



To: House Health and Human Services Committee

From: Rachelle Colombo
Executive Director

Date: March 14, 2022

Re: SB 200; expanding the scope of practice of pharmacy

The Kansas Medical Society appreciates the opportunity to provide neutral comments today regarding the expanded scope of pharmacy practice established in SB 200.

SB 200, as amended, would amend the Pharmacy Act to include “point-of-care testing” and the initiation of medical treatment for certain conditions as established within the framework of new statewide protocols. The bill would authorize the state Collaborative Drug Therapy Management Advisory Committee (Advisory Committee) to adopt a statewide protocol for influenza, strep and urinary tract infections.

At the request of the Kansas Medical Society, the proponents have included language to further refine the criteria the committee considers in determining the appropriateness of the therapy. The amendment is as follows:

The collaborative drug therapy management advisory committee established pursuant to K.S.A. 65-1677 may adopt a statewide protocol for each condition listed in subsection (a). In establishing the statewide protocols, the committee shall ~~consider~~ appropriateness of therapy based upon specify:

- (1) The patient’s age medications or categories of medications included in the protocol for each health condition;
- (2) ~~approval by the United States food and drug administration~~ the training or qualifications required for pharmacists to implement the protocols;
- (3) ~~in-person interactions~~ requirements for documentation and maintenance of records, including patient inclusion and exclusion criteria, medical referral criteria, patient assessment tools based on current clinical guidelines, follow up monitoring or care plans, the pharmacist’s adherence to the applicable protocols; and
- (4) ~~the method of administration~~ communication requirements, such as notification to the patient’s personal or primary care provider.

(c) The board may revoke, suspend, or deny an application or renewal of any license of a pharmacist upon a finding that the pharmacist has violated the provisions of this section or failed to practice within the framework of statewide protocols established herein.

We appreciate the proponents' efforts to work in good faith to address some of our concerns on this proposal. While we did not we did not support the underlying bill, we believe the process between the professions has yielded a much better product for consideration. There is a long history of physicians and pharmacists working together to serve patients in a way that promotes safety and considers access, convenience, and protocols designed to optimize the health care team and we are confident that will continue. The Kansas Medical Society welcomes discussions including the pharmacists, Board of Pharmacy and Board of Healing Arts about reviewing and potentially expanding statewide protocols for some of the health conditions listed here and we sincerely appreciate the willingness of pharmacists to work through areas of disagreement to achieve balance and patient protection.

KMS is not of the opinion that SB 200 is necessary, especially in light of the other proposals allowing non-physicians to prescribe and the statements of corporate proponents' intent to hire independently practicing APRNs to execute the functions authorized for pharmacists under SB 200. But, we do believe the proposal before you today represents improved policy and the collaborative work of the affected professions.

Thank you.