

# Kansas Administrative Regulations Economic Impact Statement (EIS)

Kansas Board of Pharmacy  
Agency

Alexandra Blasi  
Agency Contact

785-296-4056  
Contact Phone Number

68-2-5  
K.A.R. Number(s)

Permanent     Temporary

Is/Are the proposed rule(s) and regulation(s) mandated by the federal government as a requirement for participating in or implementing a federally subsidized or assisted program?

- Yes    If yes, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. Budget approval is not required; however, the Division of the Budget will require submission of a copy of the EIS at the end of the review process.
- No    If no, do the total annual implementation and compliance costs for the proposed rule(s) and regulation(s), calculated from the effective date of the rule(s) and regulation(s), exceed \$1.0 million over any two-year period through June 30, 2024, or exceed \$3.0 million over any two-year period on or after July 1, 2024 (as calculated in Section III, F)?
- Yes    If yes, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration, the Attorney General, AND the Division of the Budget. The regulation(s) and the EIS will require Budget approval.
- No    If no, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. Budget approval is not required; however, the Division of the Budget will require submission of a copy of the EIS at the end of the review process.

DOB APPROVAL STAMP (If Required)

**Section I**

Brief description of the proposed rule(s) and regulation(s).

K.A.R. 68-2-5 was merged into the new 2023 regulation K.A.R. 68-1-9. K.A.R. 68-2-5 is no longer necessary.

**Section II**

Statement by the agency if the rule(s) and regulation(s) exceed the requirements of applicable federal law, and a statement if the approach chosen to address the policy issue(s) is different from that utilized by agencies of contiguous states or the federal government. *(If the approach is different or exceeds federal law, then include a statement of why the proposed Kansas rule and regulation is different.)*

Regulation is not mandated by the federal government.

**Section III**

Agency analysis specifically addressing the following:

A. The extent to which the rule(s) and regulation(s) will enhance or restrict business activities and growth;

The proposed revocation would neither enhance nor restrict business activities and growth for pharmacies and dispensing physicians.

B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that would be affected by the proposed rule(s) and regulation(s) and on the state economy as a whole;

None

C. Businesses that would be directly affected by the proposed rule(s) and regulation(s);

Pharmacies registered in Kansas.

D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;

No costs.

E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;

The Board is removing redundancy in the regulations.

DOB APPROVAL STAMP (If Required)

- F. An estimate of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to businesses, local governments, or members of the public.  
*Note: Do not account for any actual or estimated cost savings that may be realized.*

Costs to Affected Businesses – \$0  
Costs to Local Governmental Units – \$0  
Costs to Members of the Public – \$0  
**Total Annual Costs – \$0**  
(sum of above amounts)

Give a detailed statement of the data and methodology used in estimating the above cost estimate.

Reviewed regulation revocation with pharmacy stakeholders.

- Yes      If the total implementation and compliance costs exceed \$1.0 million over any two-year period through June 30, 2024, or exceed \$3.0 million over any two-year period on or after July 1, 2024, and prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.
- No
- Not Applicable

If applicable, click here to enter public hearing information.

Provide an estimate to any changes in aggregate state revenues and expenditures for the implementation of the proposed rule(s) and regulation(s), for both the current fiscal year and next fiscal year.

There is no anticipated change in state revenues and expenditures as a result of the implementation of the proposed regulations.

Provide an estimate of any immediate or long-range economic impact of the proposed rule(s) and regulation(s) on any individual(s), small employers, and the general public. If no dollar estimate can be given for any individual(s), small employers, and the general public, give specific reasons why no estimate is possible.

None.

- G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

There is no impact from the proposed regulations on cities, counties or school districts.

DOB APPROVAL STAMP (If Required)

- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).

The Board provided an opportunity for comments and discussion on the proposed revocation and solicited feedback from pharmacists and stakeholder groups such as the Kansas Pharmacists Association prior to routing through the administrative rulemaking process. The Board is working through a multi-year plan to review and revise all adopted regulations for necessary updates.

## Section IV

Does the Economic Impact Statement involve any environmental rule(s) and regulation(s)?

