

MINUTES
UTAH STATE BOARD OF PHARMACY
June 27, 2023 | 8:30 A.M.
Room 474, 4th Floor
160 E 300 S Salt Lake City UT
Hybrid Meeting- In Person and Electronic

Electronic attendance was available.

CONVENED 8:31 A.M.

ADJOURNED: 11:54 A.M.

DOPL STAFF PRESENT:

Bureau Manager: Lisa Martin
Board Secretary: Maree Christensen
Division Director: Mark Steinagel
Assistant Director: Deborah Blackburn
Lead Investigator: Camille Farley
Pharmacy Specialist: Jim Garfield

Investigator: Kaila Silcox
Investigator: Jo Evans
Investigator: Travis Drebing
CSD Admin: Jeff Henrie
CSD Business Analyst: Zach K Whitney

BOARD MEMBERS PRESENT:

Chair: Carrie Dunford, Pharm-D
Sepidah Daery, Pharm-D
Shaun Curran, PA CS, Public Member

Karen Gunning, Pharm-D
Gary Hale, R.Ph.
Autumn Hawks, Pharmacy Technician

BOARD MEMBERS NOT PRESENT:

Vice Chair: Christopher Sheard, Pharm-D

GUESTS IN ATTENDANCE ELECTRONICALLY

Adam Jones - Utah Pharmacy Association
Alexa Humphris – Roseman University
Bill Stilling
Brooke Pulrabek
Chad Baker
Chris Christensen – Stapley Pharmacy
Christina Stephens
Colin Maehler
Dale Masten
Danielle DiCiolla
Donelle Perez –Petersons Pharmacy
Dylan Kacerek - University of Utah
Erin Johanson
Greg Jones – Harmons
Hali O’Malley – APCEC
Heather Borski– Department of Health and Human Services
Ivy Nguyen

Janet Zarndt
Jared Gonzalez
Jeanne Brennan
Jennifer Healey
Jennifer Nguyen - University of Utah
Joseph Ahenkorah
Kathy Varley – MedQuest Pharmacy
Lorri Walmsley – Walgreens
Maimuna Bruce
Mark Johnston – CVS Health
Michelle Hofmann - Department of Health and Human Services
Mindy Smith – IHC Health Services
Pejmann Mesdaghi – Pharm D, MBA
Rey Alonzo- Utah Medical Association
Ryker Blair – MedQuest Pharmacy
Ursula Chizhik

Note: Other guests may have been in attendance electronically but were not identified.

ADMINISTRATIVE BUSINESS:

CALL MEETING TO ORDER

Dr. Dunford called the meeting to order at 8:31 A.M.

REVIEW AND APPROVE MAY 23, 2023 MINUTES (Audio 00:03:57)

Dr. Gunning made a motion to approve the minutes, as written.

Ms. Hawks seconded the motion.

The Board motion passed unanimously.

DISCUSSION ITEMS:

INVESTIGATIVE REPORT—CAMILLE FARLEY (Audio 00:04:14)

Ms. Farley presented the investigation report for May 2023, as provided.

Ms. Farley stated there were 24 new cases received, 49 cases closed, 45 inspections which consisted of new and random, along with 11 citations, mostly due to inventory issues and compounding violations.

Dr. Dunford asked if investigations were receiving concerns regarding the dispensing of semaglutide.

Ms. Farley stated investigations were aware and are investigating the complaints received.

Dr. Dunford recommended anyone with patient safety concerns to file a complaint with the Division.

CSD UPDATE—JEFF HENRIE (Audio 00:17:19)

Mr. Henrie stated the Controlled Substance Database (CSD) has a new Business Analyst, Zach K. Whitney. Mr. Henrie informed the Board that in the next few months there will be opioid rapid response for a practitioner from the Center for Disease Control and Prevention (CDC) and Drug Enforcement Administration (DEA) that will impact the base population of approximately 75 patients. Mr. Henrie stated that pharmacy alerts have been sent out informing pharmacists regarding the provider and asked the Board for feedback on how to best assist the patients that are affected.

Dr. Dunford recommended direct communication with the pharmacist in charge (PIC) of the pharmacies that are involved in dispensing from the provider, to obtain more information on how to assist the patients.

58-17b-620 - PRESCRIPTIONS ISSUED WITHIN THE PUBLIC HEALTH SYSTEM - PROPOSED CHANGE *(Audio 00:27:35)*

Ms. Martin stated the Department of Health and Human Services (DHHS) proposed a statute amendment for 58-17b-620.

