

Kansas Administrative Regulations

State Board of Pharmacy

Article 7.—Miscellaneous Provisions

68-7-20. Shared services.

(a)(1) "Order" shall mean either of the following:

(A) A prescription order as defined in K.S.A. 65-1626, and amendments thereto; or

(B) a medication order as defined in K.A.R. 68-5-1.

(2) "Shared order filling" shall mean the following:

(A) Preparing, packaging, compounding, or labeling an order, or any combination of these functions, by a person authorized by the pharmacy act to do so and located at a pharmacy on behalf of and at the request of another pharmacy; and

(B) returning the filled order to the requesting pharmacy for delivery to the patient or patient's agent or, at the request of the requesting pharmacy, directly delivering the filled order to the patient.

(3) "Shared order processing" shall mean the following order-processing functions that are performed by a person authorized by the pharmacy act and located at a pharmacy, on behalf of and at the request of another pharmacy:

(A) Interpreting and entering the order; and

(B) performing drug utilization reviews, claims adjudication, refill authorizations, or therapeutic interventions, or any combination of these functions.

(4) "Shared services" shall mean shared order filling or shared order processing, or both.

(b) Each pharmacy participating in shared services shall be registered by the board as either a resident or a nonresident pharmacy.

(c) Pharmacies may provide or utilize shared services functions only if the pharmacies involved meet the following requirements:

(1) Share a common electronic file or appropriate technology to allow access to sufficient information necessary to fill, refill, or perform shared services in conformance with the pharmacy act and the board's regulations; and

(2)(A) Have the same owner; or

(B) have a written contract outlining the services provided and the shared responsibilities of each party in complying with the pharmacy act and the board's regulations.

(d) Each pharmacy engaged in shared services shall meet the following requirements:

(1) Maintain records identifying, individually for each order processed, the name of each pharmacist, technician, pharmacy student, and intern who took part in the drug utilization review, refill authorization, or therapeutic intervention functions performed at that pharmacy;

(2) maintain records identifying, individually for each order filled or dispensed, the name of each pharmacist, technician, pharmacy student, and intern who took part in the filling, dispensing, and counseling functions performed at that pharmacy;

(3) report to the board within 30 days the results of any disciplinary action taken by another state's pharmacy board;

(4) maintain a mechanism for tracking the order during each step of the processing and filling procedures performed at the pharmacy;

(5) maintain a mechanism to identify on the prescription label all pharmacies involved in filling the order;

(6) provide for adequate security to protect the confidentiality and integrity of patient information; and

(7) be able to obtain for inspection any required record or information within 72 hours of any request by a board representative.

(e) Each pharmacy providing or utilizing shared services shall adopt and maintain a joint policies and procedures manual that meets both of the following conditions:

(1) The manual describes how compliance with the pharmacy act and the board's regulations will be accomplished while engaging in shared services.

(2) A copy of the manual is maintained in each pharmacy.

(f) Nothing in this regulation shall prohibit an individual pharmacist licensed in Kansas who is an employee of or under contract with the pharmacy from accessing the pharmacy's electronic database from inside or outside the pharmacy and performing the

order-processing functions permitted by the pharmacy act and the board's regulations, if both of the following conditions are met:

(1) The pharmacy establishes controls to protect the privacy and security of confidential records.

(2) None of the database is duplicated, downloaded, or removed from the pharmacy's electronic database.

(g) Nothing in this regulation shall permit a pharmacy, physician, physician assistant, or mid-level practitioner to utilize shared services to operate a requesting pharmacy that is not actively engaged in the practice of pharmacy.

(Authorized by K.S.A. 65-1630 and K.S.A. 65-1656; implementing K.S.A. 2016 Supp. 65-1626, as amended by L. 2017, ch. 34, sec. 1, K.S.A. 2016 Supp. 65-1626a, K.S.A. 2016 Supp. 65-1637, as amended by L. 2017, ch. 34, sec. 6, K.S.A. 2016 Supp. 65-1642, as amended by L. 2017, ch. 34, sec. 8, and K.S.A. 65-1656; effective April 16, 2004; amended April 18, 2008; amended Dec. 15, 2017.)

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