

January 15, 2016

The Honorable Daniel Hawkins, Chairperson
House Committee on Health and Human Services
Statehouse, Room 521-E
Topeka, Kansas 66612

Dear Representative Hawkins:

SUBJECT: Fiscal Note for HB 2455 by House Committee on Health and Human Services

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2455 is respectfully submitted to your committee.

HB 2455 concerns the use of certain controlled substances to treat certain disorders or diseases. Amendments to the bill would change “the treatment of hyperkinesis” to “the treatment of attention-deficit/hyperactivity disorder,” and “the treatment of binge eating disorder” would be added to the restricted list of disorders/diseases approved for treatment.

The Board of Pharmacy states that additional treatment uses for Schedule II-IV controlled substances could increase the frequency of prescribing, dispensing or purchasing of such substances, which could affect revenues and expenditures in the state employee health plan (SEHP) and Medicaid. There would be no fiscal effect for the Board of Pharmacy and any effect for SEHP and/or Medicaid cannot be estimated.

The Board of Healing Arts states that passage of HB 2455 could result in the need for researching and drafting additional rules and regulations by Board staff, and then publishing and adopting those rules and regulations. Passage of this bill could also result in an increase in the number of reports or complaints regarding practitioners alleged to have violated requirements contained in the act. Increased complaints could then result in an increase in the number of investigations that would need to be performed by Board staff and the number of disciplinary cases handled by the Board. An increase in the number of investigations and disciplinary cases assigned to and performed by Board staff would also proportionally increase related operational expenses, such as travel, records duplication costs, court reporter and transcription fees, expert

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witness fees, etc. However, there is no way to estimate these potential costs because the number of investigations and cases that would occur under HB 2455 is unknown. Any fiscal effect associated with HB 2455 is not reflected in *The FY 2017 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Sullivan", with a horizontal line extending to the right.

Shawn Sullivan,
Director of the Budget

cc: Cathy Brown, Board of Healing Arts
Alexandra Blasi, Board of Pharmacy