

**MINUTES**

**UTAH  
ONLINE PRESCRIBING, DISPENSING  
AND FACILITATION  
LICENSING BOARD MEETING**

**September 20, 2011**

**Room 402 – 4<sup>th</sup> Floor – 9:00 A.M.  
Heber Wells Building  
Salt Lake City, UT 84111**

**CONVENED:** 9:04 A.M.

**ADJOURNED:** 12:15 P.M.

**Bureau Manager:**  
**Board Secretary:**  
**Assistant Attorney General:**

Noël Taxin  
Karen McCall  
Karl Perry

**Board Members Present:**

Mark N. Bair, MD, Chairperson  
Lt. Michael Ross  
Kathleen Littlefield, R.Ph.  
Peter L. Ax  
Roger Fitzpatrick, R.Ph.

**Board Members Absent:**

Jennifer Korb

**Guests:**

Brian Ackley  
Kevin Marino  
Paul Rogers  
David Nilson  
Shawn Spriggs

**DOPL Staff Present:**

Joyce McStotts, Licensing Specialist  
Julie Bolinder, Licensing Specialist

**TOPICS FOR DISCUSSION**

**DECISIONS AND RECOMMENDATIONS**

**ADMINISTRATIVE BUSINESS:**

Board Chairperson

Ms. Taxin explained each year the first Board meeting after July 1, the Board will have the opportunity to retain their current Board chairperson or nominate a new member. She stated the advantage of retaining the Board chairperson for a second year is to keep continuity as this Board only meets quarterly but

having a new chairperson gives other interested Board members the experience.

**Mr. Fitzpatrick made a motion to retain Dr. Bair as Board chairperson for another year.**

**Mr. Ross seconded the motion.**

Mr. Ax recommended the Board chairperson change and to have a planned regular rotation so those who would like to be chairperson have the opportunity. He stated the Board is a close group and would not have a tendency to nominate or vote for someone who may be outside that group.

**Dr. Bair asked if Mr. Ax would like to nominate someone.**

Mr. Ax responded he would be interested in serving in the rotation.

Mr. Fitzpatrick asked when Board member terms expire.

Ms. Taxin responded with the dates.

Mr. Fitzpatrick recommended Dr. Bair continue as chairperson until the proposed Rule has been changed and the Board has met a few more times for this next year.

**Dr. Bair repeated the options of (1) start a precedence to revote for Board chairperson each year and that in the Board members last year they become the Chairperson so there is a rotation or (2) this year retain Dr. Bair as the Chairperson as nominated.**

Ms. Taxin commented one Board determined a rotation which became a problem when the person who would be the chairperson was not reappointed to serve on the Board. She stated if someone did not want to serve as Board chairperson then the proposed rotation would put them on the spot. Ms. Taxin suggested the Board nominate a chairperson each year

and vote.

Mr. Ross commented he believes the Board needs stability and should retain Dr. Bair for the continuity at this time.

**Mr. Fitzpatrick requested his motion be amended as follows: Nomination for Dr. Bair to continue as Board chairperson for this year but limit the chairperson term to be for two continuous years only.**

**Ms. Littlefield seconded the motion.**

**The Board vote was unanimous.**

**MINUTES:**

The minutes from the June 7, 2011 Board meeting were read.

Mr. Fitzpatrick made a motion to approve the minutes with minor revisions. Mr. Ax seconded the motion.  
**The Board vote was unanimous.**

**BUSINESS FROM PREVIOUS MEETING:**

Proposed Rules

Ms. Taxin reviewed the following proposed Rules with the Board:  
R156-83-502. Unprofessional Conduct.  
(4) using a license to conduct online contract pharmacy services through a website not disclosed to the Division;  
(5) failing to inform the Division of the name of all physicians writing prescriptions to be filled by the online contract pharmacy;  
(6) failing to report to the Division all transactions of filled prescriptions from the online contract pharmacy;  
(7) failing to provide to the Division all website and URL information when conducting business as an online prescribing, dispensing and facilitating provider; and  
(8) failing to comply with all audit requirements.

Ms. Taxin asked if the Board had any concerns.

**Mr. Ax requested an explanation regarding what is**

**meant by using a license in #4.**

Ms. Taxin responded it has come to the attention of the Division that both licensees have other websites selling prescriptions which the Utah Board has not been informed. She stated a licensee uses the license status to promote a service beyond the scope of the licensee.

Ms. Taxin explained #5 refers to being required to inform the Division of all Physicians who will be writing the prescriptions.

