

## ***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 fifteen 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, <https://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, 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.

**Revenue and Expenditures**

| Revenue                  | FY 2015            | FY 2016            | FY 2017            | FY 2018            |
|--------------------------|--------------------|--------------------|--------------------|--------------------|
| Federal Grant Fund       | \$38,100           | \$0                | \$0                | \$0                |
| State Regulatory Fund    | \$1,732,500        | \$1,846,200        | \$2,016,600        | \$2,199,700        |
| <b>Total</b>             | <b>\$1,770,600</b> | <b>\$1,814,200</b> | <b>\$2,016,600</b> | <b>\$2,199,700</b> |
| Expenditures             | FY 2015            | FY 2016            | FY 2017            | FY 2018            |
| Personnel Costs          | \$946,000          | \$979,200          | \$1,137,300        | \$1,136,200        |
| Operating Expenditures   | \$675,700          | \$495,800          | \$662,600          | \$755,700          |
| Capital Outlay           | \$9,000            | \$87,500           | \$17,400           | \$195,600          |
| Trustee/Benefit Payments | \$0                | \$0                | \$0                | \$0                |
| <b>Total</b>             | <b>\$1,630,700</b> | <b>\$1,562,500</b> | <b>\$1,817,400</b> | <b>\$2,087,500</b> |

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

| Cases Managed and/or Key Services Provided  | FY 2015   | FY 2016   | FY 2017   | FY 2018   |
|---|-----------|-----------|-----------|-----------|
| License/Registrations Issued                | 20,507    | 21,266    | 22,048    | 22,922    |
| Board Orders                                | 63        | 91        | 94        | 65        |
| Controlled Substance Prescriptions Reported | 3,011,939 | 3,141,103 | 3,050,789 | 2,959,683 |
| Patient Profiles Provided                   | 9,356     | 7,074     | 3,695     | 3,066     |
| 24/7 Online Request                         | 353,213   | 536,167   | 1,295,574 | 7,150,629 |
| CE Presentations                            | 12        | 20        | 14        | 22        |
| Board Meeting Open to the Public            | 10        | 10        | 7         | 9         |

**Part II – Performance Measures**

| Performance Measure (Old)  |        | FY 2015  | FY 2016   |
|--|--------|--|---|
| <b>Goal 1</b>  |        |  |   |
| <i>Maintain and refine Idaho pharmacy law to ensure it facilitates innovation while protecting public safety</i> |        |  |   |
| 1. Protect public safety by regulating the pharmacist practice of compounding drug products                      | actual | X (rule promulgated for compounding, sterile and general.)   | X (rules promulgated with definitions for hazardous drugs, reconstitution, USP 795, and USP 797; implemented new inspection forms for both sterile and non-sterile compounding) |
|  | target | <i>Sterile compounding<br/>General compounding</i>   | <i>Sterile compounding<br/>General compounding</i>  |
| 2. Continued use of the Multi Pharmacy Jurisprudence Exam.   | actual | X  | X (exam has been updated to reflect new Idaho law changes)  |
|  | target | <i>Provide and allow exam to be administered in different areas of the country for all licensure candidates and update the exam twice yearly</i> | <i>Provide and allow exam to be administered in different areas of the country for all licensure candidates and update the exam twice yearly.</i>                               |

