

## ***Part I – 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 fourteen 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 southwest Idaho. The Board employs a Deputy Executive Director and a Chief Controlled Substance Investigator, who is responsible for the State's Prescription Monitoring Program and investigations concerning controlled substances. Both are located in the Board's Boise office.

The key divisions of the Board include compliance, regulation, licensing & registration, customer service, Prescription Monitoring Program, and controlled substance authority. The majority of funding for the Board is generated through licensing & registration; additional funds come from fines, fees and sale of printed material, 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, <http://bop.idaho.gov>, allowing access to relevant Sections of Idaho Code and administrative rules, Board minutes, newsletters, notices of Board meetings and continuing education, registration forms, an interactive license and registration on-line verification program, items for sale, and on-line renewal of 99% of licenses and registrations.

The Board offices are located at 1199 Shoreline Lane, Suite #303, Boise, Idaho 83702 and can be reached by phone at (208) 334-2356 or Fax (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 and wholesalers and regulates and registers non-resident pharmacists, technicians, student pharmacists, and drug outlets, including retail, institutional, manufacturing, wholesaling, limited service, non-pharmacy, veterinary, mail service pharmacy, non-resident central drug outlets, and outsourcing drug facilities, 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 persons who manufacture, distribute, dispense (which includes prescribe and administer), or conduct research with controlled substances. The Board is also Idaho's Controlled Substance Authority, responsible for maintaining the schedule of controlled substances. The Board maintains a Prescription Monitoring Program, in which the Board receives certain data on controlled substances dispensed and collates the data into patient profiles, available for use by authorized users, such as pharmacists, prescribers, and law enforcement. 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.

The Board is also responsible for the Idaho Wholesale Drug Distribution Act and its rules including licensure of wholesale distributors that distribute in or into Idaho and enforcement of practice standards. In FY 2014 the federal Drug Quality and Security Act was enacted by Congress, which preempts some Idaho law and changes registration parameters. Various provisions of the act take effect over various portions of the next decade, mandating periodic, scheduled changes to Idaho Code, starting in FY 2015.

**Revenue and Expenditures:**

Revenue	FY 2012	FY 2013	FY 2014	FY 2015
Federal Grant Fund	\$2,400	\$48,000	\$105,800	\$36,556
State Regulatory Fund	\$1,292,600	\$1,358,500	\$1,704,900	\$1,706,869
<b>Total</b>	<b>\$1,295,000</b>	<b>\$1,406,500</b>	<b>\$1,810,700</b>	<b>\$1,743,425</b>
Expenditure	FY 2012	FY 2013	FY 2014	FY 2015
Personnel Costs	\$746,100	\$783,400	\$889,600	\$946,000
Operating Expenditures	\$494,100	\$554,00	\$686,900	\$675,700
Capital Outlay	\$1,400	\$16,000	\$9,100	\$9,000
Trustee/Benefit Payments	\$0	\$0	\$0	\$0
<b>Total</b>	<b>\$1,241,600</b>	<b>\$1,353,400</b>	<b>\$1,585,600</b>	<b>\$1,630,700</b>

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

Cases Managed and/or Key Services Provided	FY 2012	FY 2013	FY 2014	FY 2015
License/Registrations Issued	16,700	18,000	18,737	20,507
Board Orders	49	37	51	91
Controlled Substance Prescriptions Reported	2,696,081	2,795,356	2,590,018	3,011,939
Patient Profiles Provided	4,170	3,704	3,362	9,356
24/7 Online Request	141,231	177,464	285,604	353,213
CE Presentations	15	12	12	12
Board Meeting Open to the Public	7	6	9	10

**Performance Highlights:**

The Board's Prescription Monitoring Program (PMP) is a valuable tool for authorized users. The Prescription Monitoring Program tracks over 3 million controlled substances dispensed per year. In FY 2014, the Board received an entirely new controlled substance database and 24/7 online PMP system, including new software to access, analyze, and distribute data. Idaho was 1 of only 5 states chosen to be a beta test site for the program, and the system was received at no cost for a minimum of three years. The Board continued to implement changes to functionality throughout FY 2015 to provide the most accurate data and reporting for providers. Staff-generated patient profiles continue to be provided to those that do not have statutory authority to access the 24/7 online PMP system. Since implementing 24/7 online access in FY08, the Board has experienced a steady decrease in the amount of staff-generated profile requests as seen above between FY12 - FY14. In FY15, however, the board experienced a 178% increase in staff-generated patient profile requests. This increase can be attributed to the updates made in 54-2726(2) (d), (e), (g), & (h) granting access to data by practitioners and pharmacists in states other than Idaho, access to attorneys by court order, and access for attorneys engaged in enforcing law regulating controlled substances. The Board also realized an increase in both usage (23.6%) and reporting (16%) in the 24/7 online PMP system. The increases in usage can be attributed to an educational outreach to registrants and law enforcement and the addition of Statutes 37-2716(b) & 37-2726 (3) requiring every prescriber authorized to prescribe and administer controlled substances in Idaho to obtain online access the 24/7 online PMP system. The increase in reporting can be attributed to the addition of reportable controlled substances in 37-2709 & 37-2711.