Ms. Taxin explained #6 refers to failing to report all filled prescriptions by the contract Pharmacy.

Ms. Taxin explained #7 refers to failing to provide all websites and URL information to the Board/Division from the online Pharmacy. She stated the Division wants to make sure all Online licensees disclose information in order to know what business is being conducted as there may be additional licensees in the future.

Ms. Taxin explained #8 refers to ensuring all licensees comply with the required audits.

**Mr. Ax asked where the audit requirements are found that the Division refers to.**

Mr. Perry, Assistant Attorney General, and Ms. Taxin responded the requirements are found in the Law under 58-83-308 and in the Rule under R156-83-308.

Ms. Taxin stated the Rule has the specific requirements. She stated many people refer to the Law only but the Rule clarifies and is connected with the Law. She stated at this time there are only two facilitators but there are additional websites being used by both organizations and the Division needs those sites disclosed so if a call comes in regarding filling through a different website the Division is able to respond we are aware of the additional sites and the two licensees are in compliance with the Utah Law and Rule. She stated Utah has accepted online

prescribing as an approved procedure but the Division does have investigators to investigate unlicensed, unprofessional and unlawful conduct. Ms. Taxin stated the Board and Division's primary role is to protect the public.

**Dr. Bair asked who provider is referring to in #7.**

Ms. Taxin responded provider in #7 was intended to connect the Facilitator, Pharmacy and/or Prescriber.

Mr. Perry recommended #7 read internet facilitator.

**Dr. Bair recommended a definition to describe provider. He also asked if each entity needs to provide information or one entity.**

Ms. Taxin responded she believes the facilitator should provide the information as they coordinate the online prescribing and provide the different websites. She read the Law to the Board.

**Dr. Bair recommended #7 list internet facilitator and leave out the prescribing and dispensing.**

Ms. Taxin suggest #7 read ...failing for the facilitator to provide to the Division ...

**Mr. Ax responded it is impossible for each website to have one Physician assigned to that specific website as you can have many channeling/linking into a site to send traffic but all orders would go through the same process. Mr. Ax agreed Ms. Taxin's suggestion would comply for them.**

**Dr. Bair asked if there is a core website where all their information is trafficked to and if all go through one Pharmacy.**

**Mr. Ax responded there are sites KwikMed may not own but they are able to push traffic to KwikMed.**

Ms. Taxin asked if they still go through the KwikMed process to obtain the prescriptions.

**Mr. Ax responded not necessarily. He stated they may be linking through a joke website that has a link to the KwikMed website.**

**Mr. Ackley stated someone can put up a site that may appear to be KwikMed and put on that site what they want but KwikMed would not know as the site would not be under the control of KwikMed.**

**Dr. Bair asked if a rogue site sends information to KwikMed, they would send the patient to KwikMed's site to go through the process or are there times when the rogue site could set up their own questionnaire and fill prescriptions.**

**Mr. Ax responded the patient would have to come through the KwikMed site.**

Following additional discussion Ms. Taxin commented the concern is to be sure the patient goes through the approved process and service. She stated the facilitator would disclose all websites they control and sign an affidavit to that affect.

R156-83-502. Unprofessional Conduct.  
(4) using a license to conduct online contract pharmacy services through a website not disclosed to the Division;  
(5) failing to inform the Division of the name of all physicians writing prescriptions to be filled by the online contract pharmacy;  
(6) failing to report to the Division all transactions of filled prescriptions from the online contract pharmacy;  
(7) failing to provide to the Division all website and URL information when conducting business as an online prescribing, dispensing and facilitating provider; and  
(8) failing to comply with all audit requirements.

**The Board recommended the following minor recommendations:**

**R156-83-502. Unprofessional Conduct.**

**(4) knowingly or when should have been known**

**using a license to conduct online contract pharmacy services through a website not disclosed to the Division;**  
**(5) failing to inform the Division of the name of all physicians writing prescriptions to be filled by the online contract pharmacy;**  
**(6) failing to report to the Division all transactions of filled prescriptions from the online contract pharmacy;**  
**(7) failing to provide to the Division all websites and URL information when conducting business as an online prescriber, pharmacy and/or internet facilitator provider; and**  
**(8) failing to comply with all audit requirements.**

Ms. Taxin stated she will make the corrections as recommended and send the revisions out to the Board to review to be sure all agree. She stated if there are no additional revisions she will file the Rule and schedule a Rule hearing in conjunction with the December 6, 2011 Board meeting.

