

**KENTUCKY BOARD OF PHARMACY**  
**Board Meeting**  
**University of Kentucky College of Pharmacy**  
**789 South Limestone**  
**Lexington KY 40506**  
**September 12, 2012**  
**9:00 a.m.**

**Agenda**

**I. CALL TO ORDER**

**II. MINUTES**

- \*A. July 11, 2012

**III. LEGISLATION/REGULATION**

- \*A. 201 KAR 2:040 Pharmacist Intern

**IV. APPEARANCES**

- \*A. James Redmond: Request Reinstatement 9:30 a.m.
- \*B. Martha Tyra: Request Reinstatement 10:00 a.m.
- \*C. Wes Farmer: Request Reinstatement 10:30 a.m.
- \*D. Linda Cayce: Request Reinstatement 11:00 a.m.

**V. INTERAGENCY**

**VI. BOARD REPORTS**

- A. Board Executive Director
  - \*1. eMARS (June 2012 (FY 2012), June 2012 FINAL (FY 2012), and July 2012 for FY 2013) and Financial Reports
  - \*2. FY 2012 Federal Funds Report
  - \*3. Board Calendar 2013
  - \*4. Tri-Regulator Symposium October 17-18 2012 Washington DC
  - 5. Advisory Council Report

**VII. CURRENT/PENDING CASES**

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

**VIII. RECIPROCITY/RELICENSURE/INTERNSHIP/PHARMACY TECHNICIANS**

- \*A. Reciprocity: Earl Campbell
- \*B. Reciprocity: Sharon Hester
- \*C. Pharmacy Technician Summary

**IX. CORRESPONDENCE/COMMUNICATION**

- \*A. Dual PIC: Lindsey Peden
- \*B. Dual PIC: William Bucy

**X. NABP**

**XI. CONTINUING EDUCATION**

- \*A. CE Programs: 12-14 to 12-21

**MINUTES**  
**KENTUCKY BOARD OF PHARMACY**  
University of Kentucky College of Pharmacy  
Lexington, Kentucky

**September 12, 2012**

**CALL TO ORDER:** A regular meeting of the Kentucky Board of Pharmacy was held at the University of Kentucky College of Pharmacy, Lexington, Kentucky. President Thornbury called the meeting to order at 9:05 a.m. President Thornbury observed a moment of silence for the memory and family of Josh Hamilton, Deborah Brewer's nephew.

Members present: Joel Thornbury, Brian DeWire, Scott Greenwell, Larry Hadley and Cathy Hanna. Staff: Mike Burleson, Executive Director; Steve Hart, Pharmacy Investigations and Inspections Coordinator; Shannon Allen, Katie Busroe, Chris Frasure and Phil Losch, Pharmacy and Drug Inspectors; Cheryl Lalonde, Assistant Attorney General and Board Counsel; and Lisa Atha, Executive Secretary. Guests: Chris Killmeier, Walgreens; Jan Gould, Kentucky Retail Federation; Misty Stulz, Sullivan University College of Pharmacy; Robert McFalls, Kentucky Pharmacist Association; and University of Kentucky College of Pharmacy Professional Year 3 students. Patty Seckley, Court Reporter, recorded the meeting. Board Member Deborah Brewer and Brian Fingerson, Pharmacist Recovery Network Committee, were absent.

Dean Tim Tracy welcomed the Board and students. President Thornbury thanked the Dean and University of Kentucky College of Pharmacy staff for hosting the Board meeting. President Thornbury introduced himself and gave a brief overview of the Board's purpose and mission. Each Board member introduced themselves, as did the Board attorney and Board staff.

**MINUTES:** On motion by Mr. Hadley, seconded by Dr. Hanna and passed unanimously, the Minutes of July 11, 2012 Board Meeting were approved.

**LEGISLATION/REGULATION:**

**201 KAR 2:040, Pharmacist Intern.** Proposed changes to regulation 201 KAR 2:040, Pharmacist Intern, were presented to the Board. Dr. Greenwell moved to amend 201 KAR 2:040 Section 3 (5)(c) (page 3, line 6), to include approval of the essay by the Board President. Dr. Hanna seconded, and the motion passed unanimously.

Dr. Greenwell moved to amend 201 KAR 2:040 Section 6 (1)(b) (page 4, lines 8-9) to include approval by the Board. Dr. DeWire seconded, and the motion passed unanimously.

Dr. Greenwell moved to amend 201 KAR 2:0450 Section 8 (1) (page 4, line 17 and 14) by deleting (1) (c), "Has been approved by the Board as a preceptor" and changing Section 1 to read, "License is in good standing, has been licensed by the Board for at least one year and has

requested in writing to be designated as a preceptor.” Dr. Hanna seconded, and the motion passed unanimously.

Dr. Greenwell suggested increasing the font size of the statement on the application.

Dr. Greenwell moved to approve 201 KAR 2:040 with amendments, to be filed by October 15, 2012. Mr. Hadley seconded, and the motion passed unanimously.

Mr. Hadley moved to set the hearing date for 201 KAR 2:040 on November 29, 2012 at 9:00 a.m. at the Board office. Dr. Hanna seconded, and the motion passed unanimously.

**APPEARANCES: James Redmond.** James Redmond was sworn in by Patty Seckley, Court Reporter. Dr. Redmond was appearing before the Board to request reinstatement of his Kentucky pharmacist’s license. Dr. Redmond gave a brief overview of the events that lead to the loss of his pharmacist’s license. In December 2011, Dr. Redmond was issued a prescription for Adderall XR 20 mg by his physician. At this time, Adderall XR 20 mg was on manufacturer back order. Dr. Redmond stated he attempted to locate the drug at other pharmacies and was unable to do so. He contacted his physician on 3 occasions to receive a verbal authorization to change the dose to 25 mg. Dr. Redmond did not receive authorization to do so, but went ahead and changed the prescription. Dr. Redmond was fired from his position as a pharmacist, arrested on January 20, 2012 and plead guilty to a misdemeanor of theft by unlawful taking under \$500 in April 2012. Dr. Redmond was fined \$1000 and suspended for 6 months by the Kentucky Board of Pharmacy.