Dr. Hofmann stated the protocol in subsection (4)(b) has turned out to be difficult to adhere to in real-life practice in local health departments, with their own Medical Director and implement their own procedures. Dr. Hofmann stated the language proposed would be to amend the “and” to an “or” at the end of subsection (4)(b).

Dr. Dunford stated she had no concerns about the change.

The Board provided feedback.

Ms. Borski recommended DHHS move forward with the interim bill incorporating the small change into the set of clean up items associated with the recodification of Health and Human Services statutes.

Mr. Steinagel stated he had no concerns about the proposed change; however, recommended forwarding the information to the Physician and Nurses Boards.

RULE REVIEW R156-17B-308-TERM, EXPIRATION, RENEWAL, AND REINSTATEMENT OF LICENSE - APPLICATION PROCEDURES *(Audio 00:40:04)*

Ms. Martin reviewed with the Board the proposed rule language change to Utah Admin Code R156-17b-308 regarding pharmacist and pharmacy technician reinstatement applications.

Ms. Blackburn discussed the draft rule language for pharmacists’ re-entry time frame requirements from two–five years instead of two–eight years after the date of expiration along with the requirement of six plus years after the date of expiration.

Ms. Martin provided two examples of ACPE approved refresher courses for pharmacists from Charter Oak and Drug Topics, both can be completed online.

The Board discussed, gave feedback and concerns as needed.

Dr. Gunning made a motion for pharmacist reinstatement licensure of six plus years after the date of expiration the NAPLEX and Utah MPJE exams are to be retaken.

Dr. Daery seconded the motion.

The Board motion passed unanimously.

Ms. Blackburn discussed with the Board the proposed draft rule language regarding pharmacy technician reinstatement applications.

The Board discussed, gave feedback and concerns as needed.

Mr. Hale made a motion for pharmacy technician reinstatement licensure of two-five years after the date of expiration the required continuing education requirements are to be completed while six plus years the entry level examination must be completed.

Ms. Hawks seconded the motion.

The Board motion passed unanimously.

RULE REVIEW R156-17B-612B (2)-OPERATING STANDARDS-INSULIN PRESCRIPTION AND DIABETES SUPPLIES *(Audio 01:11:05)*

Ms. Martin stated the current Utah Admin Code R156-17b-612b (2) states a supply list for treating diabetes, is found on the Division's website; however, no supply list is found on the Division's pharmacy website.

The Board discussed the diabetes therapeutic equivalent supply list as referenced in Subsection 58-17b-608.2(7).

Dr. Dunford recommended adding continuous glucose monitoring (CGM) supplies to the supply list.

Mr. Hale made a motion to add the supply list to the Division website.

Dr. Gunning seconded the motion.

The Board motion passed unanimously.

NEWSLETTER ARTICLES *(Audio 01:21:22)*

Ms. Martin stated as requested in the last Board meeting; renewals and common pharmacy violations topics have been drafted and are ready to be submitted to the National Association of Boards of Pharmacy (NABP) newsletter by July first.

Mr. Hale recommended adding an article regarding the Drug Supply Chain Security Act (DSCSA) change and the impact on pharmacies.

Dr. Dunford recommended submitting the date of the DSCSA change of November 27, 2023 to the July newsletter deadline, with more detailed information drafted for the October newsletter submission.

ADVISORY PHARMACY COMPOUNDING EDUCATION COMMITTEE UPDATE *(Audio 01:27:55)*

Dr. O'Malley discussed two main topics from the last Advisory Pharmacy Compounding Education Committee meeting: USP and semaglutide. Dr. O'Malley stated the committee is leaning towards full implementation of USP <797> and USP <795>. Dr. O'Malley stated the Committee recommended sending out a brief alert with the link to the full letter regarding the main changes in the new chapters. Dr. O'Malley stated the Committee had previously drafted USP <800> updates within the letter as new chapters reference USP <800>. Dr. O'Malley stated

the next Committee meeting is September 14th, the public are welcome to attend to provide feedback. Dr. O'Malley stated the Committee discussed the requirement for certain accredited organizations to follow the new USP chapters, investigations are aware of the change and will be lenient with compliance differences.

Dr. Dunford recommended drafting language into the Committee's USP letter regarding compliance differences.

Ms. Martin stated she would add the language to the Committee's letter.

Dr. O'Malley stated the FDA recently sent out a letter to NABP regarding compounding with semgalutide, compounding with the semaglutide base form is acceptable as it remains on the shortage list, however the use of the salt form as the active ingredient is prohibited. The committee agreed with the information provided by the FDA.

