

**KENTUCKY BOARD OF PHARMACY
SPINDLETOP ADMINISTRATION BUILDING SUITE 302
2624 RESEARCH PARK DRIVE
LEXINGTON KY 40511**

May 13, 2009

9:00a.m.

Agenda

I. CALL TO ORDER

II. MINUTES

*A. April 13, 2009

III. APPEARANCES

*A. William Ringle

*B. Robert Holbrook

IV. INTERAGENCY

V. BOARD REPORTS

A. Board President

B. Board Members

C. Board Executive Director

*1. eMARS (March 09, April 09)

2. MPJE Item Writing-June 3-5, 2009

3. New Inspector computers

D. Board Staff

E. PRN Chair

VI. CURRENT/PENDING CASES

A. OAG-Cheryl Lalonde

*B. Case Update

*C. Case Review

VII. RECIPROCITY/RELICENSURE/INTERNSHIP

VIII. CORRESPONDENCE/COMMUNICATIONS

*A. Patient Care Pharmacy-Dual PIC

IX. NABP

X. LEGISLATION/REGULATION

*A. Manufacturer Regulation New

XI. CONTINUING EDUCATION

XII. FINES

XIII. OLD BUSINESS

XIV. NEW BUSINESS

XV. FYI

- *Information enclosed with this agenda**
- **Information previously provided**
- ***Old material with response**

**KENTUCKY BOARD OF PHARMACY
SPINDLETOP ADMINISTRATION BUILDING SUITE 302
2624 RESEARCH PARK DRIVE
LEXINGTON KY 40511
MAY 13, 2009 9:00a.m.**

**Agenda
Addendum**

- VII. RECIPROCITY/RELICENSURE/INTERNSHIP**
 - *A. Kristin Talbott – Exam Applicant with DUI charge
 - *B. Adam Lakarosky – Exam Applicant with DUI charge
 - C. Pharmacy Technicians-Three applicants

- VIII. CORRESPONDENCE/COMMUNICATIONS**
 - *A. Methodist Hospital-Dual PIC Request

- XI. CONTINUING EDUCATION**
 - *A. 09-15 thru 09-21

- XII. FYI**
 - *A. Overtime Report

MINUTES
KENTUCKY BOARD OF PHARMACY
Spindletop Administration Building, Suite 302
2624 Research Park Drive
Lexington, Kentucky

May 13, 2009

CALL TO ORDER: A regular meeting of the Kentucky Board of Pharmacy was held at the Board Office at Spindletop Administration Building, 2624 Research Park Drive, Lexington, Kentucky. President Shely called the meeting to order at 9:08 a.m.

Members present: Catherine Shely, Larry Hadley, Mike Leake, Anne Policastri, and Sandy Simpson. Staff: Michael Burleson, Executive Director; Steve Hart, Pharmacy and Drug Inspections Coordinator; Katie Busroe and Phil Losch, Pharmacy and Drug Inspectors; Lisa Atha, Executive Secretary; Cheryl Lalonde, Assistant Attorney General and Board Counsel; and Brian Fingerson, Pharmacist Recovery Network Committee. Guests: Amy Gostomski, Target; Pete Orzali, Humana; Chris Killmeier, Walgreens; Mike Wyant, Cardinal Health; Adam Lakarosky, Devin Song, Brooke Marshall, Katie Reasor, Lori Beth Hinton, Meghan Gibson, Kari Walker, Andrew McKinney, Katherine Danos, and Erin Patrick, College of Pharmacy Students. Melody Curtis, Court Reporter, recorded the meeting. Joel Thornbury, Board Member, was not present.

MINUTES: On motion by Dr. Policastri, seconded by Mr. Leake and passed unanimously, the Minutes of April 13, 2009 Board Meeting were approved.

APPEARANCE: William Ringle. Mr. Ringle was sworn in by Melody Curtis, Court Reporter. Mr. Ringle appeared before the Board asking for modification on three sections of his Agreed Order. Mr. Ringle requested that he be allowed to work more than 40 hours per week or 80 hours in a 2 week period, be pharmacist-in-charge and exercise power of attorney, and for a reduction of the biannual inspections to be performed at all places of employment or practice as a pharmacist. After discussion, Dr. Policastri moved to modify Mr. Ringle's Agreed Order to allow him to work no more than 45 hours a week or 90 hours in a 2 week period with a maximum of 50 hours in any 7 consecutive days and no overtime, and be pharmacist-in-charge and exercise power of attorney after receiving prior approval of the Board or its President, but Mr. Ringle shall still be subjected to biannual inspections at all places of employment or practice as a pharmacist. Mr. Leake seconded, and the motion passed unanimously.

