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March 23, 2026

ATTORNEY GENERAL OPINION NO. 2026-7

Brenda L. Head  
Frieden & Forbes LLP  
1414 S.W. Ashworth Place, Suite 201  
Topeka, KS 66604

Re: Public Health—Regulations of Pharmacists—Practice of Pharmacy  
Defined; Persons Engaged as Pharmacists

Public Health—Physician Assistants

Public Health—Regulation of Nursing—Nurses—Advanced Practice  
Registered Nurse Licensure

Synopsis: The Kansas Pharmacy Act authorizes Kansas pharmacists to dispense prescriptions written by mid-level practitioners. K.S.A. 65-1626(tt) defines mid-level practitioners as Physician Assistants licensed under the Physician Assistant Licensure Act and Advanced Practice Registered Nurses licensed under K.S.A. 65-1131. K.S.A. 65-28a04(a) requires Physician Assistants to be licensed by the Kansas Board of Healing Arts. Once licensed, K.S.A. 65-28a08(b) permits Physician Assistants, under the direction and supervision of a physician, to prescribe medications. Similarly, K.S.A. 65-1131 requires Advanced Practice Registered Nurses to be licensed through the Kansas Board of Nursing. Once licensed, K.S.A. 65-1130(d) permits Advanced Practice Registered Nurses to prescribe medications. In summary, Physician Assistants and Advanced Practice Registered Nurses must hold the appropriate Kansas license from their respective boards to have prescriptive authority in the state. Cited herein: K.S.A. 65-1625; 65-

1626a; 65-1626; 65-28a01; 65-28a02; 65-28a03; 65-28a04; 65-28a06; 65-28a07; 65-28a08; 65-1113; 65-1130.

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Dear Ms. Head,

As counsel for the Kansas Board of Pharmacy, you asked whether Physician Assistants (PAs) and Advanced Practice Registered Nurses (APRNs) need a Kansas license to have prescriptive authority in the state. Our analysis concludes that the Pharmacy Act requires PAs and APRNs to hold a Kansas license from the Kansas Board of Healing Arts (KBHA) and the Kansas Board of Nursing (KBN), respectively, to prescribe medication in Kansas.

The Kansas Pharmacy Act<sup>1</sup> defines the practice of pharmacy as, in part, “the compounding, dispensing, and labeling of drugs and devices pursuant to prescription orders.”<sup>2</sup> Under the Act, a “prescription” is a lawful order created by a prescriber or their authorized agent “that communicates the prescriber’s instructions for a prescription drug or device to be dispensed.”<sup>3</sup> The Act defines “prescriber[s]” as “a practitioner or a mid-level practitioner.”<sup>4</sup> Thus, pharmacists may only dispense prescription orders from practitioners or mid-level practitioners.

A “practitioner” is further defined under the Act as a “person licensed to practice medicine and surgery, dentist, podiatrist, veterinarian, [or] optometrist.”<sup>5</sup> In contrast, a “mid-level practitioner” is specifically defined as:

[A]n *advanced practice registered nurse* issued a license pursuant to K.S.A. 65-1131, and amendments thereto, who has authority to prescribe drugs under K.S.A. 65-1130, and amendments thereto, or a *physician assistant* licensed pursuant to the physician assistant licensure act who has authority to prescribe drugs pursuant to a written agreement with a supervising physician under K.S.A. 65-28a02, and amendments thereto.<sup>6</sup>

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<sup>1</sup> K.S.A. 65-1625.

<sup>2</sup> K.S.A. 65-1626a(b)(1)(B).

<sup>3</sup> K.S.A. 65-1626(ggg).

<sup>4</sup> K.S.A. 65-1626(fff). *But see* K.A.R. 68-2-20(a)(1) (defining “prescriber” as “a ‘practitioner’ as defined by K.S.A. 65-1626 and amendments thereto, a ‘mid-level practitioner’ as defined by K.S.A. 65-1626 and amendments thereto, or a *person authorized to issue a prescription by the laws of another state*”).

<sup>5</sup> K.S.A. 65-1626(ddd).

<sup>6</sup> K.S.A. 65-1626(tt) (emphases added).

