

## **Part 1 – Agency Profile**

### **Agency Overview:**

The Idaho Board of Pharmacy's charge is to promote, preserve and protect the health, safety and welfare of the public by and through the effective control and regulation of the practice of pharmacy. The agency is governed by a five member board appointed by the Governor consisting of four pharmacists and one public member who, in turn, employ an executive director to manage the everyday operations of the agency. The Board has a staff of thirteen persons, with the main office located in Boise. The Board employs one compliance officer located in north Idaho, one in east Idaho and one in south Idaho. The Board employs a Chief Compliance Officer and a Chief Controlled Substance Investigator responsible for our Prescription Monitoring Program and investigations concerning controlled substances. Both are located in our Boise offices.

The key divisions of the Board include compliance, regulation, licensing & registration, customer service and controlled substance authority. The majority of funding for the Board is generated through licensing & registration with no monies appropriated from the General Fund. The earliest minutes for the Board on record are from 1911, however, the Board does possess a copy of Board of Pharmacy license No. 3 issued February 26, 1889 in Boise City, Idaho Territory.

The Board maintains a web site, [www.state.id.us/bop](http://www.state.id.us/bop), allowing access to code sections & Board rules, Board minutes & newsletters, notices of Board meetings & continuing education, registration forms, an interactive license & registration on-line verification program, items for sale (law books, etc.), on-line renewal of pharmacist licenses and controlled substance, pharmacy technician & veterinary technician registrations, and new in 2010 on-line renewal of most Idaho drug outlet registrations.

The board offices are located at 3380 Americana Terrace, Ste 320 Boise, Idaho 83706 and can be reached by phone at 1-208-334-2356 or Fax 1-208-334-3536.

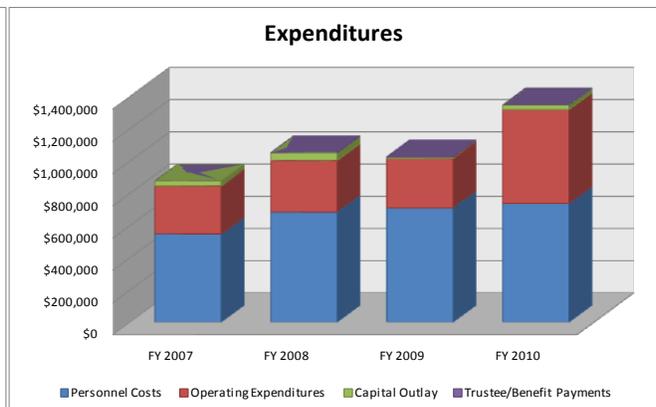
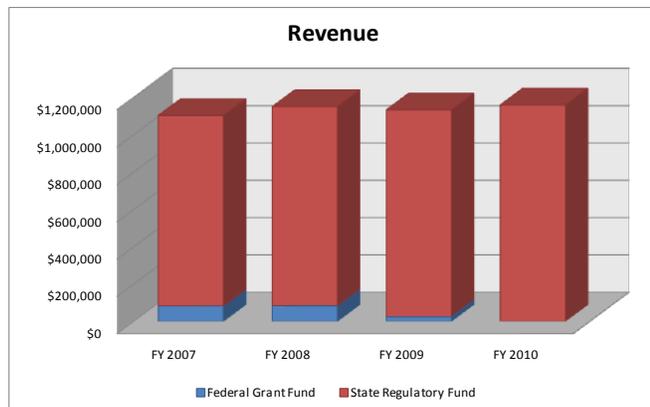
### **Core Functions/Idaho Code:**

Pharmacist licensure requires meeting standards in education, extern or internship, and examination, as well as continuing education to maintain licensure. The Board may also refuse to issue or renew, suspend, revoke or restrict licensure as set forth in Idaho Code. The Board regulates and licenses pharmacists, out-of-state mail order facilities, and wholesalers, and regulates and registers technicians, student pharmacists, and drug outlets, including retail, institutional, manufacturing, wholesale, limited service, non-pharmacy drug outlets, veterinary drug outlets, and telepharmacy drug outlets across state lines, pursuant to Title 54, Chapter 17.