**Mr. Marino asked if there is a public comment period after the Rules are filed as he would like to think about the proposed Rules with the recommended changes.**

Ms. Taxin responded yes. She then explained the Rule proposal and hearing process.

**Mr. Ax commented he also does business in other States who may have requirements different from Utah but those patients still go through the KwikMed process with their local Physician writing their prescriptions.**

Ms. Taxin stated during an audit if there is a name of a Physician who does not have a Utah license then Mr. Ax should know the State where the Physician is licensed and disclose that information to the Division and the prescription could be filled through the Utah Pharmacy.

**Dr. Bair asked if the Pharmacy would only fill prescriptions for patients outside of Utah unless it**

**is through a Utah licensed Physician for Utah patients.**

Mr. Ax responded yes.

**Ms. Taxin stated KwikMed has had Physicians not licensed in Utah write prescriptions for Oregon patients and filling prescriptions using a Utah Pharmacy. She stated if the Utah Pharmacy is being used then they are required to follow Utah guidelines.**

**Mr. Ackley asked if the disclosure is sufficient for the Oregon Physicians.**

**Ms. Taxin responded yes as long as KwikMed confirms they are licensed Physicians since they have disclosed Oregon approves of the service in their State.**

**Ms. Littlefield made a motion to accept the proposed Rules as revised.**

**Mr. Ax seconded the motion.**

**The Board vote was unanimous.**

Ms. Taxin stated she will make the revisions and email it to the Board to review again and respond to her.

## **APPOINTMENTS:**

### **Audit Review Instructions**

Ms. Taxin reminded the Board that this is KwikMed's third audit report and Secure Medical, Inc's first. She stated if the Board believes something in the audit is unimportant they need to inform Ms. McStotts and Ms. Bolinder and they will not include it in future audits. Ms. Taxin stated the Board will review each individual company and if they believe something needs to be changed or fixed then the company will need to make the change or fix the problem and if the company is not making an effort to correct the problems the Board/Division may refer the company to Investigations. Ms. Taxin requested the Board to also consider any other companies who may get

licensed as they review the two audits today. She reminded the Board of their request to Ms. McStotts at the last meeting to write a summary but a longer version was necessary as Secure Medical, Inc. was also being audited.

**9:40 am**

Audit Report/Review/Renewal for KwikMed

Mr. Ax met for the audit report, review, and renewal for KwikMed.

Ms. McStotts presented the audit information with copies for the Board to review. She stated KwikMed has made some changes which improved her ability to audit but there are still some areas that will need to be reviewed and discussed.

Ms. McStotts reported the following:

1. She stated she is unable to sort by specific patient files by name, such as, if she puts in John Smith a whole list comes up and she is unable to determine which John Smith she needs to review.

2. She stated Mr. Ackley has made adjustments to the program so she is now able to read queries.

3. Ms. McStotts voiced the ongoing concern on all three audits regarding not seeing hard stops or red flags to notify the Physician of concerns or to see the Physicians chart summary on notes in patient files regarding their concerns and/or prescriptions.

Ms. Taxin stated if deficiencies are brought to the attention of KwikMed they are expected to correct the problem for future audits.

Ms. McStotts responded the third audit problems were corrected and she has not rechecked for new audit information since the corrections.

Ms. Taxin asked the Board if the expectation for the Physician is to review notes in every file or just those high risk files with red or yellow flags.

**Mr. Fitzpatrick commented as a Pharmacist he does his best to get the Physicians to make notes to be sure they are following the standard of care. He**

**stated it is an education and quality assurance issue or a company issue. He stated anyone should be able to walk into a Physicians office and review the charts as that is the standard of care for patients.**

**Mr. Ax responded regular telephone calls are made to the Physicians to make notes in every file.**

Ms. McStotts stated if there is an expanded questionnaire requesting a test or follow up she is unable to see those notes. She stated all other issues addressed have been corrected.

**Mr. Ax asked if the previous audit question had been answered regarding a female who had had a hysterectomy and requested Ella.**

Ms. Taxin responded that no response was received from KwikMed for that specific issue which was in the first audit. She stated she is guessing the patient never came back through KwikMed. Ms. Taxin stated in the future if someone who has had a hysterectomy or a vasectomy requests Ella they should not receive the prescription.

