68-7-20a. Delivery of prescriptions dispensed to an alternate site for administration.

(a) Definitions. Each of the following terms shall have the meaning specified in this regulation:

(1) "Administering facility" means a registered administering facility or a non-registered administering facility.

(2) "Non-registered administering facility" means a facility that is not registered with the board and is authorized to administer prescription-only drugs under the direction of a practitioner or mid-level practitioner.

(3) "Registered administering facility" means a facility registered with the board that is authorized to administer prescription-only drugs pursuant to state or federal authority.

(b) Any pharmacist may fill a prescription at an originating pharmacy and cause the prescription to be delivered to an administering facility for preparation and administration to the patient.

(c) Each owner and pharmacist-in-charge of an originating pharmacy participating in drug delivery for administration under subsection (b) shall maintain and comply with a policies and procedures manual that includes the following:

(1) Maintaining and retrieving dispensing records that include the following:

(A) The manner in which the pharmacy will access prescription information necessary to complete assigned responsibilities;

(B) a method of recordkeeping that identifies the pharmacist responsible for dispensing the prescription and counseling the patient; and

(C) a method of recordkeeping that documents all required elements of medication preparation specified in article 13 of the board's regulations;

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(2) the mechanism for the administering facility to track the prescription during each stage of the delivery process;

(3) controls to protect the privacy and security of confidential records;

(4) Ensuring accuracy, security, integrity, and accountability in the delivery process from the time the prescription leaves the originating pharmacy until the prescription is received by staff at the administering facility;

(5) Recordkeeping requirements for handling any unopened prescription medication not administered to the patient; and

(6) Informing and obtaining consent from the patient for using this dispensing and delivery process.

(d) Each owner and pharmacist-in-charge of an originating pharmacy participating in drug delivery for administration under subsection (b) shall ensure that the following requirements are met:

(1) Each prescription waiting to be picked up or in the process of being delivered to the administering facility shall be stored according to the manufacturer's requirements and relevant laws and regulations.

(2) The pharmacist responsible for filling the prescription shall meet the following requirements:

(A) Notify the administering facility of the anticipated arrival date of the shipment to the administering facility, the exact address where the prescription will be shipped, the name of the patient to whom the drug is being dispensed, and any special storage requirements for the prescription;

(B) provide counseling to the patient or ensure that a process is in place for the patient to receive counseling from a practitioner or pharmacist;

(C) provide a procedure for returning to the originating pharmacy any unopened prescription medication not administered to the patient; and

(D) coordinate the preparation and delivery of the materials needed by the administering facility to administer the dispensed prescription.

(3) Each prescription shall be scheduled for delivery during the administering facility's normal business day unless otherwise agreed upon by the administering facility.

(e) Prescriptions for controlled substances shall not be delivered under this regulation unless the delivery is in compliance with state and federal law.

(f) Each owner and pharmacist-in-charge of a registered administering facility participating in drug delivery for administration under subsection (b) shall ensure each prescription waiting to be administered to the patient shall be stored according to the manufacturer's requirements and relevant laws and regulations in a room, cabinet, cart, or other device that is locked when not in use, cannot be easily moved, and is restricted to the practitioner, pharmacist, or their designee.

(g) A pharmacist shall only allow a prescription to be returned to stock at either the originating pharmacy or the registered administering facility by agreement with the originating pharmacy if it meets the following requirements:

(1) The prescription was delivered to a registered administering facility pursuant to subsection (b); and

(2) the prescription is unopened, unadulterated, and was continuously maintained in

accordance with the manufacturer's requirements and relevant laws and regulations.

(h) All records required under this regulation shall be readily retrievable and maintained for five years at the pharmacy. (Authorized by K.S.A. 65-1630; implementing K.S.A. 2023 Supp. 65-1626a, K.S.A. 65-1634, K.S.A. 2023 Supp. 65-1637, K.S.A. 65-1642, and K.S.A. 2023 Supp. 65-1656; effective P-_____.)

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