

## 2023 Kansas Statutes

**65-1659. Pharmacies authorized to place certain drugs with home health agencies and hospices; protocols for drug handling and storage; review and inspection; definitions.** (a) A pharmacy will be allowed to place certain drugs with a home health agency's authorized employees and with a hospice's authorized employees for the betterment of public health. The pharmacy shall remain the legal owner of the drugs. A written agreement between the pharmacy and home health agency or hospice shall document the protocol for handling and storage of these drugs by authorized employees and shall be approved by the pharmacist in charge. The pharmacist in charge shall review the protocol to assure that safe, secure and accountable handling of legend drugs is maintained under the protocol before giving approval. The pharmacist in charge or a pharmacist designee shall physically inspect and review the drug storage and handling at the home health agency and the hospice at least quarterly during the year.

(b) The home health agency protocol and the hospice protocol shall include, but not be limited to, the following:

- (1) Safe and secure storage of drugs;
- (2) access to drugs limited to authorized employees;
- (3) records of drugs checked out to authorized employees and records of drugs, amounts, to whom and by whom administered;
- (4) prompt notification of the pharmacy when a drug is used, including the prescriber, patient, drug, dosage form, directions for use and other pertinent information;
- (5) billing information;
- (6) procedures for handling drugs beyond their expiration date; and
- (7) inventory control.

(c) The following legend drugs shall be allowed under these agreements:

- (1) Sterile water for injection or irrigation;
- (2) sterile saline solution for injection or irrigation;
- (3) heparin flush solution;
- (4) diphenhydramine injectable; and
- (5) epinephrine injectable.

(d) As used in this section: (1) "Authorized employee" means any employee of a home health agency or hospice who, in the course of the employee's duties, is licensed by the employee's appropriate licensing agency to administer legend drugs; (2) "home health agency" means an entity required to be licensed under K.S.A. 65-5102 and amendments thereto; and (3) hospice means an entity authorized to hold itself out to the public as a hospice or as a licensed hospice under K.S.A. 65-6202 and amendments thereto.

(e) This section shall be part of and supplemental to the pharmacy act of the state of Kansas.

**History:** L. 1996, ch. 132, § 1; April 11.