

1 AN ACT relating to the Kentucky Board of Pharmacy.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 315.150 is amended to read as follows:

4 (1) The board shall consist of the following~~[six (6)]~~ members appointed by the
5 Governor;

6 **(a) Nine (9) members shall be pharmacists licensed in Kentucky as follows:**

7 **1. One (1) who practices or specializes primarily in a specialty**
8 **pharmacy;**

9 **2. One (1) who practices or specializes primarily in a chain community**
10 **pharmacy with five (5) or more store locations in Kentucky under**
11 **common ownership;**

12 **3. One (1) who practices or specializes primarily in an independent**
13 **community pharmacy owned by a person or entity that owns no more**
14 **than four (4) pharmacies located in Kentucky;**

15 **4. One (1) who practices or specializes primarily in a mail order**
16 **pharmacy;**

17 **5. One (1) who practices or specializes primarily in the manufacture or**
18 **wholesale of pharmaceutical drugs;**

19 **6. One (1) who practices or specializes primarily in a long-term care**
20 **pharmacy;**

21 **7. One (1) who practices or specializes primarily in home infusion or**
22 **home care services;**

23 **8. One (1) who practices or specializes primarily in a veterinary**
24 **pharmacy; and**

25 **9. One (1) who practices or specializes primarily in supporting the**
26 **administration of the pharmacy benefit on behalf of a health plan**
27 **sponsor;**

1 **(b) One (1) pharmacy technician who is licensed in Kentucky, employed as a**
2 **pharmacy technician, a resident of Kentucky, and in good standing with the**
3 **board; and**

4 **(c) One (1) citizen at large who is not associated with or financially interested**
5 **in the practice of pharmacy**~~Five (5) members shall be pharmacists licensed~~
6 in this state. One (1) member shall be a citizen at large, who is not associated
7 with or financially interested in the practice of pharmacy].

8 **(2) All board members who are pharmacists shall:**

9 **(a) Have five (5) or more years of experience in the practice of pharmacy;**

10 **(b) Be employed as a pharmacist;**

11 **(c) Be employed for at least two (2) of the last three (3) years in the industry**
12 **practice area they represent;**

13 **(d) Be a resident of Kentucky; and**

14 **(e) Be in good standing with the board.**

15 **(3) In any calendar year scheduled to be the last full calendar year of a member's**
16 **regular term in office, the Governor shall appoint a member having the**
17 **qualifications required by this section. State pharmacy organizations and**
18 **individuals may submit recommendations to the Governor for appointment to the**

19 ~~**board**~~In any calendar year scheduled to be the last full calendar year of a member's
20 regular term in office, the association shall select and submit to the Governor a list
21 of five (5) pharmacists, each of whom has had at least five (5) years' experience in
22 the practice of pharmacy, is a resident of the state and in good standing with the
23 board. On or before March 1 of the same year, the society, other state pharmacy
24 organizations, or individuals may submit recommendations to the association for its
25 consideration in selecting the list to be submitted. The Governor shall, before
26 October 1 of the same year, appoint no more than two (2) persons from each list so
27 submitted, to take office on January 1 following. The citizen member shall be

1 ~~appointed by the Governor. No two (2) pharmacist members of the board shall be~~
2 ~~residents of the same county.~~

3 ~~(3) Beginning January 1, 2005, the term of each board member shall be four (4) years.~~
4 ~~Each member shall serve until his or her successor is appointed and qualified,~~
5 ~~unless removed for cause. No member shall be appointed to serve for more than~~
6 ~~two (2) full terms}.~~

7 (4) **Each appointment to the board shall be subject to confirmation by the Senate and**
8 **shall be for a term of four (4) years expiring on June 30 of the fourth year.**
9 **Unless removed for cause, a member shall serve until his or her successor is**
10 **appointed and qualified. No board member shall serve for more than two (2)**
11 **consecutive terms.** The Governor shall fill any vacancy of a pharmacist member
12 from the names last submitted within sixty (60) days after such a vacancy occurs.
13 Any member so appointed shall commence service at the next regularly-scheduled
14 board meeting and shall serve for the remainder of the term vacated.

15 (5) Each member shall take and subscribe to an oath before a competent officer to
16 perform the duties of the office faithfully and impartially. The oath shall be
17 inscribed upon the member's commission.

18 (6) **Six (6)**~~Four (4)~~ members of the board shall constitute a quorum.

19 ➔Section 2. Each appointed member of the Kentucky Board of Pharmacy
20 established in Section 1 of this Act shall hold office for a term of four years and until
21 their successors are appointed, except that the members appointed to fill the first vacancy
22 occurring for a term beginning on the effective date of this Act shall be as follows: Two
23 pharmacist members shall be appointed for one year, two for two years, two for three
24 years, and three for four years, and the respective terms of the first members shall be
25 designated by the Governor at the time of their appointments. The terms for the licensed
26 pharmacy technician and citizen at large members shall be for four years. Upon the
27 expiration of the respective terms of the members first appointed, the term of each

1 successor shall be for four years and until his or her successor is appointed.

2 ➔Section 3. Any person serving on the Kentucky Board of Pharmacy in a
3 position eliminated on the effective date of this Act whose term has not expired prior to
4 the effective date of this Act may continue to serve in a nonvoting ex officio capacity
5 until the expiration of his or her term.