



Kansas

State-Specific Controlled Substance Requirements

Updated 5/31/23

Biennial Inventory (DEA):	<p>A physical inventory of all controlled substances on hand must be taken at least every <u>two years</u>. The biennial inventory may be taken on any date, which is within two years of the previous biennial or initial inventory. [21 CFR 1304.11]</p> <p>NOTE:</p> <ul style="list-style-type: none"> • Separate biennial inventories must be completed for schedule II and schedule III-V controlled substances. • Biennials may be conducted more frequently than every two years. As a recommendation, conduct your DEA biennial inventory at the same time you conduct your state biennial inventory. • Biennial inventories must be conducted by the DEA registrant, or their designee who has been granted Power of Attorney, along with an authorized witness. <p>Biennial inventories must indicate whether they are conducted at the start or close of business.</p>
Biennial Inventory (KS):	<p>An initial inventory of all controlled substances shall be taken and recorded. Every <u>two years on May 1</u>, a new inventory shall be taken and recorded. " Kan. Admin. Regs. § 100-21-4</p> <p>Each registrant shall keep records and maintain inventories in conformance with the record-keeping and inventory requirements of 21 CFR 1304.04 and shall be kept on file for <u>a period of not less than five years</u>.</p> <p><u>Schedule V preparations</u>. All registrants handling Schedule V preparations shall be subjected to the same inventory and record-keeping requirements set forth in subsection (a) above. In addition, an inventory of Schedule V items shall be taken in conjunction with the required inventory requirements relating to Schedules II, III, and IV. Kan. Admin. Regs. § 68-20-16</p>
Annual Inventory (KS):	<p>After the initial inventory is taken, the registrant shall take a subsequent inventory of all controlled substances and drugs of concern on hand <u>at least every year but no later than 375 days after the date of the previous inventory</u>. <u>All controlled substances and drugs of concern shall be inventoried on the same calendar date</u>. Kan. Admin. Regs. § 68-20-16</p>
CE:	<p><u>Veterinarian</u>: 20 hours of continuing education credits. A continuing education course is defined by K.A.R. 70-1-1, as a program or activity designed to enhance the veterinarian's level of knowledge, skill, or abilities to practice veterinary medicine.</p> <p><u>Veterinarian Tech</u>: N/A</p> <p>No existing controlled substance CE requirements.</p>
Compounding:	<p><u>Compounding</u> is <u>any manipulation</u> of a drug beyond that stipulated on the drug label. Veterinary drugs should only be compounded based on a licensed veterinarian's prescription, and to meet the medical needs of a specific patient. Manipulation might include mixing, diluting, concentrating, flavoring, or changing a drug's dosage form. Examples of compounding include:</p> <ul style="list-style-type: none"> • Mixing two injectable drugs in the same syringe • Creating an oral suspension from crushed tablets or an injectable solution • Adding flavoring to a commercially available drug • Creating a transdermal gel for a drug typically taken through other routes



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	<ul style="list-style-type: none"> • Mixing two solutions for instilling into the ear <p><u>KS Compounding:</u></p> <p><u>"Compounding"</u> means the combining of components into a compounded preparation under either of the following conditions:</p> <p>(A) As the result of a practitioner's prescription drug order or initiative based on the practitioner-patient-pharmacist relationship in the course of professional practice to meet the specialized medical need of an individual patient of the practitioner that cannot be filled by an FDA-approved drug; or</p> <p>(B) for the purpose of, or incidental to, research, teaching or chemical analysis, and not for sale or dispensing.</p> <p>(2) Compounding includes the preparation of drugs or devices in anticipation of receiving prescription drug orders based on routine, regularly observed prescribing patterns.</p> <p>(3) Compounding does not include reconstituting any mixed drug according to the FDA-approved labeling for the drug.</p> <p>65-1626</p>
<p>Dispensing:</p>	<p><u>"Dispense"</u> means to deliver prescription medication to the ultimate user or research subject by or pursuant to the lawful order of a practitioner or pursuant to the prescription of a mid-level practitioner.</p> <p><u>"Dispenser"</u> means a practitioner or pharmacist who dispenses prescription medication.</p> <p>(l) Dispensation of medications for companion animals.</p> <p>(1) All prescription drugs to be dispensed for use by a companion animal may be dispensed only on the order of a licensed veterinarian who has an existing veterinary-client-patient relationship as defined by the Kansas veterinary practice act. The veterinarian shall ensure that labels will be affixed to any unlabeled container containing any medication dispensed and to each factory-labeled container that contains prescription drugs or controlled substances dispensed for companion animals. The label shall be affixed to the immediate container and shall include the following information:</p> <p>(A) The name and address of the veterinarian and, if the drug is a controlled substance, the veterinarian's telephone number;</p> <p>(B) the date of delivery or dispensing;</p> <p>(C) the name of the patient, the client's name, and, if the drug is a controlled substance, the client's address;</p> <p>(D) the species of the animal;</p> <p>(E) the name, active ingredient, strength, and quantity of the drug dispensed;</p> <p>(F) directions for use specified by the practitioner, including dosage, frequency, route of administration, and duration of therapy; and</p> <p>(G) any cautionary statements required by law, including statements indicating that the drug is not for human consumption, is poisonous, or has withdrawal periods associated with the drug. If the size of the immediate container is insufficient to be labeled, the container shall be enclosed within another container large enough to be labeled.</p> <p>(2) Upon request of a client, each licensed veterinarian shall provide a written prescription for a prescription drug to a client instead of dispensing the prescription drug.</p> <p>(m) Dispensation of medications for food or commercial animals. All prescription drugs to be dispensed for food used by a food animal or used by a commercial animal may be dispensed only on a written order of a licensed veterinarian with an existing veterinary-client-patient relationship as defined by the Kansas veterinary practice act. That veterinarian shall maintain the original written order on file in the veterinarian's office. A copy of the written order shall be on file with the distributor, and a second copy shall be maintained on the premises of the patient-client. The written order shall include the following information:</p>



