

**KENTUCKY BOARD OF PHARMACY**  
**23 Millcreek Park, Bldg. 2**  
**Frankfort, KY 40601-9230**  
**January 8, 2003- 9:00 a.m.**

**AGENDA**

- I. CALL TO ORDER**
- II. APPEARANCES**
- III. MINUTES**
  - A. December 4, 2002
- IV. INTERAGENCY**
  - A. Drug Control
- V. BOARD REPORTS**
  - A. Board President
  - B. Board Members
  - C. Board Executive Director
  - D. Board Staff
- VI. CURRENT/PENDING CASES**
  - A. OAG Case Updates - C. Lalonde-Mooney
  - B. KBP Case Updates
    - Case No. 02-0106
    - Case No. 02-0108A
    - Case No. 02-0109B
    - Case No. 02-0135
    - Case No. 02-0166
  - C. Case Review Committee
- VII. RECIPROCITY/RELICENSURE/INTERNSHIP**
- VIII. CORRESPONDENCE/COMMUNICATIONS**
  - A. Morton Center/Larry Adams
- IX. NABP**
- X. LEGISLATION/REGULATIONS**
- XI. CONTINUING EDUCATION**
  - A. Program Review
- XII. FINES**
- XIII. OLD BUSINESS**
- XIV. NEW BUSINESS**

\*Information enclosed with this agenda

\*\*Information previously provided

\*\*\*Old material with response

## AGENDA ADDENDUM

### **V. BOARD REPORTS**

- A. Board President
  - 1. Agenda
  - 2. Comments
- B. Board Members
- C. Board Executive Director
  - 1. Lil' Drug Store
  - 2. Cordell Brown
  - 3. Board authorizations for Mr. Moné to approve without bringing before Board.
- D. Board Staff

### **VI. CURRENT/PENDING CASES**

- A. OAG Case Updates - C. Lalonde-Mooney
- B. KBP Case Updates
  - Case No. 02-0025
- C. Case Review Committee

**MINUTES**  
**KENTUCKY BOARD OF PHARMACY**  
Frankfort, Kentucky  
January 8, 2003

**CALL TO ORDER:** A regular meeting of the Kentucky Board of Pharmacy was held at the Board office, 23 Millcreek Park, in Frankfort, Kentucky. President Jones called the meeting to order at 9:10 a.m.

Members present: Georgina Kindall-Jones, Becky M. Cooper, Mark S. Edwards, Joe Carr, Patricia Thornbury and Tim Armstrong. Staff present: Michael A. Moné, Executive Director; Jeffrey L. Osman, Pharmacy Inspections and Investigations Coordinator; Katie Busroe, Maxine Snively and Philip C. Losch, Pharmacy and Drug Inspectors; Cheryl Lalonde-Mooney, Assistant Attorney General and Board Counsel and Shannon Settles, Executive Secretary. Guests: Danna Droz, Drug Control; Brian Fingerson, Pharmacist Recovery Network; Greg Baker, Walgreens; Chad Downing, Walgreens; Mike Mayes, KPhA; Jan Gould, Kentucky Retail Federation; Ralph Bouvette, APSC; Greg Nausman, CVS; John Quillen, Shannon Rumble, and Christy Taylor, University of Kentucky College of Pharmacy intern students. Melody Curtis, Court Reporter, recorded the meeting.

**MINUTES:** On motion by Mr. Carr, seconded by Ms. Thornbury and passed unanimously, the Minutes of December 4, 2002 were adopted as amended.

**BOARD REPORTS:** **President.** President Jones welcomed new Board member Mark S. Edwards and welcomed returning Board members. President Jones gave a brief overview of initiatives and Board rules.

**Board Members.** All Board members welcomed new member Mark S. Edwards. Ms. Thornbury would like the Board to work on bioterrorism and Homeland Security.

**Executive Director.** Mr. Moné informed the Board that Blair Bourg, member of NABP Executive Committee, passed away. He also gave an update on Dyke Anderson's condition. Mr. Moné provided the Board with correspondence he received from Lil' Drug Store regarding their logo being used on packaging sold in Kentucky. After a brief discussion, Mr. Carr moved to approve the request. Mr. Edwards seconded and the motion passed unanimously. Mr. Moné provided the Board with correspondence he received from Cordell Brown requesting a reduction of inspections and being allowed to serve as pharmacist-in-charge. After a brief discussion, Ms. Thornbury moved to approve Mr. Brown to serve as pharmacist-in-charge at the CVS in Hazard only (any deviation from this must be approved by the Board), however, his inspections will remain as set in the Agreed Order. Mr. Carr seconded and the motion passed unanimously. Mr. Moné requested reauthorization from the Board to approve dual PIC requests, and reciprocities which report misdemeanors (with the exception that individuals with 2 or more convictions within 10 years and applicants with DUI convictions within 2 years must appear on the agenda). Mr. Carr moved to approve the reauthorization. Mr. Armstrong seconded and the motion passed unanimously.

**CURRENT/PENDING CASES:** Mr. Carr moved for acceptance and entry of the proposed Agreed Orders as written (**Case No. 02-0025; Case No. 02-0106; Case No. 02-0108A, Case No. 02-0109B, Case No. 02-0135 and Case No. 02-0166**). Ms. Thornbury seconded and the motion passed unanimously.

**CORRESPONDENCE:** **Morton Center/Larry Adams.** The Board reviewed correspondence requesting a reduction of therapy sessions to an "as needed" basis. After a brief discussion, Mr. Carr moved to amend Mr. Adams sessions to a minimum of twice a year at six month intervals, at the discretion of the therapist. Ms. Cooper seconded and the motion passed unanimously.

**LEGISLATION/REGULATIONS:** Jan Gould gave a brief update of legislation regarding pharmacy. He discussed two matters. First, the authority of pharmacists to administer adult immunizations under physician protocol. Second, prescriptions written by out of state prescribers, but dispensed in Kentucky.

Mr. Gould provided the Board with correspondence he received from the Kentucky Cancer Program regarding pharmacists refusing to fill prescriptions from dentists for tobacco cessation products. After a brief discussion, Ms.

Thornbury moved to notify pharmacists through the Board newsletter that dentists may prescribe legend cessation medications such as nicotine inhalers, nasal spray, and Zyban. Mr. Armstrong seconded and the motion passed unanimously.

Ms. Jones discussed mandatory counseling on 5 drug areas: antihypertensives, diabetes, children under 3, anticoagulants, and osteoporotic drugs. After a brief discussion, Mr. Carr moved to authorize Mr. Moné to file a Notice of Intent to amend KAR 2:210. Ms. Cooper seconded. After further discussion, Mr. Edwards moved to table the motion for further discussion. Ms. Thornbury seconded and the motion passed unanimously.

**CONTINUING EDUCATION:** Ms. Thornbury moved to accept the continuing education programs 03-01 through 03-03 as recommended. Mr. Edwards seconded and the motion passed unanimously.

**NEW BUSINESS:** Ms. Jones informed the Board of CAPTASA's 3rd annual conference in February.

Ms. Thornbury would like to see: 1) Guidelines for an orientation program; 2) Board members accompany inspectors during inspections to see the process and how it works; and 3) Board members attend Impaired Pharmacist Committee meetings.

**ADJOURNMENT:** On motion by Mr. Armstrong, seconded by Mr. Carr and passed unanimously, President Jones adjourned the meeting at 11:28 a.m. The next regular meeting is scheduled to begin at 9:00 a.m. on March 5, 2003, at WT Young Library, in Lexington, KY.

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Michael A. Moné, Executive Director