

Kansas Board of Pharmacy
800 SW Jackson, Ste. 1414
Topeka, KS 66612

Monday, January 17, 2011

Members Present: President Shirley Arck, Pharm D; Nancy Kirk, Public Member; (Appeared in person). Vice-President Jim Garrelts, Pharm D; Michael Coast, RPh; David Schoech, RPh; Frank Whitchurch, RPh; Karen Braman, RPh; MS; (Appeared via teleconference).

Staff Present: Debra Billingsley, Executive Secretary and Jim Kinderknecht, RPh, Pharmacy Inspector; (Appeared in person). Randall Forbes, General Counsel and Christina Morris (Appeared via teleconference).

Others Present: Sara Neiswanger, KCHP; Berend Koops, NACDS; Pat Hubbell, Pharma; Jeff Bottenberg, CHPA and Merck; Susan Zalenski, Johnson & Johnson; Dan Morin, KMS; Brian Caswell, RPh; Sheriff Sandy Horton, KS Assoc. of Chiefs of Police; Cathy Nugent; Sean Singleton, MethShield; Lis Houchen, NACDS;

Meeting Called to Order: President Shirley Arck, Pharm D called the meeting to order at 2:00 p.m.

Approval of the Agenda:

A motion was made and seconded to approve the agenda (Kirk/Schoech). Motion passed.

Discussion regarding Meth Precursor Electronic Logging System

Dr. Arck welcomed everyone and asked for introductions.

Debra Billingsley previously provided the Board with updated information regarding legislative contacts, law enforcement contacts, current news articles, and an update on what other states are doing. Currently, Mississippi and Oregon have scheduled pseudoephedrine products and Kentucky, Missouri and Indiana have filed bills to schedule these products. The Board of Pharmacy is required to submit an update to the legislature regarding meth precursors and make recommendations that would best provide for safety and welfare of the citizens of Kansas.

The Board agreed that scheduling the product was most favorable but there would likely be strong opposition this legislative session. Drug companies make \$550 million annually from the sale of meth precursors and are not inclined to support scheduling. Likewise, a portion of law enforcement is using the electronic logging information for intelligence purposes and would prefer that the logbook remain available. It is apparent from news articles and information from other states that the electronic logging is not an

effective means of battling meth production. Therefore, the Board determined that they would recommend that the legislature explore scheduling the product but until that is done that the Board would support electronic logging.

The Board discussed whether MethShield was able to interface with chain drug stores. It is web based and would be fairly simple to interface with little manipulation necessary. It would be the same for NPLeX. The Board considered MethShield but since they have no experience with chain drug stores and unknown funding there was hesitation in choosing this system.

There was also discussion as to whether pharmacies were being charged a fee in order to interface with Appriss. Many of the independents are entering data twice because the point of sale is not interfaced with their software system. QS1 is requiring a \$15.00 monthly fee to interface with Appriss. It was unclear whether Appriss was charging QS1 or whether QS1 decided to access an additional fee but the statute clearly states that the Board cannot require any system that is going to cost additional money to the pharmacy. The Board attorney is going to work this out with CHPA so that pharmacies will not be charged for interfacing into the system. Since there have been so many delays the Board requested that the MOU be completed before February 10, 2011 or the Board will schedule the matter for another meeting.

Nancy Kirk made a motion that was seconded by Frank Whitchurch to approve the MOU between the Board of Pharmacy and Appriss for a period of 2 years so long as no pharmacy was charged for interfacing with the system. A roll call vote was made as follows: David Schoech, RPH., No; Nancy Kirk, Yes; Karen Braman, RPh.BS., yes; Frank Whitchurch, RPh., yes; Jim Garrelts, PharmD., yes; Mike Coast, RPh., no; Shirley Arck, PharmD., No. The motion carried 4-3.

A motion was made to adjourn at 3:00 p.m.