

## MINUTES

### KENTUCKY BOARD OF PHARMACY

held at

Sullivan University College of Pharmacy & Health Sciences  
2100 Gardiner Lane  
Louisville, KY 40205  
and via Zoom

### BOARD RETREAT

July 26, 2023

10:00 a.m.

**CALL TO ORDER:** The Board of Pharmacy retreat hybrid meeting was held at the Sullivan University College of Pharmacy in Louisville, KY. President John Fuller called the meeting to order at 10:00 a.m. and welcomed guests to the KY Board of Pharmacy Retreat.

**Members present:** Board President John Fuller, Board Vice President Jonathan Van Lahr, Peter Cohron, Meredith Figg, Anthony Tagavi, and Jason Belcher.

**Staff present:** Christopher Harlow, Executive Director; Eden Davis, General Counsel; Juliana Swiney, Deputy Executive Director; Amanda Harding, Pharmacy and Drug Inspector; Rhonda Hamilton, Pharmacy and Drug Inspector; Jessica Williams, Pharmacy and Drug Inspector; Hannah Rodgers, Staff Attorney; Grace Martini, Pharmacy Intern; and Nikki Holiday, Executive Assistant.

### TOPIC #1 – ADVANCED REGISTERED PHARMACY TECHNICIAN

David Figg, chairman of the Pharmacy Technician Committee, gave the Committee's report to the Board, focusing on the role of the proposed Registered Advanced Pharmacy Technician in the draft regulation. This type of technician would have three components to their registration: 1) must be registered with the KY Board of Pharmacy; 2) must be certified as a pharmacy technician and certification must be current; and 3) must complete Board approved technician training. The Registered Advanced Pharmacy Technician would potentially have three (3) responsibilities this role may perform: 1) receive/transcribe/clarify non-controlled substance prescriptions; 2) perform clerical changes in prescriptions, including strength and directions; and 3) transfer non-controlled prescriptions. The goal of developing this role is to grow and develop pharmacy technician work into a long-term career path.

Executive Director Harlow gave an overview of where we are currently with pharmacy technicians in KY.

Questions/discussion topics included: the importance of the technician assisting the pharmacist and not engaging in the practice of pharmacy; the level of supervision and supervision in different environments, in-person vs. electronic; remote order entry; fee for this type of technician (by statute we are only allowed \$25 fee); is it possible for someone to enter the field at this level; does the pharmacist have the ability to decide what they are comfortable with the technician doing; education/training requirements, number of hours and experience; experience requirement should be added; verifiable tasks vs. non-verifiable tasks; Must look closely at what constitutes the practice of pharmacy and what constitutes assisting in the practice of pharmacy.

The topic of background checks on technicians was also discussed in great length. Issues discussed were the cost vs. turnover rate; issues with applications being falsified; employers completing technician application for the individual and not knowing if they have a criminal history or not; would background checks prohibit people from entering the profession; other states surprise that Kentucky does not perform background checks on

technicians; are employers performing background checks; administrative burden of the Board performing background checks; different types of background checks – KSP vs. Federal background checks; existing staffing issues now with technicians, will this make staffing more difficult? Board of Nursing as an example: They use Identico for all their licensees.

The question about certified vs. non-certified technician tasks in hospitals for restocking. Requested for the committee to review this. Board Member Meredith Figg voiced concern about not being comfortable with non-certified technicians completing these tasks. There was discussion about technicians in hospital settings and long-term care facilities and stocking the medication cabinets.

Policy direction for the Regulation Committee is to keep the scope for the technician, get more information about the background checks, review the decentralized stocking in hospitals under general supervision for non-certified technician. Also ask the Regulation Committee to evaluate use of hours of experience in addition to “advance” designation in the regulation. General Counsel Eden Davis pointed out that this draft regulation could directly conflict with other regulations (such as hospital regulation) so those would need to be addressed as well.

**Action:** John Fuller motioned to move the technician regulation to the Regulation Committee. Peter Cohron seconded, and the motion passed unanimously.

## **TOPIC #2 – TELEWORK**

Executive Director Harlow gave an overview of the telework regulation and the work the Regulation Committee has done on this regulation (201 KAR 2:480). Board members, staff, and guests engaged in discussion about telework including how it applies to health systems, in-patient vs. out-patient services. There was also discussion about intern hours and if off-site work count toward intern hours. Some suggestions for modifications/changes to the regulation included changing the definition of telework functions, changing PIC to PIC or pharmacist designated by PIC, and other changes.

Board members made multiple edits to the regulation. The regulation with their changes is attached.

**Action:** Anthony Tagavi motioned to adopt all changes. Peter Cohron seconded, and the motion passed.