



Idaho State Board of Pharmacy

Jurisprudence

Continuing Education



Idaho State Board of Pharmacy

- Executive Director: Mark Johnston
- Public Member: Kitty Gurnsey
- RPh members:
 - Holly Henggeler: Chair
 - Rich de Blaquiere: Vice Chair
 - Nicki Chopski
 - Berk Fraser

2010 Rule Change

Rule #142 Professional Responsibilities

- It is the duty of every licensee to provide the Board with notice of any change to the licensee's name, address, or telephone number within ten (10) business days from the change.



2010 Rule Change

Rule #160: Prescription Transfer

- A pharmacy may transfer a prescription to another pharmacy without first having to fill it first.
- The receiving pharmacy does not have to write “transfer info” on the back of the hard copy, if said info is kept electronically.
- Said writing can be on the Rx face now.
- If utilizing Common electronic files, will not have to transfer controlled substance.





2010 Rule Change

Pharmaceutical Care, Rule #165.03: Independent Practice (of Pharmacy)

- Lists the conditions under which a licensed pharmacist may provide pharmaceutical care outside of a licensed pharmacy



2010 Rule Change

- Rule #180 Hours Open for Business
- Pharmacies must notify the Board the hours that the pharmacy is open
- 7 days Board notice required to change such hours, except
- 7 days public notice required to change holiday hours
- Must remain open posted business hours



2010 Rule Change

184.04: Unprofessional Conduct not to “strictly follow” instructions.

- except that a pharmacist, utilizing his best professional judgment, may provide up to a three (3) month supply of a legend drug that is not a controlled substance when the practitioner has written a drug order to be filled with a smaller supply but which includes refills in sufficient numbers to fill a three (3) month supply.



2010 Rule Change

Rule #252, 257, 292 & 294:
promulgated for 2009 Telepharmacy
Across State Lines statute changes.

- Repeals existing rules #261-264.
- Defines institution as institutional pharmacy or it's COE.
- \$250 RPh registration fee
- Lists policy, procedures and documentation requirements.



2010 Rule Change

Rule #321.11: Normal Distribution Channel

Rule change to mimic the 2009 statute change for wholesale distributors, defining manufacturer's repackagers, who are authorized distributors of record, to be within the normal distribution channel and thus are exempt from the pedigree requirement.



2010 Rule Change

Rule #380 for the Idaho Legend Drug Donation Act

- Drug donation criteria
- Donation standards
- Receipt of donated drugs
- Storage of donated drugs
- Dispensing of donated drugs
- Misc. & record keeping



Statute Change 2010

54-1718: Licensure and Discipline

- Requires all applicants for original licensure, registration and reinstatement to submit to a fingerprint-based, criminal history check

Statute Change 2010

- 54-1724: Renewal of Licenses
- Each licensed pharmacist shall apply for renewal not later than June 30, a change from the current statutory deadline of June 1.



Statute Change 2010

- 54-1732: Violations and Penalties
- The ultimate user of a legend drug may deliver it to another person who is authorized under a state or federal law to dispose of said drug.



Statute Change 2010

54-1733: Validity of Rx Drug Orders

- Would allow practitioner's agents to sign a hard copy sent via fax from the practitioners office if:
- The refill request is generated from the pharmacy with no changes to the drug strength or directions, and
- The fax has all the components of a valid prescription drug order





Statute Change 2010

Statute 54-1734: Legend Drug Orders

- The proposed legislation will require that oral prescription orders be confirmed by a veterinarian in writing within seven (7) days after the seller receives the order, which is an increase from the existing seventy-two (72) hours provided in statute.



Statute Change 2010

- In accordance with Section 37-2714, Idaho Code, this updates Idaho's controlled substance schedules, as required by Sections 37-2702(d) and 37-2714, Idaho Code.
- 70 controlled substances



Statute Change 2010

- 37-2701: Definition of Isomer updated
- Optical only, except for hallucinogens, which include geometric
- Not structural

Statute Change 2010

- 54-1761-54-1765: The Idaho Legend Drug Donation Act
- Changed to allow the writing of rules for nursing homes only
- Clarified that unit dose packing by a pharmacy, not just a manufacturer, meets donation requirements.
- Harmony of terms

Statute Change 2010

Statute 54-1721(2)

- Rural Public Health District nurses can now label and deliver refills of:
- Prenatal vitamins
- Contraceptive medication
- Antivirals
- TB drugs

New Statute 2010

- 54-1770: Limitations on Drug Product Selection for Epilepsy and Seizure Drugs
- When switching manufacturers, after the initial fill, you must notify the prescriber and patient.
- Prescriber must indicate that Rx is for epilepsy or seizure

New Statute 2010

- 18-611: Freedom of Conscience For Health Care Professionals
- Not required to provide health care services that violate your conscience.
- Exception for life threatening situations.

HOT TOPICS

Additional 2010 Legislative Issues:

- Midwives rules in effect, allowing obtaining and administration of formulary Rx items, but you can not sell to midwives.
- Naturopaths fail to obtain prescriptive authority again



Proposed 2011 rule change

- Strike Rule #358,
- In conflict with the Idaho Wholesale Drug Distribution Act
- VDO's can not wholesale

Proposed 2011 Rule Change

- Immunization Rule created
- Education, record keeping, and CE requirements.
- Eventual RPh prescribing of immunizations?
- Currently immunizations allowed through a collaborative practice agreement

Proposed 2011 Rule Change

- #469: Prescription Drug Reporting
- Prescribers who deliver controlled substances to ultimate users to report data to the Prescription Monitoring Program

Proposed 2011 Rule & statute changes

- 3 statute and 9 rule changes to allow e-prescribing of controlled substances
- Not allowed in Idaho until 7/1/11, if passes.
- No current system meets DEA requirements

Proposed 2011 Rule Change

- #469: Prescription Reporting
- To include prescribers delivering controlled substances to ultimate users
- Samples exempt

Potential 2011 statute changes

- 54-1704: Add limited prescribing to Pharmacy Practice Act
- 37-2713: allow RPh prescribing of certain CV
- Thus, data is submitted to PMP
- Better health care provided

Potential 2011 Statute Change

54-1749: prospective drug review and counseling

Move to a location that clarifies that all pharmacists must offer to counsel on new medications.

Potential 2011 Statute Change

- 54-1729(b): registration of Drug Outlets
- Strike conflicting provision that does not allow registration of employees
- Update list

Hot Topic

- Pharmacy Recovery Network
- Administered by Southworth Associates

Hot Topics

- 3 year project to rewrite Rx law book
- Correct grammar, punctuation and create a uniform format: completed
- Develop chapters, index and glossary
- Every rule addressed and re-codified
- BOP wants and needs your input



Idaho State Board of Pharmacy

- Thank you