| Performance Measure (Old)   |        | FY 2015   | FY 2016   |
|---|--------|---|---|
| 3. Controlled Substance Prescription Monitoring Program (PMP) is maintained | actual | X (statutory changes enacted)   | X (statutory changes enacted to enable PMP access to delegates and to coroners; new functionality added to streamline unsolicited reporting)  |
|   | target | <i>Provide controlled substance data to authorized users<br/>Interstate Data Sharing<br/>Expand data and services</i>       | <i>Provide controlled substance data to authorized users<br/>Interstate Data Sharing<br/>Expand data and services</i>   |
| 4. Serve rural Idaho through retail and institutional telepharmacy services | actual | X (waivers allowing for relaxed use of telepharmacy rules.)   | X (additional waiver granted for telepharmacy in Kendrick, ID; initiated rule promulgation for 2017 that loosens current restrictions on telepharmacies)  |
|   | target | <i>Expand the use of tele-pharmacy</i>  | <i>Expand the use of tele-pharmacy</i>  |
| 5. Expand and define pharmacist scope of practice                           | actual | X (Rule promulgated to allow for the repackaging of a drug previously dispensed)  | X (statutes enacted and rules promulgated that broaden pharmacist immunization authority, enable prescriptive authority for epinephrine auto-injectors, enable pharmacists to order and interpret laboratory tests, and streamlined Collaborative Practice Agreements (CPAs)) |
|   | target | <i>Promulgate rules to define pharmaceutical care.<br/>Create immunization standards<br/>Limited prescriptive authority</i> | <i>Promulgate rules to define pharmaceutical care.<br/>Create immunization standards<br/>Limited prescriptive authority</i>   |
| 6. Long Term Care   | actual | X (Rules promulgated)   | X (rules promulgated regarding permissible dispensing from an institutional facility)   |
|   | target | <i>Promulgate rules addressing long term care issues</i>  | <i>Promulgate rules addressing long term care issues</i>  |
| 7. Update Idaho's Controlled Substance Schedules                            | actual | X (Statute updated)   | X (statute updated to reflect federal changes in controlled substance scheduling of ioflupane)  |
|   | target | <i>Update Idaho's schedules pursuant to Federal changes.</i>  | <i>Update Idaho's schedules pursuant to Federal changes.</i>  |
| 8. Non-resident Central Drug Outlets  | actual | X (Rule promulgated for non-resident pharmacist practice standards)   | X (pursued disciplinary cases against unlicensed entities shipping into Idaho)  |
|   | target | <i>Protect public safety by both allowing the expanded practice of pharmacy into Idaho and further regulating it</i>        | <i>Protect public safety by both allowing the expanded practice of pharmacy into Idaho and further regulating it</i>  |
| 9. Eliminate hindrances to patient care                                     | actual | X (Expanded electronic order entry)   | X (Expanded pharmacist patient care as detailed above; expanded dispensing from institutional facilities; streamlined role of pharmacists and pharmacies during declared emergencies; streamlined registration for non-pharmacy retail outlets)                               |
|   | target | <i>Rule promulgation<br/>Statute updated</i>  | <i>Rule promulgation<br/>Statute updated</i>  |

| Performance Measure (Old)                   |        | FY 2015  | FY 2016  |
|---|--------|--|--|
| 10. Monitor the Idaho Drug Distribution Act | actual | X (Statute changes and proposed rule changes)  | X (provided education on wholesaler reporting requirements; pursued disciplinary cases as a result of reports)                               |
|   | target | Protect against counterfeit drug distribution while not compromising availability. Requiring court order for release of patient information. | Protect against counterfeit drug distribution while not compromising availability. Requiring court order for release of patient information. |

| Performance Measure (New) <sup>1</sup>   |        | FY 2015         | FY 2016  | FY 2017  | FY 2018  | FY 2019  |
|--|--------|-----------------|--|--|--|--|
| <b>Goal 1</b>  |        |                 |  |  |  |  |
| <i>Maintain and refine Idaho pharmacy law to ensure it facilitates innovation while protecting public safety</i> |        |                 |  |  |  |  |
| 1. Attend all NABP meetings to identify opportunity for improvement in laws and rules                            | actual | New for FY 2016 | 100% attendance  | 100% attendance  | 100% attendance  | -----  |
|  | target | N/A             | Attend 100% of NABP meetings annually (NABP Annual, District 7-9, Executive Officers Forum, Compliance Officers Forum) | Attend 100% of NABP meetings annually (NABP Annual, District 7-9, Executive Officers Forum, Compliance Officers Forum) | Attend 100% of NABP meetings annually (NABP Annual, District 7-9, Executive Officers Forum, Compliance Officers Forum) | Attend 100% of NABP meetings annually (NABP Annual, District 7-9, Executive Officers Forum, Compliance Officers Forum) |
| <b>Goal 2</b>  |        |                 |  |  |  |  |
| <i>Educate licensees and registrants on Idaho pharmacy law and impending changes</i>                             |        |                 |  |  |  |  |
| 2. Number of standalone CE programs on law updates   | actual | New for FY 2016 | 20 sessions  | 14 sessions  | 22 sessions  | -----  |
|  | target | N/A             | Host at least five (5) sessions annually throughout the state  | Host at least five (5) sessions annually throughout the state  | Host at least five (5) sessions annually throughout the state  | Host at least five (5) sessions annually throughout the state  |
| <b>Goal 3</b>  |        |                 |  |  |  |  |
| <i>Protect public safety by effectively regulating the practice of pharmacy.</i>                                 |        |                 |  |  |  |  |
| 3. Timely processing of technician-in-training applications  | actual | New for FY 2016 | 18 days  | 18 days  | 15 days  | -----  |
|  | target | N/A             | <18 days (inclusive of weekends and other factors outside of staff control)  | <18 days (inclusive of weekends and other factors outside of staff control)  | <18 days (inclusive of weekends and other factors outside of staff control)  | <18 days (inclusive of weekends and other factors outside of staff control)  |
| 4. Timely processing of pharmacist license reciprocity applications  | actual | New for FY 2016 | 87 days  | 85 days  | 76 Days  | -----  |
|  | target | N/A             | <90 days (inclusive of weekends and other factors outside of staff control)  | <90 days (inclusive of weekends and other factors outside of staff control)  | <90 days (inclusive of weekends and other factors outside of staff control)  | <90 days (inclusive of weekends and other factors outside of staff control)  |
| 5. Timely inspection of all pharmacies located in Idaho <sup>2</sup>   | actual | New for FY 2016 | 104% of goal <sup>3</sup>  | 104% of goal   | 98% of goal <sup>4</sup>   | -----  |
|  | target | N/A             | 100% of facilities inspected in an 18-month period   | 100% of facilities inspected in an 18-month period   | 100% of facilities inspected in an 18-month period   | 100% of facilities inspected in an 18-month period   |

