

June 2004



NEWS

Kentucky Board of Pharmacy

Published to promote voluntary compliance of pharmacy and drug law.

23 Millcreek Park
Frankfort, KY 40601-9230

Pharmacy Permit Renewals

All pharmacy permits including special pharmacy medical gas permits expire on June 30, 2004. The permit renewal packets for 2004-2005 were mailed to all pharmacies or corporate coordinators the last week in April. Federal law prohibits manufacturers and wholesalers from delivering legend medications to persons or entities that do not have active licenses. Failure to have a current permit after the June 30, 2004 deadline may result in disciplinary action against the permit holder and/or pharmacist-in-charge (PIC).

Please be reminded that if your pharmacy has an address change, a relocation within the current premises of the existing permit, or a change of ownership, you must complete a new pharmacy permit application. An inspection is required for a change in address and relocation within the existing premises. A change of ownership requires prior approval from the Kentucky Board of Pharmacy office. A pharmacy application with a United States Post Office box address only will not be accepted and will be returned. There must be a physical address listed on the application. Pharmacists signing the pharmacy permit application to be a PIC should make sure that they are not on record with the Board as being a PIC for another pharmacy, unless previously approved by the Board. Once you are approved as a PIC, the Board will issue a pharmacy permit identifying you as the PIC. The pharmacy permit shall be displayed conspicuously.

Pharmacist Recovery Network

Submitted by Brian Fingerson

I am often asked what happens to someone reported, either by someone else or by self reporting, to our recovery network. There is a general order in which things are done. If I am convinced beyond a reasonable doubt that there may be an impairment of some sort, the client will be given a couple of options. The first is a referral for an evaluation to determine if there is a problem and what needs to be done. We will ask that the client refrain from practice until this is accomplished. There is really no set time period for this to happen. If he/she agrees to this, we will tell him/her that the Board will not hear about this situation from us, and it will remain a private matter as long as he/she is compliant with what we are recommending. If he/she does not agree to this, then the situation will be reported to the Board office, and action on the license may be taken by the Board. This means that the situation becomes a matter of public record. He/she will still generally be referred to the impairment program to begin the process. The evaluation will guide our recommendations about any possible treatment.

When treatment is completed the client will sign an agreement with the recovery network providing some structure for his/her life in recovery and then he/she generally re-enters the practice of pharmacy. If the Board is involved in his/her situation, either through a formal complaint or from failure to work with the recovery network, there may be a formal process for return to practice involving the request of his/her license from the Board. If it has remained a private matter, the client can return to practice after the client, the treating professional(s), and I reach a consensus that it is okay.

It is important to know that someone can ask for help without it becoming a publicly known matter. All you need to do is call me at 502/749-8385 or e-mail me at kyprn@insightbb.com for confidential help.

Registration of Pharmacist Interns

Kentucky pharmacists who will be hiring pharmacy students as pharmacist interns over the summer must make sure that the student is registered with the Board of Pharmacy as an intern and that the pharmacist under whose supervision the intern will be working is properly registered with the Board as a pharmacist preceptor. The fee for becoming a preceptor is \$10 and requires a written request to the Board.

Failure of students to properly register as interns and failure of pharmacists to properly register as preceptors will result in a loss of intern hours for the student.

Legislative Changes

The 2004 session of the Kentucky Legislature has ended with the enactment of several changes to the practice of pharmacy. The actual changes that pertain to the Pharmacy Practice Act will be incorporated into the January 2005 edition of the *Board of Pharmacy Law Book*. The following is a brief summary of significant changes and/or amendments to current regulations/statutes.

House Bill (HB) 341

Amends KRS 315.010 to expand the definition of "practice of pharmacy" to include the dispensing of biologics and the administration of adult immunizations pursuant to a prescriber-approved protocol. The change allows pharmacists to enter into written protocols with licensed prescribers to provide adult immunizations to any adult that requests an immunization. HB 341 becomes effective July 13, 2004, and does not define the required written protocols. Under the old language pharmacists were required to obtain a prescription for a specific patient and in the course of dispensing the vaccine

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could administer the drug to the patient identified on the prescription. The Board encourages pharmacists who wish to provide these services to review the standards of practice for administration of immunizations.

Senate Bill (SB) 214/HB 441

SB 214 was introduced by Senator Richard "Dick" Roeding (R-Lakeside Park), the only pharmacist in the General Assembly, and Senator Ed Worley (D-Richmond). The bill would extend the length of the terms of Board of Pharmacy members from three years to four years starting with new appointments on January 1, 2005, with no Board member serving beyond two full terms. SB 214 was referred to the House Licensing and Occupations Committee where, unexpectedly, other language was added and the bill died. The language of SB 214 was later amended to HB 441 where it successfully passed with the language of SB 214 intact. HB 441 becomes effective July 13, 2004.

Signing for Receipt of Controlled Substances

The Board office has received reports from Kentucky pharmacists about controlled substances shortages upon delivery from the wholesaler. The problem becomes magnified if the pharmacist signs for receipt of the order without first verifying that the contents match the invoice.

Please take the time to assure for yourself that the box is distinctively sealed; if not, it should be noted with the delivery person. You and the delivery person should note any shortages on all the invoices. If the delivery person refuses to note the shortage, do not take receipt of the order unless you are prepared to complete a Drug Enforcement Administration Form 106, "Report of Theft or Loss of Controlled Substances."

New Board of Pharmacy Staff

When you call or contact the Board office, the first voice most of you hear and the first person with whom you have contact is Darla Sayre. Darla started with the Board office on April 16, 2004, and she was previously employed by the Cabinet for Health and Family Services – Drug Enforcement Branch. Darla is a Lawrenceburg native who loves to spend time with her husband and three children.

Consumer Complaints

One of the most common remarks the Board office receives from a consumer making a complaint about a medication error is, "The pharmacist did not even apologize." The Board would like to remind pharmacists that sometimes a simple apology, along with adequate patient counseling, goes a long way to lessen the number of consumer complaints received by the Board office.

Prescription Dating

If a licensed practitioner fails to write the date of issue on a prescription and the prescription is subsequently presented to a pharmacist, then the pharmacist must contact the prescribing practitioner to obtain the date of issue prior to dispensing the medication. The issue date should be noted on the prescription as well as the communication between the pharmacist and prescribing practitioner. If the pharmacist cannot obtain a date of issue from the prescriber, then the prescription is not valid.

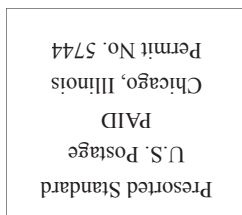
Board of Pharmacy Web Site

The Kentucky Board of Pharmacy Practice Act, applications for licensure, and other information are available on our Web site at <http://pharmacy.ky.gov>. We continually update and try to improve our Web site. Any suggestions or ideas you might have are welcome and may be e-mailed to Shannon Settles at shannon.settles@ky.gov. We hope you and your family have a happy and safe summer.

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The *Kentucky Board of Pharmacy News* is published by the Kentucky Board of Pharmacy and the National Association of Boards of Pharmacy Foundation, Inc, to promote voluntary 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 the Foundation or the Board unless expressly so stated.

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