

**MINUTES**

**UTAH  
PHARMACY  
BOARD MEETING**

**December 15, 2009**

**Room 474 – 4<sup>th</sup> Floor – 8:00 A.M.  
Heber Wells Building  
Salt Lake City, UT 84111**

**Convened:** 8:00 a.m.

**Conducting:** Dominic DeRose, Chair

**Bureau Manager:** Noel Taxin  
**Board Secretary:** Shirlene Kimball

**Board Members Present:** Roger B. Fitzpatrick  
Derek D. Garn  
David C. Young  
Dominic DeRose  
Kelly Lundberg  
Andrea Kemper  
Jan Bird

**Division staff:** Connie Call, Compliance Specialist  
Kent Barnes, Compliance Manager  
Lynn Hooper, Investigator (at 1:00 p.m.)

**Guests:** Koffi Amenor, U of U School of Pharmacy  
Maryn Risenmay, U of U School of Pharmacy  
Matt Egan, USN School of Pharmacy  
Greg Jensen, Target  
Alan Martin, USN School of Pharmacy  
Betty Yamashita, IHC  
Gerry Hassell, Career Step  
Camie Brinkerhoff, Walgreen's  
Deanna Nielsen, USN Intern  
Reid L. Barker UPhA  
Jeff Jarman  
Kristin Wright  
William Heath, FBI  
Jim Malpede FBI  
Cameron Bolman DEA  
David Cheney, Fresh Market Pharmacy  
Linda Sandberg, Omnicare

## **TOPICS FOR DISCUSSION**

### **ADMINISTRATIVE BUSINESS:**

October 27, 2009 Minutes:

Connie Call,  
Compliance Report:

Ms. Taxin – Reviewed with Board members  
Mark Anderson’s renewal application:

## **DECISIONS AND RECOMMENDATIONS**

The minutes from the October 27, 2009 Board meeting were approved with corrections. All Board members in favor.

Ms. Call reported the following individuals were out of compliance with the terms and conditions of their Order for November:

- Michael Jarman has not signed up with CVI, has not completed and submitted the required evaluations and did not submit an employer report.
- Phuong Sheffer was late in submitting his paperwork.

Ms. Call reported the following individuals were out of compliance with the terms and conditions of their Order for December:

- Cameron Tolley missed calling CVI.
- Rich Wright needs to submit his therapist report and attend PIR meetings.
- Aidee Torres missed calling CVI.
- Michael Hodges needs to submit a supervisor report and is late in submitting paperwork. He will need to clarify who he is working for and if he is working for two separate pharmacies, he will need to submit two employer reports.
- Kenneth Nielson needs to submit his PIR attendance report and physical evaluation.
- Jeremy Boyle has not met with Ms. Call. If he appears for his interview Ms. Taxin stated Board members can conduct the interview but he will be considered out of compliance with the terms and conditions of his Order.
- David Barrow was listed as being in compliance; however, Dr. Lundberg indicated he has not submitted the required evaluations.

Ms. Taxin reviewed with Board members Mark Anderson’s renewal application. Ms. Taxin reported action has been taken on Mr. Anderson’s license in Idaho and Oregon. Mr. Anderson’s licenses were placed on probation for violating controlled substance recordkeeping, failure to cooperate with a board and violating current probation. Oregon had sent Mr. Anderson’s notification of agency action and gave him

20 days to respond. He failed to respond and Oregon issued a default. Mr. Anderson appealed the Oregon default and his Oregon license was placed on probation for five years. Ms. Taxin stated the Board needs to determine whether or not to renew the license with full privileges, renew on probation, or deny renewal.

Stapley Pharmacy, Evan Stapley  
Telephone Interview:

Mr. Fitzpatrick conducted the interview. Mr. Stapley reported things are going well and he is working on staying in compliance with the terms and conditions of the Order. He reported Mr. Beasley conducted the quarterly audit and everything went well. He stated Ray Beasley may be out of state for the next required audit and questioned whether or not he could have Mr. Beasley's son conduct the next audit. Board members indicated as long as the auditor is independent from the pharmacy; has read the Order and understands what needs to be reviewed; he/she could be approved by the Board.