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	<p>(1) The name and address of the veterinarian and, if the drug is a controlled substance, the veterinarian's telephone number;</p> <p>(2) the date of delivery or dispensing;</p> <p>(3) the name of the patient, the client's name, and, if the drug is a controlled substance, the client's address;</p> <p>(4) the species or breed, or both, of the animal;</p> <p>(5)</p> <p>(A) The established name or active ingredient of each drug or, if formulated from more than one ingredient, the established name of each ingredient; and</p> <p>(B) the strength and quantity of each drug dispensed; and</p> <p>(6) directions for use specified by the practitioner, including the following:</p> <p>(A) The class or species of the animal or animals receiving the drug or some other identification of the animals; and</p> <p>(B) the dosage, the frequency and route of administration, and duration of therapy; and</p> <p>(C) any cautionary statements required by law, including statements indicating whether the drug is not for human consumption or is poisonous or whether there are withdrawal periods associated with the drug. Kan. Admin. Regs. § 70-7-1</p>
Diversion Reporting:	<p>In addition to DEA reporting requirements, notify the board in writing within one day of any suspected diversion, theft, or loss of any controlled substance and, upon completion, shall provide the board with a copy of the completed DEA 106 form issued by the U.S. department of justice.</p> <p>K.S. Admin Regs 68-20-15b</p>
Euthanasia:	<p>Euthanasia may be performed by licensed veterinarians, an animal control officer, licensee, permittee, officer of an animal shelter, or officer of a pound using the most current, approved euthanasia methods established by the AVMA on euthanasia (K.S.A. 47-1718).</p>
Ownership:	<p>N/A- Inconclusive at this time.</p>
Power of Attorney Notarization:	<p>in Kansas, your Power of Attorney will need to be notarized.</p>
PMP Reporting (K-TRACS):	<p>Kansas does not currently require dispenser or prescriber registration or use of K-TRACS, the prescription drug monitoring program for the state of Kansas.</p>
Premises Permit:	<p>Each veterinary premises as defined by K.S.A. 47-816, and amendments thereto, shall be registered by the board.</p> <p>(b) Each premises shall be inspected and registered by the board prior to the opening of such premises. Any existing premises shall be inspected and registered by the board within 60 days of any change of the licensed veterinarian who is responsible for the operation and management of the veterinary premises. Upon receipt of the application for registration and payment of the application fee and inspection fee, as established in K.S.A. 47-822, and amendments thereto, the board shall cause such premises to be inspected by an authorized agent of the board. In lieu of an inspection, the board may register a premises which is accredited by a recognized organization whose standards are found by the board to meet or to exceed the minimum standards as established by board rules and regulations.</p> <p>(c) The licensed veterinarian who will be responsible for the operation and management of the premises shall apply for registration and submit the fee established pursuant to K.S.A. 47-822, and amendments thereto. The registrant shall notify the board within 30 days of any change in the licensed veterinarian who is responsible for the operation and management of the veterinary premises.</p> <p>(d) The board shall deny any application for a registration of the premises when the inspection reveals that the premises does not meet the minimum standards established by board rules and regulations or other provisions of this act; in which event the applicant shall pay the inspection fee for each additional reinspection required to determine whether or not</p>



