

**KENTUCKY BOARD OF PHARMACY**

**Board Meeting**

**Sullivan College of Pharmacy**

**2100 Gardiner Lane**

**Louisville KY 40205**

**May 8, 2013**

**9:00 a.m.**

**Agenda**

**I. CALL TO ORDER**

**II. MINUTES**

\*A. March 27, 2013

**III. APPEARANCES**

\*A. Kenneth Allen: Request Permission to Sit for Examination 9:15a.m.

\*B. Gerard Weigel: Request Reinstatement 9:45a.m.

**IV. INTERAGENCY**

**V. BOARD REPORTS**

A. Board Executive Director

\*1. eMARS (March 2013 FY 2013) and Financial Report

2. Board Retreat location

**VI. CURRENT/PENDING CASES**

A. OAG-Cheryl Lalonde

\*B. Case Update

\*C. Case Review

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

\*A. Pharmacy Technician Summary

\*B. Harry Miles Johns III : Permission to Sit for Examination

\*C. Candace Embree: Permission to Sit for Examination

**VIII. CORRESPONDENCE/COMMUNICATION**

\*A. Dual PIC Request: James Hamilton

**IX. NABP**

**X. LEGISLATION/REGULATION**

\*A. 201 KAR 2:020 Amended

\*B. 201 KAR 2:030 Amended

**XI. CONTINUING EDUCATION**

\*A. CE Programs: 13-21 to 13-22

**XII. FINES**

**XIII. OLD BUSINESS**

**XIV. NEW BUSINESS**

**XV. FYI**

- A. Two continuing education cases expunged

\*Information enclosed with this agenda

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

**May 8, 2013**

**CALL TO ORDER:** A regular meeting of the Kentucky Board of Pharmacy was held at Sullivan University College of Pharmacy, 2100 Gardiner Lane, Louisville, Kentucky. President Thornbury called the meeting to order at 9:04 a.m.

Members present: Joel Thornbury, Deborah Brewer, Brian DeWire, Scott Greenwell, Larry Hadley and Cathy Hanna. Staff: Mike Bureson, Executive Director; Steve Hart, Pharmacy Inspections and Investigations Coordinator; Shannon Allen, Katie Busroe, Chris Frasure, Amanda Harding, and Phil Losch, Pharmacy and Drug Inspectors; Cheryl Lalonde, Assistant Attorney General; Brian Fingerson, Pharmacist Recovery Network Committee; and Lisa Atha, Executive Secretary. Guests: Chris Killmeier, Walgreens; Anne Policastri, KSHP; Rachel Clark, University of Kentucky College of Pharmacy; Brian Cheek, Kroger; Mary Hayes and Jennifer Harris, Humana; Tom Underwood, Kentucky Medical Equipment Suppliers Association; Carrie Gentry, Drug Enforcement and Professional Practices; Gerald and Beverly Weigel; and Sullivan University College of Pharmacy students. Melanie Curtis, Court Reporter, recorded the meeting.

Dr. Frank Facione, Sullivan University College of Pharmacy, welcomed the Board on behalf of the College of Pharmacy.

President Thornbury presented Tim Armstrong and Scott Greenwell with clocks in recognition of their work with the Advisory Council.

President Thornbury explained to the students the function and mission of the Board of Pharmacy, and introduced the Board Members and staff.

**MINUTES:** On motion by Dr. DeWire, seconded by Ms. Brewer and passed unanimously, the Minutes of March 27, 2013 Board Meeting were approved.

