



PUBLIC PROTECTION CABINET

Andy Beshear
Governor

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The following guidance is to advise the reader of the current position of the Kentucky Department of Insurance (“the Department”) on the specified issue.

FROM: SHARON P. CLARK, COMMISSIONER

RE: TEMPORARY SUSPENSION OF PHARMACY AUDITS

DATE: MARCH 27, 2020

The Kentucky Department of Insurance (“Department”) issues this guidance pursuant to Executive Order 2020-220, State of Emergency Relating to Insurance.

On March 9, 2020, Governor Andy Beshear issued Executive Order 2020-220 giving the Commissioner of Insurance the authority to temporarily waive, suspend, and/or modify the operation of any statute or administrative regulation currently in place under the purview of the Kentucky Department of Insurance in order to best serve the interest of the public health, safety, and welfare during the state of emergency related to COVID-19 declared on March 6, 2020.

The Department recognizes the role of pharmacists in providing essential healthcare services during the current state of emergency and the need to ease operational barriers in order to allow pharmacists to focus on providing those services. The Department has become aware that routine pharmacy audits are currently being conducted. Responding to pharmacy audits during this state of emergency is diverting the limited resources of pharmacists away from addressing the immediate health care needs of Kentuckians. Accordingly, audits of pharmacy records performed in accordance with KRS 304.17A-740 through KRS 304.17A-747 are temporarily suspended.

This guidance is not intended to suspend pharmacy audits related to potential fraudulent activity. This guidance will be in effect for the duration of the State of Emergency declared by Governor Beshear on March 6, 2020 through Executive Order 2020-215.

/s/ Sharon P. Clark

Sharon P. Clark, Commissioner
Kentucky Department of Insurance