

SESSION OF 2003

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2207**

As Amended by Senate Committee on  
Public Health and Welfare

**Brief\***

HB 2207 enacts a new statute that is made a part of and supplemental to the Pharmacy Act of the State of Kansas. The new provisions require any person who serves as a pharmacy technician in Kansas to be registered with the Kansas Board of Pharmacy. In order to be registered, applicants must pass an examination approved by the Board and pay a fee in an amount not in excess of \$50 as fixed by rules and regulations of the Board. Persons serving as pharmacy technicians on the effective date of the bill may continue to serve until October 31, 2004, without registering and without passing the examination. After that date, every person serving as a pharmacy technician must pass the examination and be registered. Registered pharmacy technicians, within 30 days of obtaining new employment, must notify the Board of the name and address of the new employer.

Current law that requires pharmacies to maintain a list of the names of pharmacy technicians employed by the pharmacy; post the names of technicians on duty in a conspicuous place in the prescription area of the pharmacy; direct supervision and control of pharmacy technicians' work by a supervising pharmacist; make the supervising pharmacist responsible for determining the pharmacy technician is in compliance with the applicable rules and regulations of the Board; make the supervising pharmacist responsible for the acts and omissions of the pharmacy technician; and set a ratio of pharmacy technicians to pharmacists at not to exceed two-to-one are transferred from an existing statute in the Pharmacy Act to the new section that is specific to pharmacy technicians.

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org/klrd>

Under the new provisions, the Board is to adopt rules and regulations as necessary to ensure that pharmacy technicians are adequately trained as to the nature and scope of their lawful duties.

## **Background**

HB 2207 was recommended by the Board of Pharmacy whose representatives explained that registration of pharmacy technicians is appropriate to protect the health of the citizens of Kansas. The bill also is supported by members of the National Association of Pharmacy Technicians, the Kansas Pharmacists Association, and the Kansas Hospital Association whose representative expressed some concerns on the part of small, rural hospitals that have been discussed with the Board of Pharmacy.

The Senate Committee amendments correct terminology in the bill and delete new authority to set the ratio of pharmacists and pharmacy technicians by Board rules and regulations from the bill.

The fiscal note prepared by the Division of the Budget indicates additional annual income to the Board of Pharmacy of \$60,000, of which \$48,000 would be deposited to the Board of Pharmacy Fee Fund and \$12,000 to the State General Fund. Expenditures by the Board for equipment and one part-time non-FTE employee is estimated at \$19,700.