The Board is also responsible for enforcement of the Uniform Controlled Substances Act, pursuant to Title 37, Chapter 27, registering all pharmacists, wholesalers and practitioners, who dispense, administer, obtain, sell or prescribe controlled substances. Within this act the Board also has the responsibility for the scheduling of controlled substances. The Board maintains a Prescription Monitoring Program to track dispensed controlled substance prescriptions from registrants that hold a DEA registration as a retail pharmacy. The purposes of the Prescription Monitoring Program are to assist in identifying illegal activity related to the dispensing or obtaining of controlled substances and to provide information to patients, practitioners and pharmacists, thus assisting in the effective prescribing of controlled substances.

### Revenue and Expenditures:

Revenue	FY 2007	FY 2008	FY 2009	FY2010
Federal Grant Fund	\$82,800	\$83,400	\$23,500	\$0.00
State Regulatory Fund	\$1,019,800	\$1,067,00	\$1,109,100	\$1,159,300
<b>Total</b>	<b>\$1,102,600</b>	<b>\$1,150,400</b>	<b>\$1,132,600</b>	<b>\$1,159,300</b>
Expenditure	FY 2007	FY 2008	FY 2009	FY2010
Personnel Costs	\$547,500	\$682,600	\$709,100	\$737,200
Operating Expenditures	\$297,000	\$320,827	\$304,600	\$581,900
Capital Outlay	\$32,200	\$48,100	\$11,900	\$29,000
Trustee/Benefit Payments	\$0	\$0		\$0
<b>Total</b>	<b>\$876,700</b>	<b>\$1,051,500</b>	<b>\$1,025,600</b>	<b>\$1,348,100</b>



### Profile of Cases Managed and/or Key Services Provided

Cases Managed and/or Key Services Provided	FY 2007	FY 2008	FY 2009	FY 2010
License/Registrations issued	13,047	14,525	16,930	16,371
Disciplinary Action—Citations issued*	14	13	0	0
Board Orders	27	17	31	31
Controlled substance prescriptions reported	1,870,167	2,114,098	2,254,690	2,467,089
Patient profiles provided**	15,164	18,904	9,014	5,865
24/7 Online Request Starting 1/1/08	n/a	11,891	82,538	198,434
CE Presentations	Unknown	14	16	16
Board Meeting Open to the Public	4	9	9	12

\*Citations are no longer issued. Any disciplinary action will begin with a complaint before the Board. If the Board feels action is warranted an order will be issued. If no action is warranted the complaint is dismissed.

\*\* Authorized users can now obtain a user ID from the Board, create a password, and access the Prescription Monitoring System, for an authorized use, 24 hours a day, 7 days a week, resulting in a decrease in profiles provided via fax from the Board and a large increase in information provided.

### Performance Highlights:

Our Prescription Monitoring Program is a valuable tool for our registered practitioners. The Prescription Monitoring Program tracks nearly 2.5 million controlled substance prescriptions per year. The Board now requires all pharmacies that are registered by the DEA as a retail pharmacy to submit data weekly. This increase in the amount of pharmacies submitting data and change from the traditional monthly reporting has allowed the Board to provide more timely and complete information to authorized users. Open access for authorized users to the Prescription Monitoring Program via the internet 24 hours a day has changed the practice of prescribing controlled substances, as witnessed by the 1,450% increase in requested patient profiles from FY 2007 to FY 2010.

The Board is concerned with diminishing pharmacy services at critical access hospitals. To service these hospitals, statutes allowing the registration of “telepharmacies and telepharmacists across state lines” were enacted in 2009, and 8 rules defining the practice were promulgated in 2010.

Over a three year period, the Board has seen a gross income increase of 14% from new licensees/registrants, while netting a 4.6% increase. 74.75% of the Board’s licensees/registrants eligible for on-line renewal have utilized this new function.

The Board continues to add questions to the Multi Pharmacy Jurisprudence Exam data bank. The exam is available at secure sites across the country allowing our graduates to set their own exam dates as well as their examination site. It also allows our reciprocity candidates to test at sites available near their current residence without the expense of traveling to the Board office prior to moving to Idaho.

The Board received a three year appropriation, starting in FY 2009, to hire legal assistance to create an entire new set of Board rules, eventually repealing IDAPA 27.01.01. This has led to a 200% increase in Board meetings per year since 2007. In FY 2009 twenty nine rules and in 2010 fifteen rules were promulgated as an initial step in this process. Additionally, several hundred non-substantive changes to IDAPA 27.01.01 have been corrected. Some of these new rules serve to promote and advance the practice of pharmacy while others increase public safety through additional regulation, as detailed in Part II: Performance Measures.