Board members indicated Mr. Stapley has made the appropriate changes in the pharmacy. The Board's goal was to bring the pharmacy into compliance and Mr. Stapley has been in compliance with the Order. Board members would like to meet with Mr. Stapley in person in March and if everything is in order at that time, Mr. Stapley could request termination of probation and Board members would be willing to consider the request. **Mr. Stapley and Stapley Pharmacy is in compliance with the terms and conditions of the probation.**

Thomas Strebel,  
Probation Interview:

Mr. Garn conducted the interview. Mr. Strebel reported things are going well and he continues to work at 4 Care Pharmacy. He indicated he is currently looking for ethics/law continuing education on the internet and will submit the courses he finds to the Board for review and approval. He stated he found some good courses on [www.pharmacistletter.com](http://www.pharmacistletter.com). Ms. Taxin questioned Mr. Strebel on the transition from ownership of a pharmacy to working as an employee. Mr. Strebel stated he feels he has done well with the transition. He indicated in his current position he deals with more home health than he did at the Park City Pharmacy. Mr. Strebel stated his work schedule varies, but he does not work more than 40

hours per week. Mr. Garn questioned the work flow process while he is excluded from the OIG list. Mr. Strebel stated he fills cash only prescriptions and does a lot of pre-packaging of medications. He reported he will be eligible to request termination from the OIG list in about five months, and it will take another three months for them to process and review the request. Mr. Strebel's next meeting will be scheduled for February 23, 2010. **Mr. Strebel is in compliance with the terms and conditions of his Order.**

Trent Decker,  
Probation Interview:

Mr. Garn conducted the telephone interview. Mr. Decker stated things were going well and he works approximately 36 hours per week. He reported he continues to work at Harmon's Pharmacy in St. George and provides coverage at pharmacies in Hurricane, LaVerkin, Beaver and Caliente Nevada. Ms. Taxin questioned whether or not he feels PIR and 12-step meetings are helpful for him. Mr. Decker indicated he likes both PIR and 12-step meetings and they both are beneficial. He stated that he and another pharmacist began the PIR meetings in St. George. He reported that most of the time they are the only individuals who attend the meetings. Board members voiced concern that the PIR meetings are self driven with only two participants and there is not an appropriate facilitator running the meetings.

Mr. Decker questioned when he would receive the amended Order that was discussed at the September meeting. He indicated he thought the Board had eliminated the requirement that he work under the general supervision of a pharmacist. The Division will look into this issue and make sure the Order has been amended and will mail a copy to him. **Mr. Decker is in compliance with the terms and conditions of his Order.**

J. Michael Hodges,  
Probation Interview:

Mr. Young conducted the interview. Mr. Hodges reported he is doing well. He indicated he completed the Professional Boundaries course approximately one month ago. Dr. Lundberg questioned what he learned from the course and whether or not he felt it was beneficial. Mr. Hodges stated he felt it was beneficial and he has learned to have more empathy for others. He stated he understands he needs to be more aware of his actions and how those actions impact others.

Mr. Hodges reported he is working at Meds for Vets and his hours vary from working one day a week to working 32 hours per week. He reported he worked at 4-Care Pharmacy twice between July and September, but he has not worked there since September. 4-Care Pharmacy has submitted an employer report for this period. Mr. Hodges reported he continues to look for other employment. Board members expressed concern that he has not attended 12-step group meetings since November 10, 2009 and he submitted his paperwork late.

Mr. Hodges' Order requires he undergo a psychosexual evaluation completed by Michael Brunson. Mr. Hodges' questioned whether or not he could see a different evaluator because Dr. Brunson charges \$2500.00 for the evaluation. He indicated he has found other evaluators who charge anywhere from \$900.00 to \$1500.00 and since he does not work regular hours, he questioned if he could obtain the evaluation from an evaluator that does not charge as much as Dr. Brunson. Ms. Taxin indicated he could find a different evaluator as long as the evaluator is a licensed psychologist approved by the Division and the evaluator reviews the Order and signs a statement indicating the Order has been seen. It was suggested that he contact Janice Pompa for the evaluation.

