

KENTUCKY BOARD OF PHARMACY
Board Meeting
Sullivan University College of Pharmacy
2100 Gardiner Lane
Louisville, Kentucky 40205
March 9, 2011
9:00 a.m.

Agenda

I. CALL TO ORDER

II. MINUTES

- *A. February 9, 2011

III. APPEARANCES

- *A. Long Term Care-Jay Hutti and Peggy Canler

IV. INTERAGENCY

- *A KASPER ALERT-Steve Hart

V. BOARD REPORTS

- A. Board Executive Director
 - *1. eMARS (January FY 2011) and Financial Report January 2011
 - 2. Board Retreat (Location)
 - 3. Travel
 - a. MPJE Item Writing April 28-29, 2011
 - b. NABP/AACP District III Aug 6-9, 2011

VI. CURRENT/PENDING CASES

- A. OAG-Cheryl Lalonde
- *B. Case Update
- *C. Case Review

VII. RECIPROCITY/RELICENSURE/INTERNSHIP/PHARMACY TECHNICIANS

- A. Pharmacy Technician Summary

VIII. CORRESPONDENCE/COMMUNICATION

- *A. Daniel Thies-Request Termination of Probation
- *B. Dual PIC requests-One PIC at Norton Brownsboro Hospital Pharmacy and at Norton Suburban Hospital Pharmacy; and one PIC Request at Norton Hospital Pharmacy and at Norton Audubon Hospital Pharmacy

IX. NABP

X. LEGISLATION/REGULATION

- *A. 201 KAR 2:050 Amended
- B. 2011 Legislative Update

XI. CONTINUING EDUCATION

- *A. CE programs 11-08 thru 11-10
 - 1. 11-08 (2 hours-2-25-2011: 10:15-11:15a.m. Cardiovascular Disease and The Clinical Laboratory and 3:30-4:30p.m. Pharmacological and Therapeutic Developments in the Management of Cardiovascular

Conditions

2. 11-09 (No hours)
3. 11-10 (1 hour on 4-15-2011: 8:00-9:00a.m. Antipsychotic Medication Utilization in Children: Uncovering Risks and Safety Issues)

XII. FINES

XIII. OLD BUSINESS

- A. Advisory Council: Suggestions for future issues

XIV. NEW BUSINESS

- *A. APRNs Multiple Prescriptions for Schedule III-IVs

XV. FYI

- *A. PRN Overtime Report January 2011

***Information enclosed with this agenda**

****Information previously provided**

*****Old material with response**

MINUTES
KENTUCKY BOARD OF PHARMACY
Sullivan University College of Pharmacy
2100 Gardiner Lane
Louisville, KY 40205

March 9, 2011

CALL TO ORDER: A regular meeting of the Kentucky Board of Pharmacy was held at Sullivan University College of Pharmacy, 2100 Gardiner Lane, Louisville, Kentucky. President Hadley called the meeting to order at 9:02 a.m.

Members present: Larry Hadley, Brian DeWire, Scott Greenwell, Cathy Hanna and Joel Thornbury. Staff: Mike Burleson, Executive Director; Steve Hart, Pharmacy Inspections and Investigations Coordinator; Shannon Allen, Katie Busroe, Chris Frasure and Phil Losch, Pharmacy and Drug Inspectors; Lisa Atha, Executive Secretary; and Brian Fingerson, Pharmacist Recovery Network Committee. Guests: Ralph Bouvette, APSC; Jan Gould, Kentucky Retail Federation; Chris Killmeier, Walgreens; Jennifer Church, D&R Pharmicare/Omnicare; Kim Morgan, Target Pharmacy; Megan Kappes and John Klaserner, Meijer Pharmacy; Cynthia Nsdesie, CVS; Dustin Thomas, University of Louisville Hospital; Amey Hugg, KSHP and UL Healthcare; Brittany Greene, Lena Nguyen, Chau Hoang, Sullivan College of Pharmacy; Brooke Traylor, Audra Norvell and Chris Miller, College of Pharmacy students; Sullivan College of Pharmacy students PY 2 and 3. Melanie Curtis, Court Reporter, recorded the meeting. Deborah Brewer, Board Member, and Cheryl Lalonde, Assistant Attorney General and Board Counsel were absent.

Welcome: President Hadley welcomed the students and staff from Sullivan College of Pharmacy to the Board Meeting, and introduced the Board and staff. President Hadley presented Dean Tran of Sullivan College of Pharmacy, a plaque for recognition of service on the Advisory Council.

MINUTES: On motion by Mr. Thornbury, seconded by Dr. Hanna and passed unanimously, the Minutes of February 9, 2011 Board Meeting were approved as written.