Robert Holbrook. Dr. Holbrook was sworn in by Melody Curtis, Court Reporter. Dr. Holbrook appeared before the Board asking for reinstatement of his Kentucky pharmacist's license. Dr. Holbrook gave a brief overview of the events that lead to the loss of his license. After discussion, Mr. Leake moved to reinstate Dr. Holbrook's Kentucky pharmacist's license with the stipulations as follows: 5 years probation; shall maintain a perpetual inventory at all places of employment for Schedule II drugs, with electronic tracking of Schedule III-V drugs and expired controlled substances, perpetual

inventory shall be made available to the Board upon request and audits may be conducted; shall attend AA/NA meetings no less than 6 times per 2 week period or 12 meetings per calendar month, which shall include a minimum of 2 meetings per week; Board shall conduct semi-annual inspections at all locations of employment or practice as a pharmacist, the cost of which not to exceed \$500 per inspection, shall be paid to the Board within 30 days of invoicing; continuing education requirements must be satisfied, renewal fees and any penalties must be paid, and a complete renewal application must be submitted; maximum hours of work: 45 hours/week or 90 hours/2 weeks, with a maximum of 50 hours in any 7 consecutive days and no overtime; shall provide a copy of this Agreed Order to all employers and pharmacists-in-charge; shall sign an aftercare contract, to include drug counselor if indicated, with the Pharmacist Recovery Network Committee (PRNC) for the length of the Agreed Order; any violation of this Agreed Order or PRN contract shall be reported to the Board and PRNC Chair within 24 hours of violation; shall notify Board of change of home address, telephone number, and/or email within 7 days of change; shall provide to the Board and PRNC a signed release granting the Board and PRNC access to all written medical records and conversations regarding medical care; shall provide the Board and PRNC with written monthly reports of all AA/NA meetings; shall agree to provide observed urine, other body fluid, or hair samples for drug/alcohol screens at the direction of PRNC, the Board or any other monitoring body; provide copies of any results of any screens ordered to the Board and PRNC; provide notification to PRNC Chair, Board and testing company of anything that may affect pharmacist's availability for screens prior to event, a missed screen shall be cause for reporting such to the Board, any positive screen that is a violation of the Agreed Order or PRN contract shall be communicated to the Board by the PRNC Chair within 24 hours, a report indicating a presumptive presence shall constitute a conclusive basis, without the necessity of a hearing, for a determination that pharmacist is not in compliance with the terms of this Agreed Order of Reinstatement; shall agree to abstain from any and all mood-altering chemicals, except as prescribed by pharmacist's physician and only after consultation with PRNC Chair; shall notify PRNC Chair in advance if any mood-altering and/or potentially addictive medications are required or recommended by pharmacist's physician; shall provide documentation to PRNC Chair of the need for the medication within 3 days; shall renew verification with PRNC Chair every 90 days if need for medication is ongoing; shall give up the right to self medicate with the exception of single entity OTC NSAIDS and acetaminophen; shall be excluded from accepting a position of pharmacist-in-charge, power of attorney, or preceptor; shall advise Board at all times of place of employment and shall only practice at a location with a work schedule that has received prior approval of the Board or its President; shall obtain all prescriptions and those of family at a pharmacy designated in writing to the Board; prescriptions shall not be filled by a family member or at any family owned pharmacy and shall not dispense any drugs for self or family; shall attend within 1 year of entry of this Agreed Order either the University of Utah School on Alcoholism and other Drug Dependencies, CAPTASA, or SE PRN meeting and shall provide a certificate of completion; shall provide monthly written self performance evaluations to the Board and PRNC Chair and shall make all appearances before the PRNC as requested, including an annual appearance closest to the anniversary date of reinstatement; committing any act that results in violation of federal or state pharmacy or drug statute or regulation, may

result in an emergency suspension of pharmacist's license, require an appearance before the Board, or result in a complaint against pharmacist's license with the Board imposing any applicable penalties; shall not seek to amend or modify this Agreed Order. Above information shall be reported to NABP and is subject to disclosure under the Kentucky Open Records Act. Dr. Policastri seconded, and the motion passed unanimously.

