AN ACT concerning the prescription monitoring program advisory committee; membership; amending K.S.A. 2012 Supp. 65-1689 and repealing the existing section.

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

Section 1. K.S.A. 2012 Supp. 65-1689 is hereby amended to read as follows: 65-1689. (a) There is hereby created the prescription monitoring program advisory committee which, subject to the oversight of the board, shall be responsible for the operation of the prescription monitoring program. The advisory committee shall consist of at least nine members appointed by the board as follows:

(1) One consumer advocate, appointed by the governor;
(2) two licensed physicians, one nominated by the Kansas medical society and one nominated by the Kansas association of osteopathic medicine;
(2) (3) two licensed pharmacists nominated by the Kansas pharmacists association;
(3) (4) one person representing the Kansas bureau of investigation nominated by the attorney general;
(4) (5) one person representing the university of Kansas school of medicine nominated by the dean of such school;
(5) (6) one person representing the university of Kansas school of pharmacy nominated by the dean of such school;
(6) (7) one licensed dentist nominated by the Kansas dental association; and
(7) (8) one person representing the Kansas hospital association nominated by such association. The board may also appoint other persons authorized to prescribe or dispense scheduled substances and drugs of concern, recognized experts and representatives from law enforcement.

(b) The appointments to the advisory committee shall be for terms of three years.

(c) The advisory committee shall elect a chairperson from among its members who shall serve a one-year term. The chairperson may serve consecutive terms.

(d) The advisory committee, in accordance with K.S.A. 75-4319, and amendments thereto, may recess for a closed or executive meeting when it
is considering matters relating to identifiable patients or providers.

(e) Upon the expiration of the term of office of any member of the advisory committee on or after the effective date of this act, and in any case of a vacancy existing on or after the effective date of this act, a successor shall be appointed by the board pursuant to this section.

(f) All members of the advisory committee shall serve without compensation.

(g) All members of the advisory committee shall sign a confidentiality agreement not to disclose any information divulged to the advisory committee during the performance of its duties. The board of pharmacy shall design the confidentiality agreement and present it to advisory committee members for such members' signatures.

(h) An advisory committee member who knowingly discloses information in violation of subsection (g) shall be subject to the penalties of K.S.A. 2012 Supp. 65-1693, and amendments thereto.

Sec. 2. K.S.A. 2012 Supp. 65-1689 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.