Board members indicated Mr. Hodges' needs to submit his 12-step and employer reports by January 1, 2010. If the reports are received by that date he will be scheduled to meet with the Board in April. If the reports are not received by January 1, 2010 he will be scheduled to meet with the Board in January. **Mr. Hodges is out of compliance with the terms and conditions of his Order due to late paperwork.**

Kathryn Irons,  
Probation Interview:

Mr. Fitzpatrick conducted the interview. Ms. Irons reported things are going well. She reported she is working full time Monday thru Friday and stated she is looking forward to the holidays. Ms. Irons stated she feels she is in a better place at this time. She stated she understands now there are some issues which she has no control over.

Ms. Irons questioned whether or not she could have

her Order amended to allow her to work without general supervision. Ms. Irons stated she has been on probation for six months and lifting the requirement that she work under supervision would allow her a little more freedom. She indicated she would like to be able to open and close the pharmacy and work on weekends or holidays. Mr. Garn indicated he feels comfortable with her request. Mr. Garn made a Motion to allow her to work without the supervision of a pharmacist. Mr. Fitzpatrick seconded the Motion. All Board members in favor of the Motion. Mr. Fitzpatrick informed Ms. Irons that she will need to revise her practice plan and submit it to the Board. He also requested that the employer address in the employer report how she is doing without supervision. **Ms. Irons is in compliance with the terms and conditions of her Order.**

Richard Lowe,  
Quarterly Probation Interview:

Dr. Lundberg conducted the interview. Mr. Lowe reported he is doing well and has been working on his communication skills. He reported he completed the Thinking Errors course and understands more about perceived outcome and actual outcome, what he expects will happen and what actually happens. Board members indicated Mr. Lowe is doing well in his probation. Mr. Fitzpatrick made a Motion to have Mr. Lowe meet with the Board every 6 months instead of quarterly. However, he will still need to submit all reports on a quarterly basis. Mr. Garn seconded the Motion. All Board members in favor. **Mr. Lowe is in compliance with the terms and conditions of his Order.**

Break at 10:15 a.m.  
Reconvened 10:25 a.m.

Michael Jarman,  
Quarterly Interview:

Mr. DeRose conducted the interview. Mr. Jarman's father was present for the interview. Mr. DeRose questioned why Mr. Jarman has not submitted any of the reports that were due December 1, 2009. Mr. Jarman stated that money is tight and he doesn't even have money for a stamp. Board members indicated he has 20 days to sign up with CVI or further action may be taken against the license. He committed to signing up with CVI today. Mr. Jarman stated he is looking for work, but employers want 6 months of experience and not someone on probation. According to the

Order, he does not need to attend 12 step-meetings until he has completed the evaluation and the evaluator makes a recommendation regarding treatment. Board members indicated the evaluation needs to be completed as quickly as possible. He indicated he is from a rural area and can not find employment. He stated he has not been employed for the past five years because of a back injury. He indicated he is taking medications for the back pain and Board members reminded him to submit copies of the prescriptions to the Division. Mr. Jarman stated he is discouraged because he has given up all his friends and just sits home. He stated he understands what needs to be done in order to keep the license and Board members suggested he read the Order everyday so that he fully understands what he needs to do to keep the license. Dr. Lundberg stated the Board understands the financial concerns, but if he wants to keep the license, he must be committed to being in compliance with the terms and conditions of the Order. Board members reminded Mr. Jarman to communicate with Ms. Call if he has a problem meeting a requirement of the Order instead of just blowing off the probation. Mr. Jarman will be scheduled to meet with the Board in March.

