

201 KAR 2:100. Security and control of drugs and prescriptions.

RELATES TO: KRS Chapter 315

STATUTORY AUTHORITY: KRS 315.035, 315.191(1)

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 315.191(1) authorizes the Kentucky Board of Pharmacy to promulgate administrative regulations necessary to regulate and control pharmacists and pharmacies. This administrative regulation establishes requirements for adequate security and control of drugs and prescriptions.

Section 1.

(1) A pharmacy shall:

- (a) Provide adequate security and control of its controlled substances and prescription legend drugs; and
- (b) Be closed in the absence of a pharmacist.

(2) If a pharmacy is located within a larger establishment, which is open to the public for business at times when a pharmacist is not present, then the pharmacy shall be fully enclosed by partitions which shall be either solid, solid transparent, or chain linked secured by lock from other departments of the store. In the absence of a pharmacist pharmacies shall be locked and secured. A person shall not enter the closed pharmacy during those hours when a pharmacist is not present.

Section 2. All prescription files, all legend drugs, and other items which are restricted to sale either by or under the supervision of a pharmacist shall be kept in the pharmacy area.

Section 3. Written prescription orders and refill requests may be delivered to a pharmacy at any time. But if no pharmacist is present, then the prescription orders shall be deposited, by the patient or the patient's agent delivering the prescription order or refill request to the establishment, into a "mail slot" or "drug box" such that the prescription order is stored in the pharmacy area.

Section 4. Prepared prescription medications shall be stored in the pharmacy and shall not be removed from the pharmacy unless the pharmacist is present and the removal is for the immediate delivery to the patient, person picking up the prescription for the patient, or person delivering the prescription to the patient at the patient's residence or similar place.

(Rx-13; 1 Ky.R. 718; 2 Ky.R. 173; eff. 9-10-1975; 11 Ky.R. 1615; eff. 6-4-1985; 45 Ky.R. 3451; 46 Ky.R. 411; eff. 8-19-2019; Crt to Am 1-27-2026.)