

MINUTES OF THE  
IDAHO STATE BOARD OF PHARMACY

January 28, 2008 – Special Meeting  
Conference Call

3380 Americana Terrace Ste 320  
Boise, Idaho

Vice Chairman Dwayne Sheffler called the meeting to order at 3:05pm MST on January 28, 2008. Including Mr. Sheffler, those present telephonically included Nicole Chopski and Holly Henggeler. Mike McPeek, DAG, Barbara Beehner-Kane, DAG, Mark Johnston, Misty Lawrence and Fred Collings were also present. Mr. McPeek indicated the board has a quorum and could proceed with the meeting.

Mike McPeek cited Idaho code section 67-3432 special meeting rules and Idaho Code Section 23-425 telephonic meeting allows special emergency meeting to take place if the Director is physically present. Michael McPeek stated that Mark Johnston the Director for the Idaho State Board of Pharmacy is physically present at the Board office in Boise, Idaho.

Mr. McPeek states this emergency meeting is being held with prosecuting counsel in the matter of emergency suspension of Randy Shinneman's Controlled Substance Registration (CS) number CS10363.

Ms. Beehner-Kane ensured everyone had received the agenda and order that was emailed last week and the fax that was sent today. Ms. Beehner-Kane proceeded with evidence in this matter. Barbara requested the Board suspend Shinneman's CS registration until a hearing with Mr. Hoagland is held.

Mr. Shinneman spoke on his behalf stating that he understood Global Testing to be an NCPS testing sight for the Coeur D' Alene area and that he did submit 4 test results since the January 3 meeting.

Mr. McPeek indicates no tests were received between November 17, 2007 (original order) and January 4, 2008. Stipulation ordered NCPS or other board approved facility for random testing. Mr. Shinneman's council has withdrawn as of December 18, 2007 and this could result in a continuation of the 2/5/08 scheduled hearing at hearing officer, Sam Hoagland's office, while Mr. Shinneman obtains council or prepares to defend himself. Today's meeting is solely based upon submitted urinalysis or lack there of and thus a violation of the Board order currently in effect.

Mr. Sheffler feels the board is obligated to suspend the CS registration until this matter has been put to rest in order to protect the public health and safety.

Board members asked several questions for clarification. Mr. McPeck questioned Mr. Shinneman regarding his intent going forward and whether he intends to retain counsel. Mr. Shinneman responded due to financial restraints he will continue to follow the stipulation and will not be retaining council.

Holly Henggeler motioned to suspend Randy Shinneman's CS registration in the interest of public safety. Nicki Chopski seconded. Mr. Sheffler called for a vote; motion carried with unanimous vote.

Emergency Suspension of Shinneman's license until hearing is arranged for case.

Mr. Sheffler motioned to refer the matter of permanent suspension of Mr. Shinneman's license to Mr. Hoagland for consolidation with Mr. Shinneman's other case. Holly Henggeler seconded the motion. Motion carried by unanimous vote.

Mr. Shinneman should contact Mr. Hoagland and Ms. Beehner-Kane if a continuation is needed for the hearing. Case can be extended 20 days from suspension of council.

Mr. Johnston reported to the board that all of Board of Pharmacy pending rules have been unanimously passed by both the house and the senate Health and Welfare Committees and are going to the floor with a recommendation of do pass. The statute change, redefining practitioner, has passed the House H&W committee and is going to the House floor with a do pass recommendation. The PMP statute change has been reassigned to the House Judiciary committee and has not been heard yet.

Nicole Chopski motioned to adjourn the meeting. Holly Henggeler seconded the motion. Motion carried by unanimous vote.

Meeting adjourned at 3:51pm