- Yes If yes, complete the remainder of Section IV.  
 No If no, skip the remainder of Section IV.

- A. Describe the capital and annual costs of compliance with the proposed rule(s) and regulation(s), and the persons who would bear the costs.

[Click here to enter agency response.](#)

- B. Describe the initial and annual costs of implementing and enforcing the proposed rule(s) and regulation(s), including the estimated amount of paperwork, and the state agencies, other governmental agencies, or other persons who would bear the costs.

[Click here to enter agency response.](#)

- C. Describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, as well as the persons who would bear the costs and would be affected by the failure to adopt the rule(s) and regulation(s).

[Click here to enter agency response.](#)

- D. Provide a detailed statement of the data and methodology used in estimating the costs used.

[Click here to enter agency response.](#)

DOB APPROVAL STAMP (If Required)

# Kansas Administrative Regulations Economic Impact Statement (EIS)

Kansas Board of Pharmacy  
Agency

Alexandra Blasi  
Agency Contact

785-296-4056  
Contact Phone Number

68-2-25  
K.A.R. Number(s)

Permanent     Temporary

Is/Are the proposed rule(s) and regulation(s) mandated by the federal government as a requirement for participating in or implementing a federally subsidized or assisted program?

- Yes    If yes, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. Budget approval is not required; however, the Division of the Budget will require submission of a copy of the EIS at the end of the review process.
- No    If no, do the total annual implementation and compliance costs for the proposed rule(s) and regulation(s), calculated from the effective date of the rule(s) and regulation(s), exceed \$1.0 million over any two-year period through June 30, 2024, or exceed \$3.0 million over any two-year period on or after July 1, 2024 (as calculated in Section III, F)?
- Yes    If yes, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration, the Attorney General, AND the Division of the Budget. The regulation(s) and the EIS will require Budget approval.
- No    If no, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. Budget approval is not required; however, the Division of the Budget will require submission of a copy of the EIS at the end of the review process.

DOB APPROVAL STAMP (If Required)

## Section I

Brief description of the proposed rule(s) and regulation(s).

K.A.R. 68-2-25 is the non-controlled substance counterpart to K.A.R. 68-20-18. The regulation establishes minimum requirements for non-controlled substance prescriptions, including the information required on the prescription, the pharmacy personnel who received the prescription, and any changes made to the prescription.

## Section II

Statement by the agency if the rule(s) and regulation(s) exceed the requirements of applicable federal law, and a statement if the approach chosen to address the policy issue(s) is different from that utilized by agencies of contiguous states or the federal government. *(If the approach is different or exceeds federal law, then include a statement of why the proposed Kansas rule and regulation is different.)*

Regulation is not mandated by the federal government. Proposed amendments are consistent with current standards of pharmacy practice.

## Section III

Agency analysis specifically addressing the following:

- A. The extent to which the rule(s) and regulation(s) will enhance or restrict business activities and growth;

The Board anticipates that the proposed regulation may require physicians who do not already comply with the proposed regulation to provide additional information on the prescription. Pharmacies shall be required to verify that the required information is present.

- B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that would be affected by the proposed rule(s) and regulation(s) and on the state economy as a whole;

The Board anticipates that this proposed regulation will have a minimal economic effect as requirements are similar to current pharmacy practices.

- C. Businesses that would be directly affected by the proposed rule(s) and regulation(s);

Pharmacies registered in Kansas.

- D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;

The Board anticipates that any costs will be offset by the benefit of having vital information included in the prescription. This may lead to fewer mistakes due to prescriptions not containing vital information, resulting in fewer incidents.

DOB APPROVAL STAMP (If Required)

- E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;

The Board is attempting to minimize any fiscal impact by only requiring information that a prescription must contain at a bare minimum.

- F. An estimate of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to businesses, local governments, or members of the public.

*Note: Do not account for any actual or estimated cost savings that may be realized.*

Costs to Affected Businesses – \$0

Costs to Local Governmental Units – \$0

Costs to Members of the Public – \$0

**Total Annual Costs – \$0**

(sum of above amounts)

Give a detailed statement of the data and methodology used in estimating the above cost estimate.

