



## **Storage Guidance Class 3A Institutional Dispenser Limited**

The Bureau of Narcotic Enforcement (BNE) is providing this document as guidance for licensed Class 3A Institutional Dispenser Limited facilities regarding regulatory compliant storage of controlled substances.

NYS 10 NYCRR Section 80.50 provides the minimum-security standards for Class 3A licensees. Within this regulation the term “key” is used regarding locked storage cabinets. This type of locking system also pertains to refrigerated storage units.

Section 80.50(c)(1) states:

“Schedule II, III and IV controlled substances shall be kept in stationary, locked double cabinets. Both cabinets, inner and outer, shall have key-locked doors with separate keys; spring locks or combination dial locks are not acceptable. For new construction, cabinets shall be made of steel or other approved metal.”

Section 80.50(d)(3)(i) states:

“Medication carts may be utilized to stock Schedule III, IV and V controlled substances as provided in paragraph (2) of this subdivision, provided they are equipped with the following:

- (a) double-keyed locks;
- (b) when not in use, anchored to a floor or wall device or maintained in another secure location;
- (c) locked drawer system; and
- (d) independent locking device.”

### **Acceptable Key Locking Systems**

There are a variety of keyed locking systems available to licensees today that go far beyond the traditional metal keys produced using a key cutting machine. As technology advances, so do the opportunities to improve upon the security of controlled substances, thereby reducing the potential for diversion.

Following are some examples of “key locking systems” for Class 3A licensees, which may be acceptable to meet the minimum regulatory requirements.

- A. Electronic Access Control Cards – must be uniquely identifiable to one specific individual and not shared with another person

Examples:

- i. Keycard entry systems
- ii. Proximity card
- iii. Digital ID card
- iv. Smart card
- v. E-Key

B. Biometric Security – must be uniquely identifiable to one specific individual

Examples:

- i. Fingerprint cards or devices
- ii. Iris recognition devices
- iii. Facial recognition devices
- iv. Speech verification software/devices

C. Combination locking mechanisms

- i. Push button type combination locking systems may be allowable with additional key controls in place
  1. Facility should have policies and procedures regarding how and when a combination sequence will be changed. E.g., when a staff member is no longer employed by the facility or other circumstance warrant the change.
- ii. NOTE - Dial combination locking mechanisms are **not** allowed

Facilities using any type of key control system must take all possible precautions to assure the keys are not left unattended or accessible by anyone without a witness during their use.

Please keep in mind that while the locking systems described in this guidance document may be acceptable, only an onsite inspection by BNE staff can make the final determination as to whether or not the storage meets the minimum regulatory requirements.