Accordingly, a PA must be licensed under the Physician Assistant Licensure Act, and an APRN must be licensed under K.S.A. 65-1131 to have prescription authority in Kansas. Without the appropriate Kansas licensure, these mid-level practitioners are not authorized to prescribe medication in the state.<sup>7</sup>

### ***Physician Assistants***

The Physician Assistant Licensure Act<sup>8</sup> is the primary legislation governing the qualifications and practice of PAs in Kansas.<sup>9</sup> It defines a PA as “a person who is licensed in accordance with the provisions of K.S.A. 65-28a04, and the amendments thereto, and who provides patient services under the direction and supervision of a supervising physician.”<sup>10</sup> K.S.A. 65-28a04 requires licensure by the KBHA.<sup>11</sup>

To be licensed as a PA by the KBHA, an individual must meet all the statutory requirements, including approved education and training, pass a board-approved examination, and providing any additional information deemed necessary by the board.<sup>12</sup> The KBHA is also authorized by statute to adopt additional rules and regulations “for carrying out the provisions of this act.”<sup>13</sup> Upon fulfilling these requirements and receiving approval, the KBHA may issue a license.<sup>14</sup>

Once licensed, a PA, working under the direction and supervision of a physician, is authorized to perform acts that constitute the practice of medicine and surgery, including prescribing medication.<sup>15</sup> Thus, a license through the KBHA is required for a PA to have prescriptive authority in the state of Kansas.

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<sup>7</sup> K.S.A. 65-28a06(a); K.S.A. 65-1130(a).

<sup>8</sup> K.S.A. 65-28a01.

<sup>9</sup> See K.S.A. 65-28a04(a).

<sup>10</sup> K.S.A. 65-28a02(a)(4).

<sup>11</sup> K.S.A. 65-28a04(a); see also K.S.A. 65-28a03.

<sup>12</sup> K.S.A. 65-28a04(a).

<sup>13</sup> K.S.A. 65-28a03(j).

<sup>14</sup> See K.S.A. 65-28a03. A license “means any license or temporary license granted by the physician assistant licensure act.” K.S.A. 65-28a02(a)(8).

<sup>15</sup> K.S.A. 65-28a08(b).

***Advanced Practice Registered Nurse***

The Kansas Nurse Practice Act<sup>16</sup> is the primary legislation governing the qualifications and practice of APRNs in Kansas.<sup>17</sup> The Act defines an APRN as “a professional nurse who holds a license from the board to function as a professional nurse in an advanced role, and this advanced role shall be defined by the rules and regulations adopted by the board in accordance with K.S.A. 65-1130, and amendments thereto.” In this context, “the board” refers to the KBN.<sup>18</sup>

A person may not “announce or represent to the public” that they are an APRN unless they have complied with the requirements established by the KBN and hold a valid APRN license.<sup>19</sup> To obtain a license, an applicant must apply to the KBN and meet all requirements.<sup>20</sup> Upon fulfilling these requirements, “the board may issue a license ... authorizing the applicant to perform the duties of an advanced practice registered nurse.”<sup>21</sup> Once licensed, an APRN may prescribe medication.<sup>22</sup> Thus, a license through the KBN is required for a APRN to have prescriptive authority in Kansas.

In conclusion, the Pharmacy Act requires PAs and APRNs to hold valid licenses from the KBHA and KBN, respectively, to obtain prescriptive authority in Kansas. As a result, Kansas pharmacists may only fill prescriptions issued by PAs and APRNs licensed in Kansas.

Sincerely,

/s/ Kris W. Kobach

Kris W. Kobach  
Attorney General

/s/ Miranda R. Neal

Miranda R. Neal  
Assistant Solicitor General

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<sup>16</sup> K.S.A. 65-1134.

<sup>17</sup> See K.S.A. 65-1131.

<sup>18</sup> K.S.A. 65-1113(a).

<sup>19</sup> K.S.A. 65-1130(a).

<sup>20</sup> K.A.R. 60-11-103.

<sup>21</sup> K.S.A. 65-1131.

<sup>22</sup> K.S.A. 65-1130(d).