

**CHAPTER 61-09-02**  
**PRESCRIPTION DRUG INVENTORY OF NURSING SUPPLY KITS**

Section

61-09-02-01 Prescription Safeguard and Control Policy  
61-09-02-02 Requirements of Suppliers of Nursing Supply Kits

**61-09-02-01. Prescription safeguard and control policy.**

Each home health care agency, hospital, health system, or pharmacy serving at-home patients shall adopt a written prescription drug safeguard policy and procedures which, as a condition precedent to obtaining prescription drugs for nursing supply kits, at a minimum, must include the following requirements:

1. All prescription drugs must be obtained from a licensed pharmacy or licensed pharmacist, which may include a hospital pharmacy. The prescription drugs must be the property of the pharmacy or pharmacist and not the property of the nurse, nursing agency, or home health care agency.
2. The pharmacy from which the drugs are obtained shall maintain ownership and be responsible for the medications and supplies in the nursing supply kit.
  - a. Each supply kit must be sealed with a tamperproof seal to ascertain entry.
  - b. Each kit must be delivered to and under the control of a registered nurse. Each kit must have a number which must be designated to a registered nurse.
  - c. Each kit must be labeled on the outside of the container with a list of drugs and supplies.
3. All drugs must be stored at proper temperature and conditions as required.
4. All drugs and supplies must be replaced within seventy-two hours of use and a tamperproof seal must be applied to the kit.
5. The nursing supply kit may contain a specified list of drugs which meet the needs of the nursing personnel for emergency care and maintenance of their patients' at-home therapy. This list should be specific and included in the safeguard policy and procedures. These safeguard policy and procedures should be maintained as part of the nursing agency's and pharmacy's policy and procedures.
6. Drugs and supplies in the kits must be checked by pharmacy staff for outdates at least quarterly. Tamperproof seals must be inspected, documented, and records maintained in the pharmacy.
7. The pharmacy must be furnished with a copy of each prescriber's prescription order or reference to approved protocols to be used as a prescription before prescription drug replacement.
8. Any unused portion of a prescription drug must be returned for disposal or destruction to the pharmacy supplying prescription drugs to the nurse or nursing agency. The return of the unused prescription drug should be documented in writing at the pharmacy by the nurse, cosigned by a licensed pharmacist, and witnessed by one other person.

**History:** Effective October 1, 1999.

**General Authority:** NDCC 28-32-02, 43-15-10

**Law Implemented:** NDCC 28-32-02, 43-15-10

### **61-09-02-02. Requirements of suppliers of nursing supply kits.**

The pharmacist-in-charge of the licensed pharmacy or the pharmacist supplying prescription drugs to a nurse or nursing agency, prior to supplying said drugs, shall review the written prescription drug safeguard policy and procedures of the nurse or nursing agency to determine that all of section 61-09-02-01 requirements are contained therein and that the nurse or nursing agency is complying with those requirements. No prescription drug may be supplied to a nurse or nursing agency if the requirements of section 61-09-02-01 are not contained in the written prescription drug safeguard policy and procedures or if the nurse or nursing agency is not in compliance with these requirements.

**History:** Effective October 1, 1999.

**General Authority:** NDCC 28-32-02, 43-15-10

**Law Implemented:** NDCC 28-32-02, 43-15-10