

Proposed

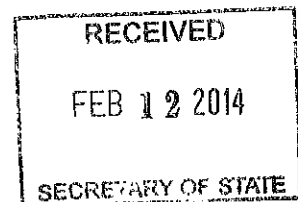
KANSAS STATE BOARD OF PHARMACY

NOTICE OF PUBLIC HEARING ON PROPOSED REGULATION AMENDMENTS

A public hearing will be conducted at 9:00 a.m. on the 24th day of April 2014, at the Kansas Board of Healing Arts, Board Room, 800 SW Jackson, Lower Level, Topeka, Kansas 66612, to consider the proposed adoption of amendments to K.A.R. 68-11-1 and K.A.R. 68-11-2 as permanent regulations of the Kansas Pharmacy Board.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed adoption of amendments to K.A.R. 68-11-1 and K.A.R. 68-11-2. All parties may submit written comments prior to the hearing to the Executive Secretary of the Kansas State Board of Pharmacy, Debra Billingsley, at pharmacy@pharmacy.ks.gov, or Kansas Board of Pharmacy, 800 SW Jackson, Suite 1414, Topeka, Kansas 66612. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of amendments to K.A.R. 68-11-1 and K.A.R. 68-11-2, and during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the regulation and economic impact statement in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting Jackie Yingling at the Kansas Board of Pharmacy at Jackie.yingling@pharmacy.ks.gov or at (785) 296-6504. Handicapped parking is available in the parking garage of the building off of 8th Street.



Proposed

Amendments to K.A.R. 68-11-1 and K.A.R. 68-11-2 are proposed for permanent adoption. A summary of the proposed amendments are as follows:

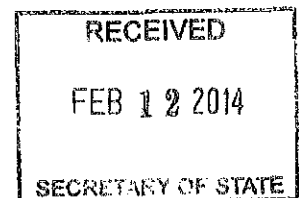
K.A.R. 68-11-1 Fees for examination and licensure as a pharmacist. This regulation is an amendment lowering the pharmacist examination and licensure fees by twenty percent.

K.A.R. 68-11-2 Fees for premises registrations and permits. This regulation is an amendment lowering the premises registration and permit fees by twenty percent.

Economic Impact. The adoption of these amendments will have economic impact to the Kansas State Board of Pharmacy in that they will have lower receipts each year that are used to fund the agency. In addition, this amendment will have a financial impact upon all licensees, registrants, and permit holders of the Board because they will have to pay 20 percent less for their licenses, registrations and permits.

Copies of the regulations and the economic impact statements may be obtained from the Kansas Pharmacy Board, 800 SW Jackson, Suite 1414, Topeka, Kansas 66612, (785) 296-4056, pharmacy@pharmacy.ks.gov or by accessing the Board's website at <http://www.pharmacy.ks.gov>.

Debra Billingsley
Executive Secretary



68-11-1. Fees for examination and licensure as a pharmacist. The following fees shall be paid to the board by each applicant for examination and licensure as a pharmacist:

(a) Each applicant for examination shall pay a fee of ~~\$50.00~~ \$40.00 to the Kansas board of pharmacy.

(b) Each applicant for reciprocal licensure shall pay a fee of ~~\$80.00~~ \$64.00 to the Kansas board of pharmacy.

(c) An additional fee of \$250.00 to evaluate the education and training shall be paid by each applicant for reciprocal licensure or examination who graduated from a school or college of pharmacy or department of a university not approved by the board.

(d) Each licensed pharmacist shall pay a renewal fee of ~~\$150.00~~ \$120.00.

(e) The penalty fee for a late renewal of a pharmacist license shall be ~~\$200.00~~ \$160.00.

~~(f) The fee for a new or renewed pharmacist license shall be prorated to the nearest whole month for any period of time consisting of fewer than two years.~~ (Authorized by K.S.A. 65-1630 and K.S.A. 2013 Supp. 65-1645; implementing K.S.A. 2013 Supp. 65-1645; effective May 1, 1983; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; amended May 1, 1991; amended Nov. 30, 1992; amended June 6, 1994; amended July 31, 1998; amended Feb. 5, 1999; amended Feb. 7, 2003; amended Oct. 20, 2006; amended P-_____.)

