

KENTUCKY BOARD OF PHARMACY

via teleconference

<https://us02web.zoom.us/j/83283755303?pwd=UTEzZzNNTnhrbEpGU25DY1Q5QUUp1QT09>

Meeting ID: 832 8375 5303      Passcode: wG978M

Dial by your location

+1 646 558 8656 US (New York)      +1 312 626 6799 US (Chicago)

Meeting ID: 832 8375 5303      Passcode: 295564

Case Review Panel

February 9, 2022

9:00 a.m.

**Agenda**

I. Minutes – January 19, 2022

II. Extension Requests:

- 21-0185
- 21-0201
- 21-0227
- 21-0229
- 21-0231
- 21-0235
- 21-0236
- 21-0237
- 21-0243
- 21-0251
- 21-0263
- 21-0266
- 21-0267

III. Settlement Conferences:

- 19-0277 A and B
- 21-0048 A
- 21-0170 A & 21-0181 A
- 21-0181 C
- 21-0181 D
- 21-0188
- 21-0193 B
- 21-0194 A
- 21-0198 A
- 21-0202 A

IV. Cases:

- 21-0171 A, B and C
- 21-0200 A, B and C
- 21-0207 A and B
- 21-0217
- 21-0225
- 21-0230 A and B Revisit
- 21-0232 A, B, C, D and E
- 21-0247
- 21-0250 A, B, C and D
- 21-0254 A and B
- 21-0255
- 21-0256
- 21-0258
- 21-0259 A and B
- 21-0261 A, B, C, D and E
- 21-0270 A and B
- 21-0209 A and B
- 21-0216 A and B
- 21-0224 A and B
- 21-0226 A and B Revisit
- 21-0246 A, B and C
- 21-0249 A and B Revisit
- 21-0252

V. Adjourn

*ATTENTION: A portion of the meeting may be held in closed/executive session for the purpose of discussing and deliberating upon open investigations, which are preliminary matters that may result in litigation being filed on behalf of the Board and include the review of information required to be conducted in privacy according to federal and state law (under Agenda Items III). The specific statutory sections providing exemptions are: KRS 61.810(1)(c) KRS 61.878(1)(a) KRS 61.810(1)(j) KRS 61.878(1)(h) KRS 61.810(1)(k).*

*Following discussion and deliberation, any and all action will be taken in open/public session.*

**KENTUCKY BOARD OF PHARMACY**  
**via Zoom teleconference**

**CASE REVIEW PANEL**  
**MINUTES**

**February 9, 2022**

Peter Cohron, Chairperson called the meeting to order at 9:02 a.m. Present were: Jonathan Van Lahr, Peter Cohron; Anthony Tagavi; Chris Harlow, Executive Director; Eden Davis, General Counsel; Amanda Harding, Pharmacy and Drug Inspector; Paul Daniels, Pharmacy and Drug Inspector; Jessica Williams, Pharmacy and Drug Inspector; John Romines, Pharmacy and Drug Inspector and Darla Sayre, Executive Staff Advisor.

Peter Cohron moved to appoint Jonathan Van Lahr as vice-chairperson of the Case Review Panel. Anthony Tagavi seconded, and the motion passed unanimously with Jonathan Van Lahr abstaining.

Jonathan Van Lahr moved to approve the minutes of January 19, 2022. Peter Cohron seconded, and the motion passed unanimously.

Peter Cohron moved for the Case Review Panel to go into closed session to include investigating inspectors, Eden Davis and Darla Sayre for the purpose of reviewing, discussing and deliberating upon open investigations[21-0185, 21-0201, 21-0227, 21-0229, 21-0231, 21-0235, 21-0236, 21-0237, 21-0243, 21-0251, 21-0263, 21-0266, 21-0267, 19-0277 A and B, 21-0048 A, 21-0170 A & 21-0181 A, 21-0181 C, 21-0181 D, 21-0188, 21-0193 B, 21-0194 A, 21-0198 A, 21-0202 A, 21-0171 A, B and C, 21-0200 A, B and C, 21-0207 A and B, 21-0217, 21-0225, 21-0230 A and B Revisit, 21-0232 A, B, C, D and E, 21-0247, 21-0250 A, B, C and D, 21-0254 A and B, 21-0255, 21-0256, 21-0258, 21-0259 A and B, 21-0261 A, B, C, D and E, 21-0270 A and B, 21-0209 A and B, 21-0216 A and B, 21-0224 A and B, 21-0226 A and B Revisit, 21-0246 A, B and C, 21-0249 A and B Revisit and 21-0252] all of which are matters that may result in litigation being filed on behalf of the Board and/or require the review of information deemed confidential in accordance with state and federal law. The deliberations require the panel members to review and discuss information compiled in the course of the Board's work to detect and investigate statutory and regulatory violations (the premature release of which may harm the Board's ability to carry out its administrative adjudication or prospective law enforcement functions, if an investigation remains open and final action is not taken in this meeting) and to determine whether to initiate litigation on behalf of the Board against individual licensees, permit holders or registrants. The statutory sections providing authorizing executive session are KRS 61.810(c)(j) and (k) and KRS 61.878(1)(a) and (1)(h). Jonathan Van Lahr seconded, and the motion passed unanimously. Peter Cohron moved to come out of closed session. Anthony Tagavi seconded, and the motion passed unanimously.

