

Kansas Administrative Regulations

State Board of Pharmacy

Article 7.—Miscellaneous Provisions

68-7-19. Transfer of a refillable prescription between pharmacies.

(a) As used in K.S.A. 65-1656 and amendments thereto, the requested or transferring pharmacy shall mean the pharmacy that has on file the original refillable prescription that the patient wants to transfer to a second pharmacy. The dispensing or requesting pharmacy shall mean the pharmacy that is wanting the information transferred from the original refillable prescription so that the patient may obtain the medication at this second pharmacy or the pharmacy receiving the transferred prescription.

(b) Before any prescription is transferred, the prescription information at the transferring pharmacy shall meet all of the following conditions:

(1) The prescription information indicates authorization for refilling by the prescriber.

(2) The drug on the prescription information is not a schedule II controlled substance.

(3) The number of lawfully allowable refills directed by the prescriber has not been exceeded.

(4) The maximum allowable time limit from the original dating of the prescription has not been exceeded.

(c) When a prescription on record is transferred, the following recordkeeping shall be required:

(1)(A) The transferring pharmacy shall cancel the transferred prescription by writing the word "void" on its face and shall record the following on the prescription:

(i) The name, address, and phone number of the receiving pharmacy;

(ii) the DEA registration number of the receiving pharmacy, if the drug is a schedule III, IV, or V controlled substance;

(iii) the date of the transfer request and the date of the prescription transfer;

(iv) the first name and last name of the person providing the requested prescription transfer information at the transferring pharmacy and, if applicable, the first name and last name of the pharmacist supervising the transfer; and

(v) the first name and last name of the person receiving the prescription transfer information at the requesting pharmacy and, if applicable, the first name and last name of the pharmacist supervising the transfer.

(B) If the pharmacy from which the prescription is transferred utilizes a computerized prescription recordkeeping system adequate to do so, the information required by this regulation shall be documented in the computer record of the prescription and shall not be required to be manually recorded on the prescription.

(2)(A) The prescription record at the pharmacy receiving the transferred prescription shall show the following, in addition to all other lawfully required information for an original prescription:

- (i) The word "transfer" written on the face of the prescription record;
- (ii) the date issued, the date of original filling, and the date of the last fill;
- (iii) the original number of refills authorized and the number of remaining authorized refills;
- (iv) the original prescription number;
- (v) the name, address, and telephone number of the transferring pharmacy;
- (vi) the first name and last name of the person providing the requested prescription transfer information at the transferring pharmacy and, if applicable, the first name and last name of the pharmacist supervising the transfer; and
- (vii) the first name and last name of the person receiving the prescription transfer information at the requesting pharmacy and, if applicable, the first name and last name of the pharmacist supervising the transfer;
- (viii) the name, address, and telephone number of the prescriber; and
- (ix) if the transfer involves a schedule III, IV, or V controlled substance, the DEA registration number of the prescriber and of the transferring pharmacy.

(B) If the pharmacy receiving the prescription transfer utilizes a computerized prescription recordkeeping system adequate to do so, the information required by this

regulation shall be documented in the computer record of the prescription and shall not be required to be manually recorded on the prescription.

(d) Pharmacies sharing a common computerized recordkeeping system that permits the electronic transfer of prescriptions and prescription information from the transferring pharmacy to the requesting pharmacy shall be required to do the following:

(1) Establish procedures to permit these transfers only in instances of valid and legal requests;

(2) ensure that at the time of the transfer there is a sufficient electronic record left at the transferring pharmacy so that a pharmacist at the transferring pharmacy can comply with the recordkeeping requirements of K.S.A. 65-1656, and amendments thereto, and this regulation; and

(3) ensure that the common files contain the following information in a manner readily available to any person accessing the files:

(A) Any authorization for refilling by the prescriber;

(B) an indication of whether or not the number of lawfully allowable refills authorized by the prescriber has been exceeded;

(C) an indication of whether the maximum allowable time limit from the original date of the prescription has been exceeded;

(D) any other information provided by the original prescription or prescription order; and

(E) the name and address of the pharmacy last dispensing the drug pursuant to the prescription.

(e) The dispensing pharmacy shall advise the patient and notify the transferring pharmacy that the original prescription shall be canceled in the transferring pharmacy.

(f) Any pharmacist may transfer a valid, refillable prescription from or to another pharmacy in or outside Kansas. Noncontrolled substance prescriptions may be transferred more than once, but schedule III, IV, and V controlled substance prescriptions shall not be transferred more than one time.

(g) Drugs shall not be dispensed more frequently or in larger amounts, except as allowed by K.S.A. 65-1637 and amendments thereto, than the prescriber ordered without direct prescriber authorization by way of a new prescription order.

(h) Valid refillable prescription transfers for prescription drugs not listed in schedule II of the uniform controlled substances act may be received or transferred by a pharmacist, or a pharmacist intern under the direct supervision of a pharmacist, utilizing any of the following methods of communication:

- (1) Direct verbal communication;
- (2) facsimile; or
- (3) automated computer software.

(i) Valid refillable prescription transfers for noncontrolled substances may be received or transferred by a pharmacy technician that has passed a national certification exam approved by the board and has been authorized by the supervising pharmacist to perform this function by means of automated computer pharmacy software or by facsimile of a transfer document created by the transferring pharmacy's prescription processing software.

(j) A pharmacy technician shall not forward or transfer an original, unfilled prescription.

(k) Any pharmacist or pharmacist intern may forward or transfer an original, unfilled prescription to a receiving pharmacy.

(l) A pharmacy shall not initiate the transfer of a prescription without authorization from the patient or the patient's caregiver.

(m) All records required by this regulation shall be kept readily retrievable for five years.

(Authorized by and implementing K.S.A. 2021 Supp. 65-1656; effective March 29, 1993; amended July 23, 1999; amended June 2, 2023.)

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