Reviewed regulation with pharmacy stakeholders.

- Yes      If the total implementation and compliance costs exceed \$1.0 million over any two-year period through June 30, 2024, or exceed \$3.0 million over any two-year period on or after July 1, 2024, and prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.
- No
- Not Applicable

If applicable, click here to enter public hearing information.

Provide an estimate to any changes in aggregate state revenues and expenditures for the implementation of the proposed rule(s) and regulation(s), for both the current fiscal year and next fiscal year.

There is no anticipated change in state revenues and expenditures as a result of the implementation of the proposed regulations.

Provide an estimate of any immediate or long-range economic impact of the proposed rule(s) and regulation(s) on any individual(s), small employers, and the general public. If no dollar estimate can be given for any individual(s), small employers, and the general public, give specific reasons why no estimate is possible.

None.

- G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will

DOB APPROVAL STAMP (If Required)

increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

There is no impact from the proposed regulations on cities, counties or school districts.

- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).

The Board provided an opportunity for comments and discussion on the proposed revocation and solicited feedback from pharmacists and stakeholder groups such as the Kansas Pharmacists Association prior to routing through the administrative rulemaking process. The Board is working through a multi-year plan to review and revise all adopted regulations for necessary updates.

## Section IV

Does the Economic Impact Statement involve any environmental rule(s) and regulation(s)?

- Yes If yes, complete the remainder of Section IV.  
 No If no, skip the remainder of Section IV.

- A. Describe the capital and annual costs of compliance with the proposed rule(s) and regulation(s), and the persons who would bear the costs.

[Click here to enter agency response.](#)

- B. Describe the initial and annual costs of implementing and enforcing the proposed rule(s) and regulation(s), including the estimated amount of paperwork, and the state agencies, other governmental agencies, or other persons who would bear the costs.

[Click here to enter agency response.](#)

- C. Describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, as well as the persons who would bear the costs and would be affected by the failure to adopt the rule(s) and regulation(s).

[Click here to enter agency response.](#)

- D. Provide a detailed statement of the data and methodology used in estimating the costs used.

[Click here to enter agency response.](#)

DOB APPROVAL STAMP (If Required)



# Kansas Administrative Regulations Economic Impact Statement (EIS)

Kansas Board of Pharmacy  
Agency

Alexandra Blasi  
Agency Contact

785-296-4056  
Contact Phone Number

68-7-14  
K.A.R. Number(s)

Permanent     Temporary

Is/Are the proposed rule(s) and regulation(s) mandated by the federal government as a requirement for participating in or implementing a federally subsidized or assisted program?

- Yes    If yes, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. Budget approval is not required; however, the Division of the Budget will require submission of a copy of the EIS at the end of the review process.
- No    If no, do the total annual implementation and compliance costs for the proposed rule(s) and regulation(s), calculated from the effective date of the rule(s) and regulation(s), exceed \$1.0 million over any two-year period through June 30, 2024, or exceed \$3.0 million over any two-year period on or after July 1, 2024 (as calculated in Section III, F)?
- Yes    If yes, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration, the Attorney General, AND the Division of the Budget. The regulation(s) and the EIS will require Budget approval.
- No    If no, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. Budget approval is not required; however, the Division of the Budget will require submission of a copy of the EIS at the end of the review process.

DOB APPROVAL STAMP (If Required)

## Section I

Brief description of the proposed rule(s) and regulation(s).

K.A.R. 68-7-14 is being amended for the first time since 2009 to keep the language consistent with other Kansas regulations. The regulation establishes what information a prescription label must include and who shall be permitted to label or relabel drugs or devices originally dispensed from their registered location. Amendments specify label requirements for shared order filling, the maximum expiration date, and generic drug information.

## Section II

Statement by the agency if the rule(s) and regulation(s) exceed the requirements of applicable federal law, and a statement if the approach chosen to address the policy issue(s) is different from that utilized by agencies of contiguous states or the federal government. *(If the approach is different or exceeds federal law, then include a statement of why the proposed Kansas rule and regulation is different.)*

Regulation is not mandated by the federal government. Proposed amendments are consistent with current standards of pharmacy practice and ensure patients can easily identify their prescription and the pharmacy's responsible for dispensing.

