

## **Agency Function and Records Summary**

### **Board of Pharmacy**

The Kentucky Board of Pharmacy serves the Commonwealth to promote, preserve, and protect the public health, safety, and welfare through effective regulation of the practice of Pharmacy. The Board accomplishes this mission through examination, testing and credentialing of prospective pharmacists; regulation and discipline of all licensed pharmacists; and appropriate communication of information and laws pertaining to the practice of Pharmacy in Kentucky. The Kentucky Board of Pharmacy is self-supporting and receives no general fund tax appropriation. It is funded through fees assessed for the licensing and registration of its professionals and the permitting of pharmacies and wholesaler/manufacturing facilities.

The first Board was assembled informally in 1874 and formally formed in 1898 and originally functioned as part of the Department of Health. In 1936 the Board was placed within the Department of Business Regulation, Division of Professional Regulation. In 1938, the responsibility for the enforcement of the prophylactic laws was vested in the Board. By 1960 the Board was back within the Department of Health. Under KRS 315.191(Created 1966 Ky. Acts ch. 260, sec. 1.), the board was authorized to establish qualifications for pharmacists; administer pharmacy license examinations; issue, deny, suspend, and revoke licenses; and place licensees on probation. The board was also authorized to adopt appropriate rules to regulate those matters set forth in KRS 315.050 to 315.210 relating to pharmacists and pharmacies.

### **Revision to the Schedule**

*Staff made administrative changes to one (1) series without changing retention or disposition:*

- Series 05430, Complaint File – Substantiated (Case File) (V)



**STATE LIBRARIES, ARCHIVES, AND RECORDS COMMISSION**

Archives and Records Management Division

Department for Libraries & Archives

**Records Description and Analysis**

(Equivalent to ARM 320 Rev.02/2019)

<b>1. RECORD GROUP NO.</b>	2080	<b>2. SERIES NO.</b>	05430
<b>3. ORIGINATING AGENCY</b>	General Government		
<b>4. ADMINISTRATIVE UNIT</b>	Pharmacy, Board of		
<b>5. PHYSICAL CUSTODIAN</b>	Pharmacy, Board of		
<b>COMPILER</b>	Pam Burris		<b>DATE</b> 08-03-2005
<b>IDENTIFICATION AND DESCRIPTION</b>			
<b>6. TITLE OF RECORD</b>	Complaint File -- Substantiated		
<b>7. VARIANT TITLE</b>	Case File		
<b>8. ORIGINAL/DUPLICATE</b>	Original/Duplicate		
<b>9. LOCATION(S) OF ALTERNATIVE COPIES</b>	(Original or Duplicate) None		
<b>10. INFORMATION SUMMARIZED IN:</b>	N/A		
<b>11. MEDIUM</b>	Paper Computer Disk		
<b>12. ARRANGEMENT SORT/SEQUENCE</b>	(Alpha, Numeric, Chronological, Random, etc.): Explain in detail. Chronological By Case Number		
<b>13. INDEX / FINDING AIDS</b>	Database		
<b>14. DATE SPAN:</b>	In Agency 1997 to Present	State Records Center N/A to N/A	State Archivists N/A to N/A
<b>15. VOLUME:</b>	15 CF	N/A	N/A
<b>16. ANNUAL ACCUMULATION</b>	(Cu. Ft.) 2 CF		
<b>17. REFERENCE RATE</b>	(Number of times you use each year's accumulation)		
	1st Year 2	2nd Year 2	3-5 Years 2
			More than 5 Years 1

**18. FUNCTION AND USE** (For what purpose is/was record created? What activity, process or transaction does it document?)

This series documents investigations which are the result of a substantiated complaint that has been submitted to the Board of Pharmacy (the Board). It is the responsibility of the Board to investigate formal complaints filed by citizens and/or other public agencies against pharmacists. Most common complaints include medication error, pharmacist impairment, diversion of drugs, failure to renew permit or license, and failure to complete continuing education requirements. The Board handles an average of approximately one hundred twenty (120) cases per year. Approximately ninety-five (95) percent of these cases are founded. A Board Inspector follows up on a complaint with a set of Facts and Findings. The case then proceeds with the Case Board Review Committee, which reviews the complaint and makes a recommendation to the Board. The Board then decides to accept the recommendation or proceed with another action. If the Board issues an Agreed Order, it is then sent to the Licensee or Permit Holder. If the Pharmacist does not accept the Agreed Order, consultation with the Executive Director, mediation or a hearing may result. The most common penalties are administrative fines and/or continuing education requirements; however, suspension or revocation of a license may be possible. A list of Founded Complaints and Agreed Orders or any disciplinary action taken against an individual licensee is kept in that licensee's file.

**19. CONTENTS** (Documents in this file? Information on this form? Data elements in this computer file, etc.)

Original complaint, investigation report, agreed order, continuing education requirements; drug screening results, work site location contents, work site office surplus, seized drug inventory log, meeting requirements; evaluations, open records requests, related correspondence.

**20. INPUT RECORDS** (What records flow into or provide information to create this record?)

General correspondence.

**21. OUTPUT RECORDS** (What records flow out of the information in this records series?)

N/A

**22. VITAL RECORD?**  **23. If Yes, VITAL RETENTION PERIOD** Indefinite Duration of Practice

**24. VITAL RECORDS PROTECTION INSTRUCTIONS**

N/A

**25. ACCESS RESTRICTIONS?**

Confidential:

**If Yes, explain restrictions and attach copy of authority (KRS, KAR, CFR, etc.)**

KRS 61.878(1)(a) - personal identifying information; (g) - examination data; (h) - active investigation. Agencies should consult legal counsel regarding open records matters.

**26. IS RECORD SUBJECT TO AUDIT?**

**If Yes, list AUDITING AGENCY (Federal, State, Internal)**

**27. AUDIT RETENTION REQUIREMENT**

**28. LEGAL RETENTION REQUIREMENT?**

**If Yes, cite statute and length of retention period required**

**ANALYSIS**

**29. APPRAISAL CRITERIA**

Administrative Retention Value                      Permanent  
Legal Retention Value  
Fiscal Retention Value  
Research Retention Value  
Intrinsic Retention Value  
Historic Retention Value

**30. RATIONALE FOR RETENTION**

This series has primary administrative value as it documents investigations of complaints that are founded. Retention allows for additional complaints that may be received against a licensee in order to document patterns of disciplinary action.

**32. DISPOSITION INSTRUCTIONS**

Retain in the Agency Office permanently.

**Records Analyst Signature**

Taylor Metzger

**Date**