

**MINUTES UTAH PHARMACY  
LICENSING BOARD MEETING  
SEPTEMBER 18, 2018- 8:30 A.M.  
HEBER M. WELLS BLDG.  
NORTH CONFERENCE ROOM, 1ST FLOOR  
SALT LAKE CITY, UT 84114**

CONVENED: 8:38 A.M.

ADJOURNED: 12:32 P.M.

**DOPL STAFF PRESENT:**

Bureau Manager: Jennifer Zaelit  
Board Secretary: Jennifer Johnson  
Bureau Manager: Larry Marx  
Program Pharmacy Manager: Jim Garfield

Compliance Manager: Deborah Blackburn  
Investigator: Lynn Hooper  
Controlled Substance Database: Jeff Henry

**BOARD MEMBERS PRESENT:**

Carl "Trip" Hoffman, PharmD, Chairperson  
Carrie Dunford, PharmD  
Roger Fitzpatrick, RPh.  
Christopher Sheard, PharmD

Alicia Moran, CPhT  
Kumar Shah  
Paige Patterick, RPh. Vice Chairperson

**GUESTS:**

Jeff Chappell, Wayne Comm. Hlth Ctr.  
Evan Christensen, Wayne Comm. Hlth Ctr.  
Jared Memmott, AFS

Greg Jones  
Melissa Ure, UDAF  
Jacob Corsi, Meds in Motion

**ADMINISTRATIVE BUSINESS:**

**Call Meeting to Order**

**Dr. Hoffman called the meeting to order at 8:38 A.M.**

**Read and Approve August 28, 2018 Minutes (:02)**

**Mr. Shah made a motion to approve minutes with the revisions as requested.**

**Mr. Fitzpatrick seconded the motion.**

**The Board motion passed unanimously.**

**Investigation Report (:29)**

**Mr. Hooper reviewed the investigation report as provided.**

**CSD Update (:40)**

**Mr. Henry stated there has been an increase in usage of the database. Mr. Henry stated Mr. Larsen will provide updates for Utah Interactive at a later meeting.**

**NEW DISCUSSION ITEMS:**

**TELEPHARMACY INQUIRY/REQUEST, GREEN RIVER / WAYNE COMMUNITY HEALTH CENTER (:42)**

Mr. Donovan Smith stated Green River does not have an available pharmacy and the nearest pharmacy is 55 miles away in Moab. Mr. Smith stated a request to provide tele-pharmacy via remote site. Mr. Smith stated the pharmacy in Green River would have medication stocked onsite. Mr. Smith stated the technician would enter the prescription into the system and fill the order. Mr. Smith stated the technician would then send a picture of the written prescription order, the medication stock bottle, the patient prescription bottle for review and approval by the Pharmacist at Wayne Community Pharmacy. Mr. Smith stated that after pharmacist verification the technician would sell the prescription to the patient and that patient consultation would be provided at that time via telephone or video conference.

**Mr. Fitzpatrick asked if there had been consideration of the branch pharmacy model.**

Mr. Smith stated they have reviewed the branch pharmacy model, however the model includes a requirement of a clinic located in a remote rural county with less than 20 people per square mile which does not support their need. Mr. Smith stated telepharmacy meets the needs better for this situation. Mr. Smith stated that a video surveillance system would be available which allows oversee for technicians and provides a level of direct care to the patient.

**Dr. Hoffman asked if Mr. Smith has projections of the number of prescriptions that would be provided.**

Mr. Smith stated the initial projection is 20-30 prescriptions per day. Mr. Smith stated that predicted volume is not enough to support a full-time pharmacist onsite.

**Dr. Hoffman asked if the Board would need create specific telepharmacy rules or if they would fall under the branch pharmacy model.**

**Mr. Marx stated that the Division may need to consider specific rules within the pharmacy as it is unique to other healthcare professions.**

**Dr. Hoffman recommended licensing as a branch pharmacy with specific telepharmacy models.**

**TELEPHARMACY, JESSICA/ADAM UPDATE (1:14)**

Dr. Adams stated he wants to answer any questions regarding what other states are doing. Dr. Adams asked if the Board is interested in moving forward.

**Dr. Hoffman asked the Board if the current statute of less than 20 people is a good fit or if changes should be considered.**

**Mr. Fitzpatrick stated that other states are using mileage as an approval criteria.**

**Mr. Hooper stated language should be considered in regards to the location of the pharmacy that are near state lines. Mr. Hooper stated it is difficult for the investigators to uphold the requirements for those that are located in other states.**

Dr. Adams made a recommendation to remove the mileage restriction or grant Board authority to waive the requirement when needed.

**The Board requested the discussion of a telepharmacy model and review statute and rule at the October meeting.**

**DEPARTMENT OF AGRICULTURE: CBD UPDATE (1:32)**

Ms. Ure provided the proposed rule that are open for public comment. Ms. Ure stated the open public comment runs through October 1, 2018. Ms. Ure reviewed the proposed rule as currently written. Ms. Ure stated there are two additional rules concerning industrial hemp.

**EMERGENCY PREPAREDNESS BILL (HOSPITAL SIDE), CARRIE (1:44)**

**Dr. Dunford stated the way the bill is currently listed sterile compounding is not addressed. Dr. Dunford recommended considering language to allow exceptions for pharmacies to dispense medications outside of their licensed classification in emergency situations.**

Mr. Patterick stated there are current laws which allow options during emergency situations.

