

**KENTUCKY BOARD OF PHARMACY**  
**Sullivan College of Pharmacy**  
**2100 Gardiner Lane**  
**Louisville KY 40205**  
**March 9, 2016**  
**9:00 a.m.**

**Agenda**

- I. CALL TO ORDER**
  - A. Election
  
- II. MINUTES**
  - A. \*January 13, 2016
  
- III. APPEARANCES**
  - A. \*Dominic Pileggi
  - B. \*Hardin Memorial Hospital
  - C. \*Katie Petrone – Recycled Medication Regulation Proposal
  
- IV. INTERAGENCY**
  - A. \*HB527
  
- V. BOARD REPORTS**
  - A. Board Executive Director
    - 1. \* eMARS January and February 2016 and Financial Report
  
- VI. CURRENT/PENDING CASES**
  - A. General Counsel - Cheryl Lalonde
  - B. \*Case Update
  - C. \*Case Review
  - D. \*Final Orders
  
- VII. RECIPROCITY/RELICENSURE/INTERNSHIP/PHARMACY TECHNICIANS**
  - A. \*Erica Lee – Intern Application
  - B. \*Edward Thomas Olszewski – Reciprocity Application
  
- VIII. CORRESPONDENCE/COMMUNICATION**
  - A. \*William Hamilton – Modification of Agreed Order
  - B. \*Scott-Wilson, Inc. (dba Infusion Partners of Lexington) – Equipment exemption
  - C. \*Christie Wilkins – CE medical extension request
  
- IX. NABP**
  - A. Annual Meeting May 13 through 18
  
- X. LEGISLATION/REGULATION**
  - A. \*HB 397 Update
  - B. \*HB 398 Update
  - C. \*HB 437 Update
  
- XI. CONTINUING EDUCATION**
  - A. \*CE Programs – 16-02 through 16-15
  
- XII. FINES\***

**XIII. OLD BUSINESS**

A. Sterile Compounding Task Force Regulation Recommendation

1. \*201 KAR 2:076

**XIV. NEWBUSINESS**

A.\*USP 800

**XI. FYI**

A. Expungement

1. Case No. 09-0022 Short CE hours

\*Information enclosed with this agenda

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

**March 9, 2016**

**CALL TO ORDER:** A regular meeting was held at Sullivan College of Pharmacy at 2100 Gardiner Lane, Louisville, Kentucky. Acting President DeWire called the meeting to order at 9:12 a.m.

Members present: Brian DeWire, Deborah Brewer, Scott Greenwell, Larry Hadley and Cathy Hanna. Staff: Steve Hart, Executive Director; Katie Busroe, Pharmacy Inspections and Investigations Supervisor; Shannon Allen, and Amanda Harding, Pharmacy and Drug Inspectors; Cheryl Lalonde, General Counsel; Brian Fingerson, Pharmacist Recovery Network; and Lisa Atha, Executive Secretary. Guests: Anne Policastri and Mike Herald-KSHP; Robert McFalls and Trish Freeman, KPhA; Chris Killmeier and Katie Blain, Walgreens; Adam Parrish, Walmart; Kevin Sullivan, James Lane, Ashleigh Mouser and Dana Noland-Hardin Memorial Hospital; Ralph Bouvette, APSC; Mike Wyant, Cardinal Health; Bill Maguire, Omnicell; Peter Hovis, PCA Pharmacy; Mary Kyles and Lynsey Stone, UK/CVS; Chad Peters, CVS; Paul Jardine, Onco360; Darren Parks, Omnicare; Dominic Pileggi. Sarah Pavey, Court Reporter, recorded the meeting.

Dr. DeWire stated that as much as he would be honored to serve as the President of the Board of Pharmacy he felt it would be in the best interests of the Board if a Pharmacist who is more knowledgeable about the profession serves as the President. Therefore, he opened the floor for nominations for president since Joel Thornbury has resigned from the Board. Mr. Hadley nominated Dr. Greenwell as President, Dr. Hanna seconded the nomination. Dr. DeWire moved to cease nominations, and Ms. Brewer seconded. Dr. Greenwell became President by acclamation.

Mr. Hadley asked to recognize Joel Thornbury for his years of service on the Board, and all that he did to advance the profession.

**MINUTES:** On motion by Dr. DeWire, seconded by Dr. Hanna and passed unanimously, the Minutes of January 13, 2016 were approved.

