



Iowa Board of Pharmacy

March 1, 2022 Minutes

Members Present

Kathy Stone, Chair
Gayle Mayer, Vice-Chair
Bob Egeland
Erik Maki
Jim Mennen
Dane Nealson
Joan Skogstrom
Kathy Stone
Sherill Whisenand

Melissa Carstens, PMP Associate Administrator
Amanda Woltz, Administrative Assistant
Emily Albers, Pharmacist-Intern
Bella Blankenship, Pharmacist-Intern

Compliance Officers

Christie Carlson
Curt Gerhold
Mark Mather
Sue Mears
Jean Rhodes
Maggie Phelps
Jennifer Tiffany
Jim Wolfe

Staff Present

Andrew Funk, Executive Director
Laura Steffensmeier, Assistant Attorney General
Therese Witkowski, Executive Officer
Mitchell Barnett, Associate Director of PMP

Call to Order

At 9:00 a.m., on Tuesday, March 1, 2022, Kathy Stone, called the meeting of the Iowa Board of Pharmacy to order.

Public Comment Period

None

Approval of Minutes

1. January 11, 2022 Open Session Minutes

Motion by Dane Nealson, second by Gayle Mayer, to approve the open session minutes of the January 11, 2022 meeting as presented. Motion passed unanimously.

AlixRx's Innovative Pharmacy Pilot Project Quarterly Report

Amanda Stewart, Vice President of Pharmacy Support Services with AlixaRx provided a report on the pilot project. The pilot authorizes AlixaRx to install and operate AMDS technology in a select group of long term care facilities.

This is the third quarterly report of the 18 month approved pilot. The report includes a full quarter of AMDS dispense information and technical data between October and December of 2021 as the units were installed and implemented by AlixaRx between July and September of 2021 per the Go-Live dates.

The total number of patient's serviced quarter over quarter was similar to the prior three month period.

Requests

1. Request to waive 657 IAC 17.3(1)"c" requiring evidence of current drug distributor accreditation as a condition of licensure - Summit SD, LLC, Wholesale Distributor license applicant, Lee's Summit, MO

Motion by Gayle Mayer, second by Dane Nealson, to approve the request pending an onsite inspection by a compliance officer. Motion passed unanimously.

2. Request to waive 657 IAC 43.3(1) requiring evidence of current drug distributor accreditation as a condition of licensure - DHL Supply Chain, Third-Party Logistics Provider license applicant, Knoxville, TN

Motion by Gayle Mayer, second by Jim Mennen, to approve the request to December 15, 2022. Motion passed unanimously.

3. Request to waive 657 IAC 20.24(1) requiring the reporting of interstate distribution of compounded preparations to the NABP Information Sharing Network by April 1 - UnityPoint at Home, Pharmacy license 11, Urbandale

Motion by Erik Maki, second by Dane Nealson, to approve the request as presented. Motion passed unanimously.

4. Request to waive 657 IAC 6.2 requiring the pharmacy to have a pharmacist in charge - Walgreens Pharmacy, Pharmacy license 83, Davenport

Request withdrawn.

5. Request pursuant to 657 IAC 2.12(6)(a) for credit for health-related graduate studies - Alec Gates, Pharmacist license 23877, Raleigh, NC

Motion by Joan Skogstrom, second by Erik Maki, to approve the request for the one year (15 hours), but not the year he already completed. The credit of 15 hours cannot count towards the required specific content hours. Motion passed unanimously.

6. Request to waive 657 IAC 13.11(1) requiring the completion of 2,000 hours of experience as a certified pharmacy technician for a telepharmacy technician - Nightingale Drug, Pharmacy license 1632, Postville

Motion by Dane Nealson, second by Jim Mennen, to approve the request for the specific technician identified in the petition. Motion passed unanimously.

7. Request to waive 657 IAC 13.16(4) requiring a telepharmacy site to be located at a distance of at least ten miles from the closest pharmacy that dispenses prescriptions to outpatients - Medicap Pharmacy 1498, Dallas Center

Motion by Dane Nealson, second by Erik Maki, to approve the request as presented. Motion passed unanimously.

Petition for Exemption from the Mandate for Electronic Transmission of Prescriptions

1. Springfield Clinic, LLP

Motion by Joan Skogstrom, second by Erik Maki, to deny the request. Motion passed unanimously.

2. Emma Goldman Clinic

Motion by Gayle Mayer, second by Dane Nealson, to approve the request for noncontrolled substances and testosterone only. Motion passed unanimously.

3. Dr. Claudia Addy, DPM

Motion by Gayle Mayer, second by Dane Nealson, to deny the request. Motion passed unanimously.

4. Jill Webb, ARNP

Motion by Gayle Mayer, second by Joan Skogstrom, to approve the request for 50 non-controlled substances annually. Motion passed unanimously.

Licensure/Registration Applications

1. Lindsey Collett, RPh, Pharmacist License Applicant, Milford, IA

Motion by Gayle Mayer, second by Dane Nealson to approve the license by Consent Agreement. Motion passed unanimously.

Reports & Informational Items

1. **Executive Director’s Report**

Staffing

- The Board office is currently fully staffed. There are no updates at this time.

