

**KENTUCKY BOARD OF PHARMACY
SPINDLETOP ADMINISTRATION BUILDING SUITE 302
2624 RESEARCH PARK DRIVE
LEXINGTON KY 40511
DECEMBER 12, 2007
9:00a.m.**

Agenda

I. CALL TO ORDER

II. MINUTES

- *A. November 16, 2007
- *B. November 17-18, 2007

III. APPEARANCES

IV. INTERAGENCY

V. BOARD REPORTS

- A. Board President
 - *1. PRN Committee
- B. Board Members
- C. Board Executive Director
 - *1. eMARS (November 07)
 - 2. On Line Verification
- D. Board Staff
- E. PRN Chair

VI. CURRENT/PENDING CASES

- A. OAG-Cheryl Lalonde
- *B. Case Update
 - Case No. 06-0115A, Case No. 07-0080, Case No. 07-0063,
 - Case No. 07-0056, Case No. 06-0024
- C. Case Review

VII. RECIPROCITY/RELICENSURE/INTERNSHIP

VIII. CORRESPONDENCE/COMMUNICATIONS

IX. NABP

X. LEGISLATION/REGULATIONS

XI. CONTINUING EDUCATION

XII. FINES

XIII. OLD BUSINESS

XIV. NEW BUSINESS

- A. Board Elections 2008

***Information enclosed with this agenda**

****Information previously provided**
*****Old material with response**

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**Agenda
Addendum**

V. BOARD REPORTS

VI. CURRENT/PENDING CASES

*B. Case No. 07-0068B, Case No. 07-0065B, Case No. 07-0087

VII. CORRESPONDENCE/COMMUNICATIONS

VIII. CONTINUING EDUCATION

*A. 08-02 through 08-04

X. FYI

*A. PRN OT report

*B. Previous Correspondence written

1. Wal-Mart
2. Walgreens

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MINUTES
KENTUCKY BOARD OF PHARMACY
Spindletop Administration Building, Suite 302
2624 Research Park Dr.
Lexington, Kentucky

December 12, 2007

CALL TO ORDER: A regular meeting of the Kentucky Board of Pharmacy was held at the Board Office at Spindletop Administration Building, 2624 Research Park Drive, Lexington, Kentucky. President Orzali called the meeting to order at 9:05 a.m.

Members present: Peter Orzali, Anne Policastri, Catherine Shely, Sandy Simpson, and Patricia Thornbury. Staff: Michael Burleson, Executive Director; Jeffrey L. Osman, Pharmacy Inspections and Investigations Coordinator; Katie Busroe, Steve Hart and Phil Losch, Pharmacy and Drug Inspectors; Lisa Atha, Executive Secretary; and Cheryl Lalonde, Assistant Attorney General and Board Counsel. Guests: Brian Fingerson, Pharmacist Recovery Network Committee; Ralph Bouvette, Catherine Hanna and Trey Hieneman, APSC; Michael Wyant, Cardinal Health; Brad Hall, Kentucky Pharmacists Association; Jan Gould, Kentucky Retail Federation; Melissa Groover, CVS/Caremark; T. Michael Farley, St. Claire Regional Medical Center; Richard Ross; Lauren Esterly and Donny Gerald, College of Pharmacy students. Juanita Toole, Court Reporter, recorded the meeting. Board member Mike Leake was absent.

MINUTES: On motion by Dr. Policastri, seconded by Dr. Shely and passed unanimously, the Minutes of the November 16, 2007 were adopted as amended. Ms. Simpson was not present for this vote. On motion of Dr. Policastri, seconded by Ms. Thornbury and passed unanimously, the Minutes of the Kentucky Board of Pharmacy Retreat, November 17, 2007 were adopted as amended. Ms. Simpson was not present for this vote.

BOARD REPORTS:

Board President. Mr. Orzali. Per 201 KAR 2:250 Section 5, the Board must appoint members of the Pharmacist Recovery Network Committee (PRNC). There are 11 members of the PRNC: the Chair, the Board President, the Board Executive Director, 7 pharmacist members and 1 non-pharmacist member. Currently there are 6 pharmacist members and 1 non-pharmacist member, leaving one open pharmacist position. After much discussion, Dr. Shely moved to publicize for a period of 60 days that anyone interested in serving on the PRN Committee submit their name by the deadline, with the Board reviewing the list of interested pharmacists at the March 2008 Board meeting. The Board will also be provided with a list of current PRNC members and the length of time of service of each member. At that time the Board may choose to allow the PRNC members to determine the length of time each member will serve in order to have staggered rotations off of the PRNC or the Board may determine the rotations. Ms. Thornbury seconded, and the motion passed unanimously. Ms. Simpson was not present for this vote.

