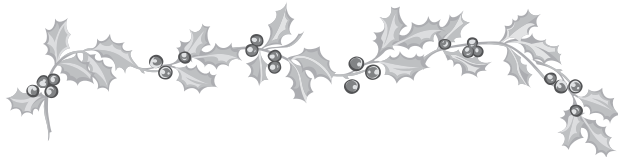




Kansas State Board of Pharmacy

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www.accesskansas.org/pharmacy

Published to promote voluntary compliance of pharmacy and drug law.



*Season's Greetings and Best Wishes for the New Year
to you and your family.
-From the Members and Staff
of the Kansas State Board of Pharmacy*

Board Members

Max Heidrick Beloit
Mike Hurst Wichita
Merlin McFarland Kingman
Dan Upson Manhattan
Jeff Thompson Chanute
Frank Whitchurch Kansas City

Mid-level Practitioners

Just to remind everyone, advanced registered nurse practitioners (ARNP) and physician assistants (PA) can prescribe controlled substances under protocol with a physician. The mid-level practitioner must identify on the prescription the physician with whom they have a protocol. For prescriptions written by a mid-level practitioner, the prescription label must contain the last names of both the physician and the mid-level practitioner. The daily print-out should reflect who actually wrote the prescription. Your questions concerning protocols for physician assistants should be directed to the Board of Healing Arts at 785/296-7413. Nurse practitioner protocols are required to be on file at the physician's office.

Change in Ownership of Pharmacy

Things to do when ownership changes in a retail pharmacy:

- ◆ Contact the Drug Enforcement Administration (DEA) at 1-800/882-9539 or www.deadiversion.usdoj.gov/online-forms.htm as soon as possible before the sale goes through. The process of obtaining a new DEA number may take up to six weeks. If you do not have six weeks, get the

power of attorney from the previous owner to be able to use their DEA number.

- ◆ Go to the Board of Pharmacy Web site at www.accesskansas.org/pharmacy and print out an application. The application fee is \$140 and is non-refundable if the ownership change does not go through.
- ◆ The previous owner should send written notification to the Board office, stating he or she are relinquishing ownership.
- ◆ If there is a new pharmacist-in-charge (PIC) and he or she has never been a PIC before, an exam will be mailed when we receive the application. The exam must be completed and successfully passed before a new registration is issued.
- ◆ A change in ownership does not require an inspection by a pharmacy inspector.

Board Meeting Dates

The next Kansas State Board of Pharmacy meeting has been scheduled for December 18-20, 2002. The December 18 meeting will include a public hearing for proposed regulations. Future Board meetings are:

March 11-12, 2003 Topeka
June 10-11, 2003 TBA
September 16-17, 2003 Topeka
December 9-10, 2003 Topeka

Board meeting dates are subject to change. The Board office will continue to send notice of meetings via e-mail, however, the meeting agendas will not be sent. Board meeting agendas will be posted on the Web site prior to a meeting. If you wish to receive notice of Board meetings, please e-mail the Board office at pharmacy@ink.org.

Foreign Prescriptions

The Board office continues to receive information from pharmacists, physicians, and consumers concerning insurance prescription plans encouraging consumers to purchase their medication from foreign pharmacies. Technically, Americans are breaking the law by receiving these drugs. There is a concern that counterfeit drugs may be flowing into the United States through these foreign pharmacies.

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The Food and Drug Administration (FDA) is doing what it can within its limited resources and is warning people that they are taking a health risk in buying drugs from outside the US.

One plan that the Board staff has become familiar with works something like this: A list of about 250 drugs is sent to consumers with a cost comparison of the drugs in Canadian currency. Because currency rates are low and the Canadian government has price caps, brand-name drugs are relatively cheap for US residents. The consumer obtains a prescription through his or her US doctor and sends it to a prescription benefit manager, who sends the prescription to a Canadian pharmacy. However, Canadian law requires that a Canadian-licensed physician must rewrite the prescriptions. The prescription is then filled and sent to the US patient. Because the insurance companies do not handle the drugs, FDA says it is not doing anything illegal. The Board office will continue to inform pharmacists and consumers who inquire that this practice is illegal and buyers are at risk.

Disciplinary Actions

Osco Drug #5185 – Overland Park, was disciplined by the Board entering an order assessing an administrative fine in the amount of \$15,000 and suspending the store’s registration for one year. The suspension was stayed on the condition that Osco provide monthly audits of hydrocodone/apap products.

Robert Courtney – Leavenworth, has surrendered his license and has agreed to never reapply.

Gary Ravis – Leawood, has agreed to surrender his license and not reapply for three years.

John Gessler, RPh – Overland Park, was disciplined by the Board and assessed an administrative fine.

John Reno, RPh – Jetmore, was disciplined for failure to prepare incident reports. The Board entered an order assessing an administrative fine of \$1,500, but providing that \$1,000 of the fine would not be due if no further violations of Kansas pharmacy laws occurred during a 12-month probation period.

Do You Know Someone Who Needs Help?

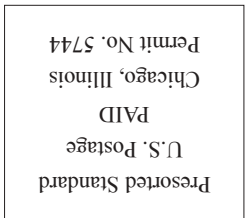
Call the Kansas Pharmacist Association at 785/228-2327 for information on how to find help for someone who may be impaired by drugs or alcohol. The confidential treatment they receive may save the life and career of a colleague and may protect unsuspecting patients as well.

Pharmacy Compounding Audits

At the October 1-2, 2002 Board of Pharmacy meeting, the following resolution was adopted: The Board recognizes that for the purpose of protecting the citizens of Kansas, it needs to take additional steps designed to prevent and/or detect the dilutions of compounded drugs. The Board feels the most appropriate means to achieve these goals is through random audits of pharmacy records. The Board has directed the pharmacy inspectors and pharmacy compliance officer to perform these audits. It is anticipated that these audits will be effective in detecting variances between drug inventories and other pharmacy records that will reveal instances of dilution.

The *Kansas State Board of Pharmacy News* is published by the Kansas State Board of Pharmacy and the National Association of Boards of Pharmacy Foundation, Inc, to promote voluntary compliance of pharmacy and drug law. The opinions and views expressed in this publication do not necessarily reflect the official views, opinions, or policies of the Foundation or the Board unless expressly so stated.

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