

315.125 Mental or physical examination ordered by board -- Effect of failure to submit to examination.

- (1) When the board has probable cause to believe a pharmacist, pharmacy technician, certificate holder, or permit holder is suffering from a mental or physical condition that might impede that person's ability to practice competently, the board may order the individual to undergo a mental or physical examination by an appropriately-trained professional designated by the board.
- (2) Failure of a pharmacist, pharmacy technician, or permit holder to submit to such an examination when directed, unless the failure was due to circumstances beyond his or her control, shall constitute an admission that he or she has developed such a mental or physical disability, or other condition, that continued practice is dangerous to patients or to the public. Failure to attend the examination shall constitute a default, and a final order suspending, limiting, restricting, or revoking the license or permit may be entered without the taking of testimony or presentation of evidence.
- (3) A pharmacist, pharmacy technician, or permit holder whose license has been suspended, limited, restricted, or revoked pursuant to this section shall at reasonable intervals be afforded an opportunity, pursuant to KRS 315.121(4), to demonstrate that he can resume the competent practice of pharmacy with reasonable skill and safety to patients.

Effective: July 15, 2008

History: Amended 2008 Ky. Acts ch. 148, sec. 5, effective July 15, 2008. -- Created 1996 Ky. Acts ch. 257, sec. 15, effective July 15, 1996.