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Sam Brownback, Governor

Testimony concerning SB 324
Committee on House Health and Human Services
Presented by Debra Billingsley
On behalf of
The Kansas Board of Pharmacy
March 7, 2012

Chairman Landwehr and Members of the Committee:

My name is Debra Billingsley and I am the Executive Secretary of the Kansas State Board of Pharmacy. The Board is created by statute and is comprised of seven members, each of whom is appointed by the Governor. Of the seven, six are licensed pharmacists and one is a member of the general public. The Board of Pharmacy ensures that persons or businesses related to the practice of pharmacy or drug distribution are properly licensed and registered so as to protect the public's health safety and welfare.

The Pharmacy Act provides that a retail dealer registration expires the last day of February of each year. Pharmacy technician registrations expire on October 30. The pharmacists, pharmacies, distributors, manufacturers, and all other permits expire on June 30 of each year. The Board is proposing that the expiration date for all licenses and permits be established by rules and regulations. It would be more efficient to collect fees throughout the year rather than have the Board collect the bulk of the renewals at the end of the fiscal year. Year round renewals provide a steady stream of revenue and do not burden the office with renewals one month out of the year.

SB 324 also adds language that will permit the Board to discipline interns. We currently register interns their first year of pharmacy school. Interns may also be foreign pharmacist graduates who are completing their intern hours in order to get a license in the United States. Interns must obtain 1500 intern hours that they obtain working in a pharmacy under the direction of a preceptor. They can do almost everything a pharmacist can. The Pharmacy Act never provided an avenue to discipline an intern. The Board has experienced some disciplinary

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problems involving interns and the proposed language would amend the Pharmacy Act by granting the Board the authority to discipline an intern when appropriate and in a similar manner that the Board enters discipline for pharmacists and pharmacy technicians.

The Board has also cleaned up fee language so that the Board is not required to charge the maximum amount but may charge up to the maximum amount. The language also cleans up renewal fee language. The Board proposes to delete a section that permitted the Board to issue a single registration for multiple locations of a distributor or manufacturer if they were owned by the same entity. The Board has never issued a single registration to a distributor or manufacturer and the DEA requires that they all have a separate DEA number. This language is not practical for record keeping, for disciplinary purposes, or for following the same practices as the DEA. Therefore, the Board respectfully requests that the language be removed since it does not follow regulatory schemes in the Kansas Pharmacy Act or the Controlled Substance Act.

Thank you for permitting me to testify. I will yield to any questions from the committee.