

**KENTUCKY BOARD OF PHARMACY**

**Board Meeting  
The Seelbach Hotel  
500 S. Fourth Street  
Louisville, KY  
October 23, 2015  
9:00 a.m.**

**Agenda**

**I. CALL TO ORDER**

**II. MINUTES**

- \*A. September 9, 2015
- \*B. October 12, 2015

**III. APPEARANCES**

- \*A. Daniel Deem – RxCrossroads Workload Sharing
- \*B. Passport Health Plan
- \*C. David Gardner - Charitable pharmacy regulation change proposal

**IV. INTERAGENCY**

**V. BOARD REPORTS**

- A. Board Executive Director
  - 1. Board Calendar Nov. 2016
  - \*2. eMARS Sept 2015 (FY 2016) Financial Report
  - \*3. Travel approval S. Hart FDA 11/16-17/2015 50 State Oversight Committee on DQSA
  - 4. Travel approval CLEAR S. Hart Mid-Year Business meeting 1/5-9/2015
  - 5. APhA 2016 Travel approval for President and Executive Director March 4-7, 2016

**VI. CURRENT/PENDING CASES**

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

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

- A. Pharmacy Technician Summary

**VIII. CORRESPONDENCE/COMMUNICATION**

- \*A. Baptist Health Infusion Center equipment waiver request
- \*B. Alison Leick Continuing education deferment 2014
- \*C. Out of state pharmacy waiver for supply of a research pharmaceutical
- \*D. Grant County Drugs North – Off site Storage request
- \*E. Eugenia Clark Arms request to become PIC

**IX. NABP**

**X. LEGISLATION/REGULATION**

- \*A. 201 KAR 2:220 update

**XI. CONTINUING EDUCATION**

\*A. CE Programs: 15-47 to 15-53

**XII. FINES**

**XIII. OLD BUSINESS**

\*A WellCare response to request for appearance

**XIV. NEW BUSINESS**

**XV. FYI.**

**XVI. EXECUTIVE SESSION**

\*Information enclosed with this agenda

**MINUTES**  
**KENTUCKY BOARD OF PHARMACY**  
**The Seelbach Hilton Hotel**  
**500 South Fourth Street**  
**Louisville, Kentucky 40202**

**October 23, 2015**

**CALL TO ORDER:** A regular meeting of the Kentucky Board of Pharmacy was held at the Seelbach Hilton Hotel, 500 South Fourth Street in Louisville, Kentucky. President Thornbury called the Meeting to order at 9:05 a.m.

Members present: Joel Thornbury, Brian DeWire, Larry Hadley and Cathy Hanna. Staff: Steve Hart, Executive Director; Shannon Allen, Christina Amburgey, Caleb Benningfield, Katie Busroe, and Amanda Harding, Pharmacy and Drug Inspectors; Cheryl Lalonde, Assistant Attorney General and Board Counsel; Brian Fingerson, Kentucky Pharmacist Recovery Network; and Lisa Atha, Executive Secretary. Guests: Robert McFalls, Leon Claywell, and Chris Clifton, KPhA; Jan Gould, Kentucky Retail Federation; Brittany Reid, Walmart; Dan Deem and Michael Carr, RX Crossroads; Thea Rogers, Passport Health Plan; David Gardner, Kelly Peddy, Katie Petrone, Cassy Beyerle, Stacy Rowe, and Cindy Stowe, Sullivan University College of Pharmacy; Howard Shaps and Alan Daniels, Wellcare; and John Long, CVS Health. Linda Taylor, Court Reporter, recorded the meeting. Board Members Deborah Brewer and Scott Greenwell were not present.

**MINUTES:** On motion by Mr. Hadley, seconded by Dr. Hanna and passed unanimously, the Minutes of September 9, 2015 and October 12, 2015 were approved.

President Thornbury announced Cheryl Lalonde has been hired as Board Attorney, to begin November 1, 2015.

**APPEARANCES:**

**Daniel Deem, RX Crossroads.** Daniel Deem, Director of Pharmacy Operations for RX Crossroads, appeared before the Board to request work load sharing between two locations in Louisville. RX Crossroads at 4500 Progress Boulevard is a dispensing pharmacy and RX Crossroads at 13400 Eastpoint Center Drive is a non-dispensing pharmacy with a clinical pharmacy permit only. RX Crossroads dispenses medication on behalf of 26 manufacturers. RX Crossroads has a shared database with an audit trail to track each person who touches the prescription. Pharmacists do not work off-site and technicians are location specific. RX Crossroads is requesting patient information intake, data entry, drug utilization review and data entry verification be performed at either location. Mr. Hadley moved to approve RX Crossroads at 4500 Progress Boulevard, Louisville, Kentucky, and RX Crossroads at 13400 Eastpoint Center Drive, Louisville, Kentucky, be allowed to share work load of patient information intake, data entry, drug utilization review, and data entry verification. Dr. Hanna seconded, and the motion passed unanimously.

**Thea Rogers, Passport Health Plan.** Thea Rogers, Pharmacy Director of Passport Health Plan, appeared before the Board to provide information regarding the Specialty Drug Program for Passport Health Plan. Passport Health Plan is establishing a specialty pharmacy network that is open to any Kentucky permitted pharmacy meeting the requirements. Passport Health Plan will post a formulary of specialty drugs. Currently there are 47 pharmacies that have qualified to dispense the specialty drugs.

