

MINUTES
UTAH BOARD OF PHARMACY
June 28, 2022 | 8:30 A.M.
Hybrid Meeting- In Person and Electronic

CONVENED: 8:39 A.M.

ADJOURNED: 12:03 A.M.

DOPL STAFF PRESENT ELECTRONICALLY:

Bureau Manager: Larry Marx
Bureau Manager: Lisa Martin
Board Secretary: Maree Christensen
Board Secretary: Tynisha Lutz
Lead Investigator: Camille Farley
Investigator: Travis Drebing
Division Director: Mark Steinagel
Assistant Director: Deborah Blackburn

Pharmacy/Health Specialist: Jim Garfield
CSD Admin: Jeff Henrie
Compliance Manager: Tracy Naff
Compliance Specialist: Bernice Palama
Investigator: Kaila Silcox

BOARD MEMBERS PRESENT ELECTRONICALLY:

Carrie Dunford, PharmD, Chairperson
Christopher Sheard, PharmD, Vice Chair
Karen Gunning, Pharm D
Shaun Curran, Public Member

Sepidah Daeery, Pharm D
Gary Hale, R.Ph.
Autumn Hawks, Pharmacy Technician

GUESTS IN ATTENDANCE ELECTRONICALLY:

Adam Gee	Jeffrey Henrie	Tracy Naff
Adam Jones	Jessica Sanders	Travis Drebing
Bill Stilling	Kathy Varley	Warren Young
Cheyenne Mauldin	Kelly Barland	Chris Young
Christopher Christensen	Linsey Kisielewski	JoAnn Hobson
Crystal Grimes	Matthew Higley	Varduhi Aleksanyan
Dan Rickenbach	Michelle Wood	Lorri Walmsley
Dave Davis	Mindy Smith	Ashley Teter
Donelle Perez	RJ Evans	Mark Brinton
Elizabeth Miller	Ryker Blair	Jennifer Strohecker
Greg Jones	Sharilee Sheller	Phillip Lawrence
Jared Memmott	Silmara Charlesworth	

Note: Other guests may have attended electronically but were not identified.

ADMINISTRATIVE BUSINESS:

CALL MEETING TO ORDER

Dr. Dunford called the meeting to order at 8:39 A.M.

Director Steinagel discussed the Supreme Court ruling regarding Roe vs Wade that happened on June 24, 2022; how it relates to DOPL and the birth control standing order. Director Steinagel explained that DOPL has received many calls on the matter, but until all parties involved have reviewed all pertinent information, many answers to those questions are presently unknown.

Director Steinagel clarified that Utah's "trigger law" is a criminal law and not an administrative or civil law; as such, any legal action would be performed by prosecutors and not by DOPL. Director Steinagel clarified the unprofessional conduct provision within the administrative rules.

Dr. Gunning discussed the confusion between emergency contraception and abortion medication. Dr. Gunning expressed that it is important to differentiate the difference between emergency contraceptive and abortion medication to reduce potential harm and misunderstanding. Dr. Gunning articulated that in Utah, pharmacists are permitted to prescribe birth control through the standing order or with a prescription.

Dr. Dunford discussed the concern over misoprostol. Dr. Dunford explained, "Pharmacists frequently see prescriptions for misoprostol for an incomplete abortion or a fetal demise situation in early pregnancy." (miscarriage) Dr. Dunford stated "one of the concerns is we don't want pharmacists rushing to a judgement and refusing a necessary therapeutic drug to a patient who has had an incomplete fetal demise."

Director Steinagel noted that DOPL will take advice from the Board and that from legal standpoint, a licensee will want to consult with their own legal counsel when questions arise. Director Steinagel explained that in order to understand the differences when certain elements occur, both clinicians and attorneys will need to advise one another to ensure proper navigation of the law.

Mr. Davis articulated the difference between Plan B and ulipristal; as well, as how they work differently than misoprostol. Mr. Davis stated he has received many questions from pharmacists on how to handle misoprostol: such as what obligations pharmacists have for verifying use, and what duties will they have for confirming therapeutic use. Mr. Davis expressed concern over pharmacists denying individuals misoprostol because of how a local prosecutor may view it.