**21-0201** Peter Cohron moved to extend the resolution of this case for up to 120 days. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0227** Peter Cohron moved to extend the resolution of this case for up to 120 days. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0229** Peter Cohron moved to extend the resolution of this case for up to 120 days. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0231** Peter Cohron moved to extend the resolution of this case for up to 120 days. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0237** Peter Cohron moved to extend the resolution of this case for up to 120 days. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0251** Peter Cohron moved to extend the resolution of this case for up to 120 days. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0263** Peter Cohron moved to extend the resolution of this case for up to 120 days. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0267** Peter Cohron moved to extend the resolution of this case for up to 120 days. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0185** Jonathan Van Lahr moved to extend the resolution of this case for up to 120 days. Anthony Tagavi seconded, and the motion passed unanimously with Peter Cohron abstaining.

**21-0235** Jonathan Van Lahr moved to extend the resolution of this case for up to 120 days. Anthony Tagavi seconded, and the motion passed unanimously with Peter Cohron abstaining.

**21-0236** Jonathan Van Lahr moved to extend the resolution of this case for up to 120 days. Anthony Tagavi seconded, and the motion passed unanimously with Peter Cohron abstaining.

**21-0243** Jonathan Van Lahr moved to extend the resolution of this case for up to 120 days. Anthony Tagavi seconded, and the motion passed unanimously with Peter Cohron abstaining.

**21-0266** Jonathan Van Lahr moved to extend the resolution of this case for up to 120 days. Anthony Tagavi seconded, and the motion passed unanimously with Peter Cohron abstaining.

#### **19-0277 A and B**

**Proposed Resolution:** Peter Cohron moved to vacate the previous Agreed Orders and moved there is sufficient evidence of a violation to warrant disciplinary action and the Executive Director is directed to attempt resolution through an Agreed Order and/or, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing. Standard terms and revocation for five years and one day with a lifetime ban of pharmacy ownership or placement as pharmacist in charge. Jonathan Van Lahr seconded, and the motion passed unanimously.

#### **21-0048 A**

**Proposed Resolution:** Peter Cohron moved to extend this case until the March Case Review Panel. Inspector to obtain additional information. Jonathan Van Lahr seconded, and the motion passed unanimously.

### **21-0170 A and 21-0181 A**

**Proposed Resolution:** Peter Cohron moved to vacate the previous Agreed Order and moved there is sufficient evidence of a violation to warrant disciplinary action and the Executive Director is directed to attempt resolution through an Agreed Order and/or, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing. Standard terms and \$5000 administrative fine, audit of all controlled substances conducted by the permit holder in six months. The results of the audit to be provided to the inspector. Jonathan Van Lahr seconded, and the motion passed unanimously.

### **21-0181 C**

**Proposed Resolution:** Peter Cohron moved to make no changes to the previous Agreed Order. Jonathan Van Lahr seconded, and the motion passed unanimously.

### **21-0181 D**

**Proposed Resolution:** Peter Cohron moved to vacate the previous Agreed Order and moved there is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice. Jonathan Van Lahr seconded, and the motion passed unanimously.

### **21-0188**

**Proposed Resolution:** Peter Cohron moved to vacate the previous Agreed Order and moved there is sufficient evidence of a violation to warrant disciplinary action and the Executive Director is directed to attempt resolution through an Agreed Order and/or, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing. Standard terms and \$5000 administrative fine, corrective action plan that ensures a process for prompt replacement of a Pharmacist in Charge within fourteen (14) days. This plan shall be submitted to inspection staff no later than three (3) months from the signing of this order. Jonathan Van Lahr seconded, and the motion passed unanimously.

### **21-0193 B**

**Proposed Resolution:** Peter Cohron moved to vacate the previous Agreed Order and moved there is sufficient evidence of a violation to warrant disciplinary action and the Executive Director is directed to attempt resolution through an Agreed Order and/or, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing. Standard terms and \$5000 administrative fine, five-year ban of placement as pharmacist in charge, an additional 30 hours of continuing education on compounding. Jonathan Van Lahr seconded, and the motion passed unanimously.

### **21-0194 A**

**Proposed Resolution:** Peter Cohron moved to vacate the previous Agreed Order and moved there is sufficient evidence of a violation to warrant disciplinary action and the Executive Director is directed to attempt resolution through an Agreed Order and/or, if unsuccessful, to

proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing. Standard terms and \$5000 administrative fine. Jonathan Van Lahr seconded, and the motion passed unanimously.

#### **21-0198 A**

**Proposed Resolution:** Peter Cohron moved to make no changes to the previous Agreed Order. Jonathan Van Lahr seconded, and the motion passed unanimously.

#### **21-0202 A**

**Proposed Resolution:** Peter Cohron moved to vacate the previous Agreed Order and moved there is sufficient evidence of a violation to warrant disciplinary action and the Executive Director is directed to attempt resolution through an Agreed Order and/or, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing. Standard terms and \$2000 administrative fine. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0171 A** Violations of Law Imputed from Factual Allegations:

- KRS 315.121 (1)(a): The board may refuse to issue or renew a license, permit, or certificate to, or may suspend, temporarily suspend, revoke, fine, place on probation, reprimand, reasonably restrict, or take any combination of these actions against any licensee, permit holder, or certificate holder for the following reasons: Unprofessional or unethical conduct.
- KRS 217.065 (1) – Except for violations of KRS 218A.350, a drug or device shall be deemed to be misbranded: If its labeling is false or misleading in any particular manner.

**Proposed Resolution:** Peter Cohron moved there is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0171 B** Violations of Law Imputed from Factual Allegations: 201 KAR 2:205 Section 2 (3)(b): The pharmacist-in-charge shall be responsible for: The procurement, storage, security, and disposition of drugs and the provision of pharmacy services.

