**65-1664. Cancer drug repository program; definitions; drug eligibility criteria.** (a) For the purposes of this act:

(1) "Cancer drug" means a prescription drug used to treat:

(A) Cancer or its side effects; or

(B) the side effects of a prescription drug used to treat cancer or its side effects.

(2) "Hospital" has the same meaning as in K.S.A. 65-425, and amendments thereto.

(3) "Nonprofit clinic" means a charitable nonprofit corporation organized as a nonprofit corporation under the laws of this state or any charitable organization not organized and not operated for profit, that provides health care services to indigent and uninsured persons. "Nonprofit clinic" does not include a hospital or a facility that is operated for profit.

(4) "Prescription-only drug" has the same meaning as in K.S.A. 65-1626, and amendments thereto.

(5) "Unit dose" means a packaging system that:

(A) Contains individual sealed doses of a drug;

(B) may or may not attach the sealed doses to each other by placement in a card or other container; and

(C) is nonreusable.

(6) "Person" means any individual, corporation, government, governmental subdivision or agency, partnership, association or any other legal entity.

(b) The state board of pharmacy shall establish the cancer drug repository program to accept and dispense prescription-only cancer drugs donated for the purpose of being dispensed to cancer patients who are residents of this state and meet eligibility standards established in rules and regulations adopted by the board under K.S.A. 2012 Supp. 65-1667, and amendments thereto. Only cancer drugs in their original sealed and tamper-evident unit dose packaging may be accepted and dispensed. The packaging must be unopened, except that cancer drugs packaged in single unit doses may be accepted and dispensed when the outside packaging is opened if the single unit dose packaging is undisturbed. A cancer drug that bears an expiration date that is less than six months after the date the cancer drug is being donated shall not be accepted or dispensed. A drug shall not be accepted or dispensed if there is reason to believe that it is adulterated or misbranded.

**History:** L. 2005, ch. 121, § 1; July 1.