

**MINUTES OF THE
IDAHO STATE BOARD OF PHARMACY
October 22, 2020
Board Meeting & Conference Call**

**Board of Pharmacy Office
1199 Shoreline Ln
Boise, Idaho**

This meeting of the Board was held to conduct regular Board business. The telephone conference line information was published on the agenda and posted to the Board's website. The conference line was open for the duration of the meeting.

Chairman Kris Jonas, PharmD, called the meeting to order at 9:00 a.m. Those in attendance telephonically included Rich de Blaquiére, PharmD; Ali Breshears, DAG; Jaime Thompson and Wendy Shiell, Compliance Officers, and members of the public.

Those in the Board office included Dr. Jonas, PharmD; Justin Messenger, PharmD; Kevin Ellis, PharmD; Ed Sperry, Public Member; Nicki Chopski, PharmD, Executive Director; Berk Fraser, RPh, Deputy Executive Director; Amy Hickerson, Compliance Officer; Theresa Arnold, Management Assistant; Jesus Gonzalez, ISU Student Pharmacist, and Ellen Mitchell, Program Information Coordinator; and members of the public.

Mr. Sperry motioned to approve the minutes of August 27, 2020 with minor corrections as discussed. Dr. Ellis seconded. Hearing no discussion, the motion carried unanimously by roll call vote.

Dr. Chopski presented the Consent Agenda and updated the Board on the changes to the Performance Dashboard. Dr. Jonas indicated she registered for the Arkansas Prescription Drug Abuse Summit that to be held in December. Registration was free when she registered if anyone else is interested in attending. Dr. Messenger is considering ASHP Dr. de Blaquiére attended NCPA over this past weekend. Dr. de Blaquiére agreed to be the delegate for the NABP Interactive Board Member forum in January. Following a brief discussion Dr. Ellis motioned to accept the Consent Agenda. Dr. Messenger seconded, and the motion carried unanimously by roll call vote.

Dr. de Blaquiére recognized the Licensing staff for the great turnaround time on pharmacy technician applications. He recently had a technician start and complete registration in 8 days.

The Board took up the agenda item Stipulation and Consent Orders. Mr. Sperry motioned to accept the Stipulation and Consent Orders of Felicia R. Lucas, MD and Bengal Pharmacy @ Challis as written. Dr. Ellis seconded. Hearing no discussion Dr. Jonas called for a roll call vote. The motion carried unanimously.

The Board took up the matter of Elmira Nechiporuk, pharmacy technician applicant. Ms. Nechiporuk attended the meeting telephonically and was not represented by counsel. Ms. Nechiporuk is requesting the Board accept her diploma. Following a brief discussion, Dr. Messenger motioned to accept her diploma and move her application forward upon receipt of evidence of pharmacy technician registration in the state of Washington. Dr. Ellis seconded. The motion carried by rollcall vote.

The Board took up the matter of Mary Ann Harden, pharmacy technician applicant. Ms. Harden attended the meeting telephonically and was not represented by counsel. Ms. Harden is requesting the Board accept her pharmacy technician application. Following a brief discussion, Mr. Sperry motioned to accept her application for registration and impose a fine of \$250 for falsifying an application. Mr. Ellis seconded. The motion carried by roll call vote.

Following a short break, Dr. Chopski reintroduced Dr. Tim Frost to the Board. Dr. Frost completed a rotation with the Board when he was in pharmacy school. He has now

been hired as Health Professions Legislative and Regulatory Affairs Manager for Idaho Division of Occupational and Professional Licenses and Operations Manager at the Idaho Board of Nursing and will be working with DOPL.

The Board conducted the Administrative Hearing in the matter of Michael Angelo. Mr. Angelo attended the meeting telephonically and was not represented by counsel. Following the hearing the Board found Mr. Angelo in violation of IDAPA 27.01.052 which requires each pharmacist applicant to complete 15 CPE hours annually. Mr. Sperry motioned Mr. Angelo be required to complete 16 hours of CPE (two for each one hour not completed) and pay an \$800 administrative fine. Dr. Messenger seconded. Hearing no further discussion, Dr. Jonas called for a roll call vote. The motion carried unanimously. Mr. Angelo asked the Board if he could voluntarily surrender his pharmacist license in lieu of the completing the CPE and paying the fine. Dr. Jonas indicated he could and directed staff to ensure that option was included in the order.

The Board conducted the Administrative Hearing in the matter of Tiffany Oakland. Ms. Oakland attended the meeting in person and was not represented by counsel. Following the hearing the Board found Ms. Oakland in violation of IDAPA 27.01.052 which requires each pharmacist applicant to complete 15 CPE hours annually. Mr. Sperry motioned Ms. Oakland be required to complete 20 hours of CPE (two for each one hour not completed) and pay an \$1,000 administrative fine. Dr. Ellis seconded. Hearing no further discussion, Dr. Jonas called for a roll call vote. The motion carried unanimously.

The Administrative Hearing regarding Susan Todd was vacated.

Following the lunch break, Dr. Chopski presented information to the Board regarding virtual inspections during the pandemic. Dr. Chopski spoke with other states and found that many of them are allowing for modified inspections by appointment and virtual inspections primarily for opening inspections One state was transitioning their annual inspections to virtual.

The Board took up the agenda item titled Board Discussions. The Board reviewed and set meeting dates for 2021.

January 19, 2021
March 18, 2021
June 10, 2021
July 15, 2021

July 27, 2021
August 26, 2021
October 28, 2021

Dr. Chopski updated the Board of the progress of DOPL. She indicated the next level organization chart would be available in November. The Board office is tentatively set to move to the Chinden Campus in summer 2021.

Dr. Chopski introduced the instructional video created by Lily Genta, ISU Pharmacy Student as part of her rotation at the Board office. Ms. Genta's video demonstrated applying for a pharmacy technician registration using the online application. Following the presentation Dr. Ellis suggested changing the title of the video to address all applications as the process is much the same for all applications. The Board was appreciative of the quality of Ms. Genta's work.

Dr. Chopski asked the Board for direction regarding licensees that are prohibited by Stipulation and Consent orders from acting as a PIC for the duration of their PRN contract, now that the requirement for PIC for in-state pharmacies has been struck. Following discussion, the Board directed Dr. Chopski to bring these situations to the Board.

Dr. Chopski presented Docket 24-3601-2000F. Following a brief discussion Dr. Ellis motioned to move the proposed legislation to pending. Dr. Messenger seconded, and the motion carried by roll call vote.

Dr. Chopski presented the language to address de-scheduling Epidiolex legislation. Following a brief discussion Dr. de Blaquiére motioned to move forward with the language. Mr. Sperry seconded, and the motion carried by roll call vote.

Theresa Arnold presented the financial report. The income and expenses are as expected with new renewal dates. Mrs. Arnold indicated the agency budget has been zeroed out in preparation for consolidation to DOPL.

Dr. Jonas called for public comment.

Jennifer Adams recapped COVID testing. Jesus discussed the projects he's worked on while on rotation at the Board of Pharmacy and graciously thanked the Board staff for their radicalness. Zach Kim (P4 student on rotation with Holly at Terry Reilly) asked a question of the board regarding expiration of CII prescriptions.

Mr. Sperry motioned to adjourn at 3:30 p.m. Dr. de Blaquiére seconded, and the motion carried unanimously by roll call vote.

Kris Jonas, Chairman

Rich de Blaquiére, Vice Chairman

Member

Member

Member

Nicki Chopski, Executive Director