

HOUSE BILL No. 2570

By Committee on Health and Human Services

2-6

1 AN ACT concerning health and healthcare; relating to certain prescribers;
2 limiting certain prescriptions to a seven-day supply; exceptions.

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4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. (a) (1) Except as otherwise provided, no prescriber shall
6 prescribe a schedule II, III or IV opioid for the initial treatment of acute
7 pain in a quantity that exceeds a seven-day supply, and no refills shall be
8 allowed for such a prescription.

9 (2) An opioid prescription shall not be subject to the prescribing
10 limits established in paragraph (1) if the prescription:

11 (A) Is for a schedule II, III or IV opioid drug approved by the federal
12 food and drug administration and is indicated for the treatment of
13 addiction; and

14 (B) the prescription was prescribed for the patient by the prescriber
15 for the treatment of addiction.

16 (b) No pharmacist or pharmacy shall be subject to disciplinary action
17 or other civil or criminal liability for refusing to dispense any schedule II,
18 III or IV opioid pursuant to an otherwise valid prescription that exceeds
19 the prescribing limits established in subsection (a)(1).

20 (c) If an individual health plan or group health plan implements a
21 prior authorization requirement, or another policy consistent with the
22 provisions of subsection (a)(1), the prescriber and the prescriber's staff
23 shall follow the applicable health plan's processes to complete any
24 required prior authorization before issuing the prescription to the patient.

25 (d) If a schedule II, III or IV opioid prescription is issued to a patient
26 for acute pain in accordance with the prescribing limits established in
27 subsection (a)(1) and is filled and dispensed, a subsequent prescription for
28 the same medication may be filled by the patient during the same month
29 without counting against any applicable medicaid monthly prescription
30 coverage limit.

31 (e) As used in this section:

32 (1) "Acute pain" means pain with abrupt onset, caused by an injury or
33 other process that is not ongoing. "Acute pain" does not include chronic
34 pain, pain that is being treated as part of cancer care, hospice or other end-
35 of-life care or palliative care.

36 (2) "Pharmacist" means the same as set forth in K.S.A. 65-1682, and

1 amendments thereto.

2 (3) "Pharmacy" means the same as set forth in K.S.A. 65-1682, and
3 amendments thereto.

4 (4) "Prescriber" means the same as set forth in K.S.A. 65-1626, and
5 amendments thereto.

6 Sec. 2. This act shall take effect and be in force from and after its
7 publication in the statute book.