

SESSION OF 2007

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 302**

As Recommended by Senate Committee on  
Public Health and Welfare

**Brief\***

SB 302 would establish an 11-member Controlled Substances Monitoring Task Force to develop a plan for the creation and implementation of a controlled substances prescription monitoring program and an electronic purchase log. The electronic purchase log would be required to have the capability of, in real-time, checking compliance with all state, federal and local laws concerning the sale of ephedrine and pseudoephedrine. The bill states that it is not the intent of the prescription monitoring program to discourage or interfere with the prescribing of controlled substances by physicians and other practitioners for legitimate medical purposes.

The plan developed by the Task Force would be required to include suggestions for future action by the Legislature with regard to the monitoring program and purchase log. The Task Force also would be required to report its findings and conclusions to the Legislature on or before January 14, 2008.

Members of the Task Force would include:

- The Attorney General, or the Attorney General's designee;
- One member appointed by the Kansas Health Policy Authority;
- One member appointed by the Director of the Kansas Bureau of Investigation;

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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>

- Two members appointed by the Board of Pharmacy;
- One member appointed by the Board of Healing Arts;
- One member appointed by the Kansas Medical Society;
- One member appointed by the Kansas Association of Osteopathic Medicine;
- One member appointed by the Kansas Pharmacists' Association;
- One member appointed by the Kansas State Dental Association; and
- One member appointed by the Kansas Hospital Association.

The bill would take effect upon publication in the *Kansas Register*.

### **Background**

The bill was introduced at the request of Senators Umbarger and V. Schmidt. Proponents of the bill at the Senate Committee on Public Health and Welfare hearing included a representative of the Kansas Bureau of Investigation who stated that, according to national statistics, prescription drug abuse is the only form of drug abuse that is increasing and that 34 states have enacted prescription monitoring programs to help identify patients with pain management problems as well as illegal diversion of prescription drugs. A representative of the Kansas Medical Society also spoke in support of the bill and stated that such a program could be a valuable tool to physicians and other clinicians as they assess the appropriateness of prescribing controlled substances, particularly for unfamiliar patients in emergency or urgent care settings. Written testimony supporting the bill was provided by

the Kansas Pharmacy Coalition and the Kansas Independent Pharmacy Service Corporation.

There were no opponents to the bill.

The fiscal note prepared by the Division of the Budget states that passage of the bill would not have a fiscal effect since the members of the Task Force would not be eligible for per diem compensation or reimbursement for expenses.