

Kansas Administrative Regulations

State Board of Pharmacy

Article 20.—Controlled Substances

68-20-22. Selling without a prescription.

Any controlled substance listed in schedule II, III, IV, or V that is not a prescription-only drug may be sold by a pharmacist without a prescription to a purchaser at retail if all of the following conditions are met:

(a) The sale of any substance that is a methamphetamine precursor is made in accordance with K.S.A. 65-16,102, and amendments thereto, and with 21 C.F.R. 1314.20, 21 C.F.R. 1314.25, 21 C.F.R. 1314.30, 21 C.F.R. 1314.100, and 21 C.F.R. 1314.105 as in effect on August 31, 2022.

(b) The sale of any substance that is not a methamphetamine precursor meets all of the following conditions:

(1) Approval of the sale is made only by a pharmacist and not by a nonpharmacist employee, even if under the supervision of a pharmacist.

(2) The pharmacist does not sell at retail more than 240 cc (8 ounces) of any controlled substance containing opium or more than 120 cc (4 ounces) of any other controlled substance to the same purchaser in any 48-hour period.

(3) The pharmacist does not sell at retail more than 48 dosage units of any controlled substance containing opium or more than 24 dosage units of any other controlled substance to the same purchaser in any 48-hour period.

(4) The purchaser is at least 18 years of age.

(5) The pharmacist requires every purchaser of a controlled substance to furnish suitable identification that includes proof of age.

(6) The pharmacist maintains a bound record book for the dispensing of controlled substances. The record book shall contain the name and address of the purchaser, the name and quantity of controlled substance purchased, the date of each purchase, and the name or initials of the pharmacist who approved the sale of the substance to the

purchaser. The record book shall be kept readily retrievable at the registered location for five years.

(c) A prescription is not required for dispensing the substance pursuant to any other federal, state, or local law.

(Authorized by K.S.A. 65-16,106; implementing K.S.A. 65-16,102 and 65-16,104; effective May 1, 1978; amended June 2, 2023.)

***** Authenticated Kansas Administrative Regulation *****