



Kansas State Board of Pharmacy

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www.accesskansas.org/pharmacy

Published to promote voluntary compliance of pharmacy and drug law.

Changes in Pharmacy Regulations

KAR 68-2-5 Pharmacist-in-charge; notice to board. Each pharmacist shall notify the board in writing within five days of ceasing to serve as the pharmacist-in-charge at a pharmacy or registrant required to have a pharmacist-in-charge. The notice shall include the pharmacist's name, the name and address of the pharmacy or registrant, and the date the pharmacist ceased to serve as the pharmacist-in-charge.

KAR 68-9-1. Electronic data storage systems. All electronic data storage systems operating within this state shall comply with the following requirements:

- (a) The pharmacist-in-charge of such a system shall perform the following:
 - (1) adopt a written policy and procedures manual for control, use, and operation of the system;
 - (2) assure that only licensed pharmacists make decisions concerning judgmental functions as stated in K.A.R. 68-2-20;
 - (3) be responsible for all drug information within the system;
 - (4) assure that complete control over the dispensing of medication is vested in licensed pharmacists;
 - (5) have an auxiliary procedure that shall be used for documentation of refills of all prescription orders if the system becomes inoperable. This auxiliary procedure shall insure that the following criteria are met:
 - (A) refills are authorized by the original prescription order;
 - (B) the maximum number of refills has not been exceeded; and
 - (C) **a daily backup is performed for use in restoring required information in case of a system failure;**
 - (6) maintain a written prescription on file that preserves all information contained in the original prescription. A machine-printed supplement that provides all information necessary to comply with the law may be filed with or attached to the written prescription, if the supplement does not obscure the required information on the original prescription;
 - (7) provide a method of numerically identifying each patient's written prescription;
 - (8) maintain the confidentiality of prescriptions and assure that the system has adequate security and system safeguards to prevent unauthorized access, modification or manipulation of patient medication profile data; and
 - (9) maintain a written **or electronic prescription daily log.** The daily log shall include the following information:
 - (A) the original prescription number;
 - (B) the date of the issuance of the original prescription order by the practitioner;
 - (C) the full name and address of the patient;
 - (D) the name and address of the practitioner;
 - (E) the practitioner's Drug Enforcement Administration registration number if required;
 - (F) the name, strength, dosage form, and quantity of the medication prescribed;
 - (G) the quantity dispensed, if different from the quantity prescribed; and
 - (H) the total number of refills authorized by the prescribing practitioner.
- (b) Each electronic data storage system shall have a method for each of the following:
 - (1) Storing each active patient's medication profile record so that this record is immediately available upon request at the practice site. Sufficient historical patient medication profile data shall be stored and made available for the pharmacist to exercise appropriate clinical judgment when dispensing the prescription;
 - (2) documenting that an individual pharmacist has taken responsibility for the accuracy of the following:
 - (A) the information entered; and
 - (B) each authorized refilling of the prescription;
 - (3) drug use control, which shall include the following:
 - (A) the ability to ascertain quantities;
 - (B) the exact refill data;
 - (C) the dates of previous refillings; and
 - (D) the number of refills remaining;
 - (4) identifying on a daily basis the pharmacist filling each prescription;
 - (5) handling partial fillings and refillings of prescriptions;
 - (6) handling compounded prescriptions;
 - (7) reproducing all information within the system, in written form and upon authorized request within 72 hours; and
 - (8) providing a label containing the information required under K.A.R. 68-7-14 and the date of the original filling of any scheduled drugs.

Please Note. The above regulation also allows for the electronic storage of a controlled substance daily log, provided that a daily backup is performed in case of a system failure.

The following regulation changes have been adopted by the Kansas State Board of Pharmacy and will take effect 30 days after publication in the *Kansas Register*.

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K.A.R. 68-1-1a. Application for registration or permits; withdrawal of application. After an application for a registration or permit has been accepted, the failure of the applicant or authorized representative to respond to official correspondence regarding the application, when sent by registered or certified mail, return receipt requested, shall be deemed to be a withdrawal of the application.

K.A.R. 68-1-2a Pharmacist-in-charge examination; acknowledgment.

- (a) Each prospective pharmacist-in-charge shall take a pharmacy law examination administered by the board, with a passing score of at least 85%. The examination shall include the statutes and rules and regulations, both state and federal, governing the practice of pharmacy.
- (b) Each pharmacy or registrant required to have a pharmacist-in-charge that operates for more than 30 days without a designated pharmacist-in-charge who meets the requirements of this regulation shall be deemed to be in violation of K.S.A. 65-1627(e) and amendments thereto.
- (c) A pharmacist who has already passed the pharmacist-in-charge examination required by the board shall not be required to retake the examination upon assuming the duties of a pharmacist-in-charge but shall, at the time of assuming these duties, sign an acknowledgment that states both of the following:
 - (1) The pharmacist is not currently prevented from performing the duties of a pharmacist-in-charge by an order of the board.
 - (2) The pharmacist has reviewed the pharmacy act and the board's regulations and is aware of the responsibilities of a pharmacist-in-charge.

The pharmacist-in-charge shall immediately provide this acknowledgment to the board. A copy of the acknowledgment shall be maintained at the premises where the pharmacist is functioning as a pharmacist-in-charge.

K.A.R. 68-1-3a Qualifying pharmaceutical experience.

- (a) Pharmaceutical experience that qualifies as one year of experience shall consist of 1,500 clock hours as a registered intern while being supervised by a preceptor. All hours worked when the intern is in regular attendance at an approved school of pharmacy and during vacation times and other times when the intern is enrolled but not in regular attendance at an approved school of pharmacy may be counted as qualified hours. However, not more than 60 hours shall be acquired in any one week.
- (b) No time may accrue to a student before acceptance in an approved school of pharmacy or before being registered as an intern

with the board. However, any foreign pharmacy graduate who has successfully passed an equivalent examination as specified in K.A.R. 68-1-1f(b) may apply for registration as an intern.

- (c) Once registered as an intern, all required hours shall be completed within six years.
- (d) Reciprocity shall not be denied to any applicant who is otherwise qualified and who meets both of the following conditions:
 - (1) has met the internship requirements of the state from which the applicant is reciprocating; or
 - (2) has at least one year of experience as a registered pharmacist.

Disciplinary Actions

Although every effort is made to ensure that the disciplinary action information is correct, you should check with the Board of Pharmacy (785/296-4056) to verify the accuracy of the listing before making any decision based on this information. These disciplinary actions become a permanent part of a pharmacist's file.

Pam Stoddart, RPh, Platte Woods, Mo, was disciplined by the Board entering an order suspending her licenses, but provided the suspension would not be effective if no further violations of the Kansas pharmacy laws occurred during a 12-month probation period.

Ronald Magathan, RPh, Salina, Kan, was disciplined by the Board entering an order suspending his license, but provided the suspension would not be effective if no further violations of the Kansas pharmacy laws occurred during a 12-month period.

Osco Drug #5182, Roland Park, Kan, was disciplined by the Board entering an order assessing an administrative fine of \$1,000.

Walgreens Pharmacy #6170, Wichita, Kan, was disciplined by the Board entering an order assessing an administrative fine of \$1,000.

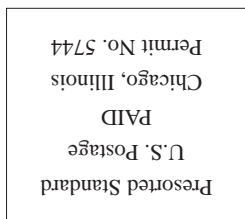
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