



Iowa Board of Pharmacy

November 7, 2023 Open Session Minutes

Members Present

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

Melissa Carstens, PMP Administrator
Anne Schlepphorst, Chief Investigator
Emily DeRonde, Licensing Attorney

Compliance Officers Present

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

Staff Present

Jill Stuecker, Interim Executive Director
Lindsey Browning, Assistant Attorney General
Sharon Smith, Licensing Specialist
Becky Carlson, Program Coordinator

Call to Order and Roll Call Vote

At 9:00 a.m., on Tuesday, November 7, 2023, Kathy Stone called the meeting of the Iowa Board of Pharmacy to order.

Approval of Minutes

1. August 29, 2023 Open Session Minutes

Motion by Dane Nealson, second by Jim Mennen, to approve the open session minutes of the August 29, 2023 meeting as presented. Motion passed unanimously.

2. September 28, 2023 Open Session Minutes

Motion by Dane Nealson, second by Bob Egeland, to approve the open session minutes of the September 28, 2023 meeting as presented. Jim Mennen abstained. Motion passed unanimously.

3. October 13, 2023 Open Session Minutes

Motion by Dane Nealson, second by Connie Connolly, to approve the open session minutes of the October 13, 2023 meeting as presented. Jim Mennen, Joan Skogstrom, and Bob Egeland abstained. Motion passed unanimously.

Requests

- a. Request to waive 657 IAC 20.4 requiring compliance with United States Pharmacopeia Chapter 797 – U of I Community HomeCare, Pharmacy License 1068, Iowa City

Motion by Dane Nealson, second by Jim Mennen, to approve the request. Motion passed unanimously.

- b. 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 Dane Nealson, second by Erik Maki, to approve the request. Motion passed unanimously.

- c. Request to waive 657 IAC 4.6(3) to extend pharmacist-intern registration expiration date for one additional year
 - a. Rawiah Al-Rawi, Intern registration 8083 (expired 10/31/2023), Iowa City

Motion by Erik Maki, second by Connie Connolly, to table the request. Motion passed unanimously.

- b. Mohamed Abbas, Intern registration 6973 (expired 5/31/2022), Iowa City

Motion by Erik Maki, second by Jim Mennen, to approve the request. Motion passed unanimously.

- d. Petition for Rule Making, Carl Olsen

Motion by Dane Nealson, second by Bob Egeland, to take no action. Motion passed unanimously.

Petition for Exemption from Mandate for Electronic Transmission of Prescriptions

- 1. Kim Cafaro, ARNP

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

- 2. Richard Nightingale, MD

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

- 3. Joseph Phelan, MD

Motion by Connie Connolly, second by Dane Nealson, to approve the request. Motion passed with Kathy Stone, Erik Maki, Connie Connolly, Bob Egeland, Jim Mennen, and Dane Nealson in favor and Joan Skogstrom opposed.

- 4. Women's Choice Center

Motion by Jim Mennen, second by Dane Nealson, to approve the request. Motion passed unanimously.

Reports & Informational Items

- 1. Executive Director's Report Jill Stuecker

- The Department of Inspections, Appeals, and Licensing (DIAL) is in the process of moving to 6200 Park Avenue in Des Moines. The next board meeting will be held there.
- The Board's Controlled Substance bill is now sponsored by DIAL.
- The *Review of Iowa Boards and Commissions* report released in September 2023 by the Iowa Boards & Commissions Review Committee are recommendations only.

2. PMP Report and Updates..... Mitch Barnett

Melissa Carstens provided a program update.

PMP Integrations

- Iowa chain pharmacies..... 307
- Iowa independent pharmacies..... 93
- Nonresident pharmacies..... 166
- Iowa hospital/clinics/physician offices 417
- Nonresident hospitals/clinics/physician offices 584

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, over 200 new entities have signed up. Additional information concerning the Initiative can be found at <https://dial.iowa.gov/licenses/medical/pharmacy/prescription-monitoring-program>.

Quarterly Prescriber Activity Reports

For the 3rd quarter of 2023, 11,430 Prescriber Activity Reports were sent.

Pharmacist Narcan® Dispensing Program

From July 1, 2020, to September 30, 2023, the Pharmacist Narcan® Dispensing Program has had 7,879 fills with ~7,000 unique patients.

Pharmacist Disposal Kit Dispensing Program

From July 1, 2021, to September 30, 2023, the Pharmacist Disposal Kit Dispensing Program has had ~44,000 fills for ~42,000 unique patients.

Threshold Notifications

Threshold notifications were sent in October to 424 providers, identifying 46 patients.

PMP Advisory Council

- New Advisory Council application was submitted by Dr. Anne Eike, DVM.
Motion by Erik Maki, second by Joan Skogstrom, to approve. Motion passed unanimously.
- Dr. Anthony Miller, MD has reapplied for the Advisory Council.
Motion by Dane Nealson, second by Erik Maki, to approve. Motion passed unanimously.

3. Board-Sponsored Medication Disposal Update..... Melissa Carstens

Melissa Carstens provided a program update. The program has 542 participating pharmacies (both controlled and non-controlled sites). Pharmacies are able to install an 18-gallon or 38-gallon DEA-compliant permanent receptacle.

4. Iowa Monitoring Program for Pharmacy Professionals (IMP3) UpdateBecky Carlson

Becky Carlson provided a program update. The last meeting was October 25, 2023, and the next meeting is scheduled for December 6, 2023. There are 27 total program participants.

