

**KANSAS STATE BOARD OF PHARMACY**  
**BOARD MEETING MINUTES**  
**May 17, 2023**

**Meeting Location:**

Conducted via the Microsoft Teams platform  
800 SW Jackson, Ste 1414, Topeka, KS 66612

**Members Present:** Terica Gatewood, PharmD., President; Erick Axcell, PharmD., Vice President; Tiffany Strohmeyer, PharmD., Inv. Member; Jonathan Brunswig, PharmD.; Andrew Truong, PharmD.; Bill Walden, R.Ph.; Lucinda Noches-Talbert, Public Member

**Staff Present:** Alexandra Blasi, JD, MBA, Executive Secretary; Jim Kinderknecht, R.Ph., Licensed Pharmacy Inspector; Carly Haynes, R.Ph., Licensed Pharmacy Inspector; Shelley Rosebrook, R.Ph., Licensed Pharmacy Inspector; Jason Syring, R.Ph., Licensed Pharmacy Inspector; Christy Seufert, Licensed Pharmacy Inspector; Jackie Yingling, Assistant Director; Ashley Smith, Public Service Administrator II; Jeanine Brizendine, R.Ph., Sr. Administrative Assistant; Bradford DeYoung, Attorney; Kevin Fowler, JD, General Counsel

**OPEN MEETING**

At 3:02 pm, the President called the open meeting.

**BOARD DISCUSSION**

K.A.R. 68-7-20a

- On May 2<sup>nd</sup>, 2023 the AG withdrew approval of White Bagging Regulation.
- On May 15<sup>th</sup>, 2023 the Governor line-item vetoes proviso in SB 25.
- The Board reviewed additional written public comments received and follow-up responses to their April 27<sup>th</sup> meeting.
- The Executive Director recommended staff work with stakeholders on revisions to proposed K.A.R. 68-7-20a for possible future consideration by the Board.

**PUBLIC COMMENT**

- Karen Braman with Kansas Hospital Association gave public comment on white bagging and its integrity and the importance for patient safety in Kansas.
- Jonathan Buxton with PCMA gave public comment on white bagging and referred to his written testimony to the Board and what they see in other states regarding white bagging. PCMA will pull data and provide to the Board.
- Jeff Little gave public comment on white bagging with medication delays for patients and incorrect insurance billing for patients.
- Christina Lawrenz gave public comment on white bagging and incorrect medications being shipped to hospital without reimbursement.
- Jim Garrelts with Ascension Via Christi gave public comment on wasted medication due to temperature controls and the importance of patient safety.

## **BOARD DISCUSSION**

### Consideration of Emergency Scheduling of Flubromazolam

- The Executive Director presented information from local law enforcement regarding identification of flubromazolam in Kansas, the DEA temporary emergency scheduling of the substance in December 2022, and the Board's authority under K.S.A. 65-4102.
- The Executive Director recommended that, based on the documentation and research provided, the Board make a finding that flubromazolam is an imminent hazard to public safety in Kansas and the Board move forward with emergency temporary regulations to classify flubromazolam as a Schedule I controlled substance.
- A motion was made and seconded (Brunswig/Strohmeier) that flubromazolam is an imminent hazard to public safety in Kansas should be temporarily scheduled as a controlled substance.

**Adjourn:** A motion to adjourn was made and seconded at 3:54 pm. (Strohmeier/Truong) All in favor. Motion carries.