



March 9, 2022

Written Neutral Testimony on HB 2253
House Social Services Budget Committee
By Vicki Whitaker, Executive Director
On behalf of the
Kansas Association of Osteopathic Medicine

Chairman Carpenter, Vice Chair Lynn, Ranking Minority Leader Ballard and members of the Committee, the Kansas Association of Osteopathic Medicine (KAOM), founded in 1913, represents all osteopathic physicians and the osteopathic profession in Kansas. Many osteopathic physicians are primary care physicians practicing in rural areas.

KAOM supports the use of K-TRACS by prescribers and pharmacists filling those prescriptions as it has reduced the number of patients who doctor-shopped and filled prescriptions at multiple pharmacies for controlled substances, identifies such patients to prescribers and aids pharmacists in decisions on filling prescriptions.

Since the legislature created the Prescription Monitoring Program Act in 2008, the voluntary use of K-TRACS has benefited all Kansans and undoubtedly saved lives. K-TRACS has grown in size and scope in the last 14 years through grants and the assessment to licensing fee funds of the professions using K-TRACS to make up shortfalls. Grants and fee funds cannot continue to sustain the ever more expensive and sophisticated K-TRACS database.

Without stable funding K-TRACS will always be in a precarious position from year to year. The K-TRACS program cost has ballooned from around \$200,000 per year to over six times that amount and at the K-TRACS budget hearing it was acknowledged that these costs could double. During this time the purpose of K-TRACS has evolved. The Board of Pharmacy now intends to expand additional features and include additional information to enhance the number of users of the program database. The new language in HB 2253 is broad and states information may include but is not limited to the "date or fact of death, dispensation or administration of emergency opioid antagonists and data related to an overdose event". Requiring diagnosis codes is also requested in the bill. This is far beyond the original concept of a database to aid prescribers and dispensers of controlled substances.

On page four, line 5 (b)(1) the bill gives the Board of Pharmacy the ability to adopt rules and regulations necessary to establish and charge to each integrated entity an initial setup fee and an annual maintenance fee for the integration of program data in any electronic health record or pharmacy management system approved by the board.

This ability to integrate into the electronic health record or pharmacy management system was originally provided through a grant to the Board of Pharmacy. The grant will most likely not be ongoing and now another cost will fall to the Board of Pharmacy to fund. When integration was offered – free of charge – to prescribers and dispensers no mention was made that in the

future the cost for it would fall to them. So, while prescribers and dispensers are not the driving force behind all the upgrades and add-ons to K-TRACS they will be the only entities charged for them if they want the convenience of having K-TRACS integrated into their health records. All other entities which are connected to K-TRACS will not be charged for its use or benefit to them.

What began as a simple tool to track controlled substances has now become an expensive, sophisticated database that going forward can be used for tracking illicit drug overdoses, psychotropic medications and require more and more users. K-TRACS will offer something for everyone in the healthcare system – from prescribers and dispensers to behavioral health providers. All it will take will be more funding which the Kansas Legislature has been unwilling to fund in the State General Fund even though K-TRACS is for the benefit of all Kansans.

In closing, KAOM asks the House Social Services Budget Committee to consider the value of K-TRACS and the expanding uses of K-TRACS and fund the K-TRACS system in the state general fund. Otherwise, K-TRACS will continue to seek grants for program enhancements which will increase the cost of the program when the grants for enhancements end.

Thank you for your time and consideration of this testimony.