APPEARANCE: **Long Term Care - Jay Hutti and Peggy Canler.** Jay Hutti and Peggy Canler appeared to petition the Board to open discussions regarding changes to 201 KAR 2:074. After discussion, Mr. Thornbury moved to refer discussion of changes to 201 KAR 2:074 to the Regulations Committee. Dr. DeWire seconded, and the motion passed unanimously.

INTERAGENCY: **KASPER Alert – Steve Hart.** Mr. Hart presented a summary of the February 28, 2011, focus group that met to discuss the KASPER initiative of sending unsolicited letters to prescribers and pharmacies. Mr. Hart explained that the process is a work in progress and the sample letter presented may evolve. The threshold set by the group is one patient receiving 6 controlled substance prescriptions all in the same class from 6 different prescribers.

The unsolicited letter would not be accompanied by a KASPER report or require any response by the prescribers or pharmacists involved. The focus group will have future meetings.

BOARD REPORTS:

Board Executive Director. 1) EMars monthly report for January 2011 and Financial Report were presented to the Board. 2) Mr. Thornbury moved to have the November Board Meeting and Retreat in Lexington, Kentucky. Dr. Hanna seconded, and the motion passed unanimously. President Hadley requested that the Board Retreat Agenda be placed on the May Board Meeting Agenda for a discussion of topics. 3)(a) Dr. DeWire moved to allow Mr. Burleson to attend the MPJE item writing session at NABP headquarters at no cost to the Board. Dr. Hanna seconded, and the motion passed unanimously. (b) Dr. Hanna moved to allow all Board Members and staff to attend the NABP/AACP District III meeting in Biloxi, Mississippi on August 6 – 9, 2011, pending state approval. Mr. Thornbury seconded, and the motion passed unanimously.

CURRENT/PENDING CASES

Case Updates: Mr. Thornbury moved to accept Case Updates for Case No. 09-0070, Case No. 10-0003, Case No. 10-0083, Case No. 10-0124B, Case No. 10-0131, Case No. 10-0132 and Case No. 10-0170 as written. Dr. DeWire seconded, and the motion passed unanimously.

Case Review: Dr. Greenwell moved to accept Case Review Committee recommendations as written. Mr. Thornbury seconded, and the motion passed unanimously.

Case No. 07-0047 REVISIT. Pharmacist allegedly was caught and terminated by his employer for stealing and ingesting hydrocodone/APAP. NEW INFORMATION: Board received a letter and Chemical Dependency Evaluation. 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. 10-0067 REVISIT. Pharmacist allegedly failed to complete 15 hours of continuing education in 2009. NEW INFORMATION: Pharmacist located continuing education certificates totaling 15 hours for 2009. Alleged violation of law: 201 KAR 2:015. CRC Recommendation: Case is dismissed.

Case No. 10-0173A. Pharmacy permit holder allegedly did not assure adequate security and control of drugs due to technician diversion. Alleged violation of law: 201 KAR 2:100. CRC Recommendation: There is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice.

Case No. 10-173B. Pharmacist allegedly did not assure adequate security and control of drugs due to technician diversion. Alleged violation of law: 201 KAR 2:100. CRC Recommendation: There is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice.

Case No. 10-0173C. Registered Pharmacy Technician allegedly engaged in unprofessional or unethical conduct by selling, transferring, dispensing, ingesting or administering a drug for which a prescription drug order is required, without first receiving a prescription drug order for the drug. Alleged violation of law: KRS 315.121(2)(f). 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/or, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing.

Case No. 10-0176 REVISIT. Pharmacist is allegedly unable to engage in the practice of pharmacy with reasonable skill, competence and safety to the public due to impairment. Alleged violation of law: KRS 315.121(1)(b). 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/or, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing.

Case No. 10-0177A. Pharmacy permit holder allegedly engaged in unprofessional or unethical conduct by selling a misbranded product due to filling generic Cortisporin Otic drops instead of generic Cortisporin Ophthalmic drops. Alleged violations of law: KRS 315.121(1)(a) and KRS 217.065(1). CRC Recommendation: There is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice.

Case No. 10-0177B. Pharmacist allegedly engaged in unprofessional or unethical conduct by selling a misbranded product due to filling generic Cortisporin Otic drops instead of generic Cortisporin Ophthalmic drops. Alleged violations of law: KRS 315.121(2)(d) and KRS 217.065(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/or, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing.

Case No. 11-0001. Pharmacist allegedly engaged in unprofessional or unethical conduct by refusing to dispense a patient's medication. Alleged violation of law: KRS 315.121(1)(a). CRC Recommendation: There is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice.

