

# Kentucky Board of Pharmacy Advisory Council

<https://us02web.zoom.us/j/83875776522?pwd=RFdSelN4OHpWT3BnaUxtNHVHanQ3QT09>

Meeting ID: 838 7577 6522

Passcode: 4vvL6R

Dial by your location

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

September 15, 2021

9:00 a.m.

## Agenda

- I. Call to Order
- II. Approval of Minutes from July 13, 2021
- III. Appearance: Jessica Johnson, Opioid Use Disorder Expert
- IV. Discussion items:
  - A. Charged February 23, 2021 - Related to Pandemics, Epidemics, Natural Disasters, Terroristic Disasters and Biologic Disasters:
    1. 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.
    2. 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.
    3. Determine the role that the KY Board of Pharmacy Executive Director, staff and inspection staff can serve in emergency/disaster response.
    4. Determine if the KY Board of Pharmacy office and staff could/should serve as a command center or coordination center.
    5. Seek input and coordination with KPhA and KSHP.
  - B. Charged February 23, 2021 - 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.

C. Charged May 25, 2021 – Prescription integrity during transit:

1. Study the issue of shipped medications for temperature excursions/integrity during transit until received by the ultimate consumer.

V. Adjournment

**KENTUCKY BOARD OF PHARMACY**  
**via teleconference using Zoom**  
**ADVISORY COUNCIL**  
**September 15, 2021**  
**9:00 a.m.**

**MINUTES**

Chairperson Matt Martin called the meeting to order at 9:01 a.m. Members present: Tyler Bright; Cindy Cummings; Donna Drury; Chris Clifton; Jason Poe and Laurel Smith. Absent: Anthony Tagavi and Wes Rowe. Staff: Larry Hadley, Executive Director and Eden Davis, General Counsel.

Cindy Cummings moved to accept the minutes of the July 13, 2021 meeting. Donna Drury seconded, and the motion passed unanimously.

**Opioid Epidemic** Jessica Johnson presented information on her study of the opioid epidemic. The number of national drug-involved overdose deaths rose significantly in 2016. There was a slight decrease in 2018 but the numbers continued to rise in 2019. Kentucky has the highest percentage increase of drug overdose deaths at 53.7%.

Regulatory Recommendations:

- Consider that most of 201 KAR 2 revolves around dispensing efforts rather than clinical practice.
- Clarify for pharmacists the corresponding responsibility for ensuring that MD/DO/PA are adherent to 201 KAR 9:270 and APRNs to 201 KAR 20:065.
- Consider ways to increase uptake of Board authorized protocols for PrEP and OUD.
- Consider any licensing options with wholesalers to disclose proprietary algorithms for audits in response to buprenorphine sales.
- Explore potential barriers to ED-dispensing for buprenorphine initiation, naloxone.
- Consider how professional judgment and ADA compliance for access to care for OUD balance and whether or not refusal to dispense is “unethical conduct” per KRS 13:2 (a,d).
- Explore mobile dispensing for controlled substances with GC, via mobile pharmacy or pharmacist practitioners in combination with physician-dispensing.
- Consider specifying 0.1 –0.2 CE annually (of existing 1.5) for implicit bias, stigma reduction, harm reduction, or SUD medication management-specific education.
- Consider adapting regulations to stipulate regular review of contracted entities (including per 201 KAR 2:250) to ensure adherence to evidence-based treatment in setting of changing clinical guidelines and practice.

#### Statutory Recommendations:

- Recommend statute to decriminalize buprenorphine possession, in line with Vermont, Rhode Island.
- Recommend addition of fentanyl test strips to HB 219 for “non-paraphernalia” to be dispensed from pharmacies without repercussions to pharmacists.
- Recommend statutory change to establish DEA licensure pathway for pharmacists or clinical pharmacists in KY.
- DEA licensure expands clinical pharmacist impact via:
  - Mental Health integration and medication management.
  - Pain management, perioperative management.
  - Collaborative care models with other CS, especially in rural areas.
- Will allow for buprenorphine expansion when:
  - DATA 2000 revised to allow pharmacists as permitted x-waivered providers
  - DATA 2000 eliminated, along with x-waiver requirement

#### Advocating for other Regulatory Changes:

- KBML: most highly restricted buprenorphine prescribing regulation in the country.
- Requirements included that are not supported by current evidence and best practice:
  - Summer 2021 Board clarification re: telehealth in OUD
  - Requirement for specialty consults with >16 mg/day and/or longer than 2 years of treatment
  - Mandated frequency of visits
  - Requirement for Behavioral Counseling
  - In-office initiation
  - Must prescribe exact number of doses to next visit

Chairperson Martin thanked Dr. Johnson for her presentation. He requested she submit a list of qualified individuals the committee could call on to help with these recommendations and any news articles that could support her research. This information will be provided for review at the next meeting.

A Doodle Poll would be sent to schedule the next meeting in October. Cindy Cummings moved to adjourn the meeting. Donna Drury seconded, and the motion passed unanimously. Chairperson Martin adjourned the meeting at 10:32 a.m.