

## HOUSE BILL No. 2676

By Committee on Health and Human Services

Requested by Representative Buehler on behalf of Kansas pharmacists

2-3

AN ACT concerning pharmacists and pharmacy; relating to a pharmacist's scope of practice; permitting a pharmacist to initiate therapy for certain conditions consistent with the pharmacist's education, training and experience; amending K.S.A. 2025 Supp. 65-16,131 and repealing the existing section.

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

Section 1. K.S.A. 2025 Supp. 65-16,131 is hereby amended to read as follows: 65-16,131. (a) *(1) Notwithstanding the provisions of subsections (b) through (d), a pharmacist may initiate therapy for a condition consisting of medications and durable medical equipment if such condition:*

*(A) Does not require a new diagnosis;*

*(B) is minor and generally self-limiting;*

*(C) has a test that is used to guide diagnosis or clinical decision-making that is waived under the federal clinical laboratory improvement amendments of 1988; or*

*(D) in the professional judgment of the pharmacist, constitutes a patient emergency.*

*(2) To determine whether a specific act is within the scope of practice of pharmacy for the purposes of the pharmacy act of the state of Kansas, a pharmacist shall independently determine whether such act is:*

*(A) Expressly prohibited by the pharmacy act of the state of Kansas or other law;*

*(B) consistent with the pharmacist's education, training and experience; and*

*(C) within the accepted standard of care that would be provided in a similar setting by a reasonable and prudent pharmacist with similar education, training and experience.*

*(b) A pharmacist may initiate therapy within the framework of a statewide protocol for the following health conditions:*

*(1) Influenza;*

*(2) streptococcal pharyngitis; or*

*(3) urinary tract infection.*

~~(b)~~(c) The collaborative drug therapy management advisory

1 committee established pursuant to K.S.A. 65-1677, and amendments  
2 thereto, may adopt a statewide protocol for each condition listed in  
3 subsection ~~(a)~~(b). In establishing such statewide protocols, the committee  
4 shall specify:

5 (1) The medications or categories of medications included in the  
6 protocol for each health condition;

7 (2) the training or qualifications required for pharmacists to  
8 implement the protocols;

9 (3) requirements for documentation and maintenance of records,  
10 including patient inclusion and exclusion criteria, medical referral criteria,  
11 patient assessment tools based on current clinical guidelines, follow-up  
12 monitoring or care plans and the pharmacist's adherence to the applicable  
13 protocols; and

14 (4) communication requirements, including, but not limited to,  
15 notification to the patient's personal or primary care provider.

16 ~~(e)~~(d) The board may deny an application or renewal or revoke or  
17 suspend the license of a pharmacist upon a finding that the pharmacist has  
18 violated the provisions of this section or failed to practice within the  
19 framework of statewide protocols established pursuant to this section by  
20 the collaborative drug therapy management advisory committee.

21 ~~(d)(e) This section shall take effect and be in force on and after July~~  
22 ~~1, 2022~~*The amendments to this section by this act shall be known and may*  
23 *be cited as the pharmacist practice authority act.*

24 Sec. 2. K.S.A. 2025 Supp. 65-16,131 is hereby repealed.

25 Sec. 3. This act shall take effect and be in force from and after its  
26 publication in the Kansas register.