



Kansas State Board of Pharmacy

Landon State Office Bldg
900 Jackson, Room 513
Topeka, KS 66612
www.accesskansas.org/pharmacy

Published to promote voluntary compliance of pharmacy and drug law.

Board Honors 50-year Pharmacists

Congratulations to the following pharmacists who have been licensed in good standing with the Kansas State Board of Pharmacy for 50 years. The Board of Pharmacy is grateful for their years of contribution to the pharmacy profession.

Norman Marvin	Overland Park
Donald Burton	Russell
Bernard Welling	Lenexa
D. O. Hiebert	McPherson
Clarence Gordon	Wichita
Wayne Ogilvie	Holton
Robert Morrissey	Olympia
Cletus Kappelmann	Augusta
Gilbert Emick	Prairie Village
Ray Charles	Carbondale
Robert Reynolds	North Myrtle Beach
Clayton Shirley	Liberal
Donald Cantrell	Ulysses
Coy Gill	Kansas City

Counterfeit Drugs

Food and Drug Administration (FDA) recently had reports of counterfeit drugs found in United States pharmacies. FDA has found in most cases that these counterfeits were discovered by pharmacists. Since pharmacists actually handle the bottles and medication, they are the first to notice any discrepancies. These discrepancies are found simply because they appear to be unusual. A few things to look for are differences in label color; printing errors; differences in the product; imperfections in medication; differences in scoring, packaging shapes, and styles; patient complaints; and, finally, something as simple as missing cotton.

Differences in the looks of the label may be as simple as the color of the print and size of the font that may be inconsistent with previous shipments. The bar code may be blurry and/or not spaced correctly, and the logo may be missing or not properly placed. Another indication is lot numbers that are all the same or do not appear to be a US number. The product itself can be a warning sign. A medication may appear older or more timeworn than usual. The drug's coloring, size, texture, and the markings on the medication might be inconsistent with others on the shelf.

Regulation Changes

There have been several regulation changes since the last *Newsletter*. The full text of the regulations can be found on the Board Web site at www.accesskansas.org/pharmacy. A brief summary of the regulation changes is provided below. It is the responsibility of all pharmacists to become familiar with these regulations.

K.A.R. 68-2-9 Change of ownership; duty of registrant to notify the Board. Change in majority ownership requires notification to the Board within five days. The pharmacy is no longer required to send in the registration when selling a pharmacy. The new owners must submit an application before taking possession of the pharmacy.

K.A.R. 68-2-10 Cessation of operations. This regulation specifies that a written explanation of the disposition of the remaining stock of drugs is required.

K.A.R. 68-2-11 Separate entrance is changed to **security**. This amended regulation requires that a pharmacy be constructed so that the pharmacy can be secured to prevent access to prescription-only drugs when a pharmacist is not on duty.

K.A.R. 68-2-12a Minimum requirements. This regulation was amended to permit pharmacies to include Internet sources in the reference library.

K.A.R. 68-2-20 Pharmacist's function in filling a prescription. This regulation is amended to permit pharmacy students and pharmacy interns to fill or refill prescriptions under the direct supervision of a licensed pharmacist.

K.A.R. 68-7-12 Responsibility of pharmacist-in-charge (PIC). Amendments to this regulation require each PIC to develop or approve written policies and procedures for the pharmacy that meet all of the following conditions:

- (1) Adequate accountability and control of drugs in compliance with the Kansas Pharmacy Act, the Kansas Uniform Controlled Substances Act, federal drug laws, and all applicable regulations are provided for.
- (2) Any incident that occurs as a result of an alleged or real error in filling or dispensing a prescription or medication order is brought to the attention of the PIC and completely documented in accordance with the requirements of K.A.R. 68-7-12b.
- (3) Adequate records of the pharmacy's dispensing, prepackaging, and bulk compounding actions are maintained, and all prepackaging of drugs is done in suitable containers, properly labeled in accordance with K.A.R. 68-7-16.

K.A.R. 68-7-12a Nonresident pharmacies. This regulation was amended to require that pharmacies located outside the state respond in a timely manner to any lawful request for information from the Board.

