

IDAHO DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

Newsletter to Promote Pharmacy and Drug Law Compliance.

New Legislation

At the most recent Idaho Board of Pharmacy meeting, the Board was apprised of statutory updates from the 2026 legislative session. House Bill (HB) 822 is now law. The Board does not take any position on any law, advocate for or against any law, or represent any individual practitioner. This information is provided to raise awareness among licensees, as it may impact pharmacy practice, and is not legal advice. Rather, this is a general overview, and practitioners should refer to independent legal counsel.

HB 822: Titled "Pediatric Secretive Transitions Parental Rights Act," this bill amends domestic relations, parent, and child laws and went into effect on July 1, 2026. The new law, codified at Idaho Code Section 32-1016, has several provisions licensees should read and be aware of. First, the law recognizes parents' fundamental right to raise their children and make medical decisions for them. Second, the law finds there is a potential for harm to

a child from medical and social sex transitions. Third, part of parental control includes knowledge of a child's efforts to transition and the ability to deny such transition. The law encompasses both social and medical procedure transition.

The definition section provides that "social transition" is "the process by which an individual goes from identifying with and living as a gender that corresponds to the individual's sex to identifying with and living as a gender different from the individual's sex and may involve social, legal, or physical changes, including adopting a name, pronouns, appearance, or dress that does not correspond to the individual's sex." The law requires informed consent from a child's parents or guardians before facilitating a transition. The law applies to covered entities, which encompasses all health care providers, including, but not limited to, secondary institutions and medical, behavioral, or mental



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health care providers. The new law specifically prohibits a covered entity from withholding information from a child's parent or guardian related to a "child's expressed interest in or desire for sex transition procedures."

The new law requires covered entities, ie, health care providers, to notify parents within 72 hours of a child's request to transition. Covered entities must obtain written consent before aiding or abetting transition efforts. There are penalties for violating the new law, which

permits damages and the recovery of attorney's fees, and the attorney general may additionally seek a civil penalty up to \$100,000. The attorney general can refer a covered entity that has violated this law for professional discipline.

Disclaimer: This overview is for informative purposes only and is **not legal advice**. Licensees are encouraged to read all laws affecting their practice and obtain independent legal counsel as needed.

Drug Outlet Dispensation Error Correction

With the July 1, 2025 update to [37-2730A](#), which mandates that dispensations be reported by the end of a business day, it is crucial to diligently correct any errors that the clearinghouse identifies in dispensation reports.

The drug outlet's clearinghouse has a notification system that alerts the outlet to errors and sends these alerts to the email address linked to the clearinghouse account submitter.

Please note the following:

- It is the drug outlet's responsibility to ensure the email address is up to date so the responsible party receives the notice.
- The first notice is sent two hours after the report is submitted and continues to be sent until the errors are corrected.
- Discretionary compliance is permitted for corrections made by the next business day. After that, the drug outlet will be deemed noncompliant.

Correcting errors:

Instructions for correcting errors can be found in the Idaho Prescription Monitoring Program's [Data Submission Guide for Dispensers](#), under the Data Compliance section.

Common errors and how to resolve them:

- **Naloxone dispensation** – When the prescriber does not have a Drug Enforcement Administration number, enter the prescriber's National Provider Identifier number instead.
- **Veterinary prescription** – Per statute, animal prescriptions should not be included in dispensing reports.
 - If the drug outlet vendor cannot exclude veterinary prescriptions from the dispensing reports, be sure to use the ASAP PAT20/Species option (02) to indicate the species for veterinary patients.
- **Compounded drug** – Instructions are available in the [Data Submission Guide for Dispensers](#) on pages 12, 49, 51, 52, and 55. In brief, if a compounded medication contains more than one controlled substance ingredient, each must be listed in the dispensing report.

New Guidance Document for Licensees

In 2025, an interdisciplinary committee that included members from the Idaho Boards of Medicine, Pharmacy, Nursing, Dentistry, and Barber and Cosmetology Services was established to address common questions that had arisen with the growing popularity of injectable medications, such as intravenous (IV) hydration, neurotoxins, and peptides. After much deliberation, the committee established a document to provide guidance for licensees when considering prescribing, dispensing, and/or administering these types of therapeutic medications. The guidance document can be accessed from the Board of Pharmacy [website](#), under “Statutes, Rules and Guidance,” and is provided below in its entirety.

Purpose

The purpose of the *Guidance for Healthcare Professionals Offering Lifestyle Injectable Medications* is to highlight considerations for licensed health care professionals offering lifestyle injectable medications. Depending on the practice setting, activities such as medication selection, prescribing, preparation, compounding, and administration may constitute the practice of medicine, nursing, pharmacy, or dentistry. All individuals offering health care services are responsible for ensuring they possess the appropriate licensure, have appropriate delegation from a supervising provider, or both, prior to offering any of these services. In addition to the document, each licensee should familiarize themselves with the applicable practice act and board rules governing their profession.