**Mr. Jarman is out of compliance with the terms and conditions of his Order for not submitting any paperwork and for not signing up with CVI.**

S. Rich Wright,  
Quarterly Interview:

Mr. Fitzpatrick conducted the interview. Mr. Wright has not met with the Board for one year. Ms. Call indicated Mr. Wright was scheduled to meet with the Board on an annual basis. Mr. Wright indicated he worked from April 2009 to October 2009 in St. George and LaVerkin. He indicated he just recently married and has moved back to Utah County. He reported he last worked as a pharmacist on October 31, 2009. He stated he is having a difficult time finding employment in Utah County. He stated he needs to pay off his fine and the criminal probation will be complete and he will work on having the felony reduced. Mr. Fitzpatrick stated he needs to remain in compliance with the Board's Order and he needs to submit PIR attendance cards. Mr. Wright stated he does not find PIR meetings helpful. He reported the PIR meetings he has attended have been with physicians who discuss how to treat patients instead of addressing recovery. He indicated he likes attending

the LDS 12-Step meetings and would be willing to attend ten 12-step meetings in lieu of attending PIR meetings. Dr. Lundberg made a Motion to amend the Order to have Mr. Wright attend PIR meetings or attend two additional 12-step meetings for a total of 10 meetings per month. Ms. Bird seconded the Motion. All Board members in favor.

Mr. Wright stated he has completed three classes of the restructuring course and has three additional classes to complete. He also needs to see a therapist and have the therapist submit quarterly reports. Mr. Fitzpatrick stated finding and attending therapy needs to be made a priority even though finances are an issue. **Mr. Wright is out of compliance with the terms and conditions of his Order. The Board requested he meet on a quarterly basis.**

Kenneth Nielson,  
Quarterly Interview:

Ms. Kemper conducted the interview. Mr. Neilson reported things are going well and he is attending 12-step meetings. He submitted his self assessment and therapist report; however, he did not attend PIR meetings in November. Mr. Neilson stated he finds 12-step meetings more helpful than the PIR meetings and thought he could attend 12-step meetings in lieu of PIR meetings.

Ms. Kemper informed him the Board has not received his psychological evaluation or physical evaluation. Mr. Nielson stated he would contact the therapist and the practitioner and have the reports submitted.

Mr. Nielson stated he will be moving to Blanding and will work with his brother in his pharmacy. He stated he will contact San Juan counseling and set up therapy sessions with them. Dr. Lundberg reminded Mr. Nielson that the therapist must be appropriately licensed and can not be a Licensed Substance Abuse Counselor.

He questioned whether or not there is an approved CVI lab in the Blanding area. Ms. Call indicated she would check and let him know. Mr. Fitzpatrick reminded Mr. Nielson he will need to submit a practice plan that includes how records will be kept and a log for controlled substance inventory. Mr. Nielson stated he will have the practice plan submitted

within the next several days. Mr. Nielson questioned whether or not he could request that the supervision requirement of the Order be removed. Board members indicated he can make the request, but he needs to work for a while under supervision before the Board would grant the request. Mr. Nielson will be seen in March. **Mr. Nielson is in compliance with the terms and conditions of his probation but the Board noted he did not attend PIR meetings because they are not helpful and so will amend his Order and allow him to attend 12 step meetings in lieu of PIR.**

Aidee Torres,  
Quarterly Interview:

Ms. Torres could not be reached by telephone. She will be scheduled in person next month. **Ms. Torres is out of compliance with the terms and conditions of her Order.**

Richard Mark Anderson,  
Renewal Request:

Mr. Young conducted the interview. Mr. Anderson explained the circumstances regarding his probation in Idaho and Oregon. He stated the September 2005 Idaho action resulted because he dispensed controlled substances without a prescription on several occasions. He stated the 2008 complaint was in regards to an audit that took place because a large amount of narcotics were missing. Mr. Anderson claims that the complaint came from a disgruntled technician and an audit was done while he was out of the pharmacy and on vacation. He stated he was fired from his job because during the audit medications were found in his coat pocket that was hanging in the pharmacy. He stated he fought this charge because he had been filling a prescription when he had to help a client out front and forgot he had put the medication into his pocket. He stated they accused him of being an addict and if not an addict, that he was selling it, or someone on his behalf was selling it. He also indicated he was charged with filling two Schedule II prescriptions early without authorization from the practitioner. He stated he did have the authorization from the practitioner's office, but could not document the authorization. He stated he was able to discredit the audit and there were no medication shortages, however, there were paper errors. Ms. Taxin stated the Order reads that he was deficient in recordkeeping. He indicated based on the record keeping violation he was fined \$2000.00 and is not allowed to be a