**David Gardner, Kelly Peddy, and Katie Petrone, Sullivan University College of Pharmacy First Year Residents.** David Gardner, Kelly Peddy, and Katie Petrone appeared before the Board to request changing 201 KAR 2:240, Special Limited Pharmacy – Charitable Pharmacy and 201 KAR 2:190, Return of Prescription Drugs Prohibited. The proposal is for the long term care facility pharmacies to re-dispense the bubble packaged prescriptions returned from the facilities to clinics and patients in need. After discussion, President Thornbury directed the residents to work with Dr. Hanna to provide more information and for the proposal to be given to the Regulation Committee for consideration.

**INTERAGENCY:**

The KPhA Legislative Conference is November 13-14, 2015, at the Hyatt in Lexington, Kentucky, with the Saturday program being Train the Trainer for Substance Abuse Presentations and Naloxone Training.

**BOARD REPORTS:**

**Board Executive Director.** 1) Dr. DeWire moved to approve the 2016 November Board Meeting and Retreat dates to be November 4-5, 2016, in Pikeville, Kentucky. Mr. Hadley seconded, and the motion passed unanimously. 2) eMARS Reports for September 2015 and the Financial Report were presented to the Board. 3) Mr. Hadley moved to approve Executive Director Hart to travel to the FDA 50 State Oversight Committee on DQSA in Washington D.C., November 16-17, 2015, at no expense to the Board. Dr. Hanna seconded, and the motion passed unanimously. 4) Dr. Hanna moved to approve Executive Director Hart to attend CLEAR Mid-Year Business Meeting in Savannah, Georgia, January 5-9, 2016. Executive Director Hart is the President-Elect of CLEAR. Mr. Hadley seconded, and the motion passed unanimously. 5) Dr. Hanna moved to approve Executive Director Hart and Board President to attend APhA in Baltimore, Maryland, March 4-7, 2016. Mr. Hadley seconded, and the motion passed unanimously.

**CURRENT/PENDING CASES:**

**Case Updates:** Dr. Hanna moved to accept Case Updates for Case Numbers 14-0446B; 15-0035C; 15-0061A; 15-0128; 15-0171; 15-0175; 15-0254A; 15-0259A; 15-0261A; 15-0262B; 15-0275B; 15-0276B; 15-0277B; 15-0279B; and 15-0280B. Mr. Hadley seconded, and the motion passed unanimously.

**RECIPROCITY/RELICENSURE/INTERNSHIP/PHARMACY TECHNICIANS:**

**Pharmacy Technician Summary:** There were no technician applications to review.

**CORRESPONDENCE/COMMUNICATION:**

**Noble Clarke/Baptist Health Infusion Center, Equipment Waiver.** Noble Clarke, Pharmacist Supervisor of Baptist Health, requested a waiver of equipment required in 201 KAR 2:090, excluding a refrigerator, for Baptist Health Infusion Center. Dr. Hanna moved to approve the equipment waiver, excluding a refrigerator, for Baptist Health Infusion Center. Dr. DeWire seconded, and the motion passed unanimously.

**Alison Leick, Continuing Education Waiver.** Alison Leick completed 12 of the required 15 continuing education hours in 2014. Dr. Leick requested a one year deferral due to surgery in April 2014. Dr. Hanna moved to deny Alison Leick's request of a one year deferral on 2014 continuing education requirements. Mr. Hadley seconded, and the motion passed unanimously.

**Lynn Chwojdak/IBA Molecular North America, Out of State Pharmacy Permit Waiver.** Lynn Chwojdak, Pharmacy Manager of IBA Molecular North America, requested a waiver for an out of state pharmacy permit due to limited transactions within Kentucky. IBA Molecular North America is located in Oakwood Village, Ohio. The facility will soon contract with a pharmaceutical company to manufacture, dispense and ship a research drug used in Alzheimer's disease. The University of Kentucky is interested in participating in the research. Ms. Chwojdak was unable to determine the exact amount that would be shipped into Kentucky, but stated the pharmacy is only contracted to make 4 batches a month with the drug expiring 10 hours after making. Dr. Hanna moved to deny IBA Molecular North America's request to not obtain an out of state pharmacy permit due to lack of information provided. Mr. Hadley seconded, and the motion passed unanimously.

**Michelle Waymeyer/Grant County Drugs North, Off Site Storage.** Michelle Waymeyer, pharmacist-in-charge of Grant County Drugs North, requested to store pharmacy records off site. Dr. DeWire moved to table Grant County Drugs North's request to store pharmacy records off site until more information and details are obtained. Mr. Hadley seconded, and the motion passed unanimously.

**Eugenia Arms, Pharmacist-in-charge Request.** Eugenia Arms requested to modify her Agreed Order so that she may serve as pharmacist-in-charge of Medicine Stop Pharmacy. Dr. Hanna must recuse herself from this request, resulting in a quorum not being present. The request is tabled until the December 2015 Board Meeting.

**NABP:** President Thornbury chaired the 10 member NABP Task Force on Pharmacist Care Services. The Task Force met for 1.5 days and the proposals will be presented at the May 2016 NABP Annual Meeting.

**LEGISLATIVE/REGULATION:**

**201 KAR 2:220 Collaborative Care Agreement Update.** 201 KAR 2:220 Collaborative Care Agreement, was filed October 15, 2015 and should become effective January 5, 2016.

**CONTINUING EDUCATION:**

Dr. DeWire moved to approve continuing education programs 15-47 through 15-53 as recommended. Mr. Hadley seconded, and the motion passed unanimously.

**OLD BUSINESS:** Wellcare will appear at the December 2015 Board Meeting.

President Thornbury recessed the Meeting at 11:05 a.m. until October 24, 2015 at 8:45 a.m.

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Steve Hart, R.Ph.  
Executive Director