**Proposed Resolution:** Peter Cohron moved there is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0171 C** Violations of Law Imputed from Factual Allegations: KRS 315.121 (2)(d) – Unprofessional or unethical conduct includes but is not limited to the following acts of a pharmacist, pharmacist intern, or pharmacy technician: Engaging in conduct likely to deceive, defraud, or harm the public, demonstrating a willful or careless disregard for the health, welfare, or safety of a patient, or engaging in conduct which substantially departs from accepted standards of pharmacy practice ordinarily exercised by a pharmacist or pharmacy intern, with or without established proof of actual injury.

**Proposed Resolution:** Peter Cohron moved there is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0200 A** Violations of Law Imputed from Factual Allegations: 201 KAR 2:100 Section 1 (1)(a) – A pharmacy shall provide adequate security and control of its controlled substances and prescription legend drugs.

**Proposed Resolution:** Peter Cohron moved there is sufficient evidence developed and the investigator is directed to conduct further investigation. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0200 B** Violations of Law Imputed from Factual Allegations: 201 KAR 2:205 Section 2 (3) – The pharmacist-in-charge shall be responsible for:

(a) Quality assurance programs for pharmacy services designed to objectively and systematically monitor care, pursue opportunities for improvement, resolve identified problems as may exist, and detect and prevent drug diversion;

(b) The procurement, storage, security, and disposition of drugs and the provision of pharmacy services;

(g) Filing of any report of a theft or loss to: 1. The U. S. Department of Justice Drug Enforcement Agency as required by 21 C.F.R. 1301.76(b); 2. The Department of the Kentucky State Police as required by KRS 315.335; and 3. The board by providing a copy to the board of each report submitted.

**Proposed Resolution:** Peter Cohron moved there is sufficient evidence developed and the investigator is directed to conduct further investigation. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0200 C** Violations of Law Imputed from Factual Allegations: KRS 315.121 (2)(f) – Unprofessional or unethical conduct includes but is not limited to the following acts of a pharmacist, pharmacist intern, or pharmacy technician: Except as provided in KRS 315.500, selling, transferring, dispensing, ingesting, or administering a drug for which a prescription drug order is required, without having first received a prescription drug order for the drug.

**Proposed Resolution:** Peter Cohron moved there is sufficient evidence of a violation to warrant disciplinary action and the Executive Director is directed to attempt resolution through an Agreed Order and/or, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing. Standard terms and revocation with an emergency suspension of registration and filing of complaint with the Attorney General. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0207 A** Violations of Law Imputed from Factual Allegations: KRS 315.121 (1)(g) – The board may refuse to issue or renew a license, permit, or certificate to, or may suspend, temporarily suspend, revoke, fine, place on probation, reprimand, reasonably restrict, or take any combination of these actions against any licensee, permit holder, or certificate holder for the

following reasons: Aiding and abetting an individual to engage in the practice of pharmacy without a license.

**Proposed Resolution:** Peter Cohron moved there is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0207 B** Violations of Law Imputed from Factual Allegations:

- 201 KAR 2:045 Section 3 (3) - A pharmacist who directs a certified pharmacy technician or pharmacy technician to perform a function shall be responsible for the technician and the performance of the function.
- 201 KAR 2:205 Section 1 – “Pharmacist-in-charge” means a pharmacist licensed in the Commonwealth of Kentucky, or in the appropriate jurisdiction of an out-of-state pharmacy holding a Kentucky Board of Pharmacy permit, who accepts responsibility for the operation of a pharmacy in conformance with all laws and administrative regulations pertinent to the practice of pharmacy and the distribution of prescription drugs and who is personally in full and actual charge of the pharmacy.
- 201 KAR 2:205 Section 2 (3) – The pharmacist-in-charge shall be responsible for:
  - (a) Quality assurance programs for pharmacy services designed to objectively and systematically monitor care, pursue opportunities for improvement, resolve identified problems as may exist, and detect and prevent drug diversion;
  - (b) The procurement, storage, security, and disposition of drugs and the provision of pharmacy services;

**Proposed Resolution:** Peter Cohron moved there is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0217** Violations of Law Imputed from Factual Allegations:

- KRS 315.121 (1)(a) – The board may refuse to issue or renew a license, permit, or certificate to, or may suspend, temporarily suspend, revoke, fine, place on probation, reprimand, reasonably restrict, or take any combination of these actions against any licensee, permit holder, or certificate holder for the following reasons: Unprofessional or unethical conduct.
- KRS 315.020 (1) – No owner of a pharmacy who is not a pharmacist shall fail to place a pharmacist in charge of his or her pharmacy or shall permit any person to compound or dispense prescription drugs, medicines, or pharmaceuticals in his or her place of business except in the presence and under the immediate supervision of a pharmacist.

**Proposed Resolution:** Peter Cohron moved there is sufficient evidence of a violation to warrant disciplinary action and the Executive Director is directed to attempt resolution through an Agreed Order and/or, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing. Standard terms and

\$4500 administrative fine [\$2500 – patient access issues, \$2000 – no PIC]. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0225** Violations of Law Imputed from Factual Allegations:

- KRS 315.121 (1)(a) – The board may refuse to issue or renew a license, permit, or certificate to, or may suspend, temporarily suspend, revoke, fine, place on probation, reprimand, reasonably restrict, or take any combination of these actions against any licensee, permit holder, or certificate holder for the following reasons: Unprofessional or unethical conduct.
- KRS 315.020 (1) – No owner of a pharmacy who is not a pharmacist shall fail to place a pharmacist in charge of his or her pharmacy or shall permit any person to compound or dispense prescription drugs, medicines, or pharmaceuticals in his or her place of business except in the presence and under the immediate supervision of a pharmacist.

