

## 2023 Kansas Statutes

**65-1682. Prescription monitoring program act; definitions.** As used in this act, unless the context otherwise requires:

- (a) "Audit trail information" means information produced regarding requests for prescription monitoring program data that the board and advisory committee use to monitor compliance with this act.
- (b) "Board" means the state board of pharmacy.
- (c) "Delegate" means:
  - (1) A registered nurse, licensed practical nurse, respiratory therapist, emergency medical responder, paramedic, dental hygienist, pharmacy technician or pharmacy intern who has registered for access to the program database as an agent of a practitioner or pharmacist to request program data on behalf of the practitioner or pharmacist;
  - (2) a death investigator who has registered for limited access to the program database as an agent of a medical examiner, coroner or another person authorized under law to investigate or determine causes of death; or
  - (3) an individual authorized to access the program database by the board in rules and regulations.
- (d) "Dispenser" means a practitioner, pharmacy or pharmacist who delivers a scheduled substance or drug of concern to an ultimate user, but does not include:
  - (1) A licensed hospital pharmacy that distributes such substances for the purpose of inpatient hospital care;
  - (2) a medical care facility as defined in K.S.A. 65-425, and amendments thereto, practitioner or other authorized person who administers such a substance;
  - (3) a registered wholesale distributor of such substances;
  - (4) a veterinarian licensed by the Kansas board of veterinary examiners who dispenses or prescribes a scheduled substance or drug of concern; or
  - (5) a practitioner who has been exempted from the reporting requirements of this act in rules and regulations promulgated by the board.
- (e) "Drug of concern" means any drug that demonstrates a potential for abuse and is designated as a drug of concern in rules and regulations promulgated by the board.
- (f) "Patient" means the individual who is the ultimate user of a drug for whom a prescription is issued or for whom a drug is dispensed.
- (g) "Pharmacist" means an individual currently licensed by the board to practice the profession of pharmacy in this state.
- (h) "Pharmacy" means a premises, laboratory, area or other place currently registered with the board where scheduled substances or drugs of concern are offered for sale or dispensed in this state.
- (i) "Practitioner" means an individual licensed to practice medicine and surgery, dentist, podiatrist, optometrist or other individual authorized by law to prescribe or dispense scheduled substances and drugs of concern.
- (j) "Program" means the prescription monitoring program.
- (k) "Scheduled substance" means controlled substances included in schedules II, III or IV of the schedules designated in K.S.A. 65-4107, 65-4109 and 65-4111, and amendments thereto, respectively, or the federal controlled substances act, 21 U.S.C. § 812.

**History:** L. 2008, ch. 104, § 2; L. 2022, ch. 74, § 3; April 28.