

STATE OF KANSAS
KANSAS PHARMACY BOARD

NOTICE OF PUBLIC HEARING ON PROPOSED ARTICLE

A public hearing will be conducted at 10:30 a.m., on the 11th day of March, 2010, at the Kansas University School of Pharmacy, 1251 Wescoe Hall Drive, 2056 Malott Hall, Room 2049, Lawrence, Kansas, to consider the amendments of 68-20-10a and 68-1-1b and the proposed 68-7-21 of the Kansas Pharmacy Board.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the amendments of 68-20-10a and 68-1-1b and the proposed 68-7-21. All parties may submit written comments prior to the hearing to the Executive Secretary of the Kansas Pharmacy Board, Debra Billingsley, pharmacy@pharmacy.ks.gov or Landon State Office Building, 900 SW Jackson, Room 560, Topeka, Kansas 66612-1231. All interested parties will be given a reasonable opportunity to present their views orally on the amendment of the regulation during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the regulation and economic impact statement in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting the Kansas Pharmacy Board, Landon State Office Building, 900 SW Jackson, Room 560, Topeka, Kansas 66612-1231, (785) 296-4056. Handicapped parking is located along Sunnyside Avenue, which runs south of Malott Hall. If handicapped parking on Sunnyside Avenue is used, it is necessary to cross the street to enter into the first floor of Malott Hall. There also is handicapped parking located behind Malott Hall in

Lot #37. This lot is accessed by an alley that lies to the east of the Dole Human Development Center, which also is located to the east of Malott Hall. If Lot #37 is used, entry into Malott Hall would occur on the second floor of the building.

A summary of the amended and proposed regulations are as follows:

68-20-10a. Electronic prescription transmission of controlled substances. This regulation already identifies various provisions for electronic prescription transmission of controlled substances. The amended regulation is proposed to specify what constitutes a “long term care facility (LTCF)” for purposes of prescriptions by electronic transmission.

68-1-1b. Continuing education unit. This regulation provides the provisions for continuing educational units.

68-7-21. Institutional drug rooms. This regulation identifies the policies and procedures governing the storage and proper and consistent controls of drugs administered or dispensed in an Institutional Drug Room.

Copies of the regulation and the economic impact statement may be obtained from the Kansas Pharmacy Board, Landon State Office Building, 900 SW Jackson, Room 560, Topeka, Kansas 66612-1231, (785) 296-4056, or by accessing the Board’s website at <http://www.accesskansas.org/pharmacy/leg.html>.

Debra Billingsley
Executive Secretary

STATE OF KANSAS
KANSAS PHARMACY BOARD

ECONOMIC IMPACT STATEMENT

Pursuant to K.S.A. 77-420(b), the Kansas Pharmacy Board submits the following description of the economic impact of K.A.R. 68-7-21.

1. This regulation identifies the policies and procedures governing the storage and proper and consistent controls of drugs administered or dispensed in an Institutional Drug Room.
2. The proposed regulation is not mandated by federal laws.
3. No new costs will be borne by pharmacists, pharmacy technicians, or others.
4. The Board is not aware of any less costly or less intrusive methods to achieve the stated purpose and thus none were considered.
5. This is not a proposed environmental regulation.

68-7-21. Institutional drug rooms. (a) All prescription-only drugs dispensed or administered from an institutional drug room shall be in prepackaged units, the original manufacturer's bulk packaging, or patient-specific pharmacy labeled packaging. All prepackaging shall meet the requirements of K.A.R. 68-7-15.

(b) Each pharmacist or practitioner, as that term is defined in K.S.A. 65-1637a and amendments thereto, who is responsible for supervising an institutional drug room shall perform the following:

(1) Develop or approve programs for the training and supervision of all personnel in the providing and control of drugs;

(2) develop or approve a written manual of policies and procedures governing the storage, control, and provision of drugs when a pharmacist or practitioner is not on duty;

(3) maintain documentation of at least quarterly reviews of drug records, drug storage conditions, and the drugs stored in all locations within the institutional drug room;

(4) develop or approve written procedures for maintaining records of the provision and prepackaging of drugs; and

(5) develop or approve written procedures for documenting all reportable incidents, as defined in K.A.R. 68-7-12b, and documenting the steps taken to avoid a repeat of each reportable incident.

(c) The policies and procedures governing the storage, control, and provision of drugs in an institutional drug room when a pharmacist or practitioner is not on duty shall include the following requirements:

ATTORNEY GENERAL

DEPT. OF ADMINISTRATION

MAY 1 2009

APR 15 2009

APPROVED BY 

APPROVED

(1) A record of all drugs provided to each patient from the institutional drug room shall be maintained in the patient's file and shall include the practitioner's order or written protocol.

(2) If the practitioner's order was given orally, electronically, or by telephone, the order shall be recorded, either manually or electronically. The recorded copy of the order shall include the name of the person who created the recorded copy and shall be maintained as part of the permanent patient file.

(3) The records maintained in each patient's file shall include the following information:

(A) The full name of the patient;

(B) the date on which the drug was provided;

(C) the name of the drug, the quantity provided, and strength of the drug provided;

(D) the directions for use of the drug; and

(E) the prescriber's name and, if the prescriber is a physician's assistant or advanced registered nurse practitioner, the name of that person's supervising practitioner.

(d) All drugs dispensed from an institutional drug room for use outside the institution shall be in a container or package that contains a label bearing the following information:

(1) The patient's name;

(2) the identification number assigned to the drug provided;

(3) the brand name or corresponding generic name of the drug, the strength of the drug, and either the name of the manufacturer or an easily identified abbreviation of the manufacturer's name;

(4) any necessary auxiliary labels and storage instructions;

(5) the beyond-use date of the drug provided;

ATTORNEY GENERAL

SEP 29 2009

APPROVED BY *W*

DEPT. OF ADMINISTRATION

SEP 10 2009

APPROVED

(6) the instructions for use; and

(7) the name of the institutional drug room.

(e) Each label for any prepackaged or repackaged drug shall meet the requirements of K.A.R. 68-7-16. (Authorized by K.S.A. 65-1630 and K.S.A. 65-1637a; implementing K.S.A. 2008 Supp. 65-1626, K.S.A. 2008 Supp. 65-1626d, and K.S.A. 65-1637a; effective P-
_____.)

ATTORNEY GENERAL

SEP 29 2009

APPROVED BY *W*

DEPT. OF ADMINISTRATION

SEP 10 2009

APPROVED