



To: House Health and Human Services Committee

From: Rachelle Colombo, Director of Government Affairs

Date: March 19, 2019

Re: HB 2389; mandating e-prescribing for controlled substances

The Kansas Medical Society appreciates the opportunity to provide comment on HB 2389, mandating e-prescribing for controlled substances. As introduced, HB 2389 would require e-prescribing for all controlled substances by July 2020 except in the case of technological failure or under when a waiver is granted for specific conditions.

At this time, not all Kansas physicians have electronic medical record (EMR) technology, and even for those who do, not all EMR systems are currently able to comply with such a mandate. Each system is built differently and changes to the technology require reprogramming, retraining and come at significant expense to physician practices and medical facilities. Further, while there may be some benefit to e-prescribing for some patients and prescription drugs, there are a number of circumstances when such a mandate is not feasible, necessary or ideal for the patient.

The Kansas Medical Society appreciates the bill proponents' effort to address these concerns with a balloon amendment. The amendment was drafted with input from physicians, pharmacists, the Board of Pharmacy and chain drug stores. It limits the mandate to controlled substances containing opiates and allowing for more specific exemptions from e-prescribing. Additionally, the amendment pushes out implementation until July 2021, when federal requirements mandate e-prescribing for Medicare Part D.

This should allow enough time for EMR systems to "catch up" and for physicians not currently utilizing such technology to purchase and plan accordingly. If adopted, the balloon amendment alleviates the opposition of the Kansas Medical Society and represents well-intentioned, workable policy. We appreciate the collaborative work that led to this proposal.

Thank you for the opportunity to offer these comments regarding HB 2389.