RECEIVED
FEB 12 2014
SECRETARY OF STATE

ATTORNEY GENERAL

FEB 11 2014

APPROVED BY



APPROVED

FEB 11 2014

DEPT. OF ADMINISTRATION

68-11-2. Fees for premises registrations and permits. (a) Pharmacy registration fees shall be as follows:

(1) Each new pharmacy registration shall be ~~\$140.00~~ \$112.00.

(2) Each renewal pharmacy registration shall be ~~\$125.00~~ \$100.00.

(b) Manufacturer registration fees shall be as follows:

(1) Each new manufacturer registration shall be ~~\$300.00~~ \$240.00.

(2) Each renewal manufacturer registration shall be ~~\$300.00~~ \$240.00.

(c) Wholesaler distributor registration fees shall be as follows:

(1) Each new wholesaler distributor registration shall be ~~\$300.00~~ \$240.00.

(2) Each renewal wholesaler distributor registration shall be ~~\$300.00~~ \$240.00.

(3) For each wholesaler who deals exclusively in nonprescription drugs, the registration fee shall be ~~\$50.00~~ \$40.00.

(d) For each institutional drug room or veterinary medical teaching hospital pharmacy, registration fees shall be as follows:

(1) Each new registration shall be ~~\$25.00~~ \$20.00.

(2) Each renewal registration shall be ~~\$20.00~~ \$16.00.

(e) Other permit fees shall be as follows:

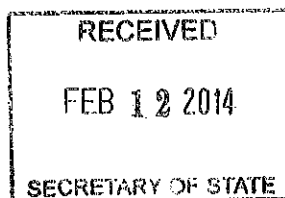
(1) Each retail dealer permit shall be ~~\$12.00~~ \$9.60.

(2) Each auction permit shall be ~~\$35.00~~ \$28.00.

(3) Each sample distribution permit shall be ~~\$30.00~~ \$24.00.

(f) For each place of business that sells durable medical equipment, the registration fee shall be ~~\$300.00~~ \$240.00. (Authorized by and implementing K.S.A. 65-1630 and K.S.A.

2013 Supp. 65-1645; implementing K.S.A. 2013 Supp. 65-1645; effective May 1, 1983;



ATTORNEY GENERAL

FEB 11 2014

APPROVED BY 

APPROVED

FEB 11 2014

DEPT. OF ADMINISTRATION

Proposed

K.A.R. 68-11-2

p. 2

amended May 1, 1988; amended June 6, 1994; amended Feb. 7, 2003; amended Oct. 24, 2008;

amended P-_____.)

RECEIVED
FEB 12 2014
SECRETARY OF STATE

ATTORNEY GENERAL

FEB 11 2014

APPROVED BY *gfr*

APPROVED

FEB 11 2014

DEPT. OF ADMINISTRATION

KANSAS STATE BOARD OF PHARMACY

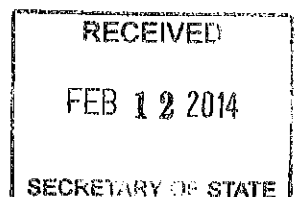
ECONOMIC IMPACT STATEMENT

Pursuant to K.S.A. 77-420(c) (4), the Kansas Pharmacy Board submits the following description of the economic impact of the proposed regulations: K.A.R. 68-11-1 and K.A.R. 68-11-2.

1. These are amended regulations that designate the original examination, licensure, registration, and permit fees for new applications and renewals. The Board of Pharmacy is one hundred percent funded by these fees, however, under the current fee structure the Board brings in more money than they are authorized to spend by the legislature. The Board has a fee balance that could be used to support the Board's expenditures. The Board estimates that it would take approximately five years to reduce the current fee balance to an appropriate level.

2. The proposed regulations are not mandated by federal laws.

3. Passage of these regulations would result in a decrease in revenue collected by the agency. The proposed regulation will result in a savings with all licensees, registrants, and permit holders.



Proposed

Page Two
Economic Impact Statement
K.A.R. 68-11-1 and K.A.R. 68-11-2

4. The Board is not aware of any less costly or less intrusive method to achieve the stated purpose and thus none were considered.
5. This is not a proposed environmental regulation.

