

# Kentucky Board of Pharmacy Advisory Council

Kentucky Board of Pharmacy  
via teleconference at

<https://us02web.zoom.us/j/89465202645?pwd=L2VHQ24rVHp6N3UwekNVdnNqYWJrQT09>

Meeting ID: 894 6520 2645

Passcode: 1eXeC6

Dial by your location

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Meeting ID: 894 6520 2645

Passcode: 550172

April 15, 2021

9:00 a.m.

## Agenda

- I. Call to Order
- II. Approval of Minutes from June 18, 2020
- III. Discussion items:
  - A. Compliance with House Bill 219

**“House Bill 219** was recently signed into law, effective 90 days from the end of the legislative session. This legislation will eliminate the syringe/needle log for OTC sales of syringes and needles. *Chris Harlow moved to charge the Advisory Council to amend current regulations or draft a new regulation for clarification of recordkeeping/remote order entry due to House Bill 219. Jody Forgy seconded, and the motion passed unanimously.*”
  - B. Related to Pandemics, Epidemics, Natural Disasters, Terroristic Disasters and Biologic Disasters:
    - 1) *Evaluate pharmacy practice changes due to COVID-19 – short-term additions with long-term plans or implications, that include but are not limited to remote order entry.*
    - 2) *Review current law in KY to determine if they are sufficient to allow potential response and change in work practice to meet patient care needs immediately; evaluate other state laws to determine if other changes should be adopted to ensure pharmacists may practice legally.*
    - 3) *Evaluate and recommend permanent practice changes that are temporarily being done at this time to meet the demands of the pandemic.*

- 4) *Evaluate the opioid epidemic and make recommendations to the board for any necessary regulatory changes that would improve the health of the Commonwealth / and reduce opioid OD and addiction.*
  - 5) *Simulate a recovery exercise for each type of emergency and outline the legal restraints and allowances that impact operations – provide a list of these and whether other changes should be invoked in an emergency pharmacy powers regulation.*
  - 6) *Determine the role that the KY Board of Pharmacy Executive Director, staff and inspection staff can serve in emergency/disaster response. Determine if the KY Board of Pharmacy office and staff could/should serve as a command center or coordination center.*
  - 7) *Seek input and coordination with KPhA and KSHP.*
- C. NABP Passport Program / Development of a State Pharmacist Database for response:
- 1) *Create a readily usable and UTD robust pharmacy / pharmacist database to recognize the pharmacists who can be called upon to assist based on their capacity, i.e. certifications, job expertise and work location.*
  - 2) *Create a process to allow no-practicing retirees of the pharmacy practice to re-enter work to meet the patient care demands of various types of emergencies.*

#### IV. Adjournment

**KENTUCKY BOARD OF PHARMACY**

**via teleconference using Zoom**

**ADVISORY COUNCIL**

**April 15, 2021**

**9:00 a.m.**

**MINUTES**

Chairperson Matt Martin called the meeting to order at 9:02 a.m. Members present: Tony Tagavi; Chris Clifton; Jason Poe; Donna Drury; Cindy Cummings and Laurel Smith. Absent: Tyler Bright and Wes Rowe. Staff: Larry Hadley, Executive Director and Darla Sayre, Executive Staff Advisor.

Chairperson Martin requested each member introduce themselves. He welcomed the new members; Donna Drury, Cindy Cummings and Laurel Smith. Chris Clifton moved to accept the minutes of the June 18, 2020 meeting. Jason Poe seconded, and the motion passed unanimously.

**Compliance with House Bill 219** Chairperson Martin provided the members a link to the Board of Pharmacy FAQs regarding remote entry and the Kentucky Pharmacy Lawbook. Larry Hadley gave a brief summary of House Bill 219. The bill was created to allow the public easier access to clean syringes. During the legislative session, new language was added to the bill to allow for remote prescription order entry. After passage of the bill, questions arose regarding if this bill limited current practices allowed for after hour remote order entry of hospitals or other entities.

Chairperson Martin advised the members that the Council is to make a recommendation to the Board. The Board can then accept as a whole or in part or reject the recommendation. The Council's recommendation should focus on the practice as a whole not specific to any entity.

Chairperson Martin asked if the Board during the March 2020 meeting in which remote order entry was allowed during the current state of emergency determined that this practice was not allowed under current regulations or statutes. Larry Hadley stated the driving thought on this allowance was the inability of pharmacies to physically staff the pharmacy during the pandemic. Chris Clifton stated that remote entry in the law outside of the state of emergency allows for the practice if the remote site is also a permitted facility with the Board. Chairperson Martin requested Eden Davis, General Counsel to research this and provide input at the next meeting.

Chairperson Martin asked what the reasoning was for the 100 mile radius for remote entry. Larry Hadley stated this restriction would allow for inspection of these remote sites if necessary. Chairperson Martin requested Mr. Hadley to provide input from hospital organizations on their current practice and how they see House Bill 219 impacting this. Chris Clifton stated he is in favor of a mileage limit to provide better oversight.

Chairperson Martin asked if remote supervision should be classified as 'general supervision' or 'direct supervision'. Mr. Hadley stated the supervision is 'general supervision'.

Cindy Cummings and Donna Drury raised concerns of information privacy at the remote sites. Chairperson Martin stated that security concerns should be addressed by HIPAA requirements. There should be no need to

address these concerns. Chris Clifton requested looking at the ability of pharmacists to take a verbal prescription electronically for the pharmacy.

Chairperson Martin proposed the following information for the next meeting:

- Applicability of current law regarding remote order entry from General Counsel
- Information from pharmacy stakeholders on the implications of House Bill 219 [Larry Hadley]
- Information from other state Boards of Pharmacy on remote order entry [Larry Hadley]

The next meeting will be held via teleconference on April 28, 2021 at 9:00 a.m.

On motion by Chris Clifton, seconded by Tony Tagavi and passed unanimously, Chairperson Martin adjourned the meeting at 11:00 p.m.