

GENERAL GOVERNMENT CABINET
Kentucky Board of Pharmacy
(Amendment)

201 KAR 2:090. Reference material and prescription equipment.

RELATES TO: KRS Chapter 315

STATUTORY AUTHORITY: KRS 315.035(6), 315.191

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 315.035(6) authorizes the Board of Pharmacy to promulgate administrative regulations regarding reference material and equipment suitable for pharmaceutical practice. This administrative regulation establishes the reference material and equipment required for pharmaceutical practice.

Section 1.

~~{(1)}~~ The pharmacy shall have appropriate reference material and equipment as dictated by experience to meet the needs of the particular pharmacy, and necessary to practice pharmacy in a safe manner.

~~{(a)}~~ Appropriate reference material includes references such as those from the following categories:

- ~~(1) {1.}~~ Category I – Pharmacology;
- ~~(2) {2.}~~ Category II – Drug Interactions;
- ~~(3) {3.}~~ Category III – Drug Product Composition; and
- ~~(4) {4.}~~ Category IV – State and Federal Laws and Regulations.

~~{(b)}~~ ~~[Appropriate equipment as determined by the pharmacist in charge includes items such as the following:]~~

- ~~{1.}~~ ~~[A prescription balance with sensitivity not less than that of a Class 3 balance;]~~
- ~~{2.}~~ ~~[Weights metric or apothecary complete set;]~~
- ~~{3.}~~ ~~[Graduates capable of accurately measuring from 1 ml to 250 ml;]~~
- ~~{4.}~~ ~~[Mortars and pestles glass, porcelain, or Wedgewood;]~~
- ~~{5.}~~ ~~[Spatulas steel and nonmetallic;]~~
- ~~{6.}~~ ~~[Filtration funnel with filter papers;]~~
- ~~{7.}~~ ~~[A heating unit;]~~
- ~~{8.}~~ ~~[Suitable refrigeration unit for proper storage of drugs; and]~~
- ~~{9.}~~ ~~[Ointment slab or ointment papers.]~~

~~{(2)}~~ ~~[Electronic references shall be acceptable.]~~

CHRISTOPHER HARLOW, PharmD, Executive Director

APPROVED BY AGENCY: December 13, 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; Workforce Development; Occupations and Professions

(1) Provide a brief summary of:

(a) What this administrative regulation does:

This administrative regulation establishes the minimum reference material and equipment required for pharmaceutical practice.

(b) The necessity of this administrative regulation:

KRS 315.0353(6) authorizes the Board of Pharmacy to promulgate administrative regulations regarding reference material and equipment suitable for pharmaceutical practice.

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

This administrative regulation establishes the minimum reference material and equipment required for pharmaceutical practice.

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

Removes the language from Section (1)(b)(1-9) and (2) to remove outdated requirements and requirements that are necessarily will be added to 201 KAR 2:205 because the pharmacist-in-charge is responsible for ensuring there is proper access to reference materials and equipment.

(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 removes outdated language and clarifies the responsibility for ensuring that a pharmacy has proper reference material and equipment in 201 KAR 2:205 (pharmacist-in-charge).

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

The criteria needed to be updated to reflect modern pharmacy conditions.

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

KRS 315.002 and 315.005 authorize the Board to regulate the practice of pharmacy. KRS 315.191 authorizes the Board to promulgate administrative regulations pertaining to pharmacists and pharmacies. KRS 315.0353(6) authorizes the Board of Pharmacy to promulgate administrative regulations regarding reference material and equipment suitable for pharmaceutical practice.

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

The amendment will further promote, preserve, and protect public health through effective regulation of pharmacists and pharmacies by providing the most accurate and up to date information. In addition, the removal of the responsibility and inclusion of that language in 201 KAR 2:205 provides clarification for the responsibility of maintaining reference materials and equipment.

(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 requirements are not changing and therefore the Board anticipates that no individual, business, organization or state or local government will be affected by this regulation.

(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:

Pharmacies and pharmacists will have to familiarize themselves with new amended language in the regulation. However, there has been no changes or additional responsibilities added as this was just clarification.

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

There are no expected costs for the identities to comply with the amendment because there are no changes to requirement being made at this time.

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

Pharmacists and the public can refer to the correct information for reference material and equipment needs. (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:

No increase in fees or funding will be required because of this new regulation.

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

This administrative regulation does not establish fees or directly or indirectly increase any fees.

(10) TIERING: Is tiering applied?

Tiering is not applied because the regulation is applicable to all pharmacists and pharmacies.

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(6)

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

KRS 315.035(6)

(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:\$0

For subsequent years:\$0

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 an overall negative or adverse major economic impact to regulated entities, or those entities identified in questions (2)-(4).

(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.