



## Idaho

### State-Specific Controlled Substance Requirements

Updated 6/21/23

<b>Biennial Inventory (DEA):</b>	<p>A physical inventory of all controlled substances on hand must be taken at least every <u>two years</u>. The biennial inventory may be taken on any date, which is within two years of the previous biennial or initial inventory. <a href="#">[21 CFR 1304.11]</a></p> <p>NOTE:</p> <ul style="list-style-type: none"> <li>• Separate biennial inventories must be completed for schedule II and schedule III-V controlled substances.</li> <li>• Biennials may be conducted more frequently than every two years. As a recommendation, conduct your DEA biennial inventory at the same time you conduct your annual inventory for the state.</li> <li>• Biennial inventories must be conducted by the DEA registrant, or their designee who has been granted Power of Attorney, along with an authorized witness.</li> </ul> <p>Biennial inventories must indicate whether they are conducted at the start or close of business.</p> <p><b>Idaho follows the same biennial inventory guidelines as the DEA.</b></p>
<b>CE:</b>	<p><u>Veterinarian:</u> 20 hours every 2 years – Idaho Accepts 15 hours of RACE-approved Online CE Courses. General medicine topics: 14 hours on medicine, surgery, and dentistry if approved by AAVSB Management topics: 6 hours allowed</p> <p><u>Veterinary Technicians:</u> 14 hours every 2 years – Idaho Accepts 10 hours of RACE-approved Online CE Courses General medicine topics: Any CE must be approved by AAVSB Management topics: 4 hours allowed</p> <p>All hours may be completed online.</p> <p><b>Idaho does not require any specific controlled substance CE at this time.</b></p> <p>The licensees shall maintain their CE records for <b>five years</b></p>
<b>Compounding:</b>	<p>"8.2.10 Compounding of a controlled substance by a practitioner is permitted as long as the United States Pharmacopoeia (USP) 795 and 797 standards and guidelines are followed." <a href="#">24 Del. Admin. Code § 8.0</a></p> <p><u>Compounding</u> is <u>any manipulation</u> of a drug beyond that stipulated on the drug label. Veterinary drugs should only be compounded based on a licensed veterinarian's prescription, and to meet the medical needs of a specific patient. Manipulation might include mixing, diluting, concentrating, flavoring, or changing a drug's dosage form. Examples of compounding include:</p> <ul style="list-style-type: none"> <li>• Mixing two injectable drugs in the same syringe</li> <li>• Creating an oral suspension from crushed tablets or an injectable solution</li> <li>• Adding flavoring to a commercially available drug</li> <li>• Creating a transdermal gel for a drug typically taken through other routes</li> <li>• Mixing two solutions for instilling into the ear</li> </ul> <p><u>ID Compounding:</u> "<u>Compounding</u>" means the practice in which a pharmacist, a prescriber, or, in the case of an outsourcing facility, a person under the supervision of a pharmacist combines, mixes or alters ingredients of a drug to create a medication tailored to the needs of an individual patient. <a href="#">54-1705</a></p>