**Mr. Ax requested Ms. McStotts get the specific information for him to review as he believes it was probably his oversight.**

Ms. McStotts agreed to resend the information to Mr. Ax. She asked if she should have access to see what the notes are as right now KwikMed has been good to provide information but there is a wall that she cannot get through to pull information on her own. She stated the Law reads there should be backdoor access for audits.

**Mr. Ackley responded their database is very complex for someone who is not familiar with it and full access should not be given as they would then also have access to all information of the company which would include financial information. He stated if an incorrect query was entered someone could access information they should not be privy to.**

**Dr. Bair commented it is easy to set up access on queries as he has put databases together and it should be easy to set it up to block information the Division does not need to access. He stated the auditor should have full access to patient files and Physician charts but he does understand the access security concerns. He asked if there is a way to set up the system to allow the auditor access to only the information needed.**

Ms. McStotts clarified she is able to pull up quite a lot of data and wanted to know if what she is getting is acceptable but the Statute does read full access and she does not believe she has full access.

**Mr. Fitzpatrick suggested Ms. McStotts continue to work with Mr. Ackley regarding access issues.**

**Dr. Bair suggested a third party audit review to determine if the access is acceptable.**

Ms. Taxin responded there is no additional funding for an outside person to conduct an audit. She stated if Ms. McStotts continues to be unable to access information then the Board could address at that time.

**Dr. Bair asked if the requested hard stops were put in place.**

**Mr. Ackley responded yes, but requested further clarification.**

Mr. Perry responded a hard stop should be in place so a female who has had a hysterectomy cannot order Ella.

**Dr. Bair responded an easy hard stop should be in place to prohibit a male from ordering Ella.**

Ms. McStotts explained the question online was a double question, i.e.; have you had a hysterectomy or a vasectomy.

Ms. Taxin recommended they be separated out for

hysterectomy for female patients and vasectomy for male patients.

**Mr. Ax responded a male should not be allowed to order Ella. He suggested a soft stop to require a note of contact for a telephone call, the dialogue and notes. He stated with a hard stop the patient would be contacted by the Physician or a customer service representative. He stated the flags are in place and Physicians are now in training to be sure the notes are added.**

**Dr. Bair stated he understood customer service has the power to over ride the system and allow the prescription to be approved.**

**Mr. Ax responded customer service cannot read the responses to the medical questions but can respond to patients.**

Mr. Perry stated he understood the hard stop was to stop everything until the Physician makes contact with the patient.

**Mr. Ackley responded there is a red flag for gender mismatch and a hard stop for the Physician to resolve.**

Ms. McStotts commented she is missing the notation of how the red flags and hard stops are resolved by the Physician.

**Dr. Bair commented if the branching questionnaire indicates the person is male and then indicates female how would he know if it was a typed error, a male ordering Ella or a female giving permission for a male to order for her. He stated the database should be corrected.**

**Mr. Ax responded the name may be female, the voice mail may be female and when contact by customer service they may have talked with a female**

**Mr. Ackley responded the database has been**

**corrected.**

Ms. McStotts responded again she believes she needs to see how the issues were resolved.

Ms. Taxin asked if the female responds her boyfriend made the order for her would it be a hard stop.

**Mr. Ackley responded yes. He stated the woman would have to go through the process and order for herself.**

**Dr. Bair recommended the hard stops be listed and how they are handled.**

**Mr. Fitzpatrick asked if the process is improving.**

Ms. McStotts responded yes. She stated this audit was better than the first two and the fourth should be better yet.

Ms. Taxin commented the fourth audit needs to be correct. She stated there have been repeats of issues on each audit and from now on there should be no repeats. She stated KwikMed will also need to submit their renewal information.

**10:45 am**

Audit Report/Review/Renewal for Secure Medical, Inc

Mr. Korsunsky met for the audit report, review, and renewal for Secure Medical, Inc.

Ms. Bolinder reviewed the Secure Medical, Inc. audit.

Ms. Taxin asked if Dr. Rapp needed to be called for the audit.

**Mr. Korsunsky responded his staff is on standby in case they are needed.**

Ms. Bolinder stated she could not identify the Physicians documentation acronyms and Dr. Rapp gave her a list of those he uses which was very helpful.

**Mr. Fitzpatrick asked if the licensed Facilitator is licensed only for the one online site.**

Ms. Taxin responded that is the reason the Facilitator's are requested to provide a list of all URL's or other websites they are affiliated with.

**Mr. Korsunsky asked if the Division is requesting the licensed Facilitator to submit information for Utah only or submit all URL sites.**

Mr. Perry responded the Law says website but it could be clarified.