**APPEARANCES:**

**Kenneth Allen.** Mr. Allen was sworn in by Melanie Curtis, Court Reporter. Mr. Allen was appearing before the Board to request permission to sit for the Kentucky Pharmacist Licensure Examinations. Mr. Allen gave a brief overview of the events that lead to his previous disciplinary action. In 2005, 2006 and 2007, Mr. Allen was convicted of alcohol and marijuana

violations. In July 2009, Mr. Allen enrolled in Sullivan University College of Pharmacy and signed his first Kentucky Pharmacist Recovery Network (KYPRN) contract. In December 2009, Mr. Allen failed a drug screen, testing positive for cocaine. Mr. Allen enrolled in an inpatient 28 day rehabilitation facility in June 2010. Mr. Allen's sobriety date is June 17, 2010. In July 2010, Mr. Allen surrendered his Kentucky pharmacy intern registration. In August 2010, Mr. Allen signed a second KYPRN contract. In November 2011, Mr. Allen appeared before the Board to petition for reinstatement of his Kentucky pharmacy intern registration. The Board reinstated his Kentucky pharmacy intern registration with terms. One term being Mr. Allen must appear before the Board after completing his rotations but before sitting for the Kentucky Pharmacist Licensure Examinations.

Dr. Greenwell moved to go into Executive Session pursuant to KRS 61.810(1)(c)(j) to discuss proposed or pending litigation and individual adjudications. Dr. Hanna seconded, and the motion passed unanimously. President Thornbury requested Mr. Burleson, Ms. Lalonde, Mr. Hart and Mr. Losch attend the Executive Session.

Dr. Greenwell moved to come out of Executive Session. Dr. DeWire seconded, and the motion passed unanimously.

Dr. Greenwell moved to allow Kenneth Allen to sit for the Kentucky Pharmacist Licensure Examinations. Mr. Allen has one year to pass the examinations and if unsuccessful, he must reappear before the Board. If successful, Mr. Allen shall be licensed 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; 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; 25% of drug screens shall be hair samples; 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 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 him or another member of his family and shall not possess a key to a pharmacy owned, in whole or in part, by him or another member of his family; shall not be on the premises of any pharmacy owned, in whole or in part, by him 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. Mr. Hadley seconded, and the motion passed unanimously.

**Gerald Weigel.** Mr. Weigel was sworn in by Melanie Curtis, Court Reporter. Mr. Weigel was appearing before the Board to request permission to sit for the Kentucky Pharmacist Licensure Examinations in order to have his Kentucky pharmacist's license reinstated. Mr. Weigel appeared at the January 9, 2013 Board Meeting and was denied reinstatement. Mr. Weigel gave a brief overview of his bipolar disease and the effect it had on his impairment.

Dr. Hanna moved to go into Executive Session pursuant to KRS 61.810(1)(c)(j) to discuss proposed or pending litigation and individual adjudications. Dr. Greenwell seconded, and the motion passed unanimously. President Thornbury requested Mr. Burlison, Ms. Lalonde, Mr. Hart and Mr. Losch attend the Executive Session.

Ms. Brewer moved to come out of Executive Session. Dr. Greenwell seconded, and the motion passed unanimously.

Dr. Greenwell moved to deny Gerald Weigel's request to sit for the Kentucky Pharmacist Licensure Examinations in order to have his Kentucky pharmacist's license reinstated. Ms. Brewer seconded, and the motion passed unanimously.

President Thornbury asked each Board Member to state for the record their reason for denial.

Ms. Brewer stated the Board has a responsibility to protect the public. Mr. Weigel has a history of relapsing and is not accepting responsibility for his actions and, therefore, is not ready to practice pharmacy.

Dr. DeWire stated Mr. Weigel has made too many mistakes regardless of the reasons and the Board has a responsibility to protect the public.

Dr. Greenwell stated Mr. Weigel has a history of signing Agreed Orders and almost immediately violating the Order. Dr. Greenwell reminded Mr. Weigel that practicing pharmacy is a privilege not a right.

Dr. Hanna stated the Board has a responsibility to protect the public. Mr. Weigel has had numerous violations of numerous Agreed Orders, and therefore, is not ready to practice pharmacy.