Case No. 11-0003. Pharmacist self-reported that he allegedly failed to complete the required 15 hours of continuing education for 2010. Pharmacist completed 14 hours of 15 required for 2010. Alleged violations of law: KRS 315.065 and 201 KAR 2:015. 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/or, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing.

Case No. 11-0004A. Pharmacy permit holder allegedly aided an individual to assist in the practice of pharmacy without person being registered as a pharmacy technician. Alleged violation of law: KRS 315.121(1)(g). CRC Recommendation: There is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice.

Case No. 11-0004B. Pharmacy technician allegedly assisted in the practice of pharmacy without being registered as a pharmacy technician because registration lapsed on April 1, 2010. Alleged violation of law: KRS 315.135(1). CRC Recommendation: There is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice.

Case No. 11-0006A. Pharmacy permit holder allegedly aided an individual to assist in the practice of pharmacy without person being registered as a pharmacy technician. Alleged violation of law: KRS 315.121(1)(g). CRC Recommendation: There is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice.

Case No. 11-0006B. Pharmacy technician allegedly assisted in the practice of pharmacy without being registered as a pharmacy technician because registration lapsed on April 1, 2010. Alleged violation of law: KRS 315.135(1). CRC Recommendation: There is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice.

Case No. 11-0007A. Pharmacy permit holder allegedly aided an individual to assist in the practice of pharmacy without person being registered as a pharmacy technician. Alleged violation of law: KRS 315.121(1)(g). 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/or, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing.

Case No. 11-0007B. Pharmacy technician allegedly assisted in the practice of pharmacy without being registered as a pharmacy technician because registration lapsed on April 1, 2010. Alleged violation of law: KRS 315.135(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/or, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing.

Case No. 11-0012. Pharmacy technician allegedly engaged in unprofessional or unethical conduct by stealing money from the pharmacy cash receipts. Alleged violation

of law: KRS 315.121(1)(a). **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/or, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing.

Case No. 11-0013A. Pharmacy permit holder allegedly dispensed a misbranded product by failing to reconstitute an azithromycin suspension prior to dispensing. Alleged violation of law: KRS 217.065(2)(b). **CRC Recommendation:** There is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice.

Case No. 11-0013B. Pharmacist allegedly dispensed a misbranded product by failing to reconstitute an azithromycin suspension prior to dispensing. Alleged violation of law: KRS 217.065(2)(b). **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/or, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing.

Case No. 11-0016A. Pharmacy permit holder allegedly aided an individual to assist in the practice of pharmacy without person being registered as a pharmacy technician. Alleged violation of law: KRS 315.121(1)(g). **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/or, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing.

Case No. 11-0016B. Pharmacy technician allegedly assisted in the practice of pharmacy without being registered as a pharmacy technician because registration lapsed on April 1, 2010. Alleged violation of law: KRS 315.135(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/or, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing.

Case No. 11-0017A. Pharmacy permit holder allegedly sold a misbranded drug by failing to appropriately label a prescription for Sterile Saline 0.9% for irrigation. Alleged violations of law: KRS 315.121(1)(a) and KRS 217.065(1). **CRC Recommendation:** There is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice.

Case No. 11-0017B. Pharmacist allegedly sold a misbranded drug by failing to appropriately label a prescription for Sterile Saline 0.9% for irrigation. Alleged

violations of law: KRS 315.121(2)(d) and KRS 217.065(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/or, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing.

Case No. 11-0018A. Pharmacy permit holder allegedly provided an inappropriate prospective drug use review for a patient receiving methotrexate. The dose of 7.5 mg per day was ordered and given when this is normally a weekly dose. Alleged violation of law: 201 KAR 2:210 Section 4(3)(c). CRC Recommendation: There is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice.

Case No. 11-0018B. Pharmacist allegedly provided an inappropriate prospective drug use review for a patient receiving methotrexate. The dose of 7.5 mg per day was ordered and given when this is normally a weekly dose. Alleged violation of law: 201 KAR 2:210 Section 4(3)(c). 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/or, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing.

Case No. 11-0021. Pharmacist allegedly engaged in unprofessional or unethical conduct by divulging or revealing to unauthorized persons patient information or the nature of professional services rendered without the patient's express consent. Alleged violation of law: KRS 315.121(2)(b). CRC Recommendation: There is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice.

Case No. 11-0023. Pharmacist is allegedly unable to engage in the practice of pharmacy with reasonable skill, competency and safety to the public due to impairment. Alleged violations of law: KRS 315.121(1)(b) and (2)(f). 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/or, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing.