Nominations, Appointments, Presentations

- Board members Dane Nealson, Joan Skogstrom, and Kathy Stone have been reappointed to the Board
- Bob Egeland has been appointed to assume the appointment vacated by Brett Barker
- The National Association of Boards of Pharmacy has awarded the Iowa Board of Pharmacy with the Fred T. Mahaffey award for the Board’s outstanding work of protecting public health and advancing the initiatives of the Association. The award will be presented to the Board at the NABP Annual Meeting in Phoenix, AZ.

2. **Meetings and Travel**

- IPA Legislative Day..... March 7, 2022
- Opioid Regulatory Collaborative Summit (DC) March 7-8, 2022
- NABP’s MPJE Item Writing Workshop..... March 9-11, 2022

- APhA 2022 Annual Meeting March 18-21, 2022
- IPA Goes Local (Northern Iowa)..... April 21, 2022
- IPA Goes Local (Quad Cities)May 3, 2022
- Next Board Meeting..... May 3-4, 2022

3. Prescription Monitoring Program (PMP) Update

Mitch Barnett provided a program update.

PMP Integrations

- In state chain pharmacies 172
- In state independent pharmacies..... 24
- Nonresident pharmacies 99
- Clinics/physician offices within Iowa 241
- Clinics/physician offices outside of Iowa..... 247
- Iowa hospitals..... 57
- Hospitals outside of Iowa 74

Pharmacist Narcan® Dispensing Program

- From July 1, 2021 to January 31, 2022 the Pharmacist Narcan® Dispensing Program has had 2,227 fills with 2,171 unique patients.

Pharmacist Disposal Kit Dispensing Program

- From July 1, 2021 to January 31, 2021 the Pharmacist Disposal Kit Dispensing Program has had 5,520 fills for 4,779 unique patients.

4. Board-Sponsored Medication Disposal Update

Melissa Carstens provided a program update.

The Board-Sponsored Medication Disposal has a total number of 512 units in Iowa and has destroyed 92,735 lbs of medication.

5. Iowa Monitoring Program for Pharmacy Professionals (IMP3) Update

Becky Carlson provided a program update. The last meeting of 2021 was December 1, 2021 and the next meeting is scheduled for March 9, 2022.

Total program participants: 18

6. Compliance Update

Christie Carlson provided a compliance update. Since January 1, 2022, some of the items that compliance staff have been working on are QI Council, investigations, COVID response meetings, 2022 Iowa Legislative Session tracking/Bill review, Center for Drug Evaluation and Research FDA

Cleanroom training, NASCA Finance Committee meeting, NABP Biologics webinar, USP Roundtable,

- Inspections completed from January 1, 2022 to February 28, 2022 total 78.
- Controlled Substance Act inventory verification for inspection total 161

7. Update on USP 797/795 Revision Process

Christie Carlson provided a summary of the revision process for USP 797/795.

8. 50 Year Pharmacists

Informational Item

9. APhA Pharmacist Well-Being Index: NABP District V

Informational Item

Rules and Legislation

1. Legislative Update

Sue Mears provided an update on the Board's bills.

2. Proposed for adoption and filing to amend Chapter 10, "Controlled Substances", to temporarily place one substance into schedule I of the Iowa CSA in response to similar action taken by the federal Drug Enforcement Administration (ARC 6082C)

The amendment temporarily places one substance into schedule I of the Iowa uniform Controlled Substances Act in response to similar scheduling action taken by the federal Drug Enforcement Administration.

Motion by Dane Neelson, second by Erik Maki, to adopt. Motion passed unanimously.

3. Proposed for adoption and filing to amend Chapter 13, "Telepharmacy Practice", to reduce the notification period to terminate a written agreement between a managing pharmacy and a telepharmacy site from 90 days to 45 days, authorize the practice of pharmacy support persons at a telepharmacy site and establish training and education requirements, remove duplicated rules found in other Board chapters, and authorize the Board to establish a committee to consider requests for exemption to the technician practice experience requirements in exceptional circumstances that may otherwise result in the closure of a telepharmacy site (ARC 6083C)

These amendments are the result of an overall five-year review of Chapter 13 as required by Iowa Code section 17A.7(2) and comments solicited by the Board from interested stakeholders in advance of the Board's review. The amendments reduce the notification period to terminate a written agreement between a managing pharmacy and a telepharmacy site from 90 days to 45 days, authorize the practice of pharmacy support persons (PSP) at a telepharmacy site and establish requirements for PSP registration and training, remove duplicated rules which are required in other Board chapters, and authorize the Board to establish a committee to consider requests for exemption to the technician

practice experience requirements in exceptional circumstances that may otherwise result in the closure of the telepharmacy site.

Motion by Dane Neelson, second by Joan Skogstrom, to adopt. Motion passed unanimously.

4. Proposed for notice of intended action to amend Chapter 12, "Precursor Substances", to temporarily add one chemical as a precursor substance in Iowa Code in response to similar action taken by the federal Drug Enforcement Administration

Motion by Dane Neelson, second by Sherill Whisenand, to file for Notice of Intended Action. Motion passed unanimously.

