

**Testimony concerning HB 2154: pharmacists, related to hearings
House Health and Human Services Committee
Presented by Debra Billingsley
On behalf of
The Kansas State Board of Pharmacy
February 8, 2005**

Mr. Chairman, Members of the Committee:

My name is Debra Billingsley, and I am the Executive Secretary for the Kansas State Board of Pharmacy. Our Board is created by statute and is comprised of six members, each of whom are appointed by the Governor. Of the six, five are licensed pharmacists and one is a member of the general public.

The Board regulates and licenses pharmacies, pharmacists, pharmacy technicians, drug manufacturers, drug distributors, and retailers who sell over the counter drugs. The Board of Pharmacy is a state agency whose licensing hearing process and proceedings are governed by the Kansas administrative procedure act (KAPA) K.S.A. 77-501 *et seq.* KAPA provides time limits for processing applications and for holding hearings and imposes other procedural rights and duties on the licensee and upon the agency. It provides uniformity in the hearing process for all state agencies. It is modeled after the federal administrative procedure act and our agency does conduct all hearings pursuant to KAPA. This act went into effect July 1, 1985.

HB 2154 is asking that K.S.A. 65-1627d, K.S.A. 65-1627e, and K.S.A. 65-1627g be repealed. These statutes were enacted in 1975 and at that time they provided the agency with guidance on filing petitions and holding hearings. KAPA was enacted subsequently and the statutes in the Pharmacy Act were never repealed. They are obsolete and are no longer necessary. They also conflict with KAPA statutes. Therefore, we are respectfully requesting that that these three statutes be repealed.

Thank you very much for permitting me to testify, and I will be happy to yield to questions.