

KENTUCKY BOARD OF PHARMACY
Board Meeting
125 Holmes Street, Suite 300
Frankfort, KY 40601
January 14, 2015
9:00 a.m.

Agenda

I. CALL TO ORDER

II. MINUTES

*A. December 17, 2015

III. APPEARANCES

A. Surescripts: Ken Whittemore, R. Ph. & Ajit Dhavle
*B. Steven Gullett: Request Reinstatement Pharmacist License

IV. INTERAGENCY

V. BOARD REPORTS

A. Board Executive Director
1. CAPTASA MEETING

VI. CURRENT/PENDING CASES

A. OAG-Cheryl Lalonde
*B. Case Update
C. Case Review: No Report

VII. RECIPROCITY/RELICENSURE/INTERNSHIP/PHARMACY TECHNICIANS

*A. Pharmacy Technician Summary

VIII. CORRESPONDENCE/COMMUNICATION

*A. Dual PIC Request: Cleveland Clinic-Donald Carroll
*B. Agreed Order Request: Kenneth Willinger

IX. NABP

X. LEGISLATION/REGULATION

A. Collaborative Care Update
B. HME Update
C. Naloxone Update
D. Wholesale/Pharmacy Update
E. Inspection/Compounding Update

XI. CONTINUING EDUCATION

*A. CE Programs 15-01 to 15-02

XII. FINES

XIII. OLD BUSINESS

XIV. NEW BUSINESS

XV. EXECUTIVE SESSION

A. Pursuant to KRS 61.810(1)(f) to discuss possible appointment of an employee with the Board.

XVI. FYI

*Information enclosed with this agenda

MINUTES
KENTUCKY BOARD OF PHARMACY
State Office Building Annex, Ste.300
125 Holmes Street
Frankfort, KY 40601

January 14, 2015

CALL TO ORDER: A regular meeting was held at the Kentucky Board of Pharmacy at the Board Office at 125 Holmes Street, State Office Building Annex, Ste. 300, Frankfort, Kentucky. President Thornbury called the Meeting to order at 9:05 a.m.

Members present: Joel Thornbury, Deborah Brewer, Brian DeWire, Scott Greenwell, and Cathy Hanna. Staff: Michael Burleson, Executive Director; Steve Hart, Pharmacy Inspections and Investigations Coordinator; Shannon Allen, Christina Amburgey, Katie Busroe, and Amanda Harding, Pharmacy and Drug Inspectors; Cheryl Lalonde, Assistant Attorney General and Board Counsel; Brian Fingerson, Pharmacist Recovery Network Committee; and Lisa Atha, Executive Secretary. Guests: Chris Killmeier, Walgreens; Ralph Bouvette, APSC; Anne Policastri, KSHP; Robert McFalls, KPhA; Jan Gould, Kentucky Retail Federation; Ryan Haggard, University of Kentucky College of Pharmacy; Lauren Willis, Sullivan University College of Pharmacy; Jacob Beck; Briana J. Kocher. Melody Curtis, Court Reporter, recorded the meeting. Board Member Larry Hadley was not present.

MINUTES: On motion by Dr. Greenwell, seconded by Ms. Brewer and passed unanimously, the Minutes of December 17, 2014 were approved.

APPEARANCES:

Surescripts: Ken Whittemare and Ajit Dhavle. Ken Whittemare, Vice President of Regulatory Affairs, and Ajit Dhavle, Vice President of Clinical Quality, for Surescripts were invited to present before the Board regarding electronic prescribing. Dr. Dhavle presented an overview of Surescripts quality program. There was open discussion regarding the quantity of errors on electronic prescriptions. It was suggested to Surescripts to make the reporting of e-prescribing errors easy for pharmacists to report. The Board will help to alert pharmacists to the process of reporting e-prescribing errors by posting the information on the website, the Facebook page, e-mail blasts and a Newsletter article.

Steven Gullett. Steven Gullett elected to not appear before the Board at this time.

BOARD REPORTS:

Board Executive Director. 1) The Board recognized Bryan Proctor for his service. Mr. Proctor is resigning January 23, 2015. 2) Dr. Greenwell moved to allow any Board Member wishing to do so, to attend CAPTASA on January 30-31, 2015 at the Embassy Suites in Lexington, Kentucky. Dr. Hanna seconded, and the motion passed unanimously.

CURRENT/PENDING CASES:

Case Updates: Dr. Hanna moved to accept Case Updates with corrections for Case Numbers 13-0133; 14-0061B; 14-0066A; 14-0066B; 14-0068C; 14-0073C; 14-0154; 14-0170; 14-0173; 14-0243C; 14-0246B; 14-0248C; 14-0254C; 14-0281; 14-0283; and 14-0330. Dr. Greenwell seconded, and the motion passed unanimously.

RECIPROCITY/RELICENSURE/INTERNSHIP/PHARMACY TECHNICIANS:

Pharmacy Technician Registrant LC. Dr. Greenwell moved to approve the application for pharmacy technician registration for LC provided he signs an Agreed Order with standard language that includes one year probation. Ms. Brewer seconded, and the motion passed unanimously.