In FY 2014, the Board converted its licensing/registration operating system to an entirely new system, pursuant to an RFP that several regulatory boards combined to post and award. The conversion process was difficult and a

successful conversion is directly related to intense staff dedication. Ongoing additions to the operating system to improve functionality will continue throughout FY 2015.

Over a four year period, the Board has seen an 18.6% increase in the number of licensees and registrants issued and a 25.7% increase in gross income, while increasing expenditures by 23.9%. Please note that this includes a federal grant that closed 9/30/14 and will not be requested again. The increase in expenditures from FY14 to FY15 were due in part to the created and hired position of a TRS II licensing specialist. In addition a onetime expenditure was incurred for enhancements to the licensing/registration operating system. Enhancements included enabling licensees and registrants to print license/registration cards online, removing the printing and decreasing postage expenses to the Board, streamlining the online renewal process as well as financial reporting. Creation of a new license type pursuant to statutory changes that became effective in FY 2015, the Board licensed a new category of drug outlet: the Outsourcing Drug Facility, however large numbers of applicants are not expected. The category was established to match federal compounding guidelines. Pursuant to statute changes, each wholesaler's designated representative applicant is now required to submit fees for the required criminal background check. Criminal background checks were previously completed at the expense of the Board.

The Board continues to add questions to the Multi Pharmacy Jurisprudence Exam data bank and to review the existing questions database as statutes and rules change. The exam is available at secure sites across the country allowing graduates to set their own exam dates as well as their examination site. It also allows 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. In FY 2015, 30 new questions were penned and more than 1700 questions were reviewed.

The Board continues its dedication to maintaining administrative rules. In FY 2015 twenty four rules were updated, including changes to sterile and non-sterile compounding, pharmacy security and storage, biosimilar biologic products, hazardous drug preparations, foreign pharmacist licensure, technician in training, standard prescription drug labeling, repackaging, pharmacist administered immunizations, nonresident pharmacist practice standards, pharmacy authorized entry, remote dispensing sites and drug distribution.

In FY 2015 the Board again ran changes to the Prescription Monitoring Program Sections of Idaho Code and fulfilled its statutory obligation to maintain Idaho's schedule of controlled substances. The Board also ran a successful bill that addressed issues in wholesaling, electronic order entry and payment for criminal background checks.

**Part II – Performance Measures**

Performance Measure	FY 2012	FY 2013	FY 2014	FY 2015	Benchmark
1. Protect public safety by regulating the pharmacist practice of compounding drug products	X (rule promulgated)	X  X (statutory changes enacted)	Note: The Board asked the 2014 Idaho Legislature to defeat its 8 pages of pending rules via concurrent resolution, due to the passing of the federal Compounding Quality Act.	X (rule promulgated for compounding, sterile and general.)	Sterile compounding  General compounding

Performance Measure	FY 2012	FY 2013	FY 2014	FY 2015	Benchmark
2. Continued use of the Multi Pharmacy Jurisprudence Exam.	X	X	X	X	Provide and allow exam to be administered in different areas of the country for all licensure candidates and update the exam twice yearly.
3. Controlled Substance Prescription Monitoring Program (PMP) is maintained	X X (Grant in use)  X (Rules promulgated & statutory changes enacted)	X X (Grant in use)  X (statutory changes enacted)	X X Inter-state data sharing initiated.  X (Converted to new operating system)	X (statutory changes enacted)	Provide controlled substance data to authorized users  Interstate Data Sharing  Expand data and services
4. Serve rural Idaho through retail and institutional tele-pharmacy services	X (Rules promulgated)	X	X (rules proposed and one additional retail tele-pharmacy opened)	X (waivers allowing for relaxed use of telepharmacy rules.)	Expand the use of tele-pharmacy
5. Expand and define pharmacist scope of practice	X (Rule promulgated)	X (statute enacted and rule promulgated to allow and regulate such expanded practice into Idaho)	X (rule proposed)	X (Rule promulgated to allow for the repackaging of a drug previously dispensed)	Promulgate rules to define pharmaceutical care.  Create immunization standards  Limited prescriptive authority
6. Long Term Care	X (Rules promulgated)	X	X (rule promulgated)	X (Rules promulgated)	Promulgate rules addressing long term care issues
7. Update Idaho's Controlled Substance Schedules	X (Statute updated)	X (Proposed Statutory changes)	X (Statute updated)	X (Statute updated)	Update Idaho's schedules pursuant to Federal changes.

Performance Measure	FY 2012	FY 2013	FY 2014	FY 2015	Benchmark
8. Non-resident Central Drug Outlets		X (statutory changes enacted & rules promulgated)	X (Rule promulgated)	X (Rule promulgated for non-resident pharmacist practice standards)	Protect public safety by both allowing the expanded practice of pharmacy into Idaho and further regulating it.
9. Eliminate hindrances to patient care	X (Allow pharmacist to fill expanded quantity in certain situations)	X (Facilitate prescription transfer)	X (Expand forms of positive identification.)	X (Expanded electronic order entry)	Rule promulgation  Statute updated
10. Monitor the Idaho Drug Distribution Act		X(proposed statutory changes)	X (Statute changes and proposed rule and statute changes)	X (Statute changes and proposed rule changes)	Protect against counterfeit drug distribution while not compromising availability. Requiring court order for release of patient information.

**For More Information Contact**

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