**Proposed Resolution:** Peter Cohron moved there is sufficient evidence of a violation to warrant disciplinary action and the Executive Director is directed to attempt resolution through an Agreed Order and/or, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing. Standard terms and \$8500 administrative fine [\$2500 – patient access issues, \$6000 – no PIC]. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0230 A** Violations of Law Imputed from Factual Allegations: 201 KAR 2:106 Section 2 (4)(a) – Temporary Closure. Licensees and permit holders whose hours of operations have deviated over a period of five (5) consecutive working days from those of record at the Board of Pharmacy office shall immediately notify the Board of Pharmacy in writing of the reason for the deviation and the anticipated period of continuance.

**Proposed Resolution:** Peter Cohron moved there is sufficient evidence of a violation to warrant disciplinary action and the Executive Director is directed to attempt resolution through an Agreed Order and/or, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing. Standard terms and \$2500 administrative fine. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0230 B** Violations of Law Imputed from Factual Allegations:

- 201 KAR 2:205 Section 2 (3)(b) – Duties and Responsibilities. The pharmacist-in-charge shall be responsible for: The procurement, storage, security, and disposition of drugs and the provision of pharmacy services.
- 201 KAR 2:205 Section 2 (3)(e) – Duties and Responsibilities. The pharmacist-in-charge shall be responsible for: Making or filing of any reports required by state or federal laws and regulations.

**Proposed Resolution:** Peter Cohron moved there is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0232 A** Violations of Law Imputed from Factual Allegations:



- KRS 315.020 (1) – No owner of a pharmacy who is not a pharmacist shall fail to place a pharmacist in charge of his or her pharmacy or shall permit any person to compound or dispense prescription drugs, medicines, or pharmaceuticals in his or her place of business except in the presence and under the immediate supervision of a pharmacist.
- KRS 315.121 (1)(a) – The board may refuse to issue or renew a license, permit, or certificate to, or may suspend, temporarily suspend, revoke, fine, place on probation, reprimand, reasonably restrict, or take any combination of these actions against any licensee, permit holder, or certificate holder for the following reasons: Unprofessional or unethical conduct.

**Proposed Resolution:** Peter Cohron moved there is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0232 B** Violations of Law Imputed from Factual Allegations:

- KRS 315.121 (1)(a) – The board may refuse to issue or renew a license, permit, or certificate to, or may suspend, temporarily suspend, revoke, fine, place on probation, reprimand, reasonably restrict, or take any combination of these actions against any licensee, permit holder, or certificate holder for the following reasons: Unprofessional or unethical conduct.
- 201 KAR 2:045 Section 3 (3) – A pharmacist who directs a certified pharmacy technician or pharmacy technician to perform a function shall be responsible for the technician and the performance of the function.

**Proposed Resolution:** Peter Cohron moved there is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0232 C** Violations of Law Imputed from Factual Allegations: KRS 315.121 (1)(a) – The board may refuse to issue or renew a license, permit, or certificate to, or may suspend, temporarily suspend, revoke, fine, place on probation, reprimand, reasonably restrict, or take any combination of these actions against any licensee, permit holder, or certificate holder for the following reasons: Unprofessional or unethical conduct.

**Proposed Resolution:** Peter Cohron moved there is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0232 D** Violations of Law Imputed from Factual Allegations: KRS 315.121 (2)(b) – Unprofessional or unethical conduct includes but is not limited to the following acts of a pharmacist, pharmacist intern, or pharmacy technician: Divulging or revealing to unauthorized persons patient information of the nature of professional services rendered without the patient’s express consent or without order or direction of a court. In addition to members, inspectors, or agents of the board, the following are considered authorized persons:

1. The patient, patient’s agent, or another pharmacist acting on behalf of the patient;

2. Certified or licensed health-care personnel who are responsible for care of the patient;
3. Designated agents of the Cabinet for Health and Family Services for the purposes of enforcing the provision of KRS Chapter 218A;
4. Any federal, state, or municipal officer whose duty is to enforce the laws of this state or the United States relating to drugs and who is engaged in a specific investigation involving a designated person; or
5. An agency of government charged with the responsibility of providing medical care for the patient, upon written request by an authorized representative of the agency requesting such information.

**Proposed Resolution:** Jonathan Van Lahr moved there is sufficient evidence of a violation, however, the penalty shall be the issuance of a Letter of Reprimand. Anthony Tagavi seconded, and the motion passed 2-1 with Peter Cohron voting nay.

**21-0232 E** Violations of Law Imputed from Factual Allegations: KRS 315.121 (2)(b) – Unprofessional or unethical conduct includes but is not limited to the following acts of a pharmacist, pharmacist intern, or pharmacy technician: Divulging or revealing to unauthorized persons patient information of the nature of professional services rendered without the patient’s express consent or without order or direction of a court. In addition to members, inspectors, or agents of the board, the following are considered authorized persons:

1. The patient, patient’s agent, or another pharmacist acting on behalf of the patient;
2. Certified or licensed health-care personnel who are responsible for care of the patient;
3. Designated agents of the Cabinet for Health and Family Services for the purposes of enforcing the provision of KRS Chapter 218A;
4. Any federal, state, or municipal officer whose duty is to enforce the laws of this state or the United States relating to drugs and who is engaged in a specific investigation involving a designated person; or
5. An agency of government charged with the responsibility of providing medical care for the patient, upon written request by an authorized representative of the agency requesting such information.