supervisor for five years. He stated he is no longer on probation in Idaho. Ms. Taxin indicated that the Idaho documents indicate he is still on probation in Idaho. Board members stated if Idaho has amended the Order, we need a verification of that amendment and his current status. Board members questioned why he wants to renew the Utah license. He stated this is his original state and he wants to keep the license current. Board members recommended the conditional license be extended until documentation is received from Idaho and Oregon regarding the current status of those licenses. Once the information is received, we could mirror the terms of probation; deny renewal; or renew the license without any restrictions. Mr. Garn indicated he would need to be recused from the voting because he was present at the Idaho Board meeting when Mr. Anderson met with the Idaho Board. Mr. Fitzpatrick made a Motion to extend the conditional license until we receive additional information from Idaho and Oregon regarding the status of Mr. Anderson's license. Once the information is received, the Board can make a decision based on that information. Dr. Lundberg seconded the Motion. Mr. Garn was recused. All other Board members in favor.

If the information is received by the January Board meeting, he will be invited to meet with the Board and it could be a telephone interview. Mr. Anderson stated his preference will be to appear in person.

## **Break**

**Working lunch: 12:30 p.m.**

Marci Nelson, Utah Department of Health,  
Tobacco Prevention and Control Program:  
Discussion regarding a program for the  
uninsured to receive smoking cessation drugs:

Ms. Nelson stated the Tobacco Prevention and Control Program is exploring the possibility of funding the Health Clinics of Utah and Family Dental Plan to provide smoking cessation medications to uninsured patients. Ms. Nelson stated these clinics do not have in-house pharmacies and have not been able to partner with a pharmacy to set up a zero co-pay voucher system. Ms. Nelson indicated there is a partnership with the Association for Utah Community Health and Smiths Pharmacies, but Smith's is unable to expand their program. She indicated she is here before the Board to request help in finding resources or pharmacies that are willing to partner with the Health Clinics to provide uninsured individuals with a way to

obtain the medications after they have been determined eligible by the Health clinic. Mr. DeRose suggested she contact Medicaid. Ms. Brinkerhoff, the representative from Walgreen's stated it may be something Walgreen's could explore. Ms. Nelson thanked the Board for allowing her to meet with them and requested they contact her if they have any other ideas.

Salt Lake FBI and DEA – Discussion  
regarding Pharmacy Security Measures:

Lynn Hooper, investigations introduced William Heath, FBI; Jim Malpede, FBI and Cameron Bolman, DEA.

Mr. Malpede indicated the FBI is seeing an increase in pharmacy robberies and an increase in pharmaceutical diversion activities, especially in the west. He reported the primary ways to obtain the Oxycontin is from prescribing practitioners; organized crime or robbing a pharmacy. He stated the DEA and the FBI are being more proactive in trying to prevent pharmaceutical diversion by actively pursuing those practitioners who are providing drugs. He reported this action has caused more individuals to resort to robbing the retail pharmacy. Mr. Malpede stated that if they can shut down the practitioners writing the inappropriate scripts and reduce the robberies, law enforcement could focus on the drug runners and it would be easier for agencies to track one avenue rather than three or four avenues.

He reported that in the state of Washington, because of fear for the safety of employees, Walgreens chief of security implemented monitoring and surveillance systems so the public knows they are being monitored. He indicated this became helpful in tracking down those responsible after the robbery, but did not prevent the robbery. He stated in August 2009, the pharmacies installed a time delayed vault system. The pharmacy installed signs regarding the time delay vaults which are similar to those used by Banks; involved crime stoppers and the media. He indicated this has reduced the number of robberies. He reported the pharmacy determines the time delay and when the vault is activated. Board members questioned whether or not this increased injury to pharmacy personnel. Mr. Malpede stated this issue was reviewed and they found no increase in physical harm to the employees. He

reported the cost to each pharmacy would be at a minimum of \$1000 - \$1200 per unit for the vault itself, then the installment and daily operation costs. Mr. Malpede stated for this to work, however, all pharmacies would need to be on the time delay and the public well informed. If not, the robberies would increase for those pharmacies not using time delay vaults. Mr. Malpede provided the contact name and telephone number for the director of physical securities at Walgreens for more information.