Case No. 11-0024. Pharmacist self-reported that he allegedly failed to complete the required 15 hours of continuing education for 2010. Pharmacist completed 12 hours of 15 required for 2010. Alleged violations of law: KRS 315.065 and 201 KAR 2:015. 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/or, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing.

Case No. 11-0025. Pharmacist self-reported that he allegedly failed to complete the required 15 hours of continuing education for 2010. Pharmacist completed 13 hours of 15 required for 2010. Alleged violations of law: KRS 315.065 and 201 KAR 2:015. 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/or, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing.

Case No. 11-0026. Pharmacist self-reported that he allegedly failed to complete the required 15 hours of continuing education for 2010. Pharmacist completed 14 hours of 15 required for 2010. Alleged violations of law: KRS 315.065 and 201 KAR 2:015. 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/or, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing.

Case No. 11-0028A. Pharmacy permit holder allegedly failed to provide adequate security and control of drugs. Alleged violation of law: 201 KAR 2:100 Section 1. CRC Recommendation: There is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice.

Case No. 11-0028B. Pharmacist-in-charge allegedly failed to provide adequate security and control of drugs. Alleged violation of law: 201 KAR 2:100 Section 1. CRC Recommendation: There is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice.

Case No. 11-0028C. Pharmacist technician allegedly engaged in unprofessional or unethical conduct by diverting controlled substances. Alleged violation of law: KRS 315.121(2)(f). 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/or, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing.

Case No. 11-0029. Pharmacist self-reported that he allegedly failed to complete the required 15 hours of continuing education for 2010. Pharmacist completed 14.5 hours of 15 required for 2010. Alleged violations of law: KRS 315.065 and 201 KAR 2:015. 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/or, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing.

Case No. 11-0031. Pharmacist is allegedly unable to engage in the practice of pharmacy with reasonable skill, competency and safety to the public due to impairment. Alleged violations of law: KRS 315.121(1)(b) and (2)(f). 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/or, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing.

Case No. 11-0032A. Pharmacy permit holder allegedly failed to provide adequate security of controlled substances. Alleged violation of law: 201 KAR 2:100 Section 1. CRC Recommendation: There is sufficient evidence developed and the investigator is directed to conduct further investigation.

Case No. 11-0032B. Pharmacy permit holder allegedly failed to provide adequate security of controlled substances. Alleged violation of law: 201 KAR 2:100 Section 1. CRC Recommendation: There is sufficient evidence developed and the investigator is directed to conduct further investigation.

Case No. 11-0032C. Pharmacist-in-charge allegedly failed to provide adequate security of controlled substances. Alleged violation of law: 201 KAR 2:205 Section 3(b). CRC Recommendation: There is sufficient evidence developed and the investigator is directed to conduct further investigation.

Case No. 11-0032D. Pharmacist-in-charge allegedly failed to provide adequate security of controlled substances. Alleged violation of law: 201 KAR 2:205 Section 3(b). CRC Recommendation: There is sufficient evidence developed and the investigator is directed to conduct further investigation.

Case No. 11-0033. Pharmacist allegedly engaged in unprofessional or unethical conduct by dispensing a drug for which a prescription order is required, without having first received a prescription drug order for the drug for him and family members. Pharmacist allegedly failed to maintain complete and accurate records of all drugs dispensed. Alleged violations of law: KRS 315.121(2)(f) and (g) and 201 KAR 2:210 Section 1(2). 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/or, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing.

Case No. 11-0035. Pharmacist self-reported that he allegedly failed to complete the required 15 hours of continuing education for 2010. Pharmacist completed 14 hours of 15 required for 2010. Alleged violations of law: KRS 315.065 and 201 KAR 2:015. **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/or, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing.

Case No. 11-0040. Pharmacist self-reported that he allegedly failed to complete the required 15 hours of continuing education for 2010. Pharmacist completed 0 hours of 15 required for 2010. After pharmacist self-reported, he located 15 hours of continuing education for 2010. Alleged violations of law: KRS 315.065 and 201 KAR 2:015. **CRC Recommendation:** Case is dismissed.

Case No. 11-0041. Pharmacist self-reported that he allegedly failed to complete the required 15 hours of continuing education for 2010. Pharmacist completed 0 hours of 15 required for 2010. Alleged violations of law: KRS 315.065 and 201 KAR 2:015. **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/or, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing.

Case No. 11-0042. Pharmacist self-reported that he allegedly failed to complete the required 15 hours of continuing education for 2010. Pharmacist completed 13 hours of 15 required for 2010. Alleged violations of law: KRS 315.065 and 201 KAR 2:015. **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/or, 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/PHARMACY TECHNICIANS:

Pharmacy Technician Registrant MT. Dr. Greenwell moved to deny the initial application for Pharmacy Technician Registrant MT. Mr. Thornbury seconded, and the motion passed unanimously.

