

**MINUTES OF THE
IDAHO STATE BOARD OF PHARMACY
OCTOBER 28, 2021**

BOARD MEETING AND CONFERENCE CALL

**BOARD OF PHARMACY OFFICE
1199 SHORELINE LN
BOISE, ID**

The meeting of the Board was held to conduct regular Board business.

Chairman Rich de Blaquiére, PharmD, called the meeting to order at 8:30 a.m. Those in attendance were Dr. de Blaquiére, PharmD; Dr. Kris Jonas, PharmD; Dr. Justin Messenger, PharmD; Dr. Kevin Ellis, PharmD; Ed Sperry, Public Member; Ali Breshears, Deputy Attorney General; Keegan Hahn, Deputy Attorney General; Dr. Nicki Chopski, PharmD, Executive Director; Berk Fraser, RPh, Deputy Executive Director; Amy Hickerson, Inspector; Jamie Thopson, Inspector; Wendy Shiell, Investigator; Tim Frost, Deputy Administrator, Division of Occupational & Professional Licenses; Felicia Kruck, Management Assistant; and members of the public.

Dr. Chopski introduced Division staff Felicia Kruck, who is the management assistant for Dr. Chopski; Stephanie Lotridge former Interim Director for the Board of Dentistry is now Program Manager of Licensing for Health Professions; Pam Rebolo, Board Support Supervisor for Health section board specialists.

APPROVAL OF MINUTES:

Dr. Jonas motioned to approve the minutes of August 26, 2021 as amended. Dr. Ellis seconded. Motion carried.

FINANCIAL REPORT:

Dr. Chopski stated that there was no financial report at this time since the Division of Occupational and Professional Licenses is currently setting up the financial department. The Division's financial officer, Linda Brown, will be giving the financial report in future meetings. Dr. Chopski presented the current director's expenses. Dr. Ellis motioned to accept the report. Dr. Jonas seconded and the motion carried unanimously.

CONSENT AGENDA:

The Board reviewed the Consent Agenda. Chairman de Blaquiére read kudos for financial technical specialist Susan Villanueva and expressed the Board's appreciation for her work. Dr. Chopski stated that Ms. Villanueva has accepted a position as Board Support Specialist and will be relocating to the Chinden office on November 1. Hearing no further discussion, Chairman de Blaquiére motioned to accept the Consent Agenda. Dr. Ellis seconded and motion carried unanimously.

The Board then addressed the Stipulation and Consent Agenda Orders which included Kootenai Urgent Health dba Kootenai Occupational Medicine; and Hormones & Weight Loss Twin Falls LLC. Dr. Jonas motioned to accept the Stipulation and Consent Orders. Dr. Ellis seconded and motion carried unanimously.

APPLICANTS IN SUPPORT OF APPLICATION:

The Board took up the application approval request for Suraa Abdulaziz Asmaeil who requested additional time to complete her supervised internship hours. Dr. Jonas motioned to grant Ms. Asmaeil's request and extended Ms. Asmaeil's intern license to expire on 7/14/22. Dr. Messenger seconded and the motion carried unanimously.

The Board took up the application approval request for James Freemon who misunderstood a question on his application and answered incorrectly. After a brief discussion Dr. Jonas motioned to grant Mr. Freemon approval to proceed with licensure. Dr. Ellis seconded and the motion carried unanimously.

The Board took up the application approval for Laura Swan who misunderstood a question on her application and answered incorrectly. After a brief discussion Mr. Sperry motioned to grant Ms. Swan approval to proceed with licensure. Dr. Jonas seconded and the motion carried unanimously.

The Board took up the application approval for Tyler James Chamberlain for reciprocity. After a brief discussion Dr. Jonas motioned to grant Mr. Chamberlain approval to proceed with licensure through reciprocity. Dr. Messenger seconded and the motion carried unanimously.

