

**MINUTES  
UTAH  
BOARD OF PHARMACY  
MEETING  
November 15, 2016  
Heber M. Wells Bldg.  
Room 474, 4th Floor – 8:30 A.M.  
Salt Lake City, UT 84114**

9:00 - Rule Hearing

R156-17b Pharmacy Practice Act Rule – OAR File No 40899 and OAR File No 40902

**CONVENED:** 8:33 A.M.

**ADJOURNED:** 10:54 A.M.

**Bureau Manager**  
**Board Secretary:**

Dane Ishihara  
Lee Avery

**Board Members Present:**

Greg Jones, RPh., Chairperson  
Carl “Trip” Hoffman, PharmD, Vice-Chairperson  
Paige Patterick, RPh.  
Andrea Kemper, PharmD  
Roger Fitzpatrick, RPh.  
Jan Bird, CPhT  
Kumar Shah

**DOPL Staff Present:**

David Furlong, Chief Investigator  
Sharon Bennett, Compliance Specialist  
Dan Briggs, Investigation Supervisor  
Lynn Hooper, Lead Investigator  
Camille Farley, Pharm. Investigator  
Jennifer Healey Pharm. Investigator  
Travis Drebing, Pharm. Inspector

**Guests:**

Sierra Wiest, U of U pharmacy student  
Sepideh  
Matt Higley, IHC  
Nicole Dimaan IHC  
Shannon Soldane, IHC  
Donelle Perez  
Adam Jones, UPhA  
Gary Hale, Costco  
Miriam Mobley Smith, PTCB  
Phillip Lawrence, RUCOP  
Victoria Martineau, U of U pharmacy student  
Lisa Burrup, Hyland Pharmacy  
Boyce May, Roseman University student

Minutes

The Board reviewed the minutes dated October 25, 2016. Ms. Bird made a motion to approve the minutes

with changes. Mr. Shah seconded the motion. The motion carried unanimously.

The Board reviewed the minutes dated September 7, 2016 from the rules writing meeting. Mr. Fitzpatrick motioned to approve the minutes. Mr. Shah seconded the motion. The motion carried unanimously.

#### Investigation Report

Mr. Furlong reviewed the October, 2016 investigation report and answered questions from the Board.

#### **COMPLIANCE REPORT:**

Sharon Bennett, Probation Specialist

Ms. Bennett reviewed the compliance report with the Board.

Ms. Burrup is meeting with the Board regarding Hyland Pharmacy probation. Supervisor reports look good. The pharmacy passed the last inspection. They have completed 33 months of a 60-month probation.

Cody Beaumont, surrendered his license June, 2008. His order indicates he cannot reapply for five years. He has been doing drug screens since October, 2013. All tests have been negative. He failed the PARE exam in June, 2015 and is requesting the Board to approve him to take the exam in February, 2017.

Mr. Williams submitted a letter requesting early termination of his probation. He has completed more than four years of a five-year probation. Dr. Hoffman made a motion to approve Mr. Williams' request for early termination of probation. Dr. Kemper seconded the motion. The motion carried unanimously.

Mr. Holt submitted a letter regarding the CE course he completed. The Board noted his letter was written very well. Mr. Fitzpatrick made a motion to approve his request for early termination. Dr. Hoffman seconded the motion. The motion carried unanimously.

#### **APPOINTMENTS:**

Hyland Pharmacy/Lisa Burrup, probation update

Ms. Burrup met with the Board regarding Hyland Pharmacy probation. Ms. Bird conducted the interview. The Board noted that the supervision reports were positive and the pharmacy passed the latest inspection. Ms. Burrup stated the pharmacy has started

compounding. The employees received training in <795> and they review the training regularly. The Board encouraged Ms. Burrup to submit a written request for early termination and include what changes have been made and how the pharmacy will keep on top of the changes. The Board will review her written request at the next Board meeting.

Cody Beaumont, surrendered license update

Mr. Beaumont met with the Board with an update regarding the changes he has made since he surrendered his license. Ms. Bennett reviewed the timeline regarding the surrender of Mr. Beaumont's license and the random UA's. Mr. Beaumont advised the Board he failed the PARE exam. He is requesting approval to take this exam one more time, in February, 2017. He is currently working in a lab doing analytical work and is enjoying this work, however, he would still like to get back into pharmacy. Mr. Beaumont will continue doing random UA's for the Board. He will continue preparing for the next exam. Mr. Shah made a motion to approved Mr. Beaumont to take the PARE exam again. Dr. Hoffman seconded the motion. The motion carried unanimously. Mr. Ishihara and Ms. Bennett will facilitate the process.

