initial (or renewal) gloved fingertip testing and media fill testing in sterile compounding?

The Idaho rules don't speak to initial gloved fingertip testing nor initial media fill testing. To the extent that a person may be due for these annual evaluations this month as part of the annual



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requirement, Idaho will show enforcement discretion for the duration of the state of emergency. Today the Idaho Board of Pharmacy received this communication from USP:

Dear Valued Stakeholder,

In light of the rapidly evolving COVID-19 pandemic, the demand for garbing and personal protective equipment (PPE) and alcohol-based hand sanitizer is expected to outpace available supply. **During this pandemic, USP supports State Boards and other regulators using risk-based enforcement discretion related to the implementation of USP compounding standards and the compounding of alcohol-based hand sanitizers for consumer use.**

The USP Compounding Expert Committee developed the following informational resources that may be of assistance during this public health emergency:

- [USP Response to Shortages of Garb and Personal Protective Equipment \(PPE\) for Sterile Compounding During COVID-19 Pandemic](#)
- [Compounding Alcohol-Based Hand Sanitizer During COVID-19 Pandemic](#)

Any additional questions should be directed to the USP Healthcare Quality and Safety staff at CompoundingSL@usp.org.

Sincerely,

Healthcare Quality & Safety Team

While Idaho can't speak for any given accreditation standard or pharmacy policy, perhaps this could be useful in showing those entities ("other regulators") the approach USP has taken today.

Posted 3/19/2020

12.) There have been several questions that have been raised such as;

Can we remove/waive proof of delivery requirements for pharmacists (e.g., collect patient signature upon delivery or mailing of a prescription during emergency period)?

Can co-pays be waived for essential, life-sustaining medications (e.g. insulin, among others) are implemented based on specific days supply (i.e. 14-day or 30-day supply).

Given instances of drug shortages/rationing, can formularies be loosened to allow an alternative or can copay waivers be implemented regardless of a specific days supply amount, and pharmacies be reimbursed for the cost of dispensing?

Can PBM restrictions on mail delivery by retail pharmacies be waived?

These topics fall outside of the purview of the Board of Pharmacy. They have been passed on to the state associations and other state agencies for evaluation and possible pursuit through those channels.

Posted 3/19/2020



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13.) Can the BOP make a statement that hydroxychloroquine goes to patients with ongoing therapy first?

Yesterday the Board conducted an emergency meeting and approved the following language at the request of the Governor. The new Temporary Rule is effective immediately.

Medication Limitations.

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- a. The prescription bears a written diagnosis from the prescriber consistent with the evidence for its use;
- b. The prescription is limited to no more than a fourteen (14) day supply, unless the patient was previously established on the medication prior to the effective date of this rule; and
- c. No refills may be permitted unless a new prescription is furnished. Posted 3/19/2020

14.) May pharmacies fill if insurance does not approve and ask only for the patient's usual copay as payment? Is insurance or this allowance something Idaho has governance over? Does it have to be decided by the corporations if one is involved or may Idaho overrule?

This topic fall outside of the purview of the Board of Pharmacy. This has been passed on to the state associations and other state agencies for evaluation and possible pursuit through those channels. Posted 3/19/2020

15.) Could you clarify if positive identification for controlled substances and signatures for counsel are needed during crisis.

Counseling signatures are not required. Counseling is required. That said, it can be accomplished via technology.

Controlled substances - Rule 409 applies only to prescriptions that are picked up. As written, many patients are already excluded. The rule is focused on those prescriptions that raise concerns.

Posted 3/19/2020

16.) APhA's Pharmacist's Guide to Coronavirus

<https://www.pharmacist.com/coronavirus>

Posted 3/19/2020



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17.) DEA's COVID-19 Information Page

<https://www.deadiversion.usdoj.gov/coronavirus.html>

Posted 3/20/2020

18.) We are seeking permission for pharmacists who may have their CPR certifications expiring soon to extend current CPR certifications until December 31, 2020 to allow pharmacists to continue providing immunizations.

Idaho rules do not specifically speak to immunizations or CPR certification, but the Board certainly recognizes that it is standard of care to hold a CPR certification if involved with immunization administration. Therefore, yes, we will recognize the extension of CPR certification beyond the expiration date through the end of the year for both pharmacists and technicians involved in immunizing.

Posted 3/20/2020

19.) If not covered above a waiver may be needed.

a.) How do I submit a waiver?

During this emergency submit to Info@bop.idaho.gov with **WAIVER** in subject line.

b.) What other information should I submit with my waiver request?

Please submit additional information that explains how you will alternatively protect the safety, health and welfare of the public during the waiver period.

c.) When can I expect a response?

The Declaration of Emergency has granted board staff with delegated authority to review waiver requests and make determinations. A written response will be returned within 24 hours of receipt of the request.

All allowances and waivers will be in effect for the period of the declaration of emergency only

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Appendix: Relevant Rules

IDAPA 27.01.01.102. WAIVERS OR VARIANCES.



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01. Criteria. The board may grant or deny, in whole or in part, a waiver of, or variance from, specified

rules if the granting of the waiver or variance is consistent with the Board's mandate to promote, preserve and protect public health, safety and welfare. (7-1-18)

02. Emergency Waiver. In the event of an emergency declared by the President of the United States,

the Governor of the State of Idaho, or by any other person with legal authority to declare an emergency, the Board

may waive any requirement of these rules for the duration of the emergency. (7-1-18)

IDAPA 27.01.01.402. FILLING PRESCRIPTION DRUG ORDERS: PRACTICE LIMITATIONS.

03. Refill Authorization. A prescription drug order may be refilled when permitted by state and federal law and only as specifically authorized by the prescriber, except that a pharmacist may refill a prescription for a non-controlled drug when the prescriber is not available for authorization. In such cases, a pharmacist may dispense a refill up to the quantity on the most recent fill or a thirty (30)-day supply, whichever is less. (4-11-19) Posted 3/13/2020