

Collaborative Practice Agreements Between Physicians and Pharmacists

The Act (Sections 1, 9) allows the practice of collaborative drug therapy management by a pharmacist. A pharmacist is allowed to perform patient care functions for a specific patient delegated to the pharmacist by a physician through a collaborative practice agreement. The physician remains responsible for the care of the patient throughout the collaborative drug therapy management process. A pharmacist may not alter a physician's orders or directions, diagnose or treat any disease, independently prescribe drugs, or independently practice medicine. The Act also establishes a seven-member collaborative drug therapy management advisory committee.

Submitted as:

Kansas

[HB 2146](#)

Status: Signed into law on April 10, 2014.

Suggested State Legislation

(Title, enacting clause, etc.)

- 1 Section 1. [*Practice of pharmacy.*]
2 (a) For the purpose of the pharmacy act of the [state], the following persons shall be deemed to
3 be engaged in the practice of pharmacy:
4 (1) Persons who publicly profess to be a pharmacist, or publicly profess to assume the duties
5 incident to being a pharmacist and their knowledge of drugs or drug actions, or both; and
6 (2) persons who attach to their name any words or abbreviation indicating that they are a
7 pharmacist licensed to practice pharmacy in [state].
8 (b)
9 (1) "Practice of pharmacy" means the interpretation and evaluation of prescription orders;
10 the compounding, dispensing and labeling of drugs and devices pursuant to prescription
11 orders; the administering of vaccine pursuant to a vaccination protocol; the participation
12 in drug selection according to state law and participation in drug utilization reviews; the
13 proper and safe storage of prescription drugs and prescription devices and the
14 maintenance of proper records thereof in accordance with law; consultation with patients
15 and other health care practitioners about the safe and effective use of prescription drugs
16 and prescription devices; performance of collaborative drug therapy management
17 pursuant to a written collaborative practice agreement with one or more physicians who
18 have an established physician-patient relationship; and participation in the offering or
19 performing of those acts, services, operations or transactions necessary in the conduct,
20 operation, management and control of a pharmacy. Nothing in this section shall be
21 construed to add any additional requirements for registration or for a permit under the
22 pharmacy act of the state of Kansas or for approval under [Insert citation], or to prevent
23 persons other than pharmacists from engaging in drug utilization review, or to require
24 persons lawfully in possession of prescription drugs or prescription devices to meet any

1 storage or record keeping requirements except such storage and record keeping
2 requirements as may be otherwise provided by law or to affect any person consulting
3 with a health care practitioner about the safe and effective use of prescription drugs or
4 prescription devices.

5 (2) “Collaborative drug therapy management” means a practice of pharmacy where a
6 pharmacist performs certain pharmaceutical-related patient care functions for a specific
7 patient which have been delegated to the pharmacist by a physician through a
8 collaborative practice agreement. A physician who enters into a collaborative practice
9 agreement is responsible for the care of the patient following initial diagnosis and
10 assessment and for the direction and supervision of the pharmacist throughout the
11 collaborative drug therapy management process. Nothing in this subsection shall be
12 construed to permit a pharmacist to alter a physician’s orders or directions, diagnose or
13 treat any disease, independently prescribe drugs or independently practice medicine and
14 surgery.

15 (3) “Collaborative practice agreement” means a written agreement or protocol between one
16 or more pharmacists and one or more physicians that provides for collaborative drug
17 therapy management. Such collaborative practice agreement shall contain certain
18 specified conditions or limitations pursuant to the collaborating physician’s order,
19 standing order, delegation or protocol. A collaborative practice agreement shall be: (A)
20 Consistent with the normal and customary specialty, competence and lawful practice of
21 the physician; and (B) appropriate to the pharmacist’s training and experience.

22 (4) “Physician” means a person licensed to practice medicine and surgery in this state.
23

24 Section 2. [*Collaborative drug therapy management advisory committee.*]

25 (a) Not later than 90 days after the effective date of this act, the state board of pharmacy and the
26 state board of healing arts shall appoint a seven-member committee to be known as the
27 collaborative drug therapy management advisory committee for the purpose of promoting
28 consistent regulation and to enhance coordination among such boards with jurisdiction over
29 licensees involved in collaborative drug therapy management. Such committee shall advise
30 and make recommendations to the state board of pharmacy and state board of healing arts on
31 matters relating to collaborative drug therapy management.

32 (b) The collaborative drug therapy management advisory committee shall consist of seven
33 members: (1) One member of the board of pharmacy appointed by the board of pharmacy,
34 who shall serve as the nonvoting chairperson; (2) three licensed pharmacists appointed by the
35 state board of pharmacy, at least two of whom shall have experience in collaborative drug
36 therapy management; and (3) three persons licensed to practice medicine and surgery
37 appointed by the state board of healing arts, at least two of whom shall have experience in
38 collaborative drug therapy management. The state board of pharmacy shall give
39 consideration to any names submitted by the [state] pharmacists association when making
40 appointments to the committee. The state board of healing arts shall give consideration to any
41 names submitted by the [state] medical society when making appointments to the committee.
42 Members appointed to the committee shall serve terms of two years, except that of the four
43 members of the committee first appointed to the committee by the state board of pharmacy,
44 two shall be appointed for terms of two years and two shall be appointed for terms of one
45 year as specified by the state board of pharmacy and that of the three members of the
46 committee first appointed to the committee by the state board of healing arts, two shall be

1 appointed for terms of two years and one shall be appointed for a term of one year as
2 specified by the state board of healing arts. Members appointed to the committee shall serve
3 without compensation. All expenses of the committee shall be equally divided and paid by
4 the state board of pharmacy and state board of healing arts.