## Section III

Agency analysis specifically addressing the following:

- A. The extent to which the rule(s) and regulation(s) will enhance or restrict business activities and growth;

The Board anticipates that the proposed amendment may require pharmacies that do not already comply with the proposed regulation to provide additional information on the prescription label.

- B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that would be affected by the proposed rule(s) and regulation(s) and on the state economy as a whole;

The Board anticipates that this proposed regulation will have a minimal economic effect as requirements are similar to current pharmacy practices.

- C. Businesses that would be directly affected by the proposed rule(s) and regulation(s);

Pharmacies registered in Kansas.

DOB APPROVAL STAMP (If Required)

D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;

The Board anticipates that any costs will be offset by the benefit of having vital information included in the prescription. This may lead to fewer mistakes due to prescription labels not containing vital information, resulting in fewer incidents.

E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;

The Board is attempting to minimize any fiscal impact by only requiring information that a prescription must contain at a bare minimum.

F. An estimate of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to businesses, local governments, or members of the public.

*Note: Do not account for any actual or estimated cost savings that may be realized.*

Costs to Affected Businesses – \$0

Costs to Local Governmental Units – \$0

Costs to Members of the Public – \$0

**Total Annual Costs – \$0**

(sum of above amounts)

Give a detailed statement of the data and methodology used in estimating the above cost estimate.

Reviewed regulation amendments with pharmacy stakeholders.

- Yes      If the total implementation and compliance costs exceed \$1.0 million over any two-year period through June 30, 2024, or exceed \$3.0 million over any two-year period on or after July 1, 2024, and prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.
- No
- Not Applicable

If applicable, click here to enter public hearing information.

Provide an estimate to any changes in aggregate state revenues and expenditures for the implementation of the proposed rule(s) and regulation(s), for both the current fiscal year and next fiscal year.

There is no anticipated change in state revenues and expenditures as a result of the implementation of the proposed regulations.

Provide an estimate of any immediate or long-range economic impact of the proposed rule(s) and regulation(s) on any individual(s), small employers, and the general public. If no dollar estimate

DOB APPROVAL STAMP (If Required)

can be given for any individual(s), small employers, and the general public, give specific reasons why no estimate is possible.

None. Pharmacy software should already be configured to comply with these requirements. Additional changes to the label information would be based on calculations done by the pharmacist at the time of dispensing.

- G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

There is no impact from the proposed regulations on cities, counties or school districts.

- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).

The Board provided an opportunity for comments and discussion on the proposed regulation amendments and solicited feedback from pharmacists and stakeholder groups such as the Kansas Pharmacists Association prior to routing through the administrative rulemaking process. The Board is working through a multi-year plan to review and revise all adopted regulations for necessary updates.

## Section IV

Does the Economic Impact Statement involve any environmental rule(s) and regulation(s)?

- Yes If yes, complete the remainder of Section IV.  
 No If no, skip the remainder of Section IV.

- A. Describe the capital and annual costs of compliance with the proposed rule(s) and regulation(s), and the persons who would bear the costs.

[Click here to enter agency response.](#)

- B. Describe the initial and annual costs of implementing and enforcing the proposed rule(s) and regulation(s), including the estimated amount of paperwork, and the state agencies, other governmental agencies, or other persons who would bear the costs.

[Click here to enter agency response.](#)

- C. Describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, as well as the persons who would bear the costs and would be affected by the failure to adopt the rule(s) and regulation(s).

[Click here to enter agency response.](#)

<b>DOB APPROVAL STAMP (If Required)</b>

D. Provide a detailed statement of the data and methodology used in estimating the costs used.

[Click here to enter agency response.](#)

**DOB APPROVAL STAMP (If Required)**

# Kansas Administrative Regulations Economic Impact Statement (EIS)

Kansas Board of Pharmacy  
Agency

Alexandra Blasi  
Agency Contact

785-296-4056  
Contact Phone Number

68-7-18  
K.A.R. Number(s)

Permanent     Temporary

Is/Are the proposed rule(s) and regulation(s) mandated by the federal government as a requirement for participating in or implementing a federally subsidized or assisted program?