After discussion, Mr. Hadley moved to reinstate James Redmond’s Kentucky pharmacist’s license with stipulations as follows: probation for 3 years; 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 notify the Board of change of home address, telephone number, and/or email within 7 days of change; 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 not work at a pharmacy owned, in whole or in part, by his or another member of his family and shall not possess a key to a pharmacy owned, in whole or in part, by his or another member of his family; shall not be on the premises of any pharmacy owned, in whole or in part, by his or another member of his family; during probation shall have prior approval to own a new pharmacy, in whole or in part, by the Board or Board President; 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; any violation of the Agreed Order of Reinstatement shall cause him to automatically lose his license to practice pharmacy for not less than five years and one day and shall require individual to petition the Board for reinstatement only after he has taken and successfully passed the entire Kentucky Board of Pharmacy licensure examination; and 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. Greenwell seconded, and the motion passed unanimously.

**Martha Tyra.** Martha Tyra was sworn in by Patty Seckley, Court Reporter. Ms. Tyra was appearing before the Board to request reinstatement of her Kentucky pharmacist's license. Ms. Tyra gave a brief overview of the events that lead to the loss of her pharmacist's license. Ms. Tyra began drinking alcohol sporadically in her late 20's to help alleviate insecurities and help her sleep. In February 2010, Ms. Tyra was fired for diverting phentermine from her pharmacy of employment. Ms. Tyra had been diverting phentermine for about 1 ½ years before being caught. Ms. Tyra entered Questhouse and completed the program in July 2010.

After discussion, Dr. DeWire moved to reinstate Martha Tyra's Kentucky pharmacist's license with stipulations as follows: probation for 5 years; 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 quarterly inspections at all locations of employment or practice as a pharmacist for the first two years of probation, then semi-annually for the next 3 years, 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: 25 hours/week for the first 2 years of probation, if she wants to increase the maximum hours of work/week after 2 years, she shall request an appearance before the Board; 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; shall not work at a pharmacy owned, in whole or in part, by her or another member of her family and shall not possess a key to a pharmacy owned, in whole or in part, by her or another member of her family; shall not be on the premises of any pharmacy owned, in whole or in part, by her or another member of her family; during probation shall have prior approval to own a new pharmacy, in whole or in part, by the Board or Board President; 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; any violation of the Agreed Order of Reinstatement shall cause her to automatically lose her license to practice pharmacy for not less than five years and one day and shall require individual to petition the Board for reinstatement only after she has taken and successfully passed the entire Kentucky Board of Pharmacy licensure examination; and shall not seek to amend or modify this Agreed Order except as provided above. Above information shall be reported to NABP and is subject to disclosure under the Kentucky Open Records Act. Dr. Hanna seconded, and the motion passed 3 to 1 with Dr. DeWire, Dr. Hanna and Mr. Hadley voting for the motion and Dr. Greenwell voting against the motion.

**Wes Farmer.** Wes Farmer was sworn in by Patty Seckley, Court Reporter. Dr. Farmer was appearing before the Board to request reinstatement of his Kentucky pharmacist's license. Dr. Farmer gave a brief overview of the events that lead to the loss of his pharmacist's license. Dr. Farmer began using prescription drugs recreationally in 2001. After graduating from pharmacy school in 2008, he began self-medicating with opiates. In August 2011, he was fired from his pharmacy of employment and surrendered his Kentucky pharmacist's license. He entered Questhouse in September 2011. In February 2012, Dr. Farmer was charged with theft of a controlled substance and attempting/ obtaining a controlled substance by fraud. He accepted a plea offer of 120 days work release in Hopkins County Jail for Pretrial Diversion.

After discussion, Dr. DeWire moved to deny Dr. Farmer's request for reinstatement of his Kentucky pharmacist's license, stating that he could reappear before the Board and request reinstatement consideration in one year. Dr. Greenwell seconded, and the motion passed unanimously.

**Linda Cayce.** Linda Cayce was sworn in by Patty Seckley, Court Reporter. Ms. Cayce was appearing before the Board to request reinstatement of her Kentucky pharmacist's license. Ms. Cayce gave a brief overview of the events that lead to the loss of her pharmacist's license. Ms. Cayce began using drugs about 5 years ago. In October 2011, she was caught diverting controlled substances from pharmacies where she worked relief. In February 2012, Ms. Cayce completed a 90 inpatient program at Cumberland Heights. Ms. Cayce currently lives in Nashville, Tennessee.

After discussion, Dr. Greenwell moved to reinstate Linda Cayce's Kentucky pharmacist's license with stipulations as follows: she may start the reciprocity process for Tennessee, but may not work in Kentucky until November 9, 2012; probation for 5 years; 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 quarterly inspections at all locations of employment or practice as a pharmacist in Kentucky for the first two years of probation, then semi-annually for the next 3 years, 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; shall not work at a pharmacy owned, in whole or in part, by her or another member of her family and shall not possess a key to a pharmacy owned, in whole or in part, by her or another member of her family; shall not be on the premises of any pharmacy owned, in whole or in part, by her or another member of her family; during probation shall have prior approval to own a new pharmacy, in whole or in part, by the Board or Board President; 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; any violation of the Agreed Order of Reinstatement shall cause her to automatically lose her license to practice pharmacy for not less than five years and one day and shall require individual to petition the Board for reinstatement only after she has taken and successfully passed the entire Kentucky Board of Pharmacy licensure examination; and 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. Mr. Hadley seconded, and the motion passed unanimously.

### **BOARD REPORTS:**

**Board Executive Director.** 1) EMars monthly report for June and July FY 2012 and a Financial Report Summary were presented to the Board. 2) FY 2012 Federal Funds Report was presented to the Board. 3) Dr. Greenwell moved to set the first meeting of 2013 for January 9, 2013. Dr. Hanna seconded, and the motion passed unanimously. 4) Mr. Hadley moved to allow President Thornbury to attend the Tri-Regulator Symposium, in Washington, DC, October 17-18, 2012. Dr. Greenwell seconded, and the motion passed unanimously. 5) Advisory council has 6 members whose terms are expiring, 2 members are eligible for reappointment. Applications will be brought forth at the November Board Meeting. 6) Mr. Hadley moved to send up to 3 members of the PRN Committee to the Utah School on Alcoholism and Other Drug Dependencies. Dr. Hanna seconded, and the motion passed unanimously. 7) There was discussion of updating the laptops for Board Members. Executive Director is to bring back proposals at the November Board Meeting. 8) Omnicare was fined \$50 million by DEA. One of

the issues was the faxing of pre-populated controlled substance refill request letters to prescribers. DEA has stated this practice is illegal.

