



## Iowa Board of Pharmacy

### June 27, 2023 Open Session Minutes

#### **Members Present**

Kathy Stone, Chair  
Erik Maki, Vice-Chair  
Connie Connolly  
Bob Egeland  
Jim Mennen  
Dane Nealson

#### **Board Members Absent**

Joan Skogstrom

#### **Staff Present**

Jill Stuecker, Interim Executive Director  
Lindsey Browning, Assistant Attorney General  
Mitch Barnett, PMP Associate Director

Becky Carlson, Administrative Assistant  
Melissa Carstens, PMP Associate Administrator  
Sharon Smith, Licensing Specialist  
Ann Schleppehorst, Chief Investigator

#### **Compliance Officers**

Curt Gerhold  
Jill Kremmin  
Mark Mather  
Sue Mears  
Britney Origer  
Maggie Phelps  
Jean Rhodes  
Jim Wolfe

#### **Call to Order and Roll Call Vote**

At 9:02 a.m., on Tuesday, June 27, 2023, Kathy Stone called the meeting of the Iowa Board of Pharmacy to order.

#### **Announcement**

Kathy Stone congratulated former Executive Director Andrew Funk on his new position with the National Association of Boards of Pharmacy (NABP). He had been the Board's Executive Director since 2015 following his role as a compliance officer.

#### **Public Comment Period**

David Bainbridge addressed the Board to express his concerns with the pharmacist competency examination through NABP and to report that the exam first-attempt pass rate has been steadily declining over the past few years. He requested the Board's input with NABP to ensure the exam includes reasonable standards.

#### **Approval of Minutes**

1. May 2, 2023 Open Session Minutes

Motion by Erik Maki, second by Dane Nealson, to approve the open session minutes of the May 2, 2023, meeting as presented.

**Requests**

1. Request to waive 657 IAC 6.7(5)"a" and "b", requiring basic alarm system and video surveillance no later than July 6, 2023 - Orange City Area Pharmacy, license 1608, Orange City

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

**Reports & Informational Items**

1. Executive Director’s Report ..... Jill Stuecker
  - The new Department of Inspections, Appeals, and Licensing (DIAL) Table of Organization was explained.
  - The Administration Division will be hiring an attorney to serve as general counsel for Licensing.
  - A new database will be procured in order to modernize, standardize, and simplify our processes.
2. Meetings and Travel ..... Sue Mears
  - NABP Pulse Summit ..... August 1-3, 2023
  - Rules Committee Meeting ..... August 2, 2023
  - NABP District 5 Meeting ..... August 9-11, 2023
  - Next Board Meeting..... August 29-30, 2023
  - NABP MPJE Item Review Workshop.....September 6-8, 2023
3. Legal Update..... Lindsey Browning
  - H.F. 726 related to the Opioid Settlement has been referred to the committee for HHS.
  - If H.F. 726 is enacted, the Board of Pharmacy will play a role in the appropriation of funds for PMP integration and the implementation of the opioid and naloxone education program.
4. PMP Annual Report and Update..... Mitch Barnett

**PMP Integrations**

- Iowa chain pharmacies..... 307
- Iowa independent pharmacies..... 82
- Nonresident pharmacies..... 161
- Iowa clinics/physician offices..... 315
- Nonresident clinics/physician offices ..... 401
- Iowa hospitals ..... 74
- Nonresident hospitals..... 102

**Statewide Integration Initiative**

- The Statewide Integration Initiative launched June 15, 2022. The initiative provides funding for a statewide PMP integration option that is available to Iowa prescribers and pharmacists. Since its launch, 180 new entities have signed up. Additional information

concerning the Initiative can be found at <https://pharmacy.iowa.gov/prescription-monitoring-program>.

- PMP staff have completed outreach to individual pharmacies not yet integrated.
- An additional Bamboo email campaign is in the works for July.

**PMP Advisory Council**

- New Advisory Council applications were submitted by Officer Michael VanFossen and Larry Newman, DNP.
- Yulia Johnson, D.O., Matt Arnold, PharmD, and Julie Sarcone, ARNP, have reapplied.
- There are currently openings for nine Advisory Council members.

Motion by Dane Neelson, second by Jim Mennen, to approve all five applicants. Motion passed unanimously.

**Pharmacist Narcan® Dispensing Program**

- From July 1, 2020 to May 31, 2023, the Pharmacist Narcan® Dispensing Program has had 7,458 fills with ~6,000 unique patients.

**Pharmacist Disposal Kit Dispensing Program**

- From July 1, 2021 to May 31, 2023, the Pharmacist Disposal Kit Dispensing Program has had 35,118 fills for ~31,000 unique patients.

**Threshold Notifications**

- Threshold notifications were sent in early June to 481 providers, identifying 55 patients.

**PMP Meetings and Presentations**

- NABP Interconnect Steering Committee.....August, 2023
5. Board-Sponsored Medication Disposal Update.....Melissa Carstens
    - Melissa Carstens provided a program update. The program has 530 participating pharmacies (both controlled and non-controlled sites). Pharmacies are able to install an 18-gallon or 38-gallon DEA-compliant permanent receptacle.
  6. Iowa Monitoring Program for Pharmacy Professionals (IMP3) Update .....Becky Carlson
    - Becky Carlson provided a program update. The last meeting was June 14, 2023, and the next meeting is scheduled for September 6, 2023.
    - Total program participants: 22
  7. Compliance Report ..... Maggie Phelps

Maggie Phelps provided a compliance update. From May 1 to June 30, 2023, compliance officers have attended several meetings, such as rules committee, legislative, NABP, NASCSA, and IPA meetings. Compliance officers have also completed a preceptorship for block 1 & 2 APPE rotation, organized suspicious order reporting, began NABP's DSCSA tracing pilot, made revisions to the CE presentation for USP 795 and 797, and continued review of Code and IAC for EO 10.