**Proposed Resolution:** Peter Cohron moved there is sufficient evidence of a violation to warrant disciplinary action and the Executive Director is directed to attempt resolution through an Agreed Order and/or, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing. Standard terms and \$250 administrative fine, additional 6 hours of continuing education on medication errors and their prevention.

**21-0247** Violations of Law Imputed from Factual Allegations: KRS 315.020 (1) – No owner of a pharmacy who is not a pharmacist shall fail to place a pharmacist in charge of his or her pharmacy or shall permit any person to compound or dispense prescription drugs, medicines, or pharmaceuticals in his or her place of business except in the presence and under the immediate supervision of a pharmacist.

**Proposed Resolution:** Peter Cohron moved there is sufficient evidence of a violation to warrant disciplinary action and the Executive Director is directed to attempt resolution through an Agreed Order and/or, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing. Standard terms and \$1000 administrative fine.

**21-0250 A** Violations of Law Imputed from Factual Allegations: KRS 315.121 (1)(a) – The board may refuse to issue or renew a license, permit, or certificate to, or may suspend, temporarily suspend, revoke, fine, place on probation, reprimand, reasonably restrict, or take any combination of these actions against any licensee, permit holder, or certificate holder for the following reasons: Unprofessional or unethical conduct.

**Proposed Resolution:** Peter Cohron moved there is sufficient evidence developed and the investigator is directed to conduct further investigation to determine who developed the pre-printed prescription blanks and who distributed them. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0250 B** Violations of Law Imputed from Factual Allegations: KRS 315.121 (2)(j)- Unprofessional or unethical conduct includes but is not limited to the following acts of a pharmacist, pharmacist intern, or pharmacy technician: Failing to exercise appropriate professional judgment in determining whether a prescription drug order is lawful.

**Proposed Resolution:** Peter Cohron moved there is sufficient evidence developed and the investigator is directed to conduct further investigation to determine who developed the pre-printed prescription blanks and who distributed them. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0250 C** Violations of Law Imputed from Factual Allegations: KRS 315.121 (2)(j)- Unprofessional or unethical conduct includes but is not limited to the following acts of a pharmacist, pharmacist intern, or pharmacy technician: Failing to exercise appropriate professional judgment in determining whether a prescription drug order is lawful.

**Proposed Resolution:** Peter Cohron moved there is sufficient evidence developed and the investigator is directed to conduct further investigation to determine who developed the pre-printed prescription blanks and who distributed them. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0250 D** Violations of Law Imputed from Factual Allegations: KRS 315.121 (2)(j)- Unprofessional or unethical conduct includes but is not limited to the following acts of a pharmacist, pharmacist intern, or pharmacy technician: Failing to exercise appropriate professional judgment in determining whether a prescription drug order is lawful.

**Proposed Resolution:** Peter Cohron moved there is sufficient evidence developed and the investigator is directed to conduct further investigation to determine who developed the pre-printed prescription blanks and who distributed them. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0252** Violations of Law Imputed from Factual Allegations:

- KRS 315.020 (1): No owner of a pharmacy who is not a pharmacist shall fail to place a pharmacist in charge of his or her pharmacy or shall permit any person to compound or dispense prescription drugs, medicines, or pharmaceuticals in his or her place of business except in the presence and under the immediate supervision of a pharmacist.
- 201 KAR 2:106 Section 2 (4)(a) and (b): Temporary Closure. (a) Licensees and permit holders whose hours of operations have deviated over a period of five (5) consecutive working days from those of record at the Board of Pharmacy office shall immediately notify the Board of Pharmacy in writing of the reason for the deviation and the anticipated period of continuance. (b) The licensee or permit holder shall notify the Board of Pharmacy in writing of the arrangements necessary to provide adequate and continued security and control of all prescription drugs and drug-related devices and records maintained by the licensee or permit holder.

**Proposed Resolution:** Peter Cohron moved there is sufficient evidence of a violation to warrant disciplinary action and the Executive Director is directed to attempt resolution through an Agreed Order and/or, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing. Standard terms and \$3500 administrative fine[\$1000 – no PIC, \$2500 – closure]. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0254 A** Violations of Law Imputed from Factual Allegations: KRS 315.121 (1)(a) – The board may refuse to issue or renew a license, permit, or certificate to, or may suspend, temporarily suspend, revoke, fine, place on probation, reprimand, reasonably restrict, or take any combination of these actions against any licensee, permit holder, or certificate holder for the following reasons: Unprofessional or unethical conduct.

**Proposed Resolution:** Peter Cohron moved there is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0254 B** Violations of Law Imputed from Factual Allegations:

- KRS 315.121 (1)(a) – The board may refuse to issue or renew a license, permit, or certificate to, or may suspend, temporarily suspend, revoke, fine, place on probation, reprimand, reasonably restrict, or take any combination of these actions against any licensee, permit holder, or certificate holder for the following reasons: Unprofessional or unethical conduct.
- KRS 315.121 (2)(a) – Unprofessional or unethical conduct includes but is not limited to the following acts of a pharmacist, pharmacist intern, or pharmacy technician: Publication or circulation of false, misleading, or deceptive statements concerning the practice of pharmacy.

**Proposed Resolution:** Peter Cohron moved there is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0255** Violations of Law Imputed from Factual Allegations: KRS 315.020 (1) – No owner of a pharmacy who is not a pharmacist shall fail to place a pharmacist in charge of his or her pharmacy or shall permit any person to compound or dispense prescription drugs, medicines, or pharmaceuticals in his or her place of business except in the presence and under the immediate supervision of a pharmacist.