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	<p>the premises has been brought into compliance with the minimum standards and other provisions of this act.</p> <p>(e) The board, in accordance with the Kansas administrative procedure act, may refuse to register a veterinary premises, or revoke, suspend, limit or condition a registration, if an inspection reveals that the premises does not meet the minimum standards established by board rules and regulations or that the premises is being operated or managed by any person other than a licensed veterinarian whose license is in good standing with the board.</p> <p>(f) The board may inspect or reinspect a premises upon receipt of a written, signed complaint that a licensee has violated the provisions of this act or rules and regulations of the board or that such premises is not in compliance with the provisions of this act or rules and regulations of the board. Nothing contained in this section shall be construed as preventing the board from conducting unannounced inspections of any premises without a finding of reasonable cause for the purpose of ascertaining whether or not such premises is in compliance with the provisions of this act.</p> <p>(g) Application for and acceptance of a registration of the premises by an applicant shall be deemed as express consent for allowing the board or the board's authorized agent to conduct inspections to ensure compliance with this act or to investigate alleged complaints. All such inspections may be conducted with or without notice to the registrant. Inspections shall occur during normal business hours for the premises. Such consent and authority is to be clearly set forth in the application for registration and subscribed thereto by the applicant.</p> <p>(h) All registrations shall expire annually and must be renewed by making application to the board and payment of the registration fee. Any renewal application which is submitted after the annual renewal date shall be assessed a penalty fee as established by board rules and regulations. In the event that application for renewal of registration has not been submitted within 60 days of its expiration date, and after notice by certified mail, return receipt requested, has been given to the registrant that the renewal application, the registration fee and the late renewal penalty fee are due, such registration of the premises shall automatically expire without a hearing and shall not be renewed unless a new registration application is submitted and the applicant pays the registration fee, the late renewal penalty fee and inspection fees. Any such premises which has its registration automatically expired under this subsection must be reinspected prior to the issuance of a new registration.</p> <p>(i) Each registrant shall have a policy which addresses emergency and after-hour veterinary services and shall inform each client of the policy. If the policy changes, the registrant shall notify clients of the new policy.</p> <p>(j) Each registrant shall keep such registration conspicuously displayed in the premises for which it is issued.</p> <p>KS Stat § 47-840 (2015)</p> <p>Premises Registration Application & Permit</p>
<p>Prescribing:</p>	<p><u>"Prescriber"</u> means a practitioner or a mid-level practitioner.</p> <p><u>"Prescription"</u> or <u>"prescription order"</u> means: (1) An order to be filled by a pharmacist for prescription medication issued and signed by a prescriber in the authorized course of such prescriber's professional practice; or (2) an order transmitted to a pharmacist through word of mouth, note, telephone or other means of communication directed by such prescriber, regardless of whether the communication is oral, electronic, facsimile or in printed form.</p> <p><u>"Prescription medication"</u> means any drug, including label and container according to context, which is dispensed pursuant to a prescription order. A prescription for a controlled substance may be issued only by a practitioner or mid-level practitioner who meets the following conditions: (1) Is legally authorized to prescribe controlled substances in Kansas or</p>



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	<p>any other competent jurisdiction; and (2) is either registered or exempted from registration under K.S.A.</p> <p>All prescription drugs to be dispensed for food used by a food animal or used by a commercial animal may be dispensed only on a written order of a licensed veterinarian with an existing veterinary-client-patient relationship as defined by the Kansas veterinary practice act.</p>
Recordkeeping:	<p>All prescriptions, invoices, inventories, power of attorney forms, immunization records (including training, CPR cards, and protocols), incident reports, CQI documentation, compounding records, access to daily printouts, signature logs, patient profiles, and any other record required to be maintained for five (5) years. Kan. Admin. Regs. § 100-21-4</p>
State CS License:	<p>Kansas does not require DEA registrant practitioners to obtain a second state controlled substance license, just a DEA registration and an active Veterinary Medical Professional License to practice in Kansas.</p>
State Scheduled CS's:	<p>Veterinarians are currently excluded from this requirement.</p> <p>Ephedrine and Pseudoephedrine (previously were listed as Sch 5) and promethazine with codeine were added to KS drugs of concern therefore are included in PMP requirements.</p>
Supervision:	<p><u>"Direct supervision"</u> means the supervising licensed veterinarian:</p> <ol style="list-style-type: none"> (1) Is on the veterinary premises or in the same general area in a field setting; (2) is quickly and easily available; (3) examines the animal prior to delegating any veterinary practice activity to the supervisee and performs any additional examination of the animal required by good veterinary practice; and (4) delegates only those veterinary practice activities which are consistent with rules and regulations of the board regarding employee supervision. (K.S.A. 47-816) <p>(5) <u>"Indirect supervision"</u> means that the supervising licensed veterinarian:</p> <ol style="list-style-type: none"> (1) Is not on the veterinary premises or in the same general area in a field setting, but has examined the animal and provided either written or documented oral instructions or a written protocol for treatment of the animal patient, except that in an emergency, the supervising licensed veterinarian may provide oral instructions prior to examining the animal and subsequently examine the animal and document the instruction in writing; (2) delegates only those veterinary practice tasks which are consistent with the rules and regulations of the board regarding employee supervision; and (3) the animal being treated is not anesthetized as defined in rules and regulations. (K.S.A. 47-816) <p>(n) <u>Supervision.</u></p> <ol style="list-style-type: none"> (1) Each veterinarian shall provide direct supervision of any employee or associate of the veterinarian who participates in the practice of veterinary medicine, except that a veterinarian may provide indirect supervision to any person who meets either of the following conditions: <ol style="list-style-type: none"> (A) Is following the written instructions for treatment of the animal patient on the veterinary premises; or (B) has completed three or more years of study in a school of veterinary medicine. (2) A veterinarian may delegate to an employee or associate of the veterinarian only those activities within the practice of veterinary medicine that are consistent with that person's training, experience, and professional competence. A veterinarian shall not delegate any of the following: <ol style="list-style-type: none"> (A) The activities of diagnosis; (B) performance of any surgical procedure; or