K.A.R. 68-7-12b Incident reports. This new regulation was amended from K.A.R. 68-7-12. This regulation requires all pharmacists who become aware of a real or alleged error in filling a prescription to report the incident to the PIC. As soon as possible after discovery of the incident, the pharmacist shall prepare a report containing the following information:

- (1) The name, address, age, and phone number of any complainant, if available;
- (2) the name of each pharmacy employee and the license number of each licensee involved;

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- (3) the date of the incident and the date of the report;
- (4) a description of the incident;
- (5) the prescriber's name and whether or not the prescriber was contacted;
- (6) a description of the actions taken as a result of the incident;
- (7) **the steps taken to prevent a recurrence;** and
- (8) the signatures of all pharmacy employees involved in the incident.

K.A.R. 68-9-2 Automated drug delivery systems. This regulation was amended to permit pharmacy students, pharmacy interns, and pharmacy technicians under the direct supervision of a licensed pharmacist to load, unload, and inspect drugs in the delivery system.

K.A.R. 68-11-1 Fees for examination and licensure as a pharmacist. This regulation was amended to require pharmacists to pay a new application fee of \$50.

K.A.R. 68-11-2 Fees for premises registrations and permits. Amendments to this regulation updated the title from permit to registration for pharmacies, manufacturers, distributors, institution drugs rooms, and veterinarian medical teaching hospital pharmacies.

K.A.R. 68-12-2 Resale of dispensed prescription medication. Amendments to this regulation changed the term medication to drugs.

K.A.R. 68-13-1 Preparation, compounding, and dispensing of parenteral products for other than immediate use. This regulation was amended to allow pharmacies that compound parenteral products to have access to a reference text in an electronic format.

Pharmacy Technicians' Addresses

Kansas University School of Pharmacy, working with the Board, recently sent out a survey to all pharmacy technicians. Unfortunately, many of the addresses the Board office provided, which pharmacies are required to send in, were outdated and in some cases the individuals no longer worked at the pharmacy. On the pharmacy renewal forms this year, the office will provide pharmacies a list of the technicians working at your pharmacy. It is the pharmacist-in-charge's responsibility to make sure this list is updated. The following information is needed: the **pharmacy** name and the **pharmacy** license number; the name, address, and social security number of the technician; and whether they are working full- or part-time. When you send a list of new pharmacy technicians, also let us know whom they are replacing. This will keep our database updated and a starting place for registration of pharmacy technicians in the event a law is passed this year.

Wall Certificates

Kansas Pharmacy Law 65-1641 states, "A person holding a license as a pharmacist shall display conspicuously such license in

that part of the business in which such person is engaged in the profession of pharmacy."

The registration of the pharmacist is the computer-generated card that the pharmacist receives when he or she is first licensed and the registration provided with the renewal. The card is blue and white, is perforated, and contains both a pocket card and a legal registration. The legal registration is the item that must be "conspicuously displayed."

The wall certificate furnished at the time of licensure is designed to be displayed, but it is not the legal registration of the pharmacist. Until a few years ago, the wall certificate was rather ornate and had calligraphy done by hand. The current wall certificate is done by the Division of Printing and may not be as ornate.

Since we have had several complaints from pharmacists concerning the current certificates, we have decided to ask for your recommendations. Please bear in mind that there are printing constraints that we must adhere to; however, we welcome your suggestions. Recommendations must be made in writing and sent to Karen Hollon at 900 SW Jackson, Room 513, Topeka, KS 66612.

Disciplinary Actions

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

Monte Linton, RPh, of Great Bend was fined \$1,000 for exceeding the technician ratio. Payment of the fine would not be due if no further violations of the Kansas Pharmacy Laws occurred during the 12-month probation period.

Kevin Kriley, RPh, of Smith Center was fined. The majority of the fine will not become payable if no further violations of the pharmacy law occur during the 12-month probation period.

Miriam Bezbradich, RPh, of Wichita was fined \$500.

Robert Schroeder, RPh, of Colby. License was indefinitely suspended.

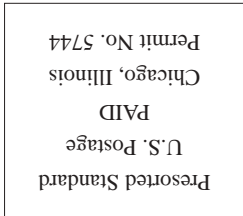
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