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## Mental Health & Wellbeing

The mental health and wellbeing of Kansas pharmacists has been a focus of the pharmacy community for several years. The Board has joined efforts of the National Association of Boards of Pharmacy (NABP), as well as other organizations, to ensure pharmacists receive necessary support and resources. NABP Past President, Dr. Lenora S. Newsome, PharmD, focused her [presidential initiative](#) on promoting wellbeing and mental health for pharmacy staff. Dr. Newsome’s work included a Task Force that generated the following [Report on Workplace Safety and WellBeing](#). The 120<sup>th</sup> Annual NABP Meeting featured keynote speaker J. Corey Feist, JD, MBA, founder and CEO of the [Dr. Lorna Breen Heroes Foundation](#). Feist recommended states take several steps, including updating application questions related to mental health, which the Board has already implemented.

The Board’s application questions have been revised into the following question:

*“Do you have any physical or mental health condition (including but not limited to alcohol or substance use) that currently impairs your ability to practice your profession in a competent, ethical, and professional manner?”*

Feist also referenced the federal Dr. Lorna Breen Healthcare Provider Protection Act, which aims to improve mental and behavioral health and prevent suicide and burnout among healthcare providers. The federal law will require reauthorization in the coming year. Continuing education at the meeting also included a presentation by Dr. Kelly N. Gable, PharmD, BCPP, who recommended everyone complete [Mental Health First Aid](#) training and that pharmacists engage with the [ProQOL Health Measure](#), a survey for healthcare workers to measure wellbeing and burnout.

The Board strongly encourages pharmacists, pharmacy personnel, and other healthcare workers to take advantage of available resources. In addition, the Board contracts with the Kansas Pharmacist Recovery Network (KsPRN) to provide additional support and assistance for pharmacists or interns/students with mental health needs.

### Resources You Should Know

- [NABP Mental Health Resources](#)
- [Learn about KsPRN – the Kansas Pharmacists Recovery Network](#)
- [Workplace Mental Health & Well-Being | HHS.gov](#)
- [Addressing Health Worker Burnout: The U.S. Surgeon General’s Advisory on Building a Thriving Health Workforce \[Internet\] - PubMed \(nih.gov\)](#)
- [Health Worker Burnout | HHS.gov](#)

## Announcements

- Effective July 1, 2024, the fee for fingerprint-based background checks will increase to \$57. Updated applications are on the Board's [website](#).

## Reminder: Technician Certification Exam

**Technicians will be required to pass a technician certification exam before the first renewal or, if previously registered, at the time of application.** All pharmacy technicians registered on or after July 1, 2017, will be required to pass a national pharmacy technician certification examination (KAR 68-5-17).

The Board has approved the Pharmacy Technician Certification Board (PTCB) and the National HealthCareer Association Examination for the Certification of Pharmacy Technicians (ExCPT). Please contact either organization for more information regarding the pharmacy technician certification examination.

Any technician who is unable to take or pass an approved exam may request a six-month extension at least 30 days before the technician's registration expiration date by completing an [LA-75 Technician Certification Extension Request](#) (Form LA-75).

If a pharmacy technician has already passed an approved exam, please email [pharmacy@ks.gov](mailto:pharmacy@ks.gov), fax or mail a copy of the certificate to the Board office along with the pharmacy technician name and Kansas registration number.

Pharmacy technicians are required to complete 20 hours of ACPE/Board approved continuing education for each registration renewal period. Those hours must have been earned during the registration period (November 1, 2022 – October 31, 2024). [Continuing Education \(ks.gov\)](#)

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## Compliance Corner

### ☐ Annual Controlled Substance Inventory

The requirements for a controlled substance inventory changed in June 2023. Please make sure you familiarize yourself with the updated requirements before you perform your next controlled substance inventory.

- Regulation Reference K.A.R. 68-20-16
- The inventory report documents:
  - ✓ The date the inventory was conducted.
  - ✓ The name, license or registration number, and signature of each individual participating.
  - ✓ When the inventory was taken, before the opening of the business or after the close of business.
- It's an annual inventory.

- ✓ All controlled substances and drugs of concern are to be inventoried on the same calendar date but no later than 375 days after the date of the previous inventory.
- Don't forget the drugs of concern.
- Inventories of schedule II controlled substances and nonliquid dosage forms of other controlled substances and drugs of concern shall be taken by exact count.
- Please ensure that inventory reports are maintained in hard-copy format and readily retrievable.
  - ✓ Are you putting your inventory records into storage? To save yourself the time and inconvenience of digging them out of storage during an inspection, it is suggested to keep several years of inventory records accessible in the pharmacy for the inspector.

## □ Proposed Federal Rescheduling of Marijuana

In the May 21, 2024, Federal Register, the DEA published a proposed rule of rescheduling marijuana from schedule I to schedule III. This is a proposed change only at this time and the DEA is accepting comments on the proposed rule until July 22, 2024.

Please be aware that any future final action taken by the DEA to reschedule marijuana will only be applicable at the federal level. On a state level, the Kansas Legislature will have to consider if they wish to reschedule marijuana in Kansas as K.S.A. 65-4105(d) places it in the list of schedule I substances in this state.

