

SESSION OF 2013

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2153**

As Amended by House Committee on Health  
and Human Services

**Brief\***

HB 2153 would amend the Utilization of Unused Medications Act (Act) to expand the definition of "donating entities" to include institutional drug rooms; add definitions for "institutional drug room" and "samples of medications or injectables"; and allow for the donation of samples of medications or injectables and only those controlled substances designated by the State Board of Pharmacy (Board) as accepted medications in the adoption of rules and regulations. The bill also would modify the role of the Board in establishing standards and procedures related to the Act. Further, the bill would remove language related to the cancer drug repository program.

The bill would define the following terms:

- "Institutional drug room" as defined in KSA 65-1626(bb)(1)(A), which means any location where prescription-only drugs are stored and from which prescription-only drugs are administered or dispensed that is maintained or operated for the purpose of providing the drug needs of inmates of a jail or correctional institution or facility; and
- "Samples of medications or injectables" means a unit of drug not intended to be sold and intended to promote the sale of the drug.

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\*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>

Further, the bill would require the Board to adopt rules and regulations to establish:

- Procedures for acceptance of unused medications from donating entities;
- Standards and procedures for designating certain controlled substances as accepted donated medications; and
- Standards and procedures for a qualifying center or clinic to prepare any donated medications for dispensing or administering.

## **Background**

The bill was introduced by the House Committee on Health and Human Services at the request of Representative Don Hill. A representative of the Kansas Association for the Medically Underserved (KAMU) testified in favor of the bill at the House Health and Human Services Committee hearing. The KAMU representative indicated the bill will potentially assist in diverting additional unused medications for use by federally qualified health centers and indigent health care clinics in assisting medically indigent patients.

No opponents testified at the House Committee hearing. Neutral testimony was provided by a representative of the Kansas Pharmacists Association.

The House Committee on Health and Human Services amended the bill to remove the date for the Board to adopt rules and regulations to implement the Act, as the date has passed.

For other purposes, the term "institutional drug room" can include any location where prescription-only drugs are stored and from which prescription-only drugs are administered or dispensed to residents of a juvenile detention

facility, postsecondary students, employees, or persons receiving inpatient hospice services. The term generally excludes any registered pharmacy, any office of a practitioner, or a location where no prescription-only drugs are dispensed and no prescription-only drugs other than individual prescriptions are stored or administered.

The fiscal note prepared by the Division of the Budget on the original bill states the Board indicates passage of the bill would have no fiscal effect on state revenues or expenditures.