

HOUSE BILL No. 2686

By Representative V. Miller

2-5

1 AN ACT concerning health professions and practices; relating to
2 prescribers; requiring prescribers to discuss risks and alternatives to
3 certain addictive controlled substances with patients before prescribing
4 such substances.

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

7 Section 1. (a) A prescriber shall discuss with the patient, the patient's
8 legal representative or, if the patient is under 18 years of age, the patient's
9 parent or legal guardian, prior to issuing the initial prescription of a
10 schedule II controlled substance listed in K.S.A. 65-4107, and
11 amendments thereto, or any other opioid drug that is a prescription-only
12 drug in a course of treatment for acute or chronic pain and again prior to
13 issuing the third prescription of the course of treatment, the risks
14 associated with drugs being prescribed, including but not limited to:

15 (1) The risks of addiction and overdose associated with opioid drugs
16 and the dangers of taking opioid drugs with alcohol, benzodiazepines and
17 other central nervous system depressants;

18 (2) the reasons why the prescription is necessary;

19 (3) alternative treatments that may be available; and

20 (4) risks associated with the use of the drugs being prescribed,
21 specifically that opioids are highly addictive, even when taken as
22 prescribed, there is a risk of developing a physical or psychological
23 dependence on the controlled dangerous substance and the risks of taking
24 more opioids than prescribed, or mixing sedatives, benzodiazepines or
25 alcohol with opioids, can result in fatal respiratory depression.

26 (b) The prescriber shall include a note in the patient's medical record
27 that such prescriber has discussed with the patient, the patient's legal
28 representative or the patient's parent or legal guardian, as applicable, the
29 risks of developing a physical or psychological dependence on the
30 controlled dangerous substance and alternative treatments that may be
31 available.

32 (c) This section shall not apply to:

33 (1) A prescription for a patient who is currently in active treatment for
34 cancer, receiving hospice care from a licensed hospice or palliative care or
35 is a resident of an adult care home; or

36 (2) to any medications that are being prescribed for use in the

1 treatment of substance abuse or opioid dependence.

2 (d) As used in this section:

3 (1) "Adult care home" means the same as defined in K.S.A. 39-923,
4 and amendments thereto; and

5 (2) "prescriber" means the same as defined in K.S.A. 65-1626, and
6 amendments thereto; and

7 (3) "prescription-only drug" means the same as defined in K.S.A. 65-
8 1626, and amendments thereto.

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