

**MINUTES OF THE
IDAHO STATE BOARD OF PHARMACY
April 9, 2020
Conference Call**

**Board of Pharmacy Office
Boise, Idaho**

This meeting of the Board was held to conduct regular Board business. Due to COVID-19 the agenda was pared down with many items moved to the June 2020 agenda.

Chairman Holly Henggeler, PharmD, called the meeting to order at 8:30 a.m. Those in attendance telephonically included Dr. Kris Jonas, PharmD; Justin Messenger, PharmD; Rich de Blaquiere, PharmD; Ali Breshears, DAG; Jaime Thompson, Amy Hickerson, and Wendy Shiell, Compliance Officers; and members of the public.

Those in the Board office included Dr. Henggeler, PharmD; Nicki Chopski, PharmD, Executive Director; Berk Fraser, RPh, Deputy Executive Director; Theresa Arnold, Management Assistant; Grayson Bosen, ISU Pharmacy Student, and Ellen Mitchell, Program Information Coordinator.

After a brief discussion Dr. Jonas motioned to approve the minutes of February 6, 2020, March 19, 2020 Special Meeting, March 19, 2020 Emergency Meeting, March 26, 2020 Special Meeting and March 31, 2020 Special Meeting with minor corrections as discussed. Dr. de Blaquiere seconded and the motion carried unanimously with a rollcall vote.

Ed Sperry, Public Member arrived at 8:48 a.m.

The Board took up the Consent Agenda. Dr. Chopski noted the Board Performance Dashboard will be updated following the next meeting, to closer match the strategic plan. The inspectors are not currently inspecting facilities unless required for opening. The Licensing Team is approving applications and issuing licenses/registrations with inspections scheduled for after the Stay at Home Order is lifted. Dr. Jonas motioned to accept the Consent Agenda as presented. Dr. de Blaquiere seconded, and the motion carried unanimously by rollcall vote.

The Board took up the matter of Consent Agenda: Stipulations and Orders. Dr. Jonas motioned to accept the Stipulations as presented. Dr. de Blaquiere seconded. Following a brief discussion, the motion carried unanimously by rollcall vote.

Dr. de Blaquiere suggested board staff pen a newsletter article regarding telehealth as it has become so prevalent during the COVID-19 crisis.

Dr. Chopski has fielded questions regarding waiving the CPE requirement for pharmacists during the COVID-19 pandemic. Given the deadline for CPE isn't until

December 31 and it wasn't an urgent issue Dr. Chopski sought a Board decision. Mr. Bosen presented his research of other states' requirements to Board and gave a brief synopsis of his findings. Dr. Chopski noted the format of Mr. Bosen's research presentation is the same format staff will use when conducting zero based regulation in the next few years. Mr. Fraser indicated there are preliminarily several hundred pharmacists that haven't completed the CPE requirement for 2020. Following discussion Dr. Jonas motioned to waive the CPE requirement for calendar year 2020. Dr. Messenger seconded; the vote resulted in a tie. Dr. Jonas and Mr. Sperry were in favor, Drs. de Blaquiére and Messenger were opposed. Dr. Henggeler voted opposed, and the motion failed by rollcall vote.

Theresa Arnold presented the Financial Report along with Dr. Chopski's expenses. Mrs. Arnold noted as part of the SUPPORT Act the 2020 Idaho Legislature appropriated \$235,000 to the Board (through the Department of Health and Welfare) for integration of statewide Gateway. Gateway will integrate with participating vendors in HTML format only. The timing of the grant is beneficial as mandatory PDMP use by prescribers goes into effect on July 1, 2020 with an implementation date of October 1, 2020. Following a brief discussion, the Board granted unanimous consent, by rollcall vote, to accept the Financial Report and approve the director's expenses.

The hearing in the matter of request for reimbursement of attorney's fees and costs related to the Chambers' case commenced with Dr. Henggeler presiding. Bernadette Buentgen, attorney at law, represented Dr. Chambers, and attended the meeting telephonically. Dr. Chambers did not attend the meeting. Steve Olsen, DAG, represented the Board and attended the meeting telephonically. Following opening statements and testimony from Ms. Buentgen and Mr. Olsen, Dr. Jonas motioned to deny the request. Mr. Sperry seconded, and the motion carried unanimously by rollcall vote.

The Board took up the matter of Healthy Habits CDA's appeal of their disciplinary fine. Corrina Armstrong represented Healthy Habits CDA and attended the meeting telephonically. Ms. Armstrong previously submitted a request to the Board requesting the Board waive the remainder of the fine assessed to the facility in a 2019 disciplinary action. This location of Healthy Habits closed on January 30, 2020 due to financial hardship. Following discussion, which included that the fine owed by Cynthia Anderson remains, as it was a separate case and not included in today's deliberations. Dr. Jonas motioned to accept the offer as presented as full settlement of the debt. Mr. Sperry seconded, and the motion carried unanimously by rollcall vote.

Having no further business, Mr. Sperry motioned to adjourn. Dr. Jonas seconded, and the motion carried unanimously by rollcall vote. Meeting adjourned at 10:38 a.m.