**APPEARENCES:**

**Dominic Pileggi.** Mr. Pileggi was sworn-in by Sarah Pavey, Court Reporter. Mr. Pileggi appeared before the Board to request reinstatement of his Kentucky pharmacist's license. Mr. Pileggi gave a brief overview of the events that led to the loss of his pharmacist's license. He was licensed as a pharmacist in Kentucky in 2012. Mr. Pileggi's license was suspended in Ohio, in November 2014 for intoxication at work. Mr. Pileggi is an admitted alcoholic; he entered Quest House, and started his sobriety there. His sobriety date is December 3, 2014. He is continuing his recovery.

Ms. Brewer moved to reinstate Mr. Pileggi's pharmacist's license with usual stipulations (including, in part, five years of probation; perpetual inventory at all places of employment for Schedule II drugs; electronic tracking of Schedule III-V drugs and expired controlled substances; perpetual inventory available; audits; 12 monthly AA/NA meetings; inspections; maximum work hours with no overtime; copy of Agreed Order to all employers and pharmacists-in-charge; KYPRN; signed release of medical records; monthly report of AA/NA meetings; observed urine, other body fluid, or hair samples for drug/alcohol screens; prohibited from accepting position as pharmacist-in-charge, power of attorney, or preceptor; attendance within 1 year of entry of this Agreed Order at Utah School or CAPTASA; monthly written self-performance evaluations). Mr. Pileggi stated

he understood that 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. Mr. Pileggi 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. Dr. DeWire recused himself because he attended the KYPRN meeting as acting President of the Board.

**Jamie Lane and Kevin Sullivan.** Dr. Lane and Dr. Sullivan from Hardin Memorial Hospital appeared before the board asking for approval of a new process to fill their medication carts. They are asking that the final manual check by the RPh or CPhT be eliminated and replaced with the use of barcode medication verification (BMV) at the time of initial cart filling. After discussion it was determined that the board needs a visual of their process and how pharmacists are being utilized; Cheryl Lalonde, Steve Hart, Dr. Hanna and Amanda Harding shall visit the hospital to observe their process. Dr. Hanna moved to approve the request if the current regulations allow. Dr. DeWire seconded and the motion passed unanimously.

**Recycled Medication Regulation Proposal:** Dr. Hanna moved to form a task force to explore the possibility of an amendment to our current regulations. Ms. Brewer seconded and the motion passed unanimously. Mr. Hadley, Katie Petrone, David Gardner and Kelly Peddy are to be included on the task force.

**INTERAGENCY:** HB527( Onco360). This bill was introduced late in the session, and involves restricted distribution pharmacies. Mr. Hadley moved to hold a special meeting on Wednesday, March 23, at 9:00am, to discuss HB 527. Dr. Hanna seconded and the motion passed unanimously.

Dr. Hanna moved to support KPhA's stance on SB134 that amends the generic substitution law. Mr. Hadley seconded and the motion passed unanimously.

### **BOARD REPORTS:**

**Board Executive Director.** 1) eMARS and financial reports for January and February 2016 were presented to the Board.

### **CURRENT/PENDING CASES:**

Mr. Hadley moved to accept the final orders as recommended. Dr. Hanna seconded and the motion passed unanimously.

**Case Updates:** Mr. Hadley moved to accept Case Updates with corrections for Case Numbers 12-0175A, 12-0261A, 13-0184, 14-0345B, 14-0358, 14-0435A, 14-0435B, 14-0449, 15-0010A, 15-0019, 15-0032, 15-0252A, 15-0255A, 15-0285, 15-0292A, 15-0292B, 15-0296, 15-0298A, 15-0299, 15-0304B, 15-0305B, 15-0309B, 15-0314B, 15-315B, 15-0322B, 15-0323A, 15-0323B, 15-324B, 15-326A, 15-326B, 15-0327B, 15-0328B, 15-0329B, 15-0329C, 15-0331A, 15-0331B, 15-0332B, 15-0335A, 15-0335B, 15-0335C, 15-0335D, 15-0336, 15-0339, 15-0340A, 15-0342A, 15-0345B, 15-0348A, 15-0348B, 15-0351B, 15-0352A, 16-0008, 16-0009, 16-0010. Ms. Brewer seconded, and the motion passed unanimously.

Mr. Hadley moved to accept Case Review as presented, Ms. Brewer seconded and the motion passed unanimously. Dr. DeWire recused himself, because he attended case review committee as the acting president.

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

**Erica Lee.** Erica Lee is applying for an intern license in Kentucky; her Ohio intern license was revoked due to substance abuse and conviction of a felony drug charge. Lee is not currently enrolled in a college of pharmacy.

Mr. Hadley moved to deny Ms. Lee's petition to become an intern in KY. Ms. Brewer seconded and the motion passed unanimously.

