STATE OF KANSAS
KANSAS PHARMACY BOARD

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS AND ADOPTION OF ADMINISTRATIVE REGULATIONS

A public hearing will be conducted at 10:00 a.m. on the 13th day of September, 2006, at the Hayden Office Building, Conference Room, 212 W. 8th, Topeka, Kansas, to consider the proposed amendments to K.A.R. 68-1-1b, K.A.R. 68-1-1d, K.A.R. 68-1-1f, and K.A.R. 68-11-1, and the adoption of K.A.R. 68-1-1g as a permanent regulation of the 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 amendments to K.A.R. 68-1-1b, K.A.R. 68-1-1d, K.A.R. 68-1-1f, and K.A.R. 68-11-1, and the adoption of K.A.R. 68-1-1g. All parties may submit written comments prior to the hearing to the Executive Secretary of the Kansas Pharmacy Board, Debra Billingsley, Landon State Office Building, 900 SW Jackson, Room 560, Topeka, Kansas 66612-1231. All interested parties will be given a reasonable opportunity to present their views orally on the amendments to, and adoption of, the regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant 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 the Kansas Pharmacy Board, Landon State Office Building, 900 SW Jackson, Room 560, Topeka, Kansas 66612-1231, (785) 296-4056. Handicapped parking is located on the west and north sides of the building, and the north entrance to the building is accessible to individuals with disabilities.

K.A.R. 68-1-1b, K.A.R. 68-1-1d, K.A.R. 68-1-1f, and K.A.R. 68-11-1 are proposed for amendment. A summary of each proposed amendment is as follows:

K.A.R. 68-1-1b. Continuing education unit. This amendment eliminates unnecessary language in the regulation and clarifies the specific continuing education programs that the board shall and shall not consider for approval.

K.A.R. 68-1-1d. Approved schools. This amendment eliminates unnecessary language in the regulation.

K.A.R. 68-1-1f. Foreign graduates. This amendment eliminates unnecessary language in the regulation and specifies that each foreign applicant shall be required to meet one of the English language requirements for licensure under the pharmacy act.

K.A.R. 68-11-1. Fees for examination and licensure as a pharmacist. This amendment changes the reciprocal licensure fee that shall be paid to the Kansas board of pharmacy.

K.A.R. 68-1-1g is proposed for permanent adoption. A summary of the proposed regulation is as follows:

K.A.R. 68-1-1g. Internet-based TOEFL. This regulation identifies the minimum scores a foreign applicant shall be required to obtain on the internet-based TOEFL in order to meet one of the English language requirements for licensure under the pharmacy act.

Copies of the regulations and the economic impact statements may be obtained from the Kansas Pharmacy Board, Landon State Office Building, 900 SW Jackson, Room 560, Topeka, Kansas 66612-1231, (785) 296-4056, or by accessing the Board's website at http://www.accesskansas.org/pharmacy/leg.html.

Debra Billingsley
Executive Secretary

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ECONOMIC IMPACT STATEMENT

Pursuant to K.S.A. 77-416(b), the Kansas Pharmacy Board submits the following description of the economic impact of K.A.R. 68-1-1f:

1. This is an amendment to an existing regulation that eliminates unnecessary language in the regulation and specifies that each foreign applicant shall be required to meet one of the English language requirements for licensure under the pharmacy act.
2. The proposed amendment is not mandated by federal law.
3. No new cost will be borne by pharmacists or others.
4. The Board is not aware of any less costly or less intrusive methods to achieve the stated purposed and thus none were considered.
5. This is not a proposed environmental regulation.

68-1-1f. Foreign graduates. (a) Each applicant who has graduated from a school or college of pharmacy or a pharmacy department of a university located outside of the United States or who is not a citizen of the United States shall~~, in addition to the requirements set out in K.A.R. 68-1-1d,~~ provide proof that the applicant has reasonable ability to communicate verbally and in writing with the general public in English as specified in this regulation.

~~(1)~~ (b) Each foreign applicant shall be required to ~~pass~~ meet one of the following English language requirements for licensure under the pharmacy act of the state of Kansas:

(1) Pass the test of English as a foreign language (TOEFL) with a score of ~~not less than~~ at least 570 and the test of spoken English (TSE) with a score of ~~not less than 55 in order to successfully qualify for licensure under the pharmacy act of the state of Kansas.~~ at least 50; or

(2) pass the internet-based TOEFL (iBT) as specified in K.A.R. 68-1-1g.

~~(2) Any foreign applicant who holds a graduate or second-level degree or diploma from a postsecondary institution in the United States or another English-speaking country may be exempted from the TOEFL examination requirements stated above if other proof that the applicant has reasonable ability to communicate with the general public in English is submitted by the applicant and accepted by the board.~~

~~(b) Each applicant who is a graduate of a school or college located outside of the United States who has not demonstrated that the standards of the applicant's undergraduate degree program is at least equivalent to the university of Kansas school of pharmacy program, as provided by K.A.R. 68-1-1e, may satisfy the requirements of K.A.R. 68-1-1e in the following manner:~~

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~~(1) by providing satisfactory evidence to the board of graduation from the foreign school or college; and~~

~~(2) by successfully passing an equivalent examination recognized or administered by the board.~~

~~(c) All documents and materials required by these regulations shall be translated into English, and a certificate of correctness shall be provided. All copies shall be notarized as true copies.~~ (Authorized by and implementing K.S.A. 65-1631; effective May 1, 1983; amended June 6, 1994; amended March 20, 1995; amended Aug. 1, 1997; amended P-_____.)

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