**CURRENT/PENDING CASES:**

**Case Updates:** Dr. Hanna moved to accept Case Updates for Case Numbers: Case No. 11-0061A; Case No. 11-0062B; Case No. 11-0216B; Case No. 12-0012; Case No. 12-0016; Case No. 12-0020A; Case No. 12-0038B; Case No. 12-0046B; Case No. 12-0052; Case No. 12-0053; Case No. 12-0054; Case No. 12-0056; Case No. 12-0058A; Case No. 12-0058B; Case No. 12-0059B; Case No. 12-0060A; Case No. 12-0066C; Case No. 12-0073; Case No. 12-0075C; Case No. 12-0082A; Case No. 12-0082B; Case No. 12-0085; Case No. 12-0090C; Case No. 12-0130B; Case No. 12-0132A; Case No. 12-0132B; Case No. 12-0134A; Case No. 12-0137A; Case No. 12-0137B; Case No. 12-0147A; Case No. 12-0147B; Case No. 12-0148A; Case No. 12-0148B; Case No. 12-0150A; Case No. 12-0150B; Case No. 12-0162A; and Case No. 12-0163B as written. Dr. DeWire seconded, and the motion passed unanimously.

**Case Review:** Dr. Hanna moved to accept Case Review as presented. Dr. DeWire seconded, and the motion passed unanimously.

**Case No. 11-0235A. REVISIT.** Pharmacy permit holder allegedly engaged in unprofessional or unethical conduct by being owned by a pharmacist allegedly engaged in unprofessional or unethical conduct by selling drugs found in illegal traffic when the pharmacist knows or should have known of their intended use in illegal activities; selling and ingesting a drug for which a prescription drug order is required without having first received a prescription drug order for the drug; willfully or knowingly failing to maintain complete and accurate records of all drugs received, dispensed, or disposed of in compliance with federal and state laws, rules or administrative regulations; obtaining any remuneration by fraud, misrepresentation or deception and failing to exercise appropriate professional judgment in determining whether a prescription drug order is lawful. **NEW INFORMATION:** On August 1, 2012, the Assistant United States Attorney issued a sealed indictment against pharmacist. On or about August 15, 2012, the indictment was unsealed. Pharmacist was required to appear at the Federal Court House to be served the indictment on August 16, 2012. On August 16, 2012, Pharmacist was found dead of apparent suicide in a motel room in Chapmanville, West Virginia. Alleged violation of law: KRS 315.121(1)(a). CRC Recommendation: There is sufficient evidence developed and the investigator is directed to conduct further investigation.

**Case No. 11-0235B. REVISIT.** Pharmacist allegedly engaged in unprofessional or unethical conduct by selling drugs found in illegal traffic when the pharmacist knows or should have known of their intended use in illegal activities; selling and ingesting a drug for which a prescription drug order is required without having first received a prescription drug order for the drug; willfully or knowingly failing to maintain complete and accurate records of all drugs received, dispensed, or disposed of in compliance with federal and state laws, rules or administrative regulations; obtaining any remuneration by fraud, misrepresentation or deception and failing to exercise appropriate professional judgment in determining whether a prescription drug order is lawful. **NEW**

**INFORMATION:** On August 1, 2012, the Assistant United States Attorney issued a sealed indictment against pharmacist. On or about August 15, 2012, the indictment was unsealed. Pharmacist was required to appear at the Federal Court House to be served the indictment on August 16, 2012. On August 16, 2012, Pharmacist was found dead of apparent suicide in a motel room in Chapmanville, West Virginia. Alleged violations of law: KRS 315.121(1)(a), (2)(c), (f), (g), (h) and (j). CRC Recommendation: Case is dismissed.

**Case No. 12-0040A. REVISIT.** Pharmacy permit holder allegedly engaged in unprofessional or unethical conduct. **NEW INFORMATION:** On August 1, 2012, the Assistant United States Attorney issued a sealed indictment against pharmacist. On or about August 15, 2012, the indictment was unsealed. Pharmacist was required to appear at the Federal Court House to be served the indictment on August 16, 2012. On August 16, 2012, Pharmacist was found dead of apparent suicide in a motel room in Chapmanville, West Virginia. Alleged violations of law: KRS 315.121(1)(a). CRC Recommendation: There is sufficient evidence developed and the investigator is directed to conduct further investigation.

**Case No. 12-0040B. REVISIT.** Pharmacist allegedly engaged in unprofessional or unethical conduct by selling drugs found in illegal traffic when the pharmacist knows or should have known of their intended use in illegal activities; selling and ingesting a drug for which a prescription drug order is required without having first received a prescription drug order or knowingly failing to maintain complete and accurate records of all drugs received, dispensed or disposed of in compliance with federal and state laws, rules or administrative regulations; obtaining any remuneration by fraud, misrepresentation, or deception; and failing to exercise appropriate professional judgment in determining whether a prescription drug order is lawful. **NEW INFORMATION:** On August 1, 2012, the Assistant United States Attorney issued a sealed indictment against pharmacist. On or about August 15, 2012, the indictment was unsealed. Pharmacist was required to appear at the Federal Court House to be served the indictment on August 16, 2012. On August 16, 2012, Pharmacist was found dead of apparent suicide in a motel room in Chapmanville, West Virginia. Alleged violations of law KRS 315.121(1)(a), (2)(c), (f), (g), (h) and (j). CRC Recommendation: Case is dismissed.

**Case No. 12-0040C. REVISIT.** Pharmacy technician allegedly engaged in unprofessional or unethical conduct by knowing or having reason to know a pharmacist is incapable of engaging in the practice of pharmacy with reasonable skill, competence, and safety to the public and failing to report any relevant information to the board; knowing or having reason to know that a pharmacist or pharmacy technician has engaged in or aided and abetted the unlawful distribution of legend medications, and failing to report any relevant information to the board; selling drugs found in illegal traffic when pharmacy technician knows or should have known of their intended use in illegal activities; willfully or knowingly failing to maintain to complete and accurate records of all drugs received, dispensed, or disposed of in compliance with federal and state laws, rules, or administrative regulations; and obtaining any remuneration by fraud, misrepresentation, or deception. **NEW INFORMATION:** On August 1, 2012, the Assistant United States Attorney issued a sealed indictment against pharmacist. On or about August 15,

2012, the indictment was unsealed. Pharmacist was required to appear at the Federal Court House to be served the indictment on August 16, 2012. On August 16, 2012, Pharmacist was found dead of apparent suicide in a motel room in Chapmanville, West Virginia. This technician was named in the sealed indictment. Technician appeared at the federal court house and was served. This trial is scheduled to begin Oct. 15, 2012. Alleged violations of law: KRS 315.121(1)(a),(d)and (j), (2)(c), (g) and (h). CRC Recommendation: There is sufficient evidence developed and the investigator is directed to conduct further investigation.