**Edward Olszewski/Reciprocity Request.** Edward Olszewski requested to reciprocate his pharmacist's license from Alabama to Kentucky. In Alabama, Mr. Olszewski's license was suspended for four years, then reinstated and followed by probation for five years, which he successfully completed in 2009. He is working at a veterinary pharmacy which does not possess a DEA license. Dr. Hanna moved approve Mr. Olszewski to reciprocate his pharmacy license to Kentucky. Dr. DeWire seconded and the motion passed unanimously.

**CORRESPONDENCE/COMMUNICATION:**

**William Hamilton/Modify Agreed Order.** William Hamilton request modification of his agreed order. He is requesting removal of the prohibition on serving as a pharmacist-in-charge. Dr. DeWire moved to deny Mr. Hamilton's request; Ms. Brewer seconded and the motion passed unanimously.

**Scott Wilson, Inc. (dba Infusion Partners of Lexington)/Equipment Waiver.** Nancy Mannon, Pharmacy Manager of Infusion Partners of Lexington, requested an exemption for reference materials and equipment. Mr. Hadley moved to grant the request. Dr. DeWire seconded, and the motion passed unanimously.

**Christie Wilkins/Continuing Education Waiver.** Christie Wilkins requested a waiver of 2015 continuing education requirements. Ms. Brewer moved to deny Ms. Wilkins' request for a 2015 continuing education waiver; Mr. Hadley seconded the motion which passed unanimously. Dr. DeWire requested that staff investigate her ability to practice safely; Mr. Hadley seconded, and the motion passed unanimously.

**LEGISLATIVE/REGULATION:** See interagency.

**CONTINUING EDUCATION:**

Mr. Hadley moved to approve continuing education programs 16-02 through 16-15 as recommended. Dr. DeWire seconded, and the motion passed unanimously.

**OLD BUSINESS:**

Dr. DeWire moved to table the proposed amendments to 201 KAR 2:076. Dr. Hanna seconded, and the motion passed unanimously.

**NEW BUSINESS:**

FYI - USP800 applies to Hazardous drugs and takes effect July 2018. We will begin education on this.

President Greenwell appointed an evaluation group for KYPRN cases; the appointed members are Steve Hart, Cheryl Lalonde and Dr. Hanna. The group may give a report at the May Board Meeting.

**FYI:**

Case No. 09-0022 expunged per 201 KAR 2:270, Section 2(1)(b).

The Governor should appoint a new board member by 2/29/2016.

**ADJOURNMENT:** On motion by Dr. Hanna, seconded by Ms. Brewer and passed unanimously, President Greenwell adjourned the meeting at 1:27 p.m. The next meeting is a special meeting at 9 a.m. on March 23, 2016 at the Board Office in Frankfort, Kentucky. The next regularly scheduled meeting begins at 9 a.m. on May 11, 2016 at the Board Office in Frankfort, Kentucky.

---

B. Steven Hart, R.Ph.

---

Date

## MINUTES

### KENTUCKY BOARD OF PHARMACY

State Office Building Annex, Ste. 300

125 Holmes Street

Frankfort, KY 40601

March 12, 2016

**CALL TO ORDER:** A special called meeting was held at the Kentucky Board of Pharmacy at the Board Office at 125 Holmes Street, State Office Building Annex Suite 300, Frankfort, Kentucky. President Greenwell called the Meeting to order at 1:32 pm.

Members present: Scott Greenwell, Deborah Brewer, Larry Hadley and Cathy Hanna. Staff: Steve Hart-Executive Director and Cheryl Lalonde-Board Counsel. Guest: Anne Policastri and Mike Hearld-KSHP, Ralph Bouvette-APSC, Trish Freeman, Bob Oakley, Robert McFall-KPhA, Cindy Stowe-SUCOP, Paul Jardina and Julie Owen-Onco360 and Shannon Stiglitz-KRF

**PURPOSE OF SPECIAL CALLED MEETING:** Discuss HB 527's ramifications on the Pharmacy Practice Act and resolve any issues pertaining to this issue.

**DISCUSSION:** Dr. Trish Freeman presented an alternative bill from the joint efforts of the states pharmacist's associations.

**MOTION:** Dr. Hanna made a motion to support the version of HB 527 crafted on March 12, 2016 by the Board of Pharmacy, KPhA, KSHP, APSC, Sullivan University and Onco360. The motion was second by Ms. Brewer and the motion passed unanimously.

**ADJORNMENT:** Dr. Hanna made the motion to adjourn which was seconded by Mr. Hadley. The motion passed unanimously. The meeting adjourned at 2:59 pm.

---

B. Steven Hart R. Ph.