



KANSAS

KANSAS BOARD OF PHARMACY
DEBRA BILLINGSLEY, EXECUTIVE DIRECTOR

KATHLEEN SEBELIUS, GOVERNOR

Testimony concerning HB 2156: registration of pharmacy technicians
House Health and Human Services Committee
Presented by Debra Billingsley
On behalf of
The Kansas State Board of Pharmacy
February 14, 2005

Mr. Chairman, Members of the Committee:

My name is Debra Billingsley and I am the Executive Secretary of 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. The Board is responsible for registering pharmacy technicians in the State of Kansas pursuant to K.S.A. 65-1663.

On October 30, 2004, the Board of Pharmacy began to register all pharmacy technicians in Kansas. Subsection (f)(1) of K.S.A. 65-1663 provides that the Board may deny an application for issuance or renewal of any pharmacy technician registration. Subsection (3) also grants the Board the authority to temporarily suspend or temporarily limit the technician registration in accordance with emergency proceedings under the Kansas administrative procedure act, if there is cause to believe that the pharmacy technician's registration would constitute a danger to the public. The statute did not give the board the authority to limit, or revoke a registration other than to provide for temporary suspension under an emergency proceeding.

The Board has only issued pharmacy technician registrations for approximately four months and we have had at least six cases filed regarding diversion of drugs from the registrant's employer. Due to limitations in the statute the Board is required to file an emergency suspension order and to provide a hearing. The most the Board can do to the technician is temporarily suspend the registration. The Attorney General advised the Board that we need language authorizing limitations, suspensions and revocations before we can take any such action.

The Board of Pharmacy takes drug diversion very seriously. These are cases that would warrant a revocation of a registration. If a technician is diverting drugs from his/her employer than we would want to take the most appropriate action available for the safety of the public. This would also provide protection to other states should an individual seek employment across the state lines. The Board would respectfully request that this additional authority to be given to the Board of Pharmacy as it relates to pharmacy technicians.

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