REMOTE LOCATION REQUEST (*Audio 01:37:57*)

Dr. Pejman Mesdaghi stated Intermountain Healthcare is planning to open two standalone emergency departments in Saratoga Springs and Hurricane, providing Board approval is met. Dr. Mesdaghi stated both standalone emergency departments will have medications loaded into automated systems.

Ms. Hawks asked how the medications were transported and loaded into the automated dispensing machines (ADMs).

Dr. Mesdaghi stated medications would be transported by Intermountain courier, then medications would be loaded into the automated systems by pharmacy technicians.

Mr. Hale asked how often the ADMs would be stocked.

Dr. Mesdaghi stated the idea is around two-three times a week, depending on volume.

Ms. Hawks asked who would be managing the ADMs for inspections and expired medications.

Dr. Mesdaghi stated the ADMs would be managed by the hospital that the emergency departments were an extension of.

Mr. Hale made a motion to approve the remote location request for the Intermountain Healthcare ADMs in Saratoga Springs and Hurricane.

Ms. Hawks seconded the motion.

The Board motion passed unanimously.

TEMPORARY PHARMACISTS (*Audio 01:45:30*)

Dr. Dunford stated a few questions had been raised, including what level of supervision is required for temporary pharmacists and what duties can they perform as it had been brought to her attention that a few pharmacies had hired graduate interns as pharmacists. Dr. Dunford stated temporary pharmacists, per rule, must have direct on-site supervision. Dr. Dunford stated communication had been received from pharmacy students informing her that it was hard to obtain the authorization to test. Dr. Dunford asked the Board if they had heard what the barriers might be.

Mr. Garfield stated NABP handles the Utah MPJE.

Mr. Kacerek, a pharmacy student from the University of Utah stated part of the delay has to do with the school's processing department, approximately there is a three – four week wait time to receive official transcripts.

Dr. Dunford stated she had heard that there is a high fail rate for Utah MPJE, and asked Ms. Martin to investigate the results from NABP.

Ms. Hawks stated she had heard that pharmacists did not realize the need to supervise the temporary pharmacists.

Dr. Dunford recommended placing the temporary pharmacist supervision requirement in July's newsletter.

R156-17B-601 (1)(K)-OPERATING STANDARDS-PHARMACY TECHNICIANS (*Audio 02:22:37*)

Dr. Dunford discussed with the Board the operating standards for pharmacy technicians regarding receiving prescriptions via verbal phone calls and clarification with prescriptions. Dr. Dunford asked for feedback from the Board.

Dr. Daery stated she would be more comfortable for pharmacists to complete the verbal phone calls as there are potential patient safety concerns.

Dr. Johnston stated nineteen states have allowed pharmacy technicians to complete verbal phone call prescriptions; the pharmacy technicians all received additional training and there have been no issues with the delegation at CVS pharmacies.

Mr. Hale stated he felt comfortable allowing the delegation task and clarifications to pharmacy technicians with appropriate training.

Ms. Walmsley stated in Arizona, the rules only includes what technicians cannot do. Ms. Walmsley recommended amending the language with activities that pharmacy technicians cannot do. Ms. Walmsley stated she would forward the language on to the Board.

Dr. Dunford stated she will work with Ms. Martin on drafting language and present it at the next Board meeting in August.

R156-17B-623-APPROVED DRUGS FOR DISPENSING MEDICAL PRACTITIONERS

(Audio 02:39:35)

Ms. Martin discussed with the Board a generated Dispensing Medical Practitioner (DMP) clinic dispensing report. Ms. Martin stated there were five DMP clinics that were impacted due to Chapter 58-83 being repealed in the 2023 legislative session.

Dr. Dunford stated due to Chapter 83 being repealed, Subsection R156-17b-623(2) should also be repealed. Dr. Dunford asked the Board if they felt inclined to remove Subsection R156-17b-623(2).

The Board discussed and amended the list of approved drugs as found in Utah Code R156-17b-623; the following legend non-controlled drugs were eliminated: finasteride; sildenafil citrate; tadalafil; vardenafil hydrochloride; varenicline; avanafil.

Dr. Gunning made a motion to approve changes as discussed regarding approved drugs for Dispensing Medical Practitioners.

Dr. Daery seconded the motion.

The Board motion passed unanimously.

COORESPONDANCE:

MEETING ADJOURNED: 11:54 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.

NEXT SCHEDULED MEETING: Tuesday August 22, 2023

2023 Board Meeting Scheduled:

September 26, October 17, November 28, December 19.

Carrie Dunford
[Carrie Dunford \(Aug 22, 2023 23:15 MDT\)](#)

Chairperson

08/22/2023

Date

Lisa Martin

08/23/2023

Bureau Manager

Date