## □ School Emergency Kits

Effective July 1, 2024, K.S.A. 65-1680 changed to say a pharmacist in Kansas may **distribute** a stock supply of standard-dose and pediatric-dose epinephrine auto-injectors, albuterol metered-dose inhalers, albuterol solution, and spacers to a school **pursuant to a prescription** from a physician or mid-level practitioner in the name of the school. The sale must occur and be documented as a **wholesale transaction** as authorized by a prescription that is attached to, and part of, the invoice record. Do **NOT** run the prescription thru the pharmacy software system, label, and dispense like a prescription for a specific patient. Please note this does not extend to nebulizers or compressors. The school will need to obtain these items from a different source.

## □ Refill Responses and Authorization

Schedule II prescriptions cannot have refills. Patients needing to continue on a C-II medication must receive a new prescription. Pharmacies have been receiving “new” prescriptions with the headings “Refill Authorization” or “Renewal Authorization” or other wording that refers to the refill or renewal of a prescription. Providers need to send NEW C-II prescriptions and not refill authorizations. Many providers have worked with their vendors to address the issue. Filling a refill authorization of a C-II drug is a violation of the Kansas Pharmacy Act and the Code of Federal Regulations. K.S.A. 65-4123(b) and 21 CFR 1306.12(a)

Board inspectors have recently attended national meetings where speakers indicated federal fines have been imposed on pharmacies for “refilling” C-II prescriptions. Please be aware of how you receive and fill C-II prescriptions.

## □ Transferring a Prescription is the Patient's Choice



When you receive a request to transfer a prescription and were not expecting the patient to transfer, please verify that the patient wants the prescription transferred. The Board has received numerous complaints from patients and pharmacies that prescriptions have been requested and transferred without the patient requesting the transfer. This creates a problem for the patient and their chosen pharmacy.

A prescription should only be transferred if the patient has requested the transfer. If you are requesting a transfer, please be considerate and give the transferring pharmacy time to verify with the patient that they want the prescription transferred.

Requesting a prescription transfer without patient consent may be considered unprofessional conduct and a violation of the Kansas Pharmacy Act.

If a patient requests the transfer of a prescription and the pharmacist at the transferring pharmacy refuses to transfer, this may be a violation of the patient's rights and interference with the professional judgment of another pharmacist.

Requirements for transfers and the documentation requirements may be found in K.S.A. 65-1656 and K.A.R. 68-7-19.

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# K-TRACS Update

## □ K-TRACS Exemptions Must Be Renewed by August 31

Pharmacies that have exemptions from K-TRACS reporting requirements must annually renew those exemptions by August 31. **Exemptions must be renewed online by the pharmacist in charge.**

[Renew K-TRACS Exemption](#)

Pharmacies may renew their exemption by selecting from one of the following options:

- Dispenser is a licensed hospital pharmacy that distributes scheduled substances and drugs of concern for the purposes of inpatient hospital care only.
- Dispenser is a medical care facility, practitioner or other authorized person who only administers scheduled substances and drugs of concern to patients.
- Dispenser does not dispense scheduled substances or drugs of concern in the state of Kansas or to an address in Kansas. Nonresident pharmacies are required to submit additional documentation when selecting this option.

Please note: K.A.R. 68-21-2(d) exempts the reporting of an interim supply of a scheduled substance or drug of concern to an outpatient on an emergency basis when the interim quantity does not exceed a 48-hour supply and, as described in K.A.R. 68-7-11(d)(2)(B), is limited to an amount sufficient to supply the outpatient's needs until a prescription can be filled in accordance with K.A.R. 68-7-11. This **exemption applies only to a subset of**

**dispensing activities**, and facilities should determine their exemption status based on whether they are dispensing any other outpatient prescriptions.

More information, including frequently asked questions, are [available on the K-TRACS website](#).

## □ **Dispenser Guide Update: Partial Fills**

Effective August 1, 2024, if a pharmacy chooses to partially fill a prescription in accordance with K.A.R. 68-20-19 and 68-20-20, then records submitted to K-TRACS for those partial fills must be reported accordingly. The [K-TRACS Dispenser Guide](#) has been updated to include requirements for reporting this type of prescription. Please share this information with your pharmacy system vendor and/or IT staff to ensure changes are made by the deadline.

## □ **Patient Name Changes on Refills**

K-TRACS has noticed an increase in pharmacies reporting refill prescriptions with patient names different than the name on the original prescription. If a patient is requesting a name change at the pharmacy, the original prescriber will need to issue a new prescription with the new name. Until that time, the pharmacy should fill prescriptions using the original name issued on the prescription. See K.S.A. 65-1637(g).

### **National News**

Read the latest news from the National Association of Boards of Pharmacy  
>> [Read National News](#)

## **Revoked Licenses & Registrations**

In an effort to provide greater transparency to pharmacists, the Board will publish a list of revocations and suspensions against Kansas pharmacists, interns, and technicians in its quarterly Newsletter. The Board encourages the pharmacist-in-charge to verify the registration status of all employed technicians at least twice a year (June and November are recommended). The Board's license verification website is a secure and primary source of credential verification information, as authentic as a direct inquiry to the Board.

Please take notice of the Board's revocation action taken on these licenses, permits, and registrations:

- Domsch, Ryan, 24-117442, Case 24-200
- Janda, Susan, 14-101343, Case 23-093
- Newby, Arthur II, 24-116929 Case 24-199
- Paul, Kendra, 24-119128, Case 24-198
- Tucker, Vanessa, 24-119951, Case 24-197
- White, Unice, 24-117481, Case 24-196