

**315.410 Order to cease distribution of prescription drugs -- Hearing.**

- (1) The board shall issue an order to the appropriate person or entity, including but not limited to wholesale distributors or retailers, to immediately cease distribution of prescription drugs within the Commonwealth if there are reasonable grounds to believe:
  - (a)
    1. The distribution of the prescription drug is in violation of KRS 315.406;
    2. The prescription drug is accompanied by a falsified pedigree in violation of KRS 315.406; or
    3. The prescription drug is a counterfeit prescription drug; and
  - (b) Other procedures to intercede would result in an unreasonable delay.
- (2) A person in receipt of an order to cease distribution shall be notified in writing of the right to an administrative hearing to be conducted in accordance with KRS Chapter 13B no later than ten (10) days, excluding weekends and holidays, after the date of the order. If, after a hearing is conducted, the hearing officer determines that there are inadequate grounds to support the order, the order shall be vacated.

**Effective:** July 15, 2008

**History:** Created 2008 Ky. Acts ch. 124, sec. 8, effective July 15, 2008.