

**902 KAR 55:115. Drug possession by hospice or home health agency.**

RELATES TO: KRS 217.005-217.215, 217.992

STATUTORY AUTHORITY: KRS 194A.050, 211.090, 217.125, 315.300

NECESSITY, FUNCTION, AND CONFORMITY: KRS 315.300 authorizes the Cabinet for Health Services to promulgate administrative regulations that implement the possession of certain drugs by a hospice or home health agency. The purpose of this administrative regulation is to establish criteria that a pharmacy, hospice or home health agency must meet in order to insure that drugs belonging to a pharmacy, that are stored in a hospice or home health agency, are safe and effective for administration to patients.

Section 1. Authorized Employees. A pharmacy may place a legend drug listed in KRS 315.300 with an authorized employee of a hospice or a home health agency if the pharmacy maintains a record of the license that authorizes the employee to administer legend drugs.

Section 2. Written Agreement. Each party to a written agreement between a pharmacy and a home health agency or a pharmacy and a hospice shall maintain a copy of the written agreement.

Section 3. Protocol.

- (1) A protocol required by KRS 315.300 may be included in the written agreement or may be a separate document.
- (2) If the protocol is a separate document, a copy shall be maintained by the pharmacy and by the hospice or home health agency.
- (3) The protocol shall be reviewed not less than annually and modified if necessary.

Section 4. Records.

- (1) The pharmacy record of a drug placed with authorized employees of a hospice or home health agency shall be retained for five (5) years.
- (2) The record of a drug administered by authorized employees of a hospice or home health agency shall be retained by the pharmacy for five (5) years.

(25 Ky.R. 723; 1369; eff. 12-16-1998; Crt eff. 1-11-2019.)