

State of Kansas
Board of Pharmacy
Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted on Thursday, March 8, 2018 at 1:00 p.m. in the Board of Healing Arts Board Room at 800 SW Jackson, Lower Level, Topeka, Kansas to review and consider the adoption of proposed permanent regulations of the Kansas State Board of Pharmacy.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulations. All interested parties may submit written comments prior to the public hearing to Alexandra Blasi, Executive Secretary, 800 S.W. Jackson, Suite 1414, Topeka, Kansas 66612-1244 or by e-mail to pharmacy@ks.gov. All interested parties will be given a reasonable opportunity to present their views orally regarding the adoption of the proposed regulations during the public hearing. In order to provide all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the regulations and economic impact statement in an accessible format. Requests for accommodation to participate in the public hearing should be made at least 10 business days in advance of the hearing by contacting Alexandra Blasi, Executive Secretary, 800 S.W. Jackson, Suite 1414, Topeka, Kansas 66612-1244 or by phone at (785) 296-4056 . Handicapped parking is located at the north entrance to the building. Curbs at the north entrance are accessible to individuals with disabilities.

Summaries of the proposed regulations and their economic impact follow. (Note: Statements indicating that a regulation is “not anticipated to have any economic impact” are

intended to indicate that no economic impact on the Kansas State Board of Pharmacy, other state agencies, state employees, or the general public has been identified.)

Copies of the regulations and economic impact statement may be viewed at

<http://pharmacy.ks.gov/statutes-regs/proposed-reg-changes>.

K.A.R. 68-13-2, 68-13-3, and 68-13-4. Compounding. These regulations are proposed to create minimum standards for sterile and non-sterile pharmaceutical compounding in Kansas consistent with the U.S. Pharmacopeia (USP) requirements.

K.A.R. 68-5-17. Pharmacy technicians; certification examination; request for extension.

This regulation is proposed to identify requirements for successful completion of the pharmacy technician certification exam. For all pharmacy technicians registered after July 1, 2017, the Board will require passing scores from the Pharmacy Technician Certification Board (PTCB) or the National Healthcareer Association (ExCPT) exams prior to the first renewal (24-26 months) of the pharmacy technician's registration.

K.A.R. 68-21-7. Drugs of concern. This regulation is amended to classify any product, compound, mixture, or preparation containing gabapentin as a drug of concern. K.A.R. 68-21-7 identifies the drugs of concern that are reported to, tracked by, and monitored through the Kansas Prescription Monitoring Program (K-TRACS) that are not controlled substances identified in Schedules II-IV of the Kansas Controlled Substances Act.

SUMMARY OF ECONOMIC IMPACT

It is the mission of the Board to ensure that all persons practicing pharmacy are properly licensed and registered, and to ensure compliance with Kansas statutes regarding proper compounding and dispensing of prescription drugs, maintenance of professional practice standards, and proper manufacture, distribution, and sale of prescription and nonprescription drugs, including controlled substances and poisons. In order to attain these goals, the Board is proposing these regulatory changes to comply with professional, healthcare, and safety norms.

The Board anticipates minimal economic impact to the Board, its licensees and registrants, or Kansas-registered pharmacies. In all instances, the Board does not anticipate any financial impact upon other governmental agencies, and the Board is unaware of any less costly or less intrusive methods to achieve the stated purposes and thus none were considered. For a

more detailed summary of the economic impact each specific regulation may have, see the Economic Impact Statement, provided at the website above.