**Proposed Resolution:** Peter Cohron moved there is sufficient evidence developed and the Executive Director is directed to conduct further investigation. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0256** Violations of Law Imputed from Factual Allegations: KRS 315.020 (1): No owner of a pharmacy who is not a pharmacist shall fail to place a pharmacist in charge of his or her pharmacy or shall permit any person to compound or dispense prescription drugs, medicines, or pharmaceuticals in his or her place of business except in the presence and under the immediate supervision of a pharmacist.

**Proposed Resolution:** Peter Cohron moved there is sufficient evidence of a violation to warrant disciplinary action and the Executive Director is directed to attempt resolution through an Agreed Order and/or, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing. Standard terms and \$4500 administrative fine. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0258** Violations of Law Imputed from Factual Allegations: KRS 315.020 (1): No owner of a pharmacy who is not a pharmacist shall fail to place a pharmacist in charge of his or her pharmacy or shall permit any person to compound or dispense prescription drugs, medicines, or pharmaceuticals in his or her place of business except in the presence and under the immediate supervision of a pharmacist.

**Proposed Resolution:** Peter Cohron moved there is sufficient evidence of a violation to warrant disciplinary action and the Executive Director is directed to attempt resolution through an Agreed Order and/or, if unsuccessful, to proceed with either an Administrative Conference, if requested, or the issuance of a Formal Complaint and Notice of Hearing. Standard terms and \$5000 administrative fine[\$3000 – no PIC, \$2000 – med error during time frame]. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0259 A** Violations of Law Imputed from Factual Allegations: KRS 315.121 (1)(a) – The board may refuse to issue or renew a license, permit, or certificate to, or may suspend, temporarily suspend, revoke, fine, place on probation, reprimand, reasonably restrict, or take any combination of these actions against any licensee, permit holder, or certificate holder for the following reasons: Unprofessional or unethical conduct.

**Proposed Resolution:** Peter Cohron moved there is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0259 B** Violations of Law Imputed from Factual Allegations: KRS 315.121 (1)(a) – The board may refuse to issue or renew a license, permit, or certificate to, or may suspend, temporarily suspend, revoke, fine, place on probation, reprimand, reasonably restrict, or take any combination of these actions against any licensee, permit holder, or certificate holder for the following reasons: Unprofessional or unethical conduct.

**Proposed Resolution:** Peter Cohron moved there is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0261 A** Violations of Law Imputed from Factual Allegations: KRS 315.121(1)(a) – The board may refuse to issue or renew a license, permit, or certificate to, or may suspend, temporarily suspend, revoke, fine, place on probation, reprimand, reasonably restrict, or take any combination of these actions against any licensee, permit holder, or certificate holder for the following reasons: (a) Unprofessional or unethical conduct.

**Proposed Resolution:** Peter Cohron moved there is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0261 B** Violations of Law Imputed from Factual Allegations:

- KRS 315.121 (1)(a) – The board may refuse to issue or renew a license, permit, or certificate to, or may suspend, temporarily suspend, revoke, fine, place on probation, reprimand, reasonably restrict, or take any combination of these actions against any licensee, permit holder, or certificate holder for the following reasons: Unprofessional or unethical conduct.
- 201 KAR 2:205 Section 2 (3)(b) – Duties and Responsibilities. The pharmacist in charge shall be responsible for: The procurement, storage, security, and disposition of drugs and the provision of pharmacy services.

**Proposed Resolution:** Peter Cohron moved there is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0261 C** Violations of Law Imputed from Factual Allegations: KRS 315.121 (1)(a) – The board may refuse to issue or renew a license, permit, or certificate to, or may suspend, temporarily suspend, revoke, fine, place on probation, reprimand, reasonably restrict, or take any combination of these actions against any licensee, permit holder, or certificate holder for the following reasons: Unprofessional or unethical conduct.

**Proposed Resolution:** Peter Cohron moved there is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0261 D Violations of Law Imputed from Factual Allegations:**

- KRS 315.121 (1)(a) – The board may refuse to issue or renew a license, permit, or certificate to, or may suspend, temporarily suspend, revoke, fine, place on probation, reprimand, reasonably restrict, or take any combination of these actions against any licensee, permit holder, or certificate holder for the following reasons: Unprofessional or unethical conduct.
- 201 KAR 2:205 Section 2 (3)(b) – Duties and Responsibilities. The pharmacist-in-charge shall be responsible for: The procurement, storage, security, and disposition of drugs and the provision of pharmacy services.

**Proposed Resolution:** Peter Cohron moved there is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0261 E Violations of Law Imputed from Factual Allegations:** KRS 315.121 (1)(a) – The board may refuse to issue or renew a license, permit, or certificate to, or may suspend, temporarily suspend, revoke, fine, place on probation, reprimand, reasonably restrict, or take any combination of these actions against any licensee, permit holder, or certificate holder for the following reasons: Unprofessional or unethical conduct.

**Proposed Resolution:** Peter Cohron moved there is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0270 A Violations of Law Imputed from Factual Allegations:** KRS 315.121 (1)(a) – The board may refuse to issue or renew a license, permit, or certificate to, or may suspend, temporarily suspend, revoke, fine, place on probation, reprimand, reasonably restrict, or take any combination of these actions against any licensee, permit holder, or certificate holder for the following reasons: Unprofessional or unethical conduct.

