

KENTUCKY BOARD OF PHARMACY

Hearing 201 KAR 2:380

Kentucky Board of Pharmacy

125 Holmes Street, Ste. 300

Frankfort KY 40601

8:00 a.m.

Agenda

I. CALL TO ORDER

II. TESTIMONIES ON 201 KAR 2:380

III. AJOURNMENT

MINUTES
KENTUCKY BOARD OF PHARMACY
Public Hearing on 201 KAR 2:380
Kentucky Board of Pharmacy
125 Holmes Street, Ste. 300
Frankfort KY 40601

August 30, 2017

CALL TO ORDER A public hearing on 201 KAR 2:380 was held at the Kentucky Board of Pharmacy in Frankfort, Kentucky. President Greenwell called the meeting to order at 8:13 a.m.

Members present: Scott Greenwell, Deborah Brewer, Brian Dewire, Cathy Hanna, Ron Poole and Craig Martin. Staff: Steve Hart, Executive Director; Katie Busroe, Pharmacy Inspections and Investigations Supervisor; Amanda Harding, Pharmacy and Drug Inspector; Paul Daniels, Pharmacy and Drug Inspector; Jessica Williams, Pharmacy and Drug Inspector; Cheryl Lalonde, General Counsel; and Darla Sayre, Executive Staff Advisor. Guests who testified: Ralph Bouvette, APSC; Leslie Kenny, Norton Healthcare; Shannon Stiglitz, Kentucky Retail Federation; Trish Freeman and Chris Harlow, Kentucky Pharmacist Association; Blake Barlow and Tanner Hobbs, students at University of Kentucky College of Pharmacy; and Dr. Patty Swiney, Gerry Stover and Dr. Wayne Thornbury, Kentucky Academy of Family Physicians . Court Reporter Pam Hall recorded the meeting.

201 KAR 2:380 Dr. Patty Swiney, Gerry Stover and Dr. Wayne Thornbury expressed concerns over the proposed draft. Their concerns consist of non-specified protocols; communication from pharmacies to physician's office on treatment given to their patients; miscommunication from patient to pharmacist for complete medication history; lack of physician's in development of protocols; lack of clinical training of pharmacists; privacy of patient in the pharmacy setting; physician's not practicing in Kentucky allowed as collaborative physicians; and latitude regarding public safety. They preferred and offered support for the KYBOP's initial draft of the regulation in which the disease states for protocols were specified.

Chris Harlow, Blake Barlow , student at University of Kentucky College of Pharmacy; Ralph Bouvette, Tanner Hobbs, Trish Freeman, Shannon Stiglitz and Leslie Lenny supported the current draft regulation. Mr. Harlow noted one error and requested the sub-section reference (24) be changed to (25).

Ron Poole responded to the expressed concerns by noting that the protocols must be approved by the Kentucky Board of Pharmacy and a collaborative physician. Mr. Poole stated that the motive for establishment of these protocols is not for monetary gain but to better serve the needs of the public. Craig Martin acknowledges that communication between physician and pharmacist is vital but this has been an ongoing concern for some time; it should not deter the establishment of protocols and these protocols will not worsen this issue. President Greenwell stated that Controlled Substances are prohibited from these protocols. President Greenwell

reiterated that the establishment of these protocols is not for monetary gain but as a response to a request to address future physician shortages within the Commonwealth.

Dr. Hanna moved to table the review until the September 6, 2017 Board Meeting once all comments have been received. Dr. Martin seconded.

Mr. Poole suggested the addition of restricting collaborative physicians to those licensed and practicing in Kentucky. President Greenwell expressed concerns regarding those practicing in a border state. Steve Hart informed the Board that LRC had suggested amendments he will provide for the board's review at their meeting when this is considered further.

The motion passed unanimously.

ADJOURNMENT Dr. Martin moved to adjourn the meeting. Ms. Brewer seconded and the motion passed unanimously. President Greenwell adjourned the meeting at 9:04 a.m. The next regularly scheduled meeting begins at 9 a.m. on September 6, 2017 at the University Of Kentucky College Of Pharmacy in Lexington, Kentucky.

B. Steven Hart, R.Ph.
Executive Director