

SESSION OF 2007

SUPPLEMENTAL NOTE ON SENATE BILL NO. 62

As Recommended by Senate Committee on
Public Health and Welfare

Brief*

SB 62 would, if enacted, amend one of the statutes in the Healing Arts Act that makes it unlawful for persons licensed to practice medicine and surgery and mid-level practitioners (advanced registered nurse practitioners and physician assistants authorized to prescribe) to prescribe, administer, sell, dispense, or supply any amphetamine or sympathomimetic amine designated in Schedules II, III, or IV of the Uniform Controlled Substances Act, except for those conditions enumerated in the statute. The bill removes the requirement that the prescription order indicate in the prescriber's own handwriting the purpose for which the drug is being given. Adequate documentation would still be required to be maintained in the patient's medical record.

SB 62 would become effective on publication in the *Kansas Register*.

Background

SB 62 was supported in Committee hearings by a member of the Senate and representatives of the Board of Healing Arts, the Board of Pharmacy, the Kansas Pharmacy Coalition, the Kansas Association of Osteopathic Medicine, and the Kansas Medical Society. No one appeared in opposition to the bill. Testimony indicated Kansas is the only state to have such a requirement and that the requirement that the prescriber indicate the purpose of the prescription in his or her own handwriting often creates a hardship for the patient, who must

*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>

return to the prescriber for a new or amended prescription if the prescription order does not contain the required information. The requirement creates problems when an out-of-state practitioner issues the prescription and does not know of the Kansas requirement. The requirement also is an impediment to electronic prescribing.

The Committee recommended the bill be placed on the Consent Calendar in the Senate.

The fiscal note indicates enactment of SB 62 would have no fiscal effect on the operations of the Board of Healing Arts or the Board of Pharmacy.