| Performance Measure (New) <sup>1</sup>   |        | FY 2015         | FY 2016  | FY 2017  | FY 2018  | FY 2019  |
|--|--------|-----------------|--|--|--|--|
| 6. Timely inspection of all prescriber drug outlets located in Idaho <sup>2</sup>  | actual | New for FY 2016 | 112% of goal <sup>3</sup>  | 108% of goal   | 84% of goal <sup>4</sup>                                     | -----  |
|  | target | N/A             | 100% of facilities inspected in an 18-month period                     | 100% of facilities inspected in an 18-month period                     | 100% of facilities inspected in an 18-month period           | 100% of facilities inspected in an 18-month period           |
| 7. Timely complaint processing for matters under the Board's jurisdiction <sup>2</sup>                                       | actual | New for FY 2016 | 49 days  | 30 days  | 50 days  | -----  |
|  | target | N/A             | <90 days from complaint generation to defendant notification           | <90 days from complaint generation to defendant notification           | <90 days from complaint generation to defendant notification | <90 days from complaint generation to defendant notification |
| <b>Goal 4</b>  |        |                 |  |  |  |  |
| <i>Optimize the use and functionality of the state's Prescription Monitoring Program (PMP)</i>                               |        |                 |  |  |  |  |
| 8. Percentage of pharmacists with a Controlled Substance registration enrolled in the PMP                                    | actual | New for FY 2016 | 88% registered   | 100% registered  | 100% registered  | -----  |
|  | target | N/A             | Baseline: 75% registered; work toward 100% over life of strategic plan | Baseline: 75% registered; work toward 100% over life of strategic plan | Maintain 100% registration                                   | Maintain 100% registration                                   |
| 9. Percentage of controlled substance prescriptions that pharmacists check PMP on prior to dispensing <sup>2</sup>           | actual | New for FY 2016 | 8.0%   | 25%  | 52.1%  | -----  |
|  | target | N/A             | Baseline: 6.7% checked; work toward 20% over life of strategic plan    | Baseline: 6.7% checked; work toward 20% over life of strategic plan    | 30% checked  | 50% checked  |
| 10. Percentage of controlled substance prescriptions that the Top 100 prescribers check PMP on prior to issuing <sup>2</sup> | actual | New for FY 2016 | 35%  | 38.6%  | 37%  | -----  |
|  | target | N/A             | Baseline: 35% checked; work toward 50% over life of strategic plan     | Baseline: 35% checked; work toward 50% over life of strategic plan     | Work toward 50% over life of strategic plan                  | Work toward 50% over life of strategic plan                  |

**Performance Measure Explanatory Notes**

1 - In January 2016, the Board launched a new Performance Dashboard to more transparently communicate its performance on key measures articulated in the agency's strategic plan throughout the year. The Board reviews performance on these measures at each regular Board meeting, and makes recommendations or takes corrective action as needed.

2 - With a January 2016 launch of the Board Dashboard, the data presented herein covers the time period from January through July 2016; it is logistically difficult to calculate these measures prior to the official launch of the Dashboard.

3 - Given the time period the measure is reported (January through July), Board staff inspected more facilities than the goal, resulting in a percentage >100%.

4 - The Board was without 1 of its 3 compliance officers from mid-January to early-May.

**For More Information Contact**

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