BOARD REPORTS:

Board President. Dr. Shely reported that a committee consisting of Mr. Burleson, Ms. Lalonde, Dr. Policastri, Brad Hall, Chris Killmeier, Randy Gaither, John Armistead, Dr. Bouvette, Jan Gould and herself met to discuss emergency preparedness including the handling of an influx of volunteers and maintaining the office during an emergency. The next emergency preparedness meeting is scheduled for the end of June.

Board Members. Dr. Policastri. Dr. Policastri reported that the NABP District III meeting agenda for 2009 is progressing. Dr. Policastri attended the Kentucky Pharmacist Leadership meeting in April at which the 2008 NABP District III meeting initiatives were discussed. The next Kentucky Pharmacist Leadership meeting will be held in late summer.

Board Executive Director. 1) EMars monthly reports for March and April 2009 were presented to the Board. 2) Mr. Burleson reported that he is working on the 2010 budget allotment. 3) Dr. Policastri moved to allow the Executive Director to attend the NABP MJPE item writing session at NABP headquarters at no expense to the Board. Ms. Simpson seconded, and the motion passed unanimously. 4) Mr. Hadley moved to use \$14,000 of the Federal money to purchase 5 new computers for the inspectors. Dr. Policastri seconded, and the motion passed unanimously. 5) Jeff Mills accepted the appointment on the Advanced Registered Nurse Practitioner Controlled Substances Formulary Development Committee for another term. 6) There are 8 to 9 health care boards that want to approach the Legislature as a group to have the statute requiring the one hour HIV/AIDS continuing education removed. Mr. Hadley moved for the Kentucky Board of Pharmacy to support the removal of the one hour HIV/AIDS continuing education requirement. Mr. Leake seconded, and the motion passed unanimously. 7) Mr. Burleson reported that the rumors regarding the taking of the Spindletop Administration Building by the University of Kentucky, University of Louisville and Argon for the headquarters of the lithium ion battery production have not been verified by state government facilities management. Mr. Burleson will keep the Board informed of any update. 8) The office staff is looking at enhancements to the Board's computer system by using in house servers and upgrading the current software. 9) The office staff is looking into developing a hard copy driver's license type card for pharmacists and interns licenses and technicians certificates for a saving of about \$5000 per year. This would require a statute change regarding the posting of pharmacists' licenses and technicians' certificates. Mr. Burleson will continue to research and keep the Board informed.

PRN Committee. Mr. Fingerson presented with Jay Campbell, Executive Director of the North Carolina Board of Pharmacy, at APhA in Houston and will present at the University of Utah School on Alcoholism and Other Drug Dependencies.

CURRENT/PENDING CASES:

Case Updates: Mr. Leake moved for acceptance and entry of the proposed Agreed Orders as written. Dr. Policastri seconded, and the motion passed unanimously. Case No. 05-0045; Case No. 07-0017; Case No. 08-0062; Case No. 08-0103A; Case No. 08-0105B; Case No. 08-0105C; Case No. 08-0111; Case No. 08-0114; Case No. 09-0002A; Case No. 09-0003A; Case No. 09-0003B; Case No. 09-0005; Case No. 09-0006; Case No. 09-0009; Case No. 09-0011; Case No. 09-0013; Case No. 09-0016; Case No. 09-0017; Case No. 09-0018; Case No. 09-0020; Case No. 09-0021; Case No. 09-0022; Case No. 09-0025; Case No. 09-0026; Case No. 09-0027; and Case No. 09-0029.

Case Review: Dr. Policastri moved for acceptance of the Case Review Committee recommendations for the following case reports. Mr. Leake seconded, and the motion passed unanimously.

Case No. 04-0124. REVISIT. Pharmacist allegedly purchased legend drugs that were obtained from illegal sources and sold them through the pharmacy. It is also alleged that the pharmacist owner obtained and or purchased physician samples from at least two physicians and from at least one other pharmacy. **NEW INFORMATION:** The pharmacist was convicted of health care fraud, selling, purchasing and trading prescription drug samples and criminal forfeiture. Alleged violations of law: KRS 217.055, KRS 217.065, KRS 217.175(1) and (3), and KRS 315.121(1)(j), (2)(d)(e)(g) and (h). **CRC Recommendation:** There is sufficient evidence of a violation to warrant disciplinary action and the Executive Director is directed to attempt resolution through an Agreed Order and, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing.