Mr. Heath stated the time delay would only work with media coverage making the public aware and the time delay being random. He stated they feel the robberies are random and not planned out and the time delay would prevent most of the robberies. Mr. Heath stated they would like the Board to look at Rule and consider adding to Rule that a pharmacy must have a time delay vault for the controlled substance medications. Ms. Taxin indicated the Board would need to determine whether or not to place this in Rule. She stated Laura Poe would review and follow up with the Board when she is back in the office. The fiscal impact would also need to be determined.

David Barrow,  
Monthly Interview:

Dr. Lundberg conducted the interview. Mr. Barrow stated he is still in intensive outpatient treatment program. He stated once he has completed the treatment, he will begin aftercare at the same location. He stated he is 101 days sober and has made a number of changes behaviorally. He stated he is not using any drugs, he is attending church meetings, seeking recovery meetings and calls a family member each day and lets them participate in his recovery. He stated he received permission from Ms. Poe to work four shifts at 4 Care Pharmacy as a fill in. He stated he has no more scheduled shifts at 4 Care Pharmacy and understands that if he does get hired, he will need to submit a practice plan. He stated he did not fill controlled substance prescriptions. Dr. Lundberg questioned how he handled being around the controlled substances. Mr. Barrow stated he was not intimidated and felt he handled it well. He stated he has completed the evaluations and will have them forwarded to the Board. He indicated he will be seeing Mike Dusoe for therapy and aftercare and he will be attending two aftercare meetings per week. He

stated his 12-step meetings are going well; however, he stated he does not have a sponsor because he has been focusing on recovery. He reported he does not have any cravings. Board members indicated he would be scheduled to meet with the Board in January and depending on the evaluation, he would be moved to quarterly meetings after that. He will need to finalize a practice plan, have his reports and evaluations submitted. Mr. Fitzpatrick suggested he have the controlled substance audit done the first week he is on the job so that the employer is up to date regarding the medications. This is a protection for him if any medications are missing.

Mr. Barrow questioned whether or not his controlled substance license could be taken off suspension and placed on probation. He stated he does not feel he is on a fair playing field when looking for a job. Board members indicated the Order requires that he be compliant for 6 months before he can make the request and it has only been 4 months. Mr. Barrow stated he is stable in recovery. Dr. Lundberg stated when he started probation he only had several days sobriety and the Board would like to monitor him for several more months. His six months will be up in March. Mr. Barrow will be seen again in January. **He is in compliance with the terms and conditions of his Order.**

Paul Lund, Request for Controlled Substance License be returned:

Mr. Fitzpatrick conducted the interview. Mr. Lund submitted a re-licensure application for his controlled substance license. Mr. Lund had not requested the controlled substance license be returned during his period of probation. His probation ended in 2007 and he stated he did not feel it was necessary to have the controlled substance license. He stated he has now determined that he would like the controlled substance license returned. Board members expressed concern that he had been monitored on probation as a pharmacist, but not with the controlled substance license. Mr. Lund stated he feels he is ready for the controlled substance license and he has passed the MPJE examination and has been sober. He stated he procrastinated when his license was on probation because he didn't need the controlled substance license at the time and he didn't want to take the exam. He stated he is now confident that he can handle

having the controlled substance license returned and he is committed to recovery. He reported he is doing well and is working for RX America. He stated his sobriety date is September 29, 1999. Mr. Fitzpatrick made a Motion to approve the controlled substance application. Ms. Kemper seconded the Motion. All Board members in favor.

Mr. Barker question regarding ratios:

Mr. Barker questioned if the pharmacist ratio change has been implemented. Mr. Fitzpatrick stated the ratio change is still in discussion, but has not been put into Rule yet. Mr. Fitzpatrick stated they are hoping to have the language approved at the January Board. Regarding the ratio, the rule could indicate a pharmacist cannot supervise more than one tech-in-training and two pharmacy interns at any given time, and add in the Idaho language indicating the pharmacist has the ultimate say regarding the number of people being supervised according to specific circumstances. Then at the most the pharmacist has 3 students and he/she could have however many other technicians or support personnel needed.