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<b>Dispensing:</b>	<p>"Dispense" or "dispensing" means the preparation and delivery of a drug pursuant to a lawful prescription drug order of a practitioner in a suitable container appropriately labeled for subsequent administration to or use by a patient or other individual entitled to receive the prescription.</p> <p>(b) Controlled substances included in schedule II shall:</p> <ol style="list-style-type: none"> <li>(1) Be distributed only by a registrant to another registrant pursuant to DEA order form 222.</li> <li>(2) Be dispensed only pursuant to a valid prescription drug order, except when dispensed directly by a prescriber.</li> <li>(3) Not be refilled.</li> <li>(4) Include a quantity that is both spelled out in English and written in numerical form, when a written prescription drug order is required.</li> </ol> <p><a href="#">Idaho Code § 37-2722</a></p> <p>(d) Controlled substances included in schedule V shall not be distributed or dispensed other than for a medical purpose.</p> <p>(e) A pharmacist may dispense a controlled substance pursuant to a valid prescription drug order of an individual licensed in a jurisdiction other than the state of Idaho as long as the individual is acting within the jurisdiction, scope and authority of his license.</p> <p>(f) Prior to issuing to a patient a prescription for outpatient use for an opioid analgesic or benzodiazepine listed in schedule II, III, or IV, the prescriber or the prescriber's delegate shall review the patient's prescription drug history for the preceding twelve (12) months from the prescription drug monitoring program and evaluate the data for indicators of prescription drug diversion or misuse. This review is not required:</p> <ol style="list-style-type: none"> <li>(1) For patients:             <ol style="list-style-type: none"> <li>(i) Receiving treatment in an inpatient setting;</li> <li>(ii) At the scene of an emergency or in an ambulance;</li> <li>(iii) In hospice care; or</li> <li>(iv) In a skilled nursing home care facility; or</li> </ol> </li> <li>(2) For a prescription in a quantity intended to last no more than three (3) days.</li> </ol> <p>(g) Subsection (f) of this section shall be effective on and after October 1, 2020, and shall apply only to individuals required by this chapter to register for the prescription drug monitoring program.</p> <p><a href="#">Idaho Code § 37-2722</a></p> <p>A veterinarian may dispense or deliver a legend drug prescribed for an animal upon the prescription, drug order, or prescription drug order of another veterinarian (<a href="#">Idaho Code § 54-1732</a>).</p>
<b>Diversion Reporting:</b>	<p>A registrant <b>must report to the Board on the same day reported to the DEA</b> a theft or loss of a controlled substance that includes the information required by federal law.</p> <p><a href="#">IDAPA 24.36.501.01</a></p>
<b>Euthanasia:</b>	Euthanasia may be performed by Licensed veterinarians and Certified euthanasia technicians.
<b>Ownership:</b>	Non-veterinarian practice ownership is restricted,
<b>Power of Attorney:</b>	While Idaho does not technically require you to get your POA notarized, notarization is strongly recommended. Under Idaho law, when you sign your POA in the presence of a notary public, your signature is presumed to be genuine—meaning your POA is more ironclad.
<b>Prescribing:</b>	<p>[(51)](33)(54) "<u>Prescriber</u>" means an individual currently licensed, registered or otherwise authorized to prescribe and administer drugs in the course of professional practice.</p> <p>[(52)](34)(55) "<u>Prescriber drug outlet</u>" means a drug outlet in which prescription drugs or devices are dispensed directly to patients under the supervision of a prescriber, except where delivery is accomplished only through on-site administration or the provision of drug samples, patient assistance program drugs, or investigational drugs as permitted in chapter 94, title 39, Idaho Code.</p>