Background

The Idaho Boards of Barber and Cosmetology Services, Dentistry, Medicine, Nursing, and Pharmacy recognize the increasing prevalence of medical consumerism, particularly as it relates to lifestyle injectable medications. These services are frequently marketed directly to consumers and may include compounded or commercially manufactured products.

Given the rapid influx of demand, there is a high degree of variability among individuals offering these services.

Lifestyle injectable medications include, but are not limited to, the following:

- Peptides
- IV hydration
- Injectable vitamins
- Platelet-rich plasma
- Glucagon-like peptide-1s and other compounded weight-loss products
- Fillers
- IV ketamine
- Platelet-rich fibrin
- Neurotoxins

Case reports of severe, adverse reactions tied to providers using counterfeit, adulterated, or improperly compounded drugs have already emerged. Furthermore, there have been reports of patient harm when a provider fails to adequately assess the appropriateness of an injectable’s use in a patient prior to treatment initiation. The Boards reaffirm their commitment to protecting public health and safety. Licensees are expected to practice in a manner consistent with the acceptable standard of care and within the limits of their education, training, and experience.

Enforcement Overview

As of July 1, 2025, Idaho Code §67-9407 allows any board in Idaho, under the authority of the Idaho Division of Occupational and Professional Licenses (DOPL), to pursue disciplinary action if a licensed professional fails to meet the standard of care provided by other similarly licensed professionals in the same or similar settings. Under this approach, when determining whether conduct falls outside the acceptable standard of care, the following questions should be considered:

- Is the act expressly prohibited by Idaho Code or federal law?
- Is the act consistent with the licensee’s education, training, and experience?
- Would a reasonable and prudent licensee with similar education, training, and experience, practicing in a similar setting, provide the same or similar care?

Medication Sourcing and Compounding Considerations

Licensees offering lifestyle injectable medications should evaluate the legality and safety of drug sourcing and preparation practices, including the following:

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- Is the drug or active pharmaceutical ingredient (API) sourced from a Food and Drug Administration-registered facility?
- Was the medication obtained from a licensed Idaho wholesaler or pharmacy?
- Does the distributor provide certificates of analysis for products purchased?
- If bulk API is obtained, is independent third-party testing performed to validate purity and potency?

Given the presence of a thriving gray market, sourcing medications from unverified suppliers may expose patients to safety risks from contaminants, sterility issues, or variability in potency.

With respect to compounding:

- Do you possess the necessary facilities, equipment, and competencies to compound in compliance with current applicable standards?
- Is an appropriate beyond-use date assigned based on the compounding environment?
- Are quality control processes in place to ensure batch testing for sterility and purity?

Compounding performed outside an appropriate aseptic environment significantly increases the risk of contamination. When sterile compounding safeguards are not met, products may be limited to immediate use only.

Considerations for Prescribers

Prescribers bear responsibility for establishing and maintaining an appropriate prescriber-patient relationship and for ensuring that injectable medications are prescribed in alignment with each individual's medical history and treatment goals.

Prescribers should consider the following:

- Has a sufficient prescriber-patient relationship been established to justify the prescribing or administration of an injectable medication?
- Was an appropriate patient evaluation conducted to identify contraindications and assess necessity?

- Do you possess the education, training, and experience necessary to provide injectable lifestyle medications safely?
- Was informed consent obtained and documented appropriately?
- What monitoring parameters are in place during and after treatment?
- Are patients educated regarding potential adverse reactions and when to seek further care?

Lifestyle medications carry inherent risks. These services should be approached with the same clinical rigor as any other medical intervention, including appropriate diagnosis, documentation, shared decision making, and the development of a patient-specific treatment plan. The supervising provider remains responsible for the care provided under their delegation, regardless of the amount of patient interaction.

Delegation

Delegation must occur within the limits established by each profession's practice act and applicable board rules.¹

Before delegating, providers should consider the following:

- Do I have legal authority under Idaho law to delegate this task?
- Does the delegate possess the knowledge, skill, and competency necessary to perform the task safely?
- Has adequate training, supervision, and oversight been provided to the delegate?
- Am I aware of all services being provided under my delegation?
- Are safeguards in place to prevent the delegate from exceeding the scope of delegated tasks?
- Am I prepared to accept professional, legal, and financial responsibility for the acts of my delegate?

