

**Dave Bakken (WSU) <dave.bakken.wsu@gmail.com>**

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## BOP Case 10-225 (Bakken, Campbell, Wal Mart)

2 messages

**Dave Bakken (WSU) <bakken@wsu.edu>****Tue, Apr 19, 2011 at 4:26 PM**

Reply-To: bakken@wsu.edu

To: "Mark D. Johnston" &lt;mark.johnston@bop.idaho.gov&gt;

Cc: Dave Bakken &lt;bakken@wsu.edu&gt;

Dear Mark,

Thank you for the information that you provided in helping me prepare a detailed answer to the complaint that was filed against my wife Beth. It was nice to meet you on March 4 at the BOP hearing. I am sorry that I did not get to thank you in person: I had to run out before it was over and the verdict known: I had to remotely attend a doctoral defense (and was unfortunately late for it as it was).

I found the hearings quite interesting. I was gratified to see that, at the very least, the board members found it fishy that a Dean of Pharmacy chooses to fill a prescription in a new pharmacy, claims that he wanted to ask a question the answer to which he almost certainly knew, and then after allegedly not being offered counselling he did not simply ask the question (um, I don't think one can get to be a Dean with being that shy.....). They were also quite concerned about the fact that the TASCOS system did not automatically record if counseling was offered: that is a big concern for good pharmacists who always offer counseling, because in a case like Beth's they are deprived of evidence backing them up. (Maybe Wal Mart decided to not provide harmful evidence for any bad pharmacists it has at the expense of all the good ones, which in my experience would be way over 99% of them.)

When should the minutes from those hearings be on the web? I look forward to seeing them!

Again, thanks for your assistance. The next time I am in Boise I would love to discuss these issues with both yourself and Deputy Attorney General Andy Snook, who was also a very helpful nice guy.

Best Regards,

Dave

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**Mark D. Johnston** <Mark.Johnston@bop.idaho.gov>**Tue, Apr 19, 2011 at 5:30 PM**

To: "bakken@wsu.edu" &lt;bakken@wsu.edu&gt;

Dave,

It was a pleasure to chat with you too. Certainly, I'm available to meet with you when you are in town. My travel schedule can get crazy, so please check in advance of your travel.

The minutes should be posted during the first week in May, after the Board approves them on 4/28/11.

I do believe that proof of counseling would have been a considered factor during and before these hearings. A Wal-Mart official did tell a Board associate that their computer system could capture such documentation but that the function was not activated due to the lack of such a requirement in Idaho. I will be presenting a rule change to the Board on 4/28/11, which would require such documentation.

I (and all members & employees of the Board) did not know that the complainant was the interim Dean of WSU. This did factor in the Board's decision and would have been nice to have been disclosed with the complaint.

Sincerely yours,

Mark Johnston

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**From:** [dave.bakken.wsu@gmail.com](mailto:dave.bakken.wsu@gmail.com) [mailto:[dave.bakken.wsu@gmail.com](mailto:dave.bakken.wsu@gmail.com)] **On Behalf Of**

Dave Bakken (WSU)

**Sent:** Tuesday, April 19, 2011 5:27 PM**To:** Mark D. Johnston**Cc:** Dave Bakken**Subject:** BOP Case 10-225 (Bakken, Campbell, Wal Mart)

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