

March 2002



Kansas State Board of Pharmacy

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Topeka, KS 66612
www.accesskansas.org/pharmacy

Published to promote voluntary compliance of pharmacy and drug law.

Licenses Renewal

Pharmacists license renewals for licenses ending in an even number are sent out in May. Continuing education credits need to be dated after June 1, 2000, and must be American Council on Pharmaceutical Education-approved. All other programs must be submitted to the Kansas State Board of Pharmacy office at least 120 days **before** the event takes place. The Board has instituted an audit process for continuing education. If you are audited, you will receive a notice included with your renewal packet. In the event that you are audited, send **copies** of certificates, not the originals. Unless you have been notified that you are to be audited, do **not** send continuing education certificates to the office. You will be asked on the renewal form whether you have obtained all the required continuing education credits required. Once again this year, you may renew online if you are not being audited. Take advantage of this convenient, fast way to renew.

Board Meeting Dates for 2002

Pharmacists and the public are invited to attend the quarterly meetings of the Board. Pharmacists may obtain continuing education credits for attending Board meetings. Board meetings generally begin at 8:30 AM. Should you wish to have a matter considered by the Board, please provide copies of the information to the Board office at least two weeks in advance of the meeting date.

The following dates have been planned:

- ◆ April 30-May 1, 2002, at the Amerisuites in Topeka
- ◆ June 11-12, 2002, in Kansas City

Disciplinary Actions

Although every effort is made to ensure that the disciplinary action information is correct, you should check with the Board of Pharmacy at 785/296-4056 to verify the accuracy of the listing before making any decision based on this information. These disciplinary actions become a permanent part of a pharmacist's file.

Anthony Kubayko, RPh, Kansas City, Mo, license was revoked.

Michael R. Linder, RPh, Hutchinson, Kan, license was revoked.

Credentialing of Pharmacy Technicians

Following a requirement from the Senate Public Health and Welfare Committee last year, the Board made application for possible credentialing of pharmacy technicians. The application was finally approved late last year, and a seven-member technical review committee was appointed to review the application. This committee consists of four consumers and three currently state-licensed or registered health care personnel. This committee will meet at least four times over a six-month period to analyze information contained in the application and determine whether nine statutory criteria have been met. The committee will then make a recommendation to the Secretary of Health and Environment who, in turn, will submit a report to the legislative committee. The secretary will also recommend (1) the level of credentialing (either licensing or registration); (2) the agency responsible for the credentialing process (the Board of Pharmacy); and (3) other issues relating to the recommendation (education, training, age, etc). The Board of Pharmacy will then initiate a bill for the 2003 legislative session.

The technical review meetings are open to the public. However, the public is prohibited from communicating with the committee members outside the meeting. Meeting dates will be listed on the Board of Pharmacy Web site at www.accesskansas.org/pharmacy.

Proposed Regulation Changes

Proposed regulation changes will only take effect after approval from the Joint Committee on Administrative Rules and Regulations, a public hearing, and publication in the *Kansas Register*. You may want to check the Board's Web site for the full text of the changes and whether they have been approved. The following proposed regulation changes are:

K.A.R. 68-1-1e and K.A.R. 68-1-3 to be Revoked

K.A.R. 68-2-5 changed to **Pharmacist-in-Charge, Not to Board**

The regulation now reads "Each pharmacist shall notify the board in writing within five days of ceasing to serve as

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the pharmacist in charge at a pharmacy or registrant required to have a pharmacist in charge. The notice shall include the pharmacist's name, the name and address of the pharmacy or registrant, and the date the pharmacist ceased to serve as the pharmacist in charge."

K.A.R. 68-9-1 Changed to Electronic Data Storage Systems

This regulation would allow pharmacies to keep a written or **electronic** daily log for non-controlled prescriptions.

Future proposed regulations changes for the April Board meeting include the pharmacist-in-charge examination. Proposed regulations may be tracked on the Board's Web site.

Electronic Signatures

The Board met November 6-7, 2001, and considered electronic signatures on prescription orders. After due deliberation and consideration of all pertinent issues, pending further notice, the Board has interpreted Kansas's law to permit electronic signatures on non-controlled substance prescription orders as well as prescriptions listed in Schedules III, IV, and V, providing the transmission of the prescription is conducted **via computer to computer or computer to facsimile**. The Board noted that the US Drug Enforcement Administration (DEA) has taken a similar position regarding electronic signatures. Thus, the Board's interpretation was in harmony with the DEA. However, a practitioner or mid-level practitioner must countersign all hand-carried prescriptions that contain an electronic signature.

Proposed Legislation

The Board is proposing amendments to K.S.A. 65-1645 (2), specifically changing the words "examination fee" to "application fee." This change is needed to require applicants to pay fees for examinations directly to the National Association of Boards of Pharmacy®. The Board may charge an additional application fee. The Board is also proposing amendments to K.S.A. 65-1658, allowing the Board to keep part of the fines to cover the costs related to disciplinary hearings.

Information Required on an Incident Report

Board inspectors have been noticing "generic" incident reports that do not contain all the required information. All pharmacists involved in an incident are required to document all pertinent information relating to the alleged incident. The following information is vital to a completed incident report:

1. Complainant's name, address, age, and phone number, if available;
2. The name of each licensee involved;
3. The date of the incident;
4. A description of the incident;
5. The prescriber's name and whether or not he or she was contacted; and
6. A description of the actions taken and preventive steps to prevent a reoccurrence.

This plan of action (number 6) is one of the most important needed when the Board conducts an investigation.

Pharmacy Inspectors Positions Open

Want to expand your pharmacy experience? Want to have your weekends and holidays free to spend with your family? The following inspector positions are still open: Wichita and Southeast Kansas and the Western Kansas territory. If you are interested in either territories, you can check the State of Kansas Web site at www.accesskansas.org or the Board of Pharmacy Web site at www.accesskansas.org/pharmacy for more information. Please feel free to contact the Board office if you have questions.

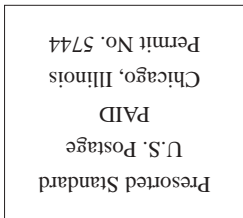
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