



To: Kentucky Licensed EMS Providers

From: Julia Martin, MD, FACEP
State Medical Advisor

Date: November 29, 2012

Re: EMS and KASPER Exemption

Many physicians and others in the EMS community have expressed concern about the new reporting requirements in KRS 218A.172, the amendment commonly known as Kentucky HB1. Please be advised that KRS 218A.172 (4) contains exceptions to the statutory requirements. Specifically, KRS 218A.172 (4) (b) (1)-(3) states:

(4) This section shall not apply to: . . .

(b) A licensee administering a controlled substance necessary to treat a patient in an emergency situation:

1. At the scene of an emergency;
2. In a licensed ground or air ambulance; or
3. In the emergency department or intensive care unit of a licensed hospital. . . .

Medical Directors and other on-line medical control should not be concerned about any liability resulting from their direction for the appropriate administration of Schedule II or III controlled substances to patients in the usual course of business. The three situations described above are expressly exempt from the requirements referred to as the Kentucky All Schedule Prescription Electronic Reporting or KASPER.

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