**TECHNICIAN TRAINING LANGUAGE IN RULE, CARRIE (1:50)**

Ms. Blackburn stated technician changes have been addressed in the rule changes.

Dr. Dunford reviewed this section of the proposed rule change. Dr. Dunford stated most of the changes are already located in the Department of Health for the Protocol.

Ms. Moran asked if the Board would want to consider a change of the current requirement to have an adverse event notification signed by a licensed practitioner to have the Department of Health completing the protocol.

Dr. Hoffman asked if R156-17b-502(9) was the only place immunizations administration are referred to.

Dr. Dunford confirmed that there are no other locations that reference immunization administration.

Dr. Hoffman stated the practitioner signature requirement was established with the protocol when originally initiated. Dr. Hoffman stated regulations have changed since that time.

Mr. Marx stated he will present the topic to the Physician Board.

Mr. Jones asked what the training requirements would be for the technicians.

**Dr. Hoffman stated the required training would be the same as what a pharmacist completes.**

**Dr. Dunford stated she will make some updates to present at the October meeting.**

**IMMUNIZATIONS BY TECHNICIANS, CARRIE/ALICIA (1:58)**

**This topic was completed with the technician training language discussion.**

**USP 800 NON-COMPOUNDING RETAIL DISCUSSION, TRIP (2:33)**

**Dr. Hoffman stated after consideration of the presentation there are three options, the first is to take no action, which would cause compounders to follow USP 800. Dr. Hoffman stated the next option is to require all compounders follow USP. Dr. Hoffman stated the last option is for the Board to create best practices standards.**

**The Board agreed to discuss this topic in more depth when the study is concluded.**

**Mr. Fitzpatrick requested the Division website provide a link to the study or the current newsletter.**

**UPHA TASK FORCE CREATED TO RE-WRITE RULES, ADAM JONES (3:03)**

**Dr. Hoffman welcomed Adam Jones from the Utah Pharmacy Association.**

**Mr. Jones stated a taskforce was created in response to the presentation given about Idaho rule changes. Mr. Jones requested at least one member of the board participate on the task force. Mr. Jones stated the changes would not be present for the 2019 legislative session. Mr. Jones stated the taskforce currently has six individuals willing to participate.**

**Mr. Fitzpatrick stated depending upon decided meeting days he would be available to participate on the taskforce.**

**PROPOSED TECHNICIAN STUDY (3:11)**

**Dr. Hoffman stated this is a follow up discussion from previous meetings.**

**Ms. Blackburn stated she has composed date concerning cost other vendors to consider. Ms. Blackburn requested direction from the Board considering participating in a technician study.**

**Mr. Patterick made a motion to not move forward with the technician study at this time.**

**Ms. Moran seconded the motion.**

**The Board motion passed unanimously.**

**UNFINISHED DISCUSSION ITEMS:**

**RULE REVIEW/UPDATE, DEBORAH BLACKBURN**

**This item is reviewed in the immunization by technicians and SB 184 topics.**

**S.B. 184 RULE DISCUSSION (2:16)**

**Ms. Blackburn stated in accordance with Senate Bill 184, the Division is required to compose rules for the required questionnaire. Ms. Blackburn stated she will make the revisions discussed.**

**Mr. Fitzpatrick made a motion to approve the proposed updates to R156-17b with the revisions as discussed.**

**Mr. Shah seconded the motion.**

**The Board motion passed unanimously.**

**CSA RULE CHANGE AND CLARIFICATION ON "SIGNIFICANT LOSS"-CARRIE (3:18)**

**Dr. Dunford stated the current controlled substance act requires any loss be reported to law enforcement. Dr. Dunford asked for consideration of adding the term that any diversion of controlled substance is considered theft.**

**Mr. Hooper stated when there is theft or diversion within a pharmacy the Division should be notified.**

**NEWSLETTER DEADLINES (45 DAYS PRIOR) FEBRUARY, MAY, AUGUST, NOVEMBER (3:26)**

**Ms. Zaelit stated a recent email from NAPB gave a deadline of October 5<sup>th</sup>. Ms. Zaelit stated information must be provided to the Division for the Newsletter by October 1<sup>st</sup>.**

**Dr. Hoffman reviewed the topics that will be included as well as the individuals that will address each topic.**

**USP 800 UPDATE, CARRIE**

**This topic was completed during the USP 800 Non-compounding retail discussion.**

**USP 797 UPDATE AND COMPOUNDING TASKFORCE MEETING UPDATE, CARRIE (3:31)**

**Dr. Dunford stated the study is currently open for public comment. Dr. Dunford stated the taskforce is requesting public comment be emailed by October 15, 2018.**

**The Board requested a compounding taskforce be added to the Division website.**

**NEXT SCHEDULED MEETING:   OCTOBER 23, 2018**

**ADJOURN: Meeting adjourned at 12:32 P.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.**

10-22-18

**Date Approved**

(ss)



**Chairperson, Utah Board of Pharmacy**

10/23/2018

**Date Approved**

(ss)



**Bureau Manager, DOPL**