Mr. Hadley stated due to the repeated violations of law, diversion, repeated diversion and taking into account Mr. Weigel's entire history, it is a concern for Mr. Weigel to practice pharmacy. The Board has a responsibility to protect the public. Mr. Weigel stated his sobriety date was November 2009, however, there is no documentation of continued sobriety until May 2012 through the present.

Mr. Thornbury stated Mr. Weigel's history of Agreed Orders and violations cannot be overlooked when making the decision of reinstatement.

**INTERAGENCY:** The KPhA Annual Meeting is in Louisville on June 7-9, 2013. The Board will have a Question and Answer Session on Friday, June 7, 2013. The KSHP Spring Meeting is Friday, May 10, 2013 at Louisville Slugger Field.

#### **BOARD REPORTS:**

**Board Executive Director.** 1) EMars monthly report for March FY 2013 and a Financial Report Summary were presented to the Board. 2) Dr. Greenwell moved to have the Board Retreat and Board Meeting in Bowling Green on November 2 and 3, 2013. Dr. Hanna seconded, and the motion passed 4 to 1 with Ms. Brewer, Dr. Greenwell, Mr. Hadley and Dr. Hanna voting for the motion and Dr. DeWire voting against the motion.

**CURRENT/PENDING CASES:**

**Case Updates:** Dr. DeWire moved to accept Case Updates for Case Numbers 12-0110C; 12-0170; 12-0211C; 12-0239A; 12-0257B; and 12-0259B as written. Dr. Hanna seconded, and the motion passed unanimously.

**Case Review:** Mr. Hadley moved to accept Case Review, as written. Ms. Brewer seconded, and the motion passed unanimously.

**Case No. 12-0177.** Pharmacist is allegedly unable to engage in the practice of pharmacy with reasonable skill, competency and safety to the public due to impairment. Alleged violations of law: KRS 315.121(1)(b) and (2)(f). CRC Recommendation: There is sufficient evidence of a violation to warrant disciplinary action and the Executive Director is directed to attempt resolution through an Agreed Order and/or, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing.

**Case No. 12-0220.** Pharmacy permit holder allegedly acted in an unprofessional or unethical manner by failing to provide a prescription in a timely manner and allegedly misplacing a written hardcopy prescription. 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. 12-0229A. REVISIT.** Pharmacy permit holder allegedly engaged in unprofessional or unethical conduct by selling pseudoephedrine without using Meth Check. 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. 12-0229B. REVISIT.** Pharmacist allegedly engaged in unprofessional or unethical conduct by selling pseudoephedrine without using Meth Check. 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. 13-0021.** Pharmacy permit holder allegedly failed to notify the Board Office in writing within five (5) days of involuntary closure. Pharmacy did not have a pharmacist-in-charge within the required fourteen days after the current pharmacist-in-charge resigned. Alleged violations of law: KRS 315.020(1) and 201 KAR 2:106 Section 2(3)(a)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. 13-0030A.** Pharmacy permit holder allegedly sold a misbranded product as a result of a medication error. Pharmacy permit holder allegedly sold a prescription that was written for metoprolol 100 mg ER to take one and one-half tablets by mouth every day as metoprolol 50 mg to take one and one-half tablets by mouth every day. 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. 13-0030B.** Pharmacist allegedly dispensed a misbranded product as a result of a medication error. Pharmacy permit holder allegedly sold a prescription that was written for metoprolol 100 mg ER to take one and one-half tablets by mouth every day as metoprolol 50 mg to take one and one-half tablets by mouth every day. Alleged violations of law: KRS 217.065(1) and 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. 13-0030C.** Pharmacist allegedly dispensed a misbranded product as a result of a medication error. Pharmacy permit holder allegedly sold a prescription that was written for metoprolol 100 mg ER to take one and one-half tablets by mouth every day as metoprolol 50 mg to take one and one-half tablets by mouth every day. Alleged violations of law: KRS 217.065(1) and KRS 315.121(2)(d). CRC Recommendation: There is sufficient evidence of a violation to warrant disciplinary action and the Executive Director is directed to attempt resolution through an Agreed Order and/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. 13-0070A.** Pharmacy permit holder allegedly dispensed a misbranded product as a result of medication error. Patient was prescribed hyoscyamine syrup and pharmacist allegedly dispensed hyoscyamine drops. Alleged violation of law: KRS 216.065(1). CRC Recommendation: There is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice.