- Yes    If yes, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. Budget approval is not required; however, the Division of the Budget will require submission of a copy of the EIS at the end of the review process.
- No    If no, do the total annual implementation and compliance costs for the proposed rule(s) and regulation(s), calculated from the effective date of the rule(s) and regulation(s), exceed \$1.0 million over any two-year period through June 30, 2024, or exceed \$3.0 million over any two-year period on or after July 1, 2024 (as calculated in Section III, F)?
- Yes    If yes, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration, the Attorney General, AND the Division of the Budget. The regulation(s) and the EIS will require Budget approval.
- No    If no, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. Budget approval is not required; however, the Division of the Budget will require submission of a copy of the EIS at the end of the review process.

DOB APPROVAL STAMP (If Required)

## Section I

Brief description of the proposed rule(s) and regulation(s).

K.A.R. 68-7-18 is being amended to keep the language consistent with other Kansas regulations and mirror the authorizing statute by including federally qualified health centers and indigent healthcare clinics, clarifying that only federally qualified health centers may store and supply controlled substances, requiring pharmacists-in-charge to ensure that facilities maintain and implement policies and procedures for drugs, and requiring facilities to maintain records and searchable databases. Additional amendments modernized and simplified language since the last adoption in 2000.

## Section II

Statement by the agency if the rule(s) and regulation(s) exceed the requirements of applicable federal law, and a statement if the approach chosen to address the policy issue(s) is different from that utilized by agencies of contiguous states or the federal government. *(If the approach is different or exceeds federal law, then include a statement of why the proposed Kansas rule and regulation is different.)*

Regulation is not mandated by the federal government. Proposed amendments are consistent with current standards of pharmacy practice.

## Section III

Agency analysis specifically addressing the following:

- A. The extent to which the rule(s) and regulation(s) will enhance or restrict business activities and growth;

The Board anticipates that the proposed amendment may require some facilities to update their policies and procedures in regard to the supply and control of drugs. However, the Board is not further restricting any business activity.

- B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that would be affected by the proposed rule(s) and regulation(s) and on the state economy as a whole;

The Board anticipates that this proposed regulation will have a minimal economic effect as requirements are similar to current pharmacy practices.

- C. Businesses that would be directly affected by the proposed rule(s) and regulation(s);

Pharmacies registered in Kansas. Health departments, private not-for-profit family planning clinics, federally qualified health centers, and indigent healthcare clinics located in Kansas.

DOB APPROVAL STAMP (If Required)

D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;

The Board anticipates that any costs shall be offset by the benefit of including federally qualified health centers and indigent healthcare clinics in the regulation, which will expand current opportunities for patient care.

E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;

The Board is attempting to minimize any fiscal impact by amending the regulation to ensure that regulated pharmacies and facilities that have a direct impact on patient safety are able to comply with the amended regulation without overly burdensome requirements.

The Board is attempting to minimize any fiscal impact by providing an opportunity for stakeholders to preview the regulation before it is routed through the administrative rule-making process; at this time, the Board has received zero feedback that suggests the proposed amendment would have a fiscal impact.

F. An estimate of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to businesses, local governments, or members of the public.

*Note: Do not account for any actual or estimated cost savings that may be realized.*

Costs to Affected Businesses – \$0

Costs to Local Governmental Units – \$0

Costs to Members of the Public – \$0

**Total Annual Costs – \$0**

(sum of above amounts)

Give a detailed statement of the data and methodology used in estimating the above cost estimate.

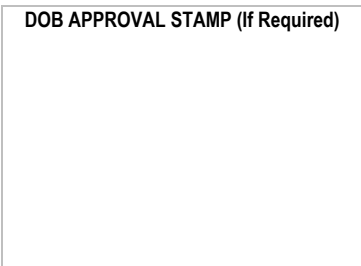
Reviewed regulation amendments with pharmacy stakeholders.

- Yes
  - No
  - Not Applicable
- If the total implementation and compliance costs exceed \$1.0 million over any two-year period through June 30, 2024, or exceed \$3.0 million over any two-year period on or after July 1, 2024, and prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.

