

315.040 Exceptions to chapter.

- (1) Nothing in this chapter shall be construed to prevent, restrict, or otherwise interfere with the sale of nonprescription drugs in their original packages by any retailer. No rule or regulation shall be adopted by the Board of Pharmacy under this chapter which shall require the sale of nonprescription drugs by a licensed pharmacist or under the supervision of a licensed pharmacist.
- (2) Nothing in this chapter shall interfere with the professional activities of any licensed practicing physician, or prevent the physician from keeping any drug or medicine that he or she may need in his or her practice, from compounding the physician's own medications, or from dispensing or supplying to patients any article that seems proper to the physician.
- (3) Nothing in this chapter pertaining to the use of collaborative care agreements shall apply in any hospital or other health facility operated by a hospital without the express written permission of the hospital's governing body. Collaborative care agreements may be restricted by the policies and procedures of the facility.
- (4) Nothing in this chapter shall interfere with the activities of a physician assistant as authorized in KRS Chapter 311.
- (5) Nothing in this chapter shall interfere with the activities of an advanced practice registered nurse as authorized in KRS Chapter 314.
- (6) Nothing in this chapter shall be construed to prevent, restrict, or otherwise interfere with the sale or distribution of dialysate solutions as defined in KRS 315.0351 or devices necessary to perform home peritoneal dialysis to patients with end-stage renal disease, provided that the requirements established in KRS 315.0351(2) are satisfied. No rule or administrative regulation shall be adopted or promulgated by the board under this chapter that requires the sale or distribution of dialysate solutions as defined in KRS 315.0351 or devices necessary to perform home peritoneal dialysis by a licensed pharmacist or under the supervision of a licensed pharmacist.

Effective: June 27, 2019

History: Amended 2019 Ky. Acts ch. 157, sec. 2, effective June 27, 2019. -- Amended 2017 Ky. Acts ch. 80, sec. 23, effective June 29, 2017. -- Amended 2010 Ky. Acts ch. 85, sec. 67, effective July 15, 2010. -- Amended 2000 Ky. Acts ch. 391, sec. 22, effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 228, sec. 6, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 257, sec. 7, effective July 15, 1996. -- Amended 1990 Ky. Acts ch. 482, sec. 12, effective July 13, 1990. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 1376t, 2625, 2632.