PTCB Presentation – Miriam Mobley Smith,  
Pharm D

Dr. Mobley Smith met with the Board. Dr. Mobley Smith introduced herself and reviewed her professional history with the Board. Dr. Mobley Smith reviewed PTCBs certification, recertification and changes taking place with PTCB. Dr. Mobley Smith also reviewed concerns regarding the accreditation education requirement in 2020. Dr. Mobley Smith stated that it takes a technician up to two years to obtain registration; complete a program; and pass the exam for certification. She noted there are forty-five States that regulate pharmacy technicians in one way or another. Three more states are working with legislation to regulate pharmacy technicians. If an applicant fails the exam, they have to wait ninety days to retake the exam. The national pass rate is 58% and Utah's pass rate is 71%. The Board requested information regarding what Utah programs are already accredited and those seeking accreditation. Dr. Mobley Smith stated she will provide this information as soon as possible.

**NEW ITEMS:**



NABP Exam approvals by the Board

**Out of order on the agenda:**

The Board was advised the Division is receiving a number of requests for approval to retake the NABP exams. Current rule indicates an applicant must meet with the Board after failing one of these exams two times. The Board discussed changing the rule to mirror NABPs requirements. The Board requested information regarding the statistics for applicants who passed the exam, after meeting with the Board the third time. The Board will review this information at the December Board meeting for a decision.

**UNFINISHED ITEMS:**

Pharmacist mid-level DEA number update

**Out of order on the agenda:**

The Board reviewed a handout regarding pharmacist DEA registration and controlled substance prescribing. Mr. Ishihara advised the Board that, with Board approval, he will continue working with DEA to facilitate the process, including administrative rule changes if needed. The Board requested Mr. Ishihara to continue working with DEA.

**NEXT SCHEDULED MEETING:**

December 20, 2016

2016 Board Meetings:

**2017 Board Meetings Tentatively Scheduled**

January 24, February 28, March 28, April 25, May 16, June 27, July 18, August 22, September 26, October 24, November 28, December 19

The Board moved the May 2017 Board meeting to May 16, 2017 and the November Board meeting to November 28, 2017. No change in the start time.

**ADJOURN:**

Motion to adjourn at 10:54 A.M.

*Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.*

\_\_\_\_\_  
Date Approved

(ss) \_\_\_\_\_  
Chairperson, Utah Board of Pharmacy

\_\_\_\_\_  
Date Approved

(ss) \_\_\_\_\_  
Bureau Manager, Division of Occupational &  
Professional Licensing

NABP Exam approvals by the Board

**Out of order on the agenda:**

The Board was advised the Division is receiving a number of requests for approval to retake the NABP exams. Current rule indicates an applicant must meet with the Board after failing one of these exams two times. The Board discussed changing the rule to mirror NABPs requirements. The Board requested information regarding the statistics for applicants who passed the exam, after meeting with the Board the third time. The Board will review this information at the December Board meeting for a decision.

**UNFINISHED ITEMS:**

Pharmacist mid-level DEA number update

**Out of order on the agenda:**

The Board reviewed a handout regarding pharmacist DEA registration and controlled substance prescribing. Mr. Ishihara advised the Board that, with Board approval, he will continue working with DEA to facilitate the process, including administrative rule changes if needed. The Board requested Mr. Ishihara to continue working with DEA.

**NEXT SCHEDULED MEETING:**

December 20, 2016

2016 Board Meetings:

**2017 Board Meetings Tentatively Scheduled**

January 24, February 28, March 28, April 25, May 16, June 27, July 18, August 22, September 26, October 24, November 28, December 19

The Board moved the May 2017 Board meeting to May 16, 2017 and the November Board meeting to November 28, 2017. No change in the start time.

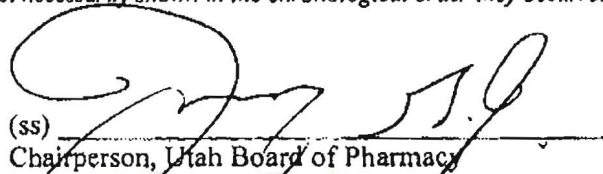
**ADJOURN:**

Motion to adjourn at 10:54 A.M.

*Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.*

12/21/2016  
Date Approved

12-21-2016  
Date Approved

  
(ss)  
Chairperson, Utah Board of Pharmacy

  
(ss)  
Bureau Manager, Division of Occupational & Professional Licensing