

SESSION OF 2025

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2159

As Further Amended by House Committee on
Health and Human Services

Brief*

HB 2159, as further amended, would exempt law enforcement agencies from certain requirements of the State Board of Pharmacy's statewide emergency opioid antagonist protocol (EOA protocol).

The bill would exempt law enforcement agencies from the requirement that first responder agencies have a physician medical director or licensed pharmacist on their staff for the purposes of administering the EOA protocol. [Note: The requirement for an EOA protocol was established by 2017 HB 2217.]

Background

The bill was introduced by Representatives Proctor and Hoheisel. [Note: A similar bill, SB 193, was introduced in the Senate.]

House Committee on Health and Human Services

In the House Committee hearing, two private citizens and a representative of Kansas Association of Chiefs of Police, Kansas Peace Officers Association, and Kansas Sheriffs Association provided **proponent** testimony, stating generally that with the availability of naloxone as an over-the-counter item, law enforcement agencies of all sizes have an

*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 <https://klrd.gov/>

extra expense of utilizing a medical director or pharmacist under the EOA protocol. By eliminating that requirement, law enforcement agencies of all sizes may be able to procure and readily use emergency opioid antagonists. The two private citizens spoke of their personal experiences with law enforcement not having an emergency opioid antagonist to use as the first responders to arrive at the scene of a drug overdose.

No other testimony was provided.

The House Committee removed the amendments in the bill as introduced that would have excluded law enforcement from the definitions of “first responder” and “first responder agency” for this purpose, added language specifically exempting a law enforcement agency from the EOA protocol’s requirement to use a physician medical director or a licensed pharmacist, and reduced the amount of the annual transfer from the State General Fund to the Emergency Opioid Antagonists Assistance Grant Program (Program) and Fund (Fund) from \$4.0 million to \$500,000.

The House Committee further amended the bill on March 3, 2025, to delete provisions to establish the Program and Fund and make a technical amendment.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Office of the Attorney General states that any additional workload created by the bill would be absorbed within existing resources. The Judicial Branch, the Kansas Bureau of Investigation, and the Kansas Highway Patrol state enactment of the bill would not have a fiscal effect on agency operations.

First responder; law enforcement officer; Emergency Opioid Antagonist Protocol; Board of Pharmacy; opioids