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	<p>[[53]](35)(56) "<u>Prescription drug or legend drug</u>" means a drug that under federal law is required, prior to being dispensed or delivered, to be labeled with one (1) of the following statements:</p> <ul style="list-style-type: none"> <li>(a) "Caution: Federal law prohibits dispensing without a prescription"; or</li> <li>(b) "Rx Only"; or</li> <li>(c) "Caution: Federal law restricts this drug to use by or on the order of a licensed veterinarian"; or a drug that is required by any applicable federal or state law or rule to be dispensed on prescription drug order only or is restricted to use by practitioners only.</li> </ul> <p>[[54]](36)(57) "<u>Prescription drug order</u>" means a valid order of a prescriber for a drug or device for an ultimate user of the drug or device.</p> <p>Pharmacy regulations require that prescriptions for controlled substances be in writing, although prescriptions for Schedule III or IV controlled substances may be oral if the prescription is promptly reduced to writing by the pharmacist. <a href="#">Idaho Admin. Code r. 27.01.01.442</a></p> <p><b>Schedule II controlled substances require a manually signed written prescription</b> (except in an emergency situation). Schedule III and IV prescriptions require a written or oral prescription. <a href="#">Idaho Code Ann. § 37-2722</a></p> <p><u>E-prescribing</u>: there is no current e-prescribing mandate in Idaho.</p>
<b>PMP:</b>	<p><b>veterinarians are exempt:</b> 3) The board shall require pharmacists and prescribers, <b>except veterinarians</b>, to annually register with the board to obtain online access to the controlled substances prescriptions database. <a href="#">Idaho Code 37-2726</a></p>
<b>Premises Permit:</b>	<p>Premises where animals are managed or held including veterinary clinics, may register for a premises identification number which allow animal health officials to quickly and precisely identify premises that may be implicated in an animal health or food safety emergency. PINs link animals to a physical land location, improve traceability. Participation is voluntary. There is no cost for registering a premises.</p> <p>Complete the <a href="#">registration form</a> and email to <a href="mailto:Animal.Information@isda.idaho.gov">Animal.Information@isda.idaho.gov</a>. You can also contact the Division of Animal Industries to request that a form be faxed or mailed to you. Please allow one to two business days for processing. You will receive your PIN via the email you provide on the form, or via mail if no email is provided.</p>
<b>Recordkeeping:</b>	<p>Patient records shall be maintained for a period of <b>three (3) years</b> following the last treatment or examination.</p> <p>Controlled substance records must be must be maintained and retained in a readily retrievable form and location for at least three (3) years from the date of the transaction. <a href="#">IDPA 24.36.500.1</a></p>
<b>State-Scheduled CS's:</b>	N/A
<b>State CS License:</b>	<p>Idaho <b>does require</b> DEA registrant practitioners to obtain a second state controlled substance registration to use controlled substances as a practitioner in Idaho.</p> <p><i>Veterinary Prescriber Drug Outlet MUST be inspected before registration &amp; dispensing can occur.</i></p> <ul style="list-style-type: none"> <li>• Veterinarian Prescriber in Charge – For facilities dispensing controlled substances. Prescriber in Charge must have an Idaho Practitioner of Controlled Substance Registration for the address</li> <li>• List of Prescribing Physicians – List must include all prescribing physicians at the facility</li> <li>• Suppliers – Must include Full name, address, and Idaho registration number</li> <li>• Owners &amp; Partners information</li> </ul>



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	<p>Any practitioner in Idaho who intends to prescribe, administer, dispense, or conduct research with a controlled substance must first obtain an Idaho practitioner controlled substance registration and: (3-31-22)T</p> <p>01.State License. Hold a valid license or registration to prescribe medications from a licensing entity established under Title 54, Idaho Code. (3-31-22)T</p> <p>02.DEA Registration. Obtain a valid federal DEA registration, if needed under federal law. (3-31-22)T</p> <p>a. Failure to obtain a federal DEA registration for any reason within forty-five (45) days of the issuance of the Idaho Practitioner Controlled Substance Registration will result in automatic cancellation. (3-31-22)T</p> <p><a href="#">Idaho Admin. Code r. 24.36.01.224</a></p>
<p><b>Supervision:</b></p>	<p><u>"Direct supervision"</u> means the supervising veterinarian is on the premises where the animal is being treated, is quickly and easily available and the animal has been examined by the supervising veterinarian as acceptable veterinary medical practice requires.</p> <p><u>"Immediate supervision"</u> means the supervising veterinarian is in the immediate area, in audible and visual range of the animal patient and the person treating the patient and the animal has been examined by the supervising veterinarian as acceptable veterinary medical practice requires.</p> <p><u>"Indirect supervision"</u> means the supervising veterinarian is not on the premises but is available for immediate contact by telephone, radio or other means, has given either written or oral instructions for treatment of the animal patient, the animal has been examined by the supervising veterinarian as acceptable veterinary medical practice requires, and the animal, if previously anesthetized, has recovered to the point of being conscious and sternal.</p> <p><u>"Professional supervision"</u> means the supervising veterinarian is in daily contact by telephone, radio or other means with the temporary licensee.</p> <p><u>"Supervision"</u> means the action or process of a supervising veterinarian in directing activities or a course of action for those individuals to whom activities or functions have been assigned or delegated.</p> <p>(39) <u>"Supervising veterinarian"</u> means a licensed veterinarian utilizing the services of a temporary licensee, certified veterinary technician, veterinary technician, veterinary technician with a temporary certification, veterinary assistant, certified euthanasia technician, or as provided by rule. A supervising veterinarian shall be individually responsible and liable, regardless of the supervision provided, for all damages arising out of his own acts or omissions and for the performance of any acts and omissions pertaining to the practice of veterinary medicine that are delegated to the temporary licensee, certified veterinary technician, veterinary technician, veterinary assistant or certified euthanasia technician. Nothing herein shall be construed to deprive the board of its disciplinary authority with respect to the temporary licensees, certified veterinary technicians, veterinary technicians, veterinary assistants or certified euthanasia technicians.</p> <p><a href="#">SECTION 54-2103. Definitions</a></p> <p><u>Limitations on Supervising Veterinarians.</u> A supervising veterinarian shall not authorize a certified veterinary technician, an assistant, or anyone else, other than a licensed veterinarian to perform surgery, diagnosis, prognosis, <b>prescribing</b>, or operative dentistry/oral surgery.</p>
<p><b>Telemedicine:</b></p>	<p>Telemedicine occurs where the client/animal is.</p> <p><u>"Practice of veterinary medicine"</u> in this state, through telephonic, electronic or other means, regardless of the location of the veterinarian, includes veterinary surgery, obstetrics, dentistry, and all other branches or specialties of veterinary medicine and means (I.C. § 54-2103).</p>



