

*As Amended by Senate Committee*

*Session of 2021*

**SENATE BILL No. 200**

By Committee on Public Health and Welfare

2-10

1 AN ACT concerning pharmacists and pharmacy; relating to the state board  
2 of pharmacy; expanding the pharmacist's scope of practice to include  
3 point-of-care testing for and treatment of certain health conditions;  
4 amending K.S.A. 65-1626a and repealing the existing section.  
5

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

7 New Section 1. ~~A pharmacist may independently test or screen for~~  
8 ~~and initiate therapy pursuant to a state-wide protocol established by the~~  
9 ~~state board of pharmacy for health conditions of individuals who are~~  
10 ~~eligible to receive the testing or screening service. For purposes of this~~  
11 ~~section, a health condition is a condition that is generally managed with~~  
12 ~~minimal treatment or self-care and includes, but is not limited to:~~

- 13 ~~(a) Influenza;~~
- 14 ~~(b) streptococcus;~~
- 15 ~~(c) COVID-19;~~
- 16 ~~(d) pre-exposure prophylaxis;~~
- 17 ~~(e) post-exposure prophylaxis; or~~
- 18 ~~(f) a condition for which its diagnostic test is waived under the~~  
19 ~~federal clinical laboratory improvement amendments of 1988.~~

20 *New Section 1. (a) A pharmacist may initiate therapy within the*  
21 *framework of a statewide protocol for the following health conditions:*

- 22 *(1) Influenza;*
- 23 *(2) streptococcal pharyngitis; or*
- 24 *(3) urinary tract infection.*

25 *(b) The collaborative drug therapy management advisory committee*  
26 *may adopt a statewide protocol for each condition listed in subsection*  
27 *(a). ~~The committee shall consider appropriateness of therapy based~~*  
28 *upon:*

- 29 ~~*(1) The patient's age;*~~
- 30 ~~*(2) approval by the United States food and drug administration;*~~
- 31 ~~*(3) in-person interactions; and*~~
- 32 ~~*(4) the method of administration.*~~

33 Sec. 2. K.S.A. 65-1626a is hereby amended to read as follows: 65-  
34 1626a. (a) For the purpose of the pharmacy act of the state of Kansas, the  
35 following ~~persons~~ *individuals* shall be deemed to be engaged in the  
36 practice of pharmacy:

established pursuant to K.S.A. 65-1677, and amendments thereto,

[stricken material in lines 27 through 32]

In establishing such statewide protocols, the committee shall specify:

- (1) The medications or categories of medications included in the protocol for each health condition;
  - (2) the training or qualifications required for pharmacists to implement the protocols;
  - (3) 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 and the pharmacist's adherence to the applicable protocols; and
  - (4) communication requirements, including, but not limited to, notification to the patient's personal or primary care provider.
- (c) The board may deny an application or renewal or revoke or suspend the 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 by the collaborative drug therapy management advisory committee.