

February 6, 2012

The Honorable Vicki Schmidt, Chairperson
Senate Committee on Public Health and Welfare
Statehouse, Room 552-S
Topeka, Kansas 66612

Dear Senator Schmidt:

SUBJECT: Fiscal Note for SB 327 by Senate Committee on Public Health and Welfare

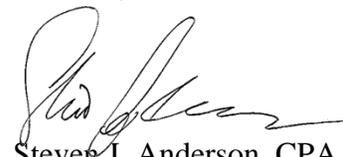
In accordance with KSA 75-3715a, the following fiscal note concerning SB 327 is respectfully submitted to your committee.

SB 327 would allow the Board of Pharmacy to apply for and accept grants and to accept any donation, gift, or bequest made to the Board for furthering any phase of the Prescription Monitoring Program. The Board would be required to remit these funds to the State Treasurer to be credited to the Non-Federal Gifts and Grants Fund. The bill would require the Board to provide program data to the Kansas Department of Health and Environment; persons authorized to prescribe or dispense scheduled substances and drugs of concern, when an individual is obtaining prescriptions in a manner that appears to be misuse, abuse, or diversion of scheduled substances or drugs of concern; and medical examiners, coroners or other persons authorized under law to investigate or determine causes of death.

The penalty for any person found guilty of knowingly, and without authorization, obtaining or attempting to obtain prescription monitoring information would be a severity level 10, nonperson felony.

The Board of Pharmacy indicates that SB 327 would have no fiscal effect on its operations. The Kansas Sentencing Commission indicates that SB 327 would have no fiscal effect on prisons or its operations. However, since the proposed legislation creates a new crime, there are no associated data that could be used to make an estimate.

Sincerely,



Steven J. Anderson, CPA, MBA
Director of the Budget

cc: Debra Billingsley, Pharmacy