Director Steinagel noted that there is a lot of misunderstanding from individuals when it comes to different medications and that the Board will need to use their voices to educate and inform all involved parties.

Dr. Dunford noted that one of the best resources for pharmacists is to read exactly what is written on their package insert that is approved through the FDA. Dr. Dunford noted that the package insert contains information describing the mechanism of action of drugs no matter if they work in a different way.

REVIEW AND APPROVE May 24, 2022 MINUTES

Dr. Sheard motioned to approve the revised minutes as discussed.

Dr. Hale seconded the motion.

The Board motion passed unanimously.

INVESTIGATIVE REPORT—CAMILLE FARLEY (*Audio 0:29*)

Lead Investigator Farley present the Pharmacy report for May, as provided.

Ms. Farley discussed the Pharmacy Board Stats Report, highlighted the new alerts and inspections. Ms. Farley mentioned that letters were sent out and the Division is working on new inspection forms.

Dr. Dunford displayed where to find the additional forms, including the self-inspection forms, on the DOPL website. Dr. Dunford mentioned that pharmacists can find additional forms online at dopl.utah.gov/pharm under licensing and additional forms.

CSD UPDATE—JEFF HENRIE *(Audio 0:34)*

CSD Administrator Jeff Henrie presented CSD Update, as provided.

Mr. Henrie updated the board that the CSD has moved into a cloud environment. Mr. Henrie showcased the current trend for CSD 12 reporting from written to electronic and showcased a downward trend for written prescriptions and upward trend for electronic prescriptions. Mr. Henrie presented stats on total prescriptions and methods of delivery such as telephone, telephone emergency, and fax.

ADVISORY PHARMACY COMPOUNDING EDUCATION COMMITTEE UPDATE

(Audio 0:41)

Dr. Higley updated the board on the compounding education committee and discussed MOU and USP with regard to public comment and webinars.

Dr. Higley noted their discussion on centralized fills for compounded products and centralized processing for sterile products within a single company.

Dr. Higley stated the committee's recommendation to the Board was to extend the centralized processing to sterile prep.

Dr. Higley stated there was a discussion about non-sterile centralized processing in the December 2021 Board meeting.

Dr. Dunford used the example of ectopic pregnancy and that they would be patient specific.

Dr. Dunford discussed the use of Methotrexate for ectopic pregnancy for small hospitals within the same company and the utilization of a central fill model.

Attendees discussed the wording of central fill and how it relates to administrative rules.

APPOINTMENT ITEMS:

COMPLIANCE REPORT—BERNICE PALAMA *(Audio-0:53)*

Super Drug & Herbal Store has failed multiple inspections and discussed their findings.

Mr. Young has all negative tests and has submitted all required reports.

Mr. Roylance has completed all required continuing education.

SUPER DRUG & HERBAL STORE, EDUCATIONAL INTERVIEW *(Audio-00:57:59)*

Dr. Hale conducted the interview and asked how Dr. Rickenbach was doing.

Dr. Rickenbach updated Super Drug and Herbal Store's circumstances. Dr. Rickenbach discussed Super Drug and Herbal Stores circumstances that brought them before the Board and

the changes they have implemented within the company as per the stipulation and order requirements.

Dr. Dunford reviewed the public reprimand and continuing education (CE) within the stipulation.

Board members discussed the stipulation with questions and recommended resources.

Dr. Rickenbach noted that August would be the best time to meet again.

Dr. Hale noted that Dr. Rickenbach would need to send the self-inspection report and required CE's prior to the August meeting.

Dr. Hale made a motion for each compounder at Super Drug and Herbal Store complete 4 hours of CE and report back at the August meeting.

Dr. Sheard seconded the motion.

The Board motion passed unanimously.

CHRISTOPHER YOUNG, PROBATIONARY INTERVIEW *(Audio-01:20)*

Dr. Sheard conducted the interview and asked how Dr. Young is doing.

Dr. Young updated the board and mentioned his new career in finance and his personal life. Dr. Young mentioned he wanted to keep his pharmacy license intact. Dr. Young requested early termination from the stipulation.