If applicable, [click here to enter public hearing information.](#)

Provide an estimate to any changes in aggregate state revenues and expenditures for the implementation of the proposed rule(s) and regulation(s), for both the current fiscal year and next fiscal year.

DOB APPROVAL STAMP (If Required)





There is no anticipated change in state revenues and expenditures as a result of the implementation of the proposed regulations.

Provide an estimate of any immediate or long-range economic impact of the proposed rule(s) and regulation(s) on any individual(s), small employers, and the general public. If no dollar estimate can be given for any individual(s), small employers, and the general public, give specific reasons why no estimate is possible.

None.

- G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

There is no impact from the proposed regulations on cities, counties or school districts.

- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).

The Board provided an opportunity for comments and discussion on the proposed regulation and solicited feedback from pharmacists and stakeholder groups such as the Kansas Pharmacists Association prior to routing through the administrative rulemaking process. The Board is working through a multi-year plan to review and revise all adopted regulations for necessary updates.

## Section IV

Does the Economic Impact Statement involve any environmental rule(s) and regulation(s)?

- Yes If yes, complete the remainder of Section IV.  
 No If no, skip the remainder of Section IV.

- A. Describe the capital and annual costs of compliance with the proposed rule(s) and regulation(s), and the persons who would bear the costs.

[Click here to enter agency response.](#)

- B. Describe the initial and annual costs of implementing and enforcing the proposed rule(s) and regulation(s), including the estimated amount of paperwork, and the state agencies, other governmental agencies, or other persons who would bear the costs.

[Click here to enter agency response.](#)

DOB APPROVAL STAMP (If Required)

- C. Describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, as well as the persons who would bear the costs and would be affected by the failure to adopt the rule(s) and regulation(s).

[Click here to enter agency response.](#)

- D. Provide a detailed statement of the data and methodology used in estimating the costs used.

[Click here to enter agency response.](#)

**DOB APPROVAL STAMP (If Required)**

# Kansas Administrative Regulations Economic Impact Statement (EIS)

Kansas Board of Pharmacy  
Agency

Alexandra Blasi  
Agency Contact

785-296-4056  
Contact Phone Number

68-19-1  
K.A.R. Number(s)

Permanent     Temporary

Is/Are the proposed rule(s) and regulation(s) mandated by the federal government as a requirement for participating in or implementing a federally subsidized or assisted program?

- Yes    If yes, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. Budget approval is not required; however, the Division of the Budget will require submission of a copy of the EIS at the end of the review process.
- No    If no, do the total annual implementation and compliance costs for the proposed rule(s) and regulation(s), calculated from the effective date of the rule(s) and regulation(s), exceed \$1.0 million over any two-year period through June 30, 2024, or exceed \$3.0 million over any two-year period on or after July 1, 2024 (as calculated in Section III, F)?
- Yes    If yes, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration, the Attorney General, AND the Division of the Budget. The regulation(s) and the EIS will require Budget approval.
- No    If no, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. Budget approval is not required; however, the Division of the Budget will require submission of a copy of the EIS at the end of the review process.

DOB APPROVAL STAMP (If Required)

## Section I

Brief description of the proposed rule(s) and regulation(s).

K.A.R. 68-19-1 is the regulatory counterpart of K.S.A. § 65-1695. K.A.R. 68-19-1 sets out the requirements for the continuous quality improvement (CQI) program for each community retail pharmacy in Kansas. The regulation is being updated after stakeholder feedback suggested that the requirements of the CQI program could be improved upon to increase patient safety and prevent future incidents from occurring. The program is also expanded to reduce the regulatory burden for pharmacies voluntarily engaged in a patient safety organization. Updates were triggered by feedback received from the pharmacist workplace conditions survey

## Section II

Statement by the agency if the rule(s) and regulation(s) exceed the requirements of applicable federal law, and a statement if the approach chosen to address the policy issue(s) is different from that utilized by agencies of contiguous states or the federal government. *(If the approach is different or exceeds federal law, then include a statement of why the proposed Kansas rule and regulation is different.)*

Regulation is not mandated by the federal government. Amendments are consistent with other state incident response and CQI programs.