**Case No. 12-0040D. REVISIT.** Pharmacy technician allegedly engaged in unprofessional or unethical conduct by knowing or having reason to know a pharmacist is incapable of engaging in the practice of pharmacy with reasonable skill, competence, and safety to the public and failing to report any relevant information to the board; knowing or having reason to know that a pharmacist or pharmacy technician has engaged in or aided and abetted the unlawful distribution of legend medications, and failing to report any relevant information to the board; selling drugs found in illegal traffic when pharmacy technician knows or should have known of their intended use in illegal activities; willfully or knowingly failing to maintain to complete and accurate records of all drugs received, dispensed, or disposed of in compliance with federal and state laws, rules, or administrative regulations; and obtaining any remuneration by fraud, misrepresentation, or deception. On August 1, 2012, the Assistant United States Attorney issued a sealed indictment against pharmacist. On or about August 15, 2012, the indictment was unsealed. Pharmacist was required to appear at the Federal Court House to be served the indictment on August 16, 2012. On August 16, 2012, Pharmacist was found dead of apparent suicide in a motel room in Chapmanville, West Virginia. This technician cooperated with the Federal government and in exchange for his cooperation she will receive a lesser sentence and was not named in the indictment. She has not yet been sentenced; she quit working at the Pharmacy on August 20, 2012. Alleged violations of law: KRS 315.121(1)(a),(d)and (j), (2)(c), (g) and (h). CRC Recommendation: There is sufficient evidence developed and the investigator is directed to conduct further investigation.

**Case No. 12-0040E. REVISIT.** Pharmacy technician allegedly engaged in unprofessional or unethical conduct by knowing or having reason to know a pharmacist is incapable of engaging in the practice of pharmacy with reasonable skill, competence, and safety to the public and failing to report any relevant information to the board; knowing or having reason to know that a pharmacist or pharmacy technician has engaged in or aided and abetted the unlawful distribution of legend medications, and failing to report any relevant information to the board; selling drugs found in illegal traffic when pharmacy technician knows or should have known of their intended use in illegal activities; willfully or knowingly failing to maintain to complete and accurate records of all drugs received, dispensed, or disposed of in compliance with federal and state laws, rules, or administrative regulations; and obtaining any remuneration by fraud, misrepresentation, or deception. **NEW INFORMATION:** On August 1, 2012, the Assistant United States Attorney issued a sealed indictment against pharmacist. On or about August 15, 2012, the indictment was unsealed. Pharmacist was required to appear at the Federal Court House to be served the indictment on August 16, 2012. On August 16, 2012, Pharmacist was found dead of apparent suicide in a motel room in Chapmanville, West Virginia. This technician was not indicted and currently works at the Pharmacy. Alleged violations of law: KRS

315.121(1)(a),(d)and (j), (2)(c), (g) and (h). CRC Recommendation: There is sufficient evidence developed and the investigator is directed to conduct further investigation.

**Case No. 12-0040F. REVISIT.** Pharmacy technician allegedly engaged in unprofessional or unethical conduct by knowing or having reason to know a pharmacist is incapable of engaging in the practice of pharmacy with reasonable skill, competence, and safety to the public and failing to report any relevant information to the board; knowing or having reason to know that a pharmacist or pharmacy technician has engaged in or aided and abetted the unlawful distribution of legend medications, and failing to report any relevant information to the board; selling drugs found in illegal traffic when pharmacy technician knows or should have known of their intended use in illegal activities; willfully or knowingly failing to maintain to complete and accurate records of all drugs received, dispensed, or disposed of in compliance with federal and state laws, rules, or administrative regulations; and obtaining any remuneration by fraud, misrepresentation, or deception. **NEW INFORMATION:** On August 1, 2012, the Assistant United States Attorney issued a sealed indictment against pharmacist. On or about August 15, 2012, the indictment was unsealed. Pharmacist was required to appear at the Federal Court House to be served the indictment on August 16, 2012. On August 16, 2012, Pharmacist was found dead of apparent suicide in a motel room in Chapmanville, West Virginia. This technician was not indicted and is no longer employed at the pharmacy. She is registered as a technician, but not currently working at a pharmacy. Alleged violations of law: KRS 315.121(1)(a),(d)and (j), (2)(c), (g) and (h). CRC Recommendation: There is sufficient evidence developed and the investigator is directed to conduct further investigation.

**Case No. 11-0240. REVISIT.** Pharmacist allegedly engaged in unprofessional or unethical conduct and has mental or physical incapacity that prevents the license from engaging or assisting in the practice of pharmacy due to failing a drug test. Pharmacist allegedly engaged in unprofessional or unethical conduct by selling, dispensing, and ingesting a drug for which a prescription drug order is required, without having first received a prescription drug order for the drug. **NEW INFORMATION:** Pharmacist's attorney stated that the pharmacist would sign an agreement with the US Attorney's Office pleading to 1 count of aggravated identity theft and 1 count of obtaining control substance by fraud which will result in a 2 year and 30 day prison term. Alleged violations of law: KRS 315.121(1) and (2). CRC Recommendation: There is sufficient evidence developed and the investigator is directed to conduct further investigation.

**Case No. 12-0002.** Pharmacist alleged possessed a controlled substance prescription not in the original container. Pharmacist operated a motor vehicle under the influence of alcohol. Alleged violations of law: KRS 217.065 and KRS 315.121(a). CRC Recommendation: There is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice.

**Case No. 12-0036A.** Pharmacy permit holder allegedly sold a misbranded prescription. A patient alleged that a prescription refill was not filled with the same medication as he received on the initial fill. Patient also states that the description on the bottle did not match the contents of the bottle. Alleged violation of law: KRS 217.065(1). CRC Recommendation: There is sufficient evidence developed and the investigator is directed to conduct further investigation.

