

SESSION OF 2022

SUPPLEMENTAL NOTE ON SENATE BILL NO. 200

As Amended by Senate Committee on Public
Health and Welfare

Brief*

SB 200, as amended, would amend the Pharmacy Act of the State of Kansas to include point-of-care testing for and treatment of certain health conditions (therapy).

The bill would authorize a pharmacist to initiate therapy within the framework of new statewide protocols for the following health conditions:

- Influenza;
- Streptococcal pharyngitis; or
- Urinary tract infection.

The bill would authorize the state Collaborative Drug Therapy Management Advisory Committee (Advisory Committee) to adopt a statewide protocol for each of the conditions listed above and require the Advisory Committee to consider the appropriateness of therapy based upon:

- The patient's age;
- Approval by the U.S. Food and Drug Administration;
- In-person interactions; and
- The method of administration.

*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 bill would also amend the definition of “practice of pharmacy” to include the initiation of therapy for the conditions listed above.

The bill would also make technical amendments.

Background

The bill was introduced by the Senate Committee on Public Health and Welfare at the request of Senator Erickson.

Senate Committee on Public Health and Welfare

At the Senate Committee hearing on February 25, 2021, representatives of Balls Food Stores, Kansas Association of Chain Drug Stores, and Walmart provided **proponent** testimony. Proponents stated the bill would expand health care access for individuals without easy access to urgent care providers.

Written-only proponent testimony was provided by Americans for Prosperity, Currus Independent Pharmacies of Kansas, Kansas State Board of Pharmacy, and Kansas Pharmacists Association.

Representatives of the Kansas Academy of Family Physicians, Kansas Chapter of the American Academy of Pediatrics, and Kansas Medical Society provided **opponent** testimony. The opponents stated the bill, as introduced, grants unnecessarily broad authority to pharmacists.

Written-only opponent testimony was provided by the Kansas Association of Osteopathic Medicine and Kansas Chiropractic Association.

No neutral testimony was provided.

The Senate Committee amended the bill to:

- Allow a pharmacist to initiate therapy within the framework of a statewide protocol for influenza, streptococcal pharyngitis, or urinary tract infection;
- Allow the Advisory Committee to adopt a statewide protocol for each condition listed above;
- Require the Advisory Committee to consider appropriateness of therapy based upon the factors above; and
- Amend the definition of “practice of pharmacy” to include the initiation of therapy for the health conditions specific above.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the State Board of Pharmacy indicates enactment of the bill would likely increase the necessary staff time to carry out the requirements of the bill; however, those requirements could be completed by current staff and within the State Board of Pharmacy’s current expertise, due to the prevalence of similar statewide protocols used in other states. Any fiscal effect associated with the bill is not reflected in *The FY 2023 Governor’s Budget Report*.

Pharmacy Act of the State of Kansas; Collaborative Drug Therapy Management Advisory Committee; health conditions