

SESSION OF 2011

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2182

As Amended by House Committee on
Health and Human Services

Brief*

HB 2182 would permit mail order pharmacies physically located outside the State of Kansas, but licensed within the state, to donate unused prescription medication under the Utilization of Unused Medications Act. Currently, only mail order pharmacies physically located within the state are allowed to donate medication to be distributed under the Act. This bill also would revise a statute dealing with medication packaging requirements under the Act. It would delete the requirement that medications in tamper-evident packaging be hermetically sealed.

Background

Testimony by the Kansas Association for the Medically Underserved, the Kansas Department of Health and Environment, and the Community Health Center of Southeast Kansas supported the bill. The Utilization of Unused Medications Act was created to allow safety net clinics around the state to receive unused medication donated by adult care homes, mail order pharmacies and other medical care facilities. However, current law prevents mail order pharmacies located outside Kansas from donating to these clinics, thus reducing the variety and amount of prescription medications available to safety net clinics.

There was no opponent testimony.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

The House Committee on Health and Human Services amended the bill to revise the medical packaging requirements of the Act. Currently, acceptable medications must be either in single dose packaging, or hermetically sealed by a pharmacy in tamper-evident packaging. The Committee modified the second option to eliminate the reference to hermetically sealed packaging, leaving only the language regarding tamper evident packaging. The process of hermetically sealing is the process used by the current Kansas mail order pharmacy. However, testimony by a representative of the Kansas Association for the Medically Underserved indicated that there are other acceptable practices to insure that the medications have not been tampered with or otherwise compromised, and recommended striking the language relating to hermetical sealing. The Committee adopted this amendment.

The fiscal note indicated no fiscal effect on the operations of the Board of Pharmacy.