

March 4, 2020

The Honorable Brenda Landwehr, Chairperson
House Committee on Health and Human Services
Statehouse, Room 352C-S
Topeka, Kansas 66612

Dear Representative Landwehr:

SUBJECT: Fiscal Note for HB 2661 by Representative Parker

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2661 is respectfully submitted to your committee.

HB 2661 would create the Right to Family Planning Act. Pharmacies would be required to stock and provide contraception and emergency contraception. Pharmacies would have to ensure that employees do not harass, interfere with, deceive, or illegally refuse a patient access to contraception products. Pharmacy employees would also have to protect patient privacy regarding contraception. If the contraception was not in stock, the pharmacy would be required to transfer the patient to the nearest pharmacy or provide expedited ordering at the patient's request. Pharmacies could refuse to provide contraception if the customer does not have a valid prescription or cannot pay for the product. In addition, a licensed pharmacist could refuse to provide the contraception based on a professional clinical judgement. The Board of Pharmacy would be required to adopt rules and regulations to implement and administer the Act.

Estimated State Fiscal Effect				
	FY 2020 SGF	FY 2020 All Funds	FY 2021 SGF	FY 2021 All Funds
Revenue	--	--	--	--
Expenditure	--	--	--	\$4,500
FTE Pos.	--	--	--	--

The Board of Pharmacy indicates that a one-time or temporary increase in agency expenditures would occur resulting from the requirement to adopt or revise rules and regulations to be compliant with the Act. The agency would have staff time and publications costs of

approximately \$4,500 from Board of Pharmacy Fee Fund that are not included in the current budget.

The Office of Judicial Administration states that enactment of HB 2661 could increase the number of cases filed in district courts because it allows for civil suits to be filed. This would increase the time spent by district court judicial and nonjudicial personnel in processing, researching, and hearing cases. The Act could also result in the collection of additional docket fees. However, until the courts have operated under the provisions of the Act a fiscal effect cannot be estimated. Any fiscal effect associated with HB 2661 is not reflected in *The FY 2021 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink that reads "L. L. Campbell". The signature is written in a cursive, flowing style.

Larry L. Campbell
Director of the Budget

cc: Alexandra Blasi, Board of Pharmacy
Mary Rinehart, Judiciary