**Case No. 12-0036B.** Pharmacist allegedly committed a medication error. According to the patient complaint the pharmacist refilled a prescription with a different medication than the prescription was originally filled with. Also, the patient states that the description on the bottle did not match the contents of the bottle. Alleged violation of law: KRS 217.065(1). CRC Recommendation: There is sufficient evidence developed and the investigator is directed to conduct further investigation.

**Case No. 12-0065. REVISIT.** Technician was granted registration with terms by the Board. Technician voluntarily ended his relationship with the KYPRN. 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/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. 12-0067A.** Pharmacy permit holder allegedly sold two separate prescription medications written for that patient without informing the patient both prescriptions contained the same active ingredient. Pharmacy permit holder allegedly sold a 90 day supply of Cartia XT 120mg and a 30 day supply of diltizem ER 120mg within an 18 day period. Alleged violation of law: 201 KAR 2:210 Section 1(d)3. CRC Recommendation: There is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice.

**Case No. 12-0067B.** Pharmacist allegedly failed to counsel on refill prescription. Pharmacist allegedly failed to counsel the patient and explain that both Cartia XT 120mg and diltizem ER120 mg contain the same active ingredient. Alleged violation of law: 201 KAR 2:210 Section 2(1)(b). CRC Recommendation: There is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice.

**Case No. 12-0067C.** Pharmacist allegedly failed to counsel on a refill prescription. Pharmacist allegedly failed to counsel the patient and explain that both Cartia XT 120mg and diltizem ER120mg contain the same active ingredient. Pharmacist allegedly did not perform proper drug use review and filled a 30 day supply of diltizem ER 120mg within an 18 day period of a 90 day supply of Cartia XT 120mg without informing the patient that both medications contain the same ingredient. Alleged violations of law: 201 KAR 2:210 Section 2(1)(b) and Section 4(3)(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. 12-0067D.** Pharmacist allegedly failed to counsel on a refill prescription. Pharmacist allegedly failed to counsel the patient and explain that both Cartia XT 120mg and diltizem ER120mg contain the same active ingredient. Pharmacist allegedly did not perform proper drug use review and filled a 30 day supply of diltizem ER 120mg within an 18 day period of a 90 day supply of Cartia XT 120mg without informing the patient that both medications contain the same ingredient. Alleged violations of law: 201 KAR 2:210 Section 2(1)(b) and Section 4(3)(f). CRC

Recommendation: There is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice.

**Case No. 12-0070A.** Pharmacy permit holder allegedly did not provide adequate security and control of a controlled medication. Pharmacy permit holder allegedly allowed pharmacy technician to divert a controlled substance from the pharmacy of employment. 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. 12-0070B.** Pharmacist-in-charge allegedly did not provide adequate security and control of a controlled medication. Pharmacist-in-charge allegedly allowed pharmacy technician to divert a controlled substance from the pharmacy of employment. 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. 12-0070C.** Pharmacy technician allegedly engaged in unprofessional or unethical conduct. Pharmacy technician allegedly diverted a controlled substance from the pharmacy of employment. Alleged violation of law: KRS 315.121(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. 12-0086A.** Pharmacy permit holder allegedly did not assure adequate security and control of drugs due to a technician diversion. Alleged violation of law: 201 KAR 2:100. 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. 12-0086B.** Pharmacist-in-charge allegedly did not assure adequate security and control of drugs due to a technician diversion. Alleged violation of law: 201 KAR 2:100. 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. 12-0086C.** 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. 12-0109A.** Pharmacy permit holder allegedly did not provide adequate security and control of a controlled medication. Pharmacy permit holder allegedly allowed pharmacy technician to divert a controlled substance from the pharmacy of employment. 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. 12-0109B.** Pharmacist-in-charge allegedly did not provide adequate security and control of a controlled medication. Pharmacist-in-charge allegedly allowed pharmacy technician to divert a controlled substance from the pharmacy of employment. 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. 12-0109C.** Pharmacy technician allegedly engaged in unprofessional or unethical conduct. Pharmacy technician allegedly diverted a controlled substance from the pharmacy of employment. Technician also diverted money from the pharmacy of employment. Alleged violation of law: KRS 315.121(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. 12-0110A.** Pharmacy permit holder allegedly did not provide adequate security and control of a controlled medication. Pharmacy permit holder allegedly allowed pharmacy technician to divert a controlled substance from the pharmacy of employment. 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. 12-0110B.** Pharmacist-in-charge allegedly did not provide adequate security and control of a controlled medication. Pharmacist-in-charge allegedly allowed pharmacy technician to divert a controlled substance from the pharmacy of employment. 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. 12-0110C.** Pharmacy technician allegedly engaged in unprofessional or unethical conduct. Pharmacy technician allegedly diverted a controlled substance from the pharmacy of employment. Alleged violation of law: KRS 315.121(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. 12-0112A.** Special Medicinal gas permit holder allegedly relocated on or about March 1, 2012 without notifying the Board office. On June 12, 2012 the Board office received a change of address application. The permit holder allegedly failed to renew their permit by June 30,

