Kansas Administrative Regulations

State Board of Pharmacy

Article 7.—Miscellaneous Provisions

68-7-10. Emergency medication kits in long-term care facilities.

(a) Each of the following terms, as used in this regulation, shall have the meaning specified in this subsection:

(1) "Automated drug delivery system" means an automated dispensing system, as defined by K.S.A. 2023 Supp. 65-1626, and amendments thereto, that is located in a long-term care facility, uses a robotic, mechanical, or computerized device to supply each drug to an individual licensed by the board of healing arts or the board of nursing, who shall administer the drug to a patient, and meets the requirements of K.A.R. 68-9-3.

(2) "E-kit" means an emergency medication kit.

(3) "Recognized technician" means a pharmacy technician who has passed a certification examination approved by the board in accordance with K.A.R. 68-5-17.

(b) Each pharmacist providing consulting services for a long-term care facility shall ensure that each e-kit contains only the drugs that are generally regarded by practitioners as essential to the prompt treatment of sudden and unforeseen changes in a patient's condition that present an imminent threat to the patient's life or well-being. Each pharmacy that supplies an e-kit to a long-term care facility shall have a written agreement that states:

(1) Drugs in the e-kit shall be used for administration in emergency situations and not for routine care.

(2) The e-kit contents shall only be administered by authorized personnel acting on the order of a prescriber which includes compliance with 21 C.F.R. 1306.11 and 21 C.F.R. 1306.21 for controlled substances.

(c) Each pharmacist providing consulting services for the long-term care facility shall ensure that the long-term care facility has policies and procedures that meet the following requirements:

(1) Each pharmacy supplying an e-kit shall retain ownership of each drug until it is administered to the patient pursuant to the order of a prescriber.

(2) If the e-kit is not in an automated drug delivery system,

(A) The e-kit shall be locked or sealed in a manner that indicates when the e-kit has been opened or tampered with; and

(B) within 96 hours after the e-kit has been opened, a pharmacist or a recognized technician shall audit each drug in the e-kit.

(3) If the e-kit is in an automated drug delivery system, the pharmacy shall audit the e-kit at least once every month.

(4) The e-kit shall be securely locked in a sufficiently well-constructed cabinet, closet, or cart according to the pharmacist-in-charge's professional judgment or in an automated drug delivery system, with drugs properly stored according to the manufacturer's recommendations.

(5) Each nurse identified by the pharmaceutical services committee, or its equivalent, may access the e-kit in accordance with a prescriber's order.

(d) Each automated drug delivery system shall be registered and operated by a pharmacy located in Kansas.

(e) The pharmacist-in-charge or owner shall ensure the following e-kit requirements are met:

(1) The e-kit shall have an expiration date equivalent to the earliest expiration date of any drugs within the kit.

(2) At least once every six months, the pharmacist-in-charge or a pharmacist or recognized technician designated by the pharmacist-in-charge shall conduct an audit of each drug placed in the e-kit. Documentation of the audit shall be maintained in a readily retrievable format for a period of at least five years.

(Authorized by K.S.A. 65-1630; implementing K.S.A. 2024 Supp. 65-1637, K.S.A. 65-1642, and K.S.A. 65-1648; effective May 1, 1978; amended May 1, 1983; amended Sept. 9, 1991; amended Aug. 19, 2016; amended Jan. 4, 2019; amended Aug. 29, 2025.)