5. Proposed for notice of intended action to amend Chapter 3, "Pharmacy Technicians," and Chapter 6, "General Pharmacy Practice", to provide for pharmacist delegation of technical functions relating to prescription processing activities to an Iowa-registered certified pharmacy technician who is performing the delegated functions at a location other than where the supervising pharmacist is physically located under specific conditions that provide for adequate security and supervision, real-time access between personnel and processing systems, and documentation of functions performed

Motion by Dane Neelson, second by Jim Mennen, to file for Notice of Intended Action. Motion passed unanimously.

6. Proposed for notice of intended action to amend Chapter 8, "Universal Practice Standards," and Chapter 19, "Nonresident Pharmacy Practice", to modify the handling of ownership changes for resident and nonresident pharmacies, provide a requirement that nonresident pharmacies which directly dispense to Iowa patients provide evidence of a toll-free telephone number on prescription labels to provide access to a pharmacist who has access to the patient's records during the pharmacy's regular business hours, and identify the process by which a pharmacy can temporarily relocate pharmacy operations in response to an exceptional circumstance or disaster rendering the pharmacy unsafe

Motion by Dane Neelson, second by Gayle Mayer, to file for Notice of Intended Action. Motion passed unanimously.

7. Proposed Response or Comment to Proposed FDA Regulation - National Standards for the Licensure of Wholesale Drug Distributors and Third-Party Logistics Providers

Informational Item

Closed Session

At 11:42 a.m., on a motion by Dane Neelson, second by Erik Maki, the Board voted unanimously by roll call vote to move into closed session pursuant to Iowa Code section 21.5(1)(a), to review or discuss records which are required or authorized by state or federal law to be kept confidential; pursuant to Iowa Code section 21.5(1)(d), to discuss whether to initiate licensee disciplinary investigations or proceedings; and pursuant to Iowa Code section 21.5(1)(f), to discuss the decision to be rendered in a contested case conducted according to the provisions of Iowa Code chapter 17A.

At 2:55 p.m., the Board returned to open session. In open session the following actions were taken:

1. January 11, 2022 Closed Session Minutes

Motion by Dane Nealson, second by Sherill Whisenand, to approve the closed session minutes from the January 11, 2022 meeting as presented. Motion passed unanimously.

2. Combined Statement of Charges, Settlement Agreement, and Final Order

Motion by Dane Nealson, second by Sherill Whisenand, to approve the Combined Statement of Charges, Settlement Agreement, and Final Order in the following cases. Motion passed unanimously.

- A. 2021-0149 Walgreens 05060, License 1086, Clive
- B. 2021-0153 Walgreens 05721, License 355, Des Moines
- C. 2021-0242 Walgreens 05852, License 1145, Des Moines
- D. 2021-0133 Lori Lindstrom, MD, CSA Registration 1232291, Mason City
- E. 2021-0134 Arnold Beukelman, DVM, CSA Registration 1500550, Sioux Center

3. Notice of Hearing

Motion by Dane Nealson, second by Sherill Whisenand, to approve the Notice of Hearing in the following case. Motion passed unanimously.

- A. 2021-0112 Cheveux LLC, Nonresident Pharmacy, License 5366, Phoenix, AZ

1. Settlement Agreement and Find Order

Motion by Dane Nealson, second by Sherill Whisenand, to approve the Settlement Agreement and Final Order in the following case. Motion passed unanimously.

- A. 2021-0217 Katelynn Parmer, Technician Trainee, Registration 31984, Decatur

4. Closed with No Further Action

Motion by Dane Nealson, second by Sherill Whisenand, to close with no further action the following investigative files in complaint numbers: 2021-0272, 2021-0256, 2021-0222, 2021-0223, 2021-0276, 2022-0046, 2021-0202, 2021-0258, 2021-0275, 2022-0001, and 2022-0012. Motion passed unanimously.

5. Closed with No Further Action

Motion by Dane Nealson, second by Sherill Whisenand, to close with no further action the following investigative files in complaint numbers: 2020-0172, 2020-0186, 2021-0004, 2021-0005, 2021-0006, 2021-0007, 2021-0008, 2022-0049, 2022-0002, 2022-0003, 2022-0004, 2022-0013, 2022-0014, and 2021-0180. Jim Mennen abstained. Motion passed unanimously.

6. Administrative Warning

Motion by Dane Nealson, second by Sherill Whisenand, to issue Administrative Warnings to the respondents in the following investigative files in complaint numbers: 2021-0267, 2021-0100, and 2021-0189. Motion passed unanimously.

7. Letter of Education

Motion by Dane Neelson, second by Sherill Whisenand, to issue letters of education to the respondents in the following investigative files in complaint numbers: 2021-0245, 2021-0283, 2021-0230, 2021-0247, 2021-0277, and 2022-0047. Motion passed unanimously.

At 3:01 p.m., motion by Dane Neelson, second by Joan Skogstrom, to adjourn. Motion approved unanimously.



Amanda Woltz, Administrative Assistant and Recording Secretary



Andrew Funk
Executive Director



Kathy Stone
Board Chair

APPROVED THIS 3rd DAY OF MAY 2022