

BOARDS AND COMMISSIONS

Board of Pharmacy

(Amendment)

201 KAR 2:050. Licenses and permits; fees.

RELATES TO: KRS 218A.205(3)(g), 315.035(1), (2), (4), 315.0351(1), 315.036(1), 315.050(5), 315.060, 315.110, 315.120, 315.191, 315.402

STATUTORY AUTHORITY: KRS 218A.205(3)(g), 315.035(1), (2), (4), 315.036(1), 315.050(5), 315.060, 315.110(1), 315.120(4), 315.191(1)(i), 315.402(1)

CERTIFICATION STATEMENT: This is to certify that this administrative regulation complies with the requirements of 2025 RS HB 6, Section 8.

NECESSITY, FUNCTION, AND CONFORMITY: KRS 315.191(1)(i) authorizes the board to assess reasonable fees for services rendered to perform its duties and responsibilities. This administrative regulation establishes reasonable fees for the board to perform all the functions for which it is responsible.

Section 1. The following fees shall be paid in connection with pharmacist examinations and licenses, pharmacy permits, intern certificates, and the issuance and renewal of licenses and permits:

- (1) Application for initial pharmacist license - \$150;
- (2) Application and initial license for a pharmacist license by license transfer - \$250;
- (3) Annual renewal of a pharmacist license - ninety-five (95) dollars;
- (4) Delinquent renewal penalty for a pharmacist license - ninety-five (95) dollars;
- (5) Annual renewal of an inactive pharmacist license - ten (10) dollars;
- (6) Pharmacy intern certificate valid six (6) years - twenty-five (25) dollars;
- (7) Duplicate of original pharmacist license wall certificate - seventy-five (75) dollars;
- (8) Application for a permit to operate a pharmacy - ~~\$200~~[\$150];
- (9) Renewal of a permit to operate a pharmacy - ~~\$175~~[\$150];
- (10) Delinquent renewal penalty for a permit to operate a pharmacy - ~~\$175~~[\$150] dollars;
- (11) Change of location, name or ~~change of~~ ownership of a pharmacy or manufacturer permit - ~~\$175~~[\$150];
- (12) Application for a permit to operate as a manufacturer - ~~\$175~~[\$150];
- (13) Renewal of a permit to operate as a manufacturer - ~~\$175~~[\$150];
- (14) Delinquent renewal penalty for a permit to operate as a manufacturer - ~~\$175~~[\$150];
- (15) Change of location, name or ~~change of~~ ownership of a wholesale distributor license - ~~\$175~~[\$150];
- (16) Application for a license to operate as a wholesale distributor - ~~\$175~~[\$150];
- (17) Renewal of a license to operate as a wholesale distributor - ~~\$175~~[\$150];
- (18) Delinquent renewal penalty for a license to operate as a wholesale distributor - ~~\$175~~[\$150]; and
- (19) Query to the National Practitioner Data Bank of the United States Department of Health and Human Services - twenty-five (25) dollars.

Section 2. A pharmacy permit applicant shall submit:

- (1) An initial or renewal application for a pharmacy permit on either the:
 - (a)
 1. Application for Permit to Operate a Pharmacy in Kentucky; or
 2. Application for Resident Pharmacy Permit Renewal; or
 - (b)
 1. Application for Non-Resident Pharmacy Permit, as incorporated by reference into 201 KAR 2:465; or

2. Application for Non-Resident Pharmacy Permit Renewal, as incorporated by reference into 201 KAR 2:465; and
- (2) As appropriate, the:
- (a) Initial application fee established by Section 1(8) of this administrative regulation; or
 - (b) Renewal fee established by Section 1(9) of this administrative regulation.

Section 3. All fees shall be non-refundable.

Section 4. Applications shall expire one (1) year after the date the application is received by the board.

Section 5. Incorporation by Reference.

- (1) The following material is incorporated by reference:
- (a) "Application for Permit to Operate a Pharmacy in Kentucky", Form 1, 6/2023; and
 - (b) "Application for Resident Pharmacy Permit Renewal", Form 2, 6/2023.
- (2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Board of Pharmacy, State Office Building Annex, Suite 300, 125 Holmes Street, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. This material is also available on the board's Web site at <https://pharmacy.ky.gov/Businesses/Pages/Pharmacy.aspx>.

CHRISTOPHER HARLOW, PharmD, Executive Director

APPROVED BY AGENCY: December 10, 2025

FILED WITH LRC: December 12, 2025 at 10:45 a.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on February 27, 2026, at 9:00 a.m. EST via a Zoom teleconference. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through February 28, 2026. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Christopher Harlow, Executive Director, Kentucky Board of Pharmacy, 125 Holmes Street, Suite 300, State Office Building Annex, Frankfort, Kentucky 40601, phone (502) 564-7910, fax (502) 696-3806, email Christopher.harlow@ky.gov.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact Person: Christopher Harlow

Subject Headings: Pharmacy; Licensing; Fees

(1) Provide a brief summary of:

(a) What this administrative regulation does:

This administrative regulation sets out the fees and permit-licensing requirements for pharmacists, pharmacies, interns, wholesale distributors, manufacturers, etc. in Kentucky- including application, renewal and delinquency fees for licenses and permits.

(b) The necessity of this administrative regulation:

This regulation is necessary to establish the fees required for the licensure, permitting, and renewal of individuals and entities regulated by the Kentucky Board of Pharmacy. These fee structures ensure the Board has the resources needed to administer its statutory duties, maintain oversight of pharmacy practice, and protect public health and safety.