Case No. 07-0030A. REVISIT. Pharmacy permit holder allegedly engaged in unprofessional and unethical conduct by failing to conduct a prospective drug utilization review and dispensing large quantities of alprazolam for one patient. Alleged violations of law: KRS 315.121(1)(a), (2)(d) and 201 KAR 2:210 Section 4. **CRC Recommendation:** There is sufficient evidence developed and the investigator is directed to conduct further investigation.

Case No. 07-0030B. REVISIT. Pharmacist allegedly engaged in unprofessional and unethical conduct by failing to conduct a prospective drug utilization review and dispensing large quantities of alprazolam for one patient. Alleged violations of law: KRS 315.121(1)(a), (2)(d) and 201 KAR 2:210 Section 4. **CRC Recommendation:** There is sufficient evidence developed and the investigator is directed to conduct further investigation.

Case No. 07-0030C. REVISIT. Pharmacist allegedly engaged in unprofessional and unethical conduct by failing to conduct a prospective drug utilization review and dispensing large quantities of alprazolam for one patient. Alleged violations of law: KRS 315.121(1)(a), (2)(d) and 201 KAR 2:210 Section 4. CRC Recommendation: There is sufficient evidence developed and the investigator is directed to conduct further investigation.

Case No. 09-0001. Pharmacist allegedly diverted controlled substances and is impaired. Pharmacist was arrested for DUI, second degree trafficking in a controlled substance and three counts of third degree trafficking in controlled substance. Alleged violations of law: KRS 315.121(1)(b), (2)(d), and (2)(e). CRC Recommendation: There is sufficient evidence of a violation to warrant disciplinary action and the Executive Director is directed to attempt resolution through an Agreed Order and, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing.

Case No. 09-0002B. REVISIT. Pharmacist consultant for a special limited medical gas permit holder allegedly failed to have valid prescriptions on file for eleven out of fifteen prescriptions reviewed and allegedly failed to have quarterly inspections completed. NEW INFORMATION: Pharmacist consultant sent the office copies of his quarterly reports which indicated that he did complete the four required quarterly inspections for the special limited medical gas permit holder. Alleged violation of law: 201 KAR 2:185 Section 2(1). CRC Recommendation: There is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice.

Case No.09-0010A. Pharmacy permit holder allegedly allowed a medication error by filling a prescription for phentermine 15mg with temazepam 15mg. Alleged violation of law: KRS 315.121(2)(d). CRC Recommendation: There is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice.

Case No.09-0010B. Pharmacist allegedly committed a medication error by filling a prescription for phentermine 15mg with temazepam 15mg. Alleged violation of law: KRS 315.121(2)(d). CRC Recommendation: There is sufficient evidence of a violation to warrant disciplinary action and the Executive Director is directed to attempt resolution through an Agreed Order and, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing.

Case No. 09-0019. Pharmacist allegedly engaged in unprofessional and unethical conduct by ingesting a drug for which a prescription drug order is required, without having first received a prescription drug order for the drug. Alleged violation of law: KRS 315.121 (2)(f). CRC Recommendation: There is sufficient evidence developed and the investigator is directed to conduct further investigation.

Case No. 09-0031A. Pharmacy permit holder allegedly allowed a medication error by giving the wrong directions on the prescription label. The label stated to take 2 capsules twice a day, and it should have been 1 capsule twice a day. Alleged violation of law: KRS 315.121(2)(d). CRC Recommendation: There is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice.

Case No. 09-0031B. Pharmacist allegedly committed a medication error by giving the wrong directions on the prescription label. The label stated to take 2 capsules twice a day, and it should have been 1 capsule twice a day. Alleged violation of law: KRS 315.121(2)(d). CRC Recommendation: There is sufficient evidence of a violation to warrant disciplinary action and the Executive Director is directed to attempt resolution through an Agreed Order and, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing.

Case No. 09-0034A. Pharmacy permit holder allegedly allowed a medication error by filling a prescription for nabumetone 500mg with methocarbamol 500mg. Alleged violation of law: KRS 315.121(2)(d). CRC Recommendation: There is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice.

