

BOARDS AND COMMISSIONS

Board of Pharmacy (Amendment)

201 KAR 2:160. Licensees; inactive status.

RELATES TO: KRS Chapter 315

STATUTORY AUTHORITY: KRS 315.065, 315.110, 315.120, 315.191(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) authorizes the board to promulgate administrative regulations to regulate and control all matters set forth in KRS Chapter 315 relating to pharmacists. KRS 315.120(4) authorizes an inactive pharmacist to apply for inactive license upon application provided for by the board in administrative regulations. This administrative regulation establishes requirements for licensees to be issued inactive status and for those who desire to apply for renewal of a license to return to active practice.

Section 1. A pharmacist may apply for inactive status by:

- (1) Completing the annual renewal application, as incorporated by reference in 201 KAR 2:020; and
- (2) Paying the annual fee for inactive status established by 201 KAR 2:050, Section 1(5).

Section 2. Pharmacists ~~maintaining an active license to practice in another state or jurisdiction~~ shall not be eligible to submit an application for inactive status in Kentucky under the following circumstances:~~;~~

- (1) The pharmacist maintains an active license to practice in another state or jurisdiction;
or
- (2) The pharmacist is under current investigation by the Board.

Section 3. Pharmacists seeking relicensure from inactive to active status shall fulfill the following requirements:

- (1) If the pharmacist has been inactive for no more than five (5) consecutive years, the pharmacist shall:
 - (a) Provide written notice to the board requesting their consideration to active status. The board shall act upon the request within sixty (60) days;
 - (b) Satisfy the board's continuing education requirements for each year of inactive status; and
 - ~~[(c)] [Successfully complete a jurisprudence examination given by the board; and]~~
 - [(c)] [(d)] Pay all cumulative annual renewal fees required for active licensees established by 201 KAR 2:050, Section 1(3).
- (2) If a pharmacist has had inactive status for more than five (5) consecutive years, the pharmacist shall:
 - (a) Provide written notice to the board requesting their consideration to active status. The board shall act upon the request within sixty (60) days;
 - (b) Successfully complete the North American Pharmacist Licensure Examination (NAPLEX) and Multistate Pharmacy Jurisprudence Examination (MPJE)~~any satisfactory examinations~~; and
 - (c) Pay all cumulative annual renewal fees required of active licensees established by 201 KAR 2:050, Section 1(3).

CHRISTOPHER HARLOW, PharmD, Executive Director

APPROVED BY AGENCY: September 10, 2026

FILED WITH LRC: September 15, 2026 at 8:15 a.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on November 30, 2026 at 10:00 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 November 30, 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, **Phone:** (502) 564-7910, **Email:** Christopher.harlow@ky.gov

Subject Headings: Pharmacy; Licensing; Occupations and Professions

(1) Provide a brief summary of:

(a) What this administrative regulation does:

This administrative regulation provides a framework for a pharmacist to make his or her license "inactive" and provides guidance on seeking relicensure after a period of inactivity.

(b) The necessity of this administrative regulation:

Senate Bill 241 of the General Assembly, Commonwealth of Kentucky, Regular Session 1982, provided for changes in KRS Chapter 315. This necessitated requirements for licensees to be issued inactive status and for those who desire to apply for renewal of a license to return to active practice.

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

The regulation provides a framework for inactive license status and relicensure.

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

This amendment updates the regulation to reflect the modern method for making a license inactive and for relicensure.

(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 provides clarification for a pharmacist seeking relicensure as it relates to the testing requirement and what is required.

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

The regulation language was outdated and reflected a prior time when an applicant had to appear before the Board to request relicensure. That process has been simplified and is now completed through the licensure portal.

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

The amendment clarifies the process for inactive status and relicensure as was directed by Senate Bill 241 of the General Assembly in 1982.

(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 regarding inactive licensure and the request process for relicensure.

(3) Does this administrative regulation or amendment implement legislation from the previous five years? No. The regulation implements legislation from 1982.

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

The board anticipates no one will be affected by the administrative regulation amendment as it is just an update but reflects existing practices.

(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 significant changes.

(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.

(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 inactive license status and relicensure process. (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:

Senate Bill 241 of General Assembly, Commonwealth of Kentucky, Regular Session 1982.

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

Senate Bill 241 of General Assembly, Commonwealth of Kentucky, Regular Session 1982.

(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.