

## 2012 Kansas Statutes

### **65-1665. Same; drug donation; provider participation; dispensing; handling fee; resale prohibited.**

(a) Any person may donate prescription cancer drugs to the cancer drug repository program. The cancer drugs must be donated at a physician's office, pharmacy, hospital or nonprofit clinic that elects to participate in the cancer drug repository program. Participation in the cancer drug repository program is voluntary. Nothing in this act or any other statutes of this state requires a physician's office, pharmacy, hospital or nonprofit clinic to participate in the program.

(b) The cancer drugs shall be dispensed by the following persons who are authorized pursuant to K.S.A. 65-1635, and amendments thereto, to dispense drugs: (1) Licensed physicians who are dispensing practitioners pursuant to K.A.R. 100-21-1 and (2) licensed pharmacists. The cancer drug may be dispensed only pursuant to a prescription issued by a person authorized to prescribe drugs. A pharmacy, hospital or nonprofit clinic that accepts donated cancer drugs shall comply with all applicable federal laws and laws of this state dealing with storage and distribution of dangerous drugs and shall inspect all cancer drugs prior to dispensing them to determine that they are not adulterated. The pharmacy, hospital or nonprofit clinic may charge individuals receiving donated cancer drugs a handling fee established in accordance with rules and regulations adopted by the board. Cancer drugs donated to the repository may not be resold.

**History:** L. 2005, ch. 121, § 2; July 1.