AN ACT concerning health and healthcare; relating to prescription drugs; opioids and other controlled substances; requirements to prescribe.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) As used in this section:

(1) "Patient" means:

(A) A person being treated by a prescriber, if such person is aged 18 years or older or is a minor granted the rights of majority under K.S.A. 38-108 or 38-109, and amendments thereto;

(B) the parent or guardian of a person being treated by a prescriber, if such person is aged 17 years or younger and is not a minor granted the rights of majority under K.S.A. 38-108 or 38-109, and amendments thereto; or

(C) the owner or caregiver of an animal, as defined in K.S.A. 47-816, and amendments thereto, being treated by a veterinarian.

(2) "Prescriber" means the same as defined in K.S.A. 65-1626, and amendments thereto.

(b) Prior to issuing any prescription for any schedule II controlled substance or any opiate or narcotic drug listed in the uniform controlled substances act, or any analog thereof, for a course of treatment for acute or chronic pain, a prescriber, or a person lawfully delegated such task by the prescriber, shall discuss with the patient any relevant risks and recommendations related to such drug, according to currently recommended practice guidelines.

(c) A prescriber shall not issue a prescription for an opiate or narcotic drug, or analog thereof, for quantities or for periods of time greater than guidelines established by rules and regulations of the state board of pharmacy, based on national prescribing guidelines. If, in the professional judgment of the prescriber, greater than such quantity or period of time is necessary to treat the patient's medical condition or is necessary to treat the patient's pain associated with a cancer diagnosis or for palliative care, the prescriber may issue a prescription for the quantity and period of time needed to treat the patient's medical condition or pain and shall document the medical condition requiring the prescription and that a non-opiate alternative was not appropriate to treat the medical condition or pain.

(d) Beginning with the first license renewal period that begins on or
after July 1, 2019, each prescriber who may lawfully prescribe schedule II
controlled substances or opiate or narcotic drugs, or analogs thereof, and
who is subject to continuing education requirements, as a condition of
licensure, shall complete as part of such requirements: Three hours of
continuing education, biennially, regarding prescribing and administering
opiates, risks and indicators of opiate addiction and emergency opiate
situations; and one hour of continuing education, biennially, regarding the
prescription drug monitoring program.

(e) The following state agencies shall adopt rules and regulations as
necessary to implement and administer this section: The state board of
pharmacy; the state board of healing arts; the board of nursing; and the
state board of veterinary examiners.

(f) This section shall a be part of and supplemental to the pharmacy
act of the state of Kansas.

Sec. 2. This act shall take effect and be in force from and after its
publication in the statute book.