### Part II – Performance Measures

Performance Measure	2007	2008	2009	2010	Benchmark
1. Maintain the standard for pharmacist licensure.	X	X	X  X (proposed statute change)	X  X (statute enacted)	Continue the use of the nationally recognized exam for initial licensure: NABPLEX  Require fingerprinting for licensure.
2. Continued use of the Multi Pharmacy Jurisprudence Exam.	X  X	X  X  X (proposed rules)	X  X  X (Rules)	X  X	Provide and allow exam to be administered in different areas of the country for all licensure candidates.  Continue to update exam twice yearly.  Promulgate rules which recognize

			promulgated)		MPJE
3. Controlled Substance Prescription Monitoring Program (PMP) is maintained	X	X  X (rules promulgated)  X(proposed rules)	X  X  X (rules promulgated)	X  X  X (proposed rules)	Provide controlled substance data to authorized users  On-line access by practitioners and pharmacists 24/7  Expand data
4. Serve rural Idaho through retail and institutional telepharmacy services	X (Temporary rule)	X  X (proposed permanent rules)	X (permanent remote dispensing pharmacy rules promulgated. Telepharmacy across state lines statute enacted)	X (nine telepharmacy rules promulgated)	Expand the use of telepharmacy
5. Standards for the electronic transmission of prescriptions	X	X  X	X  X(Submitted public comment to DEA)	X  X (DEA rules final. 9 rule and 3 statute changes proposed)	Review systems used the electronic transmission of prescriptions.  Monitor the Drug Enforcements Agency's proposed rules for the electronic transmission of controlled substance.
6. Registered pharmacy technicians.		X (proposed rule)  X (proposed rule)  X (proposed rule)	X(Promulgated rule)  X(Promulgated rule)  X(Promulgated rule)	X  X  X	Establish clear discipline authority  Address individuals with access to the pharmacy, not regulated by the Board: "clerks"  Increase ratios and establish minimum standards.
7. Expand and define pharmacist scope of practice		X (proposed rule)	X(Promulgated rule & proposed rule for FY10)	X (promulgated rule)  X (proposed	Promulgate rules to define pharmaceutical care.  Create immunization

				rule) X (proposed statute)	standards Limited prescriptive authority
8. Pharmacist in charge		X (proposed rule) X (proposed rule) X (proposed rule)	X(Promulgated rule) X(Promulgated rule) X(Promulgated rule)	X X X	Standardize this terminology Require PIC in every pharmacy Minimum PIC requirements.
9. Student Pharmacists		X (proposed rule) X (proposed rule) X (proposed rule) X (proposed rule)	X(Promulgated rule) X(Promulgated rule) X(Promulgated rule) X(Promulgated rule)	X X X X	Create definition intern/extern to pharmacist ratio increased Harmonize rules for registration Allow student pharmacists to transfer controlled substances
10. Long Term Care		X (proposed rule)	X(Promulgated rule)	X	Promulgate rules addressing long term care issues
11. Update Idaho's Controlled Substance Schedules			X (Proposed statute change)	X (70 controlled substances added to statute and 1 definition changed; additional proposed statute change)	Update Idaho's schedules pursuant to Federal changes.
12. Pharmaceutical waste			X (Proposed statute)  X (Proposed rule)	X (Statute enacted)  X( Statute changed and rules promulgated)	Draft legislation allowing for the delivery of Rx waste by ultimate users to returns programs. Draft rules for the Legend Drug Donation Act.
13. Pharmacy Services Access	X	X	X (proposed rule)	X (rule promulgated)	Change of retail pharmacy's hours of operation requires notification.
14. Eliminate			X (proposed	X (rule	Allow pharmacist to

hindrances to patient care			rule) X (Statute proposed)  X (rule proposed)	promulgated) X (Statute enacted)  X (rule enacted)	fill expanded quantity in certain situations  Allow practitioner's agents to sign prescriptions in certain situations  Allow additional prescription transfer access
15. Monitor the Idaho Drug Distribution Act	X (Act originally passes and emergency rules promulgated)	X(permanent rules promulgated and statute changes enacted)	X (rules promulgated, statute changes enacted, additional rules proposed)	X (rules promulgated and additional rules proposed)	Protect against counterfeit drug distribution while not compromising availability.

### For More Information Contact

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