

HOUSE BILL No. 2417

By Committee on Health and Human Services

2-7

AN ACT concerning prescription medications; distribution in medical care facilities and adult care homes; amending K.S.A. 65-1648 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 65-1648 is hereby amended to read as follows: 65-1648. (a) Any medical care facility pharmacy registered by the board may keep drugs in such facility and may supply drugs to its inpatients and outpatients. Distribution and control of prescription medications in a medical care facility pharmacy shall be under the supervision of a pharmacist in charge. A designated registered nurse or nurses approved by the pharmacist in charge and under the supervision of the pharmacist in charge shall be in charge of the distribution and control of drugs of a medical care facility pharmacy when a pharmacist is not on the premises. *Prescription medication distributed to inpatients on other than a dispense as written prescription shall state on the label "generic for" and specify the brand name prescription medication for which the generic drug product is substituted or shall state on the label "use as" and specify the drug use.* Drugs supplied to outpatients when a pharmacist is not on the premises shall be limited to the quantity necessary until a prescription can be filled.

(b) Nothing contained in this act shall be construed as prohibiting an adult care home which utilizes the services of a pharmacist, from maintaining an emergency medication kit approved by the adult care home's medical staff composed of a duly licensed practitioner and a pharmacist. The emergency medication kit shall be used only in emergency cases under the supervision and direction of a duly licensed practitioner, and a pharmacist shall have supervisory responsibility of maintaining said emergency medication kit. *Prescription medication distributed to residents of an adult care home on other than a dispense as written prescription shall state on the label "generic for" and specify the brand name prescription for which the generic drug product is substituted or shall state on the label "use as" and specify the drug use.*

(c) Every adult care home which maintains an emergency medication kit under subsection (b) shall comply with the following requirements:

1 (1) Drugs in an emergency medication kit shall be maintained under
2 the control of the pharmacist in charge of the pharmacy from which the
3 kit came until administered to the patient upon the proper order of a
4 practitioner.

5 (2) Drugs contained within the emergency medication kit may in-
6 clude controlled substances, but in such case a pharmaceutical services
7 committee shall be responsible for specifically limiting the type and quan-
8 tity of controlled substance to be placed in each emergency kit.

9 (3) Administration of controlled substances contained within the
10 emergency medication kit shall be in compliance with the provisions of
11 the uniform controlled substances act.

12 (4) The consultant pharmacist of the adult care home shall be re-
13 sponsible for developing procedures, proper control and accountability
14 for the emergency medication kit and shall maintain complete and ac-
15 curate records of the controlled substances, if any, placed in the emer-
16 gency kit. Periodic physical inventory of the kit shall be required.

17 (d) (1) The state department of health and environment, any county,
18 city-county or multicounty health department and any private not-for-
19 profit family planning clinic, when registered by the board, may keep
20 drugs for the purpose of distributing drugs to patients being treated by
21 that health department or family planning clinic. Distribution and control
22 of prescription medications in a health department or family planning
23 clinic shall be under the supervision of a pharmacist in charge. A desig-
24 nated registered nurse or nurses approved by the pharmacist in charge
25 shall be in charge of distribution and control of drugs in the health de-
26 partment or family planning clinic under the supervision of the pharma-
27 cist in charge when a pharmacist is not on the premises. Drugs supplied
28 to patients when a pharmacist is not on the premises shall be limited to
29 the quantity necessary to complete a course of treatment as ordered by
30 the practitioner supervising such treatment.

31 (2) The board shall adopt rules and regulations relating to specific
32 drugs to be used, to recordkeeping and to storage of drugs by health
33 departments or family planning clinics as are necessary for proper control
34 of drugs.

35 Sec. 2. K.S.A. 65-1648 is hereby repealed.

36 Sec. 3. This act shall take effect and be in force from and after its
37 publication in the statute book.

38
39
40
41
42
43