

MINUTES  
**HOUSE HEALTH & WELFARE COMMITTEE**

**DATE:** Monday, January 14, 2019

**TIME:** 9:00 A.M.

**PLACE:** Room EW20

**MEMBERS:** Chairman Wood, Vice Chairman Wagoner, Representatives Vander Woude, Gibbs, Blanksma, Kingsley, Zollinger, Christensen, Green(2), Lickley, Chew, Rubel, Davis

**ABSENT/  
EXCUSED:** None

**GUESTS:** Misty Lawrence, Pharmacy; Alex Adams, PFM; Berk Fraser, Kris Jonas, and Nicole Chopski, Board of Pharmacy; Marianne King, ODP; Phil Haunschild, IFF; Mark Johnston, CVS Health; Susan Odom, Board of Nursing; Brad Hunt, O.A.R.C.; Pam Eaton, IRA/IRPC/ISPA; Toni Lawson, Id. Health Assoc.; Melinda Merrill, NW Grocery

**Chairman Wood** called the meeting to order at 9:00 a.m.

**RS 26428:** **Nicki Chopski**, Chairman, Idaho Board of Pharmacy, presented **RS 26428** to clean up obsolete provisions of the Pharmacy Practice Act and create a more mobile pharmacy license for practice across state lines. This change is consistent with other health professions and the License Freedom Act.

**MOTION:** **Rep. Chew** made a motion to introduce **RS 26428**. **Motion carried by voice vote.**

**RS 26429:** **Nicki Chopski**, Chairman, Idaho Board of Pharmacy, presented **RS 26429**. This is the annual conformation of the Idaho Uniformed Controlled Substances Act to the federal Controlled Substances Act.

**Alex Adams**, Past Director, Board of Pharmacy, was invited to answer a question. He said items reflected in the new U.S. Department of Agriculture Farm Bill are not included because the state bill submission deadline for these updates was prior to the signing.

**MOTION:** **Rep. Chew** made a motion to introduce **RS 26429**. **Motion carried by voice vote.** **Reps. Christensen and Green(2)** requested to be recorded as voting **NAY**.

**Chairman Wood** turned the gavel over to **Vice Chairman Wagoner**.

**RS 26514:** **Chairman Wood**, District 27, presented **RS 26514**, proposed Board of Pharmacy legislation. Use of the phrase "prescriber or pharmacist" has caused confusion and led some health systems to delay naloxone outreach programs used in other states. In such programs health professionals (who usually have no prescriptive authority) serve as opioid ambassadors and deliver naloxone to those in a position to help patients. The terminology change removes doubt regarding the possibility of similar programs in Idaho.

**MOTION:** **Rep. Blanksma** made a motion to introduce **RS 26514**. **Motion carried by voice vote.**

**DOCKET NO.  
27-0101-1801:** **Nicki Chopski**, Chairman, Idaho Board of Pharmacy, presented **Docket No. 27-0101-1801**. Changes incorporate the "Durable Medical Equipment" definition, distributing into the Unprofessional Conduct, and technical corrections suggested by the Deputy Attorney General.

**Mark Johnson**, Past Executive Director, Board of Pharmacy, CVS Health, testified **in support of Docket No. 27-0101-1801**. The changes to this and the following Rules provide CVS with the ability to announce the opening of a standalone mail-order facility in Boise and employ 150 Idahoans. The changes also allow a technician to work at home, providing job opportunity for rural areas, homemakers, and handicapped-at-home persons.

For the record, no one else indicated their desire to testify.

**MOTION:** **Rep. Blanksma** made a motion to approve **Docket No. 27-0101-1801**. **Motion carried by voice vote.**

**DOCKET NO. 27-0102-1802:** **Nicki Chopski**, Chairman, Idaho Board of Pharmacy, presented **Docket No. 27-0102-1802**. The licensure required Multistate Pharmacy Jurisprudence Examination (MJPE) is removed, shortening license processing time and saving graduates \$250. The nonresident pharmacist registration fee has been restructured.

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Blanksma** made motion to approve **Docket No. 27-0102-1802**. **Motion carried by voice vote.**

**DOCKET NO. 27-0103-1801:** **Nicki Chopski**, Chairman, Idaho Board of Pharmacy, presented **Docket No. 27-0103-1801**, which engrosses the record keeping and reporting requirements for wholesalers found in **IDAPA 27.01.06**. Additional changes eliminate the "pharmacist in charge" paperwork requirement, incorporate acceptance of digital image prescriptions, establish rules for therapeutic substitution, and streamline the requirements for pharmacy personnel entering a pharmacy and delivering prescriptions. Responding to a question, she said a cash transaction with a digital prescription for controlled substances is a red flag for transaction legitimacy.

Invited to answer a question, **Alex Adams**, Past Director, Board of Pharmacy, explained digital images include front and back pictures of the prescription and are routed to the agency. This complies with federal mandates for electronic prescribing.

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Gibbs** made a motion to approve **Docket No. 27-0103-1801**. **Motion carried by voice vote.**

**DOCKET NO. 27-0104-1802:** **Nicki Chopski**, Chairman, Idaho Board of Pharmacy, presented **Docket No. 27-0104-1802**. Changes amended the language for pharmacist prescribing of statins and adds to the minor ailments a pharmacist can treat, with specific parameters. Updates to supplementing an infusion order optimize patient care.

Answering a question, **Ms. Chopski** said the calibrated approach to pharmacist abilities assures an evidence-based procedure with safety profiles. Independent prescriptive authority for legend drugs has strict parameters and is limited to the lowest-risk patients.

**Alex Adams**, Past Director, Board of Pharmacy, testified **in support of Docket No. 27-0104-1802**. He shared how the market-driven Temporary Rule changes have immediately impacted travelers to Idaho and rural areas.

For the record, no one else indicated their desire to testify.

**MOTION:** **Rep. Chew** made a motion to approve **Docket No. 27-0104-1802**. **Motion carried by voice vote.**

**DOCKET NO. 27-0105-1801:** **Nicki Chopski**, Chairman, Idaho Board of Pharmacy, presented **Docket No. 27-0105-1801**, to align with federal law. Nasal irrigations from dosage forms requiring sterility were excluded. Sink placement has been updated along with environmental sampling requirements.

Answering committee questions, **Ms. Chopski** explained the gloved fingertip testing is part of the sterility testing to assure pharmacists are using a clean environment when making sterile preparations. The process tests gloved fingertips using an auger plate and samples placed in an incubator. The test requirement of every six months was more stringent than the annual federal requirement and was an unnecessary burden for locations making fewer compounds.

For the record, no one indicated their desire to testify.

**MOTION:** **Rep. Kingsley** made a motion to approve **Docket No. 27-0105-1801**. **Motion carried by voice vote.**

**DOCKET NO. 27-0106-1801:** **Nicki Chopski**, Chairman, Idaho Board of Pharmacy, presented **Docket No. 27-0106-1801**, a chapter repeal which has had all the pertinent parts moved into the previous dockets and is no longer needed.

**MOTION:** **Rep. Chew** made a motion to approve **Docket No. 27-0106-1801**. **Motion carried by voice vote.**

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 9:50 a.m.

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Representative Wagoner  
Chair

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Irene Moore  
Secretary