- Inspections completed from May 1, 2023 to June 30, 2023 total 141.
- Controlled Substance Act inventory verification for inspection total 34.
- Controlled Substance Act inspections total 26.

#### 8. Delegates Approve Six Resolutions at the 119<sup>th</sup> NABP Annual Meeting

- The meeting was attended by Andrew Funk and Kathy Stone.
- Resolutions addressed point-of-care testing and treatment by pharmacists, DSCSA education and compliance assessment, increasing access to medications for opioid use disorder, expanding technician seats on state boards of pharmacy, and creating an industry standard for pharmacy technician scope of practice and entry-level requirements to support interstate portability.

### Rules and Legislation

1. Proposed for Notice of Intended Action to amend Chapter 10, "Controlled Substances," and Chapter 12, "Precursor Substances," to temporarily add one List I chemical to the list of precursor substances in Iowa Code section 124B and one substance to Schedule I of the controlled substances Act in response to similar action taken by the DEA

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

2. Proposed updated Board of Pharmacy statewide protocol for FDA-approved opioid antagonists

Motion by Dane Neilson, second by Jim Mennen, to approve as amended, effective July 1, 2023. Motion passed unanimously.

### Closed Session

At 10:15 a.m., on a motion by Dane Neilson, 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 1:48 p.m., the Board returned to open session. In open session, the following actions were taken:

1. May 2, 2023 Closed Session Minutes

Motion by Dane Neilson, second by Erik Maki, to approve the amended closed session minutes from the May 2, 2023 meeting. Motion passed unanimously.

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

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

- A. 2023-0033 Clark's Pharmacy, License 566, Cedar Rapids
- B. 2022-0138 Stangel Pharmacy, License 574, and Aaron Stangel, RPh, License 19902, Onawa
- C. 2023-0034 Jone Poppe, CPhT, Registration 1767, Central City
- D. 2022-0247 Sadie Lehmkuhl, CPhT, Registration 35015, Marion

3. Notice of Hearing and Statement of Charges

Motion by Dane Nealson, second by Erik Maki, to approve the Notice of Hearing and Statement of Charges in the following case. Motion passed unanimously.

- A. 2023-0043 Mary Mosher, RPh, License 20661, Cedar Rapids

4. Closed with No Further Action

- A. Motion by Dane Nealson, second by Erik Maki, to close with no further action the following investigative files in complaint numbers: 2023-0073, 2023-0036, 2023-0098, 2023-0080, 2023-0044, 2023-0057, 2023-0040, 2023-0061, 2023-0062, 2023-0069, 2023-0087, and 2023-0028. Motion passed unanimously.

5. Closed with No Further Action

- A. Motion by Dane Nealson, second by Erik Maki, to close with no further action the following investigative files in complaint number: 2023-0024. Jim Mennen abstained. Motion passed unanimously.

6. Administrative Warning

- A. Motion by Dane Nealson, second by Erik Maki, to issue administrative warnings to the respondents in the following investigative files in complaint numbers: 2023-0078, 2023-0088, 2023-0089, 2022-0231, 2023-0093, and 2023-0091. Motion passed unanimously.

7. Letter of Education

- A. Motion by Dane Nealson, second by Erik Maki, to issue a letter of education to the respondents in the following investigative files in complaint numbers: 2023-0079, and 2023-0086. Motion passed unanimously.

8. Letter of Education

- A. Motion by Erik Maki, second by Bob Egeland, to issue a letter of education to the respondents in the following investigative files in complaint number: 2023-0013. Dane Nealson abstained. Motion passed unanimously.

9. Letter of Education

- A. Motion by Dane Nealson, second by Erik Maki, to issue a letter of education to the respondents in the following investigative files in complaint number: 2023-0011. Jim Mennen abstained. Motion passed unanimously.

10. Requests and Applications

Motion by Dane Nealson, second by Erik Maki, to approve the requests and applications for the following applicants. Motion passed unanimously.

- A. Misty Coenen, Technician Trainee Applicant
- B. Marisol Garcia, Pharmacist-intern, Registration 7281
- C. Jessica McCants, Pharmacist Applicant
- D. CVS Pharmacy #8443, License 1395

11. Requests and Applications

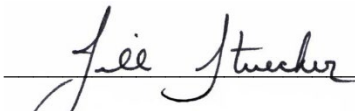
Motion by Dane Nealson, second by Erik Maki, to deny the request for the following applicant. Motion Passed unanimously.

- A. John Daniel, RPh, License 19184

At 1:56 p.m., motion by Dane Nealson, second by Jim Mennen, to adjourn. Motion approved unanimously.



Sharon Smith, Licensing Specialist and Recording Secretary



Jill Stuecker  
Interim Executive Director



Kathy Stone  
Board Chair

APPROVED THIS 29<sup>th</sup> DAY OF AUGUST 2023