

2012 Kansas Statutes

65-1666. Same; criminal or civil liability. (a) Any person who in good faith donates cancer drugs without charge to the cancer drug repository program which drugs are in compliance with the provisions of this act at the time donated shall not be subject to criminal or civil liability arising from any injury or death due to the condition of such drugs unless such injury or death is a direct result of the willful, wanton, malicious or intentional misconduct of such person.

(b) Any person who in good faith accepts cancer drugs, in accordance with the provisions of this act and as part of the cancer drug repository program, which drugs are in compliance with the provisions of this act at the time accepted, shall not be subject to criminal or civil liability arising from any injury or death due to the condition of such drugs unless such injury or death is a direct result of the willful, wanton, malicious or intentional misconduct of such person.

(c) Any person who in good faith dispenses cancer drugs without charge, except as provided in this act, in accordance with the provisions of this act and as part of the cancer drug repository program which drugs are in compliance with the provisions of this act at the time dispensed shall not be subject to criminal or civil liability arising from any injury or death due to the condition of such drugs unless such injury or death is a direct result of the willful, wanton, malicious or intentional misconduct of such person.

(d) A manufacturer of drugs shall not be subject to criminal or civil liability for any injury or death related to the donation, acceptance or dispensing of a cancer drug as part of the cancer drug repository program created under this act which drug was manufactured by the drug manufacturer unless such injury or death is a direct result of the willful, wanton, malicious or intentional misconduct of the drug manufacturer.

History: L. 2005, ch. 121, § 3; July 1.