Mr. DeRose discussion:

Mr. DeRose stated he received a flyer from a California company regarding auditing guidelines for PBM's. He stated the State of California is putting guidelines in place for insurance company auditors and we may want to discuss this issue. Mr. DeRose explained these guidelines are for auditors that are sent into the pharmacy to verify that the pharmacy is not fraudulently billing the insurance company. Mr. Fitzpatrick stated some of the questions these auditors ask are not appropriate and are out of their scope. Several Board members indicated chain stores have guidelines for these insurance auditors in place. Ms. Taxin stated if the Board wanted to develop guidelines, these guidelines could be placed on the Division's web site.

January agenda discussion items:

Mr. Barker requested he be placed on the January agenda for discussion regarding Legislative update.

Jeremy Boyle,  
New Order:

Mr. Boyle did not appear for the scheduled interview and will be scheduled next month. **Mr. Boyle is out of compliance with the terms and conditions of his Order.**

Discussion regarding Principle Pharmacy Group request to provide additional pharmacist resources by using remote order verification:

The Principle Pharmacy Group submitted a request to allow a Utah licensed Pharmacist living in another state remote computer access to Salt Lake Hospital Pharmacy computer system to review, verify and approve medication orders. Once the order is approved by the remote pharmacist, the medication would be made available through the automated dispensing cabinets within the hospital. The pharmacist would have the ability to perform clinical interventions and communicate with the medical, nursing and pharmacy staff members.

Mr. Fitzpatrick stated there is a need for this type of technology especially in rural hospitals; however, there should be a Rule in place to regulate the process. As long as the pharmacist is licensed in Utah, the Board has the ability to take disciplinary action if necessary. Board members questioned who should be licensed in Utah, the remote entry pharmacy, only one pharmacist, or all pharmacists at that location. Mr. Garn stated he does not feel it is necessary for the remote order pharmacy to be licensed; however, all pharmacists reviewing by remote order for Utah patients should be licensed in Utah. Mr. Fitzpatrick stated his concern would be who is accountable and how do we monitor. The Board would need to know there is a PIC overseeing the process and that the PIC is responsible for the entire project. Mr. Fitzpatrick stated the key issue is if the same pharmacist is processing the remote Order for Utah, or if it is a group and not all pharmacists are licensed in Utah. Concern was also expressed regarding after hours access and if the pharmacist on call would be a local pharmacist.

Mr. Young indicated Idaho just developed rules regarding this issue and suggested we look at that language. Board members suggested Ms. Poe obtain a copy of the Idaho language. Ms. Sandberg stated she could obtain a list of states that allow this practice.

Ms. Taxin suggested requesting more information from the Principle Pharmacy Group. If the answer is reasonable and protects the public, the Board could approve the request and then work on adopting Rule. If the Board is uncomfortable at this point, the Board could invite them in to meet with the Board in

January. Board members suggested inviting them to meet with the Board in January.

Report on where we are at with the Controlled Substances Data Base and daily reporting:

Ms. Taxin reported the Department is receiving bids and will collect the information in early January to start the evaluation process.

Pharmacy Technician Program Review:  
Enterprise Valley Pharmacy:

Mr. Young reviewed the documentation submitted by Enterprise Valley Pharmacy and requested further clarification. A letter will be sent and more documentation will be requested.

Review Mark Akagi's continuing education for approval:

Mr. Garn made a Motion to accept the continuing education submitted by Mr. Akagi. Dr. Lundberg seconded the Motion. All Board members in favor.

Informational: Limited Online Prescribing Rule Hearing scheduled for January 11, 2020 at 9:00 a.m., Room 474 Heber Wells Building, 160 E 300 S Salt Lake City Utah:

Mr. Young will attend the Hearing.

Adjourned:

2:45 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.*

January 26, 2010  
Date Approved

(ss) Dominic DeRose  
Dominic DeRose, Chairperson, Utah Pharmacy  
Licensing Board

January 26, 2010  
Date Approved

(ss) Laura Poe  
Laura Poe, Bureau Manager, Division of Occupational  
& Professional Licensing