

Guidance for Facility Applications

Approved by Kansas State Board of Pharmacy: July 11, 2024

Last Updated: May 23, 2024

- I. Purpose
 - a. The purpose of this guidance is to provide clarification regarding the process and requirements for facility applications and renewals.
- II. Statutory Authority
 - a. See K.S.A. 65-1627, 65-1643, and 65-1645
- III. Guidance
 - a. The following applies to all facilities:
 - i. Applicants may not transact business in the state of Kansas until a valid Kansas registration is obtained.
 - ii. Each new application will be reviewed for completion. If, upon review, the application is determined to be incomplete:
 1. Notice will be provided to the applicant of any incomplete application, along with an opportunity to complete the application within 30 days.
 2. If the application is still incomplete after the deadline, a second notice will be provided to the applicant, along with an opportunity to complete the application within 30 days.
 3. If the application is still incomplete after the second deadline, a final notice will be mailed to the applicant's mailing address of record providing 15 days to complete the application.
 4. If the applicant fails to respond or provide the requested application items by the deadline provided in the final notice, the application will be deemed to be withdrawn and the applicant may submit a new application and fee.
 - iii. Late renewals will be accepted for 6 months following the close of the annual renewal window. Beyond 6 months, a new application (with all supporting documentation and fee) will be required.
 - iv. Each application lists the required elements; the review/approval process is more efficient when all required elements are included in the initial application. Submit the required fee with the application packet to avoid unnecessary delays; separate payments received without reference to a specific application will be returned.
 - v. Facility ownership information is a required element of every application. Appropriate S-310, S-320 and/or S-330 forms should be utilized to provide this information; a complete organizational chart, with Federal Employer Identification Numbers (FEIN) may also be provided. Ownership information to the person (human) level totaling 100% is required, unless a portion of the ownership is publicly traded, government-owned, not-for-profit, or private equity held. If any of the noted exceptions apply, submit a written explanation with the application.
 - vi. Change of facility name requires submission of a new application (with all supporting documentation and fee) within 30 days of the change.
 - b. The following information is specific to nonresident facilities:
 - i. The Board will no longer waive any facility application or renewal requirements. Facilities filing original or change applications must meet all statutory and regulatory requirements. Facilities renewing in May or June must meet all standard renewal requirements prior to the expiration date (June 30).

- ii. Facility inspection requirements are clearly listed on each application. Applications which do not meet the stated requirements will be considered incomplete.
- iii. Changes in facility ownership must be reported to the Board no later than 5 days after the change becomes effective (K.A.R. 68-2-9). This can be accomplished with a letter to the Board. Submit a new application (with all supporting documentation and fee) indicating the ownership change within 30 days of the change.
- iv. Change of facility address requires submission of a new application (with all supporting documentation and fee) within 30 days of the change.