

IC 16-27-3

Chapter 3. Possession of Certain Drugs and Other Health Care Items

IC 16-27-3-1

Sterile water or saline

Sec. 1. An employee of a home health agency who is a licensed pharmacist, registered nurse, or licensed practical nurse may purchase, store, or transport for administering to a home health patient or hospice patient of the home health agency under the order of a licensed physician the following:

- (1) Sterile water for injection and irrigation.
- (2) Sterile saline for injection and irrigation.

As added by P.L.105-1998, SEC.2.

IC 16-27-3-2

Vaccines

Sec. 2. (a) An employee of a home health agency who is a licensed pharmacist, registered nurse, or licensed practical nurse may purchase, store, or transport a vaccine in order to administer the vaccine to:

- (1) the home health agency's:
 - (A) employees; or
 - (B) home health patients or hospice patients; or
- (2) family members of a home health patient or hospice patient; under the order of a licensed physician.

(b) An employee described in subsection (a) who purchases, stores, or transports a vaccine under this section must ensure that a standing order for the vaccine:

- (1) is signed and dated by a licensed physician;
- (2) identifies the vaccine covered by the order;
- (3) indicates that appropriate procedures are established for responding to any adverse reaction to the vaccine; and
- (4) directs that a specific medication or category of medication be administered if a recipient has an adverse reaction to the vaccine.

As added by P.L.105-1998, SEC.2.

IC 16-27-3-3

Other drugs

Sec. 3. An employee of a home health agency who is a licensed pharmacist, registered nurse, or licensed practical nurse may purchase, store, or transport the following drugs in order to administer to a home health patient or hospice patient of the home health agency, in accordance with section 5 of this chapter:

- (1) Any of the following items in a sealed portable container in a size determined by the dispensing pharmacist:
 - (A) Up to one thousand (1,000) milliliters of nine-tenths of one percent (0.9%) sodium chloride intravenous infusion.
 - (B) Up to one thousand (1,000) milliliters of five percent

- (5%) dextrose in water injection.
- (2) Not more than five (5) dosage units of each of the following items, each in an individually sealed, unused container:
- (A) Heparin sodium lock flush in a concentration of ten (10) units per milliliter, one hundred (100) units per milliliter, or one thousand (1,000) units per milliliter.
 - (B) Epinephrine HCl solution in a concentration of one (1) to one thousand (1,000).
 - (C) Diphenhydramine HCl solution in a concentration of fifty (50) milligrams per milliliter.
 - (D) Methylprednisolone in a concentration of one hundred twenty-five (125) milligrams per two (2) milliliters.
 - (E) Naloxone in a concentration of up to one (1) milligram per milliliter in a two (2) milliliter vial.
 - (F) Glucagon in a concentration of one (1) milligram per milliliter.
 - (G) Furosemide in a concentration of ten (10) milligrams per milliliter.
 - (H) Lidocaine two and one-half percent (2.5%) and prilocaine two and one-half percent (2.5%) cream in a five (5) gram tube.
 - (I) Lidocaine HCl solution in a concentration of one percent (1%) in a two (2) milliliter vial.
 - (J) Urokinase five thousand (5,000) units per a one (1) milliliter vial.

As added by P.L.105-1998, SEC.2.

IC 16-27-3-4

Transportation of drugs in sealed portable container by pharmacist or nurse

Sec. 4. An employee of a home health agency who is a licensed pharmacist, registered nurse, or licensed practical nurse may purchase, store, or transport drugs in a sealed portable container under this chapter only if the home health agency has established written policies and procedures to ensure the following:

- (1) That the container is handled properly with respect to storage, transportation, and temperature stability.
- (2) That a drug is removed from the container only on the written or oral order of a licensed physician.
- (3) That the administration of a drug in the container is performed in accordance with a specific treatment protocol.
- (4) That the home health agency maintains a written record of the dates and times the container is in the possession of a licensed pharmacist, registered nurse, or licensed practical nurse.
- (5) That the home health agency require an employee who possesses the container to submit a daily accounting of all drugs and devices in the container to the home health agency in writing.

As added by P.L.105-1998, SEC.2.

IC 16-27-3-5

Administering drugs by pharmacist or nurse

Sec. 5. An employee of a home health agency who:

- (1) is a licensed pharmacist, registered nurse, or licensed practical nurse; and
- (2) administers a drug listed in section 3 of this chapter;

may administer the drug only in the residence of a home health patient or hospice patient of the home health agency under the order of a licensed physician in connection with the provision of emergency treatment or the adjustment of parenteral drug therapy or vaccine administration.

As added by P.L.105-1998, SEC.2.

IC 16-27-3-6

Physician's orders to pharmacist or nurse to administer drugs

Sec. 6. (a) If an employee of a home health agency who is a licensed pharmacist, registered nurse, or licensed practical nurse administers a drug listed in section 3 of this chapter under the oral order of a licensed physician, the physician shall promptly send a signed copy of the order to the home health agency.

(b) Not more than twenty (20) days after receiving an order under subsection (a), the home health agency shall send a copy of the order, as signed by and received from the physician, to the dispensing pharmacy.

As added by P.L.105-1998, SEC.2.

IC 16-27-3-7

Duties of pharmacist regarding drug containers

Sec. 7. A pharmacist who dispenses a sealed portable container under this chapter shall ensure that the container:

- (1) is designed to allow access to the contents of the container only if a tamperproof seal is broken;
- (2) bears a label that lists the drugs in the container and provides notice of the container's expiration date; and
- (3) remains in the pharmacy or under the control of a licensed pharmacist, registered nurse, or licensed practical nurse.

As added by P.L.105-1998, SEC.2.

IC 16-27-3-8

Honoring nurse's orders

Sec. 8. If a home health agency or hospice patient's care or treatment is being managed, directed, or provided by an advanced practice nurse licensed under IC 25-23, that nurse's orders will be honored, unless it will cause the home health agency or hospice to be unreimbursed for their service.

As added by P.L.105-1998, SEC.2.