

February 10, 2023

The Honorable Beverly Gossage, Chairperson
Senate Committee on Public Health and Welfare
300 SW 10th Avenue, Room 142-S
Topeka, Kansas 66612

Dear Senator Gossage:

SUBJECT: Fiscal Note for SB 173 by Senate Committee on Public Health and Welfare

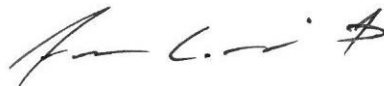
In accordance with KSA 75-3715a, the following fiscal note concerning SB 173 is respectfully submitted to your committee.

SB 173 would permit the purchase of ivermectin and hydroxychloroquine medications in tablet form over the counter and without a prescription.

The Board of Pharmacy indicates that SB 173 could create a conflict between state and federal Food and Drug Administration law. The Board would likely only see an impact in the number of complaints and investigations associated with this matter. Complaints could be related to problems purchasing the medication over the counter (i.e., manufacturer would not make them available, pharmacy would not stock/sell, etc.), undesirable patient outcomes, medication side effects, medication cost, or other issues. Generally, the Board does not dictate what medications are considered prescription-only versus over-the-counter so while all these complaints would be outside the jurisdiction of the Board, administrative and investigative staff and resources could still be necessary for the agency to appropriately respond.

The Kansas Insurance Department, the Kansas State Board of Healing Arts, and the Health Care Stabilization Fund indicate that SB 173 would not have a fiscal effect on agency operations.

Sincerely,



Adam Proffitt
Director of the Budget

cc: Alexandra Blasi, Board of Pharmacy
Bobbi Mariani, Insurance Department
Susan Gile, Board of Healing Arts
Clark Shultz, Health Care Stabilization