

**MINUTES**

**UTAH  
BOARD OF PHARMACY  
MEETING**

**August 27, 2013**

**Spencer F. and Celone P. Eccles  
Health Science Education Bldg  
Room 1750 First Floor – 8:30 A.M.  
26 E 2000 E  
Salt Lake City, UT 84112**

**CONVENED: 8:34 A.M.**

**ADJOURNED: 10:45 A.M.**

**Bureau Manager:**

Richard Oborn

**Board Secretary:**

Lee Avery

**Board Members Present:**

David Young, Chairperson  
Derek Garn, R.Ph.  
Jan Bird, CPhT, pharmacy technician  
Kelly Lundberg, Ph.D  
Andrea Kemper, Pharm D  
Greg Jones, R.Ph.  
Carl "Trip" Hoffman, Pharm D

**DOPL Staff Present:**

Ray Walker, Division Enforcement Counsel  
Noel Taxin, DOPL Bureau Manager  
Lynn Hooper, DOPL Investigator  
Brittany Butsch, DOPL Investigator

**Guests:**

Greg Jensen, Target  
Linda Sandberg, Associated Food Stores  
Betty Yamashita, Intermountain Health Care  
Gary Huynh, U of U CoP  
Dave Pittum  
Dave Davis, Utah Retail Merchants Assn.  
Renee Petty  
Matt Gephardt, KUTV  
Mark Brinton, UMA  
Michelle McComber, UMA  
Karen Kellogg, UCS  
Kate Bradshaw, Utah Retail Merchants Assn  
Cathy Dupont, OLRGC  
Joe Tooky, GBS Benefits  
Ken Schaechee, MD  
Scott B Silverstein, Huntsman Cancer Hospital Pharmacy

Kavish Choudhary, U of U Hospital Pharmacy  
Lynsey Drew, DO Board member  
Jamie Peterson, Walgreens  
Jacob Corsi  
Kathleen Kantman, UNA/SERF/UNP  
David Cheney, Associated Food Stores  
Shawna Hanson, Associated Food Stores  
Adam Jones, UPHA  
Jared Memmot

**ADMINISTRATIVE BUSINESS:**

Minutes:

The Board reviewed the minutes dated July 30, 2013. Ms. Bird made a motion to accept the minutes with changes. The motion was seconded by Dr. Lundberg and carried unanimously.

**DISCUSSION ITEMS:**

1. Healthcare practitioner dispensing proposal

Mr. Young welcomed the public members to the Board meeting. Mr. Young noted that the topic of healthcare practitioners dispensing has been talked about for many years and the pharmacy statutes and rules have carved out some exemptions regarding practitioner dispensing. Mr. Young noted that the Utah Boards have worked together in the past to help these changes work successfully and is confident this cooperation will continue. Mr. Young turned the time over to Senator Vickers.

Senator Vickers noted that with a few exemptions, Utah laws do not allow for physician dispensing and these exemptions have become fractured and difficult to manage. The Board may want to consider creating a separate licensing class of pharmacy and rules for physicians who want to dispense. Senator Vickers turned the time over to Dr. Munger for his presentation.

Dr. Munger reported they found forty-four states allowed non-pharmacist dispensing. Six states allowed dispensing on a restricted basis (Montana, Utah, Texas, Massachusetts, New Jersey and New York). Twenty-eight states required registration in order to dispense. Thirty-four states did not require compliance with pharmacy requirements, seventeen states required some compliance and five states required the practitioner to follow pharmacy requirements.

Public members who were present expressed the following:

1. There needs to be a separate set of rules regarding physician dispensing.
2. Holding physicians to the same standards as the pharmacists, i.e. Dispensing from the physician office, the physician needing to adhere to the same requirements as a pharmacy regarding safety, storage, record keeping, inspections etc.
3. Who in the physician's office would be authorized to dispense, i.e. would medical assistants now be able to act like a pharmacy technician?
3. Some physicians may choose to engage in compounding . Senator Vickers noted that compounding physicians would still need to follow 795 and 797, if applicable.
5. How would partial fills and repackaging be handled?
6. The physicians would like to be approved to dispense under their practice act.
7. Concern with keeping the standards equal if approval is listed under each professional practice act/rule.

Senator Vickers noted that consistency is important and would prefer to see this kept under the pharmacy practice act/rule. Senator Vickers suggested a focus group review the above input from the public members and report back to him and the Board.

**NEXT SCHEDULED MEETING:**

**2013 Board Meetings:**

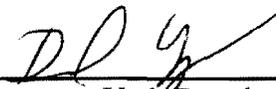
September 24, October 22, November 19,  
December 17

**ADJOURN:**

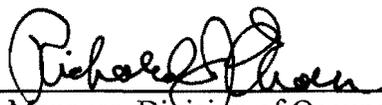
Motion to adjourn at 10:45 A.M.

*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.*

9-24-13  
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Date Approved

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

9/24/13  
\_\_\_\_\_  
Date Approved

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