2012. Alleged violations of law: KRS 315.035(1)(4) and (5). 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. 12-0112B.** Special Medicinal gas pharmacist consultant allegedly allowed special medicinal gas permit holder to relocate without notifying the Board office. On June 12, 2012 the Board office received a change of address application. The permit holder allegedly failed to renew their permit by June 30, 2012. Alleged violations of law: 201 KAR 2:225 Section 2(3) and Section (4). 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. 12-0114 REVISIT.** Pharmacist allegedly diverted and ingested zolpidem and oxycodone/apap tablets without obtaining valid prescription. 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. 12-0116A.** Pharmacy permit holder allegedly did not provide adequate security and control of a controlled medication. Pharmacy permit holder allegedly allowed pharmacy technician to divert a controlled substance from the pharmacy of employment. 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. 12-0116B.** Pharmacist-in-charge allegedly did not provide adequate security and control of a controlled medication. Pharmacist-in-charge allegedly allowed pharmacy technician to divert a controlled substance from the pharmacy of employment. 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. 12-0116C.** Pharmacy technician allegedly engaged in unprofessional or unethical conduct. Pharmacy technician allegedly diverted a controlled substance from the pharmacy of employment. Alleged violation of law: KRS 315.121(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. 12-0118A.** Pharmacy permit holder allegedly did not provide adequate security and control of a controlled medication. Pharmacy permit holder allegedly allowed pharmacy technician to divert a controlled substance from the pharmacy of employment. 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. 12-0118B.** Pharmacist-in-charge allegedly did not provide adequate security and control of a controlled medication. Pharmacist-in-charge allegedly allowed pharmacy technician to divert a controlled substance from the pharmacy of employment. 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. 12-0118C.** Pharmacy technician allegedly engaged in unprofessional or unethical conduct. Pharmacy technician allegedly diverted a controlled substance from the pharmacy of employment. Alleged violation of law: KRS 315.121(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. 12-0121A.** Pharmacy permit holder allegedly engaged in unprofessional or unethical conduct by allowing a medication error. 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. 12-0121B.** Pharmacist allegedly engaged in unprofessional or unethical conduct by engaging in conduct likely to harm the public, by dispensing the wrong medication to a patient. 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. 12-0164.** Pharmacist allegedly completed only .75 CEUs of the required 1.5 for 2011. Alleged violations of law: KRS 315.065(2) and 201 KAR 2:015 Section 5(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. 12-0165.** Pharmacist allegedly completed only 1.4 CEUs of the required 1.5 for 2011. Alleged violations of law: KRS 315.065(2) and 201 KAR 2:015 Section 5(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. 12-0166A.** Pharmacy permit holder allegedly engaged in or aided and abetted the unlawful distribution of legend medication and failed to report any relevant information to the Board. Alleged violation of law: KRS 315.121(1)(j). CRC Recommendation: There is

insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice.

**Case No. 12-0166B.** Pharmacist-in-charge failed in his responsibility of procurement, storage, security and disposition of drugs. Alleged violation of law: 201 KAR 2:205 Section 2(3)(b). CRC Recommendation: There is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice.

**Case No. 12-0166C.** Pharmacy technician allegedly committed theft of hydrocodone/APAP and approved a refill for a controlled substance prescription for a family member without prescriber approval. Alleged violations of law: KRS 315.121(2)(f) and (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. 12-0168A.** Pharmacy permit holder allegedly engaged in unprofessional or unethical conduct by purchasing stolen medication. Pharmacy permit holder allegedly stored a misbranded medication among the pharmacy inventory. Alleged violations of law: KRS 315.121(1)(a) and KRS 217.065(1) and (2)(a). CRC Recommendation: There is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice.

**Case No. 12-0168B.** Pharmacist allegedly engaged in unprofessional or unethical conduct by purchasing stolen medication. Pharmacy permit holder allegedly stored a misbranded medication among the pharmacy inventory. Alleged violations of law: KRS 315.121(1)(a) and KRS 217.065(1) and (2)(a). CRC Recommendation: There is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice

**Case No. 12-0169.** Special medical gas pharmacy permit holder allegedly did not renew permit in a timely manner and operated without an active permit from July 1 through July 11, 2012. Alleged violation of law: KRS 315.035. 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. 12-0170.** Pharmacist allegedly engaged in unprofessional or unethical conduct by selling, dispensing, and ingesting a drug for which a prescription drug order is required, without having first received a prescription drug order for the drug. Alleged violations of law: KRS 315.121(1)(a) 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. 12-0171A.** Pharmacy permit holder allegedly engaged in unprofessional or unethical conduct by contributing to a medication error due to the computer system. 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. 12-0171B.** Pharmacist allegedly engaged in unprofessional or unethical conduct by committing a medication error. Five refills were allegedly added to a prescription written for hydrocodone/acetaminophen 5/500mg, quantity 20 with zero refills. Alleged violations of law: KRS 315.121(1)(a) and (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/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. 12-0172A.** Pharmacy permit holder allegedly engaged in or aided and abetted the unlawful distribution of legend medication and failed to report any relevant information to the Board. Alleged violation of law: KRS 315.121(1)(j). CRC Recommendation: There is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice

**Case No. 12-0172B.** Pharmacist-in-charge allegedly failed in his responsibility of procurement, storage, security and disposition of drugs. Alleged violation of law: 201 KAR 2:205 Section 2(3)(b). CRC Recommendation: There is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice

**Case No. 12-0172C.** Pharmacy technician allegedly assisted in the dispensing of 2 legend drugs (non-controlled) for a family member without first obtaining a prescription drug order and committed theft of hydrocodone/APAP. Alleged violations of law: KRS 315.121(2)(f) and (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. 12-0174.** Pharmacist allegedly engaged in unprofessional or unethical conduct by selling, dispensing, and ingesting a drug for which a prescription drug order is required, without having first received a prescription drug order for the drug. Alleged violations of law: KRS 315.121(1) and (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. 12-0175A.** Pharmacy permit holder allegedly failed to provide adequate security and control of drugs. Alleged violation of law: KAR 201 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/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. 12-0175B.** Pharmacist-in-charge allegedly failed to provide adequate security and control of drugs due to a non-pharmacist owner diversion. Alleged violation of law: KAR 2:205 (3)(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. 12-0176A.** 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. 12-0176B.** Pharmacist-in-charge allegedly failed to provide adequate security and control of drugs. Alleged violation of law: 201 KAR 2:205(3)(b). CRC Recommendation: There is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice

**Case No. 12-0176C.** Pharmacy 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. 12-0178A.** Pharmacy permit holder allegedly allowed a misbranded product to be dispensed as the result of a medication error. Alleged violation of law: 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. 12-0178B.** Pharmacist allegedly engaged in unprofessional or unethical conduct by committing a medication error. Patient allegedly received metolazone instead of methimazole. Alleged violations of law: KRS 315.121(1)(a) and (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/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. 12-0179A.** Pharmacy permit holder allegedly engaged in or aided and abetted the unlawful distribution of legend medication and failed to report any relevant information to the Board. Alleged violation of law: KRS 315.121(1)(j). CRC Recommendation: There is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice

**Case No. 12-0179B.** Pharmacist-in-charged allegedly failed in his responsibility of procurement, storage, security and disposition of drugs. Alleged violation of law: 201 KAR 2:205 Section 2(3)(b). CRC Recommendation: There is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice

**Case No. 12-0179C.** Pharmacist allegedly committed theft and ingested controlled substances and forged at least three prescriptions for controlled substances. Alleged violations of law: KRS 315.121(2)(f) and (g). CRC Recommendation: There is sufficient evidence developed and the investigator is directed to conduct further investigation.

