

SESSION OF 2006

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2678

As Recommended by the House Committee on
Health and Human Services

Brief*

HB 2678 would repeal the provision in the Kansas Pharmacy Act that requires the registration with the State Board of Pharmacy of free-standing renal dialysis facilities that dispense drugs to consumers.

Background

HB 2678 was introduced by the House Committee on Health and Human Services at the request of Representatives Hill and Mast. A representative of Kansas Dialysis Services appeared in support of the bill and indicated that although KSA 65-1661 was passed in 1998, the Board had never promulgated rules and regulations to implement the law regarding supervision of the facilities by a pharmacist consultant. The proponent also noted that Medicare does not require renal dialysis to staff, or be supervised by, pharmacists or pharmacist consultants and such requirement under current law would require unneeded expense to dialysis facilities.

The State Board of Pharmacy appeared as a neutral conferee. The Board representative noted that the Board has never licensed a single facility and in 2004, had recognized that there were approximately 44 renal dialysis facilities that were not appropriately licensed. The Board representative indicated that this may have been due to the requirement in KSA 65-1661 that the Board supply a pharmacy consultant. The Board indicated its willingness to license these facilities and noted that if the bill moves forward the Board requests that the provision in KSA 65-1661 that addresses the supply of a pharmacy consultant be removed. This amendment appears in 2005 HB 2225 which was in the Senate Public Health and Welfare Committee at the time of the House Committee hearing on HB 2678.

*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 fiscal note prepared by the Division of the Budget indicates that passage of the bill would have no fiscal effect on the State Board of Pharmacy as none of the renal dialysis facilities currently are licensed.