Case No. 09-0034B. Pharmacist allegedly committed a medication error by filling a prescription for nabumetone 500mg with methocarbamol 500mg. Alleged violation of law: KRS 315.121(2)(d). CRC Recommendation: There is sufficient evidence of a violation to warrant disciplinary action and the Executive Director is directed to attempt resolution through an Agreed Order and, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing.

Case No. 09-0039. Pharmacist allegedly diverted controlled substances and is impaired. Alleged violations of law: KRS 315.121(1)(b),(2)(d), and (2)(e). CRC Recommendation: There is sufficient evidence of a violation to warrant disciplinary action and the Executive Director is directed to attempt resolution through an Agreed Order and, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing.

Case No. 09-0040A. Pharmacy permit holder allegedly committed a medication error by changing the dose of medication without consulting the physician. Alleged violation of law: KRS 315.121(2)(d). CRC Recommendation: Case is dismissed.

Case No. 09-0040B. Pharmacist allegedly committed a medication error by changing the dose of medication without consulting the physician. Alleged violation of law: KRS 315.121(2)(d). CRC Recommendation: Case is dismissed.

Case No. 09-0043A. Pharmacy permit holder allegedly allowed a technician access to prescription medication without a pharmacist present. Alleged violations of law: 201 KAR 2:074 Section 2(3)(b), 201 KAR 2:100 Section 1, and KRS 315.121(2)(d). CRC Recommendation: There is sufficient evidence of a violation to warrant disciplinary action and the Executive Director is directed to attempt resolution through an Agreed Order and, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing.

Case No. 09-0043B. Pharmacist allegedly was not present and a technician had access to prescription medication without a pharmacist present. Alleged violations of law: 201 KAR 2:074 Section 2(3)(b), 201 KAR 2:100 Section 1, and KRS 315.121(2)(d). CRC Recommendation: There is sufficient evidence of a violation to warrant disciplinary action and the Executive Director is directed to attempt resolution through an Agreed Order and, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing.

Case No. 09-0044. Pharmacist allegedly violated Agreed Order by forging documentation of NA meeting attendance. Alleged violation of law: KRS 315.121(1)(i). CRC Recommendation: There is sufficient evidence of a violation to warrant disciplinary action and the Executive Director is directed to attempt resolution through an Agreed Order and, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing.

Case No. 09-0046A. Pharmacy permit holder allegedly allowed a medication error by dispensing only 27 capsules of Adderall XR 30mg instead of 30. Alleged violation of law: KRS 315.121(2)(d). CRC Recommendation: There is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice.

Case No. 09-0046B. Pharmacist allegedly committed a medication error by dispensing only 27 capsules of Adderall XR 30mg instead of 30. Alleged violation of law: KRS 315.121(2)(d). CRC Recommendation: There is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice.

Case No. 09-0047. Pharmacy permit holder allegedly filled a prescription without authorization. Alleged violation of law: KRS 315.121(2)(f). CRC Recommendation: There is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice.

Case No. 09-0048. Pharmacist allegedly failed to complete the required 15 hours of continuing education for 2008, and could only produce 5 of 15 required hours. Alleged violations of law: KRS 315.065 and 201 KAR 2:015 Section 5(1). CRC Recommendation: There is sufficient evidence of a violation to warrant

disciplinary action and the Executive Director is directed to attempt resolution through an Agreed Order and, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing.

Case No. 09-0049. Pharmacist allegedly failed to complete the required 15 hours of continuing education for 2008, and could only produce 14 of 15 required hours. Alleged violations of law: KRS 315.065 and 201 KAR 2:015 Section 5(1). CRC Recommendation: There is sufficient evidence of a violation to warrant disciplinary action and the Executive Director is directed to attempt resolution through an Agreed Order and, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing.

Case No. 09-0051. Pharmacist allegedly self reported that he failed to complete the required 15 hours of continuing education for 2008. Pharmacist completed only 14 of 15 required hours. Alleged violations of law: KRS 315.065 and 201 KAR 2:015 Section 5(1). CRC Recommendation: There is sufficient evidence of a violation to warrant disciplinary action and the Executive Director is directed to attempt resolution through an Agreed Order and, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing.