Ms. Palama reviewed the process of early termination of probation works.

Dr. Sheard made a motion recommending early termination of probation.

Dr. Hale seconded the motion.

The Board motion passes unanimously.

HOPEWELL PHARMACY, PROBATIONARY INTERVIEW *(Audio-01:43)*

Eugene Ragazzo and Joann Hobson represented Hopewell Pharmacy.

Ms. Hawkes conducted the interview and asked how Hopewell Pharmacy was doing.

Ms. Hobson updated the board on the stipulation for their Pharmacy. Ms. Hobson noted that their Utah license is active and in good standing. Ms. Hobson stated they paid their fee as required.

Ms. Palama updated the board, stating Hopewell Pharmacy was initially required to pay half the fees with the option of requiring the remaining half-dependent upon additional inspection results.

Ms. Martin noted Hopewell Pharmacy is requesting the remaining fees be lifted.

Ms. Sheller explained the reason for their attendance and mentioned the reciprocal action date.

Dr. Sheard and Ms. Hawks clarified information regarding their New Jersey fine.

Dr. Dunford noted the stipulation in Utah was signed in April 2020.

Ms. Hawks noted she would like to see the 2021 inspection report before making a determination.

Ms. Hawkes made a motion requiring Hopewell Pharmacy return for the August meeting.

Dr. Sheard seconded the motion.

The Board motion passes unanimously.

VARDUHI ALEKSANYAN, INTERN EXTENSION REQUEST *(Audio-02:34)*

Dr. Gunning conducted the interview asking Ms. Aleksanyan for a summary of what brought her before the Board.

Ms. Aleksanyan updated the Board concerning her circumstances with education and the reason for requesting an extension of her pharmacy intern license. Ms. Aleksanyan mentioned her exam and when she will be registering to take them.

Dr. Gunning motioned to extend Aleksanyan's intern license until March.

Mr. Hale seconded the motion.

The Board motion passed unanimously.

HYRUM NICHOLS, INTERN EXTENSION REQUEST *(Audio-02:47)*

Dr. Gunning conducted the interview asking Mr. Nichols for a summary of what brought him before the Board.

Mr. Nichols updated the board explaining his circumstances and expressed his need for a testing extension at ATT.

Dr. Gunning explained that the Board does not have anything to do with ATT and that it would be on Pearson testing center.

Mr. Marx stated the Division staff will work with Mr. Nichols to assist with a testing extension.

DISCUSSION ITEMS:

BIRTH CONTROL STANDING ORDER *(Audio-03:08)*

Dr. Dunford updated the board on the topic of Birth Control Standing Order.

Board members discussed specific medications and how they relate to the current birth control standing order and noted the need for a clinical review.

DRUG PURCHASING FRAUD ALERT *(Audio-03:15)*

Dr. Dunford stated that individuals will contact pharmacists saying they are from the board to get information in order to place an order from a wholesaler. Dr. Dunford noted that the Board of

Pharmacy and the Division do not ask for this type of information and that it is a new source of fraud.

FOREIGN PHARMACY STUDENTS (*Audio-03:17*)

Dr. Dunford stated the general practice act requires a social security number for licensure.

Lawrence stated there is a potential for international students to meet all other licensure requirements except the social security number.

Mr. Marx explained that a social security number requirement for licensure is a statutory requirement; therefore, a change would need to come from the legislature.

AMPHETAMINES & PREGNANCY (*Audio-03:25*)

Mr. Marx discussed R156-37 as it relates to draft changes regarding prohibition and prescribing based on their judgement of the health of the individual and for the prescription of amphetamines and pregnancy.

CYBER SECURITY HB 80 (*Audio-03:25*)

Dr. Dunford noted the individual who would be discussing this topic were not in attendance. Topic was not discussed.

MEETING ADJOURNED: 12:03 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.

NEXT SCHEDULED MEETING: Tuesday, July 26, 2022

**2022 Board Meeting Tentatively Scheduled:
Aug 23, Sept 27, Oct 25, Nov 29, Dec 13**

Chairperson

Date

Bureau Manager

Date