CORRESPONDENCE/COMMUNICATION:

Dual Pharmacist-in-Charge/Cleveland Clinic/Donald Carroll. Donald Carroll requested to be pharmacist-in-charge for Cleveland Clinic Home Services and Cleveland Clinic Specialty/Home Delivery Pharmacy. Both pharmacies are owned by the Cleveland Clinic and are located within 9 miles of each other in Cleveland, Ohio. Dr. Greenwell moved to deny Donald Carroll's request to be pharmacist-in-charge of Cleveland Clinic Home Services and Cleveland Clinic Specialty/Home Delivery Pharmacy. Dr. Hanna seconded, and the motion passed unanimously.

Agreed Order Request/Kenneth Willinger. Kenneth Willinger is a Kentucky licensed pharmacist who is under an Agreed Order. The terms of the Agreed Order included 5 years probation, mandatory AA or NA meetings and random drug screens. The Agreed Order was signed December 14, 2011. Mr. Willinger is moving to Ohio and will not be monitored by the Ohio Board of Pharmacy. Mr. Willinger requested either he be released from the remaining time on the Agreed Order, approximately 1.5 years, or it be suspended until and if Mr. Willinger returns to practice pharmacy in Kentucky. Dr. Greenwell moved to deny Kenneth Willinger's request to be released from his Agreed Order or the Agreed Order is suspended until and if he returns to practice pharmacy in Kentucky. Mr. Willinger's Agreed Order will remain in effect as originally signed. Dr. Hanna seconded, and the motion passed unanimously.

LEGISLATIVE/REGULATION:

Collaborative Care Update. There was no update on the Collaborative Care bill.

HME Update. There was no update on the HME bill.

Naloxone Update. The Naloxone issue was introduced as part of a heroine bill. The Kentucky Medical Association has no position on pharmacist prescribing naloxone.

Wholesale/Pharmacy Update. Mr. Burlson is working with Representative David Watkins to introduce the prohibition of pharmacies wholesaling drugs to wholesale distributors.

Inspection/Compounding Update. Mr. Burlson is working with Representative David Watkins to introduce required inspections of out of state pharmacy permits.

HIV/AIDS Continuing Education. A bill is being introduced to repeal the requirement of healthcare professionals to complete HIV/AIDS continuing education.

Medical Marijuana. A bill to legalize medical marijuana was introduced by Speaker of the House Greg Stumbo.

CONTINUING EDUCATION:

Dr. Greenwell moved to approve continuing education programs 15-01 through 15-02 as recommended. Dr. Hanna seconded, and the motion passed unanimously.

NEW BUSINESS:

Recognition. Cathy Hanna was presented with a plaque and President's pin for her year of service as Board of Pharmacy President.

Retirement. Mike Burleson announced his retirement, effective August 1, 2015.

Regulation Committee. President Thornbury appointed Dean Cindy Stowe to the Regulation Committee.

Long Term Care Regulation. President Thornbury sent the proposed long term care regulation back to the Regulation Committee.

E-prescribing Committee. President Thornbury appointed Dr. Greenwell as Chair of a committee to study the issue of e-prescribing errors and how these might be addressed by the Board. President Thornbury appointed Ralph Bouvette, Trish Freeman, Jan Gould, Cathy Hanna, and Amanda Harding to the committee. Dr. Greenwell asked Mr. Burleson to contact Dr. Freeman for any assistance in regards to research on e-prescribing errors.

Board Attorney. Dr. Greenwell moved to go into Executive Session pursuant to KRS 61.810(1)(f) to discuss possible appointment of an employee with Board Members in attendance. Dr. DeWire seconded, and the motion passed unanimously.

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

Dr. Greenwell moved to table the hiring of a Board Attorney. Dr. Hanna seconded, and the motion passed unanimously.

Executive Director. Dr. DeWire moved that the Board notify Kentucky licensed pharmacists, Kentucky Pharmacist Association, Kentucky Society of Health System Pharmacists, and the National Association of Boards of Pharmacy regarding the announcement of the retirement of Executive Director Michael Burleson as of August 1, 2015 and the advertising of the Board in search of a new Executive Director. The individual must submit an application, CV, and photo by Friday, March 6, 2015 to the Board office in care of President Thornbury. Dr. Greenwell seconded, and motion passed unanimously.

Dr. Hanna moved to have a Special Called Board Meeting on Wednesday, April 15, 2015 at 10:00 a.m. at the Board Office and to go into Executive Session pursuant to KRS 61.081(1)(f) to discuss possible appointment of an employee with the Board. Ms. Brewer seconded, and motion passed unanimously.

ADJOURNMENT: On motion by Dr. Hanna, seconded by Ms. Brewer and passed unanimously, President Thornbury adjourned the Board Meeting at 2:30 p.m. The next regularly scheduled Board Meeting is scheduled to begin at 9:00 a.m. on March 11, 2015 at Sullivan University College of Pharmacy, 2100 Gardiner Lane, Louisville, Kentucky 40205.

Mike Burleson, R.Ph.