Case No. 09-0052. Pharmacy permit holder allegedly failed to have a pharmacist-in-charge in place from January 29, 2009 until April 13, 2009. Alleged violations of law: KRS 315.020(1) and 201 KAR 2:205. CRC Recommendation: There is sufficient evidence of a violation to warrant disciplinary action and the Executive Director is directed to attempt resolution through an Agreed Order and, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing.

Case No. 09-0053. Pharmacy permit holder allegedly allowed technicians and a maintenance person in the pharmacy without a pharmacist present. The pharmacy was not open to the public. Alleged violation of law: 201 KAR 2:100 Section 1. CRC Recommendation: There is sufficient evidence of a violation to warrant disciplinary action and the Executive Director is directed to attempt resolution through an Agreed Order and, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing.

RECIPROCITY/RELICENSURE/INTERNSHIP

Kristin Talbott. Dr. Talbott requested permission to take the pharmacist licensure examination. The applicant had a DUI within the last 2 years. Mr. Hadley moved to allow Kristin Talbott to take the pharmacist licensure examination with no restrictions. Ms. Simpson seconded, and the motion passed unanimously.

Adam Lakarosky. Dr. Lakarosky requested permission to take the pharmacist licensure examination. The applicant had a DUI within the last 2 years along with prior alcohol infractions. Dr. Lakarosky is currently is under a PRN Agreement. Mr. Hadley moved to allow Adam Lakarosky to take the pharmacist licensure examination and to continue the current PRN Agreement without further restrictions. Mr. Leake seconded, and the motion passed unanimously.

Mr. Leake moved to approve the application for Pharmacy Technician Registrant BC, provided he signs an Agreed Order agreeing to probation for five years and a PRN Agreement with up to 12 drug screens per year to be at the technician's expense, attends 2 AA/NA meetings per week or 4 meetings in a 2 week period with no less than 1 meeting per week, provides monthly reports to the Board office and PRNC, Agreed Order must be shown to all employers, and employment must be reported to the Board. Ms. Simpson seconded, and the motion passed unanimously.

Dr. Policastri moved to approve the application for Pharmacy Technician Registrant GD with no restrictions. Mr. Hadley seconded, and the motion passed unanimously.

Mr. Leake moved to approve the application for Pharmacy Technician Registrant MW, provided he signs an Agreed Order agreeing to probation for one year and a PRN Agreement with up to 3 drug screens per year to be at the technician's expense, and employment must be reported to the Board. Dr. Policastri seconded, and the motion passed unanimously.

CORRESPONDENCE/COMMUNICATIONS:

Patient Care Pharmacy/Alissa Langley. Alissa Langley requested permission to be dual pharmacist-in-charge for Patient Care Pharmacy and PCP Specialty Pharmacy. Dr. Policastri moved to allow Alissa Langley be pharmacist-in-charge for both Patient Care Pharmacy and PCP Specialty Pharmacy. Mr. Hadley seconded, and the motion passed unanimously.

Methodist Hospital Pharmacy/Brent Bridges. Brent Bridges requested permission to be dual pharmacist-in-charge of Methodist Hospital Pharmacy and Hometown Apothecary, which will cease operations on June 8, 2009. Mr. Leake moved to allow Brent Bridges to be pharmacist-in-charge for both Methodist Hospital Pharmacy and Hometown Apothecary. Dr. Policastri seconded, and the motion passed unanimously.

LEGISLATION/REGULATION: The proposed new regulation creates permit requirements for manufacturers. Dr. Policastri moved to file the regulation creating permit requirements for manufacturers as presented before April 15, 2009 with a hearing date of June 22, 2009 at 9:00 a.m. at the Board office. Ms. Simpson seconded, and the motion passed unanimously.

CONTINUING EDUCATION:

Dr. Policastri moved to accept the continuing education programs 09-15 through 09-21 as recommended. Mr. Leake seconded, and the motion passed unanimously.

OLD BUSINESS: Mr. Burleson reported that the request for a personal service contract Hearing Officer is underway.

The Board office is in the process of hiring the two inspectors.

ADJOURNMENT: On motion by Dr. Policastri, seconded by Mr. Leake and passed unanimously, President Shely adjourned the meeting at 11:55 a.m. The next regularly scheduled Board Meeting is scheduled to begin at 9:00 a.m. on July 8, 2009 at the Board Office in Lexington, Kentucky.

Michael Burleson, R.Ph.
Executive Director