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	(C) prescription of any drug, medicine, biologic, apparatus, application, anesthesia, or other therapeutic or diagnostic substance or technique. Kan. Admin. Regs. § 70-7-1
Premises Permit:	All premise registrations run July 1st to June 30th. Link: https://kbve.kansas.gov/wp-content/uploads/2017/05/Premise_Registration_Application_and_Inspection_Form-2022.pdf Premise registration renewal notices are sent with license renewal notices in June. The registration renewal fee is \$125.00 if paid on or before June 30. If paid July 1 or after, the renewal fee is \$175.00.
Telemedicine:	No existing laws.
Veterinary Professional License (KS):	Renewal notices are sent to licensees in June of each year . The renewal fee is \$100.00 if paid on or before June 30. If paid July 1 or after, the renewal fee is \$200.00. Upon receipt by the Board of fee and signed notice, a renewal acknowledgment card is sent to each licensee at the address listed on the returned notice.
VCPR:	Regulations Concerning Establishing a VCPR: The Board may refuse to issue a license, revoke, suspend, limit, condition, reprimand or restrict a license to practice veterinary medicine for the use, prescription, administration, dispensation or sale of any veterinary prescription drug or the prescription of an extra-label use of any over-the-counter drug in the absence of a valid veterinary-client- patient relationship (K.S.A. § 47-830). (n) " <u>Veterinary-client-patient relationship</u> " means: (1) The veterinarian has assumed the responsibility for making medical judgments regarding the health of the animal or animals and the need for medical treatment, and the client, owner or other caretaker has agreed to follow the instruction of the veterinarian; (2) there is sufficient knowledge of the animal or animals by the veterinarian to initiate at least a general or preliminary diagnosis of the medical condition of the animal or animals. This means that the veterinarian has recently seen or is personally acquainted with the keeping and care of the animal or animals by virtue of an examination of the animal or animals, or by medically appropriate and timely visits to the premises where the animal or animals are kept, or both; and (3) the practicing veterinarian is readily available for follow-up in case of adverse reactions or failure of the regimen of therapy. (K.S.A. 47-816)

Information and Resources

FEDERAL:

Drug Enforcement Administration, St. Louis Division
317 South 16th Street
St. Louis, MO 63103
Phone: (314) 538-4600

Wichita Office

Marina Point II Office Building
1919 N Amidon Ave # 330
Wichita, KS 67203
Phone: (316) 838-2500



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Topeka Office

424 S Kansas Ave # 205
Topeka, KS 66603
Phone: (785) 232-4065

Garden City Office

2501 Campus Drive
Garden City, KS 67846
Phone: (620) 275-4373

Federal Law: www.deadiversion.usdoj.gov

Controlled Substances Act: [21 USC 801 – 904](#)

Code of Federal Regulations: [21 CFR Part 1300 – 1399](#)

NDC drug: www.fda.gov/Drugs/DevelopmentApprovalProcess/UCM070829

Diversion Control Division: <https://www.deadiversion.usdoj.gov/schedules/>

STATE:

Kansas Board of Veterinary Examiners website: <https://kbve.kansas.gov>

Kansas Board of Pharmacy website: <https://pharmacy.ks.gov>