Session of 2025

HOUSE BILL No. 2100

By Representative Woodard

1-27

AN ACT concerning pharmacists and pharmacy; relating to HIV post-exposure prophylaxis; requiring the state board of pharmacy to issue protocol for pharmacists to dispense post-exposure prophylaxis to certain individuals.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) As used in this section:

(1) "HIV" means the human immunodeficiency virus.

(2) "Patient" means an individual believed to have been exposed to HIV.

(3) "Post-exposure prophylasis" means a drug or drug combination that meets the clinical eligibility recommendations of the United States centers for disease control and prevention guidelines for antiretroviral treatment following exposure to HIV.

(b) (1) The state board of pharmacy shall issue a statewide post-exposure prophylaxis protocol for individuals who have been exposed to HIV that establishes requirements for a licensed pharmacist to initiate prophylactic therapy to a patient pursuant to this section. The protocol for post-exposure to HIV shall include procedures to ensure accurate recordkeeping and the education of the patient to whom post-exposure prophylaxis is initiated, including, but not limited to, the importance of receiving post-exposure prophylaxis as soon as possible after exposure, safe administration of post-exposure prophylaxis and potential contraindications, side effects or adverse events that may occur as a result of such medication, advising the patient to whom post-exposure prophylaxis is initiated to seek follow-up care from a physician and any other criteria as established by the board.

(2) A pharmacist may initiate prophylactic therapy within the framework of the statewide protocol for post-exposure to HIV pursuant to paragraph (1).

(c) A pharmacist initiating post-exposure prophylaxis pursuant to this section shall not permit the patient to whom post-exposure prophylaxis is initiated to wave any consultation required by this section or any other rules and regulations adopted thereunder.

(d) Any pharmacist who, in good faith and with reasonable care, initiates post-exposure prophylactic therapy to a patient pursuant to this

section shall not, by an act or omission, be subject to civil liability, criminal prosecution or any disciplinary or other adverse action by a professional licensing entity arising from the pharmacist initiating the post-exposure prophylaxis.

(e) The state board of pharmacy shall adopt rules and regulations as may be necessary to implement the provisions of this section prior to January 1, 2026.

(f) This section shall be a part of and supplemental to the pharmacy act of the state of Kansas.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.