Pharmacy Technician Registrant AH. Mr. Thornbury moved to approve the renewal application for Pharmacy Technician Registrant AH provided he signs an Agreed Order with standard language that includes probation for five years, mandatory AA/NA meetings of 12 meetings per month and at least 6 meetings in a 2 week period, and up to 12 drug screens per year with a PRN agreement. Dr. Hanna seconded, and the motion passed unanimously.

Pharmacy Technician Registrant CP. Dr. Greenwell moved to approve the renewal application for Pharmacy Technician Registrant CP provided he signs an Agreed Order with standard language that includes probation for one year and up to 3 drug screens per year with a PRN agreement. Mr. Thornbury seconded, and the motion passed unanimously.

Pharmacy Technician Registrant TP. Dr. Greenwell moved to approve the renewal application for Pharmacy Technician Registrant TP provided he signs an Agreed Order with standard language that includes probation for one year and up to 3 drug screens per year with a PRN agreement. Mr. Thornbury seconded, and the motion passed unanimously.

CORRESPONDENCE/COMMUNICATION:

Daniel Thies – Request Termination of Probation. Dr. Thies requested termination of the remainder of the probation as outlined in his Agreed Order. Dr. Greenwell rescued himself. Dr. DeWire moved to table this decision until the next Board Meeting since one Board Member is absent, Dr. Greenwell rescued himself and it is unclear if Mr. Thornbury can participate in this decision because he was the Board President who signed the Agreed Order. Dr. Hanna seconded, and the motion passed unanimously.

William Paul Allen - Norton Brownsboro Hospital Pharmacy and Norton Suburban Hospital Pharmacy. Dr. Allen requested to be allowed to have one pharmacist serve as pharmacist-in-charge for Norton Brownsboro Hospital Pharmacy and Norton Suburban Hospital Pharmacy. Dr. DeWire moved to deny Dr. Allen's request that one pharmacist serve as pharmacist-in-charge for Norton Brownsboro Hospital Pharmacy and Norton Suburban Hospital Pharmacy. Mr. Thornbury seconded, and the motion passed unanimously.

Karin Williamson - ADiO Pharmacy. Ms. Williamson requested that ADiO Pharmacy be exempted from having the required compounding equipment because the pharmacy does not compound medications now nor will compound in the future. Mr. Thornbury moved to approve the request for an equipment waiver for ADiO Pharmacy. Dr. Hanna seconded, and the motion passed unanimously.

NABP: Registration for NABP Annual Meeting is needed as soon as possible.

LEGISLATION/REGULATION: Jan Gould, Kentucky Retail Federation, gave a summary of the 2011 Kentucky Legislative Session and how it affected the profession of pharmacy.

CONTINUING EDUCATION:

Dr. Greenwell moved to approve continuing education programs 11-08 through 11-10 as recommended. Dr. Hanna seconded, and the motion passed unanimously.

OLD BUSINESS: Advisory Council – Suggestions for future issues. There were no suggestions for future issues to send to the Advisory Council.

NEW BUSINESS:

(A) **APRN's Multiple Prescriptions for Schedule III-V prescriptions.** After discussion, Dr. Greenwell moved to state that the direction from the Kentucky Board of Pharmacy is that is not permissible by law for Advanced Practice Registered Nurses (APRN) to issue up to 3 prescriptions each for a one month supply at the same time with the instructions to "do not fill until (date)" for Schedule III-V prescriptions. Mr. Burleson was directed to write a letter to the Kentucky Board of Nursing that the Kentucky Board of Pharmacy does not agree that this practice is permissible and that once the emergency regulation, 201 KAR 20:059, completes the regulatory process, an article be written for the Board Newsletter explaining this issue. Mr. Thornbury seconded, and the motion passed unanimously.

(B) Dr. Greenwell resigned as chair of the Regulations Committee. President Hadley appointed Mr. Thornbury to chair the Regulations Committee and appointed the following as members: Ralph Bouvette, Leon Claywell, Jan Gould, Cathy Hanna, Steve Hart, Amey Hugg and Phil Losch.

ADJOURNMENT: On motion by Mr. Thornbury, seconded by Dr. Hanna and passed unanimously, President Hadley adjourned the Board Meeting at 11:25 a.m. The next regularly scheduled Board Meeting is scheduled to begin at 9:00 a.m. on May 11, 2011, at the Board Office, Frankfort, Kentucky.

Michael Burleson, R.Ph.
Executive Director