

KANSAS STATE BOARD OF PHARMACY
BOARD MEETING MINUTES
January 3, 2020

Meeting Location: Board of Pharmacy Conference Room
800 SW Jackson, Suite 1414
Topeka, KS 66612

Friday, January 3, 2020

Members Present: Jonathan Brunswig, PharmD., President; Bill Walden, R.Ph., Vice-President; Terica Gatewood, PharmD, Investigative Member; John Worden, PharmD.; Tiffany Strohmeyer, PharmD; Cheri Pugh, Public Member.

Staff Present: Alexandra Blasi, JD, MBA, Executive Secretary; Jim Kinderknecht, R.Ph., Licensed Pharmacy Inspector; Shelley Rosebrook, R.Ph., Licensed Pharmacy Inspector; Melissa Martin, Compliance Inspector; Kayla Jones, Compliance Inspector; Jackie Yingling, Assistant Director; Randy Forbes, JD, General Counsel.

The Executive Secretary called the open meeting to order at 9:00am.

Public Hearing on Administrative Rules and Regulations

The Executive Secretary welcomed the public and gave instructions for the public hearing on K.A.R. 68-2-5 and 68-5-16 and provided the Board with a letter from The Joint Committee on Administrative Rules and Regulations (via Kansas Legislative Research Department) from their meeting on December 16, 2019. The JCARR had no comments concerning adoption of the regulations, but asked the Board to provide information regarding the duties of pharmacy technicians in Kansas and other states.

K.A.R. 68-2-5 is being amended to clarify the notification requirements to the Board for pharmacists that are ceasing to serve as a pharmacist-in-charge (PIC). The requirement for notification is within 5 days and does not specify any form or particular staff person that must be provided notification. The Board is clarifying that the notification should be on a form provided by the Board, and that it should be sent no more than 5 days after the PIC ceases their responsibilities. This will allow the PIC to provide notice to the Board well in advance if they choose. K.A.R. 68-5-16 is being amended to increase the pharmacy technician ratio to 4 pharmacy technicians to 1 pharmacist. Of those technicians, only two may have not yet passed a certification exam approved by the Board. The increased ratio will allow all pharmacies to continue operating at the status quo if they choose, and there is no requirement to increase ratio or hire additional staff.

Written comments were submitted prior to the hearing and several members of the public were in attendance, none of which provided verbal testimony. Written public comments were received from John Neill in support of the ratio change and the National Association of Chain Drug Stores (NACDS) in support of the ratio change and in further support of the elimination of a technician ratio or a much higher ratio.

Board Discussion

Adoption of Administrative Regulations

A motion was made to adopt K.A.R. 68-2-5 and 68-5-16. (Ullom/Walden) Worden-yes, Lonergan-yes, Brunswig-yes, Gatewood-yes, Walden-yes, Strohmeyer-yes, Pugh-yes. Motion carries.

Adjorn: The meeting adjourned at 9:20am.