

Approved: March 8, 2012

## MINUTES OF THE SENATE PUBLIC HEALTH AND WELFARE COMMITTEE

The meeting was called to order by Chairman Vicki Schmidt at 1:30 p.m. on February 29, 2012 in Room 546-S of the Capitol.

All members were present except:  
Senator Chris Steineger

Committee staff present:  
Nobuko Folmsbee, Office of the Revisor of Statutes  
Renaee Jefferies, Office of the Revisor of Statutes  
Iraida Orr, Kansas Legislative Research Department  
Melissa Calderwood, Kansas Legislative Research Department  
Carolyn Long, Committee Assistant

Conferees appearing before the Committee:  
None

Others attending:  
See attached list.

The Chair asked for approval of the minutes for February 15, February 16, and February 20, 2012. *Moved by Senator Brungardt, seconded by Senator Huntington to approve the minutes as presented. Motion passed.*

The Chair called for final action on **SB 328—Electronic prescription.** Staff outlined the proposed changes in the amendment: changing *practitioner* to *prescriber* where indicated; adding a definition for “valid prescription order” on page 9; and deleting “A valid prescription order shall be based on a valid patient-prescriber relationship” as it appears on page 13 and “and without a valid preexisting patient-practitioner relationship” on page 14.

Debra Billingsley, Executive Director of the State Board of Pharmacy, said she had no objections to reinstating language on page 14, lines 36-38.

Senator Pilcher-Cook objected to the amendment deleting the requirement for a prior patient-prescriber relationship as she feels that definition would be beneficial to the bill.

Jerry Slaughter, Kansas Medical Association, asked how the pharmacist could determine if such a relationship existed, particularly if the physician was in another state. He felt that this would place an undue burden on pharmacists, asking them to make judgments without any parameters.

Regarding telephonic consultations, Ms. Billingsley said that the entire paragraph on page 14, lines 25-32 could be deleted as it has been a part of their regulations for over three years and they have never heard of any problem.

## CONTINUATION SHEET

The minutes of the Public Health and Welfare Committee at 1:30 p.m. on February 29, 2012, in Room 546-S of the Capitol.

At the suggestion of the chair and the committee, staff was asked to change the *and* to *or* on page 14, line 20 and to reinstate lines 36-38 also on page 14. The Committee agreed that they were not ready to work the bill in its current state and the Chair asked all parties to meet and work on agreeable language. With that, the Chair closed **SB 328**.

The next meeting of the committee is scheduled for March 1, 2012.

The meeting adjourned at 2:30 p.m.