Board Members. Dr. Policastri attended a session at the American Society of Health-System Pharmacists (ASHP) meeting for state board of pharmacy members. A majority of the 1.5 hours was spent on technician registration. Dr. Policastri will have a more detailed report for the January 9, 2008 Board meeting.

Dr. Shely provided Mr. Burluson with a study conducted by the Pharmacy Technician Certification Board that concluded that consumers wanted technicians to be certified.

Board Executive Director. 1) EMars monthly report for November was presented to the Board. 2) Mr. Burluson gave an overview of on-line verification. Ms. Thornbury moved to approve moving forward with on-line verification. Dr. Shely seconded, and the motion passed unanimously. 3) 201 KAR 2:040, Registration of pharmacist interns, passed the Administrative Regulation Review Subcommittee with no substantive changes. 4) Mr. Burluson was directed to file the Technician Registration Bill with the compilers office in the Legislative Research Commission. President Orzali directed the Executive Director to draft a letter addressed to the Legislators explaining the necessity of technician registration. 5) Mr. Burluson is to present information regarding laptop computers for Board members at the January 9, 2008 Board meeting.

Board Staff. Mr. Losch thanked the Board for allowing him to attend the ASHP meeting. He stated that USP 797 is finalized and until January 1, 2008 can be downloaded at no cost. Information regarding USP 797 will be included in the next newsletter and posted on the Board website.

Mr. Hart thanked the Board for allowing him to attend the ASHP meeting. He will be forwarding the Board Committee on Emergency Preparedness information gathered at ASHP.

Dr. Osman informed the Board of the Accreditation Council on Pharmacy Education (ACPE) continuing education changes for pharmacists and technicians that will take effect January 1, 2008. The accreditation number for technicians must be followed by a T and the accreditation number for pharmacists must be followed by a P.

Ms. Busroe informed the Board that on December 19, 2007, the DEA Rule allowing practitioners to provide individual patients with multiple prescriptions for a specific Schedule II, written on the same date, to be filled sequentially will take effect.

PRN Chair. Brian Fingerson announced CAPTASA will be held January 25-26, 2008 in Lexington and presented the program.

CURRENT/PENDING CASES:

CASE UPDATES:

Ms. Thornbury moved for acceptance and entry of the proposed Agreed Orders as written. Dr. Policastri seconded, and the motion passed unanimously.

Case No. 06-0024; Case No. 06-0115A, Case No. 07-0056, Case No. 07-0063,
Case No. 07-0065B, Case No. 07-0068B, Case No. 07-0080, Case No. 07-0087

NABP: President Orzali informed the Board that the NABP National Drug Task Force on Drug Diversion that he is serving on will meet in April for a two day meeting instead of the one day January meeting. Ms. Thornbury moved to approve the date change and to cover additional expenses incurred not covered by NABP. Ms. Simpson seconded, and the motion passed unanimously.

LEGISLATION/REGULATIONS:

The Kentucky Electronic Methamphetamine Precursor Tracking (KEMPT) system may take effect January 2008. Jan Gould gave a brief overview of the upcoming Legislative session. Mr. Burleson will include any pertinent bills being presented in the Legislature in the January 2008 Board packet.

CONTINUING EDUCATION:

Ms. Thornbury moved to accept the continuing education programs 07-45 and 08-02 through 08-04 as recommended. Dr. Policastri seconded, and the motion passed unanimously.

OLD BUSINESS: Mr. Burleson researched the possibility of sound proofing the Board office. After reviewing the building, the Building Superintendent from Frankfort informed staff that because of the age and structure of the building this would not be possible. The Board directed Mr. Burleson to start dialogue with other Executive Directors of Health Care Professional Boards in the building to address privacy issues.

NEW BUSINESS: President Orzali called for nominations for 2008 President Elect. Dr. Policastri nominated Dr. Shely. Ms. Thornbury nominated Dr. Policastri. President Orzali ceased nominations. Vote was taken by secret ballot with Dr. Osman, Mr. Losch, Mr. Hart, and Ms. Busroe counting the votes. Dr. Shely will be President Elect for 2008, and serve as President for 2009.

ADJOURNMENT: On motion by Ms. Thornbury, seconded by Dr. Shely, and passed unanimously, President Orzali adjourned the meeting at 11:48 a.m. The next regularly scheduled Board meeting is scheduled to begin at 9:00 a.m. on January 9, 2008 at the Board Office.

Michael Burleson, R.Ph.
Executive Director