



THE UNIVERSITY OF KANSAS HEALTH SYSTEM

Dr. Steven W. Stites

Executive Vice President of Clinical Affairs
Chief Medical Officer

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Chairman Hilderbrand and Members of the Public Health and Welfare Committee
Kansas State Capitol
Topeka, Kansas

Senator Hilderbrand and Members of the Committee:

We write today in opposition to SB 381. The legislation would require a pharmacist to dispense the defined prescriptions and sets aside the ability and moral obligation for the highly skilled, educated and trained professional pharmacist to exercise and practice their professional medical judgment. Additionally, SB 381 directly conflicts with standards included within the Kansas Pharmacy Practice Act and the Kansas Board of Healing Arts.

Pharmacists have spent years in training and education, enhancing their medical expertise and today are among the most respected healthcare professions. They are a critical link in the continuum-of-care and routinely offer important advice to patients, always with the safety and well-being of the patient first and foremost. Patients expect their physicians and pharmacists to provide sound advice and medical judgment and often times explain the benefits and side effects of a prescription. Through the years the working relationships and partnerships between physicians and pharmacists have grown and improved all to the benefit of patients.

SB 381 removes highly skilled and valued medical judgment and replaces it with inappropriate non-scientific mandates. Kansas does not do this with any other prescription and we do not believe there is a need to “mandate” pharmacists to take this action. We believe it is in the best interest of patients to continue to allow them to work with their respective care teams, including pharmacists, to develop appropriate care plans. Attempting to put specific care plans in statute is ill-advised, unnecessary and could lead to significant harm to citizens of Kansas.

Further, we understand there exists a parallel bill (SB 308) which would mandate physicians and other licensed health care entities to administer such medications even against their own professional judgment. We could not voice stronger opposition to actions such as mandating licensed professionals to act against their professional judgment and against their own licensing standards.

Lastly, the notion of liability protection for action required to be taken under this bill that is directly contrary to existing provisions of practice acts for physicians and pharmacists is inappropriate. As practitioners, we rely on physicians and pharmacists to use their professional judgment in acting within the scope of their license.

As healthcare professionals we understand the frustration and fatigue caused by the pandemic. We all want the pandemic to be over and return to some type of normal. We will get past

COVID-19, until we do so, we should not substitute law for sound, evidence-based medical judgment.

We respectfully ask you and your committee to oppose SB 381. We also are happy to engage in a more complete dialog about why we believe this to be unnecessary and inappropriate public policy. Thank you for your consideration.

Sincerely,



Steve Stites, M.D.
Chief Medical Officer
The University of Kansas Health System



Talal W. Khan, M.D., MBA
President
The University of Kansas Physicians



Sam Antonios, M.D.
Chief Clinical Officer
Ascension Via Christi Health



Rick Couldry, RPh, M.S., FASHP
Vice President, Health Professions