5. Compliance Report Maggie Phelps

Maggie Phelps provided a compliance update. From September 1, 2023, to October 31, 2023, compliance officers have attended several meetings including staff/division meetings and meetings/training with NABP (MPJE Item Review, Survey of Pharmacy Law Review, Information Sharing Network). Compliance officers have also begun cross training in hospital and compounding pharmacy inspections, continued review of Code and IAC for EO 10, reviewed NABP ISN alerts, gave a licensing lecture at Drake University, and audited the Board's website content. Between September 1, 2023, and October 31, 2023:

- Inspections completed total 156.
- Controlled Substances Act inventory verification for inspection total 23.
- Controlled Substances Act inspections total 5.
- Investigations completed total 19.

Rules and Legislation..... Sue Mears

1. Proposed for Adoption to amend Chapter 10, "Controlled Substances," and Chapter 12, "Precursor Substances," to add one List I chemical to the list of precursor substances in Iowa Code Chapter 124B and one hallucinogen to Schedule I of the Controlled Substances Act

Motion by Erik Maki, second by Bob Egeland, to adopt. Motion passed unanimously.

Closed Session

At 10:27 a.m., on a motion by Dane Nealson, second by Joan Skogstrom, 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 3:00 p.m., the Board returned to open session. In open session, the following actions were taken:

August 29, 2023 Closed Session Minutes

Motion by Dane Nealson, second by Jim Mennen, to approve the closed session minutes from the August 29, 2023 meeting. Motion passed unanimously.

1. September 28, 2023 Closed Session Minutes

Motion by Dane Nealson, second by Erik Maki, to approve the closed session minutes from the September 28, 2023 meeting. Jim Mennen abstained. Motion passed unanimously.

2. October 13, 2023 Closed Session Minutes

Motion by Dane Nealson, second by Erik Maki, to approve the closed session minutes from the October 13, 2023 meeting. Jim Mennen, Joan Skogstrom, and Bob Egeland abstained. Motion passed unanimously.

3. Closed with No Further Action

Motion by Dane Nealson, second by Erik Maki, to close with no further action the following investigative files in complaint numbers: 2023-0092, 2023-0133, 2023-0160, 2023-0164, 2023-0119, 2023-0120, 2023-0124, 2023-0132, 2023-0145, 2023-0109, and 2023-0113. Motion passed unanimously.

4. Closed with No Further Action

Motion by Dane Nealson, second by Bob Egeland, to close with no further action the following investigative files in complaint number 2023-0165. Connie Connolly abstained. Motion passed unanimously.

5. Closed with No Further Action

Motion by Dane Nealson, second by Bob Egeland, to close with no further action the following investigative files in complaint numbers: 2023-0161, 2023-0162, 2023-0163, 2023-0116, and 2023-0125. Jim Mennen abstained. Motion passed unanimously.

6. Letter of Education

Motion by Dane Nealson, second by Bob Egeland, to issue a letter of education to the respondent in the investigative file in complaint number 2023-0126. Motion passed unanimously.

7. Letter of Education

Motion by Dane Nealson, second by Bob Egeland, to issue a letter of education to the respondent in the investigative file in complaint number 2023-0072. Jim Mennen abstained. Motion passed unanimously.

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

Motion by Dane Nealson, second by Bob Egeland, to approve the Combined Statement of Charges, Settlement Agreement, and Final Order in the following case. Jim Mennen abstained. Motion passed unanimously.

A. 2023-0118 Ryan Etscheid, RPh, License 21648, Altoona

9. Notice of Hearing, Statement of Charges, and Statement of Matters Asserted

Motion by Dane Nealson, second by Bob Egeland, to approve the Notice of Hearing, Statement of Charges, and Statement of Matters Asserted with corrections as discussed in the following cases. Motion passed unanimously.

- A. 2020-0175 Walgreens #07967, Pharmacy, License 1257, Clive
- B. 2020-0176 Walgreens #05060, Pharmacy, License 1086, Clive
- C. 2020-0177 Walgreens #07454, Pharmacy, License 197, Ankeny
- D. 2020-0178 & 2021-0236 Walgreens #05721, Pharmacy, License 355, Des Moines
- E. 2020-0179 Walgreens #359, Pharmacy, License 778, Des Moines
- F. 2020-0180 Walgreens #07455, Pharmacy, License 1210, Waterloo
- G. 2020-0181 Walgreens #04714, Pharmacy, License 459, Des Moines
- H. 2022-0010 & 2021-0190 Walgreens #05941, Pharmacy, License 1128, Mason City

10. Combined Notice of Hearing, Statement of Charges, Emergency Adjudicative Order, and Statement of Matters Asserted

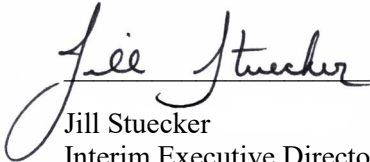
Motion by Dane Nealson, second by Bob Egeland, to approve the Combined Notice of Hearing, Statement of Charges, Emergency Adjudicative Order, and Statement of Matters Asserted with corrections as discussed in the following case. Motion passed unanimously.

- A. 2023-0150 Wendy Atcher, CPhT, Registration 12587, Marshalltown

At 3:00 p.m., motion by Dane Nealson, second by Joan Skogstrom, to adjourn. Motion approved unanimously.



Sharon Smith, Licensing Specialist and Recording Secretary



Jill Stuecker
Interim Executive Director



Kathy Stone
Board Chair

APPROVED THIS 9th DAY OF JANUARY, 2024