**Proposed Resolution:** Peter Cohron moved there is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0270 B Violations of Law Imputed from Factual Allegations:** KRS 315.121 (2)(d) – Unprofessional or unethical conduct includes but is not limited to the following acts of a pharmacist, pharmacist intern, or pharmacy technician: Engaging in conduct likely to deceive, defraud, or harm the public, demonstrating a willful or careless disregard for the health, welfare, or safety of a patient, or engaging in conduct which substantially departs from accepted standards of pharmacy practice ordinarily exercised by a pharmacist or pharmacy intern, with or without established proof of actual injury.

**Proposed Resolution:** Peter Cohron moved there is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0209 A** Violations of Law Imputed from Factual Allegations: 201 KAR 2:100 Section 1 (1)(a): (1) A pharmacy shall: (a) Provide adequate security and control of its controlled substances and prescription legend drugs;

**Proposed Resolution:** Peter Cohron moved there is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0209 B** Violations of Law Imputed from Factual Allegations: 201 KAR 2:205 Section 2 (3)(b) – The pharmacist-in-charge shall be responsible for: The procurement, storage, security, and disposition of drugs and the provision of pharmacy services.

**Proposed Resolution:** Peter Cohron moved there is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0216 A** Violations of Law Imputed from Factual Allegations: KRS 315.121 (1)(a): The board may refuse to issue or renew a license, permit, or certificate to, or may suspend, temporarily suspend, revoke, fine, place on probation, reprimand, reasonably restrict, or take any combination of these actions against any licensee, permit holder, or certificate holder for the following reasons: Unprofessional or unethical conduct;

**Proposed Resolution:** Peter Cohron moved there is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0216 B** Violations of Law Imputed from Factual Allegations:

- KRS 315.121 (2)(d): Unprofessional or unethical conduct includes but is not limited to the following acts of a pharmacist, pharmacist intern, or pharmacy technician: Engaging in conduct likely to deceive, defraud, or harm the public, demonstrating a willful or careless disregard for the health, welfare, or safety of a patient, or engaging in conduct which substantially departs from accepted standards of pharmacy practice ordinarily exercised by a pharmacist or pharmacy intern, with or without established proof of actual injury;
- 201 KAR 2:205 Section 2 (3)(b): The pharmacist-in-charge shall be responsible for: The procurement, storage, security, and disposition of drugs and the provision of pharmacy services;
- KRS 315.020 (1): No owner of a pharmacy who is not a pharmacist shall fail to place a pharmacist in charge of his or her pharmacy or shall permit any person to compound or dispense prescription drugs, medicines, or pharmaceuticals in his or her place of business except in the presence and under the immediate supervision of a pharmacist.
- KRS 315.035 (1): No person shall operate a pharmacy within this Commonwealth, physically or by means of the Internet, facsimile, phone, mail, or any other means, without having first obtained a permit as provided for in KRS Chapter 315. An application for a permit to operate a pharmacy shall be made to the board upon forms provided by it and shall contain such



information as the board requires, which may include affirmative evidence of ability to comply with such reasonable standards and rules and regulations as may be prescribed by the board. Each application shall be accompanied by a reasonable permit fee to be set by administrative regulation promulgated by the board pursuant to KRS Chapter 13A, not to exceed two hundred fifty dollars (\$250).

**Proposed Resolution:** Peter Cohron moved there is sufficient evidence of a violation, however, the penalty shall be the issuance of a Letter of Reprimand. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0224 A** Violations of Law Imputed from Factual Allegations: KRS 315.121 (1) (a) – The board may refuse to issue or renew a license, permit, or certificate to, or may suspend, temporarily suspend, revoke, fine, place on probation, reprimand, reasonably restrict, or take any combination of these actions against any licensee, permit holder, or certificate holder for the following reasons: Unprofessional or unethical conduct.

**Proposed Resolution:** Peter Cohron moved there is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice. Jonathan Van Lahr seconded, and the motion passed 2-1 with Anthony Tagavi voting nay.

**21-0224 B** Violations of Law Imputed from Factual Allegations:

- KRS 315.121 (2)(b): Unprofessional or unethical conduct includes but is not limited to the following acts of a pharmacist, pharmacist intern, or pharmacy technician: Divulging or revealing to unauthorized persons patient information or the nature of professional services rendered without the patient's express consent or without order or direction of a court.
- KRS 315.121 (2)(d): Unprofessional or unethical conduct includes but is not limited to the following acts of a pharmacist, pharmacist intern, or pharmacy technician: Engaging in conduct likely to deceive, defraud, or harm the public, demonstrating a willful or careless disregard for the health, welfare, or safety of a patient, or engaging in conduct which substantially departs from accepted standards of pharmacy practice ordinarily exercised by a pharmacist or pharmacy intern, with or without established proof of actual injury;
- 201 KAR 2:205 Section 2 (3)(b): The pharmacist-in-charge shall be responsible for: The procurement, storage, security, and disposition of drugs and the provision of pharmacy services;

**Proposed Resolution:** Peter Cohron moved there is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0226 A** Violations of Law Imputed from Factual Allegations:

- KRS 315.121(1)(a) – The board may refuse to issue or renew a license, permit, or certificate to, or may suspend, temporarily suspend, revoke, fine, place on probation, reprimand, reasonably restrict, or take any combination of these actions against any licensee, permit holder, or certificate holder for the following reasons: (a) Unprofessional or unethical conduct