**Case No. 12-0180.** Pharmacy technician allegedly engaged in unprofessional or unethical conduct by testing positive for an illicit substance. 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. 12-0181A.** Pharmacy permit holder allegedly aided or abetted an employee to assist in the practice of pharmacy without having a current pharmacy technician registration. 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. 12-0181B.** Pharmacy technician allegedly assisted in the practice of pharmacy without a current pharmacy technician registration from 4/1/10 to 3/1/12. Alleged violation of law: KRS 315.138(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. 12-0182A.** Pharmacy permit holder allegedly aided or abetted an employee to assist in the practice of pharmacy without having a current pharmacy technician registration. 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. 12-0182B.** Pharmacy technician allegedly assisted in the practice of pharmacy without a current pharmacy technician registration from 3/31/11 to 3/1/12. Alleged violation of law: KRS 315.138(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. 12-0183A.** Pharmacy permit holder allegedly aided or abetted an employee to assist in the practice of pharmacy without having a current pharmacy technician registration. 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. 12-0183B.** Pharmacy technician allegedly assisted in the practice of pharmacy without a current pharmacy technician registration from 4/25/12 to 6/29/12. Alleged violation of law: KRS 315.138(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. 12-0184A.** Pharmacy permit holder allegedly aided or abetted an employee to assist in the practice of pharmacy without having a current pharmacy technician registration. 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. 12-0184B.** Pharmacy technician allegedly assisted in the practice of pharmacy without a current pharmacy technician registration from 3/31/12 to 5/3/12. Alleged violation of law: KRS 315.138(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. 12-0185A.** Pharmacy permit holder allegedly aided or abetted an employee to assist in the practice of pharmacy without having a current pharmacy technician registration. 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. 12-0185B.** Pharmacy technician allegedly assisted in the practice of pharmacy without a current pharmacy technician registration from 4/19/12 to 5/6/12. Alleged violation of law: KRS 315.138(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. 12-0186A.** Pharmacy permit holder allegedly aided or abetted an employee to assist in the practice of pharmacy without having a current pharmacy technician registration. 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. 12-0186B.** Pharmacy technician allegedly assisted in the practice of pharmacy without a current pharmacy technician registration from 6/11/12 to 7/11/12. Alleged violation of law: KRS 315.138(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. 12-0187A.** Pharmacy permit holder allegedly aided or abetted an employee to assist in the practice of pharmacy without having a current pharmacy technician registration. 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. 12-0187B.** Pharmacy technician allegedly assisted in the practice of pharmacy without a current pharmacy technician registration from 7/23/12 to 8/9/12. Alleged violation of law: KRS 315.138(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. 12-0188A.** Pharmacy permit holder allegedly aided or abetted an employee to assist in the practice of pharmacy without having a current pharmacy technician registration. 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. 12-0188B.** Pharmacy technician allegedly assisted in the practice of pharmacy without a current pharmacy technician registration from 6/6/12 to 7/20/12. Alleged violation of law: KRS 315.138(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. 12-0189A.** Pharmacy permit holder allegedly aided or abetted an employee to assist in the practice of pharmacy without having a current pharmacy technician registration. 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. 12-0189B.** Pharmacy technician allegedly assisted in the practice of pharmacy without a current pharmacy technician registration from 3/31/12 to 6/21/12. Alleged violation of law: KRS 315.138(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. 12-0190A.** Pharmacy permit holder allegedly aided or abetted an employee to assist in the practice of pharmacy without having a current pharmacy technician registration. 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. 12-0190B.** Pharmacy technician allegedly assisted in the practice of pharmacy without a current pharmacy technician registration from 6/8/12 to 7/30/12. Alleged violation of law: KRS 315.138(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. 12-0191A.** Pharmacy permit holder allegedly aided or abetted an employee to assist in the practice of pharmacy without having a current pharmacy technician registration. 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. 12-0191B.** Pharmacy technician allegedly assisted in the practice of pharmacy without a current pharmacy technician registration from 3/31/12 to 6/22/12. Alleged violation of law: KRS 315.138(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. 12-0192A.** Pharmacy permit holder allegedly aided or abetted an employee to assist in the practice of pharmacy without having a current pharmacy technician registration. 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. 12-0192B.** Pharmacy technician allegedly assisted in the practice of pharmacy without a current pharmacy technician registration from 6/15/12 to 8/7/12. Alleged violation of law: KRS 315.138(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. 12-0193A.** Pharmacy permit holder allegedly aided or abetted an employee to assist in the practice of pharmacy without having a current pharmacy technician registration. 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. 12-0193B.** Pharmacy technician allegedly assisted in the practice of pharmacy without a current pharmacy technician registration from 5/21/12 to 7/5/12. Alleged violation of law: KRS 315.138(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. 12-0194A.** Pharmacy permit holder allegedly aided or abetted an employee to assist in the practice of pharmacy without having a current pharmacy technician registration. 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. 12-0194B.** Pharmacy technician allegedly assisted in the practice of pharmacy without a current pharmacy technician registration from 5/14/12 to 7/24/12. Alleged violation of law: KRS 315.138(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. 12-0195A.** Pharmacy permit holder allegedly aided or abetted an employee to assist in the practice of pharmacy without having a current pharmacy technician registration. 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. 12-0195B.** Pharmacy technician allegedly assisted in the practice of pharmacy without a current pharmacy technician registration from 3/31/12 to 7/2/12. Alleged violation of law: KRS 315.138(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. 12-0196A.** Pharmacy permit holder allegedly aided or abetted an employee to assist in the practice of pharmacy without having a current pharmacy technician registration. 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. 12-0196B.** Pharmacy technician allegedly assisted in the practice of pharmacy without a current pharmacy technician registration from 3/31/12 to 7/02/12. Alleged violation of law: KRS 315.138(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. 12-0197A.** Pharmacy permit holder allegedly aided or abetted an employee to assist in the practice of pharmacy without having a current pharmacy technician registration. 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. 12-0197B.** Pharmacy technician allegedly assisted in the practice of pharmacy without a current pharmacy technician registration from 3/31/12 to 6/15/12. Alleged violation of law: KRS 315.138(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. 12-0198A.** Pharmacy permit holder allegedly aided or abetted an employee to assist in the practice of pharmacy without having a current pharmacy technician registration. 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. 12-0198B.** Pharmacy technician allegedly assisted in the practice of pharmacy without a current pharmacy technician registration from 3/31/12 to 7/10/12. Alleged violation of law: KRS 315.138(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. 12-0199A.** Pharmacy permit holder allegedly aided or abetted an employee to assist in the practice of pharmacy without having a current pharmacy technician registration. 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. 12-0199B.** Pharmacy technician allegedly assisted in the practice of pharmacy without a current pharmacy technician registration from 3/31/12 to 6/24/12. Alleged violation of law: KRS 315.138(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. 12-0200A.** Pharmacy permit holder allegedly aided or abetted an employee to assist in the practice of pharmacy without having a current pharmacy technician registration. 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. 12-0200B.** Pharmacy technician allegedly assisted in the practice of pharmacy without a current pharmacy technician registration from 3/31/12 to 5/21/12. Alleged violation of law: KRS 315.138(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. 12-0201A.** Pharmacy permit holder allegedly aided or abetted an employee to assist in the practice of pharmacy without having a current pharmacy technician registration. 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. 12-0201B.** Pharmacy technician allegedly assisted in the practice of pharmacy without a current pharmacy technician registration from 3/31/11 to 3/10/12. Alleged violation of law: KRS 315.138(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. 12-0202A.** Pharmacy permit holder allegedly aided or abetted an employee to assist in the practice of pharmacy without having a current pharmacy technician registration. 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. 12-0202B.** Pharmacy technician allegedly assisted in the practice of pharmacy without a current pharmacy technician registration from 5/1/11 to 8/31/11. Alleged violation of law: KRS 315.138(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. 12-0203A.** Pharmacy permit holder allegedly aided or abetted an employee to assist in the practice of pharmacy without having a current pharmacy technician registration. 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. 12-0203B.** Pharmacy technician allegedly assisted in the practice of pharmacy without a current pharmacy technician registration from 3/31/11 to 3/27/12. Alleged violation of law: KRS 315.138(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.