(c) How this administrative regulation conforms to the content of the authorizing statutes:

The regulation conforms with KRS 315.191(1) and KRS 315.050 by implementing the Board's authority to regulate the practice of pharmacy and to set reasonable fees for licenses and permits. These statutes empower the Board to administer and enforce Kentucky's pharmacy laws, and establishing a fee structure is a necessary and expressly contemplated mechanism for carrying out those statutory responsibilities.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:

The regulation assists in the effective administration of the statutes by establishing clear, consistent fees for applications, renewals and permits and thereby providing the financial framework the Board needs to carry out the duties assigned under KRS Chapter 315. The fee structure supports efficient processing of licenses, funding of inspections and enforcement activities and overall regulatory oversight, thereby enabling the Board to effectively administer and enforce the statutes governing pharmacy practice in Kentucky.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation:

The amendment increases fees for facilities permitted by the Board.

(b) The necessity of the amendment to this administrative regulation:

This administrative regulation is necessary to ensure the Board is appropriately funded to cover personnel costs and comply with the administrative functions required for pharmacies, wholesale distributors, and manufacturers.

(c) How the amendment conforms to the content of the authorizing statutes:

This regulation amendment conforms with KRS 315.191 which authorizes the Board to assess reasonable fees for services rendered and to be able to effectively perform its duties and responsibilities under KRS Chapter 315.

(d) How the amendment will assist in the effective administration of the statutes:

The fee increase strengthens the Board's ability to administer KRS Chapter 315 by providing adequate funding for core statutory functions such as licensing, complaint investigations, inspections, and enforcement activities. By aligning fees with the actual cost of regulatory oversight, the amendment ensures the Board can maintain operational capacity, improve efficiency, and uphold the statutory mandate to protect public health and safety.

(3) Does this administrative regulation or amendment implement legislation from the previous five years? No.

(4) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

The board anticipates pharmacists will be affected minimally by this regulation amendment. Pharmacies, manufacturers and wholesale distributors will have increased fees of twenty-five dollars for most licenses and licensure renewals. Permits for new pharmacies include a \$50 increase.

(5) Provide an analysis of how the entities identified in question (4) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (4) will have to take to comply with this administrative regulation or amendment:

Licensees will need to pay the updated fees associated with their applications, renewals, or permit changes once the amended regulation takes effect.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4):

The fee increase amount varies by license and/or permit type, but all increases comport with the maximum annual increase authorized by statute which is \$25. The only exception is that the application for operating a pharmacy was increased from \$150 to \$200 which is permissible by statute.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (4):

Applicants will maintain uninterrupted licensure and access to the privileges associated with their license or permit, ensuring that they can legally practice pharmacy and operate in Kentucky. Compliance also supports a well-funded regulatory system, which promotes efficient processing, timely renewals and consistent oversight that enhances the safety and reliability of the pharmacy profession. (6) Provide an estimate of how much it will cost to implement this administrative regulation:

(6) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially:

No costs will be incurred.

(b) On a continuing basis:

No costs will be incurred.

(7) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation or this amendment:

Board revenues from pre-existing fees provide the funding to enforce the regulation.

(8) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an

amendment:

Yes, this regulation assesses an increase in fees. The increase in fees is necessary to properly fund the Board for the administrative activities related to licensing and inspection to ensure the Board is achieving its mission of public and patient safety.

(9) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:

Yes, fees for pharmacies, manufacturers, and wholesale distributors.

(10) TIERING: Is tiering applied?

Tiering is not applied because the fee regulation is applicable to all pharmacies, wholesale distributors, manufacturers

FISCAL IMPACT STATEMENT

(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation:

KRS 315.035(4), 315.036(1), 315.110(1), 315.191(1)(i)

(2) State whether this administrative regulation is expressly authorized by an act of the General Assembly, and if so, identify the act:

Yes, KRS 315.191.

(3)(a) Identify the promulgating agency and any other affected state units, parts, or divisions:

The Kentucky Board of Pharmacy will be impacted by this administrative regulation.

(b) Estimate the following for each affected state unit, part, or division identified in (3)(a):

1. Expenditures:

For the first year:\$0

For subsequent years:\$0

2. Revenues:

For the first year:\$107,375 (additional revenue from fee increase)

For subsequent years:\$107,375 (additional revenue from fee increase)

3. Cost Savings:

For the first year:\$0

For subsequent years:\$0

(4)(a) Identify affected local entities (for example: cities, counties, fire departments, school districts):

Only the Kentucky Board of Pharmacy will be impacted by this administrative regulation.

(b) Estimate the following for each affected local entity identified in (4)(a):

1. Expenditures:

For the first year:\$0

For subsequent years:\$0

2. Revenues:

For the first year:\$0

For subsequent years:\$0

3. Cost Savings:

For the first year:\$0

For subsequent years:\$0

(5)(a) Identify any affected regulated entities not listed in (3)(a) or (4)(a):

None.

(b) Estimate the following for each regulated entity identified in (5)(a):

1. Expenditures:

For the first year:\$0

For subsequent years:\$0

2. Revenues:

For the first year:\$0

For subsequent years:\$0

3. Cost Savings:

For the first year:\$0

For subsequent years:\$0

(6) Provide a narrative to explain the following for each entity identified in (3)(a), (4)(a), and (5)(a)

(a) Fiscal impact of this administrative regulation:

The regulation does not cost anything for regulated parties to implement nor does it have a cost to the Board to oversee.

(b) Methodology and resources used to reach this conclusion:

None.

(7) Explain, as it relates to the entities identified in (3)(a), (4)(a), and (5)(a):

(a) Whether this administrative regulation will have a "major economic impact", as defined by KRS 13A.010(14):

No, this administrative regulation does not have a major economic impact.

(b) The methodology and resources used to reach this conclusion:

Analysis of the Board's expenditures as well as an assessment regarding cost of compliance for regulated entities.