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<b>Veterinary Professional License:</b>	<p>Each renewal period is every <b>two years</b>.</p> <p>Licenses expire on <b>June 30th</b> of the renewal year.</p>
<b>VCPR:</b>	<p>An appropriate <u>veterinarian/client/patient relationship</u> will exist when: (</p> <p>01.Responsibility. The veterinarian has assumed the responsibility for making medical judgements regarding the health of the animal and the need for medical treatment, and the client (owner or other caretaker) has followed the instructions of the veterinarian. (3-31-22)T</p> <p>02.Medical Knowledge. There is sufficient knowledge of the animal by the veterinarian to initiate at least a general or preliminary diagnosis of the medical condition of the animal. This means that the veterinarian has seen the animal within the last twelve (12) months or is personally acquainted with the keeping and care of the animal, either by virtue of an examination of the animal, or by medically appropriate visits to the premises where the animals are maintained within the last twelve (12) months. (3-31-22)T</p> <p>03.Availability. The practicing veterinarian or designate is readily available for follow-up in case of adverse reactions or failure of the regimen of therapy. (3-31-22)T</p> <p><a href="#">Idaho Admin. Code r. 24.38.01.150</a></p> <p>VCPR must be established by an in-person examination at least annually and only applies to one vet. Telemedicine is defined by where the owner/animal is, regardless of where the veterinarian is (i.e., a vet must be licensed in ID and have VCPR to treat an animal in ID).</p> <p>The Board's code of professional conduct includes, but is not limited to, the following standards of conduct: A veterinarian shall not dispense or prescribe controlled substances, prescription, or legend drugs except in the course of his professional practice and after a bona fide veterinarian/client/patient relationship has been established (<a href="#">IDAPA 46.01.01.150-152</a>).</p>

### Information and Resources

**FEDERAL:**

Drug Enforcement Administration, Seattle Division  
 300 5th Avenue  
 Seattle, WA 98104  
 Phone: (206) 553-5443

**LOCAL DEA OFFICES:**

Boise - (208) 386-2100

Federal Law: [www.deadiversion.usdoj.gov](http://www.deadiversion.usdoj.gov)

Controlled Substances Act: [21 USC 801 – 904](#)

Code of Federal Regulations: [21 CFR Part 1300 – 1399](#)

NDC drug: [www.fda.gov/Drugs/DevelopmentApprovalProcess/UCM070829](http://www.fda.gov/Drugs/DevelopmentApprovalProcess/UCM070829)

Diversion Control Division: <https://www.deadiversion.usdoj.gov/schedules/>



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**STATE:**

Idaho Board of Veterinary Medicine website:

<https://elitepublic.bovm.idaho.gov/IBVMPortal/Home.aspx>

Idaho Board of Pharmacy website: <https://bop.idaho.gov>

[54-1701, Idaho Code](#) – Idaho Pharmacy Act