Delegation does not absolve the delegating provider of accountability; rather, it places additional responsibility on them to verify the delegate's competency and ensure

¹ Although the term "medical director" is commonly used to describe a health care provider who establishes protocols and delegates tasks to other licensed or unlicensed personnel, it is not recognized in the practice acts or board rules of the Idaho Boards of Barber and Cosmetology Services, Dentistry, Medicine, Nursing, or Pharmacy. Instead, these laws refer generally to "supervising" providers.

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that delegated tasks are performed in accordance with the same professional standards.

Considerations for Receiving Delegation

Individuals receiving delegated tasks should independently assess their ability to perform a task safely by considering the following:

- Does Idaho law prohibit or limit the interventions being delegated to me?
- Have I received adequate training?
- Are there clear parameters defining when consultation or escalation is required?
- Am I competent and confident to perform the delegated service safely?

Each profession's practice act contains unique requirements regarding supervision and delegation. The absence of an express prohibition does not automatically render a delegated act as appropriate. Professional judgment must be exercised to ensure patient safety and compliance with state law.

Facility and Operational Protocols

Facilities offering lifestyle injectable medications should consider implementing policies and procedures that support safe practice, including the following:

- If standing orders are utilized, are screening protocols adequate to ensure patient safety?
- Are patients clearly informed regarding who will be providing their care and the credentials of that provider?
- If the supervising provider is not on site, are there established procedures for managing adverse events and emergencies?
- Are delegated tasks clearly defined and documented?
- Is there ongoing provider review of patient charts, prescribing patterns, and clinical outcomes?

The Boards remain committed to protecting the public by ensuring that lifestyle injectable services are provided in a manner consistent with Idaho law and within the acceptable standard of care. Idaho's licensing boards take a collaborative approach to enforce the law and

seek disciplinary proceedings for any individual found to be in violation of any provision of the applicable practice act. Any unlicensed practice of barber and cosmetology services, dentistry, medicine, nursing, or pharmacy is subject to civil action, criminal prosecution, or both. Furthermore, the federal government has oversight of the administration, distribution, and compounding of non-approved medications. Health care professionals should be aware of and in compliance with relevant federal provisions, in addition to state law.

Applicable Idaho Law

Barber and Cosmetology Services Licensing Board:

Practice Act – <https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH58/>

Board Rule – <https://adminrules.idaho.gov/rules/current/24/242801.pdf>

Board of Dentistry:

Practice Act – <https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH9/>

Board Rule – <https://adminrules.idaho.gov/rules/current/24/243101.pdf>

Board of Medicine:

Practice Act – <https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH18/>

Board Rule – <https://adminrules.idaho.gov/rules/current/24/243301.pdf>

Physician Assistants Rule – <https://adminrules.idaho.gov/rules/current/24/243302.pdf>

Board of Nursing:

Practice Act – <https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH14/>

Board Rule – <https://adminrules.idaho.gov/rules/current/24/243401.pdf>

Board of Pharmacy:

Practice Act – <https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH17/>

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does not constitute legal advice, nor may DOPL, its officers, employees, or agents be held liable for actions taken or omissions made in reliance on any information contained herein. Guidance documents do not have the

full force or effect of law. If there is any discrepancy between this publication and the law, the provisions of the law will prevail.

Struggling in Silence? You're Not Alone – Help Is Here for Health Professionals

If you're a health professional silently battling substance use or mental health challenges – or if someone you know is – it's time to take that first step toward healing.

The **Health Professionals Recovery Program** is here to support you, not judge you. Addiction can affect even the most dedicated professionals, and research shows that **punishment doesn't stop it**; personalized, compassionate support does. That's **exactly** what this program offers: a path forward that protects your health, your career, and your future.

It's never too early – or too late – to get help.

You don't have to hit rock bottom to reach out. You just have to be ready for change. Many have walked this path before you and found a better, healthier life on the other side. Take back your life. Reclaim your strength. We are here when you are ready.



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🌐 dopl.idaho.gov/health-professionals-recovery-program

Idaho Board of Pharmacy 2026 Meeting Schedule

2026 Board Meetings:

- September 24
- December 17

All meetings generally start at 8:30 AM and are held at the Division of Occupational and Professional Licenses, 11341 W Chinden Blvd, Boise, ID 83714. Meetings may

also be attended virtually. See the meeting agenda for the link to attend virtually at <https://dopl.idaho.gov/calendar>.

The Idaho Board of Pharmacy News is published by the Idaho Board of Pharmacy and the National Association of Boards of Pharmacy Foundation® (NABPF®) to promote compliance of pharmacy and drug law. The opinions and views expressed in this publication do not necessarily reflect the official views, opinions, or policies of NABPF or the Board unless expressly so stated.

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