- 42 USC 262(a)(1)(A) – Regulation of biological products (a) Biologics license (1) No person shall introduce or deliver for introduction into interstate commerce any biological product unless (A) a biologics license under this subsection or subsection (k) is in effect for the biological product
- 21 USC 353a(b)(1)(A)(i)(I)(II) and (III) – Pharmacy Compounding. Compounded drug. Licensed pharmacist and licensed physician. A drug product may be compounded under subsection (a) if the licensed pharmacist or licensed physician-

(A) compounds the drug product using bulk drug substances, as defined in regulations of the Secretary published at section 207.3(a)(4) of title 21 of the Code of Federal Regulations (i) that-

(I) comply with the standards of an applicable United States Pharmacopoeia or National Formulary monograph, if a monograph exists, and the United States Pharmacopoeia chapter on pharmacy compounding;

(II) if such a monograph does not exist, are drug substances that are components of drugs approved by the Secretary; or

(III) if such a monograph does not exist and the drug substance is not a component of a drug approved by the Secretary, that appear on a list developed by the Secretary through regulations issued by the Secretary under subsection (c).

**Proposed Resolution:** Peter Cohron moved there is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice. A warning letter will be sent advising what should not be shipping into Kentucky. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0226 B Violations of Law Imputed from Factual Allegations:**

- KRS 315.121(1)(a) – The board may refuse to issue or renew a license, permit, or certificate to, or may suspend, temporarily suspend, revoke, fine, place on probation, reprimand, reasonably restrict, or take any combination of these actions against any licensee, permit holder, or certificate holder for the following reasons: (a) Unprofessional or unethical conduct; and
- 201 KAR 2:205 Section 3(b) – Section 2. Duties and Responsibilities. The pharmacist-in-charge shall be responsible for: (b) The procurement, storage, security, and disposition of drugs and the provision of pharmacy services
- 42 USC 262(a)(1)(A) – Regulation of biological products (a) Biologics license (1) No person shall introduce or deliver for introduction into interstate commerce any biological product unless (A) a biologics license under this subsection or subsection (k) is in effect for the biological product
- 21 USC 353a(b)(1)(A)(i)(I)(II) and (III) – Pharmacy Compounding. Compounded drug. Licensed pharmacist and licensed physician. A drug product may be compounded under subsection (a) if the licensed pharmacist or licensed physician-

(A) compounds the drug product using bulk drug substances, as defined in regulations of the Secretary published at section 207.3(a)(4) of title 21 of the Code of Federal Regulations (i) that-

(I) comply with the standards of an applicable United States Pharmacopoeia or National Formulary monograph, if a monograph exists, and the United States Pharmacopoeia chapter on pharmacy compounding;

(II) if such a monograph does not exist, are drug substances that are components of drugs approved by the Secretary; or

(III) if such a monograph does not exist and the drug substance is not a component of a drug approved by the Secretary, that appear on a list developed by the Secretary through regulations issued by the Secretary under subsection (c).

**Proposed Resolution:** Peter Cohron moved there is insufficient evidence of a violation to warrant disciplinary action and the case is closed without prejudice. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0246 A** Violations of Law Imputed from Factual Allegations: 201 KAR 2:100 Section 1 (1)(a): A pharmacy shall: Provide adequate security and control of its controlled substances and prescription legend drugs;

**Proposed Resolution:** Peter Cohron moved to approve an extension until the March Case Review Panel. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0246 B** Violations of Law Imputed from Factual Allegations: 201 KAR 2:205 Section 2 (3)(b): The pharmacist-in-charge shall be responsible for: The procurement, storage, security, and disposition of drugs and the provision of pharmacy services;

**Proposed Resolution:** Peter Cohron moved to approve an extension until the March Case Review Panel. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0246 C** Violations of Law Imputed from Factual Allegations: KRS 315.121 (2)(f): Unprofessional or unethical conduct includes but is not limited to the following acts of a pharmacist, pharmacist intern, or pharmacy technician: Except as provided in KRS 315.500, selling, transferring, dispensing, ingesting, or administering a drug for which a prescription drug order is required, without having first received a prescription drug order for the drug;

**Proposed Resolution:** Peter Cohron moved to approve an extension until the March Case Review Panel. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0249 A** Violations of Law Imputed from Factual Allegations: KRS 315.121(1)(a) – The board may refuse to issue or renew a license, permit, or certificate to, or may suspend, temporarily suspend, revoke, fine, place on probation, reprimand, reasonably restrict, or take any combination of these actions against any licensee, permit holder, or certificate holder for the following reasons: (a) Unprofessional or unethical conduct

**Proposed Resolution:** Peter Cohron moved there is sufficient evidence developed and the investigator is directed to conduct further investigation. Jonathan Van Lahr seconded, and the motion passed unanimously.

**21-0249 B Violations of Law Imputed from Factual Allegations:**

- KRS 315.121(1)(a) – The board may refuse to issue or renew a license, permit, or certificate to, or may suspend, temporarily suspend, revoke, fine, place on probation, reprimand, reasonably restrict, or take any combination of these actions against any licensee, permit holder, or certificate holder for the following reasons: (a) Unprofessional or unethical conduct;
- 201 KAR 2:205 Section 3(b) – Section 2. Duties and Responsibilities. The pharmacist-in-charge shall be responsible for: (b) The procurement, storage, security, and disposition of drugs and the provision of pharmacy services

**Proposed Resolution:** Peter Cohron moved there is sufficient evidence developed and the investigator is directed to conduct further investigation. Jonathan Van Lahr seconded, and the motion passed unanimously.

**ADJOURNMENT** Jonathan Van Lahr moved to adjourn. Anthony Tagavi seconded, and the motion passed unanimously. Peter Cohron adjourned the meeting at 1:32 p.m.