The Board took up the application approval for Konstantin Avetisyan for reciprocity. Mr. Avetisyan misunderstood a question on his application and answered incorrectly. After a brief discussion, Mr. Sperry motioned to grant Mr. Avetisyan approval to proceed with licensure through reciprocity. Dr. Ellis seconded and the motion carried unanimously.

TRAVEL CALENDAR:

The National Association of the Boards of Pharmacy (NABP) interactive Compliance Officer and Legal Counsel Forum will be held on November 30 – December 1, 2021. This forum will be an opportunity to discuss important regulatory issues and updates regarding enhancements, changes and newly released NABP programs and services. Deputy Attorney General (DAG) Ali Breshears and Amy Hickerson, Inspector will be attending. The NABP Interactive Member Forum will be in Chicago in January and the Board has the opportunity to send one member. NABP will cover the travel expenses. After discussion, the Board chose Dr. Ellis to travel to Chicago. Dr. Jonas motioned to approve that Ms. Breshears, Ms. Hickerson and Dr. Ellis be able to attend the conferences. Dr. Messenger seconded and the motion carried unanimously.

CE PENALTY – DELEGATED AUTHORITY

Dr. Chopski stated that the Board is working with NABP on CE monitoring. Dr. Chopski stated that future direction could be given by the State regarding continuing education as many Boards have different requirements in their rules. NABP is also working to improve their processes to address misinformation regarding the status of licensees.

The Board reviewed the amendments made at the last Board meeting regarding the Delegated Authority Policy. Dr. Ellis approved the amendments. Dr. Jonas seconded and the motion carried unanimously.

EXPUNGEMENT POLICY DISCUSSION:

The Board discussed the expungement policy. Dr. Chopski stated that Yvonne Dunbar, legal counsel for the Board of Medicine drafted language for the Division. Dr. Chopski stated that the discipline bill will be in two phases, the first phase being expungement and investigative team collaboration. The second phase will be an overall grounds for discipline statute for all Health Profession Division boards and will be presented in the 2023 legislative session. The Division requested to have a 7 year provision and to allow the Board to review requests for expungement.

TASK FORCE ON JUST CULTURE BRIEF REPORT:

Dr. Chopski gave a brief report but stated that the official report is forthcoming. Dr. Chopski discussed Corrected Action Plans (CAP). Dr. Chopski also discussed the benefit of having a newsletter or at least a year in review newsletter which can provide an overview of CAPS for the past year. Dr. de Blaquiére suggested that error types from applications can also be addressed to assist licensees and applicants in the future.

ADMINISTRATIVE UPDATES:

Dr. Chopski gave the Board an update on the progress of the Division's organizational chart and stated that the Health Professions section is almost complete with filling job vacancies. Dr. Chopski stated that employees are still located in temporary locations and hope to move into the permanent location on or about July 1, 2022.

Dr. Chopski gave a brief update on the Chambers case stating that the final appeal had been dismissed.

Dr. Jonas made a motion for the following Board meeting dates: December 9, 2021 conference call at 7:00 a.m.; March 3, 2022; June 16, 2022; September 15, 2022 and December 8, 2022. Mr. Sperry seconded and the motion carried unanimously.

LUNCH BREAK 12-1:00 PM

LEGISLATIVE UPDATE

Dr. Frost gave a legislative update stating that all administrative rules will be published as proposed in the October 20 bulletin which will include the Board of Pharmacy. Dr. Frost stated that there will be a comment period and that a public hearing will be held on November 10 at the Chinden location. The Board will meet on December 9 to vote on rules to be sent to the 2022 legislative session.

PUBLIC COMMENT

Jennifer Adams from the Idaho State University School of Pharmacy stated that a standard of care regulatory model will be put before the APHA House of Delegates this session.

ADJOURNMENT

Dr. Jonas made a motion to adjourn the meeting at 1:24 PM MDT and Mr. Sperry seconded and the motion carried unanimously.