

217.182 Sale, distribution, administration, prescription, or possession of legend drugs -- Penalty.

- (1) A duly licensed manufacturer, distributor, or wholesaler may sell or distribute a legend drug to any of the following:
 - (a) A manufacturer, wholesaler, or distributor;
 - (b) A pharmacy;
 - (c) A practitioner;
 - (d) The administrator in charge of a hospital, but only for use by or in that hospital; and
 - (e) A person in charge of a laboratory, but only for use in that laboratory for scientific and medical research purposes.
- (2) A pharmacist may sell or distribute a legend drug:
 - (a) Pursuant to a prescription that conforms to the requirements of this chapter; or
 - (b) To a person licensed to administer, dispense, distribute, or possess a legend drug.
- (3) A practitioner may:
 - (a) Administer, dispense, or prescribe a legend drug for a legitimate medical purpose and in the course of professional practice; or
 - (b) Distribute a legend drug to a person licensed to administer, dispense, distribute, or possess a legend drug.
- (4) Possession or control of legend drugs obtained as authorized by this section shall be lawful if it occurred in the regular course of business, occupation, profession, employment, or duty of the possessor.
- (5) No person shall traffic in any legend drug except as authorized by this section.
- (6) No person shall dispense, prescribe, distribute, or administer any legend drug except as authorized by this section.
- (7) No person shall possess any legend drug except as authorized by this section.
- (8) Unless another specific penalty is provided in KRS 217.005 to 217.215, any person who violates any provision of subsections (1) to (6) of this section shall be guilty of a Class A misdemeanor for the first offense and a Class D felony for subsequent offenses.
- (9) Unless another specific penalty is provided in KRS 217.005 to 217.215, any person who violates the provision of subsection (7) of this section shall be guilty of a Class B misdemeanor.
- (10) A person to whom or for whose use a legend drug has been prescribed or dispensed may lawfully possess it.

Effective: July 15, 1998

History: Created 1998 Ky. Acts ch. 301, sec. 8, effective July 15, 1998.