**Case No. 13-0070B.** Pharmacist allegedly dispensed a misbranded product as a result of medication error. Pharmacist allegedly engaged in unprofessional or unethical conduct by committing a medication error. Patient was prescribed hyoscyamine syrup and pharmacist allegedly dispensed hyoscyamine drops. Alleged violation of law: KRS 315.121(2)(d). CRC Recommendation: There is sufficient evidence of a violation to warrant disciplinary action and the Executive Director is directed to attempt resolution through an Agreed Order and/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. 13-0070C.** Pharmacist allegedly dispensed a misbranded product as a result of medication error. Pharmacist allegedly engaged in unprofessional or unethical conduct by committing a medication error. Patient was prescribed hyoscyamine syrup and pharmacist allegedly dispensed hyoscyamine drops. 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. 13-0071A.** 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. 13-0071B.** 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. 13-0071C.** 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. 13-0072A.** Pharmacy permit holder allegedly engaged in unprofessional or unethical conduct by allowing 1,312 phentermine 37.5mg tablets to be missing from the pharmacy. 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. 13-0072B.** Pharmacist-in-charge allegedly engaged in unprofessional or unethical conduct by not ensuring the procurement, storage, security and disposition of drugs. Alleged violation of law: 201 KAR 2:205 Section 2(b). CRC Recommendation: There is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice.

**Case No. 13-0072C.** 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 insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice.

**Case No. 13-0074A.** Pharmacy permit holder allegedly engaged in unethical or unprofessional conduct due to patient not receiving his prescription for Oxycodone/APAP 10/325 mg. 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. 13-0074B.** Pharmacist allegedly engaged in unethical or unprofessional conduct by engaging in conduct likely to deceive, defraud, or harm the public by not dispensing a patient's prescription for Oxycodone/APAP 10/325 mg. 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. 13-0076.** Pharmacist allegedly failed to complete 1.5 continuing education units for 2012. Pharmacist allegedly completed no continuing education units. Alleged violations of law: KRS 315.065 and 201 KAR 2:015. CRC Recommendation: There is sufficient evidence of a violation to warrant disciplinary action and the Executive Director is directed to attempt resolution through an Agreed Order and/or, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing.

**Case No. 13-0077.** Pharmacist self-reported the alleged failure to complete the required 15 hours of continuing education for 2012. Pharmacist successfully completed no hours in 2012. Alleged violation of law: 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. 13-0078.** Pharmacist self-reported the alleged failure to complete the required 1 hour of HIV continuing education in the past 10 years. Alleged violation of law: 201 KAR 2:015 Section 9 (1)(2)(a)(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. 13-0079.** Pharmacist allegedly failed to complete 1.5 continuing education units for 2012. Pharmacist allegedly completed no continuing education units. 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. 13-0080.** Home Medical Equipment permit holder allegedly relocated without notifying the Board office. Alleged violations of law: KRS 315.520(2)(5) and 201 KAR 2:350. 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:**

**Pharmacy Technician Registrants AC, AR, AS, CG, MK, and RH.** Dr. Greenwell moved to approve the new applications for pharmacy technician registrants AC, AR, AS, CG, MK, and RH provided they sign 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 JG.** Dr. Greenwell moved to approve the new application for pharmacy technician registrant JG provided he signs an Agreed Order with standard language that includes probation for two years and up to 6 drug screens per year with a PRN Agreement. Mr. Hadley seconded, and the motion passed unanimously.

