

2012 Kansas Statutes

65-6b09. Same; permit to sell, offer for sale or distribute to public; duties of secretary of health and environment; fees; hearing. (a) No person, other than a physician, shall sell, offer for sale or distribute to the public within this state amygdalin (laetrile) without first obtaining a permit from the secretary of health and environment authorizing the permit holder to sell, offer for sale and distribute such substance to the public. The permit is effective for one year after the date of its issuance and may be renewed annually by the permit holder subject to the provisions of this section.

(b) The secretary of health and environment shall: (1) Adopt such rules and regulations with respect to permits issued under this section as may be necessary for the protection of the public health and safety; (2) establish by rule and regulation permit and renewal fees to persons applying for a permit or renewal of a permit under this section for the purpose of paying for the costs involved in administering the provisions of this section; and (3) adopt rules and regulations setting the maximum reasonable price at which amygdalin (laetrile) may be sold and the maximum reasonable charges physicians may make in amygdalin (laetrile) related treatment.

(c) Before acting upon an application for a permit or the renewal of a permit under this section, the secretary of health and environment shall collect the permit or renewal fee established under this section. A permit or renewal thereof shall not be issued unless such fees have been collected.

(d) The secretary of health and environment, after giving notice and holding a hearing in accordance with the provisions of the Kansas administrative procedure act, may revoke, suspend or refuse to renew the permit of any person who violates any rule and regulation adopted by the secretary of health and environment under this section.

History: L. 1978, ch. 239, § 9; L. 1982, ch. 258, § 7; L. 1988, ch. 356, § 193; July 1, 1989.