## Section III

Agency analysis specifically addressing the following:

- A. The extent to which the rule(s) and regulation(s) will enhance or restrict business activities and growth;

The proposed amendment may require pharmacies and pharmacists to take a more active role in the CQI program. However, the Kansas Board of Pharmacy does not anticipate that the amendment will have a substantial impact on business activities or the growth of pharmacies. Redesigning the program should reduce the current regulatory burden and make it more meaningful and effective in protecting patient safety.

- B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that would be affected by the proposed rule(s) and regulation(s) and on the state economy as a whole;

The Kansas Board of Pharmacy does not have information to suggest that amendments will have a substantial cost or effect as requirements are similar to current practices. While engaging a patient safety organization can range in cost, this is not a Board requirement (only an option). These costs are confidential and unique to each pharmacy client and were not released to the Board.

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C. Businesses that would be directly affected by the proposed rule(s) and regulation(s);  
Pharmacies registered in Kansas.

D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;  
The Kansas Board of Pharmacy believes that any costs associated with the amendment will be outweighed by pharmacists-in-charge having a more active role in meeting CQI requirements, which may help prevent future incidents and protect patient safety.

E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;  
The Board has hosted multiple Board meetings and requested feedback from stakeholders prior to moving the proposed amendment through the administrative rulemaking process. The Board has reviewed each piece of stakeholder feedback and either made alterations to the proposed amendment or provided clarifying information to the stakeholder.

F. An estimate of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to businesses, local governments, or members of the public.  
*Note: Do not account for any actual or estimated cost savings that may be realized.*

Costs to Affected Businesses – \$0  
Costs to Local Governmental Units – \$0  
Costs to Members of the Public – \$0  
**Total Annual Costs – \$0**  
(sum of above amounts)

Give a detailed statement of the data and methodology used in estimating the above cost estimate.

Reviewed regulation with pharmacy stakeholders.

- Yes
  - No
  - Not Applicable
- If the total implementation and compliance costs exceed \$1.0 million over any two-year period through June 30, 2024, or exceed \$3.0 million over any two-year period on or after July 1, 2024, and prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing to find that the estimated costs have been accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.

If applicable, click here to enter public hearing information.

Provide an estimate to any changes in aggregate state revenues and expenditures for the implementation of the proposed rule(s) and regulation(s), for both the current fiscal year and next fiscal year.

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There is no anticipated change in state revenues and expenditures as a result of the implementation of the proposed regulations.

Provide an estimate of any immediate or long-range economic impact of the proposed rule(s) and regulation(s) on any individual(s), small employers, and the general public. If no dollar estimate can be given for any individual(s), small employers, and the general public, give specific reasons why no estimate is possible.

None.

- G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

There is no impact from the proposed regulations on cities, counties or school districts.

- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).

The Board provided an opportunity for comments and discussion on the proposed regulation and solicited feedback from pharmacists and stakeholder groups such as the Kansas Pharmacists Association prior to routing through the administrative rulemaking process. The Board is working through a multi-year plan to review and revise all adopted regulations for necessary updates.

## Section IV

Does the Economic Impact Statement involve any environmental rule(s) and regulation(s)?

- Yes If yes, complete the remainder of Section IV.  
 No If no, skip the remainder of Section IV.

- A. Describe the capital and annual costs of compliance with the proposed rule(s) and regulation(s), and the persons who would bear the costs.

[Click here to enter agency response.](#)

- B. Describe the initial and annual costs of implementing and enforcing the proposed rule(s) and regulation(s), including the estimated amount of paperwork, and the state agencies, other governmental agencies, or other persons who would bear the costs.

[Click here to enter agency response.](#)

DOB APPROVAL STAMP (If Required)

- C. Describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, as well as the persons who would bear the costs and would be affected by the failure to adopt the rule(s) and regulation(s).

[Click here to enter agency response.](#)

- D. Provide a detailed statement of the data and methodology used in estimating the costs used.

[Click here to enter agency response.](#)

**DOB APPROVAL STAMP (If Required)**