**RECIPROCITY/RELICENSE/INTERNSHIP/PHARMACY TECHNICIANS:**

**Earl Campbell.** Earl Campbell withdrew his request to reciprocate his pharmacist's license.

**Sharon Hester.** Sharon Hester submitted a pharmacist's application for reciprocity. Ms. Hester had disciplinary action from the Tennessee Board of Pharmacy. Dr. Greenwell moved to approve Sharon Hester's request to reciprocate her pharmacist's license to Kentucky. Dr. Hanna seconded, and the motion passed unanimously.

**Pharmacy Technician Registrant JC.** Dr. Greenwell moved to approve the renewal application for Pharmacy Technician Registrant JC 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. Dr. Hanna seconded, and the motion passed unanimously.

**Pharmacy Technician Registrant KG.** Dr. Greenwell moved to approve initial application for Pharmacy Technician Registrant KG without restriction. Dr. Hanna seconded, and the motion passed unanimously.

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

**Pharmacy Technician Registrant GG.** Dr. DeWire moved to deny the initial application for Pharmacy Technician Registrant GG. Mr. Hadley seconded, and the motion passed unanimously.

**Pharmacy Technician Registrant AJ.** Dr. DeWire moved to approve application for Pharmacy Technician Registrant AJ provided he signs an Agreed Order with standard language that includes probation for three years, attends 6 AA/NA meetings per month and up to 12 drug screens per year with a PRN agreement. Dr. Greenwell seconded, and the motion passed unanimously.

**CORRESPONDENCE/COMMUNICATION:**

**Lindsey Peden.** Lindsey Peden requested to be pharmacist-in-charge of both Ely Drugs of Bowling Green and Ely Home Infusion. Dr. Hanna moved to allow Lindsey Peden to be pharmacist-in-charge of Ely Drugs of Bowling Green and Ely Home Infusion. Mr. Hadley seconded, and the motion passed unanimously.

**William Bucy.** William Bucy requested to be pharmacist-in-charge of Paragon Infusion Services, Paragon Hemophilia Solutions and Medicine Arts Pharmacy. Dr. Hanna moved to allow William Bucy to be pharmacist-in-charge of Paragon Infusion Services, Paragon

Hemophilia Solutions and Medicine Arts Pharmacy. Mr. Hadley seconded, and the motion passed unanimously.

**CONTINUING EDUCATION:** Dr. Hanna moved to approve continuing education programs 12-14 through 12-21 as recommended. Dr. DeWire seconded, and the motion passed unanimously.

**OLD BUSINESS:** Board Retreat Agenda will be a roundtable discussion. The following topics have been submitted:

1. Review of Prescription Consolidation
2. Kentucky Orthotic and Prosthetic Board/diabetic shoes: KRS 319
3. CAPP: Center for Advanced Pharmacy Practice
4. Prescriptive Authority for Pharmacists
5. Naloxone Overdose Prevention Program
6. PBM's
7. Community Pharmacy Accreditation
8. HB 1

The Board Retreat will be in Louisville on November 2-3, 2012, at the Downtown Marriott.

**NEW BUSINESS:** President Thornbury requested notification of upcoming Law Continuing Education presented by the Board staff is posted on the Board's website.

**FYI: Expungement.** There was one Agreed Order for a continuing education violation that met criteria for expungement.

**Final MOU.** A copy of the final MOU with AG, OIG, Kentucky State Police and Boards has been provided to the Board.

**ADJOURNMENT:** On motion by Dr. Greenwell, seconded by Dr. Hanna and passed unanimously, President Thornbury adjourned the Board Meeting at 1:53 p.m. The next regularly scheduled Board Meeting is scheduled to begin at 9:00 a.m. on November 2, 2012 at the Downtown Marriott, Louisville, Kentucky, followed by the Board Retreat.

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Michael Burleson, R.Ph.  
Executive Director

**XII. FINES**

**XIII. OLD BUSINESS**

- \*A. Board Retreat Agenda

**XIV. NEW BUSINESS**

**XV. FYI**

- A. Expungement of Continuing Education Case
- B. Copy of final MOU with AG, OIG, Kentucky State Police and Boards

\*Information enclosed with this agenda