**Harry Miles Johns III.** Mr. Johns requested permission to sit for the Kentucky Pharmacist Licensure Examinations. Mr. Johns was convicted of a first offense driving under the influence in December 2011. Dr. Greenwell moved to allow Harry Miles Johns III to sit for the Kentucky Pharmacist Licensure Examinations. Ms. Brewer seconded, and the motion passed unanimously.

**Candace Embree.** Ms. Embree requested permission to sit for the Kentucky Pharmacist Licensure Examinations. Ms. Embree was convicted of alcohol intoxication in a public place in July 2005 and driving under the influence in July 2006. Dr. Greenwell moved to allow Candace Embree to sit for the Kentucky Pharmacist Licensure Examinations. Dr. DeWire seconded, and the motion passed unanimously.

**CORRESPONDENCE/COMMUNICATION:**

**Cardinal Health/James Hamilton.** Mr. Hamilton requested to be allowed to be pharmacist-in-charge of two out of state Cardinal Health Nuclear Pharmacies, one in West Chester, Ohio, and one in Columbus, Ohio. Dr. Greenwell moved to allow James Hamilton to be pharmacist-in-charge for Cardinal Health Nuclear Pharmacies in West Chester, Ohio, and Columbus, Ohio, for 6 months from May 8, 2013. If Mr. Hamilton is dual pharmacists-in-charge for longer than 6 months, Mr. Hamilton must re-petition the Board. Dr. Hanna seconded, and the motion passed unanimously.

**Kentucky Pharmacists Association (KPhA)/Leah Tolliver.** Dr. Tolliver requested to be allowed to be pharmacist-in-charge of Rx Therapy Management and Pharmacy Surge Unit #1, both permits are under the management of KPhA. Mr. Hadley moved to allow Leah Tolliver to be pharmacist-in-charge of Rx Therapy Management and Pharmacy Surge Unit #1. Dr. DeWire seconded, and the motion passed unanimously.

**Department of Revenue.** KRS 131.1817 and HB 440 mandate licensing boards provide licensee information to the Department of Revenue upon request and to cooperate with the Department of Revenue in a license denial or revocation process due to delinquent tax payments.

**Board of Pharmacy Endorses Opioid Overdose Prevention Strategy.** Dan Wermeling submitted a statement endorsing the new law passed by the Kentucky Legislature regarding naloxone administration in opioid overdose cases, requesting the Board circulate the information.

Dr. Greenwell moved to approve the Board of Pharmacy Endorses Opioid Overdose Prevention Strategy statement with corrections and send the information to Kentucky licensed pharmacists in an email blast. Ms. Brewer seconded, and the motion passed unanimously.

**NABP:** Those interested in being appointed to an NABP committee should submit an application and CV to the NABP President.

**LEGISLATION/REGULATION:**

Dr. DeWire moved to file both 201 KAR 2:020 and 201 KAR 2:030 as amended. Dr. Hanna seconded, and the motion passed unanimously. Dr. Hanna moved to set the hearing date for June 17, 2013 at 9:00 a.m. at the Board office. Dr. Greenwell seconded, and the motion passed unanimously.

**CONTINUING EDUCATION:** Dr. Greenwell moved to approve continuing education programs 13-21 through 13-22 as recommended. Dr. DeWire seconded, and the motion passed unanimously.

**OLD BUSINESS:** Board Members were urged to visit the Kroger facility in Hamilton, Ohio.

**FYI:** Two continuing education violations have been expunged.

**ADJOURNMENT:** On motion by Ms. Brewer, seconded by Dr. DeWire and passed unanimously, President Thornbury adjourned the Board Meeting at 12:10 p.m. The next regularly scheduled Board Meeting is scheduled to begin at 9:00 a.m. on July 10, 2013 at the Kentucky Board of Pharmacy Office, Frankfort, Kentucky.

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Michael Burleson, R.Ph.  
Executive Director