Ms. Taxin responded she would request all information be disclosed. She asked if there is a limit to how many websites Facilitators have and each website should have the same questions, procedures, same drugs, etc.

**Mr. Korsunsky responded he believes he submitted a list of five websites. He stated Secure Medical, Inc. has an out of Utah site dispensing prescriptions out of the Utah Pharmacy and has additional drugs being dispensed but cannot dispense all of those drugs to Utah residents as there is a block for Utah residents. He stated he looks at medications as being in three categories and all products are limited to life style only with no maintenance medications being distributed. He suggested the Board consider at some point maintenance drugs such as Lipitor. He stated Secure Medical, Inc. has only three ED products and Propecia distributed to Utah residents through apex.com. He stated the dropdown is for all products and orders go through Apex but are not filled for Utah patients.**

Ms. Taxin asked if Utah would see a Colorado resident for a non-approved medication.

**Mr. Korsunsky responded no.**

**Mr. Ax stated Mr. Korsunsky's model has apex.com for Utah residents and it allows DOPL visibility of websites for patients outside Utah and KwikMed has visibility for patients outside Utah.**

**Mr. Korsunsky responded yes. He stated KwikMed allows their clients to go through KwikMed and Secure Medical, Inc. clients go through Apex.**

**Mr. Ax asked if Mr. Korsunsky has another business through other websites.**

**Mr. Korsunsky responded yes.**

Ms. Taxin asked if Mr. Ax has other websites that are filling other drugs which are not on the Utah approved list.

**Mr. Ax responded Ms. Taxin is correct except for the European Union. He stated everything from seven or eight sites funnel through the back-end system of KwikMed.**

Ms. Taxin asked if there have been drugs prescribed that Utah has not approved. She stated if KwikMed is filling prescriptions in New York, they have a Pharmacy there and are abiding by New York Laws there is no Utah regulation over New York. She stated both licensees have different branching questionnaire models. She stated the Board could require all applicants to have the same model but as long as the information is available and clear on the type of assessment and the quality of care for patients is there she does not believe it is necessary as it is sometimes better to be flexible.

**Mr. Ax responded no, never are drugs prescribed that Utah has not approved.**

**Dr. Bair clarified Mr. Ax mentioned seven or eight sites that funnel into KwikMed.**

**Mr. Ax responded yes.**

**Dr. Bair voiced no concern as long as KwikMed and Secure Medical, Inc. give access to the information.**

Mr. Perry asked Mr. Ax if he still does lab testing

services.

**Mr. Ax responded yes but there is no lab testing for Utah residents.**

Ms. Bolinder stated a patient of Secure Medical, Inc. received three prescriptions of the same drug on the same day. She requested an explanation.

**Mr. Korsunsky responded it could have been prescriptions for a daily product, one for a longer lasting product or there might have been two different types of products for the patient to try before ordering a specific product as they give the patient options to help them decide which they want to use.**

**Mr. Fitzpatrick asked if there are quantity limits in this type of situation.**

**Mr. Korsunsky responded yes. He stated he believes it is about nine tablets for ED samples.**

Ms. Taxin stated when the Secure Medical, Inc. website was first reviewed there was a trial option. She asked if that is still the case.

**Mr. Korsunsky responded the trial option is not available for Utah residents as Utah has not approved trial prescriptions but it is still available for other States.**

Ms. Taxin asked if it is a mistake for Utah residents not to have the option of a trial.

**Board members responded they believe a trial option should be available for Utah residents.**

**Mr. Ax responded the role of the Board is to make sure the profession is regulated appropriately and not to limit the ability to market the products.**

Ms. Taxin requested there be an explanation/directions that goes along with the trial medication as someone who receives the trial medication may try to take them

all at the same time.

**Mr. Korsunsky responded it is three prescriptions with three labels.**

**Mr. Fitzpatrick asked what is sent when someone in other States orders the trial prescription.**

**Mr. Korsunsky responded they receive the same consultation but the onus is on the patient to use appropriately. He volunteered to furnish information for the Board to review.**

Ms. Taxin suggested Mr. Korsunsky put the information back on the website as a service and submit the information to the Division for the Board to review.

**Dr. Bair asked for an explanation of a red flag and yellow velocity.**

**Mr. Korsunsky responded it usually means the patient ordered too early.**

Ms. Bolinder responded the yellow velocity is the number of pills and number of days for a level of concern which is a stop. Ms. Bolinder asked if the Physician notes for high risk questions/patients are adequate as she is unable to see all the Physician comments.

Ms. Taxin responded she believes if the information is straight forward then no additional notes would be necessary but if there was a question or concern there should be Physician notes addressing the question or concern.

**Mr. Korsunsky stated he believes he has provided all Secure Medical, Inc. websites to Ms. Bolinder. He stated he also believes he has addressed all outstanding questions.**

Ms. Bolinder responded yes, her outstanding questions have been addressed.

Ms. Taxin stated both Facilitators will need to submit all website information as all directions and information needs to be the same on all sites so when Ms. McStotts and Ms. Bolinder do the next audit they have access to all information. She stated if either sets up other websites they are on their honor to disclose those to the Division.

**Mr. Korsunsky asked if they would have the freedom to market the information a little differently.**

Ms. Taxin responded yes.

**Mr. Fitzpatrick asked how many charts were reviewed for Secure Medical, Inc. and what was the total number of dispensed medications for that period.**

Ms. Bolinder responded she reviewed 21 as this was the first audit. She stated the entire record dispensed by the Utah Pharmacy was 13,942 prescriptions with some rejections to issue. She stated Utah residents received 44 prescriptions with 37 dispensed.

**Mr. Fitzpatrick commented Ms. Bolinder audited almost half of the Utah patients.**

**Mr. Ross asked if Ms. Bolinder was able to go directly to the website and see everything she needed.**

Ms. Bolinder responded yes. She stated she put her information in the Secure Medical, Inc. website and could see all their information.

**Mr. Korsunsky stated the checklist is the Pharmacy prescription list. He stated Ms. Bolinder could query by name to locate information.**

**Mr. Ax commented Ms. Bolinder would have to audit the underlying technology for which she would need to know the program.**

**Dr. Bair commented it might be good to have Ms.**

**Bolinder and Ms. McStotts switch audits at some point.**

Ms. Taxin responded they have been working together on the audits. She suggested Ms. Bolinder audit Secure Medical, Inc. for the next audit and Ms. McStotts again audit KwikMed and then switch for the following audit.

Ms. Bolinder responded she and Ms. McStotts have already reviewed the information each pulls up.

**Mr. Korsunsky commented the learning curve to work with the IT people might be a little difficult if they switch auditors.**

**Mr. Fitzpatrick commented on the improvement in regard to the requests for making information available and how the audits were presented.**

Ms. Taxin stated if there are no more questions Secure Medical's audit will be closed and their license will be renewed. She stated once KwikMed submits their renewal information the license will be renewed if there are no issues with the renewal form.

**DISCUSSION ITEMS:**

Reminder

The Board was reminded that the Pharmacists and Online Contract Pharmacies licenses renew September 30, 2011.

Reminder

The Board was reminded that the Physicians licenses renew January 31, 2012.

2012 Board Meeting Schedule

The Board noted the tentative Board meeting schedule for 2012 will be as follows: Mondays, February 13, May 21, August 20 and November 5, 2012.

**Mr. Fitzpatrick requested the dates be moved to Tuesdays. The Board concurred.**

**The tentative dates for 2012 will be as follows: Tuesdays, February 14, May 22, August 21 and November 6, 2012.**

**CORRESPONDENCE:**

Time Magazine Chantix Notation

Ms. Taxin reviewed the Chantix notation from Time Magazine.

**No Board action was taken.**

General Discussion

Ms. Taxin stated the next meeting will be December 6, 2011. She asked if there is anything specific other than the audits to discuss.

**Mr. Perry reminded Ms. Taxin and the Board of the proposed Rule hearing for December 6, 2011.**

**Mr. Ax asked if the Board needs to meet for the Rule hearing and if the Board could meet in January.**

Ms. Taxin explained the Board is not required to meet for a Rule hearing and there is no per diem for those who do attend a Rule hearing. She stated the next audit is due October 15, 2011.

**The Board requested if the audits are in compliance and no issues of concern to the Division to postpone the meeting until January, 2012.**

**NEXT MEETING SCHEDULED FOR:**

December 6, 2011

**ADJOURN:**

The time is 12:15 pm and the Board meeting is adjourned.

*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.*

February 14, 2012  
Date Approved

(ss) Mark N. Bair, MD  
Chairperson, Utah Online Prescribing, Dispensing &  
Facilitation Licensing Board

October 27, 2011  